



Complete **Planning** Solutions  
Residential - Commercial - Industrial

# Statement of Environmental Effects

## **PROPOSED TENNIS COURT WITH LIGHTS AND BASKETBALL HOOP**

Lot 1 DP 1043872  
(No. 9) Hopman Close  
**OAKHAMPTON HEIGHTS**

**Prepared For:**  
S and F Hunt

**OCTOBER 2021**

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### QA Status

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# 1.0 DEVELOPMENT DETAILS & SUITABILITY

## 1.1 Development

The proposed development involves the installation of a tennis court with lights and basketball hoop.

See attached plans for further details.

## 1.2 Location

Lot 1 DP 1043872 (No. 9) Hopman Close, Oakhampton Heights. Refer to Figure 1.



*Figure 1:* Locality Map – Map view of Lot 1 (No. 9) Hopman Close, Oakhampton Heights.

## 1.3 Site Details

The subject development site comprises of a total area of approximately 1.637Ha.

## 1.4 Zoning

The subject site is zoned R5 Lot Large Residential under the provision of the Maitland Local Environmental Plan, 2011.

## 1.5 Applicant

Major Sports Services  
C/- Complete Planning Solutions Pty Ltd

## 1.6 Owner

The land is currently owned by S and F Hunt

## 1.7 Site Analysis

The subject lot is within a residential area. The subject site is currently occupied by a single storey dwelling and associated structures. The land is fronted by Hopman Close and is surrounded by residential development.

## 1.8 Site Constraints

The site has been identified by Maitland City Council as having environmental constraints.

- Acid Sulfate Soils – Class 5
- Bush Fire Prone Land

## 1.9 Local Facilities

The subject site is within close proximity to the Rutherford CBD area, convenience stores, schools and recreation facilities. Land use within the immediate locality is of an urban residential nature.

## 1.10 Compatibility with Local Area

Lot 1 DP 1043872 is a residential property located in Oakhampton Heights consisting of planned infrastructure designed to facilitate development of this type. Land in the immediate vicinity of the site is occupied by existing residential housing and land awaiting development.

The proposed development will be compatible with existing residential development. The proposed development is to be constructed at the rear of the property and will not have a negative impact upon the surrounding streetscape, being compatible with the visual setting of the local area.

Refer to attached plans for details.

## 1.11 Shape and Size of Allotment

The subject site is an irregular shaped block located amongst residential developments.

The subject site comprises of a total land area of approximately 1.637Ha. The subject site is considered to be appropriate for the proposed development.

## 1.12 Current and Previous Uses

Hopman Close is within a residential area. The subject site is currently occupied by a single storey dwelling, swimming pool and associated structures.

The subject site is not known to be contaminated.

## 2.0 Planning Objectives

### 2.1.1 Maitland Local Environmental Plan 2011

The subject site is within R5 Large Lot Residential under the provision of the Maitland Local Environmental Plan, 2011. The Local Environmental Plan states -

#### 1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

#### 2 Permitted without consent

Home occupations

#### 3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Home-based child care; Home industries; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Roads; Tank-based aquaculture; **Any other development not specified in item 2 or 4**

#### 4 Prohibited

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

**The proposed development is proposed tennis court with lights. This type of development is permissible with the development consent of Council.**

## 2.1.2 Maitland Development Control Plan 2011 (C.8 Residential Design)

The aims of the MDCP (C.8 – Residential Design) are:

*The purpose of this Development Control Plan is to encourage high quality urban design and improved amenity across all forms of residential development within the City of Maitland.*

*The objectives of the MDCP 2011 (C.8 – Residential Design) are:*

- (a) To set appropriate standards for all forms of housing within the City of Maitland.*
- (b) To provide measures to protect the natural and built environment and minimise conflicts which often arise through development.*
- (c) To ensure that development relates to site conditions and that the amenity of adjacent residential development is appropriately considered.*
- (d) To support the efficient use of residential land and expand the variety of housing options available in the City of Maitland.*

**Consideration of the Maitland LEP 2011 and Maitland Development Control Plan 2011 have been taken into consideration in the preparation of this statement.**

## 3.0 ENVIRONMENTAL IMPACT

### 3.1 Setbacks

The proposed development has been designed to comply with Maitland Council's setbacks requirements. The proposed development is for proposed tennis court with lights. The proposed development is to occur at the rear of the subject site. The front setback will not be altered as a result of the development. The front setback is considered consistent with development in the area.

The proposed development will be setback 23m from the western side boundary and 18m from the eastern side boundary. The southern rear setback will be approximately 36m.

All setback are in excess of Council's requirements for R5 Large Lot Residential zone requirements.

### 3.2 Building Height

The proposed development will include a formed area of 33m x 16m of sand, mess and concrete, with a "synpave" acrylic sports surface. This area will be surrounded by a black pvc chalumesh to a maximum of 3m high of powder coated post and rail.

