

# Statement of Environmental Effects

to accompany a Development Application  
for Subdivision and Multi Dwelling Housing

at

Lot 3 DP 31696 and Lot 52 DP 815073

23a and 29 Robert Street TENAMBIT



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## CONTENTS

1	INTRODUCTION.....	3
2	LOCALITY.....	4
3	THE PROPOSAL.....	10
4	REVIEW OF ENVIRONMENTAL IMPACTS.....	12
4.1	Ecology and Vegetation.....	12
4.2	Contamination.....	13
4.3	Soils and Slope Stability.....	13
4.4	Earthworks.....	13
4.5	Erosion and Sediment Control.....	13
4.6	Stormwater.....	13
4.7	Vehicle Access, Traffic and Parking.....	14
4.8	Pedestrian Access.....	14
4.9	Local streetscape and Character.....	14
4.10	Acoustic and Visual Impact.....	15
5	PLANNING CONTROLS AND ZONING COMPLIANCE.....	16
5.1	Maitland Local Environmental Plan 2011.....	16
5.2	Maitland Development Control Plan 2011.....	19
5.3	State Environmental Planning Policies.....	26
5.4	Integrated Development.....	26
6	Essential Infrastructure.....	26
7	Likely Impacts of the Development.....	26
8	Social and Economic Impact Analysis.....	27
9	Site suitability.....	27
10	Public Interest.....	28
11	Conclusion.....	28

### APPENDIX A – WASTE MANAGEMENT PLAN

## 1 INTRODUCTION

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This Statement of Environmental Effects (SoEE) has been prepared to support a development application for a three (3) Lot Torrens Title subdivision, Multi Dwelling Housing and Strata Subdivision at Lot 52 DP 815073 and Lot 3 DP 31696, 23A and 29 Robert Street Tenambit.

The proposal includes:

- Earthworks, construction of proposed driveway, drainage, retaining walls, utility services and site infrastructure including landscaping;
- Subdivision of two (2) lots into three (3) Torrens Title lots;
- Partial demolition of the existing dwelling to accommodate access handle and construction of new garage;
- Construct 11 units including two (2) adaptable units consisting of either 2 or 4 bedrooms with either single or double garages;
- Strata Subdivision.

The site currently contains two (2) single storey dwellings both of which will be retained and included in the newly created lots proposed in this development application.

The proposed units will provide a quality residential development that compliments the existing neighbourhood and amenity of the area.

The land is zoned R1 General Residential pursuant to Maitland LEP 2011. "*Subdivision and Multi Dwelling Housing*" is permissible in the R1 General Residential zone with the consent of Council. The proposed development is consistent with the Council's objectives as contained within the LEP and the development principles contained within the Maitland Development Control Plan 2011.

This report describes the proposed development and the context in which the development is proposed to be located. This report is structured to facilitate a logical understanding of the proposed development, an identification of the key issues, and a summary assessment of the proposed development. The development proposal has taken into account the Environmental Planning and Assessment Act 1979, the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2011.



Figure 1 – Aerial view of the site (Source: Six maps 2022)

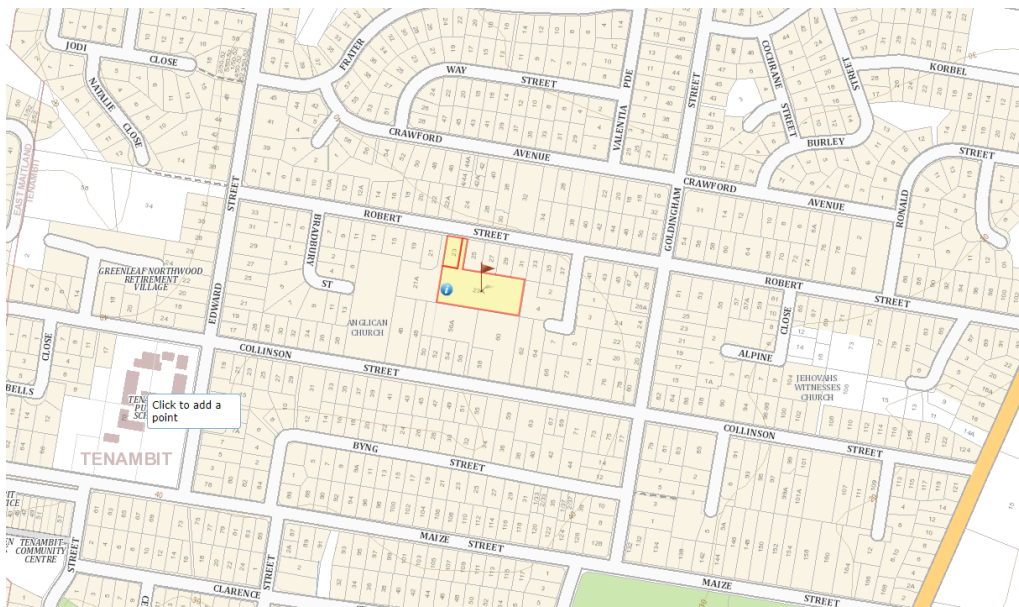


Figure 2 – Topographical Map (Source: Six maps 2022)

The site is located in the suburb of Tenambit. The site is known as Lot 52 DP 815073 and Lot 3 DP 31696, 23A and 29 Robert Street Tenambit and covers an area of approximately 5321.9m<sup>2</sup>. A single storey brick dwelling

with tile roof currently exists on the site at 29 Robert Street (refer to Figure 10 below) and a single storey brick dwelling with a metal roof is located on the battle axe lot that has an access handle from Robert Street (refer to Figures 3, 6 and 7 below). Both dwellings will be retained albeit the dwelling at 29 Robert Street Tenambit will be partially demolished and made good.

