Statement of Environmental Effects (SoEE)

Associated with

Development Application

For

Proposed Conversion of Existing Shed/Garage into Home Business & Proposed Subdivision (2 into 3 Lots)

Lot 2, No. 8 Avalon Drive Thornton, NSW 2322 (DP225727) & Lot 1, No. 49 Spotted Gum Grove Thornton, NSW 2322 (DP225727)

Prepared for: Zahid Hussain

Date: May 2025

Submission to Maitland City Council

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1. INTRODUCTION

This section introduces the proposal and provides a general overview of the project.

1.1 Background

A search of Council records identifies the following development application history:

- None found

1.2 Overview of Statutory Framework

Maitland City Council is the consent authority for the development application pursuant to Section 4.15 of the Environmental Planning and Assessment Act *(EPA & A) 1979*

2. THE SITE AND ITS CONTEXT

This section describes the subject land and identifies the geographical context of the site and its relationship to the surrounding locality.

2.1 Location and Property Description

The subject sites is described in real property terms as

- Lot 1, DP225727and is commonly known as No. 49 Spotted Gum Grove Thornton, NSW 2322
- Lot 2, DP38959 and is commonly known as No. 8 Avalon Drive Thornton, NSW 2322

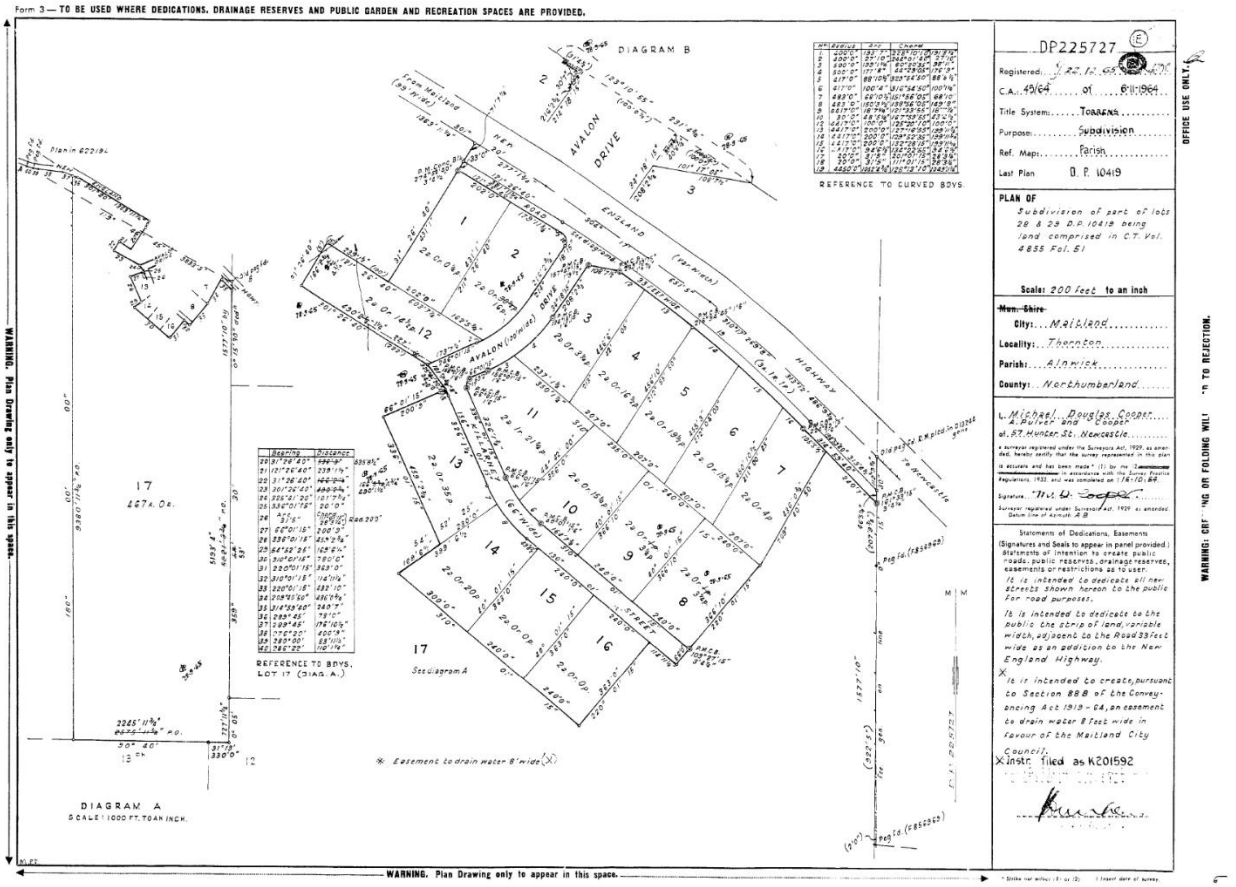


Figure 1: Deposited Plan ***(Source: Infocert)***

2.2 Site Analysis

8 Avalon Drive, Thornton 2322

The subject land is mainly rectangular in shape and is located North-west of Avalon Drive. The contour falls from the South-west (rear) to North-east (front) of the site. The site contains an existing double storey brick dwelling with front porch and detached shed/garage on the left-hand side. A driveway is located towards the right-hand side of the street.

Figure 2: Photo of Existing Dwelling from Street ***(Source: AMS Design and Drafting)***

49 Spotted Gum Grove, Thornton 2322

The subject land is rectangular in shape and is located South-west of Spotted Gum Grove. The contour falls from South to North of the site. The site contains an existing single storey brick dwelling with front verandah & rear deck and garage on the right-hand side. A Detached shed is located South-west of the rear end, two driveways exists on site one is located on the right-hand side from the street and the other on the left-hand side.

Figure 3: Photo of Existing Dwelling from Street ***(Source: Google maps)***

2.2.1 Local Context

The subject sites is located within the C4 – Environmental Living zone is characterised by low-density residential development within areas of environmental significance, typically comprising single dwellings on large lots integrated with the natural landscape. Surrounding development in all directions generally includes detached houses with minimal ancillary structures, set among native vegetation and bushland, with an emphasis on preserving ecological and landscape values.

Figure 4: Aerial Image ***(Source: Explorer Website by NSW gov)***

Figure 5: Photos of Neighboring Dwelling from Avalon Street ***(Source: Google Maps)***

Figure 5: Photos of Neighboring Dwelling from Spotted Gum Grove ***(Source: Google Maps)***

2.2.2 Other matters

Planning investigations of the subject land confirm that it is:

- Not mapped as being subject to the 1 in 100-year flood event.
- Not mapped as being affected by acid sulfate soils. (Class 5)
- Not mapped as being within a heritage conservation area.
- Mapped as being bushfire prone - Vegetation Buffer
- Not known to contain a cattle tick dip site and not within the 200m dip site buffer.
- Not mapped as containing high conservation vegetation, threatened fauna records or threatened flora records.
- Not mapped as containing SEPP 14 wetlands.
- Not mapped as containing SEPP 26 littoral rainforest: and
- Not affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979.*

3. DESCRIPTION OF PROPOSAL

3.1 Proposed Development

The Proposed Conversion of Existing Shed/Garage into Home Business & Proposed Subdivision (2 into 3 Lots) being:

- Subdivision Area A: 5076.190 m^2
- Subdivision Area B: 5493.049 m^2
- Subdivision Area C: 6031.265 m^2
- Storage Space into:
  - Washing
  - Bathroom
  - Office1
  - Office 2
  - Kitchenette
  - Meeting

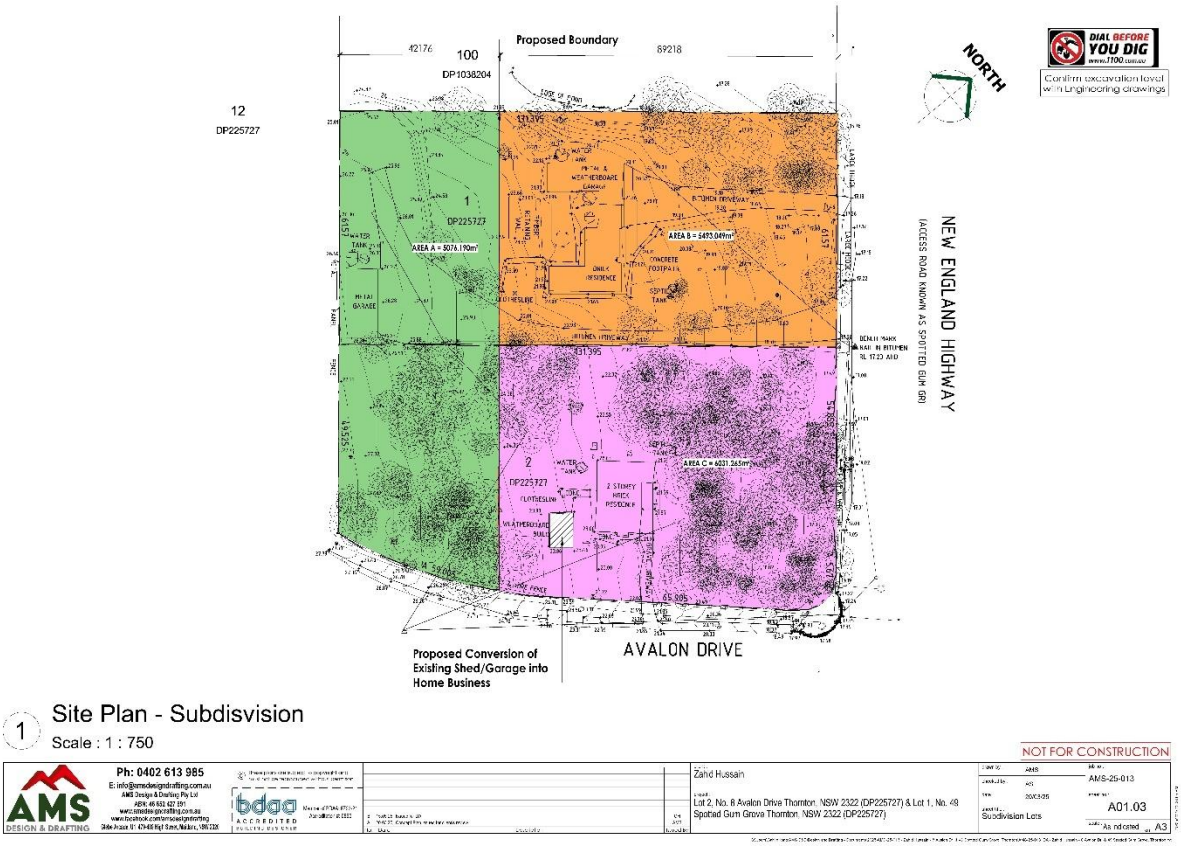


Figure 6: Proposed Subdivision (2 into 3 Lots) being ***(Source: AMS Design & Drafting)***

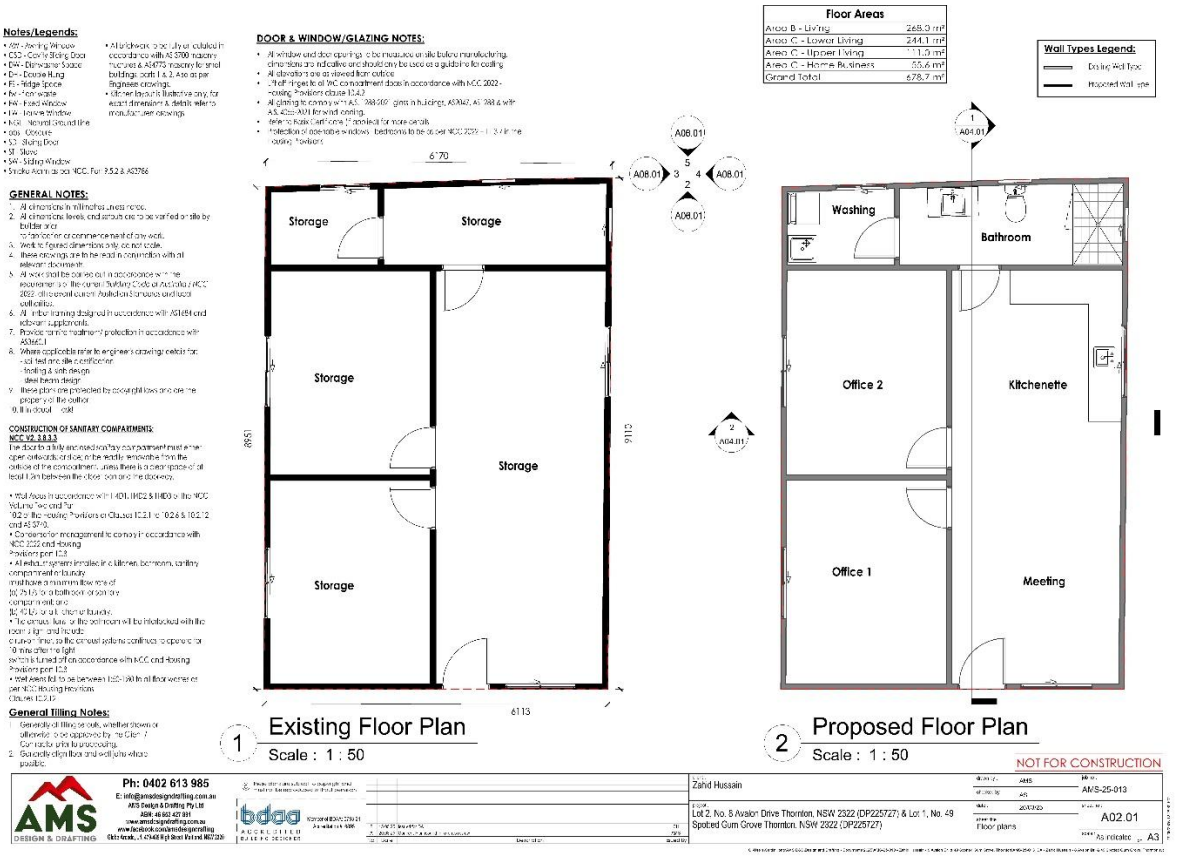


Figure 7: Proposed Conversion of Existing Shed/Garage into Home Business ***(Source: AMS Design & Drafting)***

3.2 Site Access

Vehicular access to the sites is via existing driveway. Access to the dwellings will be from Spotted Gum Grove and Avalon Drive.

