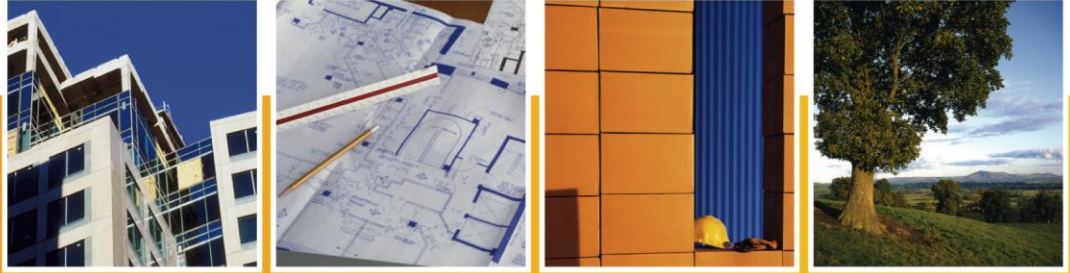


STATEMENT OF ENVIRONMENTAL EFFECTS



For
One (1) into Eighteen (18) Lot Subdivision

At
Lot 9 DP 1194419
311 Government Road Thornton NSW 2322

Prepared for
ABL Property Pty Ltd

December 2021
Report 21/095 Rev A



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Document History and Status

Issue	Revision	Issued To	Qty	Issue Date	Author	Reviewed
Draft	A	HDB	1	21.12.2021	AG	ME
Final	A	HDB	1	22.12.2021	ME	KW

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Printed: 22 December 2021
 File Reference: G:\Jobs\21095
 Applicant: ABL Property Pty Ltd
 HDB Project Manager: Matthew Egan
 HDB Reference Number: 21095

Project Manager:**Date: 22 December 2021**

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1.0 EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by HDB Town Planning and Design on behalf of ABL Property Pty Ltd. This SEE supports the lodgement of a development application seeking consent for One (1) into Eighteen (18) lot subdivision at 311 Government Road, Thornton (Lot 9 DP 1194419).

A Development Application (DA 08-795) was approved on 12 May 2009, involving the development of a staged Residential Subdivision – one(1) lot into twenty(20) lots. Stage 1 involved the development of Lot 1 to 8 with the remaining 12 lots to be developed as a part of Stage 2. While Stage 1 of the DA is already completed, the subdivision plan for the remaining has been changed. This application addresses the current proposal that seeks to subdivide the remaining lot (Stage 2) into 18 lots.

The SEE provides the following:

- Details of the Application (Section 2)
- An extensive assessment/analysis of the existing Site (Section 3)
- A detailed description of the proposed development (Section 4)
- An assessment of the proposed development against all the relevant planning controls and matters as outlined under Section 4.15 (Section 5)
- An assessment of the proposal with regard to the key planning and environmental issues identified (Section 6)
- Justification and need for the Project (Section 7)

The subject site is a R1 zoned lot located in the residential core of Thornton. There is an existing dwelling along with two sheds and a farm dam located on the site. Government Road provides primary access to the site.

The proposal seeks to subdivide the existing lot into eighteen (18) lots. The existing dwelling along with ancillary structures, farm dam, and driveway is proposed to be demolished. The new access will be created by extending Peel Close.

The site is mapped as an Urban Release Area (URA) in the Council Mapping. In the preparation of the report, the urban design character and constraints related to the URA have been considered.

The proposal being permissible on the subject land, will contribute to the objectives and character of the area. It has been established further in the report, that the proposal can be achieved by minimal environmental impacts, and is in compliance with all the strategic, statutory, and non-statutory requirements.

Having reviewed and assessed the proposal, the application is submitted for the consideration of Maitland City Council on behalf of our Client. Based on the assessment undertaken, we recommend approval of the application, subject to the recommendations of this, and the supporting reports.

2.0 INTRODUCTION

2.1 PURPOSE

The SEE addresses the planning requirements associated with the proposed development and undertakes an assessment of the potential environmental impacts pursuant to the requirements of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EPA Act).

The SEE has been prepared by HDB Town Planning and Design (HDB) on behalf of ABL Property Pty Ltd. The application is lodged with Maitland City Council pursuant to Section 4.12 of the EPA Act.

2.2 SITE DESCRIPTION

Lot 9 DP 1194419
311 Government Road, Thornton NSW 2322

2.3 APPLICATION DETAILS

2.3.1 APPLICANT DETAILS

ABL Property Pty Ltd
C/- HDB Town Planning & Design
PO Box 40
MAITLAND NSW 2320

2.3.2 CONTACT DETAILS

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2.3.3 OWNERSHIP DETAILS

ABL Property Pty Ltd, refer *Appendix A – Title Search*.

