

URBANISM

PLANNING & DEVELOPMENT

STATEMENT OF ENVIRONMENTAL EFFECTS

224 LOT RESIDENTIAL SUBDIVISION, BULK EARTHWORKS AND
CONSTRUCTION OF ROADS, ASSOCIATED FOOTPATHS,
DRAINAGE INFRASTRUCTURE AND LANDSCAPING

THE LOXTON, 464 CESSNOCK ROAD, GILLIESTON HEIGHTS

PREPARED FOR
LOXFORD PROJECT MANAGEMENT PTY LTD

10 AUGUST 2022



URBANISM
PLANNING & DEVELOPMENT

Urbanism Pty Ltd
Suite 4, 81 Alexander Street
Crows Nest NSW 2065

t 02 9053 7373

e contact@urbanism.sydney

w www.urbanism.sydney

ABN: 73 130 715 436

This report has been prepared and approved by:

Wesley Folitarik

B. Environmental Planning (UWS); M. Property Development (UTS)
Managing Director | Urbanism

© Urbanism Pty Ltd All Rights Reserved. This report may only be used by the Client for the purpose for which it was commissioned. All other use of this report is prohibited unless written approval has been granted by Urbanism Pty Ltd.

This report remains a preliminary draft report unless signed above.



TABLE OF CONTENTS

1	Introduction.....	1
2	Site Assessment.....	2
2.1	Locality Assessment.....	2
2.2	Site Description.....	3
2.2.1	Surrounding Development	4
3	The Proposal.....	5
3.1	Description of Proposal.....	5
4	Planning Controls.....	9
4.1	Environmental Planning and Assessment Act (Integrated Development)	9
4.2	State Environmental Planning Policy (Resilience and Hazards) 2021	9
4.3	State Environmental Planning Policy (Transport and Infrastructure) 2021	9
4.4	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	10
4.5	Maitland Local Environmental Plan 2011	10
4.6	Maitland Development Control Plan 2011	13
4.6.1	Part B – Environmental Guidelines	13
4.6.2	Part C – Design Guidelines.....	14
4.6.3	Development Control Plan - Gillieston Heights South (Western Precinct) 25	
5	Regulation Assessment.....	30
5.1	Section 4.15(1)(a)(i) – Provisions of Any Environmental Planning Instrument	30
5.2	Section 4.15(1)(a)(ii) – Provisions of Any Draft Environmental Planning Instrument	30
5.3	Section 4.15(1)(a)(iii) – Provisions of Any Development Control Plan	31
5.4	Section 4.15(1)(b) – Likely Impacts of That Development – Built Environment....	31
5.4.1	Site Analysis, Site Design and Streetscape	31
5.4.2	Height, Bulk and Scale.....	32
5.4.3	Access, Servicing, Parking and Traffic.....	32
5.4.4	Sunlight and Shadow	32
5.4.5	Views.....	32



5.4.6	Heritage.....	32
5.4.7	Visual Privacy.....	32
5.4.8	Noise	33
5.4.9	Landscaping.....	33
5.4.10	BCA and Australian Standards	33
5.5	Section 4.15(1)(b) – Likely Impacts of That Development – Natural Environment	33
5.5.1	Landform, Cut and Fill.....	33
5.5.2	Tree Removal and Retention	34
5.5.3	Stormwater Drainage	34
5.5.4	Soils, Erosion and Sedimentation	34
5.5.5	Endangered Flora and Fauna	34
5.6	Section 4.15(1)(b) – Likely Impacts of That Development – Social and Economic ..	34
5.6.1	Safety and Security	35
5.7	Section 4.15(1)(b) – Likely Impacts of That Development – Hazards	37
5.7.1	Soil Instability, Subsidence, Slip, Mass Movement	37
5.7.2	Acid Sulfate Soils	38
5.7.3	Flooding, Tidal Inundation.....	38
5.7.4	Bushfire	38
5.7.5	Contamination	39
5.8	Section 4.15(1)(d) – Submissions Made in Accordance with the Act or Regs.....	39
5.9	Section 4.15(1)(e) – The Public Interest	39
6	Summary	40

APPENDIX 1 – SITE PHOTOS



1 Introduction

Urbanism has been engaged by Loxford Project Management Pty Ltd to prepare a Statement of Environmental Effects to support a development application for a 224 lot residential subdivision, bulk earthworks and construction of roads, associated footpaths, drainage infrastructure and landscaping at 464 Cessnock Road, Gillieston Heights (Regrowth Kurri Kurri).

The aims of this report are to:

- Provide an assessment of the locality, subject site and applicable planning controls,
- Describe the proposed development; and
- Assess the impacts of the development against Section 4.15 of the *Environmental Planning and Assessment Act 1979* and *Regulations 2021*.

A pre-lodgement meeting was held with Council on 16 June 2022. At the time of writing this Statement of Environmental Effects, these minutes were still yet to be provided to the Client for consideration.

This Statement of Environmental Effects should be read in conjunction with the following supporting technical studies which are submitted under separate cover:

Title	Author	Date/Version
The Loxford Precinct 1B Masterplan	ADW Johnson	28/06/2022 (Rev. F)
Urban Design Report	Design IQ	August 2022 (Rev. B)
Subdivision Plan	ADW Johnson	08/08/2022 (Ver. C)
Engineering Plans	ADW Johnson	22/07/2022 (Rev. A)
Bush Assessment Report	Bushfire Planning Australia	02/05/2022
Landscape Plan	Terras Landscape Architects	26/07/2022 (Rev. C)
Railway Noise Assessment	Vipac	28/07/2022
Traffic Report	Colston Budd Rogers & Kafes	July 2022
Stormwater Management Report	ADW Johnson	July 2022
Detailed Mine Subsidence Report	RCA Australia	August 2022
Waste Management Plan	McCloy Group	undated
Biodiversity Development Assessment Report	GHD	04/08/2022 (Rev. 2)
Cost Summary Report	RPS	27 July 2022
Vegetation Management Plan	GHD	08/08/2022



