

STATEMENT OF ENVIRONMENTAL EFFECTS 13 EMMANUEL DRIVE FARLEY

Proposal: 3 Lot Torrens title subdivision and construction of a dwelling on each allotment with a secondary dwelling on one of the resultant allotments

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1. Executive Summary

This Statement of Environmental Effects has been prepared for submission to Maitland City Council (MCC) for a development that is proposing a “3 – lot Torrens title subdivision, and the construction of three two – storey dwellings, and a secondary dwelling on Lot 1.” The development site is located at 13 Emmanuel Drive Farley, legally known as Lot 514, DP 1275320.

The subject site is zoned R1 General Residential pursuant to the Maitland City Council Local Environmental Plan (MLEP) 2011. This Statement of Environmental Effects provides a detailed assessment against the relevant development standards and the relevant development guidelines that are applicable to the site in accordance with the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act).

2. Site and Locality

The subject site is identified as 13 Emmanuel Drive Farley, legally known as Lot 514, DP 1275320. The subject site is zoned R1 – General Residential pursuant to the Maitland City Council Local Environmental Plan (MLEP) 2011

The site is vacant and is a slightly irregular shaped allotment with an overall site area of 1267m². The site has a frontage of 27.415m along Emmanuel Drive, an eastern side boundary of 44.945m a western side boundary of 57.145m and a southern rear boundary of 24.4m. The site has a slope of approximate slope from rear to front of 5.31m.

The surrounding locality is primarily characterised by a general residential environment. The properties within the immediate vicinity of the subject site consist of predominately single detached dwellings developments and vacant land. Directly north of the subject site is a C3 Environmental Management Zone.



Figure 1: Aerial view of the site identified as 13 Emmanuel Drive Farley (source Nearmap Imagery 2025)



Figure 2: Zoning Map of the area - (source NSW Planning Portal – e-planning spatial viewer)

3. Proposed Development

The proposed development consists of:

“3 – lot Torrens title subdivision, and the construction of three two – storey dwellings, and a secondary dwelling on Lot 1.” A detailed description is provided below.

- The dwellings on the three allotments contain a similar floor layout on each level. A detailed description of the layout will be established below utilising Lot 1 as the exemplary.
- Lot 1 (i.e., western lot) is comprised of two storeys. The ground contains a front porch, which provides entry into the dwelling. Upon entry is a study, bathroom, laundry and guest bedroom. Further to this is a kitchen, walk – in – pantry, living and dining area, the outdoor alfresco area can be directly accessed from this room. The ground floor also contains an attached garage. The first floor is made up of the master bedroom with a walk – in – wardrobe and ensuite, in accordance with this is two additional bedrooms, a bathroom and a void along the northern boundary.
- Lot 2 and 3 (i.e, the eastern lot) are both made up of two storeys. The dwellings on each lot resemble the same configuration as stated above. The dwellings contain an attached garage on the ground floor, with

the facilitation of rooms that were mentioned in Lot 1. The first floor contains three bedrooms in accordance with the dwelling on Lot 1.

- Additionally, a secondary dwelling is being proposed on Lot 1. The secondary dwelling consists of a ground level with a porch which provides entry into the dwelling. Upon entry is a living space and kitchen, storage space, a bathroom and three bedrooms.

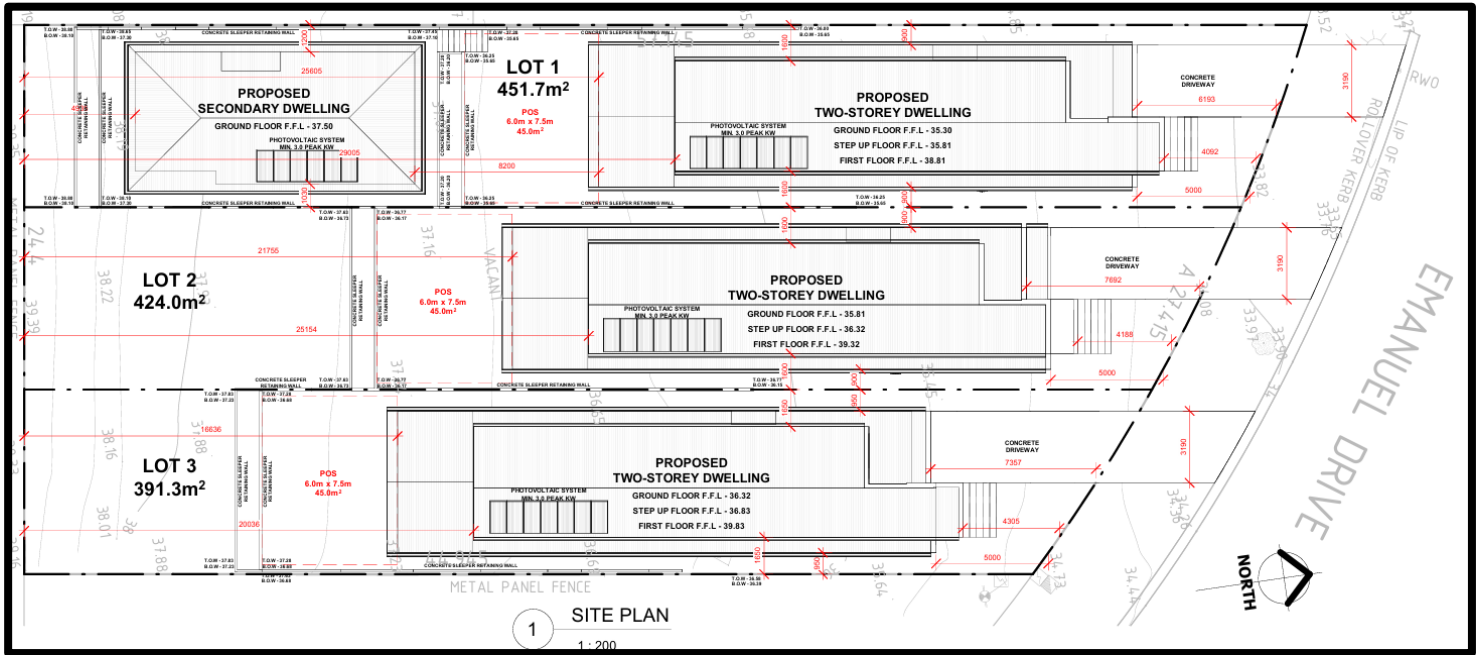


Figure 3: Proposed site plan

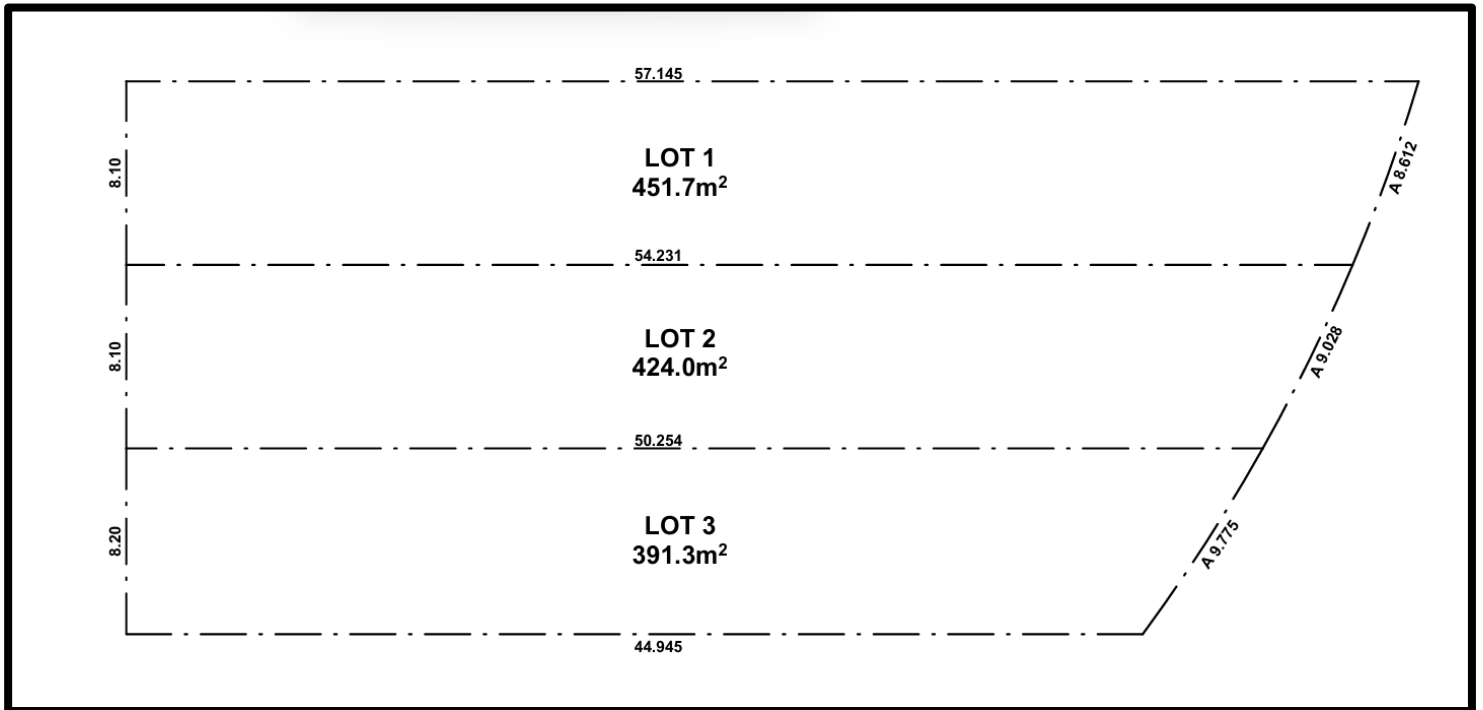


Figure 4: Subdivision Plan

4. Site Constraints

Site Constraint	Yes/No
Bushfire	<p>Yes</p> <p>The subject site is mapped as Vegetation Buffer. A bushfire hazard assessment has been prepared by Harris Consulting, dated 7/07/2025. The report provisions the guidelines and standards by which the development must uphold, reiterating that the proposed dwellings on Lot 1, 2 and 3 can be constructed to Bal 29, whereby the proposed secondary dwelling on Lot 1 can be constructed to BAL 12.5</p>
Flooding	No
Heritage Items	No
Aboriginal heritage	No
Environmentally Significant Land	No
Threatened Species/ Flora/ Habitat/ Critical Communities	No
Acid Sulphate Soils	Yes – Class 5
Flight Paths	No
Railway Noise	No
Road Noise/ Classified Road	No

5. Section 4.15 Planning Assessment

The following planning instruments have been considered in the planning assessment of the subject Development Proposal

- (a) State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4, Remediation of Land
- (b) State Environmental Planning Policy (Sustainable Buildings) 2022
- (c) Maitland City Council Development Control Plan (Updated May 2023)
 - Part C: Design Guidelines

a. **State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4, Remediation of Land**

In accordance with Clause 4.6(1) Council must not consent to the carrying out of any development on land unless 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 for which the development is proposed to be carried out.

