



**PARKER SCANLON**

Surveying, Town Planning, Bushfire Assessment, Project Management

# Statement of Environmental Effects

*Multi-Dwelling Residential Housing &  
Strata Subdivision of  
Proposed Lot 211 in the Subdivision of  
Lot 21 in DP 841959*

*at **NO.262 ABERGLASSLYN ROAD, ABERGLASSLYN NSW  
2320***

Date: 18 October 2023

Ref: B2295SEE-C

## Document Control

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<b>VERSION</b>	<b>DESCRIPTION</b>	<b>ORIGINAL by</b>	<b>REVIEW by</b>	<b>RELEASE DATE</b>
A	Statement of Environmental Effects	J.M	L.B	14/08/2023
B	Statement of Environmental Effects	J.M	L.B	26/09/2023
C	Statement of Environmental Effects – add ref to Strata Subdivision	L.B	L.B	18/10/2023

## PROPOSAL SUMMARY

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**Property Description:** Proposed Lot 211 in the Subdivision of Lot 21 in DP 841959, No.262 Aberglasslyn Road, Aberglasslyn NSW 2320

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**Zone:** R1 – General Residential (Maitland LEP 2011)

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**Project Description:** Multi-Dwelling Residential Housing & Strata Subdivision of Proposed Lot 211 in the Subdivision of Lot 21 in DP 841959

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## 1. PROPOSAL

### 1.1 DESCRIPTION OF PROPOSED DEVELOPMENT

This Statement of Environmental Effects has been prepared to support the Development Application for: -

- Construction of twenty-four (24) new dwellings to form a multi-dwelling residential development;
- Strata subdivision of the multi-dwelling residential development to create twenty-four (24) strata titled lots and common property for the driveway, visitor parking, communal open space, bin storage area and front garden; and
- Associated ancillary site works.

Refer to **Attachment 1** and **Figure 1**.

The proposal has been previously discussed with Council's Pre-Lodgement Panel at a meeting on 24 November 2022 (see **Attachment 2**). The design response to the minutes from the meeting are considered in **Sections 3.3 & 5** of this report.

### 1.2 REQUEST TO VARY DCP CONTROLS

A variation is sought to the following Maitland Development Control Plan 2011 (MDCP 2011) controls of Part C – Design Guidelines: -

- Controls 4.2 and 4.3 to provide retaining walls on the boundary which require cut or fill that exceeds the maximum amount in these controls; and
- Control 15.7 to provide a driveway with maximum width of 5m – the proposal requests a driveway width of 5.5m.

These variations are addressed in the DCP table in **Section 3.3** of this report and supported within the proposed plans (**Attachment 1**) and Traffic Impact Assessment, see **Attachment 7**.

### 1.3 CONSULTATION

Formulation of the proposal has involved using/obtaining the following specialist reports and designs: -

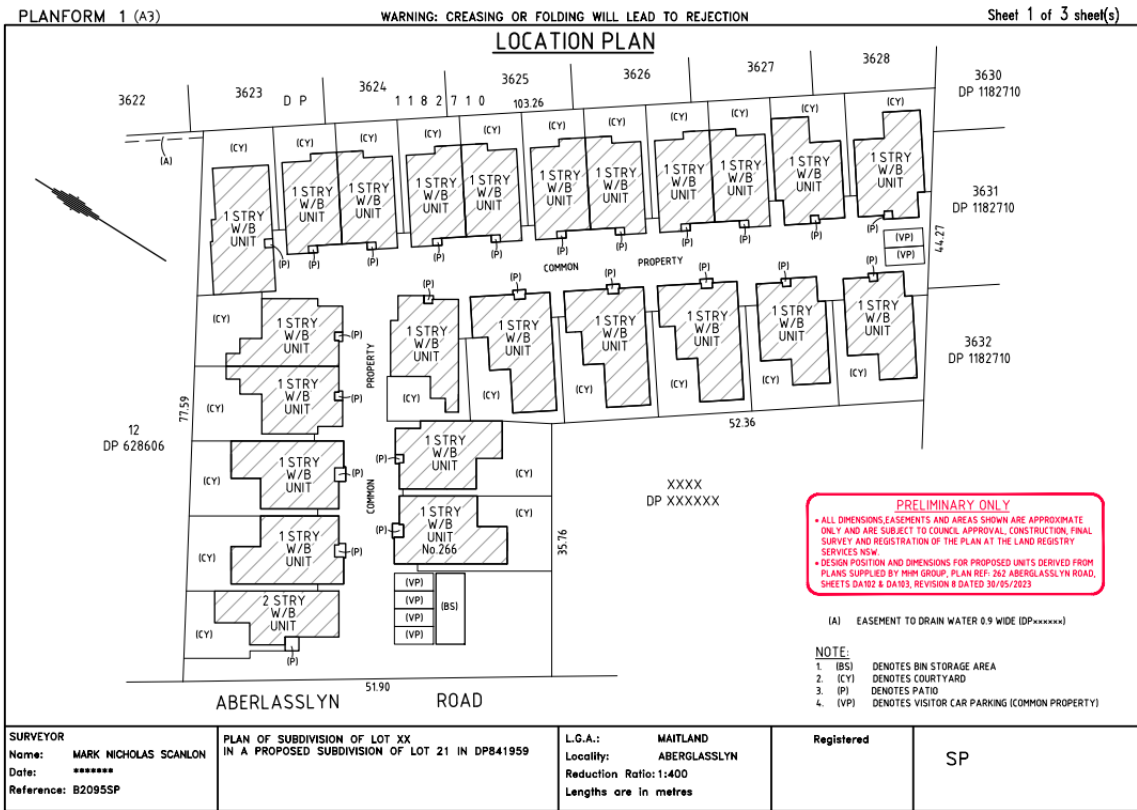
- Civil Design and Stormwater Management (see **Attachment 3**);
- BASIX Certification (see **Attachment 4**);
- Preliminary Contamination Report (see **Attachment 5**);
- Crime Prevention Through Environmental Design (CPTED) Report (see **Attachment 6**); and
- Traffic Impact Assessment (see **Attachment 7**).

Formulation of the proposal has also involved consultation with: -

- Maitland City Council (Pre-lodgement Meeting, 24 November 2022, see **Attachment 2**); and
- Hunter Water Corporation (see **Attachment 8**).



**Figure 1 – Proposed Multi-Dwelling Residential Housing Plans (MHM Construction Group)**

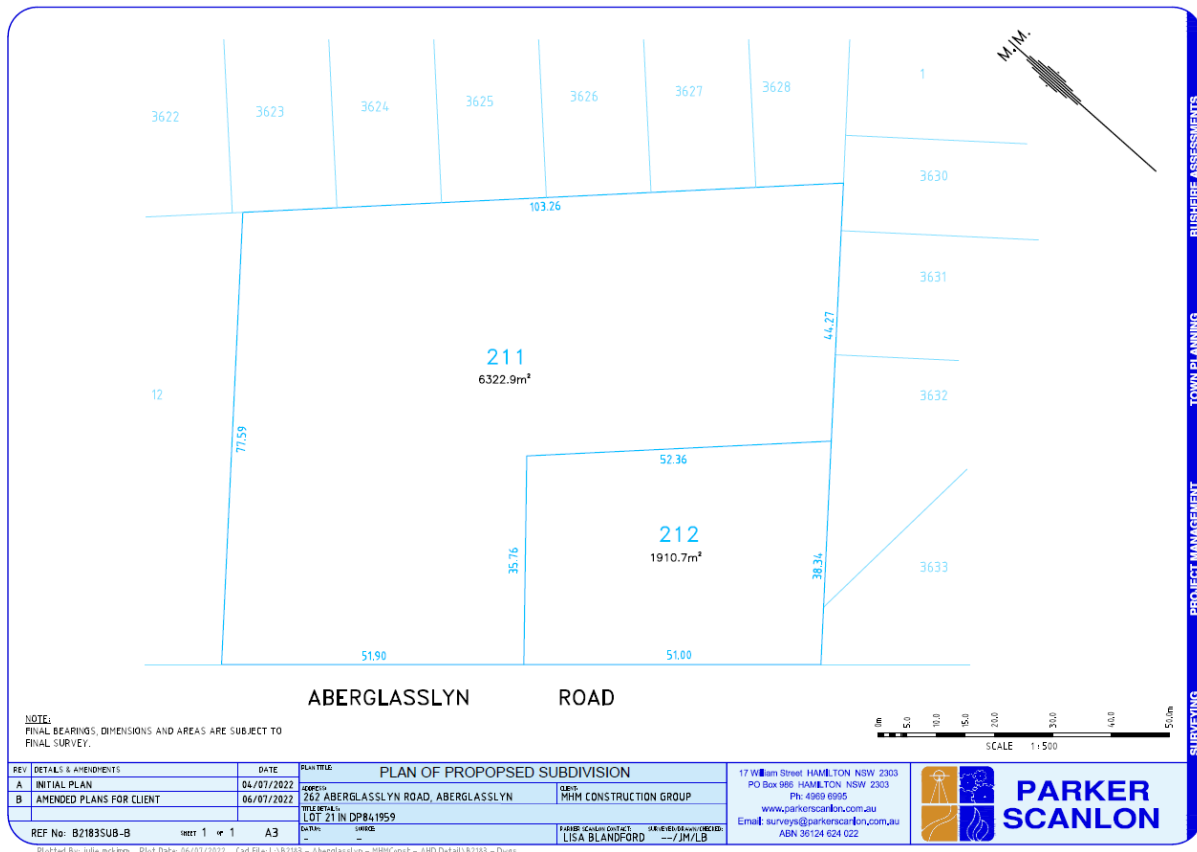


**Figure 2a – Proposed Residential Strata Subdivision Plans (Parker Scanlon)**

## 2. SITE CONTEXT

### 2.1 SITE DESCRIPTION

The subject site is known as No.262 Aberglasslyn Road, Aberglasslyn, and consists of proposed Lot 211 in the subdivision of Lot 21 in DP 841959. This parent lot has a recently approved Development Application, DA/2022/832, for a one into two lot subdivision to create the subject site, being proposed Lot 211, refer **Figure 2** and **Attachment 9**.



**Figure 2 – Plan of Proposed Subdivision (Parker Scanlon)**

The site is an irregular shaped allotment with an area of 6,322m<sup>2</sup>. The property has a frontage of 51.9m to Aberglasslyn Road, refer **Figure 3**. The site is located in the suburb of Aberglasslyn, approximately 5km to the north-west of the town of Maitland, within the Maitland City Council Local Government Area (LGA). The land contains a single storey weatherboard dwelling and metal shed, which are both approved for demolition under DA/2022/832, refer **Attachment 10**.



**Figure 3 – Subject Site (Metromap, March 2023)**

## **2.2 PREVIOUS AND PRESENT SITE USE AND APPROVALS**

The site currently contains a single dwelling, ancillary shed and vacant land maintained in line with previous large lot residential use.

A development application, DA/2022/832, was recently approved for a one into two lot subdivision to create the subject site. The subject application includes the demolition of the existing dwelling and detached metal shed that are located on proposed Lot 211.

## **2.3 SURROUNDING DEVELOPMENT AND LAND USE**

Surrounding land consists of the following:

- To the North: A predominantly residential landscape zoned as R1 General Residential.
- To the East: Residential development within zone R1 General Residential, adjoining a section of land zoned RU2 Rural Landscape.
- To the South: The immediate adjoining neighbour's land is zoned R5 Large Lot Residential, with residential land zoned R1 General Residential further south.
- To the West: Residential development within zone R5 Large Lot Residential, adjoining a section of land zoned RU1 Primary Production and R1 General Residential.

Refer to **Figures 4 & 8**.





**Figure 4 – Surrounding Land Use (SixMaps, March 2023)**

## 2.4 CURRENT ROAD NETWORK

Aberglasslyn Road is constructed of a bitumen formation, operating as a distributor road from the New England Highway to Maitland Vale Road.

## 2.5 EXISTING VEGETATION & NATURAL FEATURES

The site contains no significant native vegetation and is presently cleared and maintained for residential purposes. The land predominantly comprises grassland and a small portion of managed scattered vegetation and does not contain any watercourses. There are no waterways or ecological corridors that run through the subject site.

An unnamed watercourse is located approximately 80 metres from the northern boundary of the site, refer to **Figure 5**.



**Figure 5 – Hydroline Mapping (NRAR Spatial Website, March 2023)**

## 2.6 TOPOGRAPHY, DRAINAGE AND FLOODING

The subject site slopes uniformly from the southern corner of the lot, at about RL 34.0m AHD, towards the northern corner of the lot, at about RL 30.7m AHD, refer **Attachment 10**.

The proposal is supported by a Stormwater Management Plan, prepared by Wallace Design Group (see **Attachment 3**) which enables the site to meet drainage requirements and not cause nuisance or result in an increase of overland flow to any proposed dwellings, surrounding properties or the nearby unnamed watercourse.

The site is not located in a flood prone area according to Council's mapping, refer **Figure 6**.



**Figure 6 – Flood Mapping (Maitland City Council website, March 2023)**

## 2.7 ACID SULFATE SOILS

The site is identified as having Class 5 Acid Sulfate Soil conditions, as shown on Council's maps. Acid sulfate soils are not typically found in Class 5 areas. Proposed works which may impact soils are located within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Comment: Any new development would be unlikely to affect potential acid sulfate soils due to the low level of classification.

## 2.8 MINE SUBSIDENCE

The site is not located within a mine subsidence district. There are no requirements in this regard.

## 2.9 EXISTING SERVICES

The following services are available for connection at the site:

- Electricity (Ausgrid);
- Reticulated water & sewer (Hunter Water Corporation); &
- Telecommunications & NBN infrastructure (Telstra, NBN Co).

No reticulated gas is available to the site.

It is anticipated that these services (except for reticulated gas) can be installed and/or extended to service the proposed development.

## 2.10 PRE-LODGEEMENT MEETING

On the 24 November 2022, a proposal for the site was discussed at a meeting with staff from Maitland City Council. The guidance provided from Council included advice regarding; accessway dimensions and alignment, waste collection, drainage and a number of other matters.

The official Pre-Lodgement meeting minutes (dated 24 November 2022) have been included with this application (refer to **Attachment 2**) and pertinent points incorporated into a revised design, shown in the submitted plans and specialised reports, which are addressed in this document.

### 3. STATUTORY PLANNING CONTROLS

This Statement of Environmental Effects is provided in accordance with Part 3, Clause 24 of the Environmental Planning & Assessment Regulation 2021. It is provided to facilitate the assessment of relevant issues in accordance with Part 4.15 of the Environmental Planning & Assessment Act 1979 (EP&A Act).

This statement is considered to have addressed the relevant impacts relating to matters such as site suitability, existing structures, previous and present uses, heritage, access and traffic, privacy, air and noise, soil and water, energy, and waste, among other impacts.

#### 3.1 STATE ENVIRONMENTAL PLANNING POLICIES

The following section of this report addresses relevant State Environmental Planning Policies (SEPPs) to the development.

##### ***3.1.1 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021***

###### Chapter 4 - Koala Habitat Protection 2021

Clause 4.4 – Land to which this Chapter Applies.

The site is within the Maitland LGA which is listed in Schedule 2 of SEPP (Biodiversity and Conservation) 2021 and is zoned R1. Accordingly, Chapter 4 of this SEPP applies.

Clause 4.9 – Development assessment process—no approved koala plan of management for land.

The site has a total area of 6,322.9m<sup>2</sup> which does not exceed the one (1) hectare threshold that triggers Part 4.11 of SEPP – Koala Habitat Protection (2021). Therefore, this part does not apply to the development. There is minimal vegetation located on the site and no proposal to remove any mature vegetation. Therefore, the proposal is not expected to impact upon any potential koala habitat.

##### ***3.1.2 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021***

###### Chapter 4 – Remediation of land

The site is not identified as being within an “investigation area” and is not known to have been used for a purpose listed in Table 1 of the “contaminated land planning guidelines” (Planning NSW Draft ref 2018-01). There is no indication of the site being previously used for potentially contaminating activities. The site is not listed on the EPA Contaminated Land Register. Hence, no further consideration of SEPP (Resilience and Hazards) 2021 is required.

A Preliminary Site Investigation was undertaken by Neo Consulting to provide a preliminary assessment of potentially contaminating activities which may have impacted the site, including the decommissioning and removal of the onsite septic system (see **Attachment 5**). The report concludes that the potential for significant soil contamination is low and that the site is suitable for the proposed development.

### **3.1.3 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021**

#### Chapter 2 - Infrastructure

The proposal is not listed as a type of development in Part 2.3 of the SEPP, nor is it listed in Schedule 3 Traffic-generating development to be referred to Transport for NSW.

#### *Division 5 Electricity transmission or distribution*

#### *Subdivision 2 Development likely to affect an electricity transmission or distribution network*

#### *Clause 2.48 Determination of development applications – other development*

Under this clause of the SEPP, Council is required to give written notice of the development application to Ausgrid, inviting comments about potential safety risks, and consider any response received within 21 days after the notice is given.

### **3.1.4 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004**

The BASIX SEPP applies to all new residential dwellings, alterations and additions to dwellings with a monetary value of \$50,000 or more, and swimming pools of 40,000 litres or more.

The proposal involves new dwellings with an estimated cost of greater than \$50,000 and therefore BASIX Certificates have been prepared, refer **Attachment 4**.

The BASIX Certificates set out the water, thermal comfort and energy commitments required for the dwellings to achieve the target scores. The design of the development has incorporated the nominated commitments in the BASIX Certificates and shown the commitments on the plans submitted for the DA, refer **Attachment 1**.

### 3.2 MAITLAND LOCAL ENVIRONMENTAL PLAN 2011

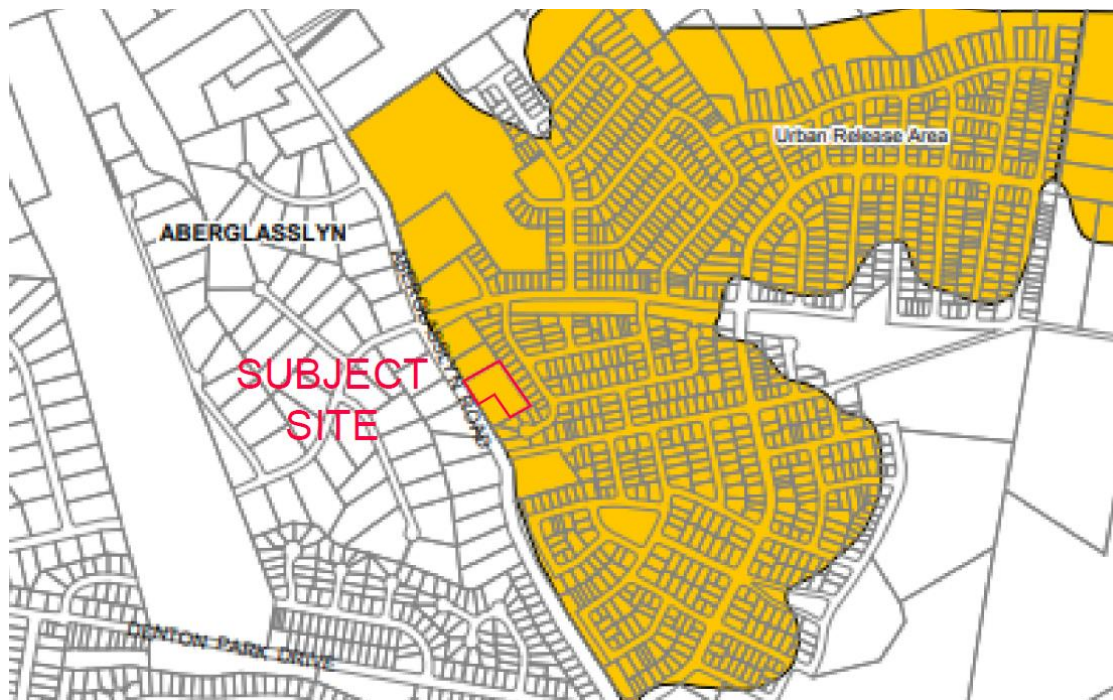
The development is subject to the provisions of the Maitland Local Environmental Plan 2011 (MLEP 2011). The MLEP 2011 provides a planning framework for land use and development within the Maitland LGA to facilitate development in an appropriate manner with due consideration for ecologically sustainable principles, minimising impact on neighbourhoods and avoiding adverse social and economic impacts.

The following table (**Table 1**) provides a summary of the proposal's compliance with the provisions of MLEP 2011. Where further consideration is necessary, the relevant clause has been addressed in the section below the table.

**Table 1: General compliance with Maitland Local Environmental Plan 2011**

Clause	Relevance	Compliance
<b>Part 2 – Permitted or prohibited development</b>		
Clauses 2.1 – 2.8	Yes	The proposal is consistent with the site's R1 zoning through the provision of additional medium density housing to provide a variety of housing types. The Strata subdivision is permissible under Clause 2.6 with Council consent. The proposed development does not include canal estate development.
<b>Part 3 – Exempt and complying development</b>		
Clauses 3.1 – 3.3	No	This proposal does not entail complying or exempt development.
<b>Part 4 – Principal Development Standards</b>		
Clause 4.1	No	Not applicable. This clause does not apply to Strata subdivision under the Strata Schemes Development Act 2015. Hence, the minimum lot size does not need to be met by the development.
Clauses 4.1AA – 4.2A	No	Not applicable.
Clause 4.2A	No	Not applicable. The subject site is zoned R1 General Residential and therefore this clause does not apply.
Clause 4.2B	No	Not applicable. Strata subdivision is proposed and is permissible within the R1 zone.
Clause 4.2C	No	Not applicable.
Clause 4.3	No	No building heights are identified for the site within the MLEP 2011.
Clauses 4.4 – 4.5	No	No floor space ratios are identified for the site within the MLEP 2011.
Clause 4.6	No	Not applicable.
<b>Part 5 – Miscellaneous Provisions</b>		
Clauses 5.1 – 5.4	No	Not applicable.
Clause 5.5	No	Not adopted.
Clauses 5.6 - 5.9	No	Not applicable.
Clause 5.9AA	No	Repealed.
Clause 5.10	No	There are no heritage items located on or in the vicinity of the site.

Clause	Relevance	Compliance
Clauses 5.11 – 5.13	No	Not applicable.
Clauses 5.14 – 5.15	No	Not adopted.
Clause 5.16	No	Not applicable.
Clauses 5.17 -5.20	No	Not applicable.
Clause 5.21	No	Not applicable.
Clauses 5.22 – 5.25	No	Not adopted.
<b>Part 6 – Urban Release Areas</b>		
Clause 6.1	No	Repealed
Clause 6.2	Yes	<p>Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.</p> <p>All necessary services are available to the site and will be extended (if required) and connected according to the individual service provider's requirements.</p>
Clause 6.3	Yes	<p>Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.</p> <p>The subject site sits within the Aberglasslyn Urban Release Area and has a Development Control Plan prepared. Refer to Section 3.3 for full details on compliance with the requirements of this section of the DCP.</p>
Clause 6.4	Yes	Noted.
<b>Part 7 – Additional Local Provisions</b>		
Clause 7.1	Yes	The subject site is identified as having Class 5 Acid Sulfate Soils conditions. No additional reports are considered necessary for submission.
Clause 7.2	Yes	The proposal would result in minor earthworks, which are ancillary to the development. An erosion and sediment control plan has been prepared for the development (see <b>Attachment 3</b> ).
Clause 7.3	No	Repealed.
Clauses 7.4 - 7.8	No	Not applicable.



