



**Corona Projects**

DEVELOPMENT APPLICATION  
**STATEMENT OF ENVIRONMENTAL EFFECTS**

Change of use to medical centre including demolition, internal alterations, and signage

**99-101 Newcastle Street East Maitland**

March 2024

## CONTENTS

<b>PROJECT DETAILS</b> .....	<b>3</b>
<b>1.0 INTRODUCTION</b> .....	<b>4</b>
<b>2.0 SITE ANALYSIS &amp; CONTEXT</b> .....	<b>6</b>
2.1 THE SITE .....	6
2.2 THE LOCALITY .....	9
2.3 DEVELOPMENT HISTORY .....	12
<b>3.0 THE PROPOSAL</b> .....	<b>18</b>
3.1 OVERVIEW .....	18
3.2 DEVELOPMENT CONFIGURATION .....	18
<b>4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT</b> .....	<b>19</b>
4.1 STATUTORY AND POLICY COMPLIANCE .....	19
4.1.1 <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> .....	19
4.1.2 <i>State Environmental Planning Policy (Industry &amp; Employment) 2021</i> .....	20
4.1.3 <i>Maitland Local Environmental Plan 2011</i> .....	23
4.1.3 <i>Maitland Development Control Plan 2011</i> .....	25
4.2 IMPACTS OF THE DEVELOPMENT .....	33
4.2.1 <i>Natural and Built Environment Impacts</i> .....	33
4.2.2 <i>Social and Economic Impacts</i> .....	34
4.3 SUITABILITY OF THE SITE .....	34
4.3.1 <i>Access to Services</i> .....	34
4.3.2 <i>Parking and Access</i> .....	34
4.3.3 <i>Hazards</i> .....	34
4.4 THE PUBLIC INTEREST .....	35
<b>5.0 CONCLUSION</b> .....	<b>36</b>

## PROJECT DETAILS

Client: HEALTH DESIGN AUSTRALIA  
 Subject land: 99-101 Newcastle Street East Maitland  
 Lot Description: Lot 2 in Deposited Plan 785381  
 Proposed development: Change of use to medical centre including demolition, internal alterations, and signage

**The report is prepared by** Pavel Zaytsev  
 Bachelor of Planning (WSU)

**The report is reviewed by** Madeline Maric  
 Bachelor of Planning (MQU)

I certify that the contents of the Statement of Environmental Effects to the best of my knowledge, has been prepared as follows:

- In accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 24 of the Environmental Planning and Assessment Regulation 2021;
- The statement contains all available information that is relevant to the environmental impact assessment of the proposed development;
- To the best of my knowledge the information contained in this report is neither false nor misleading.

### Quality Management

	Name	Date	Signature
Prepared by	<b>Pavel Zaytsev</b>	27/03/2024	
Reviewed by	<b>Madeline Maric</b>	07/05/2024	<i>Madeline Maric</i>

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## 1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared for HEALTH DESIGN AUSTRALIA to accompany a DA to Maitland City Council for the change of use to medical centre including demolition, internal alterations, and signage at 99-101 Newcastle Street East Maitland.

More specifically, the proposed development comprises of:

- **Change of use** from a retail premises to a medical centre;
- **Demolition** of existing shed located at the rear of the site and external toilet to accommodate stormwater drainage;
- **Reconfiguration** of car parking layout;
- **Associated landscaping works** for the rear of the site to accommodate the car parking;
- **Proposed** business identification signage for the subject premises;
- **Construction** of disabled ramp at the rear of the premises
- **Internal reconfiguration** of the existing floor plan with demolition of internal walls to amalgamate the ground floor premises; and
- **Installation of a lift** to provide access to each level.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and in compliance with all relevant DCP and LEP objectives.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Document	Author	Date
Access Compliance Report	Essential Access	20.11.2023
BCA/NCC Compliance	Sure Scope Building Certifiers	n.d
Civil Works Plan	Birzulis Associates	13.02.2024
Conservation Management Plan	Edwards Heritage Consultants	04.08.2023
Fire Engineering Concept Design Statement	Lote Consulting	19.04.2024
Floor Plans	Design Doctors Australia	29.04.2024
Landscape Plan	DappleDesigns	06.02.2024
Preliminary Flood Assessment	Martens & Associates Pty Ltd	26.03.2024
Preliminary Site Investigation	Sydney Environmental Group	30.11.2023
Site Plan, Elevations and Sections	Health Design Australia	01.03.2024
Structural Report	Birzulis Associates Pty Ltd	24.04.2024
Survey Plans	Earth Surveying	20.04.2022
Traffic Impact Assessment	Northern Transport Planning and Engineering Pty Ltd	05.02.2024

## 2.0 SITE ANALYSIS & CONTEXT

### 2.1 The Site

The site is located at 99-101 Newcastle Street East Maitland and is legally described Lot 2 in Deposited Plan 785381. The site is located on the southern side of Newcastle Street, between Emerald Street and Mill Street. The site features rear vehicular access from Courtland Street.

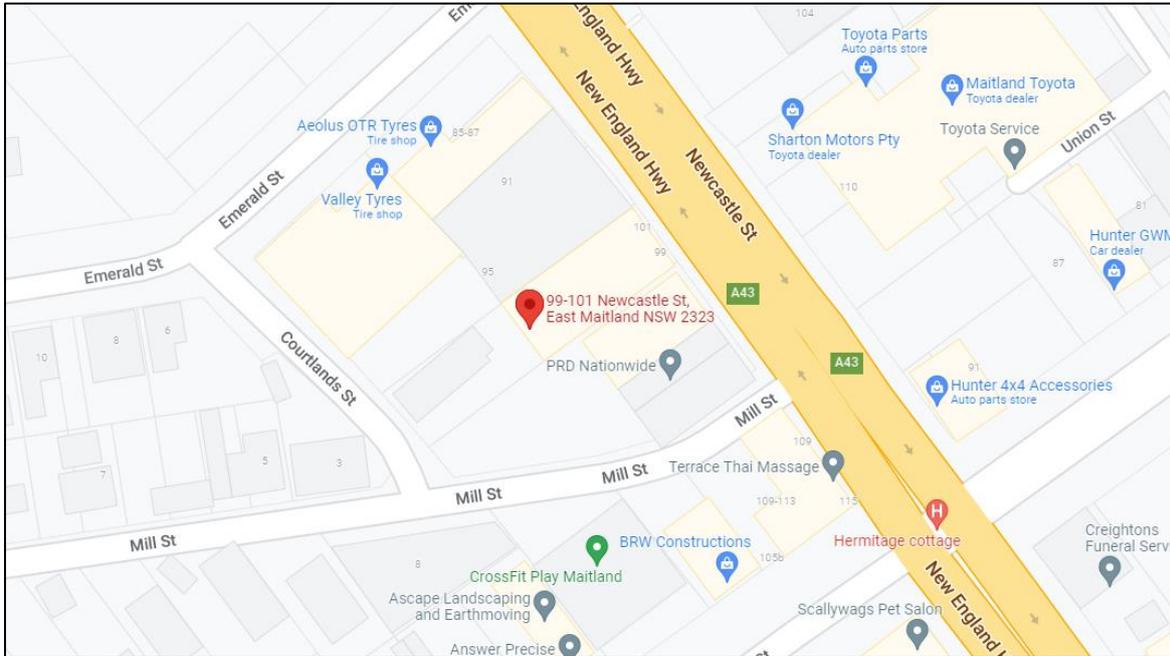


Figure 1: Site locality map (Google Maps 2024)



Figure 2: Aerial Map (Google Maps 2024).

