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STATEMENT OF ENVIRONMENTAL EFFECTS

105 Brooks Street Rutherford

Lot 86 & 87 DP 13259

Zoning: R1- General Residential

Proposed Development: Demolition, 2 into 3 Lot Torrens Title Subdivision, multi dwelling development and retaining walls.

Prepared by Advantage for **Stuart Ellicott**

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INTRODUCTION

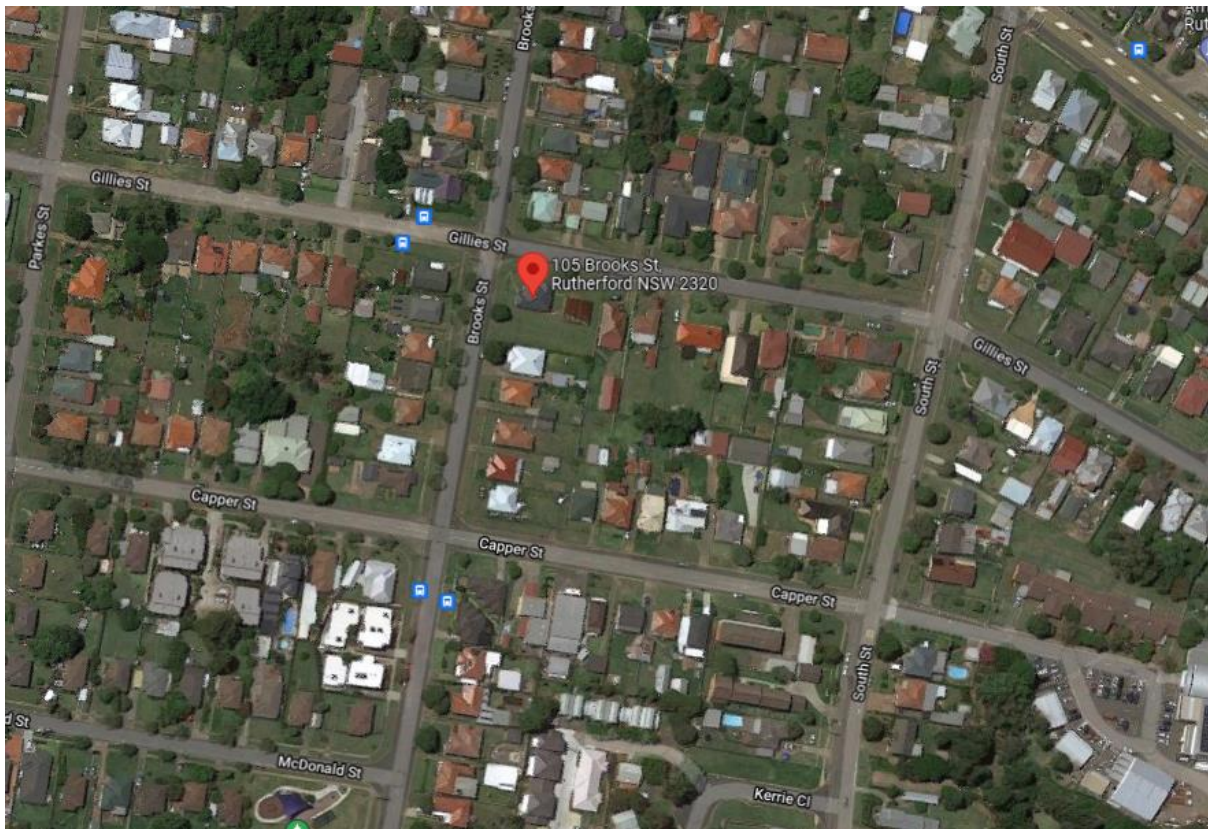
This Statement of Environmental Effects accompanies a Development Application lodged on behalf of Daniel White in relation to land known as 105 Brooks Street Rutherford (Lot 86 & 87 DP 13259). The proposal is for a multi dwelling development consisting of the demolition of the existing garage and retaining walls, retaining walls and a 2 into 3 lot Torrens Title subdivision, retention of the existing dwelling and the construction of 2 additional single storey dwellings and retaining walls.

This statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and type of development as set out in Section 79C (1) of the Environmental Planning and Assessment act 1979. As a result of this assessment, it is considered that the development of the site in the manner proposed is acceptable and is worthy of the support of Council.

EXISTING CONDITIONS

Local and Regional Context

The site is located at 105 Brooks Street Rutherford. The locality is an existing residential area on the edge of East Maitland that is characterised by a mixture of single dwellings, dual occupancies and multi dwelling housing positioned on variable sized lots. Retail, schools and sporting facilities, public transport as well as parkland are in close proximity. The subject site is zoned R1 General Residential pursuant to the Maitland Local Environmental Plan (2011).



