

STATEMENT OF ENVIRONMENTAL EFFECTS

OUTDOOR RECREATION FACILITY - GOLF DRIVING RANGE

91 GRAND PARADE, RUTHERFORD NSW 2320 (PART LOT 1 DP270823)



CLIENT: SWING FACTORY

DATE: 12 JUNE 2025

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1. INTRODUCTION

1.1. PURPOSE

This Statement of Environmental Effects (SEE) has been prepared on behalf of the applicant Breckenridge Funds Management ATF The Swing Factory Maitland Unit Trust to accompany a Development Application (DA) for a golf driving range on land at 91 Grand Parade Rutherford 2320 (Lot 1 DP 270823) (the site).

The SEE summarises findings of specialist reports and demonstrates the proposed development has been prepared having full and proper regard to planning and development controls and environmental qualities of the site and its surroundings.

1.2. THE OPERATOR OF THE PROPOSED DEVELOPMENT

Swing Factory is an Australian-owned provider of golf entertainment, driving ranges, and hospitality. Their mission is to make golf more fun for players, old and new.

By integrating advanced technology, premium hospitality, and social experiences, Swing Factory transform traditional golf into a modern, interactive experience that appeals to a broad demographic of users.

Projects by Swing Factory focus on enhancing community engagement, developing high-quality infrastructure and delivering exceptional customer experiences for the communities in which they serve.

The community benefits of Swing Factory projects include:

- Expanding leisure, health, recreational, and social opportunities for our communities.
- Encouraging inclusivity by attracting a younger, more diverse gender balanced audience.
- Provide affordable, high-quality entertainment for local community groups, schools, individuals, families, and corporates.
- Strong community activator through social events, group activities, and local engagement initiatives.
- Support youth development and grassroots programs by fostering interest in golf from an early age.
- Create a welcoming environment for people of all backgrounds, including those new to golf.
- Offer a year-round destination that encourages active lifestyles and outdoor recreation.
- Integrate gamification through Toptracer Range technology, making golf fun and interactive for all ages and abilities.
- Contribute to the local economy by generating jobs, collaborating with local suppliers, and driving tourism.
- Significant investment to develop modern infrastructure to help enhance the profile of the local area and region.

Swing Factory is redefining golf entertainment by combining technology, hospitality, and social experiences to create inclusive, community-driven destinations.

Swing Factory's commitment to innovation and high-quality services ensures long-term value for local communities, councils, and commercial partners alike.

1.3. CONSULTATION WITH THE RESIDENTS OF HERITAGE PARK

Consent DA17-2461 for a golf driving range was granted by Council 21 June 2018. This consent positioned the driving range towards the southern end of the site facing north with access to the facility through the streets of Heritage Park.

During 2024, the applicant made representations to *The Owners – Strata Plan No.270823 Heritage Park 1504 Racecourse Road, Rutherford* via the Owners Committee (that own the site and consist of resident representatives of the Heritage Park residential area) to both consult and obtain their support on the design of the proposed development and to obtain their consent to lodge the DA. The committee represents the residents of the Heritage Park Community title scheme and represent the land owner of the site for the proposed development.

As a result of this consultation:

- the proposed driving range orientation was flipped 180 degrees to address high risk errant balls to residential receivers (new position reorientated the driving range away from residents);
- vehicle access to the driving range was relocated from Boundary St to Cavalry Ave to eliminate flow through traffic through the residential streets of Heritage Park; and
- improved acoustic performance due to increased buffer between the proposed club house and residents.

This consultation lead to The Owners providing their consent to lodge the DA on 15th April 2025.

1.4. CONSENT AUTHORITY

The proposed development requires consent under the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Maitland City Council is the consent authority.

1.5. SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS

This SEE has been prepared on behalf of the applicant and addresses matters referred in section 4.15 of the EP&A Act.

The SEE:

- Describes the proposed development;
- Describes the site the DA relates and the character of the surrounding area;
- Assesses the likely environmental impacts and necessary mitigation measures; and
- Identifies the statutory planning framework within which the DA is to be assessed and determined.

1.6. PERMISSIBILITY

The Maitland Local Environmental Plan 2011 (LEP) zones the site *RE2 Private Recreation*. Under this zone *recreation facilities (outdoor)* are permissible with consent. The proposed golf driving range, bar/restaurant and carpark are characterised as a *recreation facility (outdoor)*. The proposal has been prepared having regard with the provisions the LEP.

2. SITE AND SURROUNDING AREA

2.1. SITE SUMMARY

Address	91 Grand Parade 2320
Lot and DP	Part Lot 1 DP 270823
Zone	RE2 Private Recreation
Land Area of part lot	Approximately 8.9 hectares
Existing Structures	Small club house and an approved golf driving range.

2.2. SITE AND SURROUNDING AREA

2.2.1. The Site

The site is the northern portion of Lot 1 DP 270823 (Figure 2-1) and currently contains an approved golf driving range.

The northern portion of the site has been significantly modified by clearing and filling such that the site is approximately 1.25-1.5m higher than the residential dwellings to the east. Fill has been mounded along the western and northern boundaries combined with vegetation to screen the site (Photos 1 to 6).

Drainage is directed to the eastern and northern boundaries via swales draining northward and then east toward the artificial waterbody (and Heritage Parc) that is a central feature of this residential development.



Figure 2-1 The site – part Lot 1 DP 270823

(Altis Architecture)

Access to the site is via Cavalry Ave via Racecourse Road. The site can also be accessed from the east via Grand Parade and Boundary Street.



Photo 1 View from north end of site facing south



Photo 2 View from boundary facing south/east.



Photo 3 View from east boundary facing north



Photo 4 View from north end of site facing west.



Photo 5 View from east boundary facing west



Photo 6 Site entrance facing south

2.2.2. Utilities

Potable water connection is available from Calvary Ave. A gravity sewer main is located in Boundary St on the eastern side of the site. The closest gas line is located in Racecourse Road.

Overhead power lines within easements run along the western and northern site boundary that also accommodate sewer and water. This and other easements on site are illustrated in the Lot and Deposited Plan in **Attachment 1**. Figure 3-2 is an extract of the Deposited Plan with Items M, K and H concerning stormwater easements relevant to the site and proposed development.

The closest point of connection for mains power external to the site is from Calvary Ave. Connection would be via above or below ground to the proposed development. An existing substation is located in the road reserve of Boundary St (between Centrefield St and Conquest Cl). Broadband connection points are at the intersection of Cavalry Ave and Racecourse Rd.

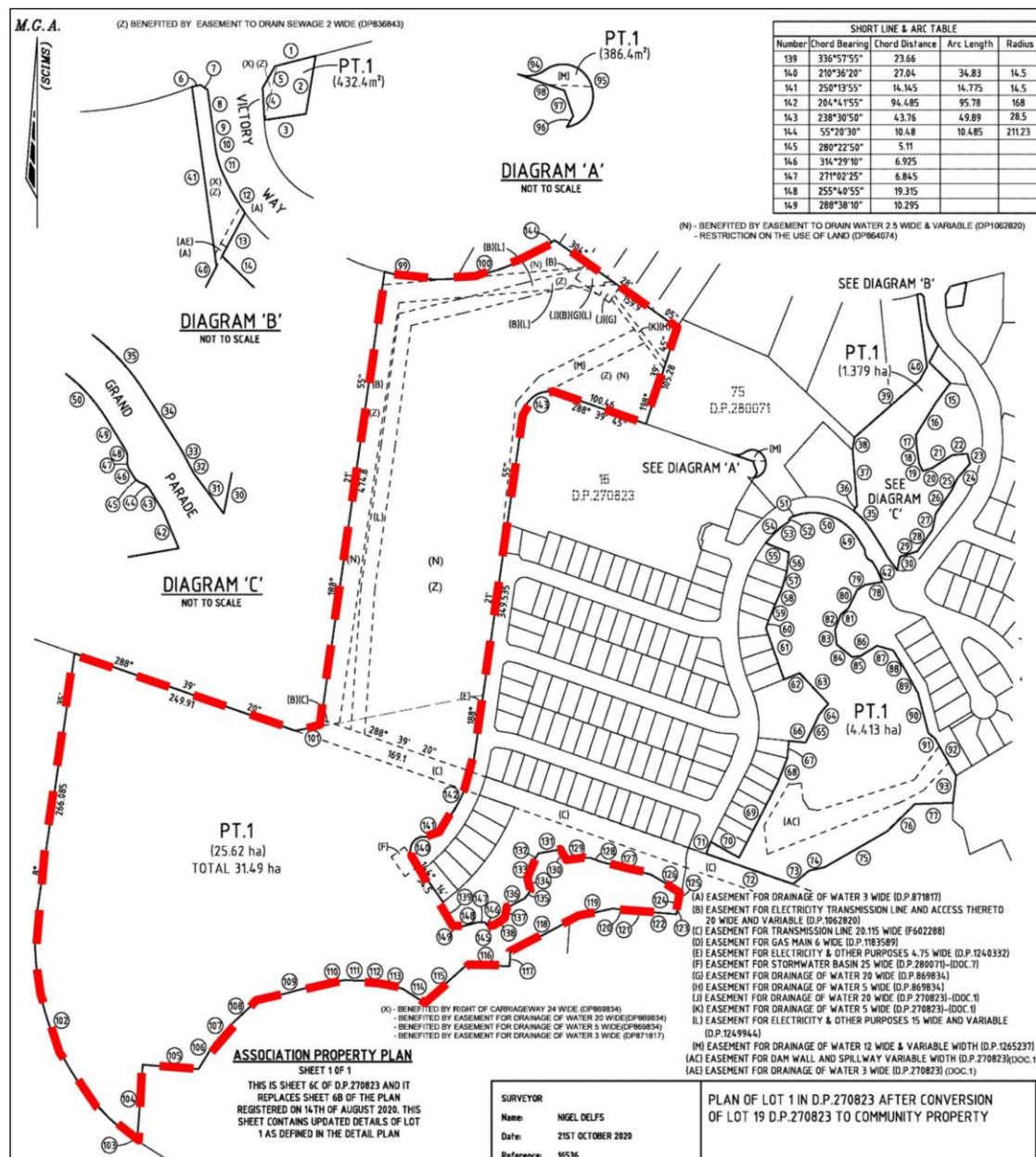


Figure 2-2 Easements on site under Lot 1 DP 270823.