2 Site Assessment

2.1 Locality Assessment

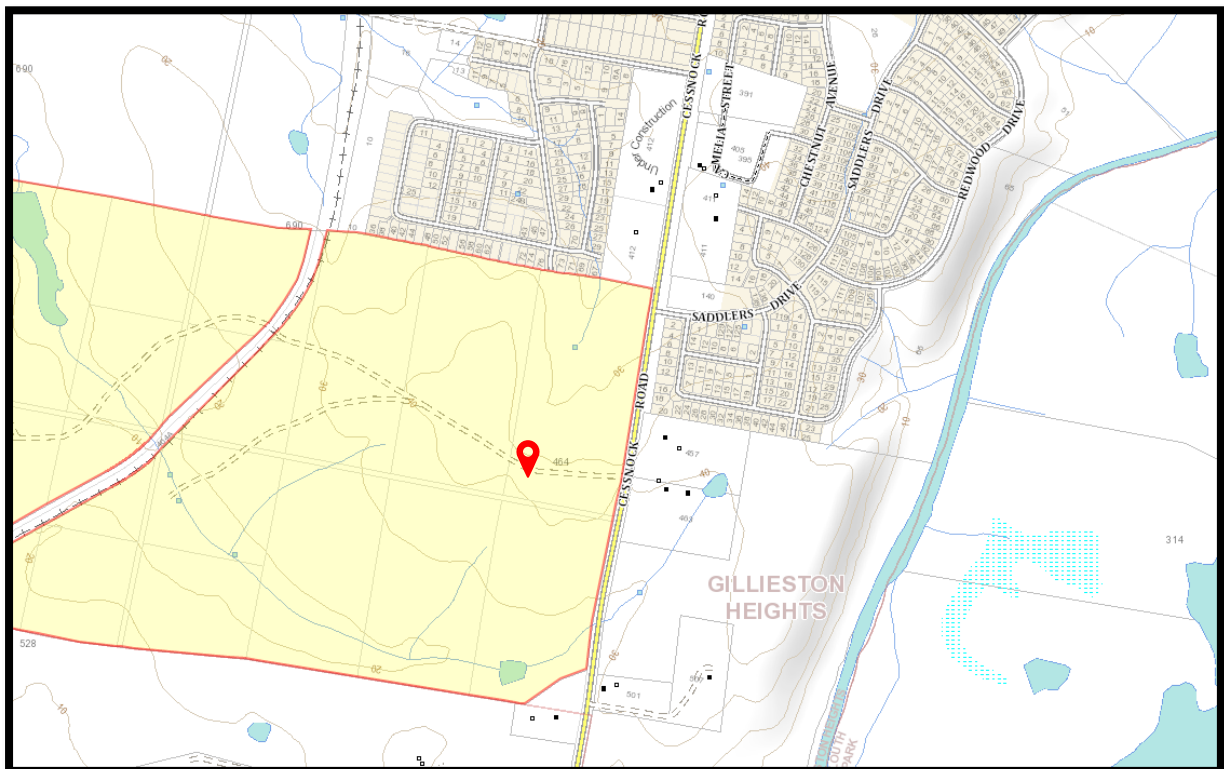
The subject site is located within the suburb of Gillieston Heights which is approximately 28 kilometres northwest of the Newcastle CBD.

The site is located within a newly rezoned residential area characterised by double storey detached dwellings with fairly uniform front setbacks. The front yards will include landscaping, new ornamental trees and front fences.

The site is located a short distance to Gillieston Heights Town Centre 1 kilometre to the north.

The following figure shows the location of the subject site in relation to the surrounding locality:

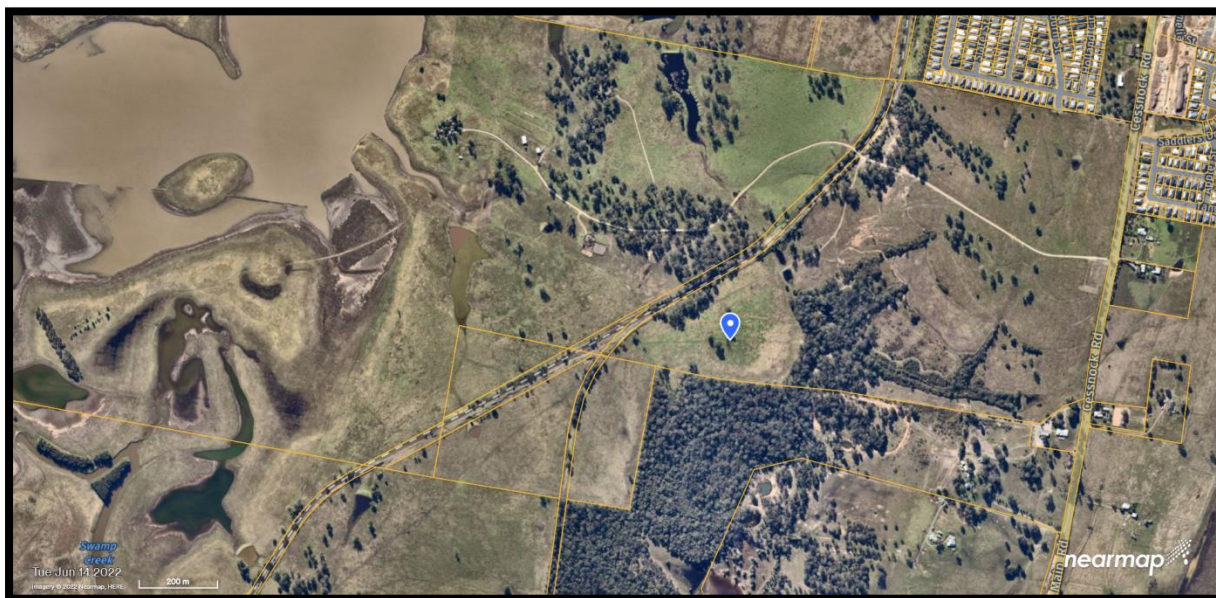
Figure 1: Locality Map



Source: Google Maps (2022)



Figure 2: Aerial Site Map



Source: NearMap (2022)

2.2 Site Description

The site is an irregular allotment known as 464 Cessnock Road, Gillieston Heights and is comprised of the following titles:

Table 1: Subject Site Titles

Lot No	Section	Deposited Plan
9	-	456946
8	-	456946
7	-	456946
5	-	456946
4	-	456946
3	-	456946
2	-	456946
54	-	975994
55	-	975994
69	-	975994
70	-	975994
71	-	975994
1	-	1206034



2.2.1 Surrounding Development

Streetscape character and visual setting:

The surrounding area is largely rural holdings with limited improvements. However, the character is anticipated to change with the rezoning of the subject site to provide a masterplanned community with freestanding residential dwellings.

Existing vegetation:

The site contains scattered vegetation and is predominantly grassed pasture land with a gravel/dirt access road presently. There significant stands of vegetation which are proposed to be train in larger residual RU2 zone allotments.

Topography:

The site has is gently undulating but is located on a ridgeline.

Views:

The site enjoys significant views in most directions towards the Swamp Creek Wetlands and Gillieston Heights village.

Heritage:

The site is not a heritage item or adjoining a heritage item or located within a heritage conservation area.

Form of adjacent buildings:

There are no adjacent buildings on site at present. Once developed, the surrounding locality will comprise single dwellings of a typical height and form with consistent setbacks.

Surrounding noise sources:

The site is bounded by the South Maitland rail corridor to the west. The freight line is not currently in use however is may be recommissioned in future and as such the potential for freight noise impacts is a possibility.



