



D-PLAN

URBAN PLANNING CONSULTANTS PTY LTD

STATEMENT OF ENVIRONMENTAL EFFECTS

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**TO SUBDIVIDE THE EXISTING
ALLOTMENT INTO THREE (3) LOTS
& CONSTRUCT A SEMI-DETACHED
DWELLINGS DEVELOPMENT ON
PROPOSED LOTS 1 & 2 & A
DWELLING HOUSE ON PROPOSED
LOT 3**

**5 CROYDON CLOSE, THORNTON
(LOT 114 DP 1284569)**

22/2/2024

D-Plan Urban Planning Consultants Pty Ltd

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1.0 EXECUTIVE SUMMARY

Maitland City Council promotes well-designed residential development that does not intrude on the amenity of existing neighbourhoods. The proposed development satisfactorily achieves Council's objective in that it respects the characteristics of the immediate locality and incorporates best planning practice.

The urban design qualities of the proposed development are complementary to the established character of the locality and will substantially improve the streetscape amenity by the following:

- Provision of new housing stock of a comparable scale to existing residential development in the locality;
- Aesthetically pleasing presentation to the street;
- Adequate setbacks from all boundaries;
- Adequate off-street parking;
- Subservient garages;
- Functional internal arrangement;
- Large private open space areas with adequate access to natural sunlight; and
- Passive surveillance opportunities from habitable room windows.

Both "dwelling house" and "semi-detached dwellings" development is an acceptable form of housing when good planning and urban design controls are established to guide the building industry. Maitland Council has comprehensive planning and urban design standards to ensure that this form of development complements existing residential areas.

Desired outcomes such as, the provision of soft soil areas at the front and rear of each dwelling, orientation and streetscape amenity are more easily achieved with street fronting semi-detached and dwelling house development than any other low to medium density form of housing.

The locality provides good opportunity for redevelopment because of existing infrastructure including the availability of shops, schools and public transport, which is why they are permitted in Zone R1 – General Residential.

The proposed development incorporates thoughtful design that satisfies most of Council's DCP requirements resulting in a high-quality development that will enhance the locality.

