

Statement of Environmental Effects

to accompany a Development Application
for five (5) new dwellings, two (2) lot Torrens
Title Subdivision and Strata Subdivision

at

Lot 24 Sec 44 DP 758374

56 Brunswick Street EAST MAITLAND

OCTOBER 2023

STATEMENT OF ENVIRONMENTAL EFFECTS

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1 INTRODUCTION

This Statement of Environmental Effects (SoEE) has been prepared to support a development application for five (5) new dwellings, two (2) Lot Torrens Title subdivision and Strata subdivision at Lot 24 Sec 44 DP 758374, 56 Brunswick Street East Maitland.

The proposal includes:

- Earthworks, construction of proposed driveways, drainage, retaining walls, utility services and site infrastructure including landscaping;
- Construct one (1) x two storey dwelling and four (4) x single storey dwellings;
- Two (2) lot Torrens Title subdivision and,
- Strata Subdivision of one (1) lot into four (4) Strata Title lots.

The dwelling on site was recently demolished and the site is now vacant.

A new dwelling will be constructed on the Brunswick Street frontage. This dwelling will be included in a newly created lot proposed in this development application for the Torrens Title subdivision.

The four (4) units to be constructed at the rear of the site will be included in the strata subdivision proposed in this development application.

The proposed new dwellings will provide a quality residential development that compliments the existing neighbourhood and amenity of the area. Residential units are located in the surrounding neighbourhood.

The land is zoned R1 General Residential pursuant to Maitland LEP 2011. Dwelling House, multi dwelling housing and subdivision are permissible uses 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 2023)

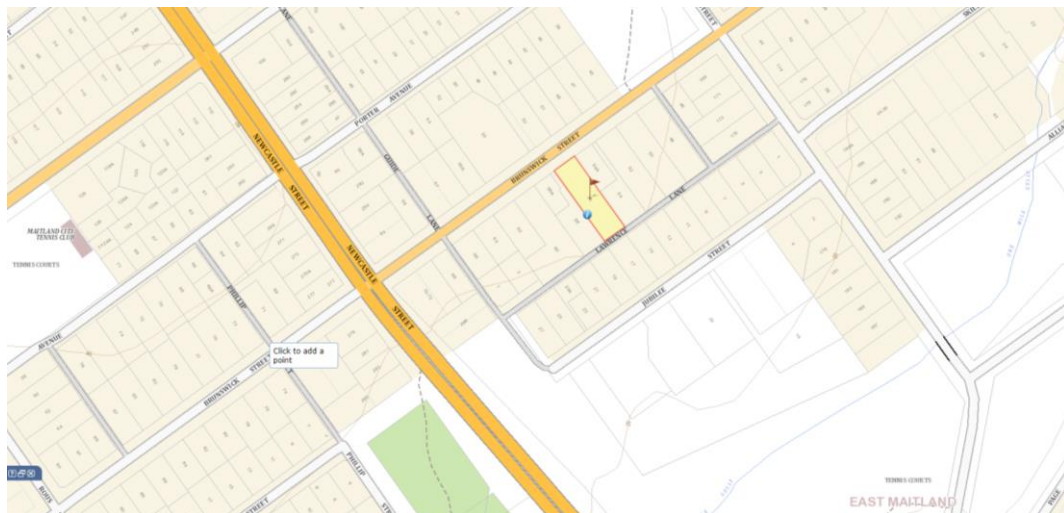


Figure 2 – Topographical Map (Source: Six maps 2023)

The site is located in the suburb of East Maitland. The site is known as Lot 24 Sec 44 DP 758374, 56 Brunswick Street East Maitland. The site covers an area of approximately 1442m². A single storey weatherboard dwelling with a tile roof was recently demolished from the property. The site is now vacant and cleared.

The site consists of over grown grass. No significant vegetation is located on site.

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. Units are located directly next door to this property. A lane is located at the rear of the site. Adjoining land is zoned for residential purposes.



