

STATEMENT OF ENVIRONMENTAL EFFECTS
to accompany a Development Application
for Subdivision and
Multi Dwelling Housing (29 Units) at
Lot 2901 DP 124243, 15 Sparsholt Street
Tenambit
Lot 11 DP 1317126, 73 Robert street
Tenambit
Lot 280 DP 529334, 106 Collinson Street
Tenambit

STATEMENT OF ENVIRONMENTAL EFFECTS

15 Sparsholt Street Tenambit
73 Robert Street Tenambit
106 Collinson Street Tenambit

Document Status

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APPENDIX A – WASTE MANAGEMENT PLAN

1 INTRODUCTION

This Statement of Environmental Effects (SoEE) has been prepared to support a development application for subdivision and multi dwelling housing at 15 Sparsholt Street Tenambit, 73 Robert Street Tenambit and 106 Collinson Street Tenambit.

The proposal includes:

- Clearing, earthworks, construction of proposed driveway, drainage, utility services and site infrastructure including landscaping;
- Subdivision of one (1) lot into two (2) Torrens Title lots; and,
- Construction of twenty-nine (29) dwellings.

The proposal will provide a quality residential development that compliments the existing neighbourhood and amenity of the area.

An existing dwelling is located on the site and will be retained.

The land is zoned R1 General Residential pursuant to Maitland LEP 2011. Subdivision and multi-dwelling housing are permissible in the R1 General Residential zone with the consent of Council. The proposed development is consistent with the Council's objectives as contained within the LEP and the development principles contained within the Maitland Development Control Plan 2011.

This report describes the proposed development and the context in which the development is proposed to be located. This report is structured to facilitate a logical understanding of the proposed development, an identification of the key issues, and a summary assessment of the proposed development. The development proposal has taken into account the Environmental Planning and Assessment Act 1979, the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2011.

2 LOCALITY



Figure 1 – Aerial view of the site (Source: Nearmaps 2026)





Figure 4 – Land at the rear of 73 Robert Street Tenambit



Figure 5 – Land at the rear of 73 Robert Street Tenambit

The site is located in the suburb of Tenambit. The site is known as Lot 2901 DP 124243, 15 Sparsholt Street Tenambit, Lot 11 DP 1317126, 73 Robert street Tenambit and Lot 280 DP 529334, 106 Collinson Street Tenambit.

The site is 8500m² in size. A residential dwelling is currently located on 73 Robert Street Tenambit and will be retained.

The rear of the site is currently vacant.

The site consists of maintained grass with scattered semi mature trees. The site contains no significant remnant vegetation value. The site is urban land with few trees but no understorey or mid canopy. The site is not identified as a corridor or habitat.

The site has no evidence of instability. The site is not subject to flooding and there are no known geotechnical hazards associated with this site. The site is not subject to Mine Subsidence. The site is not identified as bush fire prone land.

The land is not identified on any contamination registers and no notices have been issued for the site under the Environmentally Hazardous Chemicals Act (1985) or the Contaminated Land Management Act (1997).

Site history indicates long term residential use with no indication of potentially contaminating activities.

The site is not identified as containing Acid Sulfate Soils.

The site does not contain any items of Heritage significance on the State Heritage Register or Schedule 5 of the Maitland LEP 2011.

There are no listed heritage items in the immediate vicinity of the site.

Tenambit shopping Village is located nearby and contains a variety of shops, facilities and services. East Maitland Shopping Village is also located nearby. The site is located near schools and recreational activities including Easts Leisure and Golf. Public transport is available in the vicinity of the site.

The site is in close proximity to the East Maitland railway station and Greenhills Shopping Centre. Central Maitland are also located nearby.

3 THE PROPOSAL

The proposal comprises:

- Subdivision of one (1) lot into two (2) Torrens Title Lots;
- Clearing, earthworks, construction of proposed driveway, drainage, utility services and site infrastructure including landscaping; and

- Construction of twenty-nine (29) dwellings.

Five (5) unit types are proposed to be constructed on site consisting of:

- Three (3) x three (3) bedroom single storey units;
- Four (4) x three (3) bedroom double storey units;
- Four (4) x two (2) bedrooms single storey units;
- Fifteen (15) x two (2) bedroom double storey (with rumpus) units; and,
- Three (3) x three (3) bedroom double storey units.

The proposal includes:

- Nine (9) visitor car parking spaces;
- Three (3) adaptable/accessible units (units 16, 17 and 18);
- Communal waste disposal area; and,
- Communal open space.

A new circular driveway will be constructed providing access to the proposed units from Sparsholt Street. Access to and from the site will be made available from Sparsholt Street. Egress from the site will also be available to Collinson Street.

All units contain bedrooms, dining room, living room, kitchen, bathroom, ensuite and an internal laundry. Private open space and single or double garaging is provided to each unit.

The proposed units are either single storey or double storey in height. The units vary in height due to the topography of the land. The units will be a maximum 7873 in height to the ridgeline.

The units will be constructed of lightweight horizontal cladding with a sheet metal roof and selected garage doors.

Landscaping will be provided around the site as shown on the landscape plans attached. It is proposed to erect fencing between each unit.

The proposal has been designed so that dwellings address the driveway into the site incorporating openings and front doors with appropriate landscaping to establish a good design outcome for multi dwelling housing.

The table below provides a summary of each proposed unit on site.