2.2.3. Surrounding area

With reference to Figure 2-1, north and west of the site is the existing Rutherford industrial area while east of the site is a recently constructed residential area including a retirement village. The final stages of development of the residential area are occurring to the south east of the site. This land was developed under *Schedule 1 Additional permitted uses Clause 6 Use of certain land at Racecourse Road, Rutherford (Heritage Green)* of the *Maitland Local Environmental Plan 2011 (LEP)*.

The remaining southern portion of the site is undeveloped and is not subject to the proposed development.

2.2.4. Bushfire

Only the southern portion of the site is identified as bushfire prone land due to scattered vegetation. The location of the proposed club house is at the northern end of the site that is not bushfire prone land.

2.2.5. Soils

The site has Class 5 acid sulfate soils on the site. Subsurface conditions consist of fill of variable compaction with underlying alluvial soils.

2.2.6. Watercourses

According to NSW 1:25000 topographic mapping, 2 first order watercourses are located in the northern portion of the site (Figure 2-3). Both watercourse drain eastwards into Lot 8 DP 270823 that is an artificial water feature created with the development of Heritage Green under Schedule 1 Clause 6 of the LEP.

The southern of the two watercourses no longer exists due to the development of the retirement village east of the site. Drainage of this part of the site is via a swale in a drainage easement that connects to the northern water course.



Figure 2-3 topographic map illustrating watercourses on site.

3. PROPOSED DEVELOPMENT

The proposed development is an *outdoor recreation facility*. Plans for the proposed development prepared by Altis Architecture are illustrated in an extract of the site plan in Figure 3-1 and in Figures 3-2 to 3-5 (**Attachment 2**) and include the following:

- Site preparation including demolition of existing sheds;
- A 230m long golf driving range, hitting bays and driving range perimeter netting
- Ancillary food and drink premises in a club house that includes 25m² of floor space as a meeting space for the Owners Committee and residents of Heritage Park;
- 18 hole mini golf course;
- 40 space car park and informal overflow parking area; and
- Ancillary works including:
 - upgrading and extending access road;
 - landscaping;
 - stormwater infrastructure;
 - signage at the site entrance visible from Cavalry Ave and signage within the facility;
 - fencing for facility and site security, and
 - extension of existing utilities (sewer, power, water, telecommunications) in Racecourse Road, Cavalry Avenue and/or Boundary Street into the site to connect and service the proposed development.

3.1. DRIVING RANGE

The northern end of the driving range is setback approximately 37 metres from the eastern boundary and increasing to 50+ metre at the southern end of the driving range. To keep golf balls within the driving range, the eastern boundary of the range will be netted up to 30m high at its highest point (Figure 3-2). On the western side of the driving range, netting will be a maximum of 12m high.



Figure 3-1 Site plan of proposed development.

(Altis Architecture)



Figure 3-2 Cross section of netting facing the eastern boundary of the driving range. (Altis Architecture)

3.2. CLUB HOUSE AND HITTING BAYS;

The proposed club house is approximately 20m x 12.5m containing a kitchen and bar, office, toilets and a covered outdoor terrace adjacent to 26 hitting bays (Figure 3-3). The club house will accommodate social and hospitality activities and management of Swing Factory operations.

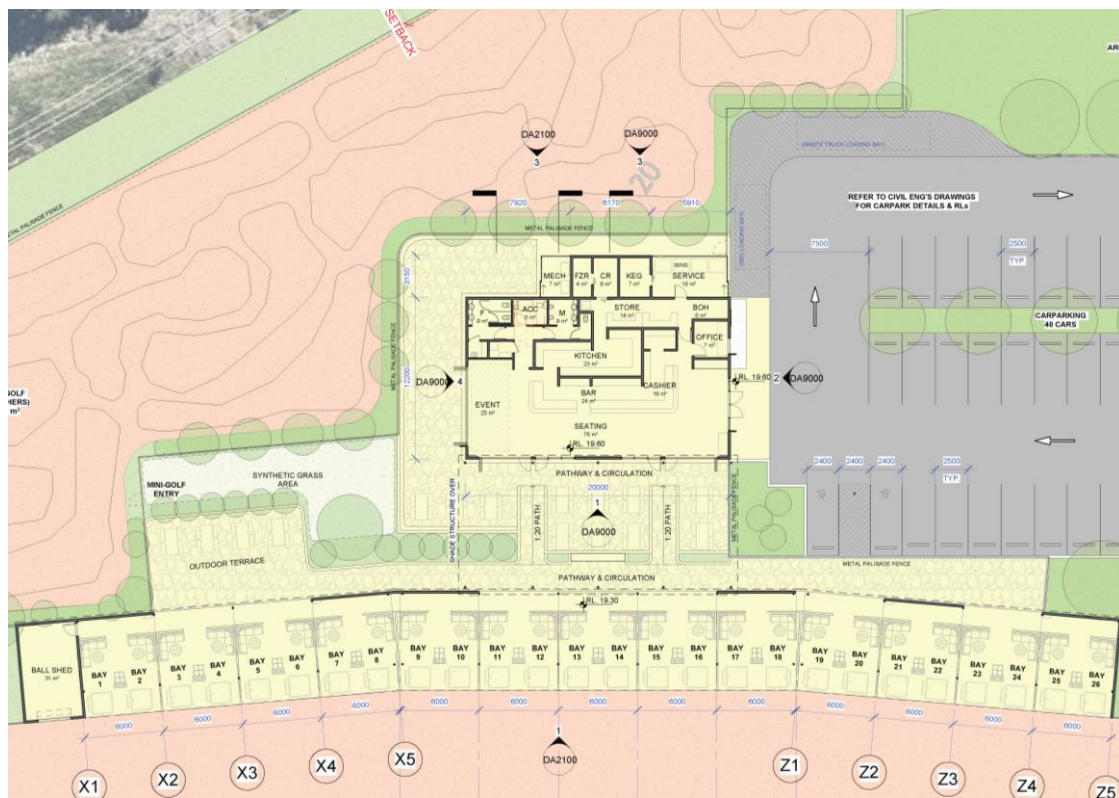


Figure 3-3 Driving bays, club house and car park

(Altis Architecture)

Elevations of the club house are provided in Figure 3-4 and Figure 3-5.

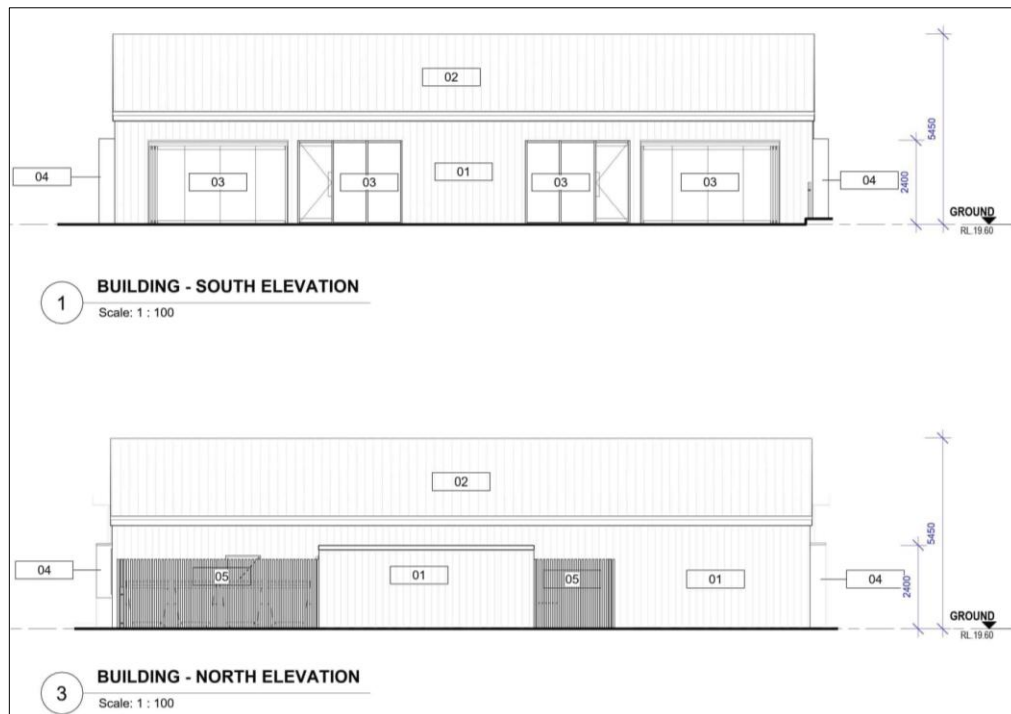


Figure 3-4 Clubhouse – north and south elevations

(Atlis Architecture)