Figure 3 – Photo of existing site at 56 Brunswick Street East Maitland



Figure 4 – Photo of existing site at 56 Brunswick Street East Maitland



Figure 5 – Photo of existing lane at rear of 56 Brunswick Street East Maitland



Figure 6 – Photo from rear lane of existing site at 56 Brunswick Street East Maitland



Figure 7 – Photo of 56 Brunswick Street and 58/58A Brunswick Street East Maitland



Figure 8 – Photo of 56 Brunswick Street and 54/54A Brunswick Street East Maitland



Figure 9 – Photo of house opposite the site at 53 Brunswick Street East Maitland

The site slopes gently to the rear. There is no evidence of instability on site or known geotechnical hazards. The site is not subject to Mine Subsidence.

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 existing dwelling on site was recently demolished.

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.

The site is not identified as bush fire prone land.

Cooney Park is located approximately 60 metres from the site on Brunswick Street. Cooney Park contains a children's playground.

East Maitland shops and services is located within walking distance to the site. East Maitland shops contains a variety of shops, services and facilities.

Newcastle Street is located nearby which is a direct transport route to Maitland, Greenhills shopping centre and Newcastle. The site is also located near schools and recreational activities including Green Hills Gardens, churches and East Maitland Branch Library.

The site is located within walking distance to Greenhills Shopping Centre.

3 THE PROPOSAL

This Development Application seeks approval for the following:

- Earthworks, construction of proposed driveways, drainage, retaining walls, utility services and site infrastructure including landscaping;
- Construct one (1) x two storey dwelling and four (4) x single storey dwellings;
- Two (2) lot Torrens Title subdivision and,
- Strata Subdivision of one (1) lot into four (4) Strata Title lots.

Site works

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

Dwellings

A new two (2) storey dwelling house on the frontage of Brunswick Street will be constructed. This dwelling will have living areas and garage located on the ground floor with bedrooms on the first floor. Direct access to the dwelling will be available from Brunswick Street.

The proposed dwelling will be constructed of face brickwork on the ground floor, lightweight cladding on the second floor and a colorbond roof. A double garage is proposed with direct vehicular access to Brunswick Street.

Four (4) single storey dwellings will be located at the rear of the site. Each dwelling will consist of two (2) bedrooms, dining room, living room, kitchen, bathroom, ensuite and an internal laundry. Private open space and garaging is provided to each new dwelling.

The new dwellings will be constructed of selected face brickwork with a colorbond roof and selected garage doors.

A new driveway will be constructed from Brunswick Street providing access to each new dwelling at the rear of the site.

Landscaping will be provided around the site as shown on the landscape plans attached.

One (1) visitor car parking space is proposed on site.

House 1

Dwelling 1 will have a living area of 155.32m² in size containing three (3) bedrooms, living areas and a double garage with 67.40m² of private open space.

Access to House 1 will be directly from Brunswick Street.

House 1 will be located in proposed Lot 241.

House 2

Dwelling 2 will have a living area of 93.44m² in size containing two (2) bedrooms, living areas and a single garage with 49.30m² of private open space.

Access to House 2 will be via a new battle axe driveway from Brunswick Street.

House 3

Dwelling 3 will have a living area of 93.32m² in size containing two (2) bedrooms, living areas and a single garage with 50.47m² of private open space.

Access to House 3 will be via a new battle axe driveway from Brunswick Street.

House 4

Dwelling 4 will have a living area of 93.32m² in size containing two (2) bedrooms, living areas and a single garage with 47.45m² of private open space.

Access to House 4 will be via a new battle axe driveway from Brunswick Street.

House 5

Dwelling 5 will have a living area of 119.39m² in size containing two (2) bedrooms, living areas, a media room and a single garage with 48.19m² of private open space.

Access to House 5 will be via a new battle axe driveway from Brunswick Street.

Subdivision

The proposal includes the subdivision of one (1) lot into two (2) Torrens Title lots as follows-

Table 1: Lot Sizes

Proposed Lot Number	Proposed Lot size
241	300m ²
242	1145m ²

The proposed two (2) storey dwelling on Brunswick Street will be located on proposed Lot 241. Proposed Lot 242 will be a battle axe lot with a four (4) metre wide access handle from Brunswick Street.