Table 1: Unit Summary

Unit Number	Number of Bedrooms	Number of Storeys	Number of Car Spaces	Accessible Y/N	Rumpus Y/N	Area of Private Open Space m2
1	3	2	2	N	N	71.3
2	2	2	1	N	Y	48.8
3	2	2	1	N	Y	82.6
4	2	2	1	N	Y	52.8
5	2	2	1	N	Y	49.8
6	2	2	1	N	Y	54.2
7	3	2	2	N	N	69.9
8	2	2	1	N	Y	49.8
9	3	2	2	N	N	63.6
10	2	2	1	N	Y	54
11	2	2	1	N	Y	60
12	2	2	1	N	Y	63.1
13	2	2	1	N	Y	57.6
14	2	2	1	N	Y	63.8
15	3	2	2	N	N	51.5
16	3	2	1	Y	Y	40.4
17	3	2	1	Y	Y	40.4
18	3	2	1	Y	Y	43.6
19	2	2	1	N	Y	73.6
20	2	2	1	N	Y	79.1
21	2	2	1	N	Y	51.8
22	2	2	1	N	Y	43.6
23	3	1	1	N	N	32.4
24	2	1	1	N	N	28.8
25	2	1	1	N	N	28.8
26	2	1	1	N	N	28.8
27	2	1	1	N	N	28.8
28	3	1	1	N	N	34.7
29	3	1	2	N	N	64.6

Subdivision

The proposal includes the subdivision of one (1) lot into two (2) Torrens Title lots as follows-

Table 2: Lot Sizes

Proposed Lot Number	Proposed Lot size
111	613.2m ²
112	3409m ²

Proposed Lot 1 will contain the existing dwelling at 73 Robert Street Tenambit.

A boundary adjustment will be undertaken in the future with the rear portion of Lot 3 DP 509282, 81 Sparsholt Street under SEPP (Exempt and Complying Development Codes) 2008 to allow access over the rear of that property into the site. It is proposed to ultimately consolidate the rear of Lot 3 DP 509282 with proposed Lot 112, Lot 2901 DP 124243 and Lot 280 DP 529334 to create one (1) lot.

Site works

Site works include clearing, excavation, earthworks, construction of proposed driveways, drainage, retaining walls, provision of utility services and site infrastructure including landscaping.

Stormwater Proposal

The following works are proposed to be undertaken for the Development Site:

- Installation of underground stormwater system with associated underground detention to maintain pre-developed flow discharge.
- Design for stormwater up to and including 100 year ARI event.
- Road construction to facilitate water catchment via inverted crown and integrated surface inlet pits.

The following works are proposed Upstream of Development Site:

- Existing council stormwater pipe through the site to be maintained in-situ.
- Proposal for upstream overland flows to be captured and controlled through the site via an underground stormwater pipe.
- Upstream water to bypass the development stormwater network and be discharged to the council stormwater network at the downstream structure to the eastern side of the development.

- Lots adjoining, along Robert Street, to be provided with or have maintained, stormwater easements and underground conduit connection to the council stormwater network. The proposed stormwater easement for 73 Robert Street Tenambit is shown on the proposed Torrens Title subdivision plan attached.

4 REVIEW OF ENVIRONMENTAL IMPACTS

Impacts of the development are summarised below. Mitigation or management measures, where relevant, are detailed in the supporting technical documentation or described in this SoEE.

4.1 Ecology and Vegetation.

The existing site is zoned urban and is surrounded by residential land. The land contains a single storey dwelling at 73 Robert Street Tenambit. This dwelling will be retained.

An Arborists report has been prepared in support of the proposal and the removal of twenty-four (24) trees from the site. Three (3) trees on adjacent neighbouring properties will be retained.

A landscape plan is submitted with this application to allow new plants to grow to site conditions and thus reducing the potential for failure.

4.2 Contamination

The site has no history of potentially contaminating uses having occurred on the property.

4.3 Soils and Slope Stability

The site is Class 5 Acid Sulfate Soils (ASS). The proposed development will not expose ASS. Site classification will occur during construction design.

4.4 Earthworks

The proposal requires site clearing, excavation and regrading to provide proposed construction levels. A cut to fill balance will ideally be achieved across the site, otherwise any excess material will be disposed of at an approved waste management facility or taken to other approved construction sites subject to it being appropriately classified.

4.5 Bushfire

The site is not Bushfire prone.

4.6 Erosion and Sediment Control

Erosion and sediment controls will be implemented prior to commencement of works and during construction of the proposal in accordance with an Erosion and Sediment Control Plan submitted with the Construction Certificate and the provision of 'Managing Urban Stormwater: Soils and Construction '(the Blue Book).

4.7 Stormwater

The proposed stormwater system includes an individual rainwater tank for the proposed new dwellings to capture and re-use roof water.

The proposed stormwater system is designed in accordance with relevant standards and the impacts are considered appropriate for the site and the nature of the development.

4.8 Vehicle Access, Traffic and Parking

A new driveway is proposed on Sparsholt Street Tenambit with an additional exit from the site to Collinson Street.

The proposed driveways will have appropriate sight lines to mitigate the risk to vehicles entering/exiting the site. A section 138 application for the driveways will be submitted to Council prior to construction.

The development proposes to increase the number of dwellings on site from one (1) dwelling to twenty-nine (29) dwellings. Vehicle generation will be easily distributed onto the local network and is not expected to affect the levels of service or efficiency of the road network. Sufficient car parking is provided on site.