3 The Proposal

3.1 Description of Proposal

This proposal seeks development consent for:

- A total of 224 residential Torrens Title lots, varying in size in accordance with the Lot Diversity Plan.
- Bulk earthworks and benching over the site in accordance with the bulk earthworks plan.
- Full road construction of:
 - Road MC01 as a divided carriageway,
 - All perimeter roads with a 10.5m carriageway,
 - All non-perimeter roads as local streets with an 8m carriageway; and
 - Acoustic wall along the R1 zone boundary within Stage 8.
- Footpath construction of:
 - 2.5m pathways along Road MC01, MC05, MC08, MC11, new shared pathway along south western perimeter road, and
 - 1.5m pathways on side of all other local roads.
- Four permanent water quality basins that will be dedicated to Council.
- One temporary water quality basin which will be decommissioned upon a permanent solution being provided in the adjoining Cessnock LGA.
- Provision of underground water, wastewater, electrical and telecommunication services.
- Provision of any necessary easements, which includes an easement extending from Road MC05 over the northern residual land zoned RU2 – Rural Landscape in order to maintain Right of Carriageway (RoW) for the existing lots and dwellings on the western side of the South Maitland Railway Corridor

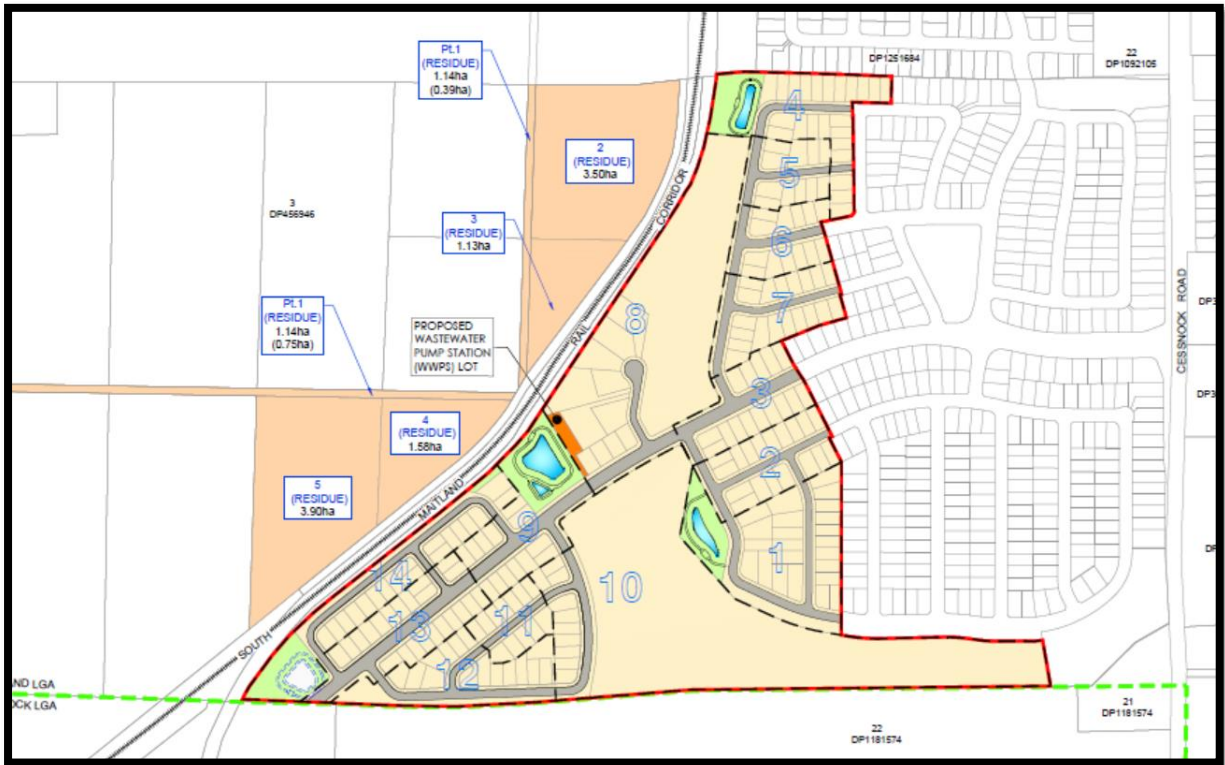


- Mounding, landscaping, and acoustic wall along the land zoned R1 – General Residential that abuts the South Maitland Railway Corridor.
- Landscaping as follows:
 - Street Tree Masterplan
 - Water Quality Basins,
 - Revegetation of land zoned RU2 – Rural Landscape consistent with Draft VMP

Lot Diversity

Lot Area Summary (m²)	No.
450-469	41
470-549	100
550-649	43
650-749	16
750-849	8
850-949	5
>950	11
Public Reserve Lots	5

Subdivision Plan



Source: ADW Johnson

Landscape Plan



Source: Terras Landscape Architects



4 Planning Controls

4.1 Environmental Planning and Assessment Act (Integrated Development)

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more authorities.

In respect to the proposed residential subdivision, the following integrated approvals:

- NSW Rural Fire Service (Rural Fires Act 1997)
- NSW Mine Subsidence Board (Coal Mine Subsidence Compensation Act 2017)
- Water NSW (Water Management Act 2000)

4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land of the SEPP requires Council to consider whether the land is contaminated and if remediation works are required.

In May 2017, a Site Audit Statement was provided that considered the land to be suitable for the proposed residential land uses, stating that 'the site may be deemed suitable for the proposed land-use of residential with some areas proposed for environmental conservation, public recreation and rural landscapes'.

Accordingly, it is not considered that a preliminary investigation is warranted in this case.

4.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

The SEPP specifies certain development that requires referral to TfNSW.

Under the SEPP, residential subdivisions involving 200 or more allotments where the subdivision includes the opening of a public are such developments.

Accordingly, in accordance with Section 2.122 of the SEPP, before determining a development application for development to which the SEPP applies, the consent authority must:

- a) *Give written notice of the application to TfNSW within 7 days after the application is made, and*
- b) *take into consideration—*



- i. *any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and*
- ii. *the accessibility of the site concerned, including—*
 - A. *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - B. *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
- iii. *any potential traffic safety, road congestion or parking implications of the development.*

4.4 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Regulations under the Act have established a scheme to encourage sustainable residential development (the BASIX scheme). The application includes a BASIX certificate.

4.5 Maitland Local Environmental Plan 2011

The subject site is zoned part R1 General Residential and part RU2 Rural Landscape under the Maitland Local Environmental Plan 2011.

The objectives of the zone R1 General Residential 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 proposal is consistent with the objectives of the zone as it will deliver 224 residential housing lots to meet the needs of the community.

The objectives of the RU2 Rural Landscape Zone are as follows:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To provide for a range of non-agricultural uses where infrastructure is adequate to support the uses and conflict between different land uses is minimised.*



The proposal is consistent with the objectives of the zone as it will maintain rural landscape character within the development area and provide a small number of lots for non-agricultural purposes that will not cause land use conflict between rural and residential areas.

