

Statement of Environmental Effects

DA1 Residential Subdivision

Anambah Urban Release Area

Submitted to Maitland City Council
on behalf of DB20 Pty Limited



Prepared by Ethos Urban, a Colliers Company.

10 June 2025 |



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

In March 2025, Ethos Urban took a major step toward future growth by partnering with leading professional services firm, Colliers. While our name evolves, our commitment to delivering high-quality solutions remains unchanged—now strengthened by broader access to property and advisory services and expertise.

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B. DA1 Lot Layout Plan	GCA Engineering Solutions
C. Hunter Water Stamped Plans	GCA Engineering Solutions
D. Landscape Plans	Terras
E. DCP Compliance Table	Ethos Urban
F. Stormwater Management and Flooding Report	GCA Engineering Solutions
G. Estimated Cost of Development	Corbett Scott QS
H. Geotechnical Assessment	EP Risk
I. Preliminary Site Investigation	EP Risk
J. Traffic Impact Assessment Report	Stantec
K. Biodiversity Advice Letter	MJD Environmental
L. Riparian and Vegetation Management Plan	MJD Environmental
M. Bushfire Assessment Report	Bushfire Hazard Solutions
N. Aboriginal Cultural Heritage Assessment Report	GML Heritage
O. Lot Width Analysis	Ethos Urban
P. DA1 Aboriginal Heritage Assessment Memo	GML Heritage

1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Maitland City Council in support of a Development Application (DA) for the proposed subdivision development (the Proposal) within the southern part of the Anambah Urban Release Area (AURA), in Anambah, NSW.

The DA seeks consent for the Proposal including:

- Subdivision of parts of Lot 2 DP 1110433, Lot A DP 431640 and Lot 1 DP 1110433 into 173 residential lots (ranging in size from 450m² to 750m²), 2 super lots, 1 drainage reserve, plus residue land - constructed and delivered in up to four stages;
- Bulk earthworks, regrading and vegetation removal (limited) including the establishment of temporary stockpiles of excess materials for future reuse;
- Road infrastructure including sections of sub-arterial road, a roundabout and a local road network and dedication of public roads;
- Stormwater management (including a basin and section of riparian corridor to be rehabilitated under a Riparian Vegetation Management Plan); and
- Associated landscaping, pathways, utilities, street lighting, bushfire management (including gated secondary accesses and temporary asset protection zones over pastures) and other typical works associated with subdivision.

This SEE has been prepared by Ethos Urban on behalf of DB20 Pty Ltd and is based on the Plans of Subdivision provided by GCA Engineering Solutions (see **Appendix A**) and other supporting technical information appended to the report (see **Table of Contents**).

This report describes the site, its environs and the Proposal, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment. The application is recommended for approval given the following reasons:

- The Proposal is consistent with the aims and objectives of the Maitland Local Environmental Plan 2011 (MLEP) and the Maitland Development Control Plan 2011 (MDCP) as well as the relevant State Environmental Planning Policies (SEPPs);
- The Proposal will facilitate the future development of increased housing supply in an area currently undergoing a transition from rural land uses to low density residential development;
- The Proposal will realise the first part of development by DB20 Pty Ltd for the planned urban release area, known as the Anambah Urban Release Area (AURA);
- Supporting technical studies which accompany this DA confirm that the environmental impacts associated with the proposal are generally positive and will not give rise to any adverse impacts;
- Any potential environmental impacts associated with the Proposal can be appropriately mitigated; and
- The Proposal is suitable for the site and is in the public interest as it supports housing in a growing regional area supported by appropriately sequenced enabling infrastructure.

1.1 Integrated Referrals and Referrals

This application requires referrals with other State agencies and departments under the *Environmental Planning and Assessment Act 1979* (EP&A Act) and other Environmental Planning Instruments (EPIs). As such, the Proposal is 'integrated development' in accordance with section 4.46 of the EP&A Act. Specifically, the following referrals are required to seek General Terms of Approval associated with:

- A controlled activity approval (CAA) issued by the NSW Natural Resources Access Regulator (within the Department of Industry) is required in accordance with Section 91 of the *Water Management Act 2000* (WMA 2000), as the proposal is within 40 metres of a water course;
- A bushfire safety authority issued by the Commission of the Rural Fire Services (RFS), in accordance with Section 100B of the *Rural Fires Act 1997*, as the site is mapped as bushfire prone land.
- An Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the *National Parks and Wildlife Act 1974* is to be obtained across the entirety of the AURA owned by the proponent of this DA. This has been agreed in principle with Heritage NSW and triggered by this first DA. Refer to the ACHAR prepared by GML (**Appendix N**).
- Referral to Ausgrid pursuant to Section 2.48 of SEPP (Transport and Infrastructure) 2021 is required, as the proposal involves the placement of power lines underground.

It is noted that the site contains mapped key fish habitat at its northern boundary. Site surveys undertaken by MJD Environmental (see **Appendix K**) confirm that due to the condition of the watercourse, a permit under Section 219 of the *Fisheries Management Act 1994*, should not be required as the watercourse does not constitute key fish habitat

Other referrals that may be made by Council are to the relevant authorities and service providers of utilities, including to Ausgrid to assess the provision of electrical infrastructure, Telstra and to access the provision of telecommunications infrastructure, and Hunter Water for water and sewerage services.

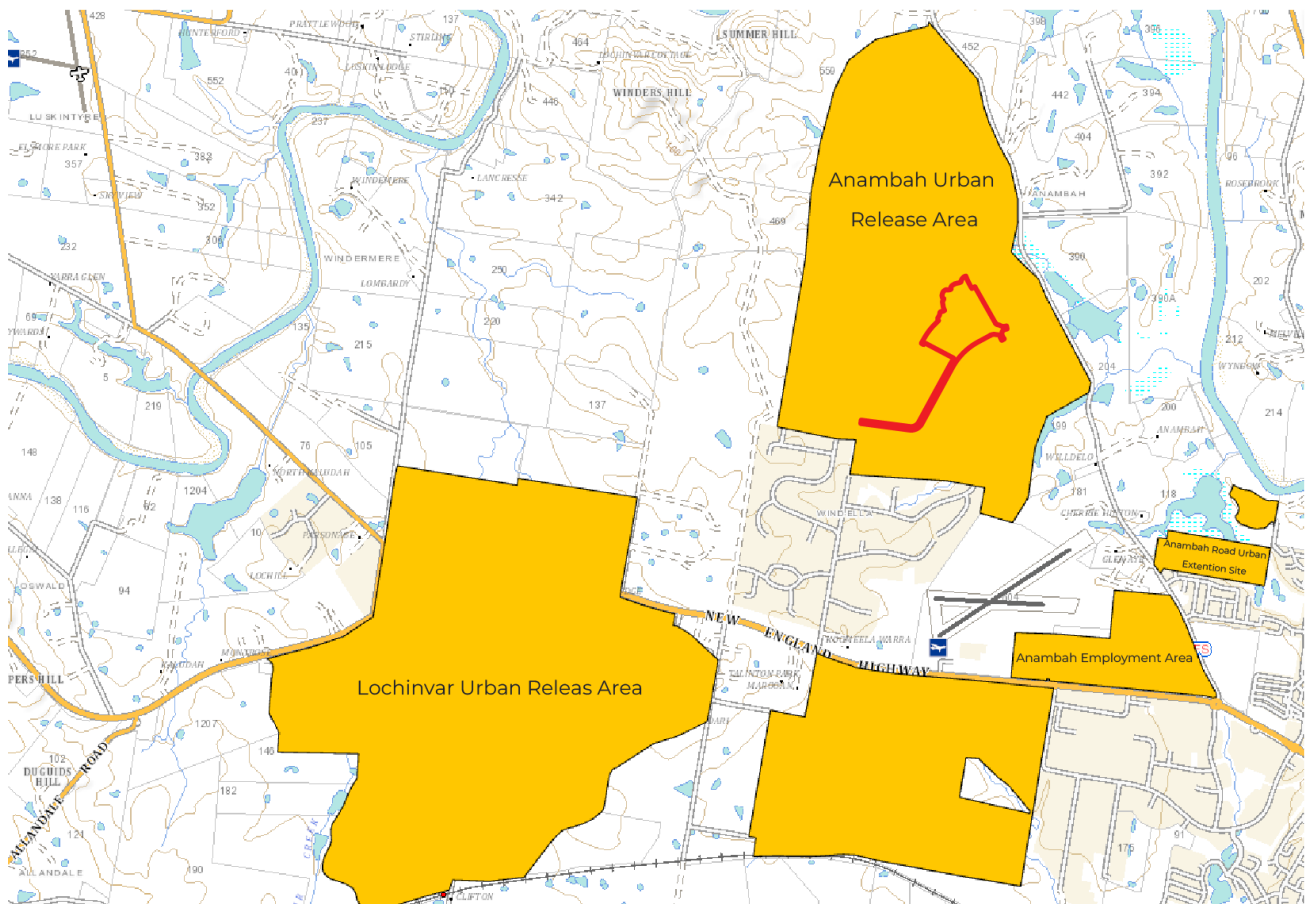
2.0 Background

2.1 Anambah Urban Release Area

The Proposal will form the first DA (DA1) for residential subdivision on DB20 Pty Limited landholding and is sited within the southern part of the Anambah Urban Release Area (AURA) as shown in Figure 1 below. The locality is currently transitioning from primarily rural farmland and rural small holdings to increasing residential and urban land uses, through progressive development of the Lochinvar Urban Release Area (LURA) to the south-west, and as strategically planned at AURA.

AURA is a strategically significant urban release area within the Maitland Local Government Area which will provide additional housing supply to accommodate the growing population of NSW. The site was rezoned in December 2020 to facilitate the development of a new residential community over a 15 to 20 year period. An expected 3,500 to 4,000 dwellings are proposed across the entire AURA, including a range of lot sizes and densities. This will be supported through the establishment of a local centre, public open spaces, new roads, riparian, drainage and stormwater, utilities and associated works including landscaping.

The context of AURA in relation to other growth areas such as LURA is shown in Figure 1 below. Part of the area between LURA and AURA is identified for investigation for urban purposes and the wider locality sits within the Anambah to Branxton Regionally Significant Growth Area.



 DA1 Approximate Extent of Works

Figure 1 Urban Release Area Map

Source: MLEP 2011, Ethos Urban

2.2 Consultation and Pre-DA Meeting

2.2.1 Access and Urban Structure

The applicant has undertaken extensive strategic and pre-application consultations with Council, State agencies and utility providers over at least three years to inform this Proposal. These discussions have focused on existing planning requirements, a previously publicly exhibited urban structure for AURA as it relates to DB20 Pty Limited landholdings and discussion on any contemporary updates or matters for consideration. Consultation has included access and urban structure considerations, including traffic distribution and a road and active transport movement network, supported by key road cross sections and intersections, along with open space and recreation opportunities. The objective of the extensive consultation has been to inform this Proposal so that it can align with and contribute to the broader planning for AURA.

Key principles identified during those consultations include:

- AURA has been planned to connect to the east (Anambah Road) at two locations and to the west towards Wyndella Road, with connection to the formed section of River Road to the south limited for temporary emergency access only. The western road towards Wyndella Road is to provide flood free access for AURA.
- Two primary north-south road links have been identified (an eastern one past the local centre and sportsfields and then centrally along River Road northwards and then in a north-western loop), supported by a series of east/west road links, including a sub-arterial road through the southern section that will traverse from west to east and include intersections with the north-south trunk road network.
- Together, these trunk roads provide a structure to a resilient and permeable trunk road network, suitable for bus route planning and part of an active movement network including provision for cyclists.
- Certain roads will ultimately carry larger traffic volumes which will require a selection of typical and unique road cross sections and key intersection treatments to serve AURA.

- A unique sub-arterial road cross section has been agreed for ultimate AURA requirements, that includes 13m pavement, no access to residential lots on one side, and a widened verge on that side that provides widened street tree canopy allocation, a 3m dual directional cycleway and a 1.5m footpath. As relevant to this proposal, this applies to the southern east-west sub-arterial road and will also apply to extensions northwards. At key intersections of the sub-arterial road network, two lane circulating roundabouts will be warranted to service ultimate AURA requirements.
- Sections of the lineal degraded primary watercourses through the site are to be retained and rehabilitated, and a linear movement network for pedestrians and cyclists (in addition to the road network), in conjunction with linear public open space nodes, are key opportunities.
- Where neighbourhoods are most distant from the linear network, public open space areas will be desirable. A consolidated 1ha park has been identified in the southern catchment and is to be supported by a strong pedestrian and shared path link to connect it towards the lineal network.
- Sportsfields and active recreation will be consolidated into the open space zoned lands identified to the east of the town centre.
- To further support active movement, in addition to shared pathways and footpaths, a 3m wide cyclist only route is desired, including an east-west connection integrated into the southern most lineal corridor, and then otherwise northwards past the sportsfields and further north.

Council have advised that a draft AURA Area Plan will be finalised and publicly exhibited during 2025, and that an AURA Local Contributions Plan is also under preparation. Assessment against that draft Area Plan can be provided once it is available. A letter of offer has been made to Council to support the Proposal.

The Proposal will connect to a new public road west through to Wyndella Road to provide permanent flood-free access earlier than previously identified and connection to the regional road networks (separate activities by the applicant). The Proposal is sited to connect to lead in utility infrastructure (per approved servicing strategies) and deliver sections of an ultimate road hierarchy and active transport network (that have a function well in excess of the Proposal) that can be extended through progressive future development for AURA. Whilst the Proposal is subject to very low risk of bushfire, two secondary accesses (gated) are included as part of a resilient response to bushfire planning to support initial development until the ultimate AURA road network is delivered.

At the time of determination, it is anticipated that Council will be satisfied that:

- all statutory requirements of Maitland LEP 2011 are met and
- the applicant is capable of achieving the necessary steps to allow the access for traffic and satisfy relevant statutory tests, such that a condition requiring these steps to be completed prior to registration of the first residential lot is appropriate.

2.2.2 Pre-DA Meetings

There have been two specific pre-development application meetings held with Council to discuss this DA, on the 13 February 2025 and 1 May 2025. Tables 1 & 2 below provides summary the key matters raised and provided by Council and outlines how these matters have been addressed as part of this DA.

Pre-DA Meeting 1 – 13 February 2025

Table 1 Council Pre Lodgement Commentary

Item	Council Comment	Comments
1.	On Review of the submitted documentation the following matters for consideration are raised	
Compliance with Maitland Development Control plan		
a)	Council's comprehensive DCP is anticipated to be reported to the elected Council for exhibition in April 2025. With reference to the 3-month lodgement timeframe expressed by the applicant, it is anticipated that the comprehensive DCP will be exhibited by the time this DA is lodged. It is requested this application consider the revised controls where relevant. Whilst Council acknowledges the difficulty of preparing an application pending revised controls, Council staff are currently restricted as to the information and controls able to be shared with the applicant at this time. In lieu of specific controls, high level comments on subdivision design have been provided throughout this document.	A draft city wide DCP and updated Manual of Engineering Standards is currently on public exhibition. A high-level review of the Proposal has been completed against the Draft DCP to ensure a level of consistency with the revised controls is accommodated, noting the DCP is to be adopted prior to it being a formal matter for consideration.

Item	Council Comment	Comments
Analysis of surrounding area		
b)	Analysis of surrounding area – noise Odor, pollution traffic, contamination, stormwater, views.	Noted. This has been responded to as part of the SEE and consultant reports provided.
Vegetation		
c)	Street tree layout should add to the character of the area, create continuous canopy at maturity, shade footpaths and help reduce urban heat island impacts.	The street tree design provided within the landscape plans (Appendix D) provide an extensive canopy throughout the development which provides shading along each street. Proposed street tree planting adds to the character of the area.
Lot Design		
d)	Proposed lot dimensions and building envelopes are considered acceptable. Block lengths shall be limited to 240m maximum. The internal road running parallel to 'Green Street' and 'TR2' should include adequate pedestrian connectivity by including road stubs that extend to the boundary of 'Green Street' and 'TR2'. Small lot product should be closest to amenities (transport, shops, parks, schools), wider lots terminate streets to encourage landscaping, larger lots provided at corners, so they are either anchoring the corner, landscaping the corner or changed into dual occupancies and addressing both streets. Reduce excessive fencing alongside roads which results in poor amenity for future residents.	Noted. The Proposal was amended and discussed at the second pre-DA meeting. The Proposal Plans (Appendix A) have since been updated to show adequate road and pedestrian connectivity including road stubs.
Lot orientation		
e)	Lot orientation - Lot orientation should be optimised for solar access and to capture the desirable prevailing winds.	Noted. The proposed lots are generally orientated to the northwest to optimise solar access and desirable prevailing winds across the site, whilst being guided by the required road network, slope and earthworks, and the watercourse features.
Recreation spaces		
f)	Council concurs with the applicant's suggestion to hold further discussions regarding the linear park and stormwater drainage infrastructure. Following further preparation of engineering documentation, a second pre-lodgement meeting can be held to address this area of the subdivision in greater detail.	Refer to second pre-DA meeting (1 May 2025) response further below.
Dedication of land		
g)	Any land to be dedicated to Council (including SWD basins, roads, etc) must be clearly notated on development plans.	The proposed roads will be dedicated to Council as public roads and shown on Plans. A proposed drainage reserve is to be dedicated to Council is shown on the proposed plans.
Staging		
h)	Clear details of staging and infrastructure delivery, i.e. reticulated water and sewer, electricity, stormwater drainage, access, It would be of benefit to Council to understand the relationship between this application and intended future DAs/stages	The proposal will be undertaken across up to four stages. Information regarding the delivery of stormwater infrastructure at the site has been prepared by GCA Engineering Solutions at Appendices A, B and F . The basin

Item	Council Comment	Comments
		to service all four stages is proposed as part of Stage 1. Staging has been designed to limit the need for temporary turning, with a single temporary turning area required with Stage 1 only. The delivery of utilities and infrastructure is described at Section 4.8 . The proposal will connect water, sewer and electrical infrastructure that is subject to separate activities with those utility authorities. Lead in water and sewer design to service this Proposal is per approved servicing strategies and is under design.
2. Bushfire		
a)	The proposal does not appear to comply with Planning for Bushfire Protection 2019 (PBP 2019). Table 5.3b (PBP 2019) – Subdivision of three or more allotments have more than one access in and out of the development. Secondary road connection will be required. Suggest the applicant utilise the NSW RFS Lodgement Service. Especially where alternative/performance based solutions are intended to be sought. Council will be guided by NSW RFS in relation to this.	A Pre-DA Design Brief was prepared and lodged with the RFS as recommended by Council. The solutions including access are documented in the Bushfire Assessment (Appendix M).
b)	No APZ or bushfire protection requirements are to be within land to be dedicated to Council (reserves & drainage basins).	Noted. No APZ or bushfire protection requirements is proposed over reserve or basin land to be dedicated to Council.
c)	Pre-DA Application Form is available for download on NSW RFS website or by calling 1300 679 737	A Pre-DA Design Brief was prepared and lodged with the RFS as recommended by Council. A Bushfire Assessment is included at Appendix M . A response has not been received yet from the RFS.
3. SEPP (Resources and Energy) 2021		
	Consideration shall be given to Clause 2.19 - Compatibility of proposed development with mining, petroleum production or extractive industry of the SEPP, noting proximity to quarries in Gosforth and Anambah. Commentary within the SOEE should suffice given the subject site may sit outside of the buffer area. However, consideration should be given to surrounding and adjacent land uses for the purpose of broader site context, nonetheless.	This is assessed at Section 5.2.1 , the DA1 site is not located within the buffer area of either quarry and therefore satisfies consideration under this SEPP.
4. Servicing		
	Clause 6.2 of the MLEP 2011 requires Council to be satisfied that public utility infrastructure is available, or adequate arrangements have been made to make the infrastructure available, when it is required. As such, the development should be supported with a Notice of Arrangements from Hunter Water Corporation confirming development can be connected to reticulated water and sewer. Consideration shall be given to infrastructure upgrades, logical sequencing and any other impacts associated with essential service installation. Referral to Ausgrid will be undertaken during the assessment process, pursuant to Clause 2.48 of SEPP (Transport and Infrastructure) 2021.	Agreed. The Proposal has been to Hunter Water and a Notice of Requirements and stamped plans has been issued (Appendix C) which confirm the site can be connected to reticulated water and sewer and what the applicant is required to have in place to secure a Section 50 Compliance Certificate prior to lot registration. Referral to Ausgrid is noted, and we anticipate a response will confirm adequate arrangements have been made to make the infrastructure available.
5. MLEP		