3.3 Site Services

The subject land is connected to all necessary reticulated infrastructure services (being sewerage, water, electricity, telephone and stormwater).

4. ENVIRONMENTAL INTERACTIONS AND IMPACTS

This section expands on the contextual description of the physical environment provided in Section 2 and provides comment on the environmental interactions applicable to the proposal with specific reference to the site planning objectives specified in Section 3 of this Report.

Potential Environmental Impacts	Impacts and Measures to Mitigate Impacts where applicable
Flora	
Loss of vegetation – native or exotic	N/A Photo below shows the location of Proposed Conversion of Existing Shed/Garage into Home Business 
Fauna	
Effect on native species of fauna & habitat loss	N/A
Soils	
Sediment and erosion controls	Appropriate erosion and sediment control measures will be installed and maintained in accordance with the Council guidelines.
Soil contamination	The site is not known to have any past contaminating uses.
Acid Sulfate Soils	Land is not affected by acid sulfate soils. (class 5)
Salinity	N/A

Hazards	
Landslip	The land is not subject to landslip.
Subsidence	The land is not affected by subsidence
Coastal Processes	The land is not identified as being subject to any coastal processes.
Bushfire	The land is affected by bushfire. - Vegetation Buffer
Flooding	The site is not mapped as being flood prone.
Water	
Water Quality	N/A – No changes to existing Stormwater Drainage
Visual Considerations	
Visually prominent land and impact on scenic qualities	N/A
Adjoining Land Uses	
Solar access and privacy	Solar access and over shadowing will not be affecting the adjoining neighbors because of the greater setback and thick vegetation barrier.
Dust, fumes etc. during construction	Works will be undertaken in accordance with the Protection of the Environment Operations Act 1997
Noise during constructions and operations	N/A – No proposed construction works
Scale and Bulk	
Relationship to adjoining development	Adjoining residential land uses have been previously discussed in Section 2.2.1 of this Report.
Design, siting, scale, bulk and character	The design suits our clients the best as they wanted to subdivide the 2 lots into 3 along with fully utilizing the shed/ garage to a functional workspace. Complimenting and respecting the existing dwellings in each lot respectively
Heritage	
Indigenous heritage	The site is unlikely to encounter any items of indigenous significance given the heavy works undertaken at the time the allotment was created.
Non-Indigenous heritage	The site is not mapped as being a locally significant heritage item or within a heritage conservation area.

Social and Economic Considerations	
Social and economic impacts or benefits	The proposal is unlikely to create any adverse social oreconomic impacts.
Traffic and Parking	
Impact on local traffic and car parking provision	The proposed subdivision and shed/garage conversion into a home business will not generate any greater traffic than that already expected in the residential zone. Additionally, there are already existing dwellings on the sites
Transport, Access	
Public transport	Bus services and routes exist in the locality.
Pedestrian access	Footpath / Sidewalks exist in the locality for easy pedestrian access.
Utility Services	
Water, electricity, sewer	All services exist to the site and existing dwelling is already connected to these services and same will happen to the proposed extension.

5. STATUTORY AND POLICY PLANNING

This section of the report identifies and addresses the applicable environmental planning instruments and planning policies that must be considered by the consent authority in the consideration of this application.

5.1 Environmental Planning Instruments (EPIs)

This section identifies and provides comment on the environmental planning instruments and Environmental Planning and Assessment Act 1979 provisions that are of relevance to the proposal.

5.1.1 State Environmental Planning Policy 55 - Remediation of Land

The site is not listed on the contaminated land register.

5.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

This applies to the property but we are not building in coastal management or rainforests areas.

5.1.3 Local Environmental Plans (LEPs)

The Maitland Local Environmental Plan 2011 (MLEP 2011) applies to the subject site. In accordance with the Land Zoning Map, the land is zoned as C4 Environmental Living. The objectives of this zone are as follows:

Zone Objective	Consideration
• *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.* • *To ensure that residential development does not have an adverse effect on those values.* • *To encourage practical development outcomes by providing for low density residential development between areas of large lot residential and rural land where part of the land is affected by flooding.*	The proposal involves converting an existing shed/garage into a home business and subdividing the land from 2 lots into 3. As the changes are done to an existing shed and the footprint remains the same, there is no impact on the streetscape or surrounding area. No vegetation will be removed, and the natural character of the site will be preserved. The subdivision maintains low-density development and considers existing site constraints. It supports a practical use of the land in line with nearby rural and large-lot residential areas. The proposal is a permissible use and is consistent with the C4 zone objectives, as it allows low-impact development while protecting the site's environmental values.

The following Development Standards as stipulated in MLEP 2011 apply to the proposal:

- **Height of buildings**
  N/A.
- **Floor space ratio**
  N/A.
- **Minimum lot size**
  5000m².
- **Heritage**
  N/A.
- **Land Reservation Acquisition**
  N/A.
- **Foreshore Building Line**
  N/A.
- **Acid Sulfate Soils**
  Class 5 – no further reports required.

5.2 Maitland Development Control Plan 2011

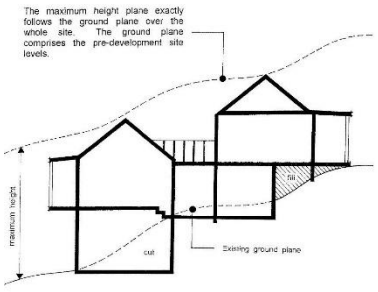
The Maitland Development Control Plan 2011 (MDCP 2011) contains a number of chapters relevant to the proposal. An assessment of the relevant provisions is provided below: **C.8 – Residential Design & C.10 - Subdivision**

Control	General Requirements	Proposed
2. Site Analysis & Site Context **2.1 Site Analysis**	*A detailed site analysis shall be submitted with a development application for all residential development with the **exception of a single detached dwelling**. A typical Site analysis Diagram is provided as Figure 1. (Note: this Plan does not show the proposed development).*	The Site Analysis Plan is provided, of which depicts: • the likely impact on surrounding development, particularly with regard to overshadowing, privacy and obstruction of views; • topographical features such as slope, existing natural vegetation and opportunities for the creation of views and vistas; • opportunities to maximise northerly aspect for buildings and private open spaces; • the character of surrounding development, particularly setbacks.
2.2 Context Analysis	*A 'Context Analysis' will be required for all residential development **with the exception of a single detached dwelling**.*	The Context Analysis Plan is also provided for the Proposed Conversion of Existing Shed/Garage into Home Business & Proposed Subdivision (2 into 3 Lots)
3. Development Incorporating Existing Dwellings	*2.1 Where an existing dwelling is to be retained and incorporated into a residential redevelopment project, this dwelling is to be treated as if it were a new dwelling in the same redevelopment project and should meet all performance criteria and design controls specified in this chapter.* *2.2 Where it is not possible for an existing dwelling to achieve compliance with all aspects of the chapter Council may, after consideration of a detailed submission lodged with the development application outlining grounds/justification for non-compliance, agree to vary one or more of the chapter requirements. In assessing any variation, the Council shall have regard to:* *2.3 Special provisions relating to heritage items or heritage conservation areas are contained in the Maitland LEP 2011 and the relevant chapters in this DCP must be taken into account where relevant.* *2.4 Where an existing dwelling is being retained as part of a site redevelopment then the existing dwelling shall be required to meet the design requirements of this Chapter.*	This proposal involves the conversion of an existing shed/garage into a home business and a subdivision from 2 lots into 3, with no new construction or changes to the existing dwelling. Works are proposed on a detached shed/garage. The existing dwelling will remain as is and does not require upgrades, as no redevelopment of the house is proposed. The dwelling continues to function well on the site and does not negatively impact the area. If there are any minor non-compliances with current standards, they do not affect the streetscape or surrounding environment. No heritage or environmental controls are impacted. As no dwelling works are proposed, it is reasonable for the existing dwelling to remain in its current condition. Any future development on the new lots will follow all current planning and design requirements.

4. Bulk Earthworks and Retaining Walls	*4.1 A 'bulk earthworks plan (BEP)' shall be submitted with the development application for all forms of residential development showing the levels (relative to a datum benchmark at the site) of all finished ground levels for both the building platform and those areas of the site external to the building platform. The plan should also specify and show the extent and depth of cut/fill, and location of all retaining walls and/or battered slopes. The BEP shall also show existing ground levels adjoining the perimeter boundaries of the land (refer to Figure 4 for sample BEP).* *4.2 Where a retaining wall (for the purposes of retaining fill) is proposed either on or in close proximity to a boundary then the maximum extent of fill shall be 600mm (refer to Figures below).* *4.3 Where a retaining wall (for the purposes of retaining cut) is proposed either on or in close proximity to a boundary then the maximum extent of cut shall be 900mm (refer to Figures below).* *4.4 Elevated flooring (eg bearers and joist construction), deepened concrete edge beams, infill slabs, split level construction and the like shall be used where necessary to reduce the extent of earthworks required to achieve the maximum cut/fill levels prescribed under the plan.* *4.5 Adequate drainage comprising free draining gravel and subsoil agricultural drains shall be installed to the rear of retaining walls to relieve the hydrostatic pressure at the base of the wall.* *4.6 Stormwater or surface water runoff shall not be redirected or concentrated onto adjoining properties so as to cause a nuisance. Adequate drainage is to be provided to divert water away from batters. This requirement shall be an integral part of the site stormwater management plan addressed in Section 18 of this Chapter.* *4.7 Cut and fill batters should not exceed a slope of 3:1 (horizontal to vertical ratio) to the natural ground level unless the foundation strata, type of material or compaction permits otherwise and Council is satisfied as to the stability of the site. All batters must be provided with both short term and long term stabilisation to prevent soil erosion.* *4.8 Excavations in excess of those specified for retaining walls may be permitted within the confines of the building to allow for basements, garages etc providing the excavations are adequately retained and drained in accordance with engineering details.* *4.9 All excavations shall be protected in accordance with the requirements of the NSW WorkCover Authority.* *4.10 Where a property is burdened by stormwater easements containing pipes care should be taken to avoid pipe damage. In cutting situations, it may be necessary to lower existing pipes within the easement. In filling, pits may require extending to the new surface level.*	N/A
Control	**General Requirements**	**Proposed**
5. Street Building Setbacks	*5.1 The minimum setback from the principal street frontage to the building line in an urban residential zone is 4.5 metres.* *5.2 The minimum setback from the principal street frontage to articulation or entry features (ie. portico) in an urban residential zone is 3.0 metres and must not be more than 25% of the width of the front facade of the building and must not be more than the maximum height of the building. Note that articulation elements do not constitute the 'building line'.* *5.3 Where an allotment is located on a corner in an urban residential zone, and a single dwelling is proposed, the minimum building line setback to the secondary street frontage is 3.0 metres.* *5.4 Where an allotment is located on a corner in an urban residential zone, and attached dwellings, semi-detached dwellings or dual occupancies are proposed, the minimum setback to the secondary street frontage is 3.0 metres.* *5.5 Where the shape of the allotment located within an urban residential zone is irregular due to the geometry of the street boundary, the setback from the front property boundary to the building line shall be a minimum of 3.0 metres but averaging 4.5 metres over the length of the building addressing those street boundaries.* *5.6 Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road or a minimum 1 metre behind the building line to the principal street frontage.* *5.7 Older residential areas or heritage conservation areas may comprise buildings with setbacks greater than or less than 4.5 metres. Where infill development is proposed in these areas the building line for the new development shall have regard to the setbacks of existing buildings adjacent to the site.*	Existing dwelling setback is to remain as is (16.775m) Proposed conversion of existing shed/ garage into home business will remain at the existing setback of 12.859m
6. Side and Rear Setbacks	*6.1 Minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds or carports, in urban zones shall be in accordance with Figure 10 and described as follows:* *a. 0.9m for walls up to 3.0m in height (to underside of eaves);* *b. 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m;* *c. For that part of a wall over 7.2m in height, the minimum setback should be*	The setbacks for the existing dwellings to new subdivision boundaries are are: Area A: No dwellings