The lots are generally rectangular in shape.

The land is located essentially in the middle of the block, at the rear of the existing houses that front Robert and Collinson Street. The character of the area is identified as a residential area with a mixture of density types and lifestyle choices with an increasing level of medium density housing being constructed.



**Figure 3 – Photo of existing battle axe driveway on Robert Street**



**Figure 4 – Photo of existing dwellings on Robert Street adjacent to the site**



**Figure 5 – Photo of existing dwellings on Robert Street adjacent to the site**



**Figure 6 – Photo of existing access handle at 23A Robert Street Tenambit – to be retained**



**Figure 7 – Photo of existing dwelling at 23A Robert Street Tenambit – to be retained**



**Figure 8 – Photo of site of proposed medium density units**



**Figure 9 – Photo of site of proposed medium density units**





**Figure 10 – 29 Robert Street Tenambit to be partially demolished to provide access to proposed medium density units**



**Figure 11 – Photo of existing dwellings on Floral Close adjacent to the site**

Lot 52 contains a dwelling on a large parcel of otherwise vacant land. The site consists of maintained grass with scattered semi mature trees. The site contains no significant remnant vegetation value. The site is urban land with few trees but no understorey or mid canopy. The site is not identified as a corridor or habitat.

The site is generally flat with no evidence of instability. The site is not subject to flooding and there are no known geotechnical hazards associated with this site. The site is not subject to Mine Subsidence. The site is not identified as bush fire prone land.

The land is not identified on any contamination registers and no notices have been issued for the site under the Environmentally Hazardous Chemicals Act (1985) or the Contaminated Land Management Act (1997).

Site history indicates long term residential use with no indication of potentially contaminating activities.

The site is not identified as containing Acid Sulfate Soils.

The site does not contain any items of Heritage significance on the State Heritage Register or Schedule 5 of the Maitland LEP 2011.

There are no listed heritage items in the immediate vicinity of the site.

Tenambit shopping Village is located nearby and contains a variety of shops, facilities and services. East Maitland Shopping Village is also located nearby. The site is located near schools and recreational activities including Easts Leisure and Golf. Public transport is available in the vicinity of the site.

The site is in close proximity to the East Maitland railway station and Greenhills Shopping Centre. Central Maitland are also located nearby.

### **3 THE PROPOSAL**

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This Development Application seeks approval for the following:

- Clearing, excavation, earthworks, construction of proposed driveway, drainage, retaining walls, provision of utility services and site infrastructure including landscaping;
- Subdivision of two (2) lots into three (3) Torrens Title lots;
- Partial demolition of the existing dwelling to accommodate access handle and construction of new double garage;
- Construct 11 units including two (2) adaptable units consisting of either 2 or 4 bedrooms with either single or double garages; and,
- Strata Subdivision.

Three unit types are proposed to be constructed on site within three (3) residential blocks consisting of:

- Residential Block A – Unit Type 1 x 2
- Residential Block B – Unit Type 2 x 2 and Unit Type 3 x 4
- Residential Block C – Unit Type 3 x 3

Unit types consist of the following configuration:

- Unit Type 1 is 162m<sup>2</sup> in size containing four (4) bedrooms with the main bedroom on the ground floor. Unit type 1 is the adaptable unit. A double garage is proposed.
- Unit type 2 is 145m<sup>2</sup> in size containing two (2) bedrooms and a double garage.
- Unit type 3 is 145m<sup>2</sup> in size containing two (2) bedrooms and a single garage.

All units contain bedrooms, dining room, living room, kitchen, bathroom, ensuite and an internal laundry.

Private open space and garaging is provided to each unit.

The proposed units will be 7314 in height to the ridgeline.

The units will be constructed of lightweight horizontal cladding with a sheet metal roof and selected garage doors.

A new driveway will be constructed as a battle axe handle on Robert Street provided access to the proposed units located at the rear of the site.

Landscaping will be provided around the site as shown on the landscape plans attached. It is proposed to erect fencing between each unit.

The proposal has been designed so that dwellings address the driveway into the site incorporating openings and front doors with appropriate landscaping to establish a good design outcome for multi dwelling housing.

### **Demolition**

The existing dwelling at 29 Robert Street is a three (3) bedroom and one (1) bathroom dwelling with an attached two (2) car garage. The existing garage will be demolished to provide access to the rear of the site.

The dwelling will be made good following its partial demolition.

A new garage will be constructed at the rear of the existing dwelling. The proposed new garage will be constructed of lightweight horizontal cladding, metal roof and panel lift door. Access to the garage will be via the proposed new driveway.

