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Statement of Environmental Effects

Accompanying a development application for

Construction of a multi dwelling housing development
comprising 7 x 2 bedroom dwellings and subdivision of
site into two lots

At

Lot 50 DP 535763
47 Raymond Terrace Road East Maitland

February 2023

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1. Introduction

This statement of environmental effects has been prepared by David Carey Town Planning & Development to accompany a development application for the construction of a multi dwelling housing development and subdivision at 47 Raymond Terrace Road East Maitland. The statement has been on behalf of Lynne Chen.

The proposal has been designed to achieve the relevant provisions and objectives of Maitland Local Environmental Plan 2011 and Clause 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended).

The proposed development is integrated development, pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979*, as works are proposed on a classified road (Raymond Terrace Road) that will require the consent of Transport for NSW under s138 of the *Roads Act 1993*.

The works address the site and its context and will provide modern, well designed housing. The proposed development utilises an underdeveloped site zoned for housing in the Maitland Local Government area.

In terms of design, careful consideration has been given to the floor layout, design, appearance and amenity for residents and neighbours. The works will ensure that the needs of the future residents will be met and that the development is in a scale and character which is compatible and consistent with the existing and adjoining developments.

This statement has been prepared having regard to the following documentation:

- Architectural plans prepared by 3D Works
- Landscape plan prepared by Zenya Landscapes
- Stormwater drainage plans prepared by Rise Engineers
- Traffic noise vibration assessment prepared by Rodney Stevens Acoustics

2. Site description and analysis

2.1 Location and property description

The site consists of one torrens title lot with a legal property description of Lot 50 DP 535763. The street address of the site is 47 Raymond Terrace Road East Maitland.



Figure 1 – Aerial view of site (Source – SIX Maps)

2.2 Site characteristics

The subject site consists of one lot with an irregular shape. The area of the site is 1891m². The site has a maximum depth of 90.3m and a width at the street of 21.03m. There is a rear lane between the site and the railway line.

The site currently contains a single storey detached weatherboard dwelling house and associated structures.

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Figure 2 – View of site from Raymond Terrace Road (Google Maps)

The subject site slopes gently away from the street. Vehicular access to the subject site is available from Raymond Terrace Road. The site is fully serviced with telephone, electricity, water and sewerage services.

2.3 Surrounding development

The subject site is located within an established residential area on the northern side of the railway in East Maitland.

3. Details of proposal

3.1 Proposed works

The proposed works are as follows:

- Removal of trees and the construction of a multi dwelling housing development comprising 7 x 2 bedroom dwellings, subdivision of the site into two lots

Overall, the site will be enhanced as an underutilised site zoned for residential purposes will be provided with new housing, with the development having no adverse impact on the surrounding area.

The proposed subdivision will create two new lots, with proposed Lot 47A containing the existing dwelling house which will be retained on the site. Proposed lot 47B will contain the proposed seven new dwellings. A right of way will be provided to facilitate access to the street for both lots and an easement for drainage across proposed lot 47B will be created benefiting proposed lot 47A.

A Hunter water coordinator will be engaged as the sewer line crosses under the building.

4 Clause 4.15 -Matters for consideration

The following provides an assessment of the proposal against the provisions of Clause 4.15 of the Environmental Planning and Assessment Act (as amended).

(a) the provisions of:

(i) any environmental planning instrument

Maitland Local Environmental Plan 2011

The subject site is zoned R1 General Residential under the Maitland LEP 2011. The objectives of the zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed multi dwelling housing is permissible under the zoning. The proposed housing will provide attractive, affordable and well-located housing in a location accessible to facilities and is consistent with the objectives of the zone.

Clause 4.1 Minimum subdivision lot size

The minimum subdivision lot size for the site is 450m². Both proposed lots have an area equal to or greater than 450m² and the proposed development complies with this clause.

Clause 5.21 Flood planning

Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) the intended design and scale of buildings resulting from the development,*
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*

(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

Based on information provided by Council, the flood level for the site is 5.9m AHD plus 500mm freeboard. All floor levels have been designed to be at or above this level. The proposed development will not adversely affect the flood behaviour of the land and evacuation in the event of an emergency is available via Raymond Terrace Road. The proposed development will have minimal impact on erosion and construction will occur in accordance with an erosion control plan. The proposed development complies with this clause.

Clause 7.1 Acid sulphate soils

The land is categorised as class 5 acid sulphate soils. There will be no impact on compliance with this clause, as the proposed works will not lower the water table below one metre.

Clause 7.2 Earthworks

This clause provides that development consent is required for earthworks unless—

- (a) the work is exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) the work is ancillary to other development for which development consent has been given.*

Before granting development consent for earthworks, the consent authority must consider the following matters—

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) the effect of the proposed development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

Only very minor earthworks are proposed in order to facilitate useable floor levels for the proposed dwellings. The earthworks will not have any significant impact on existing drainage patterns. Any fill to be used will be VENM material and there are no known relics on the site. There will be no adverse impact on an adjoining watercourse, drinking water catchment or environmentally sensitive area. The proposed development complies with this clause.

(iii) any development control plan

Maitland Development Control Plan 2011

The following table addresses compliance with the Development Control Plan relevant to the development.

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Clause	Required	Proposed	Complies
B.2 Domestic stormwater	1. Retention capacity. For each new dwelling development, the storm water retention capacity is to be in accordance with the BASIX requirements in regard to the designated roof area to be employed for catchment. This means the required roof area catchment shall be adequately served by sufficient downpipes directing flows to the tank and equally sufficient discharge via overflow lines.	BASIX Certificate provided	Yes
	2. Location of feed lines. All feed storm water lines shall be of 100mm sewer grade PVC. The PVC pipes and components shall be handled and joined in accordance with AS/NZS 2032:2006. Storm water lines shall be located away from the foundation/s of the building/s. Storm water lines shall have a minimum of 300mm ground cover. The configuration of the charged stormwater line to rainwater tanks shall be such that the initial flow into the line is directed to the lowest flush point, (refer figs 1 & 3). Charged stormwater lines shall be laid so that a flush point is provided at finished ground level at the lowest point of the charged line. This flush point is required in addition to any first flush provided in the lines directed to the tank. The purpose of the flush point is to enable simple access to the charged line by the property owner to facilitate periodic draining of the charged line so as to avoid accumulative contamination of the charged line/s. Ideally the flush point should be located where discharge can disperse onto grassed area, gardens or rubble pit. The flush point is to be provided with permanent signage to indicate the purpose of the flush point (refer fig 1).	To comply	Yes
	3. Rain water tanks. On-site rainwater tanks shall be constructed of an approved material. Preference should orientate toward lighter colours for the exterior of the tank where the tank is located above ground. All exposed PVC stormwater lines shall be painted with a U.V resistant paint. The tank shall be located so as not to compromise fire separation of buildings or access to the exterior of buildings. Sub surface detention systems are not acceptable as a method of rainwater storage for the purpose of non-potable domestic use. This means on site storm water detention systems are not to be used for the purpose of BASIX compliance unless the installation of the underground detention is specifically designed as on-site detention and subsequently approved by Council. Above ground tank installation should be the preferred method of rainwater storage and shall be provided with an adequate reinforced concrete slab for support or a base in accordance with the tank manufacturer's recommendation. Piering below the slab may be required and will depend upon site conditions. The tank manufacturer's recommendations are to be followed where a substrate material is required between the underside of the tank and the concrete slab. Bases for supporting tanks shall provide adequate provision to disperse water away from the building and avoid accumulated moisture build up around the tank area. Underground tank installation is not acceptable where sufficient fall from the tank overflow to the street or inter-allotment drainage (IAD) infrastructure is not achievable. The minimum gradient (fall) from the tank overflow to the discharge point shall be 1:100 measured at the invert at the (underground) tank overflow and the invert of the discharge point. The overflow from (above ground) tanks shall achieve the same fall of 1:100. Where overflow lines serve underground tanks, backflow prevention devices are to be provided within the overflow line to deny the re- entry of flood water and vermin. (Refer fig 7).	To comply	Yes
	4. Configuration of stormwater lines. Stormwater lines shall be laid in a configuration that directs the initial flow to the lowest discharge point. All lines shall be laid with fall to the lowest (flush) point. Stormwater lines laid that are not level or with fall to the flush point will not be acceptable (refer fig 5). The overflow line should be of sufficient capacity to permit discharge without overflow from the tank itself occurring. Stormwater management plans shall be prepared by the	To comply	Yes