<table>
<tr><td></td><td>increased by 1.0m for every metre of height over 7.2m.
6.2 Walls of buildings within urban zones may be built to the side and/or rear boundaries only where:
a. The maximum wall height is 3.0m and there will be no significant impact on privacy, use of private open space and solar access to adjoining properties;
b. There are no openings unless such openings comply with the fire resistance requirements of the Building Code of Australia and are filled with translucent or obscured glazing; and
c. The length of the wall built to the boundary does not exceed 50 per cent of the total length of the wall comprising that elevation (refer Figure 11).
<table><tr><th>Zone</th><th>Side Boundary (metres)</th><th>Rear Boundary (metres)</th></tr><tr><td>RU1 Primary Production and RU2 Rural Landscape</td><td>10</td><td>10</td></tr><tr><td>R5 Large Lot Residential (Lot size ≤5000m²)</td><td>4</td><td>4</td></tr><tr><td>R5 Large Lot Residential (Lot size >5000m²)</td><td>6</td><td>6</td></tr><tr><td>C4 Environmental Living</td><td>6</td><td>6</td></tr></table></td><td>Area B:
13.413 m to South-east boundary
13.915 m to South-west boundary
Front and North-west boundary to remain as existing
Area C:
16.775 m to South-east boundary
25.697 m to South-west boundary
Front and North-west boundary to remain as existing</td></tr>
<tr><td>7. Site Coverage and Unbuilt Areas</td><td>7.1 Site coverage shall satisfy the requirements detailed in Table 3 - Site Coverage and Unbuilt Areas. All development application plans for residential development shall provide a detailed 'percentage site coverage' calculation having regard to the requirements of Table 3.
7.2 Development shall have site coverage appropriate for the site's capability and form of development and site coverage shall be consistent with the desired future density for the locality.
(MAITLAND DEVELOPMENT CONTROL PLAN) December 2011
<table><tr><th>Housing Type</th><th>Maximum Site Coverage Ground Floor (%) (See Note 1)</th><th>Minimum Unbuilt Area (%) (See Note 2)</th></tr><tr><td>Dwelling House</td><td>60</td><td>40</td></tr><tr><td>Small Lot Housing</td><td>60</td><td>40</td></tr><tr><td>Dual Occupancy (2 units)</td><td>60</td><td>40</td></tr><tr><td>Multi Dwelling Housing (3 or more dwellings)</td><td>70</td><td>30</td></tr><tr><td>Residential Flat Buildings</td><td>70</td><td>30</td></tr></table>Table 3 – Site Coverage and Unbuilt Areas</td><td>The site coverage that are achieved:

Area A: 3.26%
Area B: 10.86%
Area C: 5.53%

as noted on the site plan.</td></tr>
<tr><th>Control</th><th>General Requirements</th><th>Proposed</th></tr>
<tr><td>8. Building Height, Bulk and Scale</td><td>8.1 Maximum building height shall be in accordance with Table 4.
8.2 Development application plans shall provide the following information to clearly communicate building heights:
a. A scaled and dimensioned site plan to show pre-development spot levels and/or contours of the site. This plan shall also show post- development spot levels of the site at the building corners and perimeter and shall also include finished levels for private open space, communal open space (where provided), driveways and pedestrian pathways and landscaped areas.
b. Floor plans showing finished floor levels for ground floor internal living space, garages, and finished levels for upper floors and roof;
c. Building elevations and sections to scale which are fully dimensioned and provide an accurate representation of height having regard to the levels identified on the site plan. Elevations and sections should show floor-to-ceiling heights as well as maximum height of roof element.
  Figure 15 – Building Height (where the land is not identified on the Height of Buildings Map in the Maitland LEP 2011)</td><td>Existing building height is to remain as is. Changes is proposed to detached single storey shed/ gararge</td></tr>
</table>

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Phone: 0402 613 985
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	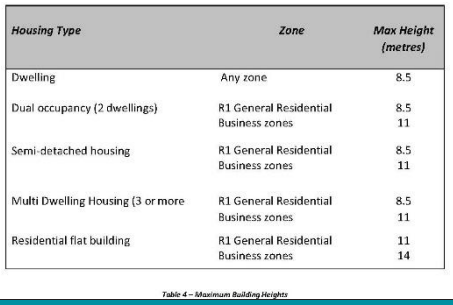 *Table 4 – Maximum Building Heights*	

Housing Type	Zone	Max Height (metres)
Dwelling	Any zone	8.5
Dual occupancy (2 dwellings)	R1 General Residential Business zones	8.5 11
Semi-detached housing	R1 General Residential Business zones	8.5 11
Multi Dwelling Housing (3 or more	R1 General Residential Business zones	8.5 11
Residential flat building	R1 General Residential Business zones	11 14

Control	General Requirements	Proposed
9. External Appearance	*9.1 The building design and the Statement of Environmental Effects that accompanies the proposal should demonstrate that the following matters have been addressed:* *a. Consideration of the existing character, scale and massing of development in the immediate area, including the surrounding landscape.* *b. Architectural interest encouraged by:* *• the use of finishes which are textured rather than bland;* *• providing stepping of walls, pergolas, eaves, verandahs and blade walls etc. to establish articulation and create light and shadow to a building* *• the coordinated use of diverse materials and appropriate decorative treatments* *c. Consideration of both typical and rare fenestration (door and window patterns) and the relationship between glazed and solid wall areas.* *d. Consideration of traditional relationship of roof mass to wall ratio, roof pitch and design, length of unbroken ridgelines, parapets, eaves and roof water guttering detailing.* *e. The design shall provide a variety of experiences for the residents and passers by thorough attention to silhouette, pattern, texture and colour. The amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form should be minimised.* *f. Design diversity should be achieved within and between developments by maximising the advantages of orientation, landforms, views and natural vegetation.* *g. Where a dwelling has an elevation to a principal street frontage then the design shall ensure that the building has its primary pedestrian entry point addressed to this street. This entry shall be reinforced by landscaping and, where appropriate, fencing to provide a clear entry statement.* *h. The following features of existing areas should be considered and integrated into new development where possible:* *• Traditional street and lane patterns* *• Street setbacks* *• Groupings of buildings* *• Corner feature sites* *• Pedestrian walkways* *• Promenades, squares and courtyards* *• Characteristic kerb and gutter treatment* *• Pavement design, materials and finishes* *i. Corner sites shall be developed such that the building(s) addresses both streets and has a well expressed side elevation that does not dominate the streetscape.* *j. Repetitive building designs should be avoided particularly in new residential subdivisions where there may be a number of sites being developed simultaneously. Repetitive street elevations generally do not achieve variety and interest in the streetscape – designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are distinct and give individuality to each development.* *k. That the relevant provisions in this DCP are taken into account where residential development is proposed within a Heritage Conservation Area or on a site of identified heritage significance under the Maitland Local Environmental Plan 2011.* *Garaging: The following matters shall be taken into consideration when designing a development to minimise the dominance of garaging particularly on the public streetscape and communal areas internal to the development site:* *9.2 Car parking structures such as garages and carports shall be designed as an integral part of the development and must be compatible with the overall building design in terms of height, roof form, detail, materials and colours.* *9.3 Garages and carports, as a forward element in the design of a dwelling, are discouraged particularly where the dwelling and its associated garage has a direct address and access to a street. Forward projecting garages and carports may be considered where it can be demonstrated that the design*	No significant change to street view as the proposed conversion of the shed/garage into a home business is single storey and compliments the existing dwelling.

	of the garage makes a positive contribution to both the street and the architectural quality of the building. *9.4 The following treatments should be employed to reduce visual impact of garages and carports to a road frontage:* *a. Garages should be no greater in width than 50 per cent of the total width of the dwelling's frontage (eg. total width of dwelling's frontage is 15 metres therefore maximum width of garage doors to be no greater than 7.5 metres);* *b. Where possible, garages of attached or detached dwellings which have a direct address to the street should not be located side by side;* *c. Where the garages of adjoining units are located side-by-side they should have staggered setbacks of at least 1.0 metre (refer Figure 18);* *d. The placement of wide eaves, awnings, pergolas or first floor projecting balconies/rooms over the garages to create shadow lines and provide greater articulation to the building (refer Figure 18);* *e. The use of materials of contrasting colour and/or texture for the walls and doors of each garage to create visual interest and a sense of separate identity for each dwelling unit – note that dark colours will make a garage visually recessive;* *f. The use of an irregular driveway alignment;* *g. Minimising the width and area of driveways to reduce the volume and rate of stormwater run-off and to increase the area available for landscaping;* *h. The selection of paving materials with contrasting colour and/or texture;* *i. The use of carports in lieu of garages as these more transparent structures can effectively reduce the bulk and mass associated with multiple garages.*	
10. Open Space	*Private Open Space (POS)* *10.1 Ground Level POS:* *a. All ground level private open space must comprise a 'principal area' of minimum dimensions in accordance with Figure 20.* *b. The minimum area of private open space for a ground level dwelling shall be in accordance with Figure 20.* *c. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling (refer Figure 19).* *d. To be included in usable open space calculations, open space at ground level must have a minimum width in one direction of 3.0 metres.* *e. The maximum cross-fall over the 'principal area' shall not exceed 2%.* *f. Areas of ground level private open space required for external drying facilities, garbage storage, roof water tanks etc shall not be included in the principal area of private open space. These ancillary uses shall be located where they are able to be screened from view of the street or other public place.* *g. The landscape plan for the development shall incorporate a detailed landscape design for each area of ground level POS.* *h. Ground level POS shall only be located forward of the building line (but no closer than 900mm to the principal street boundary) where the orientation of the POS is within the 'optimum' range illustrated by Figure 20.* *i. Where ground level POS is provided forward of the building line then privacy fencing shall be provided as detailed in Section 14.* *10.2 Above Ground Level POS:* *a. All above ground level private open space areas (eg balconies or terraces) shall contain a minimum area of 10 square metres and comprise a minimum dimension of 2.5 metres.* *b. The 'principal area' of POS shall form a direct extension to the internal living room or dining area of the dwelling unit.* *c. The orientation of above ground level POS and internal living rooms shall be within the 'optimum' and 'good' ranges illustrated by Figure 20.* *d. A communal external drying area shall be provided for all dwellings that do not have ground level POS. This communal drying area shall be located so as to receive adequate natural sunlight and breezes and shall be screened from view from public areas and communal open space areas. Drying space shall be provided at a rate of 15 lineal metres of clothes line per dwelling serviced.* *Communal Open Space* *10.3 Ground level communal open space (COS) shall be provided within:* *a. a multi dwelling housing development with fifteen (15) or more dwellings (eg. townhouses, villas etc).* *b. a residential flat building with twelve (12) or more dwellings (eg. unit, apartment, flat etc).* *10.4 Ground level COS shall:* *a. contain an area sufficient to meet the relaxation and recreation needs of the residents of the development and shall at minimum include barbeque facilities and shelter, tables, seating, children's play equipment, childproof fencing and associated landscaping.* *b. be centrally located to provide casual surveillance opportunities from surrounding units within the development.* *c. be an integral part of the design for the development and must be provided clear, safe pedestrian access to minimise conflict with vehicle manoeuvring areas.* *d. be provided with lighting sufficient to enable night time surveillance as a*	More than sufficient POS is available on site plus (as seen in Site Plan sheet)

