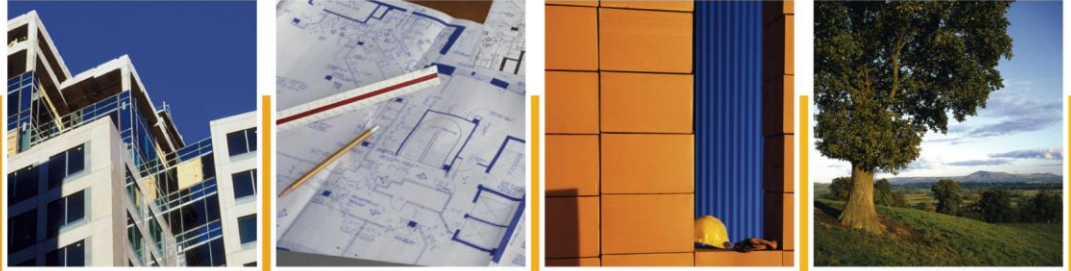


# STATEMENT OF ENVIRONMENTAL EFFECTS



For  
**One (1) into Three (3) Lot Subdivision**

At  
**Lot 1208 DP 808664, 11 Edwards Avenue Thornton 2322**

Prepared for  
**Raymond Thomas Deal**

**August 2021**  
Report 21/021 Rev A



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## 1.0 EXECUTIVE SUMMARY

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This Statement of Environmental Effects (SEE) has been prepared by HDB Town Planning and Design (HDB) to accompany a Development Application (DA), on behalf of *Raymond Deal* (The Client), for subdivision of the existing lot (Lot 1208 DP 808664) into three (3) lots.

The subject site is a 2,492m<sup>2</sup> residential site zoned R1 General Residential under Maitland Local Environment Plan (MLEP) 2011. The site has a single dwelling house which will be retained on one of the lots. The primary access to the subject lot is via Edwards Avenue.

This application only seeks approval for:

- Subdivision of existing lot (Lot 1208 DP 808664) into three (3) lots.

This Development Application has been prepared pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* to be submitted to Maitland City Council for consent.

## 2.0 INTRODUCTION

---

### 2.1 BACKGROUND

The subject site forms the part of the R1 General Residential zone under Maitland Local Environment Plan (MLEP) 2011. The existing lot is proposed to be subdivided into three (3) lots in such a way that the existing dwelling will be retained in one of the lots, and the two new lots will be accommodating the future dwellings.

A desktop investigation on Maitland City Council's DA tracking system revealed that there are no other current and past approvals applicable to the site.

This Statement of Environmental Effects describes the proposal for the subdivision of the lot, and examines the constraints, potential impacts, and methods to mitigate potential impacts if required, to enable Maitland City Council to determine the application.

### 2.2 APPLICATION DETAILS

#### 2.2.1 SITE DETAILS

Lot 1208 DP 808664  
11 Edwards Avenue, Thornton NSW 2322

#### 2.2.2 APPLICANT DETAILS

Raymond Thomas Deal  
C/- HDB Town Planning & Design  
PO Box 40  
MAITLAND NSW 2320

#### 2.2.3 CONTACT DETAILS

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#### 2.2.4 OWNERSHIP DETAILS

Raymond Thomas Deal



## 3.0 SITE ANALYSIS

### 3.1 LOCATION

<b>Address:</b>	Lot 1280 DP808664 11 Edwards Avenue Thornton 2322
<b>Local Government:</b>	Maitland City Council
<b>Locality:</b>	Thornton
<b>Area of site:</b>	2,492 m <sup>2</sup>
<b>Zone:</b>	R1 General Residential



**Figure 1: Location Plan**

Source: Six Maps, accessed July 2021



### 3.2 EXISTING SITE



**Figure 2: Site Plan**

Source: Six Maps, accessed July 2021

The site is a trapezoid shaped residential lot with an area of 2,492 m<sup>2</sup>. There is an existing single dwelling house with outdoor swimming pool area located at the front of the lot, and some scattered medium-height vegetation at the back. The access to the lot is via Edwards Avenue.

