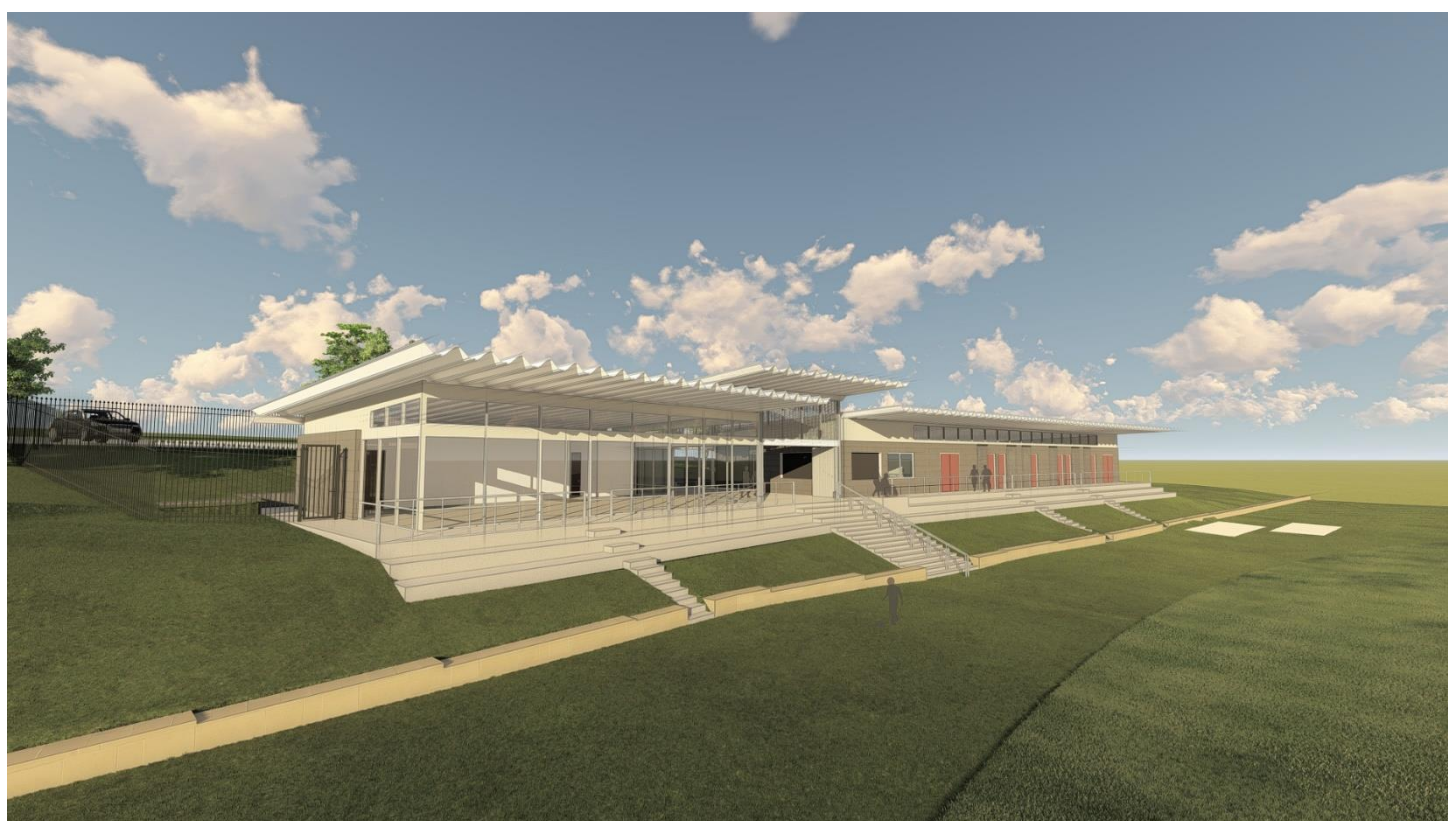


# STATEMENT OF ENVIRONMENTAL EFFECTS

## MAX MCMAHON OVAL AMENITIES REDEVELOPMENT

MAX MCMAHON OVAL, RUTHERFORD NSW 2320 (LOT 3 DP232261, LOT 2 DP1146822 AND LOT 96 DP232769)