	means of reducing vandalism and promoting the safety of residents. Care shall be taken in the selection of lighting and its location to minimise light intrusion to units within the development itself and also to adjoining properties. *e. take into consideration its interface with adjoining dwellings (eg. windows, rooms etc).* *f. contain facilities (eg: seating, play equipment etc) designed to meet the relevant Australian Standards.*	
11. Sites having a boundary to a Laneway	*11.1 Where a site has a secondary frontage to a laneway: a. The dwelling(s) shall not be orientated to the laneway as a principal street address.* *b. The main pedestrian entry point to the dwelling(s) shall form a direct connection with the principal street address and not the laneway.* *c. Pedestrian access to dwellings located to the rear of the site shall be contained within a corridor not less than 2.4m wide.* *d. The pedestrian access from the principal street frontage to the dwelling(s) located to the rear of the site shall be landscaped and provided with adequate lighting in accordance with 'Safer by Design' principles.* *e. Car parking for a maximum of two vehicles only (consistent with the garaging provided for the existing allotment) shall be provided with access to the laneway.* *f. No internal habitable floorspace shall be located closer than 3.0m to the property boundary with the laneway.* *g. Garages/carports shall be located no closer than 2.0 metres to the property boundary with the laneway.* *h. Where a garage is located closer than 5.5m to the property boundary with the laneway the garage doors shall be fitted with automatic opening devices to allow continuous movement from the laneway to the garage without obstructing the lane.* *i. Where car parking is provided with access to a laneway care shall be taken to ensure that adequate manoeuvring area is available. Note that the narrow width of some laneways will mean that garages will need to be 'indented' from the laneway boundary and/or wider than standard garage doors installed to provide for adequate manoeuvring.*	Not applicable
Control	**General Requirements**	**Proposed**
12. Accessibility and Adaptable Housing	*12.1 The number of adaptable dwellings to be provided in a residential development shall be as detailed in Table 5.* *12.2 All adaptable dwellings are required to meet the essential design criterion as listed in AS 4299 which includes the following:* *a. Provision of plans showing the dwelling in its pre-adaptation and post-adaptation stages;* *b. A continuous path of travel;* *c. Provision of accessible parking spaces;* *d. Maneuverability both internally and externally;* *e. Adjustable kitchen facilities;* *f. Adjustable bathroom facilities; and* *g. Adjustable laundry facilities.* *12.3 Where possible the internal structure of a dwelling should be designed with lightweight non-load bearing walls that allow for the reconfiguration of rooms over time.* *12.4 Where an adaptable dwelling is required in accordance with the provisions of this Plan, one (1) accessible car parking space shall be provided for every adaptable dwelling. This is in addition to any accessible parking required by Section 15 of this chapter.* *12.5 Dwelling design should be capable of being easily adapted to suit the*	Not applicable

	widest possible range of lifetime needs. This includes the needs of people with physical disabilities, people with sensory disabilities and people with intellectual disabilities. *12.6 Dwellings designed for use by persons with a disability should be located at ground level unless special provision such as a lift is provided to upper floors.* *12.7 Car parking shall be linked to the adaptable dwelling(s) by an unobstructed path of travel at a suitable gradient for wheelchair access. These car parking spaces shall be located as close as possible to the adaptable dwellings they are intended to serve.* *12.8 Entries, doors and passageways shall be of sufficient width to allow for wheelchair access.* *12.9 Fixtures and fittings complying with AS 1428 Part 2.* *12.10 Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 shall be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas and shall be clear of obstacles so as not to impede the mobility of residents and visitors.* *12.11 Where a dwelling is intended for persons with a disability consideration should be given to a design suitable for in-house care or share accommodation, which offers privacy for non-related parties living within the same household.* *12.12 Consideration should be given to the installation of broadband capabilities for all adaptable dwellings.* *12.13 The following issues shall be considered when designing for adaptable housing:* *12.14 Compliance with AS 1428.1 (2001) Design for Access and Mobility – General Requirement for Access (New Building Work) and AS 1428.2 (1992) Design for Access and Mobility – Enhanced and Additional Requirements (Buildings and Facilities).* *12.15 Access to and within the adaptable dwelling shall comply with the requirements of the relevant provisions of the Australian Standards. This includes access to common facilities in the development eg: BBQ areas, swimming pools, common laundry facilities etc.* ***Location:*** *Adaptable dwellings should be provided in convenient locations that are close to facilities such as public transport, community facilities and public services. Within the development adaptable dwellings should be located along the accessible path of travel, preferably close to the main entrance of the building.* ***Bathroom Facilities:*** *Bathrooms should be large allowing for wheelchair access and manoeuvring. A bath need not be provided, but the shower should allow for chair access. The handwash basin and any shelving should be provided at a height that is accessible to both a standing or seated position.* ***Laundry Facilities:*** *The laundry should also be large to allow for wheelchair access and circulation around the appliances. Washing machines and dryers should be front loading. A wall mounted dryer is also preferable.* ***Circulation Spaces:*** *Bedrooms and living areas should be an adequate size to allow for ease of movement around furniture. Doorways, entrances and hallways shall be wide enough to facilitate wheelchair access and circulation.* ***Kitchen Facilities:*** *The kitchen should be of a flexible design so that modifications can be made if required in the future. Cupboard and pantry shelf heights should be adjustable to make them easy to reach.* ***Flooring:*** *Tiles or timber flooring is preferable to carpet. However, if carpet is to be provided it should be low pile with no underlay. Non-slip tiling should be provided in wet areas.* ***Walls:*** *Walls located along main travel paths and in bedrooms and bathrooms should be reinforced to allow for installation of grab rails if necessary.* ***Windows:*** *Windows should be operable with one hand (preferably sliding) and located with a sill height no higher than 700mm from the floor.* ***Landscaping:*** *Outdoor areas should be designed to be low maintenance, with no lawns and a drip irrigation system. All paving should be even and be wheelchair accessible.*	
Control	**General Requirements**	**Proposed**

13. Landscape Design	*13.1 With the exception of a single dwelling, all residential development shall be supported by a detailed landscape plan (inclusive of planting scheme) prepared and endorsed by a suitably qualified landscape consultant (eg landscape architect or horticulturalist) as meeting the objectives and design requirements of this chapter.* *13.2 The landscape design should, as appropriate:* *a. Retain existing vegetation for integration with the landscape design for the development;* *b. Employ the use of native vegetation suitable for local conditions which require lower maintenance and demand less water;* *c. Incorporate the use of advanced specimens to ensure that the completed built form is immediately and effectively softened by landscaping.* *d. Define a theme for new internal streets/driveways or complement existing streetscapes external to a site;* *e. Be of an appropriate scale relative to the width of driveways and the associated space between buildings and the building bulk – trees should be introduced which achieve a height above the roofline of the dwelling to soften built form;* *f. Take into account view corridors and introduce species that, where possible, preserve opportunities for views when the plants are mature;* *g. Improve privacy and minimise overlooking between dwellings and also overlooking from public spaces such as footpaths and communal open space;* *h. Provide adequate lighting for vehicular and pedestrian safety;* *i. Account for streetscapes and landscapes of heritage significance;* *j. Be tolerant of site conditions and adequately mulched in order to reduce demand for water, herbicides and fertilisers;* *k. Clearly identify where turfed areas are to be located and specify the materials used for forming the edges of garden beds;* *l. Detail the various paving materials used throughout the site for driveways, pedestrian pathways, parking areas and private open space areas.* *13.3 The landscape plan for the development shall recognise private open space areas as 'outdoor rooms' and the design shall incorporate:* *a. Paved areas or decks for outdoor dining/relaxation;* *b. Garden areas to reduce the 'hard' visual impact of fencing, paving and walls;* *c. Built-in seating (optional) – refer to example courtyard area at Diagram 19.* *d. The inclusion of trees of a scale which will provide adequate shade (deciduous may be appropriate depending on orientation of POS);* *e. Provision of drying areas and garbage storage areas and the screening of these areas with vegetation and/or structural elements such as timber panels;* *f. Water features (optional);* *g. Full details of materials for fencing, paving etc.* *13.4 Residential developments that make the most positive contribution to streetscapes and the urban environment and provide higher levels of amenity and enjoyment for residents are those which have a sound maintenance regime for landscaped areas – both private open space and communal areas.* *13.5 The landscape design for a development should integrate with the stormwater management scheme, having regard to relevant 'water sensitive urban design' (WSUD) principles.*	Not applicable
Control	**General Requirements**	**Proposed**
14. Fencing and Walls	*14.1 The landscape plan prepared for the development shall incorporate full details of all fencing proposed including:* *• location* *• height* *• materials* *• colours* *14.2 For all forms of residential development, with the exception of a single dwelling-house, sheet metal fencing shall not be permitted where it forms a boundary with a street, or communal area within a development.* *14.3 Fencing between dwellings shall be designed to provide visual and acoustic privacy to internal rooms and outdoor private open space. The recommended height for these dividing fences is 1800mm high but not less than 1500mm high.* *14.4 For all residential development where sheet metal fencing is used it should be of mid to dark earthy colour to make the fence visually recessive.* *14.5 Fencing within the street building line setback shall not be located closer than 900mm from the street property boundary for the principal street frontage of the development (refer Figure 22).* *14.6 Where side boundary fencing projects forward of the street building line setback to the principal frontage then the maximum height of the fence shall not exceed 750mm within the building line setback area. (Note: This*	No changes are proposed to the existing fencing.

	requirement does not apply where the development qualifies to use the building line setback for private open space – refer Sec B9.9(h)). *14.7 Front fencing for the purposes of containing a dwelling's principal private open space area, shall not occupy more than 50% of the street frontage of an allotment and shall not contain or obscure the principal pedestrian entry point to the dwelling from the street. Fencing may occupy greater than 50% of a site frontage if it can be demonstrated that the increased length of fencing is consistent with the established fencing within the street and character of the street, or because of environmental impact considerations, eg. noise.* *14.8 Solid fencing for the purposes of containing a dwelling's principal private open space area, shall not exceed a height of 1500mm where located within the street building line setback unless it can be demonstrated that a higher fence is appropriate having regard to issues of noise, privacy, existing streetscape and architectural merit.* *14.9 Nothing in this plan prevents the fencing of the street frontage of a property subject to the following:* *• The building line setback area is not required for the purposes of principal open space;* *• The fence shall not exceed a height of 1200mm (1.2 metres);* *• The fence shall not comprise sheet metal material;* *• The fence shall be of a design/materials which integrate with the dwelling(s) located on the land.*	
Control	**General Requirements**	**Proposed**
15. Driveway Access and Carparking	*15.1 Driveways shall be located no closer than 900mm from any side boundary for the full depth of the building line. This 900mm offset shall be provided with landscaping of suitable scale to ensure that sight lines along the public footpath and the roadway are not obstructed.* *15.2 Driveways within the site should be a minimum of 2.7 metres wide and should include landscaping between the driveway and dwelling. (Note: In heritage conservation areas strip driveways may be a more suitable alternative – refer to Part E.3: Heritage Conservation Areas).* *15.3 Landscaping shall be incorporated into the design of driveway and manoeuvring areas to minimise the expanse of hard surfaces and adverse visual impacts on the streetscape.* *15.4 Straight 'gun barrel' driveway arrangements are not supported. Where long driveways are proposed landscaping of minimum width 1.0 metres shall be provided along the boundary/fenceline incorporating wider landscape 'blisters' to create a 'meandering' effect and contrasting pavement treatments should be used to reduce the expanse of a single pavement material. Landscaping shall also be provided between the driveway and the external wall of the dwelling* *15.5 Driveways within a site shall be at a maximum grade of 4:1 (H:V).* *15.6 Driveway design from the road pavement across the public footpath area shall be in accordance with Council's "Manual of Engineering Standards" and appropriate structural drawings.* *15.7 Driveways across the footway at the access point on the road reserve should be generally a maximum of 5 metres wide, although variation may be justified on turning and traffic safety issues.* *15.8 Driveways across the footway shall be sited to avoid street trees, kerb inlet pits and other services such as light/power poles.* *15.9 For developments other than single dwellings adequate vehicle manoeuvring area to Australian Standard AS 2890 shall be provided to enable vehicles to enter and exit the site in a forward direction.* *15.10 For developments other than single dwellings, vehicle driveways shall be clearly distinguished from pedestrian entries and paths through design, finish or location.* *15.11 On sites identified as Bushfire Prone Land under the Bush Fire Prone Land Maps endorsed by the New South Wales Rural Fire Service, access shall comply with the requirements of the document "Planning for Bushfire Protection 2006" (Planning NSW and Rural Fire Service).* *15.12 Vehicle car parking spaces and manoeuvring areas (not including a driveway providing direct vehicle access to a garage or carport from the street) shall not be located within the building line setback area.* *Car Parking:* *15.13 The minimum number of off-street car spaces shall be as follows:* *a. One (1) space for each one or two bedroom dwelling;* *b. Two (2) spaces for each dwelling containing more than two bedrooms;* *c. One (1) visitor space for the first three dwellings and one (1) space for every five dwellings thereafter or part thereof.* *15.14 A minimum of one (1) off-street parking space should be provided for each dwelling as a covered space in the form of either a garage, carport or within a secured basement parking area. The parking space(s) should be convenient and accessible to the dwelling which it services.* *15.15 Visitor car parking spaces should be freely accessible at all times and not located behind security gates or within secured basement car parking*	No changes are proposed to the existing driveway

