

Statement of Environmental Effects



35 Raymond Terrace Road,
East Maitland NSW 2323
Reference: 22035 Dated: January 2023



1.0 Introduction2

1.1 The Applicant2

1.2 Site Analysis, Context and Location2

1.3 Consultation4

1.4 Previous and Present Uses.....4

1.5 Approvals Sought4

2.0 The Proposal.....5

3.0 Planning Controls7

3.1 Environmental Planning & Assessment Act 1979 (EP&A Act)7

3.1.1 Integrated Development7

3.1.2 Designated Development7

3.2 Section 4.15 Assessment7

3.2.1 Provisions of any Environmental Planning Instruments8

3.2.2 Development Control Plan.....10

3.2.3 The Likely Impacts of That Development11

3.2.4 Suitability of the Site12

3.2.5 Any Submissions.....12

3.2.6 The Public Interest.....13

4.0 Conclusion13

5.0 Supporting Documentation14



1.0 Introduction

This Statement of Environmental Effects (SEE) has been prepared to accompany the development application (DA) for 1-into-2 Lot Torrens Title Subdivision, Construction of 4 Single Storey Townhouses, and 1-into-4 Lot Strata Title Subdivision at 35 Raymond Terrace Road, East Maitland NSW 2323 (the site). The proposal also includes the removal of a single mature tree.

The aim of this SEE is to assist Council with the assessment of the DA by indicating the following matters:

- (a) the environmental impacts of the development,
- (b) how the environmental impacts of the development have been identified,
- (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,
- (d) any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of this clause

1.1 The Applicant

Alva Property Group / TJ and AJ Pty Ltd

1.2 Site Analysis, Context and Location

Property Address	35 Raymond Terrace Road, East Maitland NSW 2323
Lot/Section/Deposit Plan	Lot: 3, Sec: 48, DP: 758374
Zone	R1 – General Residential
Property Size	1,732 m ²
Property Constraints	Acid Sulfate Soils – Class 5, Nil others noted in Planning Certificate No. PC/2022/826
Consent Authority	Maitland City Council



The site is located at 35 Raymond Terrace Road, East Maitland NSW 2323. There is a single storey weatherboard, with a tiled roof currently situated on the site. The site also contains three sheds and a brick front fence which have been previously approved for Demolition (CDC/2022/562). The site is of regular rectangular shape and fall toward Alliance Street at the rear. A single mature tree is located in the middle of the lot, on the western side.

The site is surrounded by other residential accommodation and is a predominantly a mix of older housing stock, and more recent multi-dwelling housing developments in the same format which this application proposes. The site is situated in close proximity to public transport, shopping centres, schools and recreational areas within East Maitland.

