

STATEMENT OF ENVIRONMENTAL EFFECTS

**Commercial Building
206 High Street
Maitland**

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1. INTRODUCTION

This Statement of Environmental Effects has been prepared by the Stevens Group in support of a Development Application to Maitland City Council. The application seeks Council's approval for Development of a two-storey Commercial Building and associated works including demolition of all structures that exist on the subject land, being 206 High Street, Maitland.

The future use of the building will be subject to future and separate applications including Signage and Strata Subdivision if applicable.

The site is located at the eastern extremity of the Central Maitland Heritage Conservation Area. The significance of which is provided by Maitland City Council to be-

“Central Maitland has historic significance of exceptional value recording an early settlement of the Hunter Valley which grew to be the major centre in the region – larger than Newcastle. It also became one of the largest settlements in NSW during the middle of the nineteenth century. Its historic role is reflected in the excellent examples of Commercial, Civic and Ecclesiastical buildings and in the rarer and more modest surviving examples of early housing.”

The importance of High Street within the context of significance is described within Part E of the Maitland City Development Control Plan (DCP) 2011.

“High Street is characterised by a remarkable collection of early buildings which reflect the growth of the town as a centre of commerce in the Hunter Valley. Banks, shops and offices, together with churches and houses, date from every period of development and exhibit a variety of architectural styles.

High Street is the spine from which the majority of streets branch off at an acute angle. The original bullock track became fixed as the line of the main street enclosed by buildings of two - three storeys, and punctuated along its length by landmark or “reference” buildings.”

Because of its length, and the advent of the mall over a portion of that length, the character of High Street now changes somewhat from east to west.”

The subject land sits in the south eastern portion of the subject conservation area. High Street in this location, is “*somewhat compromised*” by progressive iterations of development in the vicinity.

The growth of Maitland and the Greater Hunter Region has required the expansion of existing transport infrastructure. The most suitable location with regard to the natural and built environment has been found to be in the vicinity of the site (a Site Location Plan is attached at **Appendix 1** of this report). Including the Railway Line Overpass and New England Highway to the east and south.

The Maitland Levee and Heritage Mall Precincts lay approximately 750m to the west of the site. Both have been upgraded extensively in recent years and form the “lifestyle” centre of

the CBD. Dominated by retail and hospitality venues, the connection to the Hunter River and public domain have been extensively upgraded. The Central CBD layout is representative of the comparatively casual way Maitland City was historically settled. The urban grid retains early character which is less conducive to vehicle dependent development. The strategy to improve walkability within the CBD focuses on commercial and civic uses ideally being located beyond the Heritage Mall and Levee Precincts, with carparking facilities and public transport infrastructure located beyond that.

The existing Civic Centre of the City and the historic Civic Centre of the City remain intertwined today. Modern Day Council Chambers is located approximately 300m to the west of the Site on the southern side of High Street, surrounded by a diverse mix of buildings representative of Maitland's Civic Heritage.

The former CBC Bank Building is located at 224 High Street, approximately 250m to the west of the site on the northern side of High Street. This represents the first of the individually listed Heritage Items of Local or State Significance within the vicinity of the proposed development site within Central Maitland Heritage Conservation (CMHC) Area.

Further west along High Street the following items are both within the CMHC Area and individually listed items of Local or State Significance-

- Properties Former Cohens Warehouse facade - 226 High Street
- Technical college - 230 High Street
- Former Congregational Church - 244 High Street
- Former AJS Bank - 248 High Street
- Maitland Mercury - 258 High Street
- Maitland Town Hall and adjacent office building and supper room 279–287 High Street (State)
- McLaughlin's Bakery - 303 High Street
- St John's Pro-Cathedral - 304 High Street
- NAB Bank - 315 High Street
- Methodist Church - 347 High Street
- Maitland Post Office - 381 High Street (State)
- ANZ Bank - 437 High Street
- Barden & Ribee Saddlery - 473 High Street
- Hampton Court - 530 High Street
- Dr Solling's House - 541 High Street Maitland.

Individual Items of Significance within the CMHC Area comparatively nearby the site beyond High Street include-

- The Main Northern Railway Line – the entirety of which is State Listed
- Brick terrace - 26–30 Devonshire Street
- Convent Training College group— 9 Victoria Street.

Development in the immediate vicinity of the site is generally less cohesive in character than the extent of High Street to the west.

An existing single storey brick building occupies the Site. The building was built for the purpose of a Service Station in accordance with growing vehicle ownership in the mid -20th century. The adjoining building to the east outdates the service station, although the exact details of which are not clear. While both buildings form part of the Central Heritage Conservation Area, neither are individually listed Items of Heritage Significance at State or Local level.

Most recently Hertz Car Hire operated from the former Service Station, over a period of approximately ten years, prior to the building being vacated.

The land has previously been deemed suitable for commercial use with regard to contamination potentially caused by past land uses (see Contamination Report Attached at **Appendix 2**).

The relationship between the Proposal, neighbouring properties and the Heritage Conservation Area within which it is situated will be discussed in further detail within later sections of this report.

This Statement of Effects describes the proposed development, the social and physical context in which it is proposed to be established and makes an assessment of the relevant matters for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). The Report should be read in conjunction with the following plans and documentation:

- Site Location Plan attached at **Appendix 1**
- Contamination Report attached at **Appendix 2**
- Proposed Development Plans **Appendix 3**
- Proposed Landscape Plans attached at **Appendix 4**
- Proposed Engineering Plans attached at **Appendix 5**
- Traffic Impact Assessment attached at **Appendix 6**
- Waste Management Plan attached at **Appendix 7**

2. THE SITE

This section of the report provides details of the site's physical attributes and the Real Property description for the land.

2.1 PHYSICAL DESCRIPTION

The site is located at the intersection of High Street and the newly constructed access to Maitland Sportsground, at the far eastern end of High Street approximately 700m from the city centre (see Site Location Plan Attached at **Appendix 1**).