The following table reviews the proposal against relevant planning controls contained within the LEP:

Item	Requirement	Proposal	Compliance
CI2.2 Permissible land use	Residential subdivision is permissible in the R1 General Residential Zone	Residential subdivision of 224 lots	✓
CI2.6	<p>Land to which this Plan applies may be subdivided, but only with development consent.</p> <p>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.</p>	<p>All lots zoned R1 General Residential comply with the minimum lots size.</p> <p>A number of lots in the RU2 Rural Landscape zone are below the minimum lot size, however these can be approved under CI 4.2C.</p>	Refer to CI4.2(C)
CI4.1 Minimum lot size	<p>450m² (In the R1 Zone)</p> <p>40ha (In the RU2 Zone)</p>	<p>All lots zoned R1 General Residential comply with the minimum lots size.</p> <p>A number of lots in the RU2 Rural Landscape zone are below the minimum lot size, however these can be approved under CI 4.2C.</p>	Refer to CI4.2(C)
CI4.2(C) Minimum subdivision lot sizes for	Despite clause 4.1, development consent may be granted to subdivide an original lot to create other	Lot 801 is split zoned as has a total area of 34601m ² (4301m ² of R1 and 30300m ² of RU2)	



Item	Requirement	Proposal	Compliance
certain split zones	lots (the resulting lots) if— (a) one of the resulting lots will contain— (i) land in a residential, business or industrial zone that has an area that is not less than the minimum lot size shown on the Lot Size Map in relation to that land, and (ii) all the land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone E2 Environmental Conservation or Zone E3 Environmental Management that was in the original lot, and (b) all other resulting lots will contain land that has an area that is not less than the minimum lot size shown on the Lot Size Map in relation to the land.	Pt. 1 a Residue is 10140m ² (in two portions 3900m ² and 7500m ²) Lot 2, a residual lot of 35000m ² Lot 3, a residue lot of 11300m ² Lot 4, a residue lot of 15800m ² Lot 5, a residue lot of 39000m ² Pt Lot 1010 a residue lot of 79226m ²	
CI4.3 Height of buildings	Nil	No building works proposed.	N/A
CI4.4 Floor space ratio	Nil	No building works proposed.	N/A
CI6.2 Public utility infrastructure	Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.	The proposal includes provision of underground water, wastewater, electrical and telecommunication services.	✓
6.3	Development consent must	An amendment to the	✓



Item	Requirement	Proposal	Compliance
Development control plan	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.	Maitland DCP covering the subject has been prepared. This Chapter of the DCP provides for the matters specified in subclause (3), and enables the assessment and determination of development applications to deliver the residential subdivision.	
CI7.1 Acid sulfate soils	Development consent is required for the carrying out of works on Class 5 land if the works are within 500m of adjacent Class 1, 2, 3 or 4 land below 5m AHD and by which the watertable is likely to be lowered below 1m AHD on adjacent Class 1, 2, 3 or 4 land.	The proposed works are not to reduce the watertable of adjacent Class 1, 2, 3 or 4 land to lower than 1m AHD.	✓
CI7.2 Earthworks	Consider the effects of earthworks on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	The development proposes a significant earthworks associated with the provision of roads and associated infrastructure which can be undertaken using standard engineering practices.	✓

4.6 Maitland Development Control Plan 2011

Maitland Development Control Plan (DCP) 2011 (MDCP 2011) applies to all land within the Maitland Local Government Area. The MDCP 2011 came into effect in December 2011.

4.6.1 Part B – Environmental Guidelines

Item	Requirement	Proposal	Compliance
B.2 – Domestic Stormwater	Avoid negative environmental impacts via good on-site stormwater management.	A detailed Stormwater Management Plan is submitted under separate cover.	✓



Item	Requirement	Proposal	Compliance
B.5 – Tree Management	Clear trees or vegetation in accordance with Council’s guidelines.	A Biodiversity Development Assessment Report has been prepared and is submitted under separate cover.	✓
B.6 – Waste Not – Site Waste Minimisation & Management	Submit a Site Waste Minimisation and Management Plan (SWMMP) comprising details about demolition, construction and ongoing waste management.	A SWMMP is submitted under separate cover. Refer to section 5.4.11	✓

4.6.2 Part C – Design Guidelines

Item	Requirement	Proposal	Compliance
C.1 – Accessible Living			
2.1 Building Regulations	Comply with BCA and Australian Standard (AS) to provide a desirable level of access and protection from bad design.	Complies.	✓
2.2 Residential Development – Adaptable Housing	Design and build to adaptable housing guidelines.	Complies.	✓
C.8 Residential Design			
2.1 Site Analysis & Site Context	Submit a detailed site analysis except for a single detached dwelling.	Complies, Site Analysis Plan is submitted under separate cover.	✓
Site Analysis			
a)			
b)	Provide site analysis in plans covering various elements.	Complies.	✓
c)	Special consideration and unique building design will be required for development on land where the slope is in excess of 20%	N/A	N/A



Item	Requirement	Proposal	Compliance
Context Analysis	A 'Context Analysis' will be required for all residential development with the exception of a single detached dwelling	A detailed Urban Design Report containing a 'Context Analysis; is submitted under separate cover.	✓
d)			
e)	For development of more than two dwellings, provide context analysis that demonstrates convenient walking distance to business zone, school or key transport node.	A detailed Urban Design Report containing a 'Context Analysis; is submitted under separate cover.	✓
f)	Demonstrate design solution which mitigates against potential negative impacts and integrates appropriately with the streetscape.	Complies.	✓
4. Bulk Earthworks	Submit a 'bulk earthworks plan (BEP)' showing the levels of all finished ground levels.	Bulk earthworks plan is submitted under separate cover.	✓
i)			
j)	For a retaining wall proposed either on or in close proximity to a boundary then the maximum extent of fill shall be 600mm.	Nil proposed	NA
k)	For a retaining wall proposed either on or in close proximity to a boundary then the maximum extent of cut shall be 900mm.	Nil proposed	NA
l)	Retaining walls greater than 1.0m height or where retaining is achieved by a series of separate walls located in close proximity to one another; shall be designed and certified as structurally adequate by the Accredited Certifier as part of a Construction	Nil proposed	NA



Item	Requirement	Proposal	Compliance
	Certificate:		
m)	Elevated flooring, deepened concrete edge beams, infill slabs, split level construction and the like shall be used where necessary to reduce the extent of earthworks required to achieve the maximum cut/fill levels prescribed under the plan.	Nil proposed	NA
n)	Retaining walls shall be constructed of materials which are prescribed by a manufacturer, Australian Standard or structural engineer as being 'fit for purpose'.	Nil proposed	NA
o)	Adequate drainage shall be installed to the rear of retaining walls.	Nil proposed	NA
p)	Stormwater or surface water runoff shall not be redirected or concentrated onto adjoining properties so as to cause a nuisance. Adequate drainage is to be provided to divert water away from batters.	A detailed Stormwater Management Plan is submitted under separate cover.	✓
q)	Cut and fill batters should not exceed a slope of 3:1 to the natural ground level.	Nil proposed	NA
r)	Excavations in excess of those specified for retaining walls may be permitted within the confines of the building to allow for basements, garage, etc.	Nil proposed	NA
s)	All excavations shall be protected in accordance with the requirements of the NSW WorkCover	Noted	N/A



Item	Requirement	Proposal	Compliance
	Authority		
t)	Where a property is burdened by stormwater easements containing pipes care should be taken to avoid pipe damage	Noted.	N/A
C.10 – Subdivision			
4. Design Elements			
EC.1 Flora and Fauna			
e)	Areas of significant habitat must be protected	The subdivision is confined to the predominantly cleared areas with two larger areas being retained RU2 which will maintain vegetation cover.	✓
f)	Design subdivision layout to avoid significant stands of vegetation. Where the subdivision proposal affects significant stands of vegetation, lot layout and lot size must take into account the need to retain the vegetation and the impact of likely future development on the lots, including building envelopes, parking, access and other development requirements such as Asset Protection Zones	Selective tree removal is planned to achieve a suitable development footprint and compliance with bushfire protection requirements. Refer to 5.4.9.	✓
g)	Retain existing natural drainage lines and watercourses where practicable, revegetate where necessary and incorporate into open space areas (including pedestrian and/or cycleway corridors)	Natural drainage lines have been used to manage stormwater drainage across the site. A detailed Stormwater Management Plan is submitted under separate cover. Refer to 5.5.3.	✓