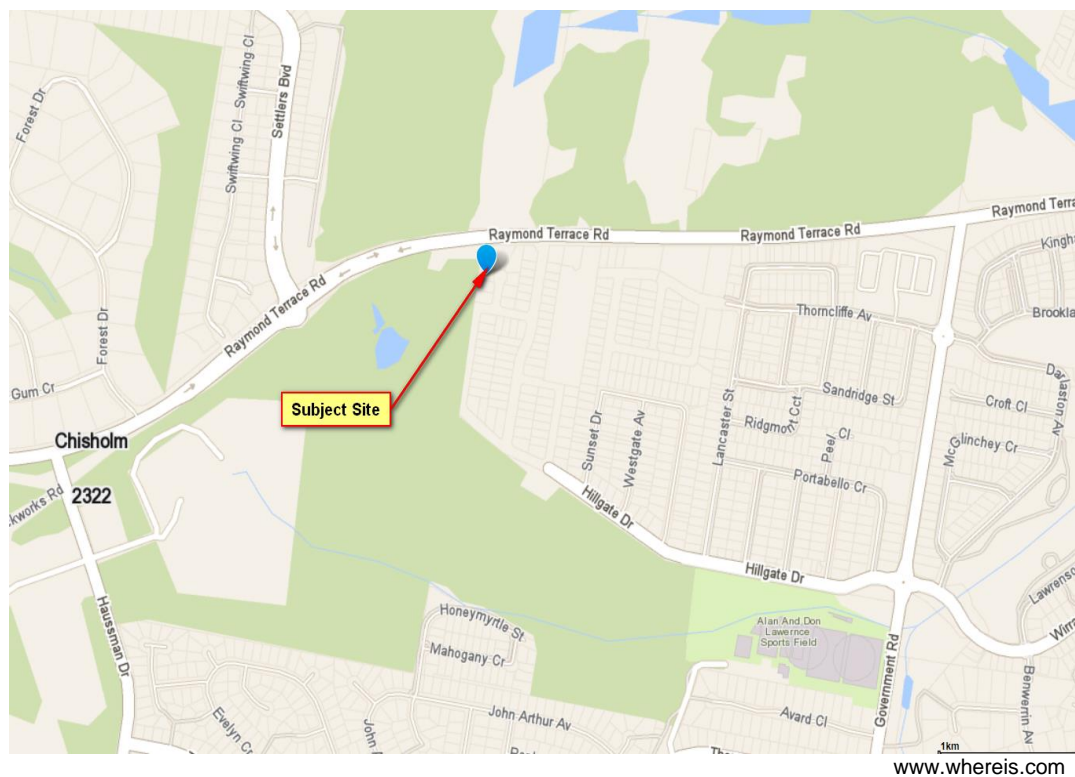
2.0 SITE/LOCALITY DESCRIPTION

The subject land, No. 5 (Lot 114 DP 1284569) Croydon Close, Thornton is located on the western side of the close which is accessed off Romford Street and terminates as a cul-de-sac.

The site has an arced frontage of 23.847m and a minimum length of 35.557m, comprising a total site area of **941.9m²**.

The site is currently vacant and the locality is characterised by:

- ❖ Detached dwelling houses of various size and mixed architectural styles;
- ❖ Interspersed dual occupancy and semi-detached housing development;
- ❖ Standard width nature strips; and
- ❖ Predominately no front fencing.



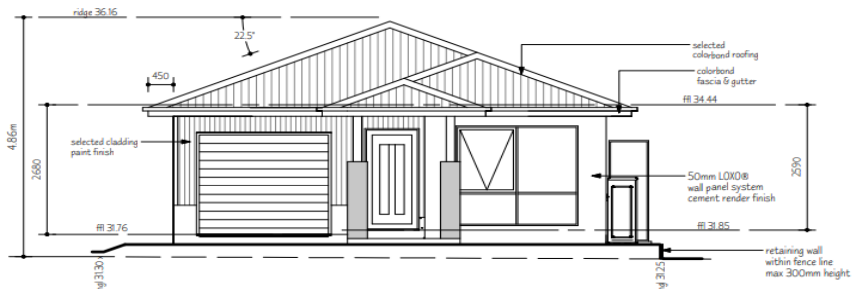
Locality Map

3.0 THE PROPOSAL

The proposal is to subdivide the existing allotment into three (3) lots and construct a semi-detached dwellings development on proposed Lots 1 & 2 and a dwelling house on proposed Lot 3.



Front Elevation – Lots 1 & 2 (semi-detached dwellings)



Front Elevation – Lot 3 (dwelling house)

4.0 RELEVANT PLANNING CONTROLS

4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land (Chapter 4)

A consent authority must not consent to the carrying out of any development on land unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, 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, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Being in a newly established subdivision, any contamination issues would have been dealt with prior to the issue of the Subdivision Certificate, as such, it is unlikely that the site is contaminated.