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	<p>applicant to be lodged with the Development Application. The stormwater management plan shall consist of the following: (i) RL's of the kerb, tank location and flush point. (ii) A site plan depicting the proposed location of the stormwater lines, the location of the flush point and the proposed location of the rainwater tank. The rainwater tank will be clearly marked as in-ground, above ground, or erected on a tank stand. The tank location should also indicate the proposed location of the weather-proof GPO (general power outlet) and pump.</p> <p>5. Stormwater lines over Council's nature strip shall be 100mm sewer grade PVC and achieve 300mm cover where possible. Where the line approaches the kerb, a 150 fitting shall be provided to enable the line to maintain the required coverage and angle up towards the kerb outlet fitting. The kerb outlet fitting shall be a pre-cast alloy or aluminium fitting with the rear (footpath side) of the fitting adequately concreted around the connection. (Refer fig 6). The kerb fitting should be either cut as low into the kerb as possible to provide maximum concrete cover, or neatly flush with the top of the kerb with no concrete cover.</p> <p>6. Stormwater generated from hardstand areas. Stormwater that is generated from overland flow and hardstand areas such as driveways, shall be directed to the tank overflow line to discharge to the street, rubble drain or IAD pit as applicable. This stormwater drainage is acceptable in 90mm PVC but must not inter-connect with any line directed to the rainwater storage. This means that any overland flows intercepted by grates, spoon drains and the like must discharge directly through overflow lines and not be permitted to enter the tank storage. It is recommended that this line be independent of all stormwater lines interconnected to the tank feed/discharge.</p> <p>7. Mosquitoes. Adequate provision shall be made to ensure all stored rainwater in charged lines and the tank/s is protected from mosquito infestation and subsequent breeding.</p>	<p>No stormwater lines over Council's nature strip proposed</p> <p>Discharge from OSD tank to drain to rear lane in accordance with Council's requirements</p> <p>To comply</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
<p>B.3 Hunter River Floodplain</p>	<p>Maitland LEP 2011 clause 5.21 Flood planning, associated Flood Planning Map and also any additional mapping that may be adopted by the Council for the purposes of defining the flood planning area specifies the land to which this section applies. This section also applies to critical infrastructure and facilities within the Probable Maximum Flood (PMF) area.</p>	<p>The Section 10.7 Certificate issued by Council for this property indicates that the land is not within the flood planning area and is not subject to flood related development controls</p>	<p>Yes</p>
<p>B.6 Waste Not – Site waste minimisation management</p>	<p>All applications relating to residential developments, as well as commercial and industrial premises are to include a Site Waste Minimisation and Management Plan (SWMMP) as part of documentation submitted to Council. The development plans should also clearly indicate the location of waste management facilities, including recycling bins and the like.</p> <p>b) Dual Occupancy and Multi Dwelling Housing – Individual Storage Areas</p> <p>a. The location of the waste and recycling areas is to not create any adverse impact on neighbouring properties in terms of appearance, odour, noise or the like.</p> <p>b. Details of individual bin storage and servicing/collection locations are to be provided</p> <p>c) Dual Occupancy, Multi Dwelling Housing and Residential Flat Buildings – Communal Storage Areas</p> <p>a. The waste area should provide separate containers for the separation of general waste from recyclables.</p>	<p>Waste management plan submitted as part of application</p> <p>Waste management details have been shown on the plans and in the waste management plan in accordance with these requirements.</p>	<p>Yes</p> <p>Yes</p>

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	<p>b. There is to be reasonable level of access to waste and recycling area/s or room/s for people including people with a disability</p> <p>c. The location of any garbage chute(s)</p> <p>d. Communal storage area/s or room/s is to be provided on common property in order to allow for the management of the area by the body corporate.</p> <p>e. Consideration shall be given to the incorporation of a bulky waste storage area within the communal storage area/s or room/s.</p> <p>f. Servicing plan including frequency and servicing location is to be provided.</p>		
<p>DC.1 Lot size and dimensions</p>	<ul style="list-style-type: none"> • Part 4 in the Maitland LEP 2011 includes development standards for the subdivision of certain land. The standards are presented as minimum lot sizes and are depicted on the associated Lot Size Map. The minimum lot sizes vary between locations and land use zones. • Council requires that all new lots are of a size and shape suitable for their future use. Matters for consideration, in addition to any minimum lot sizes that may apply, are the need to allow for solar access, on-site effluent disposal (if permitted), access and parking, location of ancillary buildings such as garages and sheds, vegetation retention and soil conditions. • Where Part 4 in the Maitland LEP 2011 also regulates the development outcome on certain land by fixing maximum Floor Space Ratios and overall Building Heights, these provisions should also be considered in the design of the subdivision. • Lot boundaries should follow natural features such as water courses and ridges (rather than cut across them) to minimise the potential for soil erosion. • Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses. • Lot size and dimensions are to be suitable for the existing or proposed use, including any requirement for building envelopes, ancillary buildings, farm dams, access, parking, landscaping, solar access, provision of services and/or other requirement of any existing Council development consent. • Lots should be rectangular in shape. Where irregular shall accommodate the minimum building envelope and setback requirements. • Minimum lot frontage of 12.5m at the road frontage for rectangular lots. • Minimum lot frontage of 10.0m chord length around sharp bends and culde-sacs to provide for access, service and garbage collection in accordance with Figure 2. • Lot access adjoining roundabouts and center refuges/splitter island shall not provide access within 10m of the splitters/facilities. 88b restrictions should be provided. • In assessing the re-subdivision of an existing lot, Council will have regard to the circumstances and planning rationale that formed the basis for the creation of the parent lot the subject of the application. This includes the consideration of any existing dwellings or structures on the land being assessed against relevant plans and policies. • Subdivision proposals must not conflict with the requirements of any existing approvals. 	<p>Proposed lots meet minimum sizes of LEP</p> <p>Size and shape of lots suitable for proposed use</p> <p>Proposed FSR will comply</p> <p>Not applicable</p> <p>Fencing to surround both lots</p> <p>Proposed size and dimensions suitable for use</p> <p>Not applicable, as existing site not rectangular</p> <p>New lot to have 12.7m frontage</p> <p>Not applicable</p> <p>Not applicable</p> <p>For note</p> <p>Complies</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>For note</p> <p>Yes</p>
<p>2.1 Site analysis</p>	<p>a. A detailed site analysis shall be submitted with a development application for all residential development with the exception of a single detached dwelling. A typical Site analysis Diagram is provided as Figure 1. (Note: this Plan does not show the proposed development). b. The site analysis shall show, in plan form (with detailed notations), at least but not limited to the following elements: • Identification of the lot(s). • North point (solar north, not magnetic north). • Site levels (contours or spot heights – preferably to Australian Height Datum). • Easements eg. stormwater drainage, electricity, access. • Existing buildings and other improvements on the land. • Existing vegetation on the land. • The</p>	<p>Site analysis plan prepared in accordance with these requirements</p>	<p>Yes</p>

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	<p>location of any services on the land – eg. Water service, sewer line, stormwater lines, electricity lines etc. • Width of footway and location of any existing footpath, driveways and driveway laybacks in the kerb. • Location of kerb and gutter in the street and any kerb inlet pits. • Location of any poles, pits, trees etc in the footway verge. • View corridors. • Building setbacks. • Fencing – location, height, material and condition. • Ground levels of adjoining lots near the common property boundary. • Location and general description of buildings on adjoining lots and the position and height of window and door openings in proximity to the development site. • Identification of the use of open space areas on the adjoining lots. • Photographs of the site are a helpful tool. Note: It is recommended that the site analysis plan be prepared by a Registered Surveyor or other suitably qualified or competent person. c. Special consideration and unique building design will be required for development on land where the slope is in excess of 20% (1 vertical in 5 horizontal).</p>		
<p>2.2 Context analysis</p>	<p>a. A 'Context Analysis' will be required for all residential development with the exception of a single detached dwelling. The context analysis shall describe the character of existing development in the vicinity of the site in order to understand the streetscape and pattern/form of development. This may be provided in the form of scaled sketches of streetscape elevations or photo compilation. Site context is predominantly a function of: • Proximity of the site to urban support facilities such as schools, shopping centres, transport nodes. • The height, size, bulk and scale of development. • The architectural treatment or style of buildings eg. Victorian, Federation, Art Deco, Contemporary etc. • Roof proportion relative to external walls and whether the roof contains dormers, gables or other roof features such as chimneys etc. • Predominant building materials and colours. • The proportioning and position of door and window openings relative to wall area. • The spaces which exist between buildings. • The predominant street setbacks. • The type, scale and location of landscape elements. • Fencing locations, height and materials and the presence of retaining walls. • Treatment of footpath areas in front of a development – paving, tree planting etc.</p> <p>b. In considering site selection for residential development that will contain more than two dwellings, the site context analysis shall demonstrate that the subject land is within convenient walking distance (not exceeding 400 metres) of the following facilities: • Land zoned B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core or B4 Mixed Use under the Maitland LEP 2011; or • A school catering for primary and/or secondary students; or • A key transport node – railway station. c. The design plans and the Statement of Environmental Effects shall demonstrate that the 'site analysis plan' and the 'site context analysis' have been taken into account in producing a design solution which mitigates against potential negative impacts and integrates appropriately with the streetscape. The 'site context analysis' examines the context of the proposed development site within the street. The scale, form, function and colours/materials used in the existing buildings are considered along with the size of spaces between buildings and both soft and hard landscape elements. The final development solution shown above is not the same as adjoining development but is consistent with the scale and pattern of existing development and achieves a more integrated streetscape.</p>	<p>Context analysis plan prepared in accordance with these requirements</p>	<p>Yes</p>
<p>3. Development incorporating existing dwellings</p>	<p>2.1 Where an existing dwelling is to be retained and incorporated into a residential redevelopment project, this dwelling is to be treated as if it were a new dwelling in the same redevelopment project and should meet all performance criteria and design controls specified in this chapter.</p> <p>2.2 Where it is not possible for an existing dwelling to achieve compliance with all aspects of the chapter Council may, after consideration of a detailed submission lodged with the development application outlining grounds/justification for noncompliance, agree to</p>	<p>For note, existing dwelling house to be retained</p> <p>Existing dwelling complies with DCP standards</p>	<p>Yes</p> <p>Yes</p>

