



# STATEMENT OF ENVIRONMENTAL EFFECTS

*416 High Street,  
Maitland*

*“Demolition of existing building, boundary adjustment  
of subject land and construction of four storey  
residential flat building comprising three (3) two  
bedroom and three (3) three bedroom units over  
undercroft car parking”*

**May 2022**

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## 1.0 **INTRODUCTION**

- 1.1 This statement has been prepared by Andrew Martin Planning at the request of the applicant in support of a development application to the Maitland City Council (“the Council”) for demolition of existing building, boundary adjustment of subject site and construction of four storey residential flat building (3 x 2br & 3 x 3br residential apartments) over undercroft parking, at 416 High Street, Maitland.
- 1.2 The subject site is located on the northern side of High Street, east of the intersection of Elgin Street. It is part of the Maitland commercial centre and formally part of the Central Maitland Heritage Conservation Area (CMHCA). The building site overlooks the Hunter River and is adjacent to the riverside boardwalk.
- 1.3 Existing on the site is a three storey masonry building, connected to the southern wing (Hills Chambers) which faces High Street. It is proposed to undertake a boundary adjustment of the two allotments so that the new residential flat building is sited on its own land – with vehicle access via a right of way (ROW) over adjoining land to High Street.
- 1.4 The proposal seeks to demolish the existing 3 storey building, as it is in dilapidated state (as reported by Eclipse Consulting Engineers, dated 23.12.21), and construct a new 4 storey residential flat building comprising three habitable levels over undercroft parking. Each habitable level is to contain one x two-bedroom and one x three-bedroom apartments, totalling six units. Each unit is to face north with views over the adjoining boardwalk and Hunter River. The undercroft parking is accessed High Street via a shared ROW along the eastern boundary of the site.
- 1.5 The site is zoned B4 Mixed Use under Maitland LEP 2011 (MLEP 2011). *Residential flat buildings* are permissible with consent. The proposal satisfies the development standards and objectives contained within the Maitland LEP 2011 (MLEP 2011), noting there are no development standards for building height or FSR applicable for the site.
- 1.6 The proposal aligns with the overarching objectives and standards of State Environmental Planning Policy No. 65 – *Design Quality of Residential Flat Development* (SEPP 65) and adheres to the guiding development controls of the Apartment Design Guide (ADG). A separate design assessment, prepared by the Project Architect (Becerra Architects) against the provisions in the ADG is provided in support of the application confirming adequate sunlight, natural cross ventilation and private open space is provided and ensured as part of the overall design. The proposal achieves 100% solar compliance and 100% cross flow well above the 70% and 60% required under the ADG.
- 1.7 The development achieves the principles for infill residential flat development under the provisions of the Maitland Development Control Plan 2011 (MDCP 2011). Where variations to the controls are proposed they are addressed and justified in the body of this Statement. The site contains constraints to development that have balanced against the MDCP provisions and assessed in terms of the existing character that is the CMHCA and found to be a high quality, positive response to the area and offers a number of positive design solutions that will benefit the immediate area.
- 1.8 The application is supported by architectural plans prepared by Becerra Architects, Project No. 2217, dated March 22, Consulting Engineers report regarding the structural status of the existing building (Eclipse Consulting Engineers), a Statement of Heritage Impact (carste Studio P/L), together with BASIX, SEPP 65 assessment, civil design, accessibility and BCA compliance. Collectively, the

reports and plans demonstrate that the proposal is in the public interest and represents a sound planning and urban design outcome.

- 1.9 This document has been prepared pursuant to s.4.12(9) of the *EP&A Act 1979* and cl.47 and schedule 1, Part 1, cl. 2(c) of the *Environmental Planning and Assessment Regulation 2000*, and reviews the applicable environmental planning instruments and development control plans that apply to the subject property as well as the environmental impacts of the proposal with particular reference to the relevant heads of consideration listed under s4.15 of the Act. **The subject proposal is Integrated Development as the building is site within 40m of the highest bank of the Hunter River and requires concurrence as a Controlled Activity under the Water Management Act 2000, Section 91.**
- 1.10 Therefore, it is with confidence and high expectation of support that the subject development is submitted to Council for approval.

## 2.0 DESCRIPTION OF SITE AND LOCALITY

### 2.1 Site Description

The development site comprises Lot 1 DP11872 and Lot 3 DP 104453. The site has a northern boundary (towards the Hunter River) of 25.985m and legal access to High Street via right of way. The side boundaries are staggered, up to 39m in length.

The site is located on the northern side of High Street, being the second allotment east of the intersection of Elgin Street. It is part of the Maitland commercial area, overlooking the Hunter River and the adjacent riverside boardwalk.



Figure 1: Location of the subject development site



Figure 2: Aerial view identifying the subject site and building to be demolished

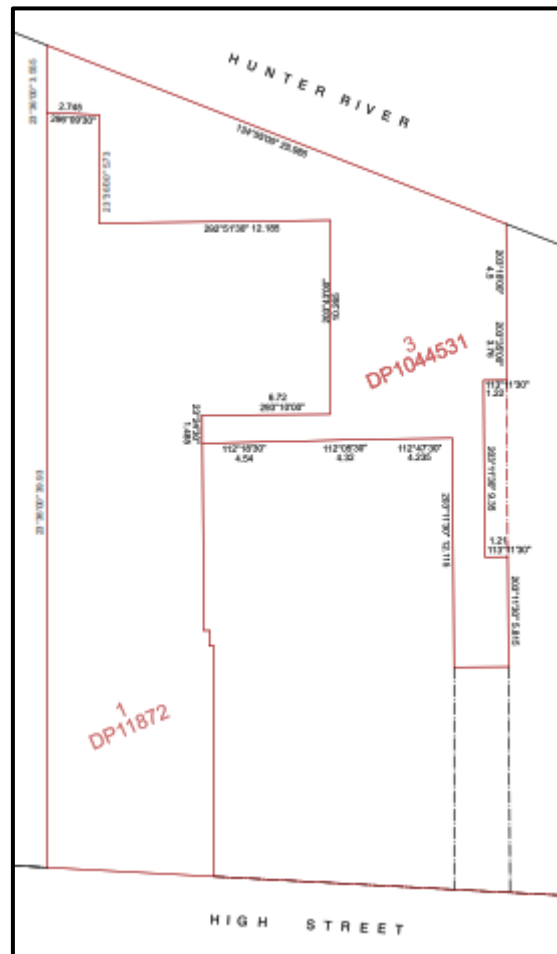


Figure 3: Extract of survey plan showing existing allotments

Existing on the development site is an existing 3 storey masonry building, connected to the southern wing (Hills Chambers) which faces High Street. The building is not a listed heritage item and there are no heritage items in the vicinity of the site. It is located within the Central Maitland Heritage Conservation Area (HCA).



Figure 4: Northern elevation of existing building (Source: SOHI, caste Studio, 2022)





Figure 5: Eastern elevation of existing building (Source: SOHI, caste Studio, 2022)

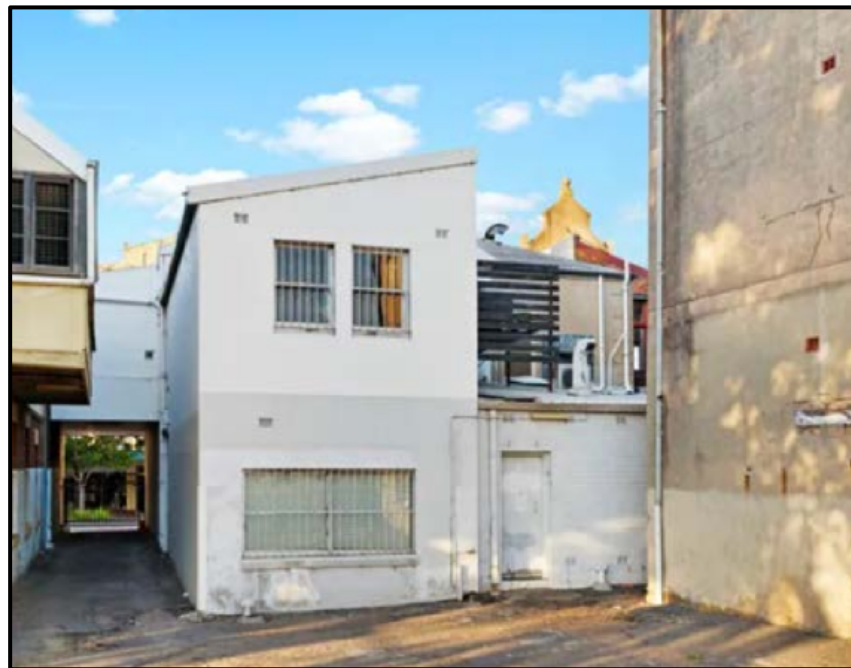


Figure 6: Eastern boundary of the site, showing ROW access to High Street Figure 4: Eastern elevation of existing building (Source: SOHI, caste Studio, 2022)



Figure 7: Eastern elevation of existing building (Source: SOHI, caste Studio, 2022)



Figure 8: Eastern elevation of existing building (Source: SOHI, caste Studio, 2022)



Figure 9: Eastern elevation of existing building (Source: SOHI, caste Studio, 2022)

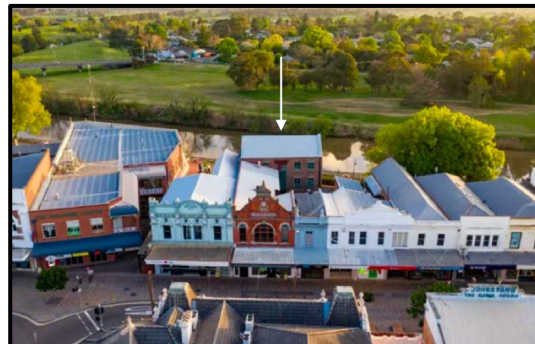


Figure 10: Eastern elevation of existing building (Source: SOHI, caste Studio, 2022)



### **3.0 DESCRIPTION OF PROPOSAL**

The development incorporates the following aspects:

#### **3.1 Subdivision of Land**

Consent is sought for the boundary adjustment of Lot 1 DP 11872 and Lot 3 DP 1044531, creating separate lots for the new development and Hills Chamber building.