2.4 DOCUMENT STRUCTURE

The SEE has been structured as follows:

- Section 1 - Executive summary - provides a general overview of the project, its findings, and conclusions.
- Section 2 – Introduction - provides a general background of the project and defines the site, the current owner, and contact details.
- Section 3 – Site Analysis – provides a detailed analysis of the site proposed for the development.
- Section 4 – Proposed Development – provides a detailed description of the proposal including its suitability to the site.
- Section 5 - Legislative Context – provides the legislative context of the development.
- Section 6 – Key Planning and Environmental Issues – provides details of any potential impacts of the project on the subject site and includes mitigation measures that are proposed to reduce and/or remove the potential impacts.
- Section 7 – Project Justification and Need – provides a summary of the project and a justification of the proposal with reference to the principles of ecologically sustainable development and objectives of the *Environmental Planning and Assessment Act, 1979*.
- Section 8 – Conclusion – provides a conclusion and requests that Maitland City Council grant conditional consent to the proposed development.

3.0 SITE ANALYSIS

3.1 LOCATION

Address:	Lot 9 DP 1194419, 311 Government Road, Thornton NSW 2322
Local Government:	Maitland City Council
Locality:	Thornton
Area of site:	1.26ha
Zone:	R1 – General Residential



Figure 1: Location Plan

Source: NSW ePlanning Portal accessed November 2021

3.2 EXISTING SITE



Figure 2: Site Plan

Source: Maitland City Council Planning Maps accessed November 2021

The subject site is a 1.26 hectare residential lot located in the suburb of Thornton. There is an existing dwelling with two ancillary sheds on the site. Some scattered medium-height trees towards the north-west and south boundary of the lot and a dam in the northeast corner, as shown in **Figure 2** above. The access to the lot is via Government Road.

3.3 TOPOGRAPHY, VEGETATION & HYDROLOGY

The site is relatively flat with a drop of approximately 5m along the length of 150m. The elevation level varies from 17.5m AHD to 22.5m AHD, with the lowest towards the northeast corner of the lot, increasing gradually towards the southwest.

There are some scattered medium-height trees towards the south and southwest boundaries of the site and some landscaping shrubs around the existing dwelling. The lot has an existing water dam to the northeast corner.

3.4 ACCESS/TRANSPORT

The site has direct access via a driveway from Government Road. The street is a 12m wide residential avenue adequate for two-way access.

The site is accessible via public transport with the nearest bus stop at a distance of 300m and Thornton Railway Station is within 2km.

3.5 SURROUNDING LAND USE

The immediate surroundings of the subject site have typical characteristics of a residential suburb. Residential properties with wide streets, generous front setbacks with front gardens, low or transparent front fencing, and narrow side setbacks are predominant features of the locality.

Beyond the residential uses, it has rural land and other environmental uses.

3.6 ARCHAEOLOGY AND HERITAGE

A desktop investigation on Aboriginal Heritage Information Management System (AHIMS) was undertaken (refer to *Appendix B – AHIMS Report*), which confirmed that there are no records of Aboriginal Heritage or archaeological items found within 50m of the site.

Moreover, the site does not contain any development of local or European Heritage significance.

3.7 SERVICES TO SITE

The existing building is serviced by reticulated water and sewer along with electricity, communications, and gas as shown in *Appendix C – Services to the Site*.

3.8 ACID SULFATE SOILS

The site is subjected to the Class 5 category of Acid Sulfate Soils, as shown in *Figure 3* below.



Figure 3: Acid Sulfate Soils

Source: NSW ePlanning Portal accessed November 2021

3.9 FLOODING & SALINITY

The subject site is not mapped as a Flood Planning Area under the Council's mapping nor it is affected by Salinity.

3.10 BUSHFIRE

The site is identified as a Bushfire-prone area in the Bushfire Planning Map by Maitland City Council, containing a Vegetation Buffer to its northeast corner, as shown in *Figure 4* below.



Figure 4: Bushfire Prone Land Map

Source: NSW ePlanning Portal accessed November 2021

However, a review of the draft Maitland Bushfire Prone Map exhibited on 24 August 2021 by Maitland City Council, shows the subject area as no longer mapped under the impact of Bushfires. Please refer to *Figure 5* below. The reason could be the area being identified as an Urban Release Area by Council. This has caused rapid development in the area over the last few years and transformed the surrounding vacant lots into a residential neighbourhood.