**Figure 7: Extract MLEP 2011 – Urban Release Area Map (E-Planning Spatial Viewer, March 2023)**

## Part 2 - Permitted or prohibited development

### Zoning

#### Land Use Table:

Under the MLEP 2011, the subject site is zoned R1 (General Residential), see excerpt below.

#### **Zone R1      General Residential**

##### **1 Objectives of zone**

- *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.*

##### **2 Permitted without consent**

*Home occupations.*

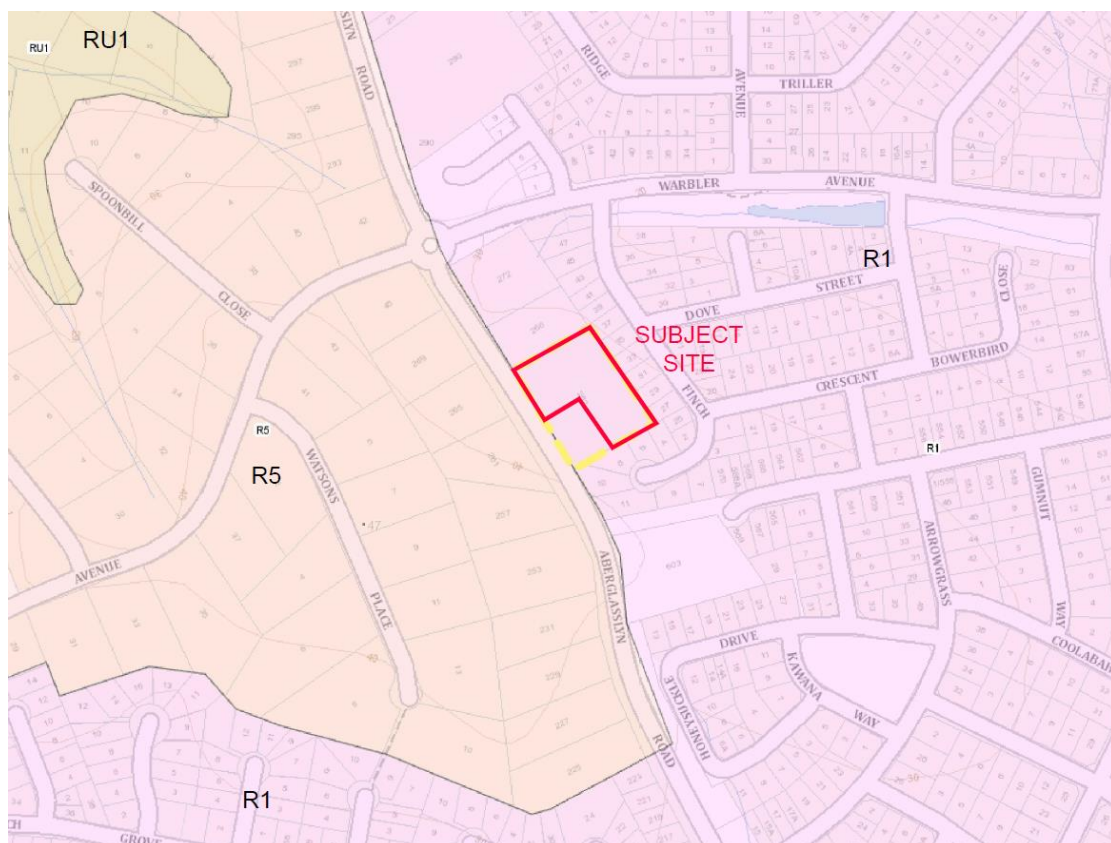
##### **3 Permitted with consent**

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; **Multi dwelling housing**; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4.*



#### 4 Prohibited

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies*



**Figure 8: Extract MLEP 2011 – Zoning Map (E-Planning Spatial Viewer, March 2023)**

#### Comment:

As shown in **Figure 8**, the subject site is zoned R1 (General Residential). The site is nearby the following zones/uses: -

- RU1 Primary Production within Maitland LGA; and
- R5 Large Lot Residential within Maitland LGA.

The proposal is permissible with consent within Zone R1 and meets the objectives by providing for the housing needs of the community within a general residential environment. The proposal, as a result of the design, will accommodate a diversity of housing forms and density that respects the amenity, heritage and character of surrounding development and the quality of the environment. The Strata subdivision is permissible with consent under Clause 2.6 of MLEP 2011.

### **Part 5 – Miscellaneous Provisions**

#### Heritage

The site is not located in the vicinity of any European heritage items listed in Schedule 5 of MLEP 2011, nor is it located in a Heritage Conservation Area (refer Schedule 5 of MLEP 2011) or a Heritage Precinct identified in MDCP 2011.

An Aboriginal Heritage Management System search (AHIMS) was conducted on 22 March 2023 (see **Attachment 11**). There is one recorded Aboriginal site located within a 200m buffer of the subject site in Dove Street, however, it is not within the site boundaries. Previous developments in the surrounding area, including residential dwellings in Dove Street, have not been impeded by any unexpected finds. It is therefore considered that there will be no impact on any Aboriginal items or sites by the development.

### **Part 6 – Urban Release Areas**

The subject site is identified as being within the Aberglasslyn Urban Release Area, refer **Figure 7**. The proposal is subject to the requirements of Section F.3 of the Maitland Development Control Plan 2011 (MDCP 2011). Compliance with these controls is outlined in Section 3.3 below.

### **Part 7 – Additional Local Provisions**

#### Acid Sulfate Soil Conditions

The subject site is identified as having Class 5 acid sulfate soil conditions. Acid sulfate soils are not typically found in Class 5 areas. Areas classified as Class 5 are located within 500 metres on adjacent class 1, 2, 3 or 4 land.

The proposed development would be unlikely to affect potential acid sulfate soils due to the low level of classification. The proposed plans include a cut and fill plan which indicate that the maximum cut height is 1.36m. The approximate total cut is 1,330m<sup>3</sup> and the approximate total fill is 1,980m<sup>3</sup>. Therefore, any cut materials on site will be used as part of the required fill material where possible.

### 3.3 MAITLAND DEVELOPMENT CONTROL PLAN 2011

The Maitland Development Control Plan 2011 (MDCP 2011) provides detailed controls for Council to consider in exercising its environmental assessment and planning functions. Detail regarding the development's compliance with MDCP 2011 can be found within the DCP General Compliance Table (**Table 2**) below.

**Table 2: General compliance with Maitland Development Control Plan 2011**

DCP Requirement	Relevance	Compliance
<b>Part B – Environmental Guidelines</b> <b>B.2 – Domestic Stormwater</b> <b>4. Performance Criteria</b>		
<p>4.1 <i>The objectives of this plan may be achieved by compliance with the following criteria:</i></p> <p>(1) <i>Retention capacity. For each new dwelling development, the storm water retention capacity is to be in accordance with the BASIX requirements in regard to the designated roof area to be employed for catchment. This means the required roof area catchment shall be adequately served by sufficient downpipes directing flows to the tank and equally sufficient discharge via overflow lines.</i></p>	Yes	<p>The roof water from each proposed dwelling will be harvested into new rainwater tanks with any overflow being directed to the proposed pit and pipe network and onsite detention tank.</p> <p>Refer to Stormwater Management Plan in <b>Attachment 3</b>.</p>
<p>(2) <i>Location of feed lines. All feed storm water lines shall be of 100mm sewer grade PVC laid wherever possible in the same trench as the sewer lines, (refer fig.4).PVC pipes and components shall be handled and joined in accordance with AS/NZS 2032:2006.</i></p> <p><i>The location of the storm water line in the trench shall be above and offset from the sewer line, (refer fig 4). Where storm water lines are laid in specific trenches, the trenches shall be located away from the foundation/s of the building/s Storm water lines shall have a minimum of 300mm ground cover.</i></p> <p><i>The trench shall be backfilled around the storm water line with the equivalent aggregate used to encase the sewer line. Storm water lines shall be covered with identification taping The configuration of the charged stormwater line shall be such that the initial flow into the line is directed to the lowest flush point, (refer figs 1 &amp; 3).</i></p> <p><i>Charged stormwater lines shall be laid so that a flush point is provided at finished ground level at the lowest point of the charged line. This flush point is required in addition to any first flush provided in the lines directed to the tank.</i></p> <p><i>The purpose of the flush point is to enable simple access to the charged line by the property owner to facilitate periodic draining of the charged line so as to avoid accumulative contamination of the charged line/s. Ideally the flush point should be located where discharge can disperse onto grassed area, gardens or rubble pit. The flush point is to be provided with permanent signage to indicate the purpose of the flush point (refer fig 1).</i></p>	Yes	<p>All stormwater lines are a minimum 100mm diameter sewer grade PVC pipe.</p> <p>The trench details and levels for the proposed pipes are shown within the Stormwater Management Plan, see <b>Attachment 3</b>.</p>
<p>(3) <i>Rain water tanks. On-site rainwater tanks shall be constructed of an approved material. Preference should orientate toward lighter colours for the exterior of the tank where the tank is located above ground. All exposed PVC stormwater lines shall be painted with a U.V resistant paint. The tank shall be located so as not to compromise fire separation of buildings or access to the exterior of buildings.</i></p>	Yes	<p>The proposed onsite rainwater tanks are above ground and have a 5,000 litre capacity and will be lighter in colour as required.</p> <p>The tanks will be supported by a concrete slab and installed as per the manufacturer's requirements.</p>

DCP Requirement	Relevance	Compliance
<p><i>Sub surface detention systems are not acceptable as a method of rainwater storage for the purpose of non-potable domestic use. This means on site storm water detention systems are not to be used for the purpose of BASIX compliance unless the installation of the underground detention is specifically designed as on-site detention and subsequently approved by Council.</i></p> <p><i>Above ground tank installation should be the preferred method of rainwater storage and shall be provided with an adequate reinforced concrete slab for support or a base in accordance with the tank manufacturer's recommendation.</i></p> <p><i>Piering below the slab will depend upon site conditions, and may be required.</i></p> <p><i>The tank manufacturer's recommendations are to be followed where a substrate material is required between the underside of the tank and the concrete slab.</i></p> <p><i>Bases for supporting tanks shall provide adequate provision to disperse water away from the building and avoid accumulated moisture build up around the tank area.</i></p> <p><i>Underground tank installation is not acceptable where sufficient fall from the tank overflow to the street or inter-allotment drainage (IAD) infrastructure is not achievable.</i></p> <p><i>The minimum gradient (fall) from the tank overflow to the discharge point shall be 1:100 measured at the invert at the (underground) tank overflow and the invert of the discharge point. The overflow from (above ground) tanks shall achieve the same fall of 1:100.</i></p> <p><i>Where overflow lines serve underground tanks, backflow prevention devices are to be provided within the overflow line to deny the re- entry of flood water and vermin. (Refer fig 7).</i></p>		
<p><i>(4) Configuration of stormwater lines. Stormwater lines shall be laid in a configuration that directs the initial flow to the lowest discharge point. All lines shall be laid with fall to the lowest (flush) point.</i></p> <p><i>Stormwater lines laid that are not level or with fall to the flush point will not be acceptable (refer fig 5).</i></p> <p><i>The overflow line should be of sufficient capacity to permit discharge without overflow from the tank itself occurring.</i></p> <p><i>Stormwater management plans shall be prepared by the applicant to be lodged with the Development Application. The stormwater management plan shall consist of the following:</i></p> <p><i>(i) RL's of the kerb, tank location and flush point.</i></p> <p><i>(ii) A site plan depicting the proposed location of the stormwater lines, the location of the flush point and the proposed location of the rainwater tank. The rainwater tank will be clearly marked as in-ground, above ground, or erected on a tank stand. The tank location should also indicate the proposed location of the weather-proof GPO (general power outlet) and pump</i></p>	Yes	<p>The Stormwater Management Plan prepared by Wallace Design Group shows the details of the stormwater pipes including their levels and grades, refer <b>Attachment 3</b>.</p> <p>The RL's are shown as required for the proposed system.</p> <p>The Site Plan shows the proposed location of the stormwater lines, the location of the flush point and the proposed location of the rainwater tank</p>
<p><i>(5) Stormwater lines over Council's nature strip. Stormwater lines laid across the Council nature strip shall be 100mm sewer grade PVC and achieve 300mm cover where possible. Where the line approaches the kerb, a 15 deg fitting shall be provided to enable the line to maintain the required coverage and angle up towards the kerb outlet fitting. The kerb outlet fitting shall be a pre-cast alloy or aluminium fitting with the rear (footpath side) of the fitting</i></p>	No	<p>The proposal does not include a stormwater line over Council's nature strip.</p>

DCP Requirement	Relevance	Compliance
<p><i>adequately concreted around the connection. (Refer fig 6). The kerb fitting should be either cut as low into the kerb as possible to provide maximum concrete cover, or neatly flush with the top of the kerb with no concrete cover.</i></p>		
<p><i>(6) Stormwater generated from hardstand areas. Stormwater that is generated from overland flow and hardstand areas such as driveways, shall be directed to the tank overflow line to discharge to the street, rubble drain or IAD pit as applicable. This stormwater drainage is acceptable in 90mm PVC but must not inter-connect with any line directed to the rainwater storage. This means that any overland flows intercepted by grates, spoon drains and the like must discharge directly through overflow lines and not be permitted to enter the tank storage. It is recommended that this line be independent of all stormwater lines interconnected to the tank feed/discharge.</i></p>	Yes	Stormwater from hardstand areas, including the driveway will be directed to the underground detention tank as shown on the Stormwater Management Plan, refer <b>Attachment 3</b> .
<p><i>(7) Mosquitoes. Adequate provision shall be made to ensure all stored rainwater in charged lines and the tank/s is protected from mosquito infestation and subsequent breeding.</i></p>	Yes	All stored rainwater will have adequate protection from mosquitos as required.
<b>B.6 – Waste Not – Site Waste Minimisation &amp; Management</b>		
<p><i>1.1 Documents to be Submitted</i></p> <p><i>All applications relating to residential developments, as well as commercial and industrial premises are to include a Site Waste Minimisation and Management Plan (SWMMP) as part of documentation submitted to Council. The development plans should also clearly indicate the location of waste management facilities, including recycling bins and the like.</i></p>	Yes	<p>A Site Waste Management and Minimisation Plan has been included with this application, refer <b>Attachment 12</b>.</p> <p>The proposed plans indicate the location of a bin storage facility and the inclusion of a hardstand area along the street frontage suitable for the presentation of bins on Council collection days.</p>
<p><i>a) Site Waste Minimisation and Management Plans (SWMMP)</i></p> <p><i>A SWMMP outlines measures to minimise and manage waste generated during demolition and construction processes, as well as the ongoing use of the site.</i></p> <p><i>The SWMMP is to nominate the following:</i></p> <ul style="list-style-type: none"> <li><i>• The volume and type of waste and recyclables to be generated.</i></li> <li><i>• The storage and treatment of waste and recyclables on site.</i></li> <li><i>• The disposal of residual waste and recyclables.</i></li> <li><i>• The operational procedures for ongoing waste management once the development is completed, including the nominated waste management service provider.</i></li> </ul>	Yes	<p>The Site Waste Management and Minimisation Plan included with this application, refer <b>Attachment 12</b>, nominates the volume and type of waste generated by the construction and ongoing usage of the proposed development.</p> <p>The plan includes the nominated disposal method for each waste type and the ongoing procedures for operational waste management once the development is completed.</p> <p>It is proposed that the development will provide 14 x 240 litre general waste bins, 8 x 240 litre recyclable bins and 3 x 240 litre organic bins to be stored in the bin storage structure at the front of the site.</p>
<p><i>b) Submission of a SWMMP</i></p> <p><i>A SWMMP is to be submitted for all types of development listed within this policy. Council's document titled 'Site Waste Management and Minimisation Plan' Standard Form provides the necessary information and examples of SWMMPs.</i></p> <p><i>More detailed SWMMPs are required for projects of a larger scale, with additional supporting information required.</i></p>	Yes	<p>A Site Waste Management and Minimisation Plan that provides the required information has been included with this application, refer <b>Attachment 12</b>.</p>

DCP Requirement	Relevance	Compliance																																																						
<p>The SWMMP is to be submitted with the documentation relating to Development Applications, in order to be considered in the assessment under Section 4.15 of the Act.</p>																																																								
<p>1.2 Implementing the SWMMP</p> <p>When implementing the SWMMP, the applicant must ensure:</p> <ul style="list-style-type: none"> <li>• Roads, footpaths, public reserves and street gutters are not used as places to store demolition waste or materials of any kind.</li> <li>• Any material moved offsite is transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 and relevant Regulations.</li> <li>• Waste is only transported to a place that can lawfully be used as a waste facility, and by contractors who are aware of the legal requirements of the disposal of waste.</li> <li>• Generation, storage, treatment and disposal of hazardous, offensive or special waste (including asbestos) is conducted in accordance with relevant waste legislation and relevant agencies.</li> <li>• Evidence such as weighbridge dockets and invoices for waste disposal or recycling services is retained.</li> <li>• Evidence of compliance with any specific industrial waste laws and protocols, such as the Protection of the Environment Operations Act 1997 and relevant Regulations.</li> <li>• Materials which are to be disposed of and those which are to be reused/ recycled are to be separated through the demolition and construction process.</li> <li>• Materials that have existing reuse or recycling markets should not be disposed of in landfill when possible.</li> </ul>	<p>Yes</p>	<p>Any materials moved offsite will be by licensed contractors to a suitable waste facility in accordance with the relevant regulations.</p> <p>It is not expected that any hazardous waste will be encountered.</p> <p>All waste will be separated during the construction phase into appropriate areas for disposal, recycling or re-use.</p> <p>Where possible, any materials that are able to be re-used or recycled will not be disposed of in landfill.</p>																																																						
<p>1.3 Waste/Recycling Generation Rates</p> <p>The following waste generation rates shall apply:</p> <table border="1" data-bbox="140 1323 707 1845"> <thead> <tr> <th>Type of Premise</th> <th>Waste Generation</th> <th>Recycling Generation</th> </tr> </thead> <tbody> <tr> <td>Backpackers accommodation</td> <td>40L/occupant/week</td> <td>20 litres/occupant/week</td> </tr> <tr> <td>Boarding house, Guest house</td> <td>60L/occupant/week</td> <td>20 litres/occupant/week</td> </tr> <tr> <td>Food Premises</td> <td></td> <td></td> </tr> <tr> <td>Butcher</td> <td>80L/100m<sup>2</sup> floor area/day</td> <td>Discretionary</td> </tr> <tr> <td>Delicatessen</td> <td>80L/100m<sup>2</sup> floor area/day</td> <td>Discretionary</td> </tr> <tr> <td>Fish Shop</td> <td>80L/100m<sup>2</sup> floor area/day</td> <td>Discretionary</td> </tr> <tr> <td>Greengrocer</td> <td>240L/100m<sup>2</sup> floor area/day</td> <td>120/100m<sup>2</sup> floor area/day</td> </tr> <tr> <td>Restaurant</td> <td>10L/1.5m<sup>2</sup> floor area/day</td> <td>2L/1.5m<sup>2</sup> floor area/day</td> </tr> <tr> <td>Supermarket</td> <td>240L/100m<sup>2</sup> floor area/day</td> <td>240 L/100m<sup>2</sup> floor area/day</td> </tr> <tr> <td>Takeaway</td> <td>80L/100m<sup>2</sup> floor area/day</td> <td>Discretionary</td> </tr> <tr> <td>Hairdressers, Beauty Salon</td> <td>60L/100m<sup>2</sup> floor area/week</td> <td>Discretionary</td> </tr> <tr> <td>Hotel</td> <td>5L/bed/day 50L/100m<sup>2</sup>/bar area/day 10L/1.5m<sup>2</sup>/of dining area/day</td> <td>50L / 100m<sup>2</sup> floor area / bar &amp; dining areas / day</td> </tr> <tr> <td>Offices</td> <td>10L / 100m<sup>2</sup> floor area / day</td> <td>10L / 100m<sup>2</sup> floor area / day</td> </tr> <tr> <td>Retail (other than food sales)</td> <td></td> <td></td> </tr> <tr> <td>Shop &lt; 100m<sup>2</sup> floor area</td> <td>50L/100m<sup>2</sup> floor area/day</td> <td>25L/100m<sup>2</sup> floor area/day</td> </tr> <tr> <td>Shop &gt; 100m<sup>2</sup> floor area</td> <td>50L/100m<sup>2</sup> floor area/day</td> <td>50L/100m<sup>2</sup> floor area/day</td> </tr> <tr> <td>Showrooms</td> <td>40L/100m<sup>2</sup> floor area/day</td> <td>10L/100m<sup>2</sup> floor area/day</td> </tr> </tbody> </table>	Type of Premise	Waste Generation	Recycling Generation	Backpackers accommodation	40L/occupant/week	20 litres/occupant/week	Boarding house, Guest house	60L/occupant/week	20 litres/occupant/week	Food Premises			Butcher	80L/100m <sup>2</sup> floor area/day	Discretionary	Delicatessen	80L/100m <sup>2</sup> floor area/day	Discretionary	Fish Shop	80L/100m <sup>2</sup> floor area/day	Discretionary	Greengrocer	240L/100m <sup>2</sup> floor area/day	120/100m <sup>2</sup> floor area/day	Restaurant	10L/1.5m <sup>2</sup> floor area/day	2L/1.5m <sup>2</sup> floor area/day	Supermarket	240L/100m <sup>2</sup> floor area/day	240 L/100m <sup>2</sup> floor area/day	Takeaway	80L/100m <sup>2</sup> floor area/day	Discretionary	Hairdressers, Beauty Salon	60L/100m <sup>2</sup> floor area/week	Discretionary	Hotel	5L/bed/day 50L/100m <sup>2</sup> /bar area/day 10L/1.5m <sup>2</sup> /of dining area/day	50L / 100m <sup>2</sup> floor area / bar & dining areas / day	Offices	10L / 100m <sup>2</sup> floor area / day	10L / 100m <sup>2</sup> floor area / day	Retail (other than food sales)			Shop < 100m <sup>2</sup> floor area	50L/100m <sup>2</sup> floor area/day	25L/100m <sup>2</sup> floor area/day	Shop > 100m <sup>2</sup> floor area	50L/100m <sup>2</sup> floor area/day	50L/100m <sup>2</sup> floor area/day	Showrooms	40L/100m <sup>2</sup> floor area/day	10L/100m <sup>2</sup> floor area/day	<p>No</p>	<p>Not applicable. Residential accommodation is not listed within this table.</p>
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<p>2.1 Demolition of Buildings or Structures</p> <p>a. An area shall be allocated for the storage of materials for use, recycling and disposal, giving consideration to slope, drainage, location of waterways, stormwater</p>	<p>No</p>	<p>Not applicable. The proposal does not include the demolition of any buildings or structures.</p>																																																						