Horseshoe Bend and the Southern bank of the Hunter River, lay further to the north of the sportsground.

The Main Northern Railway Line is situated generally to the south of the site, High St Station being approximately 220m to the south east and the Maitland Train Station approximately 1km to the south west.

The New England Highway intersects with High St approximately 700m to the south east of the site after bridging the railway line.

Existing development on the site consists of a single storey brick and tile building, most recently occupied by Hertz Car Hire. The building was originally built for use as a vehicle service station and is dominated by the refuelling court hipped roof structure and hard stand areas (See **Image 1** below looking east towards the site from the southern side of High St).



The structure occupies the south easterly portion of the site, providing approximately 17sqm of floor space upon the 810sqm site. The site has been previously cleared of native vegetation and there is no landscaping treatment evident other than grass in areas void of concrete.

Previous use of the land prior to the construction of the Service Station has not been ascertained.

The southern property boundary benefits from two existing access points to High Street, demonstrative of the historical use. The most westerly access is proposed to be retained, upgraded and utilised as ingress and egress to and from the development, whilst the easterly access will be decommissioned (see proposed Architectural Plans attached at **Appendix 3**).

The land can loosely be described as Triangular in shape however the north western and eastern boundaries are articulated in various locations along each.

The intersection of the southern High St boundary and north western boundary, adjacent to Maitland Sportsground form the apex of the site in the south western corner (Site Location Plan is attached at **Appendix 1** for reference). The sportsground was recently renovated and the Accessway realigned and upgraded.

Development adjoining to the east, is the only building that immediately adjoins the site.

The neighbouring two storey brick structure outdates development upon the subject site. While forming part of the Central Maitland Heritage Conservation Area, the building itself is not an individually listed Heritage Item at a local or State level. It demonstrates a gable end roof and is built to the High Street boundary, which sits approximately 2.5m forward of the subject site's southern boundary.

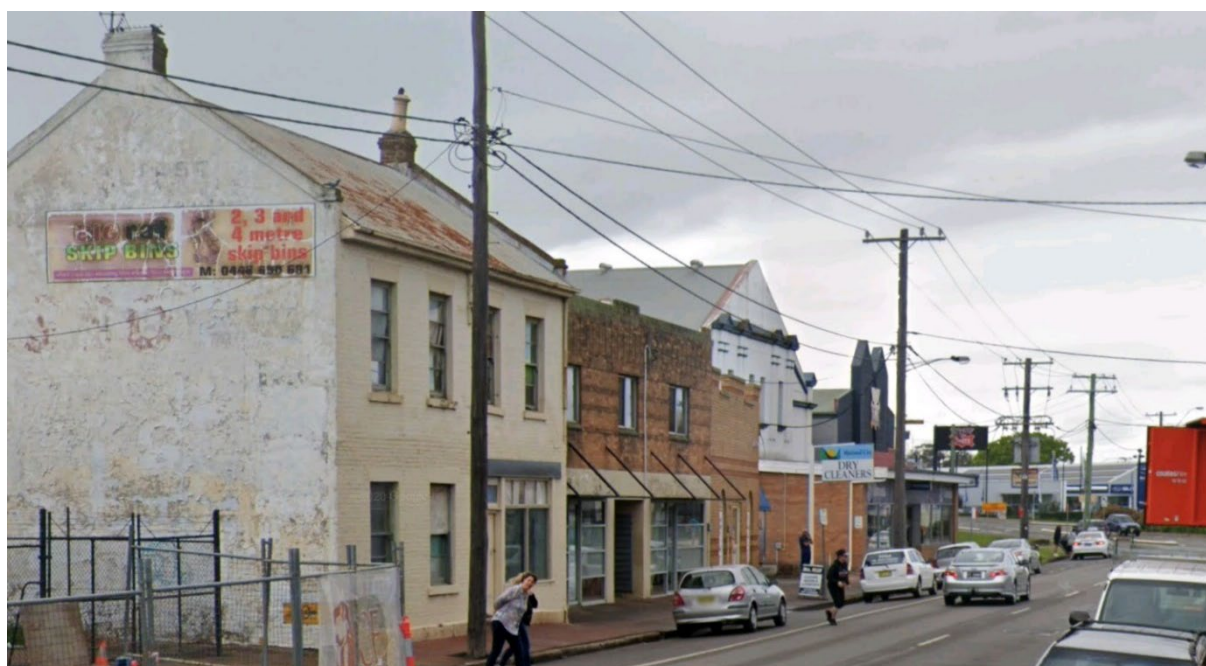
The western facade of the neighbouring building has zero setback to the site for a distance of approximately 5.5m including a portion of timber annexe which appears to be an addition to the original building. The remaining annex like portion of the building articulates north east by approximately 6m in relation to the site boundary (See **Image 2** Below).

The western facade and southern facade of the neighbouring building have the most bearing and impact upon the streetscape, from which the buildings form is most visible.



The existing service station structure is built to the eastern boundary, coinciding with the rear of neighbouring property being setback 6m from the shared boundary.

The current use of the neighbouring building is not evidently commercial or otherwise and may be vacant. Records demonstrate that the building has historically been utilised for commercial purposes and likely built in the early 1900's. It is not known whether or not the second storey was historically used for residential purposes. It appears likely that the timber annexe structure which forms the northern portion of the building did not form part of the original structure but this is not confirmed (See **Image 3 & 4** below of development that adjoins the site to the east).





Development on the southern side of High Street, opposite the site consists of a building known as “The Currency Lass”. The Hotel and Public Bar was established in 1856 and ceased trading in 2004. The building appears to offer residential accommodation at present. **(Image 5 below shows the Currency Lass Building at left and shop top housing the right)**



Modern shop top housing built over three stories abuts The Currency Lass Building to the west **(as depicted above)**

To the east of The Currency Lass is a Battery World, located within a former mid -century service station development (as per **Image 6** below).



