

AUGUST 20, 2024
Revision A



STATEMENT OF ENVIRONMENTAL EFFECTS

FOR 236 NEW ENGLAND HIGHWAY, RUTHERFORD



1.0 INTRODUCTION

The following statement of environmental effects (SoEE) is to be read in conjunction with the provided architectural plans and is a response to the Newcastle City Council Development Control Plan (NCCDCP) for the area of Beresfield.

The development consists of the demolition of an existing dwelling, and the construction of a two-unit, SDA compliant, permanent group home for adults requiring high physical support. The existing site and adjoining land are residential, with single dwellings.

2.0 SITE DETAILS

Location:	236 New England Highway, NSW 2320.
Title Details:	Lot 31 / A / DP23700
Site Area:	638m ²
Consent Authority:	Maitland City Council
Zoning:	R1 – General Residential
Mines Subsidence:	No
Floor Space Ratio:	N/A
Proposal:	Demolition of existing dwelling, and the construction of a two-unit class 3, brick, permanent group home for adults requiring high physical support.

3.0 CHARACTER STATEMENT

The proposed design carefully considers the requirements outlined in the Maitland LEP and DCP, the surrounding character and the intended use as a permanent adult group home with SDA compliance.

The proposed development is for a new two-unit, class 3, single storey permanent adult group home. The group home is designed and will be eligible to accommodate three (3) disabled residents across two (2) units. It's anticipated the residents of the house fall within the 'High Physical Support' category under the Specialist Disability Accommodation (SDA) Design Standard under the National Disability Insurance Scheme (NDIS). Provision of care to the residents living at the house will be provided by an external third-party company, as outlined in the Plan of Management report that accompanies this application. The location of the site considers the amenity of the group home, with proximity to local supermarkets, Rutherford town centre and train station located within a 1km radius.

The site has previously been used for a single residential dwelling, with the design of proposed group home in keeping with the character of the local area. The design is compatible with the neighbouring single-storey dwellings with a composition of brick and cladding. The scale of the group home is sympathetic to the surrounding area, considering the residential amenity of the site and neighbouring properties.

4.0 MAITLAND LOCAL ENVIRONMENTAL PLAN

Land Use Zone and Zone Objectives

The proposed development is subject to the provisions of the Maitland Local Environmental Plan 2011 (MLEP). The site is zoned as R1 General Residential. The proposed development is consistent with recent development within the immediate area and is considered suitable in relation to prevailing character of the residential area.

The objectives of the zone are as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed permanent group home is consistent with the objectives of the zone as it will provides for the housing needs of disabled people within the community, in a medium scale residential setting, helping to enable a sense of being part of the community in which they live. The proposal is consistent with the prevailing character of the area and can be considered to be of best practice in design for the type of dwelling/group home. The dwelling will operate as a normal residential property and will have minimal to no impact on the amenity or character of the area.

The proposed permanent group home is permissible with consent within the R1 Zone.

Clause 7.1 Acid Sulfate Soils

The site is subject to class 5 acid sulfate soils. The proposal is consistent with the provision of this clause as the site is not located within 500m of class 1-4 under 5m AHD. The water table will also not be lowered as result of this development.

5.0 STATE ENVIRONMENTAL PLANNING POLICIES

As the group home is not being applied for under the housing SEPP, there are no SEPPs relevant to the development.

6.0 SITE PLANNING CONTROLS

Section 6.01 – Flood Management

The site is NOT subject to flooding.

Section 6.02 – Bush Fire Protection

The site is NOT subject to Bush Fire Protection

Section 6.03 – Mine Subsidence

The site is NOT within a mine subsidence district.

Section 6.04 – Aboriginal cultural heritage

There are no Aboriginal Heritage items anticipated on the site.

Section 6.05 – Historical archaeology

Section 6.06 – Urban Heat

Section 6.07 – Lands contamination

Previous land uses indicate there are no contamination issues on the site.

7.0 GENERAL DEVELOPMENT CONTROLS

Section 7.01 – Traffic, Parking and Access

Carpark parking has been designed so not to dominate or detract from the appearance of the proposed development. The MCC DCP guidelines MCCDCP guidelines outline a minimum off-street parking provision of 1 space plus 1 space per 2 bedrooms for group homes. The proposed dwellings achieve this requirement. The primary space, with the provision for accessible as per AS1428.1 and designed to AS2890. The primary parking space is setback from the building line to minimise visual impact, while remaining at a reasonable distance from the dwelling entry. The level carparking spaces and a lip-free threshold at transitions from parking into the dwelling have been provided. The secondary car parking provision is allocated as the driveway, that meets the requirement for a space 2.4m in width by 5.4m in length within the property boundary.