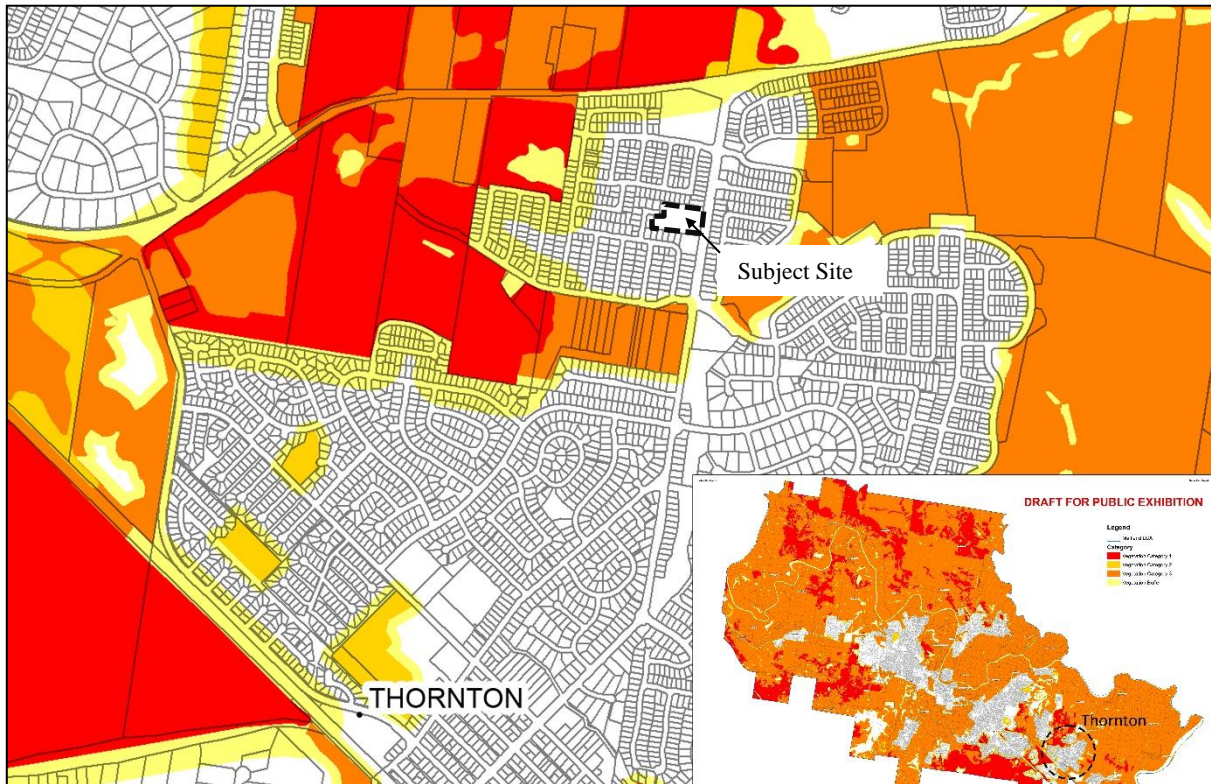


Figure 5: Draft Bushfire Prone Land Map
Source: Maitland City Council

4.0 PROPOSED DEVELOPMENT

4.1 SUMMARY

The applicant proposes to subdivide the existing lot into eighteen (18) new lots. The existing dwelling along with ancillary structures, farm dam, and driveway is proposed to be demolished. The new access will be created by extending Peel Close.

The subject site has the capacity to support the proposal. Given its location in the residential neighbourhood of Thornton, with proximity to arterial roads, public transport, town, and shopping centers, the site is ideal to accommodate dwellings in the future that will support the character of the area through its design and development.

4.2 DETAILS

The proposed development is identified as a residential subdivision according to *section 2.6* of the MLEP 2011.

4.2.1 SUBDIVISION DESIGN

The subdivision design seeks to divide the existing lot into eighteen (18) lots. All the lots have favourable dimensions to accommodate the future dwellings, parking spaces, landscaping, and other essential services. Refer to *Appendix D – Subdivision Plan*.

Proposed Lot	Area	Feature
Lot 21	463.3 m ²	Rectangular shaped lot
Lot 22	463.3 m ²	Rectangular shaped lot
Lot 23	463.4 m ²	Rectangular shaped lot
Lot 24	463.5 m ²	Rectangular shaped lot
Lot 25	463.5 m ²	Rectangular shaped lot
Lot 26	465.3m ²	Rectangular shaped lot
Lot 27	473.9 m ²	Rectangular shaped lot
Lot 28	932.9 m ²	Irregular shaped lot with 10m restriction towards Government Road
Lot 29	671.3m ²	Triangular shaped lot with 10m restriction towards Government Road

Lot 30	683.8 m ²	Triangular shaped lot with 10m restriction towards Government Road
Lot 31	778.8m ²	Triangular shaped lot with 10m restriction towards Government Road
Lot 32	581.1 m ²	Triangular shaped lot
Lot 33	627.7 m ²	Rectangular shaped lot
Lot 34	631.5m ²	Rectangular shaped lot
Lot 35	631.6m ²	Rectangular shaped lot
Lot 36	631.7 m ²	Rectangular shaped lot
Lot 37	631.7 m ²	Rectangular shaped lot
Lot 38	631.8m ²	Rectangular shaped lot

Table 1: Lot Specifications*Source: HDB Town Planning & Design*

4.2.2 DEMOLITION

The existing building structures i.e., residential dwelling along with two (2) sheds needs to be demolished to enable the proposed subdivision. The dam towards the northeast of the site will be decommissioned.