Development at the eastern end of High Street supports development that services the day to day needs of the community but the amenity of which may be less suited to the development pattern of the CBD centre due to a variety of individual factors.

A number of buildings in the immediate vicinity appear to be vacant or occupied by alternate but related uses, for which they were intentionally purpose built.

Development on both sides of High Street continues to be commercial in nature, west towards the Civic Centre. The built form is varied in siting, scale, form, density, construction method and the date of such.

Uses include a Gym, Shell Service Station, Hotel/Bars, shop top housing and various commercial tenancies as demonstrated (in **Image 7**) below looking west along the High St boundary of the subject site.



The former CBC Bank situated on the northern side of High Street approximately 250m to the west of the site, represents the closest component within the CMHC Area that is an individually listed Item of Significance.

The building which is not visible in the image above is demonstrated in **Image 8** below, to the right of frame. The consecutive buildings in the image are individually listed Items of Heritage Significance as detailed in Section 1 of this report.



The character of High Street to the west is consistently demonstrative of the Historical Civic Centre in this vicinity. As demonstrated in following Image (9) looking west towards the CBC Bank (pictured mid- block) from outside of the Queens Arms Hotel, the green awning of which is visible to the left of the Image.



The Image below (10) is taken from approximately the same location as **Image 9** looking east toward the proposed development site.



The newly constructed footpath and facade of the neighbouring building to the east can be seen to the left of the above image in the distance. The Currency Lass Building and shop top housing development situated opposite the site can be seen in the distant centre of the image.

Levels over the site fall generally from High Street to the north western boundary, at a grade of approximately 4%.

The finished floor level of the current building is 8.15m AHD being the lands highest point. The lowest level of the existing site sits at 6.6m AHD.

2.2 REAL PROPERTY DESCRIPTION

Lot 1 in DP230063, being 206 High Street Maitland

3. THE PROPOSAL

Approval is sought for demolition of the former service station and the establishment of a two- storey commercial development, associated car parking and landscaping (as demonstrated on the Plans attached at **Appendix 3 and 4**).

Further approval will be sought with regard to the future use of the proposed commercial building and additional requirements pertaining to signage, amenities and potential strata subdivision.

Architecturally the proposed building represents an increase in scale and height in relation to the existing structure. However as depicted in **Image 11** below, the roof over the historic refuelling court, dominates the streetscape when looking East along High Street.



The existing service station structure exhibits little potential for retention or reinterpretation in conjunction with future development and revitalisation of the site.

The new commercial building is proposed to have a zero setback to the southern High Street boundary and extend the length of the eastern boundary. Setbacks over the length of the eastern boundary are proposed to vary to mitigate impacts upon the neighbouring building.

The building is proposed to be setback from the eastern boundary a distance of approximately five meters at the front property line for a distance of approximately seven meters.

The area provided by the setback in this location is proposed to be utilised as a courtyard area accessible via the glazed double doors demonstrated on the Plans attached at **Appendix 3**. An aluminium fence is proposed between High Street and the courtyard to delineate the public and private domain.

Landscaping Plans prepared by Urban Landscape Projects (Attached at **Appendix 4**) provide possible treatment of the courtyard area. The setback between the two buildings is consistent with historic siting and will provide private amenity to the building and visual amenity from the public domain.

Grass, recycled brick paving, low-level garden beds with seating are proposed within the courtyard to create an inviting and functional space. Native Low-level planting is generally proposed within the courtyard. One Lightwood is proposed to be located in the front portion of the courtyard and two native Frangipani trees are proposed along the eastern boundary as shown. The landscaping is proposed to compliment rather than screen the facade of the adjoining building. In turn the facade of the adjoining building is proposed to enhance the character of the courtyard when viewed from within and afar. Landscaping can be suitably managed to this effect.

The articulation of the proposed eastern elevation allows for rainwater reuse tanks to be discreetly located adjacent to the facade while maintaining an approximate 4m setback from the eastern boundary. Existing Development on the subject site is built to the boundary in this location whilst the neighbouring building is setback approximately 6m to the east

The proposal allows for retention of the historic setback to the neighbouring property over a longer distance than currently provided. A reduced setback of approximately 0.5m occurs well beyond the existing neighbouring building footprint and the original fabric of the building.

The facade of the neighbouring property will sit approximately 2.5m forward of the proposed building facade and landscaping, consistent with the historic siting of both developments.

An awning is proposed to encompass the length of the southern and western facade, at a height of approximately 3m above the existing High Street footpath. The awning delineates the proposed first and second-storeys and will provide for solar access control and shelter. The awning will foster a connection to High Street and ensure both facades address the prevailing views from the surrounding public and private domain to the south and west.

Low scale planting along the western entry elevation in conjunction with painted concrete and recycled brick hardstand treatments are proposed.

The north western boundary features landscaping in select locations and low scale planting elsewhere. Views towards the development and from within the development have been considered in the landscape design. The tree located adjacent to the Driveway is proposed to exhibit a foliage height that does not obstruct lines of sight for vehicles leaving or passing the site.

The building is proposed to provide 577.7sqm of commercial floor space over two levels.

The height to under the roof eave is proposed to be 6.3m with a ridge line of 7m. The height is consistent with development in the immediate vicinity of the proposal and the character of greater High Street, which exhibits many two to three storey buildings.

A hipped roof is proposed, allowing for the articulation of the building to be accounted for effectively.

The building is proposed to be constructed using precast concrete and colourbond wall treatments, colour bond roof cladding and aluminium framed glazing in proportions that reference the character of the area.

The proposed schedule of finishes is demonstrated on the plans attached at **Appendix 3**.

Exterior wall colours are proposed to vary and include concrete painted with Dulux Feather Soft and Ceylon Tea. Colourbond wall treatments, downpipes and flashing are proposed to be Monument Grey.

The Roof Cladding is proposed to be Shale Grey and the windows Night Sky. The Colours are muted and timeless and are proposed to neither distract or detract from the surrounding conservation area.