Proposed Lot 1 will contain the Hills Chamber building with frontage to High Street.  
Proposed Lot 2 will contain the new RFB building with easements (ROW) to High Street for vehicular access.

The lot layout is Dwg No. A22 of the submitted DA plan set.

#### **3.2 Demolition Works**

Consent is sought for the demolition of the existing building, being the 'Bonds' Building.

An assessment of the structural condition of the building by Eclipse Consulting Engineers (dated 23 December 2021) reveals that the internal and external fabric of the building is in poor condition and is generally unsafe.

The report concludes:

*"Whilst rectification of any building is possible, this building was found to be in such poor condition that rectification works would be extremely complicated and complex.*

*It is most likely that the foundation level and up would need removal & reinstatement to adequately stabilise the building. This work would be extremely difficult without the demolition & subsequent reinstatement of the existing building. The costs of the rectification and reinstatement works would be very high and not economically viable for either commercial or residential developments.*

*Hence, it would be recommended that, due to the very poor condition of this building, demolition & reinstatement using new materials would be the only viable option."*

The demolition and site works will also involve the removal of existing boundary structures.

It is anticipated that demolition works will be carried out during standard work hours in accordance with Council's relevant standard conditions and that temporary traffic management procedures will need to be employed along the High Street frontage.

#### **3.3 Excavation Works**

The site is generally flat for building purposes. Excavation is limited to services and the driveway area on the eastern side of the building. Car parking is at ground, under the building due to site's location adjoining the Hunter River.

### **3.4 Construction Works**

It is proposed to construct a new four storey residential flat building. Access to building is via a Right of Way along the eastern boundary to High Street (this is the existing vehicle access to the building site).

The building is to contain three habitable floor levels, each containing one x two bedroom unit and one x three bedroom unit. Each unit is to have a balcony facing north, with outlooks over the Hunter River and boardwalk along the southern side of the river.

The building is to be constructed to a zero lot line along the northern, western and part of the southern boundary (as modified by the proposed boundary adjustment). The lift, fire isolated stairway and services area are located on the southern side of the building. The roof is a flat construction, similar to the adjoining commercial building to the west.

Car parking for the new building is located at ground level, under the building. Parking for seven (7) vehicles, including one accessible space is provided. A garbage room is located in the north-western corner and the undercroft area is screened to the boardwalk. The common area located in the north-west of the ground level contains an interpretive wall reusing sandstone lintels and sills to frame interpretive display boards. Landscaping of the site is limited, not dissimilar to similar property in the vicinity of the site.

### **3.5 Landscape and Ancillary**

There is limited ground level available for deep soil landscaping. This is a function of the site area, access requirements and the locational context of the site (next to the Hunter River and boardwalk).

Stormwater drainage will be collected and drained in accordance with the Stormwater Management Plan submitted with the DA package.

Upgrades to the surface of the existing driveway will be considered as needed and details will be submitted with the Construction Certificate documentation.

#### 4.0 **SECTION 4.15 ASSESSMENT – HEADS OF CONSIDERATION**

In accordance with s4.15 of the *EP&A Act 1979* the following matters shall be considered in determination of the development application.

##### **4.15 Evaluation**

###### **(1) Matters for consideration—general**

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

(a) *the provisions of:*

- (i) *any environmental planning instrument, and*
- (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) *any development control plan, and*
- (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

(b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

(c) *the suitability of the site for the development,*

(d) *any submissions made in accordance with this Act or the regulations,*

(e) *the public interest.*

###### **(2) Compliance with non-discretionary development standards—development other than complying development**

*If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:*

(a) *is not entitled to take those standards into further consideration in determining the development application, and*

(b) *must not refuse the application on the ground that the development does not comply with those standards, and*

(c) *must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.*

(3) *If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:*

(a) *subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and*

(b) *a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.*

**Note.** *The application of non-discretionary development standards to complying development is dealt with in section 4.28(3) and (4).*

###### **(3A) Development control plans**

*If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:*

(a) *if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*

(b) *if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*

(c) *may consider those provisions only in connection with the assessment of that development application. In this subsection, **standards** include performance criteria.*

#### 4.1 **Relevant Statutory Environmental Planning Policies**

The following environmental planning instruments apply to the assessment of the subject application under s4.15 of the *EP&A Act, 1979*.

#### 4.1.1 SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land

Standards conditions to apply requiring demolition works to be undertaken in accordance with the NSW legislation relating to the removal of materials, particularly if any asbestos materials are found on the site. Otherwise, there are limited site works required as there is no excavation for a basement with this development.

#### 4.1.2 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65)

SEPP 65 – Design Quality of Residential Flat Development aims to ‘improve the design quality of residential flat development throughout NSW. It recognises that the design quality of residential flats is of state significance due to the economic, environmental, cultural and social benefits of high quality design’.

An assessment of the proposed development against those relevant provisions in the Apartment Design Guide (ADG) is provided in support of this application prepared by Becerra Architect. The assessment confirms the developments’ general adherence to the guiding principles and controls in the ADG. Refer to Appendix A of this Statement.

#### 4.1.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate is submitted with the DA package.

#### 4.1.4 Maitland Local Environmental Plan 2011 (MLEP 2011)

The proposal is defined as a ‘*residential flat building*’ which is permissible with consent in the B4 – Mixed Use Zone. *Residential flat building* development is defined by the LEP as follows:

***Residential flat building*** means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

The following provisions of the MLEP 2011 are relevant to the assessment of this application:

##### ***Aims of Plan***

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to facilitate ecologically sustainable development of land and natural assets,*
- (b) to protect and maintain the extent, condition, connectivity and resilience of natural ecosystems, native vegetation, wetlands and landscapes, including those aspects of the environment that are matters of national environmental significance within Maitland in the long term,*
- (c) to properly plan and protect human-made resources of Maitland including buildings, structures and sites of recognised significance which are part of the heritage of Maitland,*
- (d) to protect, enhance or conserve the natural resources of Maitland including the following—*
  - (i) areas of high scenic rural quality,*
  - (ii) productive agricultural land,*
  - (iii) habitat for listed threatened species and endangered ecological communities,*
  - (iv) minerals of regional significance,*
- (e) to create liveable communities which are well connected, accessible and sustainable,*
- (f) to provide a diversity of affordable housing with a range of housing choices throughout Maitland,*
- (g) to allow for future urban development on land within urban release areas and ensure that development on such land occurs in a co-ordinated and cost-effective manner,*
- (h) to concentrate intensive urban land uses and trip-generating activities in locations most accessible to transport and centres, strengthening activity centre and precinct hierarchies and employment opportunities,*



- (i) to ensure that land uses are organised to minimise risks from hazards including flooding, bushfire, subsidence, acid sulfate soils and climate change,  
(j) to encourage orderly, feasible and equitable development whilst safeguarding the community's interests, environmentally sensitive areas and residential amenity.

The proposal aligns with the aims of the plan in that:

- The development contributes to the overarching character of the locality being part of the Central Maitland HCA. a prominent 'gateway' into Sydney.
- The proposal represents the orderly, economic and sustainable redevelopment of the land which currently contains a building, which is not a heritage item and is in such a structurally dilapidated state that it is recommended for demolition.
- Being a waterfront property, with north facing outlook over the Hunter River, optimisation of the site for centre based residential accommodation that is close to shops and services is highly valued.
- The provision of six (6) new residential apartments in the heart of Maitland will directly provide for the growing housing needs of the local population in an area close to established services and infrastructure.
- The architectural quality of the design will contribute to the general enhancement of the waterfront and will support the heritage features of the precinct without detracting from their significance. Flat buildings by virtue of the distinguishing built form (when compared to commercial buildings) maintain the thematic evidence of development.
- The proposal does not adversely impact upon the natural or cultural features of the area.
- The development represents sound planning and urban design outcomes and promotes a high standard for architectural design and finishes.
- The development provides for excellent amenity for future residents and surrounding residences in the area.

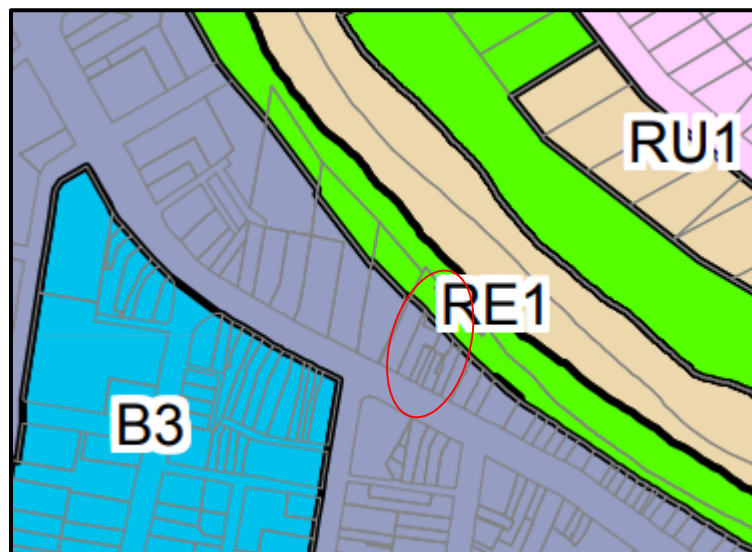


Figure11: Zoning map extract (Map\_004A)

## **Zone B4 Mixed Use**

### **1 Objectives of zone**

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

### **2 Permitted without consent**

*Home occupations.*

### **3 Permitted with consent**

*Attached dwellings; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Multi-dwelling housing; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; 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 launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies.*

The proposed development is permissible with the consent of Council. It satisfies the stated objectives of the B4 Mixed Use zone. The proposal is for the demolition of the existing three storey building onsite and construction of a residential flat building development comprising six (6) new 2 & 3 bedroom residential apartments. The residential accommodation provided will accommodate the housing needs of the local community in close proximity to the established services and retail businesses contained within the Maitland Commercial Centre.