4.2.3 EARTHWORKS

The proposed earthworks are to achieve a stable base for the subdivision. The existing dam will be removed and filled as part of the subdivision. Please refer to *Appendix E-Earthworks*.

4.2.4 ACCESS AND TRAFFIC

Presently, the access to the lot is via a driveway from Government Road. However, instead of providing direct access from Government Road, the proposal seeks to extend Peel Close to give access to the subdivision. This is to establish a safe connection to the future dwellings without increasing the traffic on Government Road.

The proposed road will be supported by cycling paths and a pedestrian network to enhance the walkability for future residents.

4.2.5 LANDSCAPING

The proposal does not involve any removal of existing vegetation. Moreover, the subdivision will include planting additional native trees as per the Landscape Plan (refer to *Appendix F – Landscape Plan*). The plan shows a 10m wide

vegetation buffer along the east boundary and some *Elaeocarpus Reticulatus* around Peel Close.

4.2.6 DWELLING DESIGN

The proposal only seeks to subdivide the existing lot into eighteen (18) lots. At this stage, it does not involve the development of any residential dwelling.

4.2.7 SERVICES TO THE SITE

The proposed lots will be served by the existing infrastructure and services captured by the existing lot.

Electricity

Ausgrid overhead power supply is available to the subject site. Refer to *Appendix C – Services to the Site*.

Water and sewer

The subject site is connected to Hunter Water Corporation (HWC) reticulated networks for both water and sewer. Refer to *Appendix C – Services to the Site*.

Telecommunications

Telstra/NBN fibre network is available on the subject site. Refer to *Appendix C – Services to the Site*.

Gas

Jemena gas service is available to the subject lot. Refer to *Appendix C – Services to the Site*.

5.0 LEGISLATIVE CONSIDERATION

5.1 STRATEGIC PLANNING FRAMEWORK

5.1.1 INTRODUCTION

The strategic planning framework plays a vital role in informing the content of statutory planning instruments at regional, sub-regional and local levels. The guidelines and requirements of the strategies/legislations that have been reviewed in framing this proposal are discussed in this section.

5.1.2 REGIONAL STRATEGIES

Hunter Regional Plan 2036

The Hunter Regional Plan provides an overarching framework to guide the development and investment in the Hunter Region to 2036. This document provides consolidated strategic planning considerations for the 11 Local Government Areas in the region.

The relevant Goals, along with the direction and actions have been mentioned below:

Goal 4: Greater housing choice and jobs - Direction 21: Create a compact settlement.

- *Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield locations.*
- *Promote new housing opportunities in urban areas to maximise the use of existing infrastructure.*

The lot is located in the core residential area of Thornton zoned as R1 General Residential under the mapping by Maitland City Council. The proposal of subdividing the existing lot into eighteen (18) lots, would deliver a compact housing development that adds diversity to the existing housing supply in the area, whilst utilising the existing infrastructure and service networks.

Given the strategic context applicable to the proposal, and the location of the subject site, it is considered that the proposal is consistent with the *Hunter Regional Plan* and its relevant directions.

Greater Newcastle Metropolitan Plan 2036

To recognise Newcastle's capacity to become Australia's next metropolitan city, 'The Metro Strategy' sets out strategies and actions to drive sustainable growth across the identified metro region including the Cessnock, Lake Macquarie, Maitland, Newcastle, and Port Stephen areas.

The strategic site is closer to the strategic center of Maitland which is within the nominated Metro Frame for future Newcastle Metropolitan. The plan prioritises

the delivery of infill housing opportunities within the existing urban area. It encourages the development of housing in areas with easy access to the existing open spaces and public transport network.

The proposed lot, being an infill residential lot, already has existing infrastructure and services available to it, and would help in delivering the objectives of the strategic plan.

5.1.3 LOCAL STRATEGIES

Maitland Local Strategic Planning Statement 2040+

The Maitland LSPS aims to guide the sustainable future growth of the city by integrating land use, transport, and infrastructure planning. The plan is consistent with the *Greater Newcastle Metropolitan Plan 2036* and *Hunter Regional Plan 2036*.

The plan identifies the site within the Eastern Precinct, as a Thornton Town Centre, and identifies the need for diverse and sustainable housing in the area. The plan encourages infill housing opportunities within existing urban areas, closer to the existing transport, community facilities, and centers.

The proposal of subdividing the existing lot into eighteen (18) in the residential neighbourhood of Thornton, is consistent with the above objectives of the strategic plan.

5.2 STATUTORY PLANNING FRAMEWORK

5.2.1 INTRODUCTION

The application is subject to Part 4 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

The development is not located within land considered to be Integrated Development pursuant to *Division 4.8* of the *EP&A Act*.

The development, being a Residential Subdivision is not considered to be Designated Development under *Clause 4.10* of the *EP&A Act* or *Schedule 3* of the *Environmental Planning & Assessment Regulation 2000*.

