



PROPOSED EXHIBITION VILLAGE AND BOUNDARY ADJUSTMENT

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ALLAMS DEVELOPMENT NO.1 PTY LTD
FEBRUARY 2025



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Acknowledgement of Country

We, ADW Johnson, acknowledge the Traditional Custodians of the land where we live and work, the country of Awabakal, Darkinjung & the Eora Nation.

We recognise their continuous connection to the land and waters of our beautiful regions. We pay our respects to Aboriginal and Torres Strait Islanders Elders past, present and emerging.

Limitations Statement

This report has been prepared in accordance with and for the purposes outlined in the scope of services agreed between ADW Johnson Pty Ltd and the Client. It has been prepared based on the information supplied by the Client, as well as investigation undertaken by ADW Johnson and the sub-consultants engaged by the Client for the project.

Unless otherwise specified in this report, information and advice received from external parties during the course of this project was not independently verified. However, any such information was, in our opinion, deemed to be current and relevant prior to its use. Whilst all reasonable skill, diligence and care have been taken to provide accurate information and appropriate recommendations, it is not warranted or guaranteed and no responsibility or liability for any information, opinion or commentary contained herein or for any consequences of its use will be accepted by ADW Johnson or by any person involved in the preparation of this assessment and report.

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The Client should be aware that this report does not guarantee the approval of any application by any Council, Government agency or any other regulatory authority

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GLOSSARY + ABBREVIATIONS

LGA	Local Government Area
SEE	Statement of Environmental Effects
DA	Development Application
LEP	Local Environmental Plan
EP&A	Environmental Planning & Assessment
URA	Urban Release Area
DCP	Development Control Plan
ASS	Acid Sulfate Soils
RFS	Rural Fire Services
MCC	Maitland City Council

Executive Summary

PURPOSE

This Statement of Environmental Effects has been prepared by ADW Johnson, on behalf of Allams Development No.1 Pty Ltd, to accompany a Development Application to Maitland City Council for an exhibition village including temporary carpark, marketing suite, display home and boundary adjustment over approved development Lots 210 – 213 (approved under DA/2019/652:6) at 581 Raymond Terrace Road, Chisholm.

APPLICATION DETAILS

Applicant:	Allam Development No.1 Pty Ltd
Development:	Exhibition village and boundary adjustment of approved Lots 21-213, one marketing suite, two display homes, a temporary car park over approved Lot 210, ancillary signage and landscaping
Site Description:	581 Raymond Terrace, Chisholm (Lot 81 DP 1302072) (parent lot) Development proposed over approved but unregistered Lots 210-213 (DP 1283787) (approved under DA/2019/652:6) within the parent lot.
Owner:	Allam Development No.4 Pty Ltd
Development Cost:	\$1,067,600.00

DEVELOPMENT STANDARDS/CONTROLS

Zone:	R1: General Residential
Definition:	Exhibition Village & Subdivision
Permissibility:	Permissible with Consent
Minimum Lot Size:	R1 = 450m ² (LEP – Section 4.1)
Urban Release Area:	Thornton North Stage 2

EXTERNAL REFERRALS

No external referrals are required.

SUMMARY

The proposed development complies with all relevant provisions of the LEP as well as the relevant aims and objectives of the DCP. Where variations are proposed to DCP principles, they have been supported with evidence to ensure the objectives of the control continue to be achieved.

The proposed exhibition village is essential to facilitate the sale of houses and land within the Sophia Waters residential subdivision within the Thornton North Urban Release Area. The proposed development is typical of exhibition villages used in association with the marketing and sales of any new residential land release.

The existing sales office approved under DA/2018/1789 is to close in mid-2025.

SECTION 1

INTRODUCTION

1. Introduction

ADW Johnson has been engaged by Allam Development No.1 Pty Ltd (**Client**) to prepare and lodge a Development Application (**DA**) with Maitland City Council (**MCC**) for an exhibition village including temporary carpark, marketing suite, display home and boundary adjustment over approved development Lots 210 – 213 (approved under DA/2019/652:6) at 581 Raymond Terrace Road, Chisholm (Lot 81 in DP 1302072) (**the site**).

The land subject to the exhibition village proposal forms part of a broader development site approved under DA/2019/652:6, which approved a Torrens-Title residential subdivision (known as Sophia Waters) and intended to facilitate the release of land within the Thornton North Urban Release Area. DA/2019/652:6 provides consent for 130 residential lots, two drainage reserve lots and two road widening lots to be delivered in five stages. The approved (but unregistered) lots subject to this proposal are identified as Lots 210-213 and are to be delivered in Stage 2.

The proposed development seeks consent for an exhibition village, with the following components:

- Adjustment of lot boundaries and sizing of approved Lots 211, 212 and 213 to facilitate the exhibition village. It should be noted that as a result of the boundary adjustment, approved Lots 211, 212 and 213 are to be renumbered as Lots 11, 12 and 13 – refer subdivision concept at **Appendix K**.
- A sales/marketing suite and display home (to be located on Lot 11);
- One display home located on Lot 12;
- A temporary car parking area (to be located on approved Lot 210); and
- Ancillary signage and landscaping works.

Establishment of the lots, connection to services and earthworks will take place under DA/2019/652:6.

The subject site is located within the Thornton North Urban Release Area (URA). The proposed exhibition village and subdivision will facilitate the sale of land within the Sophia Waters residential subdivision (approved under DA/2019/652:6) and will contribute to the emergence of Sophia Waters as well as the broader URA.

The subject site is wholly zoned R1: General Residential under the provisions of the *Maitland Local Environmental Plan 2011 (MLEP2011)* and an *exhibition village*, and *subdivision* are both permissible with development consent. The proposed development has been designed in consideration of the provisions of the *MLEP2011* and the applicable controls contained within the *Maitland Development Control Plan 2011 (MDCP2011)*.

This Statement of Environmental Effects (**SEE**) has been prepared pursuant to the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and accompanying regulations, and addresses the necessary issues that require assessment to assist Council in making a determination on the subject application.

The proposed development can be undertaken with minimal impact on the local environment given that key issues have been previously assessed as part of the subdivision approval. As such, Council is requested to grant development consent to the application.

SECTION 2

THE SITE

2. The Site

2.1 LOCATION

The subject site is identified as 581 Raymond Terrace Road, Chisholm (Lot 81 DP 1302072). The site is within the Maitland Local Government Area (LGA).

The site is located on the northern side of Raymond Terrace Road at Chisholm, approximately 3km west of Metford, and within the approved Sophia Waters residential subdivision (under DA/2019/652:6). The site is located 1.5km north of the township of Thornton and is bordered to the east and west by approved subdivision development, being undertaken as part of the Thornton North (Stage 2) Urban Release Area. **Figure 1** below shows the location of the subject site within the locality.

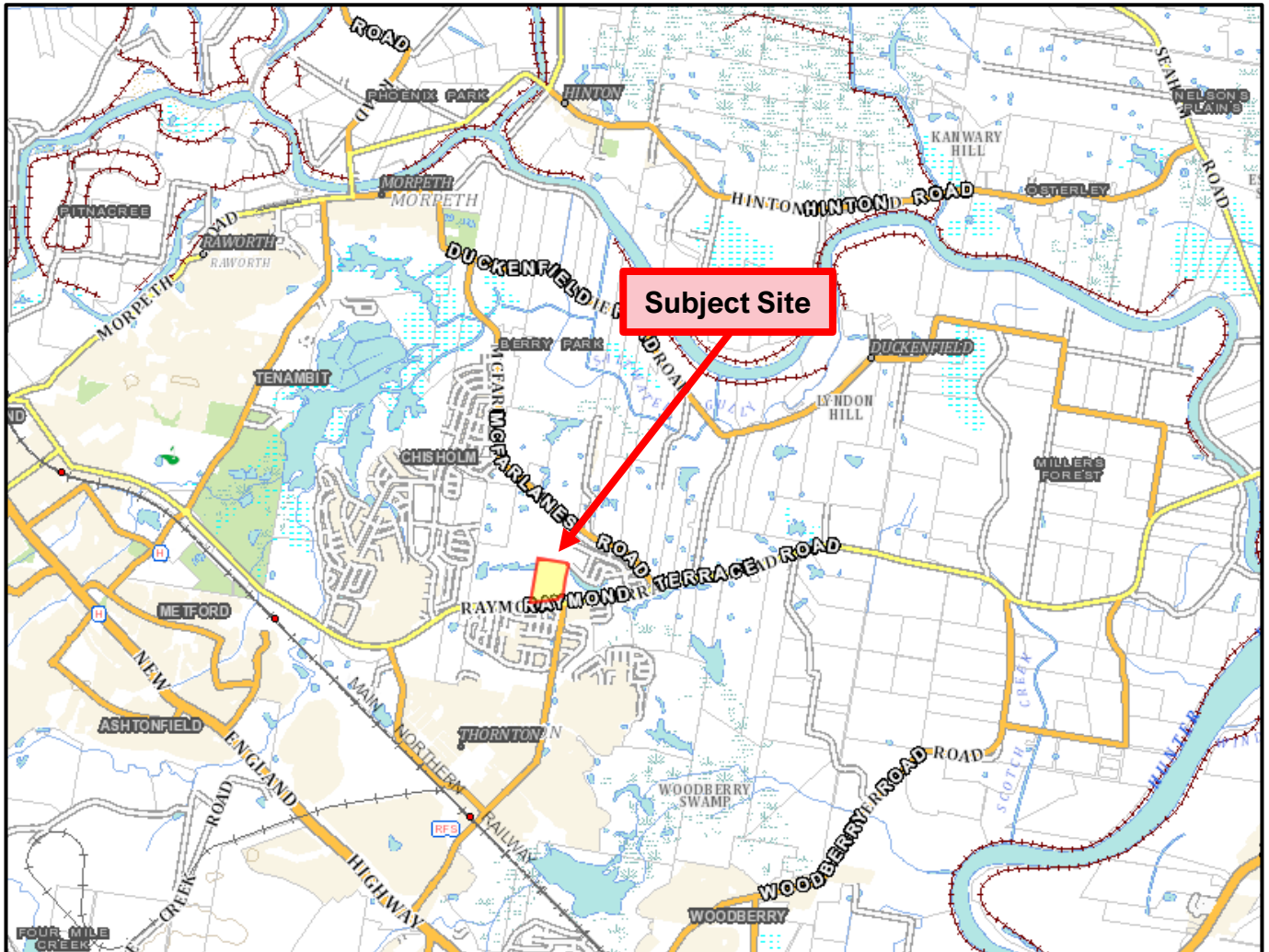


Figure 1: Site Location.

Source: [SIX Maps \(nsw.gov.au\)](https://sixmaps.nsw.gov.au) (Retrieved 24/06/2024)

2.2 LAND TITLE

The site is identified as Lot 81 DP 1302072, known as 581 Raymond Terrace Road, Chisholm. The parent site has a total area of approximately 14.06ha. The land subject to this development are approved Lots 210 (632m²), 211 (510m²), 212 (510m²) and 213 (510m²) under DA/2019/652:6. It should be noted that as a result of a proposed boundary adjustment, Lots 211, 212 and 213 are to be renumbered as Lots 11, 12 and 13 – refer subdivision concept at **Appendix K**.