The development focuses on redevelopment of a dilapidated building and its change of use to residential accommodation in close proximity to services, employment, recreations and shops, thereby encouraging higher density living together with the maximisation of opportunities for walking and cycling.

#### **4.3 Height of Buildings and 4.4 Floor Space Ratio**

Not adopted for this site.

## 5.10 Heritage Conservation

### (1) Objectives

- (a) to conserve the environmental heritage of Maitland,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.



Figure 12: Heritage map extract (Map\_004A)

Whilst the subject property is not identified as being a local heritage item, the site is situated within an area identified as a heritage conservation area, being the Central Maitland HCA. It is not within the vicinity of any local item of heritage significance as it is physically separated from High Street with the buildings with frontage to the street. The subject development site is located on the northern side of that strip of buildings.

A Heritage Impact Statement, prepared by caste Studio, dated April 2022, concludes that the proposal is acceptable, as follows:

*“Review and analysis of the building design in this setting leads to the view that the proposal will be of benefit to the character and riverside presentation of the site and heritage conservation area, replacing the substantially dilapidated former Bond Store with a compatible infill structure.*

*The building is compatible in form and overall presentation while being clearly differentiated from the traditional building stock, while successfully adopting recognizable forms from within the Heritage Conservation Area and particularly nearby riverside buildings. The proposed development does not impact on the streetscape of High Street, being behind the High Street buildings.*

*External materials have been selected to be compatible with the setting and will not compromise the significance of the nearby character buildings.*

*The proposal will have no negative impacts on the Heritage Conservation Area, nor the riverside setting, will have a positive impact to the approach along the levee from both the east and west directions. As such the project enhances the Heritage Conservation Area value in this location, provides contemporary amenity introducing compatible and sensitive forms compliant with the Council’s DCP, and provides additional housing stock to the CBD which contributes to the activation of the town centre and assists in improving the viability of local service businesses.”*

## 5.21 Flood planning

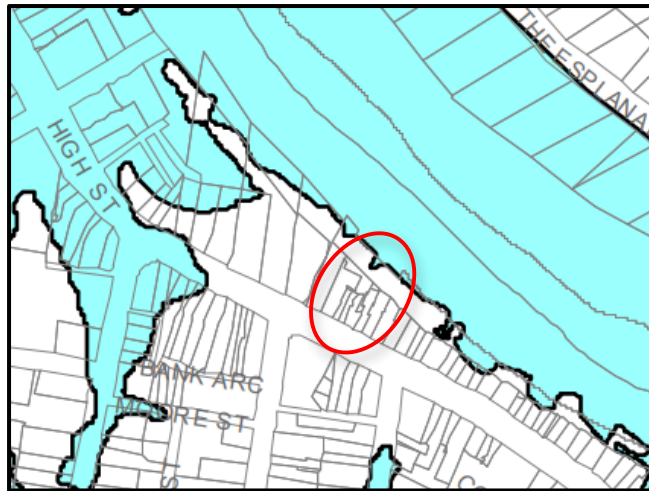


Figure13: Flood Planning map extract (Map\_004A)

Comment: the site is not mapped as subject to flooding for purposes of assessment of development on the subject site.

## 7.4 Riparian land and watercourses



Figure14: Watercourse map extract (Map\_004A)

- (1) *The objective of this clause is to protect and maintain the following—*
  - (a) *water quality within watercourses,*
  - (b) *the stability of the bed and banks of watercourses,*
  - (c) *aquatic riparian habitats,*
  - (d) *ecological processes within watercourses and riparian areas.*
- (2) *This clause applies to—*
  - (a) *land identified as “Watercourse land” on the Watercourse Map, and*
  - (b) *all land that is within 40 metres of the top of the bank of a watercourse identified as “Watercourse land” on the Watercourse Map.*
- (3) *Before determining a development application to carry out development on land to which this clause applies, the consent authority must consider whether or not the development—*
  - (a) *is likely to have any adverse impact on the following—*
    - (i) *the water quality and flows within the watercourse,*



- (ii) *aquatic and riparian species, habitats and ecosystems of the watercourse,*
- (iii) *the stability of the bed, shore and banks of the watercourse,*
- (iv) *the free passage of fish and other aquatic organisms within or along the watercourse,*
- (v) *any future rehabilitation of the watercourse and its riparian areas, and*
- (b) *is likely to increase water extraction from the watercourse.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*
  - (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
  - (b) *if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
  - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment: The development is located within 40m of the high bank of the Hunter River. It is Integrated Development. Council can be satisfied that the development is designed, sited and will be managed in a manner that does not result in any adverse environmental impact. This includes the collection and disposition of stormwater from the site and lack of flood levels over the site.

## 4.2 Non-Statutory Development Control Plans

### 4.2.1 Maitland Development Control Plan 2011 (MDCP 2011)

The purpose of the MDCP 2011 is to provide additional planning and building guidelines than are available in MLEP 2011. An assessment of the proposal against the relevant controls in the DCP is provided in the table below.

<b>PART B ENVIRONMENTAL GUIDELINES</b>		
<b>DCP Provision</b>	<b>Comment</b>	<b>Complies</b>
<b>B.6 – Waste Not – Site Waste Minimisation &amp; Management</b>  <i>SWMMP to be submitted with the DA package.</i>	A Waste Management Plan is submitted with the DA package.  The WMP addresses: <ul style="list-style-type: none"> <li>• The volume and type of waste and recyclables to be generated.</li> <li>• The storage and treatment of waste and recyclables on site.</li> <li>• The disposal of residual waste and recyclables.</li> <li>• The operational procedures for ongoing waste management once the development is completed.</li> </ul>	Yes
<b>B.7 – Riparian Land and Waterways</b>  <i>Applies to land subject to Cl 7.4 of MLEP 2011.</i>		

<p><b>3. Access and Pathways</b></p> <p><b>4. Development Location</b></p> <p><i>4.3 Siting, location and design of developments on land that directly adjoins riparian areas shall consider the effects of the development on riparian land, and comply with the specific requirements as contained in the Maitland Local Environmental Plan 2011 and associated plans identified in section 1.1 above.</i></p> <p><i>4.4 The use of impervious areas within and directly adjoining riparian areas is to be minimised in order to reduce unacceptable rates of runoff that cause erosion, sedimentation and siltation.</i></p> <p><i>4.5 Fencing within riparian areas shall be minimised and be of open design in order to allow for the free passage of water, fauna and flora.</i></p> <p><b>5. Riparian Watercourses &amp; Flooding</b></p> <p><b>6. Other Environmental Considerations</b></p>	<p>No requirements for this proposal.</p> <p>The site located within 40m of the high bank of the Hunters River. However, it is not mapped as a flood area and the siting, location and design of the development has taken into consideration the potential implications of unexpected water levels by not proposing a basement, by ground level being undercroft parking and general open and proposing larger than minimal unit sizes which reduces the overall number of persons onsite should evacuation be an issue.</p> <p>The amount of impervious area in this case cannot be avoided.</p> <p>No fencing of the northern boundary of the site. The undercroft parking is screened with a semi-open design that will allow the free passage of water (although the site is not mapped as located within a flood planning area).</p> <p>No requirement for this proposal.</p> <p>None applicable to this proposal.</p>	<p>No specific requirements</p>
<b>PART C – DESIGN GUIDELINES</b>		
<p><b>C.1 Accessible Living</b></p>	<p>Each of the units is designed to Silver Level Adaptability.</p> <p>One accessible parking space is provided in the undercroft parking area.</p> <p>Refer to the ADG assessment table in</p>	<p>Yes</p>

	Appendix A of this Statement.	
<b>C.4 Heritage Conservation</b>	<p>The site is not heritage listed, not within proximity to any heritage item but is located within the Central Maitland HCA.</p> <p>A HIS is submitted with the DA package. It concludes that the proposal is satisfactory in relation to its design, locational context in terms of heritage and acceptable in terms of historical significance.</p>	Yes
<b>C.8 Residential Design</b>		
<b>2. Design Criteria</b> <b>2.1 Site Analysis &amp; Site Context</b>	A site analysis is submitted with the DA plan set.	Yes
<b>3. Development Incorporating Existing Dwellings</b>	The existing 3-storey building is to be demolished as part of the development.	Yes
<b>4. Bulk Earthworks and Retaining Walls</b>	Earthworks are limited for this proposal as there is no basement level. All works are at existing ground level and above.	Yes
<b>5. Street Building Setbacks</b>	Not applicable to this development as there is no building at the street frontage. The only frontage to High Street is the vehicle accessway.	Yes
<b>6. Rear and Site Setbacks</b>  <i>h) Minimum side and rear setbacks for residential buildings in urban zones shall be in accordance with Figure 10 and described as follows:</i> <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> <i>i) Walls of buildings within urban zones may be built to the side and/or rear</i>	<p>The proposal is built to each boundary, thereby non-compliant with the controls of the DCP.</p> <p>The DCP provides a mechanism for consideration of such a variation.</p> <p>A variation to the building height envelope is requested as the local context of this site allows its specific site constraints and opportunities to be considered plus lack of measurable adverse impact.</p>	Acceptable in this case.

