

Attachments Under Separate Cover

27 January 2026

Table of Contents

ITEM	SUBJECT	PAGE NO
10.2	Development Application 2024/731 - Proposed Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services at 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323	
Attachment 3	Assessment Report (Under Separate Cover)	1
Attachment 4	Conditions of Consent (Under Separate Cover)	74
Attachment 5	Submissions (Under Separate Cover).....	114
11.2	LOCAL TRANSPORT FORUM MEETING MINUTES (December 2025)	
Attachment 1	Local Transport Forum Minutes (December 2025) (Under Seperate Cover).....	157
15.1	Strategic Advisory Committee Meeting Minutes	
Attachment 1	City Planning Heritage & Design Committee - 23 July 2025 (Under Separate Cover).....	190
Attachment 2	City Planning Heritage & Design - 22 October 2025 (Under Separate Cover).....	194
Attachment 3	Sport, Recreation & Leisure - 23 July 2025 (Under Separate Cover).....	198
Attachment 4	Sport, Recreation & Leisure - 24 September 2025 (Under Separate Cover).....	203
Attachment 5	Sport, Recreation and Leisure - 22 October 2025 (Under Separate Cover).....	206
Attachment 6	Environment & Sustainability - 3 September 2025 (Under Separate Cover)	211
Attachment 7	Environment & Sustainability - 26 November 2025 (Under Separate Cover).....	216
Attachment 8	Culture & Community - 3 September 2025 (Under Separate Cover).....	221
Attachment 9	Culture & Community - 24 September 2025 (Under Separate Cover).....	226
Attachment 10	Culture & Community - 26 November 2025 (Under Separate Cover).....	229

City Planning

**Development Application 2024/731 -
Proposed Four (4) Into Seventy Eight
(78) Lot Torrens Title Staged
Residential Subdivision Including
Demolition, Earthworks, Clearing and
Infrastructure Services at 6 Wilton
Drive East Maitland NSW 2323, 62
Mount Vincent Road East Maitland
NSW 2323**

**Assessment Report (Under Separate
Cover)**

Meeting Date: 27 January 2026

Attachment No: 3

Number of Pages: 72



DEVELOPMENT APPLICATION ASSESSMENT REPORT

Version 1: Comprehensive 19.01.2025

Application No:	DA/2024/731
Proposal:	Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services
Address:	6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323, 141 Gullivers Lane EAST MAITLAND NSW 2323
Lot & DP No:	141/1225076, 8/855275, 142/1225076, 143/1225076
Property No:	89802 31819 89800 89801
Applicant:	Brad Everett
Owner:	Keith James Wilton and Jennifer Blais
Site Inspection:	11/07/25 & 23/10/25
Site Constraints	<ul style="list-style-type: none"> • Sloping topography, • Bushfire prone land, • Flood prone land, • Mine subsidence district (guideline 1), • Endangered Ecological Community (Vegetation), • Blue / green grid mapping, • Sub Regional Biodiversity Corridor, • Aboriginal heritage, • Class 2, 3 and 5 Acid Sulfate Soils, • Urban Release Area.

INTRODUCTION

The purpose of this report is to provide a detailed discussion and assessment of Development Application No. DA/2024/731. The assessment will provide consideration of the proposal under the Environmental Planning and Assessment Act 1979, the Maitland Local Environmental Plan 2011, the Maitland Development Control Plan 2011 and any other relevant legislation, guidelines and policies of the Council.

Description of Proposed Development

The proposal involves the subdivision of Four (4) into Seventy-Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services. The subdivision is proposed upon land zoned *R1 General Residential*, *C3 Environmental Management* and *RU2 Rural Landscape*. All resulting residential lots will be located within the R1 zoned portion of the land, with ancillary components of the development (vegetation planting, earthworks, stormwater detention basin, park land & portions of proposed roads) extending within the C3 and RU2 zoned areas.

The primary subdivision works will involve:

- Four into seventy-eight lot subdivision.
- Seventy-five residential lots ranging from in area of 462m² -1584m²;

- One split zoned lot containing R1 and remaining C3 land;
- Two x RU2 residue zoned lots;
- One public reserve and stormwater detention basin (these will be excised from existing RU2 allotments for dedication to Council).

The ancillary works associated with the subdivision include:

- Removal of existing low voltage overhead powerlines;
- Removal of approximately 3.55ha of native vegetation to facilitate residential allotments and infrastructure;
- Internal road construction, including two new connections to Wilton Drive;
- Internal pedestrian and shared pathway systems;
- Formalisation of a pedestrian pathway 2.5m wide over the existing road reserve/drainage easement between existing private lots 44 & 45 in DP 863423;
- Bulk earthworks, including importing, spreading, benching and/or retaining (maximum 1.5m high and maximum batters 1:4), representing 11 075m³ of cut and 29 270m³ fill;
- Stockpiling of fill as required;
- Provision of underground water, sewer, stormwater, electrical and communication servicing throughout;
- Establishment of Asset Protection Zones (APZ's);
- Establishment of revegetation corridor to be maintained under a Vegetation Management Plan (VMP);
- Establishment of landscaping works (street tree planting, bio-retention basin and vegetation corridor works);
- Creation of necessary easements.

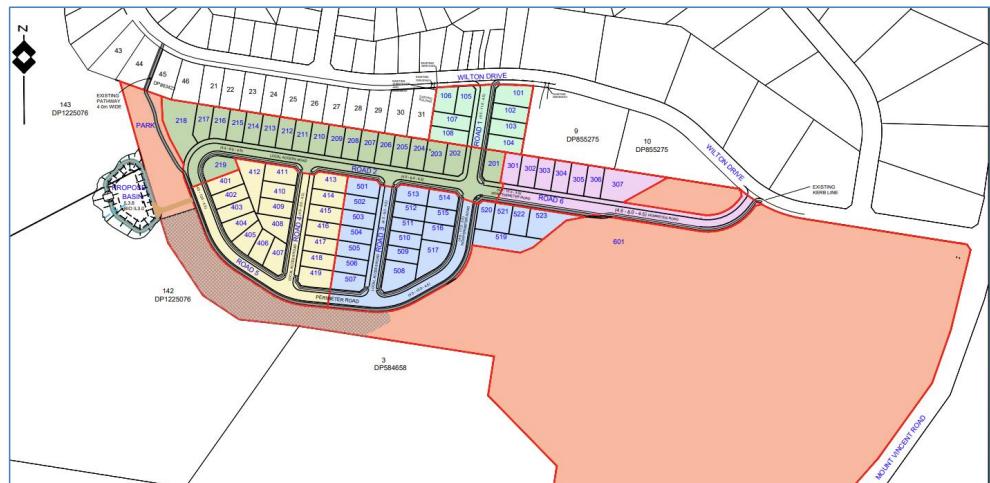


Figure 1: Proposed Subdivision Layout and Staging Plan

The applicant has proposed to undertake construction of the subdivision in five (5) stages. The sixth stage, proposing the creation of the split zoned allotment and revegetation of C3 land is not supported as a final stage. The split zoned lot is able to be created within Stage 5. The revegetation of C3 land is of optimal importance to the subdivision and must be included as part of earlier, priority stages. The timing of delivery for the revegetation has been raised with the applicant. The applicant has declined to nominate a more suitable time to deliver the necessary revegetation and has instead invited Council to

condition the timing of the revegetation. Noting that other infrastructure is being delivered as part of Stage 2, and that improvement of vegetation is critical to enabling this subdivision to proceed (note; the avoidance discussion later within this report), a condition is to be imposed requiring the delivery of this component at Stage 2.

Staging	Residential Lots	Other	Staging Updates
1	8	Road 1	<p>Road 6 will be required to be provided at Stage 1 to provide a secondary access for the subdivision to Wilton Drive (this is to ensure compliance with bushfire requirements as set under General Terms of Approval by the NSW RFS).</p> <p>The remediation and validation of the land is to occur at this stage of the development.</p>
2	19	Road 1, Road 2 & Detention Basin	<p>The park and shared pathway through to Wilton Drive will be required at Stage 2.</p> <p>The Vegetation Management Plan Planting will be required at Stage 2.</p>
3	7	Road 6	
4	19	Road 4	
5	23	Road 5	Split zoned R1/C3 zoned lot is to be provided under this stage.
6	1	Split zoned R1/C3 zoned lot and Vegetation Planting	No Stage 6 supported; these works are to be consolidated with Stage 2 and 5 works.
Total Stages	Total Residential Lots	Other Lots	
5	76	2 x RU2 Lots; the detention basin and park will be excised from the RU2 lots.	

Assessment Background

Throughout the assessment process, the proposal has been held in abeyance for a considerable period. At the time of lodgement, a site specific DCP had not been prepared for the land. This is contrary to Clause 6.3 of the Maitland Local Environmental Plan 2011 (MLEP). The recommendation of the assessing officer was for the applicant to withdraw the DA until such time that the DCP was certain or imminent to ensure detailed assessment of the proposal. The applicant did not agree with withdrawal, therefore the application was not able to be thoroughly assessed for approximately fourteen months (until the adoption of the site specific DCP in September 2025).

Many other matters have been raised throughout the assessment of this application. The applicant has not been forthcoming with providing additional or amended information to address some of these items. The assessing officer has considered that the absence of some key information has been sufficient to warrant refusal of this proposal. The preference from senior management has been to impose stringent conditions of consent to address the outstanding items. For this reason, many key items have been conditioned, including:

- The creation of a Vegetation Management Plan (VMP);
- Certification that the VMP outcomes result in consistency with RFS requirements and do not alter assessed bushfire threat;
- Provision of detailed landscape plans and confirmation from BPAD consultants confirming consistency with RFS requirements;
- Information on the extent of earthworks required underneath electricity easements;
- Information on remediation items for contaminated land;
- Creation of an easement for the purpose of an Asset Protection Zone (APZ) and provision of a suitable Plan Of Management relating to this area to demonstrate how it is capable of practically being maintained;
- Referral to Office of Environment and Heritage for an Aboriginal Archaeology permit;

Please note that without appropriate conditioning of these items, the Development Application cannot be supported due to non-compliance with the Environmental Planning and Assessment Act 1979. The recommendation to approve this proposal is made on the basis of key conditions being enforced.

Description of the Land on which the proposal is to be carried out.

The legal description of the land on which the development is to be carried out is:

Lot 141 DP 1225076, known as 62 Mount Vincent Road EAST MAITLAND NSW;
Lot 8 DP 855275, known as 6 Wilton Drive EAST MAITLAND NSW;
Lot 142 DP1225076, known as 145 Gullivers Lane EAST MAITLAND NSW; and
Lot 143 DP 1225076, known as 141 Gullivers Lane EAST MAITLAND NSW.



Figure 2: Aerial Image of the four lots (Nearmap, 2025)

The site has frontages to Wilton Drive, Mt Vincent Road and Gulliver's Lane; noting no works are proposed within the vicinity of Mt Vincent Road or Gulliver's Lane Frontages. The site has a combined area of approximately 41.158ha.

The site comprises three zones, applicable under the Maitland Local Environmental Plan 2011, being:

- *R1 General Residential* within the central portion of the land,
- *C3 Environmental Management*, wrapping south of the R1 land and extending to a larger portion of environmental land to the east of the residential land,
- *RU2 Rural Landscape*, comprising the southern and western remaining land.
- A small section of the southern boundary captures *SP1* zoning being part of the Maitland Resource Recovery Facility. It is considered that this split zoning relates to a mapping anomaly along the boundary of the site. This zoning does not directly impact the proposed subdivision.

The land zoning map layer is shown in Figure 4 below.

The landscape consists primarily of cleared rural grassland and scattered remnant vegetation within the location of proposed works, with mature significant vegetation contained within the eastern C3 portion of the site. The site is surrounded by existing residential allotments (zoned R1 and C4) to the north of the subject site, with the southern and western boundaries of the site adjoining RU2 land largely comprised of grazing land and rural residential development to the south-east of the site. The Maitland Resource Recovery Facility is located to the south of this land and within the wider locale there are existing R5 allotments to the south-west. The land uses surrounding the site generally include a mix of residential properties and rural land.

The site forms part of the Mt Vincent Road Urban Release Area which was rezoned July 2021, with a site specific DCP adopted September 2025.

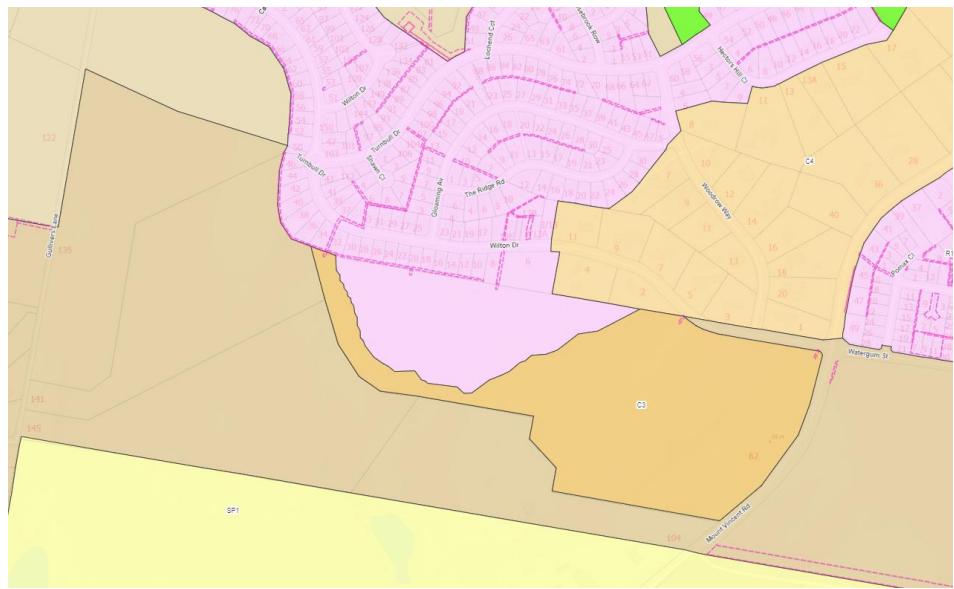


Figure 4: Zoning layer map.

PREVIOUS DEVELOPMENT HISTORY

The table below provides a consent history and background context that is a relevant consideration in the assessment of the application.

Previous Consent History				
DA No.	Description of Development	Date Determined	Decision Approved/Refused	Key Issues
2019/128	Seniors Living development (Seniors Self care Infill Housing)	11/02/2020	Approved	Lapsed.
2012/1481	Subdivision to create six (6) residential lots	11/02/2014	Approved	Lapsed.
2009/451.1	Section 4.55 (1A) Modification – Revised Dwelling Location	27/01/2022	Approved	<p>The DA has physically commenced. The dwelling is approved within the C3 portion of the existing Lot 141 DP 1225076.</p> <p>The proposed driveway location conflicts with the proposed subdivision layout and Road 2 location.</p> <p>A condition of consent will be imposed requiring the DA to be surrendered or modified to the extent that it conflicts with this application.</p>

Planning Proposal – Rezoning Lot 141 DP 1225076

Planning proposal for the site was finalised in July 2021. The purpose of the planning proposal was to amend the Maitland LEP 2011 to provide for the development of the subject land for residential purposes.

The land was identified as part of the East Maitland Investigation Area within the Department endorsed Maitland Urban Settlement Strategy 2012 for potential future urban growth 'Category 1 – Residential'. The Hunter Regional Plan 2036 identifies the site within the East Maitland Growth Area, and Maitland's Local Strategic Planning Statement 2040+ as a planned residential investigation area.

In summary, the planning proposal amended the following:

- Rezone part of the site from RU2 Rural Landscape to R1 General Residential and C3 Environmental Management; and
- Amend the minimum lot size (450sqm) to reflect the residential zone boundary; and
- Map the relevant land as an Urban Release Area.

The current development application for residential subdivision responds to the LEP amendment.

Note: The planning proposal was limited to Lot 141 DP 1225076 and did not consider lots 8 DP 855275, 142 DP 1225076 or 143/1225076. Lot 8 DP 1225076 was existing R1 land. Lot 142 and 143 DP 1225076 are RU2 land on which part the ancillary stormwater basin is located. The impacts on this land have been considered and detailed elsewhere within this report.

PLANNING ASSESSMENT - 4.15(1) matters for consideration

Development Type -

- The proposal is categorised as *local development*, under the *Environmental Planning and Assessment Act 1979* (EPA Act).
- The proposal is also *integrated development* under Section 4.46 of the EPA Act. Referral to the following agencies has been required:
 - **Subsidence Advisory NSW** under s22 of the *Coal Mine Subsidence Compensation Act 2017* to subdivide land, within a mine subsidence district.
 - **NSW Rural Fire Service (RFS)** for authorisation under section 100B of the *Rural Fires Act 1997* in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes.
 - **Department of Planning and Environment (Water)** under s91 of the *Water Management Act 2000* for a controlled activity.

It is noted that the application was not nominated as Integrated Development pursuant to NSW Environment and Heritage under s90 National Parks and Wildlife Act 1974; however the development is likely to impact items of known Aboriginal Heritage Significance. A condition of consent will be imposed that will require an Aboriginal Heritage Impact Permit (AHIP) to be obtained.

Contributions -

The proposal attracts a contribution of under Council's current adopted Section 7.11 Plan. Applicable contributions have been calculated by Council's Development Contribution Planner and will be included in the notice of determination.

The proposal also attracts a contribution under the Housing and Productivity Contributions Scheme. This contribution has been calculated in the NSW Planning portal under CON- 16905. This will also be included in this notice of determination.

Consideration of Threatened Species

Council is required under Section 4.15 of the EP&A Act to assess whether the proposed development will have a significant impact on any threatened species, populations, or ecological communities, or their habitats. Such threatened species in NSW may be protected under the *NSW Biodiversity Conservation Act 2016* or under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The DA was supported with a Biodiversity Development Assessment Report (BDAR), which is outlined in further detail below.

Section 4.15(1)(a)(i) - Provisions of any environmental planning instrument

Maitland Local Environmental Plan 2011

The subject land is zoned *R1 General Residential*, *C3 Environmental Management* and *RU2 Rural Landscape* under the Maitland Local Environmental Plan 2011 (LEP). The proposed development is defined as Four (4) into Seventy-Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services under the LEP which is a type of development permitted with consent in the R1 General Residential zone under Clause 2.6 of MLEP.

R1 General Residential

The proposed development is consistent with the objectives of the *R1 General Residential* zone. The proposal facilitates the delivery of additional residential lots within the LGA that will enable residential development to provide for the housing needs of the community. It is anticipated that the development will provide for a variety of housing types, through a variety of lot sizes within the locality. Additionally, the proposed development provides greenspaces to meet the day-to-day needs of the future residents.

C3 Environmental Management

Land within the *C3 Environmental Management* zone is identified as the land with the most valuable biodiversity. Land within this zone will primarily be set aside for continued retention of vegetation. A Vegetation Management Plan (VMP) will also require the improvement of vegetation within this land, via weed removal, replanting and generalised improvement practices. The proposal is therefore consistent with the objectives of the *C3* zone.

RU2 Rural Landscape

The proposed development is consistent with the objectives of the zone by maintaining the rural landscape character of the land, while also providing a range of non-agricultural uses in areas where infrastructure is adequate.

The following clauses of the Maitland LEP 2011 are relevant to the assessment of the proposal:

1.9 Suspension of covenants, agreements and instruments

There are several existing easements and restrictions over the site as summarised below:

Lot 8 DP855275 – 6 Wilton Drive East Maitland

- Lot 8 – Easement to drain water 3.5m wide along the western boundary is to be retained as part of this application.
- Lot 8 – easement for electricity substation and underground cables 3.5m wide – this easement will be retained and additional easements restrictions will be conditioned to be imposed in line with the Ausgrid advice provided in response to this application.

Lot 141 DP1225076 – 62 Mount Vincent Road East Maitland

- Lot 141 – Easement to drain water in several locations; these easements will be retained and the discharge from these locations will be picked up and directed to the stormwater detention basin, where it will subsequently discharge to the watercourse.
- It is noted that there is not an easement on the title reflecting the overhead powerlines, however this is an assumed easement due to the age of the lines. Very limited works encroach on this easement, and conditions will be suitably imposed to require these works to satisfy Ausgrid requirements.

Lot 142 DP1225076 – 145 Gulliver's Lane East Maitland and Lot 143 DP1225076 141 Gulliver's Lane East Maitland City Council

- The restrictions and easements over this land are not in the vicinity of the development footprint.

These easements and restrictions are not considered to preclude the proposed development.

Clause 2.6 – Subdivision – Consent Requirements

This clause permits the subdivision of land, to which the MLEP 2011 applies, with consent.

2.7 Demolition requires development consent

The application involves the demolition of existing overhead powerlines which will also be suitably relocated as part of the development works. Appropriate conditions of consent will be imposed to manage and mitigate these works.

Clause 4.1 Minimum Subdivision Lot Size

The R1 portion of the site is subject to a 450sqm minimum lot size whilst the C3 and RU2 portions are subject to a 40ha minimum lot size. All proposed R1 lots will satisfy the minimum 450sqm lot size.

The area of the C3 zoned land within Lot 141 will not be altered by this proposal and will remain an undersized portion of C3 land; the subdivision is permitted pursuant to Clause 4.2C – refer to comments below.

The lot sizes of RU2 zoned allotments are not being altered by this proposal. It is noted that each of these allotments are an existing undersized RU2 lot, each benefiting from an existing dwelling entitlement. Dedication of the proposed basin will occur outside of the Development Application process subject to State Environmental Planning Policy (Transport and Infrastructure) and State Environmental Planning Policy (Exempt and Complying Development Codes).

Clause 4.2A Minimum Subdivision Lot Sizes for Certain Split Zones

This clause allows for the subdivision of split zoned land, where a portion of the lot does not meet the minimum lot size for that area/zone.

This clause requires that consent may be granted where one of the resulting lots will contain land in a residential zone which meets the minimum lot size and all the remaining C3 zoned land in the original lot, and all other lots meet the minimum lot size under Clause 4.1.

As evident from the plan of subdivision, all R1 lots meet the minimum lot size, and proposed Lot 601 contains an area of R1 zoned land of 665sqm and all remaining C3 land – the application therefore satisfies this clause.

Clause 5.10 – Heritage Conservation

There are no identified items of European Heritage significance to consider in relation to the proposed development. Regarding Aboriginal Heritage Archaeology, it is noted that the applicant did not integrate the development pursuant to Section 90 of the National Parks and Wildlife Act 1974. As such, a condition of consent will be imposed that an AHIP is obtained prior to the Subdivision Works Certificate for any stage. The proponent is required to nominate a development as integrated pursuant to Section 4.46, for it to be treated as such. The applicant is aware that should an AHIP not be granted, the development cannot proceed in its current form.

The application has been supported by an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by McCardle Heritage dated 29 May 2025 Reference J202487 ACHA. The report indicates it has been prepared in accordance with Heritage NSW's Aboriginal Cultural Heritage Consultation

Requirements for Proponents 2010, the Guide to Investigation, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW.

The report identifies that consultation has been undertaken in accordance with the Heritage NSW Aboriginal Cultural Heritage Consultation Requirements for Proponents. It is further noted that Mindaribba Local Aboriginal Land Council was referred this application as part of the application process, however a response was not received.

The report identifies that an AHIMS search identified 57 Aboriginal sites within a 2km radius of the project area and includes 38 artefact sites, 7 Potential Archaeological Deposits (PAD), 5 artefacts with PAD's, 2 scar trees, 1 Aboriginal resource gathering, 1 burial, 1 fish trap, 1 grinding groove site and 1 waterhole.