A copy of the Deposited Plan for Lot 81 is provided in **Appendix A**.

2.3 OWNERSHIP

Lot 81 DP 1302072 is owned by Allam Land No.4 Pty Limited – whose consent to the lodgement of this DA has been provided and is included as **Appendix B1**. A copy of the Certificate of Title is provided in **Appendix B2**.

2.4 PHYSICAL DESCRIPTION

2.4.1 Site

The subject site is regular in shape and is bordered by Raymond Terrace Road to the south, an approved residential subdivision to the east (under construction) and an approved residential subdivision to both the north and the west (yet to be constructed).

Works in accordance with DA-2019-652:6 are well advanced and the site has been cleared of vegetation, with subdivision earthworks currently underway, and several access roads completed.

The approved (but unregistered) lots subject to this proposal are identified as Lot 210-213, which are all to be delivered under Stage 2, under DA/2019/652:6 (refer **Figures 8 & 9**). It should be noted that that as a result of a proposed boundary adjustment, Lots 211, 212 and 213 are to be renumbered as Lots 11, 12 and 13 – refer subdivision concept at **Appendix K**. An aerial of the site has been provided in **Figure 2**.



Figure 2: Subject Site
Source: Nearmaps (Retrieved 17/12/24)

2.4.2 Access

Access to the subject site is via Raymond Terrace Road to the south.

Access to the proposed exhibition village will be provided from Redgate Road. **Figure 3** below shows the approved road network within proximity to the Lots subject to this DA. The proposed development does not alter any aspect of the approved road network.

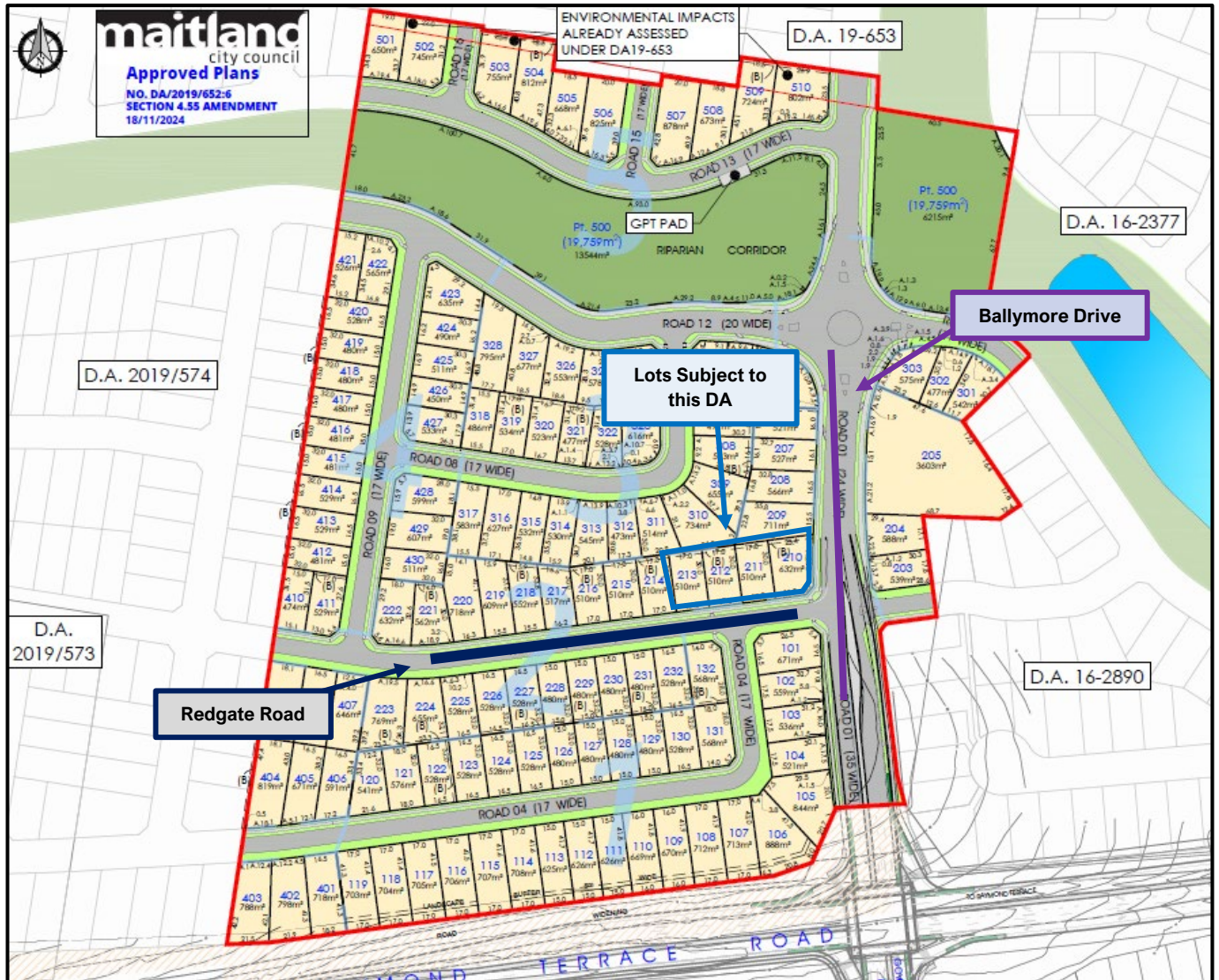


Figure 3: Approved Development Plan (DA/2019/652:6)

2.4.3 Topography + Watercourses

Civil works performed under SW/2023/3:1 and DA/2019/652 are now complete including servicing utilities. The subdivision certificate supporting registration of the subject land has been lodged with Council for assessment. Land Registration is to take place in early 2025.

A watercourse extends through the northern portion of the parent lot which is approved as a riparian corridor under DA/2019/652:6. The Lots subject of this DA are well separated from this watercourse (in excess of 120m) (refer to **Figure 4**).

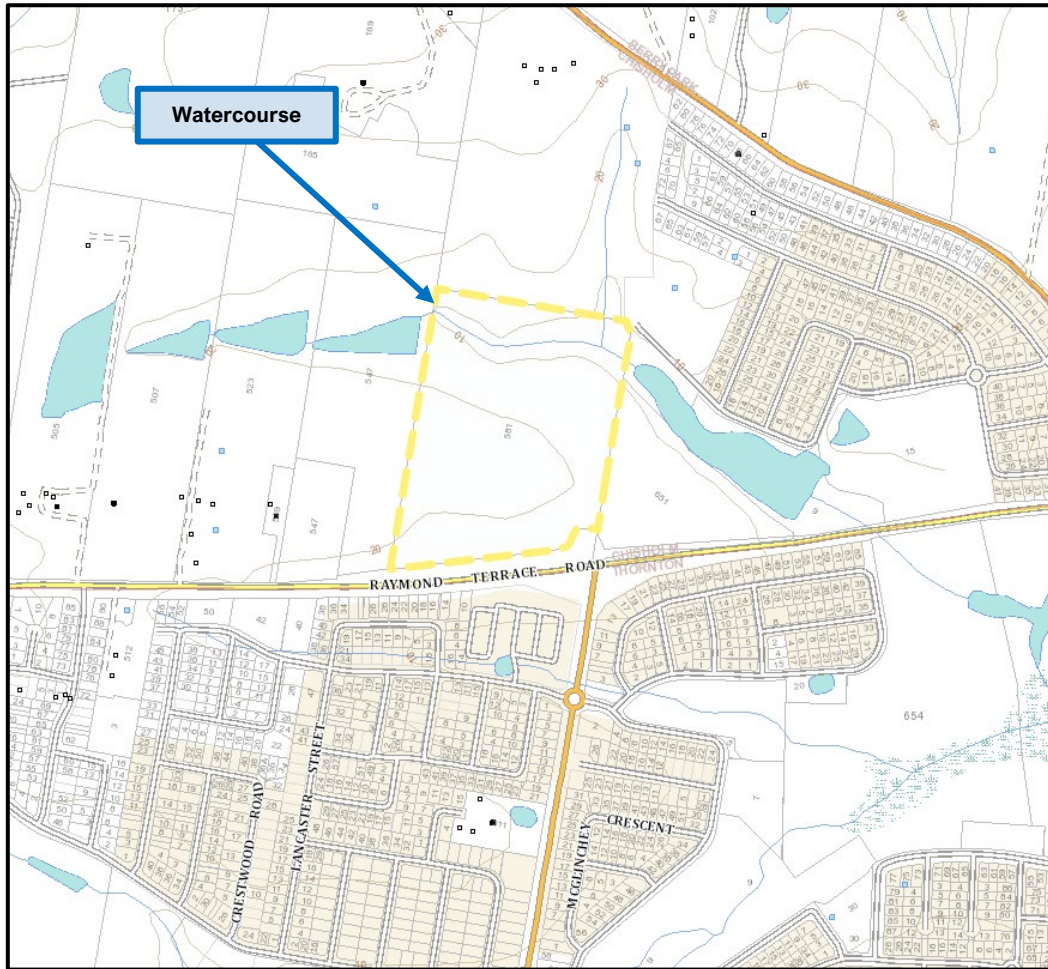


Figure 4: Location of Watercourse within Parent Lot
Source: sixMaps (Retrieved 24/06/2024)

2.4.4 Vegetation

The subject land presents as benched residential lots ready for housing construction. No vegetation removal is required to support the development proposal (refer to **Figure 2** above).

2.4.5 Bushfire

The entirety of the site is identified as bushfire-prone land (refer to **Figure 5**). Bushfire was addressed within DA19-652:5. Subdivision BAL Assessment prepared by Bushfire Planning Australia dated 16 September 2024 identifies the land as being free from Bushfire Impact (refer to **Figure 6**). A Bushfire Assessment report has been prepared in support of the proposal and is included at **Appendix L**.