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	<p>vary one or more of the chapter requirements. In assessing any variation, the Council shall have regard to: a. The significance of the existing dwelling to be retained and/or the level of contribution it makes to the streetscape or character of the area; b. Any alternative design solutions that may be proposed to demonstrate general compliance with the objectives applying to the relevant section of the chapter.</p> <p>2.3 Special provisions relating to heritage items or heritage conservation areas are contained in the Maitland LEP 2011 and the relevant chapters in this DCP must be taken into account where relevant.</p> <p>2.4 Where an existing dwelling is being retained as part of a site redevelopment then the existing dwelling shall be required to meet the design requirements of this Chapter.</p>	<p>Not applicable, site not heritage listed For note, complies</p>	<p>N/A For note</p>
5. Street building setbacks	<p>5.1 The minimum setback from the principal street frontage to the building line in an urban residential zone is 4.5 metres.</p> <p>5.2 The minimum setback from the principal street frontage to articulation or entry features (ie. portico) in an urban residential zone is 3.0 metres and must not be more than 25% of the width of the front facade of the building and must not be more than the maximum height of the building. Note that articulation elements do not constitute the 'building line'.</p> <p>5.3 Where an allotment is located on a corner in an urban residential zone, and a single dwelling is proposed, the minimum building line setback to the secondary street frontage is 3.0 metres.</p> <p>5.4 Where an allotment is located on a corner in an urban residential zone, and attached dwellings, semi-detached dwellings or dual occupancies are proposed, the minimum setback to the secondary street frontage is 3.0 metres.</p> <p>5.5 Where the shape of the allotment located within an urban residential zone is irregular due to the geometry of the street boundary, the setback from the front property boundary to the building line shall be a minimum of 3.0 metres but averaging 4.5 metres over the length of the building addressing those street boundaries.</p> <p>5.6 Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road or a minimum 1 metre behind the building line to the principal street frontage. Note: for sheds and other structures that do not address a street frontage and are not being used for vehicular access or storage, standard setbacks apply.</p> <p>5.7 Older residential areas or heritage conservation areas may comprise buildings with setbacks greater than or less than 4.5 metres. Where infill development is proposed in these areas the building line for the new development shall have regard to the setbacks of existing buildings adjacent to the site. Designers should consult Part E.2: Heritage Conservation Areas to determine setbacks in heritage conservation areas.</p> <p>5.8 Building line setbacks for other zones are detailed in Table 1. Note: Street setbacks in other zones shall be determined on merit having regard to the pattern of setbacks common to the area surrounding the site provided such setbacks are in accordance with the provisions of the Building Code of Australia.</p>	<p>>6m</p> <p>>6m</p> <p>Not applicable</p> <p>Not applicable, site not a corner lot</p> <p>>6m</p> <p>>6m</p> <p>>6m</p> <p>Not applicable</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
6. Side and rear setbacks	<p>6.1 Minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds or carports, in urban zones shall be in accordance with Figure 10 and described as follows: a. 0.9m for walls up to 3.0m in height (to underside of eaves); b. 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m; c. 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.</p> <p>6.2 Walls of buildings within urban zones may be built to the side and/or rear boundaries only where: a. 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; b. 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 c. The length of the wall built to the boundary does not</p>	<p>Front setbacks as existing, side setbacks comply, rear setbacks do not comply</p>	<p>Yes & No</p>

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	exceed 50per cent of the total length of the wall comprising that elevation (refer Figure 11).		
7. Site coverage and unbuilt areas	7.1 Site coverage shall satisfy the requirements detailed in Table 3 - Site Coverage and Unbuilt Areas. All development application plans for residential development shall provide a detailed 'percentage site coverage' calculation having regard to the requirements of Table 3. 7.2 Development shall have site coverage appropriate for the site's capability and form of development and site coverage shall be consistent with the desired future density for the locality. Multi dwelling housing (or more dwellings). Maximum site coverage ground floor 70% Minimum unbuilt area 30%	Proposed site coverage 33%	Yes
		Landscaped area 32.8%	Yes
8. Building height, bulk and scale	8.1 Maximum building height shall be in accordance with Table 4. 8.2 Development application plans shall provide the following information to clearly communicate building heights: a. A scaled and dimensioned site plan to show pre-development spot levels and/or contours of the site. This plan shall also show post- development spot levels of the site at the building corners and perimeter and shall also include finished levels for private open space, communal open space (where provided), driveways and pedestrian pathways and landscaped areas. b. Floor plans showing finished floor levels for ground floor internal living space, garages, and finished levels for upper floors and roof; c. Building elevations and sections to scale which are fully dimensioned and provide an accurate representation of height having regard to the levels identified on the site plan. Elevations and sections should show floor-to ceiling heights as well as maximum height of roof element. Multi dwelling housing (3 or more) maximum height 8.5 metres in R1 General Residential zone	Proposed height less than 8.5m These details are shown on the proposed plans	Yes Yes
		Proposed height less than 8.5m	Yes
9. External appearance	9.1 The building design and the Statement of Environmental Effects that accompanies the proposal should demonstrate that the following matters have been addressed: a. Consideration of the existing character, scale and massing of development in the immediate area, including the surrounding landscape.	Addressed	Yes
	b. Architectural interest encouraged by: • the use of finishes which are textured rather than bland; • providing stepping of walls, pergolas, eaves, verandahs and blade walls etc. to establish articulation and create light and shadow to a building • the coordinated use of diverse materials and appropriate decorative treatments	These architectural features are incorporated into the design	Yes
	c. Consideration of both typical and rare fenestration (door and window patterns) and the relationship between glazed and solid wall areas.	Windows have been considered and incorporated into design	Yes
	d. Consideration of traditional relationship of roof mass to wall ratio, roof pitch and design, length of unbroken ridgelines, parapets, eaves and roof water guttering detailing.	These matters have been considered as part of design	Yes
	e. The design shall provide a variety of experiences for the residents and passers by thorough attention to silhouette, pattern, texture and colour. The amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form should be minimised.	These matters have been considered as part of design	Yes
	f. Design diversity should be achieved within and between developments by maximising the advantages of orientation, landforms,	Design has respected orientation,	Yes