The ACHAR acknowledges that a previous study of the project area (Insite 2012b) identified a sensitive landform adjacent to the wetland as having a high potential for containing subsurface Indigenous archaeological deposits. However, when a second study (MCH 2019) was undertaken which included test excavations, the results identified a highly disturbed and distributed artefact scatter. The site consisted of 6 artefacts manufactured predominately from mudstone and two silcrete. Artefact types included three broken flakes, one microlith and two bladettes.

The report identifies that AHIMS Site 38-4-1969 will be impacted by the development, and an AHIP will be required prior to commencement of any works. A condition to this effect will be imposed on the notice of determination.

The proposal is considered capable of proceeding with caution, with appropriate conditions imposed to require a AHIP to be obtained prior to commencement of any works and management of unexpected finds during works.

5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

This clause requires Council to take into consideration the existing and approved uses of land within the vicinity of the development, likely impacts of the development on and compatibility with preferred and predominant land uses within the vicinity, and any mitigation measures to avoid and minimise impacts.

The application involves subdivision of C3 zoned land and therefore this clause is applicable. Notwithstanding, the resulting lot containing C3 zoned land will also contain a portion of R1 zoned land which is capable of suitably siting a potential future dwelling. The existing surrounding and approved land uses have been considered, and the proposal is not considered likely to result in significant impacts or incompatibility; future applications for the siting of a dwelling on the land will consider the suitability of the location and design of the dwelling with regards to the site and surrounds.

5.21 Flood planning

A portion of the site is flood prone land; however, most proposed works are located outside of the flood prone land. Works within the flood prone portion of the site include construction of the detention basin, earthworks and vegetation planting. All residential lots are outside of the flood extent.

The application has been supported by a *Flood Impact Assessment Statement* prepared by Fisher Consulting Engineers dated 16 December 2025 (Reference 23017). This report considers the quantity of proposed cut/fill volumes within the flood affected area to determine the impact of the proposed works (basin, open space area and batters) on the available flood storage area under the 100 year flood level.

This report has been considered by Council's Flood and Drainage Engineer, and the findings are supported. On the basis the proposal will not result in a loss of flood storage, the proposal is not considered to have any significant impact on flood regime within the catchment and is compatible with the flood function and behaviour of the land. The development is not anticipated to adversely affect flood behaviour in a manner which will have a detrimental increase on potential flood affectation of other development properties (inclusive of impacts of climate change). The safe occupation and evacuation of people in flood events is able to be achieved. Given all resulting residential lots will be positioned above the FPL, the proposal is considered suitable regarding managing risk to life. The proposal is not identified as resulting in any adverse flooding outcomes.

PART 6 – URBAN RELEASE AREAS

The site is located within the East Maitland Urban Release Area (URA). Part 6 of the MLEP 2011 applies and is discussed below.

6.2 Public Utility Infrastructure

This clause requires Council to be satisfied that any public utility infrastructure essential to the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

This application has been supported by a *Servicing Strategy for Sewer, Water and Electricity* prepared by Simon Thompson. The Hunter Water Corporation (HWC) has advised via correspondence that water and sewer services are available to the site via connection and upgrades to existing water and sewer mains within Wilton Drive. This ensures that all residential lots can be serviced by reticulated systems. Prior to the release of any Subdivision Certificate, a Section 50 certification will be required to confirm that all lots are connected to reticulated systems.

Other public infrastructure (electricity, telecommunications) will be extended to the subdivision and confirmation that all services are available to individual lots is also required prior to the release of a Subdivision Certificate. It is understood that these services will be provided underground within the road reserve.

The subdivision itself has accommodated for adequate vehicle access and stormwater management to service the development, as detailed later in this report.

6.3 Development Control Plan

This clause outlines that development consent must not be granted for development on land in an Urban Release Area unless a Development Control Plan (DCP) which provides for the matters listed in Clause 6.3(3) have been prepared for the land. The Development Application was lodged on 29th August 2024, and contrary to this clause, a site specific DCP had not been adopted for this land. The application was requested to be withdrawn based on non-compliance with Section 6.3(3) of the Maitland Local Environmental Plan 2011; however upon receipt of advice from Senior Management at the time, a refusal was not pursued.

A site specific DCP was eventually adopted on 16th September 2025, known as F.17 Mount Vincent Road URA. An assessment against this DCP is detailed later in this report.

7.1 Acid Sulphate Soils

The site is identified as being subject to Class 2 and 5 Acid Sulfate Soils.

This clause outlines that Council must not grant consent for works unless an Acid Sulfate Soils Management Plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual.

The application has been supported by an *Acid Sulfate Soils Management Plan* dated 14.08.24 Reference EP3799.001 V2 prepared by EP Risk.

Council's Engineer has reviewed the provided report and considers the proposal to be satisfactory, subject to implementation of recommended conditions to manage and mitigate potential impacts resulting from Acid Sulfate Soils.

7.2 Earthworks

The application involves extensive earthworks to enable subdivision and infrastructure delivery, including regrading, filling, and battering as required. These works are necessary to provide suitable drainage infrastructure, accommodate reticulated sewer connection, and provide suitable road and lot gradients.

As detailed in the submitted bulk earthworks plan, the development will involve earthworks in the order of 3.57m (depth) which is comprised of approximately 29,270m³ fill and of 11,075m³ cut. No detrimental environmental impacts are identified as resulting from the proposal. A settlement strategy for the fill will be required as part of the Subdivision Works Certificate process. A Construction Traffic Management Plan for truck movements associated with the importation of fill will also be conditioned.

In accordance with Clause 7.2 of the Maitland LEP 2011, the proposed earthworks are considered acceptable, having regard to the following:

(a) Impact on drainage patterns and soil stability

The earthworks have been designed in close coordination with the stormwater strategy to ensure no adverse impact to drainage patterns or soil stability. The final design integrates appropriate erosion and sediment controls, including measures to protect the adjoining watercourse. These controls will be implemented throughout construction to minimise off-site impacts and be enforced by conditions of consent.

(b) Effect on future use or redevelopment

The works provide suitable building pads and enable compliant lot design. Proposed battering is located to minimise gradients where possible while ensuring the site is fit for its intended residential use. The works will improve the development potential and usability of the land in line with its zoning and strategic planning intent.

(c) Quality of fill and underlying soils

A condition will be imposed on the determination requiring a detailed *Geotechnical Assessment* to be provided to confirm that fill will be placed and compacted in accordance with AS3798-2007. Conditions for filling material to be virgin excavated natural material (VENM) or excavated natural material (ENM) will be imposed to ensure the intent of this control is met.

(d) Amenity of adjoining properties

Earthworks will achieve a smooth transition to neighbouring properties, ensuring compatibility in finished levels. Any temporary construction-related amenity impacts (e.g. noise or dust) will be managed through appropriate conditions of consent and standard environmental controls. Long term alteration to the amenity of the site will be perceivable from the south and west at a distance, noting that the location of VMP planting land will assist in softening and screening the impact of these earthworks.

(e) Source and destination of fill

Fill will be sourced on-site where practicable, with any additional material imported from suitable local sources. Excavated spoil not suitable for reuse will be disposed of lawfully off-site, in accordance with EPA guidelines.

(f) Likelihood of disturbing relics

Heritage considerations have been addressed elsewhere in this report. In summary, the submitted ACHAR identified impacts on AHIMS Site 38-4-1969, and requirement for an AHIP will be imposed on the determination. An unexpected finds protocol will also apply during construction to appropriately manage any unanticipated discoveries.

Accordingly, the potential for disturbance of relics has been appropriately considered and addressed.

7.4 Riparian land and watercourses

This clause is applicable to all watercourse land identified on the watercourse map and land identified within 40m of the top of bank of mapped watercourse land.

The site is not identified as watercourse land on the watercourse map and therefore this clause is not applicable to the proposal.

7.9 – Essential Services

This clause was not in force at the time of lodgement of this application but has the effect of requiring Council to be satisfied that essential services are available to cater for the development. It is noted that despite this clause not being adopted and applicable, the proposal satisfies this clause by ensuring the development is capable of being serviced by reticulated water and sewer, electricity, stormwater management and vehicle access.

State Environmental Planning Policies

- The following State Environmental Planning Policies (SEPP's) are relevant to the assessment of the proposal:

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of land

Clause 4.6 of this SEPP requires Council to consider whether the land is contaminated before it can issue development consent. A Detailed Site Investigation (DSI) has been prepared for the site. The DSI recommends partial remediation of the land to ensure that soils are at suitable levels for human occupation. Conditions have been imposed requiring necessary remediation actions to occur. Further discussion on contamination is contained in Section 4.15 (1)(c) of this report.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 4 – Koala Habitat Protection 2021

The subject site exceeds 1 hectare in area and does not have an approved Koala Plan of Management. As such, Chapter 4 of the Biodiversity and Conservation SEPP 2021 applies and the development must be assessed in accordance with Clause 4.9, which outlines requirements for land not subject to an approved Koala Plan of Management.

As almost all tree species within the site are considered koala use tree species as per the Central Coast Koala Area under Schedule 1 of the SEPP, the habitat is identified as highly suitable/core koala habitat. The BDAR indicates there are many nearby Koala Records within 10km of the site. There are two records

within the last 18 years within 2.5km of the site; these records have accuracies less than 1000m. These records meet the criteria for valid koala record on-site in accordance with the Koala SEPP Fact Sheet.

Note: There has been a very recent additional Koala sighting in proximity to the site (that has not been covered within the applicant's documentation). Council's Coordinator of Biodiversity and Resilience has verbally advised (06.01.26) that this sighting was not close enough to the site to warrant the BDAR being updated or to have direct relevance to this assessment.

Site surveys were undertaken for Koala species including three Koala Spot Technique Assessments. No evidence of Koalas was found during site surveys.

Although a Koala Assessment Report was not prepared strictly in accordance with the SEPP, Council's Ecology Team have considered that the BDAR broadly addresses the five key principles through its assessment and via recommended conditions of consent aimed at mitigating biodiversity impacts.

Subject to compliance with recommended conditions, the development is therefore considered suitable with regard to the provisions of SEPP (Biodiversity and Conservation).

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 - Infrastructure

Clause 2.48 applies to development within or immediately adjacent to an easement for electricity purposes, immediately adjacent a substation, within 5m of an overhead powerline and involving or requiring the placement of powerlines underground.

This section requires Council to give written notice to the electricity supply authority for the area and take into consideration any response received within 21 days. The application was referred to Ausgrid and a response was received on 23 August 2024. This response has been considered, and appropriate conditions have been imposed on the determination. Please refer to Government Agency Submissions section of this report for a detailed discussion.

State Environmental Planning Policy (Exempt and Complying Development Codes)

Clause 2.75 allows for subdivision of land for public reserve or drainage purposes; this will facilitate dedication of the open space and detention basin to Council.

Section 4.15(1)(a)(ii) - Any draft environmental planning instrument that is or has been placed on public exhibition

There are no draft environmental planning instruments applicable to this proposal.

Section 4.15(1)(a)(iii) - Any development control plan

Maitland Development Control Plan 2011 (DCP)

Maitland Development Control Plan 2011

The Maitland Development Control Plan (MDCP) has been considered and the relevant chapters and controls of the MDCP are addressed below:

Part A: Administration
Part B: Environmental Guidelines
Part C: Design Guidelines
Part F17: Mount Vincent Urban Release Area

Part A: Administration

Public Notification

The development was exhibited for a period of 28 days in accordance with Council's Community Participation Plan from 13 September 2024 to 10 October 2024. The development was subsequently re-exhibited due to design changes from 23 September 2025 to 31 October 2025.

A total of seven (7) submissions (all in objection to the proposal) were received during each round of exhibition.

Refer to Section 4.15 (d) of this report for detailed discussion regarding the submissions.

Part B: Environmental Guidelines

B.3. Hunter River Flood Plain

Refer to matters addressed under Clause 5.21 of MLEP earlier in this report. Compliance with Chapter B.3 can be achieved.

B.4 - Onsite Sewage Management Systems

The site will be serviced by connection to Hunter Water's reticulated sewer management system per the details submitted in the Servicing Strategy. This has been endorsed by HWC.

B.5 – Tree and Vegetation Management

Refer to Section 4.15(1)(b) of this assessment report.

Part C: Design Guidelines

C10 – Subdivision

Environmental considerations under this chapter have been addressed elsewhere in this report and are not reproduced in this section. Specific development controls relating to the Mt Vincent Road URA are discussed under Part F17 – Mt Vincent URA. General development controls relating to subdivision (where relevant) are discussed below:

Section	Comments
EC.1 Flora and Fauna	This issue has been adequately addressed within alternate section of this report. The proposed subdivision design has been configured in order to concentrate development works outside of areas of significant habitat and will also involve significant revegetation as detailed elsewhere in this report.
EC.2 Heritage and Archaeology	This issue has been adequately discussed under Clause 5.10 (Heritage Conservation) of MLEP 2011.
EC.3 Hazards	<p><i>Flooding</i> – This issue has been adequately discussed under Clause 5.21 (Flood Planning) of MLEP 2011.</p> <p><i>Bushfire</i> – The land is mapped as bushfire prone land. The bushfire assessment report has been updated throughout the assessment period to reflect the revised proposal. NSW RFS have issued GTA's. This issue is further addressed in alternate sections of this report.</p> <p><i>Fill Settlement</i> – This issue has been adequately discussed under Clause 7.2 (Earthworks) of MLEP 2011 and Section DC.8 Site Filling below.</p>

	<p><i>Land Slip</i> – A condition of consent has been imposed on the determination requiring a detailed geotechnical report to be submitted to and approved by Council prior to the issue of a Subdivision Works Certificate.</p> <p><i>Contamination</i> – This issue has been adequately discussed under the referral section of this report and SEPP (Resilience and Hazards).</p>
DC.1 Lot Size and Dimensions	
General Requirements	
<i>Part 4 in the Maitland LEP 2011 includes development standards for the subdivision of certain land.</i>	The subdivision has been designed to comply with the minimum lot size requirements identified under the Lot Size Map of the MLEP 2011 and relevant clauses. Refer to detailed comments under MLEP section of this report.
<i>Council requires that all new lots are of a size and shape suitable for their future use.</i>	The proposed lots have been designed to ensure practical and functional residential outcomes. Each lot is of a size and shape that can accommodate future dwellings, ancillary development (e.g. garages and sheds), parking, private open space, and landscaping. Solar access has been considered in the layout. No on-site effluent disposal is proposed, as reticulated sewer will service all lots.
<i>Consistency with FSR and Height Controls</i>	No mapped height/FSR controls apply to this site and will be subject to separate merit assessment.
<i>Lot boundaries should follow natural features such as watercourses and ridges to minimise the potential for soil erosion</i>	<p>The layout of the proposed subdivision is generally considered suitable with these controls.</p> <p>The proposed development is largely concentrated within the R1 zoned land to avoid and minimise impacts on natural features of the site.</p> <p>The layout and road configuration are aligned to provide a regular lot pattern, and the extent of earthworks correspond to deliver orderly development and facilitate stormwater drainage to the proposed stormwater basins, and use of reticulated sewer services accordingly.</p>
<i>Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses.</i>	The development incorporates a revegetation area to be maintained in perpetuity in private ownership; whilst this revegetation will have positive ecological outcomes, it will also serve as an informal landscape buffer between future dwellings and the Wallis Creek view corridor.
<i>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 requirements.</i>	<p>The proposed lot sizes achieve the minimum lot size for the R1 zone, provide for a mix of lot sizes, and are suitable for the future use of residential development.</p> <p>The proposed allotments are generally rectangular in shape, and the layout follows a grid like pattern extending from the existing residential subdivision pattern to the north; the proposed layout is rational and intuitive to the future users.</p> <p>The allotments all have adequate width and depth to accommodate a variety of future dwelling types.</p>
<i>Minimum lot frontage of 12.5m at the road frontage for rectangular lots.</i> <i>Minimum lot frontage of 10.0m chord length around</i>	Lots comply with the minimum frontage requirements. Rectangular shaped lots generally meet or exceed the 12.5m frontage requirements. For corner lots and those on curves, minimum 10m chord lengths have been maintained to allow for vehicle access and garbage collection consistent with Figure 2 of the DCP.

<i>sharp bends and cul-de-sacs to provide for access, service and garbage collection</i>	
<i>Lot access adjoining roundabouts and centre refuges/splitter island shall not provide access within 10m of the splitters/facilities. 88b restrictions should be provided</i>	There are no roundabouts or centre splinters provided within this subdivision.
<i>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.</i>	This application will result in the subdivision of Lot 141 DP 1225076 (62 Mount Vincent Road) which currently benefits from DA/2009/451:1 which granted consent for a dwelling and detached garage. A condition of consent will be imposed on the notice of determination requiring this application to be surrendered.
<i>Subdivision proposals must not conflict with the requirements of any existing approvals</i>	
<i>Subdivisions are to be designed to maintain and enhance the rural character and scenic attraction of the Maitland local government area, particularly in low lying areas and valleys which may be viewed from above</i>	<p>The proposed subdivision is located within the Mount Vincent URA, where the land is envisioned to serve as an extension to the existing suburban context of the southern areas of East Maitland, interfacing with the transition to Maitland's rural environment.</p> <p>The strategic framework anticipates that the natural and artificial flows of water from the site will be supported by additional stormwater infrastructure, and that the extension of the neighbourhood will be supported by interconnected streets, pedestrian pathways and a passive transport link and open space. The subdivision design reflects this intended character, particularly through the provision of interconnected street networks, pedestrian and shared pathways, open space, additional vegetation planting and additional stormwater infrastructure to support the development.</p> <p>Although the adjoining land to the south, east and west remain rural land, the development will retain majority of existing natural vegetation and incorporate additional vegetation planting that will assist with softening the visual impact of the proposal at these interfaces.</p> <p>Conditions of consent will be imposed to require rural-style post and wire fencing along the boundary of the R1 and adjoining C3 and RU2 land. This will ensure a consistent rural edge and supports a transition between the proposed residential development and existing environmental and rural land.</p>
<i>Lots are to be designed to conserve prime agricultural land and/or agriculturally productive lands</i>	The works within the rural land are limited to the ancillary earthworks, construction of a detention basin and vegetation planting. Works within the RU2 zone (detention basin works) adjacent the boundary and will not significantly disrupt or isolate land to be used for agricultural and production purposes into the future. The extent of works is not considered to unsuitably compromise the rural landscape character.
Specific Controls – Residential Lot Design	

<p><i>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</i></p>	<p>A width table for each lot was provided 23 September 2025. The lot frontages within each block exceed the requirements of the DCP, which outline no more than 40% of the frontages should have the same lot width type specified under the DCP.</p> <p>Notably the following blocks exceed 40% lot frontage requirement by the following percentages:</p> <ul style="list-style-type: none"> ○ Road 1 (lots 101-202)- 15%, ○ Road 2 (lots 203-412) – 28%, ○ Road 3 (lots 502-513) – 10% and 2% ○ Road 4 (lots 411 – 418) – 24%, ○ Road 6 (lots 523-307) – 27% <p>Road 5 (lots 401-518) and Wilton Drive (Lots 101-106) are compliant with the 40% block frontage requirement.</p> <p>The maximum departure from this requirement is significant, representing a 28% departure. The objective of this requirement is to provide a range of lot sizes to suit a variety of dwelling and household types. Notwithstanding, all lots meet the minimum lot size requirement specified under MLEP and lot frontage width requirements under the DCP. The lot sizes are generally rectangular in shape and irregular shaped allotments have been supported by appropriate building envelope plans.</p> <p>The proposed subdivision is representative of a relatively small scale URA which will act as an extension to an existing urban neighbourhood. The proposal will deliver additional residential lots, which are predominately regular in their configuration to enable additional housing opportunities to meet the demands of the public. Given all lots satisfy minimum lot size and frontage requirements, and the context of the scale of this residential extension within the URA, the variation is considered acceptable on merit.</p> <p>Variation of this size would not be supported in larger scale subdivisions.</p>
<p><i>Provide a subdivision structure plan which reflects the site's opportunities and constraints.</i></p>	<p>The proposed subdivision layout is considered generally consistent with the adopted structure plan within the Mount Vincent URA Chapter of this DCP; refer to comments later in this report.</p>
<p><i>Provide a clear urban structure that promotes a 'sense of neighbourhood' and encourages walking and cycling both recreationally and for transport purposes</i></p>	<p>The subdivision provides a clear and legible urban structure that extends from the existing road network within Wilton Drive. The development includes 1.5m footpaths on all local roads and 2.5m shared paths along the perimeter road, supporting safe and convenient walking and cycling for both recreation and transport.</p> <p>The development incorporates an open space/park in the location identified within the site specific DCP; the park is located and designed to be directly accessible from the perimeter road and easily accessible via the path network, enhancing neighbourhood amenity and encouraging active community use.</p> <p>The earthworks associated with the open space have been carefully considered to ensure that the proposed area is readily accessible, maintainable and functional. Most of this area will have a grade of 1:10 and will maintain sightlines and passive surveillance opportunities. A condition of consent will be imposed requiring a detailed landscape design outcome to be determined prior to SWC; these outcomes will address an appropriate level of canopy cover to provide</p>

	appropriate shade, whilst balancing requirements for appropriate sightlines and lighting along the shared path.
<i>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.</i>	<p>The subdivision has been designed to work with the site's natural topography while providing functional lot layouts and infrastructure. Although earthworks are required, including areas of fill up to 3.57 metres, the design incorporates appropriate batter treatments around the perimeter to reduce visual bulk and ensure a gradual transition. The amount of fill is represented across the whole site but is concentrated around the perimeter to facilitate construction of Road 5, servicing infrastructure and lot layout. The integration of the vegetation planting adjacent these batters is anticipated to further soften and reduce the visual impact of these earthworks.</p> <p>The layout avoids direct encroachment on riparian areas and integrates flood-compatible design alongside open perimeter of the development, supporting both environmental outcomes and residential amenity.</p> <p>In this way, the subdivision responds appropriately to natural landform features and achieves good connectivity with the existing network and infrastructure within Wilton Drive.</p> <p>The proposed open space is located in accordance with the nominated location within the Mount Vincent DCP Structure plan and is suitably positioned in relation to all proposed lots; shared paths also provide linkages to existing urban context within Wilton drive.</p>
<i>A suitable building envelope with minimum dimensions of approximately 15m by 10m shall be provided behind the building line.</i>	Each allotment is to a size that is capable to accommodate suitable building envelope with minimum dimensions of approximately 15m by 10m to facilitate future residential development.
Specific Controls – Access Handles	
<i>Access handles and carriageways over them shall be in accordance with the table and associated notes</i>	N/A – there are no battle axe allotment proposed under this application.
<i>No more than 2 lots may be serviced by a reciprocal right-of- carriageway (ROC) which shall be centrally located within both access handles</i>	
<i>Battle-axe lots without public frontage (i.e., road, park, reserve) are discouraged unless part of an integrated approval.</i>	
<i>When calculating lot size area where battle-axe or hatchet shaped allotments are permitted, the area of the access handle is to be excluded from the area calculation</i>	

<i>Shared use handles are to be incorporated into the 10.0m chord frontage around sharp bends and cul-de-sacs to facilitate access width</i>	
DC.2 Solar Access and Energy Efficiency	
<i>80% of new lots are to have 5 star solar access and the remainder a 3 or 4 star rating.</i>	The proposed subdivision generally complies with this control. The size, orientation, and shape of the lots are sufficient to ensure that future dwellings can get ample solar access to future habitable living areas and private open space through the implementation of good design. Sufficient solar access is achievable on the proposed allotments.
<i>Lot sizes are to reflect reasonable consideration of the impact of topography, aspect and other constraints so as to maximise solar access.</i>	
<i>Where possible lots should be orientated to provide one axis within 30 degrees east and 20 degrees east of true solar north</i>	
<i>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.</i>	
<i>Proposals for street planting are to take account of the potential for shading, provision of adequate solar access to dwellings, and if necessary, protection from winter winds.</i>	Street planting is dictated by the road design; however the proposed planting schedule is not expected to create any issues for solar access. It is generally considered that all lots feature a frontage which can adequately accommodate a street tree and future driveways.
DC.3 Drainage, Water Quality and Soil Erosion	
<i>Existing topography and natural drainage lines should be incorporated into drainage designs</i>	The proposed stormwater drainage design incorporates the site's existing topography and drainage lines. The design includes the addition of a bioretention basin in the western portion of the footprint that reflects water-sensitive urban design (WSUD) principles and improve the functionality and environmental performance of the development. The developments response to stormwater management will capture all existing stormwater discharge to the site from existing residential lots to the north and direct these to the detention basin via the public road network and/or appropriate easements.
<i>Drainage from proposed lots should be consistent with the pre- development stormwater patterns.</i>	The subdivision maintains pre-development flow paths through a combination of piped drainage and bioretention infrastructure. Hydrological analysis has confirmed that stormwater runoff from the development will not exceed pre-development levels. The updated flood statement confirms compatibility with existing catchment behaviour and confirms no adverse offsite impacts.
<i>Best management practices should be implemented to control runoff and soil erosion and to trap sediment on the subject land</i>	The design adopts suitable management through the inclusion of a bioretention system, and appropriate erosion and sediment controls. All works will be subject to standard conditions requiring compliance with the "Blue Book" (Managing Urban Stormwater: Soils and Construction).

