

HC9

Planning & Development Consultants

benhc9@outlook.com

M:0419193259

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed single storey, semi-detached dwellings and Strata title subdivision

27 CRESTWOOD ROAD, THORNTON NSW
(LOT 315, DP1260843)

for:

Privium

Issue: A (20/10/2020)

DOCUMENT CONTROL

Project Number: 15
Project Name: 27 Crestwood Road, Thornton
Document Reference: 201020– Statement of Environmental Effects

Prepared for

Privium

Prepared by

HC Planning & Development Consultants

T 0419 193 259
E benhc9@outlook.com

Document History				
Version	Description	Date	Author	Approved by
Issue A	Original Issue	20-10-20	BH	BH

TABLE OF CONTENTS

1	Introduction	1
2	Site & Locality Description	2
2.1	Site description.....	2
2.2	Locality description.....	2
3	Proposed Development.....	4
4	Statutory Framework	5
4.1	State Environmental Planning Policies (SEPP)	5
4.1.1	SEPP No.55 – Remediation of land.....	5
4.1.2	SEPP (Koala Habitat Protection) 2019	5
4.1.3	SEPP (Building Sustainability Index: BASIX) 2004	5
4.2	Regional strategies	5
4.3	Planning for Bushfire Protection 2019	6
4.4	Maitland Environmental Plan 2011 (MLEP 2011)	6
4.4.1	Zoning & Permissibility.....	6
4.4.2	Exceptions to minimum lot sizes in Zone R1	6
4.4.3	Earthworks	7
4.5	Maitland Development Control Plan 2011	7
4.6	Section 4.15 Environmental Planning and Assessment Act 1979	10
5	Conclusion	13

1

INTRODUCTION

HCP Planning and Development Consultants Pty Ltd (HC9) have been engaged to prepare a development application (DA) to Maitland City Council (Council) seeking consent for construction of a new single storey, semi-detached dwellings (the 'proposal') on land located at 27 Crestwood Road, Thornton NSW (the 'site'). The DA is pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* (the Act).

The site is zoned R1 General residential (R1 zone) in Maitland Environmental Plan 2011 (MLEP 2011). A semi-detached dwelling is permissible in the R1 zone. The proposal complies with all relevant objectives and design criteria within the applicable planning framework except for in relation to a minor departure from the controls for private open space.

This SEE describes the site and its environs, the proposed development and includes an assessment of the proposal in terms of the matters for consideration as listed under section 4.15 of the Act. It is submitted that the proposal is consistent with the objectives and controls of the relevant planning framework and subsequently we therefore recommend Council approve the development.

2

SITE & LOCALITY DESCRIPTION

2.1 Site description

The site is located at 76 Crestwood Road, Thornton and is a corner allotment. The site is legally described as Lot 315 in DP1233461, currently vacant and has an area is 606m².