DCP Requirement	Relevance	Compliance
<p>outlets, vegetation and access and handling requirements.</p> <p>b. Waste and recycling materials are to be separated.</p> <p>c. Measures are to be implemented to prevent damage, minimise health and order risks, and windborne litter.</p>		
<p>3.1 Construction of Buildings or Structures</p> <p>a. An area shall be allocated for the storage of materials for use, recycling and disposal, giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation and access and handling requirements. Signage is to be incorporated into this area in order for the clear definition of the space.</p> <p>b. Waste and recycling materials are to be separated. Signage shall clearly indicate which bins or disposal units are for waste and those for recycling.</p> <p>c. Measures are to be implemented to prevent health and odour risks, and windborne litter.</p> <p>d. The use of prefabricated components and recycled materials should be considered when possible.</p>	Yes	<p>All waste will be separated during the construction phase into appropriate, screened areas for disposal, recycling or re-use.</p> <p>Where possible, prefabricated and recycled materials have been included in the construction.</p>
<p>4. Operational Phase</p> <p>4.1 Residential Development</p> <p>a) Single dwellings, alterations and/or additions, ancillary structures</p> <p>a. The location of the waste and recycling areas is to not create any adverse impact on neighbouring properties in terms of appearance, odour, noise or the like.</p>	No	<p>Not applicable. The development is for multi-dwelling residential housing, not a single dwelling.</p>
<p>b) Dual Occupancy and Multi Dwelling Housing – Individual Storage Areas</p> <p>a. The location of the waste and recycling areas is to not create any adverse impact on neighbouring properties in terms of appearance, odour, noise or the like.</p> <p>b. Details of individual bin storage and servicing/collection locations are to be provided</p>	Yes	<p>The proposed bin storage structure is located towards the Aberglasslyn Road frontage and next to the communal open space area to minimise the impact on neighbouring properties and allow for ease of access for residents.</p> <p>On bin collection day, there is suitable frontage including hardstand areas for the presentation of the bins, refer to Sheet DA101 in <b>Attachment 1</b>.</p>
<p>c) Dual Occupancy, Multi Dwelling Housing and Residential Flat Buildings – Communal Storage Areas</p> <p>a. The waste area should provide separate containers for the separation of general waste from recyclables.</p> <p>b. There is to be reasonable level of access to waste and recycling area/s or room/s for people including people with a disability</p> <p>c. The location of any garbage chute(s)</p> <p>d. Communal storage area/s or room/s is to be provided on common property in order to allow for the management of the area by the body corporate.</p> <p>e. Consideration shall be given to the incorporation of a bulky waste storage area within the communal storage area/s or room/s.</p>	Yes	<p>The proposed bin storage structure is located towards the Aberglasslyn Road frontage and adjacent to the communal open space area for the convenience of the residents.</p> <p>The bins provided are 240 litre capacity and have been selected to provide adequate access to the separation of waste into general waste, recyclable and organic waste.</p>

DCP Requirement	Relevance	Compliance
f. Servicing plan including frequency and servicing location is to be provided.		
<b>B.7 – Environmentally Sensitive Land</b>		
<p>1.2 Application of section</p> <p>This plan section applies to land that is any or all of the following:</p> <ul style="list-style-type: none"> <li>• Within 40m of the top of the bank of a watercourse that is a 3<sup>rd</sup> or 4<sup>th</sup> order stream based on the Strahler method</li> <li>• Within 40m of the top of the bank of a watercourse identified as 'Watercourse land' on the Maitland LEP Watercourse Map</li> <li>• Vegetated Riparian Zone, as defined by NRAR's "guidelines for controlled activities on waterfront land"</li> </ul>	No	Not applicable.
<b>Part C – Design Guidelines</b>		
<b>C.4 – Heritage Conservation</b>		
<p>The content and range of issues to be addressed in a development application will depend on the heritage significance of the site and the impact the proposed development is likely to have. As a general rule, the greater the significance of the item or the potential impacts of the proposal, the more detail should be provided.</p>	No	Not applicable. The subject site does not contain any item of heritage value, nor is it located within a heritage conservation area.
<b>C.8 - Residential Design</b>		
<b>2. Site Analysis &amp; Site Context</b>		
<p>2.1 Site Analysis</p> <p>a. A detailed site analysis shall be submitted with a development application for all residential development with the exception of a single detached dwelling. A typical Site analysis Diagram is provided as Figure 1. (Note: this Plan does not show the proposed development).</p>	Yes	A Site Analysis Plan has been included within the Development Plans (see Sheet DA100 in <b>Attachment 1</b> ). This supplements the written Site Analysis undertaken within Section 2.0 of this report and has informed the design of the development.
<p>2.2 Context Analysis</p> <p>a. A 'Context Analysis' will be required for all residential development with the exception of a single detached dwelling. The context analysis shall describe the character of existing development in the vicinity of the site in order to understand the streetscape and pattern/form of development. This may be provided in the form of scaled sketches of streetscape elevations or photo compilation. Site context is predominantly a function of:</p> <ul style="list-style-type: none"> <li>• Proximity of the site to urban support facilities such as schools, shopping centres, transport nodes.</li> <li>• The height, size, bulk and scale of development.</li> <li>• The architectural treatment or style of buildings eg. Victorian, Federation, Art Deco, Contemporary etc.</li> <li>• Roof proportion relative to external walls and whether the roof contains dormers, gables or other roof features such as chimneys etc.</li> <li>• Predominant building materials and colours.</li> <li>• The proportioning and position of door and window openings relative to wall area.</li> <li>• The spaces which exist between buildings.</li> <li>• The predominant street setbacks.</li> <li>• The type, scale and location of landscape elements.</li> </ul>	Yes	<p>The adjoining two sites to the north of the proposed development contain multi-dwelling residential units, similar in design to this proposal, that have been recently construction by the same applicant.</p> <p>The proposed plans also include a Streetscape Elevation (see Sheet DA110 in <b>Attachment 1</b>) depicting how the proposal will be viewed from Aberglasslyn Road.</p> <p>The landscaping incorporates appropriate plantings in the front setback to reduce the visual impact of the building bulk and scale.</p> <p>The materials and colours schedule (see Sheet DA109 in <b>Attachment 1</b>) show how the development will not dominate the street and will complement the existing streetscape.</p> <p>The subject site is within 600m of the McKeachies Run Shops which includes a major grocery store and speciality shops and services. Bus route 186, with bus stops in</p>



DCP Requirement	Relevance	Compliance
<ul style="list-style-type: none"> <li>• Fencing locations, height and materials and the presence of retaining walls.</li> <li>• Treatment of footpath areas in front of a development – paving, tree planting etc.</li> </ul> <p>b. In considering site selection for residential development that will contain more than two dwellings, the site context analysis shall demonstrate that the subject land is within convenient walking distance (not exceeding 400 metres) of the following facilities:</p> <ul style="list-style-type: none"> <li>• Land zoned B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core or B4 Mixed Use under the Maitland LEP 2011; or</li> <li>• A school catering for primary and/or secondary students; or</li> <li>• A key transport node – railway station.</li> </ul> <p>c. The design plans and the Statement of Environmental Effects shall demonstrate that the 'site analysis plan' and the 'site context analysis' have been taken into account in producing a design solution which mitigates against potential negative impacts and integrates appropriately with the streetscape.</p>		<p>McKeachies Drive, provides a link around Aberglasslyn to and from the Rutherford Shopping Centre and connecting bus routes.</p>
<b>4. Bulk Earthworks and Retaining Walls</b>		
<p>4.1 A 'bulk earthworks plan (BEP)' shall be submitted with the development application for all forms of residential development showing the levels (relative to a datum benchmark at the site) of all finished ground levels for both the building platform and those areas of the site external to the building platform. The plan should also specify and show the extent and depth of cut/fill, and location of all retaining walls and/or battered slopes. The BEP shall also show existing ground levels adjoining the perimeter boundaries of the land (refer to Figure 4 for sample BEP).</p>	<p>Yes</p>	<p>A Bulk Earthworks Plan has been prepared and is included within the proposed plans (refer Sheet DA102 in <b>Attachment 1</b>). The plans detail the existing and proposed levels on the site and includes the proposed finished surface and floor levels for the development.</p> <p>The plan also shows existing ground levels adjoining the perimeter boundaries of the site as required.</p>
<p>4.2 Where a retaining wall (for the purposes of retaining fill) is proposed either on or in close proximity to a boundary then the maximum extent of fill shall be 600mm (refer to Figures below).</p>	<p>Yes</p>	<p>Retaining walls are proposed as shown on Sheets DA102 and DA113 of <b>Attachment 1</b>. The retaining walls along the side and rear boundaries require a greater fill than the maximum allowable within this control.</p> <p>In the design of the development, it was considered that this was the best solution, given the following:</p> <ul style="list-style-type: none"> <li>• It will reduce the overall cut and fill over the site;</li> <li>• It allows for a less steep driveway grade which will be safer and more practical for residents and visitors; and</li> <li>• It avoids the necessity for placing step downs within private open space areas.</li> </ul> <p>The improved outcomes, despite the non-compliance with the control, is reasonable in the circumstances of the case. We therefore request a variance to this control of the MDCP 2011.</p>

DCP Requirement	Relevance	Compliance
4.3 Where a retaining wall (for the purposes of retaining cut) is proposed either on or in close proximity to a boundary then the maximum extent of cut shall be 900mm (refer to Figures below).	Yes	Retaining walls are proposed as shown on Sheets DA102 and DA113 of <b>Attachment 1</b> . The retaining walls along the side and rear boundaries require a greater cut than the maximum allowable within this control.  We request a variance to this control of the MDCP 2011, as per comments above.
4.4 Elevated flooring (eg bearers and joist construction), deepened concrete edge beams, infill slabs, split level construction and the like shall be used where necessary to reduce the extent of earthworks required to achieve the maximum cut/fill levels prescribed under the plan.	Yes	Noted.
4.5 Adequate drainage comprising free draining gravel and subsoil agricultural drains shall be installed to the rear of retaining walls to relieve the hydrostatic pressure at the base of the wall.	Yes	Retaining walls are proposed as shown on Sheets DA102 and DA113 of <b>Attachment 1</b> . Construction details, including the provision of subsoil drains to the rear of the retaining walls, will be provided at Construction Certificate stage.
4.6 Stormwater or surface water runoff shall not be redirected or concentrated onto adjoining properties so as to cause a nuisance. Adequate drainage is to be provided to divert water away from batters. This requirement shall be an integral part of the site stormwater management plan addressed in Section 18 of this Chapter.	Yes	The proposed Stormwater Management Plan ensures that stormwater and surface runoff from the proposal will not cause, an increase in, or cause nuisance to neighbouring properties. Refer <b>Attachment 3</b> .
4.7 Cut and fill batters should not exceed a slope of 3:1 (horizontal to vertical ratio) to the natural ground level unless the foundation strata, type of material or compaction permits otherwise and Council is satisfied as to the stability of the site. All batters must be provided with both short term and long term stabilisation to prevent soil erosion.	No	Not applicable. No cut/fill batters are required.
4.8 Excavations in excess of those specified for retaining walls may be permitted within the confines of the building to allow for basements, garages etc providing the excavations are adequately retained and drained in accordance with engineering details.	No	Not applicable. The only excavations are for the proposed dwellings' pads and the site grading as shown on the Cut/Fill Plan (see Sheet DA102 in <b>Attachment 1</b> ).
4.9 All excavations shall be protected in accordance with the requirements of the NSW WorkCover Authority.	No	Not applicable. The only excavations are for the proposed dwellings' pads and the site grading as shown on the Cut/Fill Plan (see <b>Attachment 1</b> ).
4.10 Where a property is burdened by stormwater easements containing pipes care should be taken to avoid pipe damage. In cutting situations, it may be necessary to lower existing pipes within the easement. In filling, pits may require extending to the new surface level.  <i>Note: All drainage works associated with retaining walls must be located within property boundaries.</i>	Yes	The subject site has a stormwater easement, pending Council approval, refer <b>Attachment 13</b> . The easement has been applied for under Modification Application No. MOD to DA/2022/834 – PAN365449).
<b>5. Street Building Setbacks</b>		
5.1 The minimum setback from the principal street frontage to the building line in an urban residential zone is 4.5 metres.	Yes	Proposed Unit 1, which is the closest unit to Aberglasslyn Road, has a minimum front

DCP Requirement	Relevance	Compliance															
		road setback of 5.03m to its front building line.  Therefore, the development complies with the minimum front setback requirement of 4.5m.															
<p>5.2 The minimum setback from the principal street frontage to articulation or entry features (ie. portico) in an urban residential zone is 3.0 metres and must not be more than 25% of the width of the front facade of the building and must not be more than the maximum height of the building. Note that articulation elements do not constitute the 'building line'.</p>	Yes	Proposed Unit 1, which is the closest unit to Aberglasslyn Road, has a portico which extends into the front setback by 0.94m, hence with a front setback of 4.09m. Therefore, the development complies with the minimum 3m front setback for entry features.															
<p>5.3 Where an allotment is located on a corner in an urban residential zone, and a single dwelling is proposed, the minimum building line setback to the secondary street frontage is 3.0 metres.</p>	No	Not applicable. The subject site is not a corner lot.															
<p>5.4 Where an allotment is located on a corner in an urban residential zone, and attached dwellings, semi-detached dwellings or dual occupancies are proposed, the minimum setback to the secondary street frontage is 3.0 metres.</p>	No	Not applicable. The subject site is not a corner lot.															
<p>5.5 Where the shape of the allotment located within an urban residential zone is irregular due to the geometry of the street boundary, the setback from the front property boundary to the building line shall be a minimum of 3.0 metres but averaging 4.5 metres over the length of the building addressing those street boundaries.</p>	No	Not applicable. The geometry of the lot on the street frontage is not irregular.															
<p>5.6 Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road or a minimum 1 metre behind the building line to the principal street frontage.</p> <p>Note: for sheds and other structures that do not address a street frontage and are not being used for vehicular access or storage, standard setbacks apply.</p>	Yes	The garage of Unit 1, the unit closest to Aberglasslyn Road, is setback 1.1m from the front building line and hence is compliant.															
<p>5.7 Older residential areas or heritage conservation areas may comprise buildings with setbacks greater than or less than 4.5 metres. Where infill development is proposed in these areas the building line for the new development shall have regard to the setbacks of existing buildings adjacent to the site. Designers should consult Part E.2: Heritage Conservation Areas to determine setbacks in heritage conservation areas.</p>	No	Not applicable. The subject site sits within a relatively newly developed area with dwellings being constructed within the past twenty years.															
<p>5.8 Building line setbacks for other zones are detailed in Table 1.</p> <table border="1" data-bbox="140 1727 708 2018"> <thead> <tr> <th>Zone</th> <th>Principal Frontage (metres)</th> <th>Side Street for corner lots (metres)</th> </tr> </thead> <tbody> <tr> <td>RU1 Primary Production and RU2 Rural Landscape</td> <td>20</td> <td>15</td> </tr> <tr> <td>R5 Large Lot Residential (Lot size ≤5000m<sup>2</sup>)</td> <td>10</td> <td>6</td> </tr> <tr> <td>R5 Large Lot Residential (Lot size &gt;5000m<sup>2</sup>)</td> <td>20</td> <td>10</td> </tr> <tr> <td>C4 Environmental Living</td> <td>20</td> <td>10</td> </tr> </tbody> </table>	Zone	Principal Frontage (metres)	Side Street for corner lots (metres)	RU1 Primary Production and RU2 Rural Landscape	20	15	R5 Large Lot Residential (Lot size ≤5000m <sup>2</sup> )	10	6	R5 Large Lot Residential (Lot size >5000m <sup>2</sup> )	20	10	C4 Environmental Living	20	10	No	Not applicable. The subject site is zoned as R1 – General Residential.
Zone	Principal Frontage (metres)	Side Street for corner lots (metres)															
RU1 Primary Production and RU2 Rural Landscape	20	15															
R5 Large Lot Residential (Lot size ≤5000m <sup>2</sup> )	10	6															
R5 Large Lot Residential (Lot size >5000m <sup>2</sup> )	20	10															
C4 Environmental Living	20	10															

DCP Requirement	Relevance	Compliance															
<p><i>Note: Street setbacks in other zones shall be determined on merit having regard to the pattern of setbacks common to the area surrounding the site provided such setbacks are in accordance with the provisions of the Building Code of Australia.</i></p>																	
<b>6. Side and Rear Setbacks</b>																	
<p><i>6.1 Minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds or carports, in urban zones shall be in accordance with Figure 10 and described as follows:</i></p> <p><i>a. 0.9m for walls up to 3.0m in height (to underside of eaves);</i></p> <p><i>b. 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m;</i></p> <p><i>c. For that part of a wall over 7.2m in height, the minimum setback should be increased by 1.0m for every metre of height over 7.2m.</i></p>	Yes	<p>Unit 1 has a maximum wall height of 5.62m and is required to provide a minimum side or rear setback of 1.686m. The unit is setback 4.027m from the northern side boundary, therefore compliance is achieved.</p> <p>With the exception of Unit 1, all the units are single storey with a wall height of less than 3m to the underside of the eaves. All of these units have a minimum side or rear setback of 0.9m, which complies with this control.</p>															
<p><i>6.2 Walls of buildings within urban zones may be built to the side and/or rear boundaries only where:</i></p> <p><i>a. The maximum wall height is 3.0m and there will be no significant impact on privacy, use of private open space and solar access to adjoining properties;</i></p> <p><i>b. There are no openings unless such openings comply with the fire resistance requirements of the Building Code of Australia and are filled with translucent or obscured glazing; and</i></p> <p><i>c. The length of the wall built to the boundary does not exceed 50per cent of the total length of the wall comprising that elevation (refer Figure 11).</i></p> <p><i>Required side and rear setbacks for rural zones are detailed in Table 2.</i></p> <table border="1" data-bbox="140 1301 707 1659"> <thead> <tr> <th>Zone</th> <th>Side Boundary (metres)</th> <th>Rear Boundary (metres)</th> </tr> </thead> <tbody> <tr> <td>RU1 Primary Production and RU2 Rural Landscape</td> <td>10</td> <td>10</td> </tr> <tr> <td>R5 Large Lot Residential (Lot size ≤5000m<sup>2</sup>)</td> <td>4</td> <td>4</td> </tr> <tr> <td>R5 Large Lot Residential (Lot size &gt;5000m<sup>2</sup>)</td> <td>6</td> <td>6</td> </tr> <tr> <td>C4 Environmental Living</td> <td>6</td> <td>6</td> </tr> </tbody> </table> <p><i>Note: Some 'site specific' chapters may require greater or lesser setbacks to side and rear boundaries for reasons relating to bushfire management, preservation of vegetation, visual or privacy impacts etc. In such circumstances those setbacks required in the site specific chapter will apply in lieu of those detailed in this table.</i></p>	Zone	Side Boundary (metres)	Rear Boundary (metres)	RU1 Primary Production and RU2 Rural Landscape	10	10	R5 Large Lot Residential (Lot size ≤5000m <sup>2</sup> )	4	4	R5 Large Lot Residential (Lot size >5000m <sup>2</sup> )	6	6	C4 Environmental Living	6	6	No	<p>Not applicable. There is no proposed building to the boundary.</p>
Zone	Side Boundary (metres)	Rear Boundary (metres)															
RU1 Primary Production and RU2 Rural Landscape	10	10															
R5 Large Lot Residential (Lot size ≤5000m <sup>2</sup> )	4	4															
R5 Large Lot Residential (Lot size >5000m <sup>2</sup> )	6	6															
C4 Environmental Living	6	6															
<b>7. Site Coverage and Unbuilt Areas</b>																	
<p><i>7.1 Site coverage shall satisfy the requirements detailed in Table 3 - Site Coverage and Unbuilt Areas. All development application plans for residential development shall provide</i></p>	Yes	<p>The site coverage, including driveway is 4,072.3m<sup>2</sup>, with an overall site area of 6,311.4m<sup>2</sup>. This provides a site coverage of</p>															

DCP Requirement	Relevance	Compliance																										
<p><i>a detailed 'percentage site coverage' calculation having regard to the requirements of Table 3.</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #2c5e8c; color: white;">Housing Type</th> <th style="background-color: #2c5e8c; color: white;">Maximum Site Coverage Ground Floor (%) (See Note 1)</th> <th style="background-color: #2c5e8c; color: white;">Minimum Unbuilt Area (%) (See Note 2)</th> </tr> </thead> <tbody> <tr> <td>Dwelling House</td> <td>60</td> <td>40</td> </tr> <tr> <td>Small Lot Housing</td> <td>60</td> <td>40</td> </tr> <tr> <td>Dual Occupancy (2 units)</td> <td>60</td> <td>40</td> </tr> <tr> <td>Multi Dwelling Housing (3 or more dwellings)</td> <td>70</td> <td>30</td> </tr> <tr> <td>Residential Flat Buildings</td> <td>70</td> <td>30</td> </tr> </tbody> </table>	Housing Type	Maximum Site Coverage Ground Floor (%) (See Note 1)	Minimum Unbuilt Area (%) (See Note 2)	Dwelling House	60	40	Small Lot Housing	60	40	Dual Occupancy (2 units)	60	40	Multi Dwelling Housing (3 or more dwellings)	70	30	Residential Flat Buildings	70	30		64.5%, which is under the maximum allowable of 70% or 4,417.9m <sup>2</sup> .								
Housing Type	Maximum Site Coverage Ground Floor (%) (See Note 1)	Minimum Unbuilt Area (%) (See Note 2)																										
Dwelling House	60	40																										
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Multi Dwelling Housing (3 or more dwellings)	70	30																										
Residential Flat Buildings	70	30																										
<p><i>7.2 Development shall have site coverage appropriate for the site's capability and form of development and site coverage shall be consistent with the desired future density for the locality.</i></p>	Yes	The proposed site coverage of 64.5% is suitable for the subject site and overall development. It allows for ample areas of private and common open space, along with a common bin storage area, landscaping and central driveway to access the units.																										
<h3 style="margin: 0;">8. Building Height, Bulk and Scale</h3>																												
<p><i>8.1 Maximum building height shall be in accordance with Table 4.</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #2c5e8c; color: white;">Housing Type</th> <th style="background-color: #2c5e8c; color: white;">Zone</th> <th style="background-color: #2c5e8c; color: white;">Max Height (metres)</th> </tr> </thead> <tbody> <tr> <td>Dwelling</td> <td>Any zone</td> <td>8.5</td> </tr> <tr> <td rowspan="2">Dual occupancy (2 dwellings)</td> <td>R1 General Residential</td> <td>8.5</td> </tr> <tr> <td>Business zones</td> <td>11</td> </tr> <tr> <td rowspan="2">Semi-detached housing</td> <td>R1 General Residential</td> <td>8.5</td> </tr> <tr> <td>Business zones</td> <td>11</td> </tr> <tr> <td rowspan="2">Multi Dwelling Housing (3 or more)</td> <td>R1 General Residential</td> <td>8.5</td> </tr> <tr> <td>Business zones</td> <td>11</td> </tr> <tr> <td rowspan="2">Residential flat building</td> <td>R1 General Residential</td> <td>11</td> </tr> <tr> <td>Business zones</td> <td>14</td> </tr> </tbody> </table>	Housing Type	Zone	Max Height (metres)	Dwelling	Any zone	8.5	Dual occupancy (2 dwellings)	R1 General Residential	8.5	Business zones	11	Semi-detached housing	R1 General Residential	8.5	Business zones	11	Multi Dwelling Housing (3 or more)	R1 General Residential	8.5	Business zones	11	Residential flat building	R1 General Residential	11	Business zones	14	Yes	<p>The proposal is for a Multi-Dwelling Development within an R1 zone, therefore the maximum building height under this control is 8.5m.</p> <p>Proposed Unit 1 is two-storey and has a maximum building height of 7.07m.</p> <p>All other units are single storey with total building heights between 4.5m and 4.71m.</p> <p>Compliance with this control is therefore achieved.</p>
Housing Type	Zone	Max Height (metres)																										
Dwelling	Any zone	8.5																										
Dual occupancy (2 dwellings)	R1 General Residential	8.5																										
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Residential flat building	R1 General Residential	11																										
	Business zones	14																										
<p><i>8.2 Development application plans shall provide the following information to clearly communicate building heights:</i></p> <p><i>a. A scaled and dimensioned site plan to show pre-development spot levels and/or contours of the site. This plan shall also show post- development spot levels of the site at the building corners and perimeter and shall also include finished levels for private open space, communal open space (where provided), driveways and pedestrian pathways and landscaped areas.</i></p> <p><i>b. Floor plans showing finished floor levels for ground floor internal living space, garages, and finished levels for upper floors and roof;</i></p> <p><i>c. Building elevations and sections to scale which are fully dimensioned and provide an accurate representation of height having regard to the levels identified on the site plan. Elevations and sections should show floor-to ceiling heights as well as maximum height of roof element.</i></p>	Yes	<p>The application is supported by the Proposed Design Plans (see <b>Attachment 1</b>). The plans include;</p> <ul style="list-style-type: none"> <li>• a scaled and dimensioned Site Plan;</li> <li>• a Cut/Fill Plan which shows pre and post development levels and proposed finished floor levels of each unit;</li> <li>• floor plans for each unit type; and</li> <li>• building elevations for each unit type.</li> </ul> <p>Compliance with this control is achieved.</p>																										
<h3 style="margin: 0;">9. External Appearance</h3>																												
<p><i>9.1 The building design and the Statement of Environmental Effects that accompanies the proposal should demonstrate that the following matters have been addressed:</i></p> <p><i>a. Consideration of the existing character, scale and massing of development in the immediate area, including the surrounding landscape.</i></p>	Yes	In the design of the units, consideration to the existing surrounding development was given so as to provide a development which is sympathetic to the environment in which it sits.																										