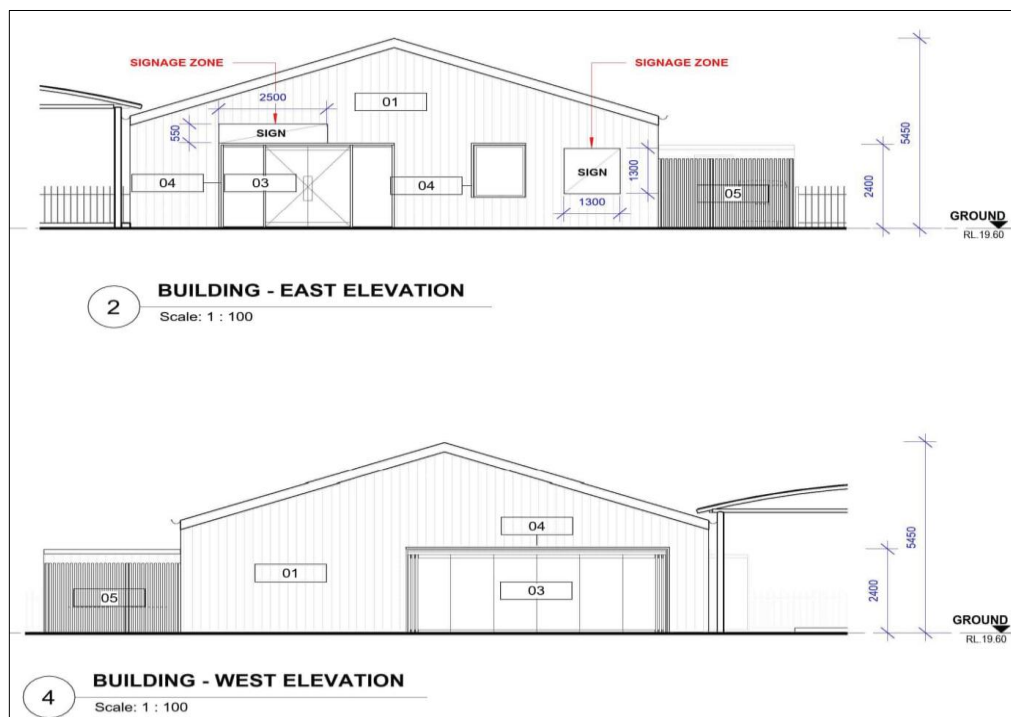


Figure 3-5 Clubhouse – east and west elevations

(Atlis Architecture)

3.3. 18 HOLE MINI GOLF COURSE

An 18 hole mini golf course over 2000m² is proposed in the northwestern corner of the site on the western and northern sides of the club house (Figure 3-1).

3.4. CAR PARKING

The car park will be approximately 1300m² in area providing 40 car parking spaces (Figure 3-3). Detailed design of the car park will be in accordance with *AS/NZS 2890.1:2004 Parking facilities*.

Construction materials for the car park is subject to detailed design and could include gravel or crush rock and stone to increase permeability and decrease runoff.

If and when required, overflow parking is available on the grassed area north of the proposed car park.

3.5. LIGHTING

Lighting for the driving range will be provided on top of the netting poles and on top of a number of driving bays as per Figure 3-6 (**Attachment 2A**).

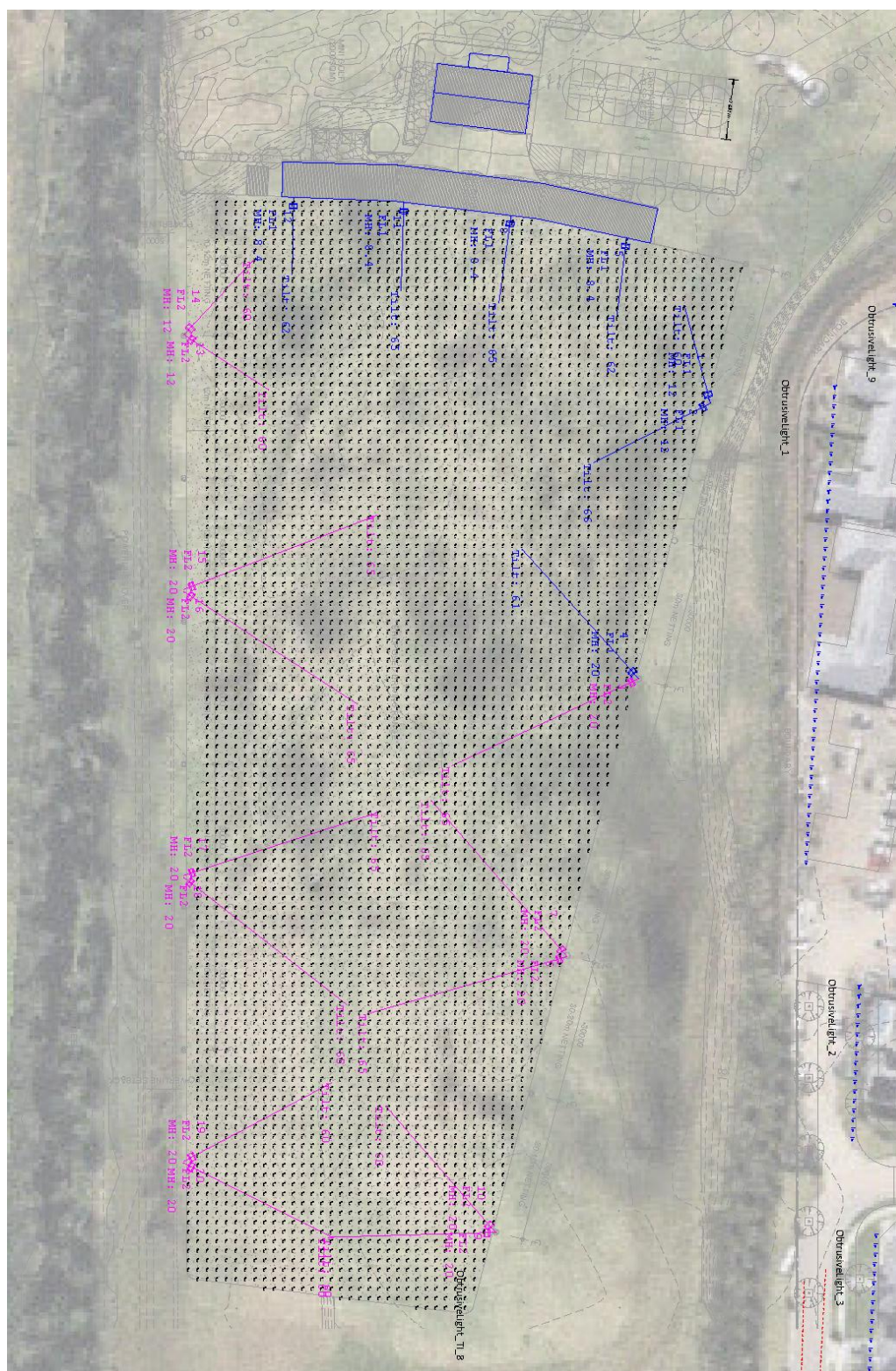


Figure 3-6 Lighting plan for driving range.

(Source: SAL)

Lighting for the mini golf course and club house is provided in Figure 3-7.