Map of location.

The Site

The subject site is identified as 105 Brooks Street Rutherford (Lot 86 & 87 DP 13259). The lot has frontage to Brookes Street (West) and Gillies Street North). The lot has a depth of 28.9m and width of 40.2m and falls to the rear southern corner of the site. The existing cottage has been renovated and will be retained.

PROPOSED DEVELOPMENT

General Description

The proposal is for a multi dwelling development consisting of the demolition of the existing garage, retention of the existing dwelling, 2 into 3 lot Torrens Title subdivision, the construction of 2 single storey dwellings and retaining walls.

The existing dwelling has been renovated.

The new dwellings will consist of two 4 bedroom, double garage dwellings of brick veneer construction.

A detached garage will be provided for the existing dwelling.

The subdivision will create lots of 382.36m², 374.38² and 408.27m². An easement will be created for drainage and access to Gillies Street across Lot 3.

Calculations

The development indices for the proposed are as follows:

Description	Proposed	Requirement	Compliance
Area of Sites (m ²)	1165.01m ²		
Gross Floor Area of dwelling/s (m ²)	NA		
Floor space Ratio	NA		
Site Coverage (m ²)	59.6%	Max 70%	YES
Driveways (m ²)	91.15m ²		
Landscaped Area	39.7%		

PLANNING CONTROLS

The proposed development is identified as Local Development under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and the relevant planning instruments and policies of Maitland City Council.

Maitland Local Environmental Plan 2011

The subject land is zoned R1 General Residential under the provisions of the MLEP2011. The provisions of the Maitland LEP and the R1 residential zone are: -

General Residential

1 Objectives of zone

- 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.

2 Permitted without consent:

Home occupations

3 Permitted with consent:

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; 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; 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; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewerage 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

Maitland Development Control Plan 2011, Part C.8 Residential Design

Aims of this section 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.*

Maitland Development Control Plan 2011, Part C.10 Subdivision

Aims of this section are:-

- (a) To promote the efficient use of an increasingly limited land resource in the City Maitland.*

(b) To encourage innovation in subdivision design to create a strong sense of community, a pleasant living environment and reduce environmental impacts.

(c) To encourage an integrated approach to street pattern, lot layout and facility provision to create desirable urban environments and character.

(d) To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of subdivisions and subsequent housing.

(e) To ensure that subdivisions protect and enhance rural character and prevailing views in the City.

(f) To facilitate different subdivision forms and the use of different land title systems which may assist in minimising and managing environmental problems (e.g. the use of community title to manage areas requiring environmental repair or common drainage or effluent systems).

(g) To ensure that subdivisions and subsequent housing take account of physical constraints such as bushfire, flooding, landslip, and the like.

(h) To protect key cultural resources (places of environmental heritage value) from land use or management practices that may lead to their degradation or destruction.

(i) To protect and enhance the limited amounts of remnant/contiguous vegetation in the City.

COMPLIANCE

Part C.8 Residential Design

Objective / Performance Criteria / Provision	Compliance	Proposal as Assessed
3. Development Incorporating Existing Dwellings		
<p>a) To ensure that, where possible, existing buildings are retained and used for ongoing residential use.</p> <p>b) To ensure that buildings and streetscapes of conservation significance are retained and incorporated into new development where possible.</p> <p>c) To ensure that existing dwellings are provided a high standard of amenity and facilities when being incorporated into a residential redevelopment project.</p> <p>d) To encourage sustainable building practices and resource efficiency by minimising the amount of material being diverted to landfill as a result of building demolition.</p>	YES	<p>The existing 3 bedroom principal dwelling will be retained. It has recently undergone a renovation. The existing garage will be demolished and new one constructed.</p> <p>Two new single storey dwellings will be constructed forming a multi dwelling development.</p>
4. Bulk Earthworks and Retaining Walls		
<p>a) To ensure that development responds sensitively to the topography of the land.</p> <p>b) To restrict and control excessive earthworks in order to preserve, as much as practicable, the existing topography and character of the neighbourhood affected by the proposed development.</p> <p>c) To ensure that the building design is appropriate for site conditions with consideration given to the stability and privacy of the adjoining properties, solar access, amenity and bulk, height and scale at the boundary interface.</p> <p>d) To minimise the effect of disturbance on any land and ensure that dangerous/unstable excavations are avoided, or where necessary, are properly retained.</p>	GENERALLY	<p>The site falls to the rear southern corner of the site. Fill will be required to enable OSD to fall to Gillies Street. This is a maximum of 1m.</p> <p>A maximum cut of 1.3m is proposed 150mm from the proposed southern boundary of the existing residence. This is to provide a reasonably level pad for construction of the new 2 dwellings.</p>