5.2.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT

The objects of this Act are as follows—

- a. to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- b. to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c. to promote the orderly and economic use and development of land,*

- d. to promote the delivery and maintenance of affordable housing,
- e. to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- f. to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g. to promote good design and amenity of the built environment,
- h. to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- i. to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- j. to provide increased opportunity for community participation in environmental planning and assessment.

Comment:

The proposal is consistent with the objectives of the Act in the following manner: -

- It promotes orderly and economic use and development, by optimizing the site's residential capacity and by using the existing infrastructure networks, services, and facilities efficiently.
- The proposal of residential subdivision sits well to the context, amenity, and functions of the site and the surrounds; and
- It has been demonstrated that the proposal can be realised with minimal impact on the site and its surrounding environment.

5.2.3 LOCAL ENVIRONMENTAL PLAN

Part 2.1 – Land Use Zones

The site is zoned R1 General Residential as indicated in **Figure 6** below:

Zone R1 – 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; Centre-based child care facilities; Community facilities; **Dwelling houses**; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel*

accommodation; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

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; 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



Figure 6: Land Use Zone

Source: NSW ePlanning Portal accessed November 2021

Comment:

Dwelling houses are permissible within the R1 zone.

The proposal for a residential subdivision to provide for the future housing needs of the community is consistent with the zone objectives.

Part 2.6 – Subdivision – consent requirements

(1) Land to which this Plan applies may be subdivided, but only with development consent.

(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

Comment:

The proposal is consistent with the above clause, as all the existing dwelling and shed structures will be demolished to enable the proposed subdivision.

Part 4.1 – Minimum subdivision lot size

- (1) *The objectives of this clause are as follows—*
- (a) *to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls,*
 - (b) *to prevent the fragmentation of rural land.*
- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (4) *This clause does not apply in relation to the subdivision of any land—*
- (a) *by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or*
 - (b) *by any kind of subdivision under the Community Land Development Act 1989.*

Comment:

The minimum lot size for the subject lot is 450m², as shown in **Figure 7** below.

The proposal seeks to subdivide the existing lot into eighteen (18) lots. The subdivision plan (refer to **Appendix D –Subdivision Plan**) shows the proposed lot size varies from 463.3 m² to 932.9 m², which complies with the minimum lot size of 450m² provided under LEP mapping.



Figure 7: Minimum Lot Size

Source: NSW ePlanning Portal accessed November 2021

6.3 Development control plan

(1) *The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.*

(2) *Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.*

(3) *The development control plan must provide for all of the following—*

- (a) *a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,*
- (b) *an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
- (c) *an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*
- (d) *a network of passive and active recreational areas,*
- (e) *stormwater and water quality management controls,*

- (f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*
 - (g) detailed urban design controls for significant development sites,*
 - (h) measures to encourage higher density living around transport, open space and service nodes,*
 - (i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,*
 - (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*
- (4) Subclause (2) does not apply to any of the following development—*
- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,*
 - (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,*
 - (c) a subdivision of land in a zone in which the erection of structures is prohibited,*
 - (d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.*

Comment:

The subject site is mapped as an Urban Release Area under Council mapping, as shown in **Figure 8** below. The detailed provisions for Urban Release Areas are provided under Part F of Maitland Development Control Plan 2011. The compliance of the proposed subdivision with DCP has been demonstrated further in **section 5.3** of this report.



Figure 8: Urban Release Area

Source: NSW ePlanning Portal accessed November 2021

Part 7.1 – Acid Sulfate Soils

1 The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

2 Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

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

Comment:

The subject site contains Class 5 of Acid Sulfate Soils according to the Maitland City Council mapping

The subdivision proposal does not lie within 500m of Class 1, 2, 3, or 4 which is 5m below the Australian Datum and nor the proposed subdivision would result in lowering the water table 1m below the Australian Datum on adjacent classes, therefore no further investigation is required.

Part 7.2 – Earthworks

- (1) *The objectives of this clause are as follows—*
 - (a) *to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
 - (b) *to allow earthworks of a minor nature without requiring separate development consent.*
- (2) *Development consent is required for earthworks unless—*
 - (a) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*
 - (b) *the work is ancillary to other development for which development consent has been given.*
- (3) *Before granting development consent for earthworks, the consent authority must consider the following matters—*
 - (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
 - (b) *the effect of the proposed development on the likely future use or redevelopment of the land,*
 - (c) *the quality of the fill or the soil to be excavated, or both,*
 - (d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*
 - (e) *the source of any fill material and the destination of any excavated material,*
 - (f) *the likelihood of disturbing relics,*
 - (g) *the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

Comment:

The earthworks proposed for the subdivision are in the form of general cut and fill. The base of the existing dam will be excavated to remove all the wet areas and approved filling will be layered, not exceeding 200mm thickness. All the earthworks shall comply and be tested as per AS3798-2007 *Guidelines on Earthworks for Commercial and Residential Developments*. Refer to **Appendix E-Earthworks** for more details.

5.3 DEVELOPMENT CONTROL PLANS

The following table provides an assessment of the proposal against the requirements of the Maitland Development Control Plan 2011. Where a variation is sought, due to the nature of the development/site, the potential impacts have been considered and justified in the following section.