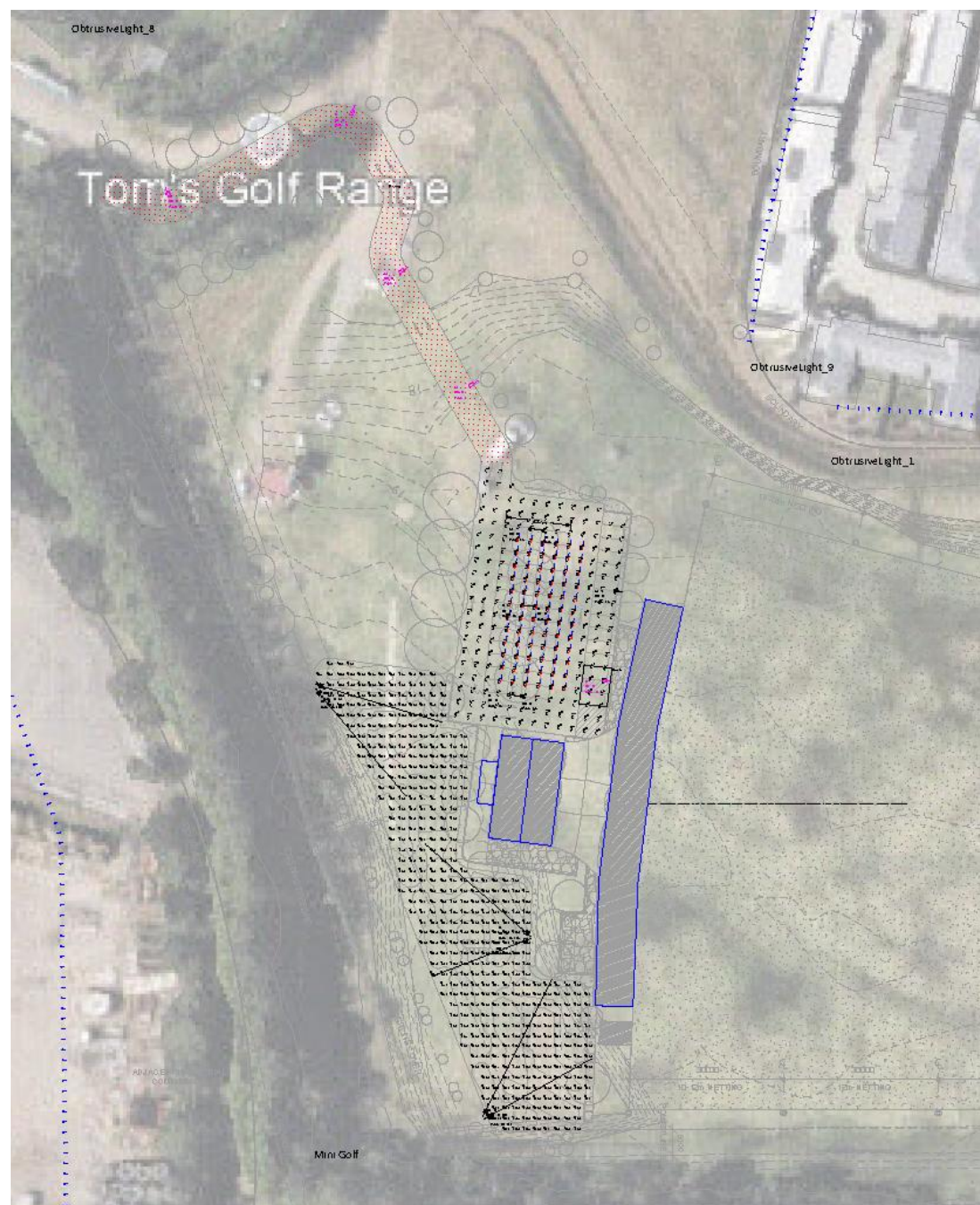


Figure 3-7 Lighting plan for mini golf and car park.

(Source: SAL)

3.6. STORMWATER MANAGEMENT

A stormwater management plan has been prepared by JHA for the proposed development using DRAINS hydrology and stormwater modelling (**Attachment 3**). With a general site fall from west to east, roof runoff from all structures will be captured via pits and pipes and directed to an 84m³ on site detention basin (Figure 3-8 and Figure 3-9).

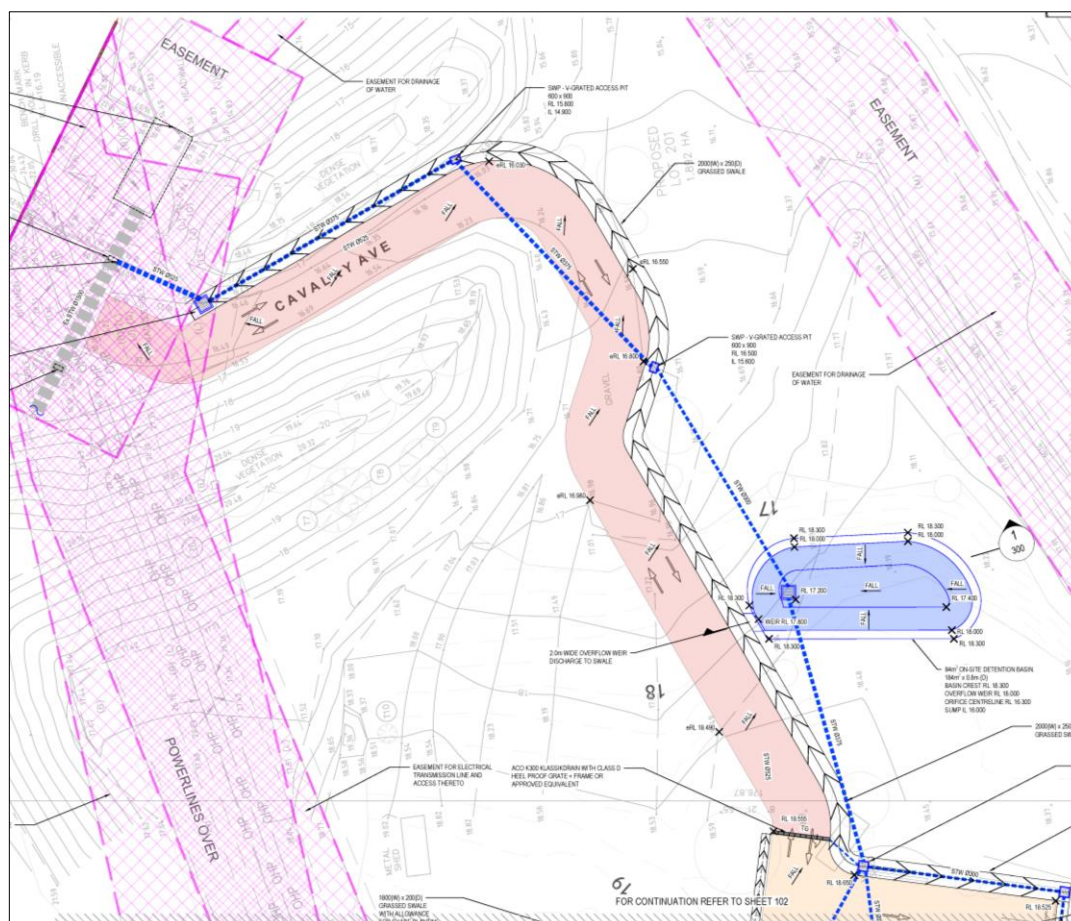


Figure 3-8 Stormwater management 1

(JHA)

Ground surface runoff from the car park and the access road is to be captured by 2000mm wide grass-lined swales and directed to the drainage easement to the north. The combination of proposed swales and detention basin feeding into the approximately 350m long swale to the artificial water feature of Heritage Parc residential area to the east is an effective water treatment train. This water feature is surrounded by residential development for the primary purpose of providing amenity to residents and does not have notable natural ecological values.

The DRAINS analysis treated the total catchment area for the proposed development (excluding the driving range) as 60% to 65% impervious. Detailed design and selection of permeable materials for the access road and car park will reduce these initial conservative assumptions in the DRAINS modelling.