Proposed Lot 242 will contain the proposed four (4) new dwellings and will be strata subdivided in accordance with strata plans attached.

4 REVIEW OF ENVIRONMENTAL IMPACTS

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 overgrown grass and no trees (refer to Figures 3, 4 and 6 in this report).

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 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 Bushfire

The site is not bushfire prone.

4.6 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).

4.7 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 Brunswick 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. Drainage plans have been prepared by Paul Clarke and Associates (Job Number 14938 Dated 17/08/2023 Rev A) and are attached to this development application.

4.8 Vehicle Access, Traffic and Parking

Vehicular access is currently available to the property via an existing driveway on Brunswick Street.

New vehicular access is proposed to the proposed house on Brunswick Street and a new driveway to the rear of the site.

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

The development proposes to increase the number of dwellings on site from one (1) dwelling to five (5) 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.

The proposed dwellings will either have a single or double garage as shown on the plan attached.

4.9 Pedestrian Access

The road verge along the front boundary of the site along Brunswick 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 a separate driveway or internal driveway on Brunswick Street.

4.10 Local streetscape and Character

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

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.

Battle axe lots and units have been previously constructed on Brunswick Street (refer to Figures 10 and 11 below).



Figure 10 – Photo of 58 and 58A Brunswick Street East Maitland



Figure 11 – Photo of existing units on Brunswick Street East Maitland

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 at the rear of the site are single storey in height constructed of selected face brickwork 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.

4.11 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 is short term and 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

5.1 State Environment Planning Policies

SEPP (BIODIVERSITY AND CONSERVATION) 2021

No vegetation is located on site. This SEPP is not applicable to the subject site.

SEPP (RESILIENCE AND HAZARDS) 2021

Chapter 3 – Hazardous and Offensive Development

No hazardous or offensive development is proposed. Therefore, this chapter is not considered relevant to the proposed development.

Chapter 4 – Remediation of Land

This chapter provides that Council must not consent to the carrying out of any development, unless, it has considered whether the land is contaminated and if so, it must be satisfied that the land is suitable, in its contaminated state or after required remediation, for the purpose for which the development is to be carried out.

The site is currently used for residential purposes with no indication of potentially contaminating uses having occurred on the property.

Accordingly, no further investigations are considered necessary or warranted.

SEPP (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 – Advertising and signage

No signage is proposed.

SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES)

Not considered relevant to the proposed development.

SEPP (RESOURCES AND ENERGY)

Not considered relevant to the proposed development.

SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

The SEPP outlines the requirements for traffic generating development applying to residential accommodation and subdivision of land of a relevant size or capacity. The size of the proposed residential accommodation and subdivision of land and its proximity to a classified road does not require referral to the Transport of NSW. The proposed development is not identified as a traffic-generating development in accordance with the SEPP.

Accordingly, it is considered that the proposed development is consistent with the requirements of the SEPPs.

5.2 Integrated Development

Pursuant to Section 4.46 the EP&A Act 1979, this development application is not integrated development.

5.3 Regional Environmental Plan and Maitland Strategies

Hunter Regional Plan 2041

The Hunter Regional Plan 2041 aims to provide a strategic approach to provide greater housing diversity and affordability. The Plan includes a preference for infill development rather than greenfield development. Infill housing also contributes to 15 minute neighbourhoods.

The subject site is located in the suburb of East Maitland, in close proximity to East Maitland Shopping Village and Greenhills Shopping Centre. The site is ideally located to create higher residential densities as infill development.