## Subdivision

The proposal includes the subdivision of two (2) lots into three (3) Torrens Title lots as follows-

Table 1: Lot Sizes

Proposed Lot Number	Proposed Lot size
1 (battle axe lot)	1658m <sup>2</sup>
2	3238m <sup>2</sup>
3	430.1m <sup>2</sup>

Proposed Lot 1 is an existing battle axe lot with an access handle to Robert Street. No changes to the existing handle and access arrangements are proposed.

Lot 2 is proposed to be a battle axe lot. The access handle into the site 7200 wide with a 1200 pedestrian access providing access to the rear of the site.

## Strata Subdivision

The proposal includes the strata subdivision of the proposed units into eleven (11) strata titled lots.

## Site works

Site works include clearing, excavation, earthworks, construction of proposed driveway, drainage, retaining walls, provision of utility services and site infrastructure including landscaping.

## 4 REVIEW OF ENVIRONMENTAL IMPACTS

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Impacts of the development are summarised below. Mitigation or management measures, where relevant, are detailed in the supporting technical documentation or described in this SoEE.

### 4.1 Ecology and Vegetation.

The existing site is zoned urban and is disturbed due to its long-term residential use. The site contains maintained grass and few semi mature trees which will require removal as part of this development application.

The existing vegetation to be removed is not significant in terms of site amenity, streetscape or broader landscape settings.

A landscape plan is submitted with this application for replacement planting to allow new plants to grow to site conditions and thus reducing the potential for failure.

Therefore, the impact of the proposed development on the retention of the existing vegetation and landscaping is considered acceptable.

#### **4.2 Contamination**

The land use history of the site is residential with no indication of potentially contaminating uses having occurred on the property. The proposal is not amending this existing residential use.

#### **4.3 Soils and Slope Stability**

The site is Class 5 Acid Sulfate Soils (ASS). The proposed development will not expose ASS. Site classification will occur during construction design.

#### **4.4 Earthworks**

The proposal requires site clearing, excavation, regrading and retaining to provide proposed construction levels. Selected retaining is proposed in accordance with the engineering plans attached to obtain suitable building and access levels. A cut to fill balance will ideally be achieved across the site, otherwise any excess material will be disposed of at an approved waste management facility or taken to other approved construction sites subject to it being appropriately classified.

#### **4.5 Erosion and Sediment Control**

Erosion and sediment controls will be implemented prior to commencement of works and during construction of the proposal in accordance with an Erosion and Sediment Control Plan submitted with the Construction Certificate and the provision of 'Managing Urban Stormwater: Soils and Construction '(the Blue Book).

#### **4.6 Stormwater**

The proposed stormwater system includes individual rainwater tanks for the proposed new dwellings to capture and re-use roof water. Overflows will be discharged to the back of kerb on Robert Street.

The proposed stormwater system is designed in accordance with relevant standards and the impacts are considered appropriate for the site and the nature of the development. A stormwater report for the proposal has been prepared by GCA Engineering Solutions (Rev 1, 17 January 2022, GCA Ref 21374) and is attached to this development application.

#### **4.7 Vehicle Access, Traffic and Parking**

23a Robert Street is a battle axe allotment and vehicular access is currently available to the property via an existing driveway. No changes to the access handle are necessary or proposed as part of this development application.

New vehicular access is proposed at 29 Robert Street as a result of the partial demolition of the existing dwelling on Robert Street. A new garage is proposed to be constructed for that dwelling at its rear with access via the new driveway.

The proposed driveway will have appropriate sight lines to mitigate the risk to vehicles entering/exiting the site. A section 138 application for the driveway will be submitted to Council prior to its construction.

The development proposes to increase the number of dwellings on site from one (1) dwelling to eleven (11) dwellings. The traffic impacts generated from this development will be within the environmental capacity of the road network. Vehicle generation will be easily distributed onto the local network and is not expected to affect the levels of service or efficiency of the road network.

All three (3) bedroom units have a double garage and the two (2) bedroom units contain a single garage. Visitor parking is proposed on site in front of proposed garages.

#### **4.8 Pedestrian Access**

The road verge along the front boundary of the site along Robert Street is turfed and wide enough to allow for safe pedestrian movement. Each proposed dwelling will have a distinct, separate and clearly identifiable pedestrian access to the front door from the internal driveway.

#### **4.9 Local streetscape and Character**

Tenambit is a suburb Maitland in close proximity to Morpeth, East Maitland. Greenhills and Maitland.

The site is in an area of moderate growth with increasing density and improved housing choice.

The area is characterised by a variety of housing types, lot sizes, frontages, building separation and building setbacks. The dominant housing styles are single storey and two storey homes with no regular landscape pattern.

Two (2) storey units have recently been constructed nearby. Refer to Figure 12 below of two storey units recently constructed at Crawford Avenue.



**Figure 12 – Photo of recently constructed two storey units at Crawford Avenue Tenambit**

The proposed development is not inconsistent with the existing local character and is consistent with the desired future character of this moderate growth precinct. The proposed units are double storey in height constructed of selected horizontal lightweight cladding and metal roof. The new dwellings will be sympathetic to the neighbouring properties and the broader area. The proposed landscaping of the site will be consistent with the character of the area and the increased density of this proposed development

Overall, the proposed building materials, height, scale and architectural form are considered to be consistent with the existing and desired future character of the area. The proposed housing form and density are further considered to be entirely consistent with the desired future character of the area in that it would provide housing choice through smaller housing to lower costs, including costs for residents.