Due to the existing and surrounding residential uses there is nothing to indicate that the site would be affected by soil contamination. The site has been used for residential purposes for a prolonged and extended period of time, therefore would unlikely contain contaminated land.

With consideration to the above mentioned points there is no sufficient evidence to suggest that the land is contaminated and therefore a land contamination assessment is not considered to be necessary at this stage. Based on the conclusions above it is considered that the site is suitable for the proposed development and land use and has adequately addressed Clause 4.6(1) of the SEPP.

b. **State Environmental Planning Policy (Sustainable Buildings 2022)**

Chapter 2 – Standards for Residential Development – Basix

BASIX Certificates have been provided for the proposal. The BASIX certificates demonstrate that the development has incorporated sufficient energy and water saving protocols to demonstrate satisfactory compliance with the BASIX SEPP.

- (i) **Zoning** The subject site is zoned R1 – General Residential, pursuant to the CLEP 2010.

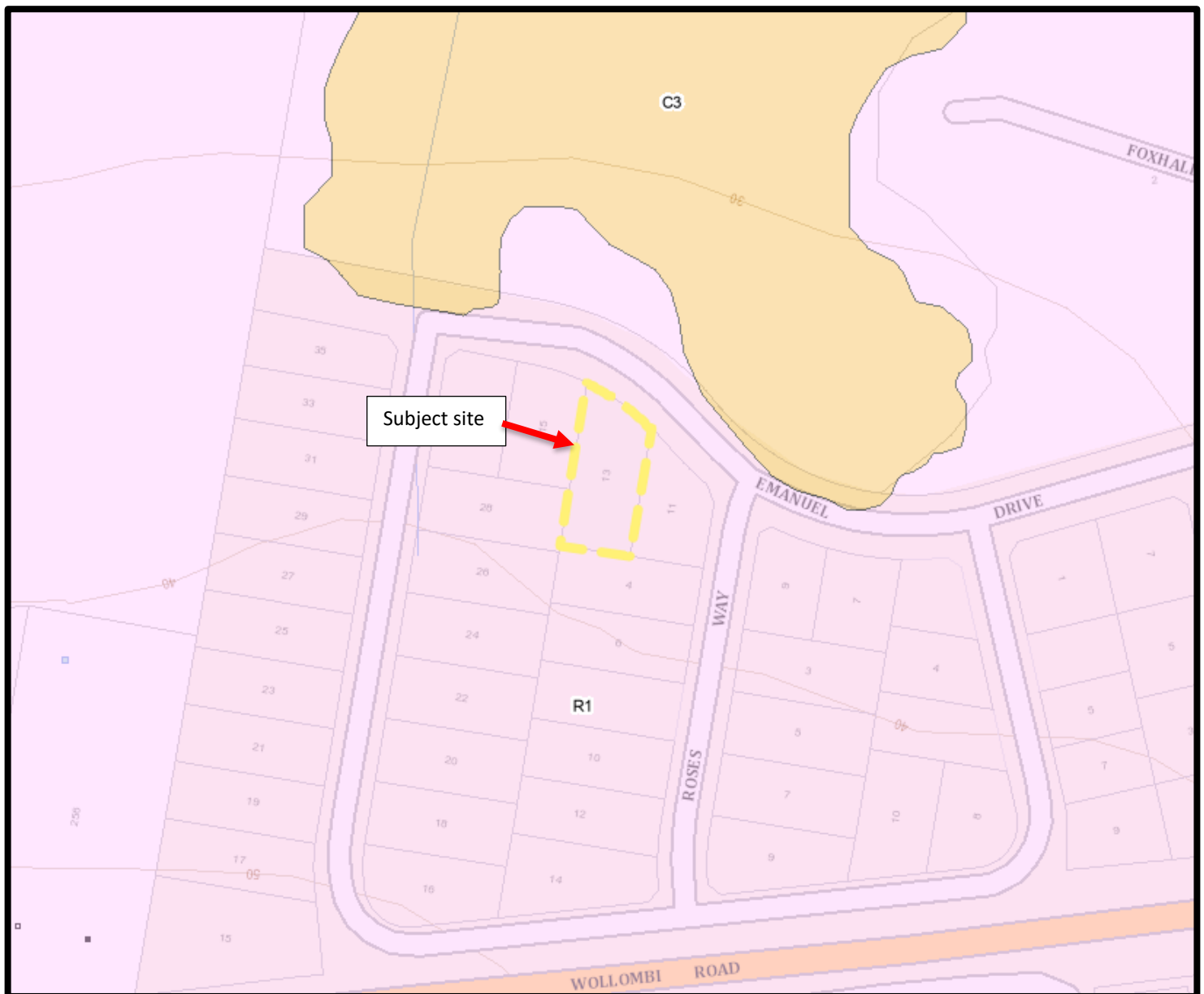


Figure 4: Zoning Map – (Source NSW Spatial Viewer)

(ii) Permissibility

The development proposes the “3 – lot Torrens title subdivision, and the construction of three two – storey dwellings, and a secondary dwelling on Lot 1”.

The first element of the proposal involves subdivision. Subdivision is permissible pursuant to Clause 2.6.

The proposed development consists of 2 distinct elements, both of which are permissible pursuant to the MLEP 2011. Firstly, the proposal involves “subdivision”. Subdivision is a permissible form of development pursuant to Clause 2.6 of the CLEP 2010. Clause 2.6 of the MLEP 2011 states the following;

2.6 Subdivision—consent requirements

- (1) Land to which this Plan applies may be subdivided, but only with development consent.

Notes—

1

*If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent.*

2

*Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is **complying development**.*

Comment: Development consent is being sought pursuant to Clause 2.6(1), which is permissible pursuant to Clause 4.1A Exceptions to minimum lot sizes in Zone R1 established in the Maitland LEP (MLEP) 2011. Section 3(a)(b) states that

(3) Development consent may be granted to a single development application for development on land to which this clause applies that will result in a lot smaller than the size shown for the land on the [Lot Size Map](#) if—

(a) the development includes the subdivision of the land into 2 or more resulting lots of not less than 300m², and

(b) the consent authority is satisfied that a dwelling house, an attached dwelling or a semi-detached dwelling has been, or will be, erected on each resulting lot.

Evidently, each resultant lot will have a size in excess of 300m² and will facilitate the erection of a dwelling house.

(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

Note—

*The definition of **secondary dwelling** in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.*

Comment: Development consent is being sought for a secondary dwelling which is permissible pursuant to Clause 5.4 Controls relating to miscellaneous permissible uses Section 9 Secondary dwellings on land other than land in a rural zone established in the Maitland LEP (MLEP) 2011.

Section 9 of this clause states that:

If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

(a) 60 square metres,

(b) 50% of the total floor area of the principal dwelling.

As evidenced on the plans, the secondary dwelling is permissible through its compliance with option subsection (a), whereby the total floor area of the dwelling is 59.9m².

Secondly, the proposal also involves the construction of three separate dwellings. The proposal is best defined as a “*Dwelling Houses*”. Dwelling houses are permissible with consent in the R1 Zone, as indicated in the extract from the MLEP (2011) stated below:

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

Having regard to the above, the development is permissible, pursuant to the applicable EPI as a Dwelling House is not listed as prohibited.

(iii) Objectives of the Zone

The objectives of the zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*

Comment: The development is consistent with the applicable objectives of the R1 zone in that it is providing for a development that will facilitate for the housing needs of the community in a general residential environment. The proposal contributes to the variety of housing types within the surrounding general residential zone and contributes to the notion of increasing housing diversity which is evident through the proposed secondary dwelling

The proposal has been designed to ensure a high level of residential amenity is maintained for surrounding residents and potential future residents of the proposed development. The development has been designed to comply with all development standards and is of a bulk and scale that is consistent with the existing and future character of the area.

The proposal has been designed to limit any detrimental impacts on the surrounding built environment, by providing a design that does not create a detrimental impact in terms of privacy and overshadowing on adjoining properties.

(iv) Summary of the Development Standards Applicable under the MLEP 2011

Development Provision	Requirement	Proposed
2.6 Subdivision – Consent Requirements	Subdivision requires Development Consent	Complies: Assessment against Clause 2.6 provided previously in this report.

<p>4.1A Exception to minimum lot sizes in R1 Zone</p>	<p>(a) the development includes the subdivision of the land into 2 or more resulting lots of not less than 300m², and</p> <p>(b) the consent authority is satisfied that a dwelling house, an attached dwelling or a semi-detached dwelling has been, or will be, erected on each resulting lot.</p>	<p>Complies.</p> <p>Lot 1: 451.7m²</p> <p>Lot 2: 424.0m²</p> <p>Lot 3: 391.3m²</p>
<p>4.3 Height of Buildings</p>	<p>Max Height 8.5m</p>	<p>Complies</p> <p>Dwelling 1: 8.06m</p> <p>Dwelling 2: 7.8m</p> <p>Dwelling 3: 8.11m</p> <p>Secondary dwelling 2.100m</p>
<p>4.4 Floor Space Ratio</p>	<p>N/A</p>	<p>N/A</p>
<p>5.4 Controls relating to miscellaneous permissible uses</p>	<p>development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—</p> <p>(a) 60 square metres,</p> <p>(b) 50% of the total floor area of the principal dwelling</p>	<p>Yes</p> <p>The secondary dwelling has a total floor area of 59.9m²</p>

c. Maitland Development Control Plan (Updated May 2023)

The application has been considered against the controls contained in the Maitland Development Control Plan in particular: C.8: Residential Design & C.10: Subdivision