The increased height of the proposed development in relation to the existing service station development will partially alter views from the west towards the neighbouring western facade. The building will retain a forward siting of approximately 2.5m and retain current setbacks. Views of the western facade will be obscured in part when viewed from certain western aspects.

By siting the building as proposed, the triangular site can suitably accommodate the increased scale of the proposal and allow for the building to most effectively address High Street with regard to the prevailing view lines.

The proposal has been designed to avoid where possible encroachment upon the neighbouring structure and the current setbacks visible from High Street, whilst allowing for the development potential of the site to be suitably realised. The impact of the proposal on the neighbouring property is considered to be reasonable given consideration of the positive elements alternately provided by the proposal.

The main entry is centrally located with direct access to the carparking area. The central foyer is proposed to accommodate lift and stair access to the upper floor. A unisex accessible water closet and an additional water closet are proposed to be located in the entry foyer as depicted on the Plans Attached at **Appendix 3**.

Carparking for thirteen vehicles is proposed to be provided adjacent to the Entry Foyer. This mimics the siting of the existing development and nature in which the site was historically used. The height, scale and orientation of the proposal however, negates the car parking area being the focal point of the development or detracting from the street scape.

An accessible car parking space is proposed immediately adjacent to the Entry Foyer Access with at grade access provided.

A driveway accommodating ingress and egress is proposed in the location of the existing western driveway. The driveway is proposed to be approximately 7m wide. A Traffic Impact Assessment undertaken by Intercept Traffic (attached at **Appendix 6**) concludes that the proposed driveway width is sufficient for the proposed 13 carparking spaces proposed-

'Australian Standard AS2890.1-2004 Parking facilities – Part 1 - Off-street car parking a car park with between 1 to 25 car parking spaces accessed via a local road providing long term parking (Class 1A) is required to have a Category 1 access facility. A Category 1 access facility is a combined entry / exit driveway between 3.0 metres and 5.5 metres wide.'

The construction design of the crossover will reflect Council's requirements should development approval be granted. Heritage controls regarding the visual impact of driveways will be reflected in the future design.

Sufficient vehicle manoeuvrability is provided within the proposed carparking area as demonstrated in the proposed Architectural Plans Attached at **Appendix 3**. All vehicles will be able to enter and exit the site safely and in a forward direction.

The traffic impact assessment found that the proposal would have an acceptable impact upon the immediate and surrounding road network. The report further concludes that the site is well serviced by public transport and pedestrian/cycling facilities, provides adequate car parking spaces and meets all requirements with regard to safety and design.

4. STATUTORY MATTERS

This section of the report details the relevant statutory matters for consideration under Section 4.15 of the NSW Environmental Planning and Assessment Act 1979 (as amended) including Regional, State and Local Plans.

4.1 MAITLAND LOCAL ENVIRONMENTAL PLAN 2011

4.1.1 Zoning Land Use Table Maitland LEP 2011

The land is zoned B4 Mixed Use under the provisions of Maitland Local Environmental Plan (LEP) 2011.

The Objectives of the B4 zone are-

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

The proposal satisfies both of these objectives. Commercial Premises are a permissible use subject to consent within the B4 Mixed Use zone. The definition of such is development for the purposes of any of the following-

- *business premises,*
- *office premises, or*
- *retail premises.*

The future use of the building will be commercial in nature.

The proposed development is suitably located with regards to Public Transport, well-connected pedestrian facilities and the central Maitland CBD. The proposal is in keeping with the desired future character of the area.

The High Street Train Station is located at a distance of 220m and Maitland Train Station a distance of 1km.

There are five (5) Bus Routes that currently service the site.

The site is located approximately 750m west of the New England Highway and 700m east of The Levee in the centre of the CBD.

The proposal is in keeping with the objectives of the B4 Mixed Use land use zone under the provisions of the Maitland LEP 2011 and appropriate to the site.

4.1.2 Height of Building Map c4.3 Maitland LEP 2011

The applicable Height of Building Land Use Map does not demonstrate a control for the site.

Two to three storey building height is typical of historic and existing development within the CMHC Area.

The height of the building is proposed to be 7m at the roof ridge line and 6.3m to beneath eave. Surrounding development includes mostly two to three storey buildings. The proposed development is in-keeping with the character of the location and sympathetic to surrounding land uses.

4.1.3 Floor Space Ratio Map c4.4 Maitland LEP 2011

The subject land does not have an applicable requirement with regard to floor space ratio.

The proposal does however demonstrate an appropriate level of development upon the subject land. The development provides a floor area of 290.3 sqm and 287.4 sqm at ground and first floor level respectively.

Parking and access, landscaping, courtyard, setbacks, rainwater reuse tanks and storm water infrastructure are adequately accommodated for in addition to the proposed floor space of the building.

4.1.4 Heritage Conservation c5.10 Maitland LEP 2011

Clause 5.10 of the LEP sets out the type of Development that requires consent with regard to the Conservation of Heritage Items and Areas.

The consent authority must be satisfied that if development has the potential to affect a heritage item or area of significance (in accordance with Schedule 5 of the LEP) that the potential impact of the proposal, is understood and deemed acceptable, prior to granting approval.

In this regard Council may during the assessment process require further studies or management plans be undertaken and provided by the applicant.

The land is located within the Central Maitland Heritage Conservation Area and approval is sought to demolish all existing structures on the site.

The existing use is vacant and is not deemed to be an individually significant development. The structure is dominated by a roof structure once used to provide shelter over the refuelling area of the service station. The development consists of approximately 17sqm of floor space within the building.

The existing building is limited in it's potential for reuse and does not make effective use of the site area.

The proposal will revitalise the site and provide commercial floor space in an appropriate location. The height of the building is proposed to be consistent with the character of surrounding development.

The proposal allows for High Street to be better addressed to both the south and west, without prejudicing the access to the newly upgraded sportsground to the north.