#### **4.10 Acoustic and Visual Impact**

The proposed dwelling design and site layout is such that living areas and private open space do not generally abut bedrooms of adjoining dwellings so as to avoid any unacceptable adverse noise or visual impact.

Air conditioning units will be housed within side or rear setbacks where they will not mitigate the impact on adjoining properties. The locations of the AC units will be finalised during construction having regard to positioning AC units to minimise noise.

Construction noise will be managed through condition of consent.

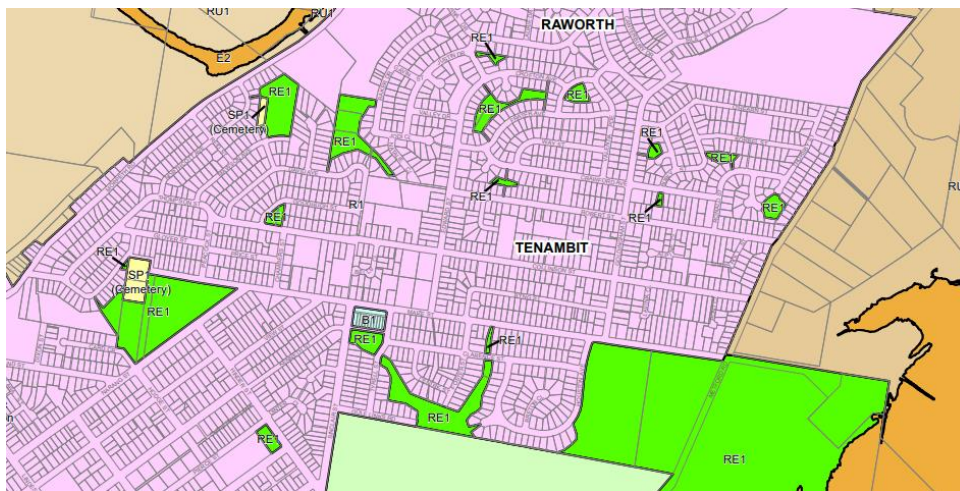
No public or private views will be significantly or unreasonably affected. The form and scale of development is not inconsistent with the surrounding urban landscape setting and delivers acceptable massing and scale. The design provides appropriate building articulation and architectural features to deliver a suitable visual outcome from adjoining properties and the local street network.

## 5 PLANNING CONTROLS AND ZONING COMPLIANCE

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### 5.1 Maitland Local Environmental Plan 2011

The land is zoned R1 General Residential pursuant to Maitland LEP 2011. A copy of the zoning map is shown below:



**Figure 13 – Zoning Map (Source: Maitland LEP 2011)**

The objectives of the zone are as follows:

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

The proposed development is consistent with the Council's objectives and provisions of the R1 General Residential zone. The proposed development entails multi dwelling housing which will contribute to the housing needs of the community. The proposed use will increase housing availability by eleven units and will contribute to the variety of housing types and densities in the LGA.

The site is accessible to local schools and shopping centres which contains a number of services and facilities.

The proposed units will complement the natural topography of the land and respect the amenity and future character of this newly created housing estate by constructing new dwellings on the site.



The proposal is defined as multi dwelling housing in accordance with Maitland LEP 2011. Multi dwelling housing is defined as

*3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building*

A multi dwelling housing is permissible in the R1 General Residential zone with Council consent.

### **Subdivision**

Clause 2.6 of the Maitland LEP 2011 refers to Subdivision. Clause 2.6 states:

#### **2.6 Subdivision – consent requirements**

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

##### **Note-**

*If a subdivision is identified as exempt development in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without 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.*

##### **Note-**

*The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.*

The proposal includes the subdivision of the land into three (3) Torrens Title lots and eleven (11) strata title lots and seeks Council's consent as part of this development application.

### **Part 4 Principal Development Standards**

A number of Clauses in the LEP and their respective Maps provide development standards including objectives and controls for the development of land within the Maitland LGA.

The land is not identified on the Flood Planning Map, the Floor Space Ratio Map or the Building Height Map in accordance with Maitland LEP 2011.

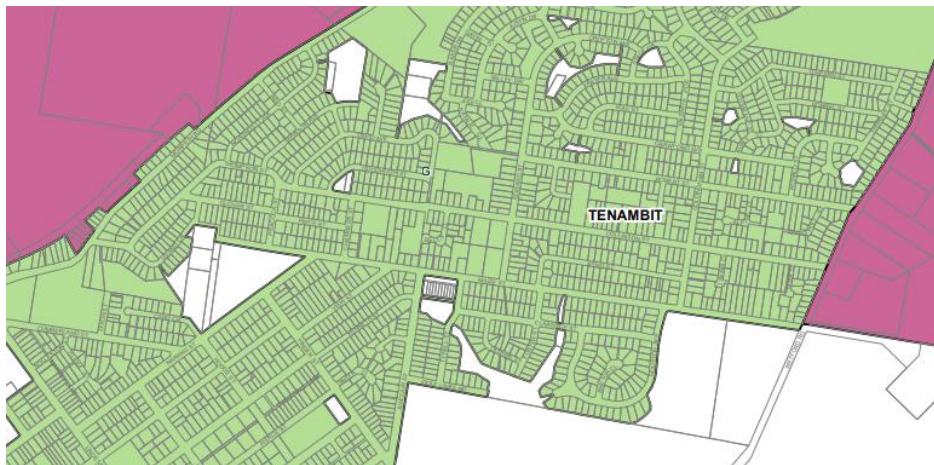
The land is not located on the Heritage Map.

