

Project:

Proposed Multi Unit Development

Site:

**LOT 48, DP 1313264, 7 Waterworks Road,
RUTHERFORD**

Applicant:

Milk Makers Dairy Farmers Pty Ltd

Date:

May 2025



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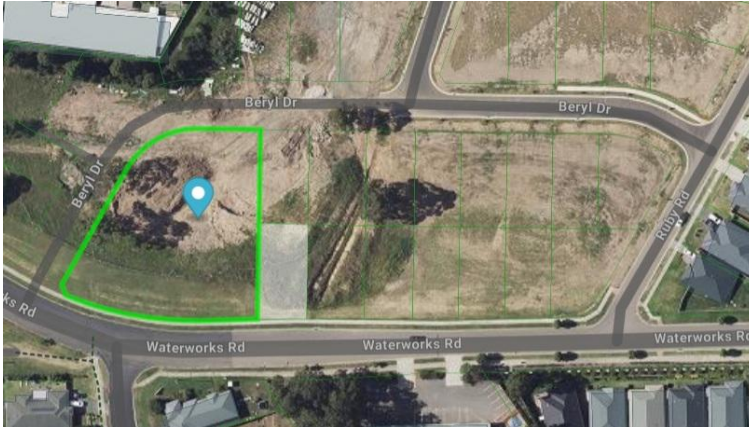
INTRODUCTION

This statement of environmental effects accompanies a development application for the construction consent for a new multi unit development consisting of 6 units. It is intended to elaborate, where necessary, on aspects covered in the drawings as well as to provide additional information where required. The information following is provided to detail the merit of the above development in relation to the objective performance criteria and provisions set out in the Maitland Citywide Development Control Plan – Part C – Design Guidelines – C.8 Residential Design, relevant state environmental planning policies and the Local Environmental Plan 2011. It also provides an assessment of the likely environmental impacts in accordance with section 4.15C of the Environmental Planning and Assessment Act 1979.

The proposed development will consist of six standalone structures with attached garaging. The dwellings will be designed to complement the primarily residential nature of the surrounding area. The dwellings have been designed to fit within the site coverage and POS calculations and will provide much sought after lower cost housing in an area limited for these options.

SUBJECT SITE AND LAND

The site is identified as Lot 48 DP 1313264, 7 Waterworks Road, Rutherford.



The site is located on the Western end of Waterworks Road and effectively is a peninsula site with multiple Street frontages.

The adjoining neighboring properties are primarily residential.

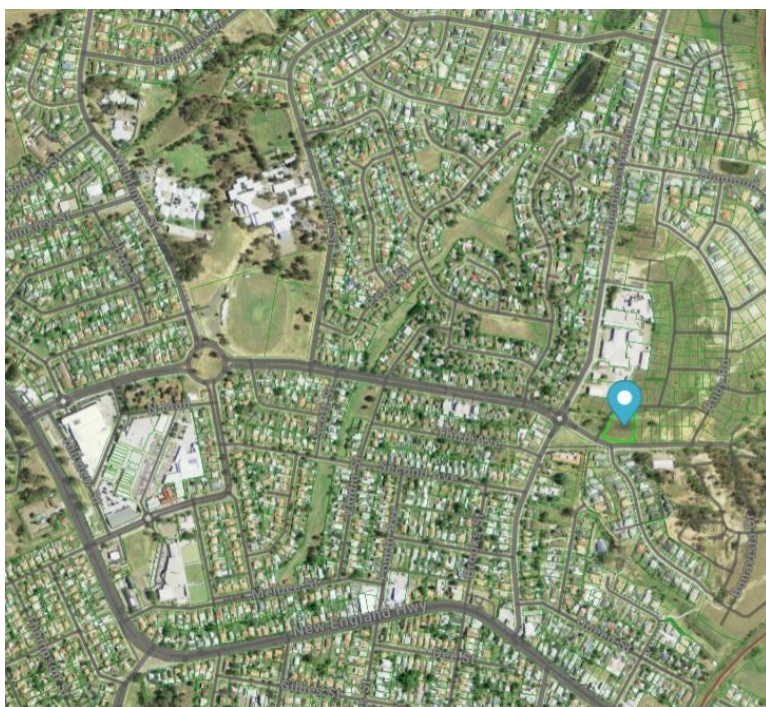
There are no known potential contaminations on the site from previous uses.