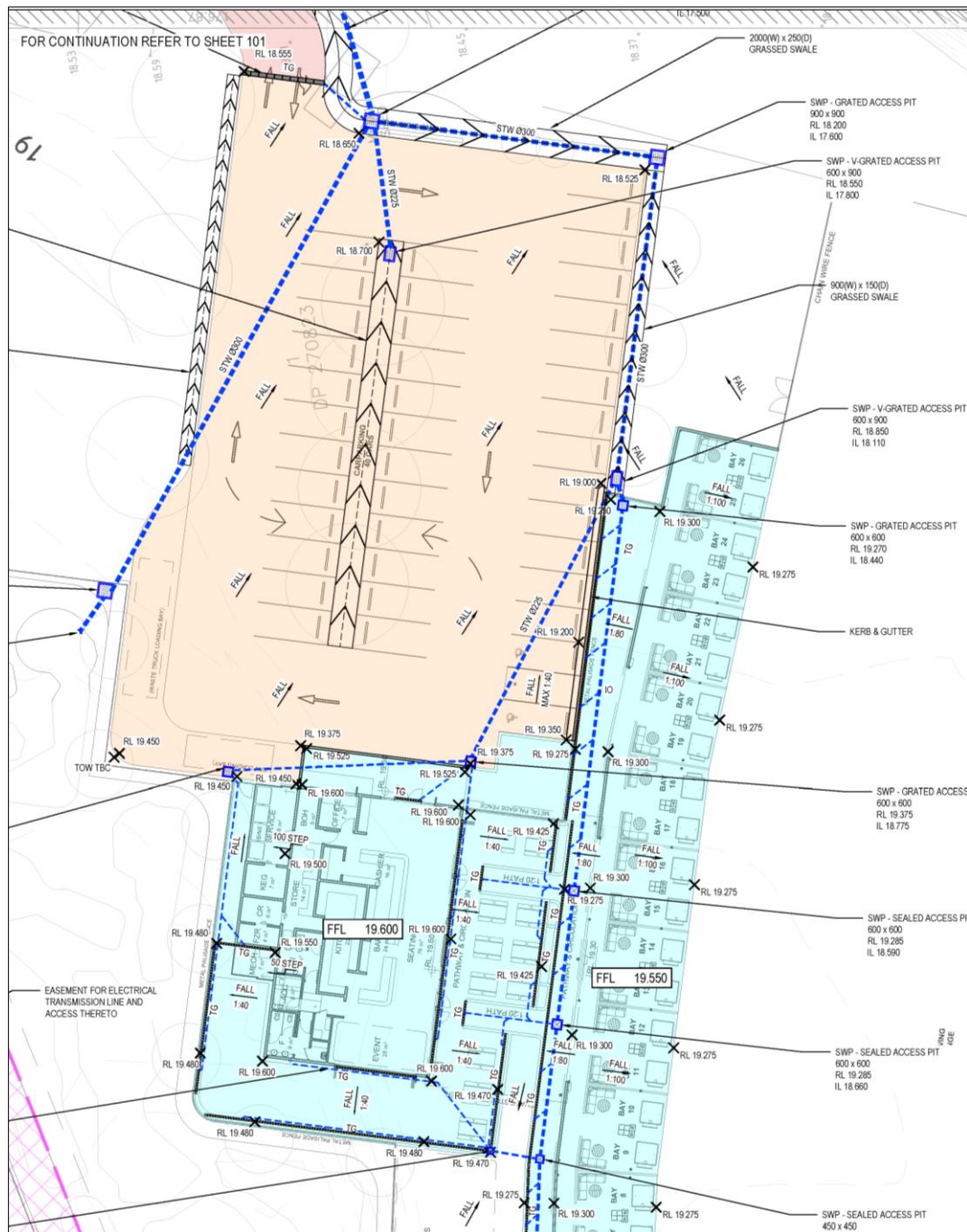


Figure 3-9 Stormwater management 2

(JHA)

3.7. LANDSCAPING

A landscape plan for the proposed development has been prepared by Moir Studio (Figure 3-10 and **Attachment 4**).

3.8. UTILITIES

The proposed development will be connected to potable water, sewer, power and telecommunications that are available adjacent to the site in Boundary St and Cavalry Ave (refer Clause 7.9 in Table 1). Detailed design as part of the construction certificate process will identify actual how this infrastructure will be extended into the site.



Figure 3-10 Proposed landscaping.

(Moir Studio)

3.9. OPERATIONAL DETAILS

The proposed facility will open 7 days a week between 8am to 10.30pm whilst the clubhouse – including the bar for trading will be open until 11pm.

3.9.1. Patron arrangements

The clubhouse food and drink (beverage) patrons can either sit at the bar, tables and chairs or booths provided. The majority of facility users will primarily utilize the driving range hitting bays and engage with food and beverage services during their driving range experience directly. A smaller proportion of users will access food and beverage services in other areas of the venue, including the mini golf and clubhouse zones

3.9.2. Staff Arrangements

The facility will have up to 5 staff working at any one time and will be staggered throughout the day.

3.9.3. Noise Management

The food and beverage premises will be a controlled environment. Music will be played through an inhouse sound system as background music within the venue and in accordance with the recommendations of the Noise Impact Assessment – refer Section 6.2. No live music is proposed.

3.9.4. Food and Beverage Services

The food and beverage premises will provide drinks to patrons and will be in accordance with the liquor licencing requirements.

3.9.5. Deliveries

The expected deliveries for the premises will be 2 day per week, through standard business operating hours (i.e. 9am to 5pm, Monday to Friday). A loading zone is provided for deliveries.

4. STATUTORY PLANNING CONTROLS

4.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATION 2021

The DA is not:

- Designated development under Schedule 3 of the *Environmental Planning and Assessment Regulation 2021* or any other environmental planning instrument; or
- State significant development or state significant infrastructure pursuant to Section 4.36 of the EP&A Act; or
- Regionally significant development pursuant to the State Environmental Planning Policy (Planning Systems) 2021.

The DA is local development and Council is the consent authority.

The site:

- is not identified within a proclaimed mine subsidence district under the *Coal Mine Subsidence Compensation Act 2017*;
- does not contain a heritage item recognised under the *Heritage Act 1977*; and
- is waterfront land under the *Water Management Act 2000* but no works are proposed in the mapped watercourse.

The proposed works in the road reserves of Cavalry Ave and Boundary St for sewer/water/power and telecommunication connections to the site will require approval under Section 138 of the *Roads Act 1993*. Accordingly, the DA is integrated development.

4.2. THE LIQUOR ACT 2007

Appropriate liquor licensing will be sought following the issue of development consent and will be consistent with the trading hours and patron capacity sought under this DA.

4.3. RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

4.3.1. State Environmental Planning Policy (Transport and Infrastructure)

Under Schedule 3 of the SEPP, the proposed development is not *traffic generating development* as the car park does not propose 200 or more spaces or 50 or more spaces with access to a classified road.

4.3.2. State Environmental Planning Policy (Resilience and Hazards) 2021

The site is not mapped under Chapter 2 as a coastal wetlands and littoral rainforest area, coastal vulnerability area, coast environment area or coastal use area.

There is no physical evidence or historical photos to suggest the presence of contamination or previously contaminating land uses (listed in Table 1 of *Managing Land Contamination, Planning Guidelines SEPP 55 Remediation of Land 1998*) occurring on site of the already approved driving range. The site is not listed on the EPA Contaminated Sites Register nor within an investigation area.

Under Section 4.6(4) *Contamination and remediation to be considered in determining development application*, Council can be satisfied the site is suitable for the proposed use as a *recreation facility (outdoor)*.

4.3.3. State Environmental Planning Policy (Sustainable Buildings) 2022

The proposed development involves construction of a new building that forms part of the overall proposed development of an outdoor recreation facility. The proposed building does not have an estimated cost of development more than \$5 million and hence the SEPP does not apply.

4.4. MAITLAND LOCAL ENVIRONMENTAL PLAN 2011

The Maitland Local Environmental Plan 2011 (LEP) zones the site RE2 Private Recreation (Figure 4-1)

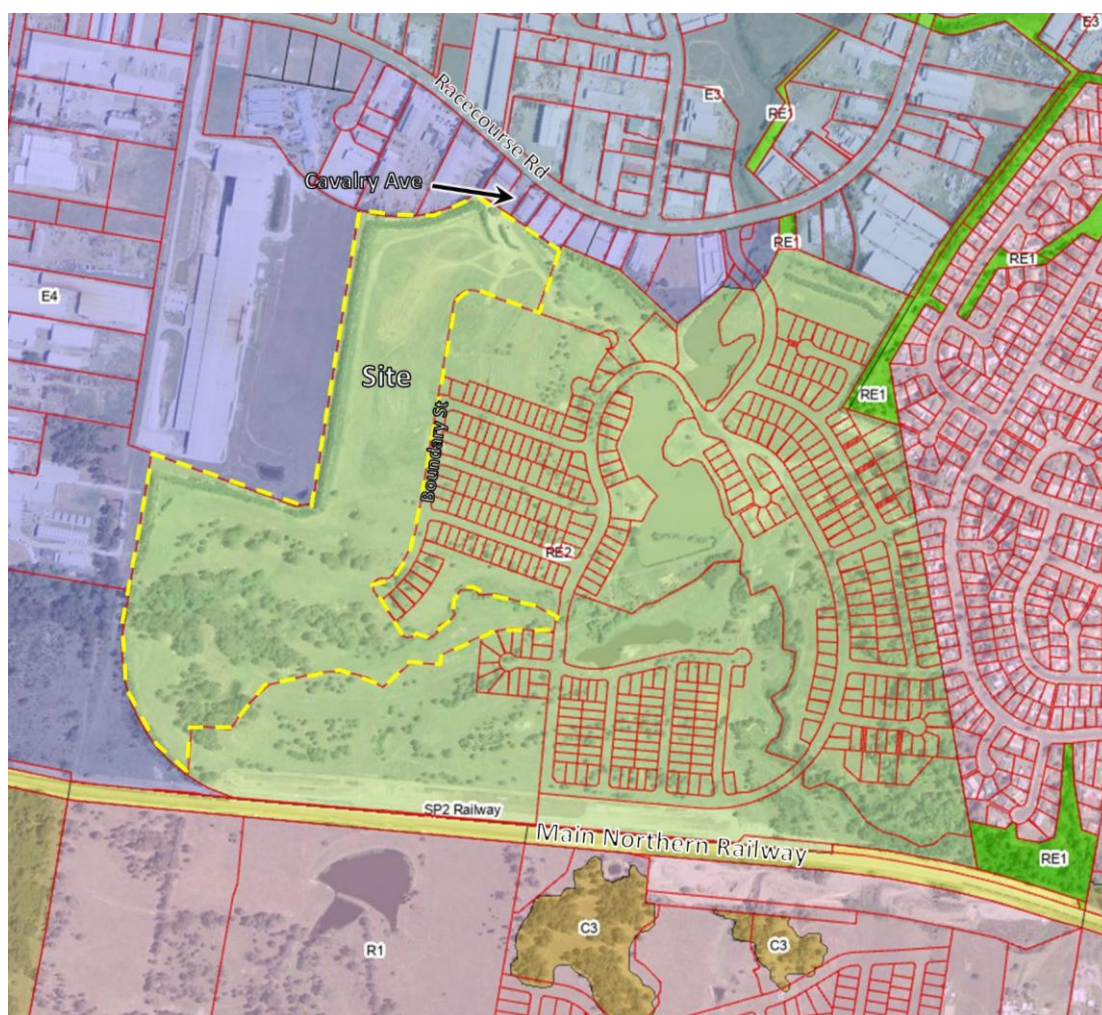
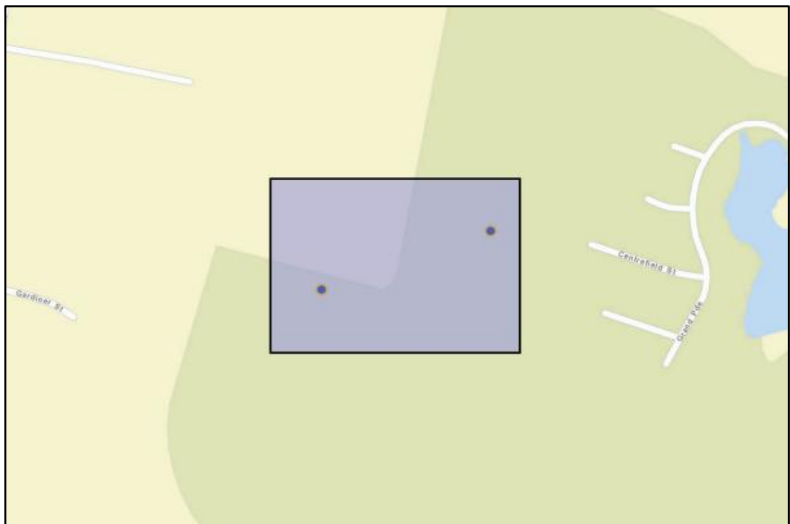


