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Development Application

Pursuant to Section 4.12 of the Environmental Planning & Assessment Act 1979 (As Amended)

Statement of Environmental Effects

Proposed Demolition, New Buildings, Alterations and Additions Redevelopment of Existing Vehicle Sales Premises

LOT 19, 20, 21 AND 22 DP 746311
19 BUNGAREE STREET
MAITLAND NSW

Applicant: Eagers Automotive Pty Ltd
Designer: Centric Architects

March 2024
JWP Ref # 11823

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K - Section J Assessment

L - Building Sustainability Assessment

M - Building Code Compliance Assessment

N - Estimated Development Cost Report

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PRECIS

This application seeks the consent of Council for the redevelopment of an existing, well known vehicle sales premise at 19 Bungaree Street, Maitland – the former Heritage Holden site.

Under the Maitland Local Environmental Plan 2011, the site is zoned E3 Productivity Support, and the proposed development is permissible with Council consent.

The design of the proposal complies with the development controls applicable under Maitland City Councils Local Environmental Plan and Development Control Plan. The proposal is therefore consistent with community expectations.

It is recommended that Council support the proposal and determine the application by way of approval.

1.0 Introduction

This Statement of Environmental Effects has been prepared in accordance with Part 1 of the *Application requirements* dated March 2022, approved by the Planning Secretary's delegate on 28 February 2022 pursuant to section 24 of the Environmental Planning and Assessment Regulation 2021. The Statement is provided to facilitate assessment of the proposal in accordance with the heads of consideration provided under section 4.15 of the Environmental Planning and Assessment Act 1979.

1.1 The Applicant

The applicant for this Development Application is **Eagers Automotive Pty Ltd**. The landowner is **Associated Finance Pty Ltd**.

JW Planning Pty Ltd (JWP) act for the applicant in providing planning advice and in preparing this application. Centric Architects designed the proposal having regard for the applicant's operational requirements, the National Construction Code, and all relevant planning requirements.

1.2 Site Location and Context

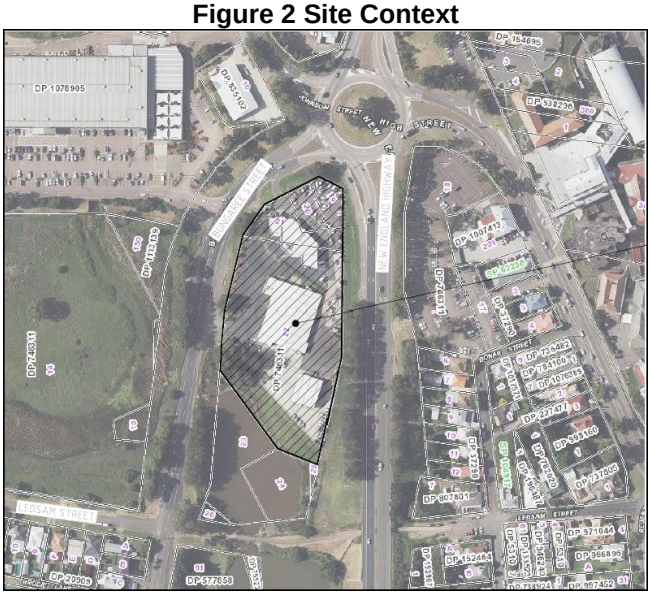
The proposal consists of four (4) irregular shaped allotments legally described as Lot 19, 20, 21 and 22 DP 746311, 19 Bungaree Street, Maitland (**'the site'**) (**Figure 1**).

The land is not part of any area of critical habitat.

Figure 1 Site Location

Source: Six Maps

Figure 2 Site Context



Source: Northrop Engineers

1.3 Site Analysis

The site is approximately 14,087sqm (1.41ha) in area, with the size of the four (4) lots that together form the site being: Lot 19 - 558sqm; Lot 20 - 634sqm; Lot 21 - 1395sqm; and Lot 22 - 11,500sqm (see **Figure 3**).

Figure 3 Lots that Comprise the Site

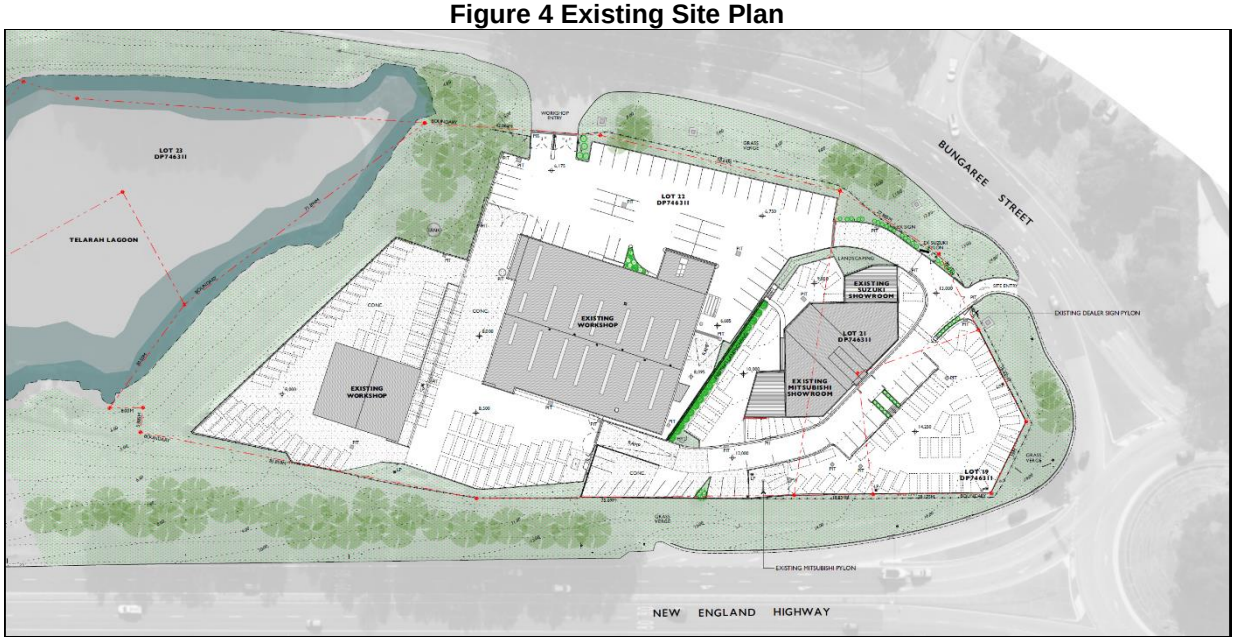
Source: Sixmaps annotated by JWP

The eastern boundary of the site is formed by the New England Highway for a distance of about 158m, while the western boundary is formed by Bungaree Street for a distance of 178m. The intersection of the New England Highway and Bungaree Street together form a 19m wide northern site, while the southern boundary is some 102m in length, formed by land containing an artificial wetland known as Telarah Lagoon.

The New England Highway is a 4-lane arterial classified as State Road A43, and there is no direct access or egress to the Highway. Access to the site is via left in only from Bungaree Street, some 40m from the intersection with the New England Highway, which is 2-lane roundabout. Additional access and the site's only egress is located a 140m from the left in access, a total of 180m from the intersection with the New England Highway.

The majority of the site is occupied by showroom and workshop buildings, surrounded by hardstand vehicle display and parking areas owing to the use of the land as a vehicles sales premises since the mid-1990s. Apart from a small cluster of vegetation that occupies the south western corner, the site comprises limited landscaping. Vegetated areas occur in sections of the surrounding road verge, particularly the New England Highway, which tend to screen the southern end of the site, particularly the workshop buildings, from adjoining areas (see **Figure 4**).

Figure 4 Existing Site Plan



Source: Centric Architects – 0451-2000-A

During the design process, consideration has been provided to introduce soft landscaping internally to benefit the amenity of the site.

The site falls gradually from the north and east to the south and east, with surface areas draining toward the south-eastern corner of the site.

The land is zoned E3 Productivity Support under the Maitland LEP 2011, and the proposed use is permissible with consent.

1.4 Site Suitability

The site has successfully supported vehicle sales activities for decades given its significant exposure to passing traffic and its ease of access off Bungaree Street, providing intuitive and safe access to and from the New England Highway.

Occupying a large area of land adjacent to, and readily observable from, a significant road intersection, the site forms part of the character and identity of the area (see **Figure 5**).

Importantly, land for vehicle sales in this location provides separation and an ideal transition between the highway noise and the industrial and warehouse land uses to the north-west of the site, and the residential areas located sought west of the site.

Figure 5 Existing Site Exposure

Source: Google Streetview

1.5 Consultation

Consultation between the applicant, Council and JWP occurred in a pre-DA meeting on 12 October 2023. The proposal in this application responds to the matters raised in Council's review of the proposal, and the matters are tabulated with relevant response in **Section 4.4**.

2.0 The Proposal

The proposed redevelopment includes the following elements:

- Full or partial demolition of existing buildings and hardstand areas
- Bulk earthworks
- Proposed new Mazda Showroom
- Proposed new KIA Showroom
- Refurbish existing Suzuki Showroom
- Refurbish existing Mitsubishi Showroom
- Extensions to existing workshop with service reception areas and new awnings
- Reconfigure Parking, Driveways and Landscaping
- Refurbish existing signage to New England Highway
- New Pylon sign in Bungaree Street and New Pylon Sign to New England Highway

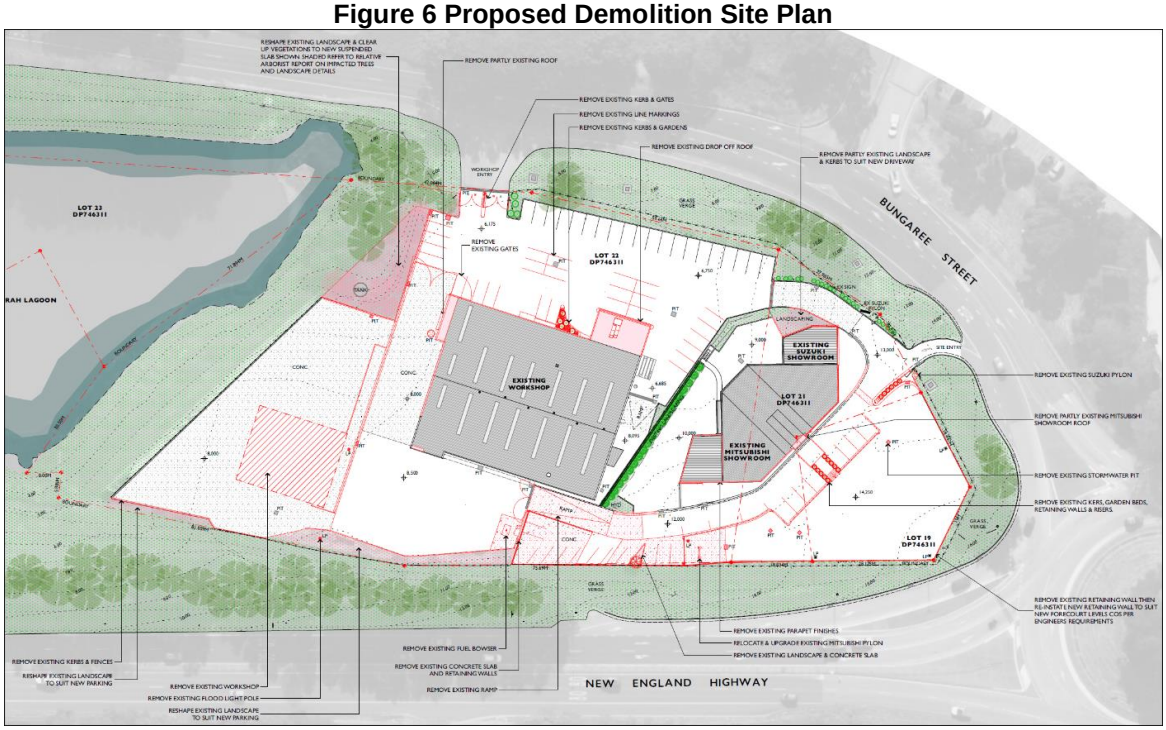
The attachments to this application contain detailed plans of the proposal responding to relevant items under Section 1.2 of the NSW DPIE *Application requirements*, and Section 1.3 and Section 1.4 of those requirements.

Architectural plans of the proposal by Centric Architects are provided in **Attachment A**.

2.1 Proposed Demolition

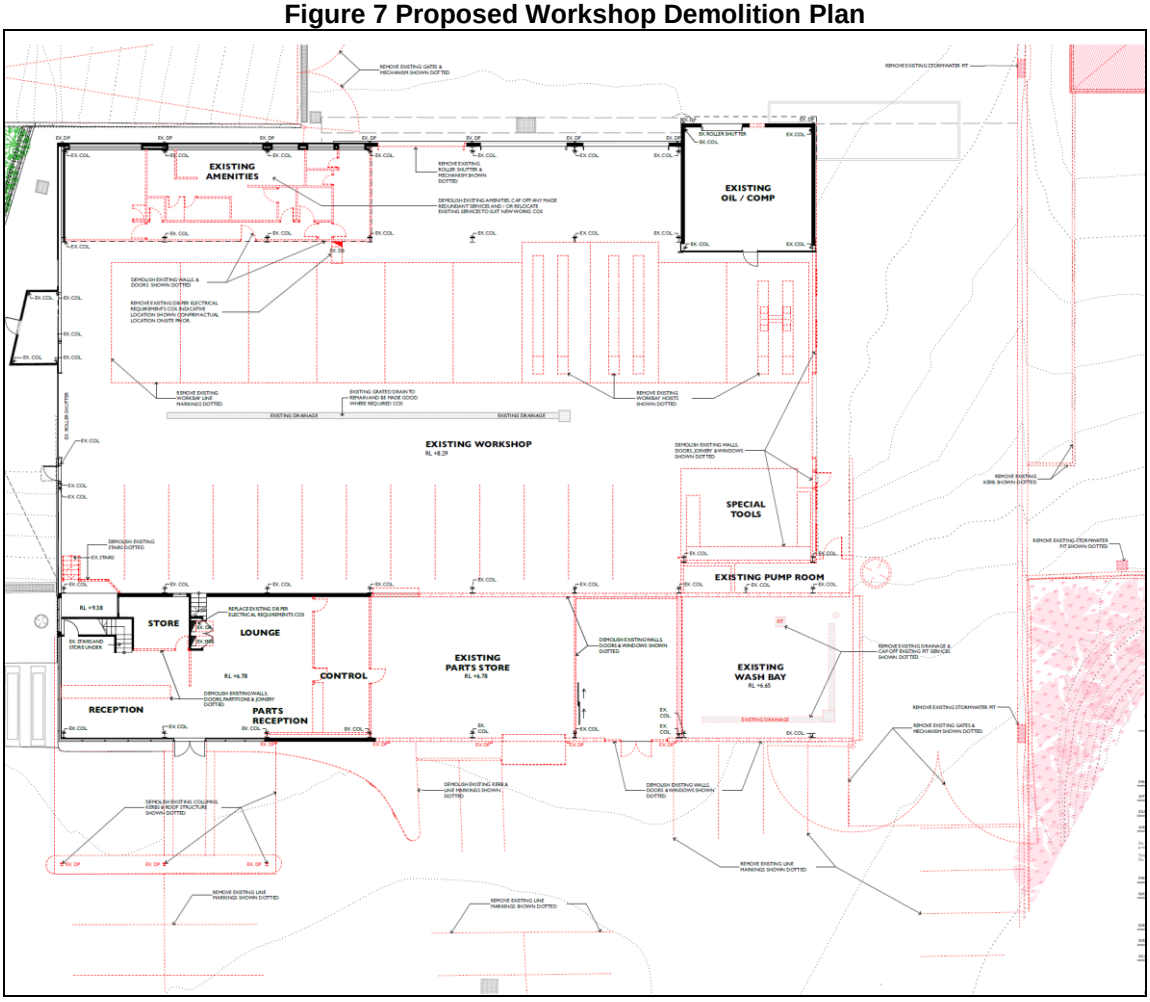
Elements of the site, including existing buildings, car parking and other hardstand areas are proposed to be demolished to accommodate the redevelopment (see **Figures 6 to 10**).

Figure 6 Proposed Demolition Site Plan



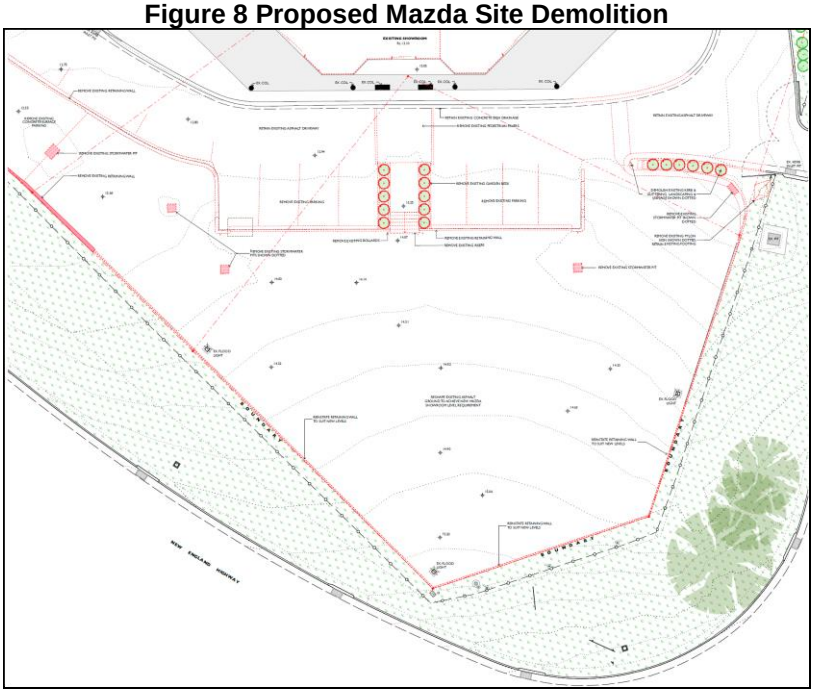
Source: Centric Architects – 0451-2001-A

Figure 7 Proposed Workshop Demolition Plan



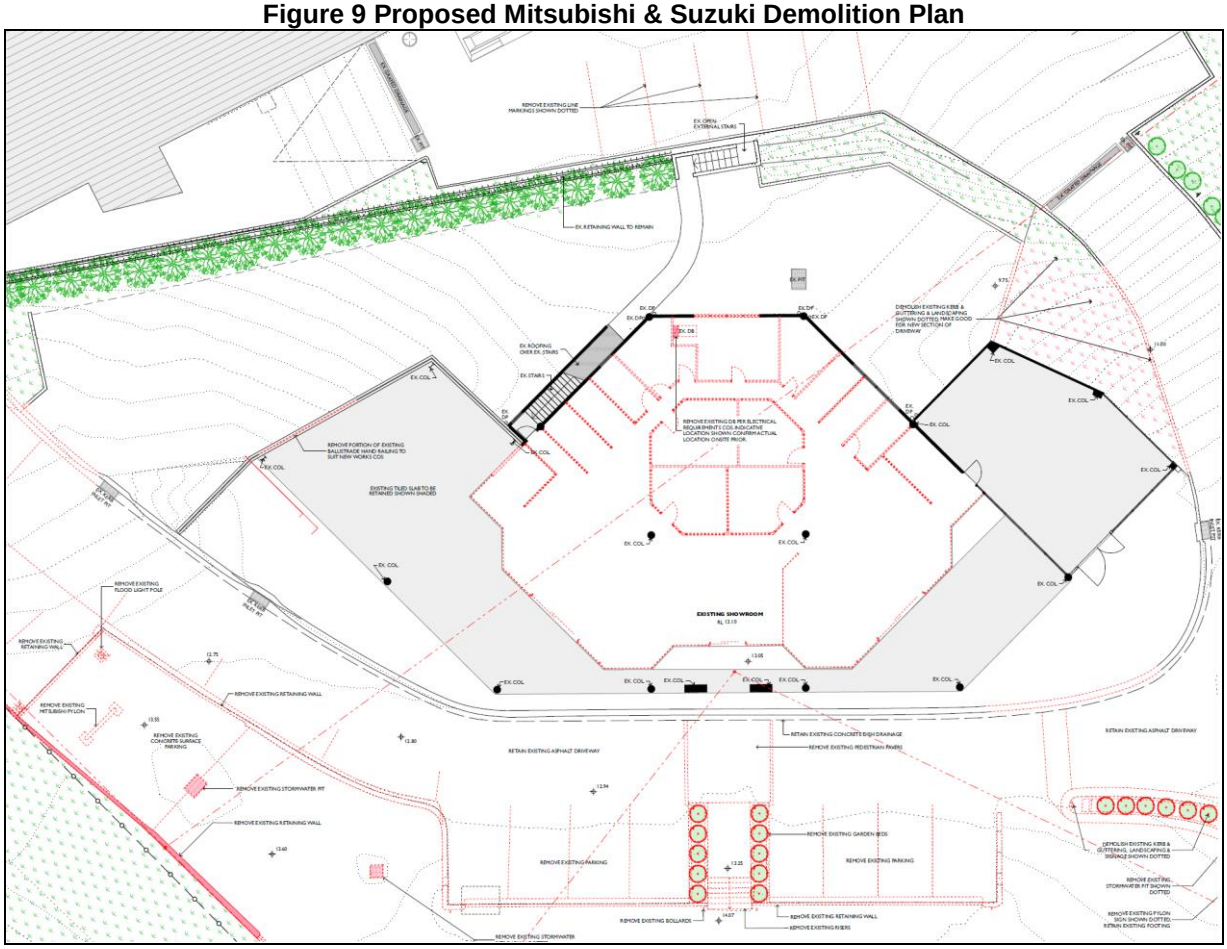
Source: Centric Architects – 0451-3300-B

Figure 8 Proposed Mazda Site Demolition



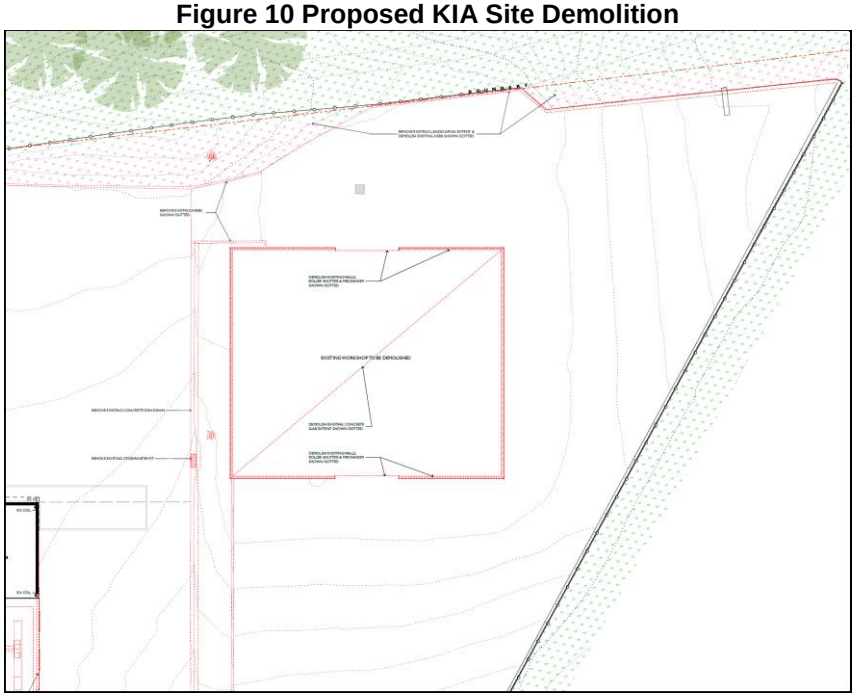
Source: Centric Architects – 0451-4300-A

Figure 9 Proposed Mitsubishi & Suzuki Demolition Plan



Source: Centric Architects – 0451-5300-B

Figure 10 Proposed KIA Site Demolition

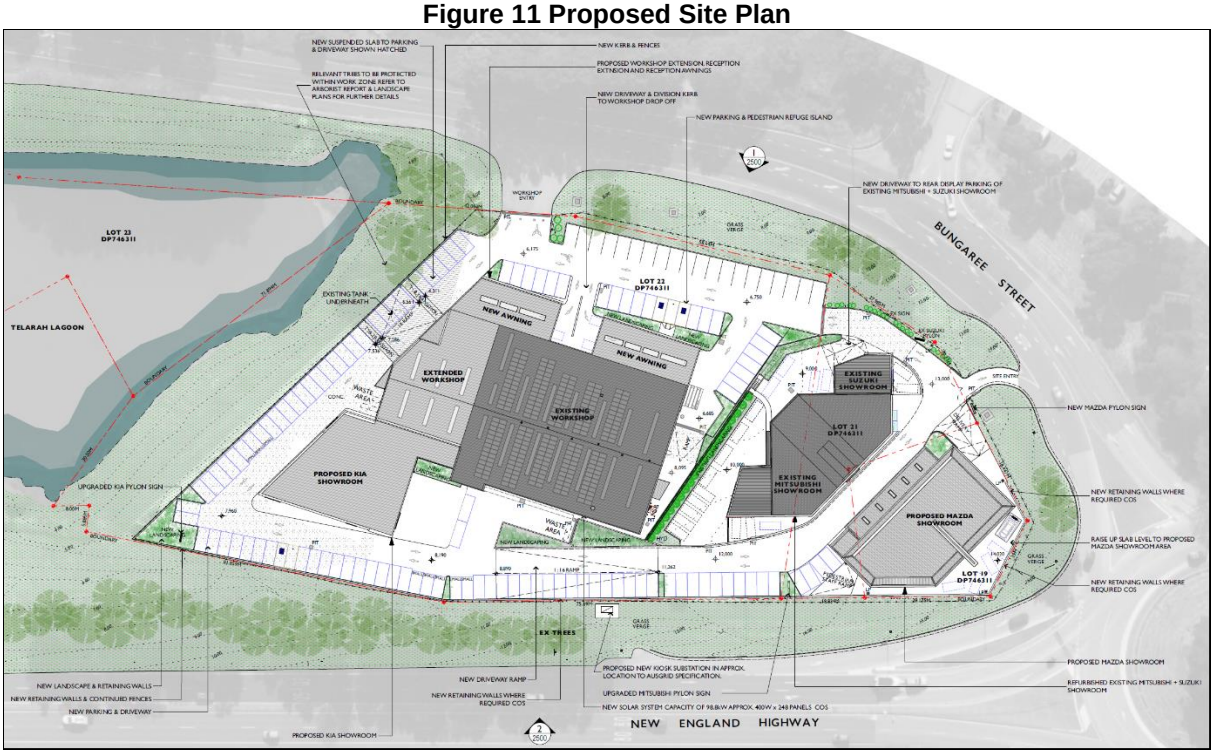


Source: Centric Architects – 0451-6300-A

2.2 Proposed Redevelopment

The proposed redevelopment will maintain existing entry and egress points to Bungaree Street, however internal driveways and parking will be reconfigured and furnished with new kerb sections, particularly to facilitate internal soft landscaping zones (see **Figure 11**).