Maitland Strategies

Draft Local Housing Strategy 2022

The Maitland City Council draft Local Housing Strategy 2022 aims to *“provide the right type of housing in the right locations with essential infrastructure and services to meet the housing needs of our growing and changing populations over the next 20 years.”*

The Strategy encourages infill housing and increased densities as it has been found that there is a *“mismatch in the demand for and supply of smaller dwellings in Maitland.”*

The actions contained within the Strategy to meet housing demand in Maitland include centre-based infill within established areas to provide new and different forms of housing stock. The recommendations in the Strategy include:

1. Respond to key recommendations outlined in the infill Housing Study to enable infill housing in appropriate locations.
2. Review and amend the DCP to reduce any barriers to infill development.
3. Investigate development incentives to facilitate lot amalgamation.
4. Continue to support scattered, small scale infill development in R1 General Residential zone.

The draft Local Housing Strategy considers infill housing as a development opportunity in the City of Maitland to increase density and encourage a range of different housing types, sizes and tenures in appropriate locations.

This development application achieves the recommendations contained within the draft Housing Strategy and is identified as infill development in East Maitland.

5.4 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:

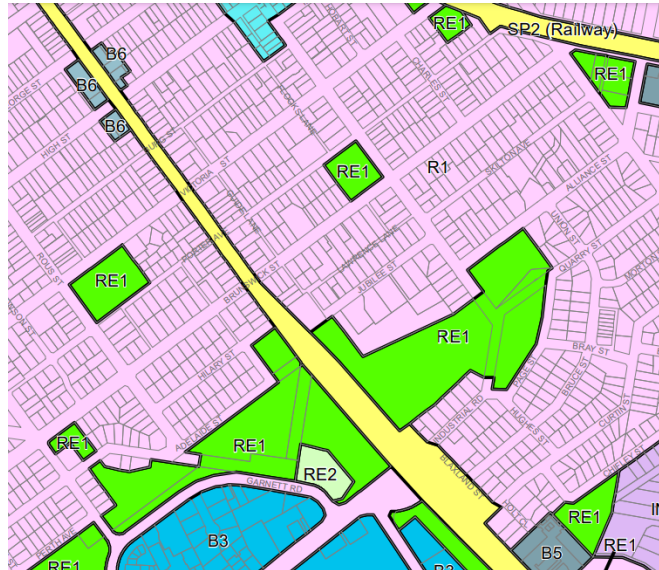


Figure 12 – Zoning Map (Source: Maitland LEP 2011)

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 five (5) new dwelling houses which will contribute to the housing needs of the community. The proposed use will increase housing availability in East Maitland 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 dwellings 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 dwelling house and multi dwelling housing in accordance with Maitland LEP 2011.

Dwelling house is defined as

a building containing only one dwelling.

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.

Note—

Multi dwelling housing is a type of residential accommodation—see the definition of that term in this Dictionary.

Dwelling house and multi dwelling housing are 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.

Subdivision is permissible in the R1 General Residential zone with Council consent.

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 Floor Space Ratio Map or the Building Height Map in accordance with Maitland LEP 2011.

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 13 – Lot Size Map (Source: Maitland LEP 2011)

The lot size map shows the minimum lot size for the site to be 450m² in size. The proposal includes the Torrens Title Subdivision of one (1) lot into two (2) lots. The lots are proposed to be 300m² and 1145m² in size.

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 dwelling houses on site.

Proposed Lot 241 is below the minimum lot size pursuant to Maitland LEP 2011. Clause 4.1A is relevant to this development application and provides exceptions to the minimum lot sizes in the R1 zone.

Clause 4.1A states.

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.*

The subject land is zoned R1 General Residential, and this application includes both subdivision and the erection of dwellings on each lot resulting from the subdivision. All newly created lots will be greater than 300m² in size.

Proposed Lot 242 will also include the strata subdivision of four (4) units on site. Clause 4.2B refers to strata plan subdivision in certain zones. There is no minimum lot size for Strata subdivision in the R1 General Residential zone in accordance with Maitland LEP 2011.

This development application complies with the minimum lot sizes pursuant to Maitland LEP 2011.

Part 5 Miscellaneous provisions

The land is not located on the Heritage Map. The land is not subject to flooding. There are no clauses in Part 5 of Maitland LEP 2011 relevant to this development application.

Part 6 Urban release areas

The site is not located in an urban release area.