DCP Requirement	Relevance	Compliance
<p><i>b. Architectural interest encouraged by:</i></p> <ul style="list-style-type: none"> <li>• <i>the use of finishes which are textured rather than bland;</i></li> <li>• <i>providing stepping of walls, pergolas, eaves, verandahs and blade walls etc. to establish articulation and create light and shadow to a building</i></li> <li>• <i>the coordinated use of diverse materials and appropriate decorative treatments</i></li> </ul> <p><i>c. Consideration of both typical and rare fenestration (door and window patterns) and the relationship between glazed and solid wall areas.</i></p> <p><i>d. Consideration of traditional relationship of roof mass to wall ratio, roof pitch and design, length of unbroken ridgelines, parapets, eaves and roof water guttering detailing.</i></p> <p><i>e. The design shall provide a variety of experiences for the residents and passers by thorough attention to silhouette, pattern, texture and colour. The amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form should be minimised.</i></p> <p><i>f. Design diversity should be achieved within and between developments by maximising the advantages of orientation, landforms, views and natural vegetation.</i></p> <p><i>g. Where a dwelling has an elevation to a principal street frontage then the design shall ensure that the building has its primary pedestrian entry point addressed to this street. This entry shall be reinforced by landscaping and, where appropriate, fencing to provide a clear entry statement.</i></p> <p><i>h. The following features of existing areas should be considered and integrated into new development where possible:</i></p> <ul style="list-style-type: none"> <li>• <i>Traditional street and lane patterns</i></li> <li>• <i>Street setbacks</i></li> <li>• <i>Groupings of buildings</i></li> <li>• <i>Corner feature sites</i></li> <li>• <i>Pedestrian walkways</i></li> <li>• <i>Promenades, squares and courtyards</i></li> <li>• <i>Characteristic kerb and gutter treatment</i></li> <li>• <i>Pavement design, materials and finishes</i></li> </ul> <p><i>i. Corner sites shall be developed such that the building(s) addresses both streets and has a well expressed side elevation that does not dominate the streetscape.</i></p> <p><i>j. Repetitive building designs should be avoided particularly in new residential subdivisions where there may be a number of sites being developed simultaneously. Repetitive street elevations generally do not achieve variety and interest in the streetscape – designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are distinct and give individuality to each development.</i></p> <p><i>k. That the relevant provisions in this DCP are taken into account where residential development is proposed within a Heritage Conservation Area or on a site of</i></p>		<p>The proposed plans include a Streetscape Elevation depicting how the proposal will be viewed from Aberglasslyn Road (refer to Sheet DA110 in <b>Attachment 1</b>).</p> <p>The Materials and Colours Schedule (see Sheet DA109 in <b>Attachment 1</b>) provide details of the usage of non-dominant colours and use of materials and articulation to provide interest to the front facade.</p> <p>The common open space along the Aberglasslyn Road frontage also lessens the impact of the development on the streetscape.</p> <p>Additional landscaping along the road frontage has been provided to provide both privacy for the residents and a pleasing visual aspect from Aberglasslyn Road.</p> <p>The entire development has been designed to complement the existing development in the area and not compete with it.</p> <p>The subject site is not within a heritage conservation area and is not identified as being of heritage significance.</p>

DCP Requirement	Relevance	Compliance
<i>identified heritage significance under the Maitland Local Environmental Plan 2011.</i>		
<p>9.2 Car parking structures such as garages and carports shall be designed as an integral part of the development and must be compatible with the overall building design in terms of height, roof form, detail, materials and colours.</p>	Yes	<p>The proposed units all have an attached garage which have been designed to provide the required car parking allocation without dominating the front façade of each unit.</p> <p>Similar colours and materials are used for the garages to provide compatibility with the overall development.</p>
<p>9.3 Garages and carports, as a forward element in the design of a dwelling, are discouraged particularly where the dwelling and its associated garage has a direct address and access to a street. Forward projecting garages and carports may be considered where it can be demonstrated that the design of the garage makes a positive contribution to both the street and the architectural quality of the building.</p>	No	<p>Not applicable. There are no garages or carports proposed that are forward of the front building line of the units.</p>
<p>9.4 The following treatments should be employed to reduce visual impact of garages and carports to a road frontage:</p> <ul style="list-style-type: none"> <li>a. Garages should be no greater in width than 50 per cent of the total width of the dwelling's frontage (eg. total width of dwelling's frontage is 15 metres therefore maximum width of garage doors to be no greater than 7.5metres);</li> <li>b. Where possible, garages of attached or detached dwellings which have a direct address to the street should not be located side by side;</li> <li>c. Where the garages of adjoining units are located side-by-side they should have staggered setbacks of at least 1.0 metre (refer Figure 18);</li> <li>d. The placement of wide eaves, awnings, pergolas or first floor projecting balconies/rooms over the garages to create shadow lines and provide greater articulation to the building (refer Figure 18);</li> <li>e. The use of materials of contrasting colour and/or texture for the walls and doors of each garage to create visual interest and a sense of separate identity for each dwelling unit – note that dark colours will make a garage visually recessive;</li> <li>f. The use of an irregular driveway alignment;</li> <li>g. Minimising the width and area of driveways to reduce the volume and rate of stormwater run-off and to increase the area available for landscaping;</li> <li>h. The selection of paving materials with contrasting colour and/or texture;</li> <li>i. The use of carports in lieu of garages as these more transparent structures can effectively reduce the bulk and mass associated with multiple garages.</li> </ul>	No	<p>Not applicable. There are no garages or carports which address the Aberglasslyn Road frontage.</p>
<b>10. Open Space</b>		
<p>10.1 Ground Level POS:</p> <ul style="list-style-type: none"> <li>a. All ground level private open space must comprise a 'principal area' of minimum dimensions in accordance with Figure 20.</li> <li>b. The minimum area of private open space for a ground level dwelling shall be in accordance with Figure 20.</li> </ul>	Yes	<p>All of the units are provided with a ground level private open space area, with their principal private open space area of between 25m<sup>2</sup> and 36m<sup>2</sup> as required in accordance with Figure 20 of MDCP 2011. All units are</p>

DCP Requirement	Relevance	Compliance
<p>c. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling (refer Figure 19).</p> <p>d. To be included in usable open space calculations, open space at ground level must have a minimum width in one direction of 3.0 metres.</p> <p>e. The maximum cross-fall over the 'principal area' shall not exceed 2%.</p> <p>f. Areas of ground level private open space required for external drying facilities, garbage storage, roof water tanks etc shall not be included in the principal area of private open space. These ancillary uses shall be located where they are able to be screened from view of the street or other public place.</p> <p>g. The landscape plan for the development shall incorporate a detailed landscape design for each area of ground level POS.</p> <p>h. Ground level POS shall only be located forward of the building line (but no closer than 900mm to the principal street boundary) where the orientation of the POS is within the 'optimum' range illustrated by Figure 20.</p> <p>i. Where ground level POS is provided forward of the building line then privacy fencing shall be provided as detailed in Section 14.</p>		<p>within the Optimum, Satisfactory and Good Orientation Areas, as per Figure 20.</p> <p>These areas are provided directly from a living or dining area of each dwelling, have a minimum dimension of 3m and maximum crossfall of 2%.</p> <p>Details for each unit, including the landscaping of the open space, are shown on the proposed plans, see <b>Attachment 1</b>.</p> <p>With the exception of Unit 1, no POS is proposed within the front setback of the units. To enable the provision of optimum solar access for the POS of Unit 1, the area has been orientated to the north-west of the unit. There will be 1.5m high transparent fencing and additional landscaping provided to lessen the impact on the streetscape in this area.</p>
<p>10.2 Above Ground Level POS:</p> <p>a. All above ground level private open space areas (eg balconies or terraces) shall contain a minimum area of 10 square metres and comprise a minimum dimension of 2.5 metres.</p> <p>b. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling unit.</p> <p>c. The orientation of above ground level POS and internal living rooms shall be within the 'optimum' and 'good' ranges illustrated by Figure 20.</p> <p>d. A communal external drying area shall be provided for all dwellings that do not have ground level POS. This communal drying area shall be located so as to receive adequate natural sunlight and breezes and shall be screened from view from public areas and communal open space areas. Drying space shall be provided at a rate of 15 lineal metres of clothes line per dwelling serviced.</p> <p>Note: Additional balconies etc are permitted but cannot be taken into account as POS unless meeting the minimum criteria specified above.</p>	No	Not applicable. All provided POS is at ground level.
<p>10.3 Ground level communal open space (COS) shall be provided within:</p> <p>a. a multi dwelling housing development with fifteen (15) or more dwellings (eg. townhouses, villas etc).</p> <p>b. a residential flat building with twelve (12) or more dwellings (eg.unit, apartment, flat etc).</p>	Yes	An area of 191m <sup>2</sup> of Community Open Space is provided at ground level and therefore compliance with this control is achieved.
<p>10.4 Ground level COS shall:</p> <p>a. contain an area sufficient to meet the relaxation and recreation needs of the residents of the development and shall at minimum include barbeque facilities and shelter,</p>	Yes	The Community Open Space includes a playground, BBQ, pergola, tables, chairs and



DCP Requirement	Relevance	Compliance
<p><i>tables, seating, children's play equipment, childproof fencing and associated landscaping.</i></p> <p><i>b. be centrally located to provide casual surveillance opportunities from surrounding units within the development.</i></p> <p><i>c. be an integral part of the design for the development and must be provided clear, safe pedestrian access to minimise conflict with vehicle manoeuvring areas.</i></p> <p><i>d. be provided with lighting sufficient to enable night time surveillance as a means of reducing vandalism and promoting the safety of residents. Care shall be taken in the selection of lighting and its location to minimise light intrusion to units within the development itself and also to adjoining properties.</i></p> <p><i>e. take into consideration its interface with adjoining dwellings (eg. windows, rooms etc).</i></p> <p><i>f. contain facilities (eg: seating, play equipment etc) designed to meet the relevant Australian Standards.</i></p>		<p>benches within a landscaped area to provide a recreational area for all residents.</p> <p>It has been located adjacent to Aberglasslyn Road and the bin enclosure to minimise the impact on the adjoining units.</p> <p>Unit 24 has casual surveillance of this area from its kitchen window.</p> <p>The COS is accessed via a concrete pathway from the front letterboxes and the driveway as shown on the proposed plans (see <b>Attachment 1</b>).</p> <p>All aspects of the COS will be designed, constructed and maintained in accordance with the relevant Australian Standards.</p>
<p><b>11. Sites having a boundary to a Laneway</b></p>		
<p><i>11.1 Where a site has a secondary frontage to a laneway:</i></p> <p><i>a. The dwelling(s) shall not be orientated to the laneway as a principal street address.</i></p> <p><i>b. The main pedestrian entry point to the dwelling(s) shall form a direct connection with the principal street address and not the laneway.</i></p> <p><i>c. Pedestrian access to dwellings located to the rear of the site shall be contained within a corridor not less than 2.4m wide.</i></p> <p><i>d. The pedestrian access from the principal street frontage to the dwelling(s) located to the rear of the site shall be landscaped and provided with adequate lighting in accordance with 'Safer by Design' principles.</i></p> <p><i>e. Car parking for a maximum of two vehicles only (consistent with the garaging provided for the existing allotment) shall be provided with access to the laneway.</i></p> <p><i>f. No internal habitable floorspace shall be located closer than 3.0m to the property boundary with the laneway.</i></p> <p><i>g. Garages/carports shall be located no closer than 2.0 metres to the property boundary with the laneway.</i></p> <p><i>h. Where a garage is located closer than 5.5m to the property boundary with the laneway the garage doors shall be fitted with automatic opening devices to allow continuous movement from the laneway to the garage without obstructing the lane.</i></p> <p><i>i. Where car parking is provided with access to a laneway care shall be taken to ensure that adequate manoeuvring area is available. Note that the narrow width of some laneways will mean that garages will need to be 'indented' from the laneway boundary and/or wider than standard garage doors installed to provide for adequate manoeuvring.</i></p> <p><i>Note: Depending on the standard of construction and overall condition of the laneway, Council may require the laneway pavement to be upgraded to ensure an adequate standard of access to the development (refer to Council's Manual of Engineering Standards).</i></p>	<p>No</p>	<p>Not applicable.</p>

DCP Requirement	Relevance	Compliance												
<b>12. Accessibility and Adaptable Housing</b>														
<p>12.1 The number of adaptable dwellings to be provided in a residential development shall be as detailed in Table 5.</p> <table border="1" data-bbox="140 376 711 584"> <thead> <tr> <th>TOTAL NO. OF DWELLINGS</th> <th>NUMBER OF ADAPTABLE DWELLINGS TO BE PROVIDED</th> </tr> </thead> <tbody> <tr> <td>Between 0 and 9 inclusive</td> <td>Nil</td> </tr> <tr> <td>Between 10 and 15</td> <td>1 dwelling</td> </tr> <tr> <td>Between 16 and 24</td> <td>2 dwellings</td> </tr> <tr> <td>Between 25 and 39</td> <td>3 dwellings</td> </tr> <tr> <td>40 or more</td> <td>10% of total dwellings</td> </tr> </tbody> </table>	TOTAL NO. OF DWELLINGS	NUMBER OF ADAPTABLE DWELLINGS TO BE PROVIDED	Between 0 and 9 inclusive	Nil	Between 10 and 15	1 dwelling	Between 16 and 24	2 dwellings	Between 25 and 39	3 dwellings	40 or more	10% of total dwellings	Yes	There are 24 units proposed and therefore the required number of adaptable dwellings is two. The design features three adaptable dwellings, being Units 2, 3 and 24, therefore compliance is achieved.
TOTAL NO. OF DWELLINGS	NUMBER OF ADAPTABLE DWELLINGS TO BE PROVIDED													
Between 0 and 9 inclusive	Nil													
Between 10 and 15	1 dwelling													
Between 16 and 24	2 dwellings													
Between 25 and 39	3 dwellings													
40 or more	10% of total dwellings													
<p>12.2 All adaptable dwellings are required to meet the essential design criterion as listed in AS 4299 which includes the following:</p> <ul style="list-style-type: none"> <li>a. Provision of plans showing the dwelling in its pre-adaptation and post adaptation stages;</li> <li>b. A continuous path of travel;</li> <li>c. Provision of accessible parking spaces;</li> <li>d. Manoeuvrability both internally and externally;</li> <li>e. Adjustable kitchen facilities;</li> <li>f. Adjustable bathroom facilities; and</li> <li>g. Adjustable laundry facilities.</li> </ul>	Yes	<p>The proposed plans show details of the adaptable features of the units, including circulation spaces, adjustable kitchen facilities and bathroom layouts.</p> <p>Each adaptable unit has a larger single attached garage with level entry internally to the dwelling.</p>												
<p>12.3 Where possible the internal structure of a dwelling should be designed with lightweight non-load bearing walls that allow for the reconfiguration of rooms over time.</p>	Yes	The adaptable units have internal stud walls which are lightweight and non-load bearing.												
<p>12.4 Where an adaptable dwelling is required in accordance with the provisions of this Plan, one (1) accessible car parking space shall be provided for every adaptable dwelling. This is in addition to any accessible parking required by Section 15 of this chapter.</p>	Yes	Each adaptable unit has a larger single attached garage with level entry internally to the dwelling.												
<p>12.5 Dwelling design should be capable of being easily adapted to suit the widest possible range of lifetime needs. This includes the needs of people with physical disabilities, people with sensory disabilities and people with intellectual disabilities.</p>	Yes	Each adaptable unit is capable of providing for the needs of a person/s during a wide range of their lifetime.												
<p>12.6 Dwellings designed for use by persons with a disability should be located at ground level unless special provision such as a lift is provided to upper floors.</p>	Yes	Each adaptable unit is at ground floor with level access for each.												
<p>12.7 Car parking shall be linked to the adaptable dwelling(s) by an unobstructed path of travel at a suitable gradient for wheelchair access. These car parking spaces shall be located as close as possible to the adaptable dwellings they are intended to serve.</p>	Yes	Each adaptable unit has a larger single attached garage with level entry internally to the dwelling. The garages are suitable in size to cater for the needs of those in wheelchairs.												
<p>12.8 Entries, doors and passageways shall be of sufficient width to allow for wheelchair access.</p>	Yes	The adaptable units all have wider doorways and entry of a minimum 1.02m and a 1.62m wide passageway to allow for wheelchair access.												
<p>12.9 Fixtures and fittings complying with AS 1428 Part 2.</p>	Yes	All fixtures and fittings comply with AS 1428 Part 2.												

DCP Requirement	Relevance	Compliance
12.10 Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 shall be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas and shall be clear of obstacles so as not to impede the mobility of residents and visitors.	Yes	A concrete path between the driveway and common open space that provides accessible and continuous path of travel as required.
12.11 Where a dwelling is intended for persons with a disability consideration should be given to a design suitable for in-house care or share accommodation, which offers privacy for non-related parties living within the same household.	Yes	The adaptable units have a separate bedroom that offers privacy for non-related parties living within the household.
12.12 Consideration should be given to the installation of broadband capabilities for all adaptable dwellings.	Yes	Broadband capabilities will be available to each adaptable unit.
12.13 The following issues shall be considered when designing for adaptable housing:	Yes	Noted.
12.14 Compliance with AS 1428.1 (2001) Design for Access and Mobility – General Requirement for Access (New Building Work) and AS 1428.2 (1992) Design for Access and Mobility – Enhanced and Additional Requirements (Buildings and Facilities).	Yes	The proposed adaptable units and their access comply with AS 1428.1 (2001) Design for Access and Mobility – General Requirement for Access (New Building Work) and AS 1428.2 (1992) Design for Access and Mobility – Enhanced and Additional Requirements (Buildings and Facilities).
12.15 Access to and within the adaptable dwelling shall comply with the requirements of the relevant provisions of the Australian Standards. This includes access to common facilities in the development eg: BBQ areas, swimming pools, common laundry facilities etc.	Yes	All internal and external access and entries to the adaptable units comply with the relevant provisions of the Australian Standards.  This includes a concrete path between the driveway and common open space that provides accessible and continuous path of travel as required.
<b>13. Landscape Design</b>		
13.1 With the exception of a single dwelling, all residential development shall be supported by a detailed landscape plan (inclusive of planting scheme) prepared and endorsed by a suitably qualified landscape consultant (eg landscape architect or horticulturalist) as meeting the objectives and design requirements of this chapter.	Yes	The proposed development is supported by a Landscape Plan, refer Sheet DA103 in <b>Attachment 1</b> .
<p>13.2 The landscape design should, as appropriate:</p> <ul style="list-style-type: none"> <li>a. Retain existing vegetation for integration with the landscape design for the development;</li> <li>b. Employ the use of native vegetation suitable for local conditions which require lower maintenance and demand less water;</li> <li>c. Incorporate the use of advanced specimens to ensure that the completed built form is immediately and effectively softened by landscaping.</li> <li>d. Define a theme for new internal streets/driveways or complement existing streetscapes external to a site;</li> <li>e. Be of an appropriate scale relative to the width of driveways and the associated space between buildings</li> </ul>	Yes	<p>The landscape design includes the use of advanced species so as the ensure the complete built form is softened by the landscaping.</p> <p>The landscaping allows for casual surveillance of public open spaces from each unit without impacting on the residents' privacy.</p> <p>Adequate lighting will be provided along the driveway and within the common open space of the development. The lighting will</p>