	areas. *15.16 The minimum dimensions for car parking bays and aisles shall be in accordance with Figure 24.* *15.17 Garages should comprise minimum dimensions in accordance with Figure 25.* *15.18 Developments comprising up to two (2) dwellings may have the parking space(s) for both dwellings directly addressing and accessible from its street frontage.* *15.19 Developments comprising three (3) or more dwellings may have one (1) dwelling only with a garage/carport directly addressing and accessible from its street frontage of the development.* *15.20 Tandem (or stack) parking is permissible only where the garage for the dwelling has a direct frontage/address to a street. In this instance, the vehicle space on the driveway in front of the garage/carport can be calculated as part of the parking requirement for that dwelling but shall not be counted as a 'visitor' space.* *Accessible Car Parking (disabled users):* *15.21 Designated accessible car parking facilities shall:* *a. Be provided at the rate of one (1) accessible parking space for every adaptable dwelling;* *b. Be located as close as possible to the adaptable or accessible dwelling they are intended to serve or alternatively as close as possible to each accessible public entrance;* *c. Be linked to an accessible entrance to a building or to a wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover;* *d. Have a minimum width of 3.8 metres as shown in Figure 26. An overlap allowance of 500mm may apply when, parallel to the parking space, there is an adjoining walkway or similar surface which:* *• Is at the same level as the car parking space;* *• Is firm and level, with a fall not exceeding 1 in 40 in any direction;* *• Is not another car parking space;* *• Is not less than 1000mm in width.* *e. Have a minimum vertical clearance of not less than 2500mm and a minimum length of 5.5 metres as shown in Figure 26;* *f. Both the designated parking space and the continuous accessible path of travel shall be clearly signposted;* *g. The signage for the actual parking space shall be painted on the surface of the paved space and signposted at a height of not less than 1500mm centrally located at the end of the space;* *h. The provision of accessible parking shall be signposted at the entrance of the car park.*	
Control	**General Requirements**	**Proposed**
16. Views, and Visual and Acoustic Privacy	*Visual Privacy* *16.1 Overlooking of private open space and direct views between living area windows shall be screened or obscured using one or more of the following methods (as shown in Figures 27 and 28):* *a. Separation distance between windows of habitable rooms or balconies* *b. Separation by design* *c. Offset living room windows of opposing dwellings/units* *d. Splay windows to redirect sight lines* *e. Build to a boundary and avoid window openings* *f. Screen planting between units* *g. Fencing design or privacy screens* *h. Use of fin walls* *i. Planter boxes* *j. Louvre screens (vertical or horizontal)* *k. Pergola* *l. Change in level Acoustic* *16.2 Where no design techniques and screening (eg fences or walls) are proposed, openings of adjacent dwellings shall be separated by a distance of at least 3.0m.* *16.3 Site layout shall separate active recreational areas, shared parking areas and driveways, and service equipment areas away from bedroom areas of dwellings.* *16.4 Mechanical plant or equipment (eg. Air conditioning units) shall be*	No changes to views for adjoining neighbours. There will be no impact on Privacy and solar access to adjoining properties as well.

	designed and located to minimise noise nuisance. *16.5 Shared walls and floors between dwellings shall be constructed to reduce noise transmission in accordance with the Building Code of Australia.*	
17. Water and Energy Conservation	17.1 It is recommended that buildings be orientated with the main indoor and outdoor living spaces towards the north and north-east (the optimum orientation for indoor and outdoor living spaces are shown in Figure 20). 17.2 To the fullest extent possible, buildings should be insulated. 17.3 Buildings should include adequate thermal mass and windows located, sized and shaded to facilitate thermal performance. 17.4 Windows in west facing walls should be avoided. However, where not possible, west facing walls should be designed with windows fitted with appropriate shade structures and/or landscape screens. 17.5 Building design should, wherever possible, include a north facing roof upon which a solar hot water system or collector could be installed. The building's internal plumbing should be designed to facilitate the installation of such a system. 17.6 The design of the building should maximise the cooling potential of natural ventilation by providing breeze pathways through the building (refer Figure 32). 17.7 Shadow diagrams may be required for residential developments of two storeys and over in urban zones if, in the opinion of the assessing officer, they are required and for all residential developments comprising two (2) or more dwellings where ground level private open space is located in other than an "optimum" or "good" location as shown in Figure 20. The shadow diagram shall address the overshadowing impact of new development and also the impact from adjoining development against the criteria provided under 17.8 below. 17.8 Development within the categories specified under 17.7 above shall ensure that adequate solar access is provided to both existing development adjoining the project site as well as to the dwellings and their associated outdoor open spaces within the new development itself. In this regard: a. Development shall not reduce the sunlight available to windows of living areas that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (June 21); b. At least 50% of the principal area of ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%; c. At least 50% of the principal area of above ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%; d. At least 50% of the area of communal private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%. **Note:** Council reserves the right to request shadow diagrams with respect to single storey development if, by reason of the topography of the site, the nature of adjoining development and fencing, the orientation of the building or the design of the building, there is potential for significant loss of solar access to adjoining lots or to dwellings within the development itself.	Proposed conversion of shed/garage is designed in a way that existing is not affected in terms of ventilation & sunlight and overshadowing. Building materials will be energy efficient and environment friendly.
Control	**General Requirements**	**Proposed**

18. Stormwater Management	*18.1 Due to downstream flooding/capacity issues and for developments other than single dwellings, on-site detention of stormwater is required in accordance with Council's Manual of Engineering Standards, to restrict the discharge rate of stormwater runoff. The methods may include tanks (either underground or aboveground) or surface storage areas such as driveways or landscape depressions. The amount of storage volume required is subject to detailed calculation but may be estimated at 9 cubic metres per 1000sqm of site area.* *18.2 A detailed erosion and sediment control plan (ESCP) should be submitted with the development application. The ESCP should be prepared in accordance with the requirements of Council's Manual of Engineering Standards.* *18.3 Ultimate discharge for collected stormwater runoff should be to a street drainage system, to an interallotment drainage line, or by approval to a public area. The system should be gravity-drained. Pumping of stormwater is not permitted.* *18.4 The development site must be provided with an overland flowpath for the major storm event (1% AEP).* *18.5 Stormwater storage tanks with a capacity in excess of that required to meet BASIX criteria may be installed to provide for on-site stormwater detention. Council's Manual of Engineering Standards provides details for calculations and 'BASIX' relationships. These tanks, unless provided underground, must not be located within an area of principal open space. The area occupied by the tank must not be included for the purposes of calculating the required private open space at ground level for each unit.* *18.6 As a minimum requirement, a stormwater drainage "concept plan" shall be submitted with the development application. The plan should include:* *a. the pipeline/pit layout* *b. water storage means/area* *c. indicative levels at critical design points* *d. overland flowpaths including details of the means of capturing runoff from all impervious surfaces*	Existing dwelling exists on site and connects to an existing stormwater management
19. Security, Site Facilities and Services	*19.1 For developments proposing ten (10) or more dwellings a detailed 'Crime Prevention Through Environmental Design' assessment shall be prepared by an accredited person and submitted with the development application.* *19.2 Buildings adjacent to a public or communal space shall be designed to maximise natural surveillance, having at least one (1) habitable room window per dwelling facing that area.* *19.3 Low intensity lighting (eg. bollard lighting) shall be provided to all shared pedestrian paths, parking areas and building entries.* *19.4 Garbage or recycling areas, mail boxes and external storage facilities shall be sited and designed for functionality, attractive visual appearance and efficient and convenient use.* *19.5 Where agreed to by public utility service providers, services shall be co-ordinated in common trenching in order to minimise construction costs for underground services.* *19.6 Each dwelling shall be provided with direct and convenient pedestrian access to a public road.* *19.7 Where there is no direct pedestrian access from a dwelling's private outdoor open space area to the public roadway then the development shall be provided with a common garbage storage area readily accessible from within the site and serviceable from the adjoining road.* *19.8 The garbage storage area shall be designed so as to conceal its contents from view of the adjacent public space and/or other properties. It shall be provided with a water tap for wash down purposes and drained to connect to the sewer.* *19.9 Individual mail boxes shall be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site complying with the requirements of Australia Post.* *19.10 Open air clothes drying areas shall be provided for each dwelling with an aspect ranging between direct east to direct west (via north). The drying areas shall be located and/or screened such that they will not be visible from a street or public place. Each drying area shall comprise a minimum of 15.0 lineal metres of hanging line* *19.11 All services – reticulated water, sewerage, electricity and telecommunications (and natural gas where available) shall be installed to meet the requirements of the relevant service provider.*	Existing dwelling exist on site and no Changes/works are proposed.

C.10 – Subdivision

Control	General Requirements	Proposed
1. Title System for Subdivision	1.1 There are three main forms of subdivision and related land title in NSW, and the most appropriate form should be utilised depending upon the nature of the subdivision and any components or features which may require joint ownership and/or management. 1.2 **Conventional or Torrens Title Subdivision** This is the traditional or "single lot" form of subdivision, common in many residential estates. It applies to both "Old System" and "Torrens Title" on freehold land. Any buildings and structures erected on the land effectively become part of the land by definition. **1.3 Strata Subdivision** Strata subdivision is defined as "subdivision" in the Act, and requires Council consent. Strata subdivision can subdivide buildings and land into separate lots capable of individual ownership. Courtyards, other open space areas and garages may be included as part of a strata title lot. Anything not forming part of a lot in the strata scheme becomes common property owned and managed by the "Owners Corporation". The Corporation consists of representatives of the owners of the lots, and is responsible for the control and management of the common property (which can include the building itself in some cases) and for the keeping of financial records and other specified documents. Council will have regard to relevant provisions of the *Strata Schemes Act 1973* and the *Strata Scheme Legislation Amendment Act 1999* when considering applications for strata subdivision. **1.4 Community Title Subdivision** Community Title is a relatively new form of title created under the Community Land Development Act 1989 and the Community Land Management Act 1989. Community title provides individual ownership of lot s (with buildings and structures erected on the lots as in conventional subdivision) and a share in the association property. Association property is a lot in the scheme on which community facilities may be erected. Association property can include land for roads and driveways, swimming pools and other common facilities, common open space areas and common infrastructure facilities, such as water treatment plants and the like. A multi-tiered structure is possible through Community, Precinct and Neighbourhood Associations, with developments able to be undertaken in stages. Community Title subdivision can be particularly useful where individually owned lots are required, but where common property and/or facilities are desired or required by Council. An example of the latter may be where Council requires a watercourse in a rural residential scheme to be maintained and enhanced as part of the development proposal. All Community Title development applications must include a Management Statement which sets out the rules and responsibilities for running of the scheme.	The proposed subdivision of Lot 2, No. 8 Avalon Drive and Lot 1, No. 49 Spotted Gum Grove, into 3 approximately equal lots is intended to proceed under the Conventional (Torrens) Title Subdivision framework. This form of subdivision is the most appropriate due to the following reasons: The subdivision will result in three individual freehold lots with no shared infrastructure, open space, or community facilities that would necessitate joint ownership or management. All structures, including the existing shed/garage intended for home business use, are contained within individual proposed lot boundaries and do not form part of a strata or community arrangement. The conversion of the existing shed/garage into a home business will be carried out within the existing footprint and does not alter the title structure, ensuring compliance with Torrens Title principles. There is no need for common property, shared accessways, or facilities which would typically trigger the requirement for a Strata or Community Title scheme. Thus this aligns with Section 1.2 of the Maitland DCP C.10, as it involves a traditional single lot subdivision on freehold land with structures integrated into the land parcel itself.
2. Subdivision Design Process	*All applications for subdivision must be accompanied by evidence of a thorough* *Site Assessment, addressing the physical characteristics of the subject land and that land surrounding it which is likely to affect, or be affected by, its development. The site assessment should form the basis of the Statement of Environmental Effects (SEE) which must be submitted with every application, as required by the Environmental Planning and Assessment Regulation 2000.* *The information collected through site assessment is often best presented on a plan, accompanied where necessary by written information. However, written information alone, as part of the SEE, may be sufficient in some circumstances.* *The level of investigation required for a site assessment will vary depending upon the nature and size of the subdivision proposal and its location in the local government area. Pre-consultation with Development Assessment staff is essential.* *Following the Site Assessment, the design of the subdivision can be undertaken to suit particular site needs. For detailed Construction Certificate and Engineering Plan requirements, construction standards and Subdivision Certificate requirements applicants must refer to Council's Manual of Engineering Standards.*	The subdivision design process considered the physical characteristics of the land, existing infrastructure, vegetation, topography, and surrounding land use this can be seen in the Site Analysis Sheet. The proposed subdivision into three lots has been designed to respond appropriately to these site conditions, ensuring minimal environmental impact and efficient use of existing services. The layout maintains existing built forms where feasible, including the adaptive reuse of an existing shed as a home business on the original footprint.