The neighbouring building, a component of the Heritage Conservation Area, will continue to benefit from the existing building setbacks along the eastern and southern boundaries it adjoins. The buildings western elevation has historically been visible from High Street. The increased height of the proposal will decrease the distance at which a portion of the western elevation is visible when travelling east along High Street. The neighbouring building will continue to be sited 2.5 m forward of the proposed facade. The western elevation of the neighbouring building will continue to be visible from High Street and from development on the southern side of High Street in most instances.

The impact of the proposal upon surrounding development and the greater conservation area has been considered and mitigated where possible. The potential impacts of the proposal with regard to Heritage Conservation are deemed to be acceptable.

4.1.5 Flood Planning c5.21 Maitland LEP 2011

The site is flood affected. The Preliminary Civil Engineering design for the proposal has been undertaken by Northrop Engineers. Discussion between Northrop and Council indicated that the applicable Flood Planning Level for the site is 10.22m AHD, with 9.72m AHD being the 1% AEP Flood level.

The current building has a finished floor level (FFL) of 8.15m AHD. Council provided confirmation that retaining the existing FFL for future commercial development would be acceptable.

Localised filling is proposed in the northern portion of the site, and is not likely to have an adverse impact upon existing flood behaviour effecting the site or neighbouring lands (Proposed Engineering Plans are attached at **Appendix 5**).

4.1.6 Acid Sulfate Soils c7.1 Maitland LEP 2011

The objective of this clause is to prevent environmental damage as a result of Acid Sulfate Soils being disturbed, exposed or drained when development is undertaken.

Clause 7.1 of the LEP indicates that land identified as being class 1 through to 5 on the Acid Sulfate Soil Maps must adhere to the applicable Class requirements with regard to development.

The site is mapped as being Class 5, development consent is required for-

Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Development consent is sought for the proposal. Earthworks are proposed to be minimal and mainly for the purpose of installing stormwater devices and infrastructure. Localised filling is proposed in the northern portion of the site.

Development can be managed to satisfy the objectives of the LEP pertaining to Acid Sulfate Soils.

4.1.7 Earthworks c7.2 Maitland LEP 2011

The proposed earthworks are minimal and ancillary to the proposal.

As mentioned in section 4.1.7 above, excavation will be undertaken for the purposes of installing stormwater management devices and required infrastructure.

Existing development upon the site has a finished floor level (FFL) of 8.15 m AHD, which is proposed to be retained. The increased building footprint and existing levels over the site require localised filling in the northern portion of the site (see proposed Engineering Plans attached at **Appendix 5**).

The proposed ancillary earthworks are not proposed to impact upon any known cultural or heritage items, environmental functions and processes or surrounding land uses.

Sediment and Erosion controls will be implemented during construction in accordance with the plan attached at **Appendix 5**. Adhering to appropriate measures detailed therein will ensure the development does not negatively impact any watercourses, drinking catchment or sensitive land areas in the vicinity of the site and beyond.

4.2 STATE ENVIRONMENTAL PLANNING POLICIES

The subject land is affected by a number of State Environmental Planning Policies those of relevance to the subject application are;

- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and*
- *State Environmental Planning Policy No.64- Advertising and Signage*

These Environmental Policies are discussed below.

4.2.1 STATE ENVIRONMENTAL PLANNING POLICY NO 55 - REMEDIATION OF LAND (SEPP 55)

SEPP 55 aims to provide a state wide planning approach to the remediation of contaminated land. In particular the policy aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment.

A service station historically operated from the site and a Hertz Car Hire for the ten years prior to being vacated.

Underground Infrastructure associated with the Service Station has not been removed. A Contamination Assessment undertaken by Environmental & Earth Science in 2005 (attached at **Appendix 2**) made the following conclusion-

“Given the absence of groundwater and the low level of hydrocarbons encountered, it is unlikely that the operation of the site as a service station has had a significant impact on subsurface conditions.

The site is considered suitable for continued commercial landuse however it is recommended that if the underground storage tanks (and associated infrastructure) are no longer required, then they are decommissioned and removed in accordance with the Australian Standard AS1940. There may be some hydrocarbon impacted soil within the tank pits, however, the field investigation suggests that contamination is unlikely to be extensive”

The existing underground infrastructure will be removed and the site remediated as necessary as part of the development.

4.2.2 STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE

The building is proposed to be commercial in nature however future use will be subject to separate approvals.

A flush building identification sign demonstrating the street number of the property is proposed to be located on the western facade upon an architectural element of the roof that does not protrude above the overall building height.

The orientation of the building allows for the signage to be seen from various locations along High Street as shown on the Plans attached at **Appendix 3** and is wayfinding in nature.

Additional Signage does not form part of this proposal and will form part of future development approvals if required.

State Environmental Planning Policy No 64- Advertising and Signage will be addressed accordingly within future applications.

4.3 CENTRAL MAITLAND STRUCTURE PLAN (CMS Plan) 2009

The objective of the CMS Plan 2009 is briefly summarised as follows-

The Central Maitland Structure Plan sets out an ambitious vision, supported by key strategies to guide growth and development over the next 20 years. The vision for Central Maitland builds on the City’s existing strengths and aims to create a vibrant place and reinforce its role as the Major Regional Centre, second only to Newcastle.

This plan recognises that Maitland lies at the centre of the major growth corridor of the Hunter Valley. The city is sited at a junction in the rail network, close to the motorway and

close to Newcastle Airport. Maitland stands in a similar relationship to Newcastle as Parramatta does to Sydney. However Maitland and the Hunter have the opportunity to improve on the patterns of Australia's other metropolitan areas to become more sustainable and a more desirable place to live and to do business.

The factors identified as key to realising the vision are Residential and Employment Growth, Car Parking Strategy, Public Domain Upgrade, Improved Connection to the Hunter River, Retail Competitiveness and Character.

The integrated approach to achieving the objectives of the Plan resulted in specific locations most suitable for future development being identified within the Structure Plan.