<p><i>boundaries only where:</i></p> <ul style="list-style-type: none"> <li>• The maximum wall height is 3.0m and there will be no significant impact on privacy, use of private open space and solar access to adjoining properties;</li> <li>• There are no openings unless such openings comply with the fire resistance requirements of the Building Code of Australia and are filled with translucent or obscured glazing; and</li> <li>• The length of the wall built to the boundary does not exceed 50 per cent of the total length of the wall comprising that elevation (refer Figure 11).</li> </ul>	<p>The site is located within the Maitland CBD area; it is adjoining commercial development, not residential landuses; it provides for north-facing accommodation in units larger than the minimum requirements and seeks to optimise a site that has been underutilised and is dilapidated.</p>	
<p><b>7. Site Coverage and Unbuilt Areas</b></p> <p><i>Housing type Site Coverage Unbuilt Area</i></p> <p>RFB                      70%                      30%</p>	<p>The proposal does not provide 30% unbuilt upon area due to the locational context of the site, the need for vehicle manoeuvring area and access, undercroft common open space. The variation is considered reasonable in this case.</p>	<p>Acceptable in this case.</p>
<p><b>8. Building Height, Bulk &amp; Scale</b></p> <p><i>Housing Type Zone Max Height</i></p> <p>RFB                      Business                      14m</p>	<p>The MLEP does not contain a maximum height limit for this site. The development complies with the 14m DCP HOB limit (as shown on Dwg No. A20).</p> <p>The Project Architect has addressed the height, bulk &amp; scale of development in the review of the SEPP 65 Principles (refer to Appendix A of this Statement).</p> <p>Given the site context, zoning, outlook, adjoining development, site constraints and optimisation of the landuse, the proposed height, bulk and scale of the development are considered acceptable for this site.</p>	<p>Yes</p>
<p><b>9. External Appearance</b></p>	<p>The matters listed in the DCP are addressed in the DA plan set and/or the SEPP 65 Principles report (refer to Appendix A of this Statement).</p>	<p>Yes</p>



<p><b>10. Open Space</b></p>	<p>There is limited opportunity for ground level open space for this development due to the undercroft parking requirements (as opposed to basement parking) and need for manoeuvring and access area for vehicles. A common area is provided in the north-western corner of the ground level and POS areas for each of the apartments that complies with the minimum ADG requirements (refer to the ADG assessment table in Appendix A of the Statement).</p>	<p>Yes</p>
<p><b>11. Sites Having a Boundary to a Laneway</b></p>	<p>N/A</p>	<p>N/A</p>
<p><b>12. Accessibility and Adaptable Housing</b></p>	<p>Each of units achieves a silver level of accessibility. The development is provided with a lift for access to each floor level and there is one accessible parking space.</p>	<p>Yes</p>
<p><b>13. Landscape Design</b></p>	<p>Refer to details submitted with the DA package.</p>	<p>Acceptable in this case.</p>
<p><b>14 Fencing and Walls</b></p>	<p>No fencing or walls as development is built to boundary on sides except the north-eastern boundary.</p>	<p>N/A</p>
<p><b>15. Driveway Access and Carparking</b></p>	<p>The development provides undercroft parking for the development with access from High Street, via a ROW.</p> <p>One parking space per unit is provided + one visitor space. One space is accessible.</p>	<p>Acceptable in this case.</p>
<p><b>16. Views and Visual and Acoustic Privacy</b></p>	<p>Each of the units is oriented to the north with outlook over the Hunter River. Adjoining development is commercial, not residential.</p>	<p>Acceptable in this case.</p>

	<p>The north-western balconies have returns along the boundary which prevent overlooking to the west. Similar treatments to the north-eastern balconies.</p> <p>Noise to and from the development is addressed by the solid boundary walls along the outside edges of the balconies. Shared walls will be suitably treated to comply with the noise transmission requirements of the BCA.</p>	
<b>17. Water and Energy Conservation</b>	A BASIX Certificate is submitted with the DA package.	Yes
<b>18. Stormwater Management</b>	A Stormwater Management Plan is submitted with the DA package.	Yes
<b>19. Security, Site Facilities and Services</b>	<p>All apartments are above ground. The parking area and lift will be accessed via security means only (security card or similar). Lighting around the site will be carefully designed to be both energy efficient and address security (eg movement sensors). Full details will be submitted with the CC documentations.</p> <p>Due to the location (in town, overlooking public domain areas and nearby commercial premises), outdoor drying is not encouraged. The laundry in each apartment will be fitted with a clothes dryer.</p>	Acceptable in this case.
<b>C.11 Vehicular Access &amp; Car Parking</b>	<p>Seven (7) parking spaces provided – 6 residents and 1 visitor, including 1 accessible. Access and manoeuvring is demonstrated in the turning area plans submitted with the DA plan set.</p> <p>Access to the site is</p>	Acceptable in this case.

	existing and is via a ROW from High Street.	
<b>C.12 CPTED</b>	<p>A separate CPTED assessment is not submitted with the DA package.</p> <p>The site is an infill development within the Maitland commercial area. The site will be secured via the built-to boundary side and rear walls, secured access to the undercroft parking and lift. Lighting will be detailed to be both energy efficient and to provide security.</p>	Acceptable in this case.
<b>PART E – SPECIAL PRECINCTS</b>		
<b>E.3 Heritage Conservation Areas</b>		
<b>2. Central Maitland Heritage Conservation Area</b>		
	<p>The site is mapped as within the CMHCA. It is noted that it was not part of the Central Maitland Archaeological Management Plan draft, 2014.</p> <p>A Statement of Heritage Impact is submitted with the DA package. It addresses the history and historical significance of the area and how the proposed infill development is acceptable in terms of heritage assessment. It concludes:</p> <p><i>“that the proposal will have no negative impact on the HCA, nor the riverside setting and will have a positive impact to the approach along the levee from both the east and west directions. It provides contemporary amenity introducing compatible and sensitive forms compliant with Council’s DCP.”</i></p> <p>Based on the above Council can be satisfied that the proposal will</p>	Yes

	reasonably conserve the heritage values of the conservation area.	
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**5.3 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. Suitability of the site for the development.**

It is considered that the proposed development is suitable for the subject site. The development provides for a high-quality infill development within the Maitland commercial area. It will provide six oversized units to encourage “in town” living, possibly downsizing for some household, in an area and with an outlook that is both highly accessible and attractive. The design and layout of the apartments suitability addresses the SEPP design principles and ADG controls for a residential flat building. The site has specific constraints and opportunities to be taken into consideration where variations to Council’s local planning provisions are proposed.

Overall, the proposal has acceptable levels of impact on adjoining properties. The proposal results in a positive impact on the public domain “streetscape” comprising the riverside boardwalk and Hunter River. The design provides a connective interface with all public boundaries and the new development which faces the river. The deviation from the building envelope for residential development is justified as the urban design outcome is positive based on a transition building within its commercial locational context. The variation does not compromise built form of new commercial development in the immediate vicinity of the site.

The proposal also deals with the shape and layout of the site which makes an awkward development site for any development to optimise. The proposal will assist in upgrading the precinct and improve the vitality of the area. The site is close to many community services, employment, leisure pursuits, with good public transport links and pathways in the areas leading to areas within the Maitland commercial area.

**5.4 Any submissions made in accordance with this act or the regulations**

Council is responsible for the referral of the application to relevant Government bodies and to adjoining owners. Any submissions will be reviewed by the applicant and Council during the assessment process, and duly considered.

**5.5 The public interest**

The relevant issues have been addressed with regard to the public interest as reflected in the relevant planning policies and codes, particularly the Maitland commercial area and the HCA. The development is unlikely to result in any adverse impact to the public interest in the circumstance of the case. In contrast the proposal will activate the area and provide housing choice that is located within close reach of local shops and services. The proposal will also provide improved passive surveillance over the boardwalk and commercial area by providing permanent accommodation in the CBD area. It will also develop a site that has been abandoned for many, many years and a removed a building that is dilapidated and essentially unsafe for the public.



## 6.0 CONCLUSION

The proposal is for the demolition of existing building and construction of a four-storey infill, residential flat building development over undercroft parking. The site is part of a boundary adjustment to separate it from Hills Chamber building that fronts onto High Street. The development is to comprise six (6) residential apartments with outlooks to the Hunter River and over the riverside boardwalk.

The proposal generally complies with the MLEP objectives and provisions. It also complies with the 14m height limit contained in the MDCP 2011. Where DCP variations are proposed in relation to the building envelope and site coverage of the development, these are addressed and justified within this report. Council is not compelled to strictly apply the DCP provisions and is required to apply DCP provisions in a flexible manner. The site offers up a number of specific constraints but also opportunities. These present design challenges that have been balanced throughout the design and layout of the development. The design principles are outlined in the Project Architect's SEPP 65 report in Appendix A of this Statement. The result is a quality development that responds to the location context of the site.

Given the relevant planning policies, codes and requirements of the *EP&A Act, 1979* have been duly satisfied, the proposed modifications are deemed to be worthy of Council's support.



**Andrew Martin** *MPIA*  
**Planning Consultant**

**APPENDIX A**

**SEPP 65 PRINCIPLES**

**&**

**APARTMENT DESIGN GUIDELINES**  
**ASSESSMENT**

**Prepared by**

**Becerra Architects**

**16 May 2022**

## State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development Schedule 1 Design quality principles

### **Clause 28 Determination of development applications**

(1) After receipt of a development application for consent to carry out development to which this Policy applies (other than State significant development) and before it determines the application, the consent authority is to refer the application to the relevant design review panel (if any) for advice concerning the design quality of the development.

(2) In determining a development application for consent to carry out development to which this Policy applies, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):

(a) the advice (if any) obtained from the design review panel, and

(b) the design quality of the development when evaluated in accordance with the design quality principles, and

(c) the Apartment Design Guide.