Item	Council Comment	Comments
	<p>The development application is to demonstrate compliance with all relevant clauses in the MLEP 2011. Particular consideration should be given to the following clauses:</p> <ul style="list-style-type: none"> • 5.21 Flood planning • 7.4 Riparian land and watercourses • 7.8 Subdivision of land in Zone R1 in Anambah Urban Release Area <p>Please note that the cap on small lot yield is a clause in the MLEP 2011 and therefore any change to this would require an amendment to the MLEP 2011. The small lot cap serves a purpose in ensuring adequate access, servicing, open space, etc, is suitable for AURA. Allocation of the 400 lots throughout the entirety of the AURA will be determined based on the provisions of Clause 7.8 and a merit-based assessment. It is acknowledged that this application proposes to create super lots only, with small lots to be created under a separate application, however the applicant shall consider the URA wide cap on small lot housing to ensure that super lots reserved for this product is appropriately apportioned as to not exceed 450 small lot cap pursuant to this clause.</p> <p><i>(3) Development consent must not be granted to the subdivision of land that would result in more than 1200 lots being on the land to which this clause applies unless the consent authority is satisfied that—</i></p> <p><i>(a) persons residing on the land will have suitable and safe road access to the New England Highway via Wyndella Road, and</i></p> <p><i>(b) the road will be appropriately located.</i></p> <p>It is acknowledged that the applicant is delivering the Wyndella Road upgrades and subsequent lead-in road (western road link) upfront. The western road link will be the main access point for the applicant's land holding. The western road link will be the main access point for the applicant's land holding. The applicant acknowledged that the development application would need to be conditioned to ensure the western road link is delivered prior to the issue of a subdivision certificate for the first allotment.</p>	<p>Each of the relevant clauses of the MLEP have been considered below in Section 5.2.2. The Proposal satisfies each of the requirements of the LEP.</p>
6. Temporary stockpiling		
	<p>The applicant advised that temporary stockpiling of excess fill, for use by future subdivision stages in the landholding, would likely be sought. Council agreed this can be incorporated into the subdivision DA (provided excess is not being stockpiled onsite for use outside of the AURA land holding) and requested details be provided in the SOEE and bulk earthworks plan.</p>	<p>The Civil Plans at Appendix A indicate the location of proposed temporary stockpiles during construction.</p>
Strategic Planning Advice		
	<p>Strategic Planning are progressing a revised draft DCP covering the Anambah Urban Release Area which is expected to be publicly available following exhibition of the comprehensive DCP referenced below.</p>	<p>Noted.</p>
	<p>Precinct Plans are required to be prepared. It is recommended that these plans be prepared and submitted prior to the lodgement of any development application to enable internal review and exhibition of the precinct plan. It should be noted that the adoption process may hold up the DA assessment and determination timeframes.</p>	<p>Noted. A draft precinct plan will be prepared that includes the site and be provided to Council during assessment of the DA. Whilst not provided, the applicant has proactively considered how this Proposal fits within and contributes to AURA and its surrounding interfaces. The relevant considerations that will be documented in a Precinct Plan have been actively considered during design and preparation and no issues of substance are expected.</p>
	<p>Strategic Planning are in the final stages of preparing a new comprehensive Development Control Plan. The DCP will be reported to Council for exhibition in April 2025, with adopted expected by the end of the financial year.</p>	<p>Noted.</p>

Item	Council Comment	Comments
	A development contribution plan is also under preparation by the Strategic Planning department. The timing of exhibition and adoption is not currently known. It is noted that Roche have submitted a Letter of Offer to enter into a Voluntary Planning Agreement for the delivery of lead-in works to support the release of the URA. Negotiations for the VPA between Council and Roche are ongoing.	Noted.
	In the absence of a development contributions plan or Voluntary Planning Agreement, Council is unable to accept the dedication of recreation land which is not currently included within the above Letter of Offer. If the land is to be dedicated via a VPA, it is recommended that you discuss the content and format of any Letter of Offer with Council's Principal Development Contributions Planner. Please be advised that current Council policy recommends a deferred commencement for DA's where the VPA is not finalised prior to determination.	Noted.
Engineering Advice		
1.	Consideration shall be given to Bushfire requirements, including perimeter roads, non-perimeter roads, on street parking and a second point of access to the development. The Bushfire Threat Assessment should clearly identify what roads are perimeter roads and any alternative solutions proposed.	Noted. The bushfire assessment (Appendix M) has considered bushfire requirements and these are incorporated into the Proposal.
i)	Bus transport and stop locations to be shown on plans. Ensure a maximum 400m walking distance to the nearest bus stop from any lot within the subdivision.	The lot layout plan (Appendix B) identifies two bus stops will be provided on either side of TR2 Road which will provide future public transport route within 400m walking distance for the majority of lots within the subdivision.
j)	'Green Street' is to be a minimum 11m carriageway, which considers the minor/major grid layout and the overall function of the road.	The Civil Plan and DA1 Layout Plan (Appendix A and B) have since been updated to include a 11m carriage way.
k)	Any necessary Intersection treatment for 'Green Street/TR2' will be assessed during the DA stage in accordance with the Transport Impact Assessment, MOES, Austroads and other Industry standard documentation.	Noted, A standard intersection is proposed other than a threshold is included to recognise the crossing of the dual direction cycleway in the road verge.
l)	Dwelling density may have an impact on road typologies. This will need to be considered at DA stage. Subsequently, the applicant needs to consider anticipated super lot density, with the understanding that it may affect road typologies.	The proposed super lots have dual frontages to access denied roads (with on street parking) and to internal local roads, The local roads are suitable for the potential dwelling density. (Appendix J).
m)	Further details to be provided to facilitate safe road crossing points for dedicated cycleway and shared paths, with particular reference to TR2.	As described in Section 1.1.1 .
n)	Include an overall view of the intended dedicated cycle routes throughout the URA and how this subdivision stage ties in with these.	The Civil Plans (Appendix A) have been updated to provide dedicated cycle routes.

Item	Council Comment	Comments
o)	Incorporate Local Area Traffic Management (LATM) devices throughout the subdivision to decrease vehicle speeds and increase safety for all road users.	The Proposal incorporates several LATM devices.
p)	Stormwater quality and quantity must be addressed. DRAINS & MUSIC modelling to be provided with lodgement of DA.	This was discussed at the second pre-DA meeting and has been addressed as part of the Stormwater Assessment Report at Appendix F .
q)	Further discussion is required around the design and location of detention & water quality facilities of which will occur once the applicant has undertaken preliminary modelling to determine required basin size.	This was discussed at the second pre-DA meeting and has been addressed as part of the Stormwater Assessment Report at Appendix F .
r)	Details of utility servicing and locations of trunk mains are to be provided. Additional road verge widths may be required for these in addition to internal reticulated servicing.	Noted. Utility servicing has been considered by GCA as part of the civil design and road cross sections. This has been addressed on the civil plans at Appendix F .

Ecology Advice

1. BDAR Requirements

Unlikely to trigger the requirement for a BDAR unless riparian vegetation is found to be native and requires removal. Also need to consider grassland native/exotic composition.

BDAR is not required for the site as confirmed in Biodiversity Advice Letter at **Appendix K**.

2. Key Fish Habitat

KFH mapped across site. Third order stream in particular will need assessment. First and second order don't generally need to be assessed, however there is a proviso that habitats that might otherwise be excluded (e.g. first and second order streams) but are known or likely to be habitat for listed threatened species, populations or communities are always included. This aspect will need to be addressed in the assessment.

Assessment of key fish habitat at the site has been addressed as part of the Biodiversity Advice Letter at **Appendix K**. Due to the condition of the watercourse (second order), a permit under the *Fisheries Management Act 1994* is not required.

3. Landscape planting

Any landscape planting that borders natural areas (e.g., the linear park) must ensure appropriate native species are incorporated to reduce indirect impacts on environmental land.

Must ensure landscape plantings are accurately incorporated into bushfire assessment.

Vegetation management plan and Landscape Plans (**Appendix D**) confirms the use of endemic planting to revegetate the entire basin area and interface areas. The Bushfire Assessment (**Appendix M**) has incorporated proposed vegetation management and landscaping into its assessment.

4. Riparian restoration

Current DCP requires VMP and includes the following key objectives:

1. Recreate the original vegetation that was present prior to disturbance (a preliminary assessment shows this is mostly forested wetland).
2. Achieve a low maintenance state within 5 years or prior to being handed over to council.

A draft Riparian Vegetation Management Plan has been prepared in accordance with the DCP and is included at **Appendix L**. As above.

A performance bond will be conditioned to ensure targets of VMP are met. Must ensure mature VMP vegetation is accurately incorporated into bushfire assessment.

Item	Council Comment	Comments
External Referrals		
	<p>The application may be referred to the following external agencies for comment:</p> <ul style="list-style-type: none"> • NSW Rural Fire Service – Recommended the applicant consult with RFS prior to lodgement. Refer to Planning Advice – Point 2, above. • NSW Water – Controlled activity approval, works within 40m of watercourse. • DPI Fisheries – Noted may not be nominated integrated dependant on further ecological investigations. • Heritage NSW - Applicant advised that extensive consultation has been undertaken to date. HNSW preference is for GTAs to be issued for entire land holding, with specific areas of interest identified and associated requirements triggered dependant on the applicable stage. • Ausgrid – Advisory referral pursuant to SEPP (Transport and Infrastructure) 2021. • Mindaribba Local Aboriginal Land Council. 	Noted. The referrals required are noted above in Section 1.1 .

Pre-DA Meeting 2 – 1 May 2025

Table 2 Pre-DA Meeting 2 – Council Commentary

Pre-DA Meeting 2		
Planning Advice		
1.	This document should be read in conjunction with the Pre-DA Meeting Minutes from the initial pre-lodgement meeting, dated: Thursday 13th February 2025.	Noted.
2.	<p>In response to the initial DA meeting, amended plans have been provided inclusive of the following:</p> <ul style="list-style-type: none"> a. Adjusted road network connections to sub-arterial road and introduction of accessway stub for pedestrian connectivity to green street - to provide <240m street block lengths b. Updated location of development lots for future re-subdivision (small lot and/or standard) to suit adjusted road network (reduction to 2 super lots, with depths of 30 & 32m, access denied on one side). These are considered appropriate located to the active movement network and within proximity to future parks, shops, and potential school). c. Green Street pavement increased to 11m pavement d. Additional detailing of pedestrian refuges, bus stop, and LATM blister and intersection thresholds e. Concepts between perimeter road and centreline of watercourse/dam including: <ul style="list-style-type: none"> i. Basin sizing and concept basin and stormwater layout, informed by stormwater modelling, including GPT, maintenance access pads and tracks ii. Provision of 20 x 90-degree parking bays off perimeter road (in lieu of parking on basins side of perimeter road for PBP2019 acceptable solution) iii. 3m cycle only path (section) including integration with concept basin design iv. 2.5m wide lineal shared path f. Updated watercourse stream order and riparian channel base (in addition to previously endorsed defined low flow channel banks) due to new riparian assessment, with calculation of inner and outer VRZ extents. 	Final plans at Appendix A and B remain consistent with these changes, other than further design development resulted in the consolidation of stormwater management into a single basin for this Proposal, a refined area proposed for Vegetation Management and adjustment to ten x 90 degree parking bays. Land that adjoins the perimeter road is not required for the drainage reserve is residual land and will be retained in DB20 ownership pending future development applications
3.	Lot sizes, frontages and block lengths are considered acceptable. Council noted that some allotments feature an irregular shape due to block and road configuration. It is recommended that subdivision plans show	The proposed irregular shaped allotments are a suitable size to accommodate a future dwelling as indicated within the Civil Plans at

Pre-DA Meeting 2

building envelopes on irregular shaped allotments, to demonstrate compliance with MDCP controls.

Appendix A. Building envelopes have not been shown.

4. The applicant queried the draft DCP controls regarding lot variation requirements. It was acknowledged that when considered block-by-block, the proposal would require a variation to this control. The applicant provided justification for this variation, noting that their URA land holding will provide substantial lot variation being guided by Clause 7.8 of the MLEP and varied zones. It was recommended by Council that the applicant provide written justification for any DCP non-compliance in the Statement of Environmental Effects to accompany the DA. Any DCP non-compliance exceeding 20% variation requires determination by the elected Council, pursuant to the General Manager's Delegations.

The lot size and mix of the development has been assessed, with adequate justification of non-compliance provided in **Section 5.0** of the SEE.

Community and Recreation

5. The applicant confirmed that the proposed linear park is not intended to contribute to open space offset. However, it is acknowledged that the linear park will contribute to the overall open space and recreation network.

Further design development since the meeting resulted in the consolidated of stormwater management into a single basin for this Proposal and a refined area proposed for Vegetation Management as part of a proposed drainage reserve. Land that adjoins the perimeter road that is not required for the drainage reserve is residual land and will be retained in DB20 ownership pending future development applications and provisions or otherwise for lineal park land dedication and embellishment. An opportunity for a small seating area, near the parking bays and off the edge of a shared pathway, is shown on landscape plans for Council's consideration.

6. The proposed linear park is not designed to contain a playground or 'node'. However, minor recreation equipment (park benches, exercise equipment) will likely be provided at intermittent points along the proposed shared pathways.

As above, this is further demonstrated in the landscape plans attached at **Appendix D**.

7. Green Street will provide pedestrian connectivity between the linear park area and 1ha park directly south of the subject site. It is noted that the 1ha park is to be included in a separate, future, application.

As above, the provision of a linear park area is deferred to future development applications. Notwithstanding, the green street link is provided.

8. Canopy plantings are encouraged in the linear park area, where possible. Council's Engineer has advised that canopy planting in the upslope of the basins is acceptable. The applicant acknowledged that canopy planting will be provided in the linear park area, with consideration of bushfire and topography constraints.

As above, the provision of linear park area is deferred to future development applications. Notwithstanding, the Landscape Plan (**Appendix D**) and Vegetation Management Plan (**Appendix L**) illustrate that considerable canopy planting will be provided around the basin, along shared paths and to the perimeter road edge consistent with bushfire and topography constraints.

9. It was recommended that the applicant provide draft plans for the linear park area (including any recreation infrastructure, landscape plantings, etc) for detailed consultation and feedback from relevant Council officers, prior to lodgement of the development application.

As above, the provision of lineal park area is deferred to future development applications. The landscape plans provided at

Pre-DA Meeting 2

Appendix D provide the proposed design for pathways and landscape plantings, and minor seating areas. Opportunities to incorporate a lineal and open space park node will be explored and discussed with Council in the area not proposed to be dedicated as a drainage reserve within this application, as part of future applications.

Engineering Advice

- | | | |
|-----|--|---|
| 10. | It is acknowledged that the applicant has provided amended plans following Pe-DA Meeting 1 and direct consultation between Council's Engineer and the applicant's consultant. The amendments made address majority of the engineering related comments from the initial PreDA. | Noted. |
| 11. | A three (3) tier retaining wall, with overall height of 3m, is proposed adjacent to the SWD basin. It is requested the height of this retaining wall be reduced (to a maximum of 2m where possible). Alternatively, the applicant should explore opportunity for fencing and / or greater separation from the proposed footpath. | Further design development resulted in the consolidation of stormwater management into a single basin for this proposal, and deletion of the need for a three-tier retaining wall. The height of the proposed basin retaining wall has been reduced to reflect these comments, as illustrated in the Civil Plans (Appendix A). |
| 12. | The applicant has proposed parking along perimeter road, adjoining linear park area. Council has no objection to this parking area, subject to compliance with the Australian Standards. It was suggested that 45-degree angled parking could be explored. | The applicant has explored the option of providing 45 degree angled parking, however 90 degree angled parking is considered the most suitable for the proposed road network to facilitate use from traffic in either direction. |

Ecology Advice

- | | | |
|-----|---|--|
| 13. | The riparian restoration is to result in sound biodiversity outcomes, with due consideration given to ecologically suitable canopy cover and understory. Bushfire requirements and riparian vegetation should be considered concurrently to ensure optimum outcomes for both constraints. | The draft Riparian Vegetation Management Plan (Appendix L) appropriately responds to the provision of suitable canopy cover and understorey for the riparian restoration. |
| 14. | Similarly, the linear park area should employ suitable canopy cover where possible. | As above. |

3.0 Site Analysis

3.1 Site Location and Context

The location of the Proposal sits within the suburb of Anambah, in the Maitland Local Government Area (LGA). Anambah is located within the Hunter Region and is located approximately 4 km northeast, 5 km west of Rutherford and 38 km northwest of Newcastle. The site's locational context is shown at Figure 2.

The Proposal forms part of the broader Anambah Urban Release Area (AURA) and will be accessed via Wyndella Road off New England Highway. New England Highway is part of a primary route which connects the Upper Hunter with Maitland and Newcastle, which is also now catered for by the Hunter Expressway and links developed and planned towns across west Maitland.

The urban release areas of Lochinvar (LURA) and Anambah (AURA) reflect the area's current transition from primarily rural land uses to an increasing focus on residential and urban land uses. Both these urban release areas are recognised in the Maitland Local Strategic Planning Statement 2040+ (LSPS) as key contributors to the supply of greenfield housing for the Greater Newcastle area. This is supported through the Maitland Housing Strategy 2041 which identifies specific areas for urban growth along the New England Growth Corridor that will contribute to housing supply in the area.

The site's locational context is shown at **Figure 2**.



Figure 2 Locational Context Map

Source: Nearmaps, Ethos Urban

3.2 Site Description

The Proposal forms the first DA of subdivision for DB20 Pty Limited landholdings within AURA. The site for the purposes of this development application is identified in Figure 3. It covers an area of approximately 22.8 hectares and is irregular in shape. The extent of the Proposal is located across part of three lots legally identified as Lot 2 DP 1110433, Lot A DP 431640 and Lot 1 DP 1110433. The land is owned by DB20 Pty Limited.

An aerial photo of the site is shown at **Figure 3** below.



▬ DA1 Extent of Works
 ▬ Secondary Access Points
 ▬ AURA Zone Boundary
 Ⓢ NOT TO SCALE

Figure 3 Site Aerial Map

Source: Nearmap, Ethos Urban

3.3 Surrounding Development

The site is encompassed by a combination of current rural and grazing land. The surrounding context of the site can be described as follows (as shown in **Figure 4** below as well):

- **North:** Directly north of the site is a riparian corridor identified as a second order watercourse. Further north of the site is primarily rural land which makes up the central and northern balance of the AURA and includes land zoned as R1 General Residential, E1 Local Centre and RE1 Public Recreation, established for future development. Further north of the site is the Riverbend Quarry, located in Gosforth and the Hunter River.
- **East:** To the east of the site is land zoned as R1 General Residential, C4 – Environmental Living, and Anambah Road. Further east of the site is primarily rural land containing single detached dwellings and the Hunter River floodplain. A water dam used for farming activity in the area is located to the east of Anambah Road.
- **South:** South of the site is Windella, a large lot residential estate zoned R5 – Large Lot Residential, and New England Highway, a State Road. To the southwest of the site is Lochinvar Urban Release Area (LURA), which is currently transitioning to low-density residential uses. Further south are primarily rural land uses as well as pockets of bushland. To the further south of the site are employment areas (including developed employment lands and lands zoned for employment lands).
- **West:** The remaining portion of the AURA to the west consists of rural land zoned for R1 General Residential for future development. Moving even further west, the area is zoned as C4 Environmental Living and RU2 Rural Landscape.