The south eastern end of High Street is identified as the suitable location for employment growth, in the form of 500 plus jobs.

Gateway Carparking is a key strategy within the plan, the aim of which is to improve the walkability of the CBD and decrease vehicle reliance within centre. Future Carparking at Gateway locations are demonstrated in the Plan. Accordingly, the eastern end of High Street was found to be a suitable location for the future provision of 500 plus car parking spaces.

The proposed Commercial Development is ideally located with regard to existing transport infrastructure and the area identified by the parking strategy.

Existing well-connected pedestrian facilities within range of the central CBD will encourage future staff and visitors to be less vehicle reliant travelling to and from the development and more likely to access Central CBD services by foot.

The proposal to develop the former service station site for commercial purposes is wholly in keeping with employment growth targets.

The site is ideally located in relation to existing infrastructure and development and the desired future character of the area.

The proposed development is in-keeping with the vision and objectives of the Central Maitland Structure Plan 2009.

4.4 MAITLAND CENTRES STUDY 2009

The Maitland Centres Study builds on the findings and aims of the Maitland Urban Settlement Strategy (USS) 2001-2020, that was prepared prior to the preparation and finalisation of the Maitland Local Environmental Plan 2011.

Maitland USS 2001 provided a framework for sustainable development and growth within Maitland Local Government Area.

Key policies identified within the Urban Settlement Strategy include-

- The provision of a 15- year supply of land zoned for commercial purposes within strategic areas, serviced by appropriate infrastructure to facilitate employment growth,
- Centres are to be protected and strengthened with the use of development guidelines and incentives. The hierarchy of centres is to be maintained, but will be subject to review and analysis,
- Encourage employment growth in Central Maitland, whilst maintaining and facilitating specialized civic, educational, medical and entertainment functions,
- Limit retail and commercial development outside Central Maitland and Greenhills; and
- Concentrate retail activities in centres and identify and strengthen industry clusters.

The Maitland Centres Study 2009 maintained the findings of USS with regard to Central Maitland being a suitable location for the future provision of commercial floor space.

The wider trend of commercial business parks being located outside of centres is on the whole concluded to be at odds with the development pattern of the region and potentially detrimental to the future vitality of the CBD.

The unique urban layout of the city centre is conducive to development for the purposes of specialty food, drink and restaurant premises, that suit and capitalise upon the uniquely casual form of historical settlement in the vicinity of The Levee and Central Mall. The proposal does not prejudice the land that is suited for these uses. The provision of commercial floor space and the potential employment created by the proposal supports the strength and vitality of such uses within the CBD.

Existing Civic and Commercial development will not be prejudiced by the provision of additional commercial floor space in accordance with the proposal.

The Maitland Centres Strategy encourages the location and type of development for which approval is sought.

4.5 LOWER HUNTER REGIONAL STRATEGY (LHRS) 2031

The Regional Strategy is the pre-eminent planning document for the Lower Hunter Region and has been prepared to complement and inform other relevant State planning instruments.

The Lower Hunter Regional Strategy applies to the five local government areas of Newcastle, Lake Macquarie, Port Stephens, Maitland and Cessnock.

The Strategy primarily aims to ensure land is available to accommodate the projected Housing and Employment needs of the Region's population over a 25-year period.

The predicted regional infrastructure requirements identified in the State Infrastructure Strategy 2006–07 to 2015–2016 inform the LHRS.

The five LGA's of the Lower Hunter are estimated to experience a population growth of 160,000 people. The housing demand as a result is predicted to require the provision of up to 115,000 new dwellings by 2031. Creation of some 66,000 jobs will be required to be created to meet the employment needs of the region. The LHRS aims for 85% of future job supply to be within the Lower Hunter Region.

Maitland is identified within LHRS as a Major Regional Centre, earmarked to provide an additional 3,200 new jobs and 1,300 new homes. The LGA as a whole is set to provide 26,500 new dwellings by 2031.

It's estimated that Greenhills Shopping Centre may have created in the vicinity of 1500 retail jobs.

The LHRS identifies the significance of Maitland Centre in the regional settlement hierarchy. Achieving strong vibrant centres is particularly relevant to the Strategy. The growth of retail and industrial clusters outside the Maitland CBD further requires that commercial development be encouraged within appropriate locations within the City Centre.

The Proposal is consistent with the intentions of the Lower Hunter Regional Strategy 2031.

4.6 MAITLAND CITY DEVELOPMENT CONTROL PLAN (DCP) 2011

Maitland City Council Development Control Plan 2011 contains a number of controls of relevance to the proposed development. The prescribed controls in relation to the proposal are discussed in this section of the report.

4.6.1 Maitland DCP Part B – B3 Hunter River Floodplain

As previously noted in section 4.1. 5, the site is flood affected. The Preliminary Civil Engineering design for the proposal has been undertaken by Northrop Engineers. Discussion between Northrop and Council indicated that the applicable Flood Planning Level for the site is 10.22m AHD, with 9.72m AHD being the 1% AEP Flood level.

The current building has a finished floor level (FFL) of 8.15m AHD. Council provided advice confirming that retaining the existing FFL for future commercial development would be acceptable.

Localised filling is proposed in the northern portion of the site, it is not deemed likely to have an unacceptable impact upon existing flood behaviour effecting the site or neighbouring lands (Proposed Engineering Plans are attached at **Appendix 5**).

4.6.2 Maitland DCP Part B- B6 Waste Minimisation and Management

A Waste Management Plan has been prepared in conjunction with the proposal with regard to components of Development for which Approval is sought (Attached at **Appendix 7**) being demolition and construction.

Operational waste management will be addressed in accordance with future applications relating to Use.

4.6.3 Maitland DCP Part C – C4 Heritage Conservation

As outlined, the Site is Located within the Central Maitland Heritage Conservation Area (CMHC).

Whilst not individually listed as a Heritage Item of Significance, the site is important in a broader sense, representing the previous history of Maitland Centre as whole.