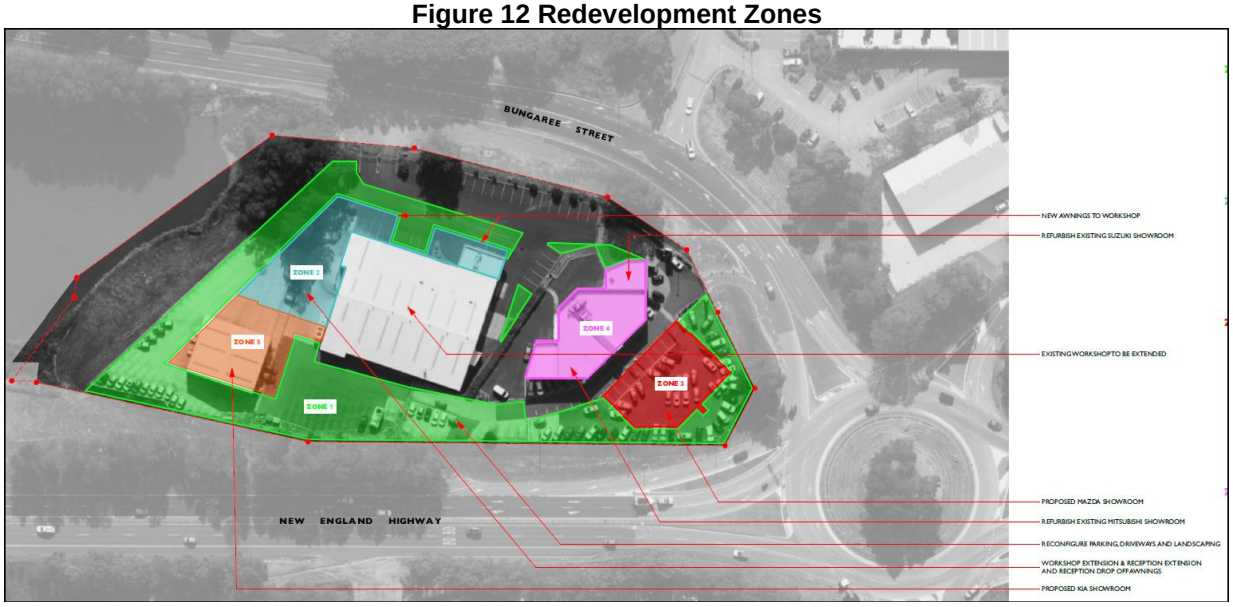
Figure 11 Proposed Site Plan



Source: Centric Architects – 0451-2002 - M

The proposed development will be carried out in five (5) work zones to minimise disruption (see **Figure 12**.

Figure 12 Redevelopment Zones

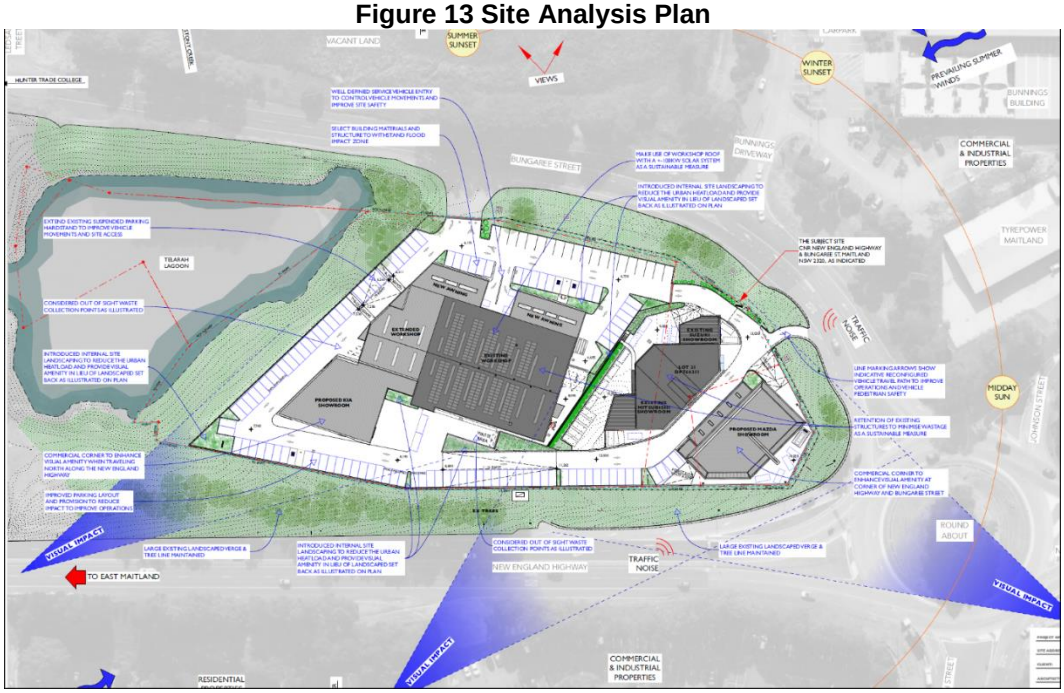


Source: Centric Architects – 0451-0000-F

2.3 Site Analysis

The proposed redevelopment is founded on an analysis of the site, identifying key view paths, opportunities for internal landscaping to reduce urban heat load, improved circulation for pedestrians and vehicles, and efficient signage, vehicle display and car parking areas. Opportunities to reuse existing structures to minimise waste, and areas for the concealment of operational waste management areas were also identified (see **Figure 13**).

Figure 13 Site Analysis Plan

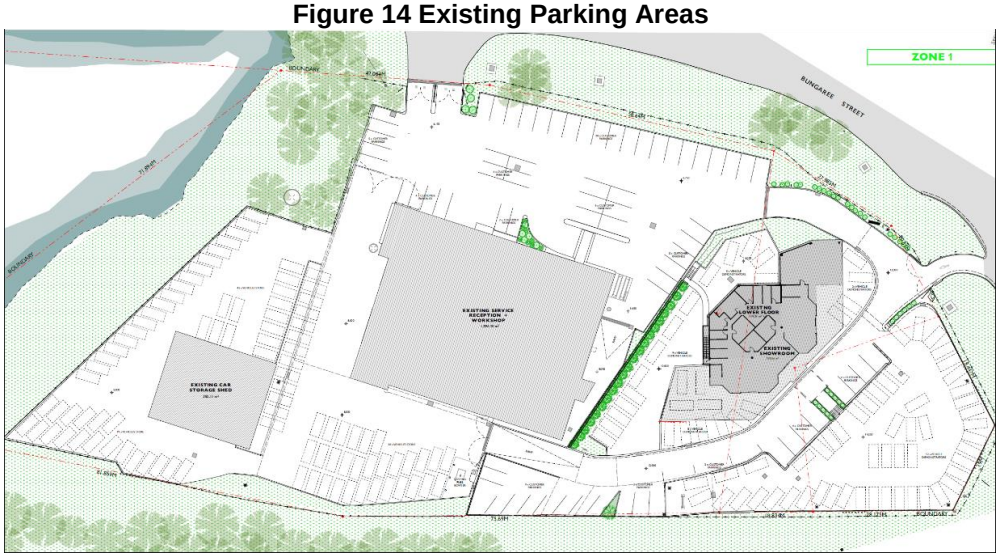


Source: Centric Architects – 0451-0001-A

2.4 Proposed Parking Areas

Existing parking on the site will be displaced by the proposed new buildings and the proposed alterations and additions (see **Figure 14**). There is currently 69 parking spaces and 175 storage and display spaces. The parking requirement for the existing development is 65 spaces.

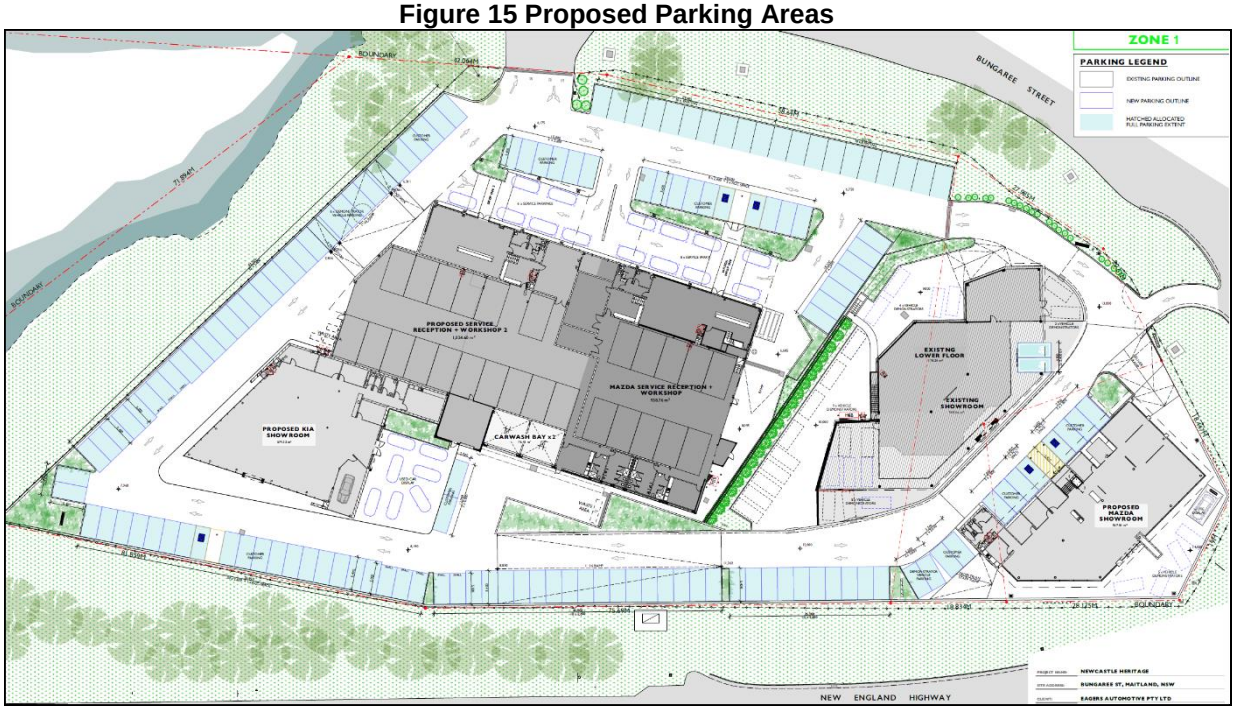
Figure 14 Existing Parking Areas



Source: Centric Architects – 0451-2010-A

The proposal will increase the parking requirement to 173 parking spaces. The design will cater for 140 parking spaces and 42 storage and display parking spaces (see **Figure 15**).

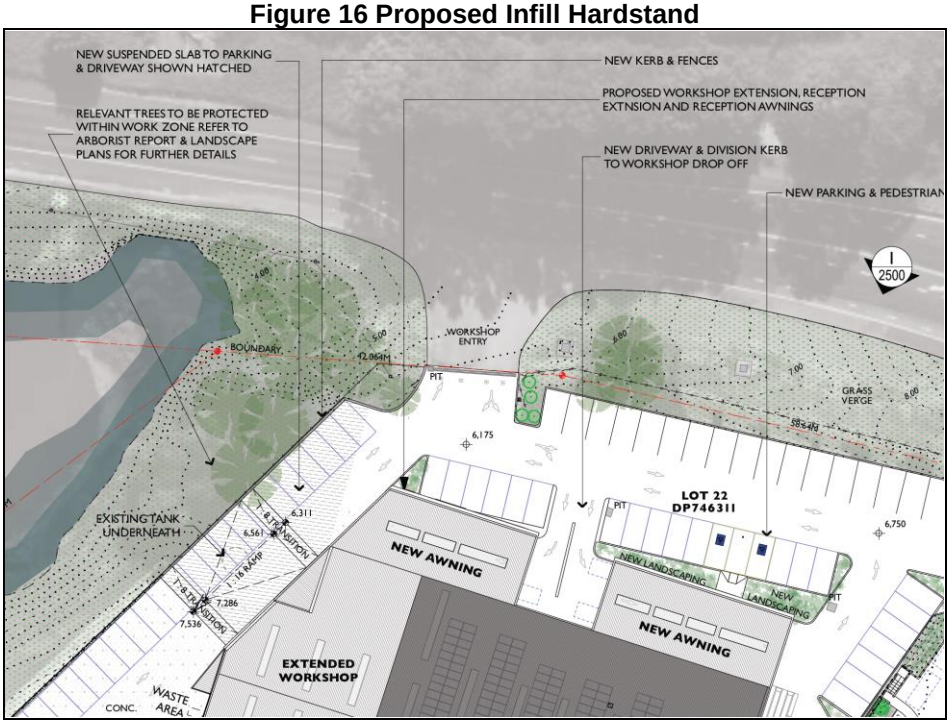
Figure 15 Proposed Parking Areas



Source: Centric Architects – 0451-2011-F

In addition, the proposal will infill the perimeter hardstand in the south-western corner of the site, facilitating an internal loop road for improved internal vehicle circulation that is safer for pedestrians, and more intuitive for way finding – especially for visitors unfamiliar to the site (see **Figure 16**).

Figure 16 Proposed Infill Hardstand



Source: Centric Architects – 0451-2011-F

2.5 Proposed Buildings

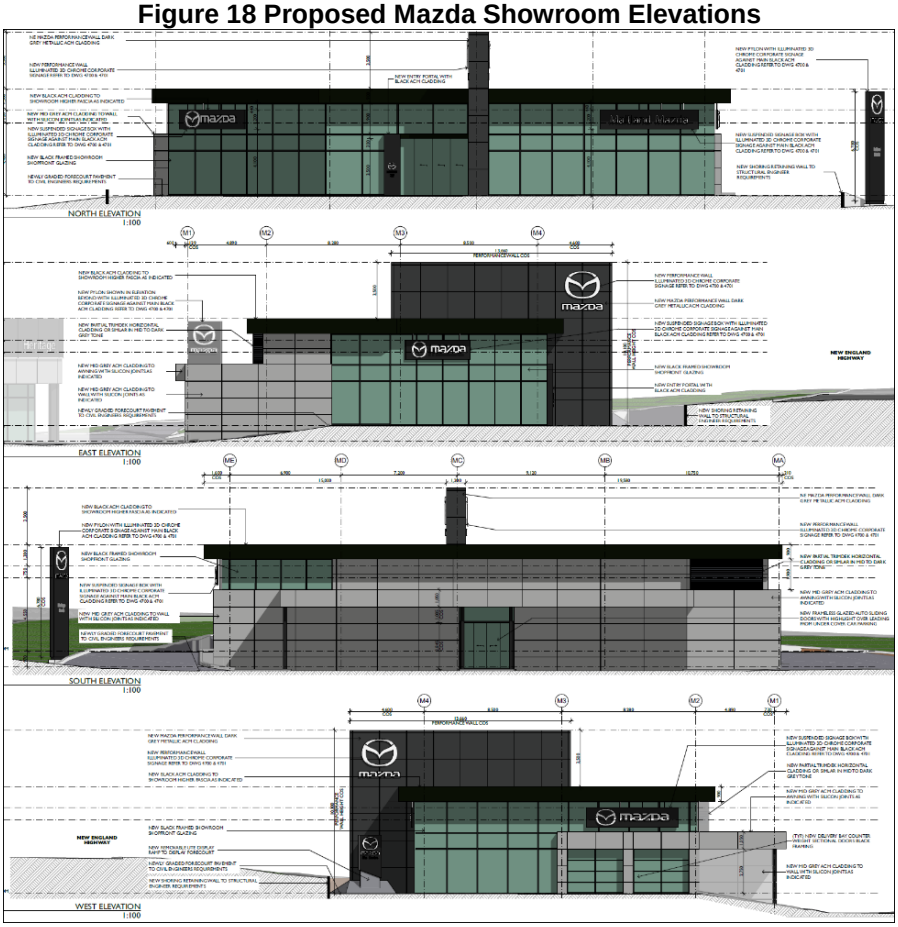
2.5.1 New Mazda Showroom

A new Mazda vehicle showroom is proposed between the existing showroom and the intersection to enhance visual amenity of the site (see **Figures 17 to 19**). A small, dedicated vehicle display area is proposed in front of the building for four (4) vehicles and one (1) elevated display ramp.

Figure 17 Proposed New Mazda Showroom

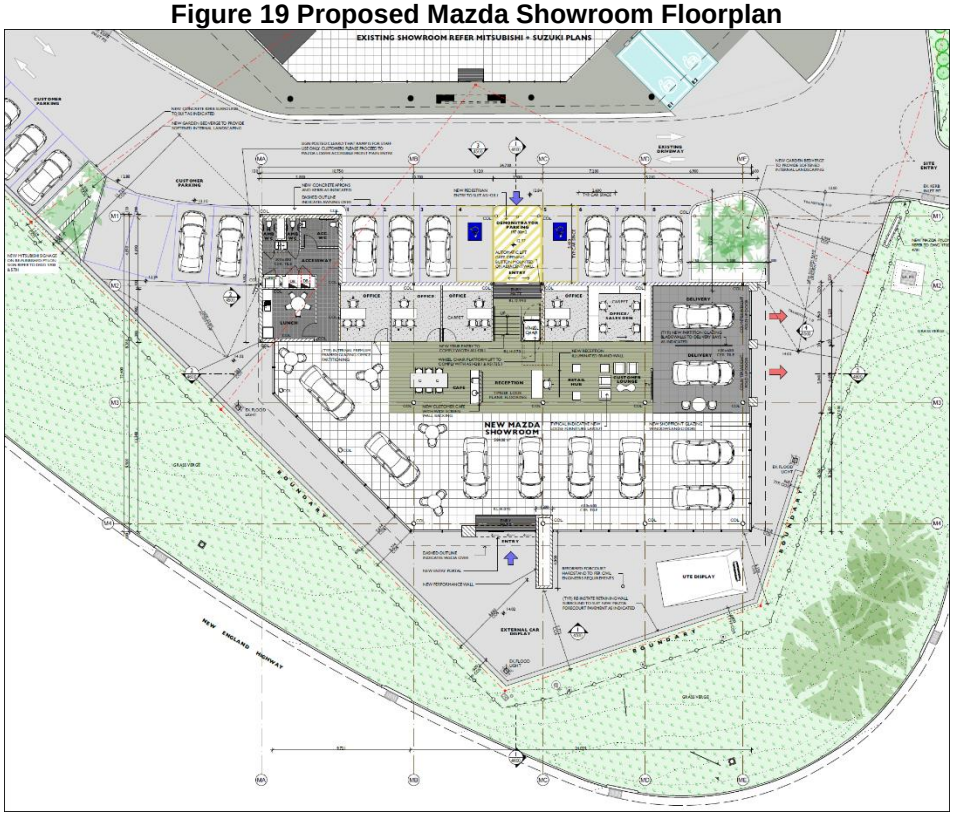
Source: Centric Architects – 0451-4000-E

Figure 18 Proposed Mazda Showroom Elevations



Source: Centric Architects – 0451-4500-C

Figure 19 Proposed Mazda Showroom Floorplan



Source: Centric Architects – 0451-4400-L

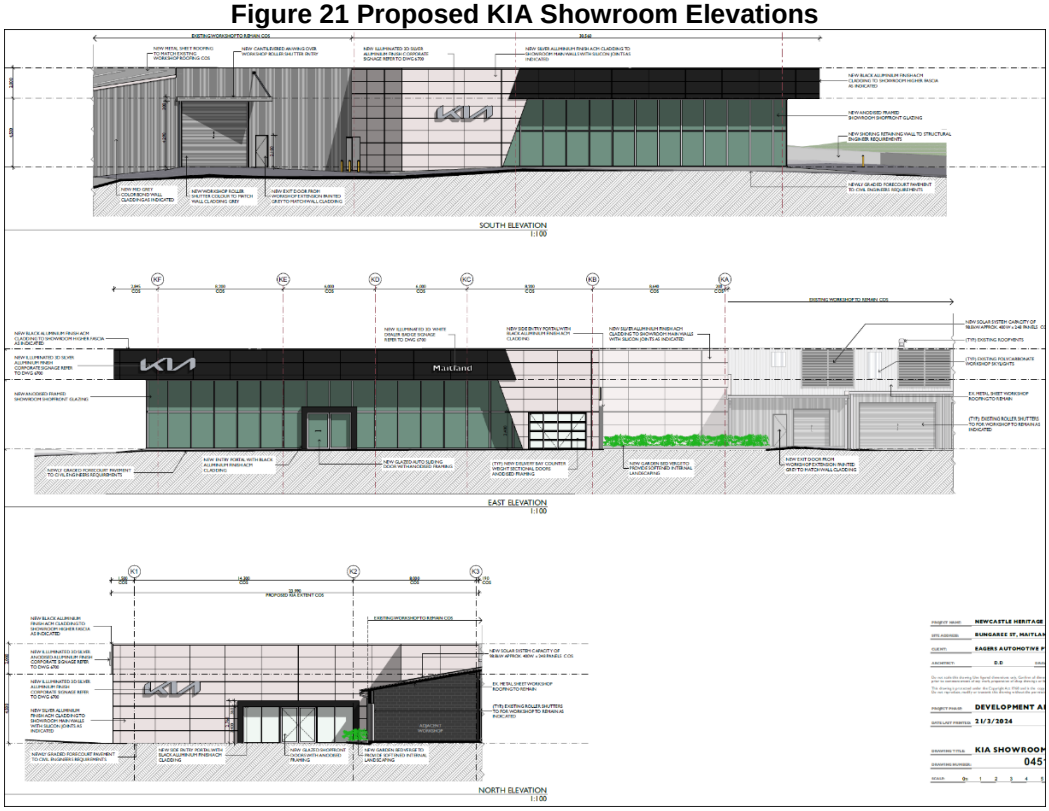
2.5.2 New KIA Showroom

A new KIA Showroom building is proposed in place of the existing workshop building in the south-east of the site, which is proposed to be demolished (see **Figures 20 to 22**). The building, reconfigured parking and landscaping will improve visual amenity in this part of the site.