Intersect Traffic prepared a Traffic and Parking Assessment for the proposal (January 2026). The report made the following conclusion:

- ◆ *Current traffic volumes on Metford Road, Robert Street and Sparsholt Street are below their technical and environmental mid-block capacity thresholds and as such there is spare capacity within the road network to cater for development in the area.*
- ◆ *It is expected that the additional traffic generated by the development will be up to 12 vtpm in the AM peak period and 18 vtpm in the PM peak period.*
- ◆ *The local and state road network has sufficient spare capacity to cater for the additional development traffic without adversely impacting on the mid-block levels of service (LoS) experienced by motorists.*
- ◆ *In 2025 and 2035 the Robert Street / Sparsholt Street T-intersection will operate with uninterrupted flow conditions whilst Sidra Intersection modelling has shown that the Metford Road / Robert Street T-intersection will continue operate with Los A for all movements with development traffic.*

- ◆ *The minimal amount of traffic generated by the development will not adversely impact on other intersections on the local and state road network.*
- ◆ *The proposed on-site car parking provides 44 on-site car parking spaces for the development from a proposed access via Sparsholt Street at the eastern end of the site and a secondary exit only to Collinson Street. The accesses comply with Australian Standard AS2890.1-2004 Parking facilities – Off-street car parking and with the Maitland DCP (2011).*
- ◆ *Under the Maitland DCP (2011) the development is required to provide a minimum of 42 on-site car spaces therefore the development is compliant with the DCP.*
- ◆ *The proposed on-site car park layout and dimensions comply with the Australian Standard AS2890.1-2004 Parking facilities – Off-street car parking requirements.*
- ◆ *Waste collection arrangements are considered suitable for the site with collection by private contractor with forward entry and exit from the site.*
- ◆ *No additional pedestrian facilities are required as a result of this development. Existing facilities are satisfactory for any expected minor increase in pedestrian traffic resulting from this development.*
- ◆ *No additional public transport facilities are required as a result of this development as existing facilities are suitable.*
- ◆ *No additional cycleway facilities are required as the development is unlikely to generate any significant additional demand therefore there is no nexus to provide additional facilities.*

The report made the following recommendation

Development on Lot 11 in DP1317126, Lot 280 in DP529334 and Lot 2901 in DP1242435 – 73 Robert Street, 106 Collinson Street and 15 Sparsholt Street, Tenambit it is recommended that the proposal can be supported from a traffic and parking impact perspective as it will not adversely impact on the local and state road network and can comply with all relevant Maitland City Council, Australian Standard, State Environmental Planning Policy (SEPP) (Housing) 2021 and TfNSW requirements.

4.9 Pedestrian Access

The proposed development is likely to generate some additional external pedestrian traffic however existing pedestrian facilities near the site are suitable for the development. No nexus would exist to improve footpaths in this area, due to the development and no additional pedestrian facilities are required as a result of this development.

4.10 Local streetscape and Character

Tenambit is a Maitland suburb in close proximity to Morpeth, East Maitland, Greenhills and Maitland.

The site is in an area of moderate growth with increasing density and improved housing choice.

The area is characterised by a variety of housing types, lot sizes, frontages, building separation and building setbacks. The dominant housing styles are single storey and two storey homes with no regular landscape pattern.

The proposed development is not inconsistent with the existing local character and is consistent with the desired future character of this moderate growth precinct. The proposed units are single or double storey in height constructed of selected horizontal lightweight cladding and metal roof. The new dwellings will be sympathetic to the neighbouring properties and the broader area. The proposed landscaping of the site will be consistent with the character of the area and the increased density of this proposed development

Overall, the proposed building materials, height, scale and architectural form are considered to be consistent with the existing and desired future character of the area. The proposed housing form and density are further considered to be entirely consistent with the desired future character of the area in that it would provide housing choice through smaller housing to lower costs, including costs for residents.

4.11 Acoustic and Visual Impact

The proposed dwelling design and site layout is such that living areas and private open space do not generally abut bedrooms of adjoining dwellings so as to avoid any unacceptable adverse noise or visual impact.

Air conditioning units will be housed within side or rear setbacks where they will not mitigate the impact on adjoining properties. The locations of the AC units will be finalised during construction having regard to positioning AC units to minimise noise.

Construction noise will be managed through condition of consent.

No public or private views will be significantly or unreasonably affected. The form and scale of development is not inconsistent with the surrounding urban landscape setting and delivers acceptable massing and scale. The design provides appropriate building articulation and architectural features to deliver a suitable visual outcome from adjoining properties and the local street network.

5 PLANNING CONTROLS AND ZONING COMPLIANCE

5.1 Acts

5.1.1 Environmental Planning and Assessment Act 1979

The EP&A Act 1979 is the primary legislative foundation for land-use planning, development assessment, and approval processes in New South Wales. Its key objective is to “*promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources*”.

All development in NSW is evaluated under the provisions of this Act, as well as the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). Development proposals requiring approval must comply with the rules and requirements specified in Part 4 of the EP&A Act, which governs development assessment and consent processes.

In the case of this proposal, the determining authority responsible for assessing and determining the development application is Maitland City Council.

5.1.2 Biodiversity Conservation Act 2016

Some clearing is proposed and an arborists report has been prepared in support of the application.

The Biodiversity Conservation Act 2016 is not relevant in this instance.

5.2 State Environment Planning Policies

SEPP (BIODIVERSITY AND CONSERVATION) 2021

The SEPP provisions are not applicable to this proposal.

SEPP (RESILIENCE AND HAZARDS) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (‘RH SEPP’) specifies provisions relating to coastal management, hazardous and offensive development and remediation of land.

Chapter 3 – Hazardous and Offensive Development

No hazardous or offensive development is proposed. Therefore, this chapter is not considered relevant to the proposed development.

Chapter 4 – Remediation of Land

This chapter provides that Council must not consent to the carrying out of any development, unless, it has considered whether the land is contaminated and if so, it must be satisfied that the land is suitable, in its contaminated state or after required remediation, for the purpose for which the development is to be carried out.

The land has a history of residential uses with no indication of potentially contaminating uses having occurred on the property.

Accordingly, no further investigations are considered necessary or warranted.

SEPP (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 – Advertising and signage

No signage is proposed.

SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES)

Not considered relevant to the proposed development.

SEPP (RESOURCES AND ENERGY)

Not considered relevant to the proposed development.

SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

The SEPP outlines the requirements for traffic generating development applying to residential accommodation and subdivision of land of a relevant size or capacity. The size of the proposed residential accommodation and subdivision of land and its proximity to a classified road does not require referral to the Transport of NSW. The proposed development is not identified as a traffic-generating development in accordance with the SEPP.