### **Principle 1: Context and neighbourhood character**

*Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.*

*Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.*

*Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.*

Our objective is to design an infill residential development responding to its context along the established Hunter River boardwalk within the Maitland city centre, commercial area. The site is located to the northern side of High Street with vehicular access from High Street (The Levee) and pedestrian access from the riverside boardwalk. 416 High Street Maitland consists of Lot 3 DP1044531 and Lot 1 DP11872. The existing Hills Chambers building facing High Street is to be retained and we propose to demolish the structurally dilapidated Bond Store to the north of the property. The site is to be subdivided to accommodate the different uses. Recent developments on the Hunter River have set form and scale for this precinct. The proposal aims to increase the residential stock and to activate the rivers edge with city living.

The proposed site area is 404m<sup>2</sup> and is bounded by commercial buildings to the south, east and west. Premises fronting the riverside boardwalk include restaurants, cafes and commercial premises such as The Colonial Centre.

The site is in close proximity to Elgin Street where there are number of bus routes from and to Maitland Station, which is 800m from the site an approximate 10minute walk and 4 minute drive with adjacent station parking. The site is well serviced by local schools, medical suites, shopping centres, grocery stores, entertainment venues and government agencies.

The proposal fronts the riverside boardwalk therefore does not have any adverse effect to the Central Maitland Heritage Conservation Area as it will not be visible from High Street. Along the boardwalk, the proposal will contribute to the new character of the precinct, which aims to activate the riverfront. More recent developments such as The Levee arch, street art enhancement of links from High Street to the riverside and entertainment venues achieve the desired character we are aiming for.

### **Principle 2: Built form and scale**

*Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.*

*Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.*

*Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.*

The proposal is for a 4 storey infill residential flat building and to the rear of the existing commercial premises known as Hills Chambers.

The site is relatively flat and it is proposed to demolish the existing structurally dilapidated Bond Store. There is an existing vehicular entry to the site from High Street that will be retained leading to the ground floor parking area and pedestrian entry. The entry to the residential flat development will also be off the riverside boardwalk.

The recent developments on High Street have set form and scale for this precinct. This development comprises of ground floor parking and six residential apartments above. The six apartments include three, two bedroom apartments and three, three bedroom apartments. The proposal is in keeping with the bulk and scale of recent developments in the precinct and adheres to the relevant council DCP and LEP.

The proposal responds to the provisions of the Maitland City Local Environmental Planning (LEP 2011) for B4 mixed-use zoning. The scale of the proposal meets the objectives of Maitland City Local Environmental Planning (LEP).

The façade facing the boardwalk is proposed to be Maitland-red brick with metal framed elements breaking up the façade. The lift and fire stair are proposed to be off form concrete and are to the south of the site. The proposed window proportions are similar to that of the dilapidated Bond store.

The site addresses Hunter River and the riverside boardwalk. The set back from the riverside boardwalk boundary are in keeping with The Colonial Centre. Rendered pop-out elements are in painted lightweight walls break up the east façade.

The lower level has a pedestrian entry and common area, which address the public domain being the riverside boardwalk.

All units have vistas to the Hunter River and the pedestrian activity along the river.

### **Principle 3: Density**

*Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.*

*Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.*

The site is zoned for B4 mixed-use zoning under the Maitland City Local Environmental Planning (LEP 2011).

The site area of 404m<sup>2</sup>, there is no Floor to Space Ratio (FSR) applicable to the site.

The proposed dwelling mix of;

3 x 2 bedroom units

3 x 3 bedroom units

This is an appropriate dwelling mix for the precinct.

**Principle 4: Sustainability**

*Good design combines positive environmental, social and economic outcomes.*

*Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.*

The passive design of the units generally will make energy savings by the use of natural light and good cross ventilation to units. 100 % of the units get cross ventilation. Refer to Architectural plan A23.

The balconies and living rooms are oriented to the north. 100 % of the apartments proposed will receive a minimum of 3 hours of sunlight between 9am and 3pm, in mid winter which more than meets the minimum proportion of 70% sought by ADG.

Refer to Architectural plan A24.

Thermal mass is obtained from the proposed masonry/insulated veneer and concrete walls to prevent external heat loss.

All sanitary fixtures are to be fitted with water saving devices and all lighting is to be fitted with Compact fluorescent lamps (CFLs).

The common lobby areas are ventilated and well lit minimizing energy consumption to these areas. Further the entry and common area are also well lit and ventilated

**Principle 5: Landscape**

*Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.*

*Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.*

*Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.*

There are no existing landscape features of the site. The proposal provides landscape areas to create visual interest with in the site and screening of adjacent built forms.

Whilst these areas are in shade appropriate landscape species are selected by Landscape Architects MHLA.

There is a low level verge screen on the riverside boardwalk which defines the edge of the boardwalk and is the signature landscape element to the boardwalk.

**Principle 6: Amenity**

*Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.*

*Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.*

The proposed building has been designed to create a contemporary residential development well suited to in the precinct. The proposal contains:



Unit 1 - 97m<sup>2</sup> 2 Bedroom unit  
Unit 2 - 110 m<sup>2</sup> 3 Bedroom unit  
Unit 3 - 97m<sup>2</sup> 2 Bedroom unit  
Unit 4 - 110 m<sup>2</sup> 3 Bedroom unit  
Unit 5 - 97m<sup>2</sup> 2 Bedroom unit  
Unit 6 - 110 m<sup>2</sup> 3 Bedroom unit

All units meet the room size requirements under the Apartment Design Guidelines. Further, the overall unit sizes are more than prescribed in the ADG ; i.e. the prescribed 2 bedroom 2 bathroom unit size under ADG is 75 m<sup>2</sup>, the proposed 2 bedroom 2 bathroom units are 97 m<sup>2</sup>; the prescribed 3 bedroom 2 bathroom unit size under ADG is 95 m<sup>2</sup>, the proposed 3 bedroom 2 bathroom units are 110 m<sup>2</sup>.

The proposal has good solar access to all living areas and all units are cross ventilated.

All units have vistas to the Hunter River and the pedestrian activity along the river.

The common room on the ground floor is of the riverside boardwalk and has direct connection to the same. This area of the development allows not only for the residents to meet, which allows for a positive neighborly environment but also provided a passive security to the development.

The garbage facilities are within the building in the ground floor with access for collection using a universal keying system collection days.

The prescribed ADG storage provisions are all within the units

#### **Principle 7: Safety**

*Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.*

*A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.*

Active and passive design processes are used to create a safe environment for the residents. There is passive surveillance to the surrounding public domain. All units and the common room face the river boardwalk. There is electronic access via the board walk and controlled access from the right of way

#### **Principle 8: Housing diversity and social interaction**

*Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.*

*Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.*

*Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.*

The number of units proposed is 6. In such a boutique development the aim is to provide larger internal amenity with the aim to entice residents to live in the heart of Maitland town Centre. Bringing residents into the town centre is the priority of the Local Government and this proposal aims to do this.

The social demands of living in the town center is larger accommodation to allow families to move in to the area.

**Principle 9: Aesthetics**

*Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.*

*The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.*

The proposal has used the Maitland Red Brick to the majority of the facades with the solid concrete forms to the vertical transportation areas.

The internal design of the units is such that all habitable rooms have vistas to Hunter River.

The proposal contributes to both the existing forms and bulk of nearby infill developments such as is proposed.

It is considered that the proposal meets the design principles required to be considered under State Environmental Planning Policy No.65 - Design Quality of Residential Apartment Development.

The proposed development will be of a high quality design and significantly enhance the aesthetic quality of the site and surrounding area.

This statement is made by



**Albert Becerra**  
Architect / Director  
Architects Becerra  
Nominated Architect | Albert Becerra | 5387

## APARTMENT DESIGN GUIDE

<b>Part 2 Development Control</b>	
<b>Objectives</b>	<b>Comment</b>
<b>2C Building Height</b>	
<ul style="list-style-type: none"> <li>Where there is an existing floor space ratio (FSR), test height controls against it to ensure a good fit.</li> </ul>	There is no applicable HOB for this site.
<b>2D Floor Space Ratio</b>	
<ul style="list-style-type: none"> <li>GFA should fit comfortably within the building envelope as the envelope needs to also account for building elements and service areas that are not included in the GFA definition and to allow building articulation.</li> </ul>	There is no applicable FSR for this site.
<b>2E Building Depth</b>	
<ul style="list-style-type: none"> <li>Use range of appropriate maximum apartment depth 12-18m from glass line to glass line when precinct planning and testing development controls – adequate daylight and natural ventilation and natural cross ventilation</li> </ul>	<p>The depth of units is approximately 9.4 meters for units #1, #3, #5 this is well within the prescribed ADG guidelines.</p> <p>The depth of units is approximately 13.4 meters for units #2, #4, #6 this is well within the prescribed ADG guidelines.</p>
<b>2F Building Separation</b>	
<p>Minimum separation distances for buildings are:</p> <p>Up to four storeys (approximately 12m)</p> <ul style="list-style-type: none"> <li>12 m between habitable rooms /balconies.</li> <li>6m between non-habitable rooms.</li> </ul> <p>Five to eight storeys (approximately 25m):</p> <ul style="list-style-type: none"> <li>18m between habitable rooms/balconies</li> <li>12m between habitable and non-habitable rooms</li> <li>9m between non-habitable rooms</li> </ul> <p>Nine storeys and above (over 25m):</p> <ul style="list-style-type: none"> <li>24m between habitable rooms/balconies</li> <li>18m between habitable and non-habitable rooms</li> <li>12m between non-habitable rooms</li> </ul> <p>At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m</p> <p>No building separation is necessary where building types incorporate blank party walls. Typically, this occurs along a main street or at podium levels within centres.</p>	<p>The proposal is attached to the rear of the commercial part of the existing building. The separation of built form to the south are in compliance with NCC.</p> <p>Visual privacy has been addressed through, appropriate setbacks between the subject building and the future building to the south of the site.</p> <p>Room layouts, windows and balconies are sited to avoid overlooking</p>