Figure 20 Proposed New KIA Showroom

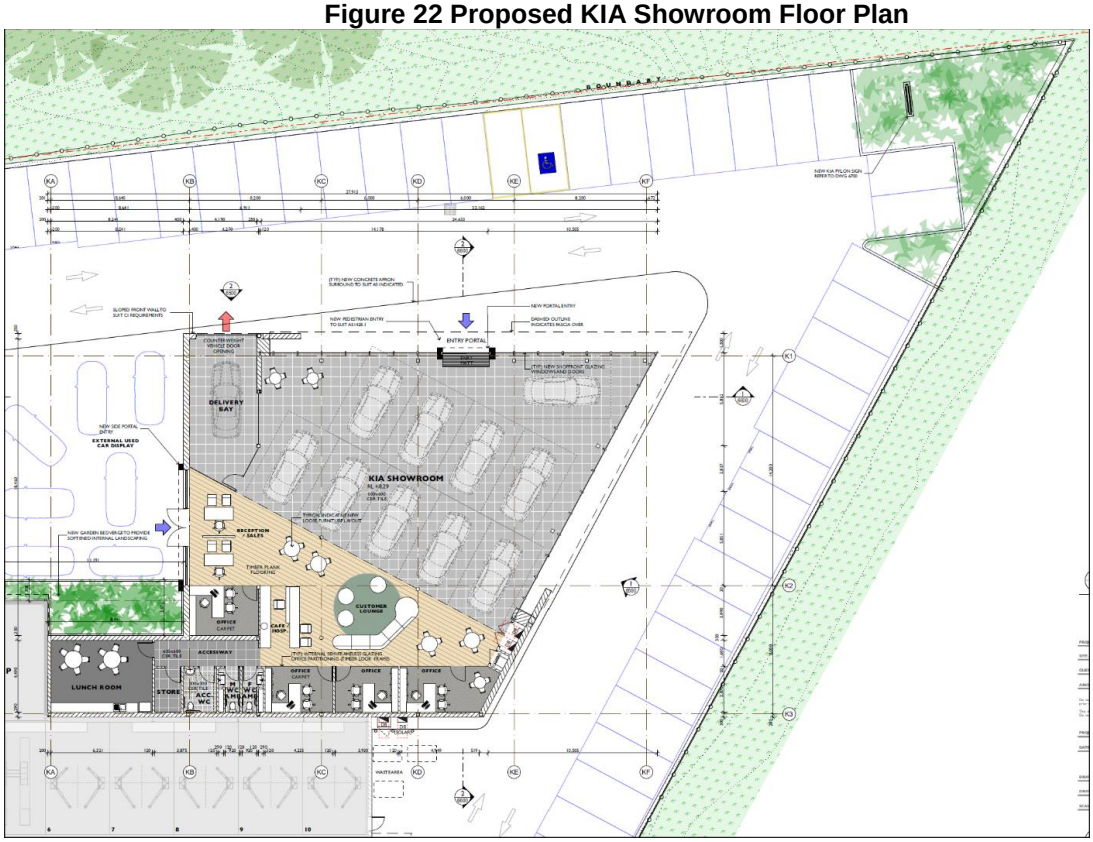
Source: Centric Architects – 0451-6000-B

Figure 21 Proposed KIA Showroom Elevations



Source: Centric Architects – 0451-6500-B

Figure 22 Proposed KIA Showroom Floor Plan



Source: Centric Architects – 0451-6400-F

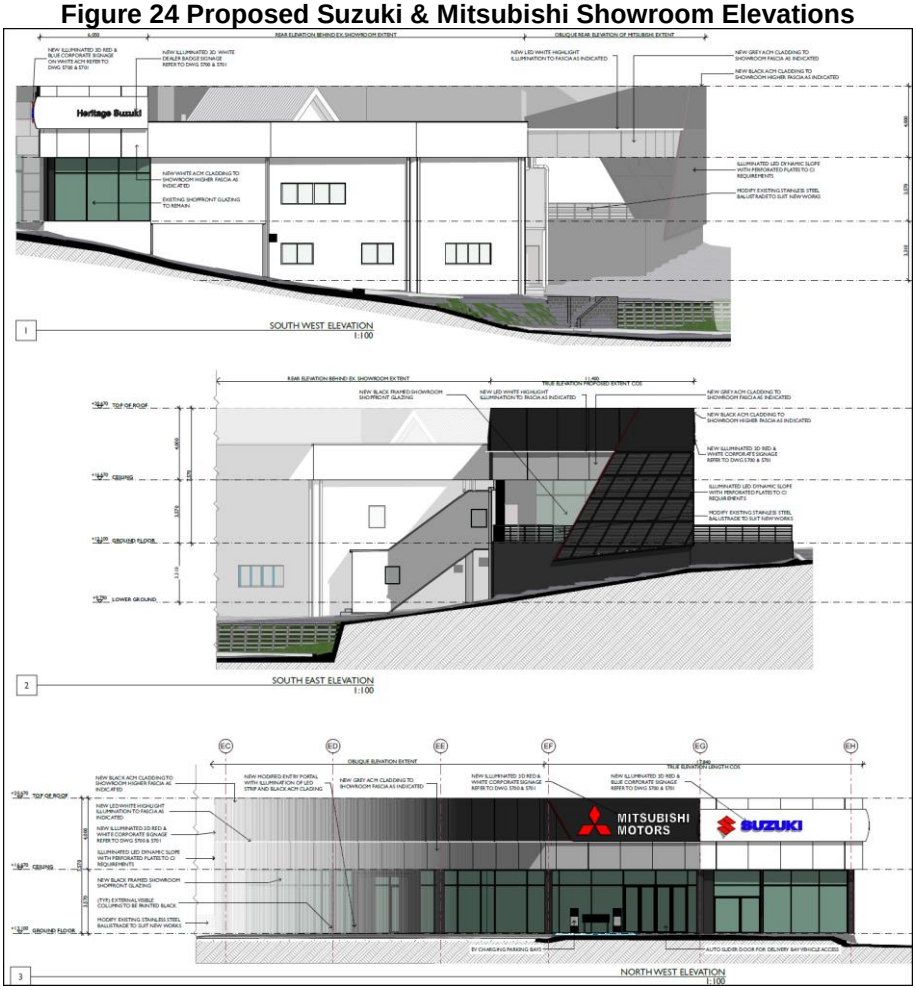
2.6 Proposed Refurbishment of Existing Buildings

The existing two (2) storey Suzuki and Mitsubishi showroom building will be refurbished to provide a consistent, contemporary architectural style across the site (see **Figures 23 to 26**).

Figure 23 Proposed Refurbishment of Suzuki and Mitsubishi Showrooms

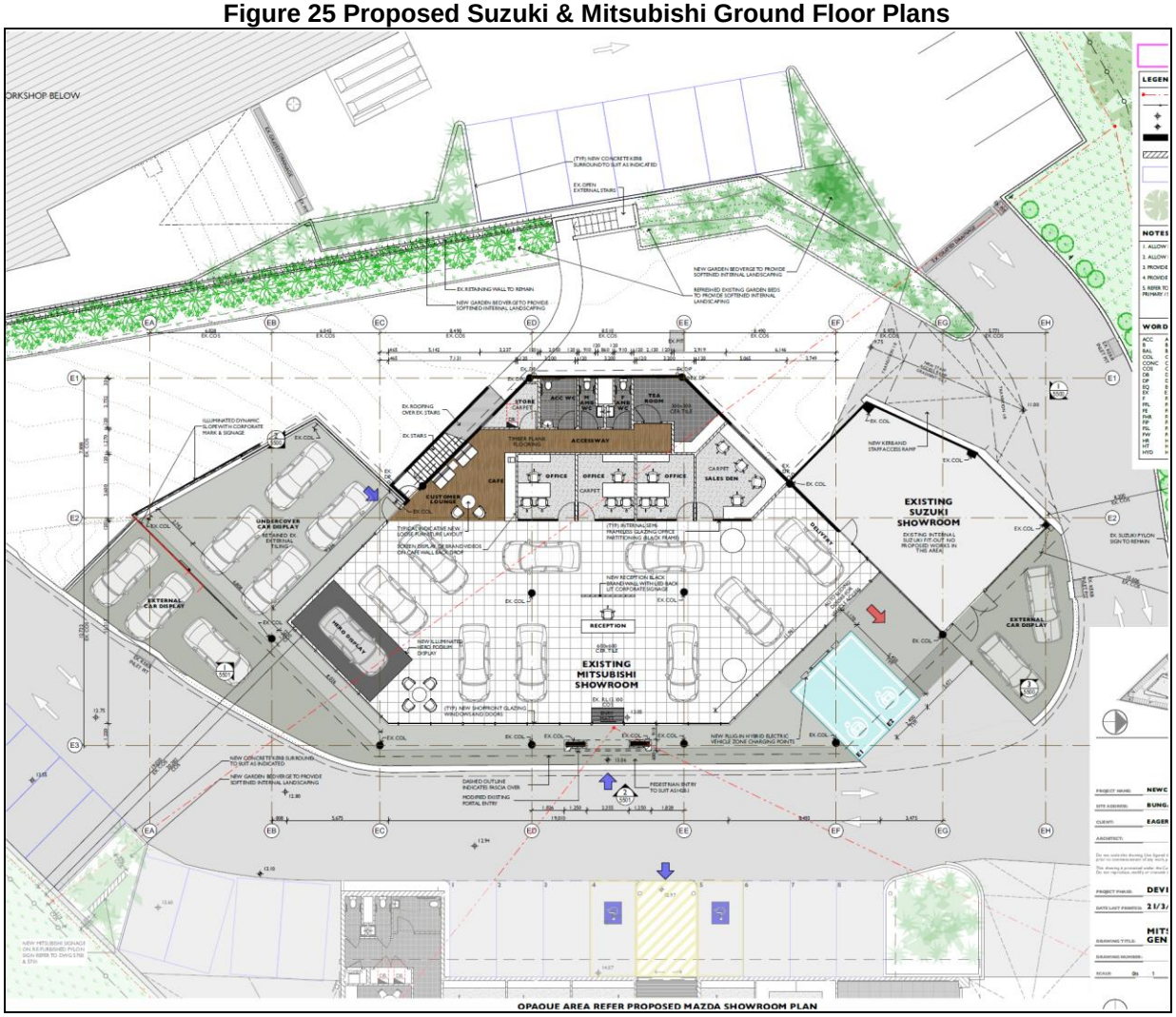
Source: Centric Architects – 0451-6500-B

Figure 24 Proposed Suzuki & Mitsubishi Showroom Elevations



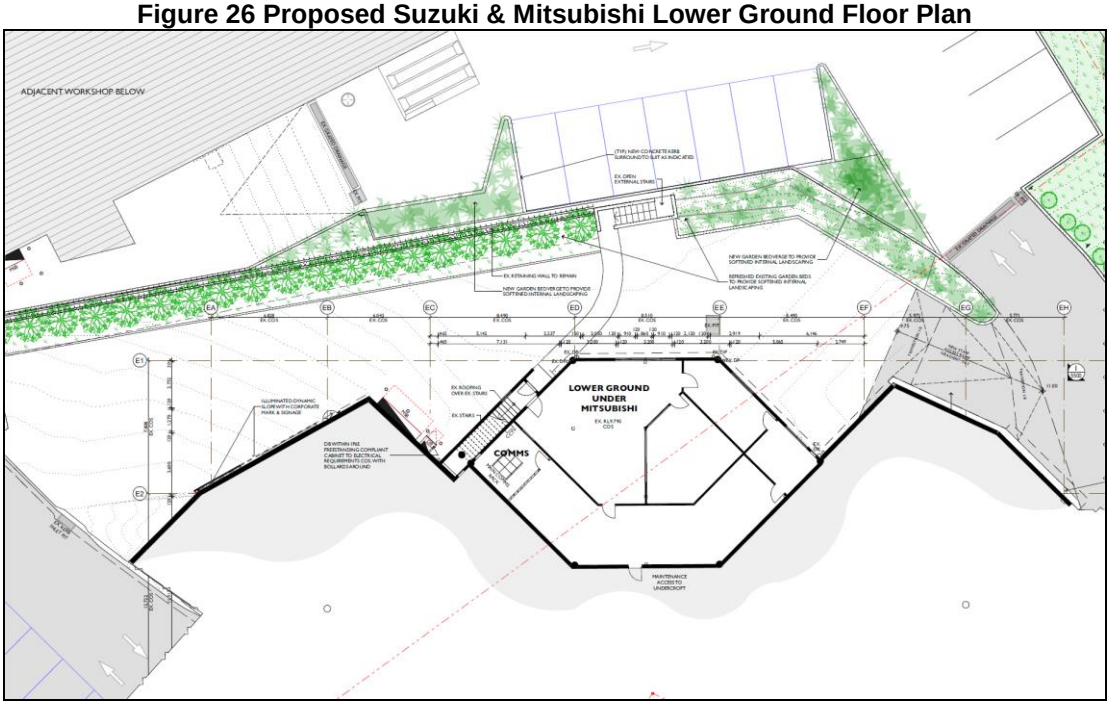
Source: Centric Architects – 0451-5500-C and 0451-5501-A

Figure 25 Proposed Suzuki & Mitsubishi Ground Floor Plans



Source: Centric Architects – 0451-5400-K

Figure 26 Proposed Suzuki & Mitsubishi Lower Ground Floor Plan



Source: Centric Architects – 0451-5401-B

2.7 Proposed Alterations & Additions - Workshop & Service Reception Building

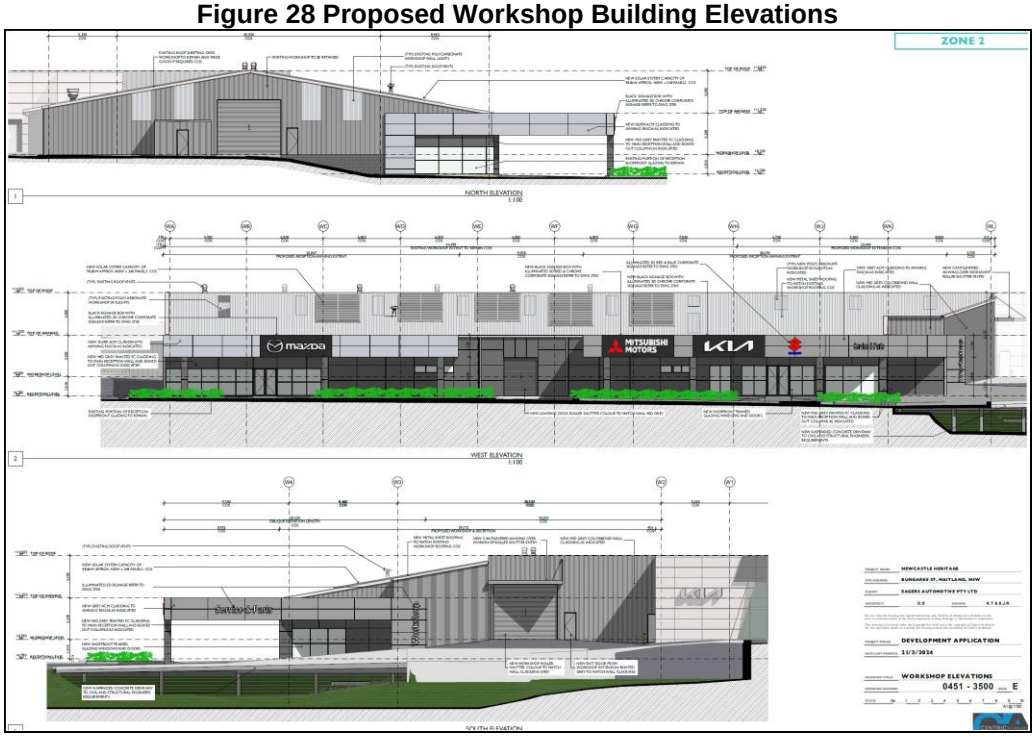
The existing workshop building in the centre of the site is 1,596.2sqm in area. The building is proposed to be partially demolished and extended to house a Mazda service reception and 10 bay workshop occupying 938.8sqm, and a service reception and 16 bay workshop for other dealerships on the site occupying 1024.6sqm (see **Figures 27 to 29**). Two (2) shared car wash bays form part of the building.

Figure 27 Proposed Workshop Building

Source: Centric Architects – 0451-3000-D

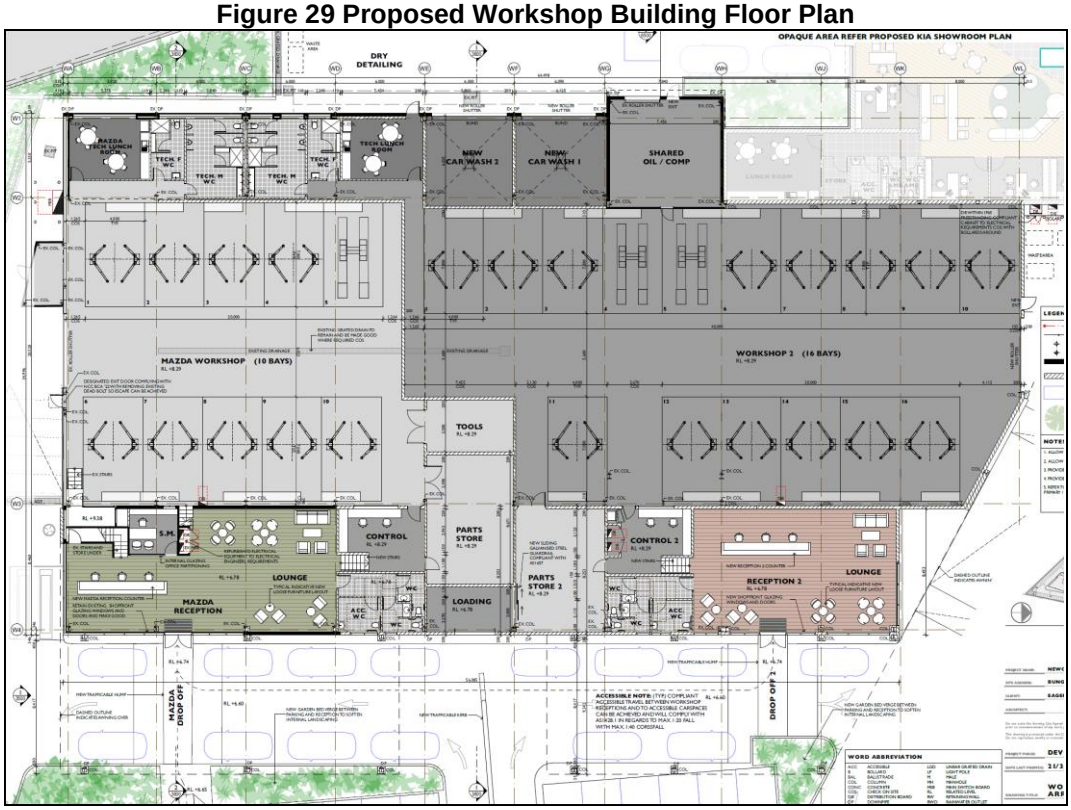
Two (2) new awnings are proposed over the customer vehicle drop off bays, while the roof of the workshop building is proposed as a solar field, supporting a new solar system with a capacity of 98.8kw (approx. 400w x 248 panels).

Figure 28 Proposed Workshop Building Elevations



Source: Centric Architects – 0451-3500-E

Figure 29 Proposed Workshop Building Floor Plan



Source: Centric Architects – 0451-3400-P

2.8 Proposed Civil Works

Detailed engineering design plans prepared by Northrop Engineering are provided in **Attachment B**.

The site requires preparation post demolition of the buildings and hardstand areas to facilitate proposed stormwater management and design levels required for floor levels (see **Figure 30**). Areas proposed to be excavated are shown in red, while areas proposed to be filled are shown in green.

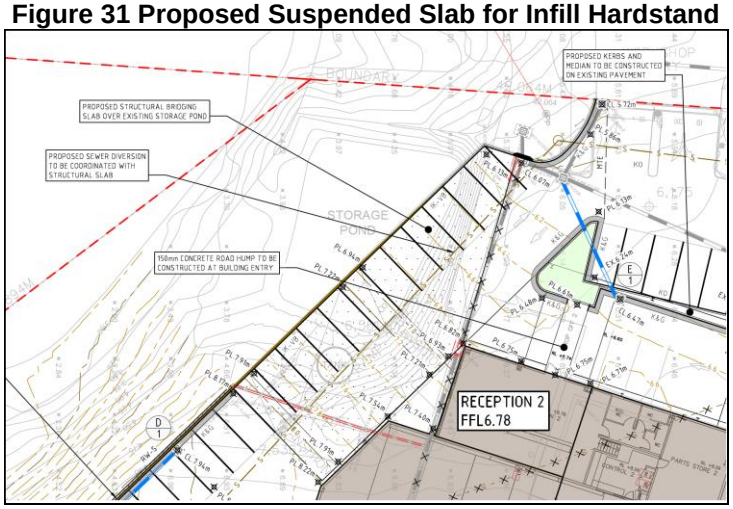
Figure 30 Proposed Bulk Earthworks Plan

Source: Northrop – C3.01.B

Approximate earthworks volumes are 4,138m^3 cut, 796m^3 fill, with 3,342m^3 to be exported off site. The proposed workshop and reception extensions will retain the same finished floor level (FFL) of RL8.29 and RL6.78 (respectively), while the proposed KIA showroom will have FFL of RL8.29 and the proposed Mazda showroom will have and FFL of RL14.07.

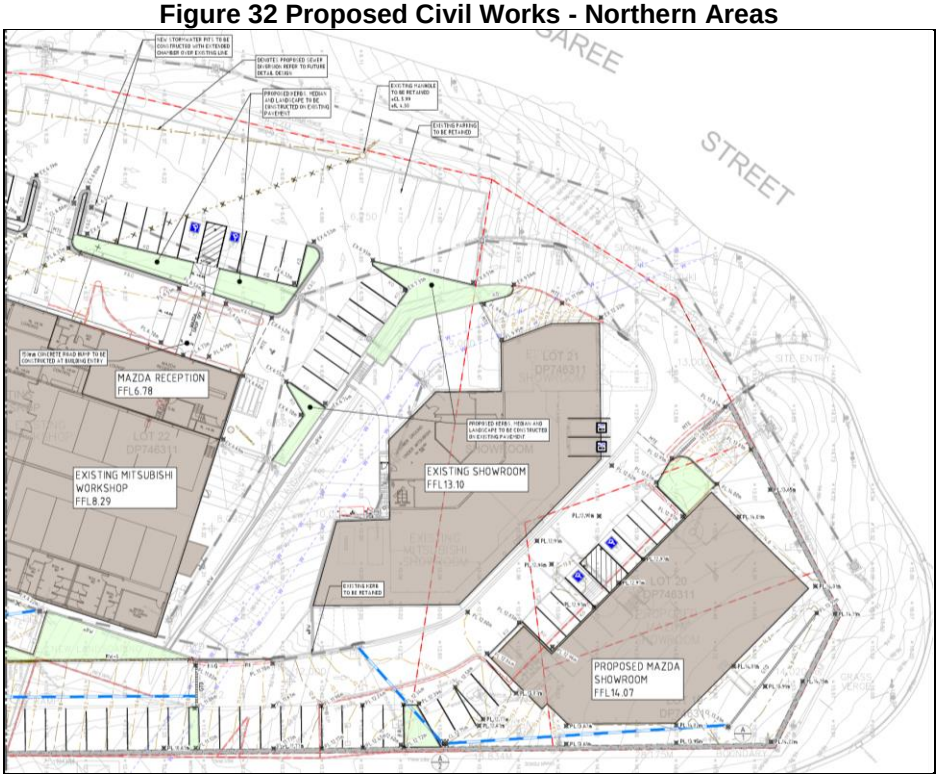
Civil works proposed for the site include a suspended slab to infill the hardstand area in the south-western corner of the site (see **Figure 31**), retaining walls, hardstand areas, surface and subsurface drainage works, and areas retained as planting zones for landscaping (see **Figure 32 and 33**).