DCP Requirement	Relevance	Compliance
<p><i>and the building bulk – trees should be introduced which achieve a height above the roofline of the dwelling to soften built form;</i></p> <p><i>f. Take into account view corridors and introduce species that, where possible, preserve opportunities for views when the plants are mature;</i></p> <p><i>g. Improve privacy and minimise overlooking between dwellings and also overlooking from public spaces such as footpaths and communal open space;</i></p> <p><i>h. Provide adequate lighting for vehicular and pedestrian safety;</i></p> <p><i>i. Account for streetscapes and landscapes of heritage significance;</i></p> <p><i>j. Be tolerant of site conditions and adequately mulched in order to reduce demand for water, herbicides and fertilisers;</i></p> <p><i>k. Clearly identify where turfed areas are to be located and specify the materials used for forming the edges of garden beds;</i></p> <p><i>l. Detail the various paving materials used throughout the site for driveways, pedestrian pathways, parking areas and private open space areas.</i></p>		<p>be in accordance with the relevant Australian Standards.</p> <p>Landscaping along the Aberglasslyn Road frontage includes the use of mature trees and hedges to complement the timber fencing.</p> <p>The plantings will be adequately mulched as required.</p> <p>Turfed areas will be provided as shown on the Landscape Plan, along with concrete pedestrian pathways and driveway. The driveway will be Moonlight colour (Boral coloured concrete), which blends into the proposed development.</p> <p>Where required, hardwood timber edging will be laid around gardens and landscaping.</p>
<p><i>13.3 The landscape plan for the development shall recognise private open space areas as 'outdoor rooms' and the design shall incorporate:</i></p> <p><i>a. Paved areas or decks for outdoor dining/relaxation;</i></p> <p><i>b. Garden areas to reduce the 'hard' visual impact of fencing, paving and walls;</i></p> <p><i>c. Built-in seating (optional) – refer to example courtyard area at Diagram 19.</i></p> <p><i>d. The inclusion of trees of a scale which will provide adequate shade (deciduous may be appropriate depending on orientation of POS);</i></p> <p><i>e. Provision of drying areas and garbage storage areas and the screening of these areas with vegetation and/or structural elements such as timber panels;</i></p> <p><i>f. Water features(optional);</i></p> <p><i>g. Full details of materials for fencing, paving etc.</i></p>	Yes	<p>Each unit has been provided with sufficient private open space as shown on the proposed plans, see <b>Attachment 1</b>.</p> <p>Plantings to provide shade in the rear courtyards of each unit have been included which also provide screening of the proposed outdoor drying areas.</p> <p>Details of the front timber fence and inter-unit colorbond fencing have also been included.</p>
<p><i>13.4 Residential developments that make the most positive contribution to streetscapes and the urban environment and provide higher levels of amenity and enjoyment for residents are those which have a sound maintenance regime for landscaped areas – both private open space and communal areas.</i></p>	Yes	<p>Landscaping along the Aberglasslyn Road frontage includes the use of mature trees and hedges to complement the timber fencing and provide a visually pleasing aspect from public view.</p> <p>Internally, the landscaping will contribute to softening the built form of the development. The common open space has been designed and landscaped to ensure enjoyment by all residents.</p>
<p><i>13.5 The landscape design for a development should integrate with the stormwater management scheme, having regard to relevant 'water sensitive urban design' (WSUD) principles.</i></p>	Yes	<p>The landscaping has taken into account the proposed Stormwater Management Plan and has integrated features into its design, such as placing larger shrubs and trees away from</p>

DCP Requirement	Relevance	Compliance
		drainage pipes and allowing for adequate areas of lawn to deal with surface runoff.
<b>14. Fencing and Walls</b>		
<p>14.1 The landscape plan prepared for the development shall incorporate full details of all fencing proposed including:</p> <ul style="list-style-type: none"> <li>• location</li> <li>• height</li> <li>• materials</li> <li>• colours</li> </ul>	Yes	<p>A Fencing Plan has been included as part of <b>Attachment 1</b>, refer to Sheet DA108. It shows the location, height and materials proposed for the front and inter-unit fencing.</p> <p>The colours of the colorbond fencing are included in the Colours and Materials Schedule on Sheet DA109.</p> <p>The front fence will be a 1.5m high slat timber fence with 50% transparency.</p>
<p>14.2 For all forms of residential development, with the exception of a single dwellinghouse, sheet metal fencing shall not be permitted where it forms a boundary with a street, or communal area within a development</p>	Yes	<p>No sheet metal fencing is proposed along the Aberglasslyn Road boundary, rather a 1.5m high timber fence is proposed.</p> <p>The proposed fencing around the common open space is timber slat fencing and, the use of landscaping and other garden features aid in softening the effect of this fencing and it will not overly visible from Aberglasslyn Road.</p>
<p>14.3 Fencing between dwellings shall be designed to provide visual and acoustic privacy to internal rooms and outdoor private open space. The recommended height for these dividing fences is 1800mm high but not less than 1500mm high.</p>	Yes	<p>It is proposed that the inter-unit fencing is constructed of 1.8m high Colorbond to ensure the privacy of all residents.</p>
<p>14.4 For all residential development where sheet metal fencing is used it should be of mid to dark earthy colour to make the fence visually recessive.</p>	Yes	<p>The proposed Colorbond fencing is to be Colorbond Shale Grey in colour to ensure it is visually recessive.</p>
<p>14.5 Fencing within the street building line setback shall not be located closer than 900mm from the street property boundary for the principal street frontage of the development (refer Figure 22).</p>	Yes	<p>The proposed front fence is a timber slat fence which sits on the boundary line to allow for privacy and security of the residents within the proposed development.</p> <p>It will be 1500mm in height and will be less intrusive on the front streetscape than those developments already along Aberglasslyn Road, particularly those at Nos. 10 &amp; 11 Glider Close. Further to the south along Aberglasslyn Road is the under-construction Estia Health Residential Aged Care Facility which is a two-storey, 115 bed facility.</p>
<p>14.6 Where side boundary fencing projects forward of the street building line setback to the principal frontage then the maximum height of the fence shall not exceed 750mm within the building line setback area. (Note: This requirement does not apply where the development qualifies to use the building line setback for private open space – refer Sec B9.9(h)).</p>	Yes	<p>The proposed side fences are timber slat fences for the first 2.7m along the western boundary and 12.6m along the eastern boundary. The fencing encloses the development's common open space and allows privacy and security for its residents.</p>

DCP Requirement	Relevance	Compliance
		It will be 1500mm in height and will be less intrusive on the front streetscape than those developments already along Aberglasslyn Road, particularly those at Nos. 10 & 11 Glider Close. Further to the south along Aberglasslyn is the under-construction Estia Health Residential Aged Care Facility which is a two-storey, 115 bed facility.
<p><i>14.7 Front fencing for the purposes of containing a dwelling's principal private open space area, shall not occupy more than 50% of the street frontage of an allotment and shall not contain or obscure the principal pedestrian entry point to the dwelling from the street. Fencing may occupy greater than 50% of a site frontage if it can be demonstrated that the increased length of fencing is consistent with the established fencing within the street and character of the street, or because of environmental impact considerations, eg. noise.</i></p>	Yes	<p>The proposed front timber fence is for the purpose of delineating between the public and private space of the development and to contain the common open space within the private boundaries of the development. There are gate openings provided for pedestrian access.</p> <p>Approximately half of the front fence will be used to contain Unit 1's private open space area. This is consistent with similar developments along the streetscape and will assist in providing an acoustic barrier from the road noise along the street frontage.</p> <p>There is similar, or more visually prominent, fencing to other developments along Aberglasslyn Road, including those at Nos. 10 and 11 Glider Close, which offer no transparency. Therefore, proposed fencing is considered satisfactory.</p>
<p><i>14.8 Solid fencing for the purposes of containing a dwelling's principal private open space area, shall not exceed a height of 1500mm where located within the street building line setback unless it can be demonstrated that a higher fence is appropriate having regard to issues of noise, privacy, existing streetscape and architectural merit.</i></p>	Yes	The proposed front timber slat fencing is 1.5m in height and $\geq 50\%$ transparency.
<p><i>14.9 Nothing in this plan prevents the fencing of the street frontage of a property subject to the following:</i></p> <ul style="list-style-type: none"> <li>• <i>The building line setback area is not required for the purposes of principal open space;</i></li> <li>• <i>The fence shall not exceed a height of 1200mm (1.2metres);</i></li> <li>• <i>The fence shall not comprise sheet metal material;</i></li> <li>• <i>The fence shall be of a design/materials which integrate with the dwelling(s) located on the land.</i></li> </ul>	No	Not applicable.
<b>15. Driveway Access and Carparking</b>		
<p><i>15.1 Driveways shall be located no closer than 900mm from any side boundary for the full depth of the building line. This 900mm offset shall be provided with landscaping of suitable scale to ensure that sight lines along the public footpath and the roadway are not obstructed.</i></p>	Yes	The proposed driveway from Aberglasslyn Road is located in excess of 10m from each side boundary. The driveway entrance will be suitably landscaped with species that have been sited and chosen so as not to impact on the sightlines along the public road or footpath.

DCP Requirement	Relevance	Compliance
15.2 Driveways within the site should be a minimum of 2.7 metres wide and should include landscaping between the driveway and dwelling. (Note: In heritage conservation areas strip driveways may be a more suitable alternative – refer to Part E.3: Heritage Conservation Areas).	Yes	The proposed driveway is 5.5m wide and has been provided with suitable landscaping between the driveway and units as required.
15.3 Landscaping shall be incorporated into the design of driveway and manoeuvring areas to minimise the expanse of hard surfaces and adverse visual impacts on the streetscape.	Yes	Landscaping has been provided along the driveway and manoeuvring areas to lessen the expanse of hard structures and visual impacts of the driveway.
15.4 Straight 'gun barrel' driveway arrangements are not supported. Where long driveways are proposed landscaping of minimum width 1.0 metres shall be provided along the boundary/fenceline incorporating wider landscape 'blisters' to create a 'meandering' effect and contrasting pavement treatments should be used to reduce the expanse of a single pavement material. Landscaping shall also be provided between the driveway and the external wall of the dwelling.	Yes	Whilst the internal driveway is long, appropriate articulation of the proposed units and their front landscaping have been incorporated to lessen the visual impact of the hard stand areas.
15.5 Driveways within a site shall be at a maximum grade of 4:1 (H:V)	Yes	The internal driveways have a maximum grade of 1:10 (H:V).
15.6 Driveway design from the road pavement across the public footpath area shall be in accordance with Council's "Manual of Engineering Standards" and appropriate structural drawings.	Yes	The proposed driveway from the public road, across the public footway shall be designed and constructed in accordance with Council's Manual of Engineering Standards.
15.7 Driveways across the footway at the access point on the road reserve should be generally a maximum of 5 metres wide, although variation may be justified on turning and traffic safety issues	Yes	<p>The driveway crossing across the public footpath is 5.5m wide. This is a minor variance to the required 5m width, however, is considered warranted in this instance given the large number of units the driveway is servicing.</p> <p>The wider driveway will allow for vehicles to enter and exit the property concurrently in a safe and efficient manner and the additional width will have minimal visual impact as viewed from Aberglasslyn Road.</p>
15.8 Driveways across the footway shall be sited to avoid street trees, kerb inlet pits and other services such as light/powerpoles.	Yes	The proposed driveway has been sited to avoid the existing street trees and services along the road frontage.
15.9 For developments other than single dwellings adequate vehicle manoeuvring area to Australian Standard AS 2890 shall be provided to enable vehicles to enter and exit the site in a forward direction.	Yes	As shown within the Traffic Report (see <b>Attachment 7</b> ), there is adequate vehicle manoeuvring available on the site and for entry and exit to the site in a forward direction.
15.10 For developments other than single dwellings, vehicle driveways shall be clearly distinguished from pedestrian entries and paths through design, finish or location.	Yes	The proposed fencing, landscaping and signage will provide clearly distinguishable points of entry for both vehicles and pedestrians to the site.

DCP Requirement	Relevance	Compliance
15.11 On sites identified as Bushfire Prone Land under the Bush Fire Prone Land Maps endorsed by the New South Wales Rural Fire Service, access shall comply with the requirements of the document "Planning for Bushfire Protection 2006" (Planning NSW and Rural Fire Service).	No	Not applicable. The subject site is not bushfire prone land.
15.12 Vehicle car parking spaces and manoeuvring areas (not including a driveway providing direct vehicle access to a garage or carport from the street) shall not be located within the building line setback area.	Yes	No car parking or vehicle manoeuvring areas are located within the front building line setback area.
15.13 The minimum number of off-street car spaces shall be as follows: a. One (1) space for each one or two bedroom dwelling; b. Two (2) spaces for each dwelling containing more than two bedrooms; c. One (1) visitor space for the first three dwellings and one (1) space for every five dwellings thereafter or part thereof.	Yes	Units 1, 6, 19, 20 and 21 are three-bedroom units and have double attached garages provided for car parking. The remaining units are all two-bedroom and have attached single garages as required.  The proposal consists of 24 units; therefore, six visitor car parking spaces are required. Six visitor car parking spaces are proposed, four being towards the front of the proposal and two at the end of the driveway on the southern side boundary. Therefore, the proposal is compliant.
15.14 A minimum of one (1) off-street parking space should be provided for each dwelling as a covered space in the form of either a garage, carport or within a secured basement parking area. The parking space(s) should be convenient and accessible to the dwelling which it services.	Yes	All off-street car parking spaces for the dwellings are enclosed as an attached garage, with internal access to each unit provided.
15.15 Visitor car parking spaces should be freely accessible at all times and not located behind security gates or within secured basement car parking areas.	Yes	The visitor parking spaces are freely accessible at all times and not behind security gates or within a basement parking area.
15.16 The minimum dimensions for car parking bays and aisles shall be in accordance with Figure 24.	Yes	The car parking bays all comply with the minimum dimensions of 5.5m x 2.6m as required.
15.17 Garages should comprise minimum dimensions in accordance with Figure 25.	Yes	All garages comply with the minimum dimensions in accordance with Figure 25 in MDCP 2011, including an additional 1m provision where the laundry is incorporated within the garage.
15.18 Developments comprising up to two (2) dwellings may have the parking space(s) for both dwellings directly addressing and accessible from its street frontage.	No	Not applicable. The proposal is for 24 units.
15.19 Developments comprising three (3) or more dwellings may have one (1) dwelling only with a garage/carport directly addressing and accessible from its street frontage of the development.	Yes	Whilst the proposal includes more than 3 units, there are no garages or carports proposed which directly address the street frontage of Aberglasslyn Road.
15.20 Tandem (or stack) parking is permissible only where the garage for the dwelling has a direct frontage/address to a street. In this instance, the vehicle space on the driveway in front of the garage/carport can be calculated	No	Not applicable. No stacked or tandem parking is proposed.



DCP Requirement	Relevance	Compliance
<p><i>as part of the parking requirement for that dwelling but shall not be counted as a 'visitor' space.</i></p>		
<p><b>15.21 Designated accessible car parking facilities shall:</b></p> <p>a. Be provided at the rate of one (1) accessible parking space for every adaptable dwelling;</p> <p>b. Be located as close as possible to the adaptable or accessible dwelling they are intended to serve or alternatively as close as possible to each accessible public entrance;</p> <p>c. Be linked to an accessible entrance to a building or to a wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover;</p> <p>d. Have a minimum width of 3.8 metres as shown in Figure 26. An overlap allowance of 500mm may apply when, parallel to the parking space, there is an adjoining walkway or similar surface which:</p> <ul style="list-style-type: none"> <li>• Is at the same level as the car parking space;</li> <li>• Is firm and level, with a fall not exceeding 1 in 40 in any direction;</li> <li>• Is not another car parking space;</li> <li>• Is not less than 1000mm in width.</li> </ul> <p>e. Have a minimum vertical clearance of not less than 2500mm and a minimum length of 5.5 metres as shown in Figure 26;</p> <p>f. Both the designated parking space and the continuous accessible path of travel shall be clearly signposted;</p> <p>g. The signage for the actual parking space shall be painted on the surface of the paved space and signposted at a height of not less than 1500mm centrally located at the end of the space;</p> <p>h. The provision of accessible parking shall be signposted at the entrance of the car park.</p>	<p>Yes</p>	<p>Each adaptable unit has an attached single garage with internal level access provided to the dwelling.</p> <p>The single garage provides dimensions of 3.83m x 5.5m and has a ceiling height of 2.65m.</p> <p>As the garages are attached to the units that they serve, no signage is necessary.</p>
<p><b>16. Views, and Visual and Acoustic Privacy</b></p>		
<p><b>16.1 Overlooking of private open space and direct views between living area windows shall be screened or obscured using one or more of the following methods (as shown in Figures 27 and 28):</b></p> <p>a. Separation distance between windows of habitable rooms or balconies</p> <p>b. Separation by design</p> <p>c. Offset living room windows of opposing dwellings/units</p> <p>d. Splay windows to redirect sight lines</p> <p>e. Build to a boundary and avoid window openings</p> <p>f. Screen planting between units</p> <p>g. Fencing design or privacy screens</p> <p>h. Use of fin walls</p> <p>i. Planter boxes</p> <p>j. Louvre screens (vertical or horizontal)</p> <p>k. Pergola</p> <p>l. Change in level Acoustic</p>	<p>Yes</p>	<p>All units, with the exception of Unit 1, are single-storey and will be provided with a 1.8m high Colorbond fence to separate each unit's private open space area.</p> <p>There are minimal windows or doors located on the elevations of units which face each other.</p> <p>Some units are also attached with a common party wall. The party wall ensure acoustic privacy is maintained.</p> <p>Landscaping is also proposed in the rear yards to provide additional visual privacy to the units.</p>

DCP Requirement	Relevance	Compliance
16.2 Where no design techniques and screening (eg fences or walls) are proposed, openings of adjacent dwellings shall be separated by a distance of at least 3.0m.	No	Not applicable. Design and screening techniques have been used.
16.3 Site layout shall separate active recreational areas, shared parking areas and driveways, and service equipment areas away from bedroom areas of dwellings.	Yes	Unit 24 is the only unit that is directly adjacent to the common open space and service equipment areas. The unit has been sited to orientate the bedrooms away from these areas, with the kitchen, walk-in robe and ensuite being adjacent to the common open space and hence visual and acoustic amenity will be maintained.
16.4 Mechanical plant or equipment (eg. Air conditioning units) shall be designed and located to minimise noise nuisance.	Yes	All mechanical plant or equipment is located in areas to minimise noise and nuisance. Each unit has its own air conditioning unit located in the rear setback of each unit.
16.5 Shared walls and floors between dwellings shall be constructed to reduce noise transmission in accordance with the Building Code of Australia.	Yes	The units with shared walls will be constructed to reduce noise transmission in accordance with the Building Code of Australia.
<b>17. Water and Energy Conservation</b>		
17.1 It is recommended that buildings be orientated with the main indoor and outdoor living spaces towards the north and north-east (the optimum orientation for indoor and outdoor living spaces are shown in Figure 20).	Yes	All units, with the exception of Units 23 and 24, have their indoor and outdoor living spaces orientated to the north or north-east as required.
17.2 To the fullest extent possible, buildings should be insulated.	Yes	The proposed dwellings have been designed and insulated in accordance with the provided BASIX Certificate, see <b>Attachment 4</b> .
17.3 Buildings should include adequate thermal mass and windows located, sized and shaded to facilitate thermal performance.	Yes	Each dwelling has been provided with adequate thermal mass. Windows have been located, sized and shaded to facilitate thermal performance, refer <b>Attachments 1 and 4</b> .
17.4 Windows in west facing walls should be avoided. However, where not possible, west facing walls should be designed with windows fitted with appropriate shade structures and/or landscape screens.	Yes	Windows orientated to the west have generally been avoided, however, where required have been shaded to improve thermal comfort.
17.5 Building design should, wherever possible, include a north facing roof upon which a solar hot water system or collector could be installed. The building's internal plumbing should be designed to facilitate the installation of such a system.	Yes	All the units have a north facing roof upon which a solar hot water or collector could be installed.
17.6 The design of the building should maximise the cooling potential of natural ventilation by providing breeze pathways through the building (refer Figure 32).	Yes	The units all have the opportunity for natural ventilation through the building and are within the desirable depth range of 10-14m for cross ventilation.

DCP Requirement	Relevance	Compliance
<p>17.7 Shadow diagrams may be required for residential developments of two storeys and over in urban zones if, in the opinion of the assessing officer, they are required and for all residential developments comprising two (2) or more dwellings where ground level private open space is located in other than an "optimum" or "good" location as shown in Figure 20. The shadow diagram shall address the overshadowing impact of new development and also the impact from adjoining development against the criteria provided under 17.8 below.</p>	Yes	<p>There is one unit, being Unit 1, which is two storey, with all other units being single storey. A Solar Study, including shadow diagrams for the 21 June, has been included within the proposed plans, see Sheet DA104 in <b>Attachment 1</b>.</p>
<p>17.8 Development within the categories specified under 17.7 above shall ensure that adequate solar access is provided to both existing development adjoining the project site as well as to the dwellings and their associated outdoor open spaces within the new development itself. In this regard:</p> <p>a. Development shall not reduce the sunlight available to windows of living areas that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (June 21);</p> <p>b. At least 50% of the principal area of ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%;</p> <p>c. At least 50% of the principal area of above ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%;</p> <p>d. At least 50% of the area of communal private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.</p> <p>Note: Council reserves the right to request shadow diagrams with respect to single storey development if, by reason of the topography of the site, the nature of adjoining development and fencing, the orientation of the building or the design of the building, there is potential for significant loss of solar access to adjoining lots or to dwellings within the development itself.</p>	Yes	<p>A Solar Study for the 21 June has been included within the proposed plans, see Sheet DA104 in <b>Attachment 1</b>.</p> <p>The plans demonstrate that all of the units have access to sunlight no less than 3 hours of the day between the hours of 9:00am to 3:00pm on 21 June, including the POS of the units.</p> <p>At least 50% of the Communal Open Space also has access to direct sunlight at least 3 hours of the day on 21 June.</p>
<p><b>18. Stormwater Management</b></p>		
<p>18.1 Due to downstream flooding/capacity issues and for developments other than single dwellings, on-site detention of stormwater is required in accordance with Council's Manual of Engineering Standards, to restrict the discharge rate of stormwater runoff. The methods may include tanks (either underground or aboveground) or surface storage areas such as driveways or landscape depressions. The amount of storage volume required is subject to detailed calculation but may be estimated at 9 cubic metres per 1000sqm of site area.</p>	Yes	<p>A Stormwater Management Plan has been prepared by Wallace Design Group, see <b>Attachment 3</b>.</p> <p>The plan includes details of onsite detention for stormwater and has been designed in accordance with Council's Manual of Engineering Standards.</p>
<p>18.2 A detailed erosion and sediment control plan (ESCP) should be submitted with the development application. The ESCP should be prepared in accordance with the requirements of Council's Manual of Engineering Standards.</p>	Yes	<p>A Stormwater Management Plan has been prepared by Wallace Design Group, see <b>Attachment 3</b>. The plan set includes a</p>

DCP Requirement	Relevance	Compliance
		detailed erosion and sediment control plan as required.
18.3 Ultimate discharge for collected stormwater runoff should be to a street drainage system, to an interallotment drainage line, or by approval to a public area. The system should be gravity-drained. Pumping of stormwater is not permitted.	Yes	The expected runoff from the development will be to the existing stormwater line within an easement adjacent to the rear of the subject site, refer <b>Attachment 3</b> .
18.4 The development site must be provided with an overland flowpath for the major storm event (1% AEP).	Yes	Overland flow paths are shown on the Stormwater Management Plan, refer <b>Attachment 3</b> .
18.5 Stormwater storage tanks with a capacity in excess of that required to meet BASIX criteria may be installed to provide for on-site stormwater detention. Council's Manual of Engineering Standards provides details for calculations and 'BASIX' relationships. These tanks, unless provided underground, must not be located within an area of principal open space. The area occupied by the tank must not be included for the purposes of calculating the required private open space at ground level for each unit.	Yes	A Stormwater Management Plan has been prepared by Wallace Design Group, see <b>Attachment 3</b> .  The plan includes details of onsite detention for stormwater and includes detention capacities.
18.6 As a minimum requirement, a stormwater drainage "concept plan" shall be submitted with the development application. The plan should include:  a. the pipeline/pit layout  b. water storage means/area  c. indicative levels at critical design points  d. overland flowpaths including details of the means of capturing runoff from all impervious surfaces  Note: Performance Criteria are included in Part B.2 of the Maitland Development Control Plan 2011.	Yes	A Stormwater Management Plan has been prepared by Wallace Design Group, see <b>Attachment 3</b> .  The plan the required details to comply with this section of the DCP.
<b>19. Security, Site Facilities and Services</b>		
19.1 For developments proposing ten (10) or more dwellings a detailed 'Crime Prevention Through Environmental Design' assessment shall be prepared by an accredited person and submitted with the development application.	Yes	A Crime Risk Assessment has been prepared by Parker Scanlon Pty Ltd, refer <b>Attachment 6</b> .
19.2 Buildings adjacent to a public or communal space shall be designed to maximise natural surveillance, having at least one (1) habitable room window per dwelling facing that area.	Yes	All units which adjoin a public space have a window available from a habitable room to provide casual surveillance.
19.3 Low intensity lighting (eg. bollard lighting) shall be provided to all shared pedestrian paths, parking areas and building entries.	Yes	Low intensity lighting will be provided to shared pathways, parking areas and building entries as required.
19.4 Garbage or recycling areas, mail boxes and external storage facilities shall be sited and designed for functionality, attractive visual appearance and efficient and convenient use.	Yes	The proposal includes details of the entry feature with mailboxes for each unit and a central bin storage building/structure. Included in these spaces are appropriately sized landscape species to soften the building bulk and ensure that the area is a functional space.
19.5 Where agreed to by public utility service providers, services shall be co-ordinated in common trenching in	Yes	At the Construction Certificate stage, liaison with the relevant service providers will be