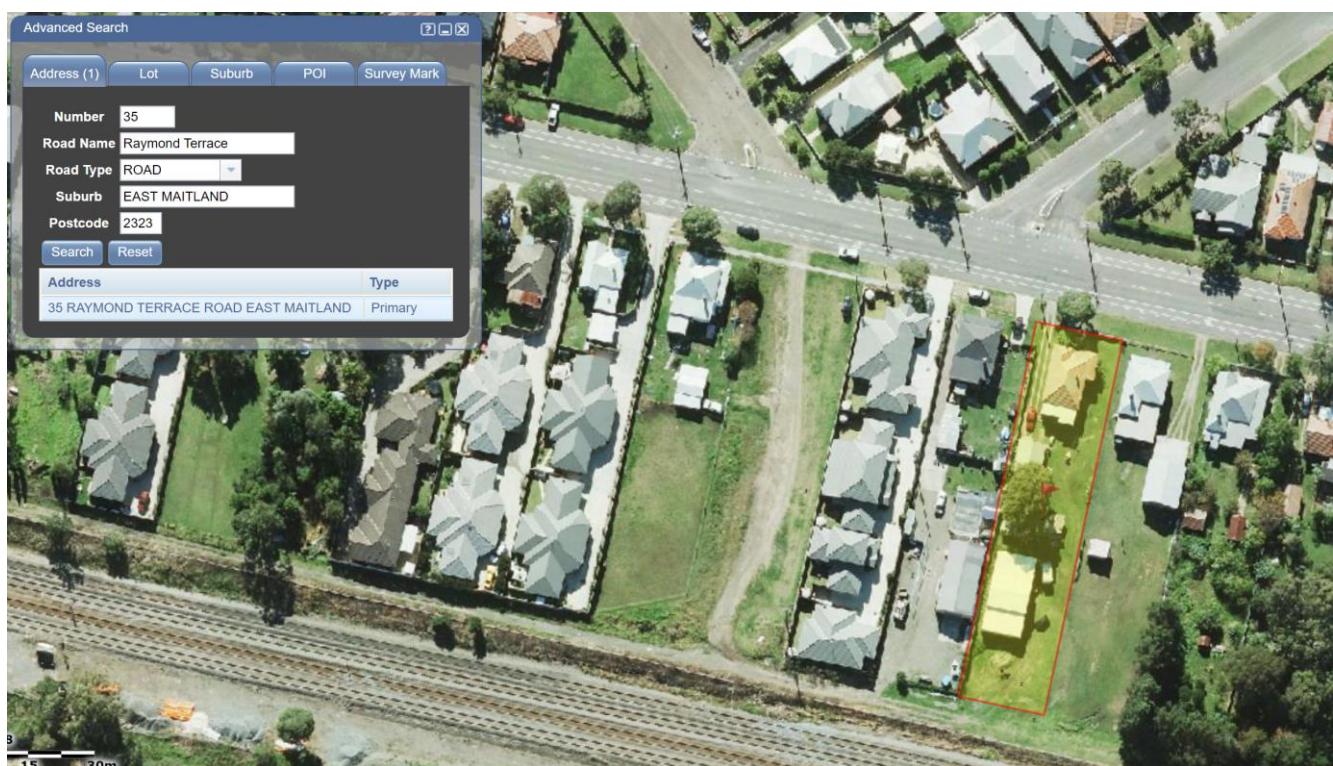


Figure 1: Site Location (Six Maps, January 2023)

1.3 Consultation

The proposal has been reviewed against the applicable planning controls, which include the Maitland Local Environmental Plan 2011 (LEP) and the Maitland Development Control Plan 2011 (DCP). No further consultation has been held with Council staff prior to the preparation of this document.

1.4 Previous and Present Uses

The site is currently being used for residential accommodation, in the way of a single weatherboard and tiled roof dwelling house. Multiple ancillary structures are contained on the site, including three sheds. After review of Maitland City Council's Application Tracking tool, it is not evident that other previous approvals have been granted on the site, other than for the Demolition of the three sheds and brick fence (CDC/2022/562).

1.5 Approvals Sought

The application seeks development consent for 1-into-2 Lot Torrens Title Subdivision, Construction of 4 Single Storey Townhouses, and 1-into-4 Lot Strata Title Subdivision. The approval is sought through Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).



2.0 The Proposal

The proposal includes the following two-stage Development:

Stage 1

1-into-2 Lot Torrens Title Subdivision

Stage 1 of the development is the subdivision of the existing site into two lots as follows:

- Lot 1 – Existing Dwelling – 377.2m²
- Lot 2 – Stage 2 Development Site – 1,355m²

Each lot will be provided with essential services including:

- Electricity
- Sewer
- Water
- Gas
- NBN

It is noted that the lot size of proposed Lot 1 is less than the minimum required under the clause 4.1 of the LEP (450m²). As such, the proposed subdivision has been designed to meet the objectives and provisions of clause 4.1A of the LEP. This will be further justified in section 3.2.1 of this document.

The desire to stage the development works and complete the 1-into-2 Lot Torrens Title Subdivision up front is to facilitate finance requirements for the project, allowing the dwelling to be sold, releasing funds and serviceability to fund the townhouse development on the proposed Lot 2.

Stage 2

Construction of 4 Single Storey Townhouses

The construction of a multi-dwelling housing development, which will comprise of four single storey units.

The proposal is an architecturally designed multi-dwelling housing development. The design incorporates a diverse range of materials and finishes, which will positively respond to the desired future character of the street. The proposal will contribute to the streetscape through built form and landscape that responds and respects the local context. The proposal will also contribute to local housing requirements, particularly given its proximity to transport, health and retail infrastructure.



Each Unit will comprise of the following:

- Master Bedroom with Walk-in Wardrobe and Ensuite
- Two Bedrooms with Built-in Wardrobe
- Kitchen
- Open Plan Living and Dining Room
- Bathroom
- Laundry
- Linen Cupboard
- Storage Cupboard
- Double Garage
- Alfresco

There are also two Visitor Carparks provided to support guests visiting residents.

1-into-4 Lot Strata Title Subdivision

Once constructed to lockup stage, it is proposed to that the 4 townhouse units will be subject to a Strata Subdivision, in accordance with the submitted Draft Strata Plan.

Tree Removal

A single mature tree is proposed to be removed as part of the development. The tree is located in the middle of the lot, on the western side. The tree is isolated and does not provide connection to other vegetation. NearMaps historical aerial imagery shows that similar trees have been cleared in the past to facilitate development of the same nature.