### 3.3 TOPOGRAPHY & VEGETATION

The site is relatively flat with elevation varying from 24m to 26m across the depth of 85m, with the lowest elevation point towards the south-east boundary while highest in the middle of the site.

There is a presence of some scattered vegetation/trees to the south-east boundary of the site, as shown in the *Figure 2* above.

### 3.4 HYDROLOGY

There are no natural or manmade drainage lines or waterways within 40m of the subject site.

### 3.5 ACCESS/TRANSPORT

The site has a direct access from Edwards Avenue. The street is a 12m wide residential avenue adequate for two-way access and with a decent amount of vegetation on both sides.

The site is highly accessible for public transport and is within 800m of the Thornton Railway Station and has the nearest bus stop at a distance of only 150m.

### 3.6 SURROUNDING LAND USE

The immediate surrounds of the subject site have typical characteristics of an outer residential suburb. Residential properties with wide streets, generous front setbacks with front gardens, low or transparent front fencing and narrow side setbacks are predominant features of the locality.

Beyond the residential uses it has rural land towards its east and south and commercial area of Thornton towards its south-west.

### 3.7 ARCHAEOLOGY AND HERITAGE

A desktop investigation on Aboriginal Heritage Information Management System (AHIMS) was undertaken (refer to **Appendix A – AHIMS Report**), which confirmed that there are no records of Aboriginal Heritage or archaeological items found within 50m of the site. Moreover, the site does not contain any development of local or European Heritage significance.

### 3.8 SERVICES TO SITE

The site, being located in the residential precinct, has an existing dwelling served by all the essential facilities of electricity, water, sewer and telecommunications.

#### *Electricity*

*Ausgrid* overhead power supply is available to the subject site. Refer to **Appendix B – Services to the Site**.

#### *Water and sewer*

The subject site is connected to *Hunter Water Corporation (HWC)* reticulated networks for both water and sewer. Refer to **Appendix B – Services to the Site**.

#### *Telecommunications*

Telstra/NBN fibre network is available on the subject site, if needed. Refer to **Appendix B – Services to the Site**.

#### *Gas*

Jemena gas service is available on the subject lot. Refer to **Appendix B – Services to the Site**.

### 3.9 BUSHFIRE & FLOODING

The subject site is neither mapped as a Bushfire Prone Area nor is identified as a Flood Plan Area, under the mapping by Maitland City Council.

### 3.10 ACID SULFATE SOILS

The site is subjected to Class 5 acid sulfate soils, as shown in the **Figure 3** below.



**Figure 3: Acid Sulfate Soils**

*Source: NSW ePlanning Portal, accessed July 2021*

## 4.0 PROPOSED DEVELOPMENT

### 4.1 SUMMARY

The applicant proposes to subdivide the existing lot into three (3) lots in such a way that the existing dwelling will be retained in one of the lots.

The subject site has capacity to support the proposal. Given its location in the core residential area with proximity to arterial roads, public transport, town and shopping centres, the site is ideal to accommodate dwellings in the future that will support the character of the area through its design and development.

### 4.2 DETAILS

The proposed development is identified as a residential subdivision according to the *section 2.6* of the MLEP 2011.

#### 4.2.1 SUBDIVISION DESIGN

The subdivision design seeks to divide the existing lot into three (3) lots. There is an existing dwelling on the lot which will be retained on the front lot.

All the lots have favourable dimensions to accommodate the existing and future dwellings, parking spaces, landscaping, and other essential services. Refer to *Appendix C – Subdivision Plan*.

Proposed Lot	Area	Feature
Lot 1 (with existing dwelling)	1,102m <sup>2</sup>	Rectangular shaped lot with access directly via Edwards Avenue.
Lot 2	598m <sup>2</sup>	Irregular shaped Battle-axe lot with access via driveway through Edwards Avenue.
Lot 3	791m <sup>2</sup>	Irregular shaped Battle-axe lot with access via driveway through Edwards Avenue.