MDCP Part C.8 Residential Design		
Single Detached Dwelling houses		
Control	Required	Complies
2 Site Analysis & Site Context	A detailed site analysis shall be submitted with a development application for all residential development with the exception of a single detached dwelling. A typical Site analysis Diagram is provided as Figure 1. (Note: this Plan does not show the proposed development).	Yes This will accompany development application
	<p>The site analysis shall show, in plan form (with detailed notations), at least but not limited to the following elements:</p> <ul style="list-style-type: none"> • Identification of the lot(s). • North point (solar north, not magnetic north). • Site levels (contours or spot heights – preferably to Australian Height Datum). • Easements eg. stormwater drainage, electricity, access. • Existing buildings and other improvements on the land. • Existing vegetation on the land. • The location of any services on the land – eg. Water service, sewer line, stormwater lines, electricity lines etc. • Width of footway and location of any existing footpath, driveways and driveway laybacks in the kerb. • Location of kerb and gutter in the street and any kerb inlet pits. • Location of any poles, pits, trees etc in the footway verge. • View corridors. • Building setbacks. • Fencing – location, height, material and condition. • Ground levels of adjoining lots near the common property boundary. • Location and general description of buildings on adjoining lots and the position and height of window and door openings in proximity to the development site. • Identification of the use of open space areas on the adjoining lots. • Photographs of the site are a helpful tool. 	Yes A detailed site analysis will take form through architectural plans which is inclusive of the elements set out in the control, which exemplify the current entity of the site in accordance with the proposed development on the site.
	Special consideration and unique building design will be required for development on land where the slope is in excess of 20% (1 vertical in 5 horizontal).	Noted

<p>2.2 Context Analysis</p>	<p>A 'Context Analysis' will be required for all residential development with the exception of a single detached dwelling. The context analysis shall describe the character of existing development in the vicinity of the site in order to understand the streetscape and pattern/form of development. This may be provided in the form of scaled sketches of streetscape elevations or photo compilation. Site context is predominantly a function of:</p> <ul style="list-style-type: none"> • Proximity of the site to urban support facilities such as schools, shopping centres, transport nodes. • The height, size, bulk and scale of development. • The architectural treatment or style of buildings eg. Victorian, Federation, Art Deco, Contemporary etc. • Roof proportion relative to external walls and whether the roof contains dormers, gables or other roof features such as chimneys etc. • Predominant building materials and colours. • The proportioning and position of door and window openings relative to wall area. • The spaces which exist between buildings. • The predominant street setbacks. • The type, scale and location of landscape elements. • Fencing locations, height and materials and the presence of retaining walls. • Treatment of footpath areas in front of a development – paving, tree planting etc. 	<p>Yes</p> <p>The proposed development contextually aligns with the surrounding vicinity. The height, scale, bulk, and architectural style of the building are consistent with surrounding development, incorporating proportional roof forms, modern materials, and neutral colour schemes. Window and door openings are well-balanced with the façade, while appropriate setbacks and landscaped areas contribute to the established rhythm of the streetscape. Fencing, retaining walls, and treatments to the public domain, such as footpath paving and tree planting, are sensitively integrated to complement the locality's character.</p>
	<p>In considering site selection for residential development that will contain more than two dwellings, the site context analysis shall demonstrate that the subject land is within convenient walking distance (not exceeding 400 metres) of the following facilities:</p> <ul style="list-style-type: none"> • Land zoned B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core or B4 Mixed Use under the Maitland LEP 2011; or • A school catering for primary and/or secondary students; or • A key transport node – railway station 	<p>N/A</p> <p>Lot 1 contains 2 dwellings, therefore not adhering to this requirement as it does not exceed 2 dwelling.</p>
	<p>The design plans and the Statement of Environmental Effects shall demonstrate that the 'site analysis plan' and the 'site context analysis' have been taken into account in producing a design solution which mitigates against potential negative impacts and integrates appropriately with the streetscape.</p>	<p>Yes</p> <p>The accompanying documents being lodged in accordance with the statement of environmental effects clearly exemplify that the</p>

		proposed development has been designed in accordance with and consideration of the contextual surrounding and existing conditions of the subject site.
4 Bulk Earthworks and Retaining Walls	A 'bulk earthworks plan (BEP)' shall be submitted with the development application for all forms of residential development showing the levels (relative to a datum benchmark at the site) of all finished ground levels for both the building platform and those areas of the site external to the building platform. The plan should also specify and show the extent and depth of cut/fill, and location of all retaining walls and/or battered slopes. The BEP shall also show existing ground levels adjoining the perimeter boundaries of the land (refer to Figure 4 for sample BEP).	N/A
	Where a retaining wall (for the purposes of retaining fill) is proposed either on or in close proximity to a boundary then the maximum extent of fill shall be 600mm (refer to Figures below).	Yes Retaining walls within close proximity to boundaries does not have fill that exceeds 600mm
	Where a retaining wall (for the purposes of retaining cut) is proposed either on or in close proximity to a boundary then the maximum extent of cut shall be 900mm (refer to Figures below).	Noted
	Elevated flooring (eg bearers and joist construction), deepened concrete edge beams, infill slabs, split level construction and the like shall be used where necessary to reduce the extent of earthworks required to achieve the maximum cut/fill levels prescribed under the plan.	Yes Earthworks for this development has been kept to a minimum.
	Adequate drainage comprising free draining gravel and subsoil agricultural drains shall be installed to the rear of retaining walls to relieve the hydrostatic pressure at the base of the wall.	Yes Adequate drainage, has been installed adequately.
	Stormwater or surface water runoff shall not be redirected or concentrated onto adjoining properties so as to cause a nuisance. Adequate drainage is to be provided to divert water away from batters. This requirement shall be an integral part of the site stormwater management plan addressed in Section 18 of this Chapter.	Yes This is established in the stormwater plans with adequate drainage utilised to ensure water does not run off to adjacent properties.
	Cut and fill batters should not exceed a slope of 3:1 (horizontal to vertical ratio) to the natural ground level unless the	Noted

	foundation strata, type of material or compaction permits otherwise and Council is satisfied as to the stability of the site. All batters must be provided with both short term and long term stabilisation to prevent soil erosion.	
	Excavations in excess of those specified for retaining walls may be permitted within the confines of the building to allow for basements, garages etc providing the excavations are adequately retained and drained in accordance with engineering details.	Yes Excavations in excess of retaining walls are not being proposed.
	All excavations shall be protected in accordance with the requirements of the NSW WorkCover Authority.	Noted
	Where a property is burdened by stormwater easements containing pipes care should be taken to avoid pipe damage. In cutting situations, it may be necessary to lower existing pipes within the easement. In filling, pits may require extending to the new surface level.	N/A
5 Street Building Setbacks	The minimum setback from the principal street frontage to the building line in an urban residential zone is 4.5 metres.	Yes The primary dwellings on Lot 1, 2 and 3 have a setback of 5m. The secondary dwelling proposed on Lot 1 has a setback well in excess of 5m
	The minimum setback from the principal street frontage to articulation or entry features (ie. portico) in an urban residential zone is 3.0 metres and must not be more than 25% of the width of the front facade of the building and must not be more than the maximum height of the building. Note that articulation elements do not constitute the 'building line'	Yes The articulations are as follows Lot 1: 4.092m Lot 2: 4.188m Lot 3: 4.305m
	Where an allotment is located on a corner in an urban residential zone, and a single dwelling is proposed, the minimum building line setback to the secondary street frontage is 3.0 metres.	N/A
	Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road and a minimum 1 metre behind the building line to the principal street frontage.	Yes The garages of each dwelling have a setback in excess of 6m and are as follows: Lot 1: 6.193m

		Lot 2: 7.692m Lot 3: 7.357m
	Older residential areas or heritage conservation areas may comprise buildings with setbacks greater than or less than 4.5 metres. Where infill development is proposed in these areas the building line for the new development shall have regard to the setbacks of existing buildings adjacent to the site. Designers should consult Part E.2: Heritage Conservation Areas to determine setbacks in heritage conservation areas.	N/A
6 Side and Rear Setbacks Design Principles	Setbacks should be progressively increased as wall heights increase to reduce bulk and overbearing.	Yes This method of progressively increasing setbacks has been incorporated into the proposal.
	Building siting and height should relate to landform with minimal cut and fill.	Yes The building siting and height directly relates to the landform.
	Building form should take into account, where possible, the sharing of views. This could be achieved by split level designs which step buildings down the site corresponding to the site's topography or by reducing the width, depth or height of upper floors and roof structures to provide view corridors for development on adjoining land.	Yes The proposal is highly responsive to the subject site in that the development is constructed around the sites natural land form and topography, utilising design elements to take into account views.
	Building to the boundary should occur only where it does not significantly compromise the privacy and solar access of neighbouring dwellings and private open space.	N/A
	Buildings should meet the requirements of the Building Code of Australia in relation to fire protection.	Yes The proposal meets the requirements of the BCA in relation to fire protection.
General requirements	Minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds or carports, in urban zones shall be in accordance with Figure 10 and described as follows:	Yes The side and rear setbacks for the properties are as follows: Lot 1: primary dwelling

	<p>a. 0.9m for walls up to 3.0m in height (to underside of eaves);</p> <p>b. 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m;</p> <p>c. For that part of a wall over 7.2m in height, the minimum setback should be increased by 1.0m for every metre of height over 7.2m.</p>	<p>Ground floor: 0.9m First floor: 1.6m Rear setback gf: 4.935m Rear setback ff: 29.005m 8.200m setback from secondary dwelling</p> <p>Lot 2:</p> <p>Ground floor: 0.9m First floor: 1.6m Rear setback gf: 21.755 m Rear setback ff: 25.154 m</p> <p>Lot 3:</p> <p>Ground floor: 0.9m First floor: 1.65M Rear setback gf: 16.636 m Rear setback ff: 20.036m</p> <p>Secondary dwelling on Lot 1:</p> <p>Side setback: 1.2m: western boundary 1.030m: eastern boundary 4935m: rear setback</p>
	<p>Walls of buildings within urban zones may be built to the side and/or rear boundaries only where:</p> <p>a. The maximum wall height is 3.0m and there will be no significant impact on privacy, use of private open space and solar access to adjoining properties;</p> <p>b. There are no openings unless such openings comply with the fire resistance requirements of the Building Code of Australia and are filled with translucent or obscured glazing; and</p> <p>c. The length of the wall built to the boundary does not exceed 50 per cent of the total length of the wall comprising that elevation</p>	<p>N/A</p>
<p>7 Site Coverage and Unbuilt areas</p>	<p>Site coverage shall satisfy the requirements detailed in Table 3 - Site Coverage and Unbuilt Areas. All development application plans for residential development shall provide a detailed 'percentage site coverage' calculation having regard to the requirements of Table 3.</p>	<p>Yes</p> <p>The site coverage for each dwelling is under 60%, respective to the size of each allotment</p> <p>Lot 1: (59.6%) 269.31 m²</p>