Item	Requirement	Proposal	Compliance
	or include in common property.		
h)	Link existing vegetation corridors through open space provision and appropriate planting	The subdivision is confined to the predominantly cleared areas with two larger areas being retained RU2 which will maintain vegetation cover. This forms a north/south corridor linking with dense bushland to the south of the site.	✓
i)	Lot boundaries should be located to incorporate the whole of any significant stand of vegetation that is not included in common areas.	The subdivision is confined to the predominantly cleared areas with two larger areas being retained RU2 which will maintain vegetation cover.	✓
j)	Land title choices should reflect the need to protect and enhance vegetation. For example, Community Title may be appropriate where degraded areas need to be rehabilitated and maintained as part of the consent.	Noted.	NA
4. Design Elements			
EC.3 Hazards			
h)	A bushfire threat assessment must form part of all development applications for subdivision where the land is identified as 'bush fire prone land' on Council's map. The threat assessment is an integral part of the subdivision design, and affects lot shape, size, orientation and road layout.	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓



Item	Requirement	Proposal	Compliance
	Bushfire protection measures have the potential to affect vegetation, fauna, views, watercourses, soil erosion, amenity and access		
f)	Bushfire protection measures (including setbacks) necessary for the safety of development and firefighters must be contained wholly within the site of the subdivision unless the most extraordinary circumstances apply.	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓
i)	Assessment of threat from bushfire must examine impacts of the proposal both within and external to the site, including the capacity of the existing road network serving the site to accommodate traffic in emergency situations.	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓
j)	Preparation of an assessment of threat from bushfire should include reference to: <ul style="list-style-type: none"> ▪ NSW Rural Fire Service (RFS) – Planning for Bushfire Protection – a guide for land use planners, fire authorities, developers and home owners. ▪ Consultation with Council and RFS staff. 	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓



Item	Requirement	Proposal	Compliance
m)	Fire protection measure must be capable of being maintained by owners and users.	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓
n)	Asset Protection Zones must be contained wholly within the subject site, and may incorporate fire trails, perimeter roads, cleared road verges and fixed building lines.	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓
o)	The subdivision design must provide adequate emergency vehicle access to those parts of the site fronting a potential bushfires source	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓
p)	In instances where the balance between bushfire protection and environmental and social impact cannot be achieved, the proposal may not be supported.	A Bushfire Risk Assessment is submitted under separate cover. Refer to 5.7.4	✓
4. Design Elements			
DC.1 Lot Size and Dimensions			
i)	Access handles must have a minimum width of 3.5 metres for single lots, and be constructed in accordance with Council's Manual of Engineering Standards. No more than 2 lots may be serviced by a reciprocal right-of-carriageway which shall be centrally located within both access handles.	A Subdivision Plan has been submitted under separate cover. All access handle are a minimum of 3.5m in width.	✓
j)	A suitable building envelope with minimum dimensions of approximately 15 metres by 10 metres	A Subdivision Plan has been submitted under separate cover. All lots are suitable dimensions with a minimum width of	✓



Item	Requirement	Proposal	Compliance
	shall be provided behind the building line.	15 metres.	
4. Design Elements			
DC.3 Drainage, Water Quality & Soil Erosion			
g)	All trunk drainage is to be located in publicly owned land, (reserves), in open space land or in an appropriate easement.	A Civil Engineering Plan is submitted under separate cover.	✓
h)	Where the drainage impacts of the subdivision proposal cannot be limited to pre-development stormwater levels by retention or other approved methods, drainage easements will be required over all necessary properties and watercourses. In such circumstances, the easement must be the subject of a signed agreement prior to issue of development consent. Such easements shall be created with, or prior to issue of the Subdivision Certificate.	A detailed Stormwater Management Plan is submitted under separate cover.	✓
i)	Where site topography in new residential subdivisions prevents discharge of storm water directly to the street gutter or a Council controlled pipe system, inter allotment drainage should be provided to accept run off from all existing or future parcels of land. The design and construction of the inter allotment drainage system should be in accordance with the	A detailed Stormwater Management Plan is submitted under separate cover.	✓



Item	Requirement	Proposal	Compliance
	requirements of Council's Manual of Engineering Standards.		
k)	A soil and water management plan (SWMP) should be prepared by a properly qualified practitioner with the aim of minimising erosion and maximising the quality of any water leaving the site. Applicants should refer to Council's Manual of Engineering Standards.	A detailed Stormwater Management Plan is submitted under separate cover.	✓
4. Design Elements			
DC.5 Effluent Disposal			
a)	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 supplier.	A Hunter Waster Connection Plan is submitted under separate cover.	✓
4. Design Elements			
DC.6 Roads & Access, Pedestrian & Cycleways			
h)	Public road access is required to all new lots in Torrens Title subdivision.	A Subdivision Plan has been submitted under separate cover. All lots have public road access.	✓
j	A network of constructed (i.e. not grass) footpaths and cycleways will be required in all residential subdivisions, located, designed and constructed in accordance with Council's Manual of Engineering Standards, and in view of streets wherever possible to allow surveillance.	A Landscape Plan has been submitted under separate cover. The Plan indicates the location of footpaths.	✓



Item	Requirement	Proposal	Compliance
k)	<p>Pedestrian links between residential cul-de-sacs or other road layouts should comply with the following criteria to provide:</p> <ul style="list-style-type: none"> I. A minimum width of 3.5m, except where the pathway acts as an overland flow path for stormwater drainage II. Reasonably short overall lengths III. A straight corridor alignment to allow unobstructed sight lines along its length IV. Paving preferably on a curved alignment V. Landscaping with low-level and groundcover species VI. Lighting in accordance with AS1158 	A Landscape Plan has been submitted under separate cover. The Plan indicates the location of footpaths.	✓
i)	Particular attention should be paid to pedestrian links to schools, with regard to their width, lighting (to Australian Standard) and the appropriateness of landscaping and related safety issues	A Landscape Plan has been submitted under separate cover. The Plan indicates the location of footpaths.	✓
m)	The road, footpath and cycleway network should facilitate walking and cycling throughout neighbourhoods and provide links to schools, community facilities and	A Landscape Plan has been submitted under separate cover. The Plan indicates the location of footpaths.	✓



Item	Requirement	Proposal	Compliance
	other activity centres.		
n)	Access ways to hatchet shaped or battle axe lots will serve a maximum of 2 lots, have a maximum grade of 25% (4H:1V) at any point.	All battle axe lots will be serviced off one access handle.	✓
4. Design Elements			
DC.7 Crime Prevention – Safer By Design			
	Various design principles	Refer to 5.6.1.	✓
4. Design Elements			
DC.9 Reticulated Services (Water/Sewer/Electricity/ Telecommunications)			
j)	Submission to Council of a Section 50 Certificate from the Corporation prior to issue of Subdivision Certificate (Endorsed “linen” plan)	Noted, not relevant at DA stage.	N/A
k)	Written evidence from the provider that installation of all services is complete and meets requirements must be submitted to Council prior to issue of the Subdivision Certificate	Noted, not relevant at DA stage.	N/A
i)	All new low-density residential lots (including land zoned E4 Environmental Living) to be capable of draining to the street frontage or to an inter-allotment drainage easement (see also “Drainage and Water Quality” Design Element below).	A detailed Stormwater Management Plan is submitted under separate cover.	✓



4.6.3 Development Control Plan - Gillieston Heights South (Western Precinct)

On 22 February 2022, Council adopted an amendment to Maitland Development Control Plan 2011 for the Gillieston Heights South (Western Precinct). These amendments apply to the residential zoned land that make up Regrowth-Kurri Kurri.

