



# statement of environmental effects

Lot 231, DP 1269483  
32 Lilac Avenue, Lochinvar  
Maitland City Council



MACQUARIE KNIGHT  
CONSTRUCTIONS

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<b>1.0 Introduction</b>	<b>4</b>
<hr/>	
<b>1.1 Property Details</b>	<b>4</b>
1.1.1 Ownership Details	4
1.1.2 Property Description	4
<b>1.2 Proposed Development</b>	<b>4</b>
1.2.1 Proposed Development	4
1.2.2 Operational Details	<b>Error! Bookmark not defined.</b>
<b>1.3 Site Details</b>	<b>4</b>
1.3.1 Site Description	4
1.3.2 Adjoining Land Use	5
1.3.3 Previous Applications/Use	5
1.3.4 Site Area	5
1.3.5 Existing Zone	5
<b>2.0 Site Constraints</b>	<b>6</b>
<hr/>	
<b>2.1 Acid Sulphate Soils</b>	<b>6</b>
<b>2.2 Bushfire Risk</b>	<b>6</b>
<b>2.3 Coastal Hazards</b>	<b>6</b>
<b>2.4 Flood Prone Land</b>	<b>6</b>
<b>2.5 Flora &amp; Fauna</b>	<b>6</b>
<b>2.6 Heritage Items</b>	<b>6</b>
<b>2.7 Mine Subsidence</b>	<b>6</b>
<b>2.8 Geotechnical</b>	<b>6</b>
<b>3.0 Planning Controls</b>	<b>7</b>
<hr/>	
<b>3.1</b>	<b>7</b>
3.1.1 – Part 2 Permitted or Prohibited Development	7
<b>3.2</b>	<b>8</b>
<b>4.0 Project Summary</b>	<b>14</b>
<hr/>	

## 1.0 Introduction

### 1.1 Property Details

#### 1.1.1 Ownership Details

The subject site is currently owned by;  
Hunterscape Pty Ltd

#### 1.1.2 Property Description

Lot 231, DP 1269483 is known as either 32 Lilac Avenue, Lochinvar or 225 Robert Road, Lochinvar.

### 1.2 Proposed Development

#### 1.2.1 Proposed Development

The proposed development is for a Medium Density Development & Torrens Title Subdivision thereof.



Location Map - Courtesy Six Maps

### 1.3 Site Details

#### 1.3.1 Site Description

The site is located on the southeastern corner of the Lilac Avenue & Robert Road Intersection within the new Lochinvar Downs residential estate. The land is within close proximity to schools, shops, recreational facilities and medical facilities. Land use within the locality is comprised largely of new residential development and future commercial development.

The subject land is a rectangular shaped allotment, approximately 1,024.4m<sup>2</sup> in size. The land slopes in an east to west direction towards Robert Road and is void of all vegetation and structures having recently been constructed as part of a larger residential subdivision. Upright kerb and gutter runs the length of the Robert Road frontage whilst Lilac Avenue has rolled kerb and gutter with a pedestrian path way across the frontage.

### **1.3.2 Adjoining Land Use**

The site is surrounded by new residential allotments. Future stages of the residential subdivision do include some commercial allotments which are in proximity to the site.

### **1.3.3 Previous Applications/Use**

There have been no previous applications over the subject site.

### **1.3.4 Site Area**

The subject Lot has an existing Lot size of 1,024.4m<sup>2</sup>

### **1.3.5 Existing Zone**

The subject land is zoned R1 – General Residential pursuant to the provisions of the Maitland Local Environmental Plan 2011

## **2.0 Site Constraints**

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### **2.1 Acid Sulphate Soils**

Council's records indicate that the site is Class #5 Acid Sulphate Soils. There are no proposed excavation works which will impact upon the water table.

### **2.2 Bushfire Risk**

The site is identified as Bush Fire Prone Land "Vegetation Category 3" as per NSW Rural Fire Service mapping. Referral of the application to the NSW Rural Fire Service is not required under section 4.46 of the EP&A Act in this instance. A Bush Fire Assessment Report has been submitted as part of this application.

### **2.3 Coastal Hazards**

The site is not subject to coastal hazards.

### **2.4 Flood Prone Land**

The site is not identified as flood prone land.

### **2.5 Flora & Fauna**

The site is not identified as an ecologically significant site.