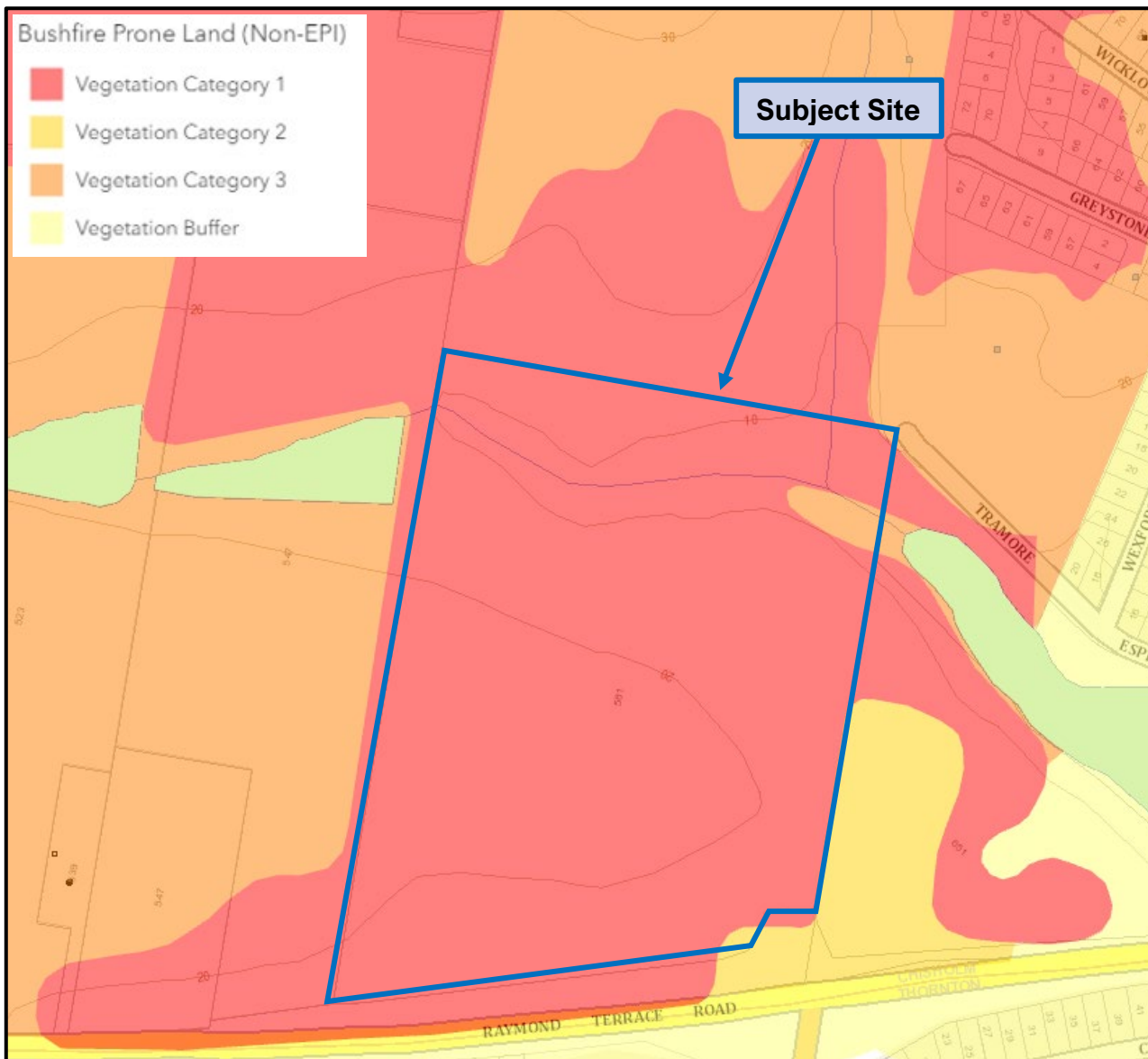


Figure 5: Bushfire Prone Land Mapping
Source: [NSW Planning Portal Spatial Viewer](#) (Retrieved 17/12/2024).



Figure 6: Subdivision BAL Assessment

Source: Bushfire Planning Australia report dated 16 September 2024.

2.4.6 Geotechnical Matters

The entirety of the site is mapped as potentially containing Class 5 Acid Sulfate Soils (**Figure 7**).

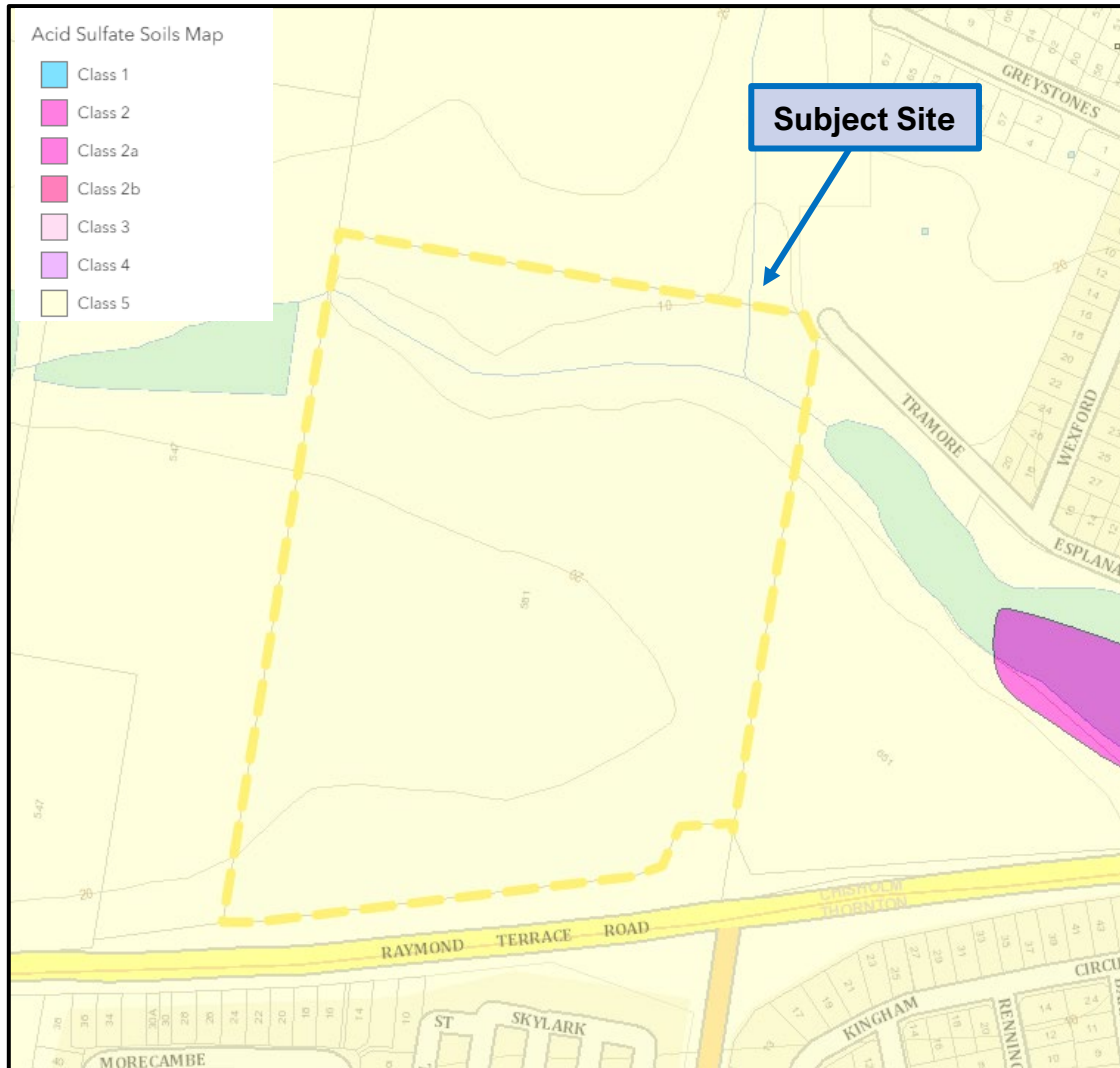


Figure 7: Acid Sulfate Soils Map

Source: NSW Planning Portal Spatial Viewer (Retrieved 17/12/2024)

Geotechnical reports for the subject land have been prepared by EP Risk to support the subdivision works. Site Classification and Fill Assessment Report (EP3162.003 8 Dec 2024) for Stage 4A Sophia Waters, Chisholm is presented in **Appendix J**. This report indicated the land was located in a cut zone with site classification of H1-Highly Reactive.

2.4.7 Urban Release Area

The site is located within the Thornton North (Stage 2) Urban Release Area (**Figure 8**).

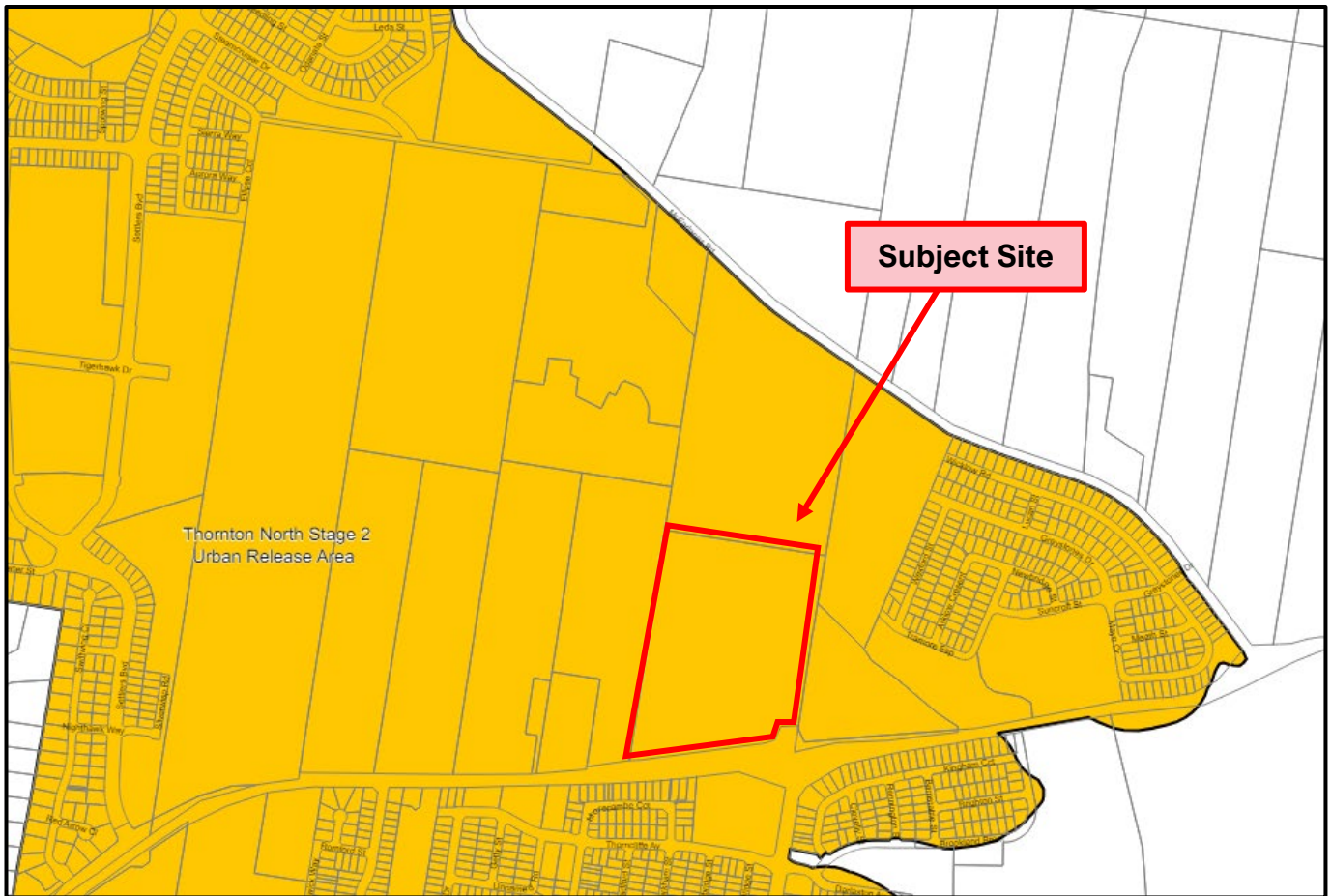


Figure 8: Urban Release Area Map
Source: Maitland Local Environmental Plan 2011

2.4.8 Context

The subject site sits within the Thornton North (Stage 2) Urban Release Area and is surrounded by existing and emerging residential subdivision development.