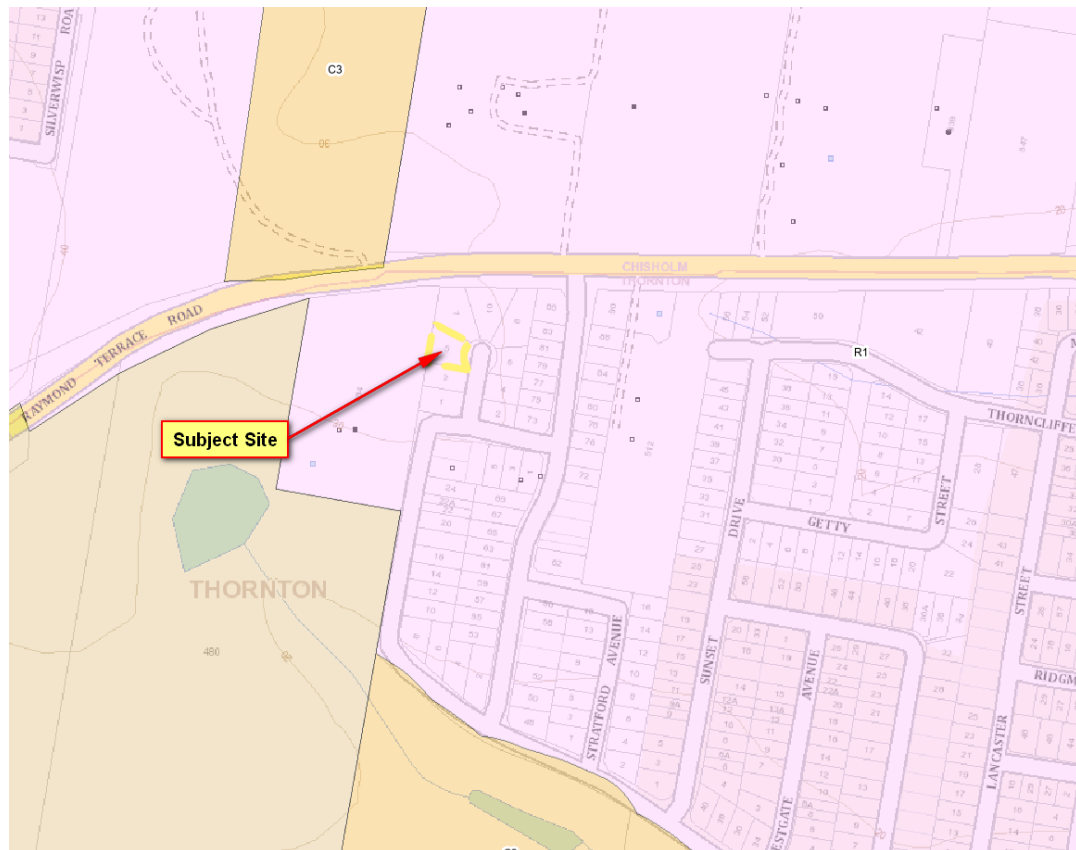
4.2 Maitland Local Environmental Plan 2011

The subject site is within Zone R1 – General Residential under Maitland Local Environmental Plan 2011 (MLEP 2011). The proposed development falls within the definition of ‘dwelling house’ and ‘semi-detached dwellings’ development and is permissible with the consent of Council, viz:


dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing only one dwelling.

semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.



Zoning Map

Relevant Clause	Comment	√/X
<p>Clause 2.3 - Zone Objectives</p> <ul style="list-style-type: none"> ▪ <i>To provide for the housing needs of the community.</i> ▪ <i>To provide for a variety of housing types and densities.</i> ▪ <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> 	<p>Permissible forms of development are being provided on allotments of land that exceed the minimum allotment size for that category of development;</p> <p>Consideration has been given to the existing amenity and character of the area and it is considered that the proposed development is sympathetic and harmonious with adjoining development and will complement the existing character of the locality;</p> <p>The proposed development will enhance the amenity of the residential area by the provision of new housing stock and landscaping; and</p> <p>The development will add to the range of housing in the zone through the provision of average sized dwellings.</p>	√
<p>Clause 2.6 – Subdivision consent requirements</p> <p>The clause stipulates:</p> <p><i>Land to which this Plan applies may be subdivided, but only with development consent.</i></p>	<p>Subdivision consent is sought with this application. Specific details relating to the lot sizes and layout is provided further in the Statement.</p>	√
<p>Clause 4.1 – Minimum subdivision lot size</p> <p>The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. In this regard, the Lot Size Map stipulates a minimum allotment size of 450m².</p> <p>Smaller lots are permitted under the provision of Clause 4.1A – Exceptions to minimum lot sizes in Zone R1.</p> 	<p>The subject site is within Zone R1 General Residential, as such, smaller lots are achievable.</p>	√