**CLIENT:** MAITLAND CITY COUNCIL

**DATE:** 4 OCTOBER 2023

**PREPARED BY:**



ABN 23 104 067 405

7 Canberra Street Charlestown NSW 2290 | PO Box 850 Charlestown NSW 2290

87 Herbert Street Gulgong NSW 2852 | PO Box 232 Gulgong NSW 2852

02 4942 5441 | 02 6374 2911

admin@dewittconsulting.com.au

www.dewittconsulting.com.au



# CONTENTS

<b>1.</b>	<b>INTRODUCTION</b> .....	<b>1</b>
1.1.	PURPOSE .....	1
1.2.	CONSENT AUTHORITY .....	1
1.3.	INTEGRATED DEVELOPMENT PROVISIONS .....	1
1.4.	SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS .....	1
1.5.	PERMISSIBILITY .....	1
<b>2.</b>	<b>SITE AND SURROUNDING AREA</b> .....	<b>2</b>
2.1.	SITE SUMMARY .....	2
2.2.	SITE AND SURROUNDING AREA .....	2
2.3.	KEY FEATURES.....	5
2.3.1.	VEGETATION.....	5
2.3.2.	HERITAGE.....	5
2.3.3.	BUSHFIRE.....	5
2.3.4.	SOILS AND GEOTECHNICAL .....	5
2.3.5.	FLOODING .....	5
2.3.6.	TRAFFIC AND ACCESS .....	5
2.3.7.	SITE PHOTOS.....	5
<b>3.</b>	<b>THE PROPOSAL</b> .....	<b>7</b>
3.1.	PROJECT OBJECTIVES.....	7
3.2.	PROPOSED DEVELOPMENT.....	7
3.2.1.	DEMOLITION.....	7
3.2.2.	CONSTRUCTION .....	7
3.2.3.	STORMWATER.....	8
3.2.4.	LANDSCAPING .....	8
3.2.5.	OPERATIONAL .....	9
<b>4.</b>	<b>STATUTORY PLANNING CONTROLS</b> .....	<b>11</b>
4.1.	ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS 2021 .....	11
4.2.	COAL MINE SUBSIDENCE COMPENSATION ACT 2017 .....	11
4.3.	RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES .....	11
4.4.	MAITLAND LOCAL ENVIRONMENTAL PLAN 2011 .....	12
4.5.	MAITLAND DEVELOPMENT CONTROL PLAN 2011.....	13
<b>5.</b>	<b>ASSESSMENT OF ENVIRONMENTAL EFFECTS</b> .....	<b>17</b>
5.1.	SECTION 4.15(1)(A) – STATUTORY PLANNING CONSIDERATIONS.....	17
5.2.	SECTION 4.15(1)(B) – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS .....	17
5.3.	SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE.....	18
5.4.	SECTION 4.15(1)(D) – SUBMISSIONS .....	18
5.5.	SECTION 4.15(1)(E) – PUBLIC INTEREST .....	18
<b>6.</b>	<b>STRATEGIC NEED FOR THE PROPOSAL</b> .....	<b>9</b>
<b>7.</b>	<b>CONCLUSION</b> .....	<b>19</b>



## APPENDICES

<b>Appendix 1:</b>	Architectural Plans prepared by EJE
<b>Appendix 2:</b>	Civil Engineering Plans prepared by EJE
<b>Appendix 3:</b>	Landscape Plan prepared by Terras Landscape Architects
<b>Appendix 4:</b>	Contamination and Preliminary Waste Classification Assessment prepared by Qualtest
<b>Appendix 5:</b>	Geotechnical Assessment prepared by Qualtest
<b>Appendix 6:</b>	Access Report prepared by Purple Apple Access
<b>Appendix 7:</b>	Noise Assessment prepared by RAPT Consulting
<b>Appendix 8:</b>	CPTED prepared by de Witt Consulting
<b>Appendix 9:</b>	Aboriginal Heritage Information Management System Search Result
<b>Appendix 10</b>	Quantity Surveyor Report prepared by O'Brien Quantity Surveying



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PREPARED BY:	REVIEWED BY:	RELEASED BY:
<b>Name:</b> Samara Jayne <b>Position:</b> Town Planner	<b>Name:</b> Josh Taylor-Real <b>Position:</b> Senior Town Planner	<b>Name:</b> Josh Taylor-Real <b>Position:</b> Senior Town Planner <b>Signed:</b>  <b>Date:</b> 4 October 2023

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## **1. INTRODUCTION**

### **1.1. PURPOSE**

This Statement of Environmental Effects (SEE) has been prepared on behalf of Maitland City Council (the applicant) to accompany a development application (DA) for the proposed redevelopment of the amenities facilities at Max McMahon Oval, Rutherford NSW 2320 (Lot 3 DP232261, Lot 2 DP1146822, and Lot 96 DP232769) (the site).

The SEE summarises findings of specialist reports and demonstrates that the proposed development has been formulated having full and proper regard to existing development controls and environmental qualities of the site and its surroundings.

### **1.2. CONSENT AUTHORITY**

The proposed development requires consent under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Maitland City Council (Council) is the consent authority for the proposed development.

### **1.3. INTEGRATED DEVELOPMENT PROVISIONS**

The proposed development is integrated development pursuant to the provisions of Section 4.46 of the EP&A Act requiring referral to Subsidence Advisory NSW pursuant to Section 22 of the Coal Mine Subsidence Compensation Act 2017 being within a mine subsidence district (Guideline 7). However, approval from SA NSW has been sought outside the integrated development process.

### **1.4. SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS**

This SEE accompanies a DA for the proposed development. It has been prepared on behalf of the applicant and includes the matters referred to in Section 4.15 of the EP&A Act and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the proposed development;
- Describe the land to which the DA relates and the character of the surrounding area;
- Assess any environmental impacts and provide mitigation measures where relevant; and
- Define the statutory planning framework within which the DA is to be assessed and determined.

### **1.5. PERMISSIBILITY**

Pursuant to the Maitland Local Environmental Plan 2011, recreation facilities (outdoor) and recreation facilities (major) are permitted with consent within the RE1 Public Recreation zone and prohibited within the R1 General Residential zone. The proposed works are located wholly within the RE1 land. The proposal has been formulated having regard to the provisions of LEP 2011 and Development Control Plan 2011.