Accordingly, it is considered that the proposed development is consistent with the requirements of the SEPPs.

5.3 Integrated Development

Pursuant to Section 4.46 the EP&A Act 1979, this development application is not integrated development.

5.4 Regional Environmental Plan and Maitland Strategies

Hunter Regional Plan 2041

The Hunter Regional Plan 2041 aims to provide a strategic approach to provide greater housing diversity and affordability. The Plan includes a preference for infill development rather than greenfield development. Infill housing also contributes to 15 minute neighbourhoods.

The subject site is located in the suburb of Tenambit, in close proximity to East Maitland and Central Maitland.

The site is ideally located to create higher residential densities in the area.

Maitland Strategies

Maitland Local Housing Strategy 2041

The Maitland Local Housing Strategy 2041 sets out a framework to guide future growth and change of residential areas over the next 20 years.

The Strategy recognises and responds to evidence about what type of housing will be needed for our growing and changing population, where it can be best located and how Council will deliver better housing outcomes, together with community and other stakeholders.

The Strategy aims to *“provide the right type of housing in the right locations with essential infrastructure and services to meet the housing needs of our growing and changing populations over the next 20 years.”*

This proposal responds to the key recommendations in the Strategy by increasing density and encouraging a range of different housing types, sizes and tenures in appropriate locations.

5.5 Maitland Local Environmental Plan 2011

The land is zoned R1 General Residential pursuant to Maitland LEP 2011. A copy of the zoning map is shown below:

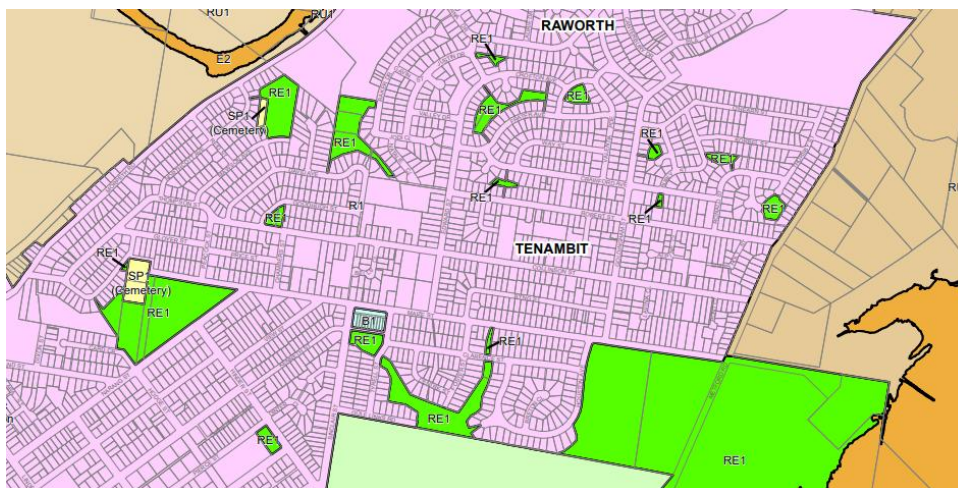


Figure 6 – Zoning Map (Source: Maitland LEP 2011)

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.*

The proposed development is consistent with the Council's objectives and provisions of the R1 General Residential zone. The existing dwelling on site will be retained. The proposed development entails a one (1) into two (2) lot Torrens Title subdivision and twenty-nine (29) new dwelling houses on the site. The proposal will contribute to the housing needs of the community. The proposal will increase housing availability in Tenambit and will contribute to the variety of housing types and densities in the LGA.

The site is accessible to local schools and shopping centres which contains a number of services and facilities.

The proposed dwellings will complement the natural topography of the land and respect the amenity and character of this existing residential area by constructing new dwellings on the site.

The proposal is defined as multi dwelling housing in accordance with Maitland LEP 2011. Multi dwelling housing is defined as

3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Multi dwelling housing is permissible in the R1 General Residential zone with Council consent.

Subdivision

Clause 2.6 of the Maitland LEP 2011 refers to Subdivision. Clause 2.6 states:

2.6 Subdivision – consent requirements

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

Note-

If a subdivision is identified 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) 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.

The proposal includes the subdivision of the land from one (1) lot into two (2) Torrens Title lots and seeks Council's consent as part of this development application.

Part 4 Principal Development Standards

A number of Clauses in the LEP and their respective Maps provide development standards including objectives and controls for the development of land within the Maitland LGA.

The land is not identified on the Building Height Map or the Floor Space Ratio Map in accordance with Maitland LEP 2011.

Clause 4.1 Minimum subdivision lot size

Clause 4.1 of Maitland LEP 2011 refers to minimum subdivision lot size. Clause 4.1 states:

- (1) The objectives of this clause are as follows—
 - (a) to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls,*
 - (b) to prevent the fragmentation of rural land.**
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (4) This clause does not apply in relation to the subdivision of any land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or*
 - (b) by any kind of subdivision under the Community Land Development Act 1989.**

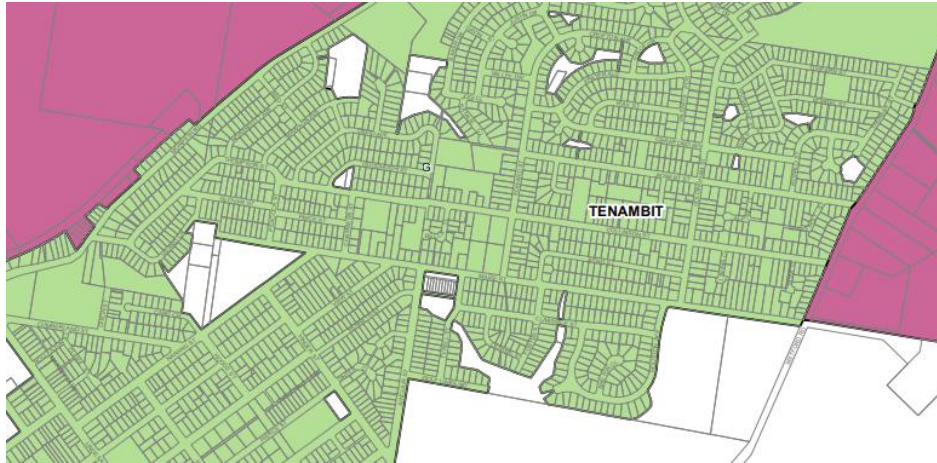


Figure 7 – Lot Size Map (Source: Maitland LEP 2011)

The lot size map shows the minimum lot size for the site to be 450m² in size. The proposed lots range from 613.2m² to 3409m² in size.