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	<p>views and natural vegetation.</p> <p>g. Where a dwelling has an elevation to a principal street frontage then the design shall ensure that the building has its primary pedestrian entry point addressed to this street. This entry shall be reinforced by landscaping and, where appropriate, fencing to provide a clear entry statement.</p> <p>h. The following features of existing areas should be considered and integrated into new development where possible: • Traditional street and lane patterns • Street setbacks • Groupings of buildings • Corner feature sites • Pedestrian walkways • Promenades, squares and courtyards • Characteristic kerb and gutter treatment • Pavement design, materials and finishes</p> <p>i. Corner sites shall be developed such that the building(s) addresses both streets and has a well expressed side elevation that does not dominate the streetscape.</p> <p>j. Repetitive building designs should be avoided particularly in new residential subdivisions where there may be a number of sites being developed simultaneously. Repetitive street elevations generally do not achieve variety and interest in the streetscape – designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are distinct and give individuality to each development.</p> <p>k. That the relevant provisions in this DCP are taken into account where residential development is proposed within a Heritage Conservation Area or on a site of identified heritage significance under the Maitland Local Environmental Plan 2011. Garaging The following matters shall be taken into consideration when designing a development to minimise the dominance of garaging particularly on the public streetscape and communal areas internal to the development site:</p> <p>9.2 Car parking structures such as garages and carports shall be designed as an integral part of the development and must be compatible with the overall building design in terms of height, roof form, detail, materials and colours.</p> <p>9.3 Garages and carports, as a forward element in the design of a dwelling, are discouraged particularly where the dwelling and its associated garage has a direct address and access to a street. Forward projecting garages and carports may be considered where it can be demonstrated that the design of the garage makes a positive contribution to both the street and the architectural quality of the building.</p> <p>9.4 The following treatments should be employed to reduce visual impact of garages and carports to a road frontage:</p> <p>a. Garages should be no greater in width than 50 per cent of the total width of the dwelling’s frontage (eg. total width of dwelling’s frontage is 15 metres therefore maximum width of garage doors to be no greater than 7.5metres);</p> <p>b. Where possible, garages of attached or detached dwellings which have a direct address to the street should not be located side by side;</p> <p>c. Where the garages of adjoining units are located side-by-side they should have staggered setbacks of at least 1.0 metre (refer Figure 18);</p> <p>d. The placement of wide eaves, awnings, pergolas or first floor projecting balconies/rooms over the garages to create shadow lines and provide greater articulation to the building (refer Figure 18);</p> <p>e. The use of materials of contrasting colour and/or texture for the walls and doors of each garage to create visual interest and a sense of separate identity for each dwelling unit – note that dark colours will make a garage visually recessive;</p> <p>f. The use of an irregular driveway alignment;</p>	<p>landform and site attributes</p> <p>Existing dwelling to be retained with orientation to street</p> <p>Traditional street pattern respected in the site</p> <p>Not applicable, no corner site</p> <p>Repetitive building designs not proposed</p> <p>Not applicable, site not in a heritage conservation area</p> <p>Garages are integrated into the design of the development</p> <p>Forward projecting garages are not proposed</p> <p>Complies</p> <p>Garages facing street not proposed</p> <p>Garages facing street not proposed</p> <p>Articulation to all elevations proposed</p> <p>Contrasting colours proposed on all elevations</p> <p>Irregular driveway</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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	<p>g. Minimising the width and area of driveways to reduce the volume and rate of stormwater run-off and to increase the area available for landscaping;</p> <p>h. The selection of paving materials with contrasting colour and/or texture;</p> <p>i. The use of carports in lieu of garages as these more transparent structures can effectively reduce the bulk and mass associated with multiple garages.</p>	<p>proposed Driveway width minimised</p> <p>Different materials/colours of paving proposed</p> <p>No carports proposed</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p>
<p>10. Open Space</p>	<p>10.1 Ground Level POS:</p> <p>a. All ground level private open space must comprise a 'principal area' of minimum dimensions in accordance with Figure 20.</p> <p>b. The minimum area of private open space for a ground level dwelling shall be in accordance with Figure 20.</p> <p>c. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling (refer Figure 19).</p> <p>d. To be included in usable open space calculations, open space at ground level must have a minimum width in one direction of 3.0 metres.</p> <p>e. The maximum cross-fall over the 'principal area' shall not exceed 2%.</p> <p>f. Areas of ground level private open space required for external drying facilities, garbage storage, roof water tanks etc shall not be included in the principal area of private open space. These ancillary uses shall be located where they are able to be screened from view of the street or other public place.</p> <p>g. The landscape plan for the development shall incorporate a detailed landscape design for each area of ground level POS.</p> <p>h. Ground level POS shall only be located forward of the building line (but no closer than 900mm to the principal street boundary) where the orientation of the POS is within the 'optimum' range illustrated by Figure 20.</p> <p>i. Where ground level POS is provided forward of the building line then privacy fencing shall be provided as detailed in Section 14.</p> <p>10.2 Above Ground Level POS:</p> <p>a. All above ground level private open space areas (eg balconies or terraces) shall contain a minimum area of 10 square metres and comprise a minimum dimension of 2.5 metres.</p> <p>b. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling unit.</p> <p>c. The orientation of above ground level POS and internal living rooms shall be within the 'optimum' and 'good' ranges illustrated by Figure 20.</p> <p>d. A communal external drying area shall be provided for all dwellings that do not have ground level POS. This communal drying area shall be located so as to receive adequate natural sunlight and breezes and shall be screened from view from public areas and communal open space areas. Drying space shall be provided at a rate of 15 lineal metres of clothes line per dwelling serviced.</p> <p>Communal Open Space</p> <p>10.3 Ground level communal open space (COS) shall be provided within:</p> <p>a. a multi dwelling housing development with fifteen (15) or more dwellings (eg. townhouses, villas etc).</p> <p>b. a residential flat building with twelve (12) or more dwellings (eg. unit, apartment, flat etc).</p> <p>10.4 Ground level COS shall:</p> <p>a. contain an area sufficient to meet the relaxation and recreation needs of the residents of the development and shall at minimum include barbeque facilities and shelter, tables, seating, children's play</p>	<p>Adequate area of POS provided</p> <p>Adequate area of POS provided</p> <p>Complies</p> <p>For note</p> <p>To comply</p> <p>For note</p> <p>Landscape plan prepared in accordance with these requirements</p> <p>All private open space behind building line</p> <p>Not applicable</p> <p>Not applicable, no above ground balconies proposed</p> <p>Complies</p> <p>Complies</p> <p>All dwellings have ground level POS</p> <p>Not applicable, less than 15 dwellings proposed</p> <p>Not applicable, ground level communal open</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>For note</p> <p>Yes</p> <p>For note</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>

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	<p>equipment, childproof fencing and associated landscaping.</p> <p>b. be centrally located to provide casual surveillance opportunities from surrounding units within the development.</p> <p>c. be an integral part of the design for the development and must be provided clear, safe pedestrian access to minimise conflict with vehicle manoeuvring areas.</p> <p>d. be provided with lighting sufficient to enable night time surveillance as a means of reducing vandalism and promoting the safety of residents. Care shall be taken in the selection of lighting and its location to minimise light intrusion to units within the development itself and also to adjoining properties.</p> <p>e. take into consideration its interface with adjoining dwellings (eg. windows, rooms etc).</p> <p>f. contain facilities (eg: seating, play equipment etc) designed to meet the relevant Australian Standards.</p>	space not required	
11. Sites having a boundary to a laneway	<p>11.1 Where a site has a secondary frontage to a laneway:</p> <p>a. The dwelling(s) shall not be orientated to the laneway as a principal street address.</p> <p>b. The main pedestrian entry point to the dwelling(s) shall form a direct connection with the principal street address and not the laneway.</p> <p>c. Pedestrian access to dwellings located to the rear of the site shall be contained within a corridor not less than 2.4mwide.</p> <p>d. The pedestrian access from the principal street frontage to the dwelling(s) located to the rear of the site shall be landscaped and provided with adequate lighting in accordance with 'Safer by Design' principles.</p> <p>e. Car parking for a maximum of two vehicles only (consistent with the garaging provided for the existing allotment) shall be provided with access to the laneway.</p> <p>f. No internal habitable floorspace shall be located closer than 3.0m to the property boundary with the laneway.</p> <p>g. Garages/carports shall be located no closer than 2.0 metres to the property boundary with the laneway.</p> <p>h. Where a garage is located closer than 5.5m to the property boundary with the laneway the garage doors shall be fitted with automatic opening devices to allow continuous movement from the laneway to the garage without obstructing the lane.</p> <p>i. Where car parking is provided with access to a laneway care shall be taken to ensure that adequate manoeuvring area is available. Note that the narrow width of some laneways will mean that garages will need to be 'indented' from the laneway boundary and/or wider than standard garage doors installed to provide for adequate manoeuvring.</p>	<p>Proposed dwellings not orientated to laneway</p> <p>No direct pedestrian access to laneway proposed</p> <p>Pedestrian access available by driveway and pathway</p> <p>Complies</p> <p>No direct access to laneway proposed</p> <p>No</p> <p>Complies</p> <p>Not applicable</p> <p>No car parking access to laneways proposed</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>
12. Accessibility and adaptable housing	<p>12.1 The number of adaptable dwellings to be provided in a residential development shall be as detailed in Table 5.</p> <p>12.2 All adaptable dwellings are required to meet the essential design criterion as listed in AS 4299 which includes the following:</p> <p>a. Provision of plans showing the dwelling in its pre-adaptation and post adaptation stages;</p> <p>b. A continuous path of travel;</p> <p>c. Provision of accessible parking spaces;</p> <p>d. Maneuverability both internally and externally;</p> <p>e. Adjustable kitchen facilities;</p> <p>f. Adjustable bathroom facilities; and</p> <p>g. Adjustable laundry facilities.</p> <p>12.3 Where possible the internal structure of a dwelling should be designed with lightweight non-load bearing walls that allow for the</p>	No adaptable dwellings required based on size of dwellings	N/A