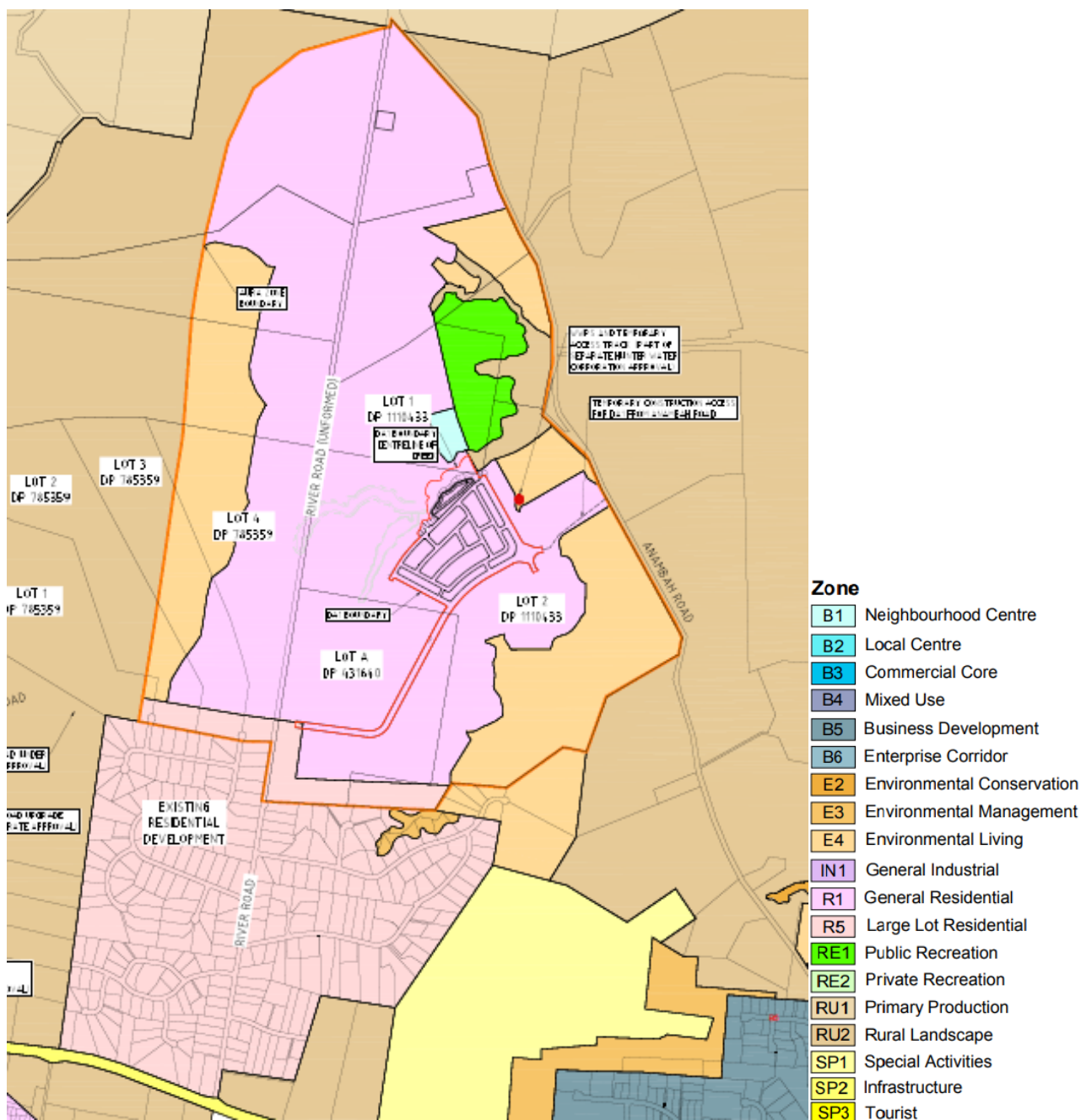


Figure 4 Current zoning surrounding the DA1 site (outlined in red)

Source: GCA Engineering Solutions

3.3.1 Topography

The site's topography features gentle to moderate slopes, with elevations ranging from around 28m to 42m AHD from the southwest to the northeast. Surface runoff follows the site's contours, flowing towards the onsite dams and creeks located in the northern and northeastern parts of the site.

3.3.2 Geology and Soils

The site is underlain by the Lochinvar Formation comprising Permian aged basalts, siltstone, and sandstones.

The site is located within the Kurosol and Tenosol soil order. The site's soil landscapes are part of the Branxton soil landscape which comprises undulating low hills and rises with many small creek flats, extending over a large area between Singleton and Cessnock. This comprises of Yellow Podzolic Soils on midslopes with Red Podzolic Soils on Crests. Yellow Siloths occur on lower slopes and in drainage lines. Alluvial Soils occur in some creeks with Siliceous Sands on flats with large valleys.

The Branxton Soil Landscape covers undulating low hills and rises with many small creek flats, extending over a large area between Singleton and Cessnock. The main soils are Yellow Podzolic Soils on midslopes with Red Podzolic soils on crests. The Rothbury Soil Landscape covers undulating and rolling low hills south and south-east of Singleton. Red Podzolic Soils occur on upper slopes with Yellow Podzolic Soils on midslopes. Yellow Solodic Soils and brown Soloths occur on lower slopes. There are Prairie Soils in the drainage lines.

The site is not located within a Mine Subsidence district. The site is located within Class 5 of Acid Sulfate Soil classification.

3.3.3 Hydrology

An ephemeral watercourse runs across the northern boundary of the site in an east-west direction (see Figure 5). The watercourse does not intersect any of the planned roads in this Proposal. There are two catchments on the site, with the northern catchment typically flowing into an unnamed second order tributary, and the southern catchment flowing into an unnamed first order tributary. These watercourses generally flow into the Hunter River through existing culverts under Anambah Road.

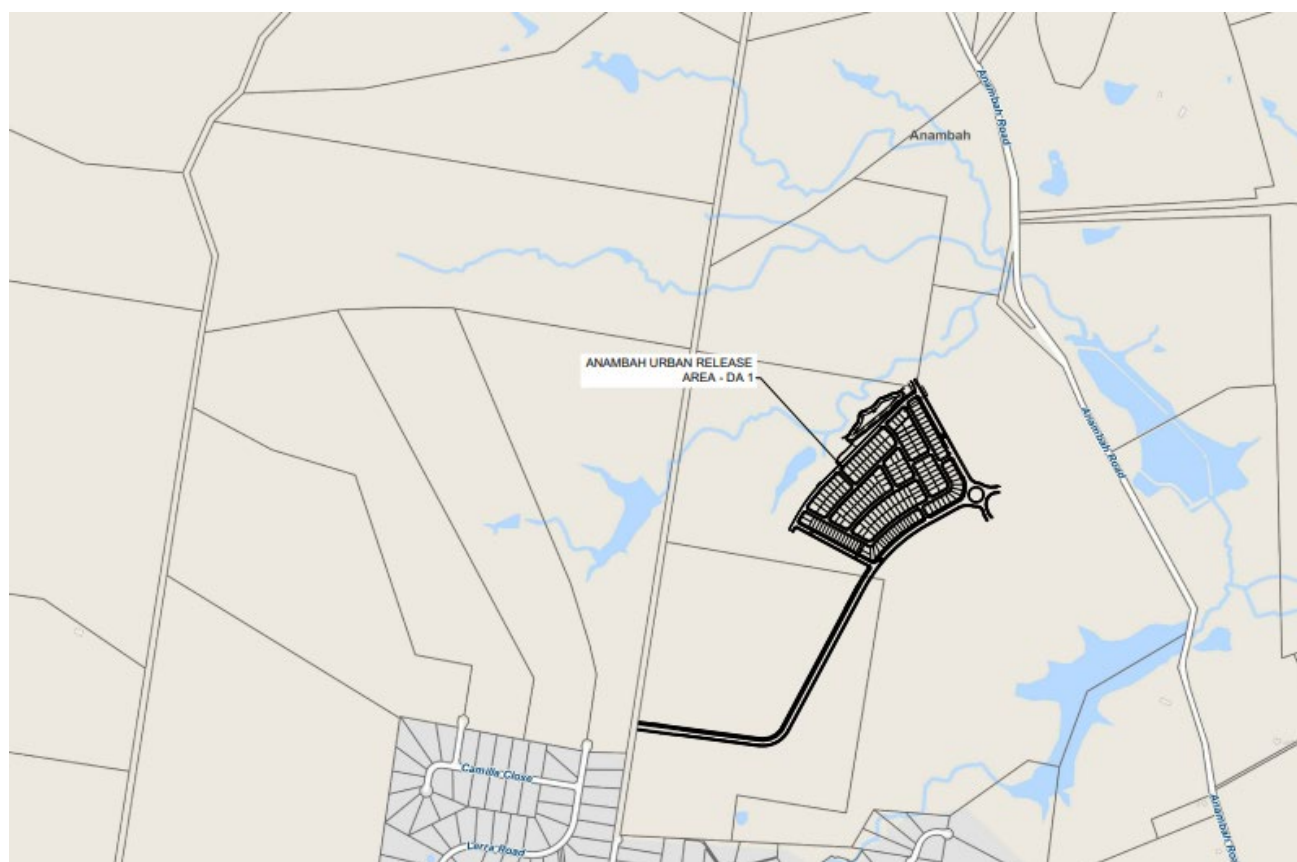


Figure 5 The Proposal and surrounding watercourses

Source: GCA Engineering Solutions

The Hunter River Branxton to Green Rocks Flood Study (WMA Water, September 2010) indicates that the locality is prone to flooding from localised rainfall events, while areas further northeast are affected by flooding from the Hunter River. Part of the DA1 site sits within the 1% AEP Flood level of 19.9m AHD as shown in **Figure 16**.

3.3.4 Vegetation

The remnant native vegetation present on site exists in a managed state consisting of grazed pasture with limited to no vegetation except for a single eucalypt tree of poor health (located to the east of the proposed works). Assessment of the site concludes that the site predominately consists of exotic grass species and there are no extant plant community at the site. The current land use has resulted in the modification of native vegetation present, impacting the structure and floristic composition of vegetation present.

4.0 Description of Proposed Development

This DA seeks approval for the following

- The subdivision of parts of Lot 2 DP 1110433, Lot A DP 431640 and Lot 1 DP 1110433 to deliver: , across up to four stages
 - 173 standard residential lots
 - 2 super lots
 - 1 drainage reserve (including basin, riparian rehabilitation area and pathways)
 - Dedication of public roads
- Site earthworks and grading for final residential lots, landscape shaping, boundary interfaces and roadway levels including removal of vegetation;
- Design and construction of infrastructure, including:
 - Internal local roads and intersections including a roundabout;
 - Pedestrian walkways, shared paths and cycleways;
 - Road reserve and landscaping;
 - Stormwater drainage infrastructure;
 - Provision of utility infrastructure;
 - Inter-lot and basin retaining walls;
 - Bushfire management including gated secondary accesses and temporary asset protection zones over pastures.
- Associated landscaping including street tree planting and basin, pathway and drainage reserve planting.
- Riparian rehabilitation.
- Temporary stockpile (for future use of excess material within DB20 Pty Limited landholdings).

The proposal is illustrated in the appended plans including:

- Concept Civil Plans prepared by GCA Engineering Solutions at **Appendix A**;
- DA1 Lot Layout Plans at **Appendix B**
- Landscape Plans at **Appendix D**;
- Draft Riparian and Vegetation Management Plan **Appendix L**

A range of easements will be required prior to lot registration (including inter-allotment drainage) and any provisions required to limit lot access (other than pedestrian access) to boundaries facing access denied verges, as well as temporary asset protection zones.

Future dwellings on the site will be subject to either development applications or complying development certificates at a future date – no dwellings are proposed as part of this DA.

A civil plan of the Proposal is shown at **Figures 6 and 7** below.

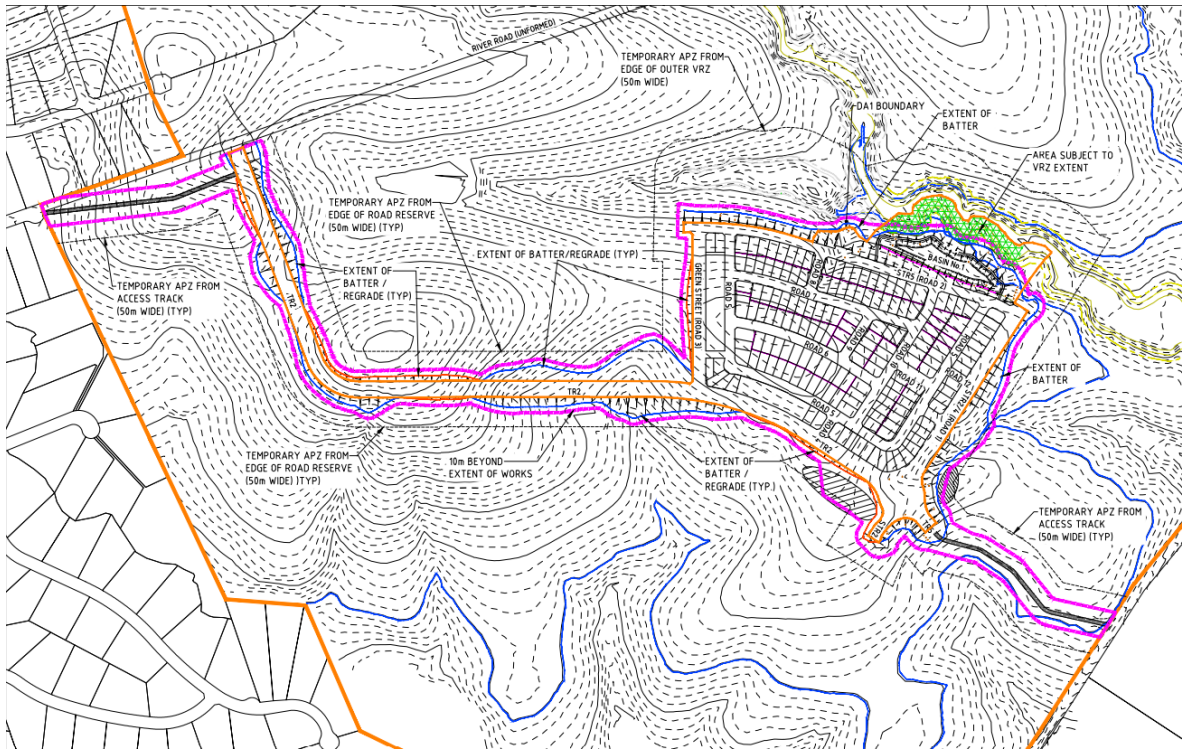


Figure 6 Extent of Works Plan

Source: GCA Engineering

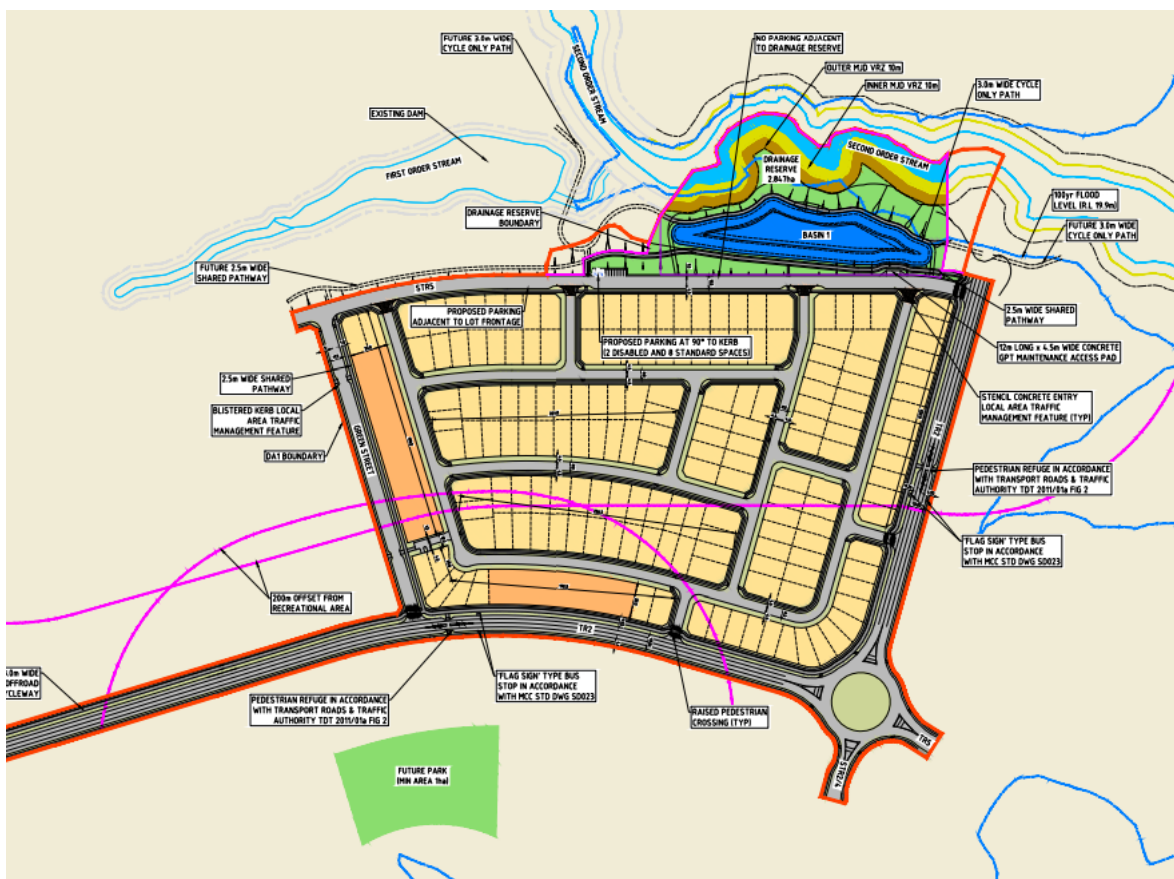


Figure 7 DA1 Subdivision General Arrangement Plan

Source: GCA Engineering Solutions

4.1 Subdivision and Lot Mix

The Proposal includes the creation of 173 Torrens title allotments, primarily for the purposes of residential development with two super lots (to be the subject of future subdivision). This also includes a lot created for the

basin and stormwater infrastructure which will form part of the lineal network and internal roads. A summary of the proposed lots is detailed in Table 3 and is shown in the Plan of subdivision provided at **Appendix A** and above in **Figure 7**.

The proposed residential lots are generally regular in shape, except for several corner lots that are irregularly shaped as a result of the proposed internal road layout. The residential lot sizes range from 450m² to 750m².

The key numerical development information is summarised in Table 3.

Table 3 *Key development information*

Component	Proposal
Site area	22.8 Hectares
Number of lots	173 residential lots and 2 super lots (to be constructed and registered across up to four stages).
Residential lot size	450m ² to 750m ²
Super lots	Super lot No. 227: 3736m ² Super lot No. 439: 5312m ²
Road Network	12 roads proposed including: Unique sub-arterial road Unique Green Street Perimeter Road Local Roads Accessway

4.2 Super Lot Future Development Options

The Proposal seeks to create two super lots (proposed lots 227 and 439 with areas of 3,736m² and 5,312m² respectively). The proposed superlots are dual frontage, with 166m and 121m frontages to access denied road verges, and 166m and 128.1m frontages to local road frontages. Access to the super lots will be provided from the internal road to ensure suitable access for future residential allotments. These lots have been sited to meet location criteria in the future once the public open space network is advanced and have been designed with appropriate slope to support that form of dwelling density.

The super lots are proposed to be provided as an opportunity for future small lot housing areas for this part of the AURA. Further subdivision of the super lots will be subject to future separate development applications. Future development applications will be guided by any development controls established for the subdivision. Noting that if the superlots are not used for small lot subdivision, and subject to separate work can be equally be subdivided for standard lots.

4.3 Construction Staging

The subdivision will be staged over up to four separate stages as illustrated in **Figure 8** below. The indicated pattern of staging is described below in **Table 4**.