Stormwater Management

A Stormwater Management Plan has been prepared by AWCE and is provided as supporting documentation. The plan outlines on-site management of stormwater including a 3500L rainwater tank to each proposed dwelling, comprising 2500L of storage plus 1000L to meet BASIX requirements, a 13.9m³ on-site sand filter, and stormwater pits and pipes. Roof water will drain to the rainwater tanks, with overflows connected to the stormwater pits, which in turn connect to the sand filter. The sand filter will then discharge via a pit to Alliance Street at the rear as overland flow.

Summary

It is considered that the development strongly aligns with the aims and objectives of Councils LEP and DCP. It is considered to have achieved excellence in design, by ensuring each unit maximises solar access to living areas and private open space to the best advantage of the site. It demonstrates that health, safety, and amenity have all been carefully considered in the design of the building, while ensuring the proposal will not have an adverse impact on the environment. Finally, the development provides medium density housing in a location central to neighbourhood facilities, as well as major transport and health services.



A further detailed analysis of the proposed development can be found in the DCP Compliance table attached as a separate document.

3.0 Planning Controls

The following planning controls are deemed applicable for the proposed development, and therefore have been considered in the preparation of this SEE.

3.1 Environmental Planning & Assessment Act 1979 (EP&A Act)

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the relevant legislation for the proposed development. This SEE has been prepared in accordance with the matters of consideration under section 4.15 Evaluation (cf previous 79C) of the EP&A Act, as outlined in section 3.2 below.

3.1.1 Integrated Development

Not applicable to this development

3.1.2 Designated Development

Not applicable to this development

3.2 Section 4.15 Assessment

Section 4.15 of the EP&A Act outlines the matters for consideration in the determination of a Development Application. The relevant matters for consideration are addressed individually below.



3.2.1 Provisions of any Environmental Planning Instruments

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

The proposal is defined as BASIX Affected Development, and as such a BASIX Certificate for each proposed townhouse accompanies this application. All BASIX Commitments have been nominated on the submitted architectural plans.

Local Environmental Plan

Maitland Local Environmental Plan 2011

LEP Provision	Details	Comment
Part 2: Objectives of Zone R1	<ul style="list-style-type: none"> To provide for the housing needs of the community. To provide for a variety of housing types and densities. To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	The proposal strongly aligns with the objectives as listed in the Zone R1 land use table.
Part 2: Land Use Table	<p><u>Permitted with consent:</u> Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4.</p>	The subject site is Zone R1 General Residential. Multi Dwelling Housing is permissible with consent in the subject zone.

4.1 Minimum subdivision lot size	The minimum lot size for the subject site is 450 m ²	<p>Subdivision of the existing site is proposed as follows:</p> <p>Lot 1 – Existing Dwelling – 377.2m²</p> <p>Lot 2 – Stage 2 Development Site – 1,355m²</p> <p>Due to the proposed Lot 1 being under the minimum lot size, compliance with clause 4.1A is demonstrated below.</p>
4.1A Exceptions to minimum lot sizes in Zone R1	<p>Despite clause 4.1, consent may be granted to development on land to which this clause applies if the development includes both of the following:</p> <p>(a) the subdivision of land into 2 or more lots equal to or greater than 300 square metres,</p> <p>(b) the erection of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision.</p>	The proposal has demonstrated compliance with the intentions of clause 4.1A in that both resulting lots exceed 300m ² and, upon completion of the development, Lot 1 will retain the existing dwelling, while Lot 2 will contain the multi-dwelling housing development.
4.3 Height of buildings	Not applicable	Please refer to the DCP compliance table, which demonstrates compliance with Councils Controls.

4.4 Floor space ratio	Not applicable	Not applicable
4.6 Exception to development standards	Clause 4.6 outlines the requirements when a proposal seeks to contravene/vary a principal development standard	There is no 4.6 variation request for this application.
7.1 Acid Sulfate Soils	<p>Acid Sulfate Management Plan or Preliminary Assessment is required for the following works:</p> <p>Class 5</p> <p>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	This proposal does not trigger the requirement for an Acid Sulfate Management Plan.
7.2 Earthworks	<p>The objectives of Part 6.2 are as follows:</p> <p>(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without requiring a separate development consent</p>	There are no foreseen impacts of the minimal earthworks that will be required for the proposed development. They are considered standard for normal residential dwelling construction.