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	<p>reconfiguration of rooms over time.</p> <p>12.4 Where an adaptable dwelling is required in accordance with the provisions of this Plan, one (1) accessible car parking space shall be provided for every adaptable dwelling. This is in addition to any accessible parking required by Section 15 of this chapter.</p> <p>12.5 Dwelling design should be capable of being easily adapted to suit the widest possible range of lifetime needs. This includes the needs of people with physical disabilities, people with sensory disabilities and people with intellectual disabilities.</p> <p>12.6 Dwellings designed for use by persons with a disability should be located at ground level unless special provision such as a lift is provided to upper floors.</p> <p>12.7 Car parking shall be linked to the adaptable dwelling(s) by an unobstructed path of travel at a suitable gradient for wheelchair access. These car parking spaces shall be located as close as possible to the adaptable dwellings they are intended to serve.</p> <p>12.8 Entries, doors and passageways shall be of sufficient width to allow for wheelchair access.</p> <p>12.9 Fixtures and fittings complying with AS 1428 Part 2.</p> <p>12.10 Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 shall be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas and shall be clear of obstacles so as not to impede the mobility of residents and visitors.</p> <p>12.11 Where a dwelling is intended for persons with a disability consideration should be given to a design suitable for in-house care or share accommodation, which offers privacy for non-related parties living within the same household.</p> <p>12.12 Consideration should be given to the installation of broadband capabilities for all adaptable dwellings.</p> <p>12.13 The following issues shall be considered when designing for adaptable housing:</p> <p>12.14 Compliance with AS 1428.1 (2001) Design for Access and Mobility – General Requirement for Access (New Building Work) and AS 1428.2 (1992) Design for Access and Mobility – Enhanced and Additional Requirements (Buildings and Facilities).</p> <p>12.15 Access to and within the adaptable dwelling shall comply with the requirements of the relevant provisions of the Australian Standards. This includes access to common facilities in the development eg: BBQ areas, swimming pools, common laundry facilities etc. Location: Adaptable dwellings should be provided in convenient locations that are close to facilities such as public transport, community facilities and public services. Within the development adaptable dwellings should be located along the accessible path of travel, preferably close to the main entrance of the building. Bathroom Facilities: Bathrooms should be large allowing for wheelchair access and manoeuvring. A bath need not be provided, but the shower should allow for chair access. The handwash basin and any shelving should be provided at a height that is accessible to both a standing or seated position. Laundry Facilities: The laundry should also be large to allow for wheelchair access and circulation around the appliances. Washing machines and dryers should be front loading. A wall mounted dryer is also preferable. Circulation Spaces: Bedrooms and living areas should be an adequate size to allow for ease of movement around furniture. Doorways, entrances and hallways shall be wide enough to facilitate wheelchair access and circulation. Kitchen Facilities: The kitchen should be of a flexible design so that modifications can be made if required in the future. Cupboard and pantry shelf heights should be adjustable to make them easy to reach. Flooring: Tiles or timber flooring is preferable to carpet. However, if carpet is to be provided it should be low pile with no underlay. Non-slip tiling should be provided in wet areas. Walls: Walls located along main travel paths and in bedrooms and bathrooms should be reinforced to allow for</p>		
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	installation of grab rails if necessary. Windows: Windows should be operable with one hand (preferably sliding) and located with a sill height no higher than 700mm from the floor. Landscaping: Outdoor areas should be designed to be low maintenance, with no lawns and a drip irrigation system. All paving should be even and be wheelchair accessible		
13. Landscape design	<p>13.1 With the exception of a single dwelling, all residential development shall be supported by a detailed landscape plan (inclusive of planting scheme) prepared and endorsed by a suitably qualified landscape consultant (eg landscape architect or horticulturalist) as meeting the objectives and design requirements of this chapter.</p> <p>13.2 The landscape design should, as appropriate:</p> <ol style="list-style-type: none"> a. Retain existing vegetation for integration with the landscape design for the development; b. Employ the use of native vegetation suitable for local conditions which require lower maintenance and demand less water; c. Incorporate the use of advanced specimens to ensure that the completed built form is immediately and effectively softened by landscaping. d. Define a theme for new internal streets/driveways or complement existing streetscapes external to a site; e. Be of an appropriate scale relative to the width of driveways and the associated space between buildings and the building bulk – trees should be introduced which achieve a height above the roofline of the dwelling to soften built form; f. Take into account view corridors and introduce species that, where possible, preserve opportunities for views when the plants are mature; g. Improve privacy and minimise overlooking between dwellings and also overlooking from public spaces such as footpaths and communal open space; h. Provide adequate lighting for vehicular and pedestrian safety; i. Account for streetscapes and landscapes of heritage significance; j. Be tolerant of site conditions and adequately mulched in order to reduce demand for water, herbicides and fertilisers; k. Clearly identify where turfed areas are to be located and specify the materials used for forming the edges of garden beds; l. Detail the various paving materials used throughout the site for driveways, pedestrian pathways, parking areas and private open space areas. <p>13.3 The landscape plan for the development shall recognise private open space areas as ‘outdoor rooms’ and the design shall incorporate:</p> <ol style="list-style-type: none"> a. Paved areas or decks for outdoor dining/relaxation; b. Garden areas to reduce the ‘hard’ visual impact of fencing, paving and walls; c. Built-in seating (optional) – refer to example courtyard area at Diagram 19. d. The inclusion of trees of a scale which will provide adequate shade (deciduous may be appropriate depending on orientation of POS); e. Provision of drying areas and garbage storage areas and the screening of these areas with vegetation and/or structural elements such as timber panels; Water features (optional); g. Full details of materials for fencing, paving etc. Refer to Figure 19 for example of courtyard landscaping. <p>13.4 Residential developments that make the most positive contribution to streetscapes and the urban environment and provide higher levels of amenity and enjoyment for residents are those which have a sound maintenance regime for landscaped areas – both private open space and communal areas.</p> <p>13.5 The landscape design for a development should integrate with the stormwater management scheme, having regard to relevant ‘water sensitive urban design’ (WSUD) principles.</p>	Landscape plan prepared in accordance with these requirements	Yes
14. Fencing and walls	14.1 The landscape plan prepared for the development shall incorporate full details of all fencing proposed including: • location • height •	Fencing to be provided in	Yes

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	<p>materials • colours.</p> <p>14.2 For all forms of residential development, with the exception of a single dwelling house, sheet metal fencing shall not be permitted where it forms a boundary with a street, or communal area within development.</p> <p>14.3 Fencing between dwellings shall be designed to provide visual and acoustic privacy to internal rooms and outdoor private open space. The recommended height for these dividing fences is 1800mm high but not less than 1500mm high.</p> <p>14.4 For all residential development where sheet metal fencing is used it should be of mid to dark earthy colour to make the fence visually recessive.</p> <p>14.5 Fencing within the street building line setback shall not be located closer than 900mm from the street property boundary for the principal street frontage of the development (refer Figure 22).</p> <p>14.6 Where side boundary fencing projects forward of the street building line setback to the principal frontage then the maximum height of the fence shall not exceed 750mm within the building line setback area. (Note: This requirement does not apply where the development qualifies to use the building line setback for private open space – refer Sec B9.9(h)).</p> <p>14.7 Front fencing for the purposes of containing a dwelling’s principal private open space area, shall not occupy more than 50% of the street frontage of an allotment and shall not contain or obscure the principal pedestrian entry point to the dwelling from the street. Fencing may occupy greater than 50% of a site frontage if it can be demonstrated that the increased length of fencing is consistent with the established fencing within the street and character of the street, or because of environmental impact considerations, eg. noise.</p> <p>14.8 Solid fencing for the purposes of containing a dwelling’s principal private open space area, shall not exceed a height of 1500mm where located within the street building line setback unless it can be demonstrated that a higher fence is appropriate having regard to issues of noise, privacy, existing streetscape and architectural merit.</p> <p>14.9 Nothing in this plan prevents the fencing of the street frontage of a property subject to the following: • The building line setback area is not required for the purposes of principal open space; • The fence shall not exceed a height of 1200mm (1.2metres); • The fence shall not comprise sheet metal material; • The fence shall be of a design/materials which integrate with the dwelling(s) located on the land.</p>	<p>accordance with these requirements. Colorbond fencing to surround site as shown on site plan.</p>	
<p>15. Driveway Access and Car Parking</p>	<p>15.1 Driveways shall be located no closer than 900mm from any side boundary for the full depth of the building line. This 900mm offset shall be provided with landscaping of suitable scale to ensure that sight lines along the public footpath and the roadway are not obstructed.</p> <p>15.2 Driveways within the site should be a minimum of 2.7 metres wide and should include landscaping between the driveway and dwelling. (Note: In heritage conservation areas strip driveways may be a more suitable alternative – refer to Part E.3: Heritage Conservation Areas).</p> <p>15.3 Landscaping shall be incorporated into the design of driveway and manoeuvring areas to minimise the expanse of hard surfaces and adverse visual impacts on the streetscape.</p> <p>15.4 Straight ‘gun barrel’ driveway arrangements are not supported. Where long driveways are proposed landscaping of minimum width 1.0 metres shall be provided along the boundary/fence line incorporating wider landscape ‘blisters’ to create a ‘meandering’ effect and contrasting pavement treatments should be used to reduce the expanse of a single pavement material. Landscaping shall also be provided between the driveway and the external wall of the dwelling</p> <p>15.5 Driveways within a site shall be at a maximum grade of 4:1 (H:V).</p> <p>15.6 Driveway design from the road pavement across the public footpath area shall be in accordance with Council’s “Manual of Engineering Standards” and appropriate structural drawings.</p> <p>15.7 Driveways across the footway at the access point on the road</p>	<p>Complies, 900mm setback</p> <p>Complies, 3m width</p> <p>Complies</p> <p>Gun barrel driveway not proposed</p> <p>Complies</p> <p>Complies</p> <p>No, 5.5m</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p>