All newly created lots will be equal to or more than 450m² in size.

The proposed lots meet the minimum lot size requirements of Maitland LEP 2011.

This development application complies with clause 4.1 of Maitland LEP 2011.

Part 5 Miscellaneous provision

The land is not identified on the Heritage Map in accordance with Maitland LEP 2011.

Part 7 Additional Local Provisions

Clause 7.1 Acid sulfate soils

Clause 7.1 refers to acid sulfate soils. The site is located on class 5 Acid Sulfate Soils map. The proposal will not disturb, expose or drain acid sulfate soils and cause environmental damage.

Clause 7.2 Earthworks

Clause 7.2 of Maitland LEP 2021 refers to earthworks. Earthworks are proposed to cater for the proposed development. The earthworks proposed will not have a detrimental impact on environmental functions, and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Clause 7.9 Essential Services

All essential services will be provided to all units on site.

5.6 Maitland Development Control Plan 2011

Maitland Development Control Plan 2011 provides all relevant guidelines to enable preparation of a DA for assessment by Council.

The following chapters of Maitland Development Control Plan are relevant to this development application.

B.2 – Domestic Stormwater

B.2 Domestic Stormwater applies to all new development where stormwater is generated from roofs of domestic and ancillary buildings and hardstand areas within Maitland LGA where residential development is permitted with consent.

The proposal includes a BASIX certificate and 2000 litre rainwater tanks for each new dwelling.

DRB Consulting Engineers have prepared Civil plans for the proposal, refer to attached plans (Project Ref No, 255092 Rev E, dated 09.04.2026).

The plans attached include the existing dwelling at 73 Robert Street Tenambit. New pipes will be installed into the proposed drainage easement connecting the existing stormwater from 73 Robert Street Tenambit to the existing drainage easement on Sparsholt Street.

The drainage plan attached ensures the proposal meets the objectives of the DCP.

B.6 – Waste Not – Site Waste Minimisation & Management

This application includes the preparation of a Site Waste Minimisation and Management Plan (SWMMP) in accordance with the DCP for the construction of the new development. A SWMMP is attached as **Appendix A**.

All waste from the construction phase will be disposed of in an environmentally safe manner. Each dwelling has sufficient land on site to store domestic garbage, recycling and garden waste bins.

All dwellings will use the communal waste bin area for the disposal of waste. A private waste bin contractor will service the site.

B.5 – Tree and Vegetation Management

This chapter applies to land for clearing of vegetation on all land other than land zoned RU1 Primary Production or RU2 Rural landscape.

It is proposed to clear the site of existing vegetation.

Abacus Tree Services prepared a report (March 2026), in support of the application (attached).

The report recommended the removal of twenty-four (24) trees from the site by a qualified arborist and the retention of three (3) trees. The report recommends a Management Plan be implemented to protect the three (3) trees to be retained.

A landscape plan has been prepared and is submitted with this application to allow new plants to grow to site conditions and thus reducing the potential for failure in accordance with the DCP.

Part C – Design Guidelines

C.1 – Accessible Living

The DCP deals primarily with improving accessibility for all sectors of the Community and seeks through the DCP to encourage business people, builders and developers to be responsive to the needs of those members of the community who are temporarily or permanently disabled. Section 12 of the Residential Design chapter of the DCP requires adaptive dwellings to be provided once the number of dwellings to be constructed to be more than nine dwellings. In accordance with the DCP, three (3) adaptive dwellings (Units 16, 17 and 18) are proposed. The proposed adaptive dwellings meet the requirements of the DCP.

C.8 – Residential Design

The DCP provides guidelines for residential development to set appropriate standards to encourage high quality urban design and improved amenity across all forms of residential development within the City of Maitland. The following section describes how the existing and proposed dwellings fulfil the requirements of the DCP. The residential proposal is generally consistent with the provisions of these requirements.

The following addresses each of the design principles or requirements within the DCP.

- Context analysis

The site is located in an existing residential area in Tenambit. The site is located within walking distance to Morpeth, East Maitland and Tenambit Shopping Village, local schools and transport nodes.

The surrounding buildings in the neighbourhood are either residential dwellings or multi dwelling housing both single and two storey buildings. The proposed units are constructed of horizontal cladding walls and a metal roof. The proposed rear and side setbacks and landscaping will complement the existing neighbourhood. The units will be located behind the existing dwellings facing Robert Street and Collinson Street.

- Development incorporating existing dwellings

The DCP encourages existing buildings to be retained and used for ongoing residential use. The existing dwelling on site will be retained.

- Earthworks

All works associated with the proposal are located within the property boundaries. Retaining walls are proposed along the boundaries of the site as shown on engineering plans attached.

- Street Building Setbacks

The DCP states that the minimum building line setback in an urban residential zone is 4.5 metres to the principal street frontage and 3.0m to the portico. There will be no new dwellings with a front street setback.

- Side and Rear Setbacks

The minimum side and rear setbacks for residential buildings in urban zones is 0.9m for walls up to 3.0m in height and 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m.

The proposed setbacks meet Council's requirements contained within the DCP.