DCP Requirement	Relevance	Compliance
<i>order to minimise construction costs for underground services.</i>		undertaken to co-ordinate common trenching where appropriate.
19.6 <i>Each dwelling shall be provided with direct and convenient pedestrian access to a public road.</i>	Yes	Each unit is not provided with direct pedestrian access to the public road frontage along Aberglasslyn Road. Given the shape of the development site and location of the central driveway, it is not considered that this is required and would result in excessive hardstand areas.
19.7 <i>Where there is no direct pedestrian access from a dwelling's private outdoor open space area to the public roadway then the development shall be provided with a common garbage storage area readily accessible from within the site and serviceable from the adjoining road.</i>	Yes	A central bin storage building/structure has been provided with direct access from within the site and to Aberglasslyn Road for ease of presentation of the bins on garbage collection day.
19.8 <i>The garbage storage area shall be designed so as to conceal its contents from view of the adjacent public space and/or other properties. It shall be provided with a water tap for wash down purposes and drained to connect to the sewer.</i>	Yes	The proposed bin storage structure will be suitably concealed by fencing and landscaping from public spaces and adjoining properties and is within a fully enclosed structure which presents attractively to the street.  A tap for washdown purposes is located both inside and outside of this structure.
19.9 <i>Individual mail boxes shall be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site complying with the requirements of Australia Post.</i>	Yes	A mailbox structure, as detailed in the proposed plans, is located within the vicinity of the front pedestrian access to the development and complies with the requirements of Australia Post.
19.10 <i>Open air clothes drying areas shall be provided for each dwelling with an aspect ranging between direct east to direct west (via north). The drying areas shall be located and/or screened such that they will not be visible from a street or public place. Each drying area shall comprise a minimum of 15.0 lineal metres of hanging line.</i>	Yes	Open air clothes drying areas have been provided in the rear courtyards of each unit. They are suitably screened by landscaping and fencing so that they cannot be viewed from public areas.
19.11 <i>All services – reticulated water, sewerage, electricity and telecommunications (and natural gas where available) shall be installed to meet the requirements of the relevant service provider.</i>	Yes	All services shall be installed in accordance with the relevant service provider's requirements.
<b>C.10 Subdivision</b>		
<p>The Strata subdivision is compliant with the Strata Schemes Act 1973 and the Strata Scheme Legislation Amendment Act 1999.</p> <p>The proposed twenty-four (24) Strata titled lots are of suitable dimension and area and incorporate the courtyards of each of the units. The driveway, visitor parking, communal open space, front garden and bin storage area will form part of the "common property" and will be managed by the Owner's Corporation.</p> <p>The other planning controls in this section relate to Torrens title subdivision and are not relevant to the proposal.</p>		

DCP Requirement	Relevance	Compliance
<b>C.11 Vehicular Access &amp; Car Parking</b> <b>1. General Requirements</b>		
<p><i>1.1 General Requirements</i></p> <p><i>In determining the parking and traffic requirements for a development proposal, the following principles shall be followed:</i></p> <ul style="list-style-type: none"> <li>• <i>the minimum standards as set out in this plan;</i></li> <li>• <i>the likely demand for of-street parking generated by the development;</i></li> <li>• <i>the availability of public transport in the vicinity to service the proposed development;</i></li> <li>• <i>the probable mode of transport to be used by employees and/or customers;</i></li> <li>• <i>the likely peak times of usage of the proposed development;</i></li> <li>• <i>the existing traffic volumes on the surrounding street network including, where relevant, the potential future traffic volumes; and</i></li> <li>• <i>the equity of requiring of-street parking for individual developments within areas such as Maitland City Centre and Morpeth, where historical parking deficiencies have occurred.</i></li> </ul>	Yes	<p>Noted. The proposal is supported by a Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineering &amp; Road Safety Consultants, see <b>Attachment 7</b> which has been prepared with these principles as an underlying feature.</p>
<p><i>1.2 Calculation of Parking Requirements</i></p> <p><i>a. Development Generally</i></p> <p><i>The minimum number of parking spaces to be provided for a particular development is to be calculated in accordance with Appendix A of this policy.</i></p>	Yes	<p>The proposal, being for 24 units, has the provision of 1 carparking space for every 1-2 bedroom unit, 2 car parking spaces for each 3 bedroom unit and 6 visitor spaces as required. The parking complies with Council's requirements.</p>
<p><i>b. Mixed Uses</i></p> <p><i>Ancillary components of a land use (for example an office within an industrial building that occupies less than 20% of the total floor space) will be assessed according to the rate required for the principal land use.</i></p> <p><i>For developments incorporating different categories of uses, a separate calculation will be made for each component and then added together to provide the total parking requirement. Any departure from this method will only be considered where it is demonstrated that the peak demand for each land use component of the development is staggered. In this regard the applicant should submit a parking profile showing the cumulative parking demand by time-of-day.</i></p>	No	<p>Not applicable. The proposal is not considered to be a mixed use development.</p>
<p><i>c. Calculation of Numbers</i></p> <p><i>Where the calculation results in a fraction of a space, the total number of parking spaces required will be the next highest whole number.</i></p>	Yes	<p>Noted. Any calculation of car parking spaces has been rounded up to the nearest full number.</p>
<p><i>d. Change of Use</i></p> <p><i>Where the use of an existing building is to be changed, or where an existing building is to be replaced with a new building, the following method of calculation shall apply:</i></p> <p><i>I. The parking requirements of the previous or existing premises is to be determined in accordance with Appendix A of this policy;</i></p>	No	<p>Not applicable. The proposal does not include a change of use.</p>

DCP Requirement	Relevance	Compliance
<p>II. The parking requirement of the proposed development is to be determined in accordance with Appendix A of this policy;</p> <p>III. Subtract the number of spaces determined in (a) above from the number of spaces calculated in (b) above;</p> <p>IV. The difference calculated in (c) above represents the total number of parking spaces to be provided in addition to the existing of-street carparking.</p> <p>Where an existing building is to be replaced by a new building which has a floor area not exceeding the floor area of the existing building, and no change of use is proposed, no additional parking is required to be provided.</p> <p>Notwithstanding the above, nothing in this plan requires the provision of additional parking in conjunction with the conversion of an existing approved office or business premises or a shop, to either a shop or a restaurant or cafe, within business zones of the Maitland City Centre (refer to Map)</p>		
<p><b>2. Guidelines for the Design, Layout and Construction of Access and Parking Areas</b></p>		
<p>2.1 Access To The Site</p> <p>A development should be designed to provide adequate on-site manoeuvring and circulating areas to ensure that all vehicles can enter and leave the site in a forward direction.</p> <p>Access to or from a site shall be located where it causes the least interference to vehicular and pedestrian traffic on the road frontage. Access will generally not be permitted in the following locations:</p> <ul style="list-style-type: none"> <li>a. close to traffic signals, intersections or roundabouts where sight distance is considered inadequate by Council;</li> <li>b. opposite other developments generating a large amount of traffic (unless separated by a median island);</li> <li>c. where there is heavy and constant pedestrian movement along the footpath;</li> <li>d. where right turning traffic entering the facility may obstruct through traffic; and</li> <li>e. where traffic using the driveways interferes with, or blocks the operations of bus stops, taxi ranks, loading zones or pedestrian crossings.</li> <li>f. Direct access onto a major road is to be avoided wherever possible. Auxiliary lanes, (deceleration and acceleration lanes), may need to be provided to minimise conflicts between entering/leaving traffic with through traffic. In many cases, right turn movements into a site are unlikely to be supported, unless an exclusive right turn bay is provided.</li> </ul> <p>Council may designate areas over the street frontage of the development where no stopping or no parking sign posting is to be installed to facilitate the entry/exit of vehicles and the safe movement of cyclists and pedestrians. Any on-street signage would be required in accordance with Australian Road Rules requirements as identified by Council's Local Traffic Committee.</p>	<p>Yes</p>	<p>There are adequate areas provided for manoeuvring of vehicles within the driveway and at the end of the aisle.</p> <p>The site entry is not in the vicinity of any traffic signals, intersection or roundabout.</p>
<p>2.2 Sight Distances</p> <p>Consideration must be given to maintaining adequate sight distances for all access driveways. Any vehicle entering or leaving the driveway must be visible to approaching</p>	<p>Yes</p>	<p>The proposed access from Aberglasslyn Road provides sufficient sightlines in each direction to ensure that vehicles and</p>

DCP Requirement	Relevance	Compliance
<p><i>vehicles and pedestrians. AS 2890.1 Off Street Car Parking gives minimal and desirable sight distances for a range of road frontage speeds.</i></p>		<p>pedestrians can enter and leave the site in a safe manner.</p> <p>The proposed landscaping around the vehicle access has been specifically chosen to ensure that there are no visual impacts on the sight distances available by the overall height or the canopy height of the species chosen.</p>
<p><b>2.3 Entrance / Exit to the Site</b></p> <p><i>The entry and exit requirements for parking areas may vary in relation to:</i></p> <ul style="list-style-type: none"> <li>• <i>the size of vehicles likely to enter the proposed development;</i></li> <li>• <i>the volume of traffic on the streets serving the proposed development; and</i></li> <li>• <i>the volume of traffic generated by the development.</i></li> </ul> <p><i>The driveway standards recommended by the Roads and Traffic Authority of NSW Guide To Traffic Generating Developments (the guide) are adopted for the purpose of this Plan.</i></p> <p><i>Requirements specified within 'the guide' are summarised in Tables 1 and 2 in Appendix B, and in general the following shall apply:</i></p> <ul style="list-style-type: none"> <li>• <i>separate entrance and exit driveways should be provided for developments requiring more than 50 car parking spaces or where the development generates a high turnover of traffic such as a service station or other drive in retail facilities;</i></li> <li>• <i>entry and exit driveways shall be clearly signposted;</i></li> <li>• <i>the number of access points from a development site to any one street frontage should be limited to one ingress and one egress; and</i></li> <li>• <i>the potential for on-street queuing should be minimised by ensuring that adequate standing areas are available for vehicles entering the car park and loading areas.</i></li> </ul>	<p>Yes</p>	<p>As detailed within the Traffic and Car Parking Impact Assessment (refer <b>Attachment 7</b>), the entrance/exit to the site has been designed to the relevant Australian Standards and is considered to be suitable for the proposed usage and expected vehicle loads.</p>
<p><b>2.4 Location of Parking Areas</b></p> <p><i>Parking facilities for visitors and customers shall be provided where clearly visible from the street so their use is encouraged.</i></p> <p><i>Parking spaces for employees and for longer duration parking may be located more remotely from the street.</i></p> <p><i>Within the development site, the location of the parking area should be determined having regard to:</i></p> <ol style="list-style-type: none"> <li><i>a. site conditions such as slope and drainage;</i></li> <li><i>b. visual amenity of the proposed and adjacent development;</i></li> <li><i>c. the relationship of the building to the parking area; and</i></li> <li><i>d. the proximity of the parking area to any neighbouring residential areas.</i></li> </ol>	<p>Yes</p>	<p>The proposal includes six visitor parking spaces which are clearly signposted to encourage their usage by visitors.</p> <p>There are four visitor parking spaces provided immediately inside the front entrance, with a further two spaces provided at the end of the proposed driveway for the usage of those visiting residents in the rear units.</p>



DCP Requirement	Relevance	Compliance
<p><b>2.5 Parking Space and Aisle Dimensions</b></p> <p>The following figures illustrate typical parking layouts and aisle dimensions. It should be noted that these parking space dimensions represent minimum unobstructed requirements and that greater dimensions should be provided in the following instances:</p> <ul style="list-style-type: none"> <li>• a parking space which has a wall or obstruction on one side – an additional 300mm width to that shown is required; and,</li> <li>• for the end space in a blind aisle, the width is to be increased to 3.6 metres</li> </ul>	Yes	The visitor parking is considered to be suitable dimensions for the minor development that they service.
<p><b>2.6 Construction Requirements</b></p> <p>In general, all car parking areas, manoeuvring areas and unloading areas shall be constructed with a base course of adequate depth to suit design traffic, and shall be sealed with either bitumen, asphaltic concrete, concrete or interlocking pavers.</p> <p>In choosing the most suitable pavement type, consideration should be given to:</p> <ul style="list-style-type: none"> <li>• anticipated vehicle loads;</li> <li>• run-off gradients and drainage requirements; and,</li> <li>• construction constraints.</li> </ul> <p>The works are to be maintained to a satisfactory standard throughout the term of development and/or use of the land for which the facilities are provided.</p> <p>Particular consideration needs to be given to the appearance of car parking areas within Heritage Conservation Areas, or associated with or adjacent to, listed Heritage Items, where large areas of bitumen surfaced car parking are not recommended. In these circumstances alternative treatments should be discussed with Council's Planning staff. A combination of landscaping and choice of sympathetic materials (eg pavers, faux brick or in certain circumstances stabilised gravel finish) is generally recommended as the most practical solution.</p>	Yes	Suitable pavement will be utilised for all driveway and parking areas. The Construction Certificate stage will provide complete construction details including pavement depths.
<p><b>2.7 Landscaping</b></p> <p>Parking areas shall be appropriately landscaped to achieve a satisfactory appearance, particularly for those car parks with large areas of bitumen, to provide shade and to provide a buffer between neighbouring land uses.</p> <p>Landscaping should be used throughout the car park and on the perimeters. In general, there should be no more than 10 parking bays before a break with planting.</p> <p>Species should be selected and located to avoid maintenance problems, so that they do not hinder visibility at entry or exit points and so that they do not cause damage to paved areas by root systems or create excessive leaf or branch litter.</p> <p>Trees with large surface roots, excessive girth, brittle limbs, fruits which drop and trees which attract large numbers of birds should be avoided in parking areas. In most cases landscaping can be integrated into parking layouts without the need for additional area or loss of car parking spaces.</p> <p>Wheel stops are to be provided along the front of parking bays to prevent vehicles from damaging landscaped areas, buildings and/or fencing and other vehicles.</p>	Yes	The proposed landscaping around the car parking areas has been specifically chosen so as not to impede the vision of people driving vehicles or cause damage to the pavement.

DCP Requirement	Relevance	Compliance
<p><i>2.8 Directional Signs and Marking</i></p> <p><i>Parking areas are to be clearly signposted and line-marked. Entry and exit points are to be clearly delineated and parking spaces for specific uses(disabled, visitors, employees etc) clearly signposted. "One way" markings must be clearly set out on the pavement in such a manner as to be easily readable and understandable to users of the car park.</i></p> <p><i>Council may designate areas within the car park where no stopping or no parking signposting is to be installed to facilitate the free movement of vehicles and pedestrians.</i></p>	Yes	Parking areas will be clearly sign-posted and line marked to ensure they are clearly delineated for usage by visitors.
<p><i>2.9 Principles for Crime Prevention</i></p> <p><i>Effective design can be used to assist in the reduction of crime opportunities. The following design principles will be considered by Council in the assessment of applications. How they apply to each development application will depend on the nature of the development proposal and prevailing crime risk in the area. The aim of these principles is to ensure that Council does not approve developments that create or exacerbate crime risk.</i></p> <p><i>Design of car parking areas should consider the principles of effective lighting.</i></p> <p><i>Lighting is to be provided in off-street car parks in accordance with the requirements of AS 2890.1, 2004 – Parking Facilities Off Street Parking. Lighting may also be required over the street frontage of the development, particularly at entry or exit points in accordance with AS/NZS 1158, Lighting for Roads and Public Places.</i></p> <ul style="list-style-type: none"> <li><i>a. Provision of clear sightlines between public and private places;</i></li> <li><i>b. Landscaping that makes the car park attractive but does not provide offenders with a place to hide or entrap victims;</i></li> <li><i>c. In some cases restricted access to the car park, particularly after business hours through the use of physical barriers should be considered;</i></li> <li><i>d. Design with clear transitions and boundaries between public and private space through the provision of clear access points;</i></li> <li><i>e. Clear design cues on who is to use the space and what it is to be used for – care should be taken to ensure that gates and enclosures do not make public areas into private areas and consideration should be given to suitable signage (eg need to lock vehicles);</i></li> <li><i>f. Strategies to prevent vandalism through appropriate design, eg durable lighting materials and minimisation of exposed walls;</i></li> <li><i>g. Management strategies for site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out lighting, the removal or refurbishment of decayed physical elements and the continued maintenance of landscaped areas.</i></li> </ul>	Yes	A Crime Risk Assessment has been prepared (refer <b>Attachment 6</b> ) and includes details of recommended lighting, landscaping and features of car parking areas to ensure there will not be an excessive crime risk within these spaces.
<b>4. Car Parking for persons with a Disability</b>		
<p><i>Special parking spaces for persons with a disability are to be made available in the provision of car parking facilities, in accordance with Australian Standard AS2890.1 – 2004. In general, where 10 or more vehicle spaces are required, one designated parking space for people with disabilities is required per 100 (or part thereof) car spaces provided.</i></p>	No	Not applicable. The proposal is for a residential development, not a public car park.

DCP Requirement	Relevance	Compliance
<p>Council has adopted the 'enhanced' requirements for land uses where there is a higher demand for disabled facilities. For example, for retail shopping complexes, community facilities and medical centres, parking provisions for people with disabilities should be increased to 2 to 3 % of the overall parking requirements. Council's enhanced car parking standards are as follows:</p> <ul style="list-style-type: none"> <li>• medical services, including community health centres – 1 space per two to five surgeries (or equivalent), 2 spaces for six or more surgeries (or equivalent)</li> <li>• entertainment facilities clubs and public halls, large retail complexes (ie&gt;100 spaces) and railway stations – 3 spaces per 100 car parking spaces</li> </ul> <p>The location of spaces designated for persons with a disability should be close to an entrance to a building or facility with access from the car space by ramps and/or lifts. These spaces should be clearly signposted for the convenience of their users and to discourage other drivers from using such spaces. The spaces should be a minimum of 2.4 metres wide with an adjoining shared space 2.4 metres wide to assist movement into and out of parked vehicles.</p>		
<b>5. Bicycle Parking</b>		
<p>Provision is to be made for cyclists via the installation of bicycle parking facilities in accordance with Australian Standard AS 2890.3-2015 – Bicycle Parking Facilities and Austroads Guide to Traffic Engineering, Part 14, Bicycles: Second Edition.</p>	Yes	The proposed development provides a minimum of one enclosed garage per unit, where it would be expected that residents can store their bicycles if required.
<b>6. Major Traffic Generating Development</b>		
<p>Parking requirements for major new retail, commercial or tourist developments will be assessed on their merits, with particular reference to:</p> <ul style="list-style-type: none"> <li>• likely peak usage times;</li> <li>• the mix of uses and their parking requirements; and,</li> <li>• likely use of public transport.</li> </ul> <p>Where it is considered that a traffic generating development may have a major impact on the traffic movement within a given locality, Council may require the applicant to arrange for the preparation and submission of a Traffic and Parking Study, by a qualified professional. In this regard, the Roads and Traffic Authority's publication "Guide to Traffic Generating Developments" provides relevant information.</p>	No	Not applicable. The proposal is for a residential development.
<b>7. State Environmental Planning Policy (Transport and Infrastructure) 2021</b>		
<p>Council is required to consult with Transport for New South Wales to obtain advice on traffic and safety aspects for certain traffic-generating developments. This consultation is a statutory requirement prescribed by State Environmental Planning Policy (Transport and Infrastructure) 2021.</p> <p>The Authority provides this advice through the Regional Development Advisory Committee (Traffic). Membership of the Regional Committee comprises representatives from the Roads and Traffic Authority, the Police Department, and a Local Government Associate nominee. Smaller scale developments are referred to the Local Development Advisory Committee. Membership of this committee comprises representatives from Council, the Roads and Traffic Authority, the Police Department and State Member or his/her representative.</p>	No	The proposed development does not qualify as a traffic generating development with relevant size and/or capacity under Clause 2.122 of the SEPP (Transport and Infrastructure) 2021. Accordingly, formal referral to Transport for NSW (TfNSW) is unnecessary and the application can be assessed by Maitland Council officers.