<p>Clause 4.1A – Exceptions to minimum lot sizes in Zone R1</p> <p>The clause applies to development in Zone R1 General Residential.</p> <p>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 —</p> <p>(a) <i>the subdivision of land into 2 or more lots equal to or greater than 300 square metres,</i></p> <p>(b) <i>the erection of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision.</i></p>	<p>The subject site comprises an area of 941.9m² and it is proposed to subdivide the development (Torrens Title) to create allotments for semi-detached dwellings and a dwelling house with resulting lot areas as follows:</p> <ul style="list-style-type: none"> • Lot 1 – 300.16m² • Lot 2 – 320.42m² • Lot 3 – 321.32m² <p>All lots are similar in size and configuration and achieve the minimum lot size requirement.</p>	<p>√</p>
<p>Clause 4.6 – Exceptions to development standards</p> <p>Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.</p>	<p>In this regard, NO variation requests are required as the proposal complies with all development standards contained in Maitland LEP 2011.</p>	<p>√</p>
<p>Clause 5.10 - Heritage Conservation</p>	<p>The subject site is not listed as a heritage item or located in the immediate vicinity of any heritage-listed items.</p>	<p>√</p>
<p>Clause 5.21 - Flood Planning</p>	<p>The site is not identified as being flood affected.</p>	<p>√</p>
<p>Part 6 Urban release area</p> <p>Clause 6.3 - Development Control Plan</p>	<p>Maitland DCP 2011 contains provisions for the Thornton North Urban Release Area, which will be discussed further in the report.</p>	<p>√</p>
<p>Clause 7.1 - Acid Sulfate Soils</p>	<p>According to the Acid Sulfate Soils Map, the subject site is not within any category (Class 5) which may limit excavation of the kind proposed (i.e., the site works would not affect the structural viability of the buildings due to the existing soil conditions).</p>	<p>√</p>
<p>Clause 7.2 - Earthworks</p>	<p>Some site works are required to establish the building platforms at the required levels. The proposed development does not involve extensive excavation that would affect the structural viability of the buildings due to the existing soil conditions and is well within acceptable limits. The proposed development will not have any significant detrimental effect on adjoining properties.</p>	<p>√</p>

4.3 Maitland DCP 2011

Part C – Design Guidelines

Residential Design

Site Analysis & Site Context

A site analysis has been carried out and an appraisal of how the design of the development has regard to the site analysis is provided on the Architectural Plans.

Bulk Earthworks and Retaining Walls

As mentioned earlier, some site works are necessary to form the building platforms of the proposed dwellings and to create usable private open space areas. Low scale retaining walls and/or batters will contain any change in levels across the site and between adjoining properties.

Erosion and sedimentation control measures will be implemented during construction to prevent sediments from entering the street stormwater system.

Street Building Setbacks

The DCP stipulates the following minimum setback requirement:

- Primary Building Line - 4.5m (min)
- Articulation Zone - 3m (min)
- Garage - 6m (min)

The siting of the proposed development respects the above requirements, having minimum front setbacks that generally satisfy the above numeric requirements (*see Attachment 1 – Compliance Tables*), which enables extensive landscaping to be provided.

Side and Rear Setbacks

The DCP stipulates a minimum side setback of 1m for walls up to 3m in height and 1m plus 0.3m for every metre of wall height over 3m and less than 7.2m. Single storey construction and side setbacks of **0.95m** and **0.92m** are proposed, which complies with the minimum requirement (*see Attachment 1 – Compliance Tables*).

Site Coverage and Un-built Areas

The objectives behind this consideration are:

- ❖ *To promote on-site stormwater infiltration by restricting site coverage of buildings and hard surfaces.*
- ❖ *To maximise opportunities for landscaping of the site which incorporate larger scale plantings consistent with reducing the visual impact of hard building finishes and promoting improved amenity within the site and enhanced streetscapes.*

All performance criteria items outlined in the DCP have been achieved with the proposed development. The size and shape of the subject site easily accommodates the building form with adequate land for landscaping, access and parking, outdoor recreation and clothes drying.