Figure 4-1 Land use zoning of site under Maitland LEP 2011

Relevant clauses of LEP 2011 are considered in Table 1.

Table 1 Consistency with relevant clauses of LEP 2011

CLAUSE	CONSIDERATION
Part 2 Land Use Table	
RE2 Private Recreation Zone Objectives	The objectives of the zone are:
	<ul style="list-style-type: none"> a) To enable land to be used for private open space or recreational purposes. b) To provide a range of recreational settings and activities and compatible land uses. c) To protect and enhance the natural environment for recreational purposes.
	The proposed land use is for private open space and recreation purposes that are compatible with adjoining zones and current land uses.
	Stormwater management and landscaping will protect and enhance the natural environment of the site for recreational purposes.
Permitted land uses	Recreation facilities (outdoor); Restaurants or cafes; Signage are permitted.

CLAUSE	CONSIDERATION
Part 2 Land Use Table	
	<p>The LEP defines a <i>recreation facilities (outdoor)</i> as:</p> <p><i>a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre... or any other building or place of a like character used for outdoor recreation (including any ancillary buildings).</i></p> <p>The proposed <i>recreation facility (outdoor)</i> with <i>ancillary food and drink premises</i> is permitted.</p>
Part 4 Principal Development Standards	
4.3 Height of buildings	No maximum height of building prescribed for the site or locality.
4.4 Floor space ratio	No floor space ratio has been prescribed for the site.
Part 5 Miscellaneous Provisions	
5.10 Heritage conservation	<p>No heritage items, Aboriginal objects are identified on or near the site nor is the site in a heritage conservation area under Schedule 5.</p> <p>A search of NSW Aboriginal Heritage Information Management System (AHIMS) conducted by DWC on 11/02/2025 identified two Aboriginal sites recorded within or near a 50m radius of the site (Figure 4-2).</p>  <p><i>Figure 4-2 Two Aboriginal sites recorded within/near 50m radius of site.</i></p> <p>The most northern of the Aboriginal sites is in line with Centrefield St. The driving range extends southward just south of Fairway St (Figure 3-1) that is north of Centrefield St. It is unlikely the development will impact on this Aboriginal site.</p>
5.21 Flood planning	Site is located is not within a flood planning area.
Part 7 Additional Local Provisions	
7.1 Acid sulfate soils	Class 5 sulfate soils are mapped on the site. The site is largely based upon fill. Significant excavation is not proposed and hence it is unlikely there will be impacts on the water table by lowering it below 1m on adjacent Class 1, 2, 3 or 4 land.
7.2 Earthworks	<p>Minor earthworks required for site preparation and this is unlikely to:</p> <ul style="list-style-type: none"> – Disrupt or have detrimental effects on existing drainage patterns and soil stability in the locality; – Effect future use or development of the land; – Generate concerns on quality of fill or spoil; – Impact on existing and future amenity of adjoining properties;

CLAUSE	CONSIDERATION
Part 2 Land Use Table	
	<ul style="list-style-type: none"> – Disturb relics; and – Impact watercourses, drinking water catchments or environmentally sensitive areas.
7.4 Riparian land and watercourses	A watercourse is mapped under the clause in southern portion of site approximately 570m from proposed clubhouse. The proposed development is unlikely to adversely impact this watercourse.
7.9 Essential services	<p>The applicant has undertaken preliminary investigations on extending existing infrastructure into the site. Accordingly, Council can be satisfied:</p> <ul style="list-style-type: none"> – Options for sewage connection are provided in Figure 4-3 and Figure 4-4; – stormwater can be retained and treated before leaving the site – refer Section 3.5; – the supply of water and electricity can be extended into the site from Cavalry Ave or Boundary St (Figure 4-3); and – suitable vehicular access is available via Cavalry Ave.

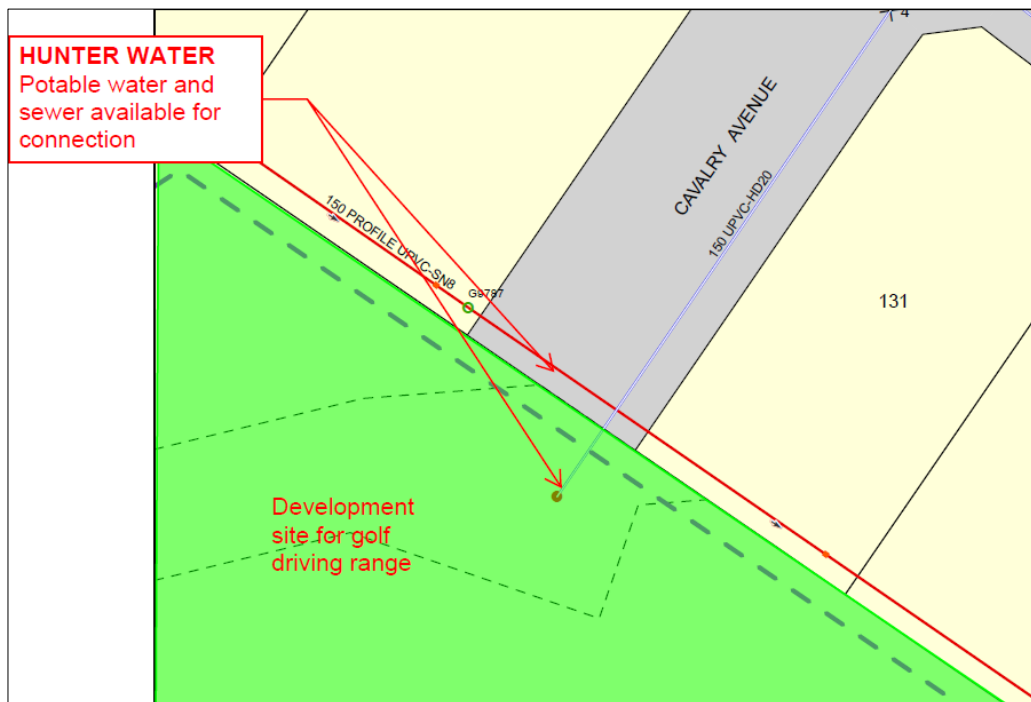


Figure 4-3 Availability of potable water and sewer from Cavalry Ave.