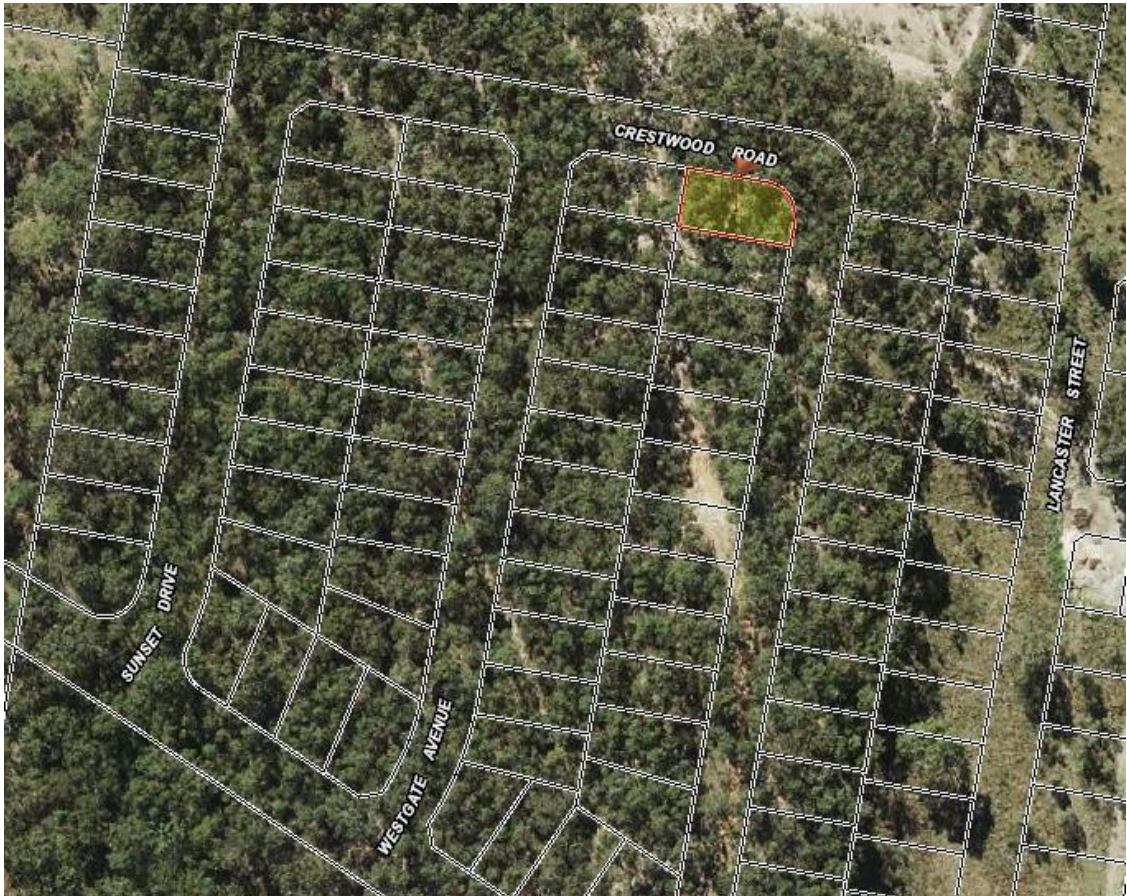


Figure 1: Site location. Site indicated by red outline and yellow shading
(Source: Sixmaps NSW Govt)

2.2 Locality description

The site is part of Precinct 2 in the Thornton North Urban Release Area. The locality is best described as an emerging low density residential area.