The Lots proposed to accommodate the exhibition village and subject to the adjustment of lot boundaries have been approved under DA/2019/652:6, which provides staged approval for a residential subdivision, comprising 130 residential lots, two drainage reserve lots and two road widening lots (an extract of the approved staging plan is provided in **Figure 9**).

Civil works have been completed under SW2023/3:1 including all services. The land is benched and ready for housing construction.

DA/2019/652:6 includes numerous conditions of consent that deal with construction, staging, servicing, environmental management and works have been completed in accordance with these conditions. The proposed development will complement adjoining development and will promote the residential land release.

Figures 9 and **10** show the approved staging plan and subdivision layout of DA/2019/652:6 as well as the approved allotments subject to this DA.

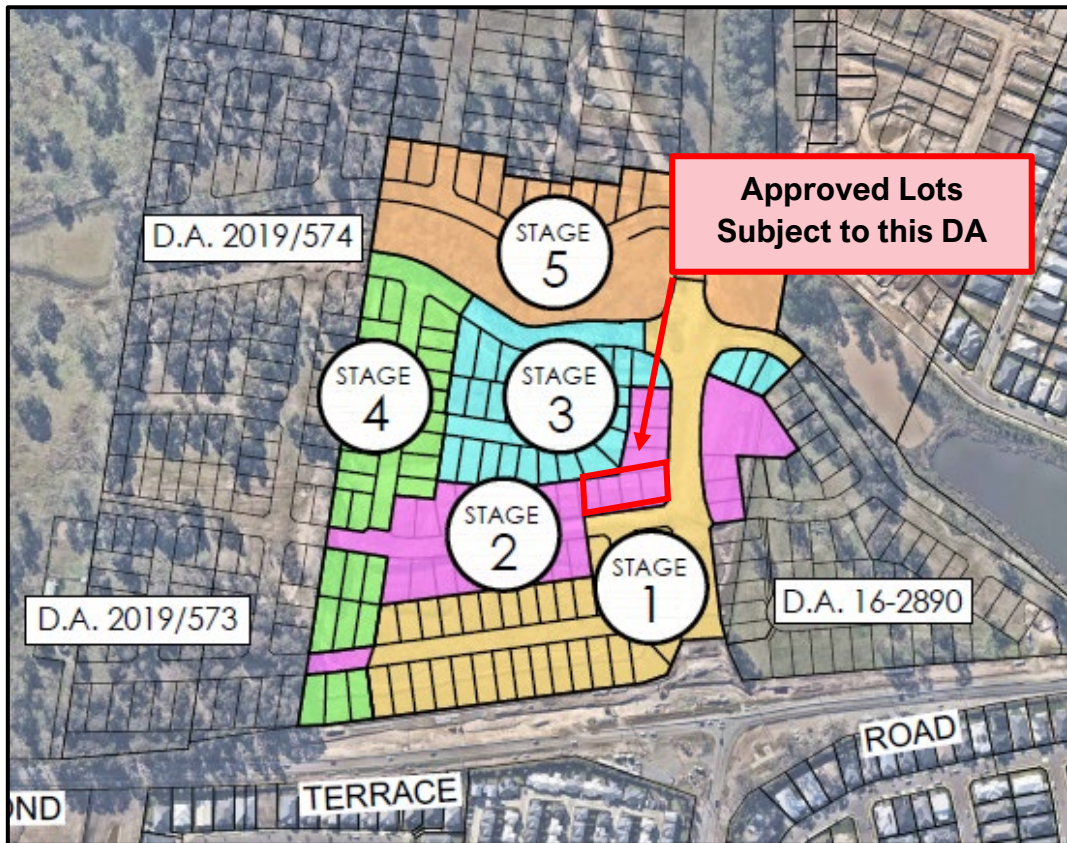


Figure 9: Approved Staging Plan

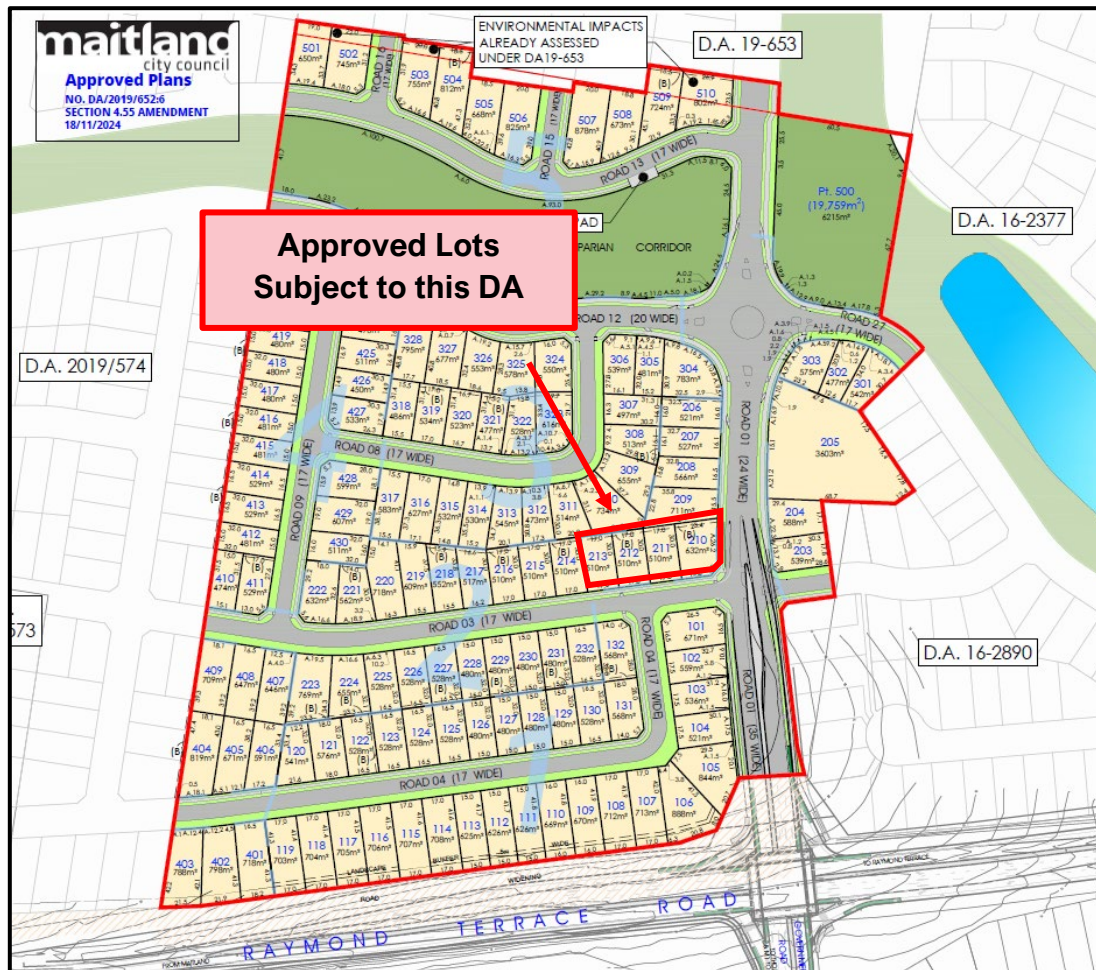


Figure 10: Approved Subdivision Plan

SECTION 3 DESCRIPTION OF THE PROPOSED DEVELOPMENT

3. Description of the Proposed Development

3.1 PROPOSED DEVELOPMENT

The proposal seeks consent for the following:

- Adjustment of lot boundaries and sizing of approved Lots 211, 212 and 213 to facilitate the exhibition village, as follows:
 - Increase in frontage width of approved Lot 211 from 17m to 20.113m, and corresponding increase of size from 510m² to 604m²;
 - Reduction in frontage width of approved Lot 212 from 17m to 15.2m, and corresponding reduction in size from 510m² to 456m²; and
 - Reduction in frontage width of approved Lot 213 from 17m to 15.69m, and corresponding reduction in size from 510m² to 470m².
- A sales/marketing suite and display home on approved Lot 211 – New Lot 11 (to be retro-fitted to a *dwelling house* and *secondary dwelling* once the exhibition village ceases use) - refer **Figure 12**.
- One display home on approved Lot 212 – New Lot 12 ; and
- A temporary car parking area over approved Lot 210, ancillary signage and landscaping works.

A draft plan showing the proposed re-subdivision/boundary adjustment of Lots 211, 212, 213 is shown at **Figure 11** below and included at **Appendix K**. It should be noted that that as a result of a proposed boundary adjustment, Lots 211, 212 and 213 are to be renumbered as Lots 11, 12 and 13.