Item	Requirement	Proposal	Compliance
1.2 Precinct Plan			
Development Controls	Any Development Application prepared for subdivision will provide consideration (e.g., interconnecting roads) to the development.	A Urban Design Report and Subdivision Plan is submitted under separate cover which demonstrates how an interconnected road network services the precinct and provides access to Cessnock Road consistent with the masterplan contained in the DCP	✓
2.1 Transport and Movement			
Development controls	The street network is generally provided in accordance with the Development Circulation Map FIGURE 4.	A Urban Design Report and Subdivision Plan is submitted under separate cover which demonstrates how an interconnected road network services the precinct and provides access to Cessnock Road consistent with the masterplan contained in the DCP	✓
1)			
2)	Alternative street designs for local streets and accessways may be permitted on a case-by-case basis to accommodate local features if they preserve the function objectives and requirements of the design standards.	A Urban Design Report and Subdivision Plan is submitted under separate cover which demonstrates how an interconnected road network services the precinct and provides access to Cessnock Road consistent with the masterplan contained in the DCP	✓



Item	Requirement	Proposal	Compliance
3)	No future lot will have direct access to Cessnock Road (MR195).	No lot is proposed to access Cessnock Road directly.	✓
4)	Except where otherwise provided for in this Chapter, all streets and intersections are to be design and constructed in accordance with the Maitland City Council Manual of Engineering Standards.	All roads and intersections will be designed and constructed in accordance with the Maitland City Council Manual of Engineering Standards.	✓
2.2 Overall Landscaping Strategy			
1)	An Overall Landscaping Strategy is required to accompany any Development Application for subdivision	A Landscape Plan is submitted under separate cover. Refer 5.4.9.	✓
2.3 Passive and Active Recreation Areas			
2)	Open space is generally accordance with Council's Maitland Recreation & Open Space Strategy and generally located in accordance with FIGURE 3.	A Urban Design Report and Subdivision Plan is submitted under separate cover which demonstrates that the proposal is consistent with the masterplan contained in the DCP	✓
2.5 Amelioration of Natural and Environmental Hazards			
1)	Development Applications for subdivision provide consideration to the general provisions of the Maitland Development Control Plan for flooding.	The proposed subdivision does not impact upon flood prone lands	NA
2)	Flood free access will be eventually achieved for the development and Gillieston Heights through the construction of the sub-arterial road from Cessnock Road within the Maitland Local Government Area to William Tester Drive within the Cessnock Local	Noted.	N/A



Item	Requirement	Proposal	Compliance
	Government Area.		
3)	The Bushfire Assessment Report that accompanies the Development Application for subdivision is to be in accordance with the document titled Planning for Bushfire Protection, prepared by the NSW Rural Fire Service	A Bushfire Assessment Report prepared in accordance with Planning for Bushfire Protection has been submitted under separate cover.	✓
4)	All Development Applications are to demonstrate compliance with State Environmental Planning Policy No.55 – Remediation of Land.	In May 2017, a Site Audit Statement was provided that considered the land to be suitable for the proposed residential land uses, stating that 'the site may be deemed suitable for the proposed land-use of residential with some areas proposed for environmental conservation, public recreation and rural landscapes'	✓
2.6 Key Development Sites			
2.6.1 Land fronting Cessnock Road and South Maitland Railway			
1)	An acoustic assessment is required to accompany the Development Application for subdivision to demonstrate if any mitigation measures will be required for those lots in proximity to the South Maitland Railway Line and Cessnock Road as identified by FIGURE 7	A Railway Noise Impact Assessment has been prepared and is submitted under separate cover. Refer 5.4.8.	✓
2)	Any proposed fencing shall be located on private land and not on public land	No fencing is proposed on public land.	✓



Item	Requirement	Proposal	Compliance
3)	Subdivision in proximity to the South Maitland Railway Line may result in the need for the construction of security fencing to restrict access and improve safety.	Can be conditioned where required.	✓
2.6.2 Mine Subsidence – Old Mine Workings			
1)	Areas of potential mine subsidence are shown on FIGURE 6		
2)	Prior to any Development Application for Subdivision within the mine workings or mine zone with limitations as identified by FIGURE 6, the applicant will undertake further geotechnical assessment to assess the suitability of this land for the development that is proposed (e.g., roads, services, etc.).	A Detailed Mine Subsidence Assessment has been prepared and is submitted under separate cover. Refer 5.5.1	✓
2.6.3 Archaeological Significance			
1)	Known Aboriginal Archaeological Sites are shown on FIGURE 8. An Aboriginal Heritage Impact Permit (AHIP) issued under Part 6 of the National Parks and Wildlife Act 1974 (NPW Act 197) is required for any works which affect these sites.	Noted.	NA
2)	Areas of high archaeological sensitivity, warrant a full Aboriginal Cultural Heritage Assessment prior to any development works	No such land is identified on the subject site.	✓
3)	Areas of low archaeological sensitivity,	Aboriginal Cultural Heritage Assessment	✓



Item	Requirement	Proposal	Compliance
	warrant an Aboriginal archaeological due diligence assessment prior to any development works	(ACHA) for Precinct 1A covers both Precinct 1A and 1B.	
4)	Areas of nil archaeological sensitivity do not contain any known Aboriginal heritage constraints. However, Aboriginal objects may still occur in these areas. If any Aboriginal objects are encountered during development, and impacts cannot be avoided, an AHIP issued under Part 6 of the NPW Act 1974 will be required.	Noted	NA



5 Regulation Assessment

5.1 Section 4.15(1)(a)(i) – Provisions of Any Environmental Planning Instrument

Maitland Local Environmental Plan 2011

The subject site falls under the jurisdiction of the Maitland Local Environmental Plan 2011 (MLEP 2011).

The subject site is zoned part R1 General Residential and part RU2 Rural Landscape under the Maitland Local Environmental Plan 2011.

The objectives of the zone R1 General Residential 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 proposal is consistent with the objectives of the zone as it will deliver 224 residential housing lots to meet the needs of the community.

The objectives of the RU2 Rural Landscape Zone are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To provide for a range of non-agricultural uses where infrastructure is adequate to support the uses and conflict between different land uses is minimised.

The proposal is consistent with the objectives of the zone as it will maintain rural landscape character within the development area and provide a small number of lots for non-agricultural purposes that will not cause land use conflict between rural and residential areas.

5.2 Section 4.15(1)(a)(ii) – Provisions of Any Draft Environmental Planning Instrument

Nil.