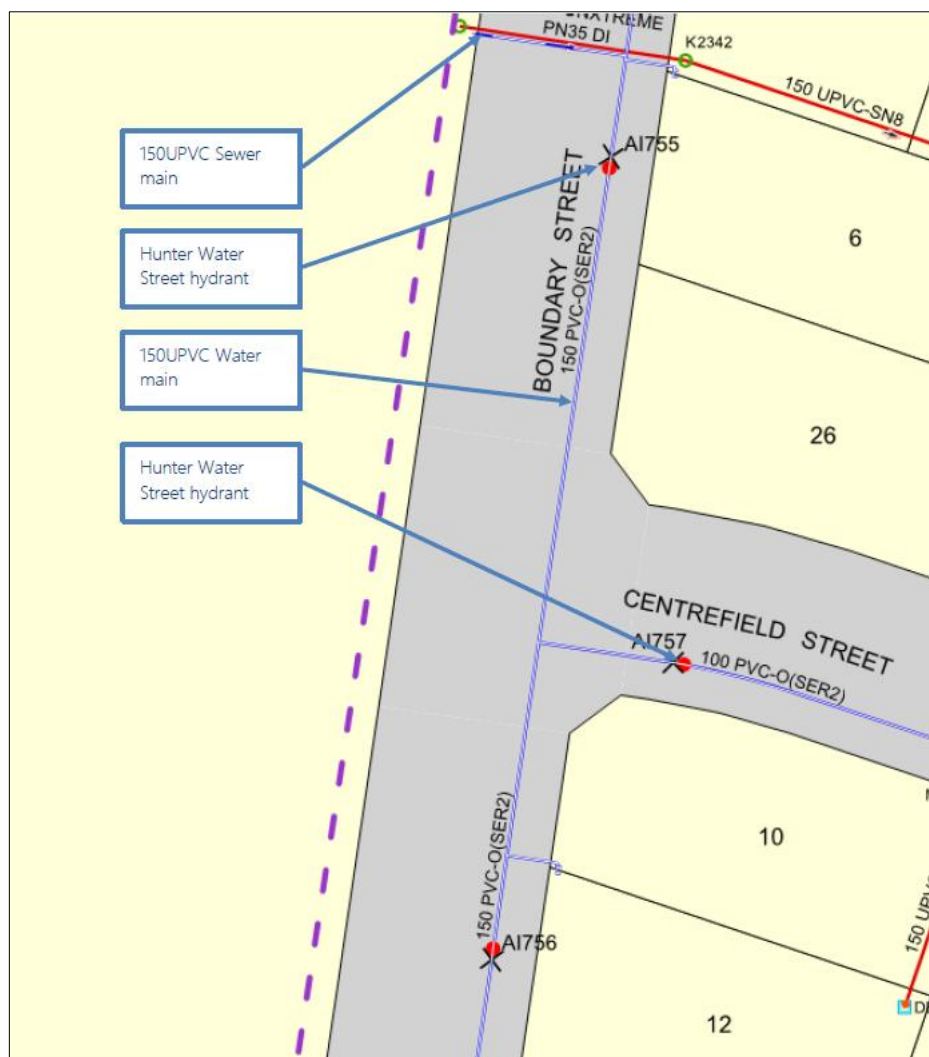


Figure 4-4 Availability of potable water and sewer from Boundary Street.



Figure 4-5 Availability of electricity from Cavalry Ave



Figure 4-6 Availability of electricity from Boundary Street.

4.5. MAITLAND DEVELOPMENT CONTROL PLAN 2011

An assessment of the proposed development against relevant controls in the DCP is provided in Table 3.

Table 3: Compliance with Maitland DCP 2011

CLAUSE / CONTROL	CONSISTENCY
Part B – Environmental Guidelines	
B.2 Domestic Stormwater	N/A
B.3 Hunter River Floodplain	N/A – The site is not identified as flood prone land.
B.4 On-site Sewerage Mgmt Systems	N/A
B.5 Tree and Vegetation Mgmt	N/A. The proposed development does not require the clearing of native vegetation.
B.6 Waste Not – Site Waste Minimisation & Management	An 18m ² waste room is proposed at rear of the club house to accommodate up to 4 x 1100L waste bins. Operational waste and recycling will be collected from this room via adjacent loading bay. Collection will be via Cavalry Ave. A Site Waste Minimisation and Management Plan will be prepared as part of the Construction Certificate process when construction details are understood.
B.7 Environmentally Sensitive Land	The site upon which the development is proposed is not mapped as environmentally sensitive.
Part C – Design Guidelines	
C.1 Accessible Living	The entire facility design is at grade and will satisfy AS 1428.1—2009. Details will be provided in detailed design for the construction certificate.
C.6 – Signage	Signage may be proposed at site entrance on Cavalry Ave.
C.7 Outdoor Dining	Outdoor dining is proposed on private land. The outdoor terrace can be surveyed from the bar and provides surveillance to the mini golf area.

C.11 – Vehicular Access & Car Parking

The applicant engaged Traffix to undertake a traffic impact assessment for the proposed development (**Appendix 5**).

Appendix A Car parking requirements for specific land uses of the DCP lists *recreation facility (indoor/outdoor)* but only refers tennis/squash courts, bowling alleys/greens and gymnasiums. Proposed car park provides 40 car spaces including 2 disabled spaces (in accordance with AS2890.6-2022). This is based upon the operators extensive experience at other sites and has been calculated based upon:

- 1 car space per swing bay = 26 parking spaces;
- 1 car space for 2 staff members where 50% of staff arrive and park on site and 50% are dropped off/picked or car share with other staff = 5 parking spaces; and
- 9 spaces for mini golf where it typically operates at 20% capacity and well under 40% capacity, has a maximum of 54 patrons (this level of patronage is never reached) and a vehicular occupancy rate of 2.5 patrons per vehicle (families with children) leads to 9 spaces ($54 \text{ patrons} \times 0.4 \text{ capacity} / 2.5 \text{ patrons per vehicle} = 9 \text{ parking spaces}$).

For infrequent events e.g. a group booking of part or all of the facility, additional car parking demand can be accommodated on the grassed area north of the car park.

A loading zone is proposed at the rear of the club house with access from the car park.

Waste collection

An at grade servicing area is provided adjacent to the clubhouse and can accommodate private waste collection vehicles as per Figures 4-7 and 4-8.



Figure 4-7 Swept path analysis for 10.07m heavy rigid vehicle

5. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

5.1. METHODOLOGY

The nature and scale of the proposed development does not warrant a full CPTED Report. This CPTED Commentary was prepared by Liberty Pannowitz of de Witt Consulting, an accredited CPTED consultant (*Local Government (LG) NSW Safer Towns and Cities CPTED* and *LG NSW Safer Public Spaces for Women and Girls CPTED*).

5.2. SITE AND CONTEXT ANALYSIS

The site has wide and open sightlines to the east and south, over the site and towards existing residential development. Sightlines to adjoining industrial area to the north and west are limited by existing dense vegetation within the site.

Residential areas to the east and south provide passive surveillance while areas to the north provide activity but no surveillance. There are generally no surveillance opportunities from adjoining local roads or public domain areas, albeit for Boundary Street. Even still, boundary vegetation limits views into and out.

The site and surrounding areas appear to be well maintained on inspection.

Street lighting is available on Cavalry Avenue and Racecourse Road and the adjoining residential area. There are pedestrian footpaths providing very good connectivity through the residential areas but none in the industrial area.

A review of the site context, including site inspection and Google Maps search, identified the following late night and 24-hour trading premises within proximity to the site:

- Dullboy's Rutherford licensed premises (trading up to 11pm on Fridays and Saturdays) located 600m away;
- McDonalds Rutherford - a 24-hour trading restaurant, located 1km away; and
- Bradford Hotel licensed premises (trading up to 2am on Fridays and Saturdays and 1am Monday to Thursday), located 1km away.

The location of these premises relative to the site and intervening streets and land uses, suggests movements of patrons between these premises and nearby residential areas is unlikely to go near or into the site.

5.3. ASSESSMENT AGAINST CPTED PRINCIPLES

5.3.1. Surveillance

There is no passive surveillance to or from the site from the industrial areas. Passive surveillance to and from the site from parts of the adjoining residential area are available to the east. Areas further south are obscured by vegetation on Boundary St. The topography also obscures views along the southeast boundary.

The development has been well designed to maintain sightlines within the site and provides good separation distances from vegetation minimising concealment opportunities. Measures such as vegetation management, lighting and signage to reduce obstructions, enhance wayfinding and reduce ambiguity of space, particularly along the site entrance can be considered in detail design.

Lighting for evening operations is proposed. Detailed design at construction certificate should consider external lighting for the entrance, driveway, car park, club building to increase surveillance and safety.

It is important to balance safety/accessibility with light spill which can potentially have negative impacts on nocturnal fauna and residents to the east/southeast.

5.3.2. Access control

The site has good access control from the north, with fencing and a locked gate off Cavalry Ave. There is some fencing to the east to the adjoining retirement village. There is no fencing southeast along Boundary St and the site being publicly accessible from this location. This boundary is somewhat of an illegible boundary and has potential to cause confusion/uncertainty, excuse making and anti-social behaviour.

The facility will be open daily and in the evenings. Site fencing with gates should be provided to control access whilst the club house should include suitable locks and alarms.