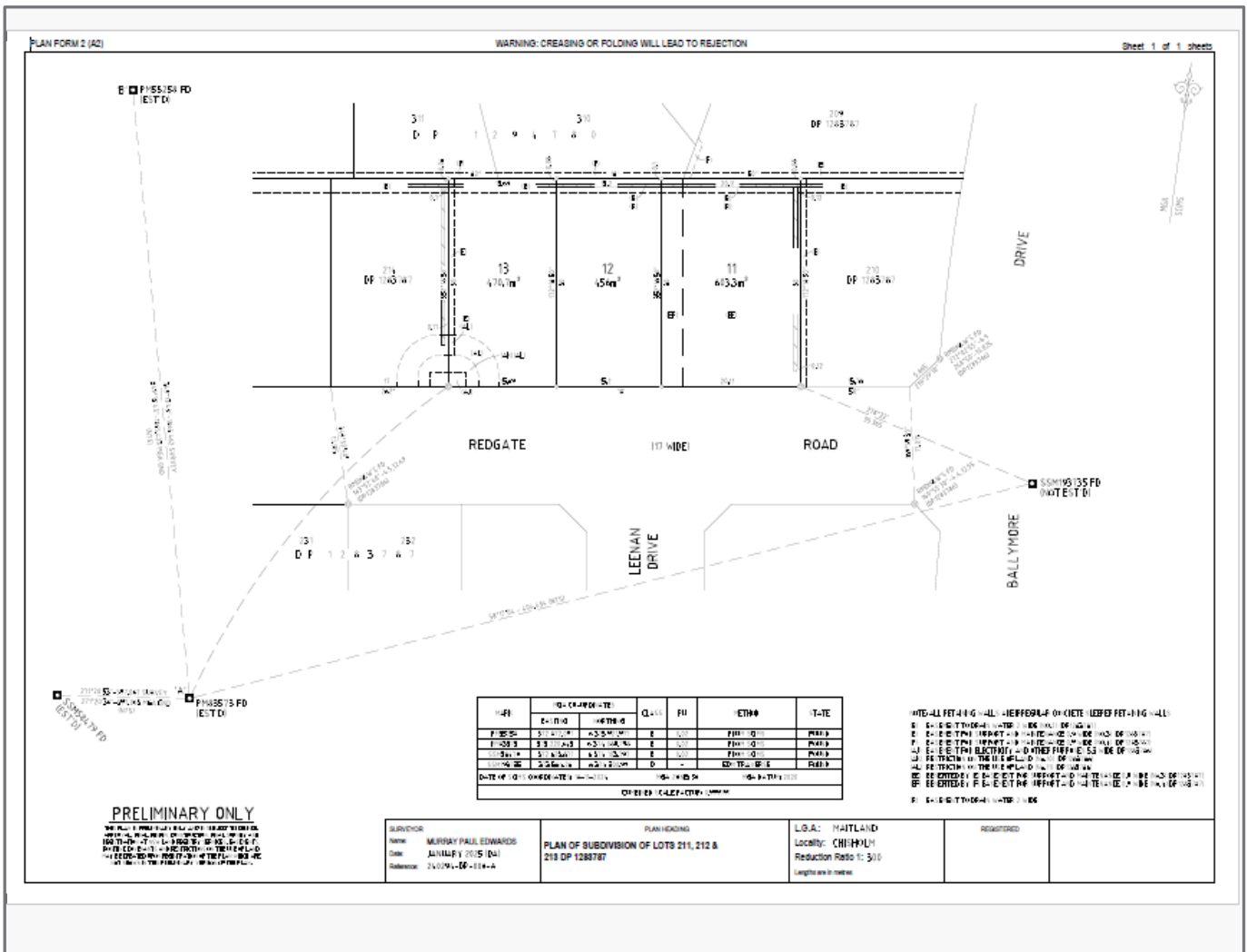


Figure 11: Proposed re-subdivision of Lots 211, 212 and 213

The proposal is described in further detail below.

Sales/Marketing Suite & Display Home (Lot 11)

The proposed development includes the construction of a sales/marketing suite over Lot 11.

Lot 11 is a regular lot with a proposed area of 603.39m² after adjustment having dimensions of 20.113 x30m. This lot will facilitate the proposed sales and marketing suite – refer **Figure 12** below.

A five-bedroom dwelling, identified as the ‘Maxwell’ (refer to the plans provided within **Appendix C**) and an associated one-storey secondary dwelling will be constructed, and will accommodate the sales/marketing suite, and a display home.

The sales/marketing suite will include the fit-out of the ground floor of the future dwelling house and secondary dwelling to include:

- Conditioning area;
- Reception area;
- Staff amenities area (lunch room, store room and bathroom).

The remaining areas of the Maxwell will be fit out as per the future dwelling house use (e.g. bedrooms, etc.) and operate as a display home.

The marketing/sales suite and display home will have the appearance of a two-storey residential dwelling, with the secondary dwelling component well integrated into the front façade. An internal retrofit will occur once the exhibition village ceases operation, and at that time, the structure will be a residential dwelling with an attached secondary dwelling i.e. granny flat.

The marketing/sales suite and display home will be used to facilitate the sale of land and houses within the approved Sophia Waters subdivision to the general public. It will form a central point for customers / potential buyers to explore available properties, receive information about the Sophia Waters development and engage with sales representatives.

It is anticipated that the exhibition village will operate for a minimum of five years.

Pedestrian access to the sales office will be from Redgate Road. A pedestrian footpath network is in place that will facilitate safe pedestrian movement from the temporary car park proposed on approved Lot 210 (as approved under DA/2019/652:6) and a mixture of permanent and temporary fencing, landscaping and internal footpaths will be provided to control access to the development.

Landscaping will be installed which is a mix of trees, hedging, ground cover planting, turf, paving and decorative pebbles.

Toilet facilities are provided within the marketing/sales suite and display home.

The marketing/sales suite and display home will be connected to all essential major services.

The full set of Architectural Plans in relation to the marketing/sales suite and display home is included in **Appendix C**.



Figure 12: Render of Proposed Sales/Marketing Suite and Display Home (Lot 210)

Display Home (Lot 12)

Lot 12 is a regular lot with a proposed area of 456m² after adjustment, having dimensions of 15.2m and 30m. This lot will facilitate the secondary display home.

A four bedroom, single-storey dwelling, known as the 'Ardmore' (refer to the attached plans provided in **Appendix C**) will be constructed on approved Lot 12.

The display home will operate in conjunction with the adjoining sales office (as an exhibition village). It is anticipated that the exhibition village will operate for a minimum of five years.

The display home will be connected to all essential major services.

A mixture of permanent and temporary fencing will be installed to control pedestrian movement. Landscaping will be installed incorporating a mixture of trees, hedging, ground cover planting, turf, paving and decorative pebbles.

The full set of Architectural Plans in relation to the display homes is included in **Appendix C**.



Figure 13: Proposed Display Home (Lot 212)

Boundary Adjustment (Lot 213)

Lot 13 is a regular lot with a proposed area of 470.7m² after adjustment, having dimensions of 15,69 x 30m.

Temporary Carpark

The proposed development includes the construction of a sealed temporary car park, over approved Lot 210 (under DA/2019/652:6). Approved Lot 210 is located to the east of the proposed marketing/sales suite, on the corner of Ballymore Drive and Redgate Road. Vehicular access is from Redgate Road.

The proposed car park includes minor site regrade works and the installation of stormwater management infrastructure. The temporary car park will include seven spaces (inclusive of one accessible parking space), and three portions of 1.5m wide footpath, to connect to the approved pedestrian footpath along Ballymore Drive to the east, and two direct pedestrian access points to the marketing/sales suite, located next door.

The proposed temporary carpark will be operated in conjunction with the adjoining marketing/sales suite (as an exhibition village). It is anticipated that the exhibition village will operate for a minimum of five years.

Landscaping will be installed surrounding the car park which is comprised of a mixture of trees, ground cover planting and turf.

Civil engineering plans have been prepared in relation to the proposed car park and required stormwater and servicing adjustments to Lots 11, 12 and 13, including new pits to Lots 12 and 13 are included in **Appendix D**. Landscaping details are included in the Landscape Plans, found in **Appendix E**.

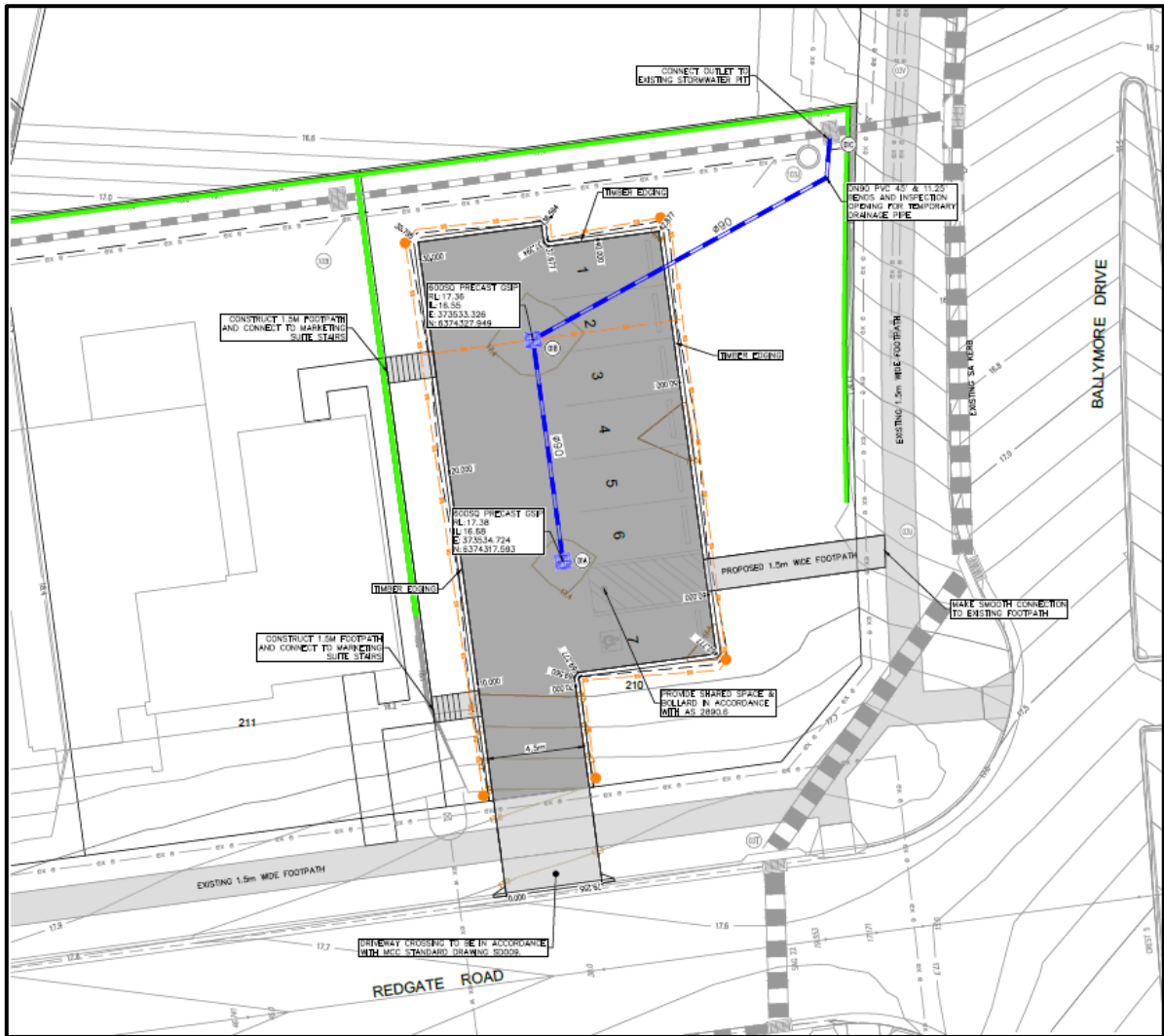


Figure 14: Proposed Car Park Design

Temporary Signage

Temporary signage associated with the proposed exhibition village is proposed as follows:

- Proposed Car Park (Approved Lot 210)
 - Three flag banners; and
 - One carpark sign.
- Proposed Marketing/Sales Suite & Display Home (Lot 11)
 - Two flag banners.
- Proposed Display Home (Lot 12)
 - One flag banner.

The proposed flag banners will be constructed using 5.7m high steel poles, with 1.1m embedded into the ground and 4.6m above ground level. Each pole will support a double-sided digitally printed banner flag, held by a 750mm capped welded steel pipe.

The proposed signage will not be internally lit and will not include any moving parts. Specific locations, and details of specifications, design and colour treatments is shown at **Figure 14** below and on the Architectural Plans at **Appendix C**.