Element	Design Criteria
Site area	2421 sqm
Zoning	R1
Boundary Dims	Varying

Location

The site is located in a residential suburb of Rutherford. The site has multiple street frontages which makes the site ideal for a multi-unit development given the ability for most dwellings to have street frontages.

The land has nearby services including schools, churches and cafes and is only a short walk to public transport services. Major shopping centres such as Rutherford Mall are nearby and easily accessible by car or a short walk to public transport. Medical services and a pharmacy are also available nearby on Aberglasslyn road and once again easily accessible by car or bus or even by foot.



Vegetation and Fauna

The site is clear of vegetation.

Drainage

The land slopes from north east corner of the site. Roof water from the proposed dwellings will be collected in rainwater tanks for re-use with overflow directed to the existing kerbside drainage. A stormwater plan is included as part of the DA application.

Access and Utility Services

All dwellings, except dwelling 6, will be accessed via Beryl Drive and Waterworks Road, with multiple driveway crossovers across the extensive street frontage.

The subject site has access to a range of utility services including electricity and telephone/NBN. Water and sewerage services are provided by Hunter Water.

Aboriginal and European Heritage

The site is not known to include items of Aboriginal or European heritage.

Mine Subsidence

The subject land is not located within a proclaimed mine subsidence district (under section 15 of the Mine Subsidence Compensation Act 1961).

Bushfire Hazard

The proposed development site is not located within a bush fire area.

DESCRIPTION OF PROPOSAL

The applicant seeks to develop the allotment through the construction consent for 6 new multi-unit dwellings development. The dwellings are a various mix of 2 and 3 bedrooms with single and double garages.

The new dwellings will be developed on a site set aside for multi unit development by the developer given its 'peninsula' style. The development will be single storey in nature in keeping with surrounding typical development patterns.

Given the unusual and expansive amount of site frontage for the development site, all but one dwelling will have direct street frontage. Clear views from these proposed access points will ensure there are no traffic implications for cars entering and exiting the site.

The proposed units will be built of concrete slab on ground construction. Additionally, the construction will be of brick veneer. The roof will consist of a timber framed trussed roof with colorbond custom-orb roof sheeting. The dwellings will be built in a size and scale that is in keeping with the streetscape and surrounding area.



SECTION 4.15C MATTERS FOR CONSIDERATION

The proposal has been assessed having regard to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979. The Matters are assessed under the following sections.

SECTION 4.15C(1)(a)(i) – ENVIRONMENTAL PLANNING INSTRUMENTS

Maitland Local Environmental Plan 2011

The Maitland Local Environmental Plan 2011 (MLEP 2011) applies to the subject site.

The site is Zoned R1 and the proposal is permissible with Councils consent.

There are no clauses in the LEP that are particularly relevant in the assessment of the proposal but the proposal is consistent with its aims and objectives.

State Environmental Planning Policy BASIX (SEPP BASIX) – Building Sustainability Index

The SEPP BASIX (Building Sustainability Index: BASIX) 2004 applies to the proposed development.

SECTION 4.15C (1) (a) (ii) – ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT

There are no draft environmental planning instruments relating to the proposal

SECTION 4.15C(1)(a)(iii) – ANY DEVELOPMENT CONTROL PLAN

Maitland Citywide Development Control Plan (DCP 2011) – Part C– Design Guidelines – C.8 Residential Design

The Maitland Citywide Development Control Plan – Part C – Design Guidelines – C.8 Residential Design applies to the subject site, an assessment of the proposal against the relevant provisions contained in the DCP is provided in the table on the following pages.

Provision

Assessment

Design Criteria

Section C.8.2 Site Analysis and Context

A detailed site analysis plan has been included with the development application including the elements listed in this section.