**Table 1: Lot Specifications**

*Source: HDB Town Planning & Design*

#### 4.2.2 ACCESS AND TRAFFIC

Subject lot is accessed via Edwards Avenue. As the lot is proposed to be subdivided into three (3) lots, a driveway from the Edwards Avenue will provide access to the two-battle-axe lots at the back, while the existing dwelling retained on the front lot will utilise the existing access via Edwards Avenue.



### 4.2.3 DWELLING DESIGN

The proposal only seeks to subdivide the existing lot into three (3) lots while retaining the existing dwelling. At this stage, the proposal does not involve the development of any other dwelling. However, a plan showing a concept building envelope for the future dwellings on the rear two lots has been attached in *Appendix D – Concept Building Envelope*.

### 4.2.4 SERVICES TO THE SITE

The proposed lots will be served by the existing infrastructure and services captured by the existing lot.

#### *Electricity*

*Ausgrid* overhead power supply is available to the subject site. Refer to *Appendix B – Services to the Site*.

#### *Water and sewer*

The subject site is connected to *Hunter Water Corporation (HWC)* reticulated networks for both water and sewer. Refer to *Appendix B – Services to the Site*.

#### *Telecommunications*

Telstra/NBN fibre network is available on the subject site, if needed. Refer to *Appendix B – Services to the Site*.

#### *Gas*

Jemena gas service is available on the subject lot. Refer to *Appendix B – Services to the Site*.

## 5.0 LEGISLATIVE CONSIDERATION

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### 5.1 STRATEGIC PLANNING FRAMEWORK

#### 5.1.1 INTRODUCTION

The strategic planning framework plays a vital role in informing the content of statutory planning instruments at regional, sub-regional and local levels. The guidelines and requirements of the strategies/legislations that have been reviewed in framing this proposal are discussed in this section.

#### 5.1.2 REGIONAL STRATEGIES

##### *Hunter Regional Plan 2036*

The Hunter Regional Plan provides an overarching framework to guide the development and investment in the Hunter Region to 2036. This document provides consolidated strategic planning considerations for the 11 Local Government Areas in the region.

The relevant Goals, along with the direction and actions have been mentioned below:

*Goal 4: Greater housing choice and jobs - Direction 21: Create a compact settlement.*

- *Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield locations.*
- *Promote new housing opportunities in urban areas to maximise the use of existing infrastructure.*

*Direction 22: Promote housing diversity.*

- *Respond to the demand for housing and services for weekend visitors, students, seasonal workers, the ageing community and resource industry personnel.*
- *Encourage housing diversity, including studios and one and two-bedroom dwellings, to match forecast changes in household sizes.*

The lot is located in the core residential area of Thornton zoned as R1 General Residential under the mapping by Maitland City Council. The proposal of subdividing the existing lot into three (3) lots, would deliver a compact housing development that adds diversity to the existing housing supply in the area, whilst utilising the existing infrastructure and service networks.

Given the strategic context applicable to the proposal, and the location of the subject site, it is considered that the proposal is consistent with the *Hunter Regional Plan* and its relevant directions.

##### *Greater Newcastle Metropolitan Plan 2036*

To recognise Newcastle's capacity to become Australia's next metropolitan city, 'The Metro Strategy' sets out strategies and actions to drive sustainable growth across the identified metro region including the Cessnock, Lake Macquarie, Maitland, Newcastle, and Port Stephen areas.

The strategic site is closer to the strategic centre of Maitland which is within the nominated Metro Frame for future Newcastle Metropolitan. The plan prioritises the delivery of infill housing opportunities within the existing urban area. It encourages the development of housing in areas with easy access to the existing open spaces and public transport network.

The proposed lot being located in the residential area of Thornton, having access to the existing infrastructure and services, would help in delivering the objectives of the strategic plan.

### 5.1.3 LOCAL STRATEGIES

#### *Maitland Local Strategic Planning Statement 2040+*

The Maitland LSPS aims to guide the sustainable future growth of the city by integrating land use, transport, and infrastructure planning. The plan is consistent with the *Greater Newcastle Metropolitan Plan 2036* and *Hunter Regional Plan 2036*.