3.2.2 Development Control Plan

Please refer to supporting document: Development Control Plan Compliance Table



3.2.3 The Likely Impacts of That Development

Consideration	Comment
3.2.3.1 Aboriginal Archaeology	The proposed development is not likely to cause any damage to Aboriginal objects, as the development is located within an existing residential area with existing site disturbances.
3.2.3.2 Context and Setting	The proposed development has demonstrated consistency of the surrounding locality through the environmental planning regulations and site features informing the overall development design.
3.2.3.3 Visual Impact	The development has been designed in a way and style that complements the area and is considered to align with the Maitland LEP and DCP. The development is not anticipated to have an adverse impact to the surrounding community and is consistent with the existing streetscape.
3.2.3.4 Access, Transport and Traffic	Due to the small residential nature of the development, it is not considered it will cause any unacceptable level of impact on the local road network.
3.2.3.5 Public Domain	The minor nature of the residential works is not anticipated to have any adverse impact to the public domain.
3.2.3.6 Services	Electricity, telephone, and physical, legal, and emergency service access is available to the site. The site has reticulated water supply and reticulated sewer service available. Servicing is to be extended to the new dwellings as part of the development.
3.2.3.7 European Heritage	The site is not within a heritage area or withing close proximity to any existing heritage items.
3.2.3.8 Flooding	The site is not located within a flood prone area.
3.2.3.9 Bushfire	The site is not located within a bushfire zone.
3.2.3.10 Ecology	A single mature tree is proposed to be removed as part of the development. The tree is located in the middle of the lot, on the western side. The tree is

	isolated and does not provide connection to other vegetation. NearMaps historical aerial imagery shows that similar trees have been cleared in the past to facilitate development of the same nature. There are no foreseen ecological impacts anticipated as result of the proposed development.
3.2.3.11 Noise and Vibration	No potential noise or vibration impacts have been identified. Construction noise will be as per normal construction times/processes.
3.2.3.12 Social and Economic Impact	The proposed development is for multi dwelling housing and will provide additional residential accommodation to the community and should have no detrimental social or economic impact on the area.

3.2.4 Suitability of the Site

The subject site is zoned R1 General Residential, the proposal strongly aligns with the objectives of the zone. Furthermore, it is considered appropriate for the proposed use as the area is surrounded by similar buildings of a similar size. As such it is considered that the development is suitable for the site and the surrounding area.

3.2.5 Any Submissions

The development application may require notification to adjoining landowners by Council in accordance with the Community Participation Plan 2019. Given the likely benefits of the proposal, and its consistency with the state and local planning instruments and strategies, as well as surrounding development, it is not expected to raise significant objection.



3.2.6 The Public Interest

The proposed development is in the public interest as:

- It provides for the orderly and economic use of an existing residential site;
- It caters for modern day domestic requirements;
- It will provide employment with associated social and economic benefits during the construction of the development; and
- It will provide medium density housing in a location central to neighbourhood facilities, as well as major transport and health services.

4.0 Conclusion

As demonstrated within this SEE and the accompanying documentation, the proposal is considered to achieve the following outcomes:

- Inspire innovative design
- Ensure the development does not have adverse impacts on residential amenity
- Responds to the characteristics of the site and the qualities of the surrounding urban environment, and the desire future character

The proposal is an architecturally designed multi dwelling housing development. The design incorporates a diverse range of materials and finishes, which will positively respond to the desired future character of the street. The proposal will contribute to the streetscape through built form and landscape that responds and respects the local context. The proposal will also contribute to local housing requirements, particularly given its proximity to transport, health and retail infrastructure.

It is considered that the development strongly aligns with the aims and objectives of Councils LEP and DCP. It is considered to have achieved excellence in design, by ensuring each unit maximises solar access to living areas and private open space to the best advantage of the site. It demonstrates that health, safety, and amenity have all been carefully considered in the design of the building, while ensuring the proposal will not have an adverse impact on the environment. Finally, the development provides medium density housing in a location central to neighbourhood facilities, as well as major transport and health services.

It is recommended that Council approve the application as proposed.



5.0 Supporting Documentation

- Architectural Plans
- Survey Plan
- Slab Engineering Plans
- Stormwater and Driveway Plans
- Site Classification Investigation
- BASIX Certificates
- Rail Noise and Vibration Assessment
- Draft Deposited Plan
- Draft Strata Plan
- Signed Owners Consent
- Development Control Plan Compliance Table
- Site Waste Minimisation and Management Plan

Disclaimer

While we have made every attempt to ensure that the information contained within this document is correct, Alva Property Group (author) is not responsible for any errors or omissions, or for the results obtained from the use of this information. The author has relied upon a range of external data/information in the preparation of this documentation. In no event will the author be liable for any decision made or action taken in reliance on the information within this document, or for any consequential, special, or similar damages.