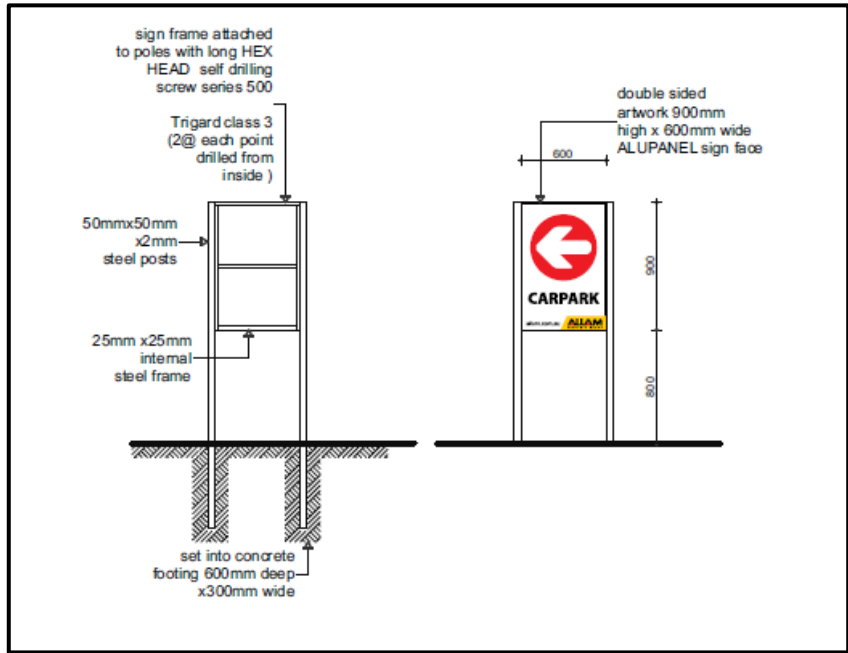
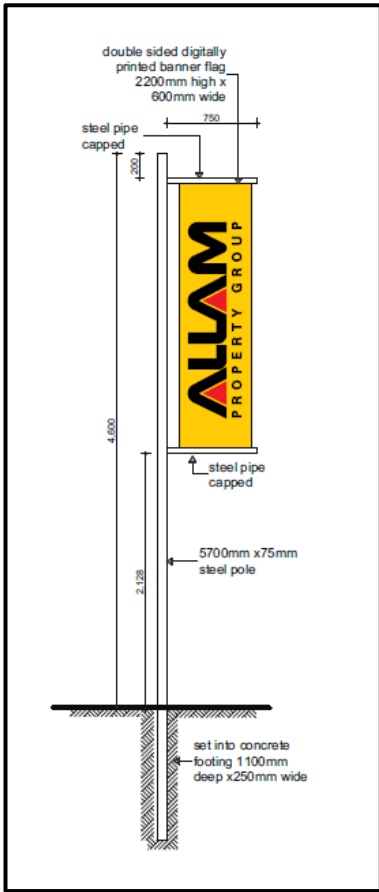


Figure 15: Proposed Signage

3.2 OPERATIONAL DETAILS

3.2.1 Hours of Operation

The proposed hours of operation for the exhibition village are to be Monday to Saturday, 10am to 5pm.

SECTION 4 PLANNING CONTROLS

4. Planning Controls

4.1 ENVIRONMENTAL PLANNING INSTRUMENT (S4.15C1(A)(I))

4.1.1 Environmental Planning and Assessment Act 1979

The proposed development includes a boundary adjustment to approved Lots 211, 212 and 213, which were approved under DA/2019/653:6.

Section 4.17 *Imposition of conditions* of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* allows for a condition of development consent to be imposed if the condition relates to a separate application, and that application requires modification or surrender. As follows:

- (1) **Conditions—generally** A condition of development consent may be imposed if—
- (a) it relates to any matter referred to in section 4.15(1) of relevance to the development the subject of the consent, or
 - (b) it requires the modification or surrender of a consent granted under this Act or a right conferred by Division 4.11 in relation to the land to which the development application relates, or
 - (c) it requires the modification or cessation of development (including the removal of buildings and works used in connection with that development) carried out on land (whether or not being land to which the development application relates), or
 - (d) it limits the period during which development may be carried out in accordance with the consent so granted, or
 - (e) it requires the removal of buildings and works (or any part of them) at the expiration of the period referred to in paragraph (d), or
 - (f) it requires the carrying out of works (whether or not being works on land to which the application relates) relating to any matter referred to in section 4.15(1) applicable to the development the subject of the consent, or
 - (g) it modifies details of the development the subject of the development application, or
 - (h) it is authorised to be imposed under the following—
 - (i) section 4.16(3) or (5),
 - (ii) subsections (5)– (9) of this section,
 - (iii) section 7.11 or 7.12,
 - (iv) Division 7.1, Subdivision 4,
 - (v) section 7.32.

- (5) **Modification or surrender of consents or existing use rights** If a consent authority imposes (as referred to in subsection (1)(b)) a condition requiring the modification or surrender of a consent granted under this Act or a right conferred by Division 4.11, the consent or right may be modified or surrendered subject to and in accordance with the regulations.

As per subclause (b), a condition of development consent may be imposed, if the condition requires the modification or surrender of a consent granted under this Act. As Lots 211, 212 and 213 were approved under DA/2019/653:6, it is requested that a condition of consent will be imposed as part of the future consent related to this DA to require the modification of DA/2019/653:6, in accordance with the revised subdivision plans provided as part of this application.

4.1.2 Environmental Planning and Assessment Regulation 2021

Section 67 *Modification or surrender of development consent or existing use right—the Act s4.17(5)* of the *Environmental Planning and Assessment Regulation 2021 (the Regs)* provides supporting regulation to Section 4.17(5) of the *EP&A Act 1979*. As follows:

- (1) A development consent or existing use right may be modified or surrendered by written notice to the consent authority
- (2) The notice must contain the following information—
 - (a) the name and address of the person giving the notice,
 - (b) the address and folio identifier of the land to which the consent or right relates,
 - (c) a description of the consent or right to be modified or surrendered,

- (d) *whether the consent or right will be modified, including details of the modification, or surrendered,*
 - (e) *if the person giving the notice is not the owner of the land—a statement signed by the owner of the land that the owner consents to the modification or surrender of the consent or right.*
- (3) *The notice takes effect when the consent authority gives written notice to the person giving the notice that the consent authority received the notice.*
- (4) *The notice operates, according to its terms, to modify or surrender the development consent or existing use right to which it relates.*
- (5) *The consent of the owner is not required under subsection (2)(e) if the consent of the owner of the land was not required under section 23 to make the application for the development consent.*

As per Section 67 of the Regs, if Council impose a condition on the subject consent (e.g. for the exhibition village and boundary adjustment) that requires the modification of DA/2019/653:6, this modification can be undertaken via providing written notice to the consent authority.

As such, it is considered that both Section 4.17 of the *EP&A Act 1979* and Section 67 of *the Regs* provide legislative basis for a condition to be imposed on the consent of the subject development (that being the exhibition village and boundary adjustment) that requires the modification of DA/2019/653:6, which can then be undertaken via providing written notice to the consent authority. As such, the proposed boundary adjustment of approved Lots 211, 212 and 213 is permissible under this application.

4.1.3 Maitland Local Environmental Plan 2013

The site is located within the Maitland Local Government Area and the *MLEP2011* applies to the proposed development.

Zoning

The site is zoned R1 General Residential (**See Figure 15**).

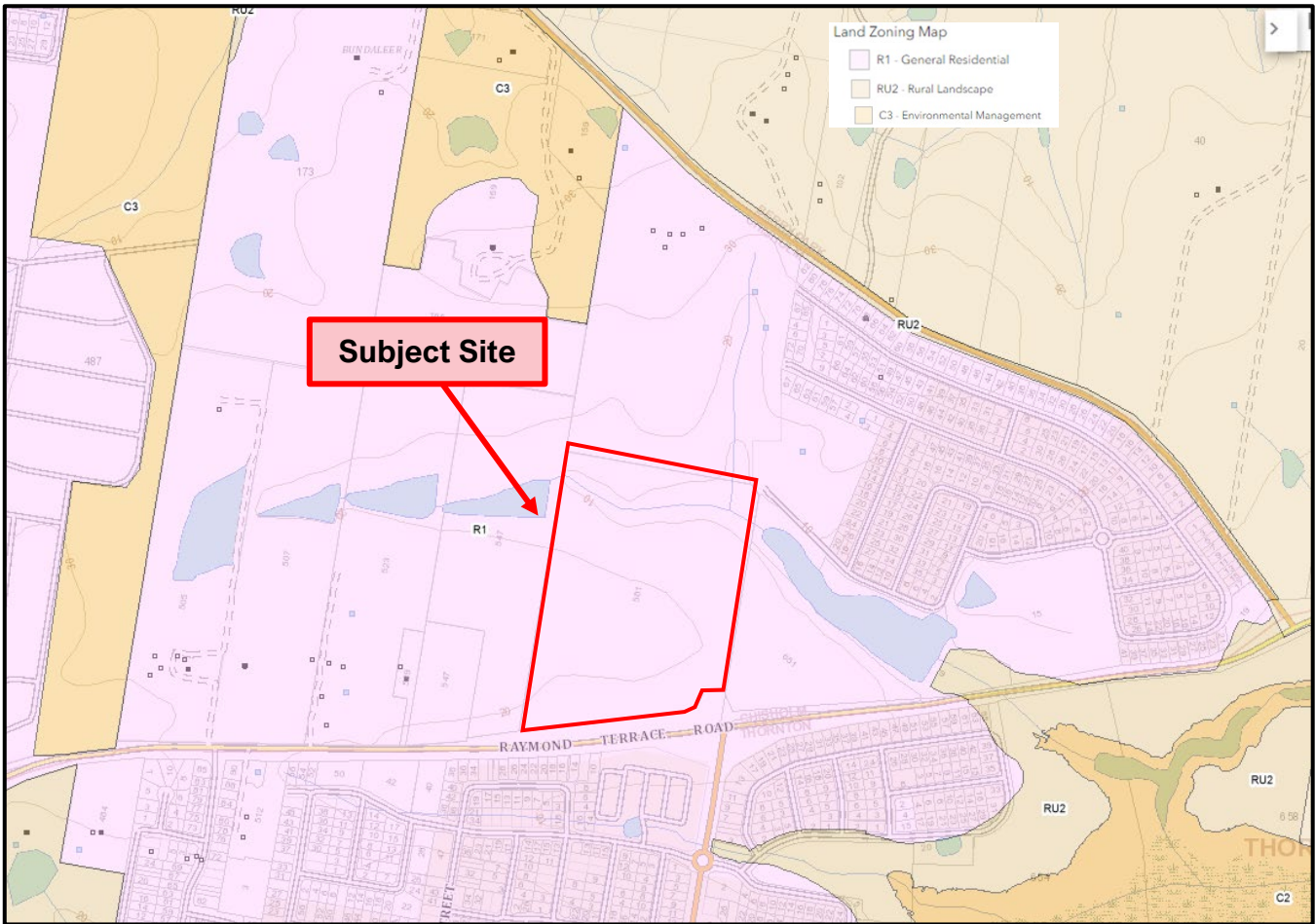


Figure 16: Land Zoning Map
 Source: [NSW Planning Portal Spatial Viewer](#) (Retrieved 17/12/2024).