The plan identifies the site within the Eastern Precinct, as a Thornton Town Centre, and identifies the need of diverse and sustainable housing in the area. The plan encourages the infill housing opportunities within existing urban areas, closer to the existing transport, community facilities and centres.

The proposal of subdividing the existing lot into three (3) in the developed residential area of Thornton, is consistent with the above objectives of the strategic plan.

## 5.2 STATUTORY PLANNING FRAMEWORK

### 5.2.1 INTRODUCTION

The statutory planning framework provides the legislative guidelines for regulating development at the state, regional and local levels.

The statutory planning instruments applicable to the proposal are discussed below.

### 5.2.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT

The *Environmental Planning & Assessment Act* (EP&A Act) provides the overarching statutory framework for planning in NSW.

The objectives of this Act are:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *to promote the orderly and economic use and development of land,*
- (d) *to promote the delivery and maintenance of affordable housing,*
- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*



- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *to promote good design and amenity of the built environment,*
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *to provide increased opportunity for community participation in environmental planning and assessment.*

**Comment:**

The proposal is consistent with the objectives of the Act in the following manner: -

- It promotes orderly and economic use and development, by optimizing the site's residential capacity and by using the existing infrastructure networks, services, and facilities efficiently.
- The proposal of residential subdivision sits well to the context, amenity, and functions of the site and the surrounds; and
- It has been demonstrated that the proposal can be realised with minimal impact on the site and its surrounding environments.

## 5.2.3 MAITLAND LOCAL ENVIRONMENTAL PLAN 2011

### *Part 2.1 – Land Use Zones*

The site is zoned R1 General Residential as indicated in **Figure 4** below:

#### *Zone R1 – General Residential*

##### **1 Objectives of zone**

- *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.*

##### **2 Permitted without consent**

*Home occupations*

##### **3 Permitted with consent**

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4*

#### 4 Prohibited

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies*



**Figure 4: Land Zoning Map**

Source: NSW ePlanning Portal, accessed July 2021

**Comment:**

Dwelling houses are permissible within the R1 zone.

The proposal for a residential subdivision to provide for the future housing needs of the community is consistent with the zone objectives.

***Part 2.6 – Subdivision – consent requirements***

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

**Comment:**

The proposal is consistent with the above clause, as no secondary dwelling is situated in the subject lot.

***Part 4.1 – Minimum subdivision lot size***

*(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.*

**Comment:**

The minimum lot size for the subject lot is 450m<sup>2</sup>, as shown in **Figure 5** below.

The proposal seeks to subdivide the existing lot into three (3) lots. The subdivision plan (refer to **Appendix C –Subdivision Plan**) shows the lot size for the lots 81, 82



and 83 as 1,102m<sup>2</sup>, 598m<sup>2</sup> and 791m<sup>2</sup> respectively, which complies with the minimum lot size of 450 m<sup>2</sup> provided under LEP mapping.



**Figure 5: Lot Size Map**

Source: NSW ePlanning Portal, accessed July 2021

**Part 7.1 – Acid Sulfate Soils**

- 1 The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
- 2 Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

Class of land	Works
<b>5</b>	Works 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.

**Comment:**

The subject site contains Class 5 of Acid Sulfate Soils according to the Maitland City Council mapping

The subdivision proposal does not lie within 500m of Class 1, 2, 3 or 4 which is 5m below the Australian Datum and nor the development would result in lowering the water table 1m below the Australian Datum on adjacent classes, therefore no further investigation is required.

### 5.3 MAITLAND DEVELOPMENT CONTROL PLANS 2011

The following, **Table 2**, shows the relationship of the proposed development to Council's guidelines in Maitland Development Control Plan 2011. In reviewing the table, it should be noted that a Development Control Plan is a guide only, and as such any variation and their impacts, have been justified in the following section.

An assessment of *Section C.8 – Residential Design* under *Part C – Design Guidelines* of Maitland Development Control Plan 2011, has also been included in the last section of **Table 2** to understand the feasibility of the proposed lots; Lot 82 & Lot 83 in accommodating the future development efficiently. Additionally, to support the above argument, a Plan showing conceptual building layout for future dwellings on both the lots, has been attached in **Appendix D – Concept Building Envelope**.