Table 4 *Proposed Staging of DA1 Subdivision*

Stage	Lot Yield
Stage 1	58
Stage 2	41
Stage 3	36
Stage 4	38

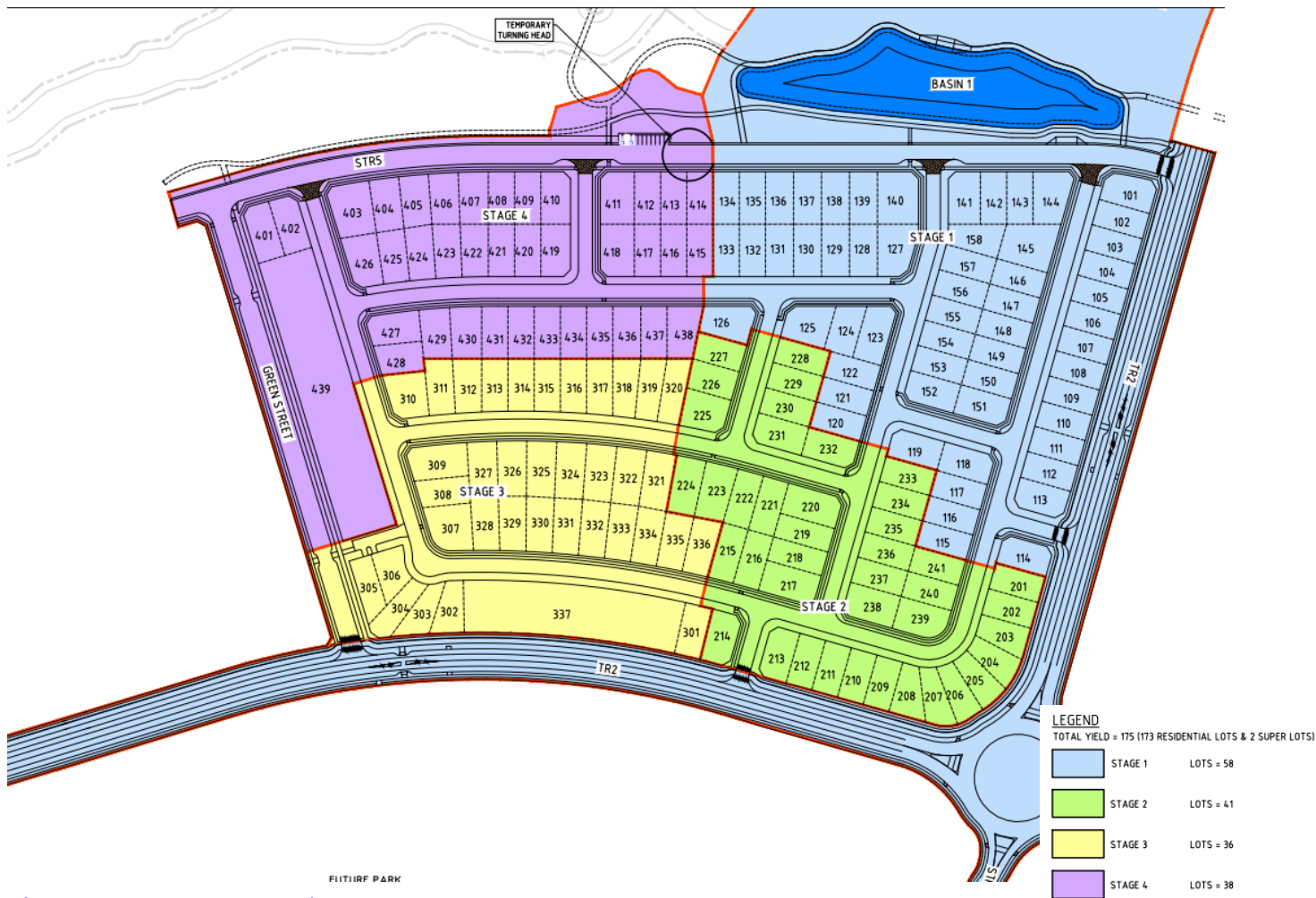


Figure 8 Proposed Staging Plan DA1

Source: GCA Engineering Solutions

4.4 Riparian Management

A draft Riparian and Vegetation Management Plan (RVMP) (**Appendix L**) has been prepared for part of the riparian corridor north of the development. The objective of the RVMP is to develop a plan responding to the constraints and commitments for the rehabilitation of the portion of riparian corridor adjacent to the development. Three vegetation management areas will be established including a channel, inner VRZ and outer VRZ shown in **Figure 9** below. The main vegetation management actions proposed for the site is weed control, revegetation and establishment of planting density focusing on the target plant community of PCT 4032. The VMP applies to the VRZ for the southern side of the watercourse only (linked to the Proposal being limited to the southern side of the watercourse) and has been designed to exclude areas that will be subject to further proposals and works in separate applications.

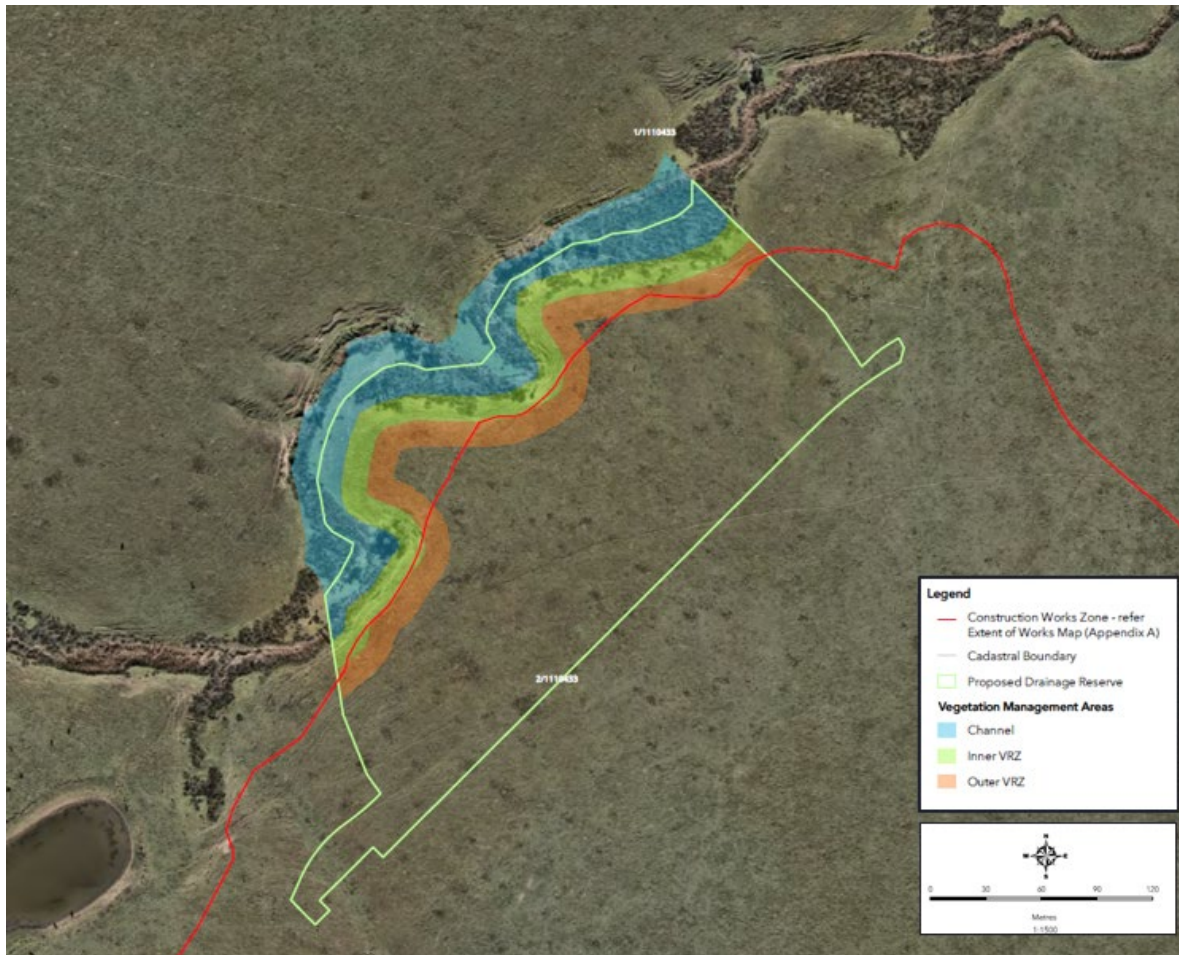


Figure 9 Vegetation Management Areas

Source: MJD Environmental

4.5 Site Grading

Civil Engineering Plans prepared by GCA Engineering Solutions illustrate the final graded levels of the site and are included at **Appendix A**. The cut and fill at the site ranges from 2.90m to -2.90m across the site as indicated in the cut and fill plan shown **Figure 10** below. The total cut at the site is 230 320m² and total fill is 199 480m², resulting in a total excess of 64 100m². To limit off site impacts due to earthworks, temporary stockpiles indicated on the Civil Plans at **Appendix A** are proposed for excess material to be reused in the future.

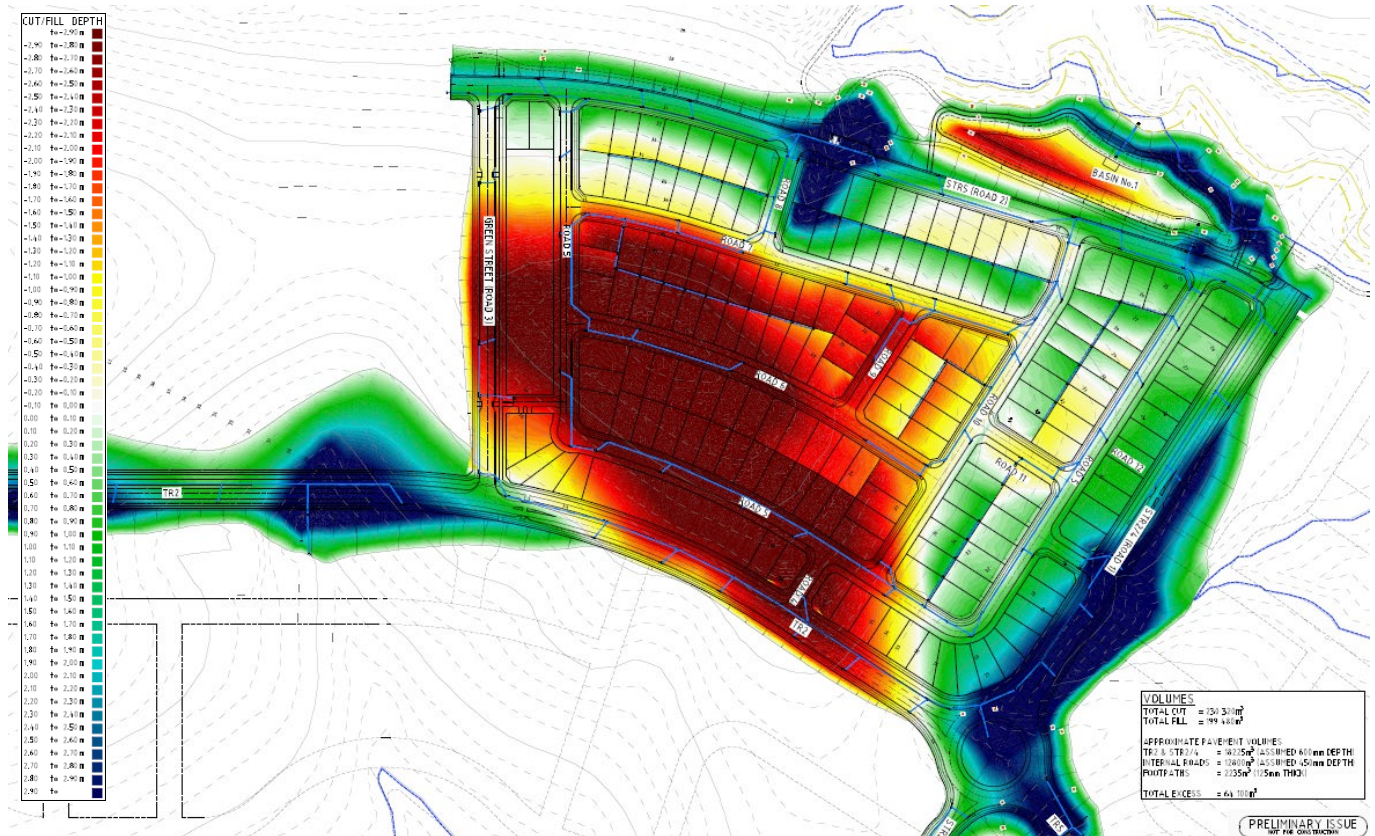


Figure 10 Cut and Fill Plan

Source: GCA Engineering Solutions

4.6 Water Management

A Stormwater Management Plan has been prepared by GCA Engineering Solutions and is attached at **Appendix F**. The Proposal is be divided into two catchment areas. Catchment 1 comprises the northwestern portion of the site, while the Catchment 2 comprises the southeastern portion of the site as shown in **Figure 11**.

Stormwater management at the site prioritises the captured stormwater from the majority of lot and road areas by conventional pit and pipe drainage networks located in the street or in inter-allotment drainage where required. Stormwater will be managed through the construction of a combined bioretention and detention Basin 1 on the northern boundary of the Proposal as shown in **Figure 12** is the key stormwater management strategy for the site. The strategy includes some redirection of Catchment 2 into Catchment 1, to prevent the need to provide for detention of water for the lead in road that sits in Catchment 2.

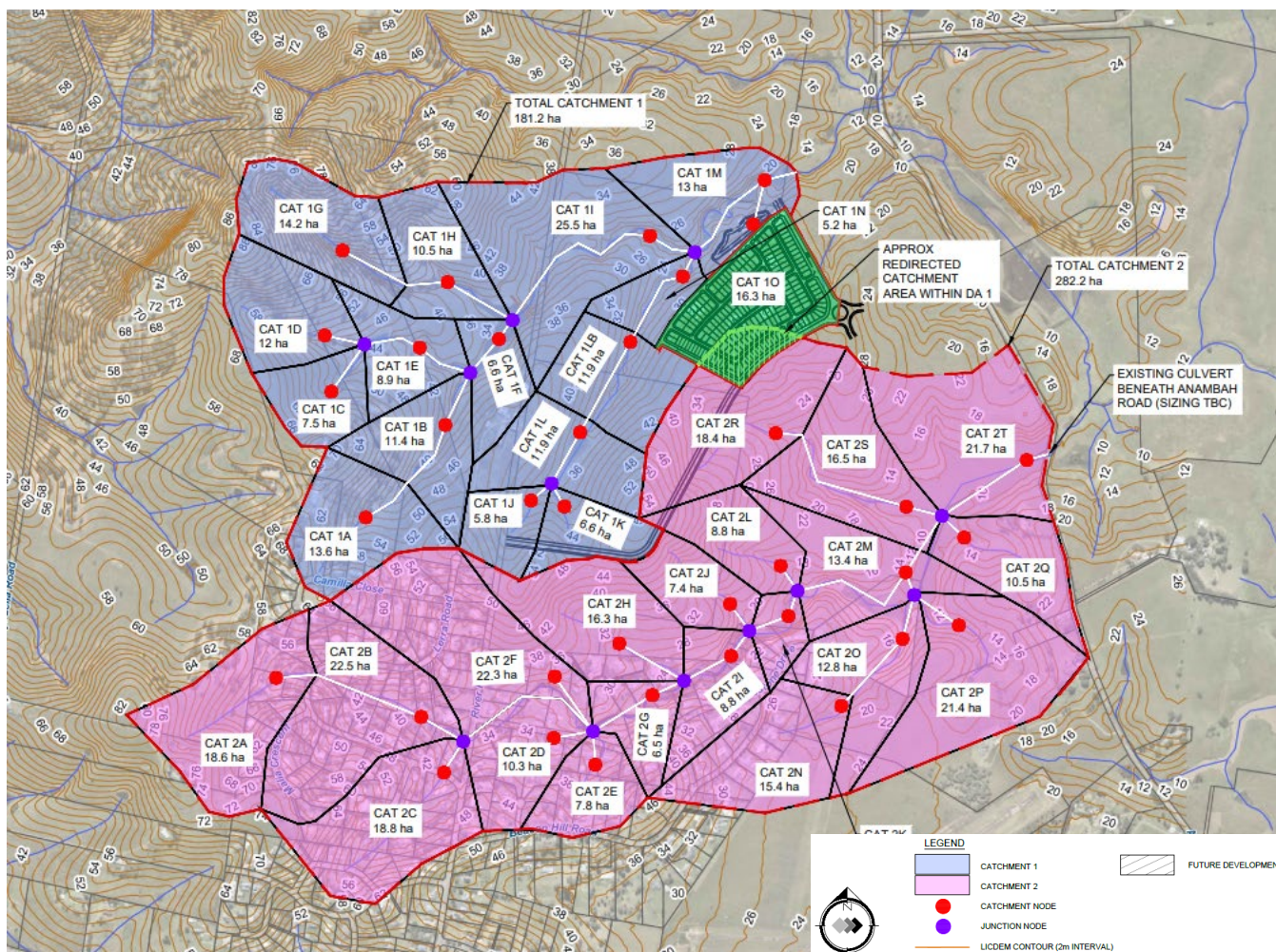


Figure 11 Catchment Plan

Source: GCA Engineering Solutions

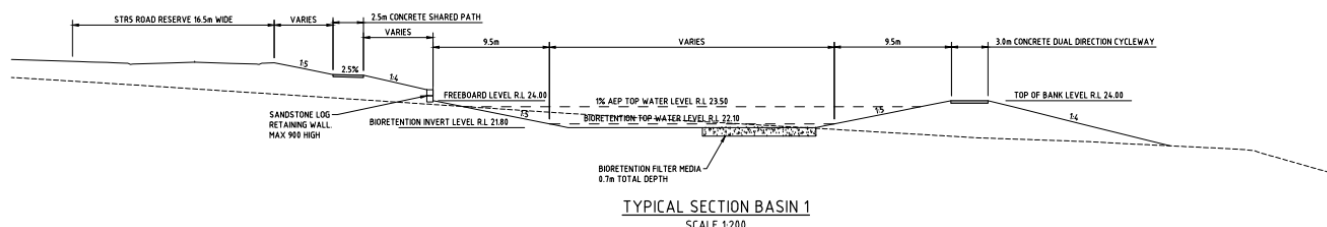


Figure 12 Typical Section of Proposed Basin

Source: GCA Engineering Solutions

4.7 Road Network and Access

4.7.1 Road Hierarchy and Design

The proposed road layout is demonstrated within the Civil Engineering Plans at **Appendix A** and DA1 Lot Layout Plans at **Appendix B**. DA1 includes a section of sub-arterial road from the west which will connect to a road that will extend west to Wyndella Road and the New England Highway. Two secondary gated access points are provided to the site for emergency bushfire access use only including to the south at River Road and to the east at Anambah Road.

Within each stage, access to residential allotments is via new proposed internal roadways. Refer to Table 5 and **Figure 13** for an overview of the proposed road hierarchy, with detailed sections of each road provided at **Appendix A**.