Land Use Table

Clause 2.3 of the LEP stipulates that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The subject site is located within the R1 General Residential zone. The objectives of the R1 zone include:

- *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 addresses the objectives of the R1 zone. The subject site and surrounding lands form part of the Thornton North Urban Release Area. The Thornton North Urban Release Area plays a key role in achieving housing targets established by local and regional strategic plans. The proposed development will assist in facilitating the sale and delivery of land and housing within the approved subdivision and Thornton North Urban Release Area, to meet the housing needs of the community in accordance with the strategic direction identified for the area.

The proposed development meets the MLEP land use definition of an exhibition village. An exhibition village is defined as follows:

Exhibition village means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

Development for the purpose of an exhibition village is permitted with consent in the R1 zone. It is noted that the proposed development incorporates an integrated signage scheme throughout. The proposed signage is considered to be an ancillary component of the proposed exhibition village. The signage serves to complement the dominant use of the site, the proposed exhibition village, by providing a way-finding function for customers interested in viewing the exhibition village.

The adjustment of the boundaries of approved Lots 211, 212 and 213 is formally defined as a *subdivision*. Subdivision is permissible with development consent, pursuant to Clause 2.6 *Subdivision—consent requirements* of the *MLEP2011*.

Part 4 – Principal Development Standards

Clause 4.1 – Minimum Subdivision Lot Size

The subject site has a minimum subdivision lot size of 450m². Each approved Lot associated with the boundary adjustment (that being Lots 11, 12 and 13) has an area in excess of 450m² and hence remains compliant with this clause.

Clause 4.3 – Height of Buildings

The subject site is not identified in the *MLEP2011* as having a maximum building height. The proposed development comprises of built form that is consistent with the residential character of the approved subdivision and will not result in any adverse impacts on the residential streetscape, amenity or character of the surrounding area.

Clause 4.4 – Floor Space Ratio

The subject site is not identified in the *MLEP2011* as having a maximum floor space ratio. Notwithstanding this, the proposed built form is of a scale and density consistent with the zoning controls applied to the site.

Part 6 – Urban Release Areas

Clause 6.2 – Public Utility Infrastructure

This clause requires Council to be satisfied that essential public utility infrastructure is available or adequate arrangements have been made to make that infrastructure available when it is required, for development in an urban release area.

Essential public utility infrastructure will be installed under (DA/2019/652:6) and connected to the proposed development where required before operations commence.

Clause 6.3 – Development Control Plan

Clause 6.3 confirms that Council shall not grant consent to development on land within an urban release area unless a DCP addressing those items identified in sub-clause (3) has been prepared. To this end, Part F7 of the Maitland Development Control Plan applies to the site and addresses those items identified in clause 6.3(3) of the *MLEP2011*.

Part 7 – Additional Local Provisions

Clause 7.1 – Acid Sulfate Soils

The subject site is identified as containing Class 5 Acid Sulfate Soils (**Figure 5**). In accordance with Clause 7.1 development consent is required for works in Class 5 Acid Sulfate Soils areas where the works are within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. as the proposed development will not result in the local water table being lowered, consent under this clause is not required.

Clause 7.2 – Earthworks

Minor earthworks are proposed to accommodate the construction of the proposed marketing/sales suite and the display homes. The proposed earthworks are minor and commensurate with the residential scale of development identified for the site in the overall approved subdivision.

Earthworks are required to accommodate the construction of the proposed car park. Detailed earthworks plans are enclosed within **Appendix D**. All cut and fill works are less than or equal to 1m in extent and will not result in any significant adverse impacts on the matters specified in Clause 7.2.

4.1.4 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 – Advertising and Signage

Chapter 3 of the SEPP specifies provisions pertaining to development for the purposes of advertising and signage and applies to the proposed development.

Section 3.1 sets out the following objectives of the Chapter-

- (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*
 - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
 - (c) *to provide time-limited consents for the display of certain advertisements, and*
 - (d) *to regulate the display of advertisements in transport corridors, and*
 - (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

The proposed signage is consistent with the relevant objectives noting the following:

- The proposed signage is an essential component of the sale and delivery of residential allotments and housing within the approved subdivision and overall Thornton North Urban Release Area;
- The proposed signage is consistent with the established and emerging character site and urban release area. The provision of signage similar to that proposed is a common practice for new residential release areas;
- The proposed signage will result in public benefit by providing effective identification and way-finding to the proposed exhibition village; and
- The proposed signage is of a high-quality design and finish.

Section 3.6 of the SEPP states that:

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.*

With respect to Section 3.6(a), the objectives of this Chapter as set out in Section 3.1(1)(a) are addressed above. The development is in keeping with the objectives.

With respect to Section 3.6(b), an assessment of the criteria as set out within Schedule 5 is included in **Appendix F**.

4.1.5 State Environmental Planning Policy (Sustainable Buildings) 2022

The Sustainable Buildings SEPP encourages the design and construction of more sustainable buildings across NSW.

BASIX and NatHers certifications have been prepared for each of the proposed buildings and are enclosed within **Appendix G**.

4.2 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS (S4.15C1(A)(II))

There are no draft Environmental Planning Instruments applicable to the proposed development.

4.3 MAITLAND DEVELOPMENT CONTROL PLAN (DCP) 2011 (S4.15(1)(A)(III))

The Maitland Development Control Plan 2011 (**MDCP**) applies to the proposed development. *MDCP2011* complements the *MLEP2011*, providing objectives and controls for development. The relevant provisions of the *MDCP2011* are addressed in **Appendix H**.

SECTION 5 ENVIRONMENTAL CONTROLS

5. Environmental Controls

5.1 THE LIKELY IMPACTS OF DEVELOPMENT (S4.15C(1)(B))

5.1.1 Context and Setting

The proposed development is situated within an approved residential subdivision located within the Thornton North (Stage 2) Urban Release Area. The proposed exhibition village is consistent with the intended character of Sophia Waters and is consistent with established development within the broader Urban Release Area.

The subject site is free of vegetation and is not affected by any significant site constraints.

The exhibition village has been designed and located to be easily identifiable and accessible. It is positioned off the main access road into the approved subdivision and a short distance from the entry to the estate off Raymond Terrace Road.

The proposed marketing/sales suite and display homes have been designed to contribute to the future residential character of the area, with appearances of one and two-storey dwellings. Following the conclusion of the exhibition village use, the exhibition homes will revert to residential dwellings.

The proposal remains consistent with the R1 General residential zoning of the site and will promote the release of land within the Sophia Waters subdivision.

5.1.2 Access, Transport + Traffic

Access to the exhibition village will be via Redgate Road, with both the temporary car park and the display home lots accessed via this road. Visitors to the village will park their vehicles at the car park (located on approved Lot 210) and access the exhibition village on foot (approved Lots 211-212) via pedestrian footpaths.

The approved access arrangements for the broader subdivision (DA/2019/652:2) are considered appropriate to service the minor traffic demand that will be generated by the proposal. Both Ballymore Road and Redgate Road will be constructed in accordance with DA/2019/652:6 and are designed to handle larger traffic volumes beyond those anticipated for the exhibition village.

A parking area that provides seven visitor parking spaces (inclusive of one disabled space) is provided adjacent to the marketing/sales suite (approved Lot 211), on approved Lot 210. The car park is considered to be of sufficient size to accommodate the minor demand for parking generated by the proposed development.

5.1.3 Public Domain

The proposed development will contribute positively to the public domain through the construction of future dwellings and associated landscaping that will complement the emerging residential area.

5.1.4 Earthworks

Earthworks required to establish the approved lots that will accommodate the proposed exhibition village have been undertaken as part of DA/2019/652:6 and are complete.

Only minor earthworks are required as part of the proposal and Concept Civil Engineering Plans, which include Concept Earthworks Plans for the proposed carpark have been prepared by ADW Johnson (see **Appendix D**).

The proposed car park construction involves minor cut and fill works to a maximum depth of 0.3m to allow for appropriate car park grades to be established. Timber edging is proposed on the northern, western and eastern sides of the car park.

Suitable Erosion and Sediment control measures have been included in the Civil Engineering Plans (refer **Appendix D**).

5.1.5 Utilities

Servicing to each lot has been considered as a component of DA/2019/653:6. Each future lot will be adequately connected to services.

5.1.6 Stormwater, Drainage + Water Quality

Stormwater generated by the proposed exhibition village will be directed to the estate-based stormwater management network which has been constructed in the adjoining road reserves in accordance with DA 19-652:5.

ADW Johnson has prepared Concept Civil Engineering Plans and a Stormwater Management Plan for the proposed car park and required stormwater and servicing adjustments to Lots 11, 12 and 13, including new pits to Lots 12 and 13 (refer to **Appendix D** and **Appendix I** respectively). Stormwater runoff generated by the car park will be directed towards two centrally located grated surface inlet pits. Stormwater collected in the pits will be directed to the street via stormwater kerb outlets.

Hydraulic modelling of the pit and pipe network within the adjoining road network was undertaken at the detailed design phase of the approved subdivision (DA2019/653:6) in which the display village is located and included approved Lot 101 discharging to the street with an impervious percentage of 60%. The modelling undertaken confirms that the proposed car park design remains in accordance with the hydraulic modelling previously undertaken.

5.1.7 Flora + Fauna

The subject site has been cleared of vegetation as part of the approved residential subdivision (DA/2019/652:6). No vegetation removal is required to accommodate the proposed development.

5.1.8 Heritage

The subject site is not located within a heritage conservation area, contains no heritage items and is not located within the vicinity of any heritage items. Therefore, no impacts are anticipated in relation to heritage.

5.1.9 Natural Hazards

Bushfire

Bushfire was addressed within DA19-652:5. Subdivision BAL Assessment prepared by Bushfire Planning Australia dated 16 September 2024 identifies the land as being free from Bushfire Impact (refer to **Figure 6**).

It is noted that the proposed boundary adjustments of approved Lots 211, 212 and 213 slightly alter the approved lot layout of the residential subdivision of the site. Notwithstanding, it is considered that the alteration to the approved lot layout and sizing of these lots is minor, and not of a scope or scale that would impact any previously considered bushfire protection measures. A Bushfire Assessment report has been prepared in support of the proposal and is included at **Appendix L**.

Mine Subsidence

The site is not located in a mine subsidence district.

Flooding

The site is not subject to flooding constraints.

5.1.10 Social Impact & Economic Impact

The proposed exhibition village will support the ongoing development of the Thronton North (Stage 2) Urban Release Area by facilitating the marketing and sales of the approved subdivision (DA/2019/652:6) in which it is located. The following addresses the key social and economic considerations of the proposal:

- The proposed development, due to its low impact and temporary nature, is not likely to cause any conflict with surrounding development;
- The proposal will contribute to the sales and marketing of Sophia Waters, which will contribute towards the release of land within the Thornton North (Stage 2) Urban Release Area. This will generate positive economic outcomes for the broader community;
- The proposed development is unlikely to be a high-risk development with respect to crime and public safety;
- The proposal will generate local employment during the construction and operation phases; and
- The proposal will result in direct investment into Sophia Waters.