Item	DCP Requirements	Proposed	Comment
<b>Part C.10 – Subdivision</b>			
<b>3. SUBDIVISION DESIGN PROCESS</b>			
<b>Site Assessment</b>	<p>A detailed site assessment shall be submitted with all subdivision applications.</p> <p>To ensure that subdivision proposals address all relevant matters, the process for design should follow the basic steps of:</p> <ol style="list-style-type: none"> <li>a) Site analysis to identify all constraints and opportunities, both on-site and external to the site.</li> <li>b) Mapping, measuring or quantifying of constraints and opportunities; and</li> <li>c) Development of a subdivision design that properly considers and takes account of those constraints and opportunities.</li> </ol>	<p>A Site Assessment and Analysis is included in <b>Section 3</b> of this SEE.</p> <p>The constraints and opportunities have been identified for the site that guides the development of proposed subdivision plan. Refer to <b>Appendix C – Subdivision Plan</b>.</p>	Complies
<b>4. DESIGN ELEMENTS</b>			
<b>EC.1 Flora and Fauna</b>	<ul style="list-style-type: none"> <li>• Subdivision design will minimise the impact on vegetation of likely future development on the lots created, including clearing for dwelling and building sites, roads, access, fire prevention, provision of services and the like.</li> <li>• Subdivision design will include linkages to other areas of vegetation, such as existing or proposed buffer zones and corridors on the same land, or on adjacent or adjoining land.</li> <li>• Subdivision design will consider the potential to enhance vegetation in natural drainage lines, creek and riverbanks and the like.</li> </ul>	<p>Being located in the middle of the residential core, the subject lot already lacks the natural environment conditions i.e., watercourses or conservation belts that homes the major flora and fauna.</p> <p>There are some trees at rear part of the subject lot, however, these trees are young and do not provide habitat to any of the threatened species.</p> <p>A biodiversity report has been included in the <b>Appendix E – Ecological Assessment</b> to support the argument.</p>	Complies

	<ul style="list-style-type: none"> <li>• Subdivision design will consider the potential to repair and/or enhance natural systems such as watercourses and drainage lines, and any part of the land that is already degraded through vegetation loss, soil erosion and the like.</li> <li>• Areas of significant habitat must be protected.</li> <li>• Design subdivision layout to avoid significant stands of vegetation. Where the subdivision proposal affects significant stands of vegetation, lot layout and lot size must take into account the need to retain the vegetation and the impact of likely future development on the lots, including building envelopes, parking, access and other development requirements such as Asset Protection Zones.</li> <li>• Retain existing natural drainage lines and watercourses where practicable, revegetate where necessary and incorporate into open space areas (including pedestrian and/or cycleway corridors) or include common property.</li> </ul>		
<b>EC.2 Heritage and Archaeology</b>	Clause 5.10 in the Maitland LEP 2011 and Parts C.4: Heritage Conservation and E.3: Heritage Conservation Areas in this DCP contain provisions which require investigation and protection of Heritage items in certain circumstances. These provisions apply in some cases to subdivision and must be complied with.	N/A As, subject site has no items or areas of Heritage significance or value.	N/A
<b>EC.3 Hazards</b>	Flooding	N/A	N/A
	Bushfire prone land	N/A	N/A
	<u>Other hazards</u> Development applications for subdivision must include	The subject lot has shown presence for <i>category 5</i> acid sulfate soils. The assessment of acid sulfate soils with	Complies