The site is rectangular with a total area of 1186 square metres by survey, with a 16.50 metre street frontage to Newcastle Street. The eastern side boundary measures 71.34 metres and the western side boundary measures 72.82 metres. The rear boundary measures 16.49 metres.

The existing site contains two business premises located in two adjoining buildings and a metal shed at the rear of the site. Building one is located adjacent to the western side boundary and comprises of a three-storey stone building with an iron roof. Building two is situated along the eastern side boundary and is a two-storey brick building with an iron roof. The rear of the site is landscaped with shrubs and grass. Vehicular access is available from Courtlands Street which leads into a rear yard which is currently used as a car parking area.

The land is zoned MU1 Mixed Use under the provisions of Maitland Local Environmental Plan 2011 (LEP). The site is identified as *Former Smith's Flour Mill "178"* with state significance. The site is also located within the *East Maitland Heritage Conservation Area "C3"*.



**Figure 3:** Subject site as viewed from Newcastle Street (Google Maps 2022)



**Figure 4:** Subject site as viewed from Courtlands Street (Google Maps 2024).



**Figure 5:** Existing internal layout of 101 Newcastle Street, East Maitland (Corona Projects 2024).



**Figure 6:** Rear detached shed located at the rear access of the site from Courtland Street (Google Maps 2024).

## 2.2 The Locality

The site is located within the local commercial centre of East Maitland. The locality comprises a mix of commercial, retail and residential development of buildings heights typically of two to three storeys.

The site adjoins a one storey brick building containing a performing arts studio to the east at 103 Newcastle Street. The site adjoins a two-storey mixed materials building containing a commercial tyre company to the west at 91 Newcastle Street. Both of these adjoining sites are heritage items and are located within the East Maitland Conservation Area.



**Figure 7:** Neighbouring site 103 Newcastle Street (Google Maps 2024).



**Figure 8:** Neighbouring site 91 Newcastle Street (Google Maps 2024).



**Figure 9:** Neighbouring signage of site at 107 Newcastle Street (Google Maps 2024).

## 2.3 Development History

A search on Council’s DA Tracker returned no results for development applications associated with the site.

The proposed development has undergone a Pre-DA Meeting with Maitland Council on the 13th October 2022 (11.00am-12.00pm).

Attendee(s): Thomas Howell, Senior Development Planner, Clare James, Heritage Officer, Elizabeth James, Business Support Officer.

Applicant/Proponent(s): Jean-Micheal Huet, Health Designers Australia, Mike Watson, Design Doctors Australia, Madeline Maric (Corona Projects, Planning Consultant).

Council Feedback		Comment
1	<b>Permissibility</b>	
	<p>Under Maitland Local Environmental Plan (“LEP”) 2011 the subject site is zoned B4 Mixed Use, in which ‘medical centres’ are permitted with consent.</p> <p>medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.</p> <p>In the documentation for any future development applicant (“DA”) of this nature, the applicant is required to demonstrate how all proposed uses on site meet the land use definition of ‘medical centre’.</p>	<p>The type of business and services provided are for general medical practices. The qualifications of the staff feature general practitioners, nurses and administrative staff.</p> <p>The use of the premises aligns with the definition and use as a ‘medical centres’ by providing health services and ancillary provisions of health services.</p> <p>In regards to the above, this statement demonstrates how the proposed uses on site meet the land use definition of ‘medical centre’.</p>
2	<b>Integrated Development</b>	
	<p>Under Schedule 5 of the LEP 2011 the subject site is identified as a state-significant listed heritage item, Item 78 “Former Smith’s Flour Mill”. As such, the proposal is integrated development pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979, as approval is required</p>	<p>The application will be referred by Council to the relevant authorities.</p>

<p>from the Heritage NSW under Section 58 of the Heritage Act 1977 to “carry out any development in relation to the land on which the building, work or relic is situated” and “alter the building, work, relic or moveable object, works located within the curtilage of these heritage items”.</p>	
<p><b>3 Heritage</b></p>	
<p>Due to the lack of information available with respect to the heritage management of the property, it is recommended that a Conservation Management Plan (CMP) which assesses the heritage significance of the two buildings, the site and all elements of the built fabric is prepared. This document will include guidelines for the future heritage management of the property. Given the deteriorated condition of some building components, in particular the stonework, it is recommended that the CMP include a priority maintenance and conservation works schedule. This should provide useful priorities and justification as part of future grant applications available through the Heritage NSW grants program. Particular attention should also be given to the proposed demolition of the ancillary structure at the rear of the site and whether this structure is of heritage significance to the site, and potential archaeology impacts as a result of earthworks.</p>	<p>The Development Application (DA) is accompanied by a Conservation Management Plan (CMP) prepared by Edwards Heritage Consultants.</p>
<p><b>4 Street Frontage Works</b></p>	
<p>Due to the current state of the buildings, it is likely maintenance works will be required to both the Newcastle Street and Courtlands Street façades. Elevations and perspective plans are to be submitted with the future DA detailing all works to the street frontage appearance of the Newcastle and Courtlands Streets façade and any other façade proposed to be amended under this application. These works are to be guided by the Conservation Management Plan and SOHI prepared by an independent and suitably qualified heritage architect. Any future DA will also need to demonstrate consistency with the relevant objectives of Part C.4 ‘Heritage Conservation’ and Part E(3) ‘East Maitland Conservation Area’ of DCP 2011.</p>	<p>The Development Application (DA) is accompanied by architectural plans that show the existing and proposed elevations of the dwelling.</p> <p>This Statement of Environmental Effects demonstrates the proposal’s consistency with the relevant objects of Part C.4 ‘Heritage Conservation’ and Part E (3) ‘East Maitland Conservation Area of the MDCP 2011.</p>