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<p>reserve should be generally a maximum of 5 metres wide, although variation may be justified on turning and traffic safety issues.</p> <p>15.8 Driveways across the footway shall be sited to avoid street trees, kerb inlet pits and other services such as light/powerpoles.</p> <p>15.9 For developments other than single dwellings adequate vehicle manoeuvring area to Australian Standard AS 2890 shall be provided to enable vehicles to enter and exit the site in a forward direction.</p> <p>15.10 For developments other than single dwellings, vehicle driveways shall be clearly distinguished from pedestrian entries and paths through design, finish or location.</p> <p>15.11 On sites identified as Bushfire Prone Land under the Bush Fire Prone Land Maps endorsed by the New South Wales Rural Fire Service, access shall comply with the requirements of the document "Planning for Bushfire Protection 2006" (Planning NSW and Rural Fire Service).</p> <p>15.12 Vehicle car parking spaces and manoeuvring areas (not including a driveway providing direct vehicle access to a garage or carport from the street) shall not be located within the building line setback area.</p> <p>Car Parking:</p> <p>15.13 The minimum number of off-street car spaces shall be as follows: a. One (1) space for each one or two bedroom dwelling; b. Two (2) spaces for each dwelling containing more than two bedrooms; c. One (1) visitor space for the first three dwellings and one (1) space for every five dwellings thereafter or part thereof.</p> <p>15.14 A minimum of one (1) off-street parking space should be provided for each dwelling as a covered space in the form of either a garage, carport or within a secured basement parking area. The parking space(s) should be convenient and accessible to the dwelling which it services.</p> <p>15.15 Visitor car parking spaces should be freely accessible at all times and not located behind security gates or within secured basement car parking areas.</p> <p>15.16 The minimum dimensions for car parking bays and aisles shall be in accordance with Figure 24.</p> <p>15.17 Garages should comprise minimum dimensions in accordance with Figure 25.</p> <p>15.18 Developments comprising up to two (2) dwellings may have the parking space(s) for both dwellings directly addressing and accessible from its street frontage.</p> <p>15.19 Developments comprising three (3) or more dwellings may have one (1) dwelling only with a garage/carport directly addressing and accessible from its street frontage of the development.</p> <p>15.20 Tandem (or stack) parking is permissible only where the garage for the dwelling has a direct frontage/address to a street. In this instance, the vehicle space on the driveway in front of the garage/carport can be calculated as part of the parking requirement for that dwelling but shall not be counted as a 'visitor' space. Accessible Car Parking (disabled users):</p> <p>15.21 Designated accessible car parking facilities shall: a. Be provided at the rate of one (1) accessible parking space for every adaptable dwelling; b. Be located as close as possible to the adaptable or accessible dwelling they are intended to serve or alternatively as close as possible to each accessible public entrance; c. Be linked to an accessible entrance to a building or to wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover; d. Have a minimum width of 3.8 metres as shown in Figure 26. An overlap allowance of 500mm may apply when, parallel to the parking space, there is an adjoining walkway or similar surface which: • Is at the same level as the car parking space; • Is firm and level, with a fall not exceeding 1 in 40 in any direction; • Is not another car parking space; • Is not less than 1000mm in width. e. Have a minimum vertical clearance of not less than 2500mm and a minimum length of 5.5 metres as shown in Figure 26; f. Both the designated parking space and the continuous accessible path of travel shall be clearly signposted; g. The signage for the actual parking space shall be painted on the surface of the paved</p>	Complies	Yes
	Turning circle provided	Yes
	Complies	Yes
	Not applicable, site not bushfire prone land	N/A
	Complies, parking areas behind the building line	Yes
	One space for each dwelling, plus two visitor spaces proposed	Yes
	Garage/carport for each dwelling proposed	Yes
	Complies	Yes
	Complies	Yes
	Complies	Yes
	Not applicable	N/A
	Not applicable	N/A
	Stack parking not proposed	Yes
	Not applicable, adaptable dwellings not proposed	N/A

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	space and signposted at a height of not less than 1500mm centrally located at the end of the space; h. The provision of accessible parking shall be signposted at the entrance of the car park.		
16. Views, and visual and acoustic privacy	View Sharing • All property owners should be able to develop their property within the established planning guidelines, however, existing views should not be substantially affected where it is possible to design for the sharing of views. • Grand vistas and significant views that are recognised and valued by the community should not be obscured by new development. • Heritage or familiar dominant landmarks should be retained and not obscured. Privacy • Proper consideration shall be given to privacy outcomes at the site planning stage. Development shall be designed such that the privacy of each individual dwelling and adjacent existing dwellings is protected, with particular regard to private open spaces and the windows of habitable rooms. Design Requirements: Visual Privacy 16.1 Overlooking of private open space and direct views between living area windows shall be screened or obscured using one or more of the following methods (as shown in Figures 27 and 28): a. Separation distance between windows of habitable rooms or balconies b. Separation by design c. Offset living room windows of opposing dwellings/units d. Splay windows to redirect sight lines e. Build to a boundary and avoid window openings f. Screen planting between units g. Fencing design or privacy screens h. Use of fin walls i. Planter boxes j. Louvre screens (vertical or horizontal) k. Pergola l. Change in level Acoustic 16.2 Where no design techniques and screening (eg fences or walls) are proposed, openings of adjacent dwellings shall be separated by a distance of at least 3.0m. 16.3 Site layout shall separate active recreational areas, shared parking areas and driveways, and service equipment areas away from bedroom areas of dwellings. 16.4 Mechanical plant or equipment (eg. Air conditioning units) shall be designed and located to minimise noise nuisance. 16.5 Shared walls and floors between dwellings shall be constructed to reduce noise transmission in accordance with the Building Code of Australia.	The proposed development is two storey only and will have no significant impact on views.	Yes
		Raised windows proposed for west facing upper storey windows	Yes
		Not applicable	N/A
		Complies	Yes
		Complies	Yes
	16.5 Shared walls and floors between dwellings shall be constructed to reduce noise transmission in accordance with the Building Code of Australia.	To comply	Yes
17. Water and energy conservation	17.1 It is recommended that buildings be orientated with the main indoor and outdoor living spaces towards the north and north-east (the optimum orientation for indoor and outdoor living spaces are shown in Figure 20).	Main living areas have partially north orientation	Yes
	17.2 To the fullest extent possible, buildings should be insulated.	Buildings to be insulated in accordance with BASIX requirements	Yes
	17.3 Buildings should include adequate thermal mass and windows located, sized and shaded to facilitate thermal performance.	Windows to be in accordance with BASIX requirements	Yes
	17.4 Windows in west facing walls should be avoided. However, where not possible, west facing walls should be designed with windows fitted with appropriate shade structures and/or landscape screens.	West facing requirements to be in accordance with BASIX requirements	Yes
	17.5 Building design should, wherever possible, include a north facing roof upon which a solar hot water system or collector could be installed. The building's internal plumbing should be designed to facilitate the installation of such a system.	North facing roof proposed	Yes
	17.6 The design of the building should maximise the cooling potential of natural ventilation by providing breeze pathways through the building (refer Figure 32).	Ventilation in accordance with BASIX	Yes

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	<p>17.7 Shadow diagrams may be required for residential developments of two storeys and over in urban zones if, in the opinion of the assessing officer, they are required and for all residential developments comprising two (2) or more dwellings where ground level private open space is located in other than an “optimum” or “good” location as shown in Figure 20. The shadow diagram shall address the overshadowing impact of new development and also the impact from adjoining development against the criteria provided under 17.8 below.</p> <p>17.8 Development within the categories specified under 17.7 above shall ensure that adequate solar access is provided to both existing development adjoining the project site as well as to the dwellings and their associated outdoor open spaces within the new development itself. In this regard: a. Development shall not reduce the sunlight available to windows of living areas that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (June 21); b. At least 50% of the principal area of ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%; c. At least 50% of the principal area of above ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%; d. At least 50% of the area of communal private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%. Note: Council reserves the right to request shadow diagrams with respect to single storey development if, by reason of the topography of the site, the nature of adjoining development and fencing, the orientation of the building or the design of the building, there is potential for significant loss of solar access to adjoining lots or to dwellings within the development itself.</p>	<p>requirements Shadow diagrams not required for this development</p> <p>Adequate solar access provided to all living areas and private open space</p>	<p>Yes</p> <p>Yes</p>
<p>18. Stormwater Management</p>	<p>18.1 Due to downstream flooding/capacity issues and for developments other than single dwellings, on-site detention of stormwater is required in accordance with Council’s Manual of Engineering Standards, to restrict the discharge rate of stormwater runoff. The methods may include tanks (either underground or above ground) or surface storage areas such as driveways or landscape depressions. The amount of storage volume required is subject to detailed calculation but may be estimated at 9 cubic metres per 1000sqm of site area.</p> <p>18.2 A detailed erosion and sediment control plan (ESCP) should be submitted with the development application. The ESCP should be prepared in accordance with the requirements of Council’s Manual of Engineering Standards.</p> <p>18.3 Ultimate discharge for collected stormwater runoff should be to a street drainage system, to an inter allotment drainage line, or by approval to a public area. The system should be gravity-drained. Pumping of stormwater is not permitted.</p> <p>18.4 The development site must be provided with an overland flow path for the major storm event (1% AEP).</p> <p>18.5 Stormwater storage tanks with a capacity in excess of that required to meet BASIX criteria may be installed to provide for on-site stormwater detention. Council’s Manual of Engineering Standards provides details for calculations and ‘BASIX’ relationships. These tanks, unless provided underground, must not be located within an area of principal open space. The area occupied by the tank must not be included for the purposes of calculating the required private open space at ground level for each unit.</p> <p>18.6 As a minimum requirement, a stormwater drainage “concept plan” shall be submitted with the development application. The plan should</p>	<p>On site detention of stormwater via underground tank proposed</p> <p>Erosion control details shown on plans</p> <p>Stormwater to drain by gravity to rear lane</p> <p>Provided</p> <p>Rainwater tanks provided in addition to OSD tank</p> <p>Stormwater drainage</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