	relevant assessment and geotechnical investigation regarding the potential for the presence of salinity and acid sulfate soils to determine if any specific measures are required. (Note: The Maitland LEP 2011 includes specific requirements with regard to acid sulfate soils).	regard to Maitland LEP 2011 requirements has been included in <i>section 5</i> of this SEE.	
<b>DC.1 Lot Size and Dimensions</b>	<ul style="list-style-type: none"> <li>Lot boundaries should follow natural features such as water courses and ridges (rather than cut across them) to minimise the potential for soil erosion.</li> <li>Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses.</li> <li>Lot size and dimensions are to be suitable for the existing or proposed use, including any requirement for building envelopes, ancillary buildings, farm dams, access, parking, landscaping, solar access, provision of services and/or other requirement of any existing Council development consent.</li> <li>When calculating lot size area where battle-axe or hatchet shaped allotments are permitted, the area of the access handle is to be excluded from the area calculation.</li> </ul>	<p>The subject lot is in the residential suburb of Thornton. The proposal seeks to subdivide this existing lot into three (3) lots, while retaining the existing dwelling on one of the lots.</p> <p>The subdivision plan shows the three lots as 81,82 and 83 with area of each lot as 1,102m<sup>2</sup>, 598m<sup>2</sup> and 791m<sup>2</sup> respectively. Refer to <i>Appendix C – Subdivision Plan</i>.</p> <p>Two of the lots i.e., 82 and 83 are battle-axe lots with area of 473m<sup>2</sup> and 635m<sup>2</sup> respectively, after excluding the access handles. This area complies with the minimum lot size area requirements under MLEP 2011 which is 450m<sup>2</sup>, thus allowing sufficient size and dimensions for the future dwelling.</p>	Complies
	<p><u>Residential</u></p> <ul style="list-style-type: none"> <li>Access handles must have a minimum width of 3.5 metres for single lots and be constructed in accordance with Council’s Manual of Engineering Standards. No more than 2 lots may be serviced by a reciprocal right-of carriageway which shall be centrally located within both access handles.</li> </ul>	<p>The proposed access handle is in accordance with the Council’s Manual of Engineering Standards and is only to provide access to the two-rear battle -axe lots.</p> <p>The proposed lots are in compliance with the minimum area requirement under MLEP 2011. Moreover, to satisfy the given requirement, a conceptual building envelope of 15m by 10m has been illustrated in the subdivision plan for both the irregular shaped lots. Refer to <i>Appendix D – Concept Building Envelope</i>.</p>	Complies

	<ul style="list-style-type: none"> <li>• A suitable building envelope with minimum dimensions of approximately 15 metres by 10 metres shall be provided behind the building line.</li> </ul>		
<b>DC.2 Solar Access and Energy Efficiency</b>	<ul style="list-style-type: none"> <li>• 80% of new lots are to have 5-star solar access, as defined by an analysis determined from the “Possible Design Solutions – Solar Access” booklet, and the remainder a 3- or 4-star rating.</li> <li>• Lot sizes are to reflect reasonable consideration of the impact of topography, aspect, and other constraints so as to maximize solar access.</li> <li>• Where possible lots should be oriented to provide one axis within 30 degrees east and 20 degrees east of true solar north.</li> <li>• Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side of the dwelling.</li> <li>• Proposals for street planting or open space planting are to take account of the potential for shading, provision of adequate solar access to dwellings, and if necessary, protection from winter winds.</li> </ul>	The proposed lot is designed to achieve a 5-star solar access. The lots have a north-east orientation which maximise the benefit of natural sunlight for the future dwellings. Refer to <i>Appendix C – Subdivision Plan</i> .	Complies
<b>DC.3 Drainage, Water quality and Soil erosion</b>	<ul style="list-style-type: none"> <li>• Drainage from proposed lots should be consistent with the predevelopment stormwater patterns. An analysis of the downstream drainage system, to the receiving area or waters, may be required.</li> <li>• Best management practices should be implemented to control runoff and soil erosion and to trap sediment on the subject land to ensure there is no net impact on downstream water quality. The quality of runoff water from the subject land should be the same or better than the quality of water prior to the subdivision taking place.</li> </ul>	To satisfy the given requirements, a storm water management plan has been developed for the subject lot. Refer to <i>Appendix F- Stormwater Plan and Appendix G – Erosion and Sediment Control Plan</i> .	Complies