### **2.6 Heritage Items**

The site is not known to include items of heritage significance.

### **2.7 Mine Subsidence**

The land is not located within a Mine Subsidence District.

### **2.8 Urban Release Area**

The site is identified as land within an Urban Release Area. Matters pertaining to the Urban Release provisions have been considered as part of the parent lot subdivision and do not impact of the further development of each individual site.

## 3.0 Planning Controls

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### 3.1 Maitland Local Environmental Plan 2011

#### 3.1.1 – Part 2 Permitted or Prohibited Development

The subject site is zoned R1 – General Residential pursuant to the Maitland Local Environmental Plan 2011.

##### **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

**multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

The proposed development of Multi Dwelling House is permissible with Council consent and meets the objectives of the zone by providing additional housing stock to an already depleted housing market.

### 3.1.2 – Part 4.1A Exceptions to Minimum Lot Sizes in Zone R1

*(1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*

*(2) This clause applies to development on land in Zone R1 General Residential.*

*(3) Despite clause 4.1, consent may be granted to development on land to which this clause applies if the development includes both of the following—*

*(a) the subdivision of land into 2 or more lots equal to or greater than 300 square metres,*

*(b) the erection of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision.*

The Torrens Title Subdivision of the Medium Density Development will result in each dwelling being contained within its own allotment with lot size of at least 300m<sup>2</sup> and is therefore permissible with the consent of Council.

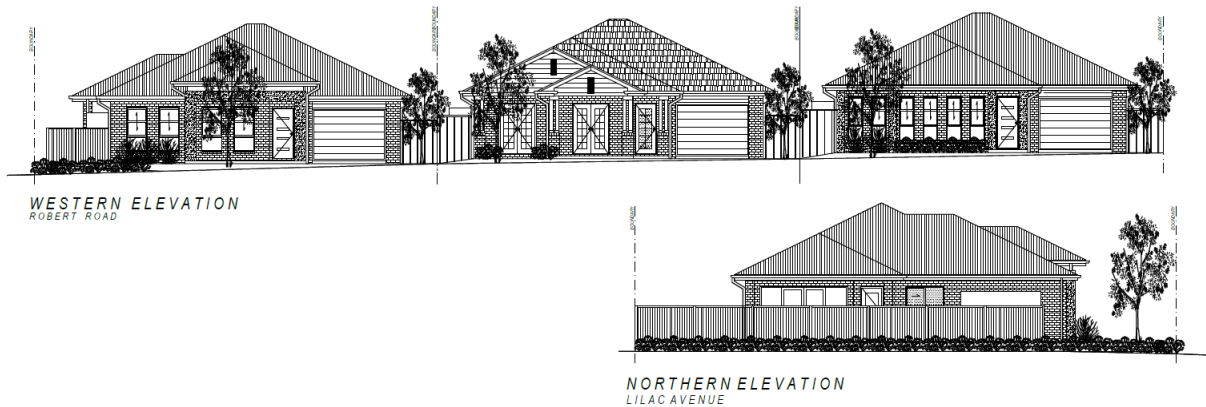
### 3.2 Maitland Development Control Plan 2011

The following sections of the Maitland Development Control Plan 2011 are applicable to this application.

#### 3.2.1 – Part B Environmental Guidelines

B2 Domestic Stormwater	<p>The proposed dual occupancy will detain water on-site via rainwater tanks with overflow connected to the existing street system.</p> <p>A Stormwater Management Plan has been submitted as part of this application.</p>
B5 Tree Management	<p>The subject site is currently cleared of any significant vegetation. There are no trees identified for removal.</p>
B6 Site Waste Minimisation and Management	<p>The waste management measures incorporated within this development will include garbage bins, green waste bins and recycling bins, which will be made available to the proposed development upon completion (see Landscaping plan for bin storage area). All waste will be disposed of utilising relevant council waste services.</p> <p>A Waste Management Plan has been submitted as part of this application which includes</p>