4 x 6.5m high 80mm powder coated light poles with 4 LED Lights will also be installed.

Refer to attached plans.

The height of the proposed development is well within the maximum height of outlined in council's DCP.

### 3.3 Acid Sulphate Soils

The site has been identified as being located within an Acid Sulphate area. An Acid Sulfate Soil Management Plan is attached to this report.

### 3.4 Mine Subsidence

The site has not been identified as being located within a proclaimed Mine Subsidence District. Approval from the Mine Subsidence Board is not required in this instance.

### 3.5 Drainage & Flooding

The subject site has not been nominated as being subject to flooding. In accordance with Council's policies, stormwater and surface drainage will be connected to the existing stormwater systems.

### 3.6 Overshadowing and Solar Access

The proposed development includes the installation of a 3m mess fence and 4 x 6.5m light poles. It is anticipated that minor overshadowing will occur from this proposal creating minimal impact on surrounding properties.

### 3.7 Services

The subject site has access to all services of town sewerage, water, electricity and telephone.



### 3.8 Stormwater

It is anticipated that there will be minimal stormwater runoff with flow directed to the existing gardens and natural grassed area, and into the sites natural drainage system. The site is a large lot as demonstrated in Figure 2 following.

Refer to attached plans.

### 3.9 Energy Efficiency

The proposed development does not require a BASIX Certificate in this instance.

### 3.10 Access and Traffic

Access to the subject site is via Hopman Close. Hopman Close is a sealed all weather access road. The proposed development is not expected to significantly increase local traffic movement with the local area.

To ensure the safety of residents and the general community the proposed development complies with Council's requirement for adequate access and manoeuvrability.

### 3.11 Landscaping

Landscaping is not proposed as part of this development. The subject site contains existing established gardens and shrubs.

### 3.12 Vehicle Parking Requirements

The proposed development will not alter the existing parking on-site. The provision of the existing and carport and stacked parking complies with Council's requirements.

### 3.13 Operational Details

The hours of use for the proposed tennis court development will be 8.00am and 10.00pm Monday to Saturday; and 9.00am to 10pm Sunday. The lights will include a sharp cut-off feature to ensure these cannot be used after 10.00pm. These hours will limit the impact of the development on surrounding neighbours.

### 3.14 Visual Privacy

The proposal has strived to ensure the privacy of the residents of the proposed development. Privacy has been achieved by providing appropriate setbacks through the design and layout of the development, and the addition of vegetative screening, to help maintain separation and privacy between neighbouring properties.

Refer to attached plans.

### 3.15 Acoustic Privacy

Acoustic privacy will be maintained between residents and neighbours through the use of appropriate building materials, the location of external open spaces and vegetative screening.

Refer to attached plans.

### 3.16 Colour Schedule

An appropriate colour scheme for the development will be adopted to ensure that the proposed development will complement the existing residence and be appropriate for neighbours where able to be viewed.

### 3.17 Heritage

The subject site has not been identified as having Aboriginal or European heritage significance. A heritage assessment is not required in this instance.

### 3.18 Flora & Fauna

The proposed development will require the removal of 3 trees. Refer to figure 2.



*Figure 2:* Small fruit trees and shrubs to be removed.

Refer to attached plans.

### 3.19 Bush Fire

The subject site is located within a bush fire prone area. A bushfire risk assessment is not required in this instance as the proposed development is not located within 6m of the dwelling.

### 3.20 Retaining Walls

The proposed development does not involve the construction of retaining walls.

## 4.0 WASTE MANAGEMENT

Local firms will be advised of any materials which are able to be crushed or recycled. Collection of these materials will be undertaken by a suitably qualified contractor. Table 1 details proposed strategies for the management of site waste.

**TABLE 1: Site Waste Management Plan**

MATERIAL	PROPOSED STRATEGY IF REQUIRED
Excavation Materials	Topsoil for landscaping of site
Green Waste	To be recycled for chipping and composting
Bricks	Transported to crushing and recycling firm
Concrete	Transported to crushing and recycling firm
Timber – pine, particle board	Second Hand Building Materials Sales or Recycled at Local Waste Management Facility
Plaster Board	Landfill site
Asbestos	In the event that asbestos is identified during the demolition of any existing building structures, then the product shall be removed in accordance with:  SafeWork NSW Code of Practice: How to Safely Remove Asbestos, 2016.  SafeWork NSW Code of Practice: How to Manage and Control Asbestos in the workplace, 2016
Metal	Recycled at metal recyclers or sent to landfill site (depending on metal)
Other – including glass, doors, etc	Windows/doors to second hand building materials outlet. Remainder to licensed waste facility.