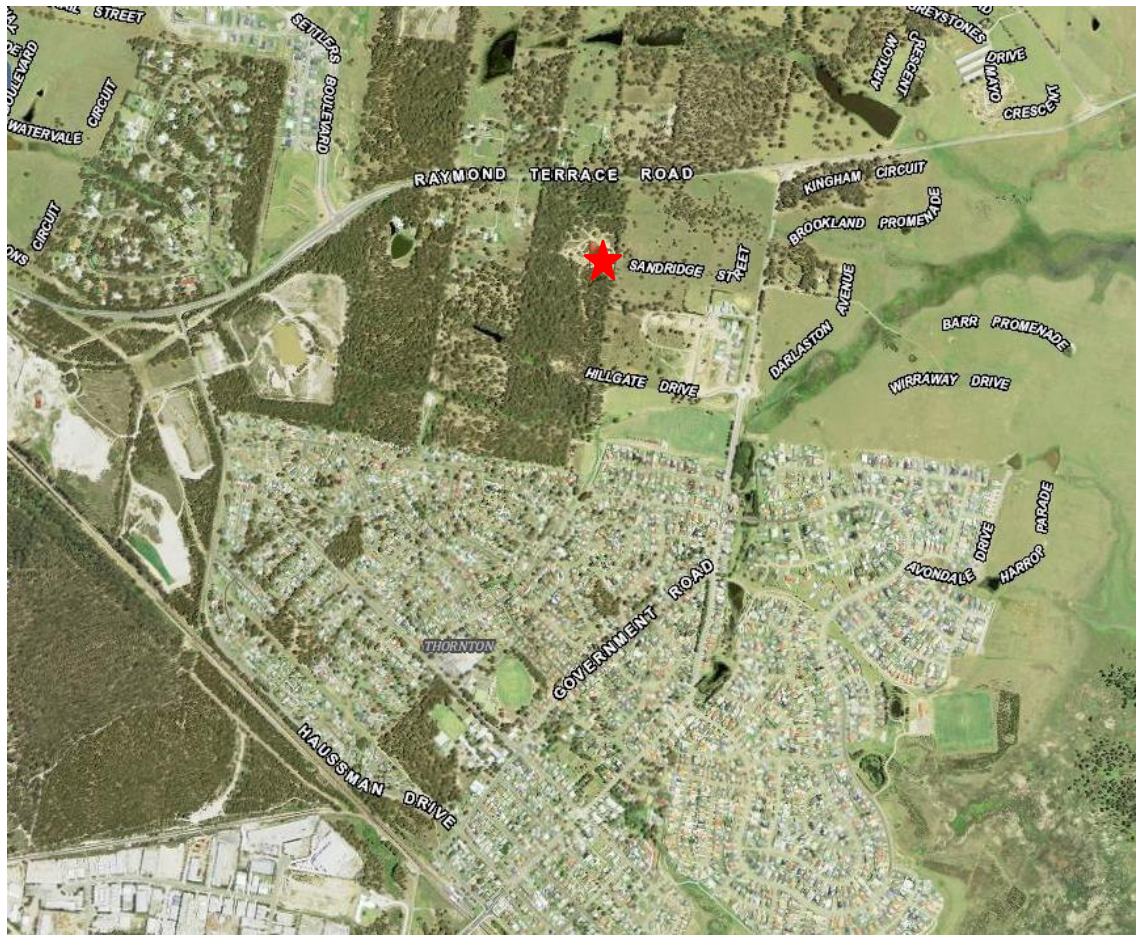


Figure 2: Aerial Photo (Source: Sixmaps NSW Govt). Site location indicated by ★

3

PROPOSED DEVELOPMENT

This DA proposes the construction of a single storey, semi detached dwellings comprising the following attributes:

Proposed dwelling 1

- Single garage
- 3 bedrooms
- 2 bathrooms (1 being an en-suite off the master bedroom)
- Laundry
- Rear private open space area
- Rainwater tank

Proposed dwelling 2

- Single garage
- 4 bedrooms
- 2 bathrooms (1 being an en-suite off the master bedroom)
- Laundry
- Private open space area
- Rainwater tank

The site is generally flat and thus the proposal required minimal cut and/or fill earthworks.

The DA is supported by:

- Plans and elevations prepared by Privium
- Bushfire assessment report prepared by Intrax Housing
- BASIX assessment report prepared by Conor Horwood

4

STATUTORY FRAMEWORK

The following provides an assessment of the proposed development in accordance with the matters under section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

4.1 State Environmental Planning Policies (SEPP)

4.1.1 SEPP No.55 – Remediation of land

Clause 7 of State Environmental Planning Policy No.55 – Remediation of Land requires the consent authority to consider whether land is contaminated during the development application process. The section 10.7 Planning Certificate for this site states that the land is not contaminated and, therefore, is suitable for the proposal.

4.1.2 SEPP (Koala Habitat Protection) 2019

The aim of State Environmental Planning Policy (Koala Habitat Protection) 2019 is:

to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

The site was created as part of an approved residential subdivision. Although the site does have some tree canopy upon it, previous assessments associated with the subdivision did not determine the area to sustain Koala habitat. Subsequently, it is submitted that a Koala plan of management is not required to support this proposal.

4.1.3 SEPP (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies. A BASIX assessment has been prepared and provided with the DA, which complies with the minimum requirements.

4.2 Regional strategies

The subject land is included in the Hunter Regional Plan 2036 as a residential growth area, which will facilitate future housing and urban renewal opportunities, as shown in **Figure 3**. The proposal is therefore consistent with the Hunter Regional Plan 2036.