The prescriptive measures have also been met with respect to the Site Coverage and Un-built Area (See **Attachment 1 - Compliance Tables**).

The existing drainage patterns in the immediate locality will not be adversely affected by the proposed development as stormwater will be discharged in a controlled manner and a reasonable portion of the site will remain as soft soil.

As such, it is considered that the proposed development achieves the desired outcomes or objectives of this control.

Building Height, Bulk and Scale

A single storey built form with effective articulation and roofline variations, together with adequate setbacks and landscaping ensures that the bulk and scale of the buildings will be comparable to other dwellings in the locality.

The overall height of the development is below the maximum height specified in the DCP.

External Appearance

The objectives behind this consideration are:

- ❖ *To encourage the creation of attractive, well-designed residential development.*
- ❖ *To allow flexibility in design and use of materials while encouraging high architectural standards.*
- ❖ *To ensure good design which provides continuity of character between existing building forms, new development and surrounding landscape by using a selection and/or combination of characteristic elements and mass.*
- ❖ *To ensure that new residential development in Heritage Conservation Areas or on identified heritage sites is designed having regard to the heritage significance of the area or item and compliments the character of these buildings, places and streetscapes.*

Council's DCP requires the following issues to be considered:

- *Response to position in the street, e.g., corner or mid block.*
- *Clear identification of building entries.*
- *Building form and rooflines need to be considered.*
- *Garage structures must not dominate the street frontage.*

COMMENTS

Given that the subject site is located in a “mid block” situation, a substantial soft soil zone at the rear of each dwelling has been provided, which achieves the desired outcome of the DCP.

Obvious differences in design features give some individuality to each dwelling within the context of the overall development. The entry porches of each dwelling are clearly visible from the street, which promotes safety and security.

Thoughtful orientation of windows, doors and roof features has produced an aesthetically pleasing façade to each dwelling that contributes to the streetscape amenity.

The opportunities and constraints of the site have been considered and an option for development has been selected that minimises any adverse impacts on adjoining properties as follows:

- Compliant side boundary offsets have been provided;
- Single storey construction ensures that the bulk and scale of the development is comparable to the emerging character of the locality;
- Garage dominance is addressed by positioning building elements forward of the garage doors, limiting the width of the garages to less than 50% of the façade width and subservient colouring for the doors;
- Off-street car parking has been provided for each dwelling in accordance with the acceptable design options suggested in the DCP and appropriate landscaping has been provided to minimise the impact of off-street parking on the streetscape;
- Single storey construction avoids any privacy and overshadowing issues;
- The development will be constructed predominately in brick with Colorbond roofing, similar to other buildings in the locality. The proposed contemporary design incorporates the effective use of decorative elements; and
- Design elements contrast the development to be different but complementary to other dwellings in the locality.

Open Space

The amount of open space available provides landscaping opportunities to achieve the objectives outlined in the DCP as follows:

- (a) To provide sufficient and accessible open space for the reasonable recreational needs of residents;*
- (b) To ensure that private open space meets requirements for privacy of the residents and adjoining properties, safety, access to outdoor activities and landscaping.*
- (c) To locate open space to take account of outlook, natural features of the site and neighbouring buildings or public open space.*

All dwellings have Private Open Space areas which comply with the minimum DCP requirement (i.e., Lot 1 – **54m²**, Lot 2 – 86m² and Lot 3 – **79m²**), with an area greater than 6m x 6m, accessible to natural sunlight and located as an extension of the internal living areas.

Driveway Access and Car Parking

Two parking spaces have been provided for each dwelling in the form of a single width garage with a tandem space on the driveway. Croydon Close terminates near the subject site as a cul-de-sac bulb as such reverse manoeuvres are considered to be safe.

The additional traffic generated by the proposed development will have a negligible impact on the existing traffic conditions and the servicing of intersections in the immediate locality.

Landscaping will be provided in the front yards to soften the visual appearance of the hard standing areas. The proposal complies with the impervious area requirement stipulated in the DCP.