5	<b>Signage Plan</b>							
<p>A signage plan is to be submitted with the application for a DA. Any proposed signage should be of an appropriate scale and sited on appropriate elevations to not detract from the heritage significance and character of the buildings. The signs should be limited to business identification and wayfinding purposes. Please refer to C.4 'Heritage Conservation' of DCP 2011.</p>	<p>The Development Application (DA) is accompanied by architectural plans that show the existing and proposed elevations of the dwelling.</p>							
6	<b>Building Code of Australia</b>							
<p>In accordance with Clause 64 of the Environmental Planning and Assessment Regulation 2021, the consent authority is to consider whether it would be appropriate to require the existing building to be brought into total or partial conformity with the Building Code of Australia. For this assessment to be completed, a report on the adequacy of fire and life safety for the proposed development is to be submitted with any future DA for Council's consideration. The report is to be prepared by a suitable qualified and accredited building certifier with experience in fire safety, upgrading existing buildings and assessing alternative solutions.</p> <p>BCA requirements should be addressed as part of the preparation of the Conservation Management Plan for the site.</p>	<p>The Development Application (DA) is accompanied by a BCA/NCC Compliance assessment prepared by Sure Scope Building Certifiers.</p>							
7	<b>Vehicle Access and Parking</b>							
<p>Parking provision is to be provided in accordance with Part C.11 'Vehicle Access &amp; Car Parking' of DCP 2011. Please note that whilst the current DCP 2011 parking rates do not capture 'medical centre' as a specified use, the housekeeping amendment to DCP 2011 (which has been exhibited and ready for adoption by Council, and likely implemented at time of submission of a DA) sets out car parking demand for 'medical centres' as follows:</p> <table border="1" data-bbox="193 1823 874 1883"> <thead> <tr> <th></th> <th>Required rate</th> <th>Required parking spaces</th> </tr> </thead> <tbody> <tr> <td>Medical centre</td> <td>2 spaces per practitioner</td> <td>36 spaces based on 19 consulting rooms</td> </tr> </tbody> </table> <p>16 car parking spaces are shown in the pre-lodgement drawings which is a considerable variation from the</p>		Required rate	Required parking spaces	Medical centre	2 spaces per practitioner	36 spaces based on 19 consulting rooms	<p>Parking provisions are provided in accordance with Part C.11 'Vehicle Access &amp; Car Parking'.</p> <p>Please refer to section 4.1.3 <i>Maitland Development Control Plan 2013</i> for a detailed assessment.</p>	
	Required rate	Required parking spaces						
Medical centre	2 spaces per practitioner	36 spaces based on 19 consulting rooms						

<p>requirement of DCP 2011. As such, a traffic and parking impact assessment will be required in support of any future DA. This assessment is to be prepared by a suitably qualified traffic consultant and address but not be limited to the following:</p> <p>a) Increase in parking demand generated by the proposed development</p> <p>b) Parking provision in accordance with Part C.11 of DCP 2011. Any proposed parking variation would need to be supported by a comprehensive argument justifying the departure.</p> <p>c) Location of parking spaces designated to service this development and the availability of these spaces to cater for the demand. Consideration to be given to the medical centre peak period versus the peak period of surrounding developments.</p> <p>d) Proposed loading and service details comprising nature, location, frequency, accessibility and maximum size vehicle</p> <p>e) Potential impacts on the amenity of nearby residential properties.</p>	
<p>8</p>	<p><b>Plans submitted with any future DA are to include</b></p>
<p>Plans submitted with any future DA are to include:</p> <ul style="list-style-type: none"> <li>• Vehicle swept path diagrams for the largest vehicle associated with the development. This includes waste, servicing, and delivery vehicles.</li> <li>• The vehicle entry into the site and for the length up to the building is to be a minimum of 5.5m to allow for 2-way vehicle movement.</li> <li>• The dimensions of the parking spaces are to be shown on the plans.</li> <li>• Separation between entry/exit aisle and parking spaces with landscaped bed, to reduce conflicts with cars.</li> <li>• Separation between parking spaces and disabled parking spaces with landscaped bed, to reduce conflicts with cars.</li> </ul>	<p>The Development Application (DA) is accompanied by a Traffic Impact Assessment prepared by Northern Transport Planning and Engineering Pty Ltd which includes details of vehicular access and parking.</p>

Please note that some upgrade works may be required in Courtlands Street to improve pavement to facilitate large increase in traffic and turning manoeuvres.	
<b>9 Pedestrian Access</b>	
An internal pedestrian footpath/ line-marking should be provided within the rear carpark to separate/ delineate between pedestrian and vehicular movements. The pedestrian footpath should provide clear and direct visibility to the entrance of the medical centre with pathways able to cater for pedestrian standing and queuing areas.	An internal pedestrian foot path to access the rear of the building is proposed to delineate between pedestrian and vehicular movement.
<b>10 Stormwater Management</b>	
Stormwater management (water quantity and quality) from the carparking area needs to be addressed. As such, a stormwater management plan prepared by a suitably qualified engineer is to be submitted with any future DA. All stormwater runoff from the development should be managed in accordance with the requirements of Council's Manual of Engineering Standards ("MOES") and associated Standard Drawings.	A Stormwater Drainage Plan (SWDP) is accompanied with the Development Application (DA)
<b>11 Flood Management</b>	
<p>The site is subject to flooding. For more detail on the acceptable floor levels and other construction requirements a Flood Information Certificate should be obtained from Council. The development is to comply with the relevant requirements of Part B.3 'Hunter River Floodplain' of DCP 2011. Development works, as shown in the submitted drawings, do not increase the existing building footprint. In this instance Council would consider the following requirements:</p> <ul style="list-style-type: none"> <li>• any new machinery or equipment, electrical circuitry or fitting, storage unit or similar items likely to be damaged by floodwaters/tidal waters being installed above the flood planning level (FPL) or alternatively being of materials and functional capability resistant to the effects of floodwaters/tidal waters.</li> <li>• a flood evacuation plan.</li> </ul>	A Preliminary Flood Assessment Report (PFAR) is accompanied with the Development Application (DA) prepared by Martens & Associates Pty Ltd.