<p><i>to ensure there is no net impact on down stream water quality.</i></p>	
<p><i>Where possible, design multiple use drainage and treatment systems incorporating gross pollutant traps, constructed wetlands and detention basins</i></p>	<p>The subdivision proposes integrated drainage solutions with co-located detention and treatment systems. The bioretention basin serves a dual function for both stormwater treatment and quantity control. These systems will be required to be suitably landscaped and form part of the broader green infrastructure network.</p>
<p><i>The subdivision should be designed so as to minimise disturbance of the subject land especially in circumstances where there are topographical constraints</i></p>	<p>A detailed planting schedule will be required prior to issue of a SWC.</p> <p>The bulk earthworks and drainage works have been designed to minimise disturbance, with fill volumes and batter treatments being delivered in a coordinated approach.</p> <p>The layout avoids excessive cut and fill, with filling primarily along the location of the perimeter road which allows drainage to be directed to the proposed basin and allows gravity sewer connection to the existing Hunter Water system. Some areas of cut are also required to meet the Manual of Engineering Standards (MOES) requirements for the road network and cut/fill for the proposed basin. The development will not unreasonably disturb the natural flow paths of the site.</p>
<p><i>Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilised and erosion controlled.</i></p>	<p>A Soil and Water Management Plan (SWMP) will be implemented during construction to control erosion and sediment loss. This will be enforced through conditions of consent and subsequent subdivision works certification.</p>
<p><i>All trunk drainage is to be located in publicly owned land, (reserves), in open space land or in an appropriate easement.</i></p>	<p>All trunk drainage infrastructure is located within dedicated drainage reserves or public road reserves, consistent with Council's requirements.</p>
<p><i>Where drainage impacts cannot be limited to pre-development stormwater levels, by retention or other approved methods, drainage easements will be required.</i></p>	<p>Where required, drainage easements have been provided, including easements associated with existing discharge from residential development to the north. These will be formalised prior to the release of any Subdivision Certificate in accordance with Council and statutory requirements.</p>
<p><i>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.</i></p>	<p>The site's existing hydrology is defined by moderate slopes and a single second-order watercourse running through the southern portion of the site. The stormwater strategy has been developed to formalise existing flow paths while respecting natural drainage patterns.</p> <p>The development will discharge to a legal point of discharge via the basin into the existing drainage gully; this point of discharge straddles two lots being Lot 142/DP1225076 and Lot 143/DP1225076.</p> <p>The proposed subdivision will drain via a pit-and-pipe system to a bioretention basin in the western portion of the development area. All existing upstream</p>

	<p>properties (positioned on the southern side of Wilton Drive) currently discharge their flows onto the subject site; these flows will be collected and directed to the detention basin via a pit-and-pipe system prior to discharge into the watercourse.</p> <p>General Terms of Approval under the Water Management Act 2000 have been issued by the Office of Water.</p> <p>The strategy ensures compliance with Council's requirements for water quality, flood management, erosion control, and environmental protection.</p>
<i>Where inter-allotment drainage is required, easements having a general width of 1.5m are to be identified on plans submitted.</i>	The concept engineering plans show inter-allotment drainage and appropriate easements on all rear-draining lots (showing as 'A' easement to drain water 1.5m wide on the civil engineer plans).
<i>A soil and water management plan should be prepared by a qualified practitioner with the aim of minimising erosion and maximising the quality of any water leaving the site.</i>	A condition has been recommended for imposition to ensure a Soil and Water Management Plan is submitted to Council for approval prior to issue of a SWC.
DC.4 Landscape, Streetscape & Visual Impact	
<i>Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional landscaping.</i>	<p>The proposed landscape and streetscape character is not inconsistent with existing treatments of development along Wilton Drive. Furthermore, the site is zoned R1 and is within an URA and as such, the changes are consistent with the future desired character of the locality.</p> <p>The planting of a vegetation buffer to adjoin the perimeter of Road 5 is also anticipated to soften and partly screen the proposed development at the transition between rural and residential land.</p>
<i>Submission of a landscape plan will be required for residential and rural residential subdivisions indicating the location of street trees and any other required landscaping.</i>	Landscape plan identifying street tree planting has been submitted with the application; this is generally considered acceptable. See comments below in relation to the detailed landscape plan is required for the remaining site.
<i>The developer will also be required to submit a detailed landscape plan for all reserve areas incorporating fencing details.</i>	<p>This section requires adequate landscaping adjoining reserve areas 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.</p> <p>The submitted subdivision plan shows indicative landscaping on the proposed open space area. This open space will be positioned at the rear of two existing residential lots (Lot 44 DP 863423 and Lot 45 DP 863423 being lots 32-34 Wilton Drive) and will be adjacent proposed lot 218. A detailed landscape plan will be required for the open space and detention basin prior to SWC to ensure an appropriate and balanced outcome is achieved.</p> <p>Fencing will 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 via appropriate conditions of consent. This includes all</p>

	<p>boundaries adjoining rural or environmental land to be constructed of rural style fencing.</p> <p>The existing dwellings within Lots 44 & 45 are oriented to Wilton Drive, and the rear of these lots will front the park; a condition will be imposed that 1.8m lapped and capped fencing (or as otherwise agreed between land owners), is to be provided at the cost of the developer. The future dwellings on Lot 218 will be orientated towards the road network and will be conditioned to have rural style fencing along this interface (there is no need for additional planting for privacy purposes along this interface).</p> <p>Relating to the stormwater basins, a safe barrier can be provided around the basin. Noting the final basin details will be determined at SWC, it is suggested this forms a consent condition.</p>
DC.5 Effluent Disposal	
<i>All new residential, industrial and commercial lots are to be connected to a reticulated sewerage system.</i>	All lots will be connected to a reticulated sewer system. Subject to approval, a condition will be imposed to ensure this is the case.
DC.6 Roads & Access, Pedestrians & Cycleways	
General Requirements	
<i>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.</i>	Road design has considered existing site conditions, with minimal vegetation present across the development footprint. The layout has been designed to align with the natural topography where possible. Disturbance has been limited to areas necessary for road and service installation, and bulk earthworks have been coordinated to reduce unnecessary regrading. As such, vegetation loss and soil disturbance have been minimised in accordance with this control.
<i>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.</i>	The proposed subdivision adopts an integrated street design approach that incorporates kerb and guttering, footpaths, shared paths, and street tree planting in accordance with Council's specifications. Footpaths (1.5m) and shared paths (2.5m) are provided throughout the development to support walkability and connectivity. Street tree planting and landscape treatments are detailed in the submitted Landscape Concept Plan, which supports the creation of an attractive and safe living environment. Street lighting and other public domain elements will be delivered in line with relevant standards as part of civil works.
<i>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</i>	No traffic control devices or measures are identified as being required in association with the proposal.
<i>Road widths and geometry in all subdivisions must</i>	Road widths and geometry have been designed to accommodate service and emergency vehicles in accordance with Council's standards and the

<p><i>accommodate necessary service and emergency vehicles</i></p>	<p>requirements of Planning for Bush Fire Protection 2019. Conditions of consent relating to the road hierarchy and design requirements specifying pavement widths will be included to ensure compliance with Council's MOES.</p> <p>The subdivision was referred to the NSW Rural Fire Service (RFS) as integrated development, and General Terms of Approval (GTAs) and a Bush Fire Safety Authority have been issued.</p> <p>The road layout includes dual access points, appropriate turning circles, and road widths that generally comply with Table 5.3b of PBP 2019. The subdivision is therefore considered to provide suitable access for emergency services.</p>
<p><i>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).</i></p>	<p>No access is proposed onto a state highway or classified road.</p>
<p><i>Public transport infrastructure shall comply with 'Guidelines for Public Transport Capable Infrastructure in Greenfield Sites'</i></p>	<p>An existing bus route is located on Wilton Drive; direct pedestrian connection to this existing route will be provided via extension of the proposed pedestrian network between existing Lots 44 and 45 and via the connection to the existing Wilton Drive network. Accordingly, all future allotments will be located generally within 400m of a bus route.</p>
<p><i>Public road access is required to all new lots in a Torrens Title subdivision</i></p>	<p>All proposed lots have frontage to future proposed public roads.</p>
<p><i>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).</i></p>	<p>Road widths have been designed to meet MOES; the application has also been referred to the NSW Rural Fire Service as integrated development, and General Terms of Approval have been issued, confirming compliance with PBP 2019 access requirements.</p>
<p><i>Cul-de-sacs and pedestrian laneways shall be avoided, where unavoidable cul-de-sac should be less than 200m in length and able to see the end bulb from the intersection. Greater lengths will require increased road widths and bulb radius.</i></p>	<p>N/A – no cul-de-sacs are proposed under this application.</p>
<p><i>Roads shall provide surveillance and safety to items such as along drainage</i></p>	<p>Roads are proposed around key items to contribute to surveillance and safety – see comments below regarding the proposed drainage basin, and local park.</p>

<i>corridors, bushfire and flood plains, around public areas like parks and community lands</i>	
<i>Public parks shall be located on trunk roads for easy wayfinding and be surrounded by roads on 3 to 4 sides</i>	<p>The proposed open space area is located in the position nominated in the site specific DCP structure plan; the park has a direct frontage to a public road on one side with limited pedestrian connection available through to Wilton Drive. Whilst the location is consistent with the nominated location in the site specific DCP, it is not in compliance with DC.6.20 and DC.6.21.</p> <p>The design of the park (earthworks and grading of the land) has resulted in a predominant grade of 1:10 across the site between the road reserve and basin which will facilitate a suitable level of visibility, passive surveillance, accessibility and functionality. Conditions of consent will be imposed which will require the detailed design of this open space to be further enhanced by appropriate landscape and lighting outcomes. The proposed open space will have a partial frontage to a public road on only one side. This road access and the grades will assist in providing an improved outcome.</p>
<i>Intersection spacing shall follow best practices including:</i> <ul style="list-style-type: none"> ○ <i>minimum 40m stagger of intersections on opposing sides, 60m on same side</i> <i>minimum 100m stagger on opposing sides, 120m on same side for trunk roads on trunk road</i> 	<p>The proposal meets this requirement with a minimum of 79m provided between intersections.</p> <p>The general road layout is consistent with what has been established and set by Mount Vincent Structure Plan. All roads are provided with sufficient verge widths to accommodate public utilities and drainage in accordance with MOES.</p> <p>Appropriate traffic controls (i.e. priority give way signage/speed limits), can be detailed as part of the SWC to ensure achievement of public safety, function, capacity, traffic volumes and vehicle speeds.</p> <p>All lots have been configured to allow for safe ingress/egress with adequate sight distances.</p>
Specific Controls – residential subdivisions	
<i>Street block lengths shall be a maximum length of:</i> <ul style="list-style-type: none"> ○ <i>180m desirable, 250m maximum for local streets</i> ○ <i>180m for residential streets running parallel against trunk roads</i> <i>Generally 70m deep for residential</i>	<p>Each block meets the maximum preferred length in accordance with this section.</p> <p>The proposed subdivision adopts a clear and permeable grid layout that responds to topography and drainage constraints, while ensuring a safe and functional road hierarchy consistent with Council's Manual of Engineering Standards (MOES) and Planning for Bush Fire Protection 2019 and the adopted Structure Plan within the site specific DCP.</p> <p>The road network includes extension of local roads, and appropriate intersection treatments, including acceptable intersection spacing.</p>
<i>A network of constructed footpaths and cycleways will be required in all residential subdivisions, located, designed and constructed in accordance with Council's MoES and in view of streets wherever possible.</i>	<p>The subdivision includes a comprehensive pedestrian and cycle network, incorporating a 2.5m wide path on the southern side of Road 5 (local perimeter road), and 1.5m footpaths on all remaining local roads. These paths provide continuous connectivity for both recreational and functional movement across the URA and link directly to the proposed open space area and existing bus stops within Wilton Drive.</p>

	<p>The pedestrian and cycle network is supported by the Landscape Concept Plan, which ensures safe, visible, and well-landscaped public routes throughout the development. A condition of consent will be imposed requiring a detailed lighting plan to be required at SWC stage.</p> <p>Applicable conditions of consent will be imposed for the constructed footpaths and cycleways in accordance with Council's MOES.</p>
<i>Particular attention should be paid to pedestrian links to schools with regard to their width, lighting and appropriateness of landscaping and related safety issues.</i>	The proposed subdivision does not directly adjoin a school.
<i>The road, footpath and cycleway network should facilitate walking and cycling throughout neighbourhoods and provide links to schools, community facilities and other activity centres.</i>	Refer to above comments.
DC.7 Crime Prevention – Safer by design	
<i>General Requirements</i>	<p>The proposed subdivision has been generally designed in accordance with Crime Prevention Through Environmental Design (CPTED) principles, supporting safety, visibility, and legibility across the site. The street network adopts a regular grid pattern that promotes ease of movement and clear wayfinding, while ensuring strong connections between lots, roads, parks, and open space areas.</p> <p>All proposed lots have direct frontage to public roads, ensuring future dwellings will provide natural surveillance of the public domain. Lot 218 has a side boundary towards the proposed open space, and lots adjacent to open space and detention basin will also have passive surveillance opportunities to this area via their orientation (Lots 519,401 and 402). This enhances passive surveillance and discourages antisocial behaviour.</p> <p>The subdivision layout supports clear transitions between public and private space through lot orientation, road design, and landscape treatment. The Landscape Concept Plan ensures that street tree planting and vegetation will enhance amenity without obstructing sightlines or creating concealment risks near paths or public areas. Pathways within parklands are aligned to avoid sharp corners and concealment opportunities, and will be supported by appropriate lighting to minimise antisocial behaviours in this location.</p> <p>Street lighting will be installed throughout the subdivision and conditioned to meet relevant Australian Standards. A condition will be imposed to require a detailed lighting design to be prepared at the civil works stage.</p> <p>Overall, the subdivision is considered to appropriately apply the principles of CPTED through its layout, orientation, surveillance opportunities, and interface design, consistent with the objectives of this section.</p>
DC.8 Site Filling	

<p><i>General Requirements</i></p>	<p>The proposed development involves extensive earthworks to facilitate the subdivision and associated infrastructure, including regrading, cut and fill operations, battering, and stockpiling. These works are necessary to achieve suitable road gradients, enable stormwater management, and achieve suitable fall to facilitate connection to reticulated sewer services across the site.</p> <p>According to the submitted earthworks plan, the development will involve approximately 11,075m³ of excavation (cut) and 29,270m³ of fill.</p> <p>While some areas of the site will require cumulative fill depths of up to 3.57 metres, this is not represented as a singular vertical change in ground level. Rather, the fill is distributed progressively across the site in stepped and tiered formations that follow the subdivision design and stormwater drainage patterns.</p> <p>At no point will a single fill face exceed 2 metres in height. This approach reduces visual bulk, aligns with the natural topography, and provides stable, buildable lots.</p> <p>The development will feature a batter surrounding the southern and western boundaries with a maximum grade of 1:5 which is compliant with Council's Engineering requirements under MOES.</p> <p>Council's Development Engineers have required a detailed Geotechnical Report to be required to be submitted to and approved by Council prior to the issue of a Subdivision Works Certificate which will ensure that the proposed fill can be safely engineered in accordance with applicable standards.</p>
DC.9 Reticulated Services	
<p><i>General Requirements</i></p>	<p>The proposed subdivision has been designed to ensure all new lots are appropriately serviced with reticulated water and sewer, electricity, telecommunications, and street lighting infrastructure (subject to conditions), consistent with the requirements of DC.9 and relevant utility authorities.</p> <p>A <i>Servicing Strategy for Sewer, Water and Electricity</i> was submitted in support of the application. The development will be connected to Hunter Water Corporation's infrastructure. Reticulated sewer infrastructure is also proposed. A Section 50 Certificate from Hunter Water will be required prior to the issue of any Subdivision Certificate to confirm satisfactory connection of all lots to water and sewer services.</p> <p>The development will be serviced by underground electricity and telecommunications, which will be extended through road reserves in accordance with standard practice. Utility infrastructure will be provided in coordination with the staging of subdivision works. All lots will be serviced by low-voltage electricity supply to the requirements of Ausgrid or other relevant provider, with evidence of installation and compliance to be submitted prior to Subdivision Certificate release.</p> <p>Street lighting will be provided consistent with AS1158 and Council's engineering standards and will be conditioned accordingly.</p>

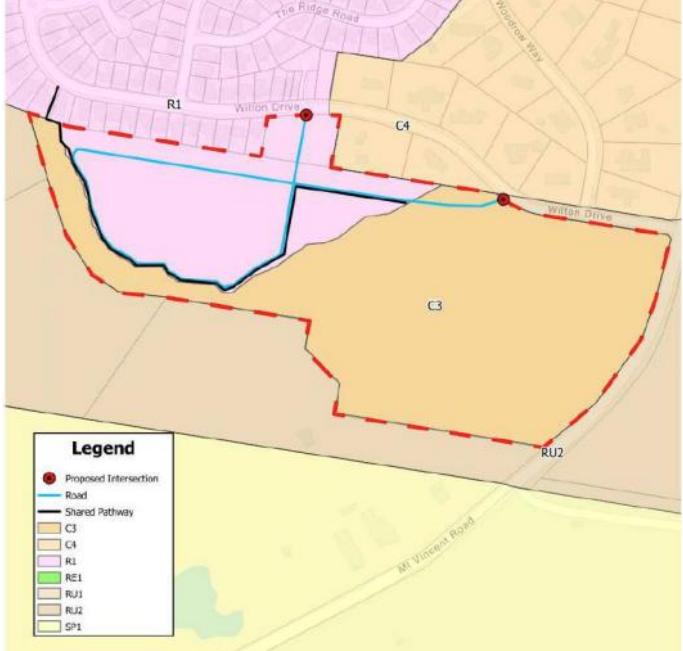
	The servicing strategy demonstrates that all utility connections will be delivered in an efficient, coordinated, and environmentally responsible manner, consistent with the objectives of DC.9.
IC.1 Entry Features	No entry features are proposed for this subdivision.
IC.2 Street Names	The road naming process will be a condition of consent.
IC.3 House/Lot Numbering	Subject to a condition of consent.

C12 – Crime Prevention Through Environmental Design

Refer to earlier comments under C.10 in relation to CPTED considerations.

Part F19: Mount Vincent Urban Release Area

Section	Comments
1.1 Staging Plan	<p>Where development is proposed to be constructed in stages, DAs for Subdivision shall include a staged construction plan.</p> <p>Staging for a DA for Subdivision is to generally be in accordance with the Staging Plan in Figure 100</p> 
	<p>Figure 100 of the DCP reflects to the entirety of the URA development being delivered as a single stage.</p> <p>It is understood that delivery of the proposal in a single stage is not practical as the remediation works associated with subsidence constraints</p>

	<p>will have a substantial financial burden, hence it's more practical to allow a staged progression of works.</p> <p>The proposed staging is consistent with the objective of the control in ensuring that urban land can be released in a timely and efficient manner, whilst making provision for necessary remediation and infrastructure works to be delivered.</p>
1.2 Movement Hierarchy	<p>Primary road hierarchy is to be generally consistent with the Area Plan in Figure 101, including two (2) access points back to Wilton Drive.</p>  <p>Figure 6: extract of figure 101 area plan</p>
<i>The perimeter road and the primary access road indicated in Figure 101 is to be in compliance with Maitland City Council Manual of Engineering Standards and bushfire requirements.</i>	All roads have been designed and will be conditioned to be constructed in accordance with the requirements of MOES, and GTA's issued by NSW RFS.
<i>Any development application for subdivisions must ensure that road networks are fully constructed to ensure any future development can be</i>	The development will deliver the complete road network as identified in Figure 101. Appropriate conditions of consent will be imposed to ensure that suitable temporary turning arrangements are provided within each stage.