Views and Visual and Acoustic Privacy

The proposed single storey development complies with the maximum height requirement, which is consistent with the height of dwellings in the vicinity and will not affect any local views available in the general locality.

Privacy concerns are addressed by single storey construction, separation, boundary fencing and landscaping.

Acoustic privacy is maintained by appropriately positioning the rooms in each dwelling and the construction method of the party wall between the semi-detached dwellings.

Water and Energy Conservation

BASIX - the State Government introduced BASIX, which consolidates planning provisions relating to water consumption and greenhouse gas emissions. A BASIX Certificate is provided for the development demonstrating the applicant's commitments in achieving the objectives of the state government's policy.

Energy conservation principles will be achieved through the construction method and orientation of the buildings, together with thoughtful planting of trees and shrubs and the use of materials with thermal massing properties.

Stormwater Management

Council's goal is to develop the long-term improvement of waterway health, which enhances the ecological integrity of the system, whilst balancing the need to manage flooding, waste water and stormwater. To achieve this goal the proposed development provides the following:

- Stormwater Plans, which demonstrates that stormwater can be collected, stored (rainwater tanks) and discharged via an easement at an acceptable flow rate, ensuring that there will be no adverse impact on Council's stormwater system, the development itself or adjoining properties;
- Large rainwater harvesting tanks compensate for some of the additional runoff resulting from the development, which ensures that there will be no significant additional impact on natural watercourses;
- Soft soil areas within the site also assist in reducing runoff from the site; and
- Erosion and sedimentation control measures will be implemented during construction.

Security, Site Facilities and Services

Design guidelines outlined in the Crime Prevention through Environmental Design (CPTED) were considered and incorporated as follows:

- Provision of clearly visible entry points;
- Passive surveillance treatment has been provided by placing habitable room windows in the front elevation, which enable outlook towards the street;
- Suitable landscaping will produce a defensible open space at the front resulting in some interaction with the public domain beyond; and
- Fencing will be provided to prevent intruders from accessing the courtyard areas.

All utilities are provided in accordance with the requirements of the respective service provider. Bin storage areas and letterboxes are also shown on the plans.

Bushfire Prone Land

The subject site is identified as being in a bushfire prone area, therefore, the NSW Rural Fire Service guide "*Planning for Bushfire Protection*" was considered in the design and accompanying Bushfire Protection Assessment Report prepared by Ecological Australia.



The assessment report states that the proposed three lot residential subdivision and construction of three new dwellings has been assessed against the specifications and requirements of 'Planning for Bush Fire Protection 2019' and 'Planning for Bush Fire Protection Addendum 2022' as outlined in Table 10.

Table 10: Development bushfire protection measures and associated recommendations

Bushfire Protection Measures	Recommendations	Acceptable Solution	Performance Solution	Report Section
Asset Protection Zones	All proposed allotments to be managed to Inner Protection Areas (IPA) standards as outlined in Appendix A.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3.1
Landscaping	Any future landscaping is to meet the requirements of PBP listed in Appendix A.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3.2
Construction standard	The proposed dwellings are to be constructed entirely to BAL-12.5 including PBP 7.5.2 requirements as applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3.3
Access	No specific access requirements as summarised in Section 3.4.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3.4
Water supply	Existing reticulated water supply.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3.5
Electricity service	Electricity supply located underground which complies with PBP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3.6
Gas service	Any proposed gas services are to be installed and maintained in accordance with AS/NZS 1596:2014.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3.7

Part F – Thornton Urban Release Area

The subject site is a relatively large allotment in the R1 General Residential Zone, whereby the objectives encourage a variety of residential building forms.

Furthermore, the Thornton North Urban Release Area section of the DCP states:

There are no specific requirements as residential densities are already controlled by lot size in the Maitland Local Environmental Plan 2011.

The LEP stipulates a minimum lot size of 300m² for the proposed forms of development.