Table 5 **Proposed Road Network Details**

Road Name	Road Type	Road Reserve Width	Footpath Width Left/Right	Carriageway and Parking Bays	Verge	Kerb Type
TR2	Sub-arterial (no driveway access to widened verge side)	26.75m (variable to roundabout departure and approach)	1.5m both sides 3.0m dual direction cycleway on one side	7m Carriageway 3m parking lane which will form a 3.5m travel lane through to roundabout departure and approach (left and right).	9.25m 4.5m	Upright kerb in accordance with MCC STD DWG SD004
STR5	Internal Perimeter Road	16.5m	1.5m South (shared path in reserve to north for part of road)	11m	4.5m South 1m North	Roll Kerb in accordance with MCC MOES STD DWG SD004
STR5 (Off street Parking)	Internal Perimeter Road	22m	1.5m South only (shared path in reserve to north)	11m Carriageway 5.5m Parking bays	4.5m South 1.0m North	Roll Kerb in accordance with MCC MOES STD DWG SD004
Green Street	Local (no driveway access both sides)	22.5m	1.5m west 2.5m Shared path east	11m	4.5m west 7m east	Roll Kerb in accordance with MCC MOES STD DWG SD004
Road 2, 8 and 12	Local road	17m	1.5m one side	8m	4.5m both sides	Roll Kerb in accordance with MCC MOES STD DWG SD004
Road 5, 7, 9, 10, and 11	Local road	17m	1.5m one side	8m	4.5m both sides	Roll Kerb in accordance with MCC MOES STD DWG SD004
Accessways	Accessway	12m	N/A	6m	4.5m south 1.5m north	150mm High Kerb

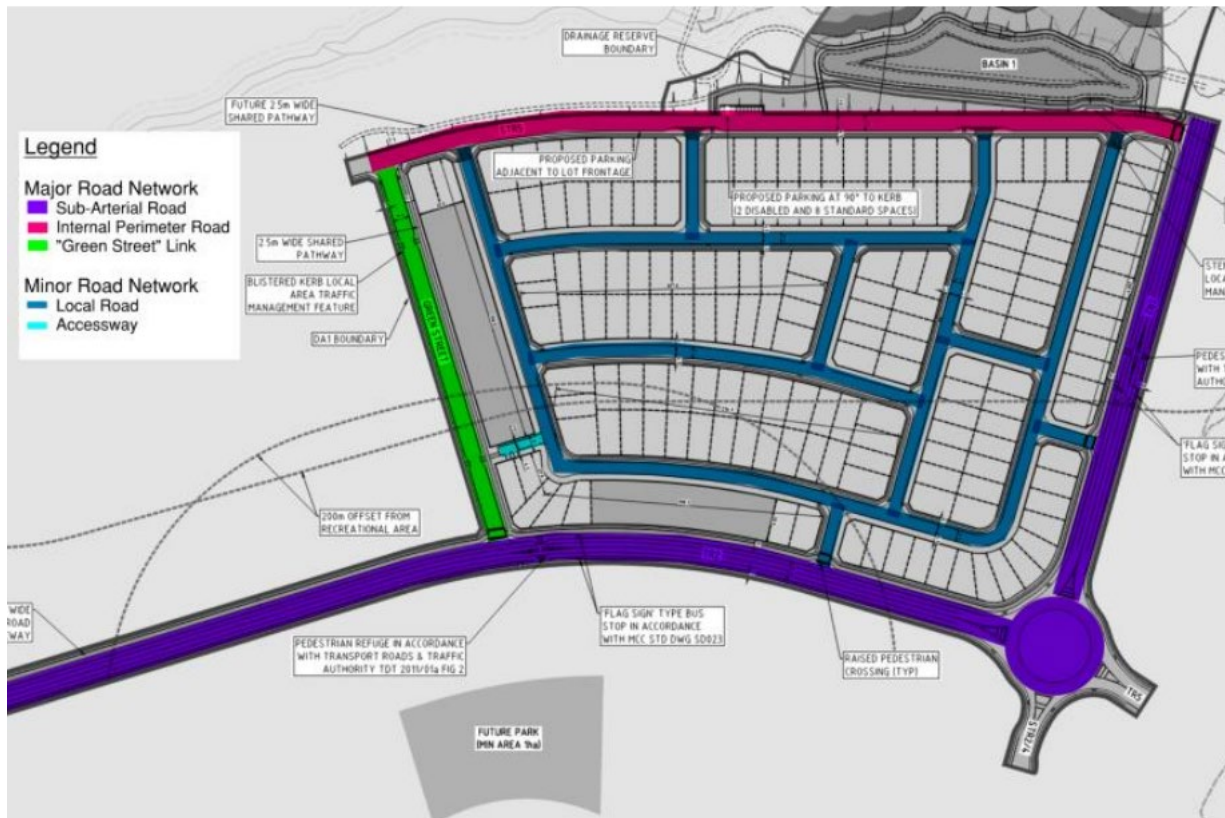


Figure 13 Proposed Road Hierarchy Map

Source: Stantec, GCA Engineering Solutions

4.8 Utilities

Suitable arrangements to provide essential services have been, or will be established for the site via lead in, and otherwise will be internally reticulated through the Proposal.

Water services at the site are proposed to be connected to trunk mains in the sub-arterial road and River Road. Sewerage connections will be provided to the site via a new WWPS and lead in main sited east of the DA, and from Anambah Road. These are per approved servicing strategies by Hunter Water Corporation and subject to separate design and approvals.

Extension of lead in electricity and telecommunications services lines are subject to separate design and approvals by authorities, and are then provided within the proposed road reserves as internal reticulated services as indicated in the typical road sections shown in the Civil Plans at **Appendix A**. Stormwater infrastructure utility allocations are also outlined within the Civil Plans at **Appendix A**.

4.9 Landscaping

Landscape Plans have been prepared by Terras and included at Appendix D which establish the proposed design of landscaping and street planting across the site. Street tree planting is included along each of the internal streets. The street trees along the sub-arterial roads and green street provide an avenue, with additional density of street trees included in the widener landscape verge on the sides that preclude driveway access. Internal street trees are primarily centred to allow driveway access to each lot.



Figure 14 Proposed Landscape Plan

Source: Terras

Landscaping of the drainage reserve is provided which incorporates seating, pathways and tree canopy. Basin planting aligns with the draft Riparian Vegetation Management Plan, including endemic macrophyte and grasses to the basin and batter. Vegetation within the basin batter consists of native low groundcover and mass plant to maintain a 3-5 m clear area along pedestrian and cycle pathways in line with CPTED principles. While native tree species are planted along the edge of the perimeter road, these have been selected from the ecologist PCT species list and are more informal set outs, complemented by minor areas of mass planting and otherwise with a turf area along the pathway to maintain a clear area either side of the footpath and for maintenance. This is illustrated below in the typical basin section in **Figure 15** below. The design of landscaping throughout the proposed drainage reserve provides a significantly improved outcome in relation to vegetation management and visual amenity of the area.

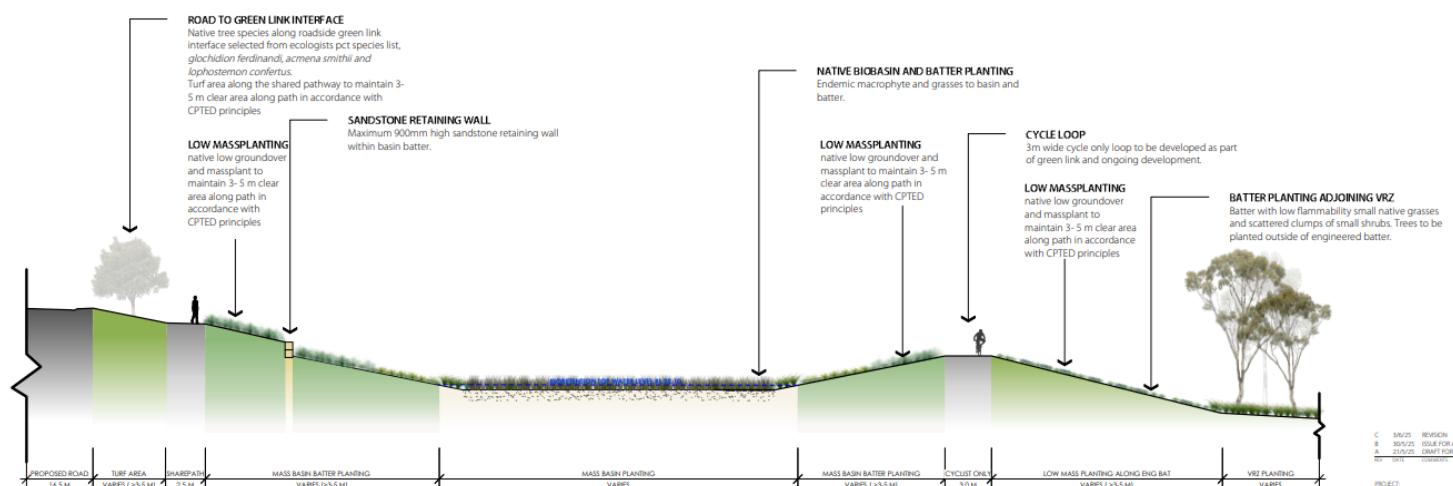


Figure 15 Typical Basin Section – Landscape Plan

Source: Terras

5.0 Planning Assessment

Under Section 4.15(1) of the Environmental Planning & Assessment Act 1979 (EP&A Act), in determining a DA the consent authority must consider a range of matters relevant to the development. These include the provisions of environmental planning instruments; impacts of the built and natural environment; the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

The assessment includes only those matters under Section 4.15(1) that are relevant to the proposal. The planning issues associated with the Proposal are assessed below.

5.1 Relevant Legislation

5.1.1 Acts of Parliament

Under Section 4.46(1) of the EP&A Act, Integrated Development requires consent and respective approvals from the relevant approval bodies in order for development to be carried. The relevant Federal and State Legislation is discussed in **Table 6** below.

Table 6 Relevant NSW and Federal Acts of Parliament

Acts	Assessment						
Environmental Protection and Biodiversity Conservation Act 1999	<p>The EPBC Act aims to protect Matters of National Environmental Significance (MNES) including wetlands of international importance, threatened species and communities and listed migratory species. An action that may or is likely to have a significant impact on MNES should be referred to the Commonwealth to determine whether it is a Controlled Action that requires approval from the Commonwealth. MNES have not been identified on or near the development site in the BDAR.</p> <p>A Biodiversity Advice Letter (Appendix K) prepared by MJD Environmental confirms that no native vegetation is being removed at the site and therefore in the absence of native vegetation, no referral under the EPBC Act is required for the site.</p>						
Biodiversity and Conservation Act 2016	<p>The <i>Biodiversity and Conservation Act 2016</i> (BC Act) aims to maintain the health and resilience of the environment at a state scale. A Biodiversity Advice Letter has been produced by MJD Environmental (Appendix K) which provides assessment under the BC Act examining the likelihood of the Proposal having a significant effect on any threatened species, populations or ecological communities listed under the NSW BC Act.</p> <p>The Biodiversity Advice Letter concludes that the Proposal will not result in significant impacts to ecological communities listed and therefore further assessment under the BC Act is not required.</p>						
Environmental Planning and Assessment Act 1979 (EP&A Act)	<p>The EP&A Act identifies those matters to be considered as part of an assessment of development including the objects of the Act. Development consent for the Proposal is required under Part 4 of the EP&A Act. This SEE provides an assessment of the development based on Part 4 of the EP&A Act. An assessment of the Proposal against the objects of the Act is provided below:</p> <table> <tr> <th colspan="2">Objects of the EP&A Act</th></tr> <tr> <td>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</td><td>The Proposal will provide a range of social and economic benefits through the provision of increased housing supply in a growing regional area. It has been designed with consideration of the site's environmental constraints and does not result in any significant adverse environmental impacts as addressed in this report and supporting documentation.</td></tr> <tr> <td>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making</td><td>This DA seeks approval for subdivision and associated civil works at the site only. However, this DA establishes implementation plans and ongoing management for riparian rehabilitation and street trees and landscaping otherwise absent across the existing degraded rural</td></tr> </table>	Objects of the EP&A Act		(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The Proposal will provide a range of social and economic benefits through the provision of increased housing supply in a growing regional area. It has been designed with consideration of the site's environmental constraints and does not result in any significant adverse environmental impacts as addressed in this report and supporting documentation.	(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making	This DA seeks approval for subdivision and associated civil works at the site only. However, this DA establishes implementation plans and ongoing management for riparian rehabilitation and street trees and landscaping otherwise absent across the existing degraded rural
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(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making	This DA seeks approval for subdivision and associated civil works at the site only. However, this DA establishes implementation plans and ongoing management for riparian rehabilitation and street trees and landscaping otherwise absent across the existing degraded rural						

Acts	Assessment
	<p><i>about environmental planning and assessment,</i></p> <p><i>(c) to promote the orderly and economic use and development of land,</i></p> <p><i>(d) to promote the delivery and maintenance of affordable housing,</i></p> <p><i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i></p> <p><i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i></p> <p><i>(g) to promote good design and amenity of the built environment,</i></p> <p><i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i></p> <p><i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i></p> <p><i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i></p>
	<p>landscape. An assessment of the environmental, economic and social considerations has been addressed throughout this SEE and the accompanying consultant reports.</p> <p>The Proposal promotes the orderly economic use and development of the site through facilitating the delivery of a future new, high-quality residential subdivision supported by the necessary infrastructure for the site. It proposes to commence development in the southern part of the AURA near to existing and future lead in infrastructure to enable delivery of the broader AURA in a managed and efficient manner.</p> <p>The Proposal includes a range of lots sizes which will accommodate for a diversity of housing types. This subdivision will support the overall delivery of increased housing supply in regional NSW.</p> <p>The Biodiversity Advice Letter at Appendix K demonstrates that the Proposal does not pose a significant impact to the conservation of threatened and other species of native animals and plants.</p> <p>A comprehensive Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared at Appendix N. Further assessment is provided at Section 5.5.9.</p> <p>The Proposal promotes a street layout and design which will provide a high level of amenity to the future built environment. This is achieved through the provision of street trees, pedestrian and cycle pathways, and lineal riparian network.</p> <p>This DA does not include the construction or maintenance of buildings.</p> <p>Consultation has been undertaken with various levels of government and government agencies throughout the preparation of the DA1. Further, two Pre-DA meetings were held with council to discuss the proposed subdivision layout which has been since amended to respond to council's comments.</p> <p>Community consultation will be carried out during the exhibition stage of this DA.</p>
Fisheries Management Act 1994	MJD Environmental's review of the Fisheries NSW Spatial DATA 'Key Fish Habitat Mapping' indicates that the watercourse situated directly to the north of the site features mapped key fish habitat. While this watercourse is ephemeral, it experiences frequent low flows and is unlikely to serve as key habitat for any threatened fish or facilitate passage to or from key habitat, except during periods of heavy rainfall. Accordingly, MJD Environmental confirm the development application does not involve any activities that would necessitate a permit under the <i>Fisheries Management Act 1994</i> .
NSW Heritage Act 1977	Approval is not required under the <i>Heritage Act 1977</i> as the site is not a state or locally listed heritage item. Further, while Anambah House is located south along Anambah Road, the site is a considerable distance from the curtilage of this heritage item and is therefore not relevant to the Proposal

Acts	Assessment
<i>National Parks and Wildlife Act 1974</i>	The <i>National Parks and Wildlife Act 1974</i> relates to the establishment, preservation and management of national parks, historic sites and certain other areas and the protection of certain fauna native plants and Aboriginal objects. An ACHAR has been prepared for the wider AURA site by GML Heritage (Appendix N) to determine if there were any objects of Aboriginal significance within the broader study area and potential impacts of the proposed activity. The Proposal is further assessed in Section 5.5.9 of this SEE.
<i>Protection of the Environment Operations Act 1997</i>	<p>The <i>Protection of the Environment and Operations Act 1997</i> (POEO Act 1977) sets the requirements for certain operations to obtain an Environment Protection Licence (EPL) from the Environment Protection Authority. Schedule 1 of the POEP Act sets out the activities and operations that require an EPL.</p> <p>The proposed activity does not involve undertaking a scheduled activity and therefore an EPL would not be required.</p>
<i>Roads Act 1993</i>	The Proposal includes 12 roads to service the future residential lots. The Roads Act 1993 specifies that any plan of subdivision that intends to dedicate land as a public road requires that road to be declared as a 'public road' under the Act. Similarly, the Roads Act requires any work to existing roads requires a s138 approval. No works are proposed to any existing roads as part of this DA (other than connection of temporary accesses), therefore approval is required under Section 138 for driveway connections proposed to River Road and Anambah for the two access road connections as part of the Proposal. Both roads are local public roads and therefore council is the relevant roads authority.
<i>Rural Fires Act 1997</i>	The proposed activity triggers the requirement to obtain a Bushfire Safety Authority under s100B of the <i>Rural Fires Act 1997</i> as the works involve the subdivision of bush fire prone land that could lawfully be used for residential or rural residential purpose
<i>Water Management Act 2000</i>	<p>The <i>Water Management Act 2000</i> (WMA 2000) addresses the protection and management of water. There is one ephemeral watercourse located north of the site which is identified as a 2nd order stream under the Stahler Stream Order and based on historical determinations and field verification (refer to riparian assessment included at Appendix L).</p> <p>As the proposal includes works within 40 metres of a watercourse, a controlled activity approval (CAA) issued by the NSW Natural Resources Access Regulator is required in accordance with Section 91 of the Water Act. Refer to the RVMP at Appendix L which provides future detail of riparian rehabilitation works undertake within 40 metres of the watercourse on site.</p>

5.2 Environmental Planning Instruments

The DA's consistency and compliance with the relevant environmental planning instruments (EPI) in accordance with Section 4.15(1)(a)(i) is considered in the sections below. Any variations to the key standards and guidelines highlighted in the table are discussed in the following sections of this environmental assessment.

5.2.1 State Environmental Planning Policies

The relevant state environmental planning policies are assessed in **Table 7** below.

Table 7 Summary of consistency with State Environmental Planning Policies

Plan	Assessment
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>Chapter 4 of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP) regulates the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.</p> <p>Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless:</p> <ul style="list-style-type: none"> It has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose of which the development is proposed to be carried out. If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. <p>A Preliminary Site Investigation has been prepared by EP Risk and is provided at Appendix I and has completed initial testing of surface soil for potential contamination. EP Risk consider that the site is of low risk for the future land use. Contamination warranting remediation has not been identified at the site, with land being considered suitable for the intended future use.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>The T&I SEPP aims to facilitate the delivery of infrastructure across the State including road infrastructure. The Proposal is not considered a traffic-generating development under clause 2.122 of the T&I SEPP as the development will result in less than 200 allotments and does not connect to a classified road.</p> <p>As the development consists of development requiring the placement of powerlines underground referral under Section 2.48 of the T&I SEPP is also required from Ausgrid for the site.</p>
State Environmental Planning Policy (Planning Systems) 2021	<p>The Proposal has an Estimated Cost of Development of \$26,267,266.55(excluding GST) and therefore is not considered as regionally significant development under Schedule 6 of the Planning Systems SEPP.</p>
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>This SEPP relates to the protection and management of biodiversity and the natural environment across the state. The site lies outside the specified catchments and koala habitat established within the SEPP and is therefore not relevant to the assessment.</p>
State Environmental Planning Policy (Resources and Energy) 2021	<p>This SEPP relates to development for the purposes of mining, petroleum and extractive industries. Clause 2.19 relates to the compatibility of Proposal with mining, petroleum production or extractive industry of the SEPP. The site is within proximity to one quarry located further north in Gosforth. The site is not located within the buffer areas of these quarries and therefore does not require assessment against this SEPP</p>

5.2.2 Maitland Local Environmental Plan 2011

The Maitland Local Environmental Plan 2011 (MLEP 2011) is the principal guiding EPI relevant to the site and establishes the key parameters and standards for new development. The proposal's consistency with the relevant clauses of the MLEP 2011 is assessed below in **Table 8**.

Table 8 Maitland Local Environmental Plan 2011 Compliance Table

Clause	Control	Compliance
2.3 Zone Objectives and Land Use Table	R1 General Residential	The Proposal constitutes subdivision for the intended future residential accommodation which is permissible with consent as part of this zone. A small portion of the Proposal area to the east is zoned C4 Environmental Living in which dwelling houses and environmental protections works are permitted with consent.
Part 4 Principal development standards		
4.1 Minimum subdivision lot size	450sqm.	Yes, all proposed lots are compliant with the minimum subdivision lot size requirement of 450m ² . Additionally, the development complies with site specific standards established in Section 7.8 below.
4.3 Height of buildings	No maximum height control current applied to the site.	Not applicable.
4.4 Floor space ratio	No maximum floor space ratio control which applies to the site currently.	Not applicable.
5.10 Heritage Conservation	Consent is required for subdividing land on which a on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	Consent is required for the development and AHIP has been identified as required for the site (refer to Section 5.5.9 and the ACHAR at Appendix N).
5.21 Flood planning	<p>(1) The objectives of this clause are as follows—</p> <p>(a) to minimise the flood risk to life and property associated with the use of land,</p> <p>(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,</p> <p>(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,</p> <p>(d) to enable the safe occupation and efficient evacuation of people in the event of a flood.</p> <p>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian</p>	A flood assessment (Appendix F) has been prepared by GCA Engineering Solution Cin accordance with Maitland LEP 2011 and MDCP 2011. It was concluded the Proposal would not have a substantial impact on flooding outside of the site and is considered permissible.