<i>connected into the existing network.</i>	
<i>No new future lot are to have direct vehicular access to Mount Vincent Road.</i>	No lots are proposed with direct vehicular access via Mt Vincent Road.
<i>Shared paths are to be provided in general accordance with the Area Plan provided on Figure 101</i>	A shared pathway has been provided consistent with the requirements of Figure 101.
<i>The shared pathway throughout the site must connect back through to Wilton Drive on the northwestern side of the site as shown in Figure 101</i>	A connection to Wilton Drive on the north-west side of the site as shown in Figure 101 has been included as part of this application.
<i>Preparation of a Traffic Impact Assessment is to be undertaken to determine capacity at the intersection of Wilton Drive / Mount Vincent Road. The right-turn storage capacity of the intersection is to be revised accordingly to accommodate the development</i>	<p>A detailed Traffic Impact Assessment (TIA) has been prepared in support of the application. The TIA considered the capacity of the intersection of Wilton Drive/Mount Vincent Road and found that the intersection currently operates satisfactorily during both AM and PM peak periods and would continue to do so post development and with 10-year traffic growth. The TIA found the performance of the intersection is acceptable levels based on TfNSW criteria and that upgrades to the intersection are not required.</p> <p>The TIA was reviewed by Council's Senior Subdivision and Development Engineer and is supported. No upgrades to the Wilton Drive/Mount Vincent Road intersection are identified as being required based on this application.</p>
1.3 Overall landscape strategy	
<i>Subdivision design is to take advantage of views overlooking the surrounding rural lands by orientating streets and public space to capture views</i>	The proposed subdivision adopts a clear grid layout that responds to site constraints and results in all public streets, and pedestrian networks being suitably sited and oriented to benefit from views overlooking rural lands.
<i>Existing trees and landscape elements which make a positive contribution to the character of the area, especially semimature/mature shade trees, should be retained and integrated into the proposal.</i> <i>Note: Where removal of a mature shade tree is proposed, this must be</i>	<p>The proposal includes the removal of all existing native vegetation within the R1 component of the site which is required in order to facilitate the delivery of the proposal. Refer to comments under Section 1.7 in this regard.</p> <p>The application has been supported by a landscape plan which will see street trees planted at a rate of 1.34 trees per lot. At maturity the proposed street trees are expected to have a canopy height of 8-9m and width of 6-7m. The proposed street tree landscaping outcome is expected to deliver an appropriate level of shade within the urban context into the future. A condition of consent will be imposed requiring all street trees to be installed.</p>

<p><i>accompanied by sufficient justification.</i></p>	
<p>1.4 Passive and Active Recreation Areas</p>	
<p><i>The network of passive and active recreational areas should be provided generally in accordance with Figure 102</i></p>	<p>The shared pathway has been provided as per Figure 102, apart from slight modifications to the alignment of the pathway within the open space/park being made to improve CPTED outcomes (refer to detailed comments within Chapter C10). The open space has also been provided in a consistent location with what is required in Figure 102.</p>
 <p>Figure 7: Extract of Figure 102 Vegetation and Infrastructure Map</p>	
<p><i>Development applications for subdivision that include areas of passive and active recreational space are to include detailed designs in the overall landscaping strategy</i></p>	<p>The application has been supported by a landscape plan which addresses the public domain (street network), detention basin and open space at a high level.</p> <p>Following the submission of the landscape plan, the plans were revised in consultation with the applicant to achieve an improved design outcome (earthworks outcome) within the open space and basin area, in order to deliver a more functional, accessible and maintainable asset.</p> <p>A condition of consent will be imposed on the determination requiring the approved landscape plan to be updated to address the proposed park/open space in more detail, delivering a minimum canopy cover of 30%. Prior to the issue of an SWC, certification from a suitably qualified BPAD consultant must be obtained to verify that the proposed landscape treatment within the park and basin are consistent with the plant community categorisation of grassland which was considered in the Bushfire Assessment Report and that the proposal continues to comply with RFS GTA's.</p>
<p>1.5 Stormwater and Water Quality Management Controls</p>	
<p><i>Stormwater runoff will be controlled by the provision of a stormwater detention and water</i></p>	<p>The application includes the provision of a bioretention basin in the northwest portion of the site. The basin will collect all discharge from the subdivision and upstream existing discharge points that benefit existing lots within Wilson Drive (being collected and redirected as part of this</p>

<p><i>quality basins, which are to be located in the areas indicated in Figure 102. These basins must be designed to integrate with the natural drainage system and be located away from sensitive ecological areas and habitats to minimise environmental disturbance.</i></p>	<p>application). The detention basin will then discharge to the existing watercourse to the south within the site.</p> <p>The location of the proposed basin is generally consistent with the indicative location shown in Figure 102. The location of the basin is outside of C3 zoned land and suitably located with regard to surrounding existing sensitive ecological areas/habitats.</p>
<p>Stormwater and water quality facilities must be located adjacent to a road reserve to ensure casual surveillance, ease of maintenance, and safe access. The design must provide adequate setbacks, clear sightlines, and appropriate landscaping to balance security, functionality, and environmental integration.</p>	<p>The proposed detention basin has been generally located in accordance with the indicative desired location outlined in figure 102. The basin is adjacent the location of the road reserve, setback at a distance of approximately 36m to the west.</p> <p>The basin will be directly accessible from the road reserve via an access track, and the design of the earthworks treatment between the road reserve and the basin has been carefully considered to ensure this distance is largely comprised of a gentle 1:10 grade to ensure sightlines are maintained, offering adequate casual surveillance opportunities between the road reserve and basin.</p> <p>As mentioned previously, a detailed landscape design for the basin will be required for the basin planting prior to SWC. The design will be reviewed at this detailed design stage to ensure outcomes deliver a balance of landscape, amenity, bushfire and CPTED outcomes. This landscape plan will be required to include all details of proposed fencing.</p>
<p><i>To support the basins, Gross Pollutant Traps are to be an integral part of the stormwater network. This will be required as a part of stormwater treatment solutions at the DA for Subdivision phase.</i></p>	<p>A suitable stormwater management plan has been provided addressing the concept detailed design of the proposed basin. Appropriate conditions will be imposed on the NOD.</p>
<p><i>A Stormwater and Water Quality Management Strategy, including MUSIC modelling, is to be submitted at the DA for Subdivision phase. The strategy must demonstrate how the development will meet water quality targets, manage stormwater runoff, and minimise the environmental impact of runoff on downstream ecosystems</i></p>	<p>The application has been supported by appropriate civil engineering plans and a stormwater drainage strategy. Council's Senior Subdivision and Development Engineer considered the provided information and deemed it satisfactory in relation to the requirements of MOES and Council's DCP.</p>

<p><i>The natural drainage lines on the site must be utilised to the maximum extent possible as part of a stormwater and runoff drainage management system. The system must incorporate soil conservation measures, including detention basins, to alleviate stormwater peaks and retain sediments and pollutants</i></p>	<p>The site's existing hydrology is defined by moderate slopes and a single second-order watercourse running through the southern portion of the site. The stormwater strategy has been developed to formalise existing flow paths while respecting natural drainage patterns.</p> <p>The proposed subdivision will drain via a pit-and-pipe system to a bioretention basin in the western portion of the development area. All existing upstream properties (positioned on the southern side of Wilton Drive) currently discharge their flows onto the subject site; these flows will be collected and directed to the detention basin via a pit-and-pipe system prior to discharge into the watercourse on site.</p>
<p><i>Rainwater tanks will not be considered in the calculations for stormwater detention purposes.</i></p>	<p>Noted.</p>
<p><i>Adequate stormwater management shall be provided at all times during the sequenced release of land.</i></p>	<p>Noted – appropriate conditions will be imposed on the determination to ensure that stormwater is appropriately managed and treated within Stage 1, noting that the basin will be delivered in Stage 2.</p>
<p><i>All stormwater facilities should to be dedicated to Council as part of the subdivision process.</i></p>	<p>Refer to comments under SEPP (Exempt and Complying Development Codes).</p>
<p>1.6 Amelioration of Natural and Environmental Hazards</p>	
<p><i>Known Aboriginal places and/or objects lie within 200m of the subject land of this DCP. A site has additionally been disputed previously on the subject land, with its status yet to be resolved. As such, a modification to the previous Aboriginal Cultural Heritage Assessment (ACHA) is to be undertaken in line with the guidance of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). a. The Mindaribba Local Aboriginal Land Council (LALC) must be directly approached and offered to be engaged as a Registered Aboriginal</i></p>	<p>As has been outlined within the Clause 5.10 Maitland Local Environmental Plan section of this report, the site is likely to contain Aboriginal artefacts.</p>

<p><i>Party for the purposes of the ACHA consultation process.</i></p>	
<p><i>The Potential Archaeological Deposit (PAD) is required to be managed in accordance with the outcomes of the ACHA and in consultation with the Mindaribba LALC and Heritage NSW</i></p>	
<p><i>The proponent must provide information to state that the land is, or can be made, suitable for all the uses permissible under the approval. Information must follow the steps for contaminated land outlined in NSW EPA (2020) "Consultants Reporting on Contaminated Land, Contaminated Land Guidelines", and be undertaken in accordance with the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, amended in 2013), Maitland City Council's "Contaminated Land Policy - Land Use Planning" (current version 3.1, or any updates thereof), and any other relevant guidelines made or adopted by NSW EPA under Section 105 of the Contaminated Land Management Act 1997.</i></p>	<p>Refer to comments under SEPP (Resilience and Hazards).</p>
<p><i>Prior to any Development Application for subdivision being lodged for the lands subject to the indicated areas of potential mine subsidence and/or potential shallow mine workings, the Applicant shall undertake a geotechnical</i></p>	<p>Refer to comments under Likely Impacts (Mine Subsidence) of this report.</p>

<p><i>investigation and report to determine whether the lands indicated will be suitable for the proposed land uses e.g. roads, services, dwellings, etc</i></p>	
<p><i>Areas where surface cover over mine workings is known to be less than 25 metres will require remediation due to pothole subsidence risks. Remediation measures will be determined by the geotechnical investigation and report under Control 2 and in consultation with NSW Subsidence Advisory</i></p>	
1.10 Visual Impact and Local Interface	
<p><i>Any future buildings within the Mount Vincent Road URA will be sited to ensure that the interface with the existing dwellings to the north are both complimentary and in a clearly integrated format. This includes any future lots with frontage to Wilton Drive.</i></p>	<p>No buildings are proposed to be constructed as part of this application. Notwithstanding, the subdivision provides a clear and legible urban structure that extends in a consistent and rational manner from the existing road network within Wilton Drive.</p>
<p><i>Shared boundaries between new lots abutting existing lots along the southern side of Wilton Drive are to be fenced. This will be at the Proponent's expense and to a style consistent with new fencing proposed within the Mt Vincent Road URA OR the existing fencing treatments in other areas of the Rathluba Estate</i></p>	<p>A condition of consent will be imposed, requiring 1.8m lapped and capped fencing to be erected at the developer's expense between all shared boundaries of new lots abutting existing lots along the southern side of Wilton Drive.</p>
<p><i>An Arborist Report is to be developed and submitted as part of the DA for Subdivision phase, and will include:</i></p> <ol style="list-style-type: none"> <i>Location of each tree within the R1 zone,</i> <i>Tree value and condition,</i> 	<p>An arborist report has not been provided in support of the application, despite numerous requests for this information to be provided. In order to facilitate a determination, the decision was made to impose a condition of consent on the determination requiring an arborist report to be provided prior to SWC to verify the extent of impacts on existing vegetation impacted by this proposal (i.e. if additional impacts are identified that require tree removal, particularly along the boundary of Road 6, a s4.55 Application will need to be lodged to consider the suitability of these impacts).</p>

<p>c. Trees identified for removal, d. Justification for removal, e. Extent of the proposed impact, f. Details on how tree impacts will be offset, g. Locations for replacement trees, to be identified within the Landscape Plan, and h. Proposed monitoring and maintenance actions.</p>	
<p>Street tree plantings are to utilise the Maitland Tree Species List</p>	<p>The proposed street tree planting species nominated on the landscape plan is considered suitable.</p>
<p>1.11 Biodiversity</p> <p>A Biodiversity Development Assessment Report (BDAR) is to be submitted at the DA for Subdivision phase.</p>	<p>A suitably prepared BDAR has been prepared and provided in support of the application.</p> <p>Refer to additional comments provided further within this report.</p>
<p>The BDAR is to give consideration to the draft mitigation measures proposed in the Stage 1 Biodiversity Development Assessment Report – Land Rezoning Proposal by Peak Land Management (September 2019)</p>	
<p>A 5-year Vegetation Management Plan (VMP) must be developed for the areas identified for rehabilitation as per the vegetation corridor marked on Figure 102. The VMP must be prepared by a qualified ecologist with experience in bush regeneration, or a bush regenerator who holds a minimum Diploma Conservation and Land Management (or equivalent) and a minimum 3 years' experience in practical ecosystem restoration, in consultation with Council. Works should aim to</p>	<p>A draft VMP has not been provided in support of the application, despite being required on numerous occasions.</p> <p>At the preference of management, a condition of consent has been imposed on the determination requiring the submission and approval of a detailed VMP prior to the issue of an SWC. The VMP will assist to demonstrate compliance with this section of the DCP.</p>

<p><i>reinstate the historical vegetation community that existed prior to clearing. Revegetation that is inconsistent with the historical vegetation community shall not be undertaken unless supported by a documented justification and approved in writing by Council's Manager Environment and Sustainability. Any revegetation proposed under the Vegetation Management Plan must be reflected in the bushfire assessment, taking into consideration the growth and characteristics of mature vegetation.</i></p>	
<p><i>The subject land is known to contain the cryptic orchid <i>Pterostylis chaetophora</i> in the heavily vegetated eastern portion of the subject land of this DCP, close to Mount Vincent Road. A reference population of <i>Pterostylis chaetophora</i> is to be identified to monitor the species health and distribution within the area and appropriate times of the year to ensure surveys are undertaken during the flowering period</i></p>	
<p><i>As part of vegetation clearing marked for the site, seeds are to be collected where possible to assist in vegetating the environmental management flood fringe buffer</i></p>	
<p>1.12 Flooding</p>	
<p><i>Any application for the subdivision of the site must demonstrate that the subdivision design</i></p>	<p>Refer to comments under Section 5.21 of MLEP (above). A portion of the site is flood prone land, however all proposed residential allotments are located outside of the flood prone area. The proposed earthworks (primarily relating to the proposed basin and park) encroach within the</p>

<p><i>incorporates measures to mitigate against potential extreme floodway hazard conditions.</i></p>	<p>flood affected area of the site, however, result in a net cut/fill and no loss of flood storage area. As such, the development is not considered to result in any significant flooding impacts and is supported subject to conditions.</p>
<p><i>Infrastructure including roads, pathways and/or cycleways within the flood extent should limit changes to natural topography as far as practicable to avoid changes to flood impacts.</i></p>	
<p><i>No filling of Flood Prone land (see Figure 104) is to be undertaken without hydraulically equivalent compensatory cut and assessment of impacts.</i></p>	
<p><i>Any future development within the subject land of the DCP is to take into consideration the most current versions of the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Risk Management Manual 2023.</i></p>	
<p>1.13 Bushfire</p>	
<p><i>Development on bushfire prone land, shall be assessed and designed in accordance with the NSW RFS Planning for Bushfire Protection 2019 guideline</i></p>	<p>Refer to comments under likely impacts (Bushfire) of this report.</p>
<p>1.14 Acid Sulfate Soils</p>	
<p><i>Development Applications will need to investigate soil salinity levels, soil structure/stability and Acid Sulfate Soils as part of geotechnical investigations associated with the site.</i></p>	<p>Refer to comments under Section 7.1 of MLEP (above).</p>
<p>1.15 Key Development Areas</p>	
<p><i>A perimeter road (with development on the internal side only) is to be provided within the R1 General Residential zoned land abutting the C3</i></p>	<p>It is understood that the site features a considerable natural slope that presents an extent of complexity when reaching design outcomes, this complexity is exacerbated with the alignment of existing overhead powerlines, which have constraints surrounding clearance distances (limitation of earthworks which can occur in proximity to this easement).</p>

<p><i>Environmental Management zoned land.</i></p>	<p>It is noted that the originally lodged subdivision included a complete perimeter road which resulted in significant batter encroachment into the existing transmission line easement; as such, Council's initial request for information required the alignment of this road to be revised to remove the extent of earthworks encroaching the easement. In no way did this suggestion infer that a complete perimeter road should not be provided.</p> <p>In response to this request, the revised plans incorporated a partial perimeter road, in the location reflected in plans recommended for approval.</p> <p>In this regard, it is noted that the current proposal includes an APZ over Lot 601 for 24m from the southeastern boundary of lots 518 (now absorbed by lot 601), 519, 532 and 307.</p> <p>This outcome was continually challenged by Council and the NSW RFS throughout the assessment process, prior to ultimately being supported by NSW RFS in their GTA's dated 10 November 2025.</p> <p>NSW RFS support of this outcome is subject to a condition requiring a suitably worded instrument to be created pursuant to section 88B of the Conveyancing Act 1919 to insure its ongoing management as an Inner Protection Area. A condition of consent is to be imposed requiring the preparation of a Plan of Management showing how the APZ will be established and maintained in perpetuity.</p>
<p><i>An off-road shared path shall be provided on the outer side of the perimeter road. This will switch variably between the environmental management and residential zoned land, as indicated within Figure 101 and Figure 102. This must extend to the Mount Vincent Road path network to the east.</i></p>	<p>A 2.5m shared path has been provided on the outer side of the perimeter road as outlined in Figure 101 and 102. A condition of consent has been imposed requiring detailed plans to demonstrate connection of this shared path to the existing Mount Vincent Road path network on the eastern side of this road during the detailed design (SWC) stage (as per this clause of the DCP).</p>
<p><i>Fencing is to positively contribute to the visual aesthetic of development, particularly between the residential and environmental zones. Details of fencing is required to be submitted to Council with development applications.</i></p>	<p>Details of proposed fencing has not been provided at DA stage and will be suitably conditioned.</p>
<p>1.17 Provision of Public Facilities and Services</p>	
<p><i>Electrical kiosks are to have decorative screening</i></p>	<p>No changes to the existing substation kiosk is considered warranted or capable of being delivered.</p>

<i>and/or housing established to reduce unappealing visual intrusion onto the streetscape and neighbouring residences.</i>	A condition will be imposed to ensure appropriate landscaping is provided in conjunction with any new kiosk within the subdivision.
<i>Street lighting shall be planned (lighting categories), designed, and implemented to relevant Australian standards for vehicle and pedestrian networks (including pedestrian crossings).</i>	Conditions of consent will be imposed requiring all street lighting to be designed and provided in accordance with relevant Australian Standards.
<i>Ausgrid is to be consulted on the design solution for electricity servicing and the treatment for the existing transmission lines presently over the site. An in-ground electrical transmission solution is to be used where possible.</i>	Ausgrid have been consulted throughout the assessment process and did not object to the proposal. The preliminary servicing strategy outlines that the site is capable of being suitably serviced; detailed design information will be suitably identified at the detailed design stage,

Section 4.15(1)(a)(iiiA) – Any planning agreement that has been entered under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There is no planning agreement that has been entered into under Section 7.4, and no draft planning agreement that the developer has offered to enter into under Section 7.4 of the Act that relates to this development.

Section 4.15 (1)(a)(iv) - The regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The following regulations prescribed under the Environmental Planning and Assessment Regulation 2021 apply to the proposal:

The Demolition of Structures

The proposal involves the demolition of an existing overhead powerline. Conditions are recommended to ensure that all demolition works are carried out in accordance with Australian Standard AS2601-1991.

Section 4.15 (1)(b) - The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

The following table identifies and discusses the relevant matters for consideration in relation to environmental, social and economic impacts associated with the proposal.

Matters for Consideration	Comments

Biodiversity	<p>Overview</p> <p>The proponent has submitted a Biodiversity Development Assessment Report (BDAR), finalised BAM Calculator (BAM-C) reports, relevant mapping layers and added council as a case party in BOAMS. This is considered sufficient information to assess the proposed development against the legislative requirements of the Biodiversity Conservation Act 2016 (BC Act). The assessment identifies biodiversity values within the subject site, including the presence of native vegetation and potential habitat for threatened species and ecological communities, and quantifies the likely impacts of the proposed development on these values.</p> <p>Regarding the BC Act, the proposed development:</p> <ul style="list-style-type: none"> • Triggers the Biodiversity Offset Scheme due to clearing thresholds being exceeded; • Requires the removal of 3.55 ha of native vegetation, of which 3.38 ha are commensurate with threatened ecological communities under the BC Act. This includes 2.24 ha of <i>Lower Hunter Spotted Hunter Spotted Gum Ironbark Forest</i> and 0.44 ha of <i>Hunter Lowland Redgum Forest</i>; • Results in a credit obligation for impacts to PCTs 3444 and 3328, and a credit obligation for impacts to southern myotis, squirrel glider and <i>Pterostylis chaetophora</i>; • Does not impact any threatened species or ecological communities which are listed as a candidate Serious and Irreversible Impact entity; and • Relies mostly on avoidance of biodiversity values within C3 zoned land which is inconsistent with the BAM and recent case law. To suitably address the mitigation hierarchy under the BC Act, a robust mitigation package is required to protect biodiversity values within the C3 zoned land. The robust mitigation package takes the form of the VMP, where the higher valued biodiversity land (i.e. within the C3 zoned land) will be improved via revegetation, weed removal and long-term maintenance. This land will also be preserved under a 88b restriction on title. The vegetation that has been unable to be avoided (i.e. within the R1 zoned land) has been identified as vegetation of lower biodiversity value. While the avoidance of this vegetation should be the primary action, this has not been pursued for various reasons (site slope constraints, lot layout etc). This matter has been suitably rectified with improved vegetation outcomes in the C3 land. <p>The proposal will result in direct impacts to approximately 3.55 ha of native vegetation across three (3) Plant Community Types (PCT). The quality of native vegetation varies across the subject site but generally consists of stands of mature to semi-mature canopy layer, with the lower strata disturbed by past and ongoing agricultural land management practices. There are large areas, especially in the western portion of the subject site, that are dominated by non-native vegetation grassland therefore do not</p>
--------------	--

	<p>require offsetting. Two (2) Threatened Ecological Communities (EEC) listed under the BC Act will be impacted and include the following:</p> <ul style="list-style-type: none"> • <i>Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions</i> listed as endangered under the BC Act (2.94 ha) • <i>Hunter Lowlands Redgum Forest in the Sydney Basin and NSW North Coast Bioregions</i> listed as endangered under the BC Act (0.44 ha) <p>The extent of impacts to native vegetation are considered to have been appropriately assessed in accordance the Biodiversity Assessment Method (BAM) 2020 under the Biodiversity Conservation Act 2016.</p> <p>Threatened Species and Habitats</p> <p>Habitat impacted by the proposal includes native vegetation providing foraging resources, nesting/roosting opportunities for a range of fauna species.</p> <p>A total of fourteen candidate species were excluded from further assessment based on geographic limitations, habitat constraints and/or vagrancy, being:</p> <ul style="list-style-type: none"> • Regent Honeyeater (breeding) - <i>Anthochaera Phrygia</i> • Large-eared Pied Bat - <i>Chalinolobus dwyeri</i> • Hunter Valley Delma – <i>Delma vescolineata</i> • Swift Parrot (breeding) - <i>Lathamus discolor</i> • Broad-billed Sandpiper - <i>Limicola falcinellus</i> • Little Bent-winged Bat - <i>Miniopterus australis</i> • Pine Donkey Orchid – <i>Diuris tricolour</i> (endangered population) • Red Helmet Orchid – <i>Corybas dowlingii</i> • Large Bent-winged Bat - <i>Miniopterus orianae oceanensis</i> • Emu – <i>Dromaius novaehollandiae</i> (endangered population) • North Rothbury Persoonia - <i>Persoonia pauciflora</i> • Brush-tailed Rock-wallaby - <i>Petrogale penicillata</i> • Grey-headed Flying-fox (breeding) - <i>Pteropus poliocephalus</i> • Eastern Cave Bat - <i>Vespadelus troughtoni</i> <p>The exclusion from further assessment based on geographic limitations, habitat constraints and/or vagrancy is supported for these species.</p> <p>Seven species detected within the Subject Site are listed under State and/or Commonwealth legislation. Large bent-winged bat, little bent-</p>
--	--

	<p>winged bat, and grey-headed flying-fox are considered 'dual credit species' and only generate a biodiversity credit liability when certain habitat constraints are present (e.g., caves, culverts, breeding camps). Habitat constraints for these species were not present on the Subject Site. As such, these species were determined unlikely to breed within the Subject Site and were ruled out as candidate 'species credit' species.</p> <p>Three 'species credit' species, including southern myotis, squirrel glider and <i>Pterostylis chaetophora</i> were detected on site resulting in a species credit liability to offset the proposal's impacts on the species' suitable habitats.</p> <p>Threatened species surveys have been completed in accordance with the requirements of the BAM 2020 and applicable threatened species survey guidelines. Impacts to threatened species have been adequately assessed and the biodiversity credit liability for 'species credit' species is considered accurate.</p> <p>Prescribed Impacts</p> <p>Prescribed impacts are specific types of impacts to biodiversity that do not necessarily incur a biodiversity credit liability but must still be assessed and managed using the mitigation hierarchy (i.e., avoid, minimise, offset).</p> <p>Prescribed impacts resulting from the proposal include removal of human made structures that may provide habitat to native fauna, removal of non-native vegetation, and vehicle strikes. Each of these has been addressed within the BDARs to determine the extent of impact and recommends suitable mitigation measures to manage these impacts.</p> <p>The assessment of prescribed impacts and management of these through suitable mitigation measures is considered adequate under the BAM 2020.</p> <p>Avoid and Minimise</p> <p>The BC Act requires that the proponent first takes all reasonable measures to avoid the impacts on biodiversity values and then takes measures to minimise impacts. The BAM (Biodiversity Assessment Method 2020 Operational Manual – Stage 2) further clarifies that the proponent must demonstrate how the proposal avoids impacts on developable land (for example, land zoned R1). For subdivision approvals, this generally excludes land zoned for conservation.</p> <p>As previously mentioned, the proposal's avoidance measures rely heavily on avoidance of impacts to biodiversity values within the C3 zoned land. This is inconsistent with the Biodiversity Assessment Method and generally not supported by recent case law (i.e., <i>Planners North v Ballina Shire Council [2021] NSWLEC 120</i>). To ensure the mitigation hierarchy is suitably addressed, a robust mitigation package is required under the conditions of consent to ensure biodiversity values in the C3 zoned land are protected from loss and degradation. Where these mitigations cannot be imposed, the proposal fails to meet the minimum requirements of the BAM. These mitigations measures include:</p> <ul style="list-style-type: none"> • The imposition of an 88B restriction over the avoided C3 zoned land to assure biodiversity values in avoided areas are not lost; and
--	---