All other considerations stipulated in this section of the DCP were addressed with the initial subdivision application.

4.4 Non-Compliance

Garage Setback

The DCP stipulates a minimum garage setback of 6m and 1m behind the front building line.

With a setback of 4.5m the garage setback should be 5.5m when the 1m push back for the garage is applied NOT 6m. As such, the control is to some extent ambiguous. Regardless, a 5.5m setback achieves the intent of this consideration of the DCP, as it enables a car parking space on the driveway without protruding onto the nature strip area.

5.0 CONCLUSION

Council's LEP/DCP requirements and good planning principles have been incorporated in the design, which has resulted in a high-quality development that will enhance the visual amenity of the locality. The opportunities and constraints of the site have been taken into account, in this particular case, the development aims to provide street presence for all dwellings with usable private open space areas at the rear, which is consistent with the predominant character of the locality.

Consideration has been given to matters listed in Section 4.15 (previously Section 79C) of the Environmental Planning and Assessment Act 1979, concluding that the proposed development warrants approval.

David Bobinac
Town Planner

ATTACHMENT 1

COMPLIANCE TABLE

Semi-Detached Dwellings (Lots 1 & 2)

Control	LEP/DCP Requirement	Development Proposal	Complies
Site Area/Lot Size	300m ² (min)	Lot 1 – 300.16m ² Lot 2 – 320.42m ²	Yes Yes
Cut/Fill (near boundary)	Cut – 900mm (max) Fill – 600mm (max)	< 900mm < 600mm	Yes Yes
Setbacks Front Articulation Zone (25% façade width) Secondary Street Garage Side & Rear	4.5m (min) 3m (min) 3m (min) 6m (min) 0.9m – Walls up to 3m 0.9m + 0.3 for every metre of height over 3m & < 7.2m	6.72m (min) 5.52m (min) N/A > 6m 0.95m & 0.95m	Yes Yes N/A Yes Yes
Site Coverage Un-built Area	60% (max) 40% (min)	Lot 1 - 60% & Lot 2 – 55% Lot 1 – 40% & Lot 2 – 45%	Yes Yes
Building Height	8.5m (max)	5.41m	Yes
Private Open Space (Satisfactory orientation) Dimension of Usable Open Space	50m ² (min) Min 6m x 6m	Lot 1 – 54m ² Lot 2 – 86m ² provided	Yes Yes Yes
Parking	1 space – 1 or 2 bed 2 spaces > 2 bedrooms	Lot 1 – 2 spaces Lot 2 – 2 spaces	Yes Yes
Garage Width	50% of site frontage	< 50%	Yes
Driveway Width (Across Footway)	Max 5m (max)	< 5m	Yes

COMPLIANCE TABLE

Dwelling House (Lot 3)

Control	LEP/DCP Requirement	Development Proposal	Complies
Site Area/Lot Size	300m ² (min)	321.32m ²	Yes
Cut/Fill (near boundary)	Cut – 900mm (max) Fill – 600mm (max)	< 900mm < 600mm	Yes Yes
Setbacks			
Front	4.5m (min)	4.5m (min)	Yes
Articulation Zone (25% façade width)	3m (min)	3.5m (min)	Yes
Secondary Street	3m (min)	N/A	N/A
Garage	6m (min)	5.6m	No
Side & Rear	0.9m – Walls up to 3m 0.9m + 0.3 for every metre of height over 3m & < 7.2m	0.92m & 0.92m	Yes
Site Coverage Un-built Area	60% (max) 40% (min)	58% 42%	Yes Yes
Building Height	8.5m (max)	4.86m	Yes
Private Open Space (Satisfactory orientation)	50m ² (min)	79m ²	Yes
Dimension of Usable Open Space	Min 6m x 6m	provided	Yes
Parking	1 space – 1 or 2 bed 2 spaces > 2 bedrooms	2 spaces	Yes
Garage Width	50% of site frontage	< 50%	Yes
Driveway Width (Across Footway)	Max 5m (max)	< 5m	Yes