5.3.3. Territorial reinforcement

The nature of the land use is one where there are higher levels of activity expected and wanted, creating an active, well used space focused on community well-being through sporting, recreation and play. This is expected to promote a sense of communal responsibility, particularly amongst frequent users and club members, making the spaces feel cared for and are used well. This reinforces strong ownership cues, promotes communal responsibility for maintenance and increases offender risk of detection.

A combination of building walls, gates and fencing will provide physical security to the facility.

Signage should be provided to provide wayfinding and concentrate movements in the site; ensure appropriate use, limit unwanted access beyond legitimate areas, and reduce excuse making behaviours and ambiguity of spaces.

5.3.4. Environmental (space and activity) management

Consistent management practices of the club, driving range and associated spaces and infrastructure will contribute to natural surveillance. This includes waste management, regular inspections and maintenance of the site (particularly the areas adjoining to the residential boundaries).

Environmental management can be included in a Plan of Management.

We don't consider 24-hour and late-night trading premises within the locality would adversely impact the site. These uses aren't inherently problematic in and of themselves, are within a mixed land use area, are significantly distant from the site and the site is not located on a main thoroughfare. Hence these premises are unlikely to create opportunistic crime as patrons leave during late night trading. The context appropriate and manageable.

5.3.5. Management measures in detail design and Plan of Management

The following measures should be considered in detailed design and a Plan of Management:

- **CCTVs** in accordance with AS 4806.1/2/3/4:
 - at front of the club building orientated to car parking area and beyond;
 - overlook the rear loading zone;
 - to club entrance and foyer, orientated to main bar area;
 - to overlook the outdoor terrace area;
 - to overlook all driving bays; and
 - to the north and west side of the building over mini golf area.
- **Lighting** in accordance with AS 1158.3.1 to the entrance road into the site, the car parking area, to the sides of the building;
- **Signposting** in accordance with the Australian Standards.
 - Signage to be provided at the entrance off Cavalry Ave which indicates the land use and hours of operation;

- Identification signage at the car park and on the building;
- **Access** should be controlled in the following ways:
 - Non scalable 1.8m high security fencing;
 - Gates to Cavalry Avenue entrance to be locked after hours.
 - Club house should be secured with a combination of keyed/electronic alarm access system. Doors should be locked and alarmed, including with keyed access or electronic swipe card, and all operable windows be key-lockable.
- **Landscaping** is to be maintained in the following ways:
 - Trees should be appropriately spaced and maintained / pruned up to a height of 2m to avoid concealment opportunities or comprised sightlines.
 - Ground covers or lower garden shrubs should be maintained to a maximum height of 600mm.
- **Space and activity management** measures:
 - All external areas and internal areas to be kept clean and well-maintained. Waste receptacles should be secured and regularly maintained by staff and not allow overflow.
 - Regular monitoring and maintenance of site boundaries, particularly those adjoining the residential areas should occur.
 - Timely repair of vandalised, defective or damaged property and any infrastructure, lighting, fencing, buildings and the like.
 - Implement a 'rapid removal' approach to any graffiti. Consideration should be given to the use of graffiti resistant materials and surface treatments which are easy to clean / remove graffiti, particularly to the unsecured areas of the site.
 - Hardened glass should be employed where possible to prevent breakage.
 - Items outside the club secured areas (such as seats, tables, pot plants or any bins) should be secured where possible or be brought inside the club after hours.

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1. SECTION 4.15(1)(A) – STATUTORY PLANNING CONSIDERATIONS

In determining the DA, Council is required to consider matters listed in section 4.15(1) of the EP&A Act. Each of the relevant matters is addressed below.

Section 4.15(1)(a) requires the consent authority to take into consideration the provisions of any environmental planning instrument (EPI), draft EPI, DCP, planning agreement that has been entered into under section 7.4 of the EP&A Act or under the EP&A Regulations 2021.

These matters (and others) are addressed in Section 4 of this report, and below.

The proposal is permissible with the consent of Council, and is consistent with the provisions and objectives of the LEP 2011 and the development controls in DCP 2011.

6.2. SECTION 4.15(1)(B) – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The following table provides an overview of the potential impacts of the development on the natural and built environments.

Table 4: Assessment of Environmental Effects

IMPACT	COMMENT
Accessibility	The proposed facility is at grade and will comply with relevant Australian Standards for access.
Air Quality	Construction and operation of the development is unlikely to generate pollutants that would significantly impact the locality.
Biodiversity	Site is cleared of native vegetation and used for a golf driving range. The site is not critical habitat. The proposed development is unlikely to significantly affect threatened species, populations or ecological communities, or their habitats. A biodiversity development assessment report is not required.
Bushfire	Site is not mapped as bushfire prone land.
Economic	Construction and operation of proposed development will generate employment and the demand for goods and services during construction and operation. There is potential for the facility to draw visitors and patrons from outside the LGA.
Effluent Disposal	Existing sewer infrastructure will be extended into the site from either Cavalry Ave or Boundary Street.
Erosion and Sediment Control	Detailed design in the construction certificate will identify erosion and sediment controls in accordance with the "Blue Book", <i>Managing Urban Stormwater – Soils and Construction</i> (Landcom, 2004). It is unlikely the proposed development will impact on water quality exiting the site and into the artificial water feature in Heritage Parc 350m away.
Flood	The site is not subject to flooding.
Geotechnical	No known geotechnical limitations are imposed for the site.
Heritage	Aboriginal items have been identified south of the development footprint and are unlikely to be impacted. No heritage items or places are within or near the site.
Noise	The applicant engaged Soundscape Acoustic Consultants to complete a noise impact assessment (Attachment 6). Noise modelling of operations Nearest sensitive receiver is the seniors housing development east of the site. It is highly unlikely all operations and activities will run at full capacity during the evening and night period as modelled, with past operations at other centres

IMPACT	COMMENT
	<p>indicating it may occur once or twice per year for a few hours. The noise model is correspondingly conservative.</p> <p>Residential receivers were assessed against the Liquor and Gaming NSW criteria for peak time usage and found no noise exceedances against this criteria.</p> <p>The report makes recommendations on mechanical plant, speaker system, club house construction and an operational plan to ensure compliance with the requirements of the EPA Noise Policy for Industry and Liquor and Gaming NSW.</p>
Safety/Security	Refer CPTED Commentary in Section 5
Social	The proposed works will encourage more visitors to the site, who will engage in social activities (golfing, dining and/or dining). Such social connection and physical activity will have positive impacts for the community.
Stormwater	Stormwater and water quality will be managed by directing roof and carpark surface areas to pits and pipes to an onsite detention basin combined with 2m wide grassed swales to a drainage easement that is also grassed acting as a treatment train to the site boundary.
Traffic	Peak usage of the facility does not coincide with peak traffic movements on surrounding street network.
Visual	<p>The site is relatively enclosed from external views. The poles and netting along the eastern boundary might be visible from the surrounding locality but this is unlikely to be viewed as a negative impact.</p> <p>Night time operation of the proposed facility will have lighting impacts until closure of the facility at 10.30pm. This impact will be mitigated by designing and operating the lighting in accordance with <i>Australian Standard 4282 --- Control of the obtrusive effects of outdoor lighting</i>,</p>

The proposed development is consistent with the objectives and planning controls contained in the various environmental planning instruments and the Maitland DCP 2011.

The proposed development is unlikely to have a significant impact upon the environment of the site and adjoining land. Impacts identified in this SEE can be managed, are reasonable and acceptable.

The proposed development comprises orderly economic development of the site for purposes for which it is zoned.

6.3. SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE

The site is suitable for the proposed development (Section 2).

6.4. SECTION 4.15(1)(D) – SUBMISSIONS

Any relevant representations will need to be considered by Council in the determination of the development application.

6.5. SECTION 4.15(1)(E) – PUBLIC INTEREST

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and substantially in accordance with the prevailing planning controls. The development is a permissible form of development and is therefore considered to be in the public interest.

7. CONCLUSION

This SEE has been prepared on behalf of the applicant to accompany a DA for an outdoor recreation facility (and ancillary facilities and infrastructure works) at 91 Grand Parade, Rutherford, 2320. The proposed development complies with the relevant statutory planning requirements including the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2011*. The proposed development will increase tourist and recreational activities in Rutherford and generate increased demand for goods and services and employment opportunities in Rutherford and for the Maitland Local Government Area.

The proposal is reasonable and appropriate when considered under the relevant heads of consideration in section 4.15(1) of the EP&A Act and is considered to be worthy of favourable determination by Council.

APPENDICES

APPENDIX 1

EASEMENTS ON SITE UNDER LOT 1 DP 270823

APPENDIX 2

SWING FACTORY RUTHERFORD DA PLANS BY ALTIS ARCHITECTURE

APPENDIX 2A

LIGHTING PLANS FOR DRIVING RANGE, MINI GOLF AND CAR PARK BY SAL



APPENDIX 3

CIVIL DESIGN BY JHA

APPENDIX 4

LANDSCAPE PLAN BY MOIR LANDSCAPES

APPENDIX 5

TRAFFIC IMPACT ASSESSMENT BY TRAFFIX

APPENDIX 6

NOISE IMPACT ASSESSMENT BY SOUNDSCAPE