12	<b>Land Contamination</b>	
	<p>In accordance with Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021, the consent authority is required to consider whether the land is contaminated, and if contaminated whether it is suitable for the proposed land use (or can be made suitable, after remediation). The site is identified as being potentially contaminated land listing previous potentially contaminating uses occurring on the site.</p> <p>As the proposed development works include physical construction works which may disturb soil, it is recommended that a contamination investigation be carried out and a report submitted with any future application detailing any contamination identified and confirming the suitability of the site for the proposed use. At a minimum, a preliminary site investigation report is to be submitted, however, depending on the finding of this report, a more detailed reporting and remediation may be required.</p>	<p>A Preliminary Site Investigation (PSI) has been submitted with the Development Application, prepared by Sydney Environmental Group Pty Ltd/</p>
13	<b>Waste Management</b>	
	<p>Proper consideration in the early design stages should be given to construction and operational waste management for the proposed development. A detailed Operational Waste Management Plan (OWMP) is to be submitted with any future DA demonstrating how the collection service will be undertaken (i.e. Council or private contractor). The plan is to include details of bin sizes proposed, bin haulage routes, collection points, etc. Plans submitted with any future DA are to nominate the location of bin storage areas. Bin storage areas are to be accessible by staff and screened from public view.</p>	<p>An Operational Waste Management Plan (OWMP) is submitted with the Development Application.</p> <p>General waste will be collected by Council, medical waste is to be collected by a private contractor.</p>
14	<b>Documentation</b>	
	<p>A detailed statement of environmental effects (SoEE) is required that fully addresses the likely environmental impacts of the development (including impacts on both the natural and built environments), the social and economic impacts in the locality, and how the environmental impacts of the</p>	<p>A detailed Statement of Environmental Effects (SoEE) has been prepared by Corona Projects Pty Ltd to accompany the Development Application (DA).</p>

development have been identified. The SoEE should demonstrate how identified impacts will be mitigated. A detailed discussion is required, but not limited to the applicable: heritage conservation, car parking, vehicle access, operational waste management, operational details (hours, employee numbers, expected patient numbers, daily operations etc.), CPTED etc. The SoEE must also address site suitability and demonstrate that in designing the proposal you have fully considered and responded to the applicable site constraints legislative provisions. Any departures from Council’s policies and DCP should be justified with appropriate reasons for justification.

### 3.0 THE PROPOSAL

#### 3.1 Overview

The proposed development includes:

- **Change of use** from a retail premises to a medical centre;
- **Demolition** of existing shed located at the rear of the site and external toilet to accommodate stormwater drainage;
- **Reconfiguration** of car parking layout;
- **Associated landscaping works** for the rear of the site to accommodate the car parking;
- **Proposed** business identification signage for the subject premises;
- **Construction** of disabled ramp at the rear of the premises
- **Internal reconfiguration** of the existing floor plan with demolition of an internal walls to amalgamate the ground floor premises; and
- **Installation of a lift** to provide access to each level.

#### 3.2 Development Configuration

The proposed development comprises the following:

Level	Use
Ground Floor	GP Room x 9
	Treatment Room
	Waiting Area

	Pathology Room
	Lift
	Reception
	Accessible Toilet
First Floor	Specialist Room x3
	Allied Health Room x4
	Male and Female Bathroom
	Reception
	Lift
Second Floor	Kitchen Area
	Bathroom x2
	WC/Shower
	Lift

## 4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

### 4.1 Statutory and Policy Compliance

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Industry & Employment) 2021;
- Maitland Local Environmental Plan 2011; and
- Maitland Development Control Plan 2011.

The primary statutory document that relates to the subject site and the proposed development is Maitland Local Environmental Plan 2011. The primary non-statutory plan relating to the subject site and the proposed development is Maitland Development Control Plan 2011.

#### 4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 4.6, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the commercial purpose. Thus, the land is not likely to be contaminated and, given that no change of use is proposed, no further consideration is required under Clause 4.6(1)(b) and (c) of the Resilience and Hazards SEPP.

#### 4.1.2 State Environmental Planning Policy (Industry & Employment) 2021

The Statement of Environmental Effects which will accompany the Development Application for lodgement with council will be assessed under Schedule 5 of the SEPP (Industry and Employment) 2021.

Consideration	Comment
<b>SCHEDULE 5 ASSESSMENT CRITERIA</b>	
<b>1 Character of the area</b>	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is compatible with other signage boards features along Newcastle Street.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed development is consistent to the heritage theme of the existing building and the neighbouring commercial premises in terms of scale, bulk, and size.
<b>2 Special areas</b>	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes, or residential areas?	The proposal does not detract from the amenity or visual quality of the heritage item. The heritage item preserves its curtilage and presentation when facing the street.
<b>3 Views and vistas</b>	
Does the proposal obscure or compromise important views?	The proposal does not obscure or compromise any views.
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposal does not dominate the skyline or reduce the quality of vistas.
Does the proposal respect the viewing rights of other advertisers?	The proposal respects the viewing rights of other advertisers in the surrounding area as the proposed signage board is of a similar scale and materiality to the surrounding signage boards.

Consideration	Comment
<b>4 Streetscape, setting or landscape</b>	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposal is appropriate and does not dominate the façade of the building.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposal contributes to the visual interest of the streetscape by way of complimentary colours and material finishes.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed development has minimal clutter given the scale of the advertising.
Does the proposal screen unsightliness?	The proposal has no unsightliness.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposal does not protrude above buildings, structures or tree canopies in the area or locality.
Does the proposal require ongoing vegetation management?	No vegetation management is required.
<b>5 Site and building</b>	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposal respects the viewing rights of other advertisers in the surrounding area as the proposed signage is of a similar scale and materiality to the signage featured along Newcastle Street.
Does the proposal respect important features of the site or building, or both?	No important building features are to be affected by the proposed signage.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal shows complementary restoration to the existing building and will enhance the relationship between the current building and the streetscape.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Not Applicable