	<ul style="list-style-type: none"> • A five-year Vegetation Management Plan for the avoided C3 zoned land to assure biodiversity values in avoided areas are not degraded; and • Installation of artificial hollows within the C3 zoned land to offset loss of hollow-bearing trees. <p>A five-year Vegetation Management Plan is proposed to revegetate approximately 1.68 hectares of native vegetation within the vegetation corridor identified in Figure 102 of Maitland LEP 2011 – Part F (Urban Release Areas). This revegetation further minimises indirect impacts of the development on biodiversity values off site and increases local connectivity.</p> <p>Conclusion</p> <p>The application is generally supported, subject to the recommended conditions of consent being applied. Impacts to flora and fauna have been assessed in accordance with the Biodiversity Conservation Act 2016 and relevant legislative requirements.</p>
Aboriginal Archaeology	<p>The application has been supported by an <i>Aboriginal Cultural Heritage Assessment Report (ACHAR)</i> prepared by McCardle Heritage dated 29 May 2025 Reference J202487 ACHA. The report identifies that an AHIMS search identified 57 Aboriginal sites within a 2km radius of the project area and includes 38 artefact sites, 7 Potential Archaeological Deposits (PAD), 5 artefacts with PAD's, 2 scar trees, 1 Aboriginal resource gathering, 1 burial, 1 fish trap, 1 grinding groove site and 1 waterhole.</p> <p>The ACHAR acknowledges that a previous study of the project area (Insite 2012b) identified a sensitive landform adjacent the wetland as having a high potential for containing subsurface Indigenous archaeological deposits, however when a second study (MCH 2019) was undertaken which included test excavations, the results identified a highly disturbed and distributed artefact scatter. The site consisted of 6 artefacts manufactured predominately from mudstone and two silcrete. Artefact types included three broken flakes, one microlith and two bladettes.</p> <p>The report identifies that AHIMS Site 38-4-1969 will be impacted by the development, and a AHIP will be required prior to commencement of any works. A condition to this effect will be imposed on the notice of determination.</p> <p>The proposal is considered capable of proceeding with caution, with appropriate conditions imposed to require a AHIP to be obtained prior to commencement of any works and management of unexpected finds during works.</p>
Bushfire	<p>A <i>Bushfire Assessment Report (BAR)</i> was prepared by Peak Land Management (July 2024), with Addendum Information being provided by Firebird ecoSultants throughout the assessment of the application. The application was referred to NSW RFS several times throughout the assessment process, prior to General Terms of Approval (GTAs) being issued dated 10 November 2025; these GTAs will be imposed and attached to the Notice of Determination.</p>

<p>The GTA's include several conditions and requirements relating to Asset Protection Zones (APZ), Access & Road Requirements, Water and Utility Services Requirements and Landscaping Requirements.</p> <p>APZ's</p> <p>In this regard, it is noted that the proposal includes a 24m wide APZ over Lot 601 from the southeastern boundary of lots 518 (now absorbed by lot 601), 519, 532 and 307.</p> <p>This outcome was continually challenged by Council and NSW RFS throughout the assessment process; before it was ultimately supported by the NSW RFS in their GTA's dated 10 November 2025.</p> <p>NSW RFS support of this outcome is subject to a condition requiring a suitably worded instrument to be created pursuant to section 88B of the Conveyancing Act 1919 to ensure the ongoing management of the APZ as an Inner Protection Area.</p> <p>The applicant has been asked (via email dated 27 August 2025) to provide a Plan of Management in support of this outcome (i.e. to demonstrate how the APZ can be maintained), however the applicant has not provided this information. While the assessing officer continues to hold concern for supporting this outcome without a Plan of Management, the NSW RFS have issued GTA's for this subdivision on the basis that an 88b restriction is sufficient to meet APZ requirements; therefore the Plan of Management can form a condition of consent.</p> <p>An additional conditions will be imposed requiring the following:</p> <ul style="list-style-type: none"> • That each benefiting allotment (Lots 519, 532 and 307) are benefited by a right to access and maintain this APZ land, and are provided with a physical access point to this land (i.e. rear gate). The burden for maintenance shall be upon Lots 519, 532, 307 and 601. The party with the authority to release, vary or modify shall be nominated as Maitland City Council. • A detailed Plan of Management is to be prepared, submitted to and approved by Council prior to the issue of an SWC. This Plan of Management must address the topography of the land and provide appropriate details on how the APZ will be established and maintained. The Plan of Management must include, but is not limited to: <ul style="list-style-type: none"> ◦ Mechanical means necessary to complete the management required; ◦ A schedule of maintenance to occur to ensure the APZ is regularly maintained and managed; and ◦ The relevant body responsible for maintaining the APZ. <p>The applicant has been advised that this condition requirement will be imposed on notice of determination. Should the condition be unable to be appropriately addressed, a modification to the design will be required via a s4.55 Application.</p> <p>Roads</p>

	<p>All proposed roads are considered capable of complying with NSW RFS GTA's subject to inclusion of appropriate conditions. It is noted that some parking restrictions are required alongside perimeter and non-perimeter bushfire roads, however the parking restrictions are only alongside portions of the roads where residential properties are not adjoining the road.</p> <p>The NSW GTA's also require a secondary egress road for all subdivisions on bushfire prone land where three or more allotments are proposed. In this case, a secondary road onto Wilton Drive is proposed, but the applicant has proposed to deliver this at a late stage of the subdivision. In order to ensure complete compliance with the RFS GTA's, a condition of consent will be imposed requiring the secondary access road to be provided at Stage 1. The applicant may opt to reduce Stage 1 to three lots at a future date to avoid providing the secondary access road so early in the subdivision process. Alternatively, they may submit an alternative solution to the RFS to have this GTA requirement varied. In which case, this condition can also be modified.</p> <p>Landscaping</p> <p>The GTA's contain restrictions for landscaping within the APZ; these conditions will be imposed on the notice of determination and are considered to be consistent with what has been proposed under the subject application.</p> <p>Notwithstanding the above, conditions are being imposed which will require a detailed landscape plan for the detention basin and park, and a detailed VMP and planting scheme for the replanting area. Concern is raised that there is potential for planting in these locations to alter the assessed bush fire threats and outcomes issued under the GTA's. The applicant advised that the bushfire assessment was based on 'worse case' replanting scenario and therefore compliance will be achieved when full revegetation occurs. Conditions have been imposed requiring the detailed landscape plans and planting schedules to demonstrate consistency with the NSW RFS GTA's and supporting bushfire reports; specifically that the resulting schemes (at maturity) shall not alter the assessed slope, vegetation classification or fuel load.</p> <p>Subject to the imposition of all recommended conditions, the proposal is satisfactory with regard to bushfire considerations.</p>
Traffic and Transport	<p>The application was supported with a Traffic Impact Assessment (TIA). The development proposes two additional connections to Wilton Drive, in accordance with the URA DCP.</p> <p>The surrounding road networks appears capable of absorbing the additional traffic volumes anticipated to be generated from this subdivision.</p>
Mine Subsidence	<p>The site is located within the East Maitland Subsidence District and has previously been subject to mine workings.</p>

	<p>The area has not been identified as containing any regionally significant coal, mineral, petroleum or other extractive ,material resources.</p> <p>The site is within a Proclaimed Mine Subsidence District. The land has been identified as containing underground mine workings by the Mine Subsidence Board.</p> <p>Grouting is proposed as a form of remediation for the land subject to mine workings with depths of <30m and has previously been considered as an acceptable remediation method for the site by Subsidence Advisory NSW.</p> <p>The application has been supported by a report titled '<i>Proposed Development & Old Mine Workings Part Lot 141 & Lot 8 DP 855275</i>' dated 18.08.24 prepared by Mine Subsidence and Mining Engineering Pty Ltd. The application has been referred to Subsidence Advisory NSW and General Terms of Approval were provided in support of the application dated 23/10/24.</p>
Odour	<p>The site is in proximity to the Mount Vincent Road Waste Management Centre which is located to the south of this proposed development site. In November 2019, the Hunter and Central Coast Joint Regional Planning Panel approved an application for a Waste Transfer Facility to be developed on the site to assist in resource recovery for the Maitland LGA.</p> <p>As part of the Environmental Assessment for the Waste Transfer Facility, an "<i>Air Quality and Odour Impact Assessment</i>" was prepared by Pacific Environment Ltd (2016). The report conservatively considered the likely odour impact.</p> <p>The report found that potential odour from the activities at the waste transfer site would be within odour level criterion for the area proposed for residential uses. Air quality issues relative to dust were also considered in this report. It was found that no sensitive receptors are predicted to experience dust deposition above the assessment criteria due to emissions from the future waste transfer project or cumulatively with existing operations at the Waste Management Centre.</p> <p>The planning proposal which created the residentially zoned land considered odour as part of the assessment. The residential land has been acknowledged to be considered acceptably positioned with regard to the Waste Management Centre.</p>

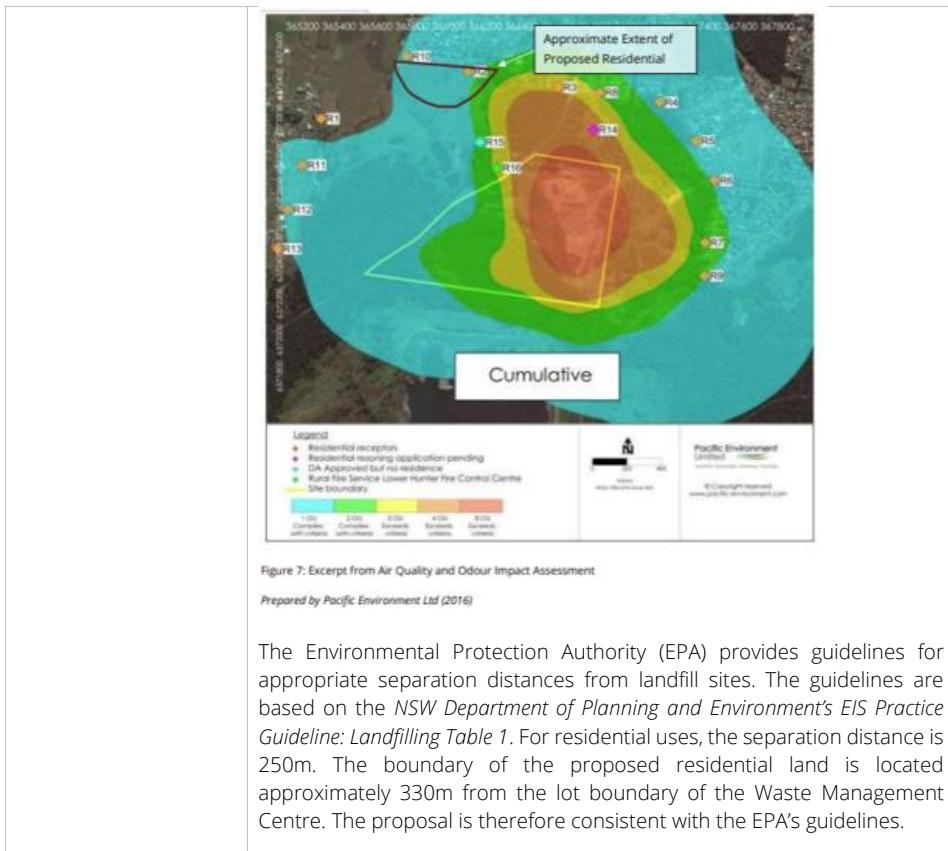


Figure 7: Excerpt from Air Quality and Odour Impact Assessment

Prepared by Pacific Environment Ltd (2016)

The Environmental Protection Authority (EPA) provides guidelines for appropriate separation distances from landfill sites. The guidelines are based on the *NSW Department of Planning and Environment's EIS Practice Guideline: Landfilling Table 1*. For residential uses, the separation distance is 250m. The boundary of the proposed residential land is located approximately 330m from the lot boundary of the Waste Management Centre. The proposal is therefore consistent with the EPA's guidelines.

Stormwater Management Flooding	and	<p>The site's existing hydrology is defined by moderate slopes and a single second-order watercourse running through the southern portion of the site. The stormwater strategy has been developed to formalise existing flow paths while respecting natural drainage patterns.</p> <p>The application includes the provision of a bioretention basin in the northwest portion of the site. The basin will collect all discharge from the subdivision and upstream existing discharge points that benefit existing lots within Wilton Drive (being collected and redirected as part of this application). The detention basin will then discharge to the existing watercourse to the south within the site.</p>
Utilities		<p>The application has been supported by a <i>Servicing Strategy for Sewer, Water and Electricity</i> prepared by Simon Thompon. As has been discussed within this report, the site is able to connect to existing water and sewer lines within the area. Electricity and telecommunication connections can also be provided. Conditions of consent requiring the reticulation of services will be imposed.</p>
Earthworks Geotechnical	and	<p>The application involves extensive earthworks to enable subdivision and infrastructure delivery, including regarding, filing, battering as required. These works are necessary to provide suitable drainage infrastructure,</p>

	<p>accommodate reticulated sewer connection, and provide suitable road and lot gradients.</p> <p>As has been previously discussed within this report, the extent of earthworks can be supported, subject to conditions of consent.</p> <p>No detrimental environmental impacts are identified as resulting from the proposal subject to compliance with recommended conditions of consent.</p>
Contamination	<p>The application has been considered regarding potential contamination in the context of Chapter 4 of SEPP (Resilience and Hazards) and suitability of the site for the intended residential purpose.</p> <p>A Detailed Contamination Assessment was provided in support of the application which identified areas of contamination where remediation works will be required in order to ensure the site is suitable for its intended residential purpose.</p> <p>Following a slight revision to the development footprint (i.e. basin location), the Detailed Contamination Assessment was revisited and re-reviewed by Council staff. Following re-review, it was noted that the testing in this area did not address <i>Per- and Polyfluoroalkyl Substances</i> (PFAS) pit testing; however the submitted Detailed Contamination Assessment report concluded that the site can be made suitable for residential purposes subject to appropriate remediation and validation.</p> <p>On the basis of recommendations in the submitted report, conditions will be imposed requiring preparation of an appropriate Remediation Action Plan (RAP) prior to the SWC for the first stage, as well as Certification of Validation prior to issue of an SC (for the first stage). A condition has also been imposed for the imposition of a long term environmental management plan in any instance where residual contamination remains after validation.</p> <p>Subject to compliance with remediation and validation requirements, the development is considered suitable with regard to contamination.</p>
Lot Design, Public Domain and Visual Impact	<p>The lot layout and road configuration have been aligned to provide a regular subdivision pattern. The extent of earthworks corresponds to deliver an orderly development and facilitate stormwater drainage to the proposed stormwater basins, and use of reticulated sewer services accordingly.</p> <p>The proposed lots have been designed to ensure practical and functional residential outcomes. Each lot is of a size and shape that can accommodate future dwellings, ancillary development (e.g. garages and sheds), parking, private open space, and landscaping.</p> <p>The development will retain all existing vegetation within the C3 zoned portion of the site and incorporates a revegetation area to the south to be maintained in perpetuity in private ownership; whilst this revegetation will have positive ecological outcomes, it will also serve as an informal landscape buffer, softening views of the development/future dwellings.</p>

when viewed from the south/west and south/east of the Wallis Creek View Corridor at a distance. The visual impact of the proposal is also considered to be slightly reduced in that it directly extends from existing residential development to the north and will not be readily distinguishable from the existing development in the long term.

Views of the development site from the southeast are largely limited as you travel north along Mt Vincent Road due to the topography of the land and existing vegetation. One limited view is available south of the RFS Depot site across Wallis Creek. It is anticipated that proposed vegetation planting will greatly assist in softening the proposed development, and that the development will not be readily distinguishable in the long term from existing residential development immediately north of the site. This is not considered to be an unsuitable visual impact.

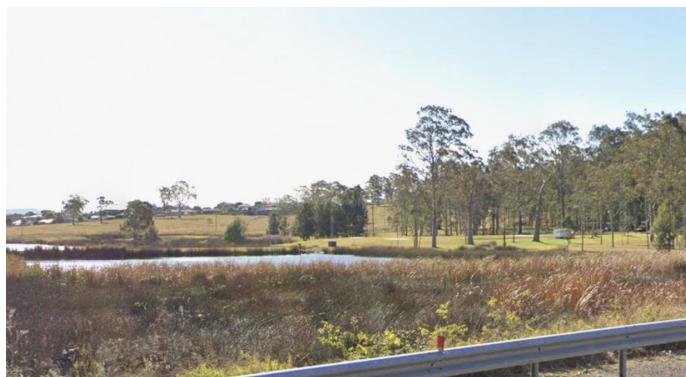


Figure 8: View of the site from Mt Vincent Road looking north-west across the land from a southern point.

Views from the west and south west will be more perceivable as the location of the vegetation area is not expected to provide as much as a buffer from this orientation. Notwithstanding, the proposal will directly extend from the location of the existing residential subdivision and is not considered to be detrimental to the overall visual catchment in this regard.

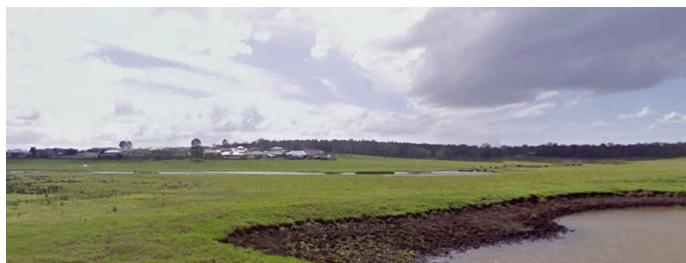


Figure 9: View looking at the subdivision site from the south.

	 <p>Figure 10: View of the site as seen from Gullivers Lane.</p>
CPTED	It is not anticipated that the development will result in adverse impacts regarding safety and crime prevention within the locality. This has been further demonstrated in the application's compliance with CPTED provisions within the DCP.
Social and Economic Impact	The proposal will have a positive social and economic impact, both through the promotion of employment during construction and creation of residential land within the URA.
Construction	Construction impacts are expected to be short term and limited to the construction program. A Construction Environmental Management Plan (CEMP) will assist in managing identified impacts and will be developed by the contractor.

Section 4.15 (1)(c) - The suitability of the site for the development

The subject site is located within the Mount Vincent Urban Release Area and is partially zoned for residential purposes. The development application is generally consistent with the DCP for the site.

Servicing is available or will be made available through infrastructure upgrades, including a water pump station and a wastewater pump station, both endorsed by Hunter Water Corporation. The site constraints, with bushfire, stormwater, mine subsidence and biodiversity impacts addressed and resolved through detailed assessment, design amendments and conditions imposed on the notice of determination that require further works (i.e. remediation works).

The proposed lot layout and infrastructure staging have considered adjoining lands and resolved key access, traffic, drainage, and ecological integration issues. The site is therefore considered suitable for the proposed development.

Section 4.15 (1)(d) - Any submissions made in accordance with this Act or the regulations

Public Submissions

Public Submissions

The application was exhibited on two separate occasions between 13th September 2024 and 10th October 2024, and again between 23rd September 2025 and 31st October 2025. The second exhibition was the result of revised plans being provided by the applicant. A total of seven (7) submissions were received during the first round of exhibition, and a total of seven (7) submissions were received again during the second round of exhibition. All submissions raised objection to the proposal.

A summary of the objection reasons and a responding comment have been provided in the table below:

Issue	Comment
Notification	
<p><i>Did not know about this application when purchasing an existing property within Wilton Drive and believed they would have rural views to the south.</i></p> <p><i>Concerned that the seemingly cyclical series of proposals to intensify development in Wilton Drive continues and requires our eternal vigilance to become aware of, understand, examine the implications and if appropriate prepare objections. This vigilance both undermines our enjoyment of our property and is inconsistent with the claim of planning to provide certainty to property owners.</i></p>	<p>The land is zoned R1 and is part of Mt Vincent Rd URA. The proposed subdivision of land is permitted with consent pursuant to Clause 2.6 of MLEP. All residential lots meet the minimum lot size specified under MLEP, as referred to earlier in this report.</p> <p>The subject application has been exhibited in accordance with MDCP and Maitland's Community Participation Plan.</p> <p>Refer to comments later in this table in relation to views.</p>
Density, Lot layout/Configuration, Character, Amenity	
<p><i>Density – suggestion that Lot sizes shall be reduced to prevent future subdivision into smaller lots.</i></p> <p><i>A key point of contention is that DAV2024/731 provides for a division of the spaces into small lots of a diminutive size of less than an average 600sqm, which is a significant departure from the approved lot size of the adjacent properties which are existing low-density residential and large lot residential properties.</i></p> <p><i>The development proposal is for 78 lots which is certainly not in keeping with the immediately adjacent E4 Environmental Lots. The lot sizes are significantly smaller and higher in density than the existing lots. Recent subdivisions in the immediate area have been larger lots in keeping with the existing residential lot density. The lot sizes should be resized accordingly.</i></p>	<p>The land is zoned R1 General Residential and forms the Mt Vincent URA area; the structure of the proposed development is consistent with the adopted structure plan within the Mt Vincent Road DCP. The proposed residential subdivision is wholly contained within the R1 portion of the site; with only ancillary components of the proposal extending into C3 and RU2 zones (earthworks, road, open space).</p> <p>The nature of the first submission comment in this section is unclear, however, it is noted that the proposed residential lots range from 462sqm – 1823sqm. All lots meet the 450sqm minimum lot size prescribed under MLEP 2011. Further subdivision of the lots would be subject to additional approvals and consideration under relevant legislation.</p> <p>The R1 land being developed under this application is located directly adjacent to C3 zoned land comprising No. 2 and 4 Wilton Drive. The development of this R1 land includes several lots which will satisfy the minimum lot size. The proposed subdivision is consistent with the specified minimum lot size over the land, and the objectives of the R1 zone; the proposal is not considered to compromise the value of the existing C3 land.</p>