## 2. SITE AND SURROUNDING AREA

### 2.1. SITE SUMMARY

<b>Address</b>	Alexandra Avenue, Rutherford NSW 2320
<b>Lot and DP</b>	Lot 3 DP232261, Lot 2 DP1146822 & Lot 96 DP232769
<b>Zone</b>	RE1 Public Recreation and part R1 General Residential
<b>Land Area</b>	4.6109ha
<b>Existing Structures</b>	Various sporting and recreation facilities with associated structures

### 2.2. SITE AND SURROUNDING AREA

The site is within the Maitland Local Government Area (LGA) and on land owned and maintained by Council. The site is zoned as RE1 Public Recreation and part R1 General Residential. The site is identified as Max McMahon Oval, also known as Rutherford Oval, at Alexandra Avenue, Rutherford NSW 2320 (Lot 3 DP 232261, Lot 2 DP 1146822 and Lot 96 DP 232769). *Figures 1, 2, and 3* shows the location of the project site. The site photos are Section 2.3.7 provide an appreciate for the state of the buildings and site generally.

The site exists within an urban and managed greenspace context and is bound by the local roads of Avery Street to the east, Alexandra Street to the south and Weblands Street to the west. Primary vehicle access to the site is via Weblands Street where there is a formal vehicle crossover which leads to a sealed bitumen car park. The access driveway and car park do not have kerb and gutter, and there is no line marking of any spaces, although Council indicate the car park provides parking for approximately 50 vehicles. An unsealed gravel area to the northwest looks to provide for informal overflow car parking. There are timber bollards located around the perimeter of the car park and accessway to stop unauthorised access to the grassed areas and onto the sports field. At the time of the site inspection the car park pavement appeared to be in good condition, with only a small portion of damaged pavement noted in the northern extent of the carpark. There is a narrow pedestrian footpath which runs along the east, south and west side boundaries to the site. There is no pedestrian footpath located along the northern extent of the site which would connect these concrete paths. There is currently no accessible path of travel from the car park to the existing amenities, with steep stairs providing the only formal access downslope from the car park.

The extant facility is comprised of four buildings, numbered 1 to 4 in *Figure 1* below. Building No. 1 located along the north side boundary is the cricket storage shed. Building No. 2 is the detached athletics storage building and is also located in the north part. Building No. 3 is the changeroom amenities, including two changerooms equipped with shower and urinals, male and female bathrooms, a referee's room and hot water cylinder and services. Building No. 4 is the canteen and a two-story timekeeping and scoring facility. Buildings 3 and 4 appear fortress like, comprised of brick, concrete block walls and concrete floor slabs. There is also stepped steel / wooden seating to the east of Building No. 3 with narrow and steep grades. There is also a narrow and steep staircase leading down to the field from this area.



**Figure 1: Aerial overview. Site outlined in red (aerial © Aerometrex 2023)**

Topographically, the site slopes from the west to the east, generally. Site drainage would drain from the boundary at Weblands Street, across the site and toward Avery Street.

With regards to green elements, the site has a large, grassed sports field and grassed areas generally extend to all boundaries. The quality and extent of the grass outside the regularly maintained and watered sports field would vary depending on the season and local climate conditions. There are several groupings of mature trees located in the northeast portion the site and the southwest corner, opposite the roundabout. There are several other scattered mature trees located within the boundaries, including a large tree just to the west of Building No. 3 and dotted along the northwest and west boundaries.

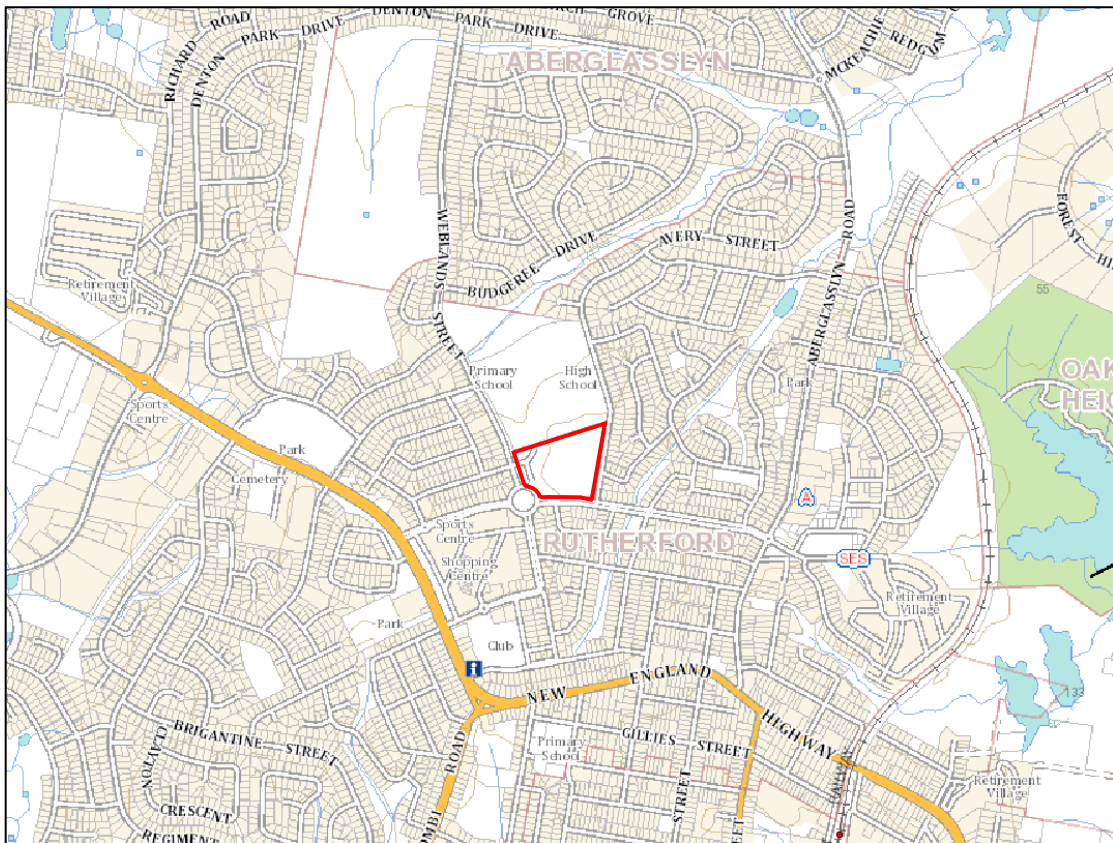
Existing overhead power lines and power poles exist over the car park and adjoining Building No. 3. The site has existing sewer, stormwater and water infrastructure, and a water tank for the oval irrigation that sits within a fenced area next to Building No. 4. There is also the same open palisade fencing provided around the western side of Building No. 3.