Clause	Control	Compliance
	<p>vegetation or a reduction in the stability of river banks or watercourses.</p> <p>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</p> <p>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</p> <p>(b) the intended design and scale of buildings resulting from the development,</p> <p>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</p> <p>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</p>	
Part 6 Urban release areas		
6.2 Public utility infrastructure	Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.	Suitable arrangements to provide essential services have been established for the site (refer to Section 4.8 for further detail).
6.3 Development control plan	Development Control Plan is required for development on land in an urban release area.	It is understood that Council is preparing a DCP for the AURA, and a precinct plan is to be prepared concurrently. This will need to be prepared prior to determination.
Part 7 Additional local provisions		
7.1 Acid Sulphate Soils	Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	The site is identified as being affected by Class 5 Acid Sulphate Soils. The Proposal is not located within 500 metres of an adjacent Class 1, 2, 3 or 4 land and therefore does not require an acid sulphate soil management plan.
7.2 Earthworks	Development consent is required for earthworks.	The earthworks proposed as part of the development have been assessed with the Geotechnical Report at Appendix H . This concludes that excavations to depths of 1.5m to 1.8m BGL are expected to be readily achievable using larger conventional earthmoving equipment. Geotechnical assessment provided for the site provide mitigation and management measures to undertake fill appropriately at the site.
7.4 Riparian land and watercourses	<p>Before determining a development application to carry out development on land to which this clause applies, the consent authority must consider whether or not the development—</p> <p>(a) is likely to have any adverse impact on the following—</p>	A mapped second order watercourse forms part of the Proposal to the north (see Section 5.5.7 for further detail regarding the riparian watercourse). A Biodiversity Advice Letter and draft Riparian Vegetation Management Plan (RVMP) have been prepared by MJD Environmental (Appendix K and Appendix L). These provide an assessment of the

Clause	Control	Compliance
	<ul style="list-style-type: none"> (i) the water quality and flows within the watercourse, (ii) aquatic and riparian species, habitats and ecosystems of the watercourse, (iii) the stability of the bed, shore and banks of the watercourse, (iv) the free passage of fish and other aquatic organisms within or along the watercourse, (v) any future rehabilitation of the watercourse and its riparian areas, and (b) is likely to increase water extraction from the watercourse. 	<p>development's impact on riparian land and watercourses at the site. Additionally, the RVMP provides suitable measures to revegetate and facilitate the rehabilitation of riparian areas at the site.</p> <p>The ephemeral watercourse north of the site has frequent low flows and is unlikely to form key habitat for any threatened fish and unlikely to provide passage to or from key habitat. Therefore, the development is considered to be compliant with this clause of the LEP.</p>
7.8 Subdivision of land in Zone R1 in Anambah Urban Release Area	<p>Despite clause 4.1, development consent may be granted to the subdivision of land to which this clause applies to create a lot with a size less than the minimum subdivision lot size shown on the Lot Size Map in relation to those lots, if the consent authority is satisfied that—</p> <ul style="list-style-type: none"> (a) the subdivision will result in 2 or more lots equal to or greater than 200 square metres, and (b) the subdivision will not result in any lot being more than 200 metres from a community facility, recreation area or commercial premises, and (c) the subdivision will not result in more than 450 lots on land to which this clause applies with a lot size of 450 square metres or less. 	<p>Noted. This Proposal does not propose lots that rely on this clause, but does identify super lots which may be subdivided through this provision in locations that are capable of complying. To be considered for future DA applications.</p>
	<ul style="list-style-type: none"> (3) Development consent must not be granted to the subdivision of land that would result in more than 1200 lots being on the land to which this clause applies unless the consent authority is satisfied that— (a) persons residing on the land will have suitable and safe road access to the New England Highway via Wyndella Road, and (b) the road will be appropriately located. 	<p>The proposal does not trigger this provision directly as it proposes less than 1200 lots. Notwithstanding, the Proposal will connect to a new public road west through to Wyndella Road to provide a suitable and safe road access to the New England Highway via Wyndella Road (separate activities by the applicant).</p>
7.9 Essential services	<p>Development consent must not be granted to development unless the consent authority is satisfied that the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required —</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access. 	<p>Suitable arrangements to provide essential services have been established for the site (refer to Section 4.8 for further detail).</p>

5.3 Development Control Plans

In accordance with Section 4.15(1)(a)(iii) of the EP&A Act the proposed development considers and is consistent with the objectives of the Maitland Development Control Plan (DCP) and the relevant development controls. As required under Section 4.15(3A) of the EP&A Act, a consent authority is required to apply DCP provisions flexibly and allow reasonable alternative solutions that achieve the objects of those standards. Where alternate solutions to the provisions are proposed, they are identified in **Appendix E** and discussed in the following sections of this environmental assessment.

5.3.1 Draft Development Control Plans

A revised city wide DCP has been drafted by Maitland Council and went on exhibition on 26 May 2025. The DCP has been revised to align with the current Community Strategic Plan and other local and regional plans and strategies for the Maitland LGA. The DA for the proposed subdivision does not present any fundamental issues arising in regards to compliance with the Draft DCP, noting that further review can be provided during assessment subject to the adoption of the DCP and should Council identify any issues of concern. An assessment of the Proposal has been provided at **Appendix E** against the current DCP.

5.4 Planning Agreement

A Voluntary Planning Agreement (VPA) is not currently in place as part of this development application. A letter of offer has been provided to Maitland City Council and is currently under consideration.

5.5 Key Considerations and Likely Impacts

This section details the key planning considerations and likely environmental, social, and economic impacts of the development on the natural and built environment in accordance with Section 4.15(1)(b) of the EP&A Act.

5.5.1 Lot Mix

Whilst not a key issue, a review of the current MDCP required further analysis of Section DC.1 of the MDCP establishes Lot Size and Dimension controls for residential subdivisions. The MDCP establishes that no more than 40% of the lot frontages within each street block may have the same lot width and type. A lot width analysis has been prepared for the Proposal at **Appendix O** and is summarised below in **Table 9**.

Table 9 Overall Lot Width Analysis

Lot width	No.1 of Lots	Percentage within subdivision
11-13m	4	2%
13-15m	86	49.7%
15-17m	21	12.1%
17-19m	38	22.0%
19-21m	9	5.2%
21-23m	8	4.6%
23-25m	1	0.6%
25-27m	4	2.3%
27-29m	2	1.2%
Total	173	

The Proposal exceeds the development control for the lot width frontage size of 13-15m by 9.7% and is considered a minor non-compliance. This is considered acceptable as the proposed street blocks are small and therefore do not result in an outcome which present large street blocks with a single standard approach.

Additionally, two super lots are proposed that are not reflected in the lot width table, and will allow for further lot width variation under future development applications. The broader DB20 Pty Limited landholdings across

AURA will achieve diversity in lot widths and sizes (and product diversity including around the local centre) which on balance will support objectives across precincts being achieved, being the provision of a diverse and non-homogeneous approach to lot width frontage. The Proposal achieves compliance with the objective of this control through ensuring that all new lots have a size and shape appropriate to their proposed use and allow for the provision of necessary services. While not providing the required width sizes, the proposal achieves the inherent objective of this control to provide diverse lot sizes through various lot areas and block lengths proposed.

5.5.2 Flooding

A Stormwater Management and Flood Report has been prepared by GCA Engineering Solutions at **Appendix F**.

The Hunter River Braxton to Green Rocks Flood Study identifies the existing flood environment relating to the site. The existing flood levels of the site are described as follows and is indicated in **Figure 16** below:

- 1% AEP Flood level at the site is 19.9m AHD
- 5% AEP Flood level at the site is 14m AHD
- Peak velocity at the site during the 1% AEP event is approximately 0 – 0.5m/s.

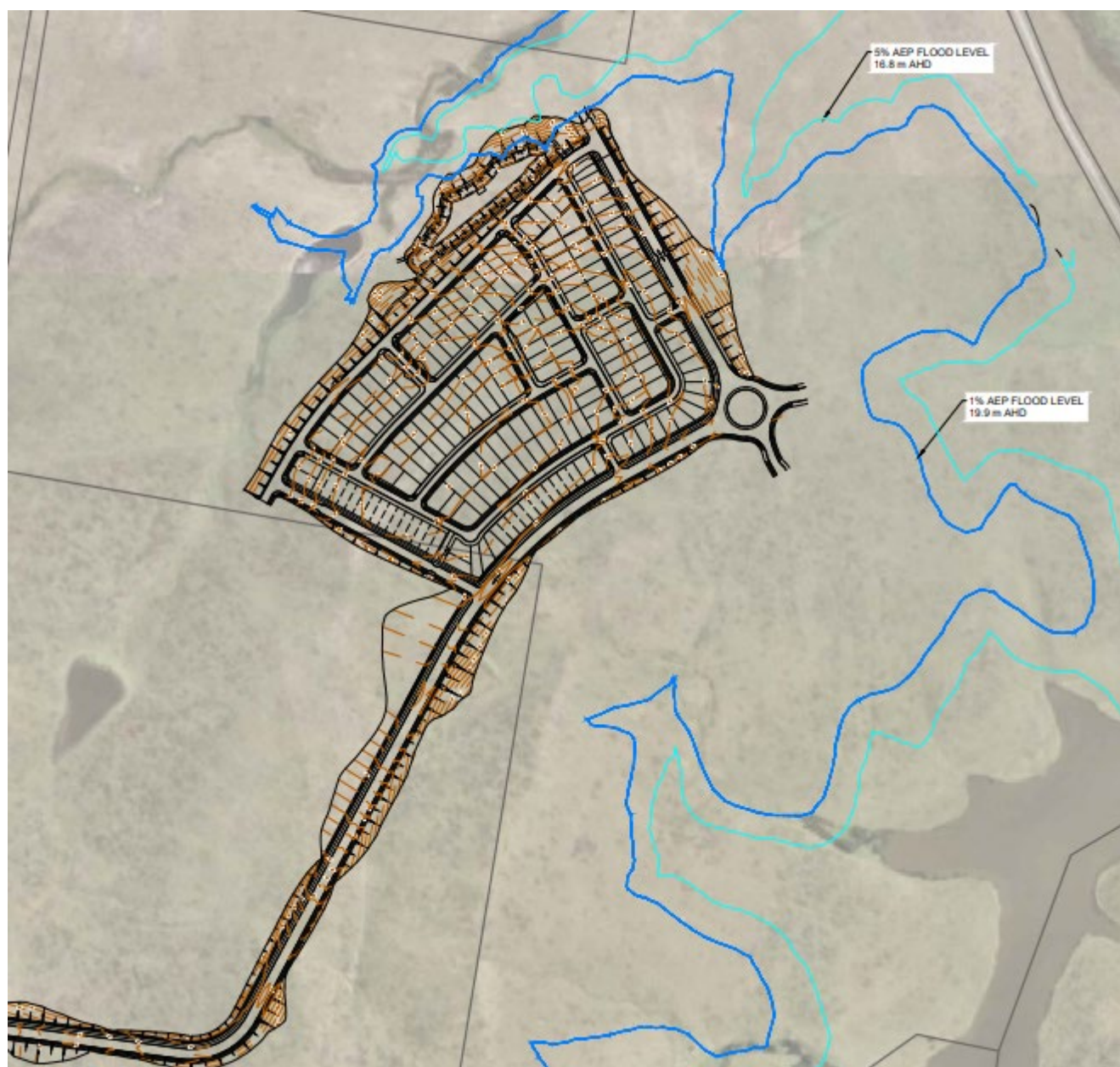


Figure 16 Existing Flood Conditions Overlayed with the Proposal

Source: GCA Engineering Solutions

Post development outflows have been assessed as less than or equal to predevelopment outflows for the 10%, 5% and 1% AEP events. Further, the development will not result in an increase the risk or likelihood of mainstream erosion in smaller flood events or flooding in larger events.

Some minor filling of flood prone land has been proposed, this filling has been assessed to only encroach on flood fringed areas mapped in the MDCP and would not impact the existing flood environment or adjoining properties considering the vast floodplain storage volume.

The flood assessment has been prepared in accordance with Maitland LEP 2011 and MDCP 2011. It concludes the Proposal would not have a substantial impact on flooding outside of the site and is considered permissible.

Assessment of the Proposal against the relevant controls under Section B.3 and EC.3 under the DCP confirms that there is sufficient space within the subject site above the 1% AEP to sustain future buildings. Additionally, the flood assessment report confirms that the development provides flood free access at the 5% AEP flood level or higher via the main access route in accordance with the MDCP.

5.5.3 Geotechnical

A Geotechnical Site Investigation Report has been prepared by EP Risk at **Appendix H**. The site is found to have varying ground elevations from RL 56m in the southeast to RL 20m towards the northern boundary of the site. To carry out the geotechnical investigation at the site, 17 test pits were excavated within the development footprint, with two of which located outside of the development's footprint to assess the excavatability of the site. Site investigations were carried out on the 24th and 25th of January 2024, with the following results:

- No groundwater was encountered during the investigation; however this may vary depending on the weather and conditions.
- The site is located within Class 5 acid sulphate soil classification
- The allowable bearing capacity for the stiff or batter residual soil is estimated to 100kPa.
- Excavatability could be expected to be dependent on the plant used, the experience of the operator and the degree of confinement within the excavation.
- It is recommended that long-term excavations are either battered at 2H:1V or flatter and protected against erosion or be supported by engineer designed and suitably constructed retaining walls.
- Excavations or trenches in the Silty/Sandy Clay and extremely weathered material could be expected to stand close to vertical in the short-term.
- Based on the subsurface profiles encountered during the Site inspection and in accordance with the AS 2870-2011; the Site in its existing condition and in the absence of abnormal moisture conditions would likely be classified as Class M (moderately reactive) to Class E (extremely reactive) following regrade activities.

The Geotechnical Report concludes that excavation for the purpose of the residential subdivision at the site is readily achievable in line with the recommendations provided by EP Risk.

5.5.4 Contamination

A Preliminary Site Investigation (PSI) has been prepared by EP Risk and is provided at **Appendix I**. The primary objective of the PSI is to assess whether any contaminating activities are likely to have occurred at the site which may present risk to human health or ecologically under the proposed land use. Potentially contaminating activities identified to have been undertaken at the site include clearing of land with potential use of herbicides and pesticides, and rural agricultural land use and operations onsite.

The PSI identifies sixteen (16) tests pits and borehole locations which were used complete sampling across the site as identified in **Figure 17** below. Soil samples were taken and analysed at each site, and the subsurface conditions at each test pit and borehole can be summarised as follows:

- Topsoil: Sandy clay: low to medium plasticity, grey, fine to medium grained sand / Fill: Sandy CLAY: low plasticity, grey, fine to medium grained sand.
- Residual: Silty clay: grey, brown / Sandy clay: low to medium plasticity, pale brown, yellow, fine to coarse grained sand, with chips of Sandstone.
- Extremely Weathered Rock: Recovered as Silty clay, medium to high plasticity, brown and grey with fine to coarse sand.
- There were no exceedances to the adopted health or ecological criteria in all analytical soil samples across the Site.
- Minimal fill was identified in any sampling locations across the site

- No asbestos was observed within the sample locations or shed structures on site during the site walkover.
- Groundwater was not observed in any of the test pits at the time of the investigation.
- All BTEXN / PAH / OCP / OPP / Metals and TPH concentrations of the soil samples analysed were reported below the adopted human health and ecological criteria and / or laboratory limit of reporting (LOR).

Based on the findings above, the footprint for the works proposed is considered to have low risk of contamination for the proposed activity. The site is therefore considered suitable for the proposed activity and land use. Contamination at a level warranting further investigation or potential remediation was not found, however recommendations were made to meet best practice for industry standards. This includes the implementation of an unexpected finds protocol for the site.



Figure 17 Preliminary Site Investigation – Sampling Locations

Source: EP Risk

5.5.5 Traffic and Access

A Transport Impact Assessment has been prepared by Stantec at **Appendix J**. The assessment details the traffic impacts on the Site. As described earlier, the Proposal will connect to a road (separate activity) through to Wyndella Road and to the New England Highway. Temporary construction access will be provided via Anambah Road, and two gated secondary accesses (not roads) will be provided to Anambah Road and River Road (for bushfire emergency purposes only).

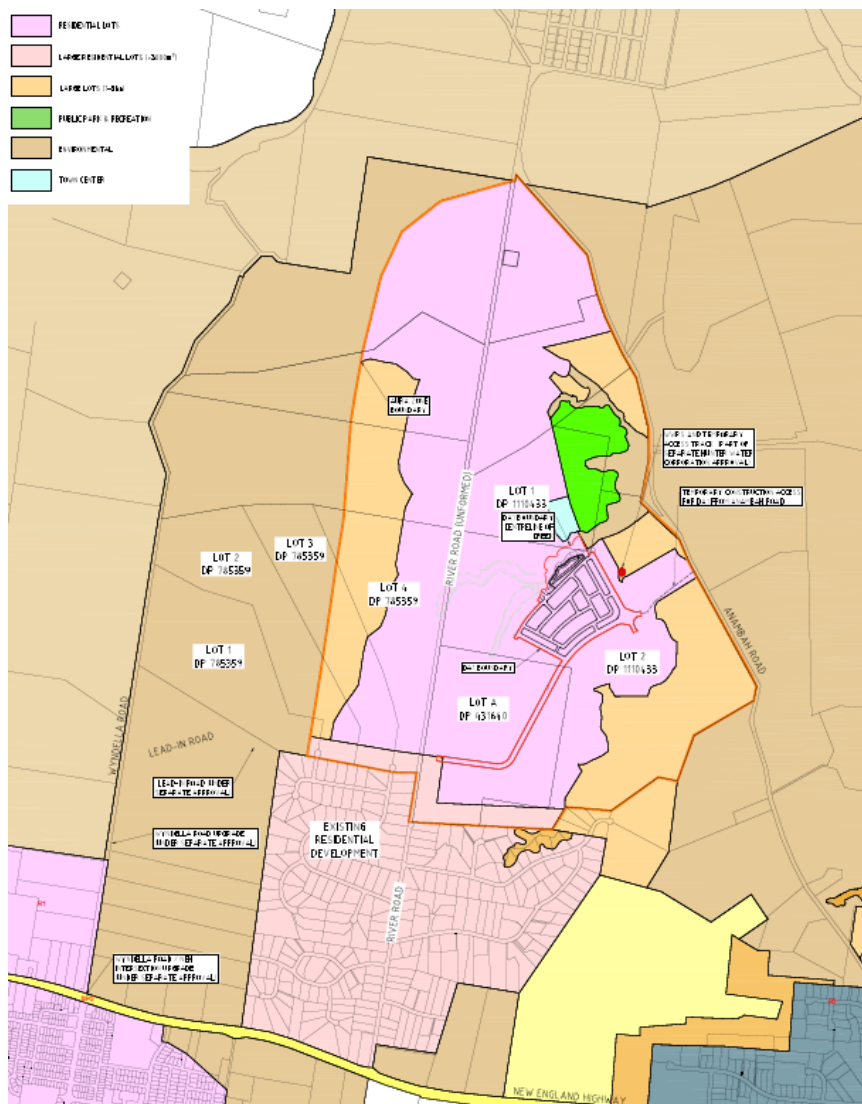


Figure 18 Proposed site access

Source: CGA Engineering Solutions, Stantec edits

It is estimated that the Proposal under DA1 will generate a total of 1,791 vehicle trips per day with a total of 169 vehicle movements in the morning and evening peak hours.