Objective / Performance Criteria / Provision	Compliance	Proposal as Assessed
<p>e) To reduce the potential for the siltation of waterways and erosion of land disturbed by the development.</p> <p>f) To ensure that the site is appropriately rehabilitated as an integral part of the development.</p> <p>g) To preserve topsoil.</p> <p>h) To ensure that adequate provision is made for drainage in relation to cut and fill practices.</p>		
5. Street Building Setbacks		
<p>a) To provide setbacks that complement the streetscape, allow flexibility in the siting of buildings and allow for landscape settings and open space requirements.</p> <p>b) To ensure that new development establishes appropriate and attractive streetscapes which reinforce the function of the street and is sensitive to the landscape and environmental conditions of the locality.</p>	YES	The proposed new dwellings are set in line with the neighbouring properties.
6. Side and Rear Setbacks		
<p>a) To allow flexibility in the siting of buildings and the provision of side and rear setbacks.</p> <p>b) To allow adequate building setbacks for landscaping, privacy, natural light and ventilation between buildings.</p>	YES	Side and rear setbacks are compliant with the requirements of the DCP.
7. Site Coverage and Unbuilt Areas		
<p>a) To promote on-site stormwater infiltration by restricting site coverage of buildings and hard surfaces.</p> <p>b) To maximise opportunities for landscaping of the site which incorporate larger scale plantings consistent with reducing the visual impact of hard building finishes and promoting improved amenity within the site and enhanced streetscapes .</p>	YES	The site coverage as shown in the included plans is 59.6%. The maximum for this type of development is 70%.
8. Building Height, Bulk and Scale		
<p>a) To ensure that the height, scale, and length of new development is not excessive and relates well to the local context and overall site constraints.</p> <p>b) To ensure that the amenity of surrounding properties is properly considered.</p> <p>c) To minimise site disturbance and cut and fill.</p>	YES	All proposed development is single storey and poses no issues with regard to height, bulk and scale.
9. External Appearance		
<p>a) To encourage the creation of attractive, well-designed residential development.</p> <p>b) To allow flexibility in design and use of materials while encouraging high architectural standards.</p> <p>c) To ensure good design which provides continuity of character between existing building forms, new development and surrounding landscape by using a selection and/or combination of characteristic elements and mass.</p> <p>d) To ensure that new residential development in Heritage Conservation Areas or on identified heritage sites is designed having regard to the heritage significance of the area or item and compliments the character of these buildings, places and streetscapes</p>	YES	<p>The proposed dwellings front both Gillies Street and Brooks Street and present as brick veneer facades with varied treatments over the porches.</p> <p>The choice of roofline, fenestration and finishes provides continuity of character between existing building forms in the area.</p>

Objective / Performance Criteria / Provision	Compliance	Proposal as Assessed
10. Open Space		
<p>a) To provide sufficient and accessible open space for the reasonable recreational needs of residents;</p> <p>b) To ensure that private open space meets requirements for privacy of the residents and adjoining properties, safety, access to outdoor activities and landscaping.</p> <p>c) To locate open space to take account of outlook, natural features of the site and neighbouring buildings or public open space.</p>	YES	<p>The private open spaces are located to the north and south of the proposed and existing dwellings and generally comply with the requirements of the DCP.</p> <p>Lot 3 has its yard to the south which is not desirable however the 70.9 m2 is ample. A proposed living room is proposed to the front of the dwelling for internal winter sun.</p>
13. Landscape Design		
<p>a) To enhance the appearance, amenity, and energy efficiency of new development for the benefit of users and the community in general.</p> <p>b) To encourage the use of water efficient landscape systems embracing the principals of water sensitive urban design (WSUD).</p> <p>c) To encourage the integration of building and landscape elements</p> <p>d) To protect existing landscape features including natural landforms, watercourses and native vegetation and integrate them, where possible, with new development.</p> <p>e) To enhance the acoustic environment (e.g.: through fencing, blade walls and location of open space areas) of a development and provide visual privacy and shade.</p> <p>f) To blend new development into an established streetscape and neighbourhood.</p> <p>g) To encourage the use of native plant species.</p>	YES	<p>Low maintenance landscaping is provided to enhance the appearance and amenity of the development. See accompanying documentation.</p>
14. Fencing and Walls		
<p>a) To ensure that all fences and walls provide privacy, security and noise attenuation without having a detrimental impact upon the streetscape, adjacent buildings, or the use of open spaces areas within the development or on adjoining land.</p>	YES	<p>Existing fencing in good condition will be retained.</p> <p>New 1800 high Colourbond fencing will be provided between the proposed dwellings rear courtyards and along the unfenced portion of the boundary of the proposed subdivision.</p>
15. Driveway Access and Parking		
<p>a) To provide convenient, accessible and safe parking to meet the needs of residents and visitors which does not dominate the streetscape or cause congestion in nearby streets.</p> <p>b) To ensure that parking areas are designed to accommodate the needs of those persons with a disability.</p> <p>c) To encourage the design of access and parking as part of the overall landscape design.</p>	YES	<p>Each dwelling will have its own driveway where a stacked car park can be accommodated for visitor parking.</p> <p>The existing dwelling will be provided with a single garage which is set back to allow a stacked space in the driveway.</p>
16. Views and Visual and Acoustic Privacy		
<p>a) To encourage the sharing of views whilst not restricting the reasonable development potential of a site.</p>	YES	<p>No visual or acoustic privacy concerns are raised by the proposed development.</p>