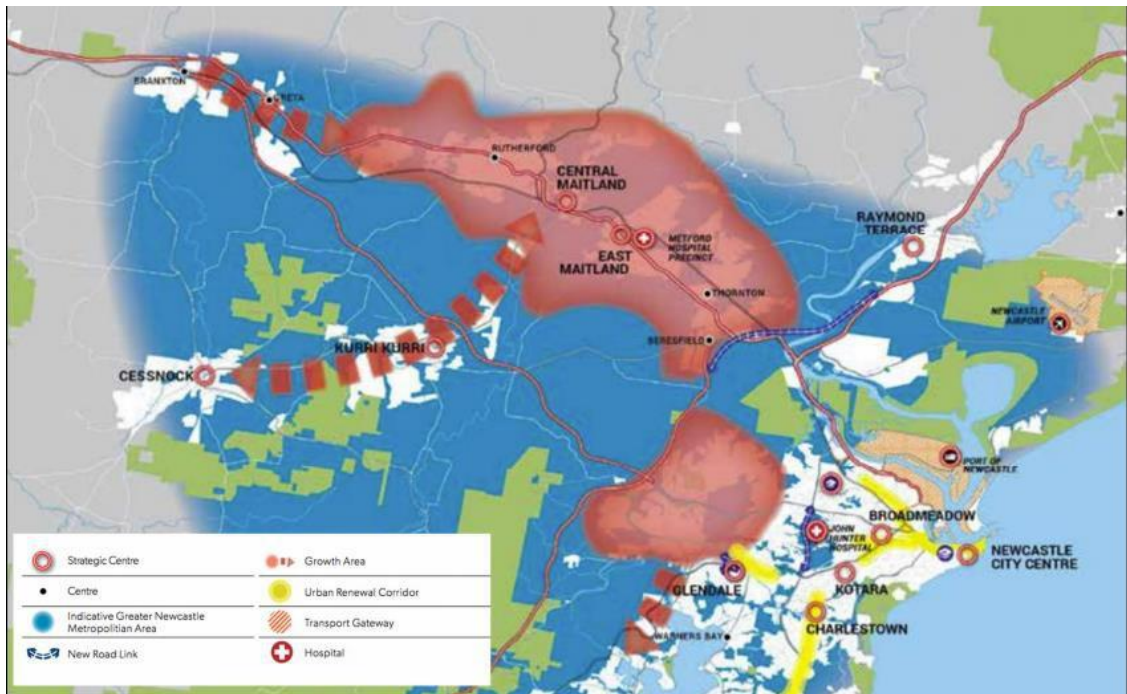


Figure 3 – Regional strategy (Source: Hunter Regional Plan 2036)

4.3 Planning for Bushfire Protection 2019

The site is located within a bushfire prone area and therefore an assessment against the controls in the NSW Rural Fire Service Planning for Bushfire Protection is required. An assessment has been undertaken and accompanies this DA. The conclusion of this assessment is that the Bushfire Attack Level (BAL) rating is low and, therefore, no special requirements are necessary in terms of the design of the proposal.

4.4 Maitland Environmental Plan 2011 (MLEP 2011)

4.4.1 Zoning & Permissibility

The site is zoned R1 General Residential (R1 zone) in MLEP 2011. The proposed land use is defined as a *semi-detached dwelling*, which comes under the umbrella of *residential accommodation* in MLEP 2011.

A *semi-detached dwelling* is permitted with consent in MLEP 2011.

4.4.2 Exceptions to minimum lot sizes in Zone R1

Clause 4.1A I n MLEP 2011 states:

- (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.

The DA proposes two dwellings, which are attached by a common wall. As part of this application it is proposed to subdivide (Strata Title) the site so that one dwelling sits on its own allotment. The total site area is 606m² and each proposed lot will be a minimum of 300m² and, therefore, complying with this development standard.

4.4.3 Earthworks

Clause 7.2 in MLEP 2011 provides for controls relating to earthworks.

The objective of this clause is:

(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposal involves minimal cut and fill given the site's relatively flat topography. The proposed earthworks will, therefore, not have a detrimental impact on environmental functions and processes, neighbouring uses or features of the surrounding land. The proposal is therefore compliant with this clause.

4.5 Maitland Development Control Plan 2011

The following table provides an assessment of the proposal against the relevant controls in the Development Control Plan 2011 (DCP) for a dwelling house. Where non-compliances are identified, these are discussed in more detail in sections after this table.