The site is located within the Western Precinct of Maitland. Surrounding land uses include mostly residential dwellings to the east, south and west. Directly adjoining the site to the north is the Rutherford Technology High School and Rutherford Public School. The Rutherford Mall and Marketplace is located just southwest of the site. The suburbs of Aberglasslyn are located to the north, Oakhampton Heights to the west, Telarah to the south, and Rutherford Industrial further west. More generally, the site is located approximately 5.5km northwest of Maitland City centre.

A zoning plan is below in *Figure 2*. A Location Plan is provided in *Figure 3* below.



**Figure 2: Zoning plan. Site outlined in red (source: NSW ePlanning Spatial Viewer)**



**Figure 3: Location plan. Site outlined in red (source: NSW ePlanning Spatial Viewer)**



## 2.3. KEY FEATURES

### 2.3.1. Vegetation

The site includes areas of existing cleared and maintained greenspace lands. The site has been disturbed through various clearing activities associated with the establishment of the oval. The site does not contain vegetation mapped on the Biodiversity Values Map and Threshold Tool.

### 2.3.2. Heritage

**Aboriginal Heritage:** A search of the Aboriginal Heritage information Management System on 10/08/2023 did not identify any items of Aboriginal Heritage value within a 200m buffer (**Appendix 9**). The site is not mapped as sensitive Aboriginal landscape.

**Non-Aboriginal Heritage:** The site does not contain or is proximate to any items of non-Aboriginal heritage value. Further the site is not located within a heritage conservation area.

### 2.3.3. Bushfire

The site is not identified as bushfire prone land or within a vegetation buffer zone.

### 2.3.4. Soils and Geotechnical

The site is identified as Class 5 land for acid sulfate soils under the NSW ePlanning Spatial Viewer. However the Department of Planning, Industry and Environment online Acid Sulfate Soil database does not list any known occurrences of ASS in the area.

The surface soils and fill materials can be classified as General Solid Waste (non-putrescible). The underlying residual soils and weathered rock can likely be classified as Virgin Excavated Natural Material (VENM). The site is further underlain by quartz-lithic sandstone (sporadic marine fossils), polymictic pebble to cobble-paraconglomerate, siltstone, fossiliferous siltstone, minor claystone and chert.

The site is within the East Maitland Mine Subsidence District and subject to the provisions of Guideline 7.

A search of the NSW EPA Contaminated Land Record on 10 August 2023 did not list the site as contaminated land.

### 2.3.5. Flooding

The site is not identified as flood prone land.

### 2.3.6. Traffic and Access

Vehicle access is provided off Weblands Street, a formalised local road with kerb and guttering. This access is located adjacent a 40km/hr school zone. The current carpark is sealed bitumen being in a rather poor state and provides for roughly 50 car spaces. Pedestrian access is available from all around the site via a narrow pedestrian path, though this is underutilised. On street parking is prohibited. Public transport is available within the vicinity in the form of two bus stops, one on Weblands Street and the other on Alexandra Avenue.

### 2.3.7. Site Photos

The following site photos were obtained by de Witt Consulting during a site visit on 23/06/2022.



### 3. THE PROPOSAL

#### 3.1. PROJECT OBJECTIVES

The purpose of the project is to provide a multi-functional amenity building that meets the needs of the user groups by being resilient, equitable, and safe.

The following objectives have been identified in this regard:

- Support community safety and welfare, being designed for people with a focus on health, safety, comfort and liveability.
- To celebrate diversity and encourage the full participation of the community regardless of age, gender, ability, culture, and other human distinctions.
- Promote environmental sustainability.
- Recognise and respect the local character, community identity and cultural connections to foster a sense of ownership.
- Integrates cohesively into the surrounding urban context to create a vibrant and socially connected community space.
- Foster welcoming and equitable spaces to transcend socio economic disparities, promoting a sense of belonging and strengthening community resilience.

