

# Statement of Environmental Effects

to accompany a Development Application  
for  
2 x Torrens Title Detached Two Storey  
Dwellings and 3 x Community Title One and  
Two Storey Dwellings at Lot 265 DP 1271229,  
130 Springfield Drive Lochinvar and Lot 266  
DP 1271229, 128 Springfield Drive Lochinvar

SEPTEMBER 2024

## STATEMENT OF ENVIRONMENTAL EFFECTS

128-130 Springfield Drive Lochinvar

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### Document Status

Version	Description	Author	Issue Date
V1	DA Submission	TG	September 2024

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# 1 INTRODUCTION

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This Statement of Environmental Effects (SoEE) has been prepared to support a development application for a staged 2 x Torrens Title Detached Two Storey Dwellings and 3 x Community Title One and Two Storey Dwellings at Lot 265 DP 1271229, 130 Springfield Drive Lochinvar and Lot 266 DP 1271229, 128 Springfield Drive Lochinvar.

The proposal includes:

- Earthworks, construction of proposed driveways, drainage, retaining walls, utility services and site infrastructure including landscaping;
- Construct two (2) two storey dwellings and Torrens Title Subdivision into three (3) lots; and,
- Construct two (2) single storey dwellings and one (1) two storey dwelling and Community Title Subdivision into three (3) Community Title Lots.

The proposed new dwellings will provide a quality residential development that compliments the existing neighbourhood and amenity of the area.

The land is zoned R1 General Residential pursuant to Maitland LEP 2011. Dwelling houses, multi-dwelling houses and subdivision are permissible uses in the R1 General Residential zone with the consent of Council. The proposed development is consistent with the Council's objectives as contained within the LEP and the development principles contained within the Maitland Development Control Plan 2011.

This report describes the proposed development and the context in which the development is proposed to be located. This report is structured to facilitate a logical understanding of the proposed development, an identification of the key issues, and a summary assessment of the proposed development. The development proposal has taken into account the Environmental Planning and Assessment Act 1979, the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2011.



**Figure 1 – Aerial view of the site (Source: Nearmap 2024)**



**Figure 2 – Topographical Map (Source: Six maps 2024)**

The site is located in the suburb of Lochinvar. The site is known as Lot 265 DP 1271229, 130 Springfield Drive Lochinvar and Lot 266 DP 1271229, 128 Springfield Drive Lochinvar. The site covers a combined area of approximately 1515.8m<sup>2</sup>. The site is currently vacant and cleared.

The character of the area is identified as a residential area with a mixture of density types and lifestyle choices.

The site consists of over grown grass. No significant vegetation is located on site.

The site is generally flat. There is no evidence of instability on site or known geotechnical hazards. The site is not subject to Mine Subsidence.

The land is not identified on any contamination registers and no notices have been issued for the site under the Environmentally Hazardous Chemicals Act (1985) or the Contaminated Land Management Act (1997).

Site history indicates long term residential use with no indication of potentially contaminating activities.

The site is not identified as containing Acid Sulfate Soils.

The site does not contain any items of Heritage significance on the State Heritage Register or Schedule 5 of the Maitland LEP 2011. There are no listed heritage items in the immediate vicinity of the site.

The site is identified as bush fire prone land.

Rutherford business district is located nearby and contains a variety of shops, facilities and services. Lochinvar Railway Station is also located nearby. The site is located near schools and recreational areas.

### **3 THE PROPOSAL**

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This Development Application seeks approval for the following:

- Earthworks, construction of proposed driveways, drainage, retaining walls, utility services and site infrastructure including landscaping;
- Construct two (2) x two (2) storey dwellings and Torrens Title Subdivision into three (3) Torrens Title Lots; and,
- Construct two (2) x single storey dwellings and one (1) x two storey dwelling and Community Title Subdivision into three (3) Community Title Lots.

#### **Site works**

Site works include clearing, excavation, earthworks, construction of proposed driveways, drainage, retaining walls, provision of utility services and site infrastructure including landscaping.

#### **Stages**

##### **Stage 1**

Stage 1 includes two (2) x two (2) storey dwellings and Torrens Title Subdivision into three (3) Torrens Title Lots including a battle axe lot.

The new dwellings will contain three (3) bedrooms, dining/living room, kitchen, bathroom, ensuite and an internal laundry. Private open space and double garaging is provided to each new dwelling. The proposal will present itself as two separate dwellings on separate lots to the street with a driveway to the rear of the site.

The new dwellings will be constructed of a combination of selected face brickwork and lightweight cladding with a colorbond roof and selected garage doors.

New driveways will be constructed for each dwelling directly from Springfield Drive.

Stage 1 also includes the subdivision of one (1) lot into three (3) Torrens Title lots as follows-

Table 1: Lot Sizes

Proposed Lot Number	Proposed Lot size
101	333.5m <sup>2</sup>
102	333.5m <sup>2</sup>
103	848.9m <sup>2</sup>

Lot 103 will be a battle axe lot with a 4m wide access handle from Springfield Drive.