The site is located in the south eastern corner of the Area, within close proximity to Rail and Road Infrastructure that has been expanded overtime.

As demonstrated in the images included in Section 2 of this report and reinforced within the text of Part E3.3 of Maitland Council DCP, the heritage character and fabric of the south eastern portion of High Street is “somewhat compromised”.

The proposal seeks demolition of an existing service station building. The site has not operated as service station in many years, having been utilised as a Hertz Car Hire for approximately 10 years and is now vacant.

The major component of the building is the former refuelling canopy a dominant brick and tile structure.

The internal floor area of the building is approximately 17 sqm and includes a garage with zero setback to the adjoining property, expanses of concrete and overgrown grass.

The development has the potential to impact upon the neighbouring building to the east. The building has historically maintained visibility to the south and west along High Street. A Historic photograph taken in approximately the 1930’s depicts the building as seen below to the far left.



The above Image (13) demonstrates the neighbouring buildings western facade and the nature of surrounding development at the time. The forward property line of the neighbouring lot makes it difficult to discern what the nature of development on the subject site, if any was at the time.

It appears that to some extent the western facade of the neighbouring building has historically been a visible component of the street scape.

The site is triangular in shape which increases the elevations that address High Street. The current building is focused towards the South only. The proposal makes efficient use of the site area and encourages connection to High Street to both the south and west.

The proposal will reinterpret the way in which the western facade of the adjoining building will be viewed. The setback of the proposal and eastern courtyard will allow for attention to remain drawn to the facade. The proposal is designed to incorporate and compliment the character of the neighbouring building rather than screen or detract from the heritage integrity. The southern facade will be minimally impacted by the proposal, due to the retention of historic setbacks to the shared property boundary. The increased height of the structure may obscure views from some westerly aspects.

The alignment of High St and the existing built form obscure views from the west to the subject site and neighbouring building in various locations.

The following Images demonstrate views from the northern footpath of High Street, facing east towards the subject Site and neighbouring property. Each consecutive image demonstrates the view of the development site and neighbouring property from a progressively western point. Culminating in the view from the northern High Street footpath, looking east towards the Maitland Mercury, approximately 450m west of the site.



Image 14 Site



Image 15 West of Site



Image 16 Western development neighbouring Site



Image 17 As previous



Image 18 Former CBC Bank



Image 19 Former Cohens Warehouse



Image 19 Regional Art Gallery



Image 20 Sun Street



Image 21 Fmr Maitland Mercury Building



Image 22 West of Maitland Mercury

As demonstrated by the Images above, views of the Site and neighbouring Building, from the northern footpath of High Street towards the east are not dominated by the Site and neighbouring building.

The following Images demonstrate views towards the Site from the opposing southern footpath of High Street, looking east. The final image below is approximately 500m to the west of the Site.



Image 23 The Site



Image 24 Shell Service Station



Image 25 West of Shell



Image 26 The Queens Arms Hotel



Image 27 West of the Queens Arm Hotel



Image 28 High St Smash Repairs



Image 29 New Maitland Administration Centre Site



Image 30 Crossing to Regional Art Centre



Image 31 Town Hall Building



Image 32 Victoria Street



Image 33 West of Victoria Street



Image 34 Former NAB Building 315 High St

The previous images demonstrate that the Site and adjoining building are obscured from view at certain points, due to the existing built form and the alignment of High Street. The proposal will allow for the neighbouring building to remain visible from the west and also allow for the proposed development to be visible, which is consistent with the historic High St streetscape.

The following set of images demonstrate the Site and adjoining development from the northern side of High St looking west, from a progressively eastern view point. The final image is taken from approximately 250m to the east of the site, at which point High St turns to the north east and crosses the railway line.



Image 35 The Site looking west



Image 36 Neighbouring building east



Image 37 2nd neighbouring property to the east



Image 38 Opposite Abbot St



Image 39 Rivers retail outlet



Image 40 Central Median before railway overpass

The proposed building will be obscured from view from the western approach along the northern footpath of High St, until within close proximity to the eastern boundary of the Site.

The following images depict views of the Site and neighbouring properties from the southern High St footpath, heading progressively east. The final image depicts views from approximately 250m to the east of the Site.



Image 41 Eastern boundary of the Site



Image 42 The Currency Lass Building to north



Image 43 East of Abbot St and Batteries World



Image 44 Coates Hire

Views from the southern side of High Street moving east will not be adversely impacted by the proposal.

The final set of images pertain to view lines in the immediate vicinity of the Site. Both from the north of the northern and western property boundary and to the south of the southern boundary of the Site.



Image 45 Looking south from the southern boundary



Image 46 Looking west from the south western corner of the Site



Image 47 Looking south west from the north eastern Site boundary



Image 48 Northern property boundary looking south



Image 49 Neighbouring northern property boundary looking south



Image 50 Looking south from the Sportsground access north of the Site



Image 51 Looking south west along the Sportsground access

The proposal is not likely to have an adverse impact on the visual amenity or heritage integrity of the immediate or greater Central Maitland Heritage Conservation Area. The proposal will have an overall positive impact upon the subject site, neighbouring building and surrounding development.

The redevelopment of the site for a commercial use will encourage further revitalisation of the south eastern portion of the CMHC Area.

4.6.4 Maitland DCP Part C – C11 Vehicle Access and Carparking

The proposal includes the provision of 13 carparking spaces which satisfies the DCP requirement of 1 space per 45sqm of Commercial Gross Floor Area within the CBD.

Off street parking is provided on both sides of High Street in the vicinity of the site. Vehicle reliance is discouraged by the provision of a range of nearby public transport options and well-connected pedestrian facilities.

Accessible parking is located immediately adjacent to the proposed entry, with level access to the building available.

The proposed width of the driveway meets the standards for the carpark capacity and will be constructed in accordance with Council requirements.

The Traffic Impact Assessment undertaken in conjunction with the proposal found Vehicle Access and Carparking arrangements to be satisfactory and the impact of the proposal upon the immediate and greater traffic network, negligible.