- Site coverage

The proposed site coverage is 66%.

The proposal complies with the Site Coverage and Unbuilt Area objectives and requirements of the DCP.

- Building Height, Bulk and Scale

The DCP allows a maximum height of 8.5 metres for dwellings. The new dwelling proposed on site are a mixture of single and double storey units and are built in accordance with the topography of the site.

The plans submitted with the application show the height of all units to the ridgeline to 7873 which is below the maximum requirement of the DCP. The proposal complies with the requirements of the DCP.

- External appearance

The external appearance of the proposed dwellings has taken into consideration the existing character, scale and massing of the development in the immediate area.

The new buildings are designed to be sympathetic with the predominant form of the area. The dwellings will face towards the internal driveway with its primary pedestrian entry point addressing the street. The design and location of the front entrance ensures that the entry point into each dwelling is obvious and is further reinforced by sympathetic landscaping around the site.

Key elements of the design such as horizontal cladding wall profile, roof material, colour scheme, landscaping and fencing will contribute to an attractive development for the development as a whole.

The location and design of the garage doors ensures that the garage is developed as an integral component of the buildings. The garage doors are panel lift doors. The proposed garages do not have direct access to the street but to the internal driveway. The proposed materials, colours and type of garage door proposed create visual interest and a sense of separate identity for each unit.

- Private Open Space

All new dwellings have been provided with ground level private courtyards that satisfy the minimum requirements of Figure 20 of the DCP – refer to private open space table on plans attached. The principal area of private open space for some dwellings has been split to be located in both the front yard and rear yard of the proposed units.

All dwellings meet the private open space requirements of Maitland DCP 2026.

The private open space forms a direct extension to the internal living area and complies with the minimum POS area required in the DCP.

The outdoor area also includes external drying facilities and water tanks and these areas have been excluded from the private open space calculations. These ancillary uses are located where they are screened from view from the street or other public places.

The landscape plan submitted with this application incorporates a detailed landscape design for each area of ground level private open space.

All existing dwellings will have adequate private open space in accordance with requirements of the DCP – refer to plans attached.

- Accessibility and Adaptable Housing

Three (3) adaptable dwellings are proposed (Units 16, 17 and 18).

- Landscape Design

A landscape plan is submitted with the application. The landscaping proposed relates to the scale of the proposed buildings and includes appropriate landscaping within the site. The landscaping proposed will provide interest, shade and privacy to the proposed dwellings.

- Fencing

A 1.8-metre-high colorbond fencing is proposed to be erected between the dwellings. This fence will provide visual and acoustic privacy and meet the requirements of the DCP.

- Driveways access and car parking

The DCP requires one (1) space for each one- or two-bedroom dwelling and two (2) spaces for each dwelling containing more than two bedrooms. One visitor space is required for the first three dwellings and one (1) space for every five dwellings or part thereof.

The proposal includes a variety of two- and three-bedroom dwellings.

In accordance with the DCP, each three (3) bedroom unit will be provided with a double garage while each two (2) bedroom unit will have a single garage. Nine (9) visitor car parking spaces are proposed.

The proposal complies with the requirements of the DCP by meeting the minimum requirements for parking and not imposing on neighbouring units.

The proposal for driveway access arrangements and car parking including visitor car parking meets the requirements of the DCP.

- Views, visual and Acoustic Privacy

The development comprises subdivision and new residential dwellings. The proposal will not restrict views from adjoining properties.

The internal driveway will provide good separation between dwellings.

Windows have been limited on side elevations to avoid overlooking between dwellings and opposing windows avoided.

Private open space courtyards will not be overlooked by any windows of adjoining dwellings.

Landscaping and fencing will be provided between dwellings and courtyards to provide further screening and reduce overlooking of private open space.

- Water and energy conservation

BASIX certification has been provided and attached and is found to be satisfactory for each dwelling.

Shadow diagrams are attached. The proposal complies with solar access requirements contained within the DCP.

As a result of POS placement and orientation of the units, the courtyards and associated open space areas of proposed dwellings will receive adequate sunlight. Private open space is split for some units and is provided at the front and rear of the unit. Dwellings have been provided with both paved courtyard areas as well as additional grassed areas that will also act as open space and receive varying levels of sunlight during parts of the day during mid-winter.

Refer to plans attached.

- Stormwater management

A detailed stormwater plan is submitted with this application. The proposal complies with the requirements of the DCP.

- Security, site facilities and services

The proposal has been designed to provide adequate personal and property security through 'Crime Prevention Through Environmental Design' Assessment. Garbage and recycling bins will be located on site for the new dwellings using an onsite communal waste bin service.

Each dwelling is provided with direct and convenient pedestrian access. Mailboxes will be provided to the proposed units at the entrance of the access driveway which is a requirement of the DCP.

Open air clothes drying areas will be provided for each dwelling – refer to landscape plans attached.

All services – reticulated water, sewerage, electricity and telecommunications will be installed to meet the requirements of the relevant service provider.

The development complies with the security and site facility and services section of the DCP.

The Residential Design component of the DCP has been assessed against the proposed development and this report demonstrates that this proposal complies with all requirements of the DCP.

C.10 – Subdivision

The DCP contains Council's requirements for designing subdivisions. The proposed subdivision fulfils the objectives of the Plan by promoting the efficient use of an increasingly limited land resource in Maitland. The development application includes the subdivision of land from one (1) lot into two (2) Torrens Title lots. The proposal complies with the DCP as follows:

- The land does not contain any heritage items, buildings with heritage significance nor is the land located in a conservation area. There are no known or potential archaeological relics on the site.
- The site is not identified in the Probable Maximum Flood (PMF). All habitable finished floors will be no lower than the FPL.