Part 7 Additional Local Provisions

Clause 7.1 Acid sulfate soils

Clause 7.1 refers to acid sulfate soils. The site is located on class 5 Acid Sulfate Soils map. The proposal will not disturb, expose or drain acid sulfate soils and cause environmental damage.

Clause 7.2 Earthworks

Clause 7.2 of Maitland LEP 2021 refers to earthworks. The proposed earthworks are relatively minor in nature to cater for the proposed development. The earthworks proposed will not have a detrimental impact on environmental functions, and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

5.5 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.2 – Domestic Stormwater

B.2 Domestic Stormwater applies to all new development where stormwater is generated from roofs of domestic and ancillary buildings and hardstand areas within Maitland LGA where residential development is permitted with consent.

A drainage plan has been prepared by Paul Clarke and associates pty ltd and is submitted with this development application.

The drainage plan attached ensures the proposal meets the objectives of the DCP.

B.3 – Hunter River Floodplain

The land is not subject to flooding.

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 dwelling has sufficient land on site to store domestic garbage, recycling and garden waste bins.

All dwellings will use Council's kerbside waste bin service as shown on plans attached.

B.5 – Tree and Vegetation Management

This chapter applies to land for clearing of vegetation on all land other than land zoned RU1 Primary Production or RU2 Rural landscape. There are no trees to be removed from the site.

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. Five (5) new dwellings are proposed. These dwellings are not required to be accessible living dwellings.

C.8 – Residential Design

The DCP provides guidelines for residential development to set appropriate standards 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 existing and proposed dwellings fulfil the requirements of the DCP. 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 East Maitland. The site is located within walking distance to East Maitland Shopping Village, Greenhills shopping centre, local schools and transport nodes. A local park containing a children's playground is located approximately 60 metres from the site.

The surrounding buildings in the neighbourhood are either residential dwellings or multi dwelling housing both single and two storey buildings. The proposed dwellings will be constructed of selected face brick and a metal roof. The proposed rear and side setbacks and landscaping will complement the existing neighbourhood. The proposed dwellings will be located behind a new dwelling on Brunswick Street. The proposed Brunswick Street streetscape will identify with the existing adjoining site at 58 Brunswick Street with a dwelling located on the street and a driveway beside it leading to additional dwellings at the rear of the site.

Photos of the surrounding area are included in this report.

- Development incorporating existing dwellings

The site is cleared and is currently vacant.

- 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 4.5 metres. The proposed dwelling on Brunswick Street is located more than 4.5m from the front boundary. A new driveway is proposed for this new dwelling. The garage is setback 7896 from the front boundary line.

Access to the new dwellings at the rear of the site will be via the proposed access handle in the newly created battle axe lot. The proposed dwellings and garages are setback more than 5 metres 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 and 1.0m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m.

The proposed setbacks vary and the development meets the minimum side or rear setbacks required in accordance with the DCP. The dwellings will be located 3.0m from the north eastern boundary. The rear boundary is a lane. The setback of the garage of unit 5 to the boundary is 1m in accordance with 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 (%)
Unit 1	60	56%
Units 2-5	70	70%

The proposal meets Councils maximum site coverage requirements in 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 be less than 8 metres 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. One new dwelling will be directly placed on Brunswick Street and the other new dwellings are located on the battle axe lot at the rear of the site.

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 face brick external walls, 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 materials, colours and type of garage door proposed create visual interest and a sense of separate identity for each dwelling.

- 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 – refer to private open space table on plans attached.

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 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.

- Sites having a boundary to a laneway

The site has a secondary frontage to a laneway however, the dwellings are not orientated to the laneway and no access from the laneway to any dwelling on site is proposed.

- Accessibility and Adaptable Housing

Less than nine (9) dwellings on site are proposed. Accessible and adaptable housing is not required for the site.

- 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 existing around the site. New fencing is proposed on the north eastern boundary as shown on plans attached.

The fence will provide visual and acoustic privacy and meet the requirements of the DCP.