	<p>Maximum Site Coverage Ground Floor (%) 60</p> <p>Minimum Unbuilt Area (%) 40</p>	<p>Lot 2: (53%) 224.91 m²</p> <p>Lot 3: (58.7%) 229.73 m²</p>
	<p>Development shall have site coverage appropriate for the site's capability and form of development and site coverage shall be consistent with the desired future density for the locality.</p>	<p>Yes</p> <p>As evidenced above the site coverage is dependent on the capacity of each allotment.</p>
<p>8 Building Height, Bulk and Scale</p> <p>Design Principles</p>	<p>Developments should be sited and be of a height and scale that cause no significant loss of amenity to adjacent dwellings and land. This can be achieved through:</p> <ul style="list-style-type: none"> o Building siting and height that are related to landform with minimal cut and fill; o Building forms that enable a sharing of views with neighbours; o Building bulk that is distributed to reduce impact on neighbours and on the public street; o Building height similar to, but not necessarily the same as, those in the public streetscape; o Building to the side or rear boundary where privacy and solar access for neighbouring dwellings and their private open space is not compromised; and o The walls of a building, when located on a boundary, should be limited in length and height to minimise the impact on neighbours 	<p>Yes</p> <p>The development has been designed in accordance with the design principles of height, bulk and scale, in that it provides for a development that does not exceed the desired bulk and scale and promotes streetscape continuity.</p>
<p>General Requirements</p>	<p>Maximum building height shall be in accordance with Table 4.</p> <p>Dwelling in any zone: 8.5m</p>	<p>Yes</p> <p>Building heights for each dwelling do not exceed 8.5m</p>
	<p>Development application plans shall provide the following information to clearly communicate building heights:</p> <ul style="list-style-type: none"> a. A scaled and dimensioned site plan to show pre-development spot levels and/or contours of the site. This plan shall also show post-development spot levels of the site at the building corners and perimeter and shall also include finished levels for private open space, communal open space (where provided), driveways and 	<p>Yes</p> <p>The architectural plans offer a detailed, dimensional and realistic scale of the proposed development. The plans exemplify the elevations for each finished floor level and provide accuracy surrounding the overall height of each dwelling.</p>

	<p>pedestrian pathways and landscaped areas.</p> <p>b. Floor plans showing finished floor levels for ground floor internal living space, garages, and finished levels for upper floors and roof;</p> <p>c. Building elevations and sections to scale which are fully dimensioned and provide an accurate representation of height having regard to the levels identified on the site plan. Elevations and sections should show floor-to ceiling heights as well as maximum height of roof element.</p>	
<p>9 External Appearance</p>	<p>The building design and the Statement of Environmental Effects that accompanies the proposal should demonstrate that the following matters have been addressed:</p> <p>a. Consideration of the existing character, scale and massing of development in the immediate area, including the surrounding landscape.</p> <p>b. Architectural interest encouraged by:</p> <ul style="list-style-type: none"> • the use of finishes which are textured rather than bland; • providing stepping of walls, pergolas, eaves, verandahs and blade walls etc. to establish articulation and create light and shadow to a building • the coordinated use of diverse materials and appropriate decorative treatments <p>c. Consideration of both typical and rare fenestration (door and window patterns) and the relationship between glazed and solid wall areas.</p> <p>d. Consideration of traditional relationship of roof mass to wall ratio, roof pitch and design, length of unbroken ridgelines, parapets, eaves and roof water guttering detailing.</p> <p>e. The design shall provide a variety of experiences for the residents and passers by thorough attention to silhouette, pattern, texture and colour. The amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form should be minimised.</p> <p>f. Design diversity should be achieved within and between developments by</p>	<p>Yes</p> <p>The proposal has been carefully designed to address and respond to the existing character, architectural articulation, roof design, fenestration, and streetscape integration outlined in the relevant controls. It ensures architectural interest, appropriate massing, and diversity of materials while respecting the established and desired future character of the locality.</p>

	<p>maximising the advantages of orientation, landforms, views and natural vegetation.</p> <p>g. Where a dwelling has an elevation to a principal street frontage then the design shall ensure that the building has its primary pedestrian entry point addressed to this street. This entry shall be reinforced by landscaping and, where appropriate, fencing to provide a clear entry statement.</p> <p>h. The following features of existing areas should be considered and integrated into new development where possible:</p> <ul style="list-style-type: none"> • Traditional street and lane patterns • Street setbacks • Groupings of buildings • Corner feature sites • Pedestrian walkways • Promenades, squares and courtyards • Characteristic kerb and gutter treatment <p>Pavement design, materials and finishes</p> <p>i. Corner sites shall be developed such that the building(s) addresses both streets and has a well expressed side elevation that does not dominate the streetscape.</p> <p>j. Repetitive street elevations generally do not achieve variety and interest in the streetscape – designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are distinct and give individuality to each development.</p> <p>k. That the relevant provisions in this DCP are taken into account where residential development is proposed within a Heritage Conservation Area or on a site of identified heritage significance under the Maitland Local Environmental Plan 2011.</p>	
Garaging	<p>Car parking structures such as garages and carports shall be designed as an integral part of the development and must be compatible with the overall building design in terms of height, roof form, detail, materials and colours.</p>	<p>Yes</p> <p>The garage has been designed as an attached component of each dwelling to ensure integration into the overall development.</p>
	<p>Garages and carports, as a forward element in the design of a dwelling, are discouraged particularly where the dwelling and its</p>	<p>N/A</p> <p>The garages proposed for</p>

	<p>associated garage has a direct address and access to a street. Forward projecting garages and carports may be considered where it can be demonstrated that the design of the garage makes a positive contribution to both the street and the architectural quality of the building</p>	<p>the development are attached as opposed to forward elements of the dwellings.</p>
	<p>The following treatments should be employed to reduce visual impact of garages and carports to a road frontage:</p> <ol style="list-style-type: none"> a. Garages should be no greater in width than 50 per cent of the total width of the dwelling's frontage (eg. total width of dwelling's frontage is 15 metres therefore maximum width of garage doors to be no greater than 7.5 metres b. Where possible, garages of attached or detached dwellings which have a direct address to the street should not be located side by side; c. Where the garages of adjoining units are located side-by-side they should have staggered setbacks of at least 1.0 metre (refer Figure 18); d. The placement of wide eaves, awnings, pergolas or first floor projecting balconies/rooms over the garages to create shadow lines and provide greater articulation to the building (refer Figure 18); e. The use of materials of contrasting colour and/or texture for the walls and doors of each garage to create visual interest and a sense of separate identity for each dwelling unit – note that dark colours will make a garage visually recessive; f. The use of an irregular driveway alignment; g. Minimising the width and area of driveways to reduce the volume and rate of stormwater run-off and to increase the area available for landscaping; h. The selection of paving materials with contrasting colour and/or texture; i. The use of carports in lieu of garages as these more transparent structures can effectively reduce the bulk and mass associated with multiple garages. 	<p>Yes</p> <p>The garage width of each dwelling does not exceed 50% of the dwelling's overall width. Additionally, the attached configuration of the garage allows for a seamless finish and overall integration of the overall dwelling. this is furthered through the use of materials which align with the overall façade.</p>

<p>10 open space</p> <p>Design Principles</p>	<ul style="list-style-type: none"> • Open space shall be clearly defined to distinguish between communal and private open space. • Open space areas shall be of usable dimensions to suit the projected requirements of the dwelling occupants, and to provide some outdoor recreational needs as well as providing space for service functions. • Private open space shall be capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment, recreation and children’s play, and where possible be directly accessed from a main living area of the dwelling. • The open space shall be orientated to enable solar access to help achieve comfortable year round use. • Private open space shall be screened for privacy. 	<p>Yes</p> <p>The open space for each dwelling has been designed accordingly and is capable as serving as an additional functional space for residents with prospects of adequate solar access.</p>
<p>General requirements</p> <p>Private Open Space</p>	<ol style="list-style-type: none"> a. All ground level private open space must comprise a ‘principal area’ of minimum dimensions in accordance with Figure 20. b. The minimum area of private open space for a ground level dwelling shall be in accordance with Figure 20. c. The ‘principal area’ of POS shall form a direct extension to the internal living room or dining area of the dwelling (refer Figure 19). d. To be included in usable open space calculations, open space at ground level must have a minimum width in one direction of 3.0 metres. e. The maximum cross-fall over the ‘principal area’ shall not exceed 2%. f. Areas of ground level private open space required for external drying facilities, garbage storage, roof water tanks etc shall not be included in the principal area of private open space. These ancillary uses shall be located where they are able 	<p>Yes</p> <p>The three primary dwellings have a private open space of 45m². Each of the principle private open space areas are directly accessible from the living areas of each dwelling. additionally, each private open space is located to the rear of each dwelling at ground level.</p>

	<p>to be screened from view of the street or other public place.</p> <p>g. The landscape plan for the development shall incorporate a detailed landscape design for each area of ground level POS.</p> <p>h. Ground level POS shall only be located forward of the building line (but no closer than 900mm to the principal street boundary) where the orientation of the POS is within the 'optimum' range illustrated by Figure 20.</p> <p>i. Where ground level POS is provided forward of the building line then privacy fencing shall be provided as detailed in Section 1</p>	
<p>13 Landscape Design</p> <p>Design Principles</p>	<ul style="list-style-type: none"> • Site disturbance shall be minimised and existing landscape elements such as above-ground rock formations, significant trees and watercourses shall be preserved where possible. • In established areas, landscaping should relate to the scale of other elements of the streetscape and of buildings/trees within the development itself and on adjoining land. • The development shall be designed to provide the maximum opportunity for tree planting. • Appropriate vegetation shall be used to provide shade to the northerly and westerly elevations of buildings in summer, while allowing penetration of sunlight in winter. • Landscaping should be geared towards user requirements, taking into account maintenance, shade provision and aesthetic quality. 	<p>Yes</p> <p>Adequate landscaping has been provided to each site in accordance with consideration of bushfire site constraints.</p>
<p>General Requirements</p>	<p>With the exception of a single dwelling, all residential development shall be supported by a detailed landscape plan (inclusive of planting scheme) prepared and endorsed by a suitably qualified landscape consultant (eg landscape architect or horticulturalist) as meeting the objectives and design requirements of this chapter.</p> <p>The landscape design should, as appropriate:</p>	<p>Yes</p> <p>A highly detailed landscape plan is being lodged in accordance with this application.</p> <p>Yes</p> <p>The landscape plan provided exemplifies the degree of landscaping in</p>