The site analysis and site context analysis has been taken into account to produce a design solution which mitigates against potential negative impacts and integrates appropriately with the streetscape by the use of materials used predominately through-out the locality and the building form typical of the area.

The new dwellings will be developed on a site set aside for multi-unit development by the developer given its 'peninsula' style.

Site analysis has therefore been at the forefront of the design process.

The development style is typical of the residential style principles of the vicinity.

Section C.8.3 Development Incorporating Existing Dwellings

The objectives of this section are to ensure that, where possible, existing buildings are retained and used for ongoing residential use, to ensure that buildings and streetscapes of conservation significance are retained and incorporated into new development where possible and to ensure that existing dwellings are provided a high standard of amenity and facilities when being incorporated into a residential redevelopment.

The site does not contain an existing dwelling

Section C.8.4 Bulk Earthwork and Retaining Walls

The objectives of this section are to ensure that development responds sensitively to the topography of the land, to restrict and control excessive earthworks in order to preserve, as much as practicable, the existing topography and character of the neighbourhood affected by the proposed development. The intent is also to ensure that the building design is appropriate for site conditions with consideration given to the stability and privacy of the adjoining properties, solar access, amenity and bulk, height and scale at the boundary.

The site has a moderate fall to the northeast corner of the site. Subsequently retaining walls have been incorporated across the site to address the falls and cuts and fills proposed. The walls are of a low to moderate height with wall heights in general being less than one metre

Where retaining walls occur in cut, they have been set off the boundary line. There will be limited privacy issues associated with the retaining walls proposed.

Provision

Assessment

Section C.8.5

Street Building Setbacks

The objectives of this section are to provide setbacks that complement the streetscape, allow flexibility in the siting of buildings and allow for landscape settings and open space requirements, and to ensure that new development establishes appropriate and attractive streetscapes which reinforce the function of the street and is sensitive to the landscape and environmental conditions of locality.

Front setbacks for the new dwellings have been greatly impacted by the irregular shape of the development site and effective multiple site frontages. The DCP allows for variation to front boundary setbacks in these circumstances.

Generally speaking, all dwellings fronting the streets have their main building lines setback a minimum of 4.5m whilst the associated garages are setback 6m. Variations to these setbacks occur as the street changes shape and turns corners. In this instance there are some reduced setbacks but these are primarily to entry patios and their entry feature roof forms. This is also in accordance with the DCP.

The proposed setbacks are typical of houses and other similar developments in the surrounding area.

Section C.8.6

Side and Rear Setbacks

The objectives of this section are to allow flexibility in the siting of buildings and provision of side and rear setbacks, and to allow adequate setbacks for landscaping, privacy, natural light and ventilation between buildings.

The peninsula nature of the development site means that there is only one side/rear setback to be considered and that is to the eastern boundary.

Side setbacks to the eastern boundary vary from 920mm to 1.5m.

Section C.8.7

Site Coverage

The objectives of this section are to promote on-site stormwater infiltration by restricting site coverage of buildings and hard surfaces, and to maximize opportunities to landscaping of the site which incorporate larger scale plantings consistent with reducing the visual impact of hard building finishes and promoting improved amenity within the site and enhanced streetscapes.

The proposed dwellings combined with the proposed driveways will have a total site coverage of 56%, this is well below council's maximum allowable.

Provision

Assessment

Section C.8.8

Building Height, Bulk and Scale

The objectives of this section are to ensure that the height, scale, and length of new development is not excessive and relates well to the local context and overall site constraints, to ensure that the amenity of surrounding properties is properly considered and to minimise site disturbance and cut and fill.

The proposed buildings are single storey in nature have variable heights of roof forms.

The maximum building height is less than 6m thus lessening the impact on view sharing and solar access..

The heights of the new dwellings and the standalone nature of the development will offer little bulk and scale impacts on the streetscape.

Section C.8.9

External Appearance

The objectives of this section are to encourage the creation of attractive, well designed residential development, to allow flexibility in design and use of materials while encouraging high architectural standards, and to ensure good design, which provides continuity of character between existing building forms, new development and surrounding landscape by using selection and/or combination of characteristic elements and mass.