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	include: a. the pipeline/pit layout b. water storage means/area c. indicative levels at critical design points d. overland flowpaths including details of the means of capturing runoff from all impervious surfaces	concept plan provided	
19. Security, site facilities and services	19.1 For developments proposing ten (10) or more dwellings a detailed 'Crime Prevention Through Environmental Design' assessment shall be prepared by an accredited person and submitted with the development application.	Not applicable, seven dwellings proposed	N/A
	19.2 Buildings adjacent to a public or communal space shall be designed to maximise natural surveillance, having at least one (1) habitable room window per dwelling facing that area.	Not applicable	N/A
	19.3 Low intensity lighting (eg. bollard lighting) shall be provided to all shared pedestrian paths, parking areas and building entries.	To be provided	Yes
	19.4 Garbage or recycling areas, mail boxes and external storage facilities shall be sited and designed for functionality, attractive visual appearance and efficient and convenient use.	Garbage storage area designed in accordance with these requirements	Yes
	19.5 Where agreed to by public utility service providers, services shall be co-ordinated in common trenching in order to minimise construction costs for underground services.	Services to be provided in existing trench and power line	Yes
	19.6 Each dwelling shall be provided with direct and convenient pedestrian access to a public road.	Footpath to road proposed	Yes
	19.7 Where there is no direct pedestrian access from a dwelling's private outdoor open space area to the public roadway then the development shall be provided with a common garbage storage area readily accessible from within the site and serviceable from the adjoining road.	Common garbage storage area proposed	Yes
	19.8 The garbage storage area shall be designed so as to conceal its contents from view of the adjacent public space and/or other properties. It shall be provided with a water tap for wash down purposes and drained to connect to the sewer.	Garbage bins to be screened in accordance with these requirements	Yes
	19.9 Individual mail boxes shall be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site complying with the requirements of Australia Post.	Mail boxes provided in accordance with this requirement	Yes
	19.10 Open air clothes drying areas shall be provided for each dwelling with an aspect ranging between direct east to direct west (via north). The drying areas shall be located and/or screened such that they will not be visible from a street or public place. Each drying area shall comprise a minimum of 15.0 lineal metres of hanging line	To be provided	Yes
	19.11 All services – reticulated water, sewerage, electricity and telecommunications (and natural gas where available) shall be installed to meet the requirements of the relevant service provider.	All services to be provided to the development	Yes
1.1 Parking general requirements	In determining the parking and traffic requirements for a development proposal, the following principles shall be followed: • the minimum standards as set out in this plan; • the likely demand for of-street parking generated by the development; • the availability of public transport in the vicinity to service the proposed development; • the probable mode of transport to be used by employees and/or customers; • the likely peak times of usage of the proposed development; • the existing traffic volumes on the surrounding street network including, where relevant, the potential future traffic volumes; and • the equity of requiring of-street parking for individual developments within areas such as Maitland City Centre and Morpeth, where historical parking deficiencies have occurred.	Amount of car parking provided in accordance with these requirements and DCP rate	Yes
3. Loading unloading requirements	3.1 General On-site loading and unloading facilities must be provided for all businesses, commercial, industrial, retail and storage uses and any other where regular deliveries of goods are made to or from the site.	Not applicable, residential use proposed	N/A

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<p>ts</p>	<p>3.2 Number and Size of Loading Bays The number and dimensions of the on-site loading bays must be designed having regard to the nature and scale of the proposed development, the estimated frequency of deliveries, the type of delivery vehicle likely to be involved and the types of goods being loaded/unloaded. Accordingly, these details are required to be submitted with the Development Application for Council's consideration. As a guide, for small and medium-sized shops or commercial premises, restaurants or small-scale industrial development likely to involve the use of vans, utilities or small trucks only, one loading bay will usually be sufficient.</p> <p>3.3 Design and Layout of Loading Bays The loading areas must be designed to ensure that standard design vehicles can manoeuvre into and out of all loading areas without causing conflict to the movement of traffic on-site or in the adjacent streets. It is not possible to specify dimensions for service areas which would be appropriate for all situations. The dimensions of the service bay will depend, in part, on the type of vehicle to be accommodated. The loading bay(s) should be a physically defined area (by signposting and/or pavement marking) which is not used for other purposes such as customer parking or the storage of goods and equipment. The loading areas must be designed to ensure that vehicles stand entirely within the site during all loading and unloading operations. Where existing buildings are being redeveloped, all of the above design criteria may not be achievable. However, every effort must be made to ensure that public safety is not compromised. In addition to the above requirements, the Roads and Traffic Authority's "Guide to Traffic Generating Developments" details recommended dimensions for loading areas based on the various types of service vehicles and other requirements for ramps, internal roadway etc (refer to Table 1 in Appendix B). Council's Planning and Environmental Group should be contacted if further information is required.</p>	<p>Not applicable, loading bays not required</p> <p>Not applicable, loading bays not required</p>	<p>N/A</p> <p>N/A</p>
<p>4. Car parking for persons with a disability</p>	<p>Special parking spaces for persons with a disability are to be made available in the provision of car parking facilities, in accordance with Australian Standard AS2890.1 – 2004. In general, where 10 or more vehicle spaces are required, one designated parking space for people with disabilities is required per 100 (or part thereof) car spaces provided. Council has adopted the 'enhanced' requirements for landuses where there is a higher demand for disabled facilities. For example, for retail shopping complexes, community facilities and medical centres, parking provisions for people with disabilities should be increased to 2 to 3 % of the overall parking requirements. Council's enhanced car parking standards are as follows: • medical services, including community health centres – 1 space per two to five surgeries (or equivalent), 2 spaces for six or more surgeries (or equivalent) • entertainment facilities clubs and public halls, large retail complexes (ie>100 spaces) and railway stations – 3 spaces per 100 car parking spaces The location of spaces designated for persons with a disability should be close to an entrance to a building or facility with access from the car space by ramps and/or lifts. These spaces should be clearly signposted for the convenience of their users and to discourage other drivers from using such spaces. The spaces should be a minimum of 2.4 metres wide with an adjoining shared space 2.4 metres wide to assist movement into and out of parked vehicles.</p>	<p>Garage spaces designed to accommodate persons with a disability</p>	<p>Yes</p>
<p>5. Bicycle Parking</p>	<p>Provision is to be made for cyclists via the installation of bicycle parking facilities in accordance with Australian Standard AS 2890.3-2015 – Bicycle Parking Facilities and Austroads Guide to Traffic Engineering, Part 14, Bicycles: Second Edition.</p>	<p>Area available for parking of bicycles within garages/dwellings</p>	<p>Yes</p>
<p>6. Motor traffic generating development</p>	<p>Parking requirements for major new retail, commercial or tourist developments will be assessed on their merits, with particular reference to: • likely peak usage times; • the mix of uses and their parking requirements; and, • likely use of public transport. Where it is considered that a traffic generating development may have a major impact on the traffic movement within a given locality, Council may</p>	<p>Not applicable, residential development proposed</p>	<p>N/A</p>

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	require the applicant to arrange for the preparation and submission of a Traffic and Parking Study, by a qualified professional. In this regard, the Roads and Traffic Authority's publication "Guide to Traffic Generating Developments" provides relevant information.		
7. State Environmental Planning Policy (Transport and Infrastructure) 2021	Council is required to consult with Transport for New South Wales to obtain advice on traffic and safety aspects for certain traffic-generating developments. This consultation is a statutory requirement prescribed by State Environmental Planning Policy (Transport and Infrastructure) 2021. The Authority provides this advice through the Regional Development Advisory Committee (Traffic). Membership of the Regional Committee comprises representatives from the Roads and Traffic Authority, the Police Department, and a Local Government Associate nominee. Smaller scale developments are referred to the Local Development Advisory Committee. Membership of this committee comprises representatives from Council, the Roads and Traffic Authority, the Police Department and State Member or his/her representative. Major Traffic Generating developments being considered by the Regional Committee need to be accompanied by a Traffic and Parking Study, which is to be lodged with the development application following consultation with Council.	Council is required to refer the application to Transport for NSW as integrated development.	Yes
Appendix A – Car parking requirements for specific land uses	Multi dwelling housing/dual occupancy 1 space for each one- or two-bedroom dwelling or 2 spaces for each dwelling containing more than two bedrooms plus 1 visitor space for the first three dwellings and 1 space for every five thereafter or part thereof	One space for each two bedroom dwelling plus two visitor spaces proposed	Yes

Justification for non-compliances with DCP

The following provides a justification to proposed variations to the guidance in the DCP:

Rear setback

The DCP provides that minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds or carports, in urban zones shall be in accordance with Figure 10 and described as follows: a. 0.9m for walls up to 3.0m in height (to underside of eaves); b. 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m; c. 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.