	<ul style="list-style-type: none"> a. Retain existing vegetation for integration with the landscape design for the development; b. Employ the use of native vegetation suitable for local conditions which require lower maintenance and demand less water; c. Incorporate the use of advanced specimens to ensure that the completed built form is immediately and effectively softened by landscaping. d. Define a theme for new internal streets/driveways or complement existing streetscapes external to a site; e. Be of an appropriate scale relative to the width of driveways and the associated space between buildings and the building bulk – trees should be introduced which achieve a height above the roofline of the dwelling to soften built form; f. Take into account view corridors and introduce species that, where possible, preserve opportunities for views when the plants are mature; g. Improve privacy and minimise overlooking between dwellings and also overlooking from public spaces such as footpaths and communal open space; h. Provide adequate lighting for vehicular and pedestrian safety; i. Account for streetscapes and landscapes of heritage significance; j. Be tolerant of site conditions and adequately mulched in order to reduce demand for water, herbicides and fertilisers; k. Clearly identify where turfed areas are to be located and specify the materials used for forming the edges of garden beds; l. Detail the various paving materials used throughout the site for driveways, pedestrian pathways, parking areas and private open space areas. 	<p>conjunction with the type of landscaping being employed on each allotment. Further to this, the landscaping aids in providing a softened appearance and detracts from concerns of bulk and scale.</p>
	<p>The landscape plan for the development shall recognise private open space areas as 'outdoor rooms' and the design shall incorporate:</p> <ul style="list-style-type: none"> a. Paved areas or decks for outdoor dining/relaxation; 	<p>Yes</p> <p>The elements required for private open space areas have been incorporated and exemplary images have been provided in the landscape plans.</p>

	<ul style="list-style-type: none"> b. Garden areas to reduce the ‘hard’ visual impact of fencing, paving and walls; c. Built-in seating (optional) – refer to example courtyard area at Diagram 19. d. The inclusion of trees of a scale which will provide adequate shade (deciduous may be appropriate depending on orientation of POS); e. Provision of drying areas and garbage storage areas and the screening of these areas with vegetation and/or structural elements such as timber panels; Water features (optional); f. Full details of materials for fencing, paving etc. 	
	Residential developments that make the most positive contribution to streetscapes and the urban environment and provide higher levels of amenity and enjoyment for residents are those which have a sound maintenance regime for landscaped areas – both private open space and communal areas.	<p>Yes</p> <p>A maintenance regime will be conditioned.</p>
	The landscape design for a development should integrate with the stormwater management scheme, having regard to relevant ‘water sensitive urban design’ (WSUD) principles.	<p>Yes</p> <p>The landscaping design is conscious of stormwater management elements.</p>
<p>14 Fencing Walls</p> <p>Design Principles</p>	<p>Design Principles: • Fencing and walls shall:</p> <ul style="list-style-type: none"> o Be compatible with the design and materials used in the proposed development; o Provide some outlook from buildings to the street to facilitate casual surveillance and safety; o Assist in highlighting entrances to dwellings and establishing a sense of identity in the streetscape; o Be proportionate in relation to the width of the allotment; o Integrate with other facilities such as letter boxes and garbage screens. 	<p>Yes</p> <p>The proposed fencing and walls have been designed to complement the architectural style and materials of the development, enhance passive surveillance and safety, clearly define entry points, maintain appropriate scale relative to the allotment width, and provides for seamless integration.</p>
<p>General Requirements</p>	<p>The landscape plan prepared for the development shall incorporate full details of all fencing proposed including:</p> <ul style="list-style-type: none"> • location • height • materials • colours. 	<p>Yes</p> <p>As per the landscaping plan the development will opt for 1.8m colour bond fencing.</p>
	For all forms of residential development, with the exception of a single dwellinghouse, sheet metal fencing shall not be permitted where it forms a boundary	Noted

	with a street, or communal area within a development.	
	Fencing between dwellings shall be designed to provide visual and acoustic privacy to internal rooms and outdoor private open space. The recommended height for these dividing fences is 1800mm high but not less than 1500mm high.	Yes Fencing has been designed to provide visual and acoustic privacy.
	For all residential development where sheet metal fencing is used it should be of mid to dark earthy colour to make the fence visually recessive.	N/A
	Fencing within the street building line setback shall not be located closer than 900mm from the street property boundary for the principal street frontage of the development (refer Figure 22)	Yes The necessary setbacks have been implemented.
	Where side boundary fencing projects forward of the street building line setback to the principal frontage then the maximum height of the fence shall not exceed 750mm within the building line setback area. (Note: This requirement does not apply where the development qualifies to use the building line setback for private open space – refer Sec B9.9(h)).	Noted
	Front fencing for the purposes of containing a dwelling's principal private open space area, shall not occupy more than 50% of the street frontage of an allotment and shall not contain or obscure the principal pedestrian entry point to the dwelling from the street. Fencing may occupy greater than 50% of a site frontage if it can be demonstrated that the increased length of fencing is consistent with the established fencing within the street and character of the street, or because of environmental impact considerations, eg. noise.	Yes Principle private open space is not within the front setback.
	Solid fencing for the purposes of containing a dwelling's principal private open space area, shall not exceed a height of 1500mm where located within the street building line setback unless it can be demonstrated that a higher fence is appropriate having regard to issues of noise, privacy, existing streetscape and architectural merit.	N/A
	Nothing in this plan prevents the fencing of the street frontage of a property subject to the following: <ul style="list-style-type: none"> • The building line setback area is not required for the purposes of principal open space; • The fence shall not exceed a height of 1200mm (1.2 metres); 	Yes Front fencing is compliant.

	<ul style="list-style-type: none"> • The fence shall not comprise sheet metal material; • The fence shall be of a design/materials which integrate with the dwelling(s) located on the land. 	
15 Driveway Access and Parking	Driveways shall be located no closer than 900mm from any side boundary for the full depth of the building line. This 900mm offset shall be provided with landscaping of suitable scale to ensure that sight lines along the public footpath and the roadway are not obstructed.	Yes Driveways are located no closer than 900mm to side boundaries.
	Driveways within the site should be a minimum of 2.7 metres wide and should include landscaping between the driveway and dwelling. (Note: In heritage conservation areas strip driveways may be a more suitable alternative – refer to Part E.3: Heritage Conservation Areas).	Yes 3m wide provided
	Landscaping shall be incorporated into the design of driveway and manoeuvring areas to minimise the expanse of hard surfaces and adverse visual impacts on the streetscape.	Yes Landscaping has been adequately designed to align with the visual impacts of the streetscape.
	Straight 'gun barrel' driveway arrangements are not supported. Where long driveways are proposed landscaping of minimum width 1.0 metres shall be provided along the boundary/fenceline incorporating wider landscape 'blisters' to create a 'meandering' effect and contrasting pavement treatments should be used to reduce the expanse of a single pavement material. Landscaping shall also be provided between the driveway and the external wall of the dwelling	N/A
	Driveways within a site shall be at a maximum grade of 4:1 (H:V).	Provided
	Driveway design from the road pavement across the public footpath area shall be in accordance with Council's "Manual of Engineering Standards" and appropriate structural drawings.	Yes Driveway design is in accordance with Council's "Manual of Engineering Standards"
	Driveways across the footway at the access point on the road reserve should be generally a maximum of 5 metres wide, although variation may be justified on turning and traffic safety issues.	noted
	Driveways across the footway shall be sited to avoid street trees, kerb inlet pits and other services such as light/power poles.	N/A

	For developments other than single dwellings adequate vehicle manoeuvring area to Australian Standard AS 2890 shall be provided to enable vehicles to enter and exit the site in a forward direction	
	On sites identified as Bushfire Prone Land under the Bush Fire Prone Land Maps endorsed by the New South Wales Rural Fire Service, access shall comply with the requirements of the document "Planning for Bushfire Protection 2006" (Planning NSW and Rural Fire Service).	Yes Given the subject site is bushfire prone, the design is in accordance with "Planning for Bushfire Protection 2006" (Planning NSW and Rural Fire Service).
	Vehicle car parking spaces and manoeuvring areas (not including a driveway providing direct vehicle access to a garage or carport from the street) shall not be located within the building line setback area.	N/A
Car Parking	The minimum number of off-street car spaces shall be as follows: a. One (1) space for each one or two bedroom dwelling; b. Two (2) spaces for each dwelling containing more than two bedrooms; c. One (1) visitor space for the first three dwellings and one (1) space for every five dwellings thereafter or part thereof.	Yes A double garage has been provided for each primary dwelling.
	A minimum of one (1) off-street parking space should be provided for each dwelling as a covered space in the form of either a garage, carport or within a secured basement parking area. The parking space(s) should be convenient and accessible to the dwelling which it services	Yes Garages have been provided for each dwelling.
	Garages should comprise minimum dimensions in accordance with Figure 25. Width: 6.0m Length: 5.5m Garage Door Opening: 5.2m	Satisfactory on merit Given the width of the lot, it is considered a single garage is a preferred option in these instances as it allows a proper integration of the garages into the dwelling with
	Developments comprising up to two (2) dwellings may have the parking space(s) for both dwellings directly addressing and accessible from its street frontage.	Provided
16 Views, and Visual and Acoustic Privacy	Overlooking of private open space and direct views between living area windows shall be screened or obscured using one or more of the following methods (as shown in Figures 27 and 28):	Yes Dwellings have been designed to avoid overlooking and ensure

	<ul style="list-style-type: none"> a. Separation distance between windows of habitable rooms or balconies b. Separation by design c. Offset living room windows of opposing dwellings/units d. Splay windows to redirect sight lines e. Build to a boundary and avoid window openings f. Screen Planting between units g. Fencing design or privacy screens h. Use of fin Walls i. Planter Boxes j. Louvre Screens (Vertical or Horizontal) k. Pergola l. Change in level Acoustic 	privacy is maintained between dwellings.
	Where no design techniques and screening (eg fences or walls) are proposed, openings of adjacent dwellings shall be separated by a distance of at least 3.0m.	Yes Design techniques promoting privacy have been employed
	Site layout shall separate active recreational areas, shared parking areas and driveways, and service equipment areas away from bedroom areas of dwellings.	Provided
	Mechanical plant or equipment (eg. Air conditioning units) shall be designed and located to minimise noise nuisance.	Yes Designed and located accordingly.
	Shared walls and floors between dwellings shall be constructed to reduce noise transmission in accordance with the Building Code of Australia.	N/A
17 Water and Energy Conservation	It is recommended that buildings be orientated with the main indoor and outdoor living spaces towards the north and north-east (the optimum orientation for indoor and outdoor living spaces are shown in Figure 20).	Yes Indoor and outdoor areas have been designed in accordance with configuration of site layout
	To the fullest extent possible, buildings should be insulated	Yes Each dwelling is insulated
	Buildings should include adequate thermal mass and windows located, sized and shaded to facilitate thermal performance.	Yes Adequate windows have been provided to ensure natural ventilation
	Windows in west facing walls should be avoided. However, where not possible, west facing walls should be designed with windows fitted with appropriate shade structures and/or landscape screens.	Yes Western windows, due to the sites orientation could not be avoided, therefore necessary screening has

		taken place to combat this.
	Building design should, wherever possible, include a north facing roof upon which a solar hot water system or collector could be installed. The building's internal plumbing should be designed to facilitate the installation of such a system.	Noted
	The design of the building should maximise the cooling potential of natural ventilation by providing breeze pathways through the building (refer Figure 32).	Yes The design has aimed to maximise cooling potential of natural ventilation
	Shadow diagrams may be required for residential developments of two storeys and over in urban zones if, in the opinion of the assessing officer, they are required and for all residential developments comprising two (2) or more dwellings where ground level private open space is located in other than an "optimum" or "good" location as shown in Figure 20. The shadow diagram shall address the overshadowing impact of new development and also the impact from adjoining development against the criteria provided under 17.8 below.	Yes Adequate solar access will be provided to each dwelling, receiving the necessary sunlight where possible.
	Development within the categories specified under 17.7 above shall ensure that adequate solar access is provided to both existing development adjoining the project site as well as to the dwellings and their associated outdoor open spaces within the new development itself. In this regard: a. Development shall not reduce the sunlight available to windows of living areas that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (June 21); b. At least 50% of the principal area of ground level private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%; c. At least 50% of the principal area of above ground level private open space shall achieve not less than 3 hours	Yes Adequate solar access has been provided to the fullest extent, whereby the necessary sunlight will be received amidst the winter solstice. Further to this, private open spaces of each dwelling will receive at least 50% of sunlight.