Figure 31 Proposed Suspended Slab for Infill Hardstand



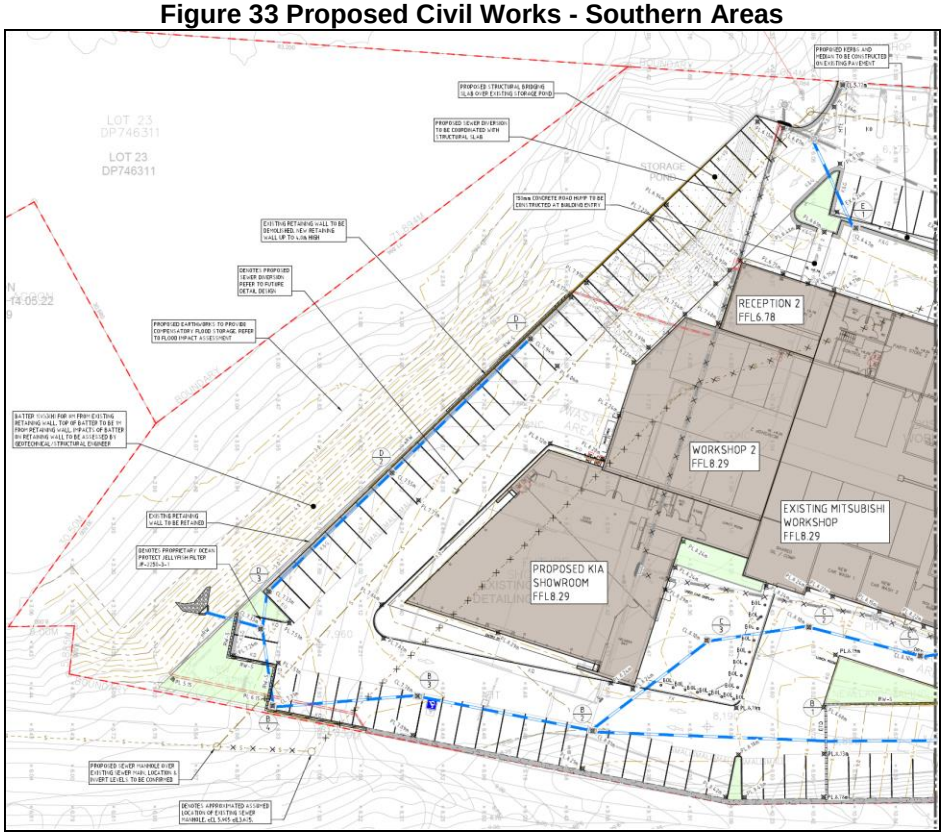
Source: Northrop – C4.02.B

Figure 32 Proposed Civil Works - Northern Areas



Source: Northrop – C4.03.B

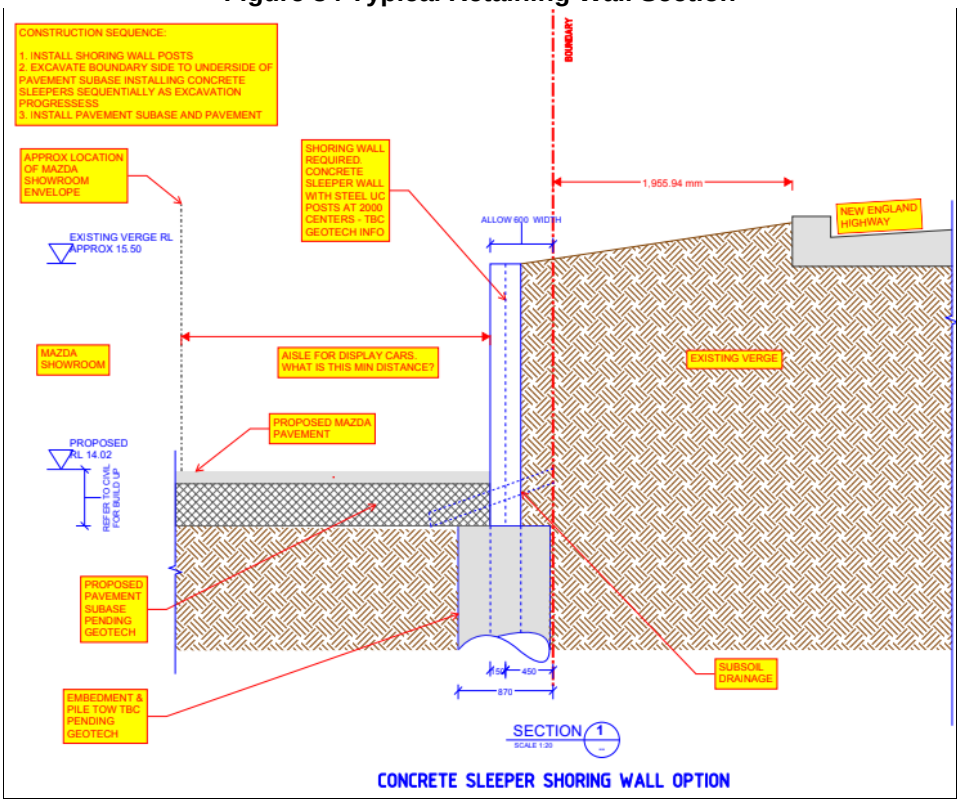
Figure 33 Proposed Civil Works - Southern Areas



Source: Northrop – C4.02.B

The majority of existing retaining walls are to be demolished and new retaining walls constructed relative to boundaries in the manner shown typically in **Figure 34**.

Figure 34 Typical Retaining Wall Section



Source: Northrop – SK50

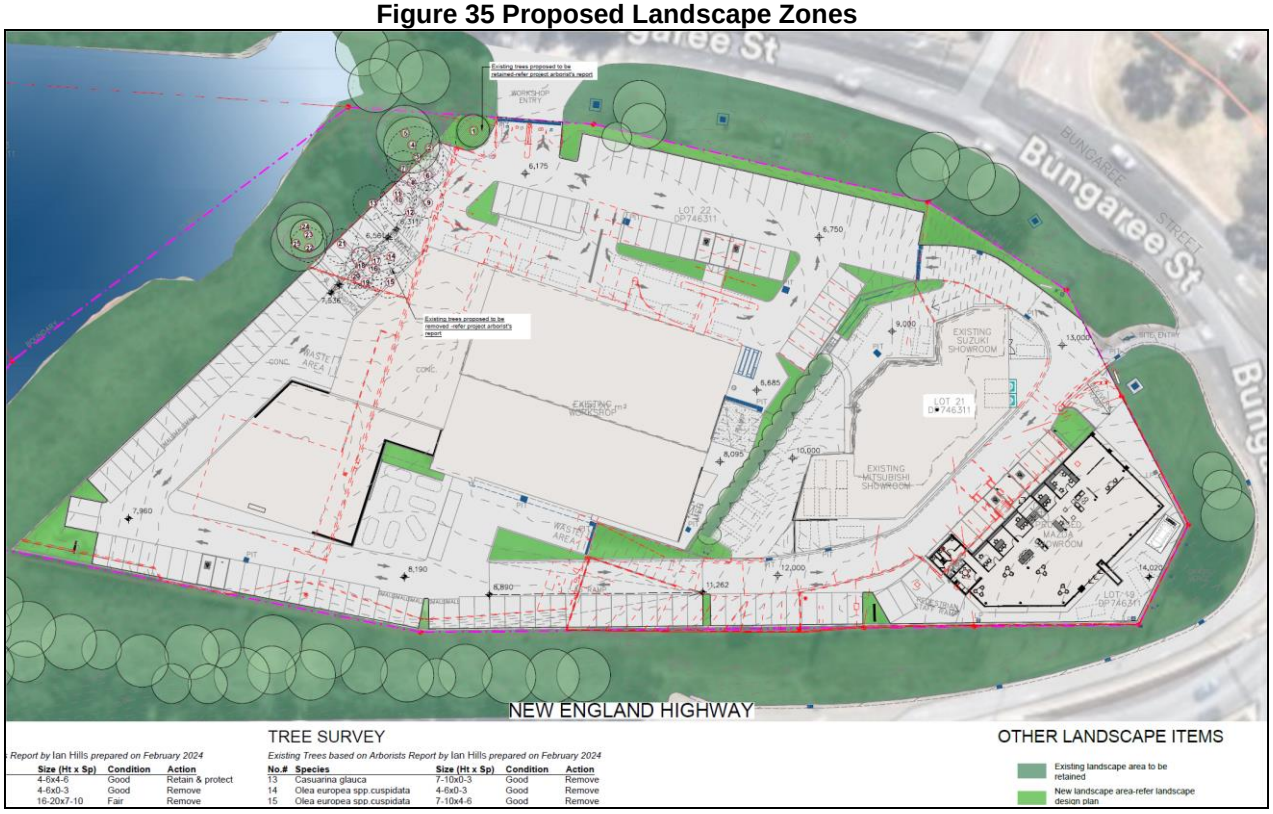
2.9 Proposed Landscape Plan

The proposed landscaping aims to visually soften built forms, improve visual amenity, and minimise urban heat sink effects. The landscape responds to these aims in the following manner:

- Respond to existing external landscape elements with an internal landscape scheme consisting of shrubs and screen planting, accent plants, ferns and shade plants, grass and groundcover plants.
- Introducing a continuous landscape strip along Bungaree Street frontage, and beds to define site entry and egress points.
- Design elements which respond to the bulk and scale of the development and areas along retaining walls.
- Use of a variety of plants forms, colours and textures to form attractive garden beds which indicate direction and frame and filter views within the site
- Use of hardy, attractive plants with low maintenance and water use requirements.
- The use of durable materials
- The use of suitably scaled planting elements that maximise natural surveillance of the site from within and from external viewpoints.

The proposal incorporates a considerable increase in the extent of landscaping on site, with **Figure 34** illustrating new landscape areas (light green) compared with existing landscape areas (dark green).

Figure 35 Proposed Landscape Zones



Source: Conzept Landscape Architects – LPDA 24 – 162 – Tree Survey

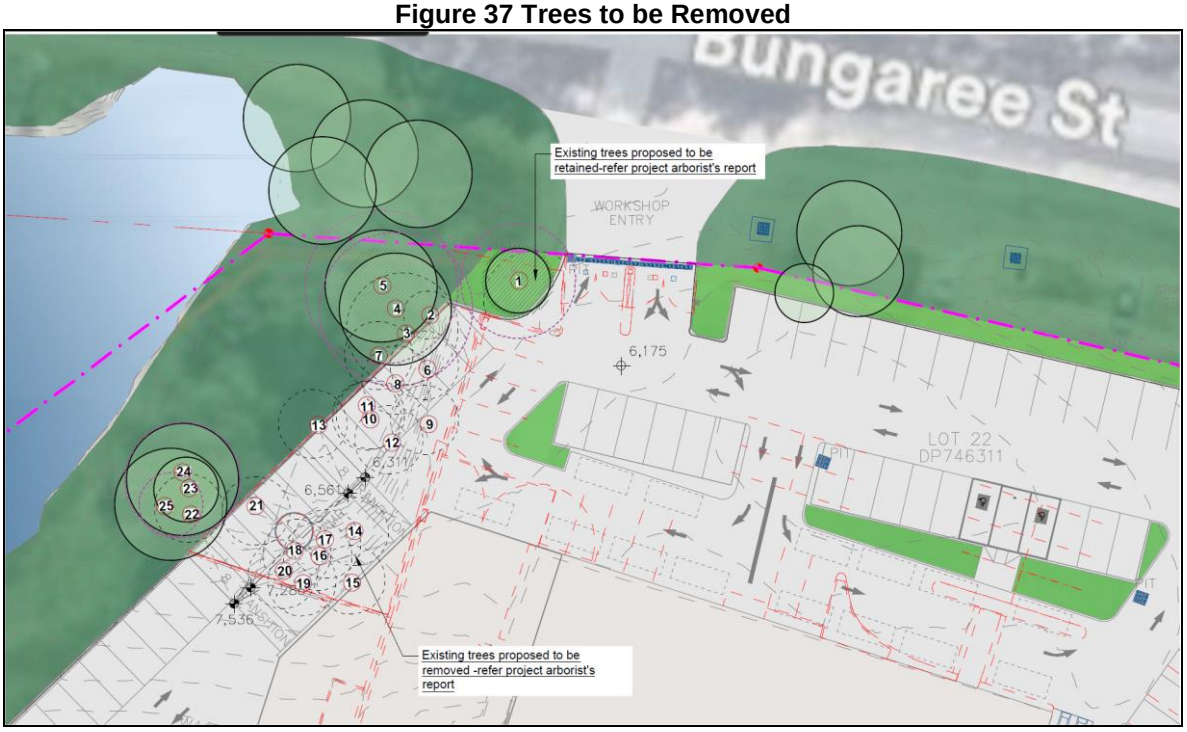
Figures 35 and 37 detail the plantings proposed for the site. Refer to details plans in **Attachment C**.

Figure 36 Proposed Landscape Plan - Northern Area

Source: Conzept Landscape Architects – LPDA 24 – 162 – Landscape Plan-1

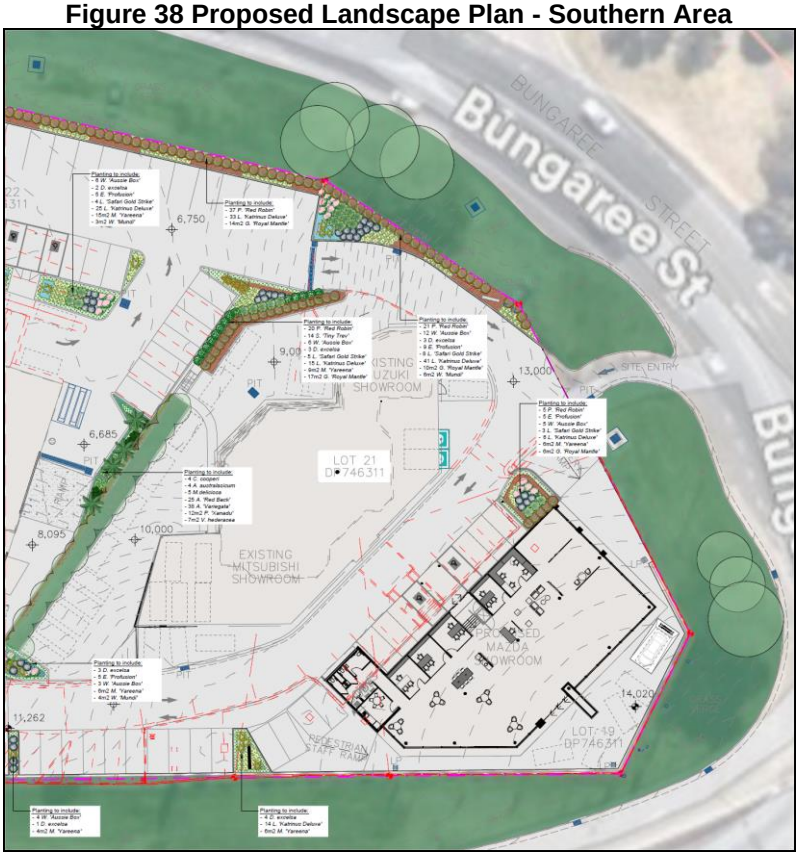
The proposal involves the removal of a cluster of existing trees in the south-western corner of the site to accommodate an extension of the hardstand apron (see **Figure 36**).

Figure 37 Trees to be Removed



Source: Conzept Landscape Architects – LPDA 24 – 162 – Landscape Plan-1

Figure 38 Proposed Landscape Plan - Southern Area



Source: Conzept Landscape Architects – LPDA 24 – 162 – Landscape Plan-2

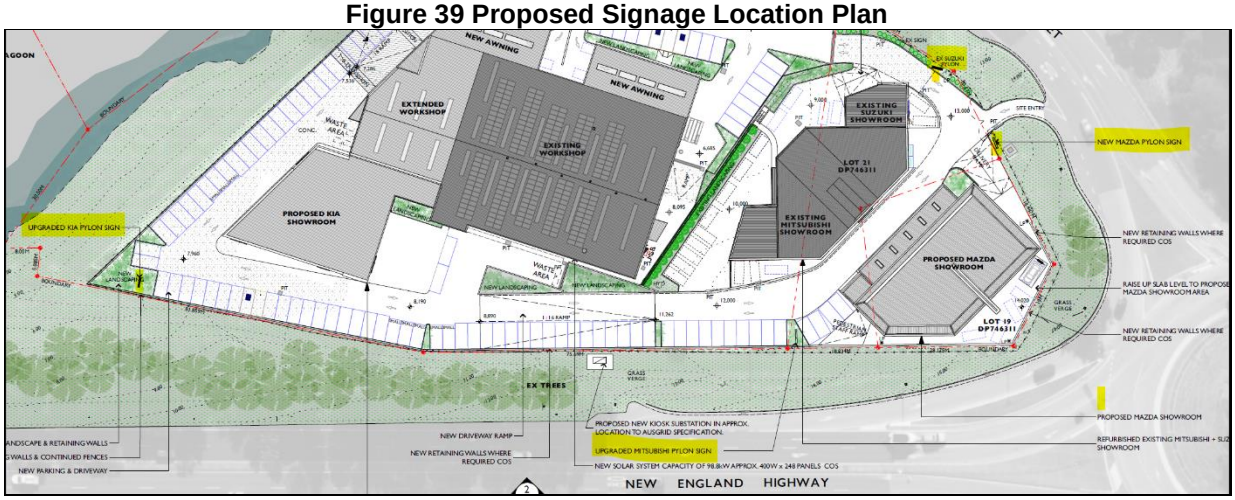
2.10 Proposed Signage

Existing signage on the site consists of signage on the buildings, a pylon sign on the New England Highway, and two (2) pylon signs at the Left In only entry off Bungaree Street.

The proposal involves an new, additional pylon sign for KIA at the south-eastern end of the New England Highway frontage, and an upgraded Mitsubishi pylon sign mid-site boundary to the same road.

A new Mazda pylon sign is proposed at the Left In only entry, while the existing Suzuki pylon sign at that entry will be retained as is (see **Figure 39**).

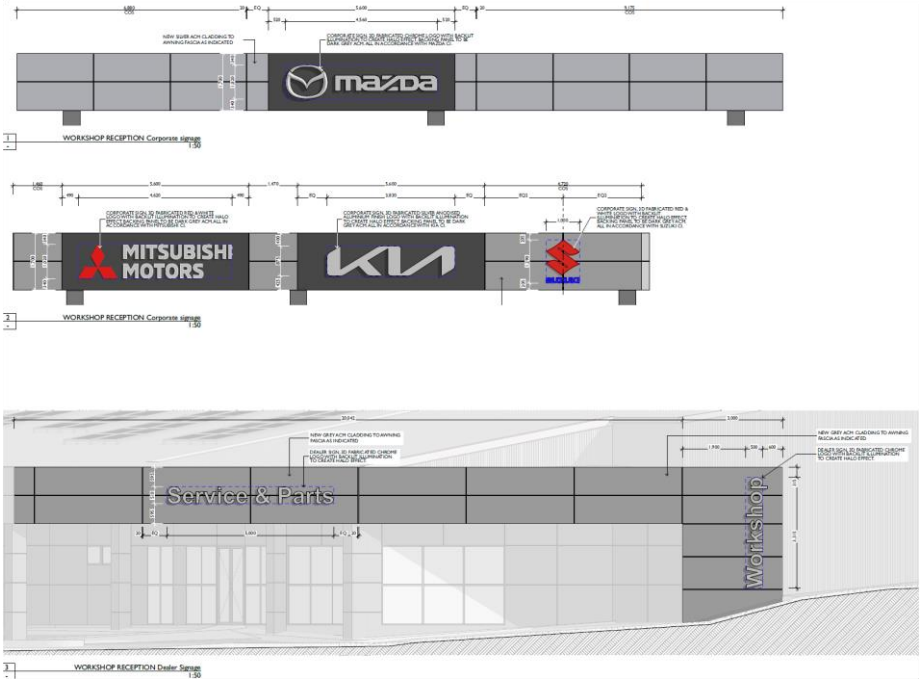
Figure 39 Proposed Signage Location Plan



Source: Centric Architects – 0451-2002 - M

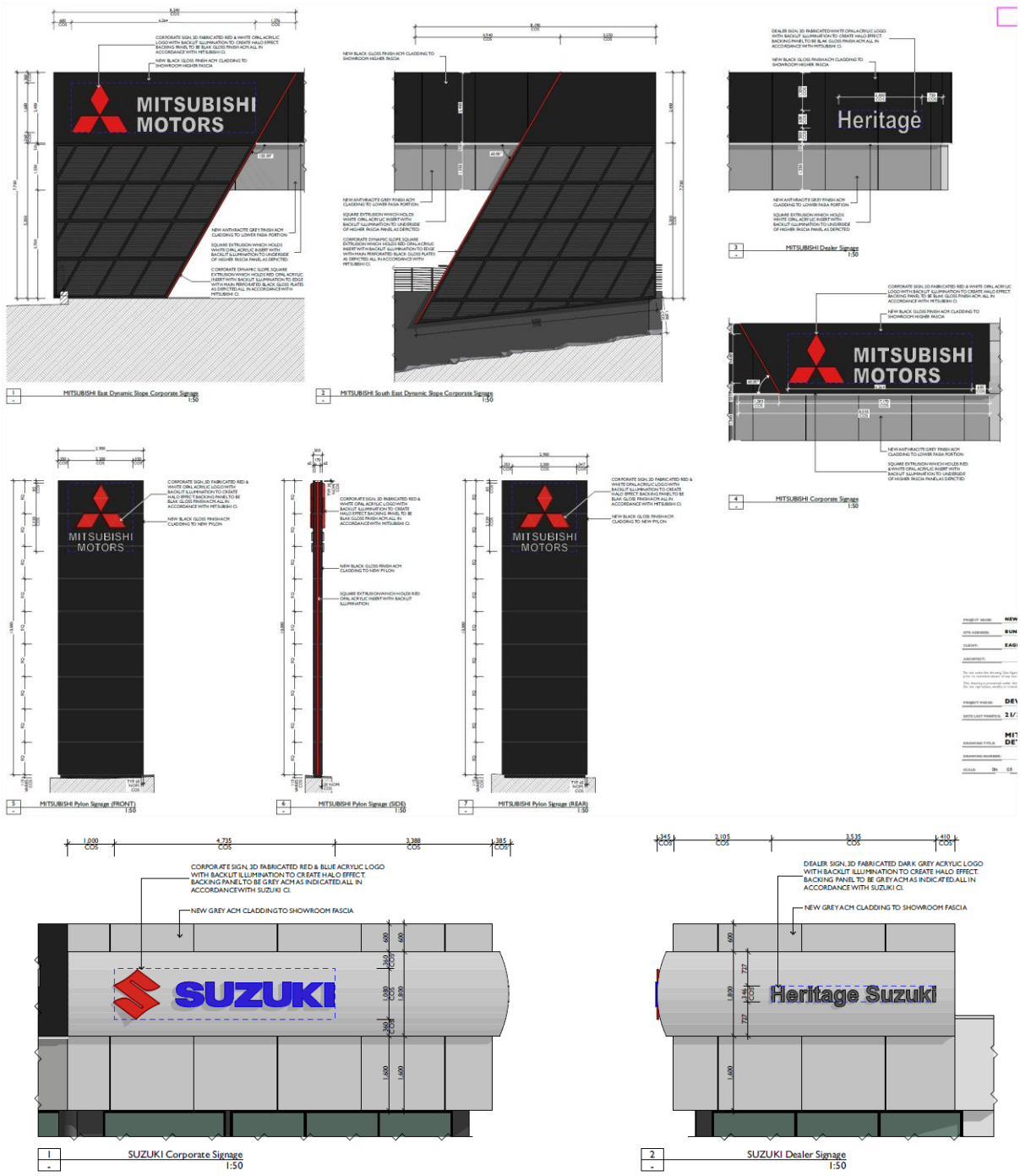
The proposed new signage including signage on the new and refurbished buildings, and the workshop and service reception buildings, is depicted in **Figures 40 to 43**.