## **Stage 2**

Stage 2 includes two (2) x single storey dwellings and one (1) x two storey dwelling and Community Title Subdivision into three (3) Community Title Lots. These dwellings will be located at the rear of the site. Access to these dwellings will be via the battle axe handle created for Lot 103 in Stage 1.

Private open space and double garaging is provided to each new dwelling.

The new dwellings will be constructed of a combination of selected face brickwork and lightweight cladding with a colorbond roof and selected garage doors.

A visitor car parking space is proposed in stage 2.

Stage 2 also includes the subdivision of Lot 103 into three (3) Community Title lots.

## **4 REVIEW OF ENVIRONMENTAL IMPACTS**

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Impacts of the development are summarised below. Mitigation or management measures, where relevant, are detailed in the supporting technical documentation or described in this SoEE.

### **4.1 Ecology and Vegetation.**

The existing site is zoned urban and was recently subdivided. The site contains overgrown grass and no trees.

The existing vegetation to be removed is not significant in terms of site amenity, streetscape or broader landscape settings.

A landscape plan is submitted with this application to allow new plants to grow to site conditions and thus reducing the potential for failure.

Therefore, the impact of the proposed development on the retention of the existing vegetation and landscaping is considered acceptable.

#### **4.2 Contamination**

Land contamination was addressed in the subdivision application recently approved by Council. The site has no history of potentially contaminating uses having occurred on the property.

#### **4.3 Soils and Slope Stability**

The site is Class 5 Acid Sulfate Soils (ASS). The proposed development will not expose ASS. Site classification will occur during construction design.

#### **4.4 Earthworks**

The proposal requires site clearing, excavation, regrading and retaining to provide proposed construction levels. Selected retaining is proposed in accordance with the engineering plans attached to obtain suitable building and access levels. A cut to fill balance will ideally be achieved across the site, otherwise any excess material will be disposed of at an approved waste management facility or taken to other approved construction sites subject to it being appropriately classified.

#### **4.5 Bushfire**

A Bushfire Threat Assessment Report has been prepared by Firebird ecoSultants Pty Ltd (May 2024) and is submitted with this development application.

The report demonstrates compliance with Planning for Bushfire Protection and AS 3959-2019.

This assessment aims to consider and assess the bushfire hazard and associated potential threats relevant to the proposal. Recommendations are provided with regard to fuel management, access, provision of emergency services, building protection and construction standards to facilitate an acceptable level of bushfire protection.

In summary, the following is recommended to enable the proposal to meet the relevant legislative requirements

***1. Asset Protection Zone (APZ) - The APZ provides space and reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and to prevent direct flame contact.***



To achieve a Bushfire Attack Level (BAL) of BAL-12.5 for proposed Unit 1, 4 and 5, and BAL-LOW for proposed Unit 2 and 3, the following land is to be managed as an APZ:

- The areas of the site outside development will be managed as an Inner Protection Area (IPA).

These distances are to be managed as described under 'Planning for Bushfire Protection (Appendix 4 – Asset Protect Zone Requirements)' and the document titled 'Standards for Asset Protection Zones'.

## **2. Perimeter Roads - Access standards provide for emergency evacuation and firefighting operations**

- N/A – perimeter roads are not proposed. The public road network is existing and complies with PBP 2019.

## **3. Construction Standards – Construction standards seek to increase the protection of the habitable buildings from bushfire. The shorter the APZ (distance between the external wall of the habitable building and the unmanaged vegetation), then the higher the construction standard, which is referred to as the BAL**

The proposed Unit 1, 4 and 5 in the proposed building envelope will be assessed as BAL-12.5 based on the abovementioned APZs. The proposed Unit 2 and 3 will be assessed as BAL-LOW based on the abovementioned APZs.

## **4. Landscaping – The type, location and ongoing maintenance of landscaping is considered a necessary BPM**

- The identified APZs are to be managed in accordance with accordance with PBP (Appendix 4);
- A clear area of low-cut lawn or pavement is maintained adjacent to the dwellings; and
- Fencing details in accordance with PBP (7.6 – Fences and gates)

***This report provides the above required information to assist Council and the RFS in determining compliance in accordance with the PBP 2019 and AS 3959-2018.***

Refer to Bushfire Threat Assessment attached.

### **4.6 Erosion and Sediment Control**

Erosion and sediment controls will be implemented prior to commencement of works and during construction of the proposal in accordance with an Erosion and Sediment Control Plan submitted with the Construction Certificate and the provision of 'Managing Urban Stormwater: Soils and Construction '(the Blue Book).

#### **4.7 Stormwater**

The proposed stormwater system includes individual rainwater tanks for the proposed new dwellings to capture and re-use roof water.