The following design principles will help meet these objectives:

- Universal Accessibility – Providing no exclusionary areas.
- Environment – Incorporating strategies to ease environmental pressures such as solar, water, shading and material selection.
- Health – Incorporating green transport, natural light, ventilation, and outlook.
- CTPED (Crime Prevention Through Environmental Design) principles.
- Equity and Diversity – Create safe, welcoming, and inclusive spaces.
- Country / Place specific – Design for Country Principles prioritised with local character and identity to inform the design.

#### 3.2. PROPOSED DEVELOPMENT

The project involves one key element being the redevelopment of the existing amenities in two stages.

##### 3.2.1. Demolition

The existing amenities building as well as adjoining kiosk/control room, stairs and seating will be demolished.

The existing storage shed, long jump pits and rainwater tank will be retained.

##### 3.2.2. Construction

The new building will include the following features:

###### **Stage 1**

- 4 change rooms
  - Space for massage bench / strapping table within each change room for use by physiotherapists for player rehabilitation with appropriate screening for flexible usage
  - Hand washing, showers (x4), and 1 accessible toilet amenities per change room
  - Bench seating (19 seats per change room)
- Store room (x2) - General storage of merchandise, kiosk bulk stock and chairs
- Service room

- Public toilets
  - 10 toilets (2 ambulant)
  - Urinal trough
  - 1 accessible WC
- 2 umpire amenities - Hand washing, shower and toilet amenity
- Cleaner room
- First aid room
- Kiosk allowing serving of hot and cold food and beverages through serving windows to the concourse area and BBQ space
- Control room
- Waste storage area adjacent existing storage shed with 2 x 10,000L rainwater tanks

## **Stage 2**

- Multipurpose room
  - Intended for team meetings and functions, including video and teleconferencing activities
  - Flexible to potentially cater for a variety of community uses as well
  - Store and services room
  - 2 accessible WC

Security fencing, gates and roller shutters will be provided.

Covered grandstand seating for 150 spectators with retaining wall and battered lawn will be facilitated adjoining the field. New stairs and ramp, retaining walls, fencing and landscaping will adjoin the car park.

While the future carpark upgrade is not within the scope of this DA, consideration is required for the path connecting to the new facilities particularly in terms of accessibility.

The proposed works would be designed to meet the relevant Australian Standards for amenities that are accessible for people with a disability.

Further details are provided in **Appendix 1**.

### **3.2.3. Stormwater**

All downpipes will connect to the stormwater pipes. Piping with 7 grated inlet pits will run along the rear of the building connecting to the existing system to the north. Two new 10,000L rainwater tanks will also be located adjacent the existing storage shed.

Subsoil drains will be provided behind the retaining walls and within the garden beds.

Small mounds 300mm high maximum will direct any runoff from the carpark away from the building.

Further details are provided in **Appendix 2**.

### **3.2.4. Landscaping**

Landscaping will largely involve turf areas on the field and southern sides. Three (3) new high small canopy trees (*Tristania laurina*) will be provided east of the building with mass planting adjoining the entrance stairs/ramp consisting of *Aloe ferax*, *Callistemon viminalis*, *Helichysum petiolare*, *Lomandra fluviatilis*, *Lomandra lonifolia*, and *Magnolia grandiflora*.

Further details are provided in **Appendix 3**.

### 3.2.5. Operational

The facility will accommodate 100-200 on a regular basis and up to 1,000-1,500 during large events.

The following public hours of operation are proposed however it is noted that times can be subject to change for events. :

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
7am – 10pm	7am – 10pm	7am – 10pm	7am – 10pm	7am – 12am	7am – 12am	7am – 10pm

### 3.3. STRATEGIC NEED FOR THE PROPOSAL

Outdoor recreation encourages communities to gather, socialise and build relationships with one another, creating a sense of belonging in growing communities. Outdoor recreation facilities activate public open spaces and provide opportunities for enjoyment and interaction with the natural environment. They support the health and wellbeing of residents by providing places to be physically active and to engage in shared activity and foster stronger community connection. Without the appropriate infrastructure and facilities to support sport, many of the associated benefits would be left unrealised.

Aside from the Maitland Regional Sports Complex (located in central Maitland), Max McMahon Oval is the only facility in the Maitland LGA large enough to accommodate senior grade AFL. It is a district level sportsground and has one (1) multi-purpose field including AFL field, cricket oval, grass athletics and long jump pits. The oval is home to the Maitland Saints Football Club, a club that has seen significant growth over the last 13 years. The club now includes junior males and female, and senior male and female teams in the Hunter Coast AFL Competitions. Specifically, the club includes a women's AFL team and three (3) junior girls' teams. In addition to these, the site is used by Western Suburbs Cricket Club, Rutherford Little Athletics and Rutherford Technology Highschool. The total usage of winter hire is 39 hours per week and 15 hours in summer (*Project Definition, MCC, 2022*).

AFL, Cricket and Athletes are all sports that find themselves in the top 15 club sports in NSW. All three sports have a substantive increase in membership in Maitland, with cricket being the highest increase of 28% followed by athletics at 16% and AFL at 4.4% (*Project Definition, MCC, 2022*). The female participation in these sports have showed a growing trend across NSW and with the Office of Sport's "Her Sport Her Way" strategy it is reducing barriers for women to participate in sport and developing places and spaces that are safe, accessible and inclusive. As such, based on the considerable increasing demand for these sports and the promotion of female sports, the need to upgrade the existing amenities buildings at Max McMahon Oval at Rutherford is evident. The improvement of this infrastructure would support the continuing expansion of these sports including female participation and attracting regional competitions. It would support active lifestyles, strengthen local liveability, enhance community wellbeing and social connections to create a more inclusive and accessible environment for all.