Figure 40 Proposed Workshop Signage



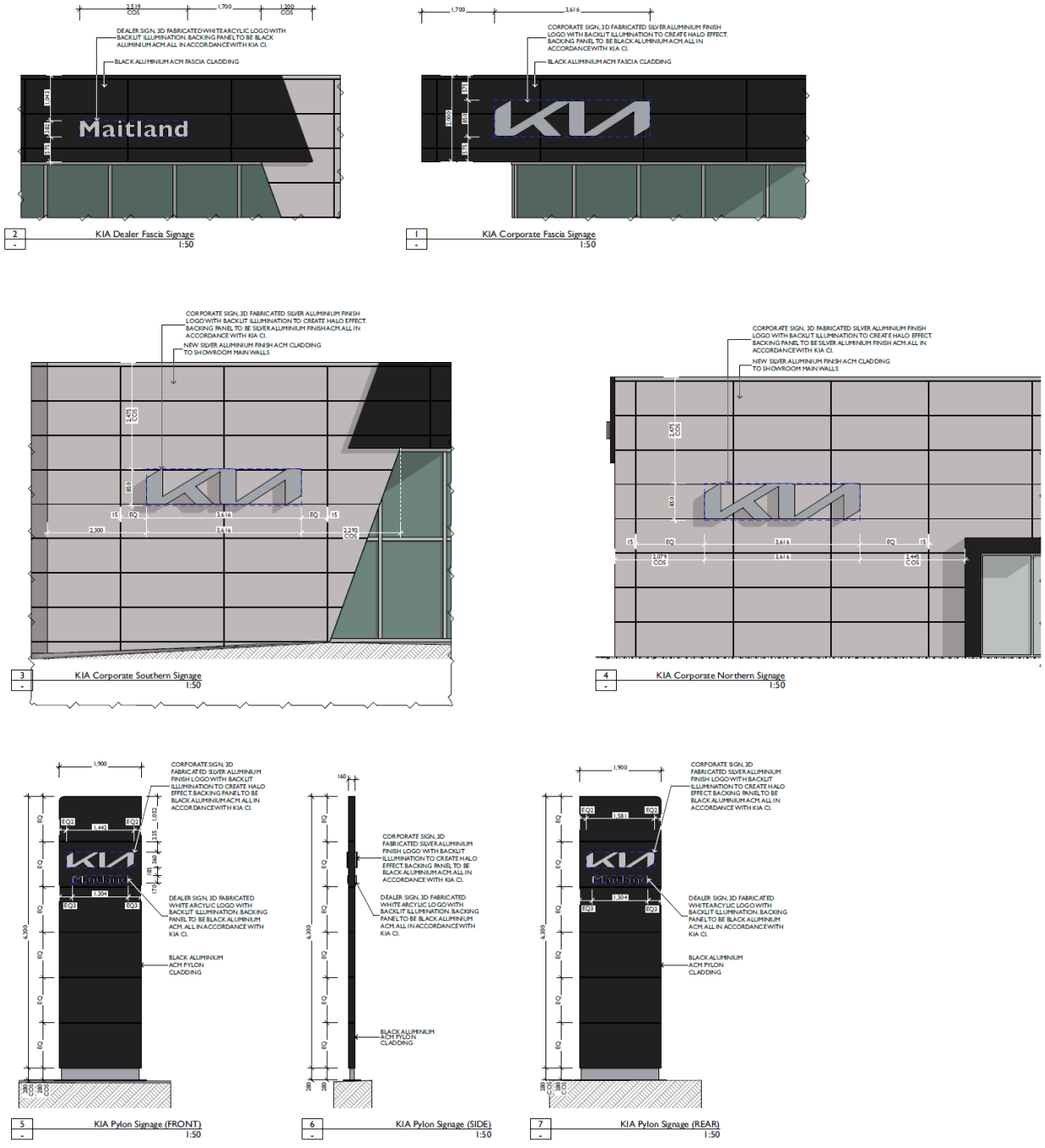
Source: Centric Architects – 0451-3700-A

Figure 41 Proposed Mitsubishi & Suzuki Signage



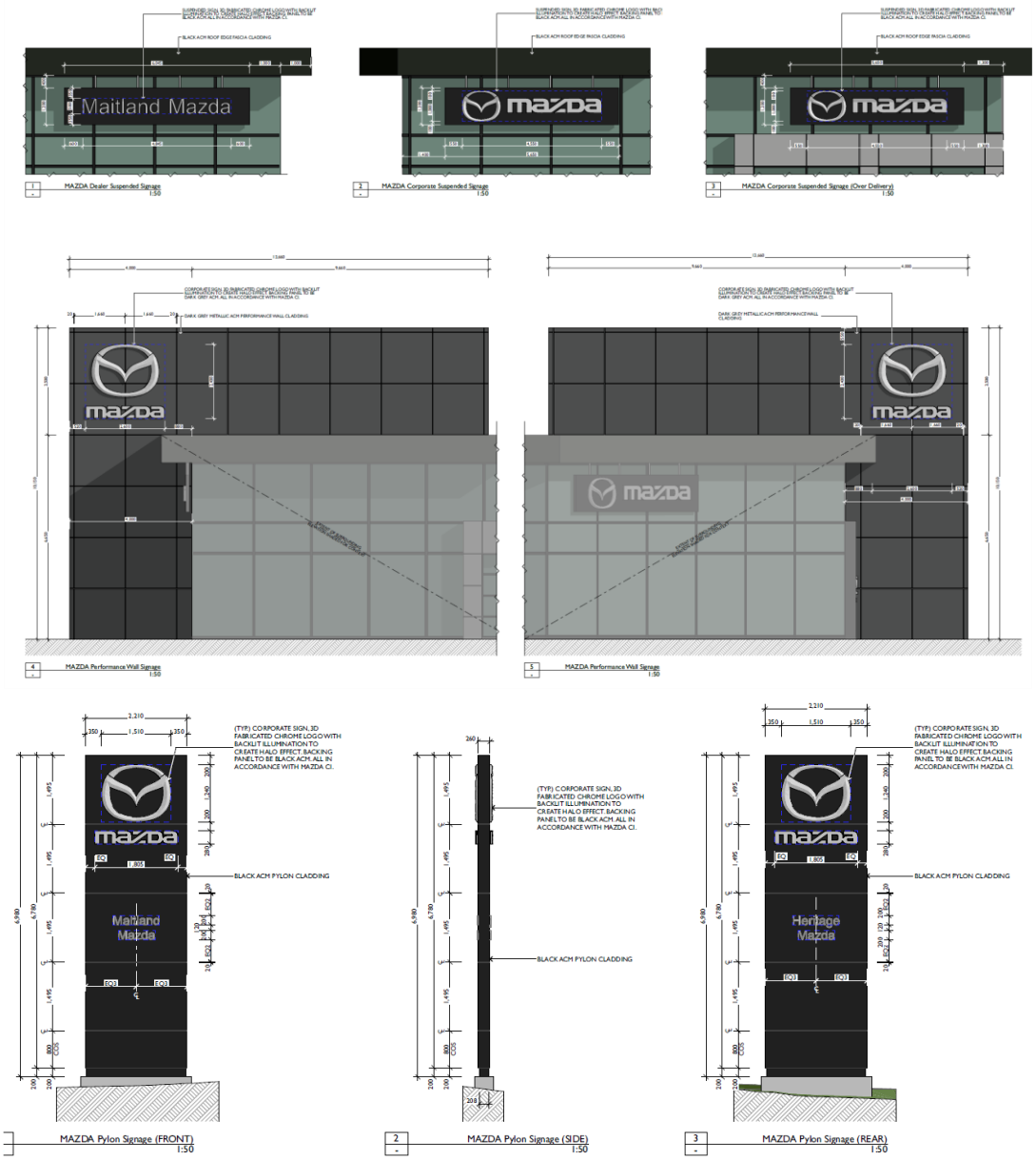
Source: Centric Architects – 0451-5700-A & 0451-5701-A

Figure 42 Proposed KIA Signage



Source: Centric Architects – 0451-6700-A

Figure 43 Proposed Mazda Signage



Source: Centric Architects – 0451-4700-A & 0415-4701-B

2.11 Proposed Operational Details

The proposed operational details of the proposal include:

- an increase in employment from 20 to 35 staff
- trading hours of:
    - 730am to 6pm Monday to Saturday
    - 9am to 5pm on Sundays (workshop closed Sundays).
- 10 staff will drive demonstrator vehicles as their company provided vehicle.

An assessment of Development Compliance with development standards and site allowances is addressed in **Section 4.0**.

3.0 Environmental Effects of the Proposal

This section responds to following items under Section 1.2 of the Application requirements; relevantly:

a. the environmental impacts of the development

b. how the environmental impacts of the development have been identified

c. the steps to be taken to protect the environment or to lessen the expected harm to the environment

3.1 Previous and Present Use of the Site

The site has been used as a vehicle sales premises since the mid-1990s. Historically, the land was used for grazing purposes, however the site is downslope of land formerly used for stockyard purposes; an activity which ceased in sometime in the 1980s. That land subsequently became the realigned New England Highway (see **Figure 44**). Currently the site is used as a vehicle sales premises.

Figure 44 Historical Aerial Views

Figure 5: 1954 aerial

Figure 6: 1977 aerial

Figure 7: 1984 aerial

Figure 8: 1993 aerial

Figure 9: 2001 aerial

Figure 10: 2007 aerial

Source: Douglas Partners PSI – March 2024 - NSW Historical Imagery

The site history information prepared by Douglas Partners (2024) suggest the absence of significant site activities or development prior to the current development which was largely established from the late 1990s. Prior to this, the site was vacant grassland based on title deeds records from 1920s and aerial photos from 1954. The northern corner of the site may have been used as part of cattle stockyards.

From the late 1990s the site was developed into a commercial car dealership and servicing centre which continues to operate. A number of additions to buildings have occurred from 2000s to 2016 based on aerials and Council development application (DA) records.

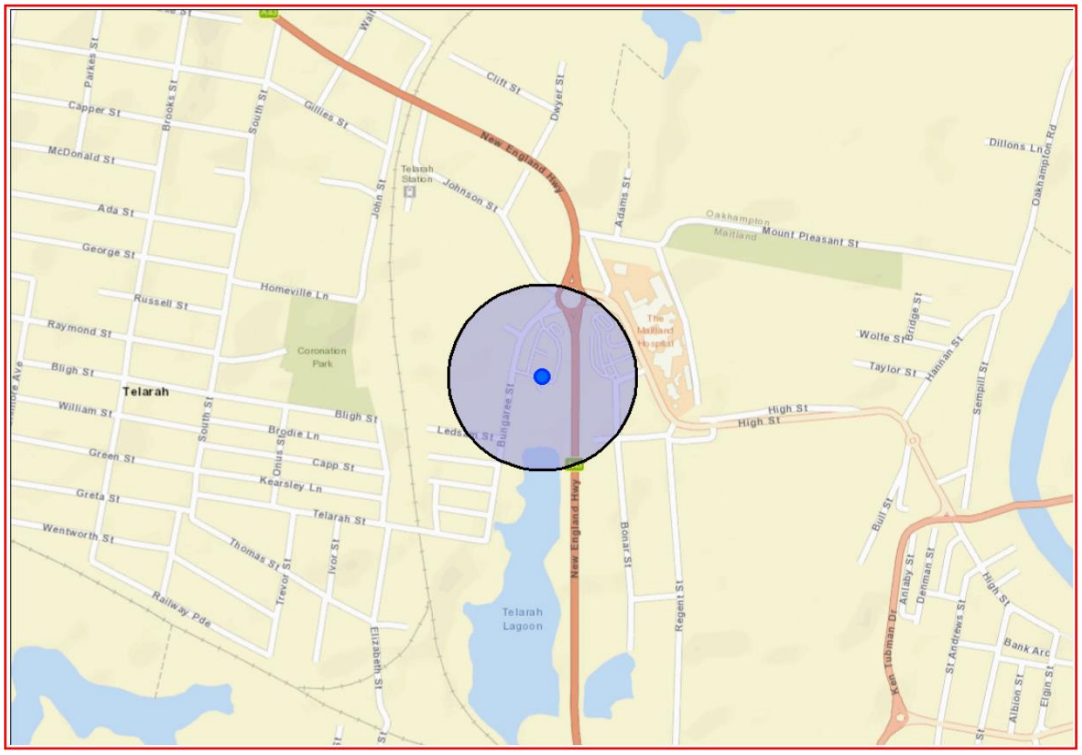
While a more intensive use of the land is proposed, the proposed use is not a more sensitive land use. Previous and present land uses do not preclude the proposed use.

3.2 Aboriginal Archaeological Significance and European Heritage

The site is disturbed by former land uses and will therefore not impact on any known or potential archaeological sites, places of Aboriginal, natural or European cultural significance, or relics of European heritage significance.

An AHIMs search indicates '0' reported finds registered within 200m from the site (see **Figure 45**).

Figure 45 AHIMs 200m Search



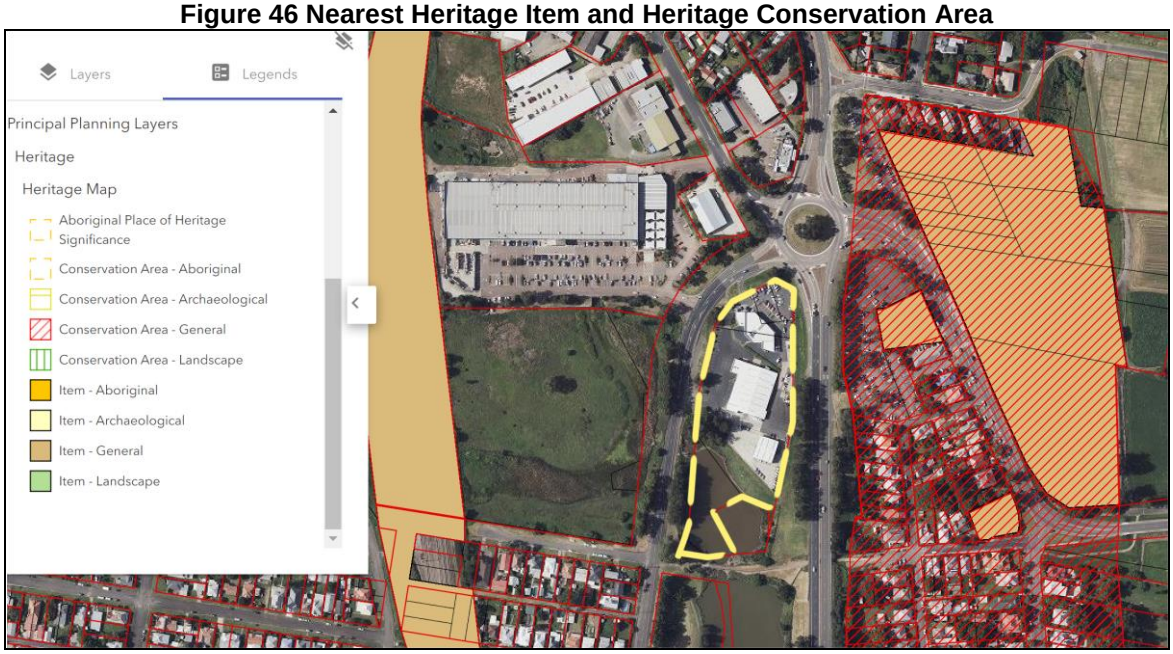
A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Source: NSW Government AHIMS Web Services

The nearest Heritage Item and Heritage Conservation Area is located >75m from the site, separated by 4-lanes of the New England Highway and parking areas, with the line of sight screened by roadside vegetation (see **Figure 46**).

Figure 46 Nearest Heritage Item and Heritage Conservation Area



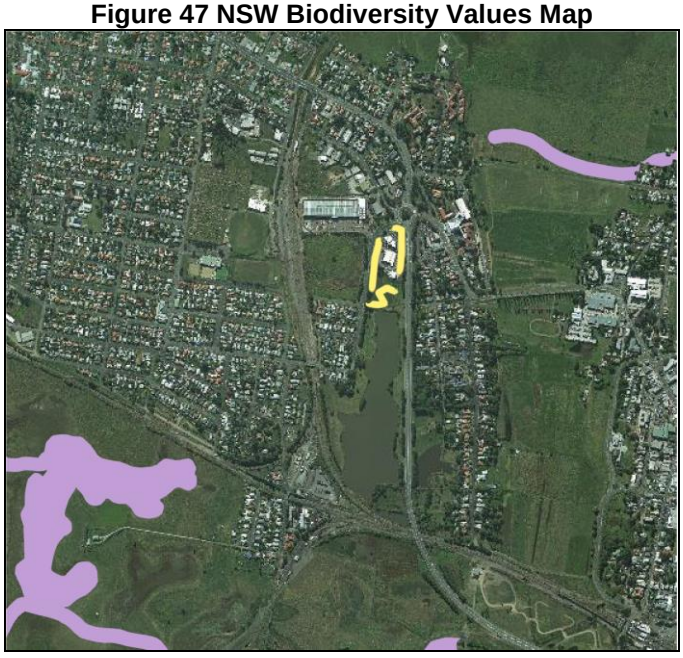
Source: DPIE ePlanning SpatialViewer

The proposed redevelopment is not likely to impact of the heritage significance of the nearest Heritage Item or the nearest Heritage Conservation Area.

3.3 Ecology & Tree Preservation

The proposal does not require clearing of significant vegetation. The site is not mapped by the NSW Biodiversity Values Map and Threshold Tool as land with high biodiversity value (see **Figure 47**).

Figure 47 NSW Biodiversity Values Map



Source: NSW BVM&T Tool

The trees proposed to be impacted or cleared to construct the suspended hardstand slab (viewed from Bungaree Street) are depicted in **Figure 48**. The suspended slab is designed to be supported by pier and beam footings along the Southern boundary of the site

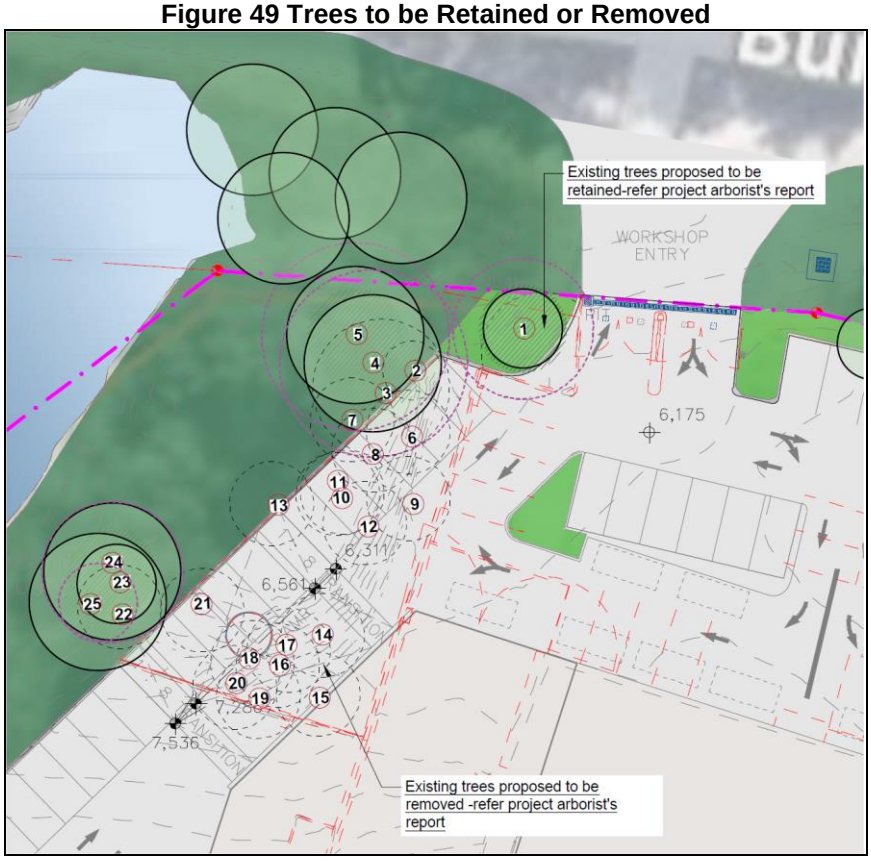
Figure 48 Vegetation Proposed to be Impacted

Source: Google Streetview

Accurate Tree Assessment prepared an Arboricultural Impact Assessment (AIA) for the trees impacted by the proposal (see **Attachment H**).

Nineteen (19) trees and groups of trees including seven (7) exempt species are located within the plan area of the proposed extension to the car park and cannot be retained in conjunction with the proposed design. Trees to be removed and those to be retained are mapped in **Figure 49**.

Figure 49 Trees to be Retained or Removed



Source: Conzept Landscape Architects –Tree Survey

Most of the trees potentially impacted are protected by the provisions of Maitland DCP-2011-Part-B5 'Tree Management'.

Six (6) trees are setback from the proposed car park extension and will be retained and protected for the duration of the project in accordance with the provisions of the Australian Standard AS4970-2009, '*Protection of Trees on Development Sites*' (AS4970).

Tree Management Summary

	Retention	**Removal**
Exempt Species	-	7
Mature	4	3
Semi Mature	2	5
Juvenile	-	4

According to the assessment, the assessed trees appear to have been planted during the initial landscaping of the site indicated by the use of several species which are not indicative of the local vegetation such as Coast Banksia and Sydney Blue Gum.

Trees 6 - 8 *Ligustrum lucidum* and 9, 10, 14 and 15 *Olea europea ssp. cuspidata* have likely grown from seed dispersed by birds are identified on the Weedwise, NSW website as significant environmental weed species in the Hunter Region. In accordance with the provisions of Maitland DCP-2011-Part-B5 'Tree Management' they are exempt species and can be removed without the need for Council consent.

An additional twelve (12) trees and groups of trees including the mature Trees 3 *Eucalyptus saligna*, 4 and 5 *Casuarina glauca* are located between the edge of the existing hardstand and the boundary where they will be within the plan area of the proposed slab and are proposed to be removed.

The AIA supports the removal of the nineteen (19) trees subject to the inclusion of compensatory replacement planting of suitable native trees in the landscaping of the site, or within the nearby reserve subject to consultation with Maitland City Council. The AIA requires that the removal of trees be undertaken by a suitably qualified contracting arborist working in accordance with Safework Amenity Tree Industry Code of Practice, and the removal of trees must not cause harm to any tree(s) proposed for retention.

The proposed pier and beam design will cause minimal impact outside of the plan area allowing retention of Trees 1 *Fraxinus griffithii*, 4, 5, 24 and 25 *Casuarina glauca* and 23 *Glochidion ferdinandii* which are setback from the works.

The trees will be protected from adverse impacts by the installation of temporary fencing at the perimeter of the respective Structural Root Zones or if there is insufficient space the trunks of the trees are to be protected by armouring whereby timber slats are fixed around the trunk over a layer of padding to provide a protective shell against mechanical impacts.

Tree protection measures are to be installed prior to the commencement of works in accordance with the Tree Protection Plan (Appendix 11.3 to the AIA) and the provisions of AS4970.

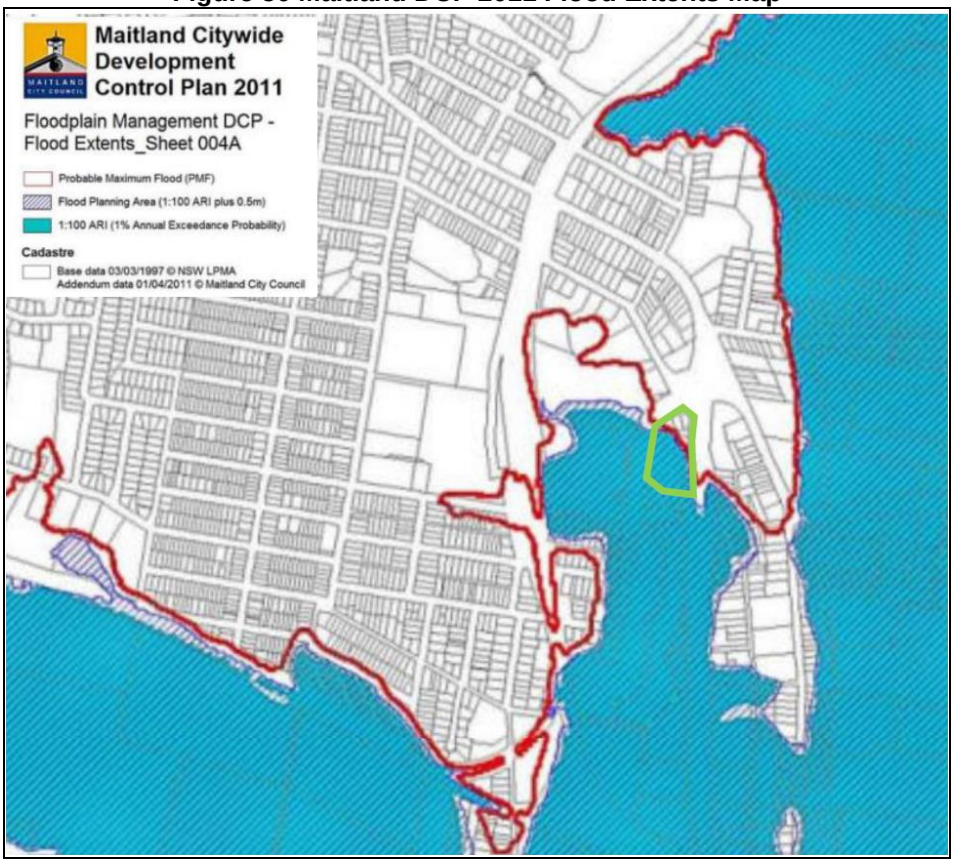
3.4 Flooding and Stormwater Management

Northrop Engineers were commissioned to prepare a Flood Impact Assessment (see **Attachment D**) and Stormwater Management Plan (see **Attachment E**).

3.4.1 Flood Impact Assessment

Maitland City Council's development control plan flood mapping indicates the site is impacted by flooding during the 1% AEP design storm event. The extent of this flooding on the site is shown in **Figure 50** (site outlined in green).

Figure 50 Maitland DCP 2011 Flood Extents Map



Source: Northrop Engineers – Flood Impact Assessment 2024

The majority of the proposed works is within the 1% flood extents, whilst a small portion of the works to the north are within the flood planning area. The flood levels provided by Council to Northrop via an email dated 20 February 2024 are as follows:

Design Flood Levels	
Frequency	**Flood Level**
PMF **(Probable Maximum Flood)**	12.14
1% AEP **(1 in 100 year event)**	9.74
Flood Planning Level **(1% + 500mm freeboard)**	10.24

The floor levels of the majority of the development will be below the 1% AEP storm event. This development is an light industrial/commercial development with no habitable floor spaces. Therefore, the floor levels are permitted to be below the 1% AEP event.

The existing lowest finished floor level RL8.29 of the current workshop and existing reception flood level RL6.78 are to be retained. Although this is below the minimum floor level by 3.46m, it is considered to be acceptable by Northrop Engineers based on the type of building use and project feasibility requirements to retain the existing workshop structure and partial existing reception.

Proposed services are to be appropriately managed within areas below the Flood Planning Level. A proposed substation (located to Ausgrid requirements) is to be located to the north-west of the site outside the flood affected area.

The development will alter the topography of the site, changing the flood storage volume. The change in flood storage volume will be managed by including compensatory earthworks within the development to remove any adverse effects from flooding due to the new development.

3D surface elevation modelling of the existing and proposed development surfaces has been undertaken using CAD software to analyse the change in topography of the site.