<b>2G Street Setbacks</b>	
<p>Determine street setback controls relative to the desired streetscape and building forms. For example - match existing development</p> <p>Street Setbacks</p> <ul style="list-style-type: none"> <li>• in centres the street setback may need to be consistent to reinforce the street edge</li> <li>• Align street setbacks with building use. For example, in mixed use buildings a zero-street setback is appropriate.</li> </ul>	<p>The setbacks for the proposed RFB the riverside boardwalk allow for reasonable visual curtilage and is in keeping with the setbacks of The Colonial Centre as well as many buildings along the riverside boardwalk.</p>
<b>2H Side and Rear Setbacks</b>	
<p>Test side and rear setbacks with height controls for overshadowing of the site, adjoining properties and open spaces.</p>	<p>The proposal responds to side setbacks by being consistent with existing boundary to boundary built forms.</p> <p>The proposal responds to rear setbacks to the existing commercial built form.</p>
<b>Part 3 Siting the Development</b>	
<b>3A Site analysis</b>	
<p>Objective 3A-1                  Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.</p>	<p>The site is constrained by the existing commercial building and the northern boundary facing the riverside boardwalk.</p> <p>Refer to site analysis plan with the DA plans.</p>
<b>3B Orientation</b>	
<p>Objective 3B-1                  Building types and layouts respond to the streetscape and site while optimising solar access within the development.</p> <p>Objective 3B-2                  Overshadowing of neighbouring properties is minimised during mid-winter.</p> <p>Design guidance                  Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.</p> <p>A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings.</p>	<p>The proposal responds to the north facing boundary offering vistas to Hunter River. All living areas and private open spaces face north.</p> <p>There is no overlooking to adjacent developments.</p>

<b>3C Public Domain Interface</b>	
<p>Objective 3C-1                  Transition between private and public domain is achieved without compromising safety and security.</p> <p>Objective 3C-2                  Amenity of the public domain is retained and enhanced.</p>	<p>The common room and development pedestrian entry are off the riverside boardwalk. This allows for transition between private and public domain without compromising safety and security</p> <p>The location of the common room on the ground floor off the riverside boardwalk also provide passive security.</p>
<b>3D Communal and public open space</b>	
<p>Objective 3D-1                  An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping</p> <p>Design Criteria</p> <ul style="list-style-type: none"> <li>• Communal open space has a minimum area equal to 25% of the site</li> <li>• Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter)</li> <li>• The communal open space should be a minimum dimension of 3m.</li> </ul> <p>Objective 3D-2                  Communal open space is design to allow for a range of activities, respond to site conditions and be attractive and inviting, including seating for individuals or groups, BBQ areas, play equipment, swimming pools etc.</p> <p>Objective 3D-3                  Communal open space is designed to maximise safety.</p> <p>Objective 3D-4                  Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.</p>	<p>There is limited common open space but the common area is designed to open to the riverside boardwalk, which provides access to the Hunter River bank areas.</p>
<b>3E Deep soil zones</b>	
<p>Objective 3E-1                  Deep soil zones provide areas on the site that allow for and support health plant and tree growth. They improve residential amenity and promote management of water and air quality.</p> <p>Design criteria                  Deep soil zones are to meet the following minimum requirements:</p>	<p>There are 3 areas of deep soil planting - all providing adequate landscaped areas.</p>

<ul style="list-style-type: none"> <li>• 7% of site area</li> <li>• &lt;650m2 - no min dimensions</li> <li>• 650m2-1500m2 - 3m min dimensions</li> <li>• &gt;1500m2 - 6m min dimensions</li> </ul>	
<b>3F Visual Privacy</b>	
<p><b>Objective 3F-1</b>          Adequate building separation distances are shared equitable between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</p> <p><b>Design Criteria</b>          Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <p>Up to 12m (4 storeys):          6m for habitable rooms and balconies;          3m for non- habitable rooms.</p> <p>Up to 25m (5-8 storeys):          9m for habitable rooms and balconies;          4.5m for non- habitable rooms.</p> <p>Over 25m (9+ storeys):          12m for habitable rooms and balconies;          6m for non- habitable rooms.</p> <p>Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping.</p> <p>Direct lines of sight should be avoided for windows and balconies across corners.</p> <p>No separation is required between blank walls.</p> <p><b>Objective 3F-2</b>          Site and building design elements increase privacy without compromising access to light and air, and balance outlook and viewed from habitable rooms and private open space.</p> <p>Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows.          Design solutions may include:</p> <ul style="list-style-type: none"> <li>• setbacks</li> <li>• solid or partially solid balustrades to balconies at</li> </ul>	<p>The built form to the west is on the boundary and is just 2 meters above the prescribed heights with no impact on the adjoining neighbour as they are also built to the boundary. This meets the objectives of separation as far as separation for 4 storey buildings.</p> <p>Visual privacy has been considered in the proposal to the south, where the minimum distances prescribed meet NCC requirements allowing for high-level windows to units #2, #4, #6 in bedroom #1.</p> <p>To the east visual privacy has been considered, where the minimum distances prescribed meet NCC of 3 meters requirement allowing for high-level windows to units #2, #4, #6 in bedroom #2.</p> <p>The bulk and scale of the building is also generally 3 meters from the eastern boundary</p>



<p>lower levels</p> <ul style="list-style-type: none"> <li>• fencing and/or trees and vegetation to separate spaces</li> <li>• screening devices</li> <li>• bay windows or pop out windows to provide privacy in one direction and outlook in another</li> <li>• raising apartments/private open space above the public domain or communal open space</li> <li>• planter boxes incorporated into walls and balustrades to increase visual separation</li> <li>• pergolas or shading devices to limit overlooking of lower apartments or private open space</li> <li>• on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies</li> </ul> <p>Windows should be offset from the windows of adjacent buildings</p> <p>Windows should be offset from the windows of adjacent buildings</p>	
<p><b>3G Pedestrian access and entries</b></p>	
<p>Objective 3G-1              Building entries and pedestrian access connects to and addresses the public domain.</p> <p>Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries.</p> <p>Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries</p> <p>Objective 3G-2              Access, entries and pathways are accessible and easy to identify.</p> <p>Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces</p> <p>The design of ground floors and underground car parks minimise level changes along pathways and entries.</p> <p>Steps and ramps should be integrated into the overall building and landscape design.</p> <p>For large developments 'way finding' maps should be provided to assist visitors and residents.</p>	<p>The proposal has the pedestrian entry off the riverside boardwalk thus addressing the public domain.</p> <p>The entry has the common room adjacent the entry providing a clear address to the public domain as well.</p>

<p>For large developments electronic access and audio/video intercom should be provided to manage access.</p> <p>Objective 3G-3                  Large sites provide pedestrian links for access to streets and connection to destinations.</p> <p>Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate</p>	
<p><b>3H Vehicle access</b></p>	
<p>Objective 3H-1                  Vehicle access points are design and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</p>	<p>There is provision for on- grade parking with access form a Right Of Way (ROW) from the High Street.</p> <p>Due to the narrow access for vehicle traffic lights in the ROW will control vehicular movements.</p>
<p><b>3J Bicycle and car parking</b></p>	
<p>Objective 3J-1                  Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas</p> <p>1. For development in the following locations:</p> <ul style="list-style-type: none"> <li>• on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</li> <li>• on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less</li> </ul> <p>The car parking needs for a development must be provided off street.</p> <p>Objective 3J-2                  Parking and facilities are provided for other modes of transport.</p> <ul style="list-style-type: none"> <li>• Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters.</li> <li>• Secure undercover bicycle parking should be provided that is easily accessible from both the</li> </ul>	<p>The proposal provides for 1 car space per unit and 1 visitor space. The proposal is located in the middle of the Maitland Town Centre, with access to retail shops, commercial facilities, food outlets and medical services all within walking distance of the development thus the car usage will be reduced.</p>

<p>public domain and common areas.</p> <p>Objective 3J-3 Car park design and access is safe and secure.</p> <p>Objective 3J-4 Visual and environmental impacts of underground car parking are minimised.</p> <p>Objective 3J-5 Visual and environmental impacts of on-grade car parking are minimised.</p> <p>Objective 3J-6 Visual and environmental impacts of above ground enclosed car parking are minimised.</p>	
<p><b>Part 4 Designing the Building</b></p>	
<p><b>4A Solar and daylight access</b></p>	
<p>Objective 4A-1</p> <ul style="list-style-type: none"> <li>• To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.</li> <li>• Design criteria</li> <li>• Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.</li> <li>• In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9am and 3pm at mid-winter.</li> <li>• A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter.</li> <li>• To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m<sup>2</sup> of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes.</li> <li>• Achieving the design criteria may not be possible on some sites. This includes:                         <ul style="list-style-type: none"> <li>• where greater residential amenity can be achieved along a busy road or rail line by orientating the living rooms away from the noise source</li> <li>• on south facing sloping sites</li> <li>• where significant views are oriented away from the desired aspect for direct sunlight</li> </ul> </li> </ul> <p>Design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria and how the development meets the objective</p>	<p>Solar Access analysis identifies that 100% of the apartments proposed will receive a minimum of 3 hours of sunlight between 9am and 3pm in mid winter which exceeds the requirements under the ADG.</p> <p>The majority of the bedrooms get 3 hours of solar access 3 hours of sunlight between 9am and 3pm in mid winter.</p> <p>Refer to Architect drawing A24</p>