The proposed side setbacks comply, although the proposed development has a minimum rear setback of 1.6m.

The proposed rear setback is justified on the basis that the site does not adjoin any other properties to the rear, but rather an unused laneway that contains vegetation. Therefore there are no amenity impacts on any other property to the rear. No windows are proposed along the rear boundary and it occupies less than 50% of the site width.

There will be the separation of a fence between the proposed building and the rear lane. There are no adverse amenity impacts associated with the proposed rear setback and it should therefore be supported by Council.

Setback to laneway

The DCP provides that no internal habitable floorspace shall be located closer than 3.0m to the property boundary with the laneway. Unit 7 and its habitable living room has a setback of 1.6 metres to the rear laneway. The proposed rear setback is justified on the basis that the rear laneway is not currently used for vehicular access immediately behind the dwelling and is planted with vegetation. It therefore in practice forms an extension to the railway corridor.

There will be no adverse impact associated with the lesser setback, as vehicles do not currently use the rear laneway behind the property due to the presence of trees. A reduced setback is therefore acceptable.

There are no windows proposed along the rear elevation and it occupies less than 50% of the frontage in accordance with the requirements of the DCP. The proposed variation should therefore be supported.

Driveway width

The DCP provides that driveways across the footway at the access point on the road reserve should be generally a maximum of 5 metres wide, although variation may be justified on turning and traffic safety issues.

The proposed driveway has a width of 5.5m at the road reserve. The proposed driveway width is justified on the basis that the proposal is a multi dwelling housing development with a total of eight dwellings. It will therefore occasionally be necessary for vehicles to pass on the driveway and the proposed width will minimise the risk of traffic conflicts in the street, where vehicles may not have otherwise been able to enter the driveway and would need to wait in the street. The road is a state classified road and is busier than the vast majority of streets in the area.

Based on the above, the proposed variation is acceptable and should be supported by Council.

(iii) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

Not applicable.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

None applicable.

(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,

The proposed development will not create significant environmental impacts on the natural and built environments. The proposed works will comprise modern, well designed housing on a currently underutilised site.

The social effect of the development on the wider community will be beneficial in providing new housing for those with a demonstrated housing need.

Economic benefits will occur as a result of the employment of local tradespeople in the construction of the development.

(b) The suitability of the site for the development,

The proposed development is permissible under relevant planning controls; it is compatible with surrounding land uses. The proposed use is consistent with Council's residential zoning for the property.

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

Consideration will be given to any submissions made as a result of Council's consultation and notification processes.

(d) the public interest.

No adverse impacts relating to the public interest are expected to arise from the proposal. The proposed development aims to provide modern, well-designed housing to utilise the existing underutilised site that is zoned for residential purposes.

5.0 Other considerations

5.1 Visual Impacts

The development is considered to represent a high visual standard and will not create any adverse visual impacts on surrounding residents. As the existing dwelling house at the front is to be retained, there will not be a substantial change in appearance as viewed from the street.

5.2 Open Space

Useable open space for the development has been provided in accordance with the requirements of the DCP and, having regard to the constraints of the site. Future residents will have access to private open space adjoining the living area of the dwellings at ground level.

5.3 Overshadowing and Privacy

The development will have minimal privacy and overshadowing impacts as the development has been designed to be well separated from side boundaries. A useable area of the living rooms and private open space will receive at least three hours solar access on June 21.

5.4 Noise

Usual noise levels associated with building work will be generated within normal working hours during construction of the project, which should have minimal adverse effects. No major plant or equipment is to be installed and noise generated upon completion will be similar to that as existing.

Acceptable noise levels between dwellings will be achieved in accordance with Building Code of Australia requirements for sound and impact transmission and the recommendations of the acoustic report.

As the site adjoins a main road, a traffic noise and vibration assessment was prepared for the development by Rodney Stevens Acoustics. The noise impact assessment has assessed the noise generation and intrusion of the site and compared it with the noise criteria required by in Maitland City Council and other relevant standards.

Noise and vibration surveys have been conducted and the processed data has been used to determine noise from Raymond Terrace Road in addition to noise and vibration from the Hunter railway line at the project site.

Based on the noise impact study conducted, the proposed development is assessed to comply with the SEPP (Transport and Infrastructure) 2021 noise criteria with recommendations provided in the report.

5.5 Erosion Control Measures

Appropriate measures will be implemented during construction to mitigate against soil erosion and sedimentation. Such measures are set out in Landcom's "Managing Urban Stormwater, Soil and Construction" Manual (2004 Edition).

5.6 Economic and Social Impacts

The proposed development is likely to contribute to a range of economic benefits in the Maitland local government and surrounding areas through:

- more efficient use of land resources, existing infrastructure and existing services
- local sourcing of construction materials
- the local sourcing of tradesmen and other construction-related professionals
- on-going consumption from new/additional residents
- savings associated with improved energy and water efficiency

The social effect of the development on the wider community will be beneficial in providing new housing to meet demand within the local area.

5.7 Environmental Benefits

The design meets BASIX requirements and the proposal will not increase peak storm water flows or cause soil erosion or have an adverse impact on the number of trees at the site. There will be no adverse impact in terms of soil contamination or air pollution or on rare or endangered plant or animal species. The loss of trees on the site will be offset through the provision of new landscaping.

5.8 Traffic/parking

Garages/carport and off-street parking will be provided for all dwellings proposed, meeting demand for off-street parking. The overall effect on traffic generation will be minimal and well within the capacity of the surrounding street system. The common driveway is expected to be utilised by cars only, with garbage bins being collected from the street and residents being responsible for placing them on the street for collection. A rear turning bay is provided within the site to ensure that vehicles will be able to move in a forward direction as far as practicable.

5.9 Stormwater/flooding

Stormwater from the proposed development will drain to the rear lane in accordance with Council's requirements. A common underground on-site detention tank and new rainwater/detention tanks are provided for each of the new dwellings to minimise peak discharge of stormwater.

Based on information provided by Council, the flood level for the site is 5.9m AHD plus 500mm freeboard. All floor levels have been designed to be at or above this level.

6.0 Conclusion

The residential development proposed for the subject site, located at 47 Raymond Terrace Road East Maitland has been considered in terms of the matters for consideration that are contained within Clause 4.15(1) of the *Environmental Planning and Assessment Act 1979* ("the Act").

As indicated in Part 4 of this Statement, the proposed development is considered to be acceptable in terms of the relevant provisions of the *Maitland LEP 2011*, which is the principal environmental planning instrument applicable to the subject site. As such, it is considered to be acceptable in terms of Clauses 4.15(1)(a)(i) and 4.15(1)(a)(ii) of the Act.

As indicated in Part 4 of this Statement, the proposed development is considered to be acceptable in terms of all the relevant aims, objectives and standards contained within the relevant chapters of the Maitland Development Control Plan 2011 and is therefore consistent with Clause 4.15(1)(a)(iii) of the Act.

In addition, the proposed development would have a number of positive effects on both the natural and built environments, as well as a range of social and economic benefits. It is considered unlikely that the proposed development, given its nature, scale and location, would have any detrimental impacts on the built or natural environment or any detrimental social or economic impacts on the surrounding locality. Thus, it is considered to be acceptable in terms of Clause 4.15(1)(b) of the Act.

Further, the subject site, given its location, size and natural features, and given it is not subject to any significant hazards, is considered to be, pursuant to Clause 4.15(1)(c) of the Act, suitable for the proposed development.

The proposed development will provide modern, well-designed housing and utilise an underdeveloped site that is zoned for residential purposes. The proposed development is clearly in the public interest, and acceptable in terms of Clause 4.15(1)(e) of the Act.

Given the above, the proposed development is worthy of approval, and it is requested that the development application to which this Statement of Environmental Effects relates be approved by Council as submitted.