DCP Requirement	Proposal	Compliance
Part B: Environmental Guidelines		
B.2 Domestic Stormwater		
Retention capacity	As outlined in the BASIX certificate the proposed downpipes are adequately sized to effectively service the rain water tank.	Yes
Location of feed lines	Stormwater feed lines will be installed as per Council's minimum requirements detailed in the DCP.	Yes, will comply
Rainwater tanks	The proposal provides a rainwater tanks for each of the proposed dwelling set back more than 1m from any of the site's boundaries.	Yes
Stormwater lines	All stormwater lines will be installed such that flow is to the low point at the street frontage and comply with Council's requirements where they cross the road reserve.	Yes, will comply

B.5 Tree Management		
	The site is vacant and does not involve the removal of any significant vegetation.	Yes
B.6 Site waste minimisation & management		
Waste management plan	The DA is accompanied by a waste management plan, which is in accordance with Council's performance requirements.	Yes
Part C: Design Guidelines		
C.8 Residential design		
Bulk earthworks and retaining walls	The site is generally flat. The extent of cut and fill to achieve a bench for the slab on ground construction will be minimal and require no retaining structures. The proposal meets the design requirements in the DCP.	Yes
Street building setbacks	It has been assumed for the purposes of this assessment that the site is deemed to be within an urban residential zone. The control therefore is a minimum front setback of 5m. The site is located on a corner allotment. The proposal will be setback 5.49m from the eastern frontage and 3.2m-4.7m from the northern. It is submitted the proposal complies with the control given one frontage complies (eastern) and the other is greater than half of the primary.	Yes
Side and rear setbacks	Similarly, as for the front setback control, it has been assumed the site is deemed to be within an urban residential zone. As the maximum external wall height is 2.95m the minimum side setback required is 1m. The proposal is setback more than 1m from its western and southern side boundaries and therefore complies.	Yes
Site coverage and unbuilt area	The maximum site coverage control is 60% of the site area. The minimum unbuilt area is 40% of the site area. The proposal has a site coverage of 60% and an unbuilt area of 40% and therefore complies.	Yes
Building height, bulk and scale	The maximum building height on this site is 8m. The proposal has a height of 5.253m and therefore complies.	Yes
External appearance	The locality of the site is best described as a new greenfield residential precinct that will accompany modern development. The proposal in this instance provides a simple single storey design with pitched roof. The low set building mitigates adverse visual and amenity impacts given its limited height, bulk and scale. The proposal will therefore not	Yes

	<p>detract from the character of this emerging low density residential area.</p> <p>The proposed garages are setback further from the site's street frontages than the front wall of the dwelling. This provides articulation and limits any visual impact and/or dominance that could potentially be created by the garage door. Varying external materials and finishes are also proposed in the street elevation to create visual interest and to ensure the garage door is not the dominant feature.</p> <p>The total width of the site is 14m, meaning the garage door must be no greater than 7m wide. The proposed door is 3.570m wide and therefore complies with the control.</p>	
Open space	<p>In accordance with the DCP controls for private open space a minimum of 45m² with dimensions of 6m x 6m is required for dwelling 1 and 40m² with dimensions of 5m x 5m for dwelling 2.</p> <p>For an area to be included in POS a minimum dimension of 3m is required.</p> <p>POS should be an extension to primary internal living areas of the dwelling.</p> <p>POS will only be permitted forward of the building line where in the optimum range for solar access and dimensions.</p> <p>The proposal includes 44m² of private open space (POS) with maximum dimensions of 8.07m x 5.06m for dwelling 1 in the south western corner of the site and 60m² for dwelling 2 with maximum dimensions of 4.7m x 11m and forward of the building line.</p> <p>The proposal complies with respect to proposed dwelling 2. Although the POS is forward of the building line it is afforded privacy via fencing and has an area significantly beyond the minimum area requirements.</p> <p>Non-compliances are however proposed with respect to dwelling 1. There is variation to the minimum area of POS by 1m² and minimum dimensions.</p> <p>The departure from the control is acceptable in the circumstances of this case because:</p> <ul style="list-style-type: none"> Adequate solar access will still be achieved from early afternoon onwards in the winter solstice. 	No