The proposed stormwater system is designed in accordance with relevant standards and the impacts are considered appropriate for the site and the nature of the development. Drainage plans have been prepared by Thomas Engineering (August 2024) and are attached to this development application.

#### **4.8 Vehicle Access, Traffic and Parking**

New vehicular access is proposed at Springfield Drive including a battle axe driveway.

The proposed driveways will have appropriate sight lines to mitigate the risk to vehicles entering/exiting the site. A section 138 application for the driveways will be submitted to Council prior to their construction.

The development proposes to increase the number of dwellings on site from two (2) vacant residential land parcels to five (5) new dwellings. The traffic impacts generated from this development will be within the environmental capacity of the road network. Vehicle generation will be easily distributed onto the local network and is not expected to affect the levels of service or efficiency of the road network.

Each new dwelling will have a double garage as shown on the plan attached. One (1) visitor car parking space is proposed on site.

#### **4.9 Pedestrian Access**

The road verge along the front boundary of the site is turfed and wide enough to allow for safe pedestrian movement. Each proposed dwelling will have a distinct, separate and clearly identifiable pedestrian access to the front door.

#### **4.10 Local streetscape and Character**

Lochinvar is a Maitland suburb in close proximity to Rutherford and Central Maitland.

The site is located in a recently developed area providing improved housing choice to the residents of Maitland LGA.

The area is expected to be characterised by a variety of housing types and lot sizes. The dominant housing styles are single storey and two storey homes.

The proposed development is not inconsistent with the existing local character and is consistent with the desired future character of this moderate growth precinct. The proposed dwellings are either single or two storey in height constructed of selected of a combination of face brickwork and lightweight cladding and metal roof. The new dwellings will be sympathetic to the neighbouring properties and the broader area. The

proposed landscaping of the site will be consistent with the character of the area and the increased density of this proposed development

Overall, the proposed building materials, height, scale and architectural form are considered to be consistent with the existing and desired future character of the area. The proposed housing form and density are further considered to be entirely consistent with the desired future character of the area in that it would provide housing choice through smaller housing to lower costs, including costs for residents.

#### **4.11 Acoustic and Visual Impact**

The proposed dwelling design and site layout is such that living areas and private open space do not generally abut bedrooms of adjoining dwellings so as to avoid any unacceptable adverse noise or visual impact.

Air conditioning units will be housed within side or rear setbacks where they will not mitigate the impact on adjoining properties. The locations of the AC units will be finalised during construction having regard to positioning AC units to minimise noise.

Construction noise is short term and will be managed through condition of consent.

No public or private views will be significantly or unreasonably affected. The form and scale of development is not inconsistent with the surrounding urban landscape setting and delivers acceptable massing and scale. The design provides appropriate building articulation and architectural features to deliver a suitable visual outcome from adjoining properties and the local street network.

## **5 PLANNING CONTROLS AND ZONING COMPLIANCE**

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### **5.1 State Environment Planning Policies**

#### **SEPP (BIODIVERSITY AND CONSERVATION) 2021**

No vegetation is located on site. This SEPP is not applicable to the subject site.

#### **SEPP (RESILIENCE AND HAZARDS) 2021**

#### **Chapter 3 – Hazardous and Offensive Development**

No hazardous or offensive development is proposed. Therefore, this chapter is not considered relevant to the proposed development.

## **Chapter 4 – Remediation of Land**

This chapter provides that Council must not consent to the carrying out of any development, unless, it has considered whether the land is contaminated and if so, it must be satisfied that the land is suitable, in its contaminated state or after required remediation, for the purpose for which the development is to be carried out.

Contamination was addressed in the recent subdivision application approved by Council with no indication of potentially contaminating uses having occurred on the property.

Accordingly, no further investigations are considered necessary or warranted.

## **SEPP (INDUSTRY AND EMPLOYMENT) 2021**

### **Chapter 3 – Advertising and signage**

No signage is proposed.

## **SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES)**

Not considered relevant to the proposed development.

## **SEPP (RESOURCES AND ENERGY)**

Not considered relevant to the proposed development.

## **SEPP (TRANSPORT AND INFRASTRUCTURE) 2021**

The SEPP outlines the requirements for traffic generating development applying to residential accommodation and subdivision of land of a relevant size or capacity. The size of the proposed residential accommodation and subdivision of land and its proximity to a classified road does not require referral to the Transport of NSW. The proposed development is not identified as a traffic-generating development in accordance with the SEPP.

Accordingly, it is considered that the proposed development is consistent with the requirements of the SEPPs.

## **5.2 Integrated Development**

Pursuant to Section 4.46 the EP&A Act 1979, this development application is integrated development and requires referral to the RFS.

### **5.3 Regional Environmental Plan and Maitland Strategies**

#### **Hunter Regional Plan 2041**

The Hunter Regional Plan 2041 aims to provide a strategic approach to provide greater housing diversity and affordability. The Plan includes a preference for infill development rather than greenfield development. Infill housing also contributes to 15 minute neighbourhoods.