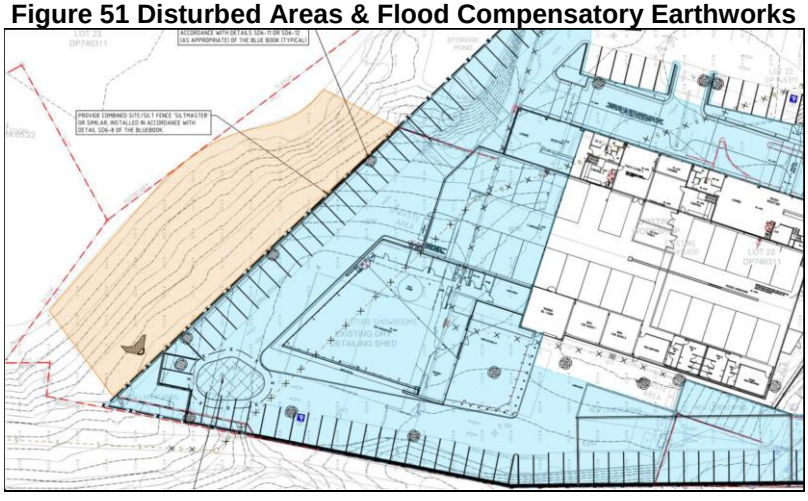
The two models were analysed within the disturbed areas of the site to calculate the volume of water being stored between the surface levels and the 1% AEP flood level, with the results being:

- Existing surface to 1% AEP flood level = 4,890m^3
- Proposed design surface to 1% AEP flood level = 3,870m^3
- Required excavation of compensatory earthworks = 1,020m^3

The compensatory earthworks to be excavated are identified on the civil engineering plans to the south of the site. It is proposed to excavate material from the edge of the existing lagoon to meet a 1:3 batter from the existing retaining wall to the south of the development. With this included in the design, there is no net importation of fill to the site, therefore complying with Council's DCP requirements.

The disturbed area below the 1% AEP flood level can be seen hatched blue in **Figure 51**. The area hatched orange is where compensatory earthworks are to be performed in order to match the pre-development flood storage volumes on the site.

Figure 51 Disturbed Areas & Flood Compensatory Earthworks



Source: Northrop Engineers – Flood Impact Assessment 2024

3.4.2 Flood Evacuation

Inundation of the site during storm events is identified on the southern portion of the site. The flood mapping indicates the northern portion of the site remains flood free for the 1% AEP storm and PMF. Pedestrian refuge and egress is available at the northern end of the site however vehicle egress is obstructed during the 1% AEP and PMF storm event

Emergency vehicle road access to the site is from the northern end of Bungaree Street during a flood event. Access from the south of the site will not be possible.

3.4.3 Flood Compatibility

The structural components of the proposed design will be required to resist forces from flood waters on the structure. The flood depth is estimated to be 3.46m, which impacts on the Workshop Extension, Reception Extension and KIA Showroom, additional parking spaces and retaining walls.

The construction type proposed for these structures uses reinforced concrete footings founded on rock with steel columns and walls supporting the roof. This structural system has the inherent capacity to resist the applied flood forces.

The flood information reviewed identifies the building will be inundated during the 1% AEP design storm. As such, conventional building materials above ground level are considered not appropriate for the development and building materials that are easily cleaned, resistant to mould and withstand the flood forces are to be used.

3.4.4 Risk to Life and Property

The Flood Impact Assessment concludes that the proposed development can appropriately manage the flood risks to life associated with the subject site and that no significant impacts are expected to the flood behaviour within any adjacent properties.

There is however risk to property within the flood zone. The proposed development is considered to adequately manage the flood risk by maintaining the existing flood egress and access and ensuring the structural components and building materials used are appropriate for the flood behaviour on the site.

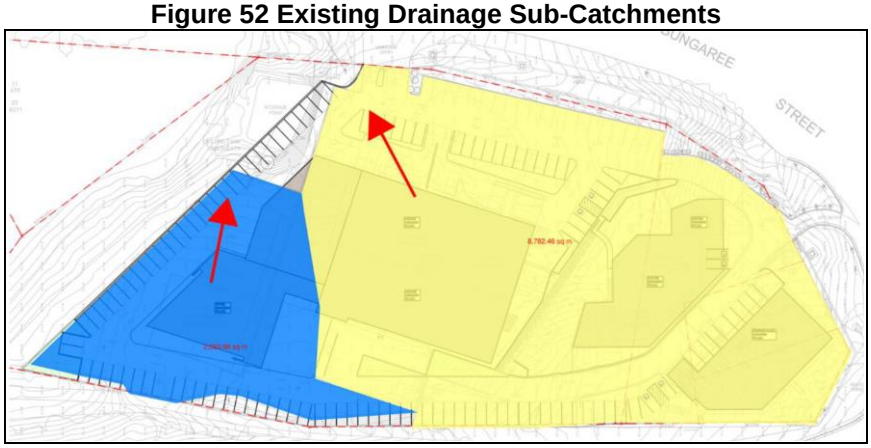
3.4.3 Stormwater Management Plan

3.4.3.1 Stormwater Catchments

The existing site can be divided into two (2) sub-catchments (see **Figure 52**):

- Catchment 1 (approximately 8,782m 2) is directed via overland flow and pit and pipe network to a sealed junction pit next to the southern entry on Bungaree Street -which directs water Lagoon along the sites southern border (yellow).
- Catchment 2 (approximately 2593 m2) is directed via overland flow and pit and pipe network to a storage pond to the south of the site which overflows to Telarah Lagoon along the sites southern border (blue).

Figure 52 Existing Drainage Sub-Catchments



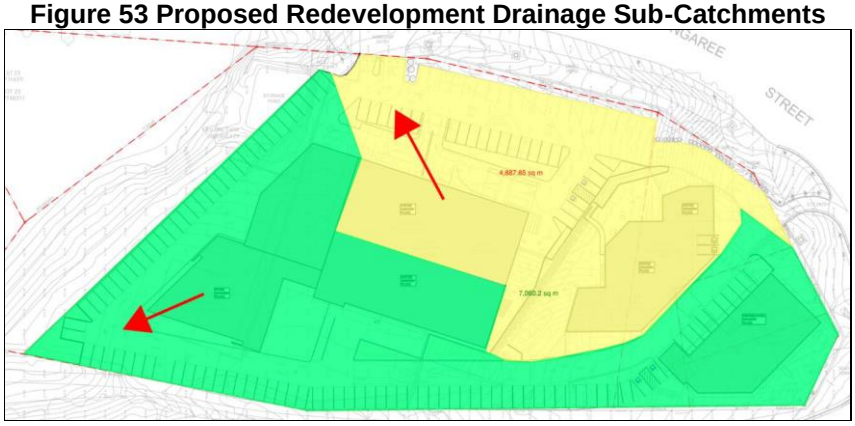
Source: Northrop Engineers – Stormwater Management Plan 2024

The proposed additional buildings dictate that part of the existing stormwater network and overland flow paths in catchment 1 will need to be regraded and constructed. All of catchment 2 requires a new stormwater methodology (see **Figure 53**).

Proposed Catchment A (approximately 4,887 m2) will utilize the existing stormwater overland flow paths and pit and pipe work from Catchment 1, with only minor works proposed where required (yellow).

Proposed Catchment B (approximately 7060 m2) will have mostly new pit and pipe networks and overland flow paths and direct stormwater to the sites southeast (green).

Figure 53 Proposed Redevelopment Drainage Sub-Catchments



Source: Northrop Engineers – Stormwater Management Plan 2024

Both Catchment A and B will ultimately discharge stormwater to Telarah Lagoon, in line with the current behaviour of Catchment 1 and 2.

3.4.3.2 Stormwater Quantity Management

The Stormwater Quantity Management Strategy responds to each of the two sub-catchments.

Catchment A

Catchment A is essentially 56% of Catchment 1. The existing overland flow paths and in-ground stormwater network will have capacity to convey the stormwater run-off for the 5% AEP storm event for the reduced area. No major change to the current stormwater strategy is proposed for this area.

Catchment B
Catchment B will drain via overland flow path and pit and pipe network to the sites southeast. The overland flow path has been sized to convey the 1% AEP storm event, and the proposed in-ground stormwater network has been sized to convey up to the 5% AEP storm event.

The stormwater runoff model used to assess the overland flow paths, pits and pipes sizing was developed using DRAINS software package. An Initial Loss/Continuing Loss (IL/CL) hydrological model, site-specific ARR2019 rainfall intensities, temporal patterns, and pre-burst rainfall data were used to build the model.

Runoff parameters were selected to replicate the site conditions that will be present in the post-developed case in line with ARR2019 guidelines and MCC's Manual of Engineering Standards - 6.Stormwater Drainage. A 0.5 blockage factor was applied to all stormwater pits (proposed and existing).
A summary of parameters used for the model are shown below:

- Impervious area initial loss = 0.00 mm
- Impervious area continuing loss = 0.00 mm/hr
- Pervious area initial loss = 14.00 mm
- Pervious area continuing loss = 1.12 mm/hr

Time of concentration was determined using ARR2019 and QUDM best principles.

Storm durations ranging from 5 minutes to 270 minutes were investigated to ensure that the stormwater infrastructure was adequately sized for the design AEP storm events. Stormwater will be directed to the sites southeast, where it will be discharged via headwall to Telarah Lagoon.

3.4.3.3 Stormwater Quality Management
To minimise adverse impacts upon downstream watercourses, stormwater treatment devices and strategies have been incorporated into the design of the development. Engineering best practice was adopted to minimize the risk to the downstream waterways.

Several factors were identified to select the most appropriate Stormwater Quality Improvement Devices (SQIDs). The proposed development footprint and usage was considered especially significant to the design. In addition to the practical constraints, maintenance, operability, and aesthetics were considered.

Site stormwater quality management was modelled in MUSIC to ensure the proposed treatment train for the development meets Councils stormwater pollution targets. Modelling was completed in accordance with "NSW MUSIC Modelling Guidelines" (BMT WBM, 2015).

The catchment area included in the model consisted of disturbed and upstream areas only - i.e. current infrastructure, roads and roofs falling under Catchment 1 were not modelled. This is because the existing impervious area and treatment strategy in this catchment is not changing, and the current water quality treatment measures will now be oversized given the treatment area is proposed to be approximately 56% of the current catchment area.

Areas for each pollutant source node were delineated based on the development plan view, with roof, pavement and landscaping surface types considered when determining approximate catchment permeability.

Treatment Train
The treatment train for the site generally consists of:

- Proprietary gross pollutant trap pit inserts in all new stormwater pits and,
- Proprietary Ocean Protect Jellyfish Filter JF-2250-3-1.

Stormwater from the various pollutant source nodes (excluding roofed areas) will be directed to inground stormwater pit.

Stormwater from roof nodes will be directed via down pipes to the in-ground pit and pipe network (bypassing the pit filters). The in-ground stormwater pit and pipe network will direct stormwater to a proprietary Ocean Protect JF-2250-3-1 Jellyfish Filter. The collected stormwater will discharge from the Jellyfish Filter device towards Telarah Lagoon. It is the responsibility of the developer/owner to manage and maintain all stormwater quality treatment devices.

MUSIC Modelling Results
The results from the MUSIC model, in terms of the modelled pollutant reductions compared with the council reduction targets outlined in MCC's Manual of Engineering Standards – 6.Stormwater Drainage are shown in **Table 1**.

Table 1 Modelled Pollutant Load Reductions

Pollutant	Sources (kg/yr)	Residual load (kg/yr)	Reduction (%)	Council Reduction Target (%)
Total Suspended Solids (TSS)	334	55.6	93.8	80
Total Phosphorus (TP)	0.75	0.34	58.1	45
Total Nitrogen (TN)	6.66	3.59	46.8	45
Gross Pollutants (GP)	68.8	6.85	95.6	-

Source: Northrop Engineers – Stormwater Management Plan 2024

The results indicate that the development meets MCC's requirements. In particular:

- Stormwater infrastructure is appropriately sized for the 5% AEP storm event.
- The treatment of stormwater runoff is achieved through the proposed treatment train as modelled by MUSIC. This includes proprietary GPT pit inserts and Jellyfish unit.

The investigation and concept designs indicate the proposed development can be adequately managed, and will facilitate the proposal without adverse stormwater quantity or quality impacts.

3.5 Geotechnical
Douglas Partners were commissioned to conduct a geotechnical and preliminary site investigation for the land in 2021(refer to **Attachment F**).

The objective of the PSI was to assess the potential for contamination at the site based on past and present land uses and to comment on the need for further investigation and/or management with regard to continued use for commercial/industrial purposes.

The PSI comprised a review of available published information, previous investigations by DP, brief site history review, site walkover, discussions with site personnel, preparation of a conceptual site model, drilling boreholes, installation of groundwater wells and laboratory analysis of selected soil, sediment and groundwater samples for potential contaminants of concern.

A number of potential contaminating activities were identified on site including the presence of fill to raise site levels, active underground fuel storage tank (UST), oil storage and in ground waste oil-tank, wash bay, activities related to automotive goods storage and use, and possible impacts from offsite/ adjacent industrial development.

The preliminary subsurface investigation focused on the identified contamination risk areas within the developed area of the site currently in use.

The results of limited soil, groundwater and sediment testing were generally within adopted human health and ecological site assessment criteria for commercial and industrial land use based on a generic/conservative assessment. Extensive fill materials were present across the site. One elevated result in fill was above the commercial/industrial health screening levels at Bore 108/1.0 m. The source of elevated contamination has not identified and therefore may be indicative of fill in the northern part of the site.

Investigation near the UST (three bores) and the waste oil tank (one bore only) were necessarily limited by the underground infrastructure and safe set back distances.

Impact to soil was not identified downgradient of the waste oil tank / former wash bay at Bore 104, however, observations indicated hydrocarbon/oil staining at the surface of the building perimeter.

Residual impacts to soils are likely to be present, however, such impacts may be localised rather than widespread. The possible presence or the extent of such impacts has not been determined.

Hydrocarbon impact to soil was not identified within bores downgradient of the active UST although Douglas Partners indicate that residual impacts may be present in the vicinity of underground fuel tanks and associated infrastructure (i.e. tank backfill, fuel /service lines). This may include residual impacts to soil and possible impacts to perched groundwater, if present.

Based on the results of the PSI, the following is recommended:

- Review / audit of the current UST loss monitoring procedures, leak detection of UPSS system, record keeping and environmental management of the area with reference to regulatory and statutory requirements. This should include installation of a third groundwater monitoring well and biannual groundwater monitoring to align with NSW EPA Underground Petroleum Storage Systems Regulation (NSW EPA, 2020b);
- Removal of the UST and associated infrastructure, if proposed, should be undertaken with reference to NSW EPA (2014c) Technical Note: Investigation of Service Station Sites;
- Improvement of existing environmental controls including clean-up of localised hydrocarbon spills within the waste oil store to minimise the potential for migration / overflows and surface water runoff.

Douglas Partners note that a number of sources/areas of potential contamination were identified and limited testing has been conducted across the developed area of the site. Variable fill materials, sediments and residual impacts may be present within the site, and further assessment would be required to assess the possible presence, extent and implications (if any) of the identified potential sources of contamination.

Based on the results of the preliminary site investigation and the results of limited contamination testing of soils, groundwater and sediment, the current facility is considered to be suitable for continued commercial/industrial use with respect to contamination.

3.6 Traffic, Parking & Access

Barker Ryan Stewart (BRS) was commissioned to prepare a Traffic and Parking Impact Assessment in accordance with the requirements of Maitland City Council DCP 2011 (C11) and the NSW Government's 'Guide to Traffic Generating Developments' (refer **Attachment G**).

The report considers traffic, access, car parking and pedestrian impacts generated by the proposed development. The report addresses the following:

- The expected traffic generation
- Intersection analysis based on traffic counts.
- Vehicle parking provisions.
- Access design requirements.
- Delivery and Waste Collection.
- Provision for pedestrians.
- Availability of public transport.

3.6.1 Traffic Generation

Existing Development

The assessment of the existing trips generated by the site is based on the traffic surveys that were conducted for the site entrance. This was compared with the TfNSW GTGD 2002 rate to validate. The GTGD 2002 rate is 0.7 per 100m2 GFA.

The existing development size is a 685.10m2 GFA. The development also includes a 1,596.20m2 GFA service centre, a 385.11m2 GFA shed. It has been presumed that the shed would generate no significant traffic.

For a 2281.3m2 total GFA, the site would be expected to generate **16 trips per hour**.

The peak periods as recorded by the traffic survey conducted on Tuesday 12/12/2023 were 8:15AM to 9:15AM in the AM peak, and 4:00PM to 5:00PM in the PM peak.

During the AM peak, a total of 17 trips were recorded (13 in and 4 out. In the PM peak, a total of 24 trips were recorded (4 in and 20 out). Based on an existing GFA of 2666.41m² this equates to a trip rate of:

- 0.7 trips per hour / 100m² GFA in the AM, and:
- 1.1 trips per hour/ 100m2 GFA in the PM peak.

These rates are generally in agreement with GTGD 2002 values and have been adopted for the proposed development.

In terms of existing in/ out, the intersection survey indicates that:

For the **AM peak** period:

- 55% of trips enter the site; and
- 45% of trips exit the site

For the **PM peak** period:

- 17.5% of trips enter the site, and
- 82.5% of trips exit the site

Generally, in both peak periods:

- 75% of trips are to/from the north; and
- 25% of trips are to/from the south

Proposed Development
The proposed development includes a showroom of 2,091.58m2 GFA and a 2,039.81m2 GFA workshop. This represents an increase of 1,850.09m2 GFA.

Using the above-surveyed rates, the proposed development would be expected to generate:

- 13 trips in the **AM peak**
- 20 trips in the **PM peak**

It is presumed that in/out and directional distribution will be the same as existing/ operational.

BRS created a model of the site access along Bungaree Road for the 2024 period and the 2034 10-year projection. The 10-year projection was modelled assuming a 2% per-annum growth rate for the background volume.

Four (4) scenarios were assessed:

1. 2024 Base
2. 2024 Base + Development
3. 2034 Base
4. 2034 Base + Development

With the proposal expected to generate an additional 13 trips in the AM peak, and 20 trips in the PM peak, the SIDRA Intersection analysis indicates that the existing site access onto Bungaree Road is at **LOS A** and will continue to operate at **LOS A** after 10 years, assuming normal growth behaviour.

3.6.2 Parking
The proposed car parking provision has been assessed by BRS against the requirements of the Maitland DCP 2011 Party C11(DCP 2011) and the RMS Guide to Traffic-Generating Developments 2002 (GTGD 2002).

The minimum parking requirements as per the DCP 2011 and GTGD 2002 are shown in **Table 2**.

Table 2 Minimum Parking Requirements

Source	Use Case	Size	Parking Rate	Parking Requirement
Maitland DCP 2011	Vehicle Showroom	2,091.58m² GFA	1 space per 130m²	16.09 (rounded up to 17 as per DCP)
	Car Workshop	26 bays	6 spaces per work bay	156 spaces
	TOTAL			173 spaces
Guide to Traffic Generating Developments 2002	Vehicle Showroom	2,091.58m² GFA	0.75 space per 100m²	15.69 (rounded up to 16 as per GTGD)
	Car Workshop	26 bays	6 spaces per work bay	156 spaces
	TOTAL			172 spaces

Source: BRS TIA 2024

DCP 2011 requires 172 spaces while the GTGD 2002 requires 173 spaces as a minimum, with 16-17 spaces required for the showroom and 156 spaces required for the car service shop. It is noted that no distinction is made between visitor parking and inter/post-servicing parking for the car service shops.

The development has 141 spaces exclusively allocated to visitor parking, and 42 spaces allocated for staff use including demonstration vehicles and storing inter/post-servicing vehicles. This amounts to 183 spaces provided in total, which is some 10 spaces greater than the minimum rate outlined in Maitland DCP.
.

3.6.3 Access & Sight Distances

The existing accesses will be retained for use, including the northern left-only entry, and the main access. It is noted that the northern entry is not likely to affect road speeds or safety and can only serve to improve access queueing or conflicts, and has mostly been excluded from traffic impact assessments.

The entry/exit driveways comply with AS/NZS 2890.1-2004 Parking Facilities – Off Street Car Parking, AS 2890.2-2018 Parking Facilities – Off Street Commercial Vehicle Facilities.

The proposed driveway locations comply with Figure 3.3 – Minimum Sight Distance for Pedestrian Safety *AS/NZS 2890.1* and the proposed driveway gradients comply with *AS/NZS 2890.1.*

3.6.4 Site Layout & Swept Pathways

The proposed development will include 141 visitor & workshop parking spaces, and 42 showroom or workshop storage parking spaces. The 42 spaces will be parked exclusively by staff, internally managed, and line marked.

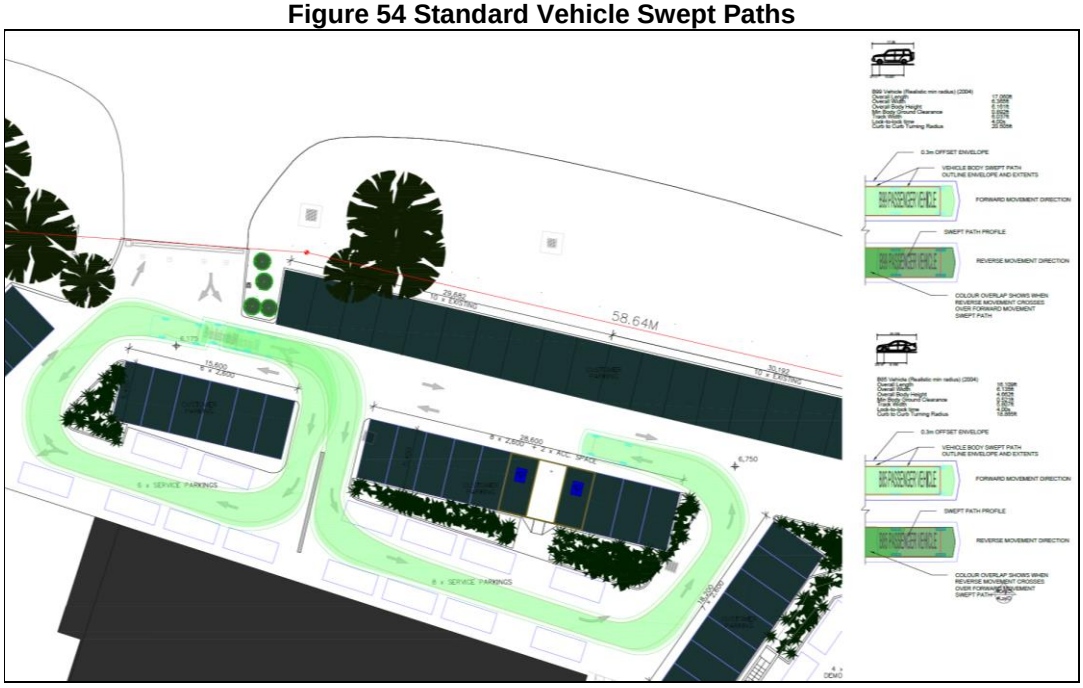
The proposed parking facilities have been designed in accordance with the requirements of *AS/NZS 2890.1, AS 2890.2* and *AS/NZS 2890.6 – Off-street Parking for People with Disabilities.*

- User Class = 3 (short-term parking)
- Parking bays: 2.60m x 5.40m
- Accessible Parking Spaces: 2.40m x 5.40m plus a 2.40m x 5.40m shared space
- Small car bays: 2.60m x 5.00m
- Aisle Widths: 5.80m

Existing parking spaces are already operational, and no change is proposed.

A swept path review of the proposed redevelopment has been undertaken (see **Figure 54**), including paths for Medium and Heavy Rigid Vehicles (MRV and HRV) (see **Figures 55 to 56**).