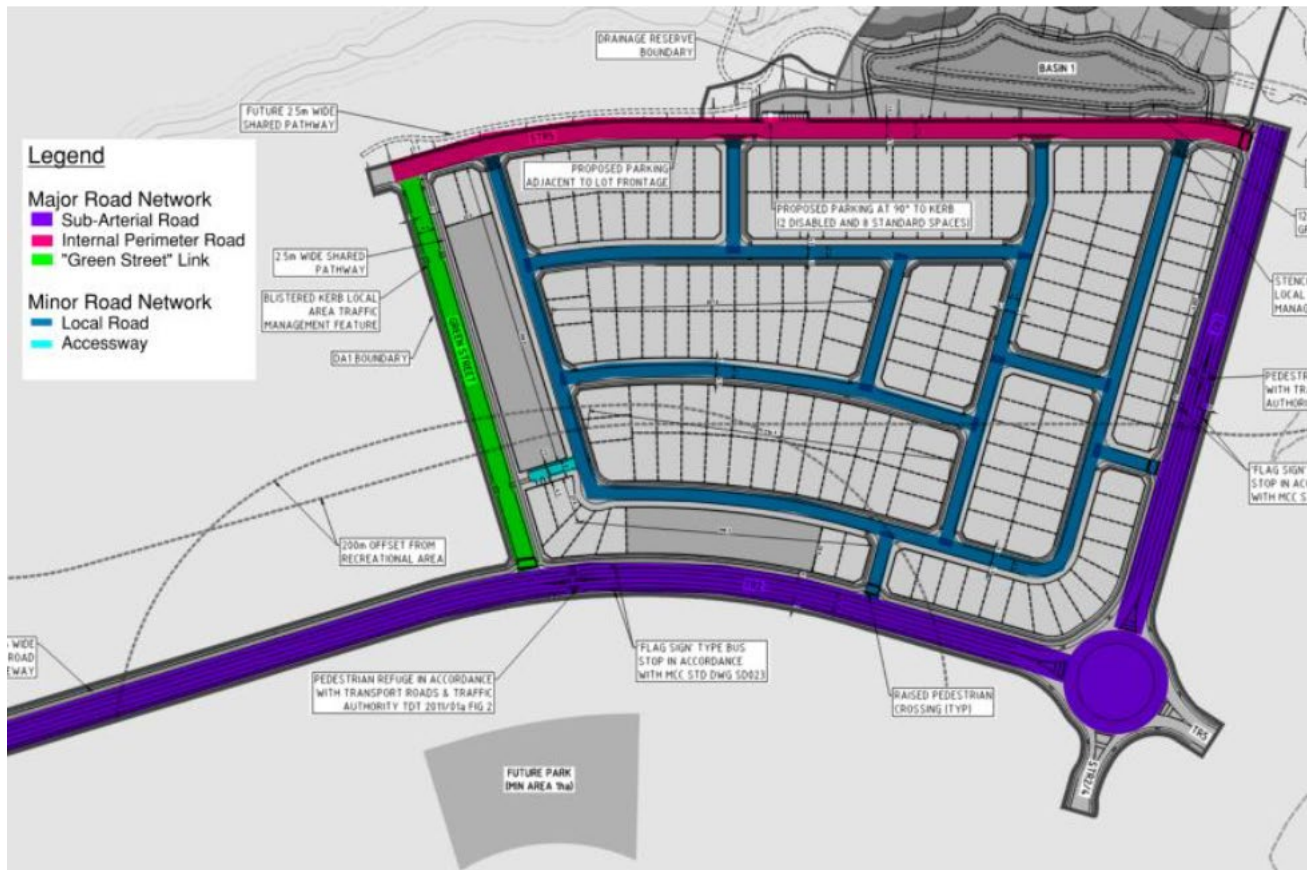


Figure 19 Proposed internal road network for DA1

Source: GCA Engineering Solutions

Twelve roads are proposed as part of the subdivision's road network, the major network includes one sub arterial road which provides the main access route to the development and the perimeter road (STR5) and a Green Street which borders the Proposal. The minor road network consists of local roads which provide access to the proposed lots. Access to lots which front the sub-arterial road will be provided by the internal local roads which provides a more orderly traffic network.

The development proposes a range of local area traffic management (LATM) measures which effectively manage pedestrian and vehicle safety throughout the site. This includes raised crossing thresholds at local road intersections to TR2, kerb extension blisters and thresholds which are provided along the Green Street and at intersections with the Perimeter Road. In addition to this, local road intersection are offsets to avoid four-way intersections.

Pedestrian permeability and connectivity is encouraged throughout the development through street block lengths which are generally less than 250m. In addition to this, active travel is promoted throughout the subdivision through an interconnected and permeable pedestrian and shared path network, this is supported by a dual directional cycleway along the sub-arterial road.

5.5.6 Biodiversity

A Biodiversity Advice Letter has been prepared by MJD Environmental at **Appendix K**. The advice prepared outlines the ecological assessment undertaken at the site to determine the biodiversity constraints and whether consideration under the *Biodiversity and Conservation Act 2016* is required.

The advice indicates that the site exists in a managed state consisting of grazed pasture with limited to no native vegetation with the exception of a single eucalyptus tree in poor health. A RVMP has been prepared as part of this DA and identifies extremely limited native vegetation present surrounding the watercourse at the site. Native species recorded within the riparian area of the site included *Angophora floribunda* (Rough-barked Apple), *Casuarina glauca* (Swamp Oak), *Paspalum distichum* (Water Couch), and *Ranunculus inundates* (River Buttercup). No native vegetation occurs within the footprint of the development. **Figure 20** below demonstrates the key ecological features and state vegetation types identified at the site. The advice establishes that the state vegetation types along the watercourse are not correct or evident on the site.

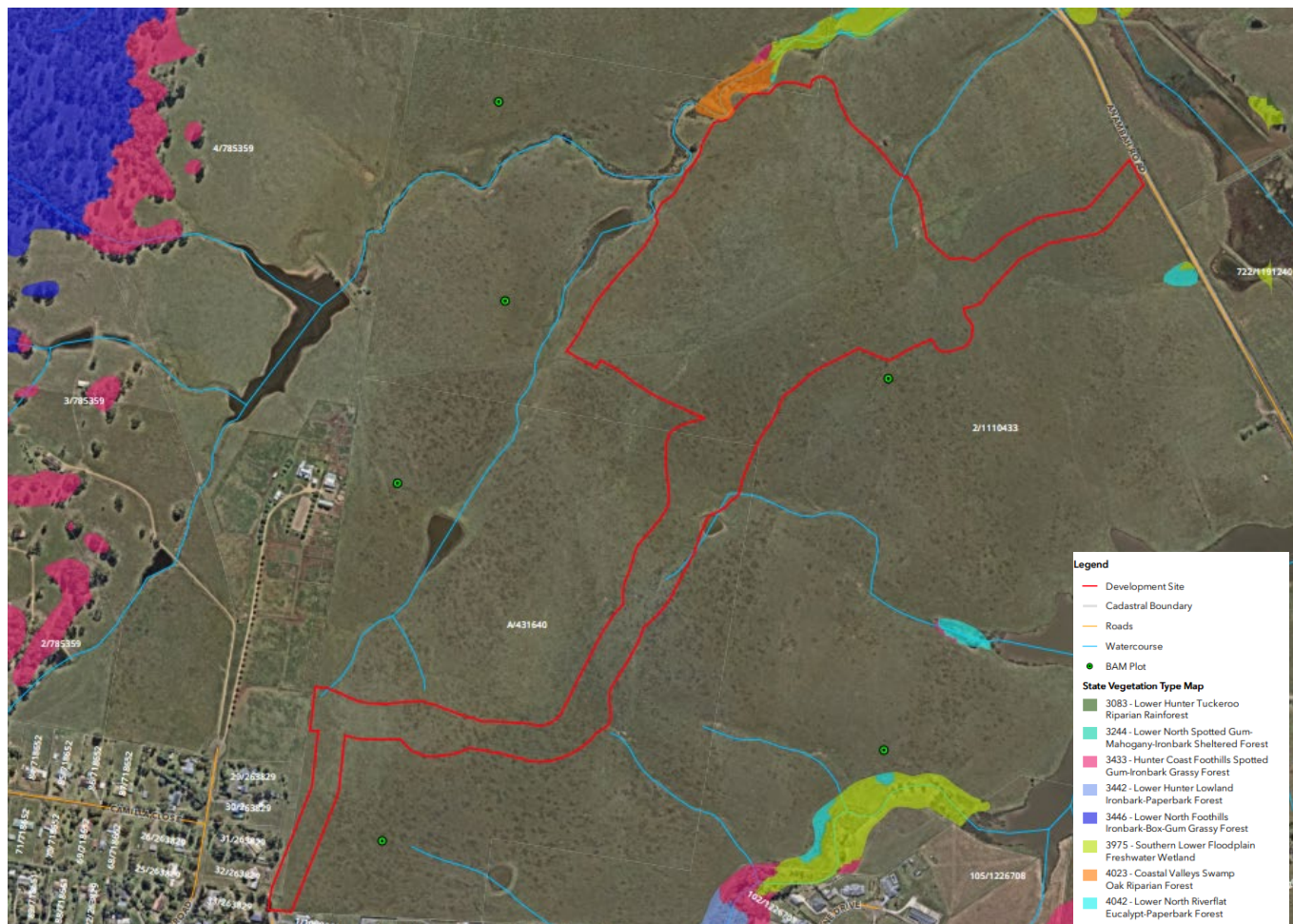


Figure 20 Ecological Features of DA1 Site

Source: MJD Environmental

A review of the Biodiversity Values Mapping Threshold Tool determined that the site does not contain any mapped areas of biodiversity value. The Biodiversity Advice Letter concludes that due to the predominately cleared nature of the site, the Proposal will not impact any existing habitat corridors. The floristic data captured as part of the biodiversity assessment based on a site survey and BAM floristic plots completed to calculate the vegetation integrity score of the pasture.

The vegetation integrity scores assessed for the site indicate that no offsetting is required for the site, which is consistent with the pasture landscape present on the site.

Further, the area is mapped as containing multiple watercourses with a large catchment, draining across the site in a west to east direction. The extent of works will encroach within 40 m of a mapped waterline.

MJD Environmental's review of the Fisheries NSW Spatial DATA 'Key Fish Habitat Mapping' indicates that the watercourse situated directly to the north of the site features mapped key fish habitat. While this watercourse is ephemeral, it experiences frequent low flows and is unlikely to serve as key habitat for any threatened fish or facilitate passage to or from key habitat, except during periods of heavy rainfall. Accordingly, MJD Environmental confirm the development application does not involve any activities that would necessitate a permit under the *Fisheries Management Act 1994*. The draft Riparian Vegetation Management Plan which has been prepared to accompany this DA will contribute to improving the riparian habitat through the removal of weeds and revegetating the channel and revegetation of southern inner and outer VRZ as well (refer below).

The biodiversity assessment of the site concludes that the site presents no significant biodiversity constraints and further assessment of the land subject to the development application under the *Biodiversity and Conservation Act 2016* is not required.

5.5.7 Riparian and Vegetation Management

A draft Riparian Vegetation Management Plan (RVMP) has been prepared by MJD Environmental at **Appendix L** by MJD Environmental. The report outlines the framework for, revegetation and rehabilitation of the section of

riparian corridor within the VMP area. The objective of the RVMP is to develop a plan responding to the constraints and commitments for the rehabilitation of the portion of riparian corridor adjacent to the development. The main vegetation management actions proposed for the site is weed control, revegetation and establishment of plating density focusing on the target plant community of PCT 4032.

Three Vegetation Management Areas (in lands that will be dedicated to Council as part of the drainage reserve with Stage 1 and then be subject to establishment and maintenance by the applicant under the RMVP) have been established as part of this RVMP (**Figure 21**) including:

- Channel
- Inner Vegetation Riparian Zone (VRZ)
- Outer Vegetation Riparian Zone (VRZ)

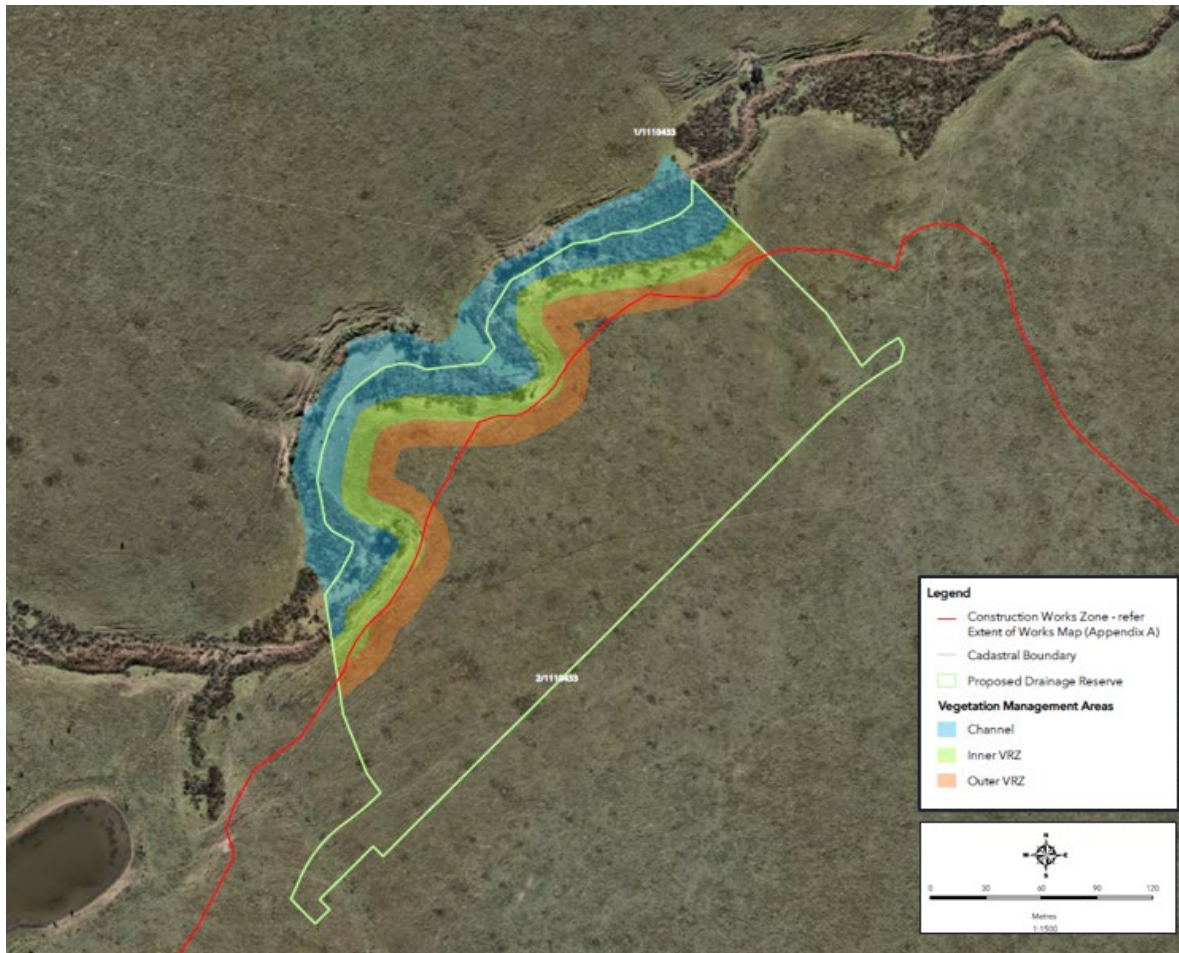


Figure 21 Vegetation Management Areas

Source: MJD Environmental

The primary management and conservation methods within these zones include weed control, maintenance and revegetation. For priority weeds such as *Juncus actus*, mechanical removal and wiping weeds with herbicide is the recommended strategy for weed removal. While for other species of invasive weeds, it is suggested that the site should be managed in accordance with best practice techniques in accordance with the techniques established in the RVMP.

Revegetation work should take place in all management areas, which across the areas include canopy plantings installed in clumps, terrestrial groundcovers, shrubs and macrophytes species.

Implementation of the RVMP is to be tracked via a compliance report prepared one year following the commencement of works, monitoring reports produced annually thereafter for five years and at the completion of works.

In addition to this a Riparian Assessment Report is provided at Appendix B of the Riparian Vegetation Management Plan (**Appendix L**). The report was prepared to identify the presence and extent of water courses to inform stream order, and, and define the applicable channel and RC/VRZ.

The assessment identifies the primary watercourse associated with this proposal as a 2nd order stream which originates as a large dam northwest and west of the site. The identified watercourses extents are indicated below in **Figure 21**.

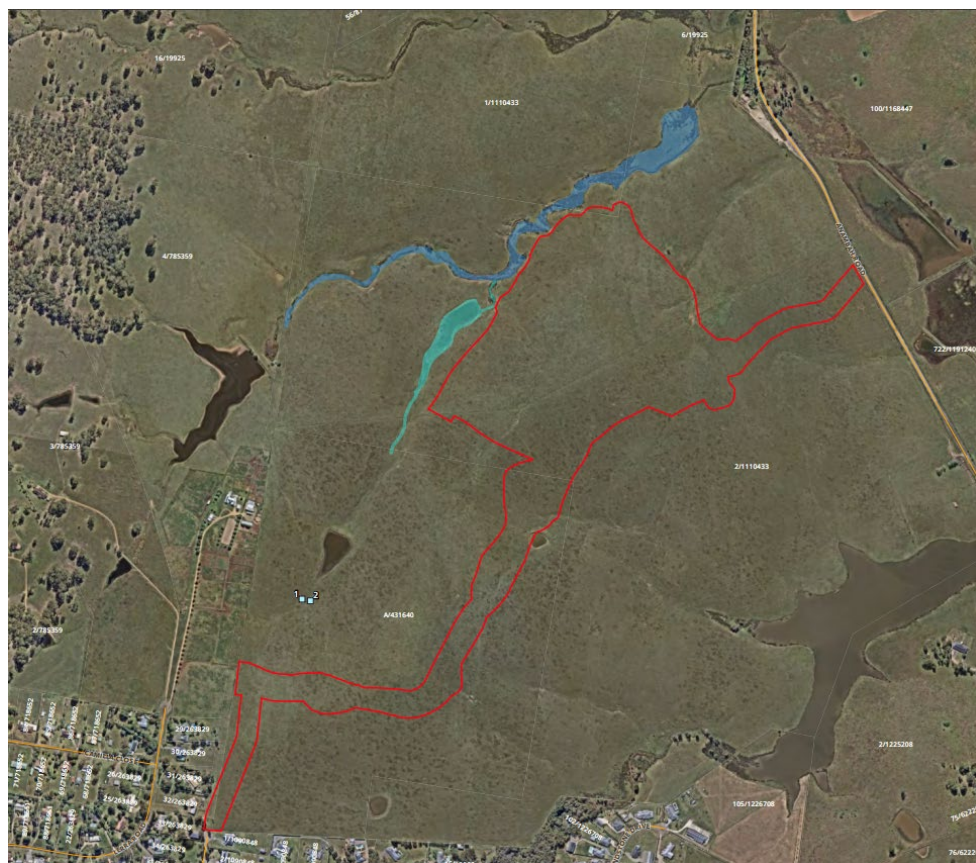


Figure 22 Identified watercourses in relation DA1 extent of works

Source: MJD Environmental

The Proposal will establish basin batters on the toe of the Outer VRZ (which has no existing vegetation or riparian features) and accommodates construction works zones, however the final development proposed does not encroach with the VRZ as assessed and no 'averaging' outcome is relied upon.

The RVMP only captures the southern edges of the watercourse as the works only extend to this portion of the watercourse. Any future works proposed to the northern banks of the primary watercourse will be subject to VMP requirements at the time, including northern edge VRZ. through progressive and future DAs.

5.5.8 Bushfire

The proposed site is identified as bushfire prone land as shown in **Figure 23** below, with the entirety of the site being affected by Category 3 bushfire prone land. A Bushfire Safety Authority from the RFS is therefore required in relation to the Proposal (being subdivision for the purposes of residential development and civil works), in accordance with Section 100B of the *Rural Fires Act 1997*. A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions and is included at **Appendix M**.

Section 4.47 of the EP&A Act requires a bushfire assessment of residential subdivision proposals on bushfire prone land following the process and methodology set out within s100B Rural Fires Act, Clause 45 of the Rural Fires Regulation 2013 and the NSW Rural Fire Service (RFS) document Planning for Bush Fire Protection 2019 (PBP).