4.6.5 Maitland DCP Part E – E3.3 Central Maitland Heritage Conservation (CMHC) Area

This part of the DCP as discussed in previous sections of this report relates specifically to the conservation area within which the site is located.

The proposed development and the potential impacts it may have on the individual site and wider area have been considered, avoided and mitigated where possible.

Demolition of existing structures is not encouraged within the CMHC Area however is deemed acceptable in this case in order to support the revitalisation of the site, surrounding area and to provide employment growth in an appropriate location with regard to the existing and desired character of the area.

The existing structure provides minimal opportunity to be reinterpreted or retained for future use.

The building adjoining to the east is deemed to be the most sensitive to loss of integrity as a result of the proposal. The western facade of the building has been a consistent feature of the High Street scape in this location. Setbacks to the façade are proposed to be retained in order to maximise existing views despite the proposed height increase.

The courtyard area is proposed to enhance rather than detract from the neighbouring facade and allow for reinterpretation of the building from the both the private and public domain.

The proposal represents investment and growth within an area of the CMHC that is experiencing a decline.

4.7 MAITLAND CITY COUNCIL MANUAL OF ENGINEERING STANDARD

The Manual sets out the minimum standards and guidelines for engineering design and construction works in the Maitland City Council Local Government Area. It is intended for use in the preparation of development applications and engineering designs for the construction of approved works, as a “Construction Certificate” under the EP& A Act or as consent under the Roads Act.

Preliminary Civil Engineering Design has been prepared and is Attached at **Appendix 5**. The Design includes a Sediment and Erosion Control Plan for implementation during construction.

Should development approval be granted the Concept Stormwater Management and Rainwater Reuse Strategy will be finalised in further detail prior to construction in accordance with Council’s requirements set out within the Manual.

On site detention is proposed to be located underground in the south western corner of the car parking area. The proposed pit and pipe system is demonstrated on the attached plans.

The driveway crossover as indicated on the plan is to be designed and constructed to council’s requirements. The aesthetic treatment of the driveway will be in accordance with Council’s requirements with regard to Heritage.

The proposal’s concept civil engineering design addresses the necessary requirements and will be finalised in accordance with Council’s requirements prior to construction should consent be granted for the proposal.

5. OTHER RELEVANT MATTERS

5.1 IMPACT ON THE NATURAL ENVIRONMENT

The proposal has the potential to adversely impact the natural environment during the demolition, construction and operational stages. In this regard appropriate waste management and sediment erosion controls will be implemented during the demolition and construction stages.

The preliminary engineering plans prepared for the proposed development indicate the proposal will not adversely impact flood behaviour over the site or within adjoining properties.

The site is currently deemed suitable for commercial use and will be remediated in association with the removal of the underground storage tanks associated with the historic use if necessary.

Detailed design of the stormwater management plan and water cycle management plan will be undertaken in accordance with Council's requirements to negate any impacts on the natural environment as a result of the proposal.

Waste management related to the operation of the proposed commercial building will be addressed where necessary within future applications for approval.

The proposal is located close to public transport and is well serviced by pedestrian and cycle facilities. The development is appropriately located to discourage vehicle reliance.

In accordance with the above measures, the proposal is not likely to adversely impact the natural environment.

5.2 IMPACT ON THE BUILT ENVIRONMENT

The proposal has the potential to impact upon the built environment and heritage character of the locale.

The building that exists on the subject land has limited potential for reuse or reinterpretation. A number of buildings surrounding the site, similarly exhibit limited potential to be retained for future use.

The expansion of transport infrastructure and the nature of historic land use in the vicinity of the site have impeded investment. The Site is suitably located to be developed for commercial use that will encourage employment growth within Maitland CBD.

The revitalisation of the site will have a positive impact upon the built environment in the vicinity of the site, without adverse impact upon the heritage character of the built environment.

5.3 SOCIAL IMPACT

The revitalisation of the site will positively contribute to the #My Maitland campaign that aims to increase community connection to the area and encourage that development and visitation be focussed locally.

The proposal will offer services to the local and greater Maitland community. It is considered likely that proposal will have a positive social impact.

5.4 ECONOMIC IMPACT

The development will create jobs during the construction and operational phases and encourage future investment in the vicinity of the site.

The proposed commercial use will directly support the local economy and encourage staff and visitors to further stimulate the local economy. The proposal will have a positive economic impact.

5.5 SUITABILITY OF THE SITE

The site is suitably located to support the proposed commercial use, within close proximity of public transport facilities and within walking distance of the Maitland commercial, civic and lifestyle precincts.

The subject site is 810 sqm in size and can accommodate the proposed two storey commercial building, carparking facilities, associated infrastructure and landscaping.

The existing improvements on the site form part of the wider Central Maitland Heritage Conservation Area. The structure itself having been purposely built as a service station and inline with historic car proportions offers little option for repurpose.

All services are available to the Site.

The Site is suitable for commercial use. The proposal has been designed to mitigate impacts upon neighbouring development. The Site is suitable for the establishment of the proposal.

5.6 ANY SUBMISSIONS

None relevant.

6. CONCLUSION

The proposed demolition of the existing vacant service station upon the subject land and subsequent establishment of a two -storey commercial building is an appropriate use of the site.

The site is identified as the desired location for development that encourages large employment growth and less motor vehicle reliance.

The potential impact the proposal may have on the heritage character of the CMHC Area has been considered in the design of the building and associated works.

The development will have a positive impact on Maitland Central Business District. Council's favourable assessment of the proposal is requested.

APPENDIX 1 - Site Location Plan

APPENDIX 2 - Contamination Report

APPENDIX 3 -Proposed Architectural Plans

APPENDIX 4 - Proposed Landscape Plans

APPENDIX 5- Proposed Engineering Plans

APPENDIX 6 - Traffic Impact Assessment Report

APPENDIX 7- Waste Management Plan