The subject land is not identified as Acid Sulfate soil.

#### Clause 4.1 Minimum subdivision lot size

Clause 4.1 of Maitland LEP 2011 refers to minimum subdivision lot size. Clause 4.1 states:

- (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.*



**Figure 14 – Lot Size Map (Source: Maitland LEP 2011)**

The lot size map shows the minimum lot size for the site to be 450m<sup>2</sup> in size. The proposed lot sizes are 1658m<sup>2</sup>, 3238m<sup>2</sup> and 430.1m<sup>2</sup> in size.

Proposed Lot 3 is slightly smaller than the 450m<sup>2</sup> minimum lot size requirements. In this instance, clause 4.1A of Maitland LEP 2011 is relevant by allowing the subdivision of a lot to be smaller than the minimum lot size as a result of the construction of units on site. Proposed Lot 3 is an existing dwelling and Council's DCP encourages its retention. The application is lodged as a combined medium density development with subdivision which meets the intent of the clause. Refer to clause 4.1A below.

#### *4.1A Exceptions to minimum lot sizes in Zone R1*

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) This clause applies to development on land in Zone R1 General Residential.*
- (3) Despite clause 4.1, consent may be granted to development on land to which this clause applies if the development includes both of the following—*
  - (a) the subdivision of land into 2 or more lots equal to or greater than 300 square metres,*
  - (b) the erection of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision.*

## **5.2 Maitland Development Control Plan 2011**

Maitland Development Control Plan 2011 provides all relevant guidelines to enable preparation of a DA for assessment by Council.

The following chapters of Maitland Development Control Plan are relevant to this development application.

### ***B.6 – Waste Not – Site Waste Minimisation & Management***

This application includes the preparation of a Site Waste Minimisation and Management Plan (SWMMP) in accordance with the DCP for the construction of the new development. A SWMMP is attached as **Appendix A**.

All waste from the construction phase will be disposed of in an environmentally safe manner. Each unit will have individual storage areas for domestic garbage, recycling and garden waste using typical Council bins. The location of the individual garbage storage areas is shown on the plans attached.

A private waste contractor will collect waste using a vehicle slightly larger than a four-wheel drive. Due to the size of the waste disposal vehicle, no problems with garbage trucks manoeuvring on site are anticipated. The waste vehicle will be able to enter and exit the site in a forward direction.

### **Part C – Design Guidelines**

#### ***C.1 – Accessible Living***

The DCP deals primarily with improving accessibility for all sectors of the Community and seeks through the DCP to encourage business people, builders and developers to be responsive to the needs of those members of the community who are temporarily or permanently disabled. Section 12 of the Residential Design chapter of the DCP requires adaptive dwellings to be provided once the number of dwellings to be

constructed to be more than nine dwellings. Two (2) dwellings – Unit 1 and 2 are adaptable dwellings with accessible facilities provided on the ground floor of each unit.

### ***C.8 – Residential Design***

The DCP provides guidelines for the development of multi dwelling housing to encourage high quality urban design and improved amenity across all forms of residential development within the City of Maitland. The following section describes how the proposed multi dwelling housing fulfils the Environmental and Design Considerations of the DCP provisions. The residential proposal is generally consistent with the provisions of these requirements.

The following addresses each of the design principles or requirements within the DCP.

- **Context analysis**

The site is located in an existing residential area in Tenambit. The site is located within walking distance to Morpeth, East Maitland and Tenambit Shopping Village, local schools and transport nodes.

The surrounding buildings in the neighbourhood are either residential dwellings or multi dwelling housing both single and two storey buildings. The proposed units are constructed of horizontal cladding walls and a metal roof. The proposed rear and side setbacks and landscaping will complement the existing neighbourhood. The units will be located behind the existing dwelling facing Robert Road and will not be visible from the street.

The surrounding dwellings are relatively dated and are constructed of either brick or weatherboard cladding with fencing. The proposed new dwellings in this neighbourhood could encourage adjoining owners to renovate and update their homes.

Photos of the surrounding area are included in this report.

- **Development incorporating existing dwellings**

The DCP encourages existing buildings to be retained and used for ongoing residential use. This proposal will include the subdivision of the land into three (3) Torrens Title lots with the existing dwellings to be retained on a newly created lots. The existing dwelling at 29 Robert Street will be partially demolished to provide a new driveway and access to the units at the rear of the site. The partial demolition will include the demolition of its garaging. This development application includes the construction of a new garage for that existing dwelling.

The required private open space for the existing dwellings will be provided as shown on plans attached.

The existing dwellings to be retained as part of the redevelopment of the site meets the design requirements in this Chapter of the DCP through the provision of adequate parking and private open space for each dwelling.