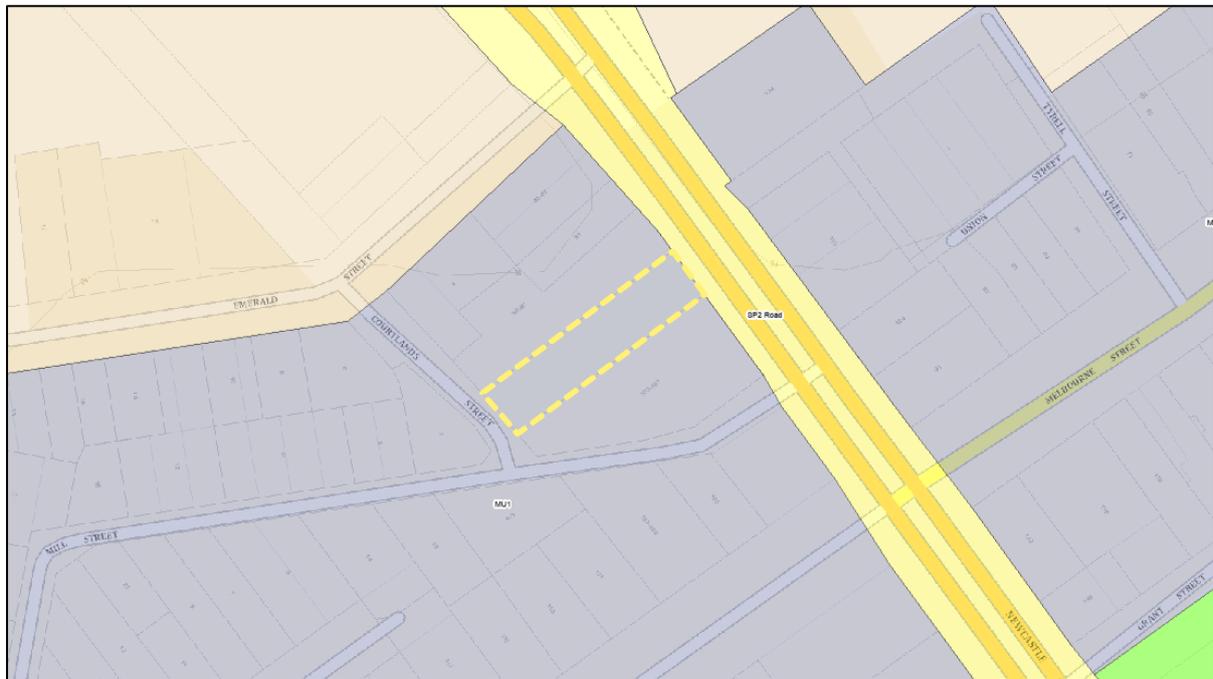
Consideration	Comment
<b>7 Illumination</b>	
Would illumination result in unacceptable glare?	Not Applicable
Would illumination affect safety for pedestrians, vehicles or aircraft?	
Would illumination detract from the amenity of any residence or other form of accommodation?	
Can the intensity of the illumination be adjusted, if necessary?	
Is the illumination subject to a curfew?	
<b>8 Safety</b>	
Would the proposal reduce the safety for any public road?	The proposed signage will not reduce the safety for any public road as it is commensurate to the character of other signage within the immediate area.
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposal will not feature any reflective materials or colours that may reduce the safety for pedestrians or cyclists.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposal will not feature any reflective materials or colours that may obscure the sightlines from public areas.

### 4.1.3 Maitland Local Environmental Plan 2011

The development complies with the provisions of Maitland Local Environmental Plan 2011 (LEP 2011).

#### Zoning and permissibility

The site is located in Zone MU1 Mixed Use zone.



**Figure 9:** Land Zoning Map (NSW Spatial Planning Viewer 2024).

The change of use is identified to be a *medical centre*, which is permitted with consent in the MU1 Mixed Use zone.

The objectives of the zone are:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

The proposed development will generate employment opportunities by providing a medical centre that meets the needs of the community. The proposed development will contribute to the active street frontage by enhancing the façade of the building. The proposal does not conflict between land uses as

the development is permissible within the zone. The development encourages non-residential land use on the ground floor of the building and thus, meets the objectives of the zone.

**Clause 4.3 Height of buildings**

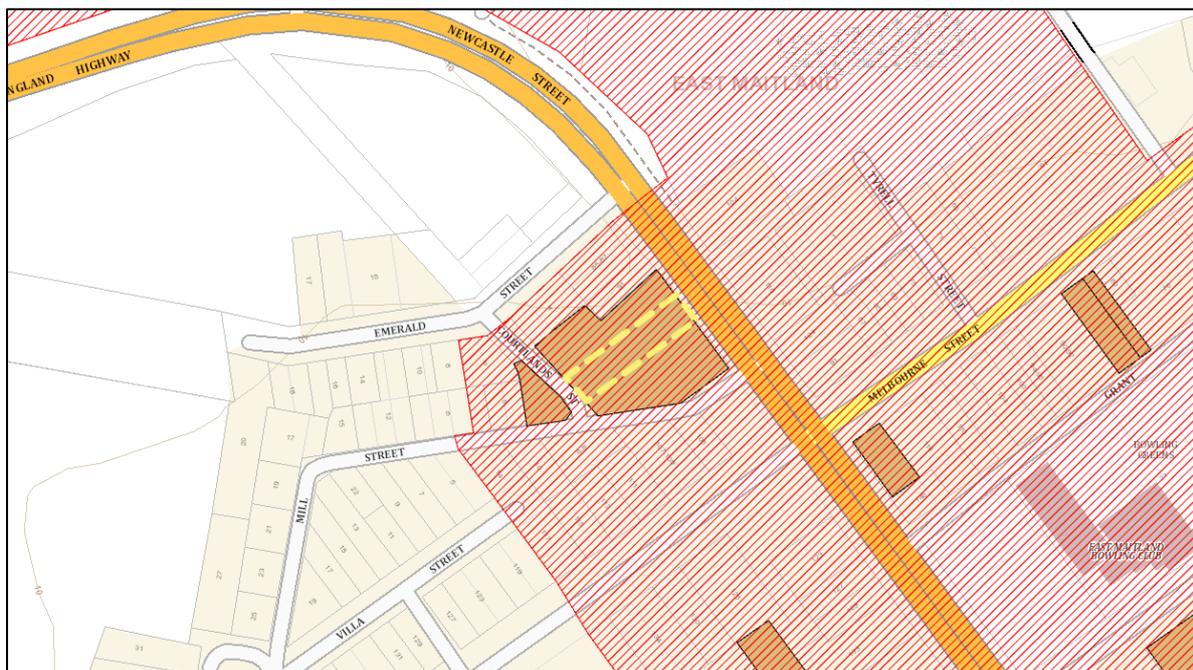
The LEP Height of Building Map does not stipulate a maximum building height permitted for the site.

**Clause 4.4 Floor space ratio**

The LEP Floor Space Ratio Map does not stipulate a maximum floor space ratio permitted for the site.

**Clause 5.10 Heritage Conservation**

The site is identified as heritage item "178" *Former Smith's Flour Mill* on 99-101 Newcastle Street with state significance. The site is also located within "C3" *East Maitland Heritage Conservation Area* with local significance. The site is in proximity to "172" *Caroline Chisholm Cottage* on 3 Mill Street with State significance.



**Figure 10:** Heritage Map (NSW Spatial Planning Viewer 2022)

**Clause 6.1 Acid sulphate soils**

The Acid Sulphate Soils Map stipulates that the site is Class 5. The proposed change of use does not involve any proposed works and therefore, will not be below 5 metres Australian Height Datum, and are unlikely to lower the water table below 1 metre Australian Height Datum on adjacent Class 1,2,3 or 4 land.

### 4.1.3 Maitland Development Control Plan 2011

The development achieves a high level of compliance with the provisions of Maitland Development Control Plan 2011.