- The site is not identified as bushfire prone land on the MCC Bush Fire Prone Land Map.
- The land is not subject to landslip, land contamination or any other hazards.
- The proposed lot sizes and shapes are appropriate to their proposed use as required by Maitland LEP 2011 and Maitland DCP 2011.
- Access to Lot 112 will be directly from Sparsholt Street.
- A drainage plan is submitted with this application that complies with the requirements of the DCP.
- The proposal complies with landscape, streetscape and visual impact requirements of the DCP.
- Electricity, water, sewer, telecommunications and drainage will be provided to all lots. A section 50 certificate will be sought for the subdivision certificate stage of the proposal.
- The proposed subdivision plan includes easements for drainage.

The proposed subdivision complies with the requirements of the DCP.

C.11 – Vehicular Access & Car Parking

Refer to DCP assessment above.

D.7 – Tenambit

The site is located in the Tenambit residential area identified in Maitland DCP Chapter D.7 Tenambit. The proposal will create two (2) new Torrens Title allotments to accommodate an existing single dwelling and multi dwelling housing.

The intention of the DCP is to promote the orderly and economic use and development of land. This proposal will retain one (1) new dwelling and create twenty nine (29) new dwellings which will achieve a lot density higher than a traditional subdivision.

The intention of the DCP is achieved through this development application. The proposed accesses are more than adequate to accommodate the proposal and therefore there is no planning purpose in Council seeking to require the extension/construction of the link between Robert Street and Alpine Close Tenambit.

The DCP states that larger lots may be created for the purposes of multi-dwelling houses taking into account the potential impact from such development on adjoining properties. The application complies with the DCP by proposing multi-dwelling housing on a large lot.

Potential impacts on adjoining properties have been taken into consideration in the design of the units and setbacks from boundaries. The proposal is consistent with the existing local character of the area and the desired future character of this moderate growth precinct.

The proposed units are single and double storey in height constructed of selected horizontal lightweight cladding and metal roof. The new dwellings will be sympathetic to the neighbouring properties and the broader area.

The proposed landscaping of the site will be consistent with the character of the area and the increased density of this proposed development. Overall, the proposed location, density, housing form, building materials, height, scale and architectural form are considered to be consistent with the existing and desired future character of the area.

It is important to note that the D.7 Tenambit is not included in Maitland DCP 2026, therefore Council has made a decision that the requirements of the DCP are no longer relevant.

Local Housing Strategy 2041

The Maitland City Council Local Housing Strategy 2041 aims to *“provide the right type of housing in the right locations with essential infrastructure and services to meet the housing needs of our growing and changing populations over the next 20 years.”*

The Strategy encourages infill housing and increased densities as it has been found that there is a *“mismatch in the demand for and supply of smaller dwellings in Maitland.”*

The actions contained within the Strategy to meet housing demand in Maitland include centre-based infill within established areas to provide new and different forms of housing stock. The recommendations in the Strategy include enable infill housing in appropriate locations and support scattered, small scale infill development in R1 General Residential zone.

The Local Housing Strategy considers infill housing as a development opportunity in the City of Maitland to increase density and encourage a range of different housing types, sizes and tenures in appropriate locations.

This development application achieves the recommendations contained within the Housing Strategy and is identified as infill development in Tenambit. The DCP is identified as a barrier to this infill development and will not be included in Maitland DCP 2026.

6 ESSENTIAL INFRASTRUCTURE

All essential infrastructure is and will be made available to the site including power, water and reticulated sewer. Applications will be made to Ausgrid and the plans have been submitted to Hunter Water Corporation.

Telecommunication Services will be connected in accordance with the requirements of Telstra Corporation.

Mail will be delivered to new letterboxes constructed at the street frontage.

7 ENVIRONMENTAL ASSESSMENT

7.1 Environmental Planning Instruments – Section 4.15 (1)(a)

The development application is being lodged pursuant to the MLEP 2011 and is consistent with this policy as well as other relevant state planning instruments. Multi Dwelling Housing is classified as 'residential accommodation' and subdivision are a permitted forms of development under the MLEP 2011 and the proposed development is considered to be consistent with the zone objectives.

7.2 Any Relevant Draft Environmental Planning Instruments – Section 4.15 (1)(a)(i)

There are no relevant Draft Environmental Planning Instruments which are of particular relevance to this development.

7.3 Any Development Control Plans – Section 4.15 (1)(a)(ii)

As demonstrated above, the relevant provisions of the MDCP 2011 have been considered to ensure that the proposed development will be compatible with surrounding uses and will be able to operate with no impact to adjoining properties.

7.4 Impact on the Natural Environment - Section 4.15 (1)(b)

The proposed development will result in clearing and ground disturbance during construction; however, this will not have a detrimental impact on the natural environment. The proposal will retain three (3) existing trees as detailed in the attached Arborists Report.

The development will implement a stormwater drainage plan to ensure that runoff from the developed site will be adequately treated to achieve the required stormwater quality targets and stormwater discharge is adequately detained prior to discharge to the public drainage system to avoid adverse stormwater impacts.

7.5 Impact on the Built Environment - Section 4.15 (1)(b)

The proposed development includes the construction of a new housing development in the form of multi dwelling housing. The proposed development comfortably integrates with the existing character of the locality. The proposed development will result in modern residential buildings and provides a development that is consistent with the current and emerging character of Tenambit which is reflective of increasing medium density multi-dwelling built form being provided in the area. The proposed development will provide a positive impact on the built environment in a manner consistent with the public domain and streetscape appearance. Furthermore, the redevelopment of the site will not adversely affect neighbouring amenity. Therefore, it is considered that the impacts of the proposal on the built environment are satisfactory.

7.6 Economic and Social Impacts - Section 4.15 (1)(b)

The proposed housing development is anticipated to have a positive impact on the surrounding community through the provision of a high-quality residential accommodation for the local population. This in turn is expected to have a positive social impact on the wider community.