	<p>sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%</p> <p>d. At least 50% of the area of communal private open space shall achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (June 21). Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.</p>	
<p>18 Stormwater Management</p>	<p>Due to downstream flooding/capacity issues and for developments other than single dwellings, on-site detention of stormwater is required in accordance with Council's Manual of Engineering Standards, to restrict the discharge rate of stormwater runoff. The methods may include tanks (either underground or aboveground) or surface storage areas such as driveways or landscape depressions. The amount of storage volume required is subject to detailed calculation but may be estimated at 9 cubic metres per 1000sqm of site area.</p>	<p>Yes</p> <p>Stormwater management systems have been designed in alignment with Council's Manual of Engineering Standards.</p>
	<p>A detailed erosion and sediment control plan (ESCP) should be submitted with the development application. The ESCP should be prepared in accordance with the requirements of Council's Manual of Engineering Standards.</p>	<p>Yes</p> <p>A detailed erosion and sediment control plan has been provided.</p>
	<p>Ultimate discharge for collected stormwater runoff should be to a street drainage system, to an interallotment drainage line, or by approval to a public area. The system should be gravity-drained. Pumping of stormwater is not permitted.</p>	<p>Yes</p> <p>Stormwater design in accordance with this.</p>
	<p>The development site must be provided with an overland flowpath for the major storm event (1% AEP).</p>	<p>Provided</p>
	<p>Stormwater storage tanks with a capacity in excess of that required to meet BASIX criteria may be installed to provide for on-site stormwater detention. Council's Manual of Engineering Standards provides details for calculations and 'BASIX' relationships. These tanks, unless provided underground, must not be located within an area of principal open space. The area occupied by the tank must not be included for the purposes of calculating</p>	<p>Yes</p> <p>Stormwater management has been designed in accordance with BASIX requirements.</p>

	<p>the required private open space at ground level for each unit.</p>	
	<p>As a minimum requirement, a stormwater drainage “concept plan” shall be submitted with the development application. The plan should include:</p> <ul style="list-style-type: none"> a. the pipeline/pit layout b. water storage means/area c. indicative levels at critical design points d. overland flowpaths including details of the means of capturing runoff from all impervious surfaces 	<p>Yes</p> <p>The plan is highly detailed and is inclusive of the established elements</p>

MDCP Part C.10 Subdivision		
Torrens Title Subdivision		
Control	Required	Complies
Environmental Considerations Flora and Fauna	Areas of significant habitat must be protected.	<p>Yes</p> <p>Although there are no established significant habitats, the proposal aims to ensure protection of natural elements where necessary.</p>
	Design subdivision layout to avoid significant stands of vegetation. Where the subdivision proposal affects significant stands of vegetation, lot layout and lot size must take into account the need to retain the vegetation and the impact of likely future development on the lots, including building envelopes, parking, access and other development requirements such as Asset Protection Zones.	<p>Yes</p> <p>No stands of significant vegetation are affected as per the landscape plan.</p>
	Retain existing natural drainage lines and watercourses where practicable, revegetate where necessary and incorporate into open space areas (including pedestrian and/or cycleway corridors) or include in common property.	N/A
	Provide link to existing vegetation corridors through open space provision and appropriate planting.	Noted
	Lot boundaries should be located to incorporate the whole of any significant stand of vegetation that is not included in common areas.	Noted
	Land title choices should reflect the need to protect and enhance vegetation. For example, Community Title may be appropriate where degraded areas need to be rehabilitated and maintained as part of the consent.	<p>Yes</p> <p>Torrens title proposed in accordance with the site's capacity.</p>
	The location of all natural drainage lines, wetland areas and significant stands of vegetation are to be mapped. Any vegetation to be removed must be identified and quantified. The subdivision application is required to address appropriate mechanisms for retention and protection of native vegetation	<p>Yes</p> <p>There is no prospect for removal of significant vegetation.</p>
	Where a subdivision proposal is likely to result in the loss of vegetation, or is likely to impact upon any environmentally sensitive area (such as a watercourse, wetland etc), it is to be accompanied by a flora and fauna assessment report prepared by a suitably qualified person. This report is to primarily address the 7	<p>Yes</p> <p>Subdivision will not result in any form of detriment to subject site.</p>

	Part Test referred to in clause 1.7 of the Environmental Planning and Assessment Act, 1979, and the requirements of SEPP (Biodiversity and Conservation) 2021. As a result of this report a subsequent Species Impact Statement may be required.	
	Where environmental enhancement is required, a planting and vegetation management scheme is to be prepared and implemented, indicating the reinstatement or enhancement of vegetation in riparian areas adjoining water courses, major drainage lines, significant areas of native vegetation, habitat, or proposed vegetation corridors and land use buffer areas.	Noted
	Planting should consist of species indigenous to the locality, and those which will enhance bio-diversity and provide wildlife habitat. Suitable species can be sourced from local nurseries, or seed collected from plants already growing in the area. Species and planting guidelines are available from Council and/or Greening Australia.	Yes As per the landscape plan, the establishment of planting is alignment with species indigenous to locality.
Environmental Consideration 3 Hazards	All new subdivisions are to be designed to provide adequate, safe access for future users.	Yes The three-lot subdivision provides adequacy and safety for future residents.
	Each new lot created must have adequate site area/building envelope which is free from hazard and can accommodate future development on the site without costly site works on individual lots and without the necessity for loss of significant areas of vegetation.	Yes Each site has bene divided accordingly with consideration of future development and the sites capacity to withstand potential hazards
	Buffer zones, exclusion zones and/or remediation works may be required by Council to ameliorate any or all of the below mentioned or identified hazards	Yes This is addressed accordingly.
Bushfire prone land	The development must comply with the NSW Planning for Bushfire Protection Guidelines.	Yes The development complies with the NSW Planning for Bushfire Protection Guidelines.
	A bushfire threat assessment must form part of all development applications for subdivision where the land is identified as 'bush fire prone land' on Council's map. The threat assessment is an integral part of the subdivision design, and affects lot shape, size, orientation and road layout. Bushfire protection measures have the	Yes As bushfire assessment has been prepared by Harris environmental consulting.

	<p>potential to affect vegetation, fauna, views, watercourses, soil erosion, amenity and access.</p>	
	<p>Assessment of threat from bushfire must examine impacts of the proposal both within and external to the site, including the capacity of the existing road network serving the site to accommodate traffic in emergency situations.</p> <p>Preparation of an assessment of threat from bushfire should include reference to:</p> <ul style="list-style-type: none"> • NSW Rural Fire Service (RFS) – Planning for Bushfire Protection – a guide for land use planners, fire authorities, developers and home owners. • Consultation with Council and RFS staff 	<p>Yes</p> <p>This has been provided in bushfire report.</p>
	<p>Fire protection measure must be capable of being maintained by owners and users</p>	<p>Yes</p> <p>This is a possible prospect.</p>
	<p>Bushfire protection measures and Asset Protection Zones must be:</p> <ol style="list-style-type: none"> i. contained wholly within the site of the subdivision unless the most extraordinary circumstances apply; ii. capable of being maintained by owners and users; iii. located outside areas of ecological value and the buffers necessary to protect them 	<p>Yes</p> <p>Bushfire protection measures are contained wholly within the site.</p>
	<p>The proposed measures to reduce risk of bushfire to an acceptable level should be achieved (for both the subdivision works and the resultant development) without significant loss of vegetation.</p>	<p>Yes</p> <p>As per the bushfire report the subdivision works and construction works have been assessed in order to reduce risk of bushfire.</p> <p>The proposed dwellings can be constructed to: o BAL 29 (Section 7 and Section 3) for the dwellings on lot 2 and 3 o BAL 29 (Section 7 and Section 3) for the primary dwelling on lot 1 o BAL 12.5 (Section 5 and Section 3) for the secondary dwelling on lot 1. Additionally, The APZ is required to be</p>

		established as part of the development and maintained in perpetuity throughout each of the subject lots
	In instances where the balance between bushfire protection and environmental and social impact cannot be achieved, the proposal may not be supported.	This does not form part of the proposal.
	<p>To ensure effectiveness of the fire protections measures, restrictions may be placed upon the titles of the affected lots. These restrictions may relate to:</p> <ul style="list-style-type: none"> i. Habitable storage structures being excluded from within the Fire Protection Zone. ii. Level at which the fuel loading is to be maintained within the Fire Protection Zone. iii. Responsibility for and nature of maintenance of fire trail, hazard reduction and Fire Protection Zone. 	<p>Yes</p> <p>The bushfire report has accounted for each individual lot and the degree of bushfire risk associated.</p>
Land contamination	<p>All development applications for subdivision shall provide documentation to satisfy the requirements of the following policies. The provisions in these policy documents will be used by Council to determine if and how land must be remediated. Comments will be sought from the Environment Protection Authority, where's required</p> <ul style="list-style-type: none"> i. The relevant State Environmental Planning Policies ii. Maitland Council's Contaminated Land Policy, iii. Managing Land Contamination Planning Guidelines (1998), iv. The relevant NSW environment Protection Authority Guidelines - Guidelines for Consultants Reporting on Contaminated Sites. v. National Environment Protection (Assessment of Site Contamination) Measures. 	<p>Yes</p> <p>The necessary documentation will be provided in order to support the prospect of subdivision.</p>
Geotechnical	<p>Development applications for subdivision must include relevant assessment and geotechnical investigation regarding the potential for the presence of salinity and acid sulfate soils to determine if any specific measures are required. (Note: The Maitland LEP 2011 includes specific requirements with regard to acid sulfate soils).</p>	<p>Yes</p> <p>As previously stated, the necessary documentation to support subdivision will be provided.</p>