5.3 Section 4.15(1)(a)(iii) – Provisions of Any Development Control Plan

As previously discussed in Section 4, Maitland Development Control Plan (DCP) 2011 applies to development proposed on the subject site.

The tables in Section 4 outline the relevant provisions and the specific development controls and provisions are discussed in greater in this Section.

5.4 Section 4.15(1)(b) – Likely Impacts of That Development – Built Environment

5.4.1 Site Analysis, Site Design and Streetscape

The site is a large rural landholding known as 464 Cessnock Road, Precinct 1B, Gillieston Heights which was recently rezoned and now forms part of an Urban Release Area.

The site is not a heritage item and does not adjoin a heritage item and is not located within a heritage conservation area. The site is not located near industry and is environmentally safe free from risks such as flooding, land slip and coastal hazards.

The site is favourably located within a short driving distance to Gillieston Heights Town Centre, to the north and near compatible social uses such as schools and other educational establishments (Gillieston Public School 2.5km to the), parks (Wood Street Park 1.6km to the north) and other public open space, community facilities (Gillieston Heights Community Centre 2.7km to the north), places of public worship (St Marys Anglican Parish Maitland 5km to the north and Uniting Church Maitland 5.4km to the north). Access to public transport is available to the south on Cessnock Road (400m).

The site is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises. The site is not located within proximity to heavy or hazardous industry, waste transfer depots or landfill sites; LPG tanks or service stations; water cooling and water warming systems; odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses.

The site is not identified as being affected by flood. A civil engineering strategy has been developed for physical works which provides a best fit solution within the constraints of the existing landform and the proposed subdivision layout.

A Landscape Plan is has been prepared and is submitted under separate cover which details the proposed streetscape plantings and pedestrian footpaths proposed.



5.4.2 Height, Bulk and Scale

No building works other than infrastructure and drainage works are proposed. However, the proposed 224 lot residential subdivision will provide for a range of lot sizes from 450m² and up with 15 metre front boundary widths which will allow for future residential dwelling construction of a typical height and scale expected of modern urban release areas.

5.4.3 Access, Servicing, Parking and Traffic

The proposal includes full road construction of:

- Road MC01 as a divided carriageway,
- All perimeter roads with a 10.5m carriageway,
- All non-perimeter roads as local streets with an 8m carriageway, and

Footpath construction of:

- 2.5m pathways along Road MC01, MC05, MC08, MC11, new shared pathway along south western perimeter road, and
- 1.5m pathways on side of all other local roads.

5.4.4 Sunlight and Shadow

No building works other than infrastructure and drainage works are proposed. However, the proposed 224 lot residential subdivision will provide for a range of lot sizes from 450m² and up with 15 metre front boundary widths which will allow for future residential dwelling construction of a typical height and scale expected of modern urban release areas.

5.4.5 Views

The site enjoys significant views in most directions towards the Swamp Creek Wetlands.

5.4.6 Heritage

The site is not identified as a heritage item, adjoining or adjacent a heritage item or located within a heritage conservation area.

5.4.7 Visual Privacy

No building works other than infrastructure and drainage works are proposed. However, the proposed 224 lot residential subdivision will provide for a range of lot sizes from 450m² and up with 15 metre front boundary widths which will allow for future residential dwelling construction of a typical height and scale expected of modern urban release areas.



5.4.8 Noise

The proposed development is bounded by the South Maitland rail corridor to the west. The freight line is not currently in use however it may be recommissioned in future and as such the potential for freight noise impacts is a possibility.

A Railway Noise Assessment has been prepared and is submitted under separate cover. The Report found that:

“...a single train pass-by event is expected to be compliant with the particle vibration velocity criteria at a worst case receiver distance of 20 metres. External noise levels due to ground borne noise at most exposed lots are predicted to be in the range of 37 to 53 dB(A). As such, internal noise levels are expected to be compliant with criteria.”

As such, the proposal is considered to be appropriate for the location and will not be adversely impacted should the South Maitland rail corridor be recommissioned in future.

5.4.9 Landscaping

A Landscape Plan has been prepared and is submitted under separate cover.

The Landscape Plan includes extensive streetscape plantings to create a high quality public domain.

5.4.10 BCA and Australian Standards

The development is subject to Building Code of Australia (National Construction Code) and associated Australian Standards, supported by the relevant consultant reports and compliance can be ensured through a condition of consent.

5.5 Section 4.15(1)(b) – Likely Impacts of That Development – Natural Environment

5.5.1 Landform, Cut and Fill

The development is able to be undertaken using standard engineering practices. The development will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

A Detailed Mine Subsidence Assessment has been prepared and is submitted under separate cover. The findings of this assessment are as follows:

“It is recommended that plans for development and improvements within the 0-100m depth of cover zone be avoided as much as possible Reference to the Development



Plan included on Drawing 5 indicates that Stage 1B development within the 0-100m depth of cover zone is limited to:

- *Road MC01 crosses the 0-100m cover zone.*
- *Possible extension of Road MC05 across the 0-100m cover zone in the future to connect to the existing rail bridge.*
- *The edge of one Lot sits just over the 100m isopach (Lot 314).*
- *A stormwater basin near the northern site boundary lies within the 50-100m cover zone and a stormwater basin toward the southern boundary of the site lies over the edge of the 100m isopach.”*

Notwithstanding, SA NSW will assess applications for development based on merit under Section 22 of the *Coal Mine Subsidence Compensation Act 2017* and will provide conditions of approval.

5.5.2 Tree Removal and Retention

There are a number of trees that will need to be removed to achieve a viable urban development footprint and comply with bush fire protection requirements. Tree removal is detailed on the Vegetation Removal / Retention plan submitted under separate cover.

5.5.3 Stormwater Drainage

A Stormwater Management Plan has been prepared and is submitted under separate cover.

Five water quality basins will be constructed and will be dedicated to Council. One of these basins will be temporary because the permanent solution will be provided in the Cessnock LGA.

Overall, the drainage system is designed to utilise natural drainage lines.

5.5.4 Soils, Erosion and Sedimentation

There will be no soil or erosion and sediment impact as a result of the proposal. The application is supported by an erosion and sediment control plan and is submitted under a separate cover.

5.5.5 Endangered Flora and Fauna

No endangered flora or fauna are impacted by the proposal.

5.6 Section 4.15(1)(b) – Likely Impacts of That Development – Social and Economic



5.6.1 Safety and Security

The development will not cause any impact on safety and social issues.

The purpose of CPTED is to design, manage or manipulate the environment to reduce the opportunity for crime to be committed. As well as reducing opportunities for crime against property, this informally extends beyond a house and into the adjoining public space.

Generally, criminals are less likely to commit a crime when there is:

1. A greater risk of being seen, challenged or caught;
2. A greater effort required; and
3. A lesser actual or perceived reward.

The built environment can be designed, managed or manipulated to ensure:

1. There is more chance of being seen, challenged or caught;
2. Greater effort is required; and 3. The actual or perceived rewards are less.