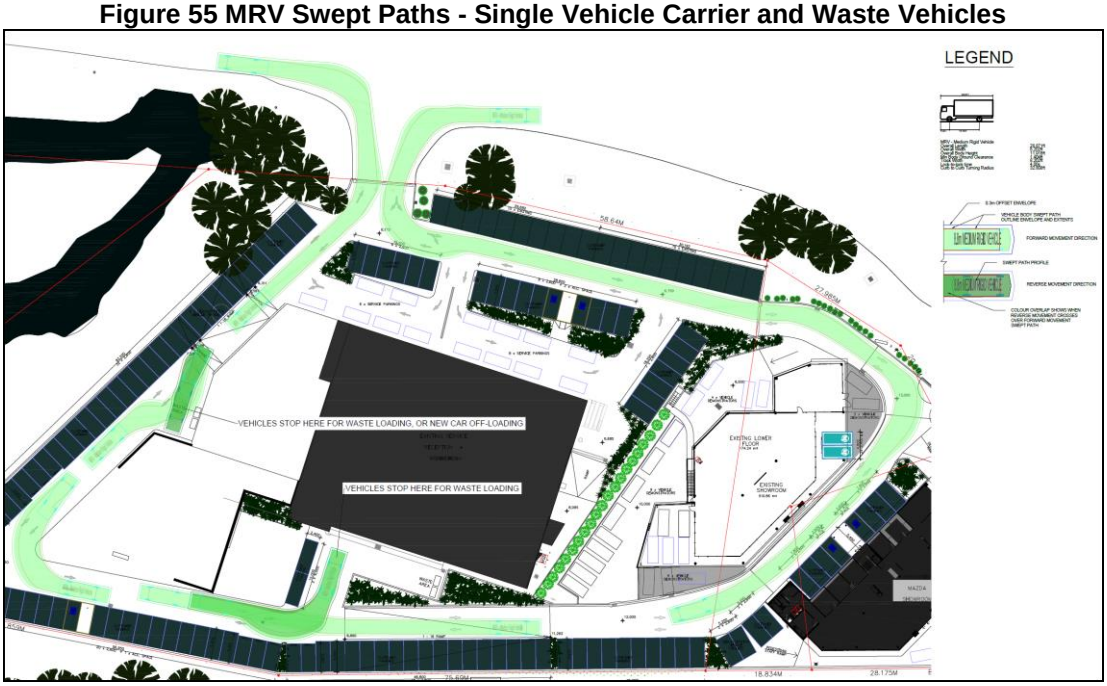
Figure 54 Standard Vehicle Swept Paths



Source: BRS TIA 2024

The existing commercial vehicle access and circulation arrangement involves cars being delivered from port to a pre-delivery centre off-site, and sale cars either being driven a short distance to the site, or shipped via a single car carrier, which is the size of an 8.8m Medium Rigid Vehicle (MRV).

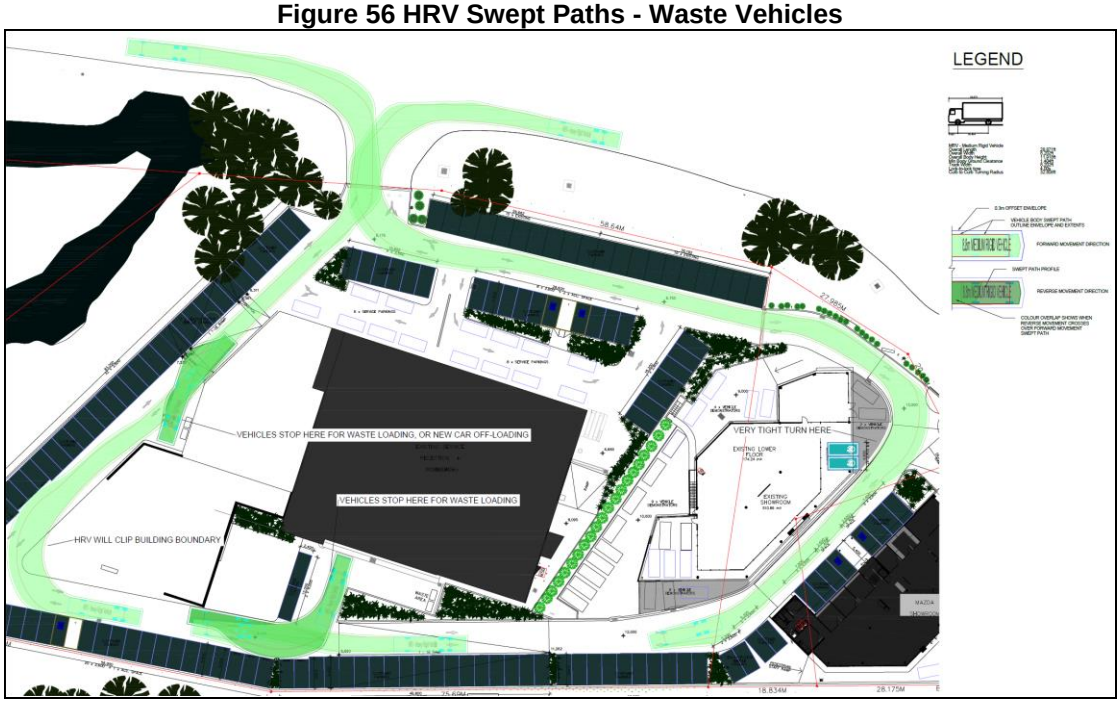
Figure 55 MRV Swept Paths - Single Vehicle Carrier and Waste Vehicles



Source: BRS TIA 2024

Similarly, an HRV needs to access the waste collection area. It is noted that waste collection will primarily be done at the back of the workshop (primary waste collection area) but can also be done when required along the corner of the KIA showroom and workshop (secondary waste collection area).

Figure 56 HRV Swept Paths - Waste Vehicles



Source: BRS TIA 2024

It is noted that a HRV stopping in the secondary waste collection area will affect contraflow on the roadway. However, this is unlikely to affect flow in practice, as:

- Waste collection in this corner is modest compared to the primary waste collection area and obstruction would be for a very short amount of time,
- Waste collection will occur far outside of peak times (likely before operating times) and is unlikely to encounter any vehicle conflict.
- On the odd occasion where conflict may occur, considering it would occur outside of peak times, vehicles can either use the car parking spaces to manoeuvre around, or use a parking space as a turning bay and go the other direction.

3.6.5 Public Transport

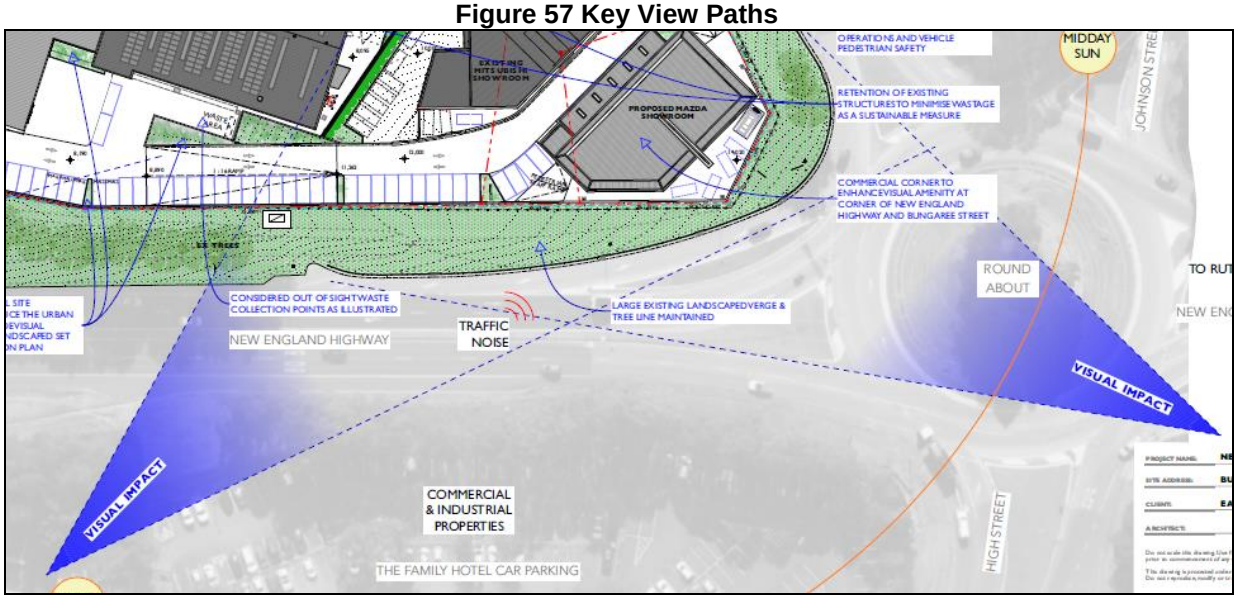
The area is well connected to public transport through public bus connections located in close proximity to the site, including the Telarah train station 420m from the site, and bus stops along New England Highway, Bungaree Street and High Street service the 178, 179, 180, 181, 182 and 183 bus routes.

The Traffic and Parking Impact Assessment concludes that the subject site is suitable for the proposed development in terms of traffic impacts, car parking provision, vehicle and pedestrian access and safety considerations.

3.7 Visual Impact

The site has direct frontage to public roads on three (3) of its four (4) boundaries, with the potential for visual impacts from the New England Highway as identified in the Site Analysis Plan (see **Figure 57**).

Figure 57 Key View Paths



Source: Centric Architects – 0451-0001-A

The primary view of the site is considered to be from southbound traffic at the roundabout at the northern end of the site. The roundabout is elevated, providing an uninterrupted view of the site.

A secondary view is from the New England Highway, alongside the eastern boundary approaching the intersection. The view is less direct and is often screened by trees in the road verge on the approach.

Currently, the showroom building is set back about 36m from the northern boundary, with the vehicle display area presenting as a car park. The showroom building sits much lower in the background, with the carpark appearance dominating the site character (see **Figure 58**).

Figure 58 Existing Streetscape Character - North

Source: Google Streetview

The proposal will replace the mundane carpark appearance with a modern showroom building, with the use of floor to ceiling glazing and integrated blade wall signage, enhancing the visual amenity of the site (see **Figure 59**).

Figure 59 Enhanced Streetscape - North

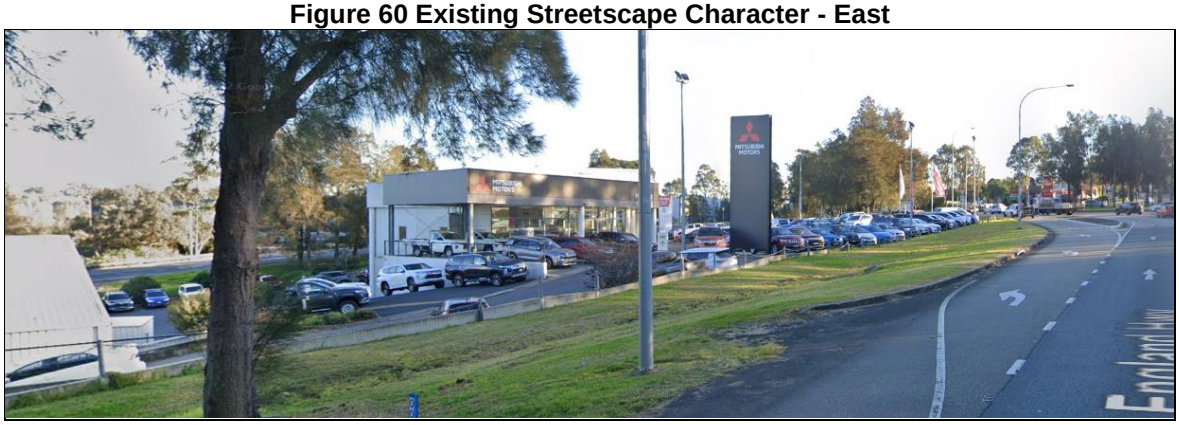
Source: Centric Architects – 0451-4000-E

A small forecourt in front of the proposed Mazda building is proposed to be a dedicated new vehicle display area with capacity for only four (4) vehicles and one (1) elevated display ramp.

This proposed arrangement of the new building, about 6m from the northern boundary, will provide a more orderly and inspiring presentation to the intersection.

The secondary view path is also currently dominated by the vehicle display area fronting the approach to the intersection (see **Figure 60**).

Figure 60 Existing Streetscape Character - East



Source: Google Streetview

A montage illustrates how the proposed new Mazda showroom building and the refurbished Mitsubishi and Suzuki building will present together, and displace the existing carpark appearance (see **Figure 61**).

Figure 61 Enhanced Streetscape - East

Source: Centric Architects – 0451-6500-B

In terms of the potential visual impact of the parking proposed along the eastern boundary of the site, the site is partially screened by trees in the verge of the New England Highway. The screening effect of the trees is shown in **Figure 62**.

Figure 62 Verge Vegetation Screening

Source: Google Streetview

Consideration of the potential for visual impact indicates that the proposal will provide enhanced visual amenity and a considerable improvement in the streetscape.

3.8 Waste Management

A Waste Management Plan (WMP) has been prepared by BRS (see **Attachment I**).

3.8.1 Demolition Waste

Estimated waste volumes generated by the proposed demolition activity are listed in **Table 3**.

Table 3 Demolition Waste Generation

Type of Waste Generated	Reuse	Recycle	Disposal	Comment
	Estimate Volume (m^3)	Estimate Volume (m^3)	Estimate Volume (m^3)	Specify method of on-site reuse, contractor and recycling outlet and/or waste depot to be used
Excavation material	-	-	-	Excavation is at construction stage.
Timber (Side façade / dressed)	-	208m^3	-	Transferred to a Material Recovery Facility or Council Waste Transfer Station.
Gyprock / Cladding	-	125m^3	-	Transferred to a Material Recovery Facility or Council Waste Transfer Station.
Concrete	-	1,195m^3	-	Any concrete waste will be crushed and transported to other construction sites or through a Material Recovery Facility.
Masonry (Hebel Block/Fibre cement sheeting/ Pavers / bricks)	42m^3	166m^3	-	Transferred to a Material Recovery Facility.
Tiles (roof)	-	-	-	No roof tiles.
Metal (roofing / framing / façade)	-	208m^3	-	Transferred to a Material Recovery Facility
Glass	-	52m^3	-	Transferred to a Material Recovery Facility
Furniture	-	-	-	Furniture will be removed prior to demolition.
Fixtures / Fittings	-	33m^3	8m^3	Transferred to a Material Recovery Facility or Council Waste Transfer Station.
Floor coverings	-	52m^3	35m^3	Transferred to waste management facility or recycling facility.
Packaging (used pallets / pallet wrap)	-	-	-	No packaging will be used during the demolition.
Garden organics	33m^3	33m^3	-	Reused as mulch on site or recycled through private contractor or through Council's green waste.
Containers (cans / plastic / glass)	-	17m^3	-	Containers to be sorted and transferred to Council Waste Transfer Station
Paper / cardboard	-	9m^3	-	Transferred to a Material Recovery Facility
Residual waste		14m^3	55m^3	Transferred to a Council Waste Management Facility.
Hazardous / special waste (specify)	-	-	-	Should any asbestos or other hazardous materials (such as old fuel tanks or the like) be found on the site they will be removed and disposed of by a qualified demolition removalist in accordance with the relevant standards.
Other	-	-	-	Transferred to a Council Waste Management Facility.

3.8.2 Construction Waste

Estimated waste volumes generated by the proposed construction activity are listed in **Table 4**.

Table 4 Construction Waste Generation

Type of Waste Generated	Reuse	Recycle	Disposal	Comment
	Estimate Volume (m^3)	Estimate Volume (m^3)	Estimate Volume (m^3)	Specify method of on-site reuse, contractor and recycling outlet and/or waste depot to be used
Excavation material	12,000m^3	-	-	Excavated materials will be reused as fill on other developments or on-site.
Timber (Side façade / dressed)	7m^3	17m^3	-	Transferred to waste management facility or recycling facility.
Gyprock / Cladding	-	14m^3	-	Transferred to waste management facility or recycling facility.
Concrete	2m^3	14m^3	-	Any excess concrete will be retained in the truck and used elsewhere.
Masonry (Hebel Block/Fibre cement sheeting/ Pavers)	7m^3	13m^3	-	Transferred to waste management facility or recycling facility.
Tiles (roof)	-	-	-	No roof tiles proposed.
Metal (roofing / framing / façade)	6m^3	23m^3	-	Transferred to waste management facility or recycling facility.
Glass	-	-	-	All glass will be made to order
Furniture	-	-	-	Not at this stage.
Fixtures / fittings	14m^3	-	-	Fixtures will be made to order.
Floor coverings	5m^3	7m^3	10m^3	Transferred to waste management facility or recycling facility.
Packaging (used pallets / pallet wrap)	-	22m^3	-	Pallets will be transferred to a Material Recovery Facility. Wrap and packaging will be a transferred to Councils Waste Management Facility.
Garden organics	3m^3	-	-	Organics will be ordered to size in accordance with the quantity survey.
Containers (cans / plastic / glass)	-	14m^3	-	Containers will be a transferred to Councils Waste Management Facility.
Paper / cardboard	-	8m^3	-	Transferred to waste management facility or recycling facility.
Residual waste	-	10m^3	18m^3	Residual waste will be transferred to Councils Waste Management Facility.
Hazardous / special waste (specify)	-	-	-	No hazardous materials will be utilised in the construction.
Other	-	-	-	N/A

Waste management during demolition and construction will be provided as part of a construction management plan included as part of the construction certificate process.

Recommended construction waste minimisation measure include:

- All fixtures and fittings will be made to measure;
- All materials will be ordered in accordance with a bill of quantities;
- Recycled materials will be utilised wherever possible;
- Measures will be taken to ensure the construction contractor is aware of the waste management procedures and adheres to appropriate guidelines.
- Salvage materials for recycling and reuse during the construction process; and
- The remaining waste to be transported to a recognised builders recycling yard or waste facility.

3.8.3 Operational Waste

Expected showroom waste generation rates have been used for car showroom components and industrial generation rates (from another DCP) for workshop components (see **Table 5** and **Table 6**).

Table 5 Operational Recycling and General Waste

DCP Requirements	Recyclables	General Waste	Green Waste
Showroom and Workshop areas			
Amount generated (L per day)	505.2L	1,320.2L	Green waste will be removed by a landscape contractor.
Amount generated (L per week)	3,536.3L	9,241.7L	
Number and size of bins	1 x 3,500L bulk waste bin	2 x 3,500L bulk waste bin	
Frequency of Collection	Weekly	Twice a week	As needed

Table 6 Operational Waste - Other Waste Types

Waste Type	Waste Bin Type	Collection Frequency	Special Notes
Confidential Paperwork	Shredding Bins x 240L	2 bins collected upon request	
Scrap Metal	Skip bin x 1	Collected upon request	
Oils and Liquid Waste	Double bunded waste oil tank	As required	Removed by specialist contractor

3.8.4 Waste Collection and Storage

Recommended waste collection and storage arrangements are listed in **Table 7**.

Table 7 Waste Collection and Storage

Waste Storage Area	
Green Waste	Green waste will be removed by a landscape contractor.
Bulky Waste	An area has been provided for the storage of bulky waste.
Special Waste	Scrap metal / confidential / Oils and liquid waste as detailed above.
Floor area required for manoeuvrability (m^2)	The storage areas are wide enough for bins to move pass each other while leaving enough space for human passage between bins. Note detailed design of waste bin areas will be undertaken at Construction Certificate stage.
Height required for manoeuvrability (m)	Waste storage areas provide sufficient overhead clearance for bin lifters to transfer waste to large bins.
Comment	**Recycle:** This development will provide adequate recycling bins to meet the minimum recycle requirements. **Waste:** This development will provide adequate waste bins to meet the minimum waste requirements. **Other:** other specialist waste will be collected as required upon request.

Ongoing waste removal arrangements include:

- A private contractor will collect waste and recycling from the site.
- Specialist waste will also be removed as required by private contractors relating to scrap metal, confidential documents and oil and liquid waste products on an as need basis.
- **Maintenance**: Management shall be responsible for the maintenance of signage, the security of the waste storage areas.
- **Hygiene:** An arrangement will be made with a bin cleaning contractor for regular bin cleaning. The bin contractor will provide a specialised filtration service to ensure pollutants are collected by the mobile unit and appropriately disposed in accordance with EPA Guidelines. A cleaning area should be provided.

3.9 Disability Access

An access report has been compiled by Jensen Hughs Pty Limited to address the legislative requirements and Council's DCP provisions (see **Attachment J**).

The report documents an assessment of the proposed buildings against the following documents and their relevant Deemed to Satisfy requirements.

- Disability (Access to Premises – Buildings) Standards 2010 Compilation No. 2 (DAPS);
- Building Code of Australia 2022 Volume One – Part D4 and Clauses F4D5/F4D6/F4D7;
- Penrith Council's Development Control Plan 2014 (DCP) Volume 1;
- Applicable Australian Standards AS1428.1:2009, AS1428.4.1:2009 and AS2890.6:2009.

The report identifies those areas of the design where compliance is not achieved, where performance-based solutions are likely to be required, and recommendations to achieve compliance.

The report identifies elements that indicate that the design is capable of complying with the relevant accessibility requirements, subject to design resolution prior to issue of a Construction Certificate.

3.10 Energy Efficiency – Section J

Jensen Hughes Pty Limited provide an assessment under *Section J Energy Efficiency Deemed-to-Satisfy (DTS)* provisions, Volume1, National Construction Code (NCC) 2019 (see **Attachment K**).

The report outlines that proposal is capable of complying with the Code under NCC2019 Section J DTS pathway, indicating that the requirements must be implemented in design, and to be ensured compliance by the builder, during construction.

A Building Code Compliance assessment is also provided in **Attachment M**.

3.11 Social and Economic Impact

The development will provide employment opportunities during the construction and operation of the dealership and workshop. This will provide some 35 long term job opportunities (20 workshop staff, 5 staff per showroom (sales staff and administration).

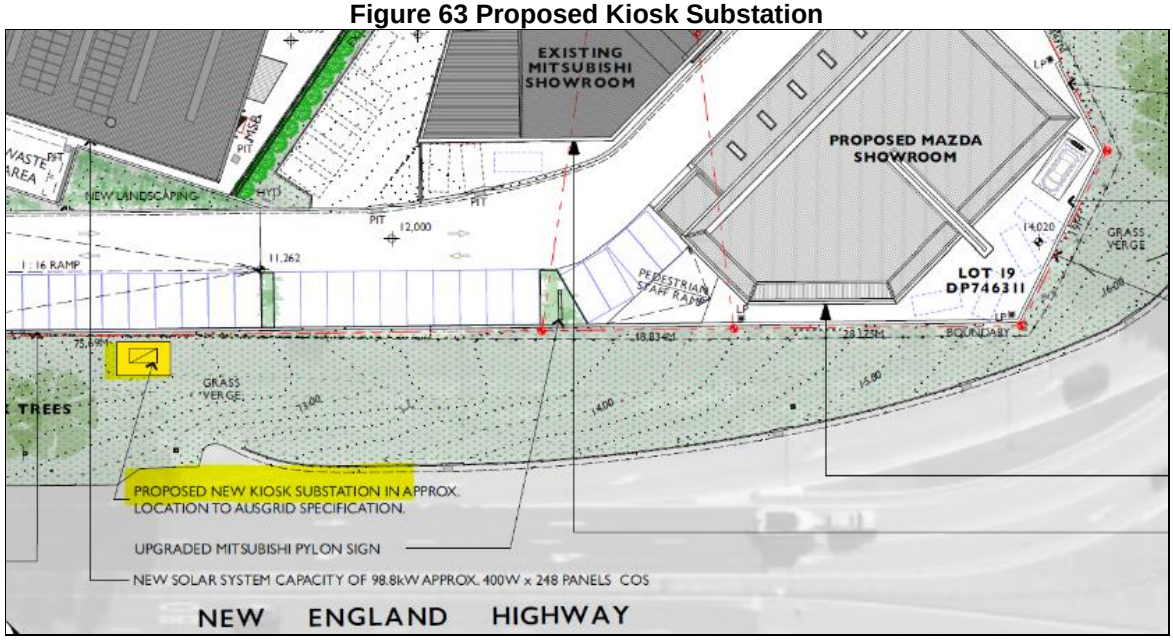
Additional employment will be generated by multiplier effects to local businesses and service providers, such as to local retail businesses, cleaners, parts suppliers etc.

The proposed development is highly unlikely to introduce a discordant element to the area.

3.12 Infrastructure

The development will require an upgraded electrical Kiosk which is proposed to be located within the verge of the New England Highway to Ausgrid specifications (see **Figure 63**).

Figure 63 Proposed Kiosk Substation



Source: Centric Architects – 0451-2002 - M

No other utility upgrades are required for the proposal.

4.0 Compliance with Relevant Planning Provisions

The following provides an assessment of the Development Application in accordance with the heads of consideration provided under section 4.15 of the Environmental Planning and Assessment Act 1979. The heads of consideration are:

- The provisions of any Environmental Planning Instruments (EPI), any draft EPI placed on public exhibition, any Development Control Plan, any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 and any matter prescribed by the regulations;
- The likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with the Act or the regulations; and
- The public interest.

4.1 Environmental Planning Instruments

Relevant Environmental Planning Instruments are addressed below, with the provisions relevant to the proposal presented in *italics.*

4.1.1 State Environmental Planning Policies (SEPP's)

SEPP (Sustainability Buildings) 2022

This Policy aims to encourage the design and delivery of sustainable buildings, to monitor the embodied emissions of materials used in construction of buildings, to minimise the consumption of energy, to reduce greenhouse gas emissions, and to ensure good thermal performance of buildings.

Chapter 3 Standards for non-residential development

Clause 3.1 Application of Chapter

(1) This Chapter applies to development, other than development for the purposes of residential accommodation, that involves—

(a) the erection of a new building, if the development has a capital investment value of $5 million or more, or

(b) alterations, enlargement or extension of an existing building, if the development has a capital investment value of $10 million or more.