- Earthworks – All works associated with the proposal are located within the property boundaries. Retaining walls are proposed along the boundaries of the site as shown on engineering plans attached.

- Street Building Setbacks

The DCP states that the minimum building line setback in an urban residential zone is 5.0 metres. The house to be retained is existing and the proposed units will be located at the rear of the existing dwelling. Access to the new dwellings will be via the access handle of the newly created battle axe lot. The proposed units and garage are setback more than 5 and 6 metres respectfully from the front boundary.

- Side and Rear Setbacks

The minimum side and rear setbacks for residential buildings in urban zones is 1.0m for walls up to 3.0m in height.

The proposed setbacks vary with the minimum side or rear setback at least 1 metre. The side setbacks of Units 2 and 9 are 1073 and 1250. This variation is only minor and overall, the buildings comply with the side and rear setbacks contained in the DCP.

The proposed setbacks comply with the requirements of the DCP.

- Site coverage

The site coverage requirements of the DCP for this type of development are shown in Table 2 below:

**Table 2:**

Housing Type	Maximum Site Coverage Ground Floor (%)	Site Coverage (%)
Dwelling House - Lot 1	60	43.8%
Dwelling House - Lot 2	60	43.6%
Multi Dwelling Housing - Lot 3	70	68.6%

The site coverage has been calculated as 43.8%, 43.6% and 68.6%. Sufficient open space, landscaped areas and car parking will be provided to meet the demands of future residents.

The proposal complies with the site coverage requirements in accordance with the DCP.

- Building Height, Bulk and Scale

The DCP allows a maximum height of eight (8) metres in residential zones for dwellings. The plans submitted with the application show the height of all units to the ridgeline to 7314 which is below the maximum requirement of the DCP. The proposal complies with the requirements of the DCP.

- External appearance

The external appearance of the proposed dwellings has taken into consideration the existing character, scale and massing of the development in the immediate area.

The new buildings are designed to be sympathetic with the predominant form of the area. The dwellings will face towards the internal road with its primary pedestrian entry point addressing the street. The design and location of the front entrance ensures that the entry point into each dwelling is obvious and is further reinforced by sympathetic landscaping around the site.

Key elements of the design such as horizontal cladding wall profile, roof material, colour scheme, landscaping and fencing will contribute to an attractive development for the development as a whole.

The location and design of the garage doors ensures that the garage is developed as an integral component of the buildings. The garage doors are panel lift doors. The proposed garages do not have direct access to the street but to the internal driveway. The proposed materials, colours and type of garage door proposed create visual interest and a sense of separate identity for each unit.

- Private Open Space

All new dwellings have been provided with ground level private courtyards that satisfy the minimum requirements of Figure 20 of the DCP. The principal area of private open space for some dwellings has been split to be located in both the front yard and rear yard of the proposed units.

The private open space forms a direct extension to the internal living area and complies with the minimum POS area required in the DCP.

The outdoor area also includes external drying facilities, garbage storage and water tanks and these areas have been excluded from the private open space calculations. These ancillary uses are located where they are screened from view from the street or other public places.

The landscape plan submitted with this application incorporates a detailed landscape design for each area of ground level private open space.

Both existing dwellings will have adequate private open space in accordance with requirements of the DCP – refer to plans attached.

- Accessibility and Adaptable Housing

Two (2) adaptable dwellings – Units 1 and 2 are of a suitable design to satisfy relevant standards and comply with the requirements of the DCP.

- Landscape Design

A landscape plan is submitted with the application. The landscaping proposed relates to the scale of the proposed buildings and includes appropriate landscaping within the site. The landscaping proposed will provide interest, shade and privacy to the proposed dwellings.

- Fencing

Fencing is proposed on the landscaping plan that accompanies this application.

A 1.8-metre-high colorbond fencing is proposed to be erected between the units. This fence will provide visual and acoustic privacy and meet the requirements of the DCP.

- Driveways access and car parking

The existing garage for the existing dwelling at 29 Robert Street will be demolished and a new garage will be constructed at the rear providing car parking for at least two (2) cars on site. Refer to garage plans provided.

New dwellings will incorporate either a double garage or a single garage.

Access to the new garage and to the new dwellings proposed on site will be via the new driveway which will form part of the newly created battle axe allotment.

The DCP requires one (1) space for each one- or two-bedroom dwellings and two (2) spaces for each dwelling containing more than two bedrooms. One visitor space is required for the first three dwellings and one (1) space for every five dwellings or part thereof.

The proposal includes a variety of two- and three-bedroom dwellings.

In accordance with the DCP, each three (3) bedroom unit will be provided with a double garage while each two (2) bedroom unit will have a single garage. Three (3) visitor car parking spaces are required.

- The proposal provides visitor parking spaces for each unit as stacked visitor parking space. It is considered that this configuration will work for the occupants of the units and complies with the

requirements of the DCP by exceeding the minimum requirements for parking and not imposing on neighbouring units.

The proposal for driveway access arrangements and car parking including visitor car parking meets the requirements of the DCP.

- Visual and Acoustic Privacy

The development comprises subdivision and new residential dwellings. The proposal will not restrict views from adjoining properties.

The internal driveway will provide good separation between dwellings.