Design consideration .1 Lot Size and Dimensions	Part 4 in the Maitland LEP 2011 includes development standards for the subdivision of certain land. The standards are presented as minimum lot sizes and are depicted on the associated Lot Size Map. The minimum lot sizes vary between locations and land use zones.	Yes The subdivision lot sizes have been proposed in accordance with the Maitland LEP 2011.
	Council requires that all new lots are of a size and shape suitable for their future use. Matters for consideration, in addition to any minimum lot sizes that may apply, are the need to allow for solar access, on-site effluent disposal (if permitted), access and parking, location of ancillary buildings such as garages and sheds, vegetation retention and soil conditions.	Yes The size and shape of each lot is adequate and has potential for future use.
	Where Part 4 in the Maitland LEP 2011 also regulates the development outcome on certain land by fixing maximum Floor Space Ratios and overall Building Heights, these provisions should also be considered in the design of the subdivision.	Yes The crucial elements have been considered in the prospect of development.
	Lot boundaries should follow natural features such as water courses and ridges (rather than cut across them) to minimise the potential for soil erosion.	Yes Lot boundaries I accordance with the site's natural features and constraints.
	Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses.	Noted
	Lot size and dimensions are to be suitable for the existing or proposed use, including any requirement for building envelopes, ancillary buildings, farm dams, access, parking, landscaping, solar access, provision of services and/or other requirement of any existing Council development consent.	Yes The allotment boundaries have been designed in accordance for future us, whilst ensuring functionality.
	Lots should be rectangular in shape. Where irregular shall accommodate the minimum building envelope and setback requirements.	Provided.
	Minimum lot frontage of 12.5m at the road frontage for rectangular lots.	Yes Overall site frontage in excess of 12.5m
	Minimum lot frontage of 10.0m chord length around sharp bends and cul-de-sacs to provide for access, service and garbage collection in accordance with Figure 2.	N/A
	Lot access adjoining roundabouts and center refuges/splitter island shall not provide access within 10m of the	N/A

	<p>splitters/facilities. 88b restrictions should be provided.</p>	
	<p>In assessing the re-subdivision of an existing lot, Council will have regard to the circumstances and planning rationale that formed the basis for the creation of the parent lot the subject of the application. This includes the consideration of any existing dwellings or structures on the land being assessed against relevant plans and policies.</p>	Noted
	<p>Subdivision proposals must not conflict with the requirements of any existing approvals.</p>	<p>Yes</p> <p>Subdivision will not result in any form of conflict.</p>
Residential Lot Design	<p>Provide a range of lot sizes to suit a variety of dwelling and household types. No more than 40% of the lot frontages within each street block may have the same lot width type. For the purpose of this control a lot width type is determined by any range of plus or minus 1.0m (for example, lots between 17m and 19m might be classed as one width type). Provide a lot width table for each street block including lot width groups, percentage and number. Other variables such as access and configuration can be considered as creating variation in the street.</p>	<p>Yes</p> <p>Each allotment will have a different frontage as a result of subdivision.</p>
	<p>Provide a subdivision structure plan which reflects the site's opportunities and constraints.</p>	<p>Yes</p> <p>Details surrounding sites opportunities and constrains in accordance with subdivision have been provided.</p>
	<p>Provide a clear urban structure that promotes a 'sense of neighbourhood' and encourages walking and cycling both recreationally and for transport purposes.</p>	<p>Yes</p> <p>A sense of neighbourhood will be maintained through the proposed build of each dwelling.</p>
	<p>Ensure the design of any proposed residential subdivision considers natural landform features including outlook and proximity to public and community facilities, parks and public transport.</p>	<p>Yes</p> <p>The natural landform of the site has been highly regarded.</p>
	<p>Residential lots shall be able to accommodate a suitable building envelope with minimum dimensions of approximately 15m by 10m behind the building line.</p>	<p>Yes</p> <p>The allotments will have the capacity to accommodate a building envelope to the extent of the required dimensions.</p>

DC 2 Solar Access	80% of new lots are to have 5-star solar access, and the remainder either 4 or 3 star	Provided
	Lot sizes are to reflect reasonable consideration of the impact of topography, aspect and other constraints so as to maximize solar access.	Yes Sites reflect consideration of topography and solar capability
	Where possible lots should be oriented to provide one axis within 30 degrees east and 20 degrees west of true solar north.	Yes The sites have been subdivided as a direct response to the sites configuration and will front Emmanuel drive (North).
	Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side of the dwelling.	N/A
	Proposals for street planting or open space planting are to take account of the potential for shading, provision of adequate solar access to dwellings, and if necessary, protection from winter winds.	Yes Considered.
DC 3 Drainage, Water Quality & Soil Erosion	Existing topography and natural drainage lines should be incorporated into drainage designs for larger proposals, and enhanced through provision of additional landscaping, detention areas, artificial wetlands and the like.	Yes Sufficient landscaping has been provided in this instance.
	Drainage from proposed lots should be consistent with the pre- development stormwater patterns. An analysis of the downstream drainage system, to the receiving area or waters, may be required.	Yes As mentioned previously the stormwater management plan is highly detailed, facilitating the necessary information.
	Best management practices should be implemented to control runoff and soil erosion and to trap sediment on the subject land to ensure there is no net impact on down stream water quality. The quality of runoff water from the subject land should be the same or better than the quality of water prior to the subdivision taking place.	Yes This has been incorporated to ensure proactive and compliant run off and soil erosion is managed, which will be done so through impervious material elements.
	Where possible, design multiple use drainage and treatment systems incorporating gross pollutant traps, constructed wetlands and detention basins.	Noted
	The subdivision should be designed so as to minimise disturbance of the subject land especially in circumstances where there are topographical constraints.	Yes Proposed subdivision has no form of impact on subject site.

	Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilised and erosion controlled.	Yes Details surrounding this are provided in the sediment and erosion control plan.
	All trunk drainage is to be located in publicly owned land, (reserves), in open space land or in an appropriate easement.	Noted
	Where the drainage impacts of the subdivision proposal cannot be limited to predevelopment stormwater levels by retention or other approved methods, drainage easements will be required over all necessary properties and watercourses. In such circumstances, the easement must be the subject of a signed agreement prior to issue of development consent. Such easements shall be created with, or prior to issue of the Subdivision Certificate.	Yes The drainage impacts of the subdivision proposal will be in accordance with predevelopment stormwater levels.
	Where site topography in new residential subdivisions prevents discharge of storm water directly to the street gutter or a Council controlled pipe system, inter allotment drainage should be provided to accept run off from all existing or future parcels of land. The design and construction of the inter allotment drainage system should be in accordance with the requirements of Council's Manual of Engineering Standards	N/A
	Where inter-allotment drainage is required, easements having a general minimum width of 1.5m are to be identified on plans submitted.	N/A
	A soil and water management plan (SWMP) should be prepared by a properly qualified practitioner with the aim of minimising erosion and maximising the quality of any water leaving the site. Applicants should refer to Council's Manual of Engineering Standards.	Yes This has been provided for and will accompany the development.
DC 4 Landscape, Streetscape & Visual Impact	Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional landscaping and selection of other streetscape items including surface treatments and street furniture.	Yes The proposal will result in an improved streetscape through the provision of abundant landscaping.
	The visual impact of rural residential subdivisions must be considered especially in areas where they can be viewed from a distance or from above. Landscaped buffers may be required.	N/A
	Submission of a Landscape Plan will be required for residential and rural	Yes

	residential subdivisions, indicating the location of street trees and any other required landscaping.	A landscaping plan will accompany the application.
	The developer will also be required to submit a detailed landscape plan for all reserve areas incorporating fencing detail and will be required to construct all fencing for residential and rural residential lots where the lots share a common boundary with a proposed public reserve. Fencing shall be carried out as an integral part of the subdivision works and will be required to be completed prior to Council releasing the relevant Subdivision Certificate. Council may require that the fencing be of open style/pool type depending on the topography and landscape character of the adjoining reserve. Where open style fencing is provided, the landscape design will need to demonstrate that the location of plantings is adequate to ensure a suitable level of privacy for the adjoining residential lots, reduce the visual impact of the fencing and improve the landscape quality of the reserve. Fencing shall comprise materials of darker colour/tones which blend more effectively with the landscape.	Yes The landscaping plan is inclusive of but not limited to details surrounding planting schedules, species and information regarding facing, amidst construction and for the actual development one completed.
DC 5 Effluent Disposal	All new residential, industrial and commercial lots are to be connected to a reticulated sewerage system supplied by the Hunter Water Corporation or other approved supplier, unless there are unavoidable constraints.	Yes The proposal has been designed in accordance with this.
	Lot size and layout must be adequate to allow appropriate effluent disposal systems to be provided for likely subsequent development.	Yes This consideration has been incorporated into the development.
	Effluent and wastewater should be disposed of in a manner which is consistent with the land capability of the property and in a manner that will not cause unhealthy or unsanitary conditions. There are to be no net cumulative effects on the environment.	Provided
	Where sewer is not available in rural areas (including Large Lot Residential areas or environmental zones) lots must be of sufficient size and containing suitable and to ensure that all effluent can be retained and disposed of on-site. Comprehensive site investigation will be required prior to any approval being granted for on-site disposal.	N/A

DC 6 Roads & Access, Pedestrian & Cycleways	Road design should take account of the location of existing vegetation and other natural features and minimise loss of vegetation and soil disturbance through excessive cut and fill.	Yes Excessive cut and fill do not form part of the proposal.
	All of the components of residential streets (including kerbing, pavement type, and width, street tree planting, footpath paving, lighting, seating and the like) should be considered in an integrated approach to ensure that attractive, safe living environments are created.	Yes An integrated approach will be established to contribute to the notion of an attractive living environment.
	Traffic control devices such as refuges, parking blisters, roundabouts, and on grade thresholds are encouraged to reduce traffic speeds in residential streets, but require separate approval from Council's Traffic Committee.	Noted
	Road widths and geometry in all subdivisions must accommodate necessary service and emergency vehicle	Provided
	Roads and access to public roads shall be designed and constructed in accordance with Council's Manual of Engineering Standards (MOES).	Noted
	Direct vehicular access to classified roads such as the State highway, or main roads may be prohibited in favour of an alternative access arrangement subject to consultation with Council, and Transport for NSW (TfNSW).	N/A
	Roads and intersections serving new rural and large lot residential subdivisions may require upgrading in accordance with the provisions of Council's MOES	N/A
	Public transport infrastructure shall comply with 'Guidelines for Public Transport Capable Infrastructure in Greenfield Sites', including but not limited to: Bus stops shall be designed so that: <ul style="list-style-type: none"> • Opposing bus stops shall be spaced and located generally at 400m and accompanied with centre refuge and concrete parking lane blisters. • Placed on departure side of refuge/crossings, and from intersections • preference against parks/public land where possible. • Vehicle access to lots shall be demonstrated, driveway construction and 88b restrictions may be warranted 	N/A