Item	Comment	Compliance
Part C – Design Guidelines		
C.10 - Subdivision		
3. Subdivision Design Process	<p>A detailed site assessment shall be submitted with all subdivision applications to ensure that subdivision proposals address all relevant planning matters. The process for design should follow the basic steps of site analysis to identify all constraints and opportunities, both on-site and external to the site, mapping/measuring or quantifying of constraints and opportunities; and development of a subdivision design that properly considers and takes account of those constraints and opportunities.</p> <p>A Site Assessment and Analysis is included in Section 3 of this SEE. The constraints and opportunities have been identified for the site that guides the development of the proposed subdivision plan. Refer to Appendix D – Subdivision Plan.</p>	Yes
4. Design Elements		
EC.1 Flora and Fauna	<p>The objective of the given clause is to protect the remnant bushland, significant flora and fauna habitats, and wildlife corridors from the impacts of subdivision and subsequent development, and to provide for the repair and enhancement of environmentally significant and/or degraded land.</p> <p>Located in the residential core of Thornton, the subject does not have any major natural environment conditions i.e., watercourses or conservation belts that house the major flora and fauna. There are some trees at the northwest corner and south boundary of the subject lot, however, these trees are young and do not provide habitat to any of the threatened species.</p> <p>Therefore, it is understood that the subject lot has no/very low ecological value associated with it.</p>	Yes
EC.2 Heritage and Archaeology	<p>The content and range of issues to be addressed in a development application will depend on the heritage significance of the site and the impact the proposed development is likely to have. The subject site does not contain any artifacts of Aboriginal significance nor has it any Heritage value associated with it. This clause is therefore not applicable.</p>	Not Applicable

<p>EC.3 Hazards <u>Bushfire Prone Land</u></p>	<p>A bushfire threat assessment must form part of all development applications for the subdivision where the land is identified as ‘bush fire prone land’ on the Council’s map. The threat assessment is an integral part of the subdivision design and affects lot shape, size, orientation, and road layout. Bushfire protection measures have the potential to affect vegetation, fauna, views, watercourses, soil erosion, amenity, and access.</p> <p>As addressed in <i>section 3.10</i> of the report, the subject site is mapped having a Vegetation Buffer on its northeast corner. However, the new draft Bushfire Maps exhibited by Maitland City Council does not show the subject lot within the Bushfire Prone Land. This is due to the development that has happened over the past few years in the area surrounding the subject lot. Therefore, it is understood that no further consultation is required regarding bushfires, as per the assessment.</p>	Yes
<p>DC.1 Lot Size and Dimensions</p>	<p>This clause ensures 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.</p> <p>The proposal is to subdivide the existing lot into eighteen (18) lots. The size of the resulting lots varies from 463.3m² to 932.9m², refer to <i>Appendix D – Subdivision Plan</i>. The lot size complies with the minimum lot size area requirement specified under MLEP 2011 which is 450m², thus allowing sufficient size and dimensions for accommodating future dwellings along with other services.</p>	Yes
<p>DC.2 Solar Access and Energy Efficiency</p>	<p>This clause is to encourage the design of residential subdivisions which maximise solar access, allow flexibility in the siting of future buildings to take advantage of a northern orientation, and minimise reliance on private car use.</p> <p>Subdivision is carefully designed to achieve 5-star solar access with lots predominately orientated to the northeast, which maximises the benefit of natural sunlight for future dwellings. Refer to <i>Appendix D – Subdivision Plan</i>.</p> <p>Moreover, the efficiency of the subdivision is enhanced by the inclusion of pedestrians and bicycle lanes. Additionally, the subject lot is in proximity to public transport, which will reduce the reliance of future residents on private vehicles usage.</p>	Yes

DC.3 Drainage, Water Quality, and Soil Erosion	<p>The objective of the clause is to maintain and enhance the water quality and catchment health, and to minimise soil erosion by undertaking appropriate measures while developing the site.</p> <p>A detailed Stormwater and Drainage Plan is attached as <i>Appendix G – Stormwater Plan</i>, complying with the above requirements.</p>	Yes
DC.4 Landscape, Streetscape, and Visual Impact	<p>Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional landscaping, and selection of other streetscape items including surface treatments and street furniture.</p> <p>The subject lot is mostly vacant/devoid of vegetation. The proposal does not involve any removal of the existing vegetation. Moreover, new native trees will be planted as part of the subdivision. The subject lot has its frontage to Government Road therefore, a 10m landscape buffer has been included adjacent to the road. Additionally, the Landscape Plan shows some <i>Elaeocarpus Reticulatus</i> around Peel Close. Please refer to <i>Appendix F – Landscape Plan</i>.</p>	Yes
DC.5 Effluent Disposal	<p>All new residential, industrial, and commercial lots are to be connected to a reticulated sewerage system supplied by the Hunter Water Corporation or other approved suppliers.</p> <p>The proposed lots will utilise the existing reticulated sewer system supplied by Hunter Water Corporation as required. Refer to <i>Appendix C – Services to the Site</i>.</p>	Yes
DC.6 Roads and Access, Pedestrian and Cycleways	<p>This clause ensures the road must be designed and constructed to appropriate standards for its intended use. Road standards will vary between residential, rural residential, and industrial /commercial locations.</p> <p>The proposal seeks to extend the existing Peel Close to provide access to the proposed subdivision. Proposed roads and footpaths will be constructed to residential standards as defined within Maitland City Council’s Manual of Engineering Standards.</p>	Yes
DC.8 Site Filling	<p>Where site filling is necessary or proposed, the materials used and extent and depth of fill must be detailed in the development application.</p>	Yes