**3.2.2 – Part C Design Guidelines**

C.8 – Residential Design	
2. Design Criteria	A Site Analysis plan has been submitted as part of this application.
<p>Site Context Analysis</p> <p>The site is located within a new residential estate. The land is within close proximity to schools, shops, recreational facilities and medical facilities. Land use within the locality is comprised largely of residential development. The surrounding land is all residential with a combination of vacant land and new builds dwellings.</p> <p>The design of the proposed dwellings is appropriate and consistent with existing and likely future developments in the area. That is, the proposed dwelling has included attractive design elements that are appropriate for the location and will not result in the buildings being viewed as conspicuous structures when viewed from the street.</p>	
3. Development Incorporating Existing Dwellings	N/A - Vacant site.
4. Bulk Earthworks and Retaining Walls	<p>The proposed development will require minimal cut and fill to provide functionality within the site.</p> <p>The maximum cut/fill within the site is 250mm. No Retaining walls are proposed however retaining barriers under the fences may be required in location to withhold any fill amounts.</p> <p>No additional fill is proposed to be brought to site.</p>

<p>5. Street Building Setbacks</p> <p>The minimum building line to the principal street frontage of an allotment located in an urban residential zone is 4.5m</p> <p>Secondary Street setback minimum building line is 3.0m</p> <p>Garages are to be setback a minimum of 6.0m</p>	<p>Proposed Dwellings have a primary setback from Robert Road frontage of 4.5m which is consistent with future development in the estate. Articulation is provided to the facades of each dwelling which encroach into this setback however is well less than the 3.0m minimum and 25% of the façade width.</p> <p>The primary setback complies.</p> <p>Proposed House 1 is located on the corner with a secondary setback/frontage with Lilac Avenue. It has a setback to the building of 3.236m which is compliant. The alfresco provides articulation to the façade and as a reduced setback to 2.007m. This is located behind the fence line and does not impact on site distances and should be supported by Council.</p> <p>There is no proposed car parking within the front setback with all garages located at an increased setback of 6.5m. stack parking is available within the driveway and can comfortably be accommodated.</p> <p>The proposed setbacks comply with setbacks for urban residential development and are sympathetic to surrounding setbacks within the area.</p>
<p>6. Side &amp; Rear Setbacks</p> <p>1.0m for walls up to 3.0m in height (to underside of eaves);</p> <p>1.0m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m;</p>	<p>Each of the dwellings are of single storey construction with a wall height of less than 3.0m to underside of eave. In this regard the minimum side setback is 1.0m.</p> <p>Each of the dwellings have a side setback of minimum 1.5m which complies.</p> <p>Each of the dwellings have a rear setback of 4.521m which complies.</p>
<p>7. Site Coverage &amp; Unbuilt Areas</p> <p>Dual Occupancy Maximum Site Coverage 60%</p>	<p>The subject site is 1024.4m<sup>2</sup>. The proposed site coverage for the development is 52.3% which complies.</p>

<p>8. Building Height, Bulk &amp; Scale</p> <p>Dwelling Residential Zones 8m max. building height</p>	<p>The proposed dwellings have a max ground to ridge height of 5.870m which complies.</p> <p>All FFL and heights are identified on the plans provided with this application.</p>
<p>9. External Appearance</p>	<p>The proposed development has been designed to be sympathetic to the surrounding existing and future character of the locality.</p>
<p>10. Open Space</p> <p>Minimum POS dimension 5m x5m</p> <p>Minimum required POS 35m2</p>	<p>Each of the dwellings will have in excess of 40m2 POS which is marked on the Landscaping Concept.</p> <p>A minor Variation is sought to the dimension of the POS.</p> <p>The identified POS area has a minimum dimension of 4 x 10m which is different to the required 5 x 5m required under the DCP. This space still functionable and meets the objectives of POS in that it provides an extension to the living space that is a usable outdoor area.</p>
<p>11. Sites Having a Boundary to a Laneway</p>	<p>N/A</p>
<p>12. Accessibility &amp; Adaptable Housing</p>	<p>N/A</p>
<p>13. Landscape Design</p>	<p>The proposed landscaping for the overall development measures 483.3m2, which is equivalent to 47.2%, meeting the minimum 10% requirement.</p>
<p>14. Fencing &amp; Walls</p>	<p>The subject site is to be secured using solid colorbond fencing materials measuring a height of 1.8m to the adjoining property boundaries and the internal boundaries dividing dwellings.</p> <p>Please refer to the enclosed Plans for location of fencing and gates.</p>