	<ul style="list-style-type: none"> <li>• Where possible, design multiple use drainage and treatment systems incorporating gross pollutant traps, constructed wetlands and detention basins.</li> <li>• Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilised, and erosion controlled.</li> <li>• Where the drainage impacts of the subdivision proposal cannot be limited to pre-development stormwater levels by retention or other approved methods, drainage easements will be required over all necessary properties and watercourses. In such circumstances, the easement must be the subject of a signed agreement prior to issue of development consent. Such easements shall be created with, or prior to issue of the Subdivision Certificate.</li> <li>• Where site topography in new residential subdivisions prevents discharge of storm water directly to the street gutter or a Council controlled pipe system, inter allotment drainage should be provided to accept run off from all existing or future parcels of land. The design and construction of the inter allotment drainage system should be in accordance with the requirements of Council's Manual of Engineering Standards.</li> <li>• Where inter-allotment drainage is required, easements having a general minimum width of 1.5 metres are to be identified on plans submitted.</li> </ul>		
<b>DC.4 Landscape, Streetscape and Visual impact</b>	Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional landscaping and	There will be no impact on the existing streetscape and landscaping.	Complies

	selection of other streetscape items including surface treatments and street furniture.	Additionally, the existing dwelling with its landscaping and gardens will be retained on the site. However, there are some existing trees at the rear of the property and one at the front will be carefully removed as per the recommendations provide under the Ecological Assessment. Refer to <i>Appendix E – Ecological Assessment</i> .  An additional landscaping would be integrated with the future dwellings.	
<b>DC.5 Effluent Disposal</b>	All new residential, industrial, and commercial lots are to be connected to a reticulated sewerage system supplied by the Hunter Water Corporation or other approved supplier.	The proposed lots will utilise the existing reticulated sewer system supplied by Hunter Water Corporation as required. Refer to <i>Appendix B – Services to the Site</i> .	Complies
<b>DC.6 Roads &amp; Access, Pedestrian &amp; Cycleways</b>	<ul style="list-style-type: none"> <li>Road design should take account of the location of existing vegetation and other natural features and minimise loss of vegetation and soil disturbance through excessive cut and fill.</li> <li>Access ways to hatchet shaped or battle axe lots will serve a maximum of 2 lots, have a maximum grade of 25% (4H:1V) at any point.</li> </ul>	<p>It has already been established that the proposal will be achieved by minimal environment impacts.</p> <p>The proposed access will serve the two (2) proposed battle axe lots.</p> <p>The existing trees will be removed under the guidance of Ecological Assessment. Refer to <i>Appendix E – Ecological Assessment</i>.</p>	Complies
<b>DC.9 Reticulated Services (Water/Sewer/ Electricity /Telecommunication)</b>	<ul style="list-style-type: none"> <li>Council requires provision of services to all new lots to a standard appropriate to the future use of the lots and to minimize environmental impacts.</li> </ul>	Proposed lots will utilise all the existing essential services captured by the lot. Refer to <i>Appendix B – Services to the Site</i> .	Complies
<b>Part C.8 – Residential Design</b>			
<b>5. STREET BUILDING SETBACKS</b>			
<b>Design Requirements</b>	<ul style="list-style-type: none"> <li>The minimum building line to the principal street frontage of an allotment located in an urban residential zone is 5.0 metres.</li> </ul>	The lot with the primary frontage to the Edwards Avenue has an existing dwelling which will be retained as it is on the lot.	Complies

	<ul style="list-style-type: none"> <li>No garage or carport within an urban residential zone shall be located closer than 6.0 metres to the street boundary at the principal frontage and no closer than 5.5 metres to the street at a secondary frontage.</li> </ul>	It has a setback of about 12m from the road.	
<b>6. SIDE AND REAR SETBACKS</b>			
	<p>Minimum side and rear setbacks for residential buildings in urban zones are described as follows:</p> <ul style="list-style-type: none"> <li>1.0m for walls up to 3.0m in height (to underside of eaves).</li> <li>1.0m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m.</li> <li>For that part of a wall over 7.2m in height, the minimum setback should be increased by 1.0m for every metre of height over 7.2m.</li> </ul>	A conceptual 15m X 10m building envelope has been prepared satisfying the minimum setbacks of 1.0m, for both the lots. Refer to <i>Appendix D – Concept Building Envelope</i> .	Complies

**Table 2: Assessment against relevant DCP provisions***Source: HDB Town Planning & Design*

## 6.0 KEY PLANNING / ENVIRONMENTAL ISSUES

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### 6.1 CONTEXT AND SETTING

The proposal seeks approval to subdivide the existing lot into three (3) lots.