Control	Comment	Compliance																
<b>Part B Environmental Guidelines</b>																		
<b>B.6 Waste Not-Site Waste Minimisation &amp; Management</b>																		
B.6.5 Operational Phase																		
<i>B.6.5.2 Commercial Developments and Change of Use</i>																		
i)	The waste area should provide separate containers for the separation of general waste from recyclables.	The proposal will have procedures in place to ensure the separation of waste.	Yes															
ii)	If Council is not the provided waste contractor, then a valid contract with a licensed waste facility is to be kept by the premises or the body corporate managing the site for the collection of waste and recyclables.	The body corporate of the site will ensure that a sufficient waste contractor is acquired if not the council.	Yes															
<b>Part C Design Guidelines</b>																		
<b>C.1 Accessible Living</b>																		
C.1.3 Design Guidelines																		
<i>C.1.3.2 Enhanced Requirements</i>																		
a)	<p>Where development of the following land use types is proposed, the enhanced standards shall apply:</p> <ul style="list-style-type: none"> <li>o Medical facilities</li> </ul> <p>Where it is proposed to extend or upgrade an existing facility, every attempt should be made to meet the enhanced standard. Only where it can be clearly shown that meeting the enhanced standard would be unreasonable or unnecessary would an exemption apply.</p> <table border="0" data-bbox="287 1825 718 2004"> <thead> <tr> <th></th> <th>AS 1428.1 General Requirements</th> <th>AS 1428.2 Enhanced Requirements</th> </tr> </thead> <tbody> <tr> <td>1. Walkways</td> <td>1,100mm wide</td> <td>1,200 mm wide</td> </tr> <tr> <td>2. Ramps Gradient of 1 in 14 1 in 19</td> <td>Landings: every 9m every 14m</td> <td>Landings: every 6m every 14m</td> </tr> <tr> <td>3. Intersection Detail</td> <td>Not included</td> <td>Included (current MCC Standard)</td> </tr> <tr> <td>4. Handrails</td> <td>One rail</td> <td>Two rails</td> </tr> </tbody> </table>		AS 1428.1 General Requirements	AS 1428.2 Enhanced Requirements	1. Walkways	1,100mm wide	1,200 mm wide	2. Ramps Gradient of 1 in 14 1 in 19	Landings: every 9m every 14m	Landings: every 6m every 14m	3. Intersection Detail	Not included	Included (current MCC Standard)	4. Handrails	One rail	Two rails	All walkways of the proposed internal fit out works are minimum 1300mm wide.	Yes
	AS 1428.1 General Requirements	AS 1428.2 Enhanced Requirements																
1. Walkways	1,100mm wide	1,200 mm wide																
2. Ramps Gradient of 1 in 14 1 in 19	Landings: every 9m every 14m	Landings: every 6m every 14m																
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4. Handrails	One rail	Two rails																

Control	Comment	Compliance
<p>5. Door Openings 760mm 850mm</p> <p>6. Sanitary Facilities * 1,900 x 2,300 mm</p> <p>WC Min Dimensions * Increased Dimensions</p> <p>Circulation 1600 x 2,000 mm * Emergency Button</p> <p>Showers/Urinals * Unisex WC in Public Places</p>		
<p>b) Carparking</p> <p>The Building Code of Australia requires one designated disabled carparking space to be provided in commercial developments where ten or more vehicle spaces are required to be provided by Council's carparking code.</p> <p>While this provision is adequate for most land uses, it is inadequate for medical facilities, entertainment complexes, large retail complexes, clubs and public halls. These land uses are likely to generate a higher demand for disabled facilities and thus the ratio of designated disabled parking to non-designated disabled parking should be increased. In some circumstances the provision of a number of wider non designated carparks may suffice. Council's enhanced carparking standard is as follows:</p> <p>Medical services including community health centres, etc</p> <ul style="list-style-type: none"> <li>o One space per two to five surgeries (or equivalent)</li> <li>o Two spaces for six or more surgeries (or equivalent)</li> </ul>	<p>The proposed development provides a total of 16 standard parking spaces with a loading bay, followed by 2 accessible parking spaces.</p> <p>The recommendations from the Traffic impact Assessment prepared by Northern Transport Planning and Engineering Pty Ltd state:</p> <p><i>"The proposed development has the capacity to provide adequate off-street parking spaces which comply with Australian Standards and Maitland City Council DCP requirements. The vehicular accesses and turning paths of NTPE's design all conform for all vehicles up to small rigid vehicles.</i></p> <p><i>It is considered that the surrounding road network will be able to accommodate the relatively small increase in trips generated by the proposed Medical Centre.</i></p> <p><i>Based on the assessment presented in this report it is recommended that the proposed development be approved."</i></p> <p>The proposed development is considered satisfactory in this regard.</p>	<p>Yes</p>
<p>C.1.3.3 Car parking Design</p>		
<p>a) The placement of the designated parking bay/s needs to be as close as possible to the accessible entrance because fatigue is often a</p>	<p>The designated parking bays are placed as close as possible to the accessibility ramp and entrance.</p>	<p>Yes</p>

Control	Comment	Compliance
<p>problem for people with mobility disabilities. It is also better to have parking spaces as close as possible for when the weather is poor.</p> <p>Where parking bays are within buildings the designated bay /s should be located close to the elevators.</p>		

#### C.4 Heritage Conservation

##### C.4.6 Signage

##### C.4.6.1 Signage on Commercial Buildings

a)	<p>New Signage</p> <ul style="list-style-type: none"> <li>○ The scale, type, design, location, materials, colour, style and illumination of any sign should be compatible with the design and character of the buildings and should not intrude on the visual qualities of the townscape.</li> <li>○ The architectural characteristics of the building should always dominate.</li> </ul>	<p>The architectural characteristics of the building dominate due to the minor scale and dimensions of the signage. The scale, type, design, location, materials, colour, and style enhance the existing building by way of seamlessly integrated placement and complementary colours and material finishes. The proposed development does not include illuminated signage.</p>	Yes
b)	<p>Above Awning Signs should:</p> <ul style="list-style-type: none"> <li>○ Be simple in design and avoid a proliferation of advertising which can be confusing and detract from the building and conservation area.</li> <li>○ Be located flush with the wall surface.</li> <li>○ Not be fluorescent or internally illuminated.</li> <li>○ Signs adjacent to heritage items or older buildings in Conservation Areas should be designed and located sympathetically.</li> </ul>	<p>The above awning signage is simple in design, flush with the wall surface and is not fluorescent or internally illuminated. The proposed development is sympathetically integrated with the signage.</p>	Yes
c)	<p>Original Signs</p> <ul style="list-style-type: none"> <li>○ Early signage has cultural value and should be retained.</li> </ul>	<p>Original signage is sympathetically altered for the purpose of business identification.</p>	Yes

Control	Comment	Compliance
d) Colour <ul style="list-style-type: none"> <li>o Colours should be sympathetic to the surrounding area and be related to the colours of the building.</li> <li>o The use of entire glazed shopfronts for temporary notices is not considered appropriate, nor is the use of temporary fluorescent signwriting.</li> <li>o The use of bright corporate colours and sign designs which are not related to the architecture or character of the area and building are not considered appropriate.</li> </ul>	The proposed development includes a suitable Schedule of Colours and Material Finishes for the proposed development.	Yes