<p>15. Driveway Access &amp; Car parking</p> <p>Two (2) spaces for each dwelling containing more than two bedrooms;</p>	<p>Each of the dwellings will be accessed via a concrete driveway from Robert Road, Lochinvar. Each of the driveways will have a crossover in accordance with Maitland Council Engineering requirements with an individual width of 3.0m.</p> <p>Each of the dwellings include an oversized single garage for carparking and storage as well as Stack Parking space within each of the individual driveways.</p> <p>All garaging will be located behind the building line, having minimal impact to the street frontage.</p> <p>Each of the dwellings meet the minimum requirement of 2 parking spaces per dwelling. The new driveways have been designed to be compliant with councils engineering requirements for development and AS2890 Parking Facilities</p> <p>The proposed driveways will be softened by landscape plantings.</p> <p>Please refer to the enclose driveway profile and landscape plan.</p>
<p>16. Views &amp; Visual &amp; Acoustic Privacy</p>	<p>The proposed dwellings are unlikely to adversely impact upon the visual and acoustic privacy of adjoining properties.</p> <p>Distance between the proposed development and neighbouring developments will ensure that visual and acoustic privacy is maintained.</p> <p>The dwellings have been designed in a way that ensures that the visual and acoustic privacy of owners, the public and owners / tenants of adjoining developments are maintained.</p> <p>The appropriate placement of windows and doors within the proposed units further improves visual and acoustic privacy within the site.</p> <p>Proposed fencing and landscaping will provide screening between the proposed dwelling and adjoining residencies.</p>

17. Water & Energy Conservation	<p>The proposed dwellings comply with BASIX requirements for sustainable development.</p> <p>A BASIX Certificate has been provided with this application.</p>
18. Stormwater Management	<p>The proposed dwellings comply with stormwater requirements.</p> <p>Please refer to the enclosed stormwater concept plan.</p>
19. Security, Site Facilities & Services	<p>The proposed development is located within a new residential area which is removed from sources likely to trigger antisocial behaviour, the risk of antisocial behaviour including domestic arguments, damage to local business and/or community infrastructure is likely to be relatively low.</p>

C.10 – Subdivision
<p>The proposed subdivision complies with the requirements under clause 4.1 Minimum Subdivision Lot Size and 4.1A Exceptions to Minimum Lot Sizes for certain residential development.</p> <p>A Site Analysis has been provided as part of this application.</p> <p>The site is not subject to any constraints/hazards. The site is not identified as containing any flora and fauna, or heritage items.</p> <p>The subdivision will result in three (3) lots each with eastern facing backyards resulting in east facing living areas and private open space. Each lot will have a street frontage and access to essential services.</p> <p>The proposed subdivision will be a Torrens Title Subdivision resulting in three (3) rectangular shaped allotments;</p> <p>Lot 1 comprising of 362.5m<sup>2</sup>;</p> <p>Lot 2 comprising of 330.5m<sup>2</sup> and</p> <p>Lot 3 comprising of 331.4m<sup>2</sup>.</p> <p>The subdivision is part of a proposed medium density development, and each proposed dwelling will comply with C.8 – Residential Design.</p>

#### C. 11 – Vehicular Access and Car Parking

Each of the dwellings will be accessed via a concrete driveway from Robert Road, Lochinvar. Each of the driveways will have a crossover in accordance with Maitland Council Engineering requirements with an individual width of 3.0m.

Each of the dwellings include an oversized single garage for carparking and storage as well as Stack Parking space within each of the individual driveways.

All garaging will be located behind the building line, having minimal impact to the street frontage.

Each of the dwellings meet the minimum requirement of 2 parking spaces per dwelling. The new driveways have been designed to be compliant with councils engineering requirements for development and AS2890 Parking Facilities

The proposed driveways will be softened by landscape plantings.

Please refer to the enclosed driveway profile and landscape plan.

## 4.0 Project Summary

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The enclosed Development Application is for Medium Density Development & Torrens Title Subdivision thereof.

The proposed development is a permissible use of the site and had been design in a way to meet if not exceed the minimum requirements set out in the Maitland Development Control Plan 2011.

The above Statement of Environmental effects clearly outline the design requirements and how we have reached these requirements as designers.

Therefore the enclosed application can be supported by Maitland City Council.

We trust this is to your approval, however if you require any further information, please feel free to contact our office on 4937 3377 or email [admin@macquarieknight.com](mailto:admin@macquarieknight.com)