Windows have been limited on side elevations to avoid overlooking between dwellings and opposing windows avoided.

Private open space courtyards will not be overlooked by any windows of adjoining dwellings.

Landscaping and fencing will be provided between dwellings and courtyards to provide further screening and reduce overlooking of private open space.

- Water and energy conservation

BASIX certification has been provided and attached and is found to be satisfactory for each dwelling.

As single storey dwellings, minimal overshadowing of adjoining properties is expected. Shadow diagrams are attached. The proposal complies with solar access requirements contained within the DCP.

As a result of POS placement and orientation of the units, the courtyards and associated open space areas of proposed dwellings will receive adequate sunlight. Private open space is split and is provided at the front and rear of each unit. Dwellings have been provided with both paved courtyard areas as well as additional grassed areas that will also act as open space and receive varying levels of sunlight during parts of the day during mid-winter.

Refer to plans attached.

- Stormwater management

A detailed stormwater plan and stormwater drainage strategy is submitted with this application.

The proposal complies with the requirements of the DCP.



- Security, site facilities and services

The proposal has been designed to provide adequate personal and property security through 'Crime Prevention Through Environmental Design' Assessment. Garbage and recycling bins will be located within the yards of individual units.

The private garbage vehicle can service these bins and enter and exit the site in a forward direction.

Each dwelling is provided with direct and convenient pedestrian access. Mailboxes will be provided at the entrance of the access driveway which is a requirement of the DCP.

Open air clothes drying areas will be provided for each dwelling – refer to landscape plans attached.

All services – reticulated water, sewerage, electricity and telecommunications will be installed to meet the requirements of the relevant service provider.

The development complies with the security and site facility and services section of the DCP.

The Residential Design component of the DCP has been assessed against the proposed development and this report demonstrates that this proposal apart from some very minor variations, complies with the requirements of the DCP.

### ***C.10 – Subdivision***

The DCP contains Council's requirements for designing subdivisions. The proposed subdivision fulfils the objectives of the Plan by promoting the efficient use of an increasingly limited land resource in Maitland.

The proposal complies with the DCP as follows:

- The land contains some semi matured trees which will be removed to make way for the new units. The vegetation on site does not form linkages to other areas of vegetation. The site does not contain areas of significant habitat.
- The land does not contain any heritage items, buildings with heritage significance nor is the land located in a conservation area. There are no known or potential archaeological relics on the site.
- The site is not subject to flooding.
- The site is not identified as bushfire prone land on the MCC Bush Fire Prone Land Map.
- The land is not subject to landslip, land contamination or any other hazards.
- The development application includes the subdivision of land from one (1) into three (3) Torrens Title lots and eleven (11) strata title lots. The proposed lot sizes and shapes are appropriate to their proposed use as required by Maitland LEP 2011 and Maitland DCP 2011.

- The access handle is 7.2m in wide which complies with the DCP requiring a minimum width size of 3.5m. Only one (1) Torrens Title lot will be serviced by the access handle.
- A drainage plan is submitted with this application that complies with the requirements of the DCP.
- The proposal complies with landscape, streetscape and visual impact requirements of the DCP. The units will not be visible from Robert Street.
- Electricity, water, sewer, telecommunications and drainage will be provided to both lots. A section 50 certificate will be sought for the subdivision certificate stage of the proposal.

### ***C.11 – Vehicular Access & Car Parking***

Refer to DCP assessment above.

### **5.3 State Environmental Planning Policies**

There are no State Environmental Planning Policies relevant to the assessment and consideration of this development application.

### **5.4 Integrated Development**

Pursuant to Section 4.46 the EPA Act 1979, this development application is not integrated development.

## **6 Essential Infrastructure**

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All essential infrastructure will be made available to the site including power, water and reticulated sewer. Applications will be made to Ausgrid and the plans have been submitted to Hunter Water Corporation.

Telecommunication Services will be connected in accordance with the requirements of Telstra Corporation.

Mail will be delivered to new letterboxes constructed as a group style mailbox at the Robert Street frontage.

## **7 Likely Impacts of the Development**

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The proposal is for subdivision and multi dwelling housing at Lot 52 DP 815073 and Lot 3 DP 31696, 23A and 29 Robert Street Tenambit.

The proposal includes a Torrens Title subdivision of two (2) lots into three (3) lots.

Eleven (11) medium density units are proposed including a strata subdivision.

Access to the new dwellings will be via a new battle axe driveway on Robert Street.

The proposal will not affect the visual, acoustic, recreational or social amenity of any neighbouring property.

The proposal will not cause overshadowing within the subject or adjoining lots.

The proposal will not create any negative impacts on the public domain within the locality.

The proposal will not create or permit any adverse impacts on air or microclimate of the area. The development will not create any adverse impacts on the soil, surface water or ground water of the area.

The proposed multi dwelling housing will not create any additional adverse noise impacts in the area or adverse impacts from the generation of waste.

The proposed development will not create any additional negative impacts on the environment or the locality.

The proposed development will enhance the streetscape with well-designed dwellings, landscaping and fencing constructed in this area.

## **8 Social and Economic Impact Analysis**

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The proposed subdivision and multi dwelling housing proposal will enable the provision of residential housing within the existing suburb of Tenambit. The land is vacant at the rear of the site and suitable for multipurpose development.