<p>Objective 4A-2                  Daylight access is maximised where sunlight is limited.</p> <ul style="list-style-type: none"> <li>• Courtyards, skylights and high level windows (with sills of 1,500mm or greater) are used only as a secondary light source in habitable rooms</li> <li>• Where courtyards are used :                         <ul style="list-style-type: none"> <li>• use is restricted to kitchens, bathrooms and service areas</li> <li>• building services are concealed with appropriate detailing and materials to visible walls</li> <li>• courtyards are fully open to the sky</li> <li>• access is provided to the light well from a communal area for cleaning and maintenance</li> <li>• acoustic privacy, fire safety and minimum privacy separation distances are achieved</li> <li>• Opportunities for reflected light into apartments are optimised through:                                 <ul style="list-style-type: none"> <li>• reflective exterior surfaces on buildings opposite south facing windows</li> <li>• positioning windows to face other buildings or surfaces (on neighbouring sites or within the site) that will reflect light</li> <li>• integrating light shelves into the design</li> <li>• light coloured internal finishes</li> </ul> </li> </ul> </li> </ul> <p>Objective 4A-3                  Design incorporates shading and glare control, particularly for warmer months.</p> <p>A number of the following design features are used:</p> <ul style="list-style-type: none"> <li>• balconies or sun shading that extend far enough to shade summer sun, but allow winter sun to penetrate living areas</li> <li>• shading devices such as eaves, awnings, balconies, pergolas, external louvres and planting</li> <li>• horizontal shading to north facing windows</li> <li>• vertical shading to east and particularly west facing windows</li> <li>• operable shading to allow adjustment and choice</li> <li>• high performance glass that minimises external glare off windows, with consideration given to reduced tint glass or glass with a reflectance level below 20% (reflective films are avoided)</li> </ul>	
<b>4B Natural ventilation</b>	
<p>Objective 4B-1                  All habitable rooms are naturally ventilated.</p> <ul style="list-style-type: none"> <li>• The area of unobstructed window openings should be equal to at least 5% of the floor area served</li> <li>• Light wells are not the primary air source for habitable rooms.</li> </ul>	<p>Natural cross flow ventilation to 100 % of apartments is achieved.</p> <p>Refer to Architect drawing A23</p>

<p><b>Objective 4B-2</b>                  The layout and design of single aspect apartments maximises natural ventilation.</p> <ul style="list-style-type: none"> <li>• Apartment depths are limited to maximise ventilation and airflow.</li> <li>• Natural ventilation to single aspect apartments is achieved with the following design solutions:</li> <li>• primary windows are augmented with plenums and light wells (generally not suitable for cross ventilation)</li> <li>• stack effect ventilation / solar chimneys or similar to naturally ventilate internal building areas or rooms such as bathrooms and laundries</li> <li>• courtyards or building indentations have a width to depth ratio of 2:1 or 3:1 to ensure effective air circulation and avoid trapped smells</li> </ul> <p><b>Objective 4B-3</b>                  The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.</p> <p><b>Design criteria</b></p> <ul style="list-style-type: none"> <li>• At least 60% of apartments are naturally cross-ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</li> <li>• Overall depth of a cross-over or cross- through apartment does not exceed 18m, measured glass line to glass line.</li> <li>• In cross-through apartments external window and door opening sizes/areas on one side of an apartment (inlet side) are approximately equal to the external window and door opening sizes/areas on the other side of the apartment (outlet side)</li> </ul>	
<p><b>4C Ceiling heights</b></p>	
<p><b>Objective 4C-1</b>                  Ceiling height achieves sufficient natural ventilation and daylight access.</p> <p><b>Design criteria</b>                  Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <ul style="list-style-type: none"> <li>• Habitable rooms: 2.7m</li> <li>• Non-habitable rooms: 2.4m</li> <li>• 2 storey apartments: 2.7m for main living area floor; 2.4m for second floor - where its area does not exceed 50% of the apartment area.</li> <li>• Attic spaces - 1.8m at edge of room with a 30</li> </ul>	<p>The proposal meets the Habitable room heights of 2.7 m and 2.4 m for all non-habitable rooms</p>

<p>degree minimum ceiling slope</p> <ul style="list-style-type: none"> <li>Mixed used areas - 3.3m for ground and first floor to promote future flexibility of use.</li> </ul> <p>Objective 4C-2                  Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms.</p> <p>Objective 4C-3                  Ceiling heights contribute to the flexibility of building use over the life of the building.</p> <ul style="list-style-type: none"> <li>Ceiling heights of lower level apartments in centres should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses.</li> </ul>	
<p><b>4D Apartment size and layout</b></p>	
<p>Objective 4D-1                  The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.</p> <p>Design criteria                  All apartments are required to have the following minimum internal areas:</p> <ul style="list-style-type: none"> <li>Studio: 35m<sup>2</sup></li> <li>1 bedroom: 50m<sup>2</sup></li> <li>2 bedroom: 70m<sup>2</sup></li> <li>3 bedroom: 90m<sup>2</sup></li> </ul> <ul style="list-style-type: none"> <li>The minimum internal areas include only one bathroom.</li> <li>Additional bathrooms increase the minimum internal area by 5m<sup>2</sup> each.</li> <li>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m<sup>2</sup> each.</li> <li>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</li> </ul> <p>Objective 4D-2                  Environmental performance of the apartment is maximised.</p> <p>Design criteria</p> <ul style="list-style-type: none"> <li>Habitable room depths are limited to a maximum</li> </ul>	<p>All units are designed to have well organized spaces well linked with minimal corridors and wasted spaces.</p> <p>The proposal aims to separate living areas from sleeping areas</p> <p>The 2-bedroom units are 97 m<sup>2</sup></p> <p>The 3-bedroom units are 110 m<sup>2</sup></p> <p>All habitable rooms have a window in an external wall and exceed the 10 % of the floor area of the room</p> <p>All living rooms are 2.7 meters in height and meet the area requirements of the room, with 4m internally.</p>



<p>of 2.5 x the ceiling height.</p> <ul style="list-style-type: none"> <li>In open plan layouts (where the living, dining + kitchen are combined) the max habitable room depth is 8m from a window.</li> </ul> <p>Objective 4D-3                  Apartment layouts are designed to accommodate a variety of household activities and needs.</p> <p>Design criteria</p> <ul style="list-style-type: none"> <li>Master bedrooms have a minimum area of 10m<sup>2</sup> and other bedrooms 9m<sup>2</sup> (excluding wardrobe space)</li> <li>Bedrooms have a minimum dimension of 3m (excluding wardrobe space)</li> <li>Living rooms or combined living/dining rooms have a minimum width of 4m for 2 and 3 bedroom apartments.</li> <li>The width of cross-over or cross-through apartments is at least 4m internally to avoid deep narrow apartment layouts.</li> </ul>	<p>Living room to units #1, #3, #5 have a depth of 8 meters with a kitchen beyond this depth with a window to the south.</p> <p>Living room to units #2, #4, #6 have a depth of 8 meters with glazed sliding doors to the east on to a balcony</p> <p>All bedrooms in bedroom units are 9 m<sup>2</sup> (excluding wardrobe space) with master bedrooms exceeding 10 m<sup>2</sup></p>
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**4E Private open space and balconies**

<p>Objective 4E-1                  Apartments provide appropriately sized private open space and balconies to enhance residential amenity.</p> <p>Design criteria                  All apartments are required to have primary balconies as follows:</p> <ul style="list-style-type: none"> <li>Studio: 4m<sup>2</sup> min</li> <li>1 bed: 8m<sup>2</sup> min + 2m depth</li> <li>2 bed: 10m<sup>2</sup> + 2m depth</li> <li>3 bed: 12m<sup>2</sup> + 2.4m depth</li> </ul> <ul style="list-style-type: none"> <li>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</li> <li>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m<sup>2</sup> and a minimum depth of 3m.</li> </ul> <p>Objective 4E-2                  Primary private open space and balconies are appropriately located to enhance livability for residents.</p> <p>Objective 4E-3</p>	<p>All balconies meet the prescribes areas of the ADG ;                  All 2 bed units have private open spaces/balconies of 12 m<sup>2</sup> with 2 meter depth</p> <p>All 3 bed units have private open spaces/balconies 12m<sup>2</sup> with 2.4m depth</p> <p>All balconies have directly accessed the living areas, with all balconies having northerly aspects.</p> <p>All private open spaces/balconies face the riverside boardwalk</p>
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<p>Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.</p> <p>Objective 4E-4                  Private open space and balcony design maximises safety</p>	
<p><b>4F Common circulation and spaces</b></p>	
<p>Objective 4F-1                  Common circulation spaces achieve good amenity and properly service the number of apartments.</p> <p>Design criteria</p> <ul style="list-style-type: none"> <li>• The maximum number of apartments off a circulation core on a single level is eight (8).</li> <li>• For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</li> </ul> <p>Achieving the design criteria for the number of apartments off a circulation core may not be possible. Where a development is unable to achieve the design criteria, a high level of amenity for common lobbies, corridors and apartments should be demonstrated, including:</p> <ul style="list-style-type: none"> <li>• sunlight and natural cross ventilation in apartments</li> <li>• access to ample daylight and natural ventilation in common circulation spaces</li> <li>• common areas for seating and gathering</li> <li>• generous corridors with greater than minimum ceiling heights</li> <li>• other innovative design solutions that provide high levels of amenity</li> </ul> <p>Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level.</p> <p>Longer corridors greater than 12m in length from the lift core should be articulated. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• a series of foyer areas with windows and spaces for seating</li> <li>• wider areas at apartment entry doors and varied ceiling heights</li> </ul> <p>Objective 4F-2                  Common circulation spaces promote safety and provide for social interaction between residents.</p>	<p>The proposal addresses the entry to the public domain of the riverside boardwalk.</p> <p>There is the common room off the entry providing further passive surveillance and connectivity to the public domain.</p> <p>At each of the residential levels the lobbies are naturally ventilated with naturally lit.</p> <p>All lobbies have regard for accessibility access to the units.</p> <p>A lift provides access to all levels.</p> <p>There are only 2 units per residential level.</p>
<p><b>4G Storage</b></p>	
<p>Objective 4G-1                  Adequate, well-designed storage is provided in</p>	<p>All units meet the prescribes storage areas of the ADG with the unit;</p>