<p><i>Revision of proposed lot zoning to align with existing boundaries and infrastructure of Wilton Drive to ensure functional zoning and aesthetics. Concerns around consistency with the established character of the area due to the lot sizes proposed (suggestion that lot sizes and dimensions align with existing lots fronting Wilton Drive).</i></p>	<p>Further, although the proposed R1 lots are smaller than existing R1 lots to the north, the layout of the lots and orientation is not inconsistent with the existing subdivision pattern. As has been previously confirmed, the lots proposed under this subdivision meet minimum lot sizes specified in the MLEP. The development is not unreasonable or significantly out of character with the residential context.</p> <p>It is unclear what is being referred to by the statement 'revision of proposed lot zoning to align with existing boundaries'. No alteration to land use zoning boundaries, or the specified minimum lot size over the land can occur within the context of a Development Application.</p> <p>In summary, all proposed lot sizes comply with the minimum lot size applicable to the site pursuant to MLEP. The proposal is therefore considered to be consistent with the desired future character of the locale.</p> <p>Any future subdivision of the land will be subject to consideration against the relevant provisions of MLEP and be considered against its merit at the time of any such future application.</p>
<p><i>Lots should be setback from Wilton Drive and a 10m wide Vegetation Corridor incorporated at the rear of existing lots with a frontage to Wilton Drive.</i></p>	<p>The adjoining land immediately north of the site is R1 General Residential with development largely comprising a mix of low-medium scale residential development.</p>
<p><i>A vegetation setback or easement would be beneficial for all existing homes along Wilton Drive...Even a 5 or 8 metre vegetation setback...would be appreciated not only by existing homes but also benefiting new homes.</i></p>	<p>Each proposed lot meets the minimum lot size and dimensions specified under MLEP and DCP and is considered capable of suitably siting a dwelling house. The proposed residential subdivision is not of a nature that requires screening or buffering, nor is the proposed subdivision considered to result in significant privacy concerns (as all lots meet the specified minimum lot size, and future development will be required to be sited in accordance with Council's setback requirements specified by the DCP).</p>
<p><i>Proper consideration for privacy outcomes at the site planning stage.</i></p>	
<p><i>Lot boundaries should consider any requirement for screening or buffering from adjoining land uses.</i></p>	<p>There is no requirement for proposed lots to be setback from Wilton Drive, or from existing lots. The proposed subdivision offers a rational subdivision layout, with the road hierarchy and general layout being consistent with the Mt Vincent Rd Area Plan DCP.</p>
<p><i>Lot size and dimensions are to be suitable for the existing or proposed use</i></p>	<p>All proposed lots meet the minimum lot sizes and dimensions specified under MLEP and MDCP, as detailed earlier in this report.</p>
<p><i>Lots should be generally rectangular in shape and use of battle axe allotments minimised – do Lots 207, 309 and 324 comply?</i></p>	<p>Lots proposed as part of this application are generally rectangular in shape, except for a small number of irregular shaped allotments. All constrained lots have been supported by a building envelope plan to demonstrate the lots are capable of being suitably developed.</p>

	<p>There are no battle-axe allotments proposed under this application.</p>
<i>Lot boundaries should follow natural features to minimise potential soil erosion.</i>	<p>Appropriate erosion and sediment control requirements will be imposed on the notice of determination.</p>
<i>When we first moved here, we had an acreage alongside of us and a peaceful rural setting. These developments have and will mar this, and residents' privacy.</i>	<p>The proposed development has been considered regarding the requirements of MLEP and MDCP and is generally consistent with the provisions of each. The residential subdivision will take place upon land zoned R1 General Residential and is not rural land.</p>
<i>The proposal undermines the qualities of the estate that made it a sought-after location to live in.</i>	<p>The development will include several conditions to be attached to the notice of determination to address immediate concerns with fencing modifications required to rectify fencing outcomes and address privacy concerns for lots with an adjoining boundary to the proposal. The condition will require 1.8m lapped and capped fencing to be provided along the rear boundary of all affected lots at the cost of the developer.</p> <p>All proposed lots meet the minimum lot size requirements, and future development of these lots will have regard to privacy impacts and will be required to comply with setback requirements.</p> <p>Some of these concerns use the word 'privacy' however are believed to also, at some level, relate to changes in the amenity and views currently benefiting allotments which are addressed further below.</p>
Visual Impact & Views	
<i>The visual impact of residential subdivisions must be considered, especially in areas where they can be viewed at a distance or from above.</i>	<p>While the development will have a direct visual impact, and will remove some current rural views from adjoining lots that have a rear boundary to the site, it is also recognized that the site is zoned R1, and is located within a URA. The subdivision will deliver housing in line with the needs of the community and the objectives of the 2040 Maitland Strategic Plan; as such, the changes to view, are considered acceptable in this instance as the development is consistent with the emerging desired character of the locality.</p> <p>The Land & Environment Court has a well established planning principle in respect of the assessment of impacts of development on views which was set out in <i>Tenacity Consulting v Warringah Council</i> (2004) NSWLEC 140 ("Tenacity"). Tenacity does not provide that anyone has a proprietary right to retain all, or part of the views enjoyed (or capable of enjoyment) from their land. The Court specifically acknowledges that entire loss of a view in some cases (although a devastating impact) could be reasonable in the circumstances.</p>

	<p><i>Tenacity Consulting v Warringah Council (2004)</i> essentially established a four-step assessment for view loss/considerations.</p> <p>Assessment of views to be affected</p> <p><i>"Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured."</i></p> <p>In this instance, the views affected by the proposal are land views, and views of the watercourse (Wallis Creek) catchment. Currently, properties benefit from whole views of a portion of the Wallis Creek Catchment; the entire catchment is obscured by topography, existing native vegetation and the orientation of the boundary.</p> <p>Consideration from what part of the property views is obtained</p> <p><i>"For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic."</i></p> <p>The views affected are located over the rear boundary of the properties affected.</p> <p>Assessment of the extent of the impact</p> <p><i>"This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating."</i></p> <p>The extent of view loss will be from the whole of all affected properties and will be devastating, in the fact that the entirety of views is anticipated to be obscured by future residential development resulting from this subdivision.</p> <p>Assessment of the reasonableness of the proposal causing the impact</p> <p><i>"A development that complies with all planning controls would be considered more reasonable than one that breaches them."</i></p>
--	--

	<p><i>Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable"</i></p> <p>The proposed residential subdivision is wholly contained within R1 zoned land; all lots comply within the minimum lot size outlined by MLEP and largely comply with lot dimensions outlined within MDCP. The overall design and layout of the proposed subdivision is consistent with the adopted hierarchy within the site specific DCP. As such, the development is consistent with the accepted and adopted development outcomes anticipated for the site, which contribute to the overall housing needs of the community (the site is outlined within the East Maitland Growth Area in Maitland Local Strategic Planning Statement 2040+ as a planned residential investigation area and has been rezoned for residential purposes to meet this need).</p> <p>It is not considered that any modification to the subdivision design outcome could have been made which would have suitably or reasonably reduced the extent of impact on existing residential lots. Although there is an impact, it is considered reasonable in this instance.</p> <p>When viewed from afar, visual impacts of the proposal (including batters surrounding the perimeter road) will be softened through the incorporation of a vegetation buffer to be planted and managed under a VMP. At a distance, the proposed development will not be readily perceivable from existing residential context and is not considered to have a significant impact.</p>
Traffic and Road Network	
<p><i>Objection to the new road through existing Lot 8 DP 855275 (6 Wilton Drive East Maitland). Request for the new road in this location to be a cul-de-sac and for an alternate road to be provided elsewhere i.e. Mt Vincent Road or the location of the Fire Trial.</i></p>	<p>Some of these submissions were received during the first round of exhibition with the application being modified throughout the process to result in the 'Fire Trail' being replaced with a road. The second road access was required to suitably respond to the requirements of Planning for Bushfire Protection 2019.</p>
<p><i>Traffic should enter/exit at Mt Vincent Road not Wilton Drive as shown. Traffic along Wilton Drive is already busy at peak times and a dedicated entry/exit along Mt Vincent Road, which is already a bigger road, would not impact anyone.</i></p>	<p>The proposed road network, as proposed under the current application, is consistent with the adopted road hierarchy and area plan adopted within the Mt Vincent Road DCP Chapter and is considered to suitably respond to the General Terms of Approval issued by NSW RFS (Planning for Bushfire Protection 2019 requirements).</p>

<p><i>Suggestion to direct the second road access to Mt Vincent Road opposite the Waste Management Centre.</i></p>	<p>The Mt Vincent Road DCP includes a control that prohibits access via Mt Vincent Road; as new vehicular accesses from a Classified Road is not encouraged, and access via Mt Vincent Road would result in additional significant environmental impacts due to extensive clearing required to facilitate a road through the C3 land.</p> <p>The application has been supported by a Traffic Impact Assessment which considered the location of proposed roads in the context of the scale of the proposal and found the location of the proposed roads to be suitable regarding traffic impact, sightlines, intersection capacity etc.</p> <p>The application has been reviewed by Council's Senior Subdivision and Development Engineer and is considered suitable subject to recommended conditions which will be included on the notice of determination.</p>
<p><i>Modification of road planning due to safety concerns must accommodate necessary service and emergency vehicles</i></p> <p><i>Recognising this fear of hazard or threat development plans needs to include the proposed fire trail transformed into a road built matching the existing road networks serving subdivision for community protection.</i></p>	<p>Some of these submissions were received during the first round of exhibition when the proposal reflected a single road access via Wilton Drive, supported by a fire trail. The current proposal reflects a road design incorporating two road access points via Wilton Drive, which is consistent with the adopted road hierarchy within the Mt Vincent URA DCP and complies with MOES and Planning for Bushfire Protection 2019 requirements.</p>
<p><i>Road 1 is the only way in and out of the subdivision – risking and endangering a life or compromising treatment.</i></p>	<p>The objection to the second road access is also noted, as well as the comment made around the recommendation of the bushfire report. In this regard, it is clarified that as the application is for subdivision of land that can be used for residential purposes – this form of development is what is known as a 'Special Fire Protection Purpose' in accordance with Section 100B of the Rural Fires Act 1997, and requires a Bush Fire Safety Authority (General Terms of Approval) to be issued by NSW Rural Fire Service.</p>
<p><i>Proposed Road 2 Fire Trail – concerns due to threat of bushfire.</i></p>	<p>As part of the development assessment process, the application was referred to and supported by NSW Rural Fire Service who considered the development against the requirements of Planning for Bushfire Protection, and supported the application subject to the second access road being provided (amongst other requirements).</p>
<p><i>Objection to the location of the secondary road access (previously shown as a fire trail)</i></p>	
<p><i>The inclusion of the second access road as a full access road is not actually required as the bushfire assessment report states.</i></p>	<p>The application has been supported by a detailed Traffic Impact Assessment prepared in support of the application which has considered the additional traffic load, intersection capacity, sightlines, etc. associated with the proposal.</p>
<p><i>Increase in traffic to Wilton Drive & Mt Vincent Road.</i></p>	
<p><i>Additional traffic exacerbation of on-street parking</i></p>	
<p><i>There will be a significant increase in traffic on Wilton Drive. This is a significant impact and has yet to be thoroughly addressed in this and any previous Traffic Impact Assessments. Two (2) one-hour manual samples is not</i></p>	<p>All roads have been designed and will be conditioned to be designed and constructed in accordance with the requirements of Manual of Engineering Standards and NSW RFS GTA's.</p>

<p><i>an accurate indication of current traffic numbers.</i></p>	<p>The proposed staging has been considered and is deemed generally suitable; appropriate conditions will be imposed to ensure appropriate measures are in place at each stage (i.e. temporary turning heads, etc)</p>
<p><i>Traffic at the top of Wilton Drive onto Mt Vincent Road is already very problematic. The additional residents and their vehicles will only add to this.</i></p>	<p>This information was reviewed and supported by Council's Senior Subdivision and Development Engineer, subject to recommended conditions of consent.</p>
<p><i>Road design and widths should be based on expected and reasonable traffic distribution. Staged development will increase traffic flow affecting safety and amenity.</i></p>	
<p><i>Lengthy delays turning right and left from Wilton Drive into Brunswick Street - Impact on existing roads.</i></p>	
<p><i>Verification of arrangements made with Transport NSW and local bus companies of public transport routes existing and planned</i></p>	<p>The proposal provides pedestrian connections to ensure the development can utilise existing stops. No bus stop is proposed under this application.</p>
<p><i>What assessment has been undertaken on the intersection of Road 6 and Wilton Drive. The location sits between an existing stormwater drain and a power pole. Can it be realigned opposite the existing Woodrow Way Intersection?</i></p>	<p>These submission comments are focused on the section of proposed road 6 and the eastern intersection with Wilton Drive, and the relationship between the proposed road with the topography, natural drainage flows in this area, and existing overhead powerlines to be retained.</p>
<p><i>Road 2 required to be somewhat elevated to accommodate an appropriately sized culvert.</i></p>	<p>The Traffic Impact Assessment prepared in support of the application has considered the proposed intersection with regard to its suitability, as addressed elsewhere in this report.</p>
<p><i>Waterflow perspective as the road will run across this area.</i></p>	
<p><i>Power lines run through this location.</i></p>	
<p><i>Additional noise resulting from road due to natural topography of the gully.</i></p>	<p>Conditions of consent will be imposed which will require the detailed design of the road at SWC stage. A condition will also be imposed requiring verification prior to SWC that clearance distances can be achieved in accordance with Ausgrid Clearance Requirements.</p>
	<p>No significant additional acoustic impacts are anticipated to result from the proposed road network.</p>
<p><i>No areas for extra cars, trailers or caravans. New residents will park extra vehicles on Wilton Drive as there is no allowance or space to have these contained within this new subdivision. I have seen in other council areas, a dedicated space to address this issue within the new subdivision area.</i></p>	<p>This is not a requirement under MOES for a separate parking area to be provided for trailers or caravans.</p> <p>This application will result in a limited number of lots (3 lots) with a frontage to Wilton Drive. Any future development proposed on these lots will need to provide adequate car parking in accordance with the car parking requirements under MDCP – as such, no significant impact on on-street parking within Wilton Drive is anticipated to result from the proposal.</p>
	<p>The development will incorporate portions of the road that are subject to a 'no parking' restriction; this will be limited to the southern side of the perimeter road. It is highlighted that there are no residential lots proposed that will directly</p>

	adjoin the frontage of the parking restriction, and hence this is not considered to have a significant impact.
Stormwater	
<i>Concerns about the proposed basin location and size incorporating the natural surface slope runoff from these lots.</i>	The application involves the construction of a bioretention basin to support the proposal. The basin has been positioned in accordance with the Infrastructure Map.
<i>Drainage from proposed lots should be consistent with the pre-development stormwater patterns.</i>	Existing residential lots with frontages to Wilton Drive are both benefited and burdened by an existing easement to drain water 2.5m wide that runs along the rear of these properties. This easement to drain water is intended to collect discharge along the rear of these lots prior to discharging to the subject site via a number of easements to drain water 3.5m wide which connect from Wilton Drive to the site.
<i>The upper blocks of Wilton Drive are not connected to Stormwater. We personally have contacted both Council and Hunter Water regarding our stormwater issue and have been recommended to call the other party on every occasion. How is this going to be rectified?</i>	The proposal will pick up the discharge at these 3.5m wide easements and divert water through the proposed stormwater network to the detention basin, prior to discharge to the watercourse present on the site, which is the legal point of discharge.
	This proposed stormwater outcome has been considered in detail by Council's Senior Subdivision and Development Engineer and is supported subject to conditions.
Flooding	
<i>Amendment of Lot 206 and revision of the proposed basin due to significant flood risk Lot 206 appears to be flood prone.</i>	A portion of the site is flood prone land; however the majority of proposed works are located outside of the flood prone land. Works within the flood prone portion of the site include construction of the detention basin, earthworks and vegetation planting. All residential lots are outside of the flood extent.
<i>The paddock floods up to and behind properties in Wilton Drive with every significant event.</i>	The application has been supported by a <i>Flood Impact Assessment Statement</i> prepared by Fisher Consulting Engineers dated 16 December 2025 Reference 23017 which considers the quantity of proposed cut/fill volumes within the flood affected area to determine the impact of the proposed works (basin, open space area and batters) on the available flood storage area under the 100 year flood level.
<i>I am deeply concerned that Council are not aware of flooding issues that take place in the area of the development. The height of the water levels in this area should make any potential new resident in the proposed area and the council very nervous as to how high the levels may rise to and what potential damage this may cause to property in the future.</i>	This assessment has been considered by Council's Flood and Drainage Engineer and is supported. On the basis the proposal will not result in a loss of flood storage, the proposal is not considered to have any significant impact on flood regime within the catchment and is compatible with the flood function and behaviour of the land. The development is not anticipated to adversely affect flood behaviour in a manner which will have a detrimental increase on potential flood affectation of other development properties (inclusive of impacts of climate change). Given all resulting residential lots will be
<i>We are concerned that the proposed basin outlined in the development plans may be insufficient to mitigate flooding behind Wilton Drive. In the past, water levels have risen alarmingly close to our fence line, and further development is likely to exacerbate this risk. What additional measures are being taken to ensure adequate flood protection?</i>	

	positioned above the FPL, the proposal is considered suitable regarding managing risk to life. The proposal is not identified as resulting in any adverse environmental outcomes.
Mine Subsidence	
<i>The supplied report and previously sighted mine subsidence investigations fail to understand the full extent of mine workings in the area. Mine workings are indicated to the East and Southeast of existing known boreholes that have not been investigated or thoroughly measured.</i>	<p>The application was supported by a <i>Mine Subsidence Report</i> prepared by Mine Subsidence and Mining Engineering Pty Ltd.</p> <p>The application was also referred to Subsidence Advisory NSW who assessed the application and issued General Terms of Approval.</p>
<i>There is no Mine Subsidence Investigation Report.</i>	<p>As part of the Subsidence Advisory Approval, conditions will be imposed which require a report prepared by a suitably Qualified Geotechnical Engineer to be submitted to and approved by Subsidence Advisory NSW to eliminate the risk of subsidence via the emplacement of grout in mine voids in accordance with Subsidence Advisory requirements, and verification of such works.</p> <p>Subject to compliance with Subsidence Advisory NSW Conditions, the development is considered acceptable in terms of Subsidence.</p>
Aboriginal Heritage	
<i>The significance of the gully on the site do not appear to have been thoroughly addressed from a waterflow or aboriginal heritage point of view. Has a heritage assessment been undertaken?</i>	<p>In terms of drainage and waterflow, comments under stormwater are addressed satisfactorily above.</p> <p>In terms of Aboriginal Heritage, the application has been supported by an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by McCardle Heritage dated 29 May 2025 Reference J202487 ACHA. The report identifies that an AHIMS search identified 57 Aboriginal sites within a 2km radius of the project area and includes 38 artefact sites, 7 Potential Archaeological Deposits (PAD), 5 artefacts with PAD's, 2 scar trees, 1 Aboriginal resource gathering, 1 burial, 1 fish trap, 1 grinding groove site and 1 waterhole.</p> <p>The ACHAR acknowledges that a previous study of the project area (Insite 2012b) identified a sensitive landform adjacent the wetland as having a high potential for containing subsurface Indigenous archaeological deposits, however when a second study (MCH 2019) was undertaken which included test excavations, the results identified a highly disturbed and distributed artefact scatter. The site consisted of 6 artefacts manufactured predominately from mudstone and two silcrete. Artefact types included three broken flakes, one microlith and two bladettes.</p> <p>The report identifies that AHIMS Site 38-4-1969 will be impacted by the development, and a AHIP will be required</p>

	<p>prior to commencement of any works. A condition to this effect will be imposed on the notice of determination.</p> <p>The proposal is considered capable of proceeding with caution, with appropriate conditions imposed to require a AHIP to be obtained prior to commencement of any works and management of unexpected finds during works</p>
Biodiversity	
<i>Retention of existing large trees.</i>	<p>A Biodiversity Development Assessment Report (BDAR) was prepared by Wildthing Environmental Consultants (Updated October 2025).</p> <p>The proposal will result in direct impacts to approximately 3.55 ha of native vegetation across three (3) Plant Community Types. The study area has been subject to disturbances from past vegetation clearance, ongoing cattle grazing, historical coal mining activities and weed incursion. Native vegetation in the form of open forest/woodland covers the majority of the higher ground in the eastern portion of the study area. The lower western portion of the subject land has undergone a higher level of disturbance and is largely composed of native derived grassland and introduced pasture with a small number of remnant native trees.</p>
<i>There appears to be no mention of the 50+ strong kangaroo mob that lay claim to the area, or the impact of development in this area on their numbers.</i>	<p>Two (2) Endangered Ecological Communities listed under the BC Act will be impacted and include the following:</p> <ul style="list-style-type: none"> • Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions listed as endangered under the BC Act (2.94 ha) • Hunter Lowlands Redgum Forest in the Sydney Basin and NSW North Coast Bioregions listed as endangered under the BC Act (0.44 ha).
<i>We are deeply concerned about the environmental impact of the proposed development, particularly the downsizing of natural habitat for local wildlife. The area currently supports a range of native species, and further disruption may lead to displacement or loss of biodiversity. What plans are in place to preserve or rehabilitate wildlife corridors and ensure environmental sustainability throughout the development process?</i>	<p>While a strict avoidance strategy of existing vegetation within the R1 portion of the land has not been adopted, mitigation measures for remaining vegetation has been proposed. The vegetation within the C3 land is identified as being of higher biodiversity value than the vegetation within the R1 zoned land. This is seen to be a positive outcome, particularly noting that a VMP will be imposed to improve and replant vegetation within this portion of the site.</p> <p>A five-year Vegetation Management Plan is proposed to revegetate approximately 1.68 hectares of native vegetation within the vegetation corridor identified in Figure 102 of Maitland LEP 2011 – Part F (Urban Release Areas). This revegetation further minimises indirect impacts of the development on biodiversity values off site and increases local connectivity.</p>
<i>Several large, old gum trees will have to be removed: located approximately on proposed lots 106, 104 and 202. There may be others that were not apparent on my off-site observations. Some of these trees have nesting hollows that are currently occupied.</i>	
<i>There is a group of established trees parallel to Wilton Drive on Lots 105 and 101 and Road 1</i>	
<i>I am concerned about the necessity and location of a secondary road which is proposed to access Wilton Drive east of the two houses on Wilton Drive and the transmission lines. This road is not indicated on the subdivision plan that was sent to be by Council's Planning Environment and Lifestyle Support Officer.</i>	
<i>I understand that this road is to provide security in case of a bushfire. However, this proposed access road slices into the Lower Hunter Spotted Gum and Ironbark Forest. Large areas of this endangered forest have been destroyed since European Settlement. There is now</i>	

<p><i>less than 10% remaining, often in isolated pockets. It is officially classified as an Endangered Ecological Community. The remnants are not just the trees, but the whole eco-system, which provides habitat and support for a variety of flora and fauna, including people. These corridors provide important ecological benefits to the area that support natural processes within a healthy environment, they allow for species to move through the landscape to find resources such as food, water and nesting habitat. On-going fragmentation of important habitat corridors can negatively impact on local biodiversity by reducing food and nesting availability, gene flow and increase edge effects. To position an access road through the bush could be dangerous in a fire event. Additionally, the NSW Rural Fire Service has its base about 200m along the Mt Vincent Road and adjoins the developer's property, so the fire danger is greatly reduced.</i></p> <p><i>There are numerous subdivisions in Maitland that don't have a fire access road. Where I live there is no through road. There is also a new subdivision located on Boomi Cct off Wallis Street in East Maitland that has no Through Road signs. Again no fire access road. Also there are any number of over 55's housing estates in the area that do not have an additional access road.</i></p>	<p>A number of additional mitigation measures have been given for the construction and operational phase including:</p> <ul style="list-style-type: none"> • Clearing limits will be clearly marked to prevent unnecessary clearing beyond the extent of the development footprint. Tree clearing and disturbance will be limited to the development site • A suitably qualified and experienced ecologist should be engaged to supervise removal of all significant habitat features (habitat trees, dams, ground habitat) • Habitat salvage within the development footprint should be undertaken prior to and during clearance activities • As mentioned, a Vegetation Management Plan (VMP) is required for the retained vegetation. <p>It is also noted that the alignment of the subdivision has considered the location of APZ's and attempted to ensure minimal impact to retained vegetation. The majority of APZ will be positioned over grassland, including parts of the existing maintained electrical easement. This has minimised the impact on native vegetation, particularly trees requiring removal for the Bushfire APZ.</p> <p>It is further noted that kangaroos and other wildlife will continue to exist on residue portions of the site including the zoned C3 and RU2 sections of the land.</p>
<p><i>Biodiversity. Objective 6 of the Hunter Regional Plan 2041 focuses on the conservation of environmentally sensitive areas. The EEC certainly falls into this category and requires that development maintains or enhances the environmental value and ecological viability of the regional biodiversity network. The development application involves clearing of some of this precious, remnant EEC and is likely to result in additional indirect impacts on the adjacent bush. Consequently, the proposal is inconsistent with the intent and objectives of the plan. The development is likely to result in additional indirect impacts on adjacent</i></p>	