	The earthworks proposed for the subdivision are in the form of general cut and fill. The base of the existing dam will be excavated to remove all the wet areas and approved filling will be layered not exceeding 200mm thickness. All the earthworks shall comply and be tested as per <i>AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments</i> . Refer to Appendix E-Earthworks for more details.	
DC.9 Reticulated Services (Water/ Sewer/ Electricity/ Telecommunications)	<p>Council requires the provision of services to all new lots to a standard appropriate to the future use of the lots and to minimize environmental impacts.</p> <p>The subject lot has access to all the essential infrastructure and services. Existing services will be extended to service the proposed lots. Refer to Appendix C – Services to the Site.</p>	Yes
Part F – Urban Release Areas		
F.7 – Thornton Urban Release Area		
1.1 Staging Plan	<p>The Area Plan comprises of Precinct Plans. The Precinct Plans correspond with the sequencing of land identified in the Thornton North Area Staging Plan. The objective of the clause is to provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.</p> <p>The subject site is a part of Government Road Precinct i.e., Precinct 2, and is in stage 1 under stage mapping of Urban Release Area. It is noted that Council has already started with stage 2 development of the plan. Therefore, the proposed development being a part of stage 1 is permissible under this clause.</p>	Yes
1.2 Transport and Movement	<p>The clause encourages a safe and simple movement system for public transport, private vehicles, cyclists, and pedestrians. Also, facilitates the walkable neighbourhoods with convenient access to neighbourhood shops, community facilities, and other services, with less dependence on cars for travel.</p> <p>Instead of providing direct access from the primary Government Road, the proposal seeks to extend Peel Close to give access to the subdivision. This is to establish a safe connection without overburdening the existing traffic on the Government Road. The proposed road will be supported by</p>	Yes

	cycling paths and a pedestrian network to enhance the walkability for future development. Please refer to <i>Appendix D – Subdivision Plan</i> .	
1.3 Overall Landscaping Strategy	<p>This is to ensure appropriate landscaping is included according to the nature and scale of the development that enhances the local character and streetscape of the area.</p> <p>The proposal does not involve the removal of existing vegetation. More native trees will be planted as per the Landscape Plan. The subject lot has its frontage to Government Road therefore, a 10m landscape buffer has been included adjacent to the road. The plan also shows some <i>Elaeocarpus Reticulatus</i> around Peel Close. Please refer to <i>Appendix F – Landscape Plan</i>.</p>	Yes
1.4 Passive and Active Recreational Areas	<p>The main objective of the clause is to ensure recreational opportunities for the residents within walking distance of their residents. New developments are to be connected to open areas and other urban areas via safe pedestrian and cycle links.</p> <p>The proposed subdivision is in proximity to open spaces and public transport. The closest open space is Lawrence Sports Field which is just 250m from the subdivision.</p> <p>Moreover, the proposed pedestrian/bicycle networks will be connected to the existing bicycle/pedestrian links on Government Road, providing the residents with safe walking and cycling options.</p>	Yes
1.5 Stormwater and Water Quality Management	<p>The clause ensures the inclusion of stormwater and water quality controls that are consistent with the use of the Water Sensitive Urban Design Approach (WSUD).</p> <p>A detailed Stormwater and Drainage Plan is attached as <i>Appendix G – Stormwater Plan</i>, complying with the above requirements.</p>	Yes
1.6 Amelioration of Natural and Environmental Hazards	This is to ensure that future residential development is not adversely affected by any natural and environmental hazards, including bushfire, flooding, and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.	Yes