### C.11 Vehicular Access & Car Parking

#### C.11.2 General Requirements

##### C.11.2.1 General Principles

a) In determining the parking and traffic requirements for a development proposal, the following principles shall be followed: <ul style="list-style-type: none"> <li>o the minimum standards as set out in this plan;</li> <li>o the likely demand for off-street parking generated by the development;</li> <li>o the availability of public transport in the vicinity to service the proposed development;</li> <li>o the probable mode of transport to be used by employees and/or customers;</li> <li>o the likely peak times of usage of the proposed development;</li> <li>o the existing traffic volumes on the surrounding street network including, where relevant, the potential future traffic volumes; and</li> </ul>	Please refer to the Traffic Impact Assessment prepared by Northen Transport Planning and Engineering Pty Ltd.  The proposed development is considered satisfactory in this regard.	Yes
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Control	Comment	Compliance
<ul style="list-style-type: none"> <li>the equity of requiring of-street parking for individual developments within areas such as Maitland City Centre and Morpeth, where historical parking deficiencies have occurred.</li> </ul>		

C.11.2.2 Calculation of Parking Requirements

<p>d) Where the use of an existing building is to be changed, or where an existing building is to be replaced with a new building, the following method of calculation shall apply:</p> <ul style="list-style-type: none"> <li>The parking requirements of the previous or existing premises is to be determined in accordance with Appendix A of this policy;</li> <li>The parking requirement of the proposed development is to be determined in accordance with Appendix A of this policy;</li> <li>Subtract the number of spaces determined in (a) above from the number of spaces calculated in (b) above;</li> <li>The difference calculated in (c) above represents the total number of parking spaces to be provided in addition to the existing of-street carparking.</li> </ul> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="background-color: #f4a460; font-size: 8px;">Health Consulting Rooms/Medical Centre</td> <td style="font-size: 8px;">2 spaces per practitioner/professional</td> <td style="width: 100px;"></td> </tr> </table>	Health Consulting Rooms/Medical Centre	2 spaces per practitioner/professional		<p>The site features a total Gross Floor Area of 617 square metres according to the traffic impact assessment. The total 'active' floor area of the development is 420.78 square metres, this would exclude any inactive space on the first and second floors.</p> <p>The parking requirements of the previous existing business premises is 15 parking spaces according to Appendix A of this policy and the existing use of the site for the purpose of Business and Office Premises.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="background-color: #f4a460; font-size: 8px;">Business Premises and Office premises</td> <td style="font-size: 8px;">1 space per 40m<sup>2</sup> GFA or 1 space per 45m<sup>2</sup> GFA in Maitland City Centre (Appendix C - Map 1)</td> <td style="font-size: 8px;">Provision should be made for the movement and on-site loading/unloading of service vehicles as appropriate</td> </tr> </table> <p>The proposed Medical Centre will provide 19 rooms with up to 6 practitioner/professional staff present at any one time. Therefore, the parking requirement for the facility is 2 accessible parking spaces plus 12 standard spaces (2 spaces x 6 professionals).</p> <p>The proposal provides for 18 parking spaces within the rear of the site, including 2 accessible spaces, which is compliant with this control.</p>	Business Premises and Office premises	1 space per 40m <sup>2</sup> GFA or 1 space per 45m <sup>2</sup> GFA in Maitland City Centre (Appendix C - Map 1)	Provision should be made for the movement and on-site loading/unloading of service vehicles as appropriate	<p>Yes</p>
Health Consulting Rooms/Medical Centre	2 spaces per practitioner/professional							
Business Premises and Office premises	1 space per 40m <sup>2</sup> GFA or 1 space per 45m <sup>2</sup> GFA in Maitland City Centre (Appendix C - Map 1)	Provision should be made for the movement and on-site loading/unloading of service vehicles as appropriate						

C.11.3 Guidelines for the design, layout and construction of access and parking areas

C.11.3.1 Access to the site

Control	Comment	Compliance
<p>A development should be designed to provide adequate on-site manoeuvring and circulating areas to ensure that all vehicles can enter and leave the site in a forward direction.</p>	<p>The proposed site has a large carpark area at the rear which provides ample space to ensure that all vehicles can enter and leave the site in a forward direction.</p>	<p>Yes</p>
<p>Access to or from a site shall be located where it causes the least interference to vehicular and pedestrian traffic on the road frontage. Access will generally not be permitted in the following locations:</p> <ul style="list-style-type: none"> <li>○ close to traffic signals, intersections or roundabouts where sight distance is considered inadequate by Council;</li> <li>○ opposite other developments generating a large amount of traffic (unless separated by a median island);</li> <li>○ where there is heavy and constant pedestrian movement along the footpath;</li> <li>○ where right turning traffic entering the facility may obstruct through traffic; and</li> <li>○ where traffic using the driveways interferes with, or blocks the operations of bus stops, taxi ranks, loading zones or pedestrian crossings.</li> <li>○ Direct access onto a major road is to be avoided wherever possible. Auxiliary lanes, (deceleration and acceleration lanes), may need to be provided to minimise conflicts between entering/leaving traffic with through traffic. In many cases, right turn movements into a site are unlikely to be supported, unless an exclusive right turn bay is provided.</li> </ul>	<p>As the site is situated onto a main road, access to the site is facilitated through the secondary frontage at the rear of the property. This access is respectful of vehicular and pedestrian traffic and is designed to cause the least amount of interference.</p>	<p>Yes</p>

Control	Comment	Compliance
Council may designate areas over the street frontage of the development where no stopping or no parking sign posting is to be installed to facilitate the entry/exit of vehicles and the safe movement of cyclists and pedestrians. Any on-street signage would be required in accordance with Australian Road Rules requirements as identified by Council's Local Traffic Committee	The development control has been noted.	Yes
C.11.4 Loading/Unloading Requirements		
C.11.4.1 General		
a) On-site loading and unloading facilities must be provided for all businesses, commercial, industrial, retail and storage uses and any other where regular deliveries of goods are made to or from the site.	On-site loading and unloading facilities are provided.	Yes
C.11.4.2 Number and Size of Loading Bays		
<p>The number and dimensions of the on-site loading bays must be designed having regard to the nature and scale of the proposed development, the estimated frequency of deliveries, the type of delivery vehicle likely to be involved and the types of goods being loaded/unloaded. Accordingly, these details are required to be submitted with the Development Application for Council's consideration.</p> <p>As a guide, for small and medium-sized shops or commercial premises, restaurants or small-scale industrial development likely to involve the use of vans, utilities or small trucks only, one loading bay will usually be sufficient.</p>	<p>The number and dimensions of the on-site loading bays are designed having regard to the nature and scale of the proposed development.</p> <p>Please refer to the Traffic Impact Assessment produced by Northern Transport Planning and Engineering Pty Ltd.</p>	Yes
The loading areas must be designed to ensure that standard design vehicles can manoeuvre into and out of all loading areas without	The loading area is designed to ensure that the standard design vehicles can manoeuvre into and out of all loading areas without causing conflict.	Yes