<p>land. The proposal has not demonstrated how impacts have been avoided and minimised. The indirect impacts would mean a loss of habitat viability in the surrounding landscape due to edge effects.</p>	
<p>The proposal does not adequately demonstrate how impacts on biodiversity values have been avoided and minimised. There should be an evaluation of feasible alternatives. This deficiency is of particular concern given the extent of impacts on native vegetation and threatened species habitat.</p>	
<p>The Draft Development Control Plan for Mt Vincent URA (meeting date 18 March 2025) notes:</p> <ul style="list-style-type: none"> - 1.6.7 Bushfire: "Development on bushfire prone land shall be assessed and designed in accordance with the NSW RFS Planning for Bushfire Protection 2019 Guidelines". I know that when we built our house, if the neighbouring trees presented a dire danger, then we had to modify our house design to be fire safety, not remove those trees (especially if they belonged to the neighbour). A development which would require an access road should be designed to be safe, leaving the native vegetation intact. - 1.8: "A perimeter road) with development on the internal side only) is to be provided within the R1 General Residential Zoned land abutting the C3 Environmental Management Zoned Land". It should be noted that a number of lots are not on the internal side (lots 218, 518, 519, 520, 521, 523). It is ominous portent that Road 6 does not have a cul-de-sac, and instead stops abruptly at the transmissions lines with the implication that at a later date it may continue eastward parallel to Wilton Drive. 	<p>Please refer to detailed comments above in relation to why the secondary access road is required for this development in order to satisfy the requirements of Planning for Bushfire Protection 2019 and NSW RFS General Terms of Approval.</p> <p>It is also unclear what version of the DCP/DA plans have been reviewed, as the road layout represented in plans recommended for approval are consistent with the road hierarchy adopted within the site specific DCP.</p>

Fencing	
<i>Concerns around fencing – distribution of future costs concerns for construction, replacement, repairing or maintaining fencing due to unaligned boundaries.</i>	A condition will be imposed on this determination outlining that the modification to existing fencing at the boundary of all residential lots which directly adjoining proposed residential lots, will be at the cost of the developer.
<i>Fencing is noted on the title deed to be rural style fencing. How is this going to be rectified once the development takes place?</i>	The developer-imposed restriction on DP 855275 is noted. This restriction prohibits the use of hardyplank, metal sheeting or cladding fencing. The restriction identifies that paling fencing may be erected where it is lapped and capped and has a maximum height of 1.8m. A condition will be imposed requiring a 1.8 lapped and capped fence to be installed at the boundary of lots which will share a rear boundary with the proposed residential lots.
<i>There is no information supplied on the impact to the covenants of the existing immediately adjacent landowners.</i>	As mentioned above, these matters will be addressed and rectified through conditions of consent.
Services and Infrastructure	
<i>There is no information provided on the impact to existing services that were not designed to include an additional development of this scale. What will be the impact on existing residents to update this infrastructure?</i>	<p>This application has been supported by a Servicing Strategy for Sewer, Water and Electricity prepared by Simon Thompson with Hunter Water Corporation (HWC) advising connection is available to the site via connection and upgrades to existing Water Mains and Sewer Mains within Wilton Drive, ensuring all residential lots can be serviced by reticulated systems. Prior to the release of any SC, a Section 50 will be required to be issued by HWC confirming all lots are connected to reticulated systems.</p> <p>Other public infrastructure (electricity, telecommunications) will be extended to the subdivision and confirmation that all services are available to individual lots is also required prior to the release of a Subdivision Certificate. It is understood that these services will be provided underground within the road reserve.</p> <p>The application itself has accommodated for adequate vehicle access and stormwater management to service the development</p>
Landscaping	
<i>There are no details on the proposed landscaping plan for the area.</i>	This submission was received during the initial exhibition period, at which time a landscape plan had not been provided to support the application. The proposal was modified throughout the assessment, and a landscape plan supplied in support of the application – this landscape plan has been considered and is satisfactory for the purposes of DA consideration, subject to conditions.
Other	
<i>Site Preparation Phase Specific, meaning, method and preparation including controls in place?</i>	The exact nature of these submissions is unclear.
<i>Construction Compliance Phase Specific Monitoring Controls?</i>	A construction site management plan will be required via conditions imposed on the notice of determination.

<p><i>Plans within the reports state that the future stage 4 is subject to further investigation. The further investigation should be included in the one proposal to understand the full impact of the proposal as it indicates the fire trail will be widened and converted to an access road.</i></p>	<p>This submission was received during the initial exhibition period. The application has been modified throughout the assessment period and the initial 'fire trail' is now reflected as a road. Further, references to 'stage 4' have been removed.</p>
<p><i>There is not detail on Lot 601.</i></p>	<p>Lot '601' representing the residue C3 land was required to be consolidated with one of the residential allotments to satisfy the requirements 4.2C. This has been updated in amended plans throughout the assessment process.</p>
<p><i>The lots will be subject to noise of helicopters as a result of proximity to NSW RFS Service on Mt Vincent Road.</i></p>	<p>This application is for subdivision only. Further, the closest residential allotments are in the order of 350m from the Emergency Service Organisation (RFS). The intermittent operation of emergency service helicopters is not considered to result in adverse acoustic impacts.</p> <p>Future applications for residential development may consider suitability of individual proposals regarding acoustic considerations, where warranted, on merit.</p>
<p><i>The proposal will totally alter the ambience of the area, and the valuation of current properties will be affected.</i></p>	<p>This is not a matter for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979.</p>
<p><i>The proposal will affect land values of adjacent properties.</i></p>	
<p><i>The proposal will alter the character of the estate significantly, increase traffic volume, increase noise levels, increase population, alter infrastructure and affect quality of life of current residents.</i></p>	<p>Refer to individual comments above relating to each of these matters.</p>
<p><i>The Council and the applicant, jointly and severally, have not provided argument or evidence in support of the DA/2024/731 influence of these significant matters. The primary objection is that DA/2024/731 does not attend to the requirements for the development to be compatible with the surrounding environment and surrounding land use.</i></p>	<p>A detailed assessment of the proposal has been undertaken in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.</p>
<p><i>DPE1 Report Comments relating to Seniors Housing Development previously approved on site.</i></p>	<p>These comments refer to a previously considered and determined development over the site, which has since lapsed.</p> <p>These comments are not relevant to this assessment, as each application and proposal is considered on merit under the provisions of Clause 4.15 of the Environmental Planning and Assessment Act 1979.</p> <p>Mine subsidence, Traffic, Flooding, Biodiversity, Land Use Conflict have been considered and addressed as detailed elsewhere in this report.</p>

<p><i>DPE2 Report Comments relating to gateway determination for rezoning, rezoning and lot size comments</i></p>	<p>There are several comments in the submissions which refer to advice issued by the Department as part of the rezoning process (RZ15001). The rezoning was ultimately considered and gateway determination issued. As such, the matters raised in the DPE Report are considered to have been suitably resolved.</p> <p>The land has been rezoned to R1 General Residential and comprises a minimum lot size of 450sqm pursuant to MLEP.</p> <p>The proposal is consistent with both the applicable zone objectives and minimum lot size over the land.</p>
<p><i>Perceived conflict of interest between the applicant and Council</i></p>	<p>Council has policy in place for the handling of matters where a conflict of interest has been identified. In this case, the assessing officer, and associated Council staff have not been identified to have a conflict of interest in relation to the assessment of this proposal, or interactions with the applicant.</p>

Government Agency Submissions

General terms of approval (GTA's) have been provided by the following government agencies on the basis that the development is classified as integrated development under Section 4.46 of the *Environmental Planning and Assessment Act 1979*. A summary of the requirements of each government agency is provided in the following table:

Government Agency Submissions (GTA's)		
Responding Agency	Section/Act under which GTA's are provided	Summary of requirements
NSW Rural Fire Service (RFS)	100B Rural Fires Act 1997	<p>The application was referred to NSW RFS several times throughout the assessment process.</p> <p>Correspondence received from NSW RFS is summarised below:</p> <ul style="list-style-type: none"> • GTA's dated 28 October 2024 Reference (DA20240906003672-Original-1) • Request for Additional Information dated 29 May 2025 Reference (DA20240906003672-s38-1) • Request for Additional Information dated 20 October 2025 Reference (DA20240906003672-s38-2) • GTA's dated 10 November 2025 Reference (DA20240906003672-s38-3) <p>The GTAs dated 10 November 2025 will be imposed and attached to the determination.</p>
Department of Planning - Water	Water Management Act 2000	The application was referred to NSW Department of Planning and Environment (DPE) several times throughout the assessment process.

		<p>Correspondence received from NSW DPE is summarised below:</p> <ul style="list-style-type: none"> • GTA's dated 09 January 2025 reference (IDAS-2024-10645) • GTA's dated 14 July 2025 reference (IDAS-2025-10227) <p>The GTA's dated 14 July 2025 will be imposed on the determination. The GTA's issued do not constitute an approval under the Water Management Act 2000, and the consent holder must apply separately for a Controlled Activity Approval after the consent has been issued, and prior to commencement of any works – a condition to this effect will be imposed on the determination.</p>
Subsidence Advisory NSW	S22 Coal Mine Subsidence Compensation Act 2017	<p>The application was referred to Subsidence Advisory several times throughout the assessment process.</p> <p>Correspondence received from Subsidence Advisory is summarised below:</p> <ul style="list-style-type: none"> • GTA's dated 23 October 2024 reference (TSUB24-00269)

Comments with respect to the proposal have been provided by the following government agencies as summarised in the following table:

Government Agency Submissions (Comments)		
Responding Agency	Section/Act under which comments are required	Summary of Comments
Ausgrid	2.48 State Environmental Planning Policy (Transport and Infrastructure)	<p>Ausgrid provided comments in response to the application dated 23/09/24.</p> <p>Please note that this application was also re-referred to Ausgrid upon receipt of the revised proposal, however the same comments were uploaded in response on 14/10/25.</p> <p>Ausgrid did not object to the proposal and provided information and conditions for consideration. Importantly, the following is noted:</p> <p>Ausgrid will not accept leaving assets in situ over residential lots and has advised that the developer must arrange and fund removal or relocation into suitable locations such as future road reserve, to Ausgrid's Satisfaction.</p> <p>In this regard, it is noted that the proposal includes removal of the existing overhead powerlines atop proposed residential lots. A condition of consent will be imposed requiring removal and relocation to the satisfaction of Ausgrid, at the cost of the developer.</p>

	<p>The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 – 'Premise Connection Requirements'. Noted. This advice will be attached to the determination.</p> <p>It was recommended that the nominated electrical consultant/contractor provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the electricity network infrastructure.</p> <p>The developer will be required to consult with and obtain approval from Ausgrid post determination in relation to the installation of all electricity works.</p> <p>The need for additional electricity conduits in the footway adjacent the development will be assessed and documents in Ausgrid's Design Information, used to prepare the connection project design. This is noted.</p> <p>All proposed vegetation underneath overhead powerlines and above underground cables must comply with the requirements of ISSC 3 Guidelines for Managing Vegetation Near Powerlines.</p> <p>The submitted landscape plan which shows concept street tree planting shows a break in planting corresponding with the location of the overhead powerlines/easement location. A condition of consent will also be imposed that prior to issue of SWC verification from a suitably accredited person that the proposed landscape treatment complies with ISSC 3 Guidelines will be imposed.</p> <p>The developer must consider the impact that existing and future streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact on the development, the developer should either review the development design, particular the placement of windows or discuss with Ausgrid the options for relocating the streetlighting. The relocating of any streetlighting will generally be at the developers cost. In many cases it is not possible to relocate streetlighting due to its strategic positioning.</p> <p>This information is noted and will be attached to the determination.</p> <p>Advice in relation to minimum safety separation distances between these mains/poles to structures within the development throughout the construction process was provided due to the presence of overhead electricity network assets within the development lots.</p> <p>The developer was requested on several occasions to confirm that the extent of proposed works satisfied minimum clearance distances and refused to provide this clarification. As such, conditions will be imposed on the determination requiring that</p>
--	--

		<p>these clearance distances are maintained. Where this cannot be achieved, the applicant will need to modify the design via a s4.55 application or seek to suitably relocate the overhead powerlines.</p> <p>There are existing underground electricity network assets in the development lots along Wilton Drive. Special care should be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. It is recommended the developer locate and record the depth of all known underground services prior to any excavation works in the area.</p> <p>A condition will be imposed to the effect.</p> <p>There is an existing substation on land in 6 Wilton Drive that is subject to separation distances and construction requirements. A suitable Building envelope plan has been provided over proposed lot 106 which will contain the existing substation within its frontage – all restrictions will be required to be reflected on the title of this new allotment.</p> <p>Several conditions are recommended for activities within an electrical easement – all of these conditions will be imposed on the determination.</p>
--	--	--

Other Agency Submissions (Comments)

Summary of Comments	
Mindaribba Local Aboriginal Land Council	<p>The application as originally lodged was referred to Mindaribba Local Aboriginal Land Council on 11 September 2024 and a request for additional information to inform their consideration of the application was received.</p> <p>Upon receipt of an updated proposal, Mindaribba was referred the application again on 03 April 2025. No response to Council's referral was received.</p>

Section 4.15(1)(e) - The public interest

The proposed development is located within the Mt Vincent Road URA, a strategically planned growth area identified to accommodate future residential development. The proposal delivers key enabling infrastructure that benefits and support the proposed development.

The development integrates vegetation rehabilitation and long-term biodiversity management through the establishment of replanting area which will restore and enhance environmental values within the locality, to be managed under a VMP. The subdivision layout has been carefully planned to respond to site constraints, bushfire risk and interface sensitivities, while facilitating future development which aligns with the envisioned structure under the Mt Vincent Road DCP. The proposal aligns with Council's adopted planning framework and contributes to housing supply in a coordinated and infrastructure-supported manner.

The development also resolves competing interface issues relating to drainage, ecology and bushfire through an integrated design approach and collaborative refinement with Council and agencies. The

delivery of key infrastructure – such as road upgrades, drainage systems, and open space – also ensures the proposal aligns with the long-term public planning objectives for the URA.

Having regard to these outcomes, the development is considered to be in the public interest

REFERRALS

Subdivision Engineering

The application was referred to Council's Senior Development Engineer. Several revisions were requested by the Development Engineer, to ensure the development provided a satisfactory subdivision layout having regard to the road network, drainage systems and earthworks. The current version of the subdivision layout and supporting documentation was reviewed by the Senior Development Engineer who has advised they are satisfactory subject to draft conditions recommended.

Planning Comment: The recommendations are included in the draft conditions.

Biodiversity

The application was referred to Council's Biodiversity Officer, who confirmed that the BDAR is satisfactory. The replanting of the proposed replanting area (under a VMP) is supported. Conditions of consent have been recommended in relation to the requirements for a VMP over the replanting area, detention basin and open space.

Planning Comment: The recommendations are included in the draft conditions.

Strategic Planning

The application was referred to the strategy team on several occasions as a site specific DCP was not adopted over the site at the time of lodgement of the application. A site specific DCP was adopted over the site on 16 September 2025. As such, no ongoing strategic concerns are raised with the application.

Planning Comment: This assessment has considered and addressed all relevant controls under MLEP and MDCP.

Contamination

The application as originally lodged was referred to Council's Contamination Officer who supported the findings of the Contamination Report, agreeing the site can be made suitable for its intended use following appropriate remediation. Following revision to the development footprint, the application was referred to Council's Contamination Consultant, who considered the additional development footprint area. Recommended draft conditions were provided.

Planning Comment: The recommendations are included in the draft conditions.

Development Contributions

The proposal was referred to Council's Contributions Officer. The officer has provided a draft condition requiring in relation to the applicable contribution levy. It is noted that 75 residential allotments will be created under this proposal. As there is one existing residential allotment forming part of this proposal, one credit for contributions is applied. The contributions have therefore been levied against 74 new residential allotments.

Planning Comment: The recommendations are included in the draft conditions.

House Numbering

The proposal was referred to our Business Support team in relation to House Numbering, and a condition was imposed requiring a Street Numbering Application to be lodged within one week of the SWC application being lodged.

Planning Comment: This recommendation is included in draft conditions.

Flooding

The application was referred to Council's Flood and Drainage Engineer who considered the impact of the proposed works and considered the development to be satisfactory subject to recommended conditions.

Planning Comment: The recommendations are included in draft conditions.

Recreation and Community Planning

The proposal was referred to Council's Recreation & Community Planning team. A formal referral has not yet been completed; however verbal advice has indicated that no significant issue is raised with the location and design of the open space reserve.

Planning Comment: Conditions regarding future design of the open space will be included in draft conditions.

Development Compliance

The application was referred to Council's Compliance Team in relation to the apparent unauthorised enclosure of the Council Road Reserve between Lots 44 and 45 DP863423. The compliance team did not provide any comment at this stage and verbally advised this matter could be addressed suitably outside of the DA process.

Waste

The application was referred to Council's Waste Collection Team for review who raised no objection to the proposal subject to each staging incorporating temporary turning heads. The waste officer noted that if a large number of dual occupancy developments are delivered within the URA it will present servicing difficulties.

Planning Comment: Draft conditions are included which require suitable temporary turning heads to be provided at each stage. Concerns relating to the potential future prominence are noted; the land is zoned R1 General Residential and dual occupancy developments are permitted with consent within the zone. All proposed roads have been designed in accordance with the requirements of MOES and are considered satisfactory.

ASSESSMENT CONCLUSION

An assessment of the application has been undertaken against Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979 as amended*. The proposed development is considered acceptable in terms of the relevant matters for consideration under the Act and the development application is recommended for approval.

RECOMMENDATION AND DETERMINATION

Consent be granted subject to the conditions provided in the attached schedule

City Planning

**Development Application 2024/731 -
Proposed Four (4) Into Seventy Eight (78)
Lot Torrens Title Staged Residential
Subdivision Including Demolition,
Earthworks, Clearing and Infrastructure
Services at 6 Wilton Drive East Maitland
NSW 2323, 62 Mount Vincent Road East
Maitland NSW 2323**

**Conditions of Consent (Under Separate
Cover)**

Meeting Date: 27 January 2026

Attachment No: 4

Number of Pages: 39

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

General Conditions

Approved plans and supporting documentation				
Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
Approved Plans				
Plan Title	Sheet Number	Revision Number	Drawn by	Date of plan
Subdivision Plan	HD01	16 (Project No. HD374)	High Definition Design Pty Ltd	15.12.25
Overall Plan	HD02	16 (Project No. HD374)	High Definition Design Pty Ltd	15.12.25
General Arrangement Plan	C01	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Plan Sheet (1 of 3)	C02	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Plan Sheet (2 of 3)	C03	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Plan Sheet (3 of 3)	C04	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Road 1 Longitudinal Section	C05	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Road 1 Cross Sections	C06	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Road 6, 2 & 5 Longitudinal Section (1 of 3)	C07	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Longitudinal Section (2 of 3)	C08	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Longitudinal Section (3 of 3)	C09	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (1 of 9)	C10	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (2 of 9)	C11	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (3 of 9)	C12	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (4 of 9)	C13	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (5 of 9)	C14	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (6 of 9)	C15	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (7 of 9)	C16	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
	Road 6, 2 & 5 Cross Sections (8 of 9)	C17	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

Road 6, 2 & 5 Cross Sections (9 of 9)	C18	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Road 3 Longitudinal Section	C19	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Road 3 Cross Sections	C20	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Road 4 Longitudinal Sections	C21	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Road 4 Cross Sections	C22	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Typical Sections, Details and Notes (1 of 2)	C23	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Typical Sections, Details and Notes (2 of 2)	C24	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Earthworks Cut and Fill Plan	C25	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Erosion and Sedimentation Control Plan (1 of 3)	C26	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Erosion and Sedimentation Control Plan (2 of 3)	C27	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Erosion and Sedimentation Control Plan (3 of 3)	C28	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

Erosion and Sediment Control Details	C29	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Concept Drainage Line	C30	4 (Project No. 23017)	Fisher Consulting Engineers	15.12.25
Cover Page	L01 - 1 of 4	B (Job No. 250537 - CC)	Green Space Planning Co.	26.08.25
Street Tree Plan	L02 - 2 of 4	B (Job No. 250537 - CC)	Green Space Planning Co.	26.08.25
Street Tree Details	L03 - 3 of 4	B (Job No. 250537 - CC)	Green Space Planning Co.	26.08.25
Landscape Notes	L04 - 4 of 4	B (Job No. 250537 - CC)	Green Space Planning Co.	26.08.25

Approved documents

Document title	Version number	Prepared by	Date of document
Land Contamination Review	EP3723.001, V4	EP Risk	12 September 2025
Aboriginal Cultural Heritage Assessment (ACHA)	J202487	McCardle Cultural Heritage Pty Ltd	29 May 2025
Traffic Impact Assessment	19/141, Issue D	Intersect Traffic	19 July 2024

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Acid Sulfate Soils Management Plan	EP3799.001, V2	EP Risk	14 August 2024																
	Updated Biodiversity Development Assessment Report and Addendum	12503, V2 12503	Wildthing Environmental Consultants	20 October 2025 & 13 January 2026																
	Flood Impact Statement	23017	Fisher Consulting Engineers	16 December 2025																
	Bushfire Threat Assessment	Version 2	Firebird ecoSultants Pty Ltd	26 August 2025																
	In the event of any inconsistency between the approved plans and documents, the approved plans prevail.																			
In the event of any inconsistency with the approved plans a condition of this consent, the condition prevails.																				
Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.																				
2	<p>7.11 Contributions - City Wide</p> <p>Pursuant to Section 7.11 of the Environmental Planning and Assessment Act 1979 and the Maitland City Wide Development Contributions Plan 2016, a contribution of \$681,318 shall be paid to the Council.</p> <p>The contribution is calculated from Council's adopted Development Contributions Plan in the following manner:</p> <table border="1"> <thead> <tr> <th>Facility</th> <th>Per Lot</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>1</td> <td>74</td> </tr> <tr> <td>City Wide Aquatics Facilities</td> <td>\$1,237</td> <td>\$91,538</td> </tr> <tr> <td>Citywide Competition Netball Courts Maitland Park</td> <td>\$287</td> <td>\$21,238</td> </tr> <tr> <td>City Wide Recreation & Open Space Facilities</td> <td>\$1,034</td> <td>\$76,516</td> </tr> </tbody> </table>					Facility	Per Lot	Total		1	74	City Wide Aquatics Facilities	\$1,237	\$91,538	Citywide Competition Netball Courts Maitland Park	\$287	\$21,238	City Wide Recreation & Open Space Facilities	\$1,034	\$76,516
Facility	Per Lot	Total																		
	1	74																		
City Wide Aquatics Facilities	\$1,237	\$91,538																		
Citywide Competition Netball Courts Maitland Park	\$287	\$21,238																		
City Wide Recreation & Open Space Facilities	\$1,034	\$76,516																		

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	City wide Multipurpose Centre Floor Space	\$811	\$60,014
	City Wide Library Floor Space	\$784	\$58,016
	City Wide Road & Traffic Facilities	\$4,099	\$303,326
	City Wide Cycleways/Shared Paths	\$731	\$54,094
	City Wide Plan Management/Administration	\$224	\$16,576
	Total	\$9,207	\$681,318

Any outstanding component of the contribution will be indexed quarterly in accordance with the provisions of the abovementioned Development Contributions Plan. Reviewed rates will apply following release of CPI indices by the Australian Bureau of Statistics for each quarter. Please refer to Council's web page for the current rates applicable.