The proposed dwellings will be compatible with the mix of existing and future dwellings in the area in terms of building heights, scale, colours and material.

The site has access to existing services and infrastructure, schools, shopping centres, community facilities, public open space and recreational areas.

The development of the land will contribute towards the provision of additional facilities within the City of Maitland, identified by Council's Section 7.11 Contributions Plan to cater for the increase in the population.

The proposed subdivision and multi dwelling housing proposal are not considered to have a detrimental impact on the social and economic fabric of the community.

## **9 Site suitability**

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The site has been assessed as being suitable for the proposed development for the following reasons:

- The proposal is permissible with consent within the R1 General Residential zone under the provisions of Maitland LEP 2011;

- The multi dwelling housing and subdivision proposal has been designed in accordance with the principles of the Maitland LEP 2011 and Maitland DCP 2011;
- The proposed units have been located and designed so as to minimise and manage any environmental impacts;
- The proposed units will contribute towards meeting the housing demands of the Lower Hunter which in turn will contribute towards economic growth within the Maitland LGA;
- The development will provide a range of housing opportunities for the community, in close proximity to schools, shops and community facilities. Morpeth Shopping village and local schools are located nearby.
- The land is not subject to flooding or bushfire and is suitable for its intended purpose for development;

It is determined that the site is suitable for the residential development as proposed.

## **10 Public Interest**

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The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning scheme and in accordance with relevant planning controls. The development is permissible and consistent with strategic and statutory policies. It will provide housing in an efficient and affordable manner and help reduce demand for development on the urban fringes. The residential outcome is appropriate and will have no significant adverse environmental impact. It is considered that the proposed development is in the public interest.

## **11 Conclusion**

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This Statement of Environmental Effects has been prepared to support a development application for Subdivision and Multi Dwelling Housing at Lot 52 DP 815073 and Lot 3 DP 31696, 23A and 29 Robert Street Tenambit.

The proposal has been designed to comply with the requirements of Maitland Local Environmental Plan (LEP) 2011 and the Maitland Development Control Plan (DCP) 2011.

The proposed subdivision has been designed to accommodate residential housing and have adequate vehicular access and provide sufficient open space for future occupants. The proposed dwellings are capable of being serviced by sewer and water, electricity, telecommunications and infrastructure for residential development. The land is not constrained by flooding or bushfire.

The proposed dwellings comply with Council's requirements and offer a different housing type in order to conform to the NSW State Government policies regarding affordable housing. It is consistent with Council's long-term strategic planning for the Maitland LGA.

The proposal is considered suitable for the site and represents an efficient use of land. It is considered to be in the public interest and provides positive social and economic benefits to the local community through the provision of additional housing stock in close proximity to existing infrastructure and services. Schools and shopping centres are located within walking distance of the site.

The environmental effects of the development have been considered in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal is not considered to have a significant impact upon the built or natural environments, or the social or economic fabric of the locality.

It is recommended that this development application be supported by Council by the granting of development consent.



# **APPENDIX A**

## **WASTE MANAGEMENT PLAN**

## Demolition and Construction Stage

Materials On-Site		Destination		
		Reuse and Recycling		Disposal
Type of Material	Estimated Volume (m <sup>3</sup> ) / Weight (t)	On-Site (proposed reuse/recycling method)	Off-Site (contractor / recycling outlet)	Contractor and Landfill Site
Demolition Material	N/A			
Excavation Material	To be determined	Cut and fill will be minimised to reduce excess fill. Any excess fill be used for backfill behind retaining walls where necessary	Excess material will be sold as clean fill or sold to the nearest recycling contractor	Will not be disposed of to landfill
Green Waste (Topsoil and Trees)	Approx 50m <sup>3</sup>	Stockpiled for later reuse in landscaping / mulched	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Weathered Rock / Sandstone	None expected	Stockpiled for later reuse in landscaping	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Concrete	To be determined	Any excess used for footpaths / minor works	Excess taken to nearest recycling contractor	Will not be disposed of to landfill
Timber Pallets	<10 pallets		To be collected by supplier or recycled	Will not be disposed of to landfill
Timber-other	<20 m <sup>3</sup>	Offcuts reused onsite ie formwork	Recycled by waste contractor	Recycled by Waste Contractor where possible
Steel reinforcement	<15 m <sup>3</sup>	Order to suit – offcuts reused	Recycled by waste metal recycler	Will not be disposed of to landfill
Scrap metal	<25 m <sup>3</sup>		Recycled by waste metal recycler	Will not be disposed of to landfill
Other – mixed waste	<35 m <sup>3</sup>			Skip bin will be placed on site – removed by Commercial Contractor to approved landfill site

## Use of Premises

<b>Type of Waste Generated</b>	<b>Proposed On-site Storage and Treatment Facilities</b>	<b>Destination</b>
Mixed waste (kitchen waste, non-recyclables)	Individual unit waste storage area / recycled	To be picked up by private waste contactor
Recyclable waste	Individual unit waste storage area / recycled	To be picked up by private waste contactor
Green waste	Individual unit waste storage area / recycled	To be picked up by private waste contactor