Between 2017 and 2019, the grounds were upgraded to AFL national standards, including extensive lightning and irrigation improvements. However, as the numbers of users grows, there is a need to upgrade the amenities to meet with demand and provide a facility that better supports the health and well-being of the community.

The club has been lobbying for opportunities to redevelop the site to improve the facilities and make it more appealing to locals and visitors for over 10 years (*Maitland Mercury, 2022*). Further, in December 2021, Maitland City Council Mayor and general manager identified the upgrade a priority need of the region (*Maitland Mercury, 2022*). The current building has reached the end of its lifespan, with no capacity for the buildings to be updated in their current form. Further, the facilities do not provide adequately for female sporting teams. The number of amenities and the current standard falls short of the minimum standards. Importantly, due to the current building design, the sportsground and amenities are subject to significant antisocial behaviour and vandalism resulting in members of the community feeling unsafe or at risk when using the site. The site has become a hot spot for theft and incidents of assault (*Project Definition, MCC, 2022*).



These works are one part of a broader masterplan for the site for a range of recreation infrastructure and services that meets the need of a growing community. Council has indicated that any design must consider the future addition of other recreation masterplan elements, as the large site area and location present future opportunities for community infrastructure and facilities. It is envisioned that the site could be a recreational exercise precinct, with paths, outdoor gyms, playgrounds, bench seating and barbeque facilities, allowing residents to engage in active and healthy lifestyles (*Project Definition, MCC, 2022*). Specifically, \$3 million dollars in Federal Government Funding has been provided to meet this strategic need.

## 4. STATUTORY PLANNING CONTROLS

### 4.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS 2021

The proposed development will require consent under the provisions of Part 4 of the EP&A Act. The proposal is integrated development pursuant to section 4.46 of the EP&A Act requiring referral to Subsidence Advisory NSW pursuant to Section 22 of the Coal Mine Subsidence Compensation Act 2017 being within a mine subsidence district (Guideline 7). Additionally, the proposed development is **not** considered to be:

- Designated development pursuant to Schedule 3 of the Environmental Planning and Assessment Regulations 2021 (the Regulations) or any other environmental planning instrument;
- State significant development (SSD) or State significant infrastructure (SSI) pursuant to Section 4.36 of the EP&A Act; and
- Regionally significant development pursuant to the State Environmental Planning Policy (SEPP) (Planning Systems) 2021. The development will have a CIV of less than \$5 million and therefore will not trigger regionally significant development.

Therefore, the proposed development is considered to be 'local development' and Council is the relevant consent authority.

### 4.2. COAL MINE SUBSIDENCE COMPENSATION ACT 2017

The site is identified as being within a proclaimed mine subsidence district under section 15 of the *Coal Mine Subsidence Compensation Act 2017*, and therefore requires concurrence from Subsidence Advisory NSW. An approval is required under section 22 of the same Act for development and/or subdivision of land in a proclaimed mine subsidence district. Additionally, development of land in this area is subject to Subsidence Advisory NSW Surface Development Guideline 7.

### 4.3. RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

Table 4.3.1 address the relevant SEPPs in accordance with Section 4.15(1) of the EP&A Act.

**Table 4.3.1: Relevant SEPPs**

SEPP	COMPLIANCE
State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 2 Infrastructure	Chapter 2 of SEPP Transport and Infrastructure facilitates infrastructure in NSW by identifying environmental assessment categories for different types of infrastructure. The proposed works are capable of being undertaken as development permitted without consent under Section 2.73(3) the SEPP. However, Council has decided to proceed with a Development Application pursuant to Part 4 of the EP&A Act instead.
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 – Remediation of land	Section 4.6 of the SEPP sets out that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out. The site is not listed as potentially contaminated within EPA Contaminated Land Register, nor is the site listed as potentially contaminated within the Section 10.7 Planning Certificate. The site does not have a known history of contaminating land uses or activities and has been used as a recreational reserve since at least 1974 when the first available aerial imagery showed the amenities building. A Contamination and Preliminary Waste Classification Assessment has been undertaken at <b>Appendix 4</b> and confirms in-situ material is suitable for reuse in accordance with public open space land uses.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 of the SEPP aims to protect biodiversity values of trees and other vegetation and associated amenity in non-rural areas of the State.

Chapter 2 – Vegetation in non-rural areas	No vegetation removal is proposed.
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#### 4.4. MAITLAND LOCAL ENVIRONMENTAL PLAN 2011

Maitland Local Environmental Plan 2011 provides a planning framework to facilitate development in an appropriate manner with due consideration to ecologically sustainable development. Relevant clauses of LEP 2011 are discussed in Table 4.4.1.