<p>each apartment.</p> <p>Design criteria                  In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <ul style="list-style-type: none"> <li>• Studio: 4m<sup>3</sup></li> <li>• 1 bed: 6m<sup>3</sup></li> <li>• 2 bed: 8m<sup>3</sup></li> <li>• 3 bed: 10m<sup>3</sup></li> </ul> <p>At least 50% of the required storage is to be located within the apartment.</p> <p>Objective 4G-2                  Additional storage is conveniently located, accessible and nominated for individual apartments.</p>	<p>All 2 bed units have 10m<sup>3</sup> storage exceeding the required 8m<sup>3</sup></p> <p>All 3 bed units have 10 m<sup>3</sup> storage as per requirement</p> <p>Refer to Architect drawing A23.</p>
<p><b>4H Acoustic privacy</b></p>	
<p>Objective 4H-1                  Noise transfer is minimised through the siting of buildings and building layout.</p> <p>Objective 4H-2                  Noise impacts are mitigated within apartments through layout and acoustic treatments.</p>	<p>The design of the proposal responds to potential noise to and from the development via the use of solid walls, returns along the edge of balconies and semi-open screens along the ground level boardwalk that will buffer noise across the northern boundary.</p>
<p><b>4J Noise and pollution</b></p>	
<p>Objective 4J-1                  In noisy or hostile environments, the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.</p> <p>Achieving the design criteria in this Apartment Design Guide may not be possible in some situations due to noise and pollution. Where developments are unable to achieve the design criteria, alternatives may be considered in the following areas:</p> <ul style="list-style-type: none"> <li>• solar and daylight access</li> <li>• private open space and balconies</li> <li>• natural cross ventilation</li> </ul> <p>Objective 4J-2                  Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.</p> <p>Design solutions to mitigate noise include:</p> <ul style="list-style-type: none"> <li>• limiting the number and size of openings facing noise sources</li> <li>• providing seals to prevent noise transfer through gaps</li> <li>• using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)</li> </ul>	<p>The site is not a noisy environment due to traffic noise or residential neighbours. Privacy from the west has been addressed, including solid walls which will buffer direct noise from the adjoining area. Suitable glazing of balcony doorways will reduce from the public domain.</p>

<ul style="list-style-type: none"> <li>• using materials with mass and/or sound insulation or absorption properties e.g. solid balcony balustrades, external screens and soffits</li> </ul>	
<b>4K Apartment mix</b>	
<p><b>Objective 4K-1</b>                  A range of apartment types and sizes is provided to cater for different household types now and into the future.                  A variety of apartment types is provided</p> <p>The apartment mix is appropriate, taking into consideration:</p> <ul style="list-style-type: none"> <li>• the distance to public transport, employment and education centres</li> <li>• the current market demands and projected future demographic trends</li> <li>• the demand for social and affordable housing</li> <li>• different cultural and socioeconomic groups</li> </ul> <p>Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households</p> <p><b>Objective 4K-2</b>                  The apartment mix is distributed to suitable locations within the building.</p> <ul style="list-style-type: none"> <li>• Different apartment types are located to achieve successful facade composition and to optimise solar access.</li> <li>• Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available.</li> </ul>	<p>The proposal is 6 unit a boutique development with the aim is to provide larger internal amenity to entice residents to live in the heart of Maitland Town Centre.</p> <p>The mix is appropriate for the size of the development and the objective to house families, multi-generational families in the heart of Maitland Town Centre.</p>
<b>4L Ground floor apartments</b>	
<p><b>Objective 4L-1</b>                  Street frontage activity is maximised where ground floor apartments are located.</p> <ul style="list-style-type: none"> <li>• Direct street access should be provided to ground floor apartments</li> <li>• Activity is achieved through front gardens, terraces and the facade of the building.</li> <li>• Design solutions may include:</li> <li>• both street, foyer and other common internal circulation entrances to ground floor apartments</li> <li>• private open space is next to the street</li> <li>• doors and windows face the street</li> </ul> <p><b>Objective 4L-2</b>                  Design of ground floor apartments delivers amenity</p>	<p>There are no ground floor apartments.</p>

and safety for residents	
<b>4M Façade</b>	
<p>Objective 4M-1                  Building facades provide visual interest along the street while respecting the character of the local area.</p> <p>Design solutions for front building facades may include:</p> <ul style="list-style-type: none"> <li>• a composition of varied building elements</li> <li>• a defined base, middle and top of buildings</li> <li>• revealing and concealing certain elements</li> <li>• changes in texture, material, detail and colour to modify the prominence of elements.</li> </ul> <ul style="list-style-type: none"> <li>• Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights</li> </ul> <p>Objective 4M-2                  Building functions are expressed by the façade.</p> <ul style="list-style-type: none"> <li>• Building entries should be clearly defined.</li> <li>• Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height.</li> <li>• The apartment layout should be expressed externally through facade features such as party walls and floor slabs.</li> </ul>	<p>The façade facing the boardwalk is proposed to be Maitland-red brick with metal framed elements bracing up the façade. The lift and fire stair are proposed to be off form concrete and are to the south of the site. The proposed window proportions are similar to that of the dilapidated Bond store.</p>
<b>4N Roof design</b>	
<p>Objective 4N-1                  Roof treatments are integrated into the building design and positively respond to the street.</p> <p>Roof design relates to the street. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• special roof features and strong corners</li> <li>• use of skillion or very low pitch hipped roofs</li> <li>• breaking down the massing of the roof by using smaller elements to avoid bulk</li> <li>• using materials or a pitched form complementary to adjacent buildings</li> </ul> <p>Objective 4N-2                  Opportunities to use the roof space for residential accommodation and open space are maximised.</p> <p>Objective 4N-3                  Roof design incorporates sustainability features.</p>	<p>The roof form is flat the aim is to concentrate on the façade treatment to the riverside boardwalk.</p>
<b>4O Landscape design</b>	
Objective 4O-1	There are no existing landscape features of

<p>Landscape design is viable and sustainable.</p> <p>Recommended tree planting:</p> <ul style="list-style-type: none"> <li>• Up to 850m<sup>2</sup>: 1 medium tree per 50m<sup>2</sup> of deep soil zone</li> <li>• Between 850 - 1,500m<sup>2</sup>: 1 large tree or 2 medium trees per 90m<sup>2</sup> of deep soil zone</li> <li>• Greater than 1,500m<sup>2</sup>: 1 large tree or 2 medium trees per 80m<sup>2</sup> of deep soil zone</li> </ul> <p>Objective 4O-2                  Landscape design contributes to the streetscape and amenity.</p>	<p>the site. There are 3 areas of deep soil planting - all providing adequate landscaped areas.</p>
<b>4P Planting on structures</b>	
<p>Objective 4P-1                  Appropriate soil profiles are provided.</p> <p>Objective 4P-2                  Plant growth is optimised with appropriate selection and maintenance.</p> <p>Objective 4P-3                  Planting on structures contributes to the quality and amenity of communal and public open spaces.</p>	<p>There is a verge screen on the riverside boardwalk which defines the edge of the boardwalk and is the signature landscape element to the boardwalk.</p>
<b>4Q Universal design</b>	
<p>Objective 4Q-1                  Universal design features are included in apartment design to promote flexible housing for all community members.</p> <ul style="list-style-type: none"> <li>• Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guidelines' silver level universal design features.</li> </ul> <p>Objective 4Q-2                  A variety of apartments with adaptable designs are provided.</p> <ul style="list-style-type: none"> <li>• Adaptable housing should be provided in accordance with the relevant council policy</li> </ul> <p>Objective 4Q-3                  Apartment layouts are flexible and accommodate a range of lifestyle needs.</p>	<p>All units are design to accommodate silver level adaptable living</p> <p>Refer to Architectural plans with the DA set.</p>
<b>4T Awnings and signage</b>	
<p>Objective 4T-1                  Awnings are well located and complement and integrate with the building design.</p> <p>Objective 4T-2                  Signage responds to the context and desired</p>	<p>N/A</p>



<p>Objective 4T-1 Awnings are well located and complement and integrate with the building design.</p> <p>Objective 4T-2 Signage responds to the context and desired streetscape character.</p>	<p>N/A</p>
<p><b>4U Energy efficiency</b></p>	
<p>Objective 4U-1 Development incorporates passive environmental design.</p> <p>Objective 4U-2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.</p> <p>Objective 4U-3 Adequate natural ventilation minimises the need for mechanical ventilation.</p>	<p>The BASIX Certificate is submitted with the DA documents.</p> <p>The proposed building has been designed for optimal energy efficiency.</p>
<p><b>4V Water management and conservation</b></p>	
<p>Objective 4V-1 Potable water use is minimised.</p> <p>Objective 4V-2 Urban stormwater is treated on site before being discharged to receiving waters.</p> <p>Objective 4V-3 Flood management systems are integrated into site design.</p>	<p>A Stormwater Management Plan is submitted with the DA documents.</p> <p>A BASIX Certificate is submitted with the DA documents.</p> <p>The site is not mapped as within a flood planning area. No ground floor apartments. All habitable areas are well above flood level.</p>
<p><b>4W Waste management</b></p>	
<p>Objective 4W-1 Waste storage facilities are design to minimise impacts on the streetscape, building entry and</p>	<p>Provisions for the garbage room and the bin numbers comply with the requirements of the Maitland City Council.</p>