The subject site is located in the suburb of Lochinvar, in close proximity to Rutherford Shopping Village, Central Maitland and Lochinvar Railway Station. The site is ideally located to create higher residential densities in the area.

#### **Maitland Strategies**

##### **Maitland Local Housing Strategy 2041**

The Maitland Local Housing Strategy 2041 sets out a framework to guide future growth and change of residential areas over the next 20 years.

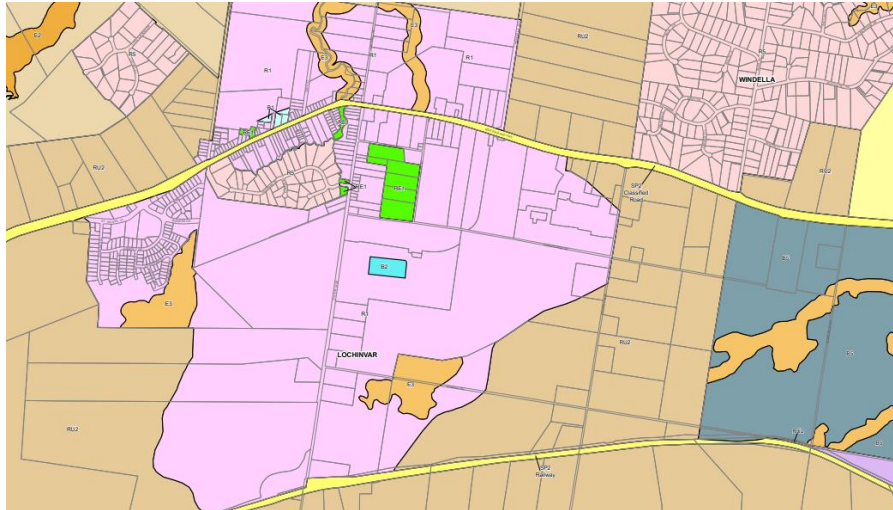
The Strategy recognises and responds to evidence about what type of housing will be needed for our growing and changing population, where it can be best located and how Council will deliver better housing outcomes, together with community and other stakeholders.

The Strategy aims to *“provide the right type of housing in the right locations with essential infrastructure and services to meet the housing needs of our growing and changing populations over the next 20 years.”*

This proposal responds to the key recommendations in the Strategy by increasing density and encouraging a range of different housing types, sizes and tenures in appropriate locations.

### **5.4 Maitland Local Environmental Plan 2011**

The land is zoned R1 General Residential pursuant to Maitland LEP 2011. A copy of the zoning map is shown below:



**Figure 3 – Zoning Map (Source: Maitland LEP 2011)**

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 development is consistent with the Council's objectives and provisions of the R1 General Residential zone. The proposed development entails five (5) new dwelling houses which will contribute to the housing needs of the community. The proposed use will increase housing availability in Lochinvar and will contribute to the variety of housing types and densities in the LGA.

The site is accessible to local schools and shopping centres which contains a number of services and facilities.

The proposed dwellings will complement the natural topography of the land and respect the amenity and future character of this newly created housing estate by constructing new dwellings on the site.

The proposal is defined as dwelling house and multi dwelling housing in accordance with Maitland LEP 2011.

Dwelling house means a building containing only one dwelling.

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

Dwelling houses and multi dwelling housing are permissible in the R1 General Residential zone with Council consent.

### **Subdivision**

Clause 2.6 of the Maitland LEP 2011 refers to Subdivision. Clause 2.6 states:

#### ***2.6 Subdivision – consent requirements***

*(1) Land to which this Plan applies may be subdivided, but only with development consent.*

**Note-**

*If a subdivision is identified as exempt development in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent.*

*(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.*

**Note-**

*The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.*

The proposal includes the subdivision of the land into three (3) Torrens Title lots and Community title Subdivision and seeks Council's consent as part of this development application.

#### **Part 4 Principal Development Standards**

A number of Clauses in the LEP and their respective Maps provide development standards including objectives and controls for the development of land within the Maitland LGA.

The land is not identified on the Floor Space Ratio Map or the Building Height Map in accordance with Maitland LEP 2011.

The land is not located on the Heritage Map.