**Table 4.4.1: Consistency with relevant clauses of LEP 2011**

CLAUSE	CONSISTENCY
2.1 Land use zones	<p>The site following uses are permitted with consent in the RE1 Public Recreation zone:  <i>Aquaculture; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Information and education facilities; Jetties; Kiosks; Markets; Public administration buildings; Recreation areas; Recreation facilities (indoor); <b>Recreation facilities (major); Recreation facilities (outdoor);</b> Respite day care centres; Roads; Signage; Water recreation structures; Water supply systems</i></p> <p>The site following uses are permitted with consent in the R1 General Residential zone:  <i>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</i></p> <p>The proposed works will occur solely within the RE1 land. <i>Recreation facilities (outdoor)</i> and <i>recreation facilities (major)</i> are permitted with consent in the RE1 zone.</p>
2.3 Zone objectives	<p>Objectives of the RE1 zone are as follows:</p> <ul style="list-style-type: none"> <li>• To enable land to be used for public open space or recreational purposes.</li> <li>• To provide a range of recreational settings and activities and compatible land uses.</li> <li>• To protect and enhance the natural environment for recreational purposes.</li> </ul> <p>Objectives of the R1 zone are as follows:</p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community.</li> <li>• To provide for a variety of housing types and densities.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> </ul> <p>The proposal involves redevelopment of the amenities facilities within the RE1 land. As such the use as public open and recreational space will continue in accordance with the objectives. The proposal will not impede upon the R1 land.</p>
2.7 Demolition	Demolition of the existing amenities building is proposed as detailed within the Architectural Plans ( <b>Appendix 1</b> ). Consent is sought for this demolition.
4.1 Minimum subdivision lot size	N/A – No subdivision is proposed.
4.3 Height of buildings	No maximum building height is prescribed for the site.
4.4 Floor space ratio	No maximum FSR is prescribed for the site.
7.1 Acid sulfate soils	The site is identified as Class 5 land for acid sulfate soils. However the Department of Planning, Industry and Environment online Acid Sulfate Soil database does not list any know occurrences of ASS in the area.
7.2 Earthworks	Minor earthworks will be required for the construction. It is not anticipated that these works will result in any negative impact on the site or surrounding development due to the location of the facilities and minor extent of works required.





#### **4.5. MAITLAND DEVELOPMENT CONTROL PLAN 2011**

Maitland Development Control Plan (DCP) 2011 provides guidance to development of land under LEP 2011 and is intended to act as an integrated planning document. The purpose of the DCP 2011 is to supplement LEP 2011 and provide additional information to take into account when preparing a development application. An assessment of the proposed development against applicable DCP requirements is provided in Table 4.5.1 below.

**Table 4.5.1: Consistency with Maitland DCP 2012**

CLAUSE / CONTROL	CONSISTENCY
<b>Part B – Environmental Guidelines</b>	
<b>B.2 – Domestic Stormwater</b>	
	N/A – The proposed development is not for residential purposes.
<b>B.3 – Hunter River Floodplain</b>	
	N/A – The site is not identified as flood prone land.
<b>B.4 – On-site Sewerage Management Systems</b>	
	N/A – No on-site sewerage management is proposed.
<b>B.5 – Tree and Vegetation Management</b>	
	No vegetation removal is proposed. The existing tree adjacent the car park will be retained with additional planting provided.
<b>B.6 – Waste Not – Site Waste Minimisation &amp; Management</b>	
	A site waste minimisation and management plan is provided at Appendix
<b>B.7 – Environmental Sensitive Land</b>	
	N/A – The site is not environmentally sensitive land.
<b>Part C – Design Guidelines</b>	
<b>C.1 – Accessible Living</b>	
	An Access Report prepared by Purple Apple Access is provided in <b>Appendix 6</b> . A key design principal for this project was accessibility and inclusivity with accessible amenities provided. An accessible path of travel is provided to the building entrance from the two accessible car spaces.
<b>C.2 – Child Care Centres</b>	
	N/A – The proposed development is not for a child care centre.



### **C.3 – Exhibition Homes & Villages**

N/A – The proposed development is not for exhibition homes or villages.

### **C.4 – Heritage Conservation**

The site does not contain nor is proximate to any item of Aboriginal or non-Aboriginal heritage value. A search of the Aboriginal Heritage information Management System on 10/08/2023 did not identify any items of Aboriginal Heritage value within a 200m buffer (**Appendix 9**). Further it is not located within a heritage conservation area or identified as sensitive Aboriginal landscape. No further consideration is required.

### **C.5 – Industrial Land**

N/A – The site is not located within industrial land.

### **C.6 – Signage**

Currently no signage is proposed for the development however it is noted that building identification signage may be done under exempt development.

### **C.7 – Outdoor Dining**

N/A – The proposed development is not for outdoor dining.

### **C.8 – Residential Design**

N/A – The proposed development is not residential in nature.

### **C.9 – Sex Services Premises & Restricted Premises**

N/A – The proposed development is not for sex services or restricted premises.

### **C.10 – Subdivision**

N/A – The proposed development is not for subdivision.

### **C.11 – Vehicular Access & Car Parking**

The existing car park will remain as with the exception of the provision of two accessible spaces near the building entrance and a delivery / ambulance bay towards the existing storage shed. The proposal will not substantially increase the capacity of the site, thereby increase the parking required compared to the existing. The car park will be upgraded at a later date. In the interim, public transport is available within the vicinity in the form of two bus stops, one on Weblands Street and the other on Alexandra Avenue.



#### **Part D – Locality Plans**

N/A – The site is not located within an area to which this Part applies.