Section 7.02 – Movement Networks

Section 7.03 – Vegetation preservation and care

Section 7.04 – Stormwater

As per the application process a new stormwater management plan has been developed in accordance with the MCC DCP. Please refer to the stormwater management plan.

Due to the classification as a Class 3 building, a BASIX report is not required as per Figure 1. A Section J assessment will be carried out at the CC stage.

NSW Subsection J(B) Energy Efficiency - Class 3 and Class 5 to 9 buildings

This subsection contains energy efficiency requirements for Class 3 and Class 5 to 9 buildings.

As Class 3 and Class 5 to 9 buildings are not subject to BASIX, NSW Subsection J(B) applies the provisions of the national Section J relevant to Class 3 and Class 5 to 9 buildings, with minor variations.

Figure 1: Excerpt from NCC Volume 1 NSW Section J Energy Efficiency

Section 7.05 – Soil Management

Section 7.06 – Waste Management

The waste operations for the dwelling are to be in line with standard council guidelines. As there are only two dwellings, it is proposed that waste collection will occur from kerbside.

Both dwellings in the development have been afforded an individual bin storage area, located within the side setback with front access, for the general waste, green waste, and recycling bins. The storage area has been screened from public places and adjoining properties.

It is intended that waste generated through demolition and construction will be separated and be transported to registered recycling disposal sites. Items which cannot be recycled will be transported to general disposal sites.

Section 7.07 – Safety and Security

The proposal is for a private long-term group home. As it is not a temporary group home, it is considered not to be at any greater risk than a standard dwelling. Where applicable, the Crime Prevention Through Environmental Design (CPTED) principles have informed the design of the proposed development. The design allows for surveillance and access control, through building layout, the location of windows and entrances, and defining the transitions from public to private space through landscape features including retaining walls and fencing.

Section 7.08 – Social Impact

The proposal is for a private long-term group home that is of no greater impact on the locality or the community than a standard dwelling. The proposed development is of social benefit to the community, addressing social issues by providing long-term SDA housing.

Section 7.09 – Outdoor Advertising and Signage Section

Section 7.10 – Street Awnings and Balconies

Section 7.11 – Development Adjoining Laneways

Section 7.12 – Open Space and Landscaping

Soft landscaping has been incorporated into the proposed development. The design has approx. 15% landscaped area. The landscape features incorporated into the landscape design ensure the area is appropriate for the scale and context of the proposed development.

Section 7.13 – Liveable Housing

The proposed development is for a dual-occupancy group home that is compliant to the high physical support SDA guidelines. These provisions exceed all the liveable housing requirements.

8.0 LAND USE SPECIFIC PROVISIONS

Section 8.01 - Subdivision and lot consolidation

The development is proposed to be Torrens title subdivided with each lot being independently serviced.

Section 8.02 - Single Dwellings and Ancillary Development

Section 8.03 – Residential Development

8.03.01 Frontage Width

The site offers a frontage of 16.15m.

8.03.02 Front Setback

The proposed new develop setback is consistent with existing local streetscape and the neighbouring dwellings that have a single frontage. The minimum front setback of the proposed dwelling is 4.56m, achieving the requirement for a minimum 4.5m front setback as set out by the MCC DCP.

8.03.03 Side and Rear Setbacks – R3

The side setback at the ground floor is articulate to provide access and amenity for services, maintaining a minimum distance of 1.6m from the boundary, which exceeds the 0.9m outlined in the MCC DCP.

The rear setback at the ground floor exceeds the minimum as outlined in the MCC DCP, maintaining a minimum distance of 4.4m from the rear boundary. It is understood the development complies with the DCP.

8.03.04 Siting the development – Public Domain interface

The development compliments the context and character of the area. It achieves the transition from public to private domain. The private open space is located at the rear of the site. Windows from habitable rooms, balconies and covered entries on the front façade address the street and provide direct visibility with the public domain for adequate surveillance. The proposed mail meets Australia post requirements and is positioned close to site entry.

8.03.05 Siting the development – Pedestrian and vehicle access

The driveway setback from the side boundary fence exceeds the 1m outlined in the MCCDCP. Landscape and planting are incorporated into driveway to soften the hardscape. Pedestrian access to the dwellings from the front boundary is in accordance with AS 1428.1, ensuring emergency access and safe egress for occupants with a disability. Visual surveillance is afforded from the dwelling from within habitable rooms. The driveway crossover at the street is 2.5m.

8.03.06 Siting the development – orientation and siting

The design of the development minimises cut and fill where possible and setback from the boundary, while still achieving access and egress requirements for an SDA group home. Retaining walls have been located where deemed necessary to provide level accessways.