The proposed buildings are contemporary in design, using varying building heights and roof forms. Variation in building feature elements and colours provide variation and interest.

A combination of hard and soft landscaping further softens the facades of the units within the streetscape.

Section C.8.10

Open Space

The objective of this section are to provide sufficient and accessible open space for the reasonable recreational needs of residents, to ensure that private open space meets requirements for privacy of the residents and adjoining properties, safety, access to outdoor activities and landscaping and to locate open space to take into account of outlook, natural features of the site and neighbouring buildings or public open space.

Private open space areas are primarily to the rear of the new dwellings with access to northern light. Minimum 5m or 6m square spaces are provided to each dwelling and incorporate alfresco areas. Further areas of minimum 3m wide are also incorporated into this private space.

The POS areas are generally well in excess of the requirements of the DCP with most exceeding 70 sqm.

Provision

Assessment

Section C.8.11 This site does not have a boundary to laneway and thus this
Sites Having a Boundary section is not applicable to the proposed development.
to a Laneway

Section C.8.12 The buildings are not designed around accessibility but
Accessibility and incorporate many aspects of the Livable Housing Guide.
Adaptable Housing

Section C.8.13 The aims of this section are primarily to enhance the
Landscape Design appearance, amenity and energy efficiency of new development
for the benefit of the users and the community in general. It also
attempts to blend new developments into an established
streetscape.

A landscape plan (S05) has been included in the DA set of
drawings. The landscaping is designed to soften driveways and
entry points to the new dwellings as well as any fence structures
visible from the streetscape.

Larger species are proposed along the streetscape as well to
enhance the development.

Feature landscaping to the effective corner of Beryl Drive and
Waterworks Road is additionally proposed.

Section C.8.14 The objective of this section is to ensure that all fences and walls
Fencing and Walls provide privacy, security and noise attenuation without having a
detrimental impact upon the streetscape, adjacent buildings, or
the sue of open space areas within the development.

1800mm high colorbond fences are proposed to the boundary
between the dwellings as well as along the eastern boundary.
Where colorbond cut-off fencing is visible from the street,
extensive landscaping is proposed to soften these fences.

Provision

Assessment

Section C.8.15

Driveway Access and Car Parking

The objectives of this section are to provide convenient, accessible and safe parking to meet the needs of residents and visitors which do not dominate the streetscape or cause congestion in nearby streets, and to encourage the design of access and parking as part of the overall landscape design.

Given the unusual and expansive amount of site frontage for the development site, all but one dwelling will have direct street frontage. Clear views from these proposed access points will ensure there are no traffic implications for cars entering and exiting the site.

The units are provided with compliant undercover parking, either through single or double garages. Stack parking is also available for the majority of the dwellings and is coupled with extensive kerbside parking for visitors. Two visitor parks are also provided internally for the development and in keeping with the DCP.

Landscape strips are provided next to the driveways which will soften the impact of this hardstand access on the streetscape.

Section C.8.16

Views, and Visual and Acoustic Privacy

The objectives of this section are to encourage the sharing of views whilst not restricting reasonable development potential of a site, to site and design buildings to meet projected user requirements for visual and acoustic privacy and to protect the visual and acoustic privacy of nearby buildings and private open space.

The new layout has been designed so that all buildings have a degree of separation. The standalone buildings by nature will achieve greater separation and subsequent privacy benefits.

All courtyards will be separated by 1800mm high fencing.

Views from the development remain mainly residential. The development will not impact anyone else's views to any significance.

Provision

Assessment

Section C.8.17

Energy Conservation

The objectives of this section are to reduce total water and energy use in residential buildings in accordance with State Environmental Planning Policy – Building and Sustainability Index (SEPP BASIX), to provide dwellings with adequate solar access and ventilation, to avoid overshadowing of habitable rooms and private open spaces and to encourage the use of building materials that are energy efficient, non-harmful and environmentally sound.