#### **Clause 4.1 Minimum subdivision lot size**

Clause 4.1 of Maitland LEP 2011 refers to minimum subdivision lot size. Clause 4.1 states:

*(1) The objectives of this clause are as follows—*

- (a) to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls,*
- (b) to prevent the fragmentation of rural land.*

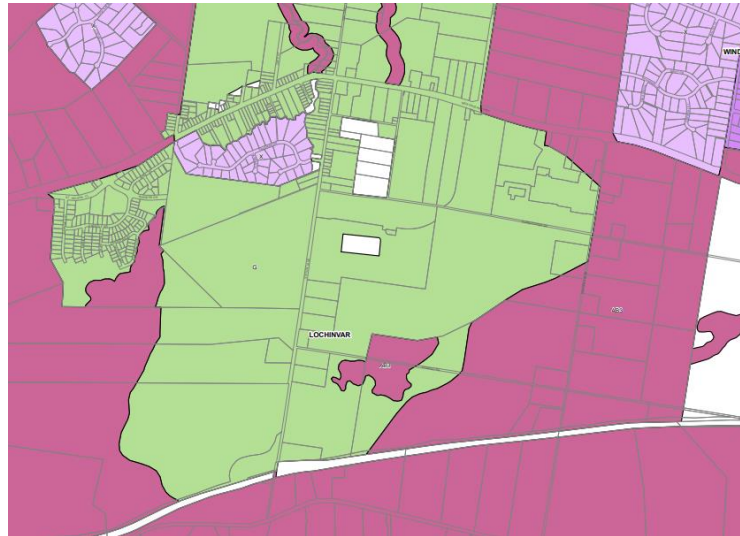
*(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*

*(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*

*(4) This clause does not apply in relation to the subdivision of any land—*



- (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or
- (b) by any kind of subdivision under the Community Land Development Act 1989.



**Figure 4 – Lot Size Map (Source: Maitland LEP 2011)**

The lot size map shows the minimum lot size for the site to be 450m<sup>2</sup> in size. The proposed lots are 333.5m<sup>2</sup> and 848.9m<sup>2</sup> in size.

In this instance, clause 4.1A of Maitland LEP 2011 is relevant by allowing the subdivision of a lot to be smaller than the minimum lot size as a result of the construction of dwelling houses on site.

Proposed Lot 101 and 102 are below the minimum lot size pursuant to Maitland LEP 2011. Clause 4.1A is relevant to this development application and provides exceptions to the minimum lot sizes in the R1 zone.

Clause 4.1A states.

**4.1A Exceptions to minimum lot sizes in Zone R1**

- (1) *The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) *This clause applies to development on land in Zone R1 General Residential.*
- (3) *Despite clause 4.1, consent may be granted to development on land to which this clause applies if the development includes both of the following—*
  - (a) *the subdivision of land into 2 or more lots equal to or greater than 300 square metres,*
  - (b) *the erection of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision.*

The subject land is zoned R1 General Residential and this application includes both subdivision and the erection of a dwelling house on Lot 101 and 102. All newly created lots will be greater than 300m<sup>2</sup> in size.



This development application complies with the minimum lot sizes pursuant to Maitland LEP 2011.

## **Part 7 Additional Local Provisions**

### **Clause 7.1 Acid sulfate soils**

Clause 7.1 refers to acid sulfate soils. The site is located on class 5 Acid Sulfate Soils map. The proposal will not disturb, expose or drain acid sulfate soils and cause environmental damage.

### **Clause 7.2 Earthworks**

Clause 7.2 of Maitland LEP 2021 refers to earthworks. The proposed earthworks are relatively minor in nature to cater for the proposed development. The earthworks proposed will not have a detrimental impact on environmental functions, and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

## **5.5 Maitland Development Control Plan 2011**

Maitland Development Control Plan 2011 provides all relevant guidelines to enable preparation of a DA for assessment by Council.

The following chapters of Maitland Development Control Plan are relevant to this development application.

### **B.2 – Domestic Stormwater**

B.2 Domestic Stormwater applies to all new development where stormwater is generated from roofs of domestic and ancillary buildings and hardstand areas within Maitland LGA where residential development is permitted with consent.

A drainage plan has been prepared by Thomas Engineering and is submitted with this development application.

The drainage plan attached ensures the proposal meets the objectives of the DCP.

### **B.6 – Waste Not – Site Waste Minimisation & Management**

This application includes the preparation of a Site Waste Minimisation and Management Plan (SWMMP) in accordance with the DCP for the construction of the new development. A SWMMP is attached as **Appendix A**.

All waste from the construction phase will be disposed of in an environmentally safe manner. Each dwelling has sufficient land on site to store domestic garbage, recycling and garden waste bins.

All dwellings will use Council's kerbside waste bin service as shown on plans attached.

## **B.5 – Tree and Vegetation Management**

This chapter applies to land for clearing of vegetation on all land other than land zoned RU1 Primary Production or RU2 Rural landscape. There are no trees to be removed from the site.

## **Part C – Design Guidelines**

### ***C.1 – Accessible Living***

The DCP deals primarily with improving accessibility for all sectors of the Community and seeks through the DCP to encourage business people, builders and developers to be responsive to the needs of those members of the community who are temporarily or permanently disabled. Section 12 of the Residential Design chapter of the DCP requires adaptive dwellings to be provided once the number of dwellings to be constructed to be more than nine dwellings. Five (5) new dwellings are proposed. These dwellings are not required to be accessible living dwellings.