DCP Requirement	Relevance	Compliance
<p><i>Major Traffic Generating developments being considered by the Regional Committee need to be accompanied by a Traffic and Parking Study, which is to be lodged with the development application following consultation with Council.</i></p>		
<p><b>Part F – Urban Release Areas</b> <b>F.3 Aberglasslyn Urban Release Area – Western Precinct</b></p>		
<p>1. The principal access to the West Precinct will be via a roundabout controlled intersection on Aberglasslyn Road at the existing intersection of Tea Tree Avenue. This collector road will link to the main spine/distributor road through the Central Precinct and if required will accommodate a bus route.</p> <p>2. Road layout and street design will be consistent with Figure 6 and following detailed survey and subdivision planning. Figure 7 shows typical cross sections for roads in this precinct.</p> <p>3. No new future lot shall have direct vehicular access to Aberglasslyn Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner.</p> <p>4. Residential development in the West Precinct shall not create new allotments with direct access to Aberglasslyn Road, but may create shared access ways to service a small number of additional dwellings adjacent to existing dwellings.</p>	<p>Yes</p>	<p>The proposal is within the central precinct of the Aberglasslyn Urban Release Area.</p> <p>There is no proposal to allow for an additional allotment from Aberglasslyn Road.</p> <p>No new roads are proposed.</p>
<p>1.2 Overall Landscaping Strategy</p> <p>1. A visual and scenic impact assessment is to accompany development applications for subdivisions and development that are likely to have a visual impact on the area, and may include proposed ameliorative measures to be incorporated within the development. Such assessments are to include any development of land containing part of the Heritage Control Area and/or adjacent to Aberglasslyn House.</p> <p>2. Landscaping will be required on land adjacent to Aberglasslyn Road.</p> <p>3. Existing trees are to be retained wherever possible within riparian corridors, open space, within and adjacent to the Aberglasslyn Road reserve and along allotment boundaries.</p> <p>4. Street tree planting is to be carried out as part of the 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.</p> <p>5. Retained drainage lines/watercourses are to be re-vegetated to enhance visual amenity, prevent soil erosion and help protect the quality of receiving waters. Re-vegetation proposals should be integrated with required landscape plans and include, where possible, those areas supporting Ecological Endangered Communities (EEC) of the Lower Hunter Spotted Gum/Iron Bark vegetation community.</p> <p>6. Open space areas and pathways are to be suitably located and designed to provide linkages to surrounding development in accordance with the Maitland Section 94 Contributions Plan (Citywide) 2006. Such areas are to have good surveillance and safety, particularly at night time, and are to be easily maintained and appropriately landscaped.</p>	<p>No</p>	<p>Not applicable. There is no change to the proposed landscaping regime in the area.</p>

DCP Requirement	Relevance	Compliance
<p>7. Landscaping of the private and public domain shall be generally consistent with the landscape concepts shown in Figure 10.</p> <p>8. Development Applications for subdivision will include detailed landscaping plans identifying the location of landscaping, street tree species and key intersection treatments, together with any fencing treatments to Aberglasslyn Road, Oakhampton Road, the spine/distributor road, and the adjoining rural properties.</p> <p>9. The landscape plan shall also indicatively show how open space areas and trunk drainage are to be located and landscaped.</p>		
<p>1.3 Passive and Active Recreational Areas</p> <p>1. Passive and active recreational space shall be provided generally in accordance with Figure 6.</p>	No	Not applicable. No additional recreation areas are required or proposed as part of the development.
<p>1.4 Stormwater and Water Quality Management Controls</p> <p>1. Stormwater Management facilities and trunk drainage shall be provided generally in Figure 6 and in accordance with Council's Section 94 Contributions Plan.</p>	Yes	A Stormwater Drainage Plan has been prepared by Wallace Design Group, refer to <b>Attachment 3</b> . The plan includes the provision of a pit and pipe network to handle the onsite stormwater runoff and its discharge into the local stormwater network.
<p>1.5 Amelioration of Natural and Environmental Hazards</p> <p>1. Filling of drainage lines is to be limited to that necessary to render flood free all residential land.</p> <p>2. Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species.</p> <p>3. Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic, railways nor any other adjoining land uses including the extractive industry adjacent to the Hunter River.</p> <p>4. Council will require that noise and vibration assessments be submitted with relevant Development Applications for subdivisions that adjoin incompatible land uses, including classified roads and rail corridors, and extractive industries within the Hunter River.</p> <p>5. There are no requirements for bushfire.</p> <p>6. Land within the flood planning area shall address clause 7.3 of the Maitland Local Environmental Plan 2011.</p> <p>7. All development applications shall demonstrate compliance with the requirements of SEPP 55 – Remediation of Land.</p>	No	Not applicable. The subject site is not impacted by any natural or environmental hazards under this part of the DCP.
<p>1.6 Key Development Sites</p> <p>1. A Statement of Heritage Impact is required for subdivision that relates to land containing the Heritage Conservation Area and adjacent to Aberglasslyn House.</p> <p>2. Existing vegetation within the Heritage Conservation Area is to be retained so as to provide a visual screen and scenic backdrop for new development. Where practicable, new dwellings should be located adjacent to, or behind established trees.</p> <p>3. Development of dwellings within the Heritage Conservation Area is to be consistent with Figure 8 and Figure 9.</p>	No	Not applicable. The subject site is not identified as a Key Development Site.

DCP Requirement	Relevance	Compliance
<p>4. Residential development in the Heritage Conservation Area shall include specific design and construction measures to comply with the requirements for the minimisation and management of any heritage impacts to Aberglasslyn House.</p> <p>5. All development within the Heritage Conservation Area as shown in Figure 5 shall be limited in height to ensure that no structure or element thereof protrudes above the surface defined by the Structures Limitations Plan Figure 8.</p> <p>6. Dwellings and ancillary buildings shall be a maximum of one storey (although they may include habitable rooms within a roof/attic space) and shall only be located within the Principal Structures Zone shown in Figure 9.</p> <p>7. Fencing within the Heritage Conservation Area and particularly the Landscape Only Zone shown in Figure 9 shall be limited to traditional timber post and wire rural style fencing.</p> <p>8. Ancillary residential buildings including single storey garages or carports (and single storey recreation/community buildings in the case of a specifically designed community title subdivision) may be considered within the Ancillary Structures Zone shown in Figure 9, subject to Council's consent.</p> <p>9. A visual transition shall be created between the new Aberglasslyn urban development and the rural landscape setting of Aberglasslyn House by landscaping of the north-western boundary of the West Precinct to create a dense screen planting (windbreak) as a total visual screen for the length of the Heritage Conservation Area boundary. The screened plantings must be of a durable and suitable species to ensure sufficient height and spread is achieved.</p> <p>Such plantings shall be completed in the first stage of subdivision for the West Precinct, to ensure the plantings reach a satisfactory height and maturity prior to any new housing development being completed in that section of the Precinct.</p> <p>10. Landscaping within the Landscape Only Zone as indicated in Figure 9 shall be limited to scattered plantings of endemic eucalypts consistent with the historical use of the site for grazing. No other structures or plantings are to be located within the Landscape Only Zone.</p> <p>11. Any dwellings or outbuildings within the Heritage Conservation Area shall be constructed of external materials and finishes with darker colours and tones, so as to limit visibility, protecting the heritage qualities and rural setting of Aberglasslyn House. External building materials and finishes must also be nonreflective.</p> <p>12. A suitable "Schedule of external colours and building materials" must be submitted to Council for approval with a Statement of Heritage Impact and Development Application for subdivision of land within the Heritage Conservation Area. The relevant development consent will subsequently have a restriction as to user on the subdivision, to apply that Schedule on the land title</p>		
<p>1.7 Residential Densities</p> <p>1. Higher residential densities shall be encouraged in high amenity areas nominated in Figure 6.</p>	<p>Yes</p>	<p>The subject site, whilst not in the high amenity areas nominated, is adjacent to the area nominated in Figure 6 of MDCP 2011. The proposal is compatible with this objective through the provision of an additional 24 units</p>

### 3.4 INTEGRATED DEVELOPMENT

The following table (**Table 3**) provides an assessment of the development against the integrated development provisions in Section 4.46 of the Environmental Planning & Assessment Act 1979. Where the development is identified as integrated development, it is discussed in further detail underneath the table.

**Table 3: Consideration of Integrated Development Provisions**

Act	Provision	Approval	Relevant
<a href="#">Coal Mine Subsidence Compensation Act 2017</a>	s 22	Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district	No
<a href="#">Fisheries Management Act 1994</a>	s 144	aquaculture permit	No
	s 201	permit to carry out dredging or reclamation work	No
	s 205	permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease	No
	s 219	permit to: a) set a net, netting or other material, or b) construct or alter a dam, floodgate, causeway or weir, or c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat	No
<a href="#">Heritage Act 1977</a>	s 58	approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1)	No
<a href="#">Mining Act 1992</a>	ss 63, 64	grant of mining lease	No
<a href="#">National Parks and Wildlife Act 1974</a>	s 90	grant of Aboriginal heritage impact permit	No
<a href="#">Petroleum (Onshore) Act 1991</a>	s 16	grant of production lease	No

Act	Provision	Approval	Relevant
<a href="#">Protection of the Environment Operations Act 1997</a>	ss 43 (a), 47 and 55	Environment protection licence to authorise carrying out of scheduled development work at any premises.	No
	ss 43 (b), 48 and 55	Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a "waste activity" but including any activity described as a "waste facility").	No
	ss 43 (d), 55 and 122	Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.	No
<a href="#">Roads Act 1993</a>	s 138	consent to: (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road	Yes
<a href="#">Rural Fires Act 1997</a>	s 100B	authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes	No
<a href="#">Water Management Act 2000</a>	ss 89, 90, 91	water use approval, water management work approval or activity approval under Part 3 of Chapter 3	No



**Roads Act 1993 - s 138:**

Maitland City Council is the approval body for Aberglasslyn Road. An approval is required under Section 138 of the Act to:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road

Comment: The Section 138 approval will be obtained for the development and required works within the road reserve, prior to the issue of a Construction Certificate.

## 4. STRATEGIC PLANNING FRAMEWORK

The strategic planning framework plays a vital role in informing the content of statutory planning instruments at regional, sub-regional and local levels. The following discusses these guidelines and requirements of strategies / legislation that are relevant to the proposed development.

### 4.1 HUNTER REGIONAL PLAN 2041

The Hunter Regional Plan provides an overarching framework to guide the development and investment in the Hunter Region to 2041. This document provides consolidated strategic planning considerations for the 11 Local Government areas in the region.

*Objective 3, Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities.*

*The 15-minute neighbourhood changes how we plan and design growth. It supports people who want to live and work locally and who seek to get around without a personal vehicle. It's already a concept that we can see in the region, in more traditional towns and suburbs developed before the 1960s, including Maitland, Raymond Terrace and Cessnock.*

*Rather than cities, towns, villages and communities being separate zones for living, working, education, recreation and entertainment, they can be mixed neighbourhoods where people can generally access most everyday needs within a 15-minute walk or cycle from where they live.*

The proposed development is consistent with this objective as it provides a medium density housing supply that is within a 15-minute walk or cycle of a local centre, being the shopping centre on the corner of Aberglasslyn Road and McKeachie Drive. The centre includes shopping facilities, a medical centre, veterinary clinic and other food and speciality stores. There are also various parks and a sportsground located in the vicinity of the subject site.

### 4.2 MAITLAND LOCAL STRATEGIC PLANNING STATEMENT 2040+

The Maitland Local Strategic Planning Statement (MLSPS) describes how Council will achieve the City's vision and uphold the community's values, through strategic planning. It guides the growth of the Maitland LGA as it evolves over future years in line with State and regional planning goals.

The aim of the planning statement is to set out a 20 year plan integrating land use, transport and infrastructure planning for the future of Maitland.

*LOCAL PLANNING PRIORITY – 02 – Support Sustainable Housing Growth by Balancing Greenfield and Infill Housing provides:*

*Infill and urban renewal development will play a key role in facilitating our future growth. Infill will assist to diversify our housing stock and integrate housing with our centres, employment clusters or transport nodes and maximise access to existing infrastructure and services. It will support a more sustainable urban form that is less reliant on cars and provide for more walkable neighbourhoods, where active transportation links can be provided.*

The proposed development supports the MLSPS with the creation of an additional 24 residential housing units being made available with the vicinity of the Aberglasslyn growth area. It will be achieved with minimal upgrades to existing infrastructure and supports the objective of higher density residential development in the area.

## 5. ASSESSMENT OF ENVIRONMENTAL IMPACT

The proposal is considered to have minimal environmental impact as further detailed in this section of the Statement of Environmental Effects.

### 5.1 HERITAGE

There are no European Heritage items located on the site and the subject site is not within a Heritage Conservation area. An Aboriginal Heritage Information Management System (AHIMS) search was conducted on 22 March 2023 (refer to **Attachment 11**) and confirms there is one recorded Aboriginal site located within a 200m buffer of the subject site, but not on the site.

Given the extensive development that has been undertaken on adjoining sites and the area where the recorded Aboriginal site is located, it is considered that the proposal will not have any adverse impact on the Aboriginal Heritage of the area.

### 5.2 ACCESS AND TRAFFIC

The subject site has direct access to Aberglasslyn Road which is a bitumen sealed all weather road with grassed verges. The proposed access to the development will be via a 5.5m wide two-way driveway, refer **Attachment 3** – Civil Design Plans. As detailed in the Traffic and Car Parking Impact Assessment (see **Attachment 6**), this is sufficient to provide for the needs of the development.

### 5.3 VEGETATION

The site contains no significant vegetation and has some scattered mature trees within the streetscape. The proposal does not require the removal of any mature trees within the site or the road frontage.

### 5.4 AIR AND NOISE

This development is unlikely to generate noise or air pollution that will impact on the amenity of the locality. Some general construction noise is expected during the construction of the units and ancillary works; however, this will be typical of general works in a residential neighbourhood.

### 5.5 SOIL AND STORMWATER MANAGEMENT

Soil conditions in general will not be detrimentally affected at this site by the development of the land, including the construction works.

Sediment control barriers consisting of geotextile fabric are to be installed and maintained until the completion of construction works, as shown in the Erosion and Sediment Control Plan prepared by Wallace Design Group, refer to **Attachment 3**. Any disturbance of soil will be contained within the property boundaries of the site.

A Stormwater Management Plan has been prepared by Wallace Design Group, refer to **Attachment 3**. As per the plan, any overflow will be directed towards the surface pits and discharged into the existing stormwater system within the easement adjacent to the rear boundary, as shown on the Stormwater Plan.

## 5.6 WASTE MANAGEMENT

A designated waste storage area will be erected and remain in place until construction works are completed. Hard waste will be separated on site and removed by appropriate contractors for recycling. In contrast, soft waste will be disposed of through appropriate waste management facilities.

The development includes the provision of a bin storage facility located towards the front of the site. The frontage of the development site is suitable to accommodate the relevant bins for presentation on waste collection day, with a hardstand area proposed along the street frontage.

Refer to Site Waste Minimisation Management Plan in **Attachment 12** for further details.

## 5.7 SOCIAL & ECONOMIC IMPACTS

The development is not expected to have an adverse social impact on the locality. Much of the surrounding land was rezoned in the early 2000's and additional residential housing has occurred as part of the McKeachies Run subdivision. The future additional housing which will result from the proposal is small scale in comparison and will complement the surrounding area.

Hence, the proposal is considered to provide positive social impacts within Aberglasslyn and surrounding areas as it will provide additional medium density housing, which is compatible with the existing area.

The proposal will result in positive economic impacts within Aberglasslyn and surrounding areas. The proposal will help to support a thriving local economy and provide housing opportunities for a growing population.

## 5.8 SITE SUITABILITY

The site is suitable for the proposed development for the following reasons:-

- it is zoned R1 General Residential. The proposal for multi-dwelling residential housing is permissible within this zone and is a compatible land use;
- the locality contains residential developments of comparable size and configuration to the proposed and therefore it complements the area;
- it contains no items or sites of heritage or cultural significance;
- it is not identified as bushfire prone land;
- it is not identified as flood prone land;
- it does not threaten flora and fauna species; and
- it is readily serviced by essential utilities, including:
  - o electricity;
  - o water;
  - o sewer;
  - o telecommunications; and
  - o stormwater drainage.

## 5.9 PUBLIC INTEREST

The proposal is likely to result in positive social and economic impacts, with minimal impact on the surrounding environment. The development generally complies with the applicable legislation and planning controls for multi dwelling housing proposals. The development is therefore considered to be in the public interest, as outlined in this report.

## 6. CONCLUSION

The proposal involves the construction of a multi-dwelling residential housing complex and Strata subdivision at proposed Lot 211 in the subdivision of Lot 21 in DP 841959, No.262 Aberglasslyn Road, Aberglasslyn NSW 2320.

The proposal is consistent with the objectives of the R1 General Residential zone of the MLEP 2011, as it provides suitable medium density residential housing and respects the amenity and character of the surrounding locality.

Furthermore, except for Controls 4.2, 4.3 and 15.7 of Part C8 of the MDCP 2011, the proposal otherwise satisfies the requirements of MDCP 2011. A variation to this controls is requested and is considered warranted in this instance as addressed in Section 3.3 above.

In summary, the proposal is: -

- an orderly development of the land, in accordance with the objectives of the EP&A Act;
- unlikely to have detrimental environmental or social impacts;
- likely to generate positive short term, and facilitate long term economic impact;
- reinforces an appropriate land use in the locality;
- able to be undertaken in a controlled manner with minimal environmental impacts;
- not likely to create any land use conflicts; and
- not likely to adversely impact upon the amenity of the locality.

Therefore, Council is encouraged to approve the development, subject to appropriate conditions of consent.

## 7. ATTACHMENTS

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# Attachment 1: Proposed Plans

**DRAWING LIST - DA**

DA001 COVER PAGE  
DA002 SUSTAINABILITY COMMITMENTS UNITS 1-4  
DA003 SUSTAINABILITY COMMITMENTS UNITS 5-8  
DA004 SUSTAINABILITY COMMITMENTS UNITS 9-12  
DA005 SUSTAINABILITY COMMITMENTS UNITS 13-16  
DA006 SUSTAINABILITY COMMITMENTS UNITS 17-20  
DA007 SUSTAINABILITY COMMITMENTS UNITS 21-24

DA100 SITE ANALYSIS PLAN  
DA101 SITE PLAN  
DA102 SITE CUT/FILL DIAGRAM  
DA103 LANDSCAPING PLAN  
DA104 SOLAR ACCESS STUDY  
DA105 WINDOWS AND DOORS SCHEDULE  
DA106 POS CALCULATION DIAGRAM  
DA107 COMMUNITY OPEN SPACE DETAIL  
DA108 FENCE DETAILS  
DA109 COLOURS & MATERIALS SCHEDULE  
DA110 DRIVEWAY & ROAD ELEVATIONS  
DA111 SITE ELECTRICAL PLAN  
DA112 DRIVEWAY PLAN  
DA113 DRIVEWAY SECTIONS & PERIMETER RETAINING WALLS  
DA114 STORMWATER CONCEPT  
DA200 TYPE 1 FLOOR PLANS  
DA201 TYPE 1 ROOF PLAN & SECTION  
DA202 TYPE 1 ELEVATIONS  
DA300 TYPE 2 FLOOR PLAN & ROOF PLAN  
DA301 TYPE 2 ELEVATIONS & SECTION  
DA302 TYPE 2 NDIS BATHROOM DETAILS  
DA303 TYPE 2 NDIS KITCHEN & L DRY DETAILS  
DA304 TYPE 2 ENSUITE DETAILS  
DA400 TYPE 3 FLOOR PLAN & ROOF PLAN  
DA401 TYPE 3 ELEVATIONS & SECTION  
DA500 TYPE 4 FLOOR PLAN & ROOF PLAN  
DA501 TYPE 4 ELEVATIONS & SECTION  
DA600 TYPE 5 FLOOR PLAN & ROOF PLAN  
DA601 TYPE 5 ELEVATIONS & SECTION  
DA700 TYPE 6 FLOOR PLAN & ROOF PLAN  
DA701 TYPE 6 ELEVATIONS & SECTION  
DA800 TYPE 7 FLOOR PLAN & ROOF PLAN  
DA801 TYPE 7 ELEVATIONS & SECTION  
DA900 TYPE 8 FLOOR PLAN & ROOF PLAN  
DA901 TYPE 8 ELEVATIONS & SECTION  
DA1000 BINS ROOM PLANS

**262 Aberglasslyn Road, Aberglasslyn**  
LOT 21 DP841959  
PROPOSED 24 UNITS DEVELOPMENT




**BUILDING INFORMATION**

GROUND FLOOR CEILING HEIGHT : 2650mm  
FIRST FLOOR CEILING HEIGHT : 2650mm

FRAMES AND TRUSSES : PINE TIMBER  
ROOF PITCH : 21.5°, 18°  
ELECTRICITY SUPPLY : SINGLE PHASE  
GAS SUPPLY : RETICULATED NATURAL

ROOF MATERIAL : CONCRETE ROOF TILES;  
ROOF COLOUR : DARK  
ROOF INSULATION : R3.0 BATTS; SARKING  
WALL MATERIAL : LIGHTWEIGHT CLADDING  
WALL COLOUR : N/A  
WALL INSULATION : R2.0 BATTS  
FLOOR INSULATION : N/A

**ENGINEERING & SITE INFORMATION**

- SLAB TO BE 85mm THICK (U.N.O.) WITH REINFORCEMENT TO ENGINEERS;
- SPECIFICATIONS & DETAILS OVER MINIMUM 200µm WATERPROOF MEMBRANE ON A BED OF FREE DRAINING COARSE SAND (WHERE SPECIFIED);
- PROVIDE BRICK CONTROL JOINTS IN ACCORDANCE WITH N.C.C. & AS 3700

ALL TIMBER FRAMING TO BE DESIGNED TO AS1684-2010

**DESIGN CRITERIA**

WIND RATING .....N2

**SITE CLASSIFICATION**

SITE CLASSIFICATION IS .....TBC

**SLAB CLASSIFICATION**

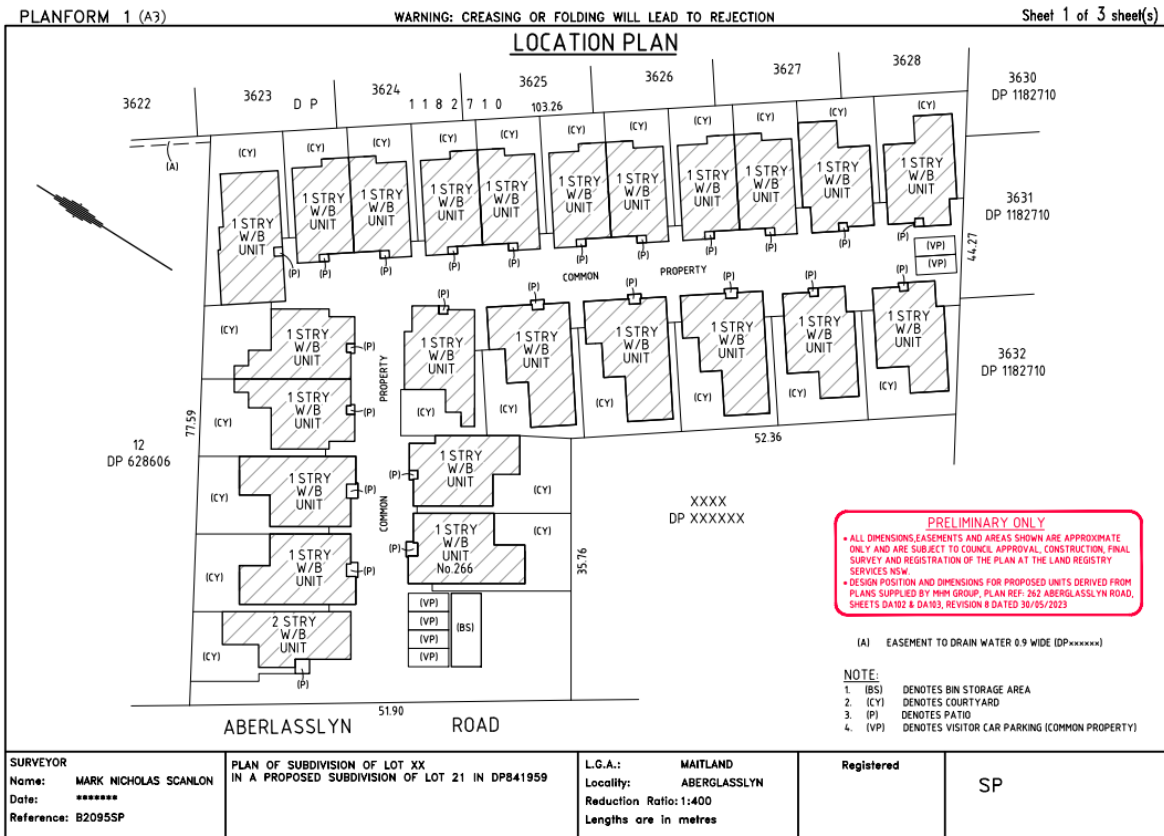
SLAB CLASSIFICATION IS .....TBC

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1	PRELIMINARY PLAN	13.03.2023
2	PRELIMINARY PLAN	23.03.2023
3	SURFACE DOORS AMENDED	03.04.2023
4	ACCEPTABLE UNIT AMENDED	20.04.2023
5	ACCEPTABLE UNIT AMENDED	14.05.2023
6	FINE TUNE AMENDED	16.05.2023
7	POS LEVELS UPDATED	20.05.2023
8	SUSTAINABILITY COMMITMENTS ADDED	28.06.2023
9	DRIVEWAY AND LEVELS AMENDED	21.08.2023