The proposed new dwellings have been designed to make best use of passive solar design principles in facing living areas to the north-north east where possible in accompaniment with the POS areas. Windows facing east and west are kept to a minimum or shaded accordingly.

Materials and insulation have been chosen to ensure an energy efficient building.

All dwellings have been provided with a complying Basix certificate.

Section C.8.18

Stormwater Management

The objectives of this section are to provide an effective stormwater management system which is sustainable and requires minimal maintenance, to prevent erosion, sedimentation and other pollution and to ensure that control flows are provided to cater for stormwater overflows.

A stormwater design has been carried out by P.K Civil & Structural Engineering which takes into account all the factors associated with stormwater removal from the site. The provision of oversized rainwater tanks allows detention within these tanks. The proposed design enables the safe removal of both roof waters and collected water from the driveway through a regulated system in keeping with MCC's MOES

Section C.8.19

Security, Site Facilities and Services

The objectives of this section are to provide adequate personal and property security for residents, and to ensure that site facilities are designed to be functional, visually attractive and easy to maintain.

The proposed dwellings provide adequate casual surveillance from the street and from within with habitable windows facing driveways and/or the street.

Functional and visually unattractive facilities such as bin storage and clothes drying areas have been dedicated to a specific services area attached the principal area of POS or behind the building line and are out of view from adjoining properties and the street.

SECTION 4.15 (1) (a) (iia) – PLANNING AGREEMENTS

There are no planning agreements.

SECTION 4.15 (1) (a) (IV) – REGULATIONS

There are no matters prescribed by the regulations for the proposal.

SECTION 4.15 (1) (b) – LIKELY IMPACTS

The proposed development will have no adverse impact.

SECTION 4.15 (1) (c) – SUITABILITY OF THE SITE FOR DEVELOPMENT

The proposed residential dwelling is entirely suitable for the site due to its location.

SECTION 4.15 (1) (d) – ANY SUBMISSIONS

To be considered by Council should notification be required.

SECTION 4.15 (1) (e) – THE PUBLIC INTEREST

For reasons set out in this statement. It is considered that there will be no public interest in the proposed, given the absence of any demonstrable adverse impacts.

CONCLUSION

Site analysis and design has shown the site to be both capable and suitable for the proposed development.

The site has been set aside by the land developer as a development site and as such is ideal given the extensive street frontage presented by a 'peninsula' style lot.

The proposal is considered to be acceptable in terms of scenic quality and landscape impact and has been designed to be compatible with the existing topography. It is submitted that the proposal is consistent with the surrounding development in terms of height and scale.

The proposed development meets the provisions set out in the Maitland Citywide Development Control Plan – Part B- Environmental Guidelines – Domestic Stormwater, Part C – Design Guidelines – C.8 Residential Design, relevant state environmental planning policies and the Local Environmental Plan 2011. It also provides an assessment of the likely environmental impacts in accordance with section 4.15C of the Environmental Planning and Assessment Act 1979.

It is therefore requested that the council grant consent to the development application.

	WASTE	MANAGEMENT	PLAN
Type of Material	Reuse and Recycling On-site	Reuse and Recycling Offsite	Disposal
Excavation Material	Fill, gardens, topsoil	Clean fill site	Unsuitable remainder to Waste Management Facility
Green waste	Mulched for gardens, landscaping	Mulched for collection for landfill or reuse	Unsuitable remainder to Waste Management Facility
Bricks	Re-use where possible, crushed for gravel or fill	Concrush	Unsuitable remainder to Waste Management Facility
Concrete	Re-use where possible, crushed for gravel or fill	Concrush	Unsuitable remainder to Waste Management Facility
Timber	Reuse where possible eg formwork, packing	Timber recycler/Builder	Unsuitable remainder to Waste Management Facility
Plasterboard	Nil	Nil	Waste Management Facility
Metals	Reuse where possible	Metal recycler Mathews Metal	Unsuitable remainder to Waste Management Facility
Other - Misc	Reuse or recycle if possible	Reuse or recycle if possible	Unsuitable remainder to Waste Management Facility