	<ul style="list-style-type: none"> •proposed stops shall be marked on sales plan to notify buyers • Provide public stops with centre refuge and concrete blisters in parking lanes. Locate on lot boundaries but preference is against parks/public land where possible. 	
	Public Road access is required to all new lots in Torrens Title subdivision.	<p>Yes</p> <p>Public road access is available directly from the subject site.</p>
	Subdivisions must be designed having regard to network/hierarchy requirements and be designed and constructed to an appropriate standard for their intended use.	<p>Yes</p> <p>This has been considered.</p>
	Detailed requirements for design, construction and sealing of roads shall be in accordance with Council's MOES.	<p>Yes</p> <p>Design has been established in accordance with Council's MOES.</p>
	On-street parking is provided on all streets for convenience and to contribute to surveillance and street life.	<p>Provided</p>
	Road widths in Council's MOES are minimum design standards. Additional design requirements, above and beyond these minimum requirements would have to be accommodated within the subdivision design (i.e., road widening to comply with Planning for Bushfire Protection).	<p>Yes</p> <p>Roads will not need to undergo changes as part of the subdivision.</p>
	Create a permeable layout based on modified grid layout.	<p>Provided</p>
	Maximise connectivity to bus stops, community facilities, open space and attractors through orientation of street blocks and public land.	<p>Noted</p>
	Orientation of street blocks is preferable east-west, then north-south where exception requires. Exceptions are considered where slope exceeds 6%, trunk drainage, or where existing boundaries or roads prevent achievement. Refer to Figure 3.	<p>Yes</p> <p>With consideration of the site's topography, slope and configuration, a north – south orientation has been employed.</p>
	Alternative block orientation may consider direct emergency/trunk routes and other amenity views to bushland, floodplain, community spaces and areas of interest nominated by council.	<p>Noted</p>
	Land slopes of 6% or greater shall generally run downhill unless demonstrated that earthworks will be minimized for the development.	<p>Yes</p> <p>Earthworks are quite minimal for the development.</p>

	Roads shall provide surveillance and safety to items such as along drainage corridors, bushfire and flood plains, around public areas like parks and community lands (see DC.7)	Provided
	Public parks shall be located on trunk roads for easy wayfinding and be surrounded by roads on 3 to 4 sides.	N/A
Residential Subdivisions	Street block lengths shall be a maximum length of: <ul style="list-style-type: none"> • 180m desirable, 250m maximum for local streets • 180m for residential streets running parallel against trunk roads • Generally 70m deep for residential 	Yes Street block provides a suitable length for proposed subdivision.
	A network of constructed (i.e. not grass) footpaths and cycleways will be required in all residential subdivisions, located, designed and constructed in accordance with Council's Manual of Engineering Standards, and in view of streets wherever possible to allow surveillance.	Yes This has been provided for
	Particular attention should be paid to pedestrian links to schools, with regard to their width, lighting (to Australian Standard) and the appropriateness of landscaping and related safety issues.	N/A
	The road, footpath and cycleway network should facilitate walking and cycling throughout neighbourhoods and provide links to schools, community facilities and other activity centres	Yes The footpath facilitates the capacity for walking.
DC 7 Crime Prevention – Safer by Design	Clear sightlines between public and private places.	Established
	Landscaping that makes places attractive, but does not provide offenders with places to hide or entrap victims.	Yes Landscaping will not create ease for offenders.
	Dense vegetation or structures should not be located beside bicycle routes or pedestrian walking paths. A safety convention is to have 3-5 metres of cleared space on either side of pathways and bicycle routes. Pedestrians feel more comfortable sharing wide paths than narrow paths.	Yes Dense vegetation has been avoided within these spaces.
	Natural surveillance should focus on orientation of buildings and strategic use of windows, balconies, entrances, permeable fencing and street design. Tactical location of living areas, workstations, offices and recreation areas help surveillance opportunities	Yes The orientation of the dwellings in accordance with the placement of rooms allows for natural passive surveillance.

	Lots created should be designed so buildings face outwards towards public and semi-public areas to provide natural surveillance opportunities.	Yes This has been established.
	Lighting of public places such as public streets, car parks and pedestrian areas should meet the relevant Australian Standards. Effective lighting reduces fear and can increase community activity. The types of lighting should also be considered (different lights are used in different situations).	N/A
	Council may require a report from a suitably qualified lighting engineer for lighting of public areas within subdivisions.	Yes Can be conditioned if necessary.
	Design subdivision layouts with clear transitions and boundaries between public and private space. This can be achieved through landscaping, natural barriers such as waterways or topographic features and by the use of gates, bollards and fencing.	Yes The subdivision layout provides a distinct transition between boundaries and private open space.
	In some cases public areas may need to have restricted access, particularly at night, to prevent vandalism and anti-social behaviour.	N/A
DC 8 Site Filling	Earthworks require development consent of Council under the provisions of the Maitland LEP 2011, unless either exempt or complying development.	Yes Any form of earthworks will be part of this proposal.
	Where site filling is necessary or proposed, the materials used and extent and depth of fill must be detailed in the development application for the approval of Council prior to issue of a Construction Certificate. Council will take into account the provisions of AS 3798-1990, which provides guidelines on the specifying, execution and control testing of earthworks and associated preparation works within commercial and residential developments.	Yes Any sort of fill material utilised will be highly detailed.
	An absolute maximum fill depth of 2m will be considered by Council.	Yes Proposal does not include fill to this extent
DC 9 Reticulated Services (Water/ Sewer/ Electricity/ Telecommunication)	Reticulated water and sewer supply is required for all new urban lots (residential, commercial, industrial) in accordance with the requirements of the Hunter Water Corporation.	Yes Details provided on stormwater management plan.
	Council's preference is for all new large residential lots (including land zoned C4 Environmental Living) to be connected to reticulated sewer. This can include the	Yes This has been provided for.

	use of a community package treatment plant if Hunter Water Corporation reticulation is not available. If no reticulated sewer, effluent disposal to be undertaken in accordance with requirements contained in “Effluent Disposal” Design Element	
	Submission to Council of a Section 50 Certificate from the Corporation prior to issue of Subdivision Certificate (Endorsed “linen” plan).	Provided
Electricity	Underground low voltage electricity supply to all new residential lots (including land zoned C4 Environmental Living) to the requirements of Energy Australia or other approved electricity provider, unless Council and provider determine that overhead supply is permitted due to flood liability of land or the land fronts a road supplied by existing overhead electricity reticulation.	Yes Electrical works will be in alignment with the requisites of Energy Australia.
	For industrial and commercial lots, underground electricity supply shall be provided to all new lots, to the requirements of Energy Australia or other approved electricity provider, unless Council and the provider determine otherwise.	N/A
	Low voltage electricity supply must be available to the boundary of all new rural lots in accordance with requirements of Energy Australia or other approved provider	N/A
	Pad mounted substations, if and where required, should be placed within pedestrian walkways, behind landscaped screens or otherwise sympathetically treated to reduce visual impact.	Noted
	Written evidence from the provider that installation of all services is complete and meets requirements must be submitted to Council prior to issue of the Subdivision Certificate;	Yes This can be provided when necessary.
Street Lighting	Street lighting shall not be provided for low-density residential subdivisions, unless special circumstances (consistent with AS1158) warrant installation.	N/A
	Street or road lighting shall not be provided for rural subdivisions.	N/A
Telecommunication	Telephone connection to be available to all new lots in accordance with the requirements of Telstra or other approved provider	Provided
Identity Components Entry Features	Entry features will only be considered and approved with the development application for subdivision and all details	Noted

	should be included with the detailed landscaping plans.	
	Entry features will only be permitted in conjunction with residential subdivisions of 50 lots or more. Entry features for industrial and commercial subdivisions will be considered on merit.	N/A
	Entry features shall be limited to one pair at the primary entrance to a new subdivision.	N/A
	Entry features can only display the name of the estate NOT street names.	N/A
	Entry features shall only be located on privately owned land.	N/A
	Entry features for residential subdivisions shall be limited to a size of 20m ² with a maximum height of 2m. The size of entry features for industrial and commercial estates will be considered on merit.	N/A
	In certain circumstances the erection of entry features may be considered at a later stage but must comply with the guidelines.	Yes Compliance with guidelines will be provided.
IC 3 House/ Lot Numbering	Council supplies a number for all new urban and rural lots created, and has an adopted policy in this regard. A fee applies for this service.	Noted

d. Section 4.15(1)(a)(iii) –Any Planning Agreement or Draft Planning Agreement

There is no planning agreement or draft planning agreement applying to the site.

e. Section 4.15(1)(a)(iv) –The Regulations

The applicable provisions of the *Environmental Planning and Assessment Regulation 2000* has been considered in the assessment of this application and it is considered the proposal is consistent with the EP&A Regulation 2000.

f. Section 4.15(1)(b) – The Likely Impacts of the Development

It is considered that the proposal will have limited impacts on the existing and future character of the locality. The proposal provides for a development that will easily cater for a suitable residential development that will not compromise the amenity of the surrounding locality. The proposal provides for lot sizes well in excess of the minimum lot size and has demonstrated it can accommodate a built form and dwelling designs that is consistent with the objectives and intent of the current development standards in the Maitland Council Local Environmental Plan MLEP (2011) and the Maitland Development Control plan.

g. Section 4.15(1)(c) – The Suitability of the Site for the Development

The subject development is permissible in the zone and the proposal satisfies the key planning controls for site as detailed above and is generally considered to be suitable for the site.

6. Conclusion

The application has been assessed against the relevant provisions of the EP&A Act 1979, applicable development standards of the Maitland Council Local Environmental Plan MLEP (2011) and the Maitland DCP 2011. It is considered the development proposing the “3 – lot Torrens title subdivision, and the construction of three two – storey dwellings, and a secondary dwelling on Lot 1” at 13 Emmanuel Drive Farley, legally known as Lot 514, DP 1275320 is a suitable form of development consistent with the development standards applicable to the site and is a development form that is consistent with the existing and future character of the area.

The proposal provides for a development that is consistent with the prevailing subdivision pattern and predominant building form in the immediate locality and is consistent with the objectives of the R1 – General Residential applicable to the site. The proposal is considered acceptable on merit and is worthy of support in this instance.