Objective / Performance Criteria / Provision	Compliance	Proposal as Assessed
<p>b) To site and design buildings to meet projected user requirements for visual and acoustic privacy.</p> <p>c) To protect the visual and acoustic privacy of nearby buildings and private open space.</p>		
17. Water and Energy Conservation		
<p>a) To reduce total water and energy use in residential buildings in accordance with State Environmental Planning Policy – Building and Sustainability Index (SEPP BASIX) by promoting solar access and reducing heat loss and energy consumption for heating and cooling.</p> <p>b) To provide dwellings with adequate solar access and ventilation to both internal habitable rooms and private outdoor open spaces.</p> <p>c) To avoid the potential for significant overshadowing of habitable rooms and private open spaces within the development itself and also with respect to adjoining development.</p> <p>d) To encourage the use of building materials that are energy efficient, nonharmful and environmentally sound.</p>	YES	The dwellings comply with BASIX requirements. See BASIX Certificate that constitutes part of this application.
18. Stormwater Management		
<p>a) To provide an effective stormwater management system which is sustainable and requires minimal maintenance.</p> <p>b) To prevent erosion, sedimentation and other pollution.</p> <p>c) To ensure that the rate of post-development stormwater discharge should be no greater than that of the pre-development stormwater discharge.</p> <p>d) To ensure that control flow paths (e.g.: spillways, swales) are provided to cater for stormwater overflows.</p> <p>e) To cater for flows entering the site and to ensure that there are no adverse effects from flows leaving the site.</p> <p>f) To encourage the use of rainwater tanks as a means of reducing separate stormwater detention requirements and achieving more sustainable water re-use within the dwelling and for landscaping purposes.</p> <p>g) To ensure that drainage systems are designed for safety and that the systems avoid any potential for stormwater inundation of habitable floor areas.</p>	YES	An onsite stormwater detention plan is provided as part of the documentation.
19. Security, Site facilities and Services		
<p>a) To provide adequate personal and property security for residents via “Crime Prevention Through Environmental Design” principles – legibility, casual/natural surveillance, risk assessment and reinforcing territoriality.</p> <p>b) To ensure that site facilities such as garbage bin enclosures, mail boxes, clothes drying areas, external storage facilities, exterior lighting and signage are designed to be functional, visually attractive and easy to maintain.</p> <p>c) To ensure that all developments are adequately serviced with essential services in a timely, cost effective and efficient manner.</p>	YES	<p>The proposed dwellings have entrances that address the street offering opportunities of passive surveillance.</p> <p>Bins will be stored behind the building lines of the dwellings out of site from the street.</p> <p>Clothes drying facilities will be in the back yards.</p>

Objective / Performance Criteria / Provision	Compliance	Proposal as Assessed
<i>d) To ensure that essential amenities and communication facilities are integrated within the residential design.</i>		

Part C.10 Subdivision

Objective / Performance Criteria / Provision	Compliance	Proposal as Assessed
DC.1 Lot Size and Dimensions		
<i>To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.</i>	YES	Proposed lot 1-3 do not meet the minimum size of 450m ² however it is compliant under 4.1A (3) of the MLEP 2011. Proposed lot sizes are Lot 1 - 382.36m ² , Lot 2 – 374.38m ² and Lot 3 – 408.27m ² .

CONCLUSION

The role of the development industry is crucial to public acceptance of new forms of housing and the future environment of the Lower Hunter. Designers and developers should recognise that good design and high standards of development will increase public acceptance of housing variety.

The proposal, for the most part, meets with the objectives of council requirements and therefore the owners respectfully request that council approve the application in its current state.