### ***C.8 – Residential Design***

The DCP provides guidelines for residential development to set appropriate standards to encourage high quality urban design and improved amenity across all forms of residential development within the City of Maitland. The following section describes how the existing and proposed dwellings fulfil the requirements of the DCP. The residential proposal is generally consistent with the provisions of these requirements.

The following addresses each of the design principles or requirements within the DCP.

- **Context analysis**

A site analysis plan is submitted with this development application. The site is located in an existing residential area in Lochinvar. The site is located close to Lochinvar, Rutherford Shopping Village, Central Maitland, local schools and transport nodes.

The surrounding buildings in the neighbourhood are either residential dwellings or multi dwelling housing both single and two storey buildings. The proposed dwellings will be constructed of selected in a combination of lightweight cladding, face brick and a metal roof. The proposed rear and side setbacks and landscaping will complement the existing neighbourhood.

- **Development incorporating existing dwellings**

The DCP encourages existing buildings to be retained and used for ongoing residential use. The land is currently vacant and no dwellings are located on the site.

- **Earthworks – All works associated with the proposal are located within the property boundaries. Retaining walls are proposed along the boundaries of the site as shown on engineering plans attached.**

- **Street Building Setbacks**

The DCP states that the minimum building line setback in an urban residential zone is 4.5 metres to the principal street frontage and 3.0m to the portico. Both proposed dwellings on Springfield Drive meet these minimum standards.

Both garages on Springfield Drive are setback 6.0m from the front boundary adjoining the road and a minimum of 1 metre behind the building line to the principal street frontage.

- **Side and Rear Setbacks**

The minimum side and rear setbacks for residential buildings in urban zones is 0.9m for walls up to 3.0m in height and 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m.

The proposed setbacks meet Council's requirements contained within the DCP.

- **Site coverage**

The site coverage requirements of the DCP for this development are slightly above the minimum requirements contained within the DCP. It is requested that Council vary the DCP in this instance as the variation is only minor. All other aspects of the DCP are complied with and no other variations are sought.

A landscape plan has been prepared as part of this development application. The site is currently cleared and the landscaping proposed will increase the amount of vegetation currently available on site.

- **Building Height, Bulk and Scale**

The DCP allows a maximum height of 8.5 metres for dwellings in any zone. The dwellings proposed on site are below Council's maximum requirements.

The proposal complies with the requirements of the DCP.

- **External appearance**

The external appearance of the proposed dwellings has taken into consideration the existing character, scale and massing of the development in the immediate area.

The new buildings are designed to be sympathetic with the predominant form of the area.

The design and location of the front entrance ensures that the entry point into each dwelling is obvious and is further reinforced by sympathetic landscaping around the site.

Key elements of the design such as face brick and lightweight cladding external walls, roof material, colour scheme, landscaping and fencing will contribute to an attractive development for the development as a whole.

The location and design of the garage doors ensures that the garage is developed as an integral component of the buildings. The proposed materials, colours and type of garage door proposed create visual interest and a sense of separate identity for each dwelling.

- Private Open Space

All new dwellings have been provided with ground level private courtyards that satisfy the minimum requirements of Figure 20 of the DCP.

Refer to private open space table on plans attached.

The private open space forms a direct extension to the internal living area and complies with the minimum POS area required in the DCP.

The outdoor area also includes external drying facilities and water tanks and these areas have been excluded from the private open space calculations. These ancillary uses are located where they are screened from view from the street or other public places.

The landscape plan submitted with this application incorporates a detailed landscape design for each area of ground level private open space.

- Accessibility and Adaptable Housing

Less than nine (9) dwellings on site are proposed. Accessible and adaptable housing is not required for the site.

- Landscape Design

A landscape plan is submitted with the application. The landscaping proposed relates to the scale of the proposed buildings and includes appropriate landscaping within the site. The landscaping proposed will provide interest, shade and privacy to the proposed dwellings.

- Fencing

A 1.8-metre-high colorbond fencing is proposed to be erected between the units. This fence will provide visual and acoustic privacy and meet the requirements of the DCP.

- Driveways access and car parking

The DCP requires two (2) car parking spaces for each dwelling containing more than two bedrooms.

The proposal includes three (3) bedrooms for each dwelling. In accordance with the DCP, each dwelling is required to have a double garage. Each dwelling will have a double garage.

A visitor car parking space is proposed in Stage 2 in accordance with the requirements of the DCP.

The proposal complies with the requirements of the DCP by meeting the minimum requirements for parking and not imposing on neighbouring dwellings.

The proposal for driveway access arrangements and car parking meets the requirements of the DCP.

- Views, visual and Acoustic Privacy

The development comprises subdivision and new residential dwellings. The proposal will not restrict views from adjoining properties.

Private open space courtyards will not be overlooked by any windows of adjoining dwellings.

Landscaping and fencing will be provided between dwellings and courtyards to provide further screening and reduce overlooking of private open space.