	The subject site has not shown any major concerns for natural and environmental hazards. The proposed subdivision plan shows a 10m vegetation buffer to avoid the impact of traffic noise from Government Road on future developments. Please refer to <i>Appendix D – Subdivision Plan</i> .	
1.7 Key Development Sites	<p>The objective of this clause is to provide detailed urban design controls for significant development sites. Following are the objectives that apply to our site:</p> <ul style="list-style-type: none"> • Development adjacent to Raymond Terrace Road and Government Road must be orientated and dimensioned to make provision for housing of a high-quality architectural appearance. • Housing adjacent to Raymond Terrace Road and Government Road should be appropriately designed to provide a high-quality architectural appearance with visual interest, particularly by discouraging bulky buildings and blank walls. <p>The layout/design of the proposed subdivision is to enjoy the maximum benefit of the natural lighting and views across the site. The future housing will be designed to ensure a high-quality aesthetics and architectural appearance.</p>	Yes
1.8 Residential Densities	<p>The main objective of this clause is to ensure the lot size for the development is within the minimum lot size requirements under MLEP 2011.</p> <p>The lot size for the proposed subdivision varies from 463.3m² to 932.9m² (refer to <i>Appendix D – Subdivision Plan</i>), this complies with the minimum lot size area requirement specified under MLEP 2011 which is 450m².</p>	Yes
1.9 Neighborhood Commercial and Retail Uses	<p>The clause applies urban design controls to neighborhood commercial and retail uses.</p> <p>The proposal is for a residential subdivision. It does not involve the development of any retail or commercial space.</p>	Not Applicable

Table 2: DCP Compliance Table

Source: HDB Town Planning & Design

6.0 KEY PLANNING / ENVIRONMENTAL ISSUES

6.1 CONTEXT AND SETTING

The proposal seeks approval to subdivide the existing lot into eighteen (18) lots. Located in the core residential area of Thornton the subject lot has similar residential uses in its surrounding. The proposal would serve the demand for future housing in the area while utilising the existing services and enhancing the existing character.

6.2 ACCESS, TRANSPORT, AND TRAFFIC

Presently, a driveway via Government Road provides access to the subject lot. The proposal seeks to alter this access by extending the existing Peel Close to provide access to the proposed subdivision.

This is to achieve a safe and accessible road network without impacting the traffic of Government Road, which is the main arterial road in the neighborhood.

6.3 SERVICES

It has been demonstrated that the site is already connected to essential infrastructure and utility networks such as power supply, reticulated water and sewer, gas, and telecommunication networks, which would serve the proposed subdivision.

6.4 HERITAGE

The site does not contain items or places of Heritage or Aboriginal Cultural significance. Refer *Appendix B – AHIMS Report*.

6.5 FLORA AND FAUNA

The subject site is not mapped having bio-diversity significance in the NSW Government Bio-diversity mapping. Most of the site is vacant with a few medium-height trees to the northwest of the lot and a few along the south boundary.

The proposal does not involve any removal of this existing vegetation. The subdivision will include planting additional native trees as per the Landscape Plan (refer to *Appendix F – Landscape Plan*). The plan shows a 10m wide vegetation buffer along the east boundary and some *Elaeocarpus Reticulatus* around Peel Close.

6.6 WASTE

Construction wastes generated during the subdivision works will be managed and disposed of off-site by the contractor in charge.

Future dwellings on the site will have access to Council's garbage collection services which are available in the locality.

6.7 BUSHFIRE

As addressed in *section 3.10* of the report, the subject site is mapped having a Vegetation Buffer on its northeast corner. However, the new draft Bushfire Maps exhibited by Maitland City Council does not show the subject lot within the Bushfire Prone Land. This is due to the development that has happened over the past few years in the area surrounding the subject lot. Therefore, it is understood that no further consultation is required regarding bushfires, as per the assessment.

6.8 SAFETY AND SECURITY

It is anticipated that the proposal would not cause a rise in anti-social activities or adversely impact the safety of the surrounding area.

7.0 PROJECT JUSTIFICATION AND NEED

The proposal seeks the subdivision of an existing residential lot into eighteen (18) lots. The development proposal is consistent with the growing demand for infill housing in the area as mentioned under *Section 5.1* of the report.

The proposal has shown compliance with relevant state and local policy, statutory and non-statutory planning provisions, objectives, and standards. It is anticipated that the proposal is highly consistent with the surrounding uses and character of the area.

Moreover, it can be implemented with minimum adverse impacts on the surrounding environment. Due to these reasons, the concept for the proposed subdivision is considered the most effective outcome and should, therefore, be supported.

8.0 CONCLUSION

This Statement of Environmental Effects has been prepared having regard to the requirements of Sec. 4.15 of the *Environmental Planning and Assessment Act 1979*. In reviewing the relevant statutory and non-statutory planning standards and objectives, it is concluded that the proposal presents:

- Minimal adverse impacts on the surrounding environment or land uses.
- A logical subdivision of the existing residential lot to optimise its development potential, whilst utilising existing public infrastructure, services, and amenities; and
- In compliance with all relevant statutory and non-statutory planning provisions.

Maitland City Council is therefore respectfully requested to grant consent to this development application, with appropriate conditions.

APPENDIX A

TITLE SEARCH

APPENDIX B
AHIMS REPORT

APPENDIX C

SERVICES TO THE SITE

APPENDIX D
SUBDIVISION PLAN

APPENDIX E

EARTHWORKS

APPENDIX F
LANDSCAPE PLAN

APPENDIX G

STORMWATER PLAN