The main living spaces and private open spaces for the proposed development are north facing to allow for the most sunlight possible into the spaces whilst creating an architectural response to the site and the streetscape. Over shadowing of neighbouring property to the south slightly increases due to the increased size of the dwelling. This overshadowing is expected to occur in the morning. It is noted that the increase in overshadowing does not impact the private open space of the neighbouring property. It is believed that this increase will not have any adverse effect on the neighbouring dwelling.

Both dwellings have a frontage to the street, with a covered entry door and window from a habitable room.



Figure 2 - Existing 236 New England Highway, Site and Context

8.03.07 Amenity – solar, outlook and daylight

An analysis of the changes to overshadowing are illustrated in the Shadow Diagrams on drawing A-050 of the architectural drawing set. The drawings show that the proposed dwelling receives at least 3 hours of solar access to the PPOS and living spaces.

It is noted that the proposed development increases overshadowing to the southern neighbouring dwelling. As illustrate in the diagrams, on June 21st, the neighbouring dwelling receives at least 3 hours of unobstructed solar access between 9am and 3pm.

Due to the classification as a Class 3 building, a BASIX report is not required as per Figure 1 in 7.04 a Section J assessment will be carried out at the CC stage.

8.03.08 Amenity – natural ventilation

Both dwellings are afforded with natural ventilation to habitable areas and achieves cross ventilation.

8.03.09 Amenity – ceiling heights

In both dwellings, the ceiling height at the ground floor in habitable rooms achieves the 2.7m to sufficiently provide natural ventilation and solar access.

8.03.10 Amenity – dwelling size and layout

The combined internal floor area of the development is approx. 261m² with an FSR of 0.41:1. Both dwellings have been designed to accommodate household activities and needs appropriate to the occupants. The dwellings have sufficient size to achieve the minimal internal area outlined in the MCC DCP. Unit 1 has an internal floor area of 151m² and Unit 2 has an internal floor area of 110m².

8.03.11 Amenity – private open space

The principal private open space (POS) for both dwellings provides a minimum 16m². For Unit 1, the POS is 16.0 m², with a minimum dimension of 3.4m. For Unit 2, the POS is 16.0m², with a minimum dimension of 3.3m. The POS for both dwellings receives more than 50% coverage. The private open space is appropriate and will provide the users with high physical support needs. The proposed space, which is accessible directly off the living room, then breaks out to a lawn/ garden space.

Both dwellings in the development have been afforded an outdoor area for clothes drying that is hidden from public domain. This has not been included in the POS area calculation. Therefore, the occupant will be provided with additional space when the clothesline is stored in a downward position.

8.03.12 Amenity – storage

In addition to storage in kitchens, bathrooms, and bedrooms, each dwelling is afforded additional internal storage. Unit 1 contains 9m³ of additional internal storage and Unit 2 contains an additional 3m³ of internal storage.

8.03.13 Amenity – car and bicycle storage

Both dwellings are provided with a single-car space. Both car parking spaces are covered by the main roof form, that has been articulated and setback so not to dominate the frontage.

8.03.14 Amenity – visual privacy

Visual privacy is afforded to the living and principal private open space of the adjacent dwellings and the proposed dwelling. Within the single storey design, windows do not face directly into windows balconies or PPOS. Boundary fencing further reduces any possibility of overlooking.

8.03.15 Amenity – acoustic privacy

The proposed development does NOT affect the acoustic privacy. Proposed air conditioning units are located below the fence line to minimise impacting neighbouring properties.

8.03.16 Amenity – noise pollution

8.03.17 Amenity – indoor air quality

The proposed development the provision of electricity is provided from the grid or on-site renewable. Gas cook tops and ovens will not be included in the project.

8.03.18 Amenity – waste disposal buffer area

8.03.19 Configuration - communal area and open space

8.03.20 Configuration – architectural design and visual appearance

The overall height of the building remains below 6m above natural ground line, under the 8.5m outlined in the MCC DCP.

The design of the development architecturally reduces the visual bulk through façade articulation. The façade design compliments the street scape, incorporating face brick materiality and a hip roof. The roof design is integrated into the overall building form and is consistent with the surrounding streetscape. The roof form to the street is articulated to reduce visual bulk and define the separation of the individual dwellings. The covered entry porticos within the articulation zone are forward of the building line and contribute to the reduction in visual bulk.

8.03.21 Configuration – pools and ancillary development

Section 8.04 - Commercial Uses

Section 8.05 - Industrial

Section 8.06 - Community Services

Section 8.12 - Sex Industry Establishments

9.0 APPENDICES

Appendix A – Architectural Drawings

Appendix B – Stormwater management and sediment/ erosion plans

Appendix C – Survey

Appendix D – Hunter Water Stamped Plans and Conditions