3. Design Elements	This section of the chapter contains Council's requirements for each of the Design Elements to be considered in planning a subdivision. These requirements will be applicable to almost all subdivision applications. The Design Elements are broken down into three components: **a) Environmental Considerations (EC) –** pre-planning the subdivision design **b) Design Considerations (DC) –** subdivision design **c) Identity Components (IC) –** relating to gateway elements and the identification of the locality and its road systems through design and landscaping. **a) Environmental Considerations (EC)** **1. Flora and Fauna** - To protect remnant bushland, significant flora and fauna habitats and wildlife corridors from the impacts of subdivision and subsequent development. - To provide for the repair and enhancement of environmentally significant natural systems such as watercourses and drainage lines, and any part of the land that is already degraded through vegetation loss, soil erosion and the like. - To minimise the impact on vegetation of likely future development on the lots created, including clearing for dwelling and building sites, roads, access, fire prevention, provision of services and the like. 1.1 Areas of significant habitat must be protected. 1.2 Design subdivision layout to avoid significant stands of vegetation. Where the subdivision proposal affects significant stands of vegetation, lot layout and lot size must take into account the need to retain the vegetation and the impact of likely future development on the lots, including building envelopes, parking, access and other development requirements such as Asset Protection Zones. 1.3 Retain existing natural drainage lines and watercourses where practicable, revegetate where necessary and incorporate into open space areas (including pedestrian and/or cycleway corridors) or include in common property. 1.4 Provide link to existing vegetation corridors through open space provision and appropriate planting. 1.5 Lot boundaries should be located to incorporate the whole of any significant stand of vegetation that is not included in common areas. 1.6 Land title choices should reflect the need to protect and enhance vegetation. For example, Community Title may be appropriate where degraded areas need to be rehabilitated and maintained as part of the consent. 1.7 The location of all natural drainage lines, wetland areas and significant stands of vegetation are to be mapped. Any vegetation to be removed must be identified and quantified. The subdivision application is required to address appropriate mechanisms for retention and protection of native vegetation. 1.8 Where a subdivision proposal is likely to result in the loss of vegetation, or is likely to impact upon any environmentally sensitive area (such as a watercourse, wetland etc), it is to be accompanied by a flora and fauna assessment report prepared by a suitably qualified person. This report is to primarily address the 7 Part Test referred to in clause 1.7 of the Environmental Planning and Assessment Act, 1979, and the requirements of SEPP (Biodiversity and Conservation) 2021. As a result of this report a subsequent Species Impact Statement may be required. 1.9 Where environmental enhancement is required, a planting and vegetation management scheme is to be prepared and implemented, indicating the re- instatement or enhancement of vegetation in riparian areas adjoining water courses, major drainage lines, significant areas of native vegetation, habitat, or proposed vegetation corridors and land use buffer areas. 1.10 Planting should consist of species indigenous to the locality, and those which will enhance bio-diversity and provide wildlife habitat. Suitable species can be sourced from local nurseries, or seed collected from plants already growing in the area. Species and planting guidelines are available from Council and/or Greening Australia. <u>Rural and environmental zones (including land zoned R5 Large Lot Residential)</u> 1.11 New development is not to result in the removal of remnant vegetation. Subdivision design should incorporate native vegetation into the character of the development. 1.12 Significant areas of vegetation, existing or proposed vegetation/wildlife corridors, riparian areas, habitat, major drainage lines and land use buffers should desirably be contained in separate environmental buffer allotments with satisfactory provision made for their ongoing maintenance and management.	**Environmental Considerations:** Site planning responds to existing landform and drainage, avoids unnecessary vegetation removal, and ensures water quality is managed through appropriate lot layout and infrastructure. No site filling is proposed, and all lots will be connected to reticulated services. **Design Considerations:** The lot configuration reflects existing urban patterns, supports future dwellings with compliant setbacks and access, and maintains efficient vehicular access via existing roads. The existing shed to be repurposed complies with footprint restrictions and poses no environmental or visual impact. No new roads are proposed, and crime prevention and amenity are supported through clear lot boundaries and passive surveillance. **Identity Components:** Entry features are not proposed, as the subdivision does not meet the 50-lot threshold. Street naming is not applicable, with all lots accessed from existing roads. Lot numbering will be arranged through Council in accordance with their adopted policy.

1.13 Environmental enhancement may be required in areas that have previously become degraded, or are near areas of special conservation value or significant areas of native vegetation.

2. Heritage and Archaeolog

- protect heritage items, buildings with heritage significance and Conservation Areas.
- To ensure that heritage items, buildings with heritage significance and Conservation Areas are properly considered in the design of new subdivisions.
- To protect known and potential archaeological relics from damage or destruction as a result of subdivision works.

2.1 Clause 5.10 in the Maitland LEP 2011 and Parts C.4: Heritage Conservation and E.3: Heritage Conservation Areas in this DCP contain provisions which require investigation and protection of heritage items in certain circumstances. These provisions apply in some cases to subdivision and must be complied with.

2.2 Where a subdivision proposal affects any listed heritage item, the impact on the curtilage or immediate context of a heritage item must be evaluated in the Statement of Environmental Effects. Part C.4: Heritage Conservation should be considered to determine whether the preparation of a Character Statement or Statement of Heritage Impact is required.

2.3 Preparation of an Archaeological Assessment may be required where there is no previous investigative study, or where such study was so broad that Council is unable to reasonably predict the likelihood of European or Aboriginal sites of significance (such as a site that is the location of an Aboriginal place or relic, within the meaning of the National Parks and Wildlife Act 1974). If in doubt, applicants should consult with the NSW National Parks and Wildlife Service or Council.

Part C.4: *Heritage Conservation* provides information and requirements for Initial Assessments (to determine the need for an Archaeological Assessment) and Archaeological Assessments. Applicants should refer to this information, and must consult with Council staff prior to undertaking such work should an assessment be required.

It is an offence to destroy an Aboriginal Archaeological site without the consent of the Director of National Parks and Wildlife. Even where studies have been undertaken, if a place or relic is discovered during construction of a subdivision, all work in that area must cease until such consent is obtained. Similarly, the consent of the Heritage Office is required for destruction of significant non- aboriginal sites.

3. Hazards

To minimise risk to life and property from hazards such as bush fires, flooding, landslip, land contamination, salinity and acid sulfate soils.

- All new subdivisions are to be designed to provide adequate, safe access for future users.
- Each new lot created must have adequate site area/building envelope which is free from hazard and can accommodate future development on the site without costly site works on individual lots and without the necessity for loss of significant areas of vegetation.
- Buffer zones, exclusion zones and/or remediation works may be required by Council to ameliorate any or all of the below mentioned or identified
- Subdivisions must take account of any hazards identified in the Maitland LEP 2011 (such as acid sulfate soils), this DCP, or otherwise identified by Council or by Government gazette (e.g. unhealthy building land).

Site Specific Requirements:

Flooding

3.1 All lots within new residential subdivisions shall have safe access made available to satisfy Clauses 5.21 and 5.22 of Maitland Local Environmental Plan.

3.2 All new residential lots are to be wholly above Council's adopted flood standard (the 1% AEP or 1 in 100 flood event). Parts of the lot may be permitted below the adopted flood standard, where lot sizes have been increased to provide sufficient flood free area for erection of a dwelling and associated structures.

3.3 Rural subdivision in floodways is not permitted. Where part of the land may be affected by flood waters (such as back-water), all lots must have a suitable building envelope, above the 1% AEP flood standard, of sufficient size to allow development of improvements, with any required effluent disposal area, and must have safe flood-access to a public road. Specific provisions in the Maitland LEP 2011 and the

requirements of Chapter B.1: Hunter River Floodplain Management must be considered.

3.4 New industrial/commercial lots will generally be required to be flood free and free from other hazards.

Bushfire prone land

3.5 The development must comply with the NSW Planning for Bushfire Protection Guidelines.

3.6 A bushfire threat assessment must form part of all development applications for subdivision where the land is identified as 'bush fire prone land' on Council's map. The threat assessment is an integral part of the subdivision design, and affects lot shape, size, orientation and road layout. Bushfire protection measures have the potential to affect vegetation, fauna, views, watercourses, soil erosion, amenity and access.

3.7 Assessment of threat from bushfire must examine impacts of the proposal both within and external to the site, including the capacity of the existing road network serving the site to accommodate traffic in emergency situations.

Preparation of an assessment of threat from bushfire should include reference to:

- NSW Rural Fire Service (RFS) – Planning for Bushfire Protection – a guide for land use planners, fire authorities, developers and home owners
- Consultation with Council and RFS staff.

3.8 Fire protection measure must be capable of being maintained by owners and users.

3.9 Bushfire protection measures and Asset Protection Zones must be:

I. contained wholly within the site of the subdivision unless the most extraordinary circumstances apply;
II. capable of being maintained by owners and users;
III.
IV. located outside areas of ecological value and the buffers necessary to protect them.

Note: Asset Protection Zones may incorporate fire trails, perimeter roads, cleared road verges and fixed building lines.

3.10 The proposed measures to reduce risk of bushfire to an acceptable level should be achieved (for both the subdivision works and the resultant development) without significant loss of vegetation.

3.11 In instances where the balance between bushfire protection and environmental and social impact cannot be achieved, the proposal may not be supported.

3.12 To ensure effectiveness of the fire protections measures, restrictions may be placed upon the titles of the affected lots. These restrictions may relate to:

i. Habitable storage structures being excluded from within the FireProtection Zone.
ii. Level at which the fuel loading is to be maintained within the Fire Protection Zone
iii. Responsibility for and nature of maintenance of fire trail, hazard reduction and Fire Protection Zone.

Landslip

3.13 Where a subdivision proposal is on land identified as being subject to landslip, the applicant shall engage a geo-technical consultant to prepare a report on the viability of subdividing the land and, if viable, provide recommendations as to the siting and the type of buildings which could be permitted on the land.

3.14 All development applications for subdivision shall provide documentation to satisfy the requirements of the following policies. The provisions in these policy documents will be used by Council to determine if and how land must be remediated. Comments will be sought from the Environment Protection Authority, where required

i. The relevant State Environmental Planning Policies
ii. Maitland Council's Contaminated Land Policy,
iii. Managing Land Contamination Planning Guidelines (1998),
iv. The relevant NSW environment Protection Authority Guidelines-Guidelines for Consultants Reporting on Contaminated Sites.
v. National Environment Protection (Assessment of Site Contamination) Measures.

Geotechnical

3.15 Development applications for subdivision must include relevant assessment and geotechnical investigation regarding the potential for the presence of salinity and acid sulfate soils to determine if any specific measures are required. (Note: The Maitland LEP 2011 includes specific requirements with regard to acid sulfate soils).

b) Design Considerations (DC)

1. Lot Size and Dimensions

- To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.
- To provide diversity of allotments within the streetscape of each street block by dispersing different lot widths to achieve variety and avoid large concentrations of similar housing types in any one area.