It is considered the proposed development will result in net positive social and economic impacts.

5.1.11 Landscaping

A Landscape Plan has been prepared in support of the development and is included in **Appendix E**.

The proposed landscape scheme includes the planting of trees, accent shrubs, mass hedges, groundcovers, turf and paving. The landscape scheme has been designed to complement the architectural design of the proposed development and contribute to the residential streetscape character of the area.

The proposed temporary car parking area is surrounded by trees and ground cover planting, including water gum and white crepe myrtle with an expected height of 8m and 6m respectively. The proposed tree planting will provide visual softening and shade to the proposed car park.

5.1.12 Waste

Site preparation works will be largely completed in accordance with DA/2019/652:6.

Best practice waste management procedures will be implemented during the construction of the proposed sales office and exhibition homes. Where possible materials will be re-used on site, and where not possible, materials will be sent to an appropriately licensed waste or recycling facility.

The temporary car park will involve the construction of a new concrete vehicle crossing and hardstand vehicle parking and manoeuvring area. Construction contractors will aim to ensure that the correct amounts of materials are ordered to prevent any waste. Any excess material will be reused where possible either elsewhere within the approved subdivision development or offsite. Any materials that cannot be reused will be appropriately disposed of at a licenced waste or resource facility.

Waste generated by the operational phase of the proposed development will include waste generated by the operation of the marketing/sales suite exhibition homes. It is anticipated that waste generated will consist of three main streams, being recyclables (paper mainly), green waste (associated with landscape maintenance) and general waste (food scraps and packaging).

Based on the Applicant's experience from operations in other exhibition villages, it is anticipated that the waste volumes generated by the sales office and exhibition homes will be no greater than that generated by a dwelling use. Waste generated will be managed by a standard residential bin provision on-site, with bins collected by Council's weekly collection service.

Landscape areas associated with the proposed car park will be maintained by a landscaping contractor. The landscaping contractor will be responsible for removing any waste generated by maintenance activities from the site for disposal at an appropriately licensed facility.

5.2 THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (S4.15C(1)(C))

The subject site is considered appropriate to accommodate the proposed development for the following reasons:

- The proposed development is a permissible development within the R1: General Residential zoning which applies to the site with the consent of Council;
- The proposed development is located within an approved residential subdivision and will support the development of the site and wider Thornton North (Stage 2) Urban Release Area;
- The proposal will have negligible environmental impacts above those already assessed and deemed appropriate as part of DA/2019/652:6; and
The proposal will provide public benefits by facilitating the sale of residential lots within Thornton North.

5.3 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT (S4.15C(1)(D))

Any submissions received during the notification period will be considered by the Applicant if required by Council.

5.4 THE PUBLIC INTEREST (S4.15C(1)(E))

The proposed exhibition village will promote and facilitate the sale of land within the Sophia Waters residential subdivision, which is located within the Thornton North (Stage 2) Urban Release Area to the public. The ongoing delivery of the Thornton North (Stage 2) Urban Release Area will provide substantial social and economic benefits to the Maitland LGA and Lower Hunter region through its contribution to the delivery of additional residential land to accommodate growing demands.

SECTION 6 CONCLUSION

6. Conclusion

The subject application seeks development consent for a boundary adjustment, an exhibition village, comprising a sales office, two display homes, a temporary car parking area, and ancillary signage and landscaping works. The development site is within the broader Sophia Waters subdivision, with the subdivision of the subject site itself having been approved under DA 19-652:5.

As described throughout this report and its appendices, the proposed development is unlikely to result in any significant or adverse impacts that cannot otherwise be mitigated. The proposed development predominantly complies with the relevant provisions of the *MLEP2011*, in addition to the *MDCP2011*. The proposed development is consistent with the objectives of the R1 zone and is considered to be representative of the desired outcomes for the Thornton North URA area, directly contributing to the sale and provision of residential lots.

Taking the above into consideration, the proposal suitably addresses all relevant matters under Section 4.15 of the *EP&A Act* and on this basis, it is requested that Council grant development consent to the application.



APPENDIX A

Deposited Plan



APPENDIX B1

Owner's Consent



APPENDIX B2

Certificate of Title



APPENDIX C

Architectural Plans



APPENDIX D

Civil Engineering Plans



APPENDIX E

Landscape Plan

APPENDIX F

**SEPP (Industry and Employment)
2021 Assessment Table**



APPENDIX G

BASIX & NatHERS Certification

APPENDIX H

Maitland Development Control Plan 2011 Compliance Table



APPENDIX I

Stormwater Management Plan

APPENDIX J

**Classification and Fill Assessment
Report for Stage 4a Sophia Waters**



APPENDIX K

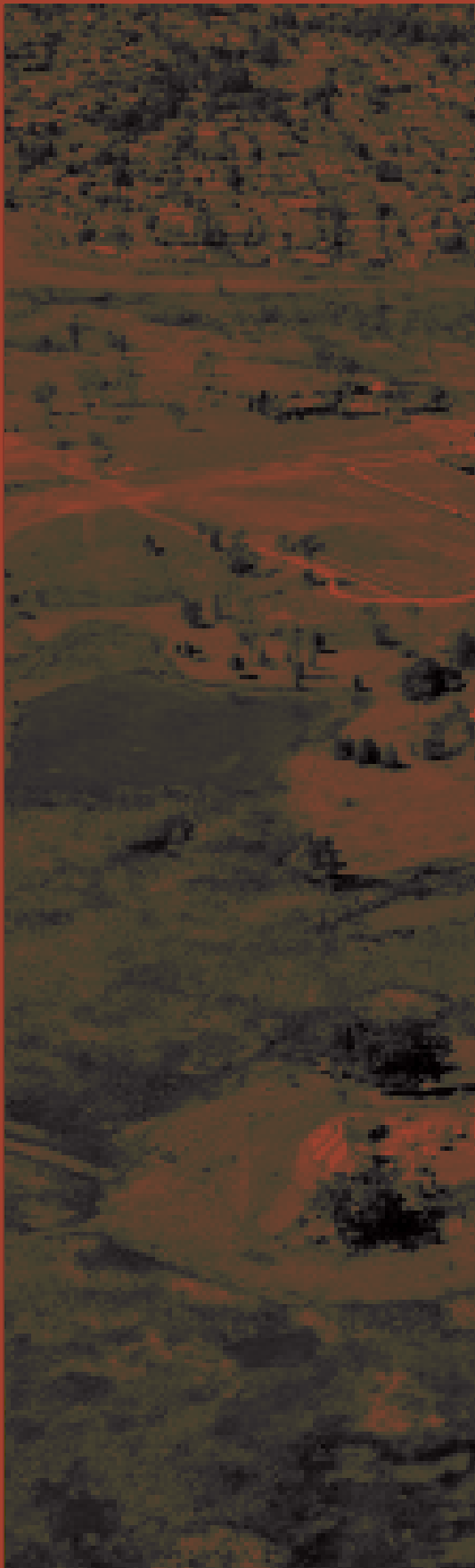
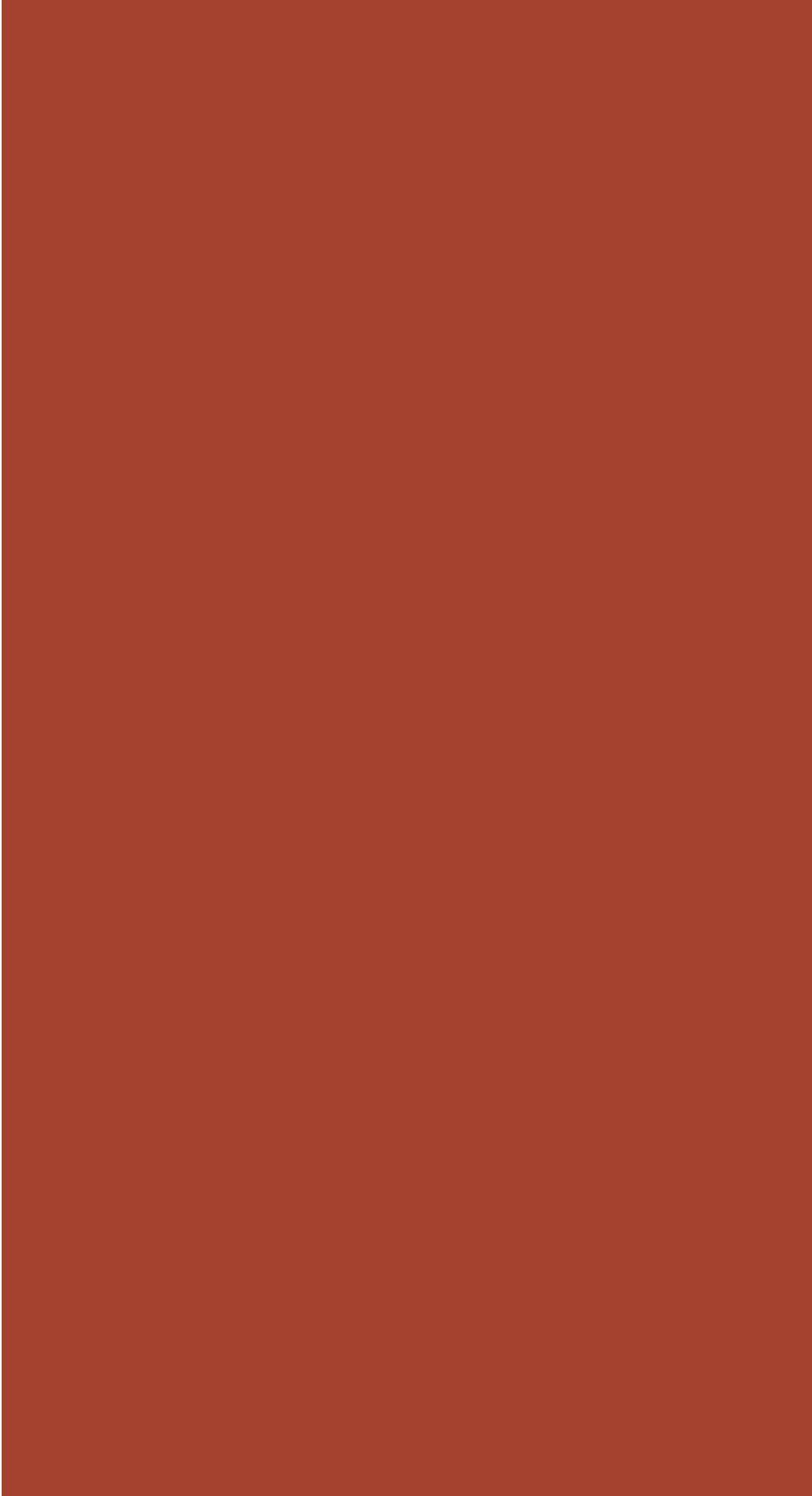
Proposed Plan of Subdivision

APPENDIX L

Bushfire Report

APPENDIX M

Waste Management Plans



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