The proposed development involves development with an **Estimated Development Cost of $9.38M**. (see EDC Calculation in Attachment). Accordingly, the following provisions apply:

Clause 3.2 Development consent for non-residential development

(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—

(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,

(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,

(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,

(d) the generation and storage of renewable energy,

(e) the metering and monitoring of energy consumption,

(f) the minimisation of the consumption of potable water.

*(2) Development **consent must not be granted** to non-residential development **unless** the consent authority is satisfied **the embodied emissions attributable to the development have been quantified**.*

Details as to how the development satisfies the above criteria are provided in **Attachment L**.

The emissions attributable to the development have been determined to be **54.09** ton CO2e/yr.

SEPP (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

Part 2.2 Clearing vegetation in non-rural areas

In accordance with Section 2.3(1)(b) of the SEPP, the subject site is in a non-rural area of the State for reason that the land is zoned E3 Productivity Support under the Maitland LEP 2011. Therefore the following provisions apply:

Clause 2.6 Clearing that requires permit or approval

(1) A person must not clear vegetation in a non-rural area of the State to which Part 2.3 applies without the authority conferred by a permit granted by the council under that Part.

(2) A person must not clear native vegetation in a non-rural area of the State that exceeds the biodiversity offsets scheme threshold without the authority conferred by an approval granted by the Native Vegetation Panel under Part 2.4.

Clause 2.10 Council may issue permit for clearing of vegetation

(1) A council may issue a permit to a landholder to clear vegetation to which this Part applies in any non-rural area of the State.

(2) A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.

(3) A permit under this Part cannot allow the clearing of vegetation—

(a) that is or forms part of a heritage item or that is within a heritage conservation area, or

(b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the council is satisfied that the proposed activity—

(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and

(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

(4) A permit may be granted under this Part subject to any conditions specified in the permit.

The application seeks permission to remove exotic vegetation, and a small area of native vegetation that is less than the area threshold for this land.

The application is not a heritage item, nor forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance. It is therefore anticipated that the removal of vegetation will be granted consent.

Chapter 4 Koala habitat protection 2021

Part 4.1 Preliminary

This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

Part 4.2 Development control of Koala habitats

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

(2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.

(3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.

(5) However, despite subsections (3) and (4), the council may grant development consent if the applicant provides to the council—

(a) information, prepared by a suitably qualified and experienced person, the council is satisfied demonstrates that the land subject of the development application—

*(i) **does not include any trees** belonging to the koala use tree species **listed in Schedule 3** for the relevant koala management area, **or***

*(ii) **is not core koala habitat**, or*

(b) information the council is satisfied demonstrates that the land subject of the development application—

*(i) **does not include any trees** with a diameter at breast height over bark of more than 10 centimetres, or*

(ii) includes only horticultural or agricultural plantations.

The subject site is within the Maitland City Council LGA which is within the LGA Koala Management area “Central Coast”.

A qualified arborist has carried out an Arboricultural Impact Assessment to determine the species of trees potentially impacted by the proposal (see **Attachment H**).

The schedule of trees listed in Section 6.0 of the AIA lists two (2) Koala use tree species that occur in Schedule 3 of the SEPP. The listed trees occur within the area proposed to be impacted by the extension of the hardstand are in the south-west corner of the site.

The two (2) species, their diameter at breast height, and the number proposed to be removed [in brackets] are:

- *Eucalyptus saligna* (Sydney blue gum) - 700cm - [one (**1**)]
- *Casuarina glauca* (Swamp she oak) - 10cm to 60cm - [seven (**7**)]

As trees listed in Schedule 3 are proposed to be impacted, consideration needs to be given as to whether the site meets the definition of core koala habitat:

> ***core koala habitat*** *means—*
>
> *(a) an area of land which has been assessed by a suitably qualified and experienced person as being highly suitable koala habitat and where koalas are recorded as being present at the time of assessment of the land as highly suitable koala habitat, or*
>
> *(b) an area of land which has been assessed by a suitably qualified and experienced person as being* ***highly suitable koala habitat and*** *where koalas have been recorded as being* ***present in the previous 18 years****.*

The small number of Koala use trees to be impacted (eight (8)) is highly isolated from contiguous native vegetation (see **Figure 1**), and would not support a viable Koala population. The site is physically isolated from use by Koala by the existence of roads on the north, eastern and western boundaries, a significant retaining wall, fencing (see **Figure 47**) and the Telarah Lagoon on the southern boundary. There are no known Koala records over the last 18 years (since 2006).

The above demonstrates that the proposal will have no impact on Koalas or highly suitable Koala habitat, and that the proposed development will not impact core koala habitat.

SEPP (Resilience and Hazards) 2021

> ***Chapter 2 Coastal Management***
>
> ***2.3 Land to which Chapter applies***
>
> *This Chapter applies to land within the coastal zone.*

Section 5 of the *Coastal Management Act 2016* provides that the ***coastal zone*** means the area of land comprised of the following coastal management areas -

(a) the coastal wetlands and littoral rainforests area,

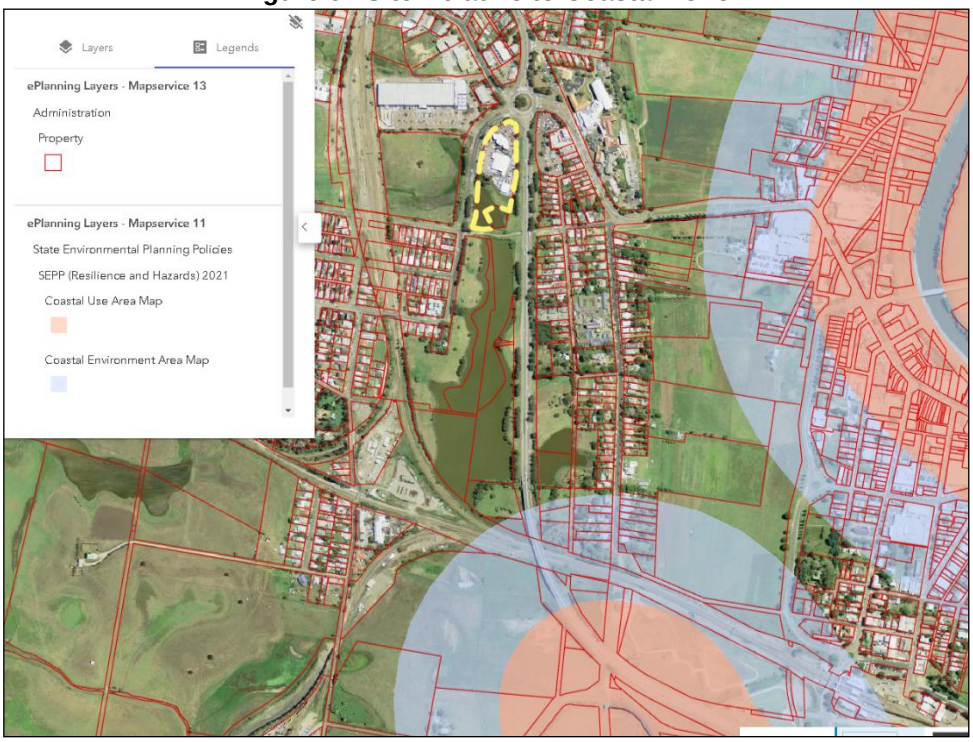
(b) the coastal vulnerability area,

(c) the coastal environment area,

(d) the coastal use area.

The land is not mapped within the above listed coastal management areas (see **Figure 64**).

Figure 64 Site Relative to Coastal Zone



Source: DPIE ePlanning SpatialViewer

Chapter 4 Remediation of land

4.6 Contamination and remediation to be considered in determining development application

(1) 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.*

As evidenced in historical air photos (see **Figure 43**), and the Preliminary Site Investigation in **Attachment F** (see **Section 3.5** above) in the historical use of the land was for grazing purposes, and perhaps partly used as a cattle yard purposes.

The proposed alterations and additions will not introduce a more sensitive use of the land, and Council can be satisfied that the land is suitable in its current state.

SEPP (Industry & Employment) 2021

Chapter 3 Advertising and signage

3.1 Aims, objectives etc

(1) This Chapter aims—

(a) to ensure that signage (including advertising)—

(i) is compatible with the desired amenity and visual character of an area, and

(ii) provides effective communication in suitable locations, and

(iii) is of high quality design and finish, and

3.6 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—

(a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and

(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

The signage typology, size and location proposed is to ensure harmony with the architectural elements of the building, and that signage is effective and of a high quality and finish.

By the allocation of space for signage in this application, signs will remain compatible with the scale of the site and buildings, and the amenity and visual character of the area.

An assessment of the proposed signage under Schedule 5 of the SEPP is provided in **Table 8**.

Table 8 Schedule 5 Assessment of Proposed Signage

SEPP (Industry and Employment) 2021 Schedule 5 Assessment criteria		
Criteria	**Compliance**	**BWL Design Response**
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	✓	The proposed signage updates and compliments existing signage associated with the existing use. Each building sign is carefully integrated into the façade of the building design, responding to the scale, proportion and detailing of the building. Each proposed pylon sign is located to help unify the site, reading as one multiband, accessed in one location..
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	✓	The proposed signage updates and compliments existing signage associated with the existing use.

2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No	The proposed building signs serve to identify brand showrooms, and the pylon signs provide a guide as to where on the site the showrooms are located,, without detracting from the amenity of visual quality of the surrounding environment.
3 Views and vistas		
Does the proposal obscure or compromise important views?	No	The signage is located outside of the road reserve, which has a wide verge.. The location will note obscure important views.
Does the proposal dominate the skyline and reduce the quality of vistas?	No	The signage scaled such that it does not dominate the skyline.
Does the proposal respect the viewing rights of other advertisers?	✓	The site is an isolated parcel of land, and the signage is clear of any line of sight to any other signs or advertisement in the surrounding area.
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	✓	The signage has been sized and proportioned to respect the character of the buildings, and the form of each sign is designed to provide clear and simple site identification information to passing traffic.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	✓	The signage allocations are designed to be harmonious with the architectural elements of the building, and not detract from the character of each building or the streetscape in this locality.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	✓	There is no advertising signage in the vicinity.
Does the proposal screen unsightliness?	No	The sign compliment the proposed built environment rather than screen any element of the development.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No	The proposed signage does not protrude above the building, structures of tree canopies.
Does the proposal require ongoing vegetation management?	No	The landscaping is designed to be low maintenance.

5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	✓	The proposed signage is carefully integrated into the building design to respond to the scale, proportion and detailing of the development.
Does the proposal respect important features of the site or building, or both?	✓	The proposed signage is sized and located based on a careful design response to a busy intersection location, to keep information simple and identifiable to road users.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	✓	The signage allocation is carefully considered in terms of its relationship to the site.
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No	Safety devices are not required as the pylon signs are located inside the property boundaries, a considerable distance from the carriageway of the surrounding roads, separated by wide road verges. The logos do not form an integral part of the pylon structures.
7 Illumination		
Would illumination result in unacceptable glare?	No	The signs will be subtly illuminated from spotlights in the surrounding landscaping.
Would illumination affect safety for pedestrians, vehicles or aircraft?	No	The signage is adjacent to areas of the building that are illuminated for safety, such as the main entry of the buildings.
Would illumination detract from the amenity of any residence or other form of accommodation?	No	The site is not in line of sight of residential development.
Can the intensity of the illumination be adjusted, if necessary?	✓	If required.
Is the illumination subject to a curfew?	No	Illumination would be for the purpose of assisting to locate and identify the business address and therefore will be 24/7.
8 Safety		
Would the proposal reduce the safety for any public	No	The signage is located to signify the location of the business and provide sufficient notice of arrival, to

road?		minimise road user confusion and uncertainty.
Would the proposal reduce the safety for pedestrians or bicyclists?	No	The signage will enhance safety by making it easier for pedestrians and cyclists to identify the entrance to the building, where pedestrian activity and the risk of collision with a cyclist would otherwise be higher.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No	The signage is not in the path pedestrians and does not obscure sightlines from public areas.

4.1.2 Maitland City Council Local Environmental Plan 2011

Clause 2.3 Zone Objectives and Land use Table

The subject site is zoned E3 Productivity Support (see **Figure 65**).

Figure 65 Zone E3 Productivity Support

Source: NSW Planning Portal, MCC LEP 2011 Maps

The proposal is consistent with the objectives of the zone (*italics*) as follows:

- *To provide a range of facilities and services, light industries, warehouses and offices.*
- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*
- *To provide opportunities for new and emerging light industries.*
- *To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.*
- *To minimise conflict between land uses within the zone and with adjoining zones.*

The proposal has been designed with regard to Maitland LEP 2011 and Maitland DCP 2011 and has regard for the character and amenity of the surrounding area.

Table 9 provides a summary of the relevant LEP clauses and an indication of how the proposal complies with the requirements indicated.

Table 9 MLEP 2011 Development Standards

LEP Clause	LEP Requirement	Compliance
Clause 2.7 Demolition	Demolition requires Development Consent	This DA includes the proposed demolition of the existing dwellings and outbuildings (refer to **Demolition Plan** in **Attachment A** and **Demolition Waste Management Plan** in **Attachment I**).
Clause 4.3 Height of Building	No Maximum Building Height specified.	N/A
Clause 4.4 Floor Space Ratio	No Floor Space Ratio specified.	N/A
Clause 5.21 Flood Planning	*(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—* *(a) is compatible with the flood function and behaviour on the land, and*	The southern portion of the site is mapped within a Flood Planning Area (refer to **Section 3.4.1**) - flood prone land considered a flood storage area.

LEP Clause	LEP Requirement	Compliance
	(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and *(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and* *(d) incorporates appropriate measures to manage risk to life in the event of a flood, and* *(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*	A **Flood Impact Assessment** addressing Chapter B3 of the DCP and s5.21 of the Maitland Local Environmental Plan 2011 (LEP) is provided in **Attachment D** (see **Section 3.4.1**). Evacuation from the site is available upslope (refer to **Section 3.4.2**).
Clause 7.1 Acid Sulfate Soils	*(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.* *(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.* *(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if—* *(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and* *(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.*	The site is partly affected by Class 4 and Class 5 soils. The proposed works are proposed predominately in Class 5 soils. The site circumstances indicate that the proposed works do not trigger the need for an Acid Sulphate Management Plan.
Clause 7.2 Earthworks	*Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—* *(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,* *(b) the effect of the development on the likely future use or redevelopment of the land,*	Earthworks are proposed, which are ancillary to the proposed development. Refer to **Bulk Earthworks Plan** in **Section 2.8**.

LEP Clause	LEP Requirement	Compliance
	(c) the quality of the fill or the soil to be excavated, or both, *(d) the effect of the development on the existing and likely amenity of adjoining properties,* *(e) the source of any fill material and the destination of any excavated material,* *(f) the likelihood of disturbing relics,* *(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,* *(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*	

4.2 Draft Environmental Planning Instruments

No draft environmental planning instruments apply to this site.

4.3 Development Control Plans

The proposal responds to the relevant sections of the Maitland City Council Development Control Plan 2011 in **Table 9**.

Table 10 Maitland City Council DCP 2011

DCP Provision	Criteria	Compliance	Design Response / Comment
B3 Hunter River Flood Plain			
3	Development Controls Various matters to be addressed.	✓	A **Flood Impact Assessment** informs the proposal in response to the various Development Controls. Refer to **Section 3.4.1** and **Attachment D.**
B6 Waste Not – Site Waste Minimisation and Management			
2.1 a)	Site Waste Minimisation and Management Plans	✓	A **Waste Management Plan** is provided, refer to **Section 3.8** and **Attachment I**.
C5 Industrial Land			
6(i)	Landscaping Front setback landscaping a minimum depth of 5m	✓	The verge width (measuring up to 12m in cleared areas and 15m in treed areas) provides considerable setback. In the circumstances, an additional setback would be an inefficient use of the E3 zoned land. The pre-DA minutes encourage additional internal, soft landscaping, which has been provided throughout the site to improve

DCP Provision	Criteria	Compliance	Design Response / Comment
			the amenity of the overall site and the surrounding public domain.
11	Access Driveways Minimum width of 6m	✓	
15	Parking All parking facilities located behind the 5m landscaping area.	✓	The verge width provides considerable setback. An additional 5m setback would be an inefficient use of the E3 zoned land. See response to provision 6(i) above.
22	Advertising Signs Index board at site entrance or within 5m landscape area, and 1 on façade of each building.	✓	
23	Security Fencing Located behind or within 5m landscape area, where possible.	**N/A**	
C6 Outdoor Advertising			
3	Guidelines for outdoor advertising signs	✓	The proposal will result in additional pylon signs of the same design and theme as the existing pylon signs. An assessment is provided in accordance with **SEPP provisions** - refer **Table 8**.
C11 Vehicular Access & Traffic			
2.2	Car Parking rates - Vehicle sales or hire premises 1 space per 130sqm 6 spaces per work bay	✓	**Total required - 172 spaces** **PROVIDED** Commercial - 141 Works Bays - 42 **Total provided -183**
C12 Crime Prevention through Environmental Design			
1.1	High Use Areas – CPTED required.	✓	A CPTED assessment is not required. The proposal is an existing land use of a kind not listed under the provision.
E1 Centres			
3.	All Centres	**N/A**	Site is does not form part of the Active street frontages identified in *Figures 4 to 11* of Part E.

4.4 The likely Impacts of Development

The potential for adverse impacts resulting from the proposal is considered and responded to in the design. Refer to **Section 3.0**.

To assist in identifying the matters to be addressed by the proposal and the Development Application, a pre DA meeting was attended by the applicant. A response to the items identified in the pre DA minutes is provided in **Table 11**.

Table 11 Response to Pre DA Meeting Items

Pre DA Advice	DA Response
1. The **development application should be lodged with a Traffic and Parking Study** to demonstrate the expected increase in demand, existing data including the current approvals on site and requirements, alongside the DCP required parking rate. Chapter C11 of the DCP requires 1 space per 130m2 GFA and 6 spaces per work bay for a vehicle sales or hire premises where vehicle servicing facilities are provided. While the provided plans show an increase in the approved parking, it is noted that there is currently overflow parking provided on the Bungaree Street road reserve. The report shall address whether this demonstrates an existing shortfall. Any shortfall identified by the study should be justified in the Statement of Environmental Effects (SoEE).	See Traffic Impact Assessment **Attachment G** and **Section 3.6.2**.
2. It is noted the site has access to a road that connects to a classified road. In accordance with Schedule 3 of the *State Environmental Planning Policy (Transport and Infrastructure),* commercial development with a GFA over 2,500m2 is considered traffic generating development and requires concurrence to TfNSW. You are required to reference this in the **Traffic Study to confirm whether the development is considered traffic-generating**. Council recommends liaising with TfNSW prior to lodgement.	See Traffic Impact Assessment **Attachment G** and **Section 3.6.1**.
3. The site is zoned E3 Productivity Support. While the DCP has not been updated to reflect the new employment zone reform, Chapter C5 applies to all land zoned 'B5 Business Development', which is now E3 Productivity Support, and is also identified as a 'Bulk y Goods Centre' in Chapter E1 of the DCP. **Address Chapter C5 – Industrial and Chapter E1 – Centres of the DCP**, and justify any inconsistencies.	See DCP Assessment **Table 9**.
4. **Provide a detailed landscape plan for the site and include an assessment of the visual impact in SoEE.** While the existing situation has used cars parking on the eastern boundary, the proposed development seeks to formalise this as customer parking. Additionally, the proposed new Mazda showroom is in a prominent location and seeks to decrease the setback from the New England Highway and roundabout significantly. It is noted that a photomontage was provided with the draft plans; any future application shall **address potential visual impact to the New England Highway and the roundabout.** Chapter C5 of the DCP requires a 5m landscaping buffer in front setback, although it is noted this is difficult to achieve with the current site. Council recommends increased landscaping across the site to improve visual amenity from New England Highway.	See Landscape Plan **Attachment G** and **Section 3.7**
5. The plans detail that existing landscaping will be reshaped and cleared up to the proposed new suspended slab. This area appears to be densely vegetated from a site visit and aerial photograph. You are required to **detail proposed vegetation removal within SoEE in accordance with Chapter B5 of the DCP**. An arborist report may be required for any significant vegetation removal.	See Arboricultural Impact Assessment **Attachment H**

Pre DA Advice	DA Response
	and **Section 3.3**.
6. A signage plan is required to be lodged with the application. You are also required to as **address Chapter 3 of the *State Environmental Planning Policy (Industry & Employment) 2021* and C6 Outdoor Advertising of the DCP** in the SoEE.	See **Section 3.6.2** and **Table 8**.
7. Where a development application is to be advertised, advertising will occur in accordance with the Community Participation Plan. As the proposed development is minor in nature and its location, size, height, bulk and proposed use will not adversely affect the amenity of the adjoining land, advertising of the development may not be required. This will be confirmed upon lodgement of the DA.	Noted.
8. A detailed **statement of environmental effects (SoEE) is required** that fully addresses the likely environmental impacts of the development (including impacts on both the natural and built environments), the social and economic impacts in the locality, and how the environmental impacts of the development have been identified. The SoEE should demonstrate how identified impacts will be mitigated. A detailed discussion is required, but not limited to the applicable: 88b instrument, Flooding, Stormwater, Waste Management, Acoustic, Operational Details etc. The SoEE must also address site suitability and demonstrate that in designing the proposal you have fully considered and responded to the applicable site constraints legislative provisions. Any departures from Council's policies and DCP should be justified with appropriate reasons for justification.	Noted.
9. A **detailed bulk earthworks plan** is required that responds sensitively to the topography of the land to restrict and control excessive earthworks. Cut and fill should minimise land shaping outside of the building footprint and ensure that the amount of cut and fill does not concentrate surface flows onto adjoining properties or impact the riparian area. The plan should indicate the total amount of cut and fill across the entire site with inclusion of existing levels of the land for such works, including the construction of building and those areas of the site external to building platforms. Any cut/fill batters or retaining along boundary lines shall be clearly indicated in regard to heights and offsets to boundaries.	See Engineering Plans **Attachment B** and **Section 2.8** and **Figure 30**.
10. Any cut **retaining walls shall be offset away from neighbouring boundaries and road reserves**. In addition, provision of longitudinal section plans for retaining in relation to their relationship with boundaries and/or fencing is also required. Any departures from Council's DCP in this regard should be fully justified, in particular, where retaining is not offset from boundaries and should provide good justification given potential issues with construction of walls and sub soil drainage etc.	See Typical retaining wall section in **Figure 34**
Pre DA Stormwater Flooding and Engineering Advice	
1. Stormwater drainage – detailed stormwater and drainage plan is to be provided demonstrating where existing drainage is and any impacts. i.e. is there a detention system within an area being changed. That would need to be relocated and calculations and preliminary plans provided.	See Stormwater Management Plan **Attachment E**
2. Vehicle Access and Traffic Management - demonstrate turning movements including delivery trucks. Vertical grades and transition will also need to be provided. Provide a	See Traffic Impact

Pre DA Advice	DA Response
traffic impact assessment. Council will also consider the need for kerb and guttering on the Bungaree Street frontage due to expansion, overflow parking and other factors.	Assessment **Attachment G**
3. Flooding – The southern portion of the site is mapped as being within flood prone land, being considered a flood storage area. A flood impact assessment will be required and also need to address Chapter B3 of the DCP and s5.21 of the *Maitland Local Environmental Plan 2011* (LEP).	See Flod Impact Assessment **Attachment D**
4. Extension of podium/suspended slab at southern portion of site – as per post meeting discussions with Council development engineers, a proposed suspended slab which retains the flood storage can be considered with the supporting documentation and indicative structural drawings of the slab and supports.	
Pre DA Building Advice	
1. Ensure the building meets accessibility and fire safety standards under both the BCA, Australian Standards and Guidelines and the requirements of Maitland DCP 2011 (where applicable).	See BCA Report **Attachment M**
2. Ensure adequate disabled access, noting the change of levels to ensure that there is adequate parking and access on both levels of the site.	See Access Report **Attachment J**

4.5 Suitability of the Site for the Development

The proposal complies with all relevant EPIs and the MDCP 2011 (as amended). This report confirms the site is suitable and capable of supporting the proposed car dealership.

4.6 Submission Made Under the Act or Regulations

The development application will require notification to adjoining landowners by Council. Given the likely benefits of the proposal, and its consistency with the State and Local Planning instruments and strategies, the proposal is not expected to raise significant objection.

4.7 The Public Interest

The proposal is in the public interest in so far as it will facilitate an enlargement and modernisation of the existing vehicle sales premises in an accessible location and will not result in any adverse impacts on the environment, consistent with the zone objectives.

5.0 Conclusion

It is recommended that the proposed development be determined by way of approval on the following grounds:

1) The proposed development is permissible within the E3 Productivity Support zone of Maitland Local Environmental Plan 2011;
2) The proposed development is acceptable on this site when assessed by the Evaluation criteria of Section Sec 4.15 of the Environmental Planning and Assessment Act 1979;
3) The proposed development is not anticipated to generate significant adverse impacts in the locality; and
4) The proposed development is considered to support development in an appropriate location consistent with the aims and objectives of relevant EPI's.