Requirements:

- Part 4 in the Maitland LEP 2011 includes development standards for the subdivision of certain land. The standards are presented as minimum lot sizes and are depicted on the associated Lot Size Map. The minimum lot sizes vary between locations and land use zones.
- Council requires that all new lots are of a size and shape suitable for their future use. Matters for consideration, in addition to any minimum lot sizes that may apply, are the need to allow for solar access, on-site effluent disposal (if permitted), access and parking, location of ancillary buildings such as garages and sheds, vegetation retention and soil conditions.
- Where Part 4 in the Maitland LEP 2011 also regulates the development outcome on certain land by fixing maximum Floor Space Ratios and overall Building Heights, these provisions should also be considered in the design of the subdivision.
- Lot boundaries should follow natural features such as water courses and ridges (rather than cut across them) to minimise the potential for soil erosion
- Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses.
- Lot size and dimensions are to be suitable for the existing or proposed use, including any requirement for building envelopes, ancillary buildings, farm dams, access, parking, landscaping, solar access, provision of services and/or other requirement of any existing Council development consent.
- Lots should be rectangular in shape. Where irregular shall accommodate the minimum building envelope and setback requirements.
- Minimum lot frontage of 12.5m at the road frontage for rectangular lots.
- Minimum lot frontage of 10.0m chord length around sharp bends and culde-sacs to provide for access, service and garbage collection in accordance with Figure 2.
- Lot access adjoining roundabouts and center refuges/splitter island shall not provide access within 10m of the splitters/facilities. 88b restrictions should be provided.
- In assessing the re-subdivision of an existing lot, Council will have regard to the circumstances and planning rationale that formed the basis for the creation of the parent lot the subject of the application. This includes the consideration of any existing dwellings or structures on the land being assessed against relevant plans and policies.
- Subdivision proposals must not conflict with the requirements of any existing approvals.

Rural and environmental protection zones (including land zoned R5 LargeLot Residential

- Subdivisions are to be designed to maintain and enhance the rural character and scenic attraction of the Maitland local government area, particularly in low lying areas and valleys which may be viewed fromabove.
- Lots are to be designed to conserve prime agricultural land and/or agriculturally productive lands.

Site Specific Requirements:

Residential lot design

1) Provide a subdivision structure plan which reflects the site's opportunities and constraints
2) Provide a clear urban structure that promotes a 'sense of neighbourhood' and encourages walking and cycling both recreationally and for transport purposes
3) Ensure the design of any proposed residential subdivision considers natural landform features including outlook and proximity to public and communityfacilities, parks and public transport.
4) Residential lots shall be able to accommodate a suitable building envelope with minimum dimensions of approximately 15m by 10m behind the building line.

Rural and Conservation zones (including land zoned R5 LargeLot Residential)

5) Each new lot shall contain a building envelope with a minimum area of 2000 square metres and a minimum dimension of 20 metres, to be flood free in a 1% AEP event, and free of significant vegetation, significant topographical /natural features, and more than 40 metres from a watercourse. The building envelope is to contain any dwelling, outbuildings, landscaping and on-site effluent treatment and disposal areas.

6) When calculating lot size area where battle-axe or hatchet shaped allotments are permitted, the area of the access handle is to be excluded from the area calculation.

Industrial and Commercial

7) Subdivisions of existing commercial developments must maintain compliance with any minimum floor space ratio contained in Maitland LEP 2011.

Access handles

8) Access handles and carriageways over them shall be in accordance with the table and associated notes below (Table 1 and Figure 1).

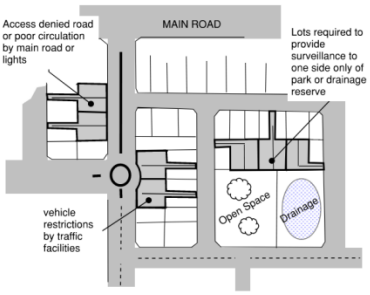

Figure 1. Indicative Arrangements of Battle-axe lots

9) No more than 2 lots may be serviced by a reciprocal right-of-carriageway (ROC) which shall be centrally located within both access handles.

10) Battle-axe lots without public frontage (i.e., road, park, reserve) are discouraged unless part of an integrated approval.

11) When calculating lot size area where battle-axe or hatchet shaped allotments are permitted, the area of the access handle is to be excluded from the area calculation.

12) Shared use handles are to be incorporated into the 10.0m chord frontage around sharp bends and cul-de-sacs to facilitate access width, parking and garbage collection. See Figure 2 and Table 1 below

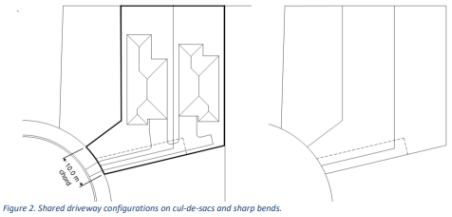

Figure 2. Shared driveway configurations on cul-de-sacs and sharp bends.

13) Access ways to hatchet shaped or battle axe lots will serve a maximum of 2 lots, have a maximum grade of 25% (4H:1V) at any point.

Table 1.

ZONING[1]	SINGLE HANDLE[2]	DUAL HANDLES[3]	PAVEMENT WIDTH[4]
Residential (R1)	4.0	(2x) 3.0 or (2x) 3.5 [5,6]	3.0 [7]
Residential (R5-V & X)	4.0	(2x) 3.0	3.0
Residential (R5-Y)	4.5	(2x) 3.0	3.0
Residential (R5-Z)	6.0	(2x) 3.0	3.0
Business (B) & Industrial (IN1)	6.0 or 8.0 [8]	(2x) 4.0	3.3 min or 6.0 [9]
Rural (RU)	6.0	(2x) 4.0	3.5

Notes:

1) For minimum lot size: V=2,000, X=5,000, Y=10,000, Z=20,000 and above
2) For a single allotment. Long or bent handles may require greater widths for passing
3) Each handle width for two adjoining lot handles, with a single driveway covered by a full-width reciprocal ROC.
4) For single lane. Note: concrete wheel strips can be provided for residential
5) Three metres (x2) permits vehicle passing within o/a 6m width for each residential zone. It is assumed regular conflict is unlikely and "give-way" will apply in residential zones.
6) Where lots are >600m2 (excluding handle), OR having potential for further subdivision or additional dwellings, adopt 3.5m each
7) Where lots have potential for high density development with regular traffic movements, adopt 5.5m, preferably as two carriageways with a 400mm grassed separation.
8) Increase to 8m where regular two-way conflict is likely.
9) Generally for one-way or minor two-way movements with "give-way". For twoway movements with regular traffic conflict 6.0m min should be provide

2. Solar Access and Energy Efficiency

- To encourage the design of residential subdivisions which maximise solar access, allow flexibility in the siting of future buildings to take advantage of a northern orientation, and minimise reliance on private car use.
- To maximise the number of dwelling allotments which have good solar access and which therefore optimise the design performance of energy smart homes, and to reduce reliance on private car use through adequate links to and provisions of, public transport, pedestrian and cycleway routes.

3.1 80% of new lots are to have 5-star solar access, and the remainder either 4 or 3 star

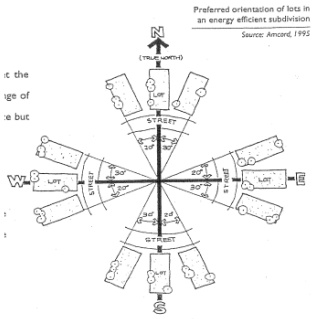

Figure 3. Lot Orientation

3.2 Lot sizes are to reflect reasonable consideration of the impact of topography, aspect and other constraints so as to maximize solar access.

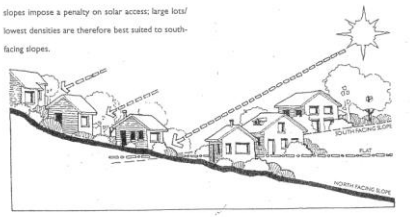

Figure 4: Slope and aspect affect shadows and possible dwelling density

3.3 Where possible lots should be oriented to provide one axis within30 degrees east and 20 degrees west of true solar north.

3.4 Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side of thedwelling.

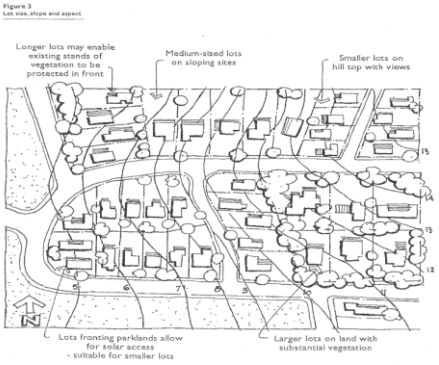

Figure 5: Lots size, shape and orientation to achieve maximum solar access

3.5 Proposals for street planting or open space planting are to take account of the potential for shading, provision of adequate solar access to dwellings, and if necessary, protection from winter winds.

3. Drainage, Water Quality & Soil Erosion

- To preserve natural drainage systems, where practicable, and to provide for the repair and enhancement of environmentally significant and/or degraded land.
- To retard the flow of water, above natural volumes, into the natural drainage system and mitigate impacts from stormwaterrunoff.
- To maintain and enhance the quality of water and catchment health.
- To minimise soil erosion and sedimentation by minimising landdisturbance and requiring control measures at the source.

3.1 Existing topography and natural drainage lines should be incorporated into drainage designs for larger proposals, and enhanced through provision of additional landscaping, detention areas, artificial wetlands and the like

3.2 Drainage from proposed lots should be consistent with the pre-development stormwater patterns. An analysis of the downstream drainage system, to the receiving area or waters, may be required.

3.3 Best management practices should be implemented to control runoff and soil erosion and to trap sediment on the subject land to ensure there is no net impact on down stream water quality. The quality of runoff water from the subject land should be the same or better than the quality of water prior to the subdivision taking place.

3.4 Where possible, design multiple use drainage and treatment systems incorporating gross pollutant traps, constructed wetlands anddetention basins.

3.5 The subdivision should be designed so as to minimise disturbance ofthe subject land especially in circumstances where there are topographical constraints.

3.6 Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilised and erosion controlled.

3.7 All trunk drainage is to be located in publicly owned land, (reserves), in open space land or in an appropriate easement.

3.8 Where the drainage impacts of the subdivision proposal cannot be limited to predevelopment stormwater levels by retention or other approved methods, drainage easements will be required over all necessary properties and watercourses. In such circumstances, the easement must be the subject of a signed agreement prior to issue of development consent. Such easements shall be created with, or prior to issue of the Subdivision Certificate

3.9 Where site topography in new residential subdivisions prevents discharge of storm water directly to the street gutter or a Council controlled pipe system, inter allotment drainage should be provided to accept run offfrom all existing or future parcels of land. The design and construction of the inter allotment drainage system should be in accordance with the requirements of Council's Manual of Engineering Standards.

3.10 Where inter-allotment drainage is required, easements having a general minimum width of 1.5m are to be identified on planssubmitted.

3.11 A soil and water management plan (SWMP) should be prepared by a properly qualified practitioner with the aim of minimising erosion and maximising the quality of any water leaving the site. Applicants should refer to Council's Manual of Engineering Standards.

4. Landscape, Streetscape & Visual Impact

- To maintain and enhance the existing rural character and landscape of the Maitland LGA.
- To create, maintain and enhance streetscape and minimise visual impact of subdivision proposals.

4.1 Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional landscaping and selection of other streetscape items including surface treatments and street furniture.

4.2 The visual impact of rural residential subdivisions must be consideredespecially in areas where they can be viewed from a distance or from above. Landscaped buffers may be required.

4.3 Submission of a Landscape Plan will be required for residential and rural residential subdivisions, indicating the location of street trees and any other required landscaping.

4.4 The developer will also be required to submit a detailed landscape plan for all reserve areas incorporating fencing detail and will be required to construct all fencing for residential and rural residential lots where the lots share a common boundary with a proposed public reserve. Fencing shall be carried out as an integral part of the subdivision works and will be required to be completed prior to Council releasing the relevant Subdivision Certificate. Council may require that the fencing be of open style/pool type depending on the topography and landscape character of the adjoining reserve. Where open style fencing is provided, the landscape design will need to demonstrate that the location of plantings is adequate to ensure a suitable level of privacy for the adjoining residential lots, reduce the visual impact of the fencing and improve the landscapequality of the reserve. Fencing shall comprise materials of darker colour/tones which blend more effectively with thelandscape.

5. Effluent Disposal

- Subdivisions are to be designed and located so that any effluent can be disposed of in an environmentally sustainable manner, with no adverse impact upon natural systems or adjoining/adjacentland.
- The sewage management system chosen will be the most appropriate to ensure the protection of the local environment and the health of existing and future populations

Residential lots

5.1 All new residential, industrial and commercial lots are to be connected to a reticulated sewerage system supplied by the Hunter Water Corporation or other approved supplier, unless there are unavoidable constraints.

5.2 Lot size and layout must be adequate to allow appropriate effluent disposal systems to be provided for likely subsequent development.