- Water and energy conservation

BASIX certification has been provided and attached and is found to be satisfactory for each dwelling.

As a result of POS placement and orientation of the units, the courtyards and associated open space areas of proposed dwellings will receive adequate sunlight.

- Stormwater management

A detailed stormwater plan is submitted with this application. The proposal complies with the requirements of the DCP.

- Security, site facilities and services

The proposal has been designed to provide adequate personal and property security through 'Crime Prevention Through Environmental Design' Assessment. Garbage and recycling bins will be located on site for each new dwelling using Council's kerbside waste bin service.

Each dwelling is provided with pedestrian access to a public road. Mailboxes will be provided to each dwelling.

Open air clothes drying areas will be provided for each dwelling – refer to landscape plans attached.

All services – reticulated water, sewerage, electricity and telecommunications will be installed to meet the requirements of the relevant service provider.

The development complies with the security and site facility and services section of the DCP.

The Residential Design component of the DCP has been assessed against the proposed development and this report demonstrates that this proposal complies with all requirements of the DCP.

### ***C.10 – Subdivision***

The DCP contains Council's requirements for designing subdivisions. The proposed subdivision fulfils the objectives of the Plan by promoting the efficient use of an increasingly limited land resource in Maitland.

The proposal complies with the DCP as follows:

- The site is currently overgrown with weeds and grass with no significant vegetation on site to be removed.
- The land does not contain any heritage items, buildings with heritage significance nor is the land located in a conservation area. There are no known or potential archaeological relics on the site.
- The site is not identified in the Probable Maximum Flood (PMF). All habitable finished floors will be no lower than the FPL.
- The site is identified as bushfire prone land on the MCC Bush Fire Prone Land Map and a Bushfire Threat Assessment Report has been prepared for the site.
- The land is not subject to landslip, land contamination or any other hazards.
- The development application includes the subdivision of land from one (1) lot into three (3) Torrens Title lots including a battle axe lot. Only one (1) lot is serviced by the access handle. The access handle is four (4) metres in width in accordance with the requirements of the DCP. The proposal also includes the subdivision of one of those lots created into a three (3) lot Community Title Subdivision. The proposed lot sizes and shapes are appropriate to their proposed use as required by Maitland LEP 2011 and Maitland DCP 2011.
- A drainage plan is submitted with this application that complies with the requirements of the DCP.
- The proposal complies with landscape, streetscape and visual impact requirements of the DCP.
- Electricity, water, sewer, telecommunications and drainage will be provided to all lots. A section 50 certificate will be sought for the subdivision certificate stage of the proposal.

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

Refer to DCP assessment above.

## **6 ESSENTIAL INFRASTRUCTURE**

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All essential infrastructure will be made available to the site including power, water and reticulated sewer. Applications will be made to Ausgrid and the plans have been submitted to Hunter Water Corporation.

Telecommunication Services will be connected in accordance with the requirements of Telstra Corporation.

Mail will be delivered to new letterboxes constructed at the street frontage.

## **7 LIKELY IMPACTS OF THE DEVELOPMENT**

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This proposal is for a staged 2 x Torrens Title Detached Two Storey Dwellings and 3 x Community Title, One and Two Storey Dwellings at Lot 265 DP 1271229, 130 Springfield Drive Lochinvar and Lot 266 DP 1271229, 128 Springfield Drive Lochinvar.

Access to the new dwellings will be via direct road frontage or via a battle access handle from Springfield Drive.

The proposal will not affect the visual, acoustic, recreational or social amenity of any neighbouring property.

The proposal will not cause overshadowing within the subject or adjoining lots.

The proposal will not create any negative impacts on the public domain within the locality.

The proposal will not create any adverse impacts on ecology.

The proposal will not create or permit any adverse impacts on air or microclimate of the area. The development will not create any adverse impacts on the soil, surface water or ground water of the area.

The proposed dwellings will not create any additional adverse noise impacts in the area or adverse impacts from the generation of waste.

The proposed development will not create any additional negative impacts on the environment or the locality.

The proposed development will enhance the streetscape with well-designed dwellings, landscaping and fencing constructed in this area.

## **8 SOCIAL AND ECONOMIC IMPACT ANALYSIS**

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The proposed new dwellings and subdivision proposal will enable the provision of residential housing within the existing suburb of Lochinvar. The land is vacant and suitable for housing development.

The proposed dwellings will be compatible with the mix of existing and future dwellings in the area in terms of building heights, scale, colours and material.

The site has access to existing services and infrastructure, schools, shopping centres, community facilities, public open space and recreational areas.

The development of the land will contribute towards the provision of additional facilities within the City of Maitland, identified by Council's Section 7.11 Contributions Plan to cater for the increase in the population.

The proposed subdivision and residential housing proposal are not considered to have a detrimental impact on the social and economic fabric of the community.