The subject lot being in the core residential area of Thornton has similar residential uses in its surrounding. The proposal would serve the demand of future housing in the area, while utilising the existing services and enhancing the existing character.

### 6.2 ACCESS, TRANSPORT AND TRAFFIC

The primary access to the lot is via Edwards Avenue. While there will be no change to the existing access for lot 81, a 5.5m wide driveway would provide access to both the rear battle axe lots (82 and 83).

### 6.3 SERVICES

It has been demonstrated that the development site is already connected to essential infrastructure and utility networks such as power supply, reticulated water and sewer, gas, and telecommunication networks, which would serve the proposed lots.

### 6.4 STORMWATER

An additional 1.5m easement is proposed along the rear boundary of the lot 82 to drain the water from the lots into the existing drainage present at the rear south of the lot. Refer to *Appendix F- Stormwater Plan*.

### 6.5 HERITAGE

The site does not contain items or places of Heritage or Aboriginal Cultural significance. Refer *Appendix A – AHIMS Report*.

### 6.6 FLORA AND FAUNA

The subject lot has some medium height scattered trees towards its south-east. The proposal to subdivide the existing lot into three (3) lots needs the clearing of these existing trees. An ecological assessment of the subject lot has been undertaken to determine the type and quality of the existing vegetation and associated impact. Refer to *Appendix E – Ecological Assessment*.

The proposal only needs to clear an area of less than .014ha comprising of 25 trees. There is only one (1) hollow bearing habitat tree with a small hollow only, which is considered minimal when compared to total distribution across the region. Additionally, the subject site is not mapped under the Biodiversity value map, therefore, does not need a full BDAR assessment.

It is established that the proposal has no significant impact on any of the threatened species or endangered ecological species.

## **6.7 WASTE**

The waste generated during the construction stage would be managed by the contractor in charge of works.

## **6.8 SAFETY AND SECURITY**

Given the minor nature of the development, it is anticipated that the proposal would not cause a rise in anti-social activities or adversely impact the safety of the surrounding area.



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## 7.0 PROJECT JUSTIFICATION AND NEED

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The proposal seeks the subdivision of an existing residential lot into three (3) lots retaining the existing dwelling on the front lot. The development proposal is consistent with the growing demand of infill housing in the area as mentioned under *Section 5.1* of the report.

The proposal has shown compliance with relevant state and local policy, statutory and non-statutory planning provisions, objectives, and standards. It is anticipated that the proposal is highly consistent with surrounding uses and character of the area.

Moreover, it can be implemented with minimum adverse impacts on the surrounding environment. Due to these reasons, the concept for the proposed subdivision is considered the most effective outcome and should, therefore, be supported.

## 8.0 CONCLUSION

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This Statement of Environmental Effects has been prepared having regard to the requirements of Sec. 4.15 of the *Environmental Planning and Assessment Act 1979*. In reviewing the relevant statutory and non-statutory planning standards and objectives, it is concluded that the proposal presents:

- Minimal adverse impacts on the surrounding environment or land uses.
- A logical subdivision of the existing residential lot to optimise its development potential, whilst utilising existing public infrastructure, services, and amenities; and
- In compliance with all relevant statutory and non-statutory planning provisions.

Maitland City Council is therefore respectfully requested to grant consent to this development application, with appropriate conditions.

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**APPENDIX A**  
**AHIMS REPORT**

## **APPENDIX B**

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### **SERVICES TO THE SITE**

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**APPENDIX C**  
**SUBDIVISION PLAN**

## **APPENDIX D**

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### **CONCEPT BUILDING ENVELOPE**

## **APPENDIX E**

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### **ECOLOGICAL ASSESSMENT**



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**APPENDIX F**  
**STORMWATER PLAN**

## **APPENDIX G**

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### **EROSION AND SEDIMENT CONTROL PLAN**