### Construction Waste

Construction materials will be stockpiled and an industrial sized waste bin will be located on the site. This waste will either be recycled (timber, steel etc) or disposed of within an approved waste facility. See table 1 Site Waste Management Plan for further details.

### General Domestic Waste

All waste material will be recycled where possible and collected by council's garbage service on a weekly basis.

### Demolition

Any proposed demolition works will be carried out in accordance with AS 2601—2001, *Demolition of structures* and any relevant WorkCover guidelines.

## 5.0 CONCLUSION

This Statement of Environmental Effects has been prepared to address relevant planning issues for the proposed development. The proposed development is deemed to be appropriate as:

- The proposed development is consistent with Council's Planning Instruments;
- The subject site is of sufficient size to accommodate such a development;
- The subject site has access to all services of town water, electricity and telephone;
- The proposed development will not decrease the residential amenity currently enjoyed by residents of the area;
- The proposed development will occur with minimal land disturbance;
- The proposed development requires minimal vegetation removal;
- The proposed development ensures the privacy of residents of adjacent properties;
- The subject site is not subject to drainage problems.

## 6.0 RECOMMENDATION

It is recommended that Maitland Council grant Development Consent for the proposed development at Lot 1 DP 1043872 (No. 9) Hopman Close, Oakhampton Heights.

# ACID SULFATE MANAGEMENT PLAN

## Development

The proposed development will involve construction of a tennis court.

## Classification of Acid Sulfate

The subject site has been identified as land which has the potential to produce potential Acid Sulfate Soils (ASS) Class 5.

## Acid Sulfate Soil

Acid sulfate soils (ASS) are widespread along the margins of the NSW coast, in estuarine floodplains and coastal lowlands, including urban areas, farmland, mangrove tidal flats, salt marshes and tea-tree swamps. Disturbance or poor management and use of ASS can generate sulfuric acid and salts. ASS can lower soil and water pH and increase salinity, reducing or precluding vegetation growth and producing soil conditions which may be detrimental to concrete and steel components of structures.

Appropriate planning and management of urban and agricultural land to prevent damage associated with acid sulfate soils is now recognised as an extremely important issue for the NSW coast.

The possibility of locating ASS within the subject site is acknowledged.

## Purpose of Management Plan

- Identify possible areas of concern and sources of ASS affected by construction;
- Evaluate potential environmental impacts associated with construction;
- Provide preventative and control measures during and after construction;

## Recognition of ASS

Contractors need to be able to recognise potential ASS. Some indicators to identify potential ASS are:

- If disturbed, may smell of rotten eggs;
- The presence of Jarosite, usually found as amber-yellow to brown crusts or coatings of minute crystals;
- Monosulfides, appear as a black ooze, can form at the bottom of slow-moving or still waters in ASS-prone areas;
- Stunted or dead vegetation;
- Rust –coloured iron stains and oily-looking water;
- Clear blue-green water body.

Some indicators to identify potential acid sulfate soils (PASS) are:

- Waterlogged ASS may range from dark grey muds to grey sands.

## Minimising Disturbance

It is important to minimise disturbance of ASS for the following reasons:

- Water quality is acceptable at receiving waters;

- Areas of environmental value are protected;
- Property is not detrimentally affected.

Where there is no alternative but to disturb PASS it is suggested that:

- Design and construction methods be employed to minimise exposure to these soils.

## Liming

Sulfuric acid can be neutralised with agricultural lime, but this is too costly for large areas of badly affected land. One technique that has had good results to date is liming of drains so that the sulfuric acid produced in the drain walls is neutralised by the lime as it is washed out. Acid water can also be neutralised by lime.

## Management Principles

The disturbance of ASS should be avoided wherever possible. It is expected that the disturbance of soil for the proposed development will be minimal, even though ASS need to be managed appropriately.

The effective management of ASS will reduce the potential for acid damage and corrosion of surrounding structures and prevent any detrimental effects to the environment.

The following principles should be adopted to combat any potential impact of ASS on the subject site:

- The disturbance of ASS should be avoided wherever possible.
- Where disturbances of ASS is unavoidable, preferred management strategies are:
  - minimisation of disturbance
  - neutralisation
  - hydraulic separation of sulfides either on its own or in conjunction with dredging
  - strategic reburial.
- Stockpiling of untreated ASS above the permanent groundwater table with (or without) containment is not an acceptable long-term management strategy. For example, soils that are to be stockpiled, disposed of, used as fill, placed as temporary or permanent cover on land or in waterways, sold or exported off the treatment site or used in earth bunds, should be treated/managed in a timely manner.
- All excavated materials which need to be stockpiled should be covered to reduce exposure to the weather.
- Neutralisation can be achieved by using agricultural lime. Mix excavated soil material and surfaces with lime at a rate recommended by manufacturer's instructions.
- Reburial location must be one that is permanent.
- When reburying materials precaution should be taken to avoid oxidation.