5.3 Effluent and wastewater should be disposed of in a manner which is consistent with the land capability of the property and in a manner that will not cause unhealthy or unsanitary conditions. There are to be no net cumulative effects on the environment.

5.4 Where sewer is not available in rural areas (including Large Lot Residential areas or environmental zones) lots must be of sufficient size and containing suitable and to ensure that all effluent can be retained and disposed of on-site. Comprehensive site investigation will be required prior to any approval being granted for on-site disposal.

Rural and environmental zones (including land zoned R5 Large Lot Residential

5.5 The preferred method of effluent disposal for all new lots is by way of reticulated sewerage system. This can include the use of a community package treatment plant if Hunter Water Corporation reticulation is not available.

5.6 Where a reticulated sewerage system is not envisaged in the long term, on- site disposal may be considered by Council. Detailed modelling will be required to assess the ability of land to accept the wastewater and consequently determine minimum lot sizes.

5.7 All subdivision applications in unsewered areas must include an analysis of the feasibility of utilising innovative or centralised sewerage schemes that reuse waste water wherever possible as an alternative to single on-site sewage management facilities.

5.8 Where areas of the site are unsuitable for on-site disposal, clustering of lots and provision of a common effluent system on a suitable area under a group title must be considered. On-site disposal where site characteristics are unsuitable will not be approved

5.9 No pump out systems will be permitted.

5.10 All studies must be undertaken by persons with demonstrable expertise in on-site effluent management and the capacity to incorporate catchment modelling techniques which are acceptable to Council.

6. Roads & Access, Pedestrian & Cycleways

- To provide a distinctive and hierarchical network of roads with clear physical distinctions between each type of road, based on public safety, function, capacity, traffic volumes and vehicle speeds;
- To provide a safe and appropriate level of access to all new lots created;
- To provide acceptable levels of access, safety and convenience for all road users, including pedestrians and cyclists;
- To provide access for emergency and service vehicles to all lots and enable the establishment of efficient and accessible bus/public transportroutes;
- To accommodate public utility services and drainage systems;
- To minimise road construction costs, energy demand, risk exposure and maintenance costs without compromising other objectives.

6.1 Road design should take account of the location of existing vegetation and other natural features and minimise loss of vegetation and soil disturbance through excessive cut and fill.

6.2 All of the components of residential streets (including kerbing, pavement type, and width, street tree planting, footpath paving, lighting, seating and the like) should be considered in an integrated approach to ensure that attractive, safe living environments are created.

6.3 Traffic control devices such as refuges, parking blisters, roundabouts, and on grade thresholds are encouraged to reduce traffic speeds in residential streets, but require separate approval from Council's Traffic Committee.

6.4 Road widths and geometry in all subdivisions must accommodate necessary service and emergency vehicles

6.5 Roads and access to public roads shall be designed and constructed in accordance with Council's Manual of Engineering Standards (MOES).

6.6 Direct vehicular access to classified roads such as the State highway, or main roads may be prohibited in favour of an alternative access arrangement subject to consultation with Council, and Transport for NSW (TfNSW).

6.7 Roads and intersections serving new rural and large lot residential subdivisions may require upgrading in accordance with the provisionsof Council's MOES.

6.8 Public transport infrastructure shall comply with 'Guidelines for Public Transport Capable Infrastructure in Greenfield Sites', including but not limited to:

- Opposing bus stops shall be spaced and located generally at 400m and accompanied with centre refuge and concrete parking lane blisters.
- Placed on departure side of refuge/crossings, and from intersections

- preference against parks/public land where possible.
- Vehicle access to lots shall be demonstrated, driveway construction and 88b restrictions may be warranted
- proposed stops shall be marked on sales plan to notify buyers
- Provide public stops with centre refuge and concrete blisters in parking lanes. Locate on lot boundaries but preference is against parks/public land where possible.

6.9 Public Road access is required to all new lots in Torrens Title subdivision.

6.10 Subdivisions must be designed having regard to network/hierarchy requirements and be designed and constructed to an appropriate standard for their intended use.

6.11 Detailed requirements for design, construction and sealing of roads shall be in accordance with Council's MOES.

6.12 On-street parking is provided on all streets for convenience and to contribute to surveillance and street life.

6.13 Road widths in Council's MOES are minimum design standards. Additional design requirements, above and beyond these minimum requirements would have to be accommodated within the subdivision design (I.e., road widening to comply with Planning for Bushfire Protection).

6.14 Create a permeable layout based on modified grid layout.

6.15 Cul-de-sacs and pedestrian laneways shall be avoided, where unavoidable cul-desac should be less than 200m in length and able to see the end bulb from the intersection. Greater lengths will require increased road widths and bulb radius.

6.16 Maximise connectivity to bus stops, community facilities, open space and attractors through orientation of street blocks and public land.

6.17 Orientation of street blocks is preferrable east-west, then north-south where exception requires. Exceptions are considered where slope exceeds 6%, trunk drainage, or where existing boundaries or roads prevent achievement. Refer to Figure 3.

6.18 Alternative block orientation may consider direct emergency/trunk routes and other amenity views to bushland, floodplain, community spaces and areas of interest nominated by council.

6.19 Land slopes of 6% or greatershall generally run downhill unless demonstrated that earthworks will be minimized for the development.

6.20 Roads shall provide surveillance and safety to items such as along drainage corridors, bushfire and flood plains, around public areas like parks and community lands (see DC.7)

6.21 Public parks shall be located on trunk roads for easy wayfinding and be surrounded by roads on 3 to 4 sides.

6.22 Intersection spacing shall follow best practice including:

- minimum 40m stagger of intersections on opposing sides, 60m on same side
- minimum 100m stagger on opposing sides, 120m on same side for trunk roads on trunk road,
- four-way intersections on trunk roads shall be roundabouts, T-intersections, or lights

Residential Subdivision

6.23 Street block lengths shall be a maximum length of:

- 180m desirable, 250m maximum for local streets]
- 180m for residential streets running parallel against trunk roads
- Generally 70m deep for residential

6.24 A network of constructed (i.e. not grass) footpaths and cycleways will be required in all residential subdivisions, located, designed and constructed in accordance with Council's Manual of Engineering Standards, and in view of streets wherever possible to allow surveillance

6.25 Particular attention should be paid to pedestrian links to schools,with regard to their width, lighting (to Australian Standard) and the appropriateness of landscaping and related safety issues.

6.26 The road, footpath and cycleway network should facilitate walking and cycling throughout neighbourhoods and provide links to schools, community facilities and other activity centres.

7. Crime Prevention – Safer By Design

- To ensure that Council does not approve subdivisions that create orexacerbate crime risk or community fear

7.1 Clear sightlines between public and private places.

7.2 Landscaping that makes places attractive, but does not provide offenders with places to hide or entrap victims.

7.3 Dense vegetation or structures should not be located beside bicycle routes or pedestrian walking paths. A safety convention is to have 3-5 metres of cleared space on either side of pathways and bicycle routes. Pedestrians feel more comfortable sharing wide paths than narrowpaths.

7.4 Natural surveillance should focus on orientation of buildings and strategic use of windows, balconies, entrances, permeable fencing and street design. Tactical location of living areas, workstations, offices and recreation areas help surveillance opportunities.

7.5 Lots created should be designed so buildings face outwards towardspublic and semi-public areas to provide natural surveillanceopportunities.
7.6 Lighting of public places such as public streets, car parks and pedestrian areas should meet the relevant Australian Standards. Effective lighting reduces fear and can increase community activity. The types of lighting should also be considered (different lights are used in different situations).
7.7 Council may require a report from a suitably qualified lighting engineer for lighting of public areas within subdivisions.
7.8 Design subdivision layouts with clear transitions and boundaries between public and private space. This can be achieved through landscaping, natural barriers such as waterways or topographic features and by the use of gates, bollards and fencing
7.9 In some cases public areas may need to have restricted access, particularly at night, to prevent vandalism and anti-social behaviour

8. Site Filling

- To ensure the environmental impact of site fill is properly assessed.

8.1 Earthworks require development consent of Council under the provisions of the Maitland LEP 2011, unless either exempt or complying development.
8.2 Where site filling is necessary or proposed, the materials used and extent and depth of fill must be detailed in the development application for the approval of Council prior to issue of a Construction Certificate. Council will take into account the provisions of AS 3798-1990, which provides guidelines on the specifying, execution and control testing of earthworks and associated preparation works within commercial and residential developments
8.3 An absolute maximum fill depth of 2m will be considered by Council.

9. Reticulated Services (Water/Sewer/Electricity/ Telecommunications)

- To provide appropriate utility services to all new lots in an efficient, coordinated and cost-effective manner, and to restrict subdivisions that create unreasonable or untimely demand for the provision or extension of services, having regard to ecologically sustainable development (ESD) and to ensure minimal environmental impact

Water and Sewer

9.1 Reticulated water and sewer supply is required for all new urban lots (residential, commercial, industrial) in accordance with the requirementsof the Hunter Water Corporation
9.2 Council's preference is for all new large residential lots (including land zoned C4 Environmental Living) to be connected to reticulated sewer. This can include the use of a community package treatment plant if Hunter Water Corporation reticulation is not available. If no reticulated sewer, effluent disposal to be undertaken in accordance with requirements contained in "Effluent Disposal" Design Element below. Submission to Council of a Section 50 Certificate from the Corporation prior to issue of Subdivision Certificate (Endorsed "linen" plan).

Electricty

9.3 Underground low voltage electricity supply to all new residential lots (including land zoned C4 Environmental Living) to the requirements of Energy Australia or other approved electricity provider, unless Council and provider determine that overhead supply is permitted due to floodliability of land or the land fronts a road supplied by existing overhead electricity reticulation.
9.4 For industrial and commercial lots, underground electricity supply shall be provided to all new lots, to the requirements of Energy Australia or other approved electricity provider, unless Council and the provider determine otherwise.
9.5 Low voltage electricity supply must be available to the boundary of all new rural lots in accordance with requirements of Energy Australia or other approved provider.
9.6 Pad mounted substations, if and where required, should be placed within pedestrian walkways, behind landscaped screens or otherwise sympathetically treated to reduce visual impact.
9.7 Written evidence from the provider that installation of all services is complete and meets requirements must be submitted to Council prior to issue of the Subdivision Certificate;

Street Lighting

9.8 Street lighting shall not be provided for low-density residential subdivisions, unless special circumstances (consistent withAS1158) warrant installation.
9.9 Street or road lighting shall not be provided for ruralsubdivisions.

Telecommunications

9.10 Telephone connection to be available to all new lots in accordance with the requirements of Telstra or other approved provider.
9.11 All new low-density residential lots (including land zoned C4 Environmental Living) to be capable of draining to the street frontage or to an inter-

	allotment drainage easement (see also "Drainage and Water Quality" Design Element below). **c) Identity Components (IC)** **1)Entry Features** This section applies to any structures such as masonry walls, earth embankments and any other landscaping feature intended to identify subdivisions. Such features are typically established in pairs at the entry to residential precincts may also be incorporated into industrial and commercial subdivisions. The features typically display the name and/or the logo of the estate. - To ameliorate the potential cumulative visual impact of entry features and to regulate issues such as their location, size and life span. 1.1 Entry features will only be considered and approved with the development application for subdivision and all details should be included with the detailed landscaping plans. 1.2 Entry features will only be permitted in conjunction with residential subdivisions of 50 lots or more. Entry features for industrial and commercial subdivisions will be considered onmerit. 1.3 Entry features shall be limited to one pair at the primary entrance to a new subdivision. 1.4 Entry features can only display the name of the estate NOT street names. 1.5 Entry features shall only be located on privately owned land. 1.6 Entry features for residential subdivisions shall be limited to a size of20m2 with a maximum height of 2m. The size of entry featuresfor industrial and commercial estates will be considered on merit 1.7 In certain circumstances the erection of entry features may be considered at a later stage but must comply with the guidelines. **2) Street Names** - Proposed street names must be submitted to Council for approval in accordance with Council's policy at the time of lodgement of the development application. Street name signs will be required at the junction of any roads in the subdivision in accordance with Council's Manual of Engineering Standards **3) House/ Lot Numbering** - Council supplies a number for all new urban and rural lots created, and has an adopted policy in this regard. A fee applies for thisservice.	

6. CONCLUSION

Development consent is sought for Proposed Conversion of Existing Shed/Garage into Home Business & Proposed Subdivision (2 into 3 Lots).

The proposal is permissible with consent and is consistent with the relevant development standards and controls and their overarching objectives as stipulated in MLEP 2011 and MDCP 2011 respectively.

Given the above, it is requested that Council grant development consent for the proposal.