The proposed dwellings will be compatible with the mix of existing and future dwellings in the area in terms of building heights, scale, colours and material.

The site has access to existing services and infrastructure, schools, shopping centres, community facilities, public open space and recreational areas.

The development of the land will contribute towards the provision of additional facilities within the City of Maitland, identified by Council's Section 7.11 Contributions Plan to cater for the increase in the population.

The proposed development will provide the following positive community/social impacts to the Maitland local government area:

- providing affordable and appropriate housing aligning with demand for housing in the area; and,
- provide housing choice to the local community by providing a range of dwelling sizes and styles.

Accordingly, it is considered the proposed development will have a positive community/social impact in the local area.

7.7 Suitability of the Site – Section 4.15 (1)(c)

The proposed development is permissible within the R1 General Residential Zone and the development, as demonstrated within this report, is consistent with the zone objectives. The multi dwelling housing and subdivision proposal has been designed in accordance with the principles of the Maitland LEP 2011 and Maitland DCP 2011.

The site is located in a residential locality and maintains a suitable scale. Site characteristics (topography and location) ensure that any adverse impacts can be minimised and controlled.

The proposed units will contribute towards meeting the housing demands of the Lower Hunter which in turn will contribute towards economic growth within the Maitland LGA.

The site is located within proximity to local services and areas of employment. Tenambit Shopping Village and local schools are located nearby.

The location, siting and planning for the development holds due regard to environmental constraints. Accordingly, it is considered that the subject site is suitable for the proposed development.

7.8 Any Submissions – Section 4.15 (1)(d)

Any public submissions received in response to the development proposal are required to be considered in light of Section 4.15 of the Act, having particular regard to:

- The stated and underlying objectives of the relevant planning controls;
- The specific merits and circumstances that apply to the proposed development and the site;
- The acceptable nature of the likely impacts of the proposal;
- The suitability of the site in accommodating the proposed development; and
- The acceptable nature of the proposal when considering the wider public interest.

7.9 Public Interest – Section 4.15 (1)(e)

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning scheme and in accordance with relevant planning controls.

The proposal provides a new residential housing development for twenty-nine (29) new dwellings with high residential amenity, architectural integrity and modern presentation. It will provide housing in an efficient and affordable manner and help reduce demand for development on the urban fringes. The residential outcome is appropriate and will have no significant adverse environmental impact.

The proposal will increase the diversity of housing resources in the Maitland local government area. The dwellings exhibit natural ventilation, daylight penetration, acoustic privacy and a design that provides visual privacy between dwellings. Accordingly, it is considered the proposed development will result in a positive development outcome for Tenambit and the wider Maitland local government area and is therefore in the public interest.

8 CONCLUSION

The proposed subdivision and multi-dwelling housing development has been assessed against the provisions of Section 4.15 of the Act. On balance, it is concluded the development is satisfactory and warrants development consent, having regard to the following matters:

- The proposed development is permissible under the prevailing land use zone.
- The proposal is generally consistent with the relevant objectives and controls of MLEP 2011 and MDCP 2011. Where non-compliances have been identified, sufficient justification has been provided.

- The proposed development is anticipated to have a positive impact on the surrounding community through the provision of a high quality residential accommodation for the local population.
- No unreasonable external impacts will result from the development proposal. The streetscape character is protected and enhanced.
- The proposal makes use of existing infrastructure and resources and is compatible with the character of the locality.
- It is considered there are no matters that warrant refusal of the proposal on the grounds of it being contrary to the public interest.

Additionally, the proposed development will provide positive economic, social and community impacts that will deliver twenty-nine (29) new dwellings which will provide additional residential housing options in the Maitland local government area. Accordingly, it is suggested that the proposed development be recommended for approval by Maitland City Council subject to appropriate conditions.

APPENDIX A

WASTE MANAGEMENT PLAN

Demolition and Construction Stage

Materials On-Site		Destination		
		Reuse and Recycling		Disposal
Type of Material	Estimated Volume (m ³) / Weight (t)	On-Site (proposed reuse/recycling method)	Off-Site (contractor / recycling outlet)	Contractor and Landfill Site
Demolition Material	To be determined			Skip bin will be placed on site – removed by Commercial Contractor to approved landfill site
Excavation Material	To be determined	Cut and fill will be minimised to reduce excess fill. Any excess fill be used for backfill behind retaining walls where necessary	Excess material will be sold as clean fill or sold to the nearest recycling contractor	Will not be disposed of to landfill
Green Waste (Topsoil and Trees)	Approx 50m ³	Stockpiled for later reuse in landscaping / mulched	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Weathered Rock / Sandstone	None expected	Stockpiled for later reuse in landscaping	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Concrete	To be determined	Any excess used for footpaths / minor works	Excess taken to nearest recycling contractor	Will not be disposed of to landfill
Timber Pallets	<10 pallets		To be collected by supplier or recycled	Will not be disposed of to landfill
Timber-other	<20 m ³	Offcuts reused onsite ie formwork	Recycled by waste contractor	Recycled by Waste Contractor where possible
Steel reinforcement	<15 m ³	Order to suit – offcuts reused	Recycled by waste metal recycler	Will not be disposed of to landfill
Scrap metal	<25 m ³		Recycled by waste metal recycler	Will not be disposed of to landfill
Other – mixed waste	<35 m ³			Skip bin will be placed on site – removed by Commercial Contractor to approved landfill site

Use of Premises

Type of Waste Generated	Proposed On-site Storage and Treatment Facilities	Destination
Mixed waste (kitchen waste, non-recyclables)	Individual dwelling waste storage area / recycled	To be picked up by private contractor from on-site communal waste disposal area
Recyclable waste	Individual dwelling waste storage area / recycled	To be picked up by private contractor from on-site communal waste disposal area
Green waste	Individual dwelling waste storage area / recycled	To be picked up by private contractor from on-site communal waste disposal area