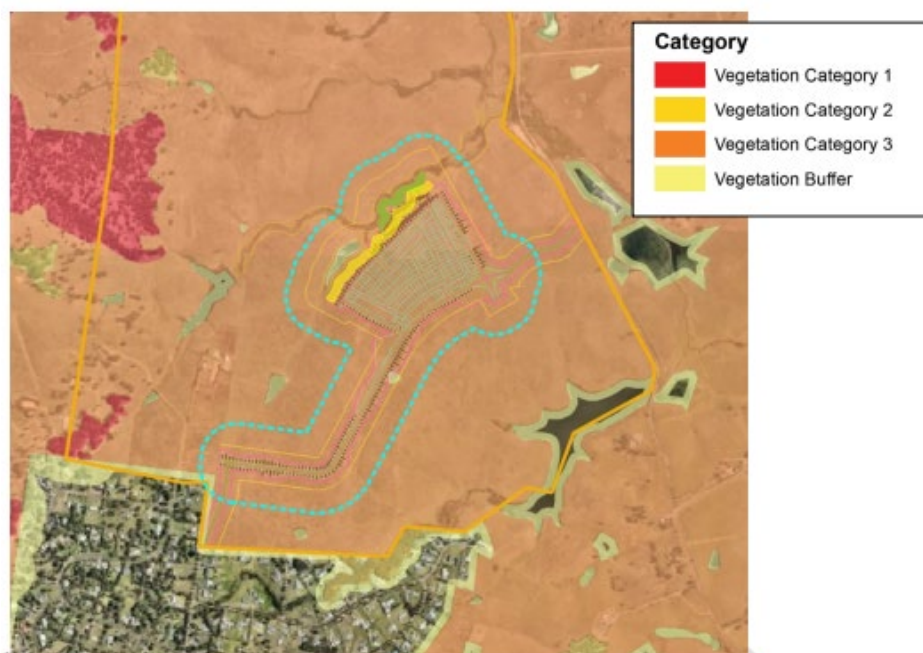


Figure 23 Bushfire Prone Land Map

Source: Maitland City Council

An assessment of the DA1 area has been undertaken by Building Code & Bushfire Hazard Solutions in accordance with the methodology of the PBP. This assessment confirms that there is only one proposed riparian corridor within the subject site, with the potential bushfire threat of this being adequately addressed.

To minimise the risk of bushfire and understand the potential hazards, Asset Protection Zones (APZs) suitable for residential development have been calculated in accordance with the PBP. Temporary Asset Protection Zones (APZs) proposed as part of the DA exceed the minimum requirement for APZs, with no new lots having a direct interface with the bushfire hazard. No permanent APZs are needed for the site because they fall within the proposed public road network. The minimum APZs are 12 metres to the north, east, south and west in accordance with Table A1.12.2 of PBP. APZs comprise of managed land within the stage and future residential stages. A 50-metre temporary APZ has been applied around the entire DA1 boundary (**Figure 24**) and will be released overtime pending future subdivision applications surrounding the site. This temporary APZ ensures that current pasture environment remains

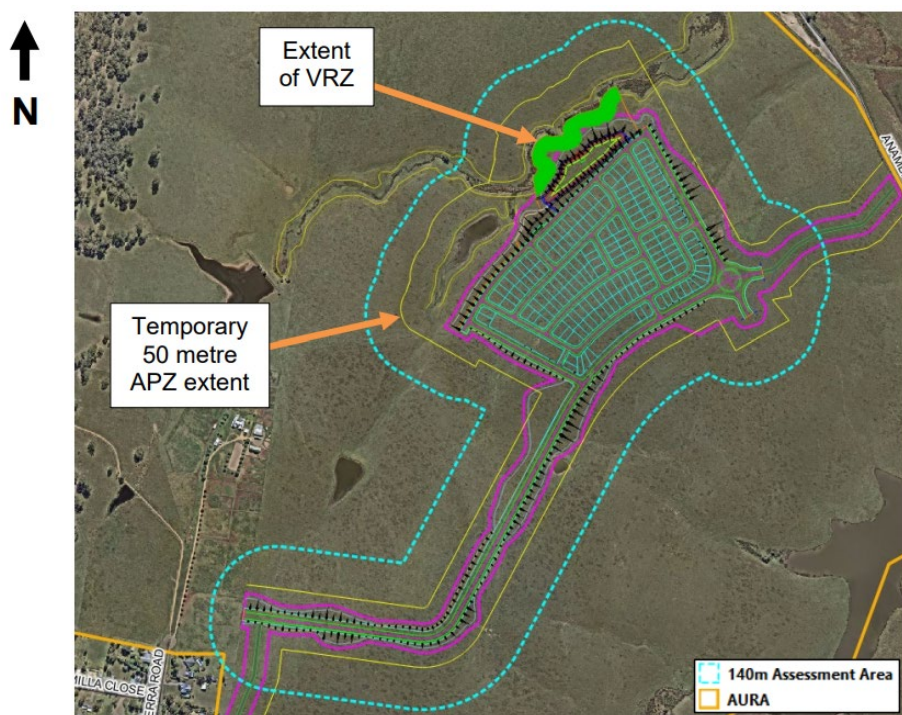


Figure 24 Map Indicating the Extent of APZs

Source: Building Code & Bushfire Hazard Solutions

Proposed access to the site includes a single unobstructed new public road connection (which will connect west to Wyndella Road). Roads along the northeastern and southwestern boundaries of the Proposal which provide direct access to the Perimeter Road, and comply with the Non-Perimeter Road requirements of the PBP, and ensures clear access to the interface is available for attending fire services.

While the permanent road is not reasonably considered susceptible to being compromised, and the Proposal is subject to low risk bushfire hazard that post development does not extend into the residential lots, the proposal also includes two (2) alternate emergency secondary access points, the first to the east onto Anambah Road and the other to the south to River Road. In the highly unlikely event that a large scale bushfire evacuation is needed these access routes will provide egress opportunities in additional and different directions. Conversely these access routes will provide attending fire services greater access opportunity.

The proposed access arrangements, in conjunction with the additional measures discussed, including application of 50m temporary APZs, will provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from the area. Further recommendations provided include the establishment of water, electricity and gas services in accordance with PBFP requirements and requirements for access under the PBP.

5.5.9 Aboriginal Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by GML at **Appendix N** for the DB20 Pty Limited overall main landholdings. This provides assessment of potential Aboriginal heritage sites for those lands. The ACHAR completed is comprehensive, informed by extensive excavations and ongoing consultation with Registered Aboriginal Parties. The Proposal is consistent with GML's recommendations and in principle discussions held with Heritage NSW, with a whole landholding ACHAR and AHIP recommended for the site, with progressive updates as each development stage is advanced. Refer to the DA1 Aboriginal Heritage Assessment Memo prepared by GML (**Appendix P**) which provides up to date assessment of the DA1 site specifically.

The ACHAR provides the results of consultation with the First Nations community under the Heritage NSW aboriginal cultural heritage consultation requirements for proponents 2010 to support all future developments within the DB20 Pty Limited overall landholdings and future AHIP applications. The research to inform this ACHAR has identified First Nations social and cultural, scientific and aesthetic values for the study area and are associated with a number of stone artefact sites. The Southern portion of the DB20 Pty Limited landholdings is noted as the least constrained in relation to the presence of items of Aboriginal archaeological significance.

Figure 25 illustrates the identified archaeological sites within the AURA in relation to the DA1 site area, it is summarised as follows:

- PADs 11, 17 and IF2 are located in the temporary APZ outlined in yellow which is outside the proposed construction works zone. These sites will therefore not be impacted by this Proposal.
- PADs 12 and 14 are located within the riparian rehabilitation area, with PAD 12 partially extending into the proposed basin batter as well. Given the nature of the VMP works, they will require surface collection consistent with ACHAR recommendations.
- PAD 7, 9 and 10 are located within the DA1 boundary (and potentially PAD 8) but do not require further management works. Therefore, works in these areas can proceed once an AHIP is issued to provided consent to remove.

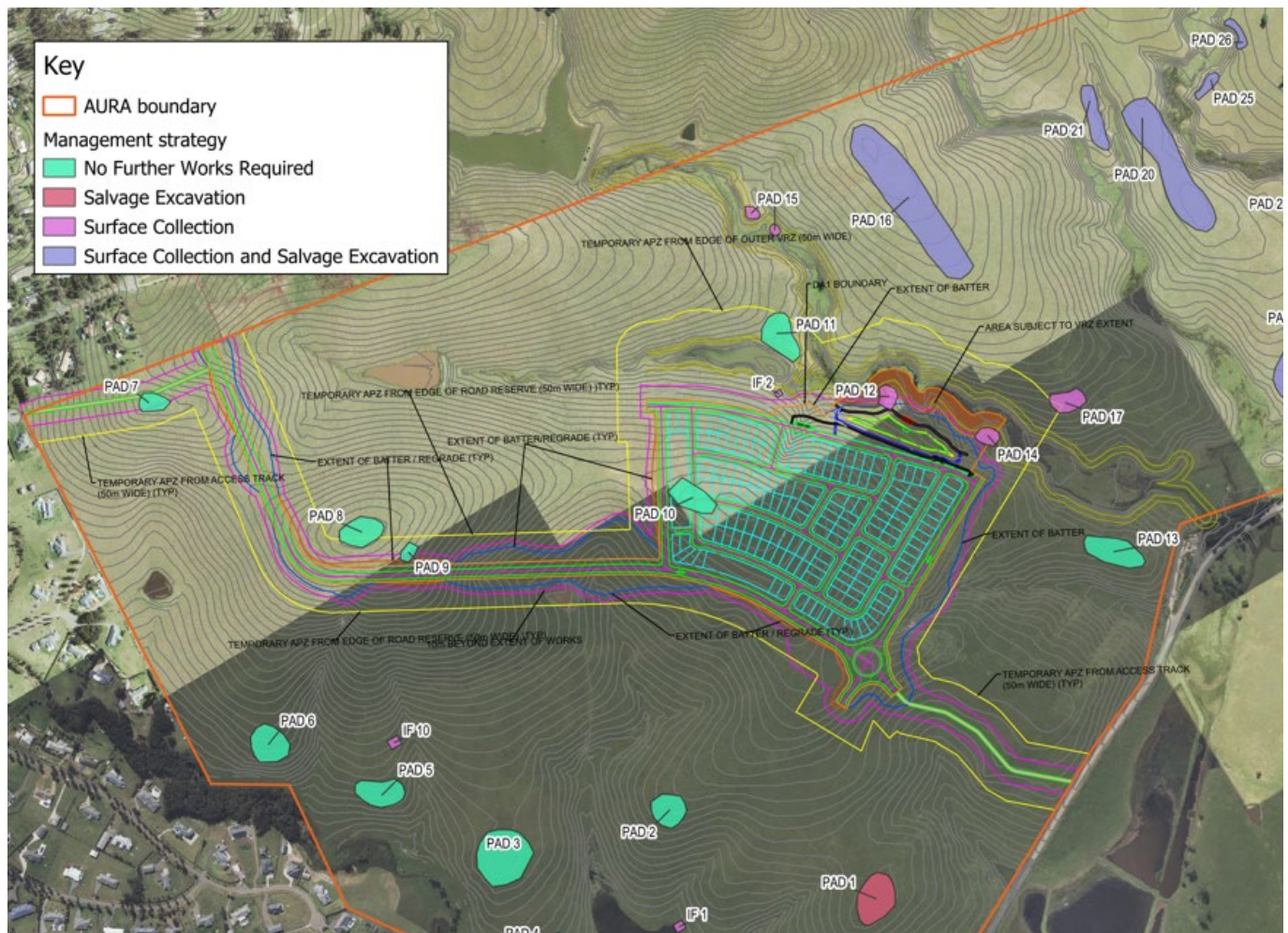


Figure 25 Identified sites of archaeological potential within the AURA subdivision site

Source: GML Heritage

A summary of each of the identified sites and the impacts and recommended mitigation strategies to the site affected is outlined in **Table 10**. Please note this table relates to this Proposal only and those subject to harm by this Proposal.

Table 10 Summary of identified archaeological sites

Archaeological Site	AHIMS Number	Is the site harmed by this proposal	Is a S90 Permit Required?	Recommended Mitigation Strategy
PAD 7	None	Yes	Yes	None
PAD 8	None	Yes	Yes	None
PAD 9	None	Yes	Yes	None
PAD 10	None	Yes	Yes	None
PAD 12	37-6-3570	Yes	Yes	Surface Collection
PAD 14	37-6-3558	Yes	Yes	Surface Collection

Source: GML Heritage

The recommended mitigation strategy for the majority the archaeological sites being affected by the DA1 proposal is either no further works or surface collection. The strategy of collection will mitigate against physical harm to significant First Nations stone objects in the process of development. Although the areas to be subject to surface artefact collection are not expected to be of high scientific research value, intangible First Nations cultural values could be damaged during topsoil stripping.

Earthworks associated with the urban development outside of the archaeological mitigation areas can occur upon the acquisition of a Section 90 AHIP for the extent of works, supported by a unexpected finds protocol.

Consultation undertaken with Heritage NSW on 14 November 2023 confirmed that a whole of DB20 land Aboriginal Heritage Impact Permit (AHIP) can be issued, allowing for the implementation of the Aboriginal Cultural Heritage (ACH) management strategies. This will be included as part of the conditions of consent for the Proposal, with proposals that result in 'harm' to certain ACH sites can occur once development consent has been received.

5.6 CPTED

CPTED is a crime prevention strategy that focuses on the planning, design and structure of sites, cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles to reduce the likelihood of essential crime ingredients from intersecting in time and space.

CPTED is based on the following design concepts.

- **Natural Surveillance** -the design and placement of physical structures and features to maximise visibility and opportunity for effective surveillance. Many practitioners seek to connect eyes between those in and around buildings or areas and those passing by
- **Access Control** - Access control should restrict, channel, and encourage people into, out of and throughout areas.
- **Territorial Seinforcement** – involves the use involves the use of physical indicators to delineate space and express a positive sense of control. The approach indicates a space is cared for and protected.
- **Lighting** - Good lighting can assist in increasing the usage of an area and plays an important role in improving surveillance in darker areas and to maintain surveillance at night.
- **Space and Activity Management** - Space and activity management involves the control, supervision, and care of space
- **Environmental Management** - There is a high correlation between urban decay, fear of crime and avoidance behaviour.

The Proposal has been designed with consideration of the Crime Prevention by Environmental Design Principles.

Natural Surveillance

The proposed drainage reserve allows for natural surveillance and informal supervision,

Access Control

Access points to the proposed drainage reserve will be continuously maintained to ensure safety and demonstrate consideration for CPTED Principles.

Territorial Reinforcement

The proposed design and plan of subdivision will support the future delineation between public and private spaces and will assist in territorial reinforcement for future residential development.

Landscaping has been designed to provide privacy for future residential development and delineate between public and private spaces.

Lighting

Lighting is to be provided to relevant standards and detailed during construction design.

Space and Activity Management

The proposed drainage reserve includes some pathway and seating areas to support early residents, until more formalised open space areas are delivered through progressive development.

Environmental Management

The proposed street layout allows for clear lines of sight to be established throughout the development. Additionally, the proposed lots are designed so that future development built on the site can be orientated towards the street to provide additional passive surveillance of the streets and surrounding public spaces.

STR5 borders the proposed drainage reserve which allows lots on this street to be orientated towards that space, providing increased passive surveillance.

5.7 Social and Economic Impacts in the locality

The Draft Anambah Area Plan was publicly exhibited alongside the planning proposal to rezone AURA. Key elements of the URA's long-term structure are located within the central section of the URA, including the planned local centre, sportsground, and a potential primary school site. The future road network in this southern section will also facilitate new connections west, enhancing access to existing community infrastructure in Lochinvar.

While there is currently no confirmed timeline for the delivery of infrastructure in the central section of the URA, sufficient capacity already exists in the surrounding area to support early stages of residential development. This includes recent expansions to primary and secondary school facilities, the delivery of new childcare services, and the approved Lochinvar Shopping Village, which will provide a full-line supermarket, specialty retail, and future commercial offerings. In combination, the facilities in Lochinvar, Aberglasslyn, and Rutherford offer a well established urban support network for incoming residents.

The Proposal will provide social and economic value for Anambah and the broader community. The following positive social and economic impacts are of note:

- The Proposal provides increased housing supply in a rapidly growing area which is well connected to surrounding local centres including Rutherford which provide employment and access to essential services. The increase in housing supply assists ensuring a greater diversity and affordability of housing is provided a regional area such as Anambah.
- The Proposal will result in a considerable change in the character of the site itself, from a rural space to a low-density residential development. This change in character, aligns with the ongoing transition taking place in surrounding areas such as Windella and Lochinvar, and is consistent with the future planned desired character for the area.
- The Proposal will provide future residential housing which will be well connected to open space, with an early section of a lineal corridor included alongside the existing ephemeral watercourse.
- High quality and well-designed pedestrian, shared and cycle pathways are provided throughout the site which provide opportunities for active movement and exercise for future residents.
- The Proposal plan priorities pedestrian and cyclist safety through safe pathways and crossings throughout the site.
- The Proposal is assessed to have a positive social impact on the surrounding locality through establishing a well-designed local community which will provide connections to active transport, community infrastructure and services as part of the future stages of the broader AURA subdivision development.

5.8 Suitability of the site for the development

In accordance with Section 4.15(1)(c) of the EP&A Act, the site is considered to be suitable for the Proposal for the following reasons:

- The site is suitably zoned R1 General Residential which permits the proposal with development consent.
- The site has been identified as an urban release area under the MLEP and therefore has strategic merit for the Proposal.
- The site does not have any environmental constraints which would prevent or unreasonably restrict the development of the proposed lots for their intended purposes. Constraints such as bushfire have been suitably managed through appropriate design and mitigation.
- The site (and proposed lots) will be adequately serviced by roads, utilities and stormwater infrastructure, as proposed by this DA and as detailed earlier.

5.9 Public Interest

In accordance with Section 4.15(1)(e) of the EP&A Act, the Proposal is considered to be in the public interest for the following reasons:

- The Proposal will enable the delivery of 173 residential lots and two super lots which will provide increase housing supply planned for the AURA and wider Anambah area.

- This subdivision will form the first part of development for the DB20 Pty Limited landholdings within wider AURA subdivision planned for the site which will provide increase housing, community infrastructure, and public open space.
- The Proposal provides residential housing in close proximity to existing town centres in Lochinvar and Rutherford which provide employment opportunities and essential services for the proposed development.
- The Proposal provides a development which is well designed and contributes the overall character of the area.

6.0 Conclusion

The Proposal seeks approval for residential subdivision within the AURA in Anambah NSW. The DA seeks consent for subdivision to create 173 residential lots, 2 super lots and associated civil and landscaping works, across up to four stages .

This SEE has provided a detailed assessment of the proposal against the relevant matters under Section 4.15(1) of the EP&A Act. The application is recommended for approval given the following reasons:

- The Proposal is consistent with the aims and objectives of the *Maitland Local Environmental Plan 2011* (MLEP) and the *Maitland Development Control Plan 2018* (MDCP) as well as the relevant State Environmental Planning Policies (SEPPs);
- The Proposal will facilitate the future development of increased housing supply in an area currently undergoing a transition from rural to increasingly more residential land uses;
- The Proposal will realise the first stage of development for DB 20 lands within the planned urban release area, known as the Anambah Urban Release Area (AURA);
- Supporting technical studies which accompany this DA confirm that the environmental impacts associated with the proposal are generally positive and will not give rise to any adverse impacts;
- Any potential environmental impacts associated with the Proposal can be appropriately mitigated; and
- The Proposal is suitable for the site and is in the public interest.

At the time of determination, it is anticipated that Council will be satisfied that:

- all statutory requirements of Maitland LEP 2011 are met and
- the applicant is capable of achieving the necessary steps to allow the access for traffic and satisfy relevant statutory tests, such that a condition requiring these steps to be completed prior to registration of the first residential lot is appropriate.