CLIENT	PROJECT NUMBER			
XXXX XXXXX	XXXXXX			
ADDRESS	SUBURB			
262 Aberglasslyn Road	Aberglasslyn NSW			
POSTCODE	LOT No.	DP No.	SEC No.	COUNCIL
3320	21	841959		Maitland
SHEET TITLE	SHEET No.	SCALE		
COVER PAGE	0000	1:100		

**MHM CONSTRUCTION GROUP**



**Attachment 2: Pre-Lodgement Meeting Minutes**

**Pre-Lodgement  
Meeting Minutes**

<b>MEETING DETAILS:</b>	
Meeting Date:	24 November 2022
Commenced & Completed:	11.00am – 12 noon
Proposed Development:	The proposed development includes the following: <ul style="list-style-type: none"> <li>Proposed 24 multi dwelling housing</li> </ul>
Attendee(s):	<i>Name, Position, Contact No.</i>
Council Officers:	Kristen Wells, Senior Planner Mark Wade, Senior Engineer Elizabeth James, Business Support Officer
Applicant/ Proponent(s):	Geoff Hart (MHM Group) Philip Mackman (MHM Group) Anthony Mackman (MHM Group) Radhika Mathur (Architect)
Attachments and Plans:	Plan Set by MHM Group dated 18 November 2022 Proposal Statement by MHM Group
<b>PROPERTY DETAILS:</b>	
Property Address:	262 Aberglasslyn Road, Aberglasslyn The proposal would be situated on proposed lot 211, currently under assessment in DA 2022/834 (2 lot subdivision). The proposed subdivision layout is shown below:

### Attachment 3: Civil Design Plans

## CIVIL SERVICES for LOT 211 OF PROPOSED 2 LOT SUBDIVISION 262 ABERGLASSLYN ROAD, ABERGLASSLYN NSW 2320

Prepared by  
**WALLACE INFRASTRUCTURE DESIGN PTY LTD**

DRAWING NUMBER	DRAWING DESCRIPTION
C01.01	LEGEND, DRAWING SCHEDULE AND LOCATION PLAN
C02.01	GENERAL NOTES
C03.01	EROSION AND SEDIMENTATION CONTROL PLAN & DETAILS
C04.01	CIVIL WORKS AND STORMWATER DRAINAGE PLAN
C05.01	PIT & PIPE SCHEDULE
C06.01	TYPICAL SECTIONS AND DETAILS (I)
C06.02	TYPICAL SECTIONS AND DETAILS (II)

LOCATION PLAN (SITE)

#### ABBREVIATIONS

A/G	ACTIVE GROUND	QA	GENERAL ARRANGEMENT	REV	REVISION
ABO	ADHESATE	QI	GALVANISED IRON	RL	REDUCED LEVEL
ABN	ARCHITECT	QO	INSPECTION CHAMBER	RIJ	RIGID JOINT
ABP	ASPHALT	QD	INNER DIAMETER	RS	RETAINING WALL
BM	BENCHMARK	QPC	ISSUED FOR CONSTRUCTION	RFW	SEALED FLOOR WASTE
CAD	COMPUTER AIDED DRAFTING	QCR	ISSUED FOR CLIENT REVIEW	SK	SKINNER
CIC	CENTRE TO CENTRE	IL	INVERT LEVEL	SL	KITCHEN SINK
CH	CHASSISE	IO	INSPECTION OPENING	SL	SURFACE LEVEL
CI	CAST IRON	IP	KERB INLET PIT	SMH	SEWER MAN HOLE
CJ	CONSTRUCTION JOINT	LP	LAMP POST (SURVEY)	SMV	SEWER MAN VENT
CL	COVER LEVEL @ CENTRE LINE	MF	METRE	SO	SOIL
CO	CLEAR OUT (SUBSOIL)	MA	MARKING	SP	SPRINKLER
COB	CHARGE OF GRADE	MC	MASS CONCRETE	SS	STAINLESS STEEL
CONC	CONCRETE	MM	MANGLE	STD	STANDARD
CTRL	CONTROL	MIN	MINIMUM	SV	STOP VALVE
CRDN	CROWN	MIS	MISCELLANEOUS	SWD	STORMWATER DRAINAGE
CTS	CENTRES	N	NORTH	SPP	STORMWATER PIT
DA	DAMPTER	NRV	NON RETURN VALVE	TK	THICKNESS
DF	DOWNSPIPE	NTE	NOT TO SCALE	TOW	TOP OF WALL
DRD	DRAINING	OD	OUTER DIAMETER	TR	TRADE WASTE
DSD	DOWN STEAM	OF	OVERFLOW	TYP	TYPICAL
DTM	DIGITAL TERRAIN MODEL	OH	OVERHEAD	U/R	UNDERGROUND
EB	EDGE BEAM	PP	POWER POLE	UN	UNLESS NOTED OTHERWISE
EX	EXISTING	PPE	PERSONAL PROTECTIVE EQUIPMENT	UP	UPSTREAM
ESL	EXISTING SURFACE LEVEL	PVC	POLYVINYLCHLORIDE	VC	VERTICAL CURVE
FA	FIRE HYDRANT	PR	PRESSURE RISE PIPE	VP	VERTICAL PIPER
FHE	FIRE HOSE REEL	QA	QUALITY ANALYSIS	WC	WATER CLOSET
FL	FINISHED FLOOR LEVEL	QTY	QUANTITY	WM	WATER MARK
FSL	FINISHED SPOILING LEVEL	RAD	RADIUS	WL	WATER LEVEL
FW	FLOOR WASTE	RC	REINFORCED CONCRETE	WS	WASTE STACK

#### LINETYPES

GENERAL	PROPOSED - UTILITIES (DEPTH)
SITE BOUNDARY	SEWER PIPE
GEOASTRAL BOUNDARY	WATER
BASEMENT BOUNDARY	COMMUNICATIONS
EXISTING - SURVEY FEATURES	COMMUNICATIONS - OPTIC FIBRE
CONTOURS	COMMUNICATIONS PIT
STORMWATER PIPE	GAS
STORMWATER PIT	REINFORCED
ELECTRICAL CABLE - 10kV	ELECTRICAL CABLE - 10kV
ELECTRICAL CABLE - 0.4kV	ELECTRICAL CABLE - 0.4kV
EXISTING SEWER PIPE	PROPOSED - EROSION AND SEDIMENT CONTROL
EXISTING WATER	SITE BOUNDARY FENCE
EXISTING WATER (HYDRANT)	STABILISED SITE ACCESS
EXISTING WATER (STOP VALVE)	SEDMENT FENCE
EXISTING TELECOM	MATERIAL STOCKPILE
EXISTING GAS	DIVERSION DRAIN
BUILDING FOOTPRINT	SLOPE DIRECTION
CONSTRUCTION JOINT	MESH AND DRIVEL INLET FILTER
NONFUNCTIONAL JOINT	PROPOSED - ARCHITECTURE (INSULATIVE ONLY)
	DWELLING NUMBER (PART 1)
	FLOOR LEVEL
	BUILDING FOOTPRINT

#### SYMBOLS

PROPOSED - SWD (STORMWATER DRAINAGE)	PROPOSED - CIVIL
SWD PIPE (INCL. DIAGRADE/LEVEL)	CONCRETE
SWD PIPE - CHARGED (INCL. DIAGRADE/LEVEL)	ASPHALTIC CONCRETE
SWD PIT - GRADED	SAND
SWD PIT - UNGRADED	EARTH
SWD PIT - JUNCTION	RIIP RAP
SWD LABEL (TYPE / COVER LEVEL)	BUILDING / STRUCTURES
RAINWATER REUSE TANK	TIMBER
GRASS POLLUTANT TRAP	BLOCK PAVERS
GRATED DRAIN	RETAINING WALL
INfiltration TRENCH	KERB RAMP
HEADWALL	VEHICULAR CROSSING
SUBSOIL	FENCE
STORMWATER SWALE	PROPOSED TREE
PIPE RISER	BATTER
PIPE DROPPER	BOLLARD - TYPE 1 (FIXED)
OVERLAND FLOW PATH	BOLLARD - TYPE 2 (REMOVABLE)
FINISHED GRADE LEVELS	LINE-MARKING - CHEVRON
EXISTING GRADE LEVELS	PAVEMENT EXPANSION JOINT
	PAVEMENT CONTROL JOINT

PROJECT: CIVIL WORKS for LOT 211 OF PROPOSED SUBDIVISION OF LOT 211 OF PARCELS 262 ABERGLASSLYN ROAD ABERGLASSLYN NSW 2320

DATE		BY		FOR	
ISSUED	REVISION	ISSUED	REVISION	ISSUED	REVISION
22/07/23	1	MM	MM	MM	MM

## Attachment 4: BASIX Certificates

### **BASIX**<sup>®</sup> Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

#### Multi Dwelling

Certificate number: 1387120M\_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary  
Date of issue: Tuesday, 27 June 2023  
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary		
Project name	Town house Devp @ 262 Aberglassyn Rd_02	
Street address	262 Aberglassyn Road Aberglassyn 2320	
Local Government Area	Maitland City Council	
Plan type and plan number	deposited 841959	
Lot no.	21	
Section no.	-	
No. of residential flat buildings	0	
No. of units in residential flat buildings	0	
No. of multi-dwelling houses	24	
No. of single dwelling houses	0	
Project score		
Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 47	Target 45

Certificate Prepared by	
Name / Company Name:	EPS (o)
ABN (if applicable):	16645179013

## Attachment 5: Preliminary Contamination Report



### PRELIMINARY SITE INVESTIGATION N6484-2

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**MHM Construction Group Pty Ltd**

PROPOSED UNIT DEVELOPMENT AT:

262 Aberglasslyn Road,

Aberglasslyn NSW 2320

Thursday, 1<sup>st</sup> December 2022

Revised 24<sup>th</sup> March 2023

**NEO** CONSULTING

**Attachment 6: Crime Risk Assessment**



# Crime Risk Assessment Report

*Multi-Dwelling Residential Housing  
Lot 21 in DP 841959*

*at NO.262 ABERGLASSLYN ROAD, ABERGLASSLYN  
NSW 2320*

Date: 22 June 2023

Ref: B2295CRA-A

## Attachment 7: Traffic and Car Parking Impact Assessment



TRAFFIC AND PARKING IMPACT ASSESSMENT OF  
THE PROPOSED RESIDENTIAL TOWNHOUSES  
AT 262 ABERGLASSLYN ROAD, ABERGLASSLYN



Address: Shop 7, 720 Old Princes Highway Sutherland NSW 2232  
Postal: P.O Box 66 Sutherland NSW 1499

Telephone: +61 2 9521 7199  
Web: [www.mclaretraffic.com.au](http://www.mclaretraffic.com.au)  
Email: [admin@mclaretraffic.com.au](mailto:admin@mclaretraffic.com.au)

Division of RAMTRANS Australia ABN: 45067491678 RPEQ: 19457

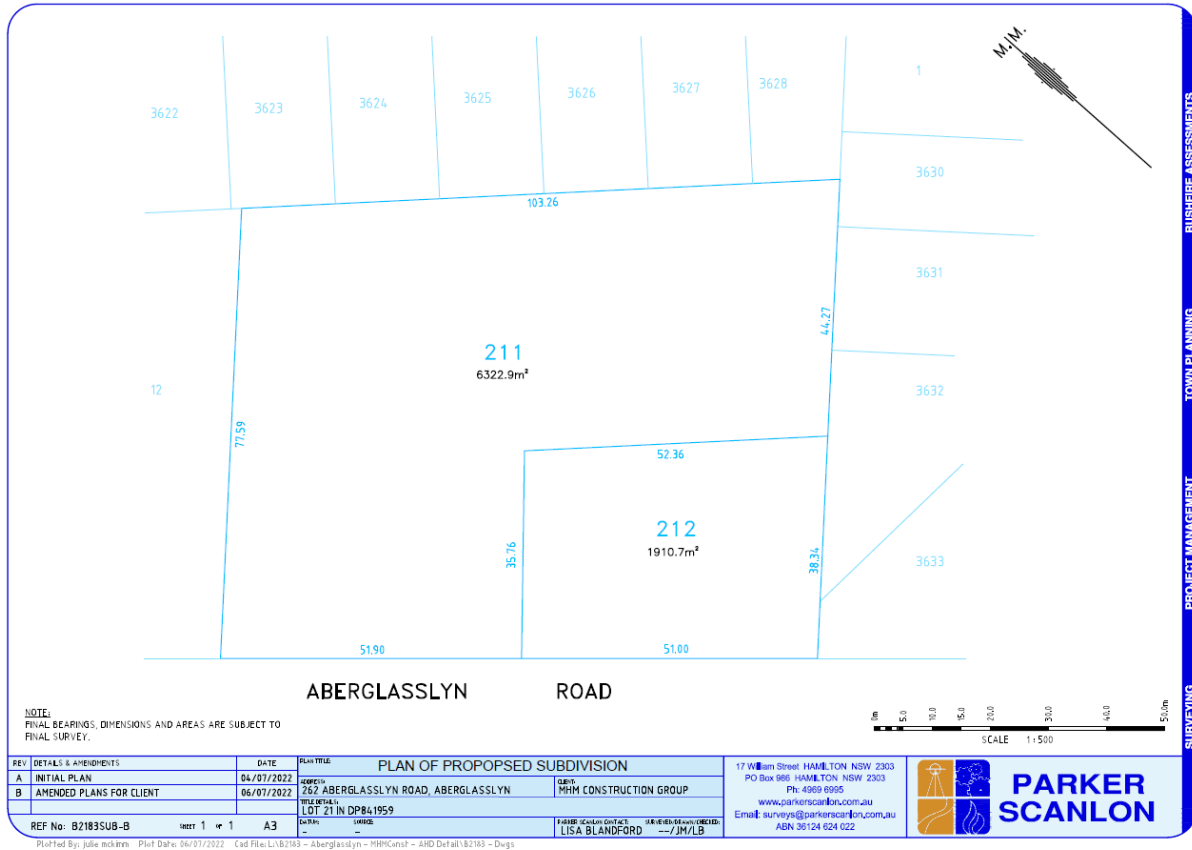
Transport Planning, Traffic Impact Assessments, Road Safety Audits, Expert Witness

221052.01FD - 7 September 2023

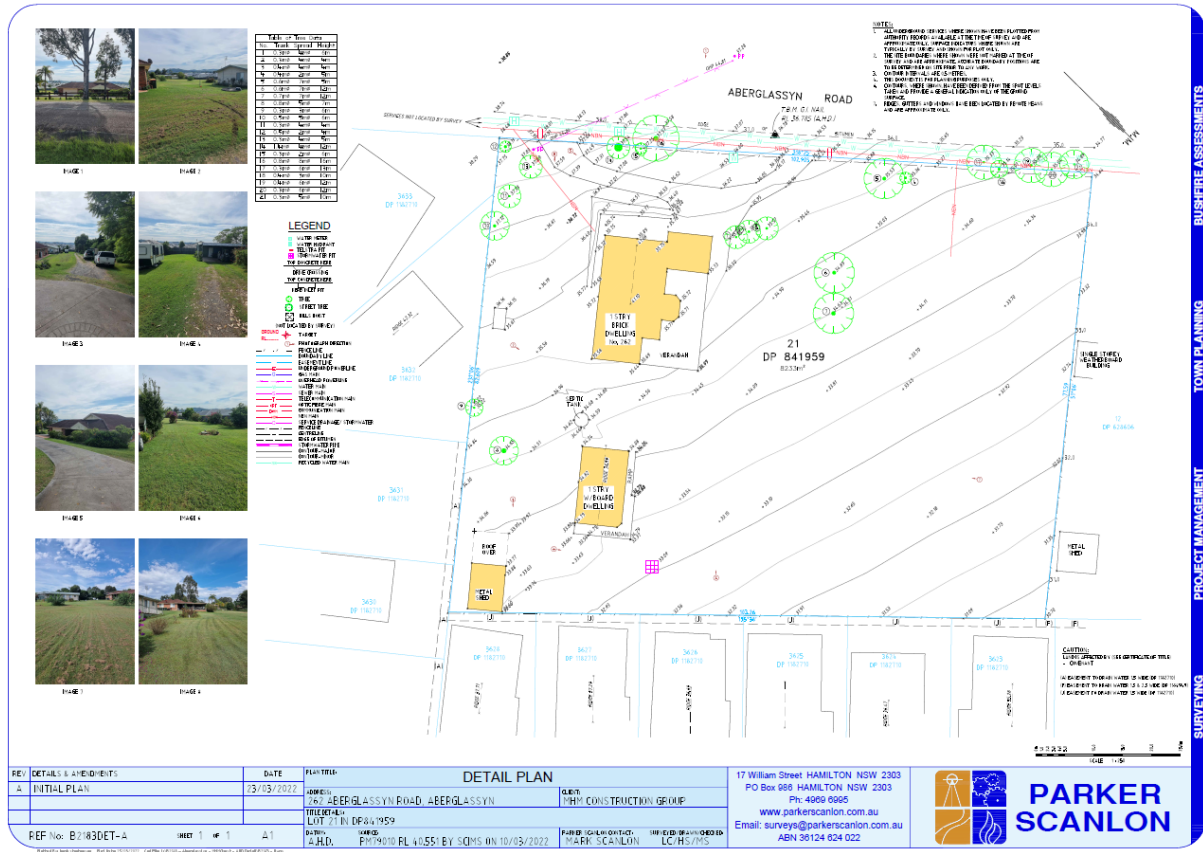
**Attachment 8: Hunter Water Corporation Stamped Plans and Notice of Requirements Letter**



## Attachment 9: Plan of Subdivision



## Attachment 5: Detail Survey Plan



## Attachment 6: Aboriginal Heritage Information Management System Search



Your Ref/PO Number : B2295  
Client Service ID : 766273

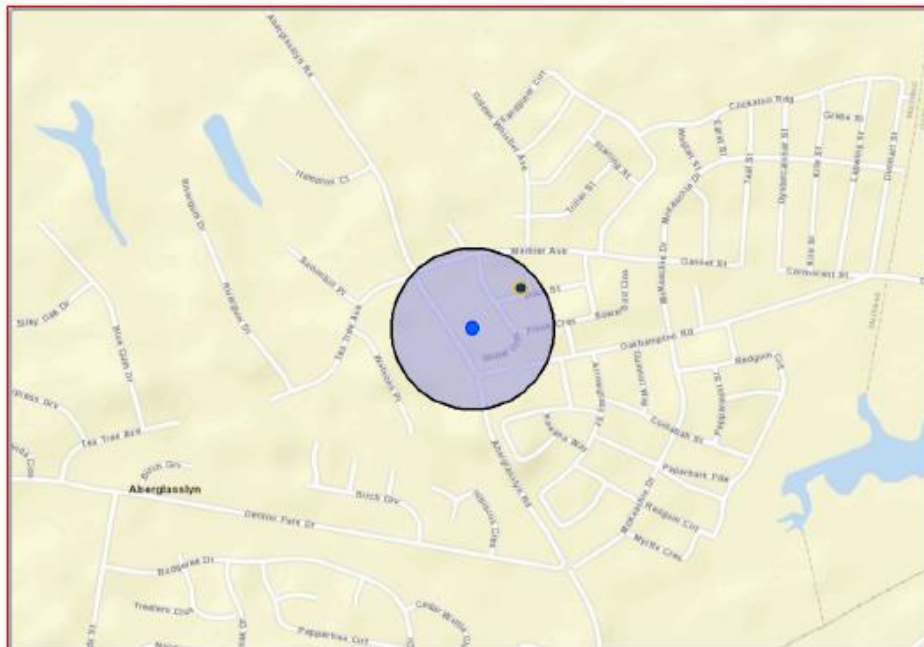
Julie Mckimm  
17 William Street  
Hamilton New South Wales 2303  
Attention: Julie Mckimm  
Email: [planning@parkerscanlon.com.au](mailto:planning@parkerscanlon.com.au)

Date: 22 March 2023

Dear Sir or Madam:

AHIMS Web Service search for the following area at Address : 262 ABERGLASSLYN ROAD ABERGLASSLYN 2320 with a Buffer of 200 meters, conducted by Julie Mckimm on 22 March 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>1</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.legislation.nsw.gov.au/gazette\)](http://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

**Attachment 7: Site Waste Minimisation and Management Plan**

## Outline of Proposal

**Site Address** 262 Aberglassyn Road, Aberglassyn

**Applicant Name** MHM Construction Group

**Applicant Address** PO Box 105, Paddington, 2021NSW

**Building and other structures currently on the site**








1 storey brick dwelling, 1 storey weatherboard dwelling and a metal shed.

**Brief description of the proposal**

Construction of 24 townhouses, bin room, associated earthworks and parking.



## Construction Phase

Waste materials on site	Vol (m <sup>3</sup> )	Wt (t)	DESTINATION		
			ON SITE	OFF SITE	DISPOSAL
			<i>Specify proposed reuse or on-site recycling methods</i>	<i>Specify contractor and recycling outlet</i>	<i>Specify Contractor and Landfill Site</i>
Excavation Material	10		earthworks		
Garden Waste	1			Licensed Contractor, Local 	
Bricks	2			Licensed Contractor, Local 	
Tiles	2			Licensed Contractor, Local 	
Concrete	3			Licensed Contractor, Local 	
Timber – pine, particle board	5			Licensed Contractor, Local 	
Plasterboard	3			Licensed Contractor, Local 	
Metal – copper, aluminium	1			Licensed Contractor, Local 	
Asbestos – cement, roof and wall	0				
Other – including glass, doors, etc					

## Ongoing Operations Phase

<p><b>Ongoing Operations - Option 1</b> (applies to the following types of development)</p> <ul style="list-style-type: none"> <li>• Single dwellings</li> <li>• Dual Occupancy and Medium Density Housing – Individual Storage Areas</li> <li>• Construction of outbuildings, such as garages, carports and sheds</li> <li>• Dwelling alterations and additions</li> <li>• Fences and retaining walls</li> <li>• Swimming Pools</li> <li>• Water Tanks</li> <li>• Proposals involving minor construction</li> <li>• Change of use applications involving minimal construction</li> </ul>	<p>Who is going to collect the waste and recycling generated by this development? (tick applicable)</p> <p><input type="checkbox"/> Council General Waste Collection (Green bin)</p> <p><input type="checkbox"/> Council Recycling Collection (Yellow bin)</p> <p><input type="checkbox"/> Private Contractor Council</p>
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**Ongoing Operations - Option 2**  
(applies to all development excluding those categories nominated under Option 1 above)

*Describe how you intend to ensure ongoing management of waste on site*

1. **Waste = 24 units x 140L waste generation/week = 14 x 240L bins**
2. **Recyclables = 24 units x 120L waste generation/week = 8 x 240L bins**
3. **Organics = 24 units x 25L waste generation/week = 3 x 240L bins**
- 4.
- 5.
- 6.

### Attachment 83: Stormwater Easement Concept Plan