Control	Comment	Compliance
<p>causing conflict to the movement of traffic on-site or in the adjacent streets.</p> <p>The loading bay(s) should be a physically defined area (by signposting and/or pavement marking) which is not used for other purposes such as customer parking or the storage of goods and equipment. The loading areas must be designed to ensure that vehicles stand entirely within the site during all loading and unloading operations.</p>	<p>This statement is further reinforced by the Traffic Impact Assessment prepared by Northern Transport Planning and Engineering Pty Ltd. The recommendation states:</p> <p><i>“The proposed development has the capacity to provide adequate off-street parking spaces which comply with Australian Standards and Maitland City Council DCP requirements. The vehicular accesses and turning paths of NTPE’s design all conform for all vehicles up to small rigid vehicles.</i></p> <p><i>It is considered that the surrounding road network will be able to accommodate the relatively small increase in trips generated by the proposed Medical Centre.</i></p> <p><i>Based on the assessment presented in this report it is recommended that the proposed development be approved.”</i></p>	

### Part E Special Precincts

#### E.3 Heritage Conservation Areas

##### East Maitland Heritage Conservation Area

##### 1.3 Conservation Policies

<p>What to Keep:</p> <p>Retain significance of the area as a relatively rare example of a town based on government/administrative functions;</p> <ul style="list-style-type: none"> <li>• Retain formal street plantings and footpaths in and around William and Banks streets;</li> <li>• Retain the landscape setting of the major administrative buildings such as the</li> </ul>	<p>The proposed development maintains the existing building envelope and thus preserves the presentation of the building. External works are sympathetically proposed as to not detract from the character of the Heritage Conservation Area. The original subdivision pattern, lot sizes and building setbacks are retained.</p>	
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Control	Comment	Compliance
<p>Courthouse and formal nature of original street layout;</p> <ul style="list-style-type: none"> <li>• Retain street widths of original townships and terminations of major vistas at parks;</li> <li>• Retain scale of original residential development within the limits of original township;</li> <li>• Retain original subdivision pattern, lot sizes and building setbacks.</li> <li>• Original layout of sandstone kerb and guttering.</li> </ul> <p>What to Encourage:</p> <ul style="list-style-type: none"> <li>• Generally low density, residential development retaining existing subdivision layout;</li> <li>• High quality of new and infill commercial design through better guidelines and more stringent controls.</li> </ul> <p>What to Avoid:</p> <ul style="list-style-type: none"> <li>• Large scale medium density development on large lots or at the rear of existing dwellings on larger lots;</li> <li>• Re-subdivision of large residential lots;</li> <li>• Inadequately controlled expansion of “Support Business” and “Special Business” uses in the Heritage Conservation Area.</li> </ul>	<p>The proposal will encourage a high quality infill commercial design through appropriate reconfiguration of the buildings floor space and use.</p>	

## 4.2 Impacts of the Development

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the change of use is of a minor scale and nature, and does not present unreasonable environmental, social and economic impacts.

### 4.2.1 Natural and Built Environment Impacts

The proposal does not impact upon native vegetation, soil conditions, foreshore environment or air quality. The proposed change of use retains the existing external structure and thus, does not have any

adverse impact on the neighbouring properties solar access or privacy. The proposed change of use will retain the visual characteristic of the heritage item and align with other commercial businesses in the locality.

#### **4.2.2 Social and Economic Impacts**

The development does not impact upon native vegetation, soil conditions, foreshore environment or air quality. The proposed built form allows the neighbouring sites to retain their access to privacy, solar access, pleasant outlook, and overall residential amenity. The proposed change of use increases the amenity of the property with the addition of a new medical facility that will service the residents of East Maitland and surrounding suburbs. The proposal does not engender any negative social or economic outputs.

#### **4.3 Suitability of the Site**

The subject site is considered suitable in size and shape to accommodate the change of use and building works. The proposal does not introduce any incompatible uses to the site. The works are permissible under the MU1 Mixed Use zone.

##### **4.3.1 Access to Services**

The site is located within an established commercial area with excellent access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

##### **4.3.2 Parking and Access**

The on-site parking provided complies with the parking requirements as prescribed by Maitland Development Control Plan 2011. It provides a logical and considered approach to the provision of off-street car parking.

##### **4.3.3 Hazards**

The site is not in an area recognised by Council as being subject to landslip and bushfire or any other particular hazards. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance.

The site is in an area recognised by Council as being subject to flooding. The proposed development is accompanied by a preliminary flood assessment, produced by Martens & Associated Pty Ltd on 20 March 2024. The report includes the following recommendations:

- “1. The proposed FFL shall be no lower than the existing ground floor FFL of 9.05m AHD.”*
- 2. All structural components of the building are to be designed/certified by a suitably qualified engineer to withstand the forces of floodwater, debris and buoyancy up to and including the FPL of 10.22m AHD.*
- 3. A detailed flood risk management plan should be prepared to accompany the Construction Certificate documentation to outline more detailed evacuation requirements to minimise flood risk to life and property associated with the use of land.*
- 4. Operational management of the site should incorporate plans to address procedures for notifying staff and visitors of any flood alerts/warnings and appropriately deal with evacuation management.*
- 5. An occupational condition of consent is prepared which requires the site to operate in accordance with the procedures of the Construction Certificate FRMP and any relevant SES plans.”*

The proposal is considered satisfactory in this regard.

#### **4.4 The Public Interest**

The proposal is considered to be in the public interest as it produces nominal environmental, social and economic impacts. Furthermore, the use of the site as a medical centre will provide a range of medical facilities to service a growing community in the present and ongoing into the future.

The proposed development has been designed to relate to the size, shape and context of the site and has been designed in accordance with the desired future character for development in the area.

The proposal seeks to provide a new medical centre which makes efficient use of space on the site in a prime location that is in high demand for health facilities and services. In addition, the proposal has been designed to minimise as far as practical any adverse effects on existing and future neighbouring properties. The proposal is consistent with the applicable LEP and DCP provisions except where identified and justified in this Statement of Environmental Effects. Accordingly, the proposed development is considered to be in the public interest.

## **5.0 CONCLUSION**

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social and economic impacts of the change of use at 99-101 Newcastle Street East Maitland. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a permissible development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood.

Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the proposed development at 99-101 Newcastle Street East Maitland as described in this application is reasonable and supportable, and worthy of approval by Maitland City Council.