- Driveways access and car parking

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

Access to the new dwellings will be either directly from Brunswick Street or 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 dwelling and two (2) spaces for each dwelling containing more than two bedrooms.

The proposal includes a three (3) bedroom dwelling on the Brunswick Street elevation. All other dwellings on site will contain two (2) bedrooms.

In accordance with the DCP, each two (2) bedroom unit will have a single garage and the three (3) bedroom house will be provided with a double garage.

A visitor car parking space is provided on site.

The proposal complies with the requirements of the DCP by meeting the minimum requirements for parking and not imposing on neighbouring dwellings.

The proposed battle axe driveway includes landscape blisters to create a meandering effect as required in the DCP.

The proposal for driveway access arrangements and 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. Apart from the two storey dwelling on Brunswick Street, the remaining units are a single storey in height.

The internal driveway will provide good separation between dwellings and the adjoining dwellings. The adjoining site at 58 Brunswick Street contains a driveway along its boundary to provide further separation between neighbours.

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 a result of POS placement and orientation of the units, the courtyards and associated open space areas of proposed dwellings will receive adequate sunlight.

- Stormwater management

A detailed stormwater plan 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 on site for each new dwelling using Council's kerbside waste bin service.

Each dwelling is provided with direct and convenient pedestrian access. Mailboxes will be provided to the proposed units 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 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 site is currently overgrown with weeds and grass with no significant vegetation on site to be removed.
- 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) lot into two (2) Torrens Title lots and a strata subdivision. The proposed lot sizes and shapes are appropriate to their proposed use as required by Maitland LEP 2011 and Maitland DCP 2011.
- One (1) battle axe lot is proposed with access handle width of 4 metres. Only one (1) Torrens title lot will be serviced by the access handle. The battle axe lot will have public road frontage.
- 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.
- Electricity, water, sewer, telecommunications and drainage will be provided to all 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.

6 ESSENTIAL INFRASTRUCTURE

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 at the Brunswick Street frontage.

7 LIKELY IMPACTS OF THE DEVELOPMENT

This proposal is for five (5) new dwellings, a two (2) lot Torrens Title and strata title subdivision at Lot 24 Sec 44 DP 758374, 56 Brunswick Street East Maitland.

Access to the new dwellings will be via direct road frontage on Brunswick Street East Maitland.

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 dwellings at the rear of the site are single storey only.

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

The proposal will not create any adverse impacts on ecology.

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 dwellings 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

The proposed new dwellings and subdivision proposal will enable the provision of residential housing within the existing suburb of East Maitland. The land is vacant and suitable for housing 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 residential housing proposal are not considered to have a detrimental impact on the social and economic fabric of the community.

9 SITE SUITABILITY

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 dwelling housing and subdivision proposal has been designed in accordance with the principles of the Maitland LEP 2011 and Maitland DCP 2011;
- The proposed dwellings have been located and designed to minimise and manage any environmental impacts;

- The proposed dwellings 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. East Maitland Shopping Village and Greenhill Shopping Centre are located nearby.
- The land is cleared and there will be no adverse impacts on vegetation.
- The land is considered suitable for its intended purpose for development.

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

10 PUBLIC INTEREST

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

This Statement of Environmental Effects (SoEE) has been prepared to support a development application for new dwellings, a two (2) Lot Torrens Title subdivision and a strata subdivision at Lot 24 Sec 44 DP 758374, 56 Brunswick Street East Maitland.

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 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 consistent with the recommendations of the draft Local Housing Strategy 2022.

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 ³) / 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 ³	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 ³	Offcuts reused onsite ie formwork	Recycled by waste contractor	Recycled by Waste Contractor where possible
Steel reinforcement	<15 m ³	Order to suit – offcuts reused	Recycled by waste metal recycler	Will not be disposed of to landfill
Scrap metal	<25 m ³		Recycled by waste metal recycler	Will not be disposed of to landfill
Other – mixed waste	<35 m ³			Skip bin will be placed on site – removed by Commercial Contractor to approved landfill site

Use of Premises

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