#### **Part E – Special Precincts**

N/A – The site is not located within an area to which this Part applies.

#### **Part F – Urban Release Areas**

N/A – The site is not located within an area to which this Part applies.

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## 5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

### 5.1. SECTION 4.15(1)(A) – STATUTORY PLANNING CONSIDERATIONS

In determining the subject DA, Council is required to consider those relevant matters listed in section 4.15(1) of the EP&A Act. Each of the relevant matters is addressed below.

Section 4.15(1)(a) requires the consent authority to take into consideration the provisions of any environmental planning instrument (EPI), draft EPI, DCP, planning agreement that has been entered into under section 7.4 of the EP&A Act or under the EP&A Regulations 2021.

These matters (and others) are addressed in Section 4 of this report, and below.

The proposal is permissible with the consent of Council, and is generally consistent with the provisions and objectives of Maitland LEP 2011 and DCP 2011.

### 5.2. SECTION 4.15(1)(B) – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The following table provides an overview of the potential impacts of the development on the natural and built environments.

**Table 5.2.1: Assessment of Environmental Effects**

IMPACT	COMMENT
<b>Accessibility</b>	An Access Report prepared by Purple Apple Access s provided in <b>Appendix 6</b> .
<b>Acoustic</b>	An Acoustic Assessment was prepared by RAPT Consulting ( <b>Appendix 7</b> ) which considered the proposal acceptable and compliant with the relevant noise trigger levels.
<b>Air Quality</b>	The proposal will not result in any negative impacts to air quality with the exception of potential for dust generation during construction. This will be temporary only and can be managed appropriately.
<b>Biodiversity</b>	The site is not mapped as containing biodiversity value.
<b>Bushfire</b>	N/A – The site is not identified as bushfire prone land.
<b>Economic</b>	The proposal will generate jobs during construction.
<b>Effluent Disposal</b>	N/A – No effluent disposal is proposed.
<b>Erosion and Sediment Control</b>	An erosion and sediment control plan is provided in <b>Appendix 2</b> .
<b>Flood</b>	N/A – The site is not identified as flood prone land.
<b>Geotechnical</b>	The site is identified as Class 5 land for acid sulfate soils and within a Mine Subsidence District (Guideline 7). A search of the NSW EPA Contaminated Land Record did not list the site as contaminated land.
<b>Heritage</b>	The site does not contain nor is proximate to any items of Aboriginal or non-Aboriginal heritage value. Further the site is not sensitive Aboriginal landscape or located within a heritage conservation area.
<b>Safety and Security</b>	A CPTED assessment is provided in <b>Appendix 8</b> .
<b>Social</b>	The proposed facility will make a significant positive long term contribution to the amenity and recreational offering for residents and users by providing improved recreation opportunities within the area.
<b>Stormwater</b>	Stormwater management is details in <b>Appendix 2</b> .
<b>Traffic</b>	There will be no significant change to the existing traffic and access on site.
<b>Visual</b>	The new facilities will present a far better visual design that is modern and appropriate to the use and needs of the site.

IMPACT	COMMENT
Water	The site does not contain nor is proximate to any water bodies.

Overall, the proposal is substantially consistent with the objectives and development controls contained within the various environmental planning instruments and development controls that apply to the site (see Section 4). The proposed development will not result in an adverse impact to the environment and is consistent with existing built form onsite. The proposed development comprises orderly economic development of the site for purposes for which it is zoned and currently used. The proposal will not pose any negative social or economic impacts.

### 5.3. SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE

Suitability of the site for the proposed development is dealt with in Section 2. The site is unconstrained by environmental matters. The site has previously been deemed appropriate for its current use for sporting and recreation. The proposed development will not alter the previous findings in this regard.

### 5.4. SECTION 4.15(1)(D) – SUBMISSIONS

Any relevant representations will need to be considered by the Council in the determination of the development application.

### 5.5. SECTION 4.15(1)(E) – PUBLIC INTEREST

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and substantially in accordance with the prevailing planning controls. The development is a permissible form of development and is therefore considered to be in the public interest.



## 6. CONCLUSION

This SEE has been prepared on behalf of Maitland City Council (the applicant) to accompany a DA for the redevelopment of the amenities facilities at Max McMahon Oval, Rutherford NSW 2320.

The site is operating beyond its maximum capacity, has aged and limited facilities, is not inclusive, has poor accessibility and presents significant community crime and safety concerns. A redevelopment of the amenities is therefore required, and the strategic need for the works is clear.

The proposal is reasonable and appropriate when considered under the relevant heads of consideration in Section 4.15(1) of the EP&A Act and is considered to be worthy of favourable determination by Council.



# APPENDICES





# APPENDIX 1

Architectural Plans prepared by EJE



## APPENDIX 2

Civil Engineering Plans prepared by EJE



## APPENDIX 3

Landscape Plan prepared by Terras Landscape Architects



## APPENDIX 4

Contamination and Preliminary Waste Classification Assessment  
prepared by Qualtest



## APPENDIX 5

Geotechnical Assessment prepared by Qualtest



## APPENDIX 6

Access Report prepared by Purple Apple Access



## APPENDIX 7

Noise Assessment prepared by RAPT Consulting



## APPENDIX 8

CPTED prepared by de Witt Consulting





## APPENDIX 9

### Aboriginal Heritage Information Management System Search Result