Payment of the above amount is required prior to issue of the Subdivision Certificate for the development.

The above condition has been applied to ensure that:

- Where the proposed development results in an increased demand for public amenities and services, payment towards the cost of providing these facilities/services is made in accordance with Council's adopted contributions plan prepared in accordance with the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979.
- Council's administration expenses are met with respect to the processing of the application.

Condition Reason: To outline contributions payable to Council Clause 4.17 of the Environmental Planning and Assessment Act 1979.

3	HPC - Housing and Productivity Contribution				
Prior to the issue of a Subdivision Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.					
	<table border="1"> <thead> <tr> <th>Housing and productivity contribution</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Total housing and productivity contribution</td><td>\$640,080.85</td></tr> </tbody> </table>	Housing and productivity contribution	Amount	Total housing and productivity contribution	\$640,080.85
Housing and productivity contribution	Amount				
Total housing and productivity contribution	\$640,080.85				
The HPC must be paid using the NSW planning portal.					

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).</p> <p>The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.</p> <p>The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.</p> <p>The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.</p> <p>Condition reason: To require contributions towards the provision of regional infrastructure.</p>																											
4	<p>Staging of Development</p> <p>The development is to be completed in numerical stages in accordance with the following table:</p> <table border="1"> <thead> <tr> <th>Stage</th><th>Lot Numbers</th><th>Total No. of Lots</th><th>Additional Works</th></tr> </thead> <tbody> <tr> <td>1</td><td>101 - 108</td><td>8</td><td>Contamination Remediation Works, Road 1 and Road 6 (Second Access Road to Wilton Drive).</td></tr> <tr> <td>2</td><td>201 - 219</td><td>19</td><td>Road 2, Detention Basin, Park and VMP Planting Area.</td></tr> <tr> <td>3</td><td>301 - 307</td><td>7</td><td></td></tr> <tr> <td>4</td><td>401 - 419</td><td>19</td><td>Road 4, Road 5</td></tr> <tr> <td>5</td><td>501 - 523 & 601</td><td>23</td><td>Road 3, Road 5, Shared Pedestrian/Cycle Path along the full frontage of the site connecting to the existing 2.5m footpath on the eastern side of Mount Vincent Road</td></tr> </tbody> </table> <p>Note: Temporary Turning Heads, and Temporary APZ's are to be delivered at each stage, as relevant.</p> <p>Condition Reason: To ensure the development is carried out in accordance with the approved staging.</p>				Stage	Lot Numbers	Total No. of Lots	Additional Works	1	101 - 108	8	Contamination Remediation Works, Road 1 and Road 6 (Second Access Road to Wilton Drive).	2	201 - 219	19	Road 2, Detention Basin, Park and VMP Planting Area.	3	301 - 307	7		4	401 - 419	19	Road 4, Road 5	5	501 - 523 & 601	23	Road 3, Road 5, Shared Pedestrian/Cycle Path along the full frontage of the site connecting to the existing 2.5m footpath on the eastern side of Mount Vincent Road
Stage	Lot Numbers	Total No. of Lots	Additional Works																									
1	101 - 108	8	Contamination Remediation Works, Road 1 and Road 6 (Second Access Road to Wilton Drive).																									
2	201 - 219	19	Road 2, Detention Basin, Park and VMP Planting Area.																									
3	301 - 307	7																										
4	401 - 419	19	Road 4, Road 5																									
5	501 - 523 & 601	23	Road 3, Road 5, Shared Pedestrian/Cycle Path along the full frontage of the site connecting to the existing 2.5m footpath on the eastern side of Mount Vincent Road																									
5	<p>External Agency Approval</p>																											

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>The requirements from the following agencies must be complied with prior to, during, and at the completion of the development.</p> <p>The Requirements are:</p> <ol style="list-style-type: none"> 1. NSW Rural Fire Service General Terms of Approval dated 10/11/25 Reference DA20240906003672-s38-3 (CNR-73054) DA/2024/731 2. Subsidence Advisory General Terms of Approval dated 23/10/24 Reference TSUB24-00269 and letter dated 19/12/25 3. Department of Planning and Environment (Water) General Terms of Approval dated 14/07/25 Reference IDAS-2025-10227 4. Ausgrid Letter dated 23/09/24 reference TRIM2017/26/446 <p>A copy of the Requirements is attached to this determination notice.</p> <p>Condition Reason: To ensure the development complies with conditions required by other external agencies.</p>									
6	<p>External Agency Approval</p> <p>Prior to the commencement of any works or issue of a Subdivision Works Certificate, separate consent shall be obtained for an Aboriginal Heritage Impact Permit under the National Parks and Wildlife Act 1974. No works (including tree removal) shall commence without obtaining an Aboriginal Heritage Impact Permit.</p> <p>Condition Reason: To ensure the development complies with conditions required by other external agencies.</p>									
7	<p>Artificial Hollow Installation</p> <p>Prior to commencement of clearing works, any hollows to be removed shall be offset in accordance with the Artificial Hollow Plan (as outlined in the Biodiversity Management Plan). The type and ratio of removed hollows are to be offset in accordance with the below table:</p> <table border="1"> <thead> <tr> <th>Preference in Use</th> <th>Compensatory Hollow Type</th> <th>Replacement Ratio (Gain: Loss)</th> </tr> </thead> <tbody> <tr> <td>1st</td> <td>Natural salvaged hollow from felled hollow-bearing tree OR augmented hollow created with hollow hog device or similar</td> <td>1:1</td> </tr> <tr> <td>2nd</td> <td>Artificial Nest Boxes</td> <td>2:1</td> </tr> </tbody> </table> <p>All replacement hollows shall be installed at least two weeks prior to clearing (except where salvaged hollows from the site are being used) and shall be maintained or replaced as needed for five years.</p> <p>Artificial hollows should be installed:</p> <ul style="list-style-type: none"> • As close as possible to the location of the removed hollow-bearing tree. 	Preference in Use	Compensatory Hollow Type	Replacement Ratio (Gain: Loss)	1st	Natural salvaged hollow from felled hollow-bearing tree OR augmented hollow created with hollow hog device or similar	1:1	2nd	Artificial Nest Boxes	2:1
Preference in Use	Compensatory Hollow Type	Replacement Ratio (Gain: Loss)								
1st	Natural salvaged hollow from felled hollow-bearing tree OR augmented hollow created with hollow hog device or similar	1:1								
2nd	Artificial Nest Boxes	2:1								

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> With an orientation that considers the target species' needs. To avoid trees with existing hollows as the presence of other hollow-dependent fauna may act as a deterrent or may compete for the nest boxes. With an attachment method which is appropriate for each artificial hollow type and allows for tree growth. Of a type and design to suit the target species in accordance with the Artificial Hollow Plan. If nest boxes are to be used, they should be constructed of a durable material (i.e., marine ply or equivalent), minimum thickness of 19mm. Salvaged hollows are to be capped on either end with an entrance hole created if required. <p>Artificial hollow location and evidence of installation shall be provided to the Council Manager Environment and Sustainability prior to commencement of clearing works. Where salvaged hollows are to be installed, evidence of installation and location may be provided to the Council Manager Environment and Sustainability within two weeks after clearing works, unless otherwise agreed by Council Manager Environment and Sustainability.</p> <p>Artificial hollow location and evidence of installation must be provided to, and approved by, Council Manager Environment and Sustainability prior to commencement of clearing works.</p> <p>Condition Reason: Development Control Plan – where artificial hollows are required to offset hollow-bearing tree removal.</p>
8	<p>Artificial Hollow Monitoring</p> <p>Artificial hollows must be monitored by a suitably qualified ecologist to determine their usage and repairs or replacement (as required). Monitoring must be carried out on an annual basis for a minimum period of five years following installation and/or as otherwise agreed with Maitland City Council Manager Environment and Sustainability. Annual monitoring statements are to be provided to, and approved, by Council Manager Environment and Sustainability.</p> <p>Condition Reason: Development Control Plan - where artificial hollows are required to offset hollow-bearing tree removal.</p>
9	<p>Vegetation Management Plan Development</p> <p>A 5-year Vegetation Management Plan (VMP) must be developed for the following locations:</p> <p>a) The area identified for rehabilitation as per the vegetation corridor marked on Figure 102 of Maitland Development Control Plan 2011 - Part F (Urban Release Areas). The revegetation area shown of the approved plan titled 'Subdivision Plan' prepared by High Definition Design Pty Ltd dated 15.12.25 Revision 16 must be extended onto Lot 142 DP 1225076 in accordance with Figure 102.</p> <p>b) All C3 zoned land within Lot 601 as shown on the approved plan titled 'Overall Plan' and 'Subdivision Plan' prepared by High Definition Design Pty Ltd dated 15.12.25 Revision 16, excluding the existing easement for electricity, 'Park', APZ area, perimeter road and any approved building envelope.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>The total VMP area must be no less than 13.78ha. Active restoration is only required in VMP area (a) and must include a minimum of 1.68ha. Activities in VMP area (b) should be focused on passive restoration to ensure long-term protection of avoided biodiversity values from degradation. Passive restoration works shall include the management of weeds, pest animals and illegal dumping.</p> <p>The VMP must be prepared by a suitably qualified restoration ecologist or bush regenerator in consultation with Council's Manager Environment and Sustainability. The VMP is to include (but not be limited to) the following minimum detail:</p> <ul style="list-style-type: none"> • Goals, objectives, and completion criteria • Identification of management zones in text and on a site plan, including: <ul style="list-style-type: none"> ◦ identification of management actions and outcomes for each management zone ◦ existing vegetation condition including existing weed density • Detailed works schedule for a minimum of five (5) years including species list, planting density, timing • Proposed weed management strategies • Monitoring and reporting requirements for a period of five years • Adaptive management actions to be employed if completion criteria are not met within five years. This shall include continuation of VMP management until actions and outcomes are achieved (or a suitable alternative is approved by Council's Manager Environment and Sustainability). <p>The VMP must be submitted to and approved by Council's Manager Environment and Sustainability prior to issue of any Subdivision Works Certificate.</p> <p>Annual monitoring reports are to be provided to, and approved by, Council's Manager Environment and Sustainability for a minimum period of five (5) years.</p> <p>The vegetation management plan shall be supported by written verification from a suitably qualified BPAD Bushfire Consultant confirming that the proposed revegetation under the VMP, at maturity, will comply with the fuel load requirements NSW General Terms of Approval (as referenced in this consent), and the associated Bushfire Assessment Report.</p> <p>Condition Reason: Development Control Plan/NRAR Guidelines – where a VMP is required to rehabilitate sensitive land.</p>
10	<p>Vegetation Management Plan Monitoring</p> <p>Annual monitoring statements must be provided to Council's Manager Environment and Sustainability for a minimum period of five (5) years verifying compliance with the VMP.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Condition Reason: Development Control Plan/NRAR Guidelines – where a VMP is required to rehabilitate sensitive land.
11	<p>Aboriginal Heritage Assessment Requirements</p> <p>The development is to be undertaken in accordance with the recommendations contained in the Aboriginal Cultural Heritage Assessment Report, prepared by McCardle Cultural Heritage Pty Ltd, dated 29 May 2025 as follows:</p> <ol style="list-style-type: none"> 1) The persons responsible for the management of onsite works will ensure that all staff, contractors and others involved in construction and maintenance related activities are made aware of the statutory legislation protecting sites and places of significance. Of particular importance is the National Parks and Wildlife Regulation 2019, under the National Parks and Wildlife Act 1974; 2) A cultural awareness program should be included as part of the site induction program and developed with the RAPs and form part of the Environmental Management Plan; 3) As AHIMS 38-4-1969 will be impacted on by the development, a project based AHIP will be required prior to works commencing; and 4) An Aboriginal Site Impact Recording Form (ASIRF) will be completed following works. <p>Condition Reason: To ensure compliance with the recommendations of the ACHAR.</p>
12	<p>Aboriginal heritage</p> <p>Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977. Additional assessment and approval may be required prior to works continuing in the affected area(s) depending on the nature and extent on the nature of the discovery.</p> <p>Condition Reason: To ensure compliance with the Heritage Act 1977.</p>
13	<p>Contamination Recommendations:</p> <p>The development is to be undertaken in accordance with the recommendations contained in the Contamination Assessment, prepared by EP Risk dated 12 September 2025. The identified soil contamination in this assessment will require remediation and/or management as part of the proposed development. The following soil contamination will require remediation and/or management:</p> <ul style="list-style-type: none"> • Review of Subsidence Advisory NSW records to review potential for historical mine workings at the Proposed Development. • Removal of ACM fragments identified on the stockpile and informal access road in the southern area of Lot 141 in accordance with the Code of Practice How to safely remove asbestos December 2022 (SafeWork NSW 2022). The removal and clearance works would be subject to further delineation, assessment and clearance during the removal works, and could include either: <ul style="list-style-type: none"> ○ Excavation and off-site disposal, with any segregated soils from the stockpile and informal access road in the southern area of Lot 141 classified in accordance with the Waste Classification Guidelines (NSW EPA 2014) and disposed at a licenced facility authorised to accept the materials; or

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> ○ Raking, tilling and emu picking and validation and clearance for reuse on-site. Materials validated as meeting the health screening levels (HSLs) may be suitable for reuse under the proposed internal roads. Any segregated ACM fragment or soils exceeding the HSLs must be classified (NSW EPA 2014) and disposed at a licenced facility authorised to accept the materials. ● Removal of anthropogenic materials (shed and scattered stockpiled building materials in Lot 141). ● Inspections and targeted surface sampling under the shed and disused drums in eastern areas of Lot 141 (if required) following removal. ● Preparation and implementation of an unexpected finds protocol (UFP) during redevelopment to address any further ACM finds and or unexpected contamination finds. ● Implementation of the ASSMP (EP Risk 2024) during basin bulk earthworks. ● Review and manage topsoil materials during stormwater basin bulk earthworks (on part of Lot 142 and Lot 143 DP1225076) in accordance with the preliminary PFAS assessment (EP Risk 2024a) for the area at the southern margin of the Site where trace levels of PFAS were detected at levels below the Site criteria. <p>Condition Reason: To ensure the works are undertaken in accordance with the recommendations of the approved contamination assessment.</p>
14	<p>Remediation in accordance with Remedial Action Plan</p> <p>Prior to the commencement of any works, or issue of a Subdivision Works Certificate a Remediation Action Plan must be prepared by an appropriately qualified and experienced contamination consultant. The Remediation Action Plan must be submitted to and approved by Council in writing prior to the commencement of any works or the issue of a Subdivision Works Certificate.</p> <p>In accordance with Council's Contaminated Land Policy for Land Use Planning, The Remediation Action Plan shall be prepared by a suitably certified consultant. The acknowledged certification schemes are:</p> <ul style="list-style-type: none"> ○ Environment Institute of Australia and New Zealand - Certified Environmental Practitioner (Site Contamination) (CEnvP (SC)) ○ Soil Science Australia - Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) <p>The Remediation Action Plan must:</p> <ul style="list-style-type: none"> ● Include the details of the consultant certification, and a personalized electronic seal ● Include the nature and extent of all materials intended to be remediated. This will be supported by further assessments as required depending on the volume and areas impacted (the sampling design guidelines are used to assess the number of sample locations needed based on areas, or based on stockpile volumes), or volume estimates of characterized materials such as the fill material and Coal Wash Reject (CWR).

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> • Be based on the EP Risk (2025) recommendations; • State that the site can be made suitable for the proposed land use, with the implementation of the plan; • Outline any waste classification and waste tracking requirements (if material is being taken off-site); • All stages of the process and reports must be undertaken in accordance with: <ul style="list-style-type: none"> ◦ NSW EPA, 2020, Consultants reporting on contaminated land Contaminated Land Guidelines ◦ NSW EPA, 2022, Sampling design part 1 – application ◦ NSW EPA, 2022, Sampling design part 2 – interpretation ◦ National Environment Protection Council (NEPC), 2013, National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended 2013 (NEPM, 2013) ◦ Any other relevant guidance made or produced by the NSW EPA under Sec 105 of the CLM Act <p>Maitland Council's Contaminated Land Policy for Land Use Planning</p> <p>Condition Reason: To ensure the proper management of contaminated land in accordance with legislative requirements.</p>
15	<p>Long Term Environmental Management Plan</p> <p>Where the Validation Report identifies the need for implementation of a Long-Term Environmental Management Plan (LTEMP), the plan must be submitted to Council and the Certifying Authority with the Validation Report. The LTEMP must describe the nature and location of the contamination and prescribe how the contaminants will be managed/monitored and the responsible parties for this management/monitoring in the long-term.</p> <p>The document must define the legal mechanism intended to make it enforceable. The LTEMP must be prepared, or reviewed and approved by an appropriately qualified and certified environmental consultant and must be prepared in accordance with:</p> <ol style="list-style-type: none"> a. Council's Contaminated Land Policy; b. Managing Land Contamination Planning Guidelines – SEPP - Resilience & Hazards; c. Relevant EPA Guidelines, noting in particular the NSW EPA (2020); Consultants Reporting on Contaminated Land – Contaminated Land Guidelines; d. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) (ASC NEPM 2013). <p>Condition Reason: To ensure the proper management of contaminated land in accordance with legislative requirements.</p>
16	<p>Unexpected Finds Contingency (General)</p> <p>Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works must cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>In the event that contamination is identified as a result of this assessment and if remediation is required, all works must cease in the vicinity of the contamination and Council must be notified immediately.</p> <p>Where remediation work is required, the applicant will be required to obtain consent for the remediation works.</p> <p>Condition Reason: To ensure unexpected finds are appropriately managed.</p>
17	<p>Fill material to not obstruct stormwater path(s)</p> <p>Fill material shall not obstruct any local watercourse, flow path or drain, that is within or that enters the site, without provision for conveyance, within the site, of stormwater flows through or around the proposed fill area, including adequate protection against erosion.</p> <p>Condition Reason: Protection of the downstream drainage and environment.</p>
18	<p>Acid Sulfate Soils</p> <p>During construction works, an assessment of acid sulfate soil potential is to be undertaken in the area of excavation. If acid sulfate soils are found to be present, soils are to be treated in accordance with the New South Wales Acid Sulfate Soil Management Advisory Committee's 'Acid Sulfate Soil Manual'.</p> <p>Condition Reason: To mitigate the impact of potential Acid Sulfate Soil impacts.</p>
19	<p>Dedication to Council (Park and Detention Basin)</p> <p>At the relevant stage, the detention basin and park shall be dedicated to Council, at no cost to Council, and without compensation, works-in-kind, or "section 7.11 contribution" offset or similar. The land must be dedicated in a condition approved by Council. Held in separate title, cleared of rubbish and debris and suited for its intended purpose.</p> <p>Condition Reason: To ensure appropriate dedication of the proposed detention basin and park.</p>
20	<p>Electricity Kiosks</p> <p>Electricity Kiosk substations are not to be located within the road reserves or reserve lots to be dedicated to Council.</p> <p>Condition Reason: To ensure public land is not burdened by electrical infrastructure</p>
21	<p>Street Numbering</p> <p>Within one week of lodging an application for a Subdivision Works Certificate, the applicant must submit a Street Numbering Application to Maitland City Council to commence the addressing allocation process. The allocated addressing will be in accordance with the NSW Addressing Policy and the Australian/New Zealand Standard: Rural and Urban Addressing (AS/NZS 4819:2011). Any request for amendments to the Addressing Allocation must be submitted to Maitland City Council for consideration and if approved, a revised Addressing Allocation document will be issued.</p> <p>Note: Addressing for this property may change. Please do not use property addressing for advertising material until the Addressing Allocation has been issued. Addressing provided by Maitland City Council must be correctly implemented prior to the Subdivision Certificate being issued.</p> <p>Condition Reason: To ensure that all new street numbering complies with the Geographical Names Board and Australian Standard requirements.</p>

Building Work

Before issue of a construction certificate

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

No additional conditions have been applied to this stage of development.

Before building work commences

No additional conditions have been applied to this stage of development.

During building work

No additional conditions have been applied to this stage of development.

Before the issue of an occupation certificate

No additional conditions have been applied to this stage of development.

Occupation and ongoing use

No additional conditions have been applied to this stage of development.

Land Subdivision

No additional conditions have been applied to this stage of development.

Subdivision Work**Before issue of a subdivision works certificate**

22	<p>Amendments to Documents and Plans (Prior to issue of Subdivision Works Certificate)</p> <p>Prior to issue of a Subdivision Works Certificate for Stage 1, the development must be amended as follows: A pedestrian refuge shall be provided to Road 6 approximate chainage 155m, and extension of the shared pedestrian/cycle path along the full frontage of the site in Wilton Drive and connected to the existing 2.5m footpath on the eastern side of Mount Vincent Road. The works shall include:</p> <ul style="list-style-type: none"> a) Concrete pedestrian refuge to Transport for NSW Standards, b) Kerb extensions for pedestrian refuge c) Extension of the 2.5m wide shared path to meet the pedestrian refuge d) Provision for cyclist access to/from the 2.5m shared path e) All works shall be consistent with the requirements of NSW RFS Planning for Bushfire Protection and NSW Fire and Rescue Safety Guideline - Access for fire brigade vehicles and firefighters <p>Separate approval will be required via a s138, and approval from TfNSW for any works within the Mount Vincent Road Reserve.</p> <p>Prior to the issue of a Subdivision Works Certificate for Stage 1, plans incorporating temporary turning heads, relevant signage and markers for all terminating roads shall be provided. Turning heads shall comply with:</p> <ul style="list-style-type: none"> • 10.0m minimum radius shall be provided on local and minor streets in accordance with Council's Manual of Engineering Standards.
----	---

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Amended plans or documentation demonstrating compliance must be provided to the Certifying Authority and Council prior to the issue of a Subdivision Works Certificate. Condition Reason: To ensure the development complies with Council's controls and guidelines.
23	<p>Amendments to Documents and Plans (Prior to issue of Subdivision Works Certificate)</p> <p>Prior to the issue of a Subdivision Works Certificate for Stage 1, a Construction Noise Management Plan prepared by a suitably qualified consultant must be prepared and submitted to the Certifying Authority. The Construction Noise Management Plan must, at a minimum, incorporate:</p> <ul style="list-style-type: none"> a) Noise mitigation measures. b) Noise and/or vibration monitoring. c) Use of respite periods. d) Complaints handling. e) Community liaison and consultation. <p>A copy must be provided to the Certifying Authority and Council prior to the issue of a Subdivision Works Certificate and complied with at all times during works for all stages.</p> <p>Condition Reason: To ensure the development complies with Council's controls and guidelines.</p>
24	<p>Approval for Works within the existing public road reserve</p> <p>Prior to commencement of works within an existing public road reserve:</p> <ul style="list-style-type: none"> a) an engineering design, in accordance with Council's Manual of Engineering Standards, shall be submitted to Council for approval b) consent under the Roads Act for the approved works (s138 Application for New Infrastructure), shall be issued by Council c) all relevant Council fees shall be paid d) A Traffic Management Plan and/or Traffic Guidance Scheme in accordance with the Transport for New South Wales publication "Traffic control at Worksites" shall be submitted to Council. <p>Condition Reason: To ensure appropriate approval(s) has been obtained prior to commencement of work.</p>
25	<p>Regulatory line marking and signage</p> <p>Prior to the issue of the relevant Subdivision Works Certificate or Roads Act Approval, all (traffic) Regulatory line marking and signage shall be approved by