## **9 SITE SUITABILITY**

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The site has been assessed as being suitable for the proposed development for the following reasons:

- The proposal is permissible with consent within the R1 General Residential zone under the provisions of Maitland LEP 2011;
- The dwelling housing and subdivision proposal has been designed in accordance with the principles of the Maitland LEP 2011 and Maitland DCP 2011;
- The proposed dwellings have been located and designed to minimise and manage any environmental impacts;
- The proposed dwellings will contribute towards meeting the housing demands of the Lower Hunter which in turn will contribute towards economic growth within the Maitland LGA;
- The development will provide a range of housing opportunities for the community, in close proximity to schools, shops and community facilities.
- The land is cleared and there will be no adverse impacts on vegetation.
- A bushfire report has been prepared for the proposal demonstrating compliance with Planning for Bushfire Protection 2019.
- The land is considered suitable for its intended purpose for development.

It is determined that the site is suitable for the residential development as proposed.

## **10 PUBLIC INTEREST**

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The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning scheme and in accordance with relevant planning controls. The development is permissible and consistent with strategic and statutory policies. It will provide housing in an efficient and affordable manner



and help reduce demand for development on the urban fringes. The residential outcome is appropriate and will have no significant adverse environmental impact. It is considered that the proposed development is in the public interest.

## **11 CONCLUSION**

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This Statement of Environmental Effects (SoEE) has been prepared to support a development application for a staged 2 x Torrens Title Detached Two Storey Dwellings and 3 x Community Title One and Two Storey Dwellings at Lot 265 DP 1271229, 130 Springfield Drive Lochinvar and Lot 266 DP 1271229, 128 Springfield Drive Lochinvar.

The proposal has been designed to comply with the requirements of Maitland Local Environmental Plan (LEP) 2011 and the Maitland Development Control Plan (DCP) 2011.

The proposed subdivision has been designed to accommodate residential housing and have adequate vehicular access and provide sufficient open space for future occupants. The proposed dwellings are capable of being serviced by sewer and water, electricity, telecommunications and infrastructure for residential development.

The proposed dwellings comply with Council's requirements and offer a different housing type in order to conform to the NSW State Government policies regarding affordable housing. It is consistent with Council's long-term strategic planning for the Maitland LGA.

The proposal is consistent with the recommendations of the Maitland Local Housing Strategy 2041.

The proposal is considered suitable for the site and represents an efficient use of land. It is considered to be in the public interest and provides positive social and economic benefits to the local community through the provision of additional housing stock in close proximity to existing infrastructure and services. Schools and shopping centres are located nearby.

The environmental effects of the development have been considered in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal is not considered to have a significant impact upon the built or natural environments, or the social or economic fabric of the locality.

It is recommended that this development application be supported by Council by the granting of development consent.



# **APPENDIX A**

## **WASTE MANAGEMENT PLAN**

## Demolition and Construction Stage

Materials On-Site		Destination		
		Reuse and Recycling		Disposal
Type of Material	Estimated Volume (m <sup>3</sup> ) / Weight (t)	On-Site (proposed reuse/recycling method)	Off-Site (contractor / recycling outlet)	Contractor and Landfill Site
Demolition Material	N/A			
Excavation Material	To be determined	Cut and fill will be minimised to reduce excess fill. Any excess fill be used for backfill behind retaining walls where necessary	Excess material will be sold as clean fill or sold to the nearest recycling contractor	Will not be disposed of to landfill
Green Waste (Topsoil and Trees)	Approx 50m <sup>3</sup>	Stockpiled for later reuse in landscaping / mulched	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Weathered Rock / Sandstone	None expected	Stockpiled for later reuse in landscaping	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Concrete	To be determined	Any excess used for footpaths / minor works	Excess taken to nearest recycling contractor	Will not be disposed of to landfill
Timber Pallets	<10 pallets		To be collected by supplier or recycled	Will not be disposed of to landfill
Timber-other	<20 m <sup>3</sup>	Offcuts reused onsite ie formwork	Recycled by waste contractor	Recycled by Waste Contractor where possible
Steel reinforcement	<15 m <sup>3</sup>	Order to suit – offcuts reused	Recycled by waste metal recycler	Will not be disposed of to landfill
Scrap metal	<25 m <sup>3</sup>		Recycled by waste metal recycler	Will not be disposed of to landfill
Other – mixed waste	<35 m <sup>3</sup>			Skip bin will be placed on site – removed by Commercial Contractor to approved landfill site

## Use of Premises

<b>Type of Waste Generated</b>	<b>Proposed On-site Storage and Treatment Facilities</b>	<b>Destination</b>
Mixed waste (kitchen waste, non-recyclables)	Individual dwelling waste storage area / recycled	To be picked up by Council
Recyclable waste	Individual dwelling waste storage area / recycled	To be picked up by Council
Green waste	Individual dwelling waste storage area / recycled	To be picked up by Council