	<ul style="list-style-type: none"> The minimum dimension in one direction significantly exceeds the 5m minimum by 3m (proposed 8.07m) and still maintains a minimum average of circa 4m in the other direction. 	
Driveway access and carparking	<p>Driveways are to be located:</p> <ul style="list-style-type: none"> No closer than 900mm from the side boundary A minimum of 2.7m wide within the site Maximum gradient of 4:1 No more than 5m wide at the front boundary where it meets the road reserve <p>The proposal more than complies with all of the above numerical controls.</p> <p>A minimum of two (2) on site car parking spaces are required for a dwelling comprising more than two bedrooms. The proposal provides 2 spaces with 1 within the garage and the other behind.</p>	Yes
Views and visual and acoustic privacy	<p>The proposal, given the flat nature of the locality and single storey built form, will not adversely impede or impact on any scenic views from adjoining or future surrounding development.</p> <p>The single storey nature of the built form also mitigates any overlooking of any adjoining development given the flat nature of the locality and the fact that the proposed fencing will provide a privacy screen along the side and rear boundaries of the site.</p>	Yes
Water and energy conservation	<p>The proposal meets the minimum requirements of the DCP and SEPP (BASIX). Please refer to BASIX certificate.</p> <p>The proposal includes a rain water tank and all living areas have been designed and orientated to the northern aspect to take advantage of the site's solar access.</p>	Yes
Stormwater management	<p>As detailed on the drainage plan accompanying the DA, all stormwater is collected and drained to the stormwater tank and/or to the street via appropriate piping.</p>	Yes

4.6 Section 4.15 Environmental Planning and Assessment Act 1979

The following provides an assessment of the proposal with respect to those matters for consideration under section 4.15.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Natural Environment

- Noise

The proposal is for semi-detached dwellings and, therefore, is not anticipated to generate any adverse noise and/or noise levels above that which would be anticipated for such a use. The site is also well separated from the rail corridor.

- Flora and fauna

The existing site does not accommodate any significant flora nor is it recognised as an area likely to have important fauna species.

Built Environment

- Visual amenity

The proposal will present to the site's street frontages as a low set building of minimal bulk and scale. The height and articulated front setbacks of the proposal is in context with that existing and anticipated in this locality.

- Building Height, Bulk and Scale

The height bulk and scale of the proposal more than complies with the applicable controls and as such will have no adverse visual or amenity impacts.

- Land Use

No new land uses are proposed.

- Transport and Traffic

Each dwelling will be provided with two (2) car parking spaces as per the requirement for a dwelling containing two (2) or more bedrooms.

Social Impacts

There would be no notable social impacts or benefits as a result of the proposal.

Economic Impacts

There are no notable economic impacts as a result of this proposal.

(c) the suitability of the site for the development

The proposal is permissible within the R1 General Residential zoning under the provisions of MLEP 2011. The proposal complies with the objectives and controls within the DCP and has been determined to have no adverse environmental or amenity impacts. The site is, therefore, suitable for the proposal.

(d) any submissions made in accordance with this Act or the regulations

The application would be notified by Council in accordance with its notification policy. Any submissions made would be duly responded to by the applicant should Council wish it to do so.

(e) the public interest

The proposal would result in no adverse environmental impacts and, therefore, would be in the public interest.

5

CONCLUSION

This DA seeks consent for the construction of two semi-detached dwelling houses and Strata title subdivision at 27 Crestwood Road, Thornton

The proposal is supported from a town planning perspective for reasons set out in this report, summarised as follows:

- The proposal is of a high quality architectural design;
- The proposed setbacks, car parking, building height fully comply with MLEP 2011 and the DCP;
- The proposal will have negligible adverse impacts on existing adjoining properties and to the nearby vicinity;

Based on the reasons outlined in this report, it is HC9's position that the proposal is consistent with the objectives and controls of the relevant planning framework and so therefore we recommend this DA be granted consent.