The Crime Prevention Through Environmental Design (CPTED) guidelines were prepared by the NSW Police in conjunction with the NSW Department of Planning and Environment. CPTED provides a clear approach to crime prevention and focuses on the planning, design and structure of cities and neighbourhoods. The main aims of the guidelines are to:

- Limit opportunities for crime;
- Manage space to create a safe environment through common ownership and encouraging the public to become active guardians; and
- Increase the perceived risk involved in committing crime

A safety audit of the proposed development against the Crime Prevention Through Environmental Design principles and NSW Police Safer by Design Guidelines for Crime Prevention is provided as follows:

Item	Requirement	Proposal	Compliance
Lighting	Objectives (a) To promote legitimate activity by users of public spaces after dark. (b) To encourage the use of appropriate types of lighting fixtures. (c) To ensure the appropriate placement of lighting to avoid shadows and glare which may put users of the area at risk.	Appropriate lighting will be installed throughout the subdivision along roads, footpaths and in appropriate locations in designated recreational areas.	✓



Item	Requirement	Proposal	Compliance
Natural surveillance and sightlines	<p>Objectives</p> <p>a) To provide unimpeded sight lines, particularly along pedestrian pathways.</p> <p>b) To encourage natural surveillance from surrounding buildings and land uses.</p> <p>c) To improve natural surveillance through increased legitimate use of spaces.</p>	<p>The subdivision pattern shows long straight road layouts with limited curvilinear sections to ensure unimpeded, clear view lines of the streetscape for surveillance.</p>	✓
Building design	<p>a) To integrate public buildings into the wider public realm;</p> <p>b) To use buildings to support natural surveillance of adjacent open space;</p> <p>c) To construct, sturdy, attractive, environmentally sensitive buildings to reduce temptations for vandalism and graffiti; and</p> <p>d) To reduce the risk of public buildings contributing to crime or safety problems</p>	NA	NA
Landscaping	<p>Objectives</p> <p>a) To create a friendly and pleasant environment that attracts users and at the same time is safe.</p> <p>b) To support ease of maintenance by not creating fragile landscaped areas in public use areas.</p> <p>c) To support and reinforce security</p> <p>Principles such as natural surveillance, by the careful selection and placement of appropriate</p>	<p>A Landscaping Plan has been submitted under separate cover.</p> <p>The Landscape Plan proposed a streetscape planting concept to enhance the quality of the public domain and increase public use and hence surveillance.</p>	✓



Item	Requirement	Proposal	Compliance
	landscaping		
Spaces safe from entrapment	<p>Objectives</p> <p>a) To reduce the risk of attack by hidden persons.</p> <p>b) To eliminate possible entrapment spaces and reduce the danger of people being attacked where they have no direct means of escape.</p> <p>c) To ensure that the location and design of facilities, such as automatic teller machines do not create entrapment spaces.</p>	<p>No entrapment areas included in the existing or current design.</p> <p>The proposal provides well-designed spaces.</p>	✓
Management and maintenance	<p>a) To ensure prompt maintenance and repairs</p> <p>b) To facilitate prompt reporting of any damage or repair needs.</p> <p>c) To promote a perception that an area is well maintained and is well cared for by its local community.</p> <p>d) To discourage graffiti and vandalism.</p> <p>e) To install equipment and fixtures that are vandal resistant and can be easily cleaned</p>	NA	NA

From a safety and security standpoint, the proposal will provide for increased safety. The design ensures that roads are located along parks and reserves to ensure that there is adequate public surveillance of the public domain.

5.7 Section 4.15(1)(b) – Likely Impacts of That Development – Hazards

5.7.1 Soil Instability, Subsidence, Slip, Mass Movement

The subject site is not known to contain and subsidence or land slip issues.



5.7.2 Acid Sulfate Soils

The subject site is located on Class 5 land. The proposed development is not expected to disturb acid sulfate soils. An Acid Sulfate Soils preliminary assessment can be provided if conditioned by Council.

5.7.3 Flooding, Tidal Inundation

The subject site is not located within a flood prone area and will not adversely impact on natural overland flood paths.

5.7.4 Bushfire

A Bushfire Risk Assessment is included with the proposal and is submitted under separate cover.

The BRA made the following recommendations to minimise bush fire risk:

- 1. The entire site; including all proposed residential lots, Lots 124, 424, 801, 813, 914 and 1419, shall be managed as an Inner Protection Area (IPA) as outlined within Appendix 4 of PBP 2019 and the RFS document Standards for asset protection zones;*
- 2. Access shall satisfy the Performance Criteria outlined in Table 5.3b of PBP 2019 and constructed in accordance with the Detail Sheets of each stage contained in Appendix A. This will require the provision of a minimum of two (2) separate road access points provided from the development site to the north and east to ensure safe evacuation for all residents. Access will primarily be provided through Precinct 1A. Accordingly, no lots within Precinct 1B shall be registered prior to the completion of the main collector road connecting the site to Cessnock Road as part of Precinct 1A;*
- 3. Low risk non-perimeter roads shall be 8m wide (including provision for on-street parking);*
- 4. Perimeter roads shall be 10.5m wide with provision for parking on the non-hazard side of the road;*
- 5. Any temporary turning heads shall be constructed in accordance Appendix A3.3 of PBP 2019;*
- 6. Vegetation within road verges (including swales) to be consistent with a grassland vegetation classification with tree canopy less than 10% at maturity (and considered unmanaged);*
- 7. All future dwellings to be constructed on the proposed lots shall have due regard to the specific considerations given in the National Construction Code: Building Code of Australia (BCA) which makes specific reference to Australian Standard AS3959-2018 Construction of buildings in bushfire prone areas (AS3959-2018) and the NASH Standard Steel Framed Construction in Bushfire Prone Areas;*
- 8. All new lots are to be connected to a reliable water supply network and that suitable fire hydrants are located throughout the development site that are clearly marked and*



- provided for the purposes of bushfire protection. Fire hydrant spacing, sizing and pressure shall comply with AS2419.1 2005 and section 5.3.3 of PBP 2019; and*
9. *Consideration should be given to landscaping and fuel loads on site to decrease potential fire hazards on site.*

It is considered with adoption of the above measures, the proposal 224 lot subdivision is satisfactory from a bushfire planning standpoint.

5.7.5 Contamination

The land is not considered be at risk of being contaminated given its long term use as a residential development.

5.8 Section 4.15(1)(d) – Submissions Made in Accordance with the Act or Regs

Not relevant at the SEE preparation stage.

5.9 Section 4.15(1)(e) – The Public Interest

The proposed development is not considered to be contrary to the public interest.



6 Summary

The proposed development is wholly consistent with the R1 General Residential Zone objectives as it will provide for the housing needs of the community and will provide for a variety of housing types and densities in this location.

The proposal is performs favourably in relation to the relevant aims, objectives and development standards of the relevant environmental planning instruments and associated development control plan.

The proposed development is consistent with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and *Regulations 2021* and should be supported.



APPENDIX 1 – SITE PICTURES

Picture 1: A view from the proximity of proposed road MC01 north toward Gillieston Heights



Picture 2: A view towards west towards the subject site from along the proximal route of proposed road MC01





Picture 3: A view towards the east along the proximal route of proposed road MC01 from the approximate location of the proposed subdivision looking across Precinct 1A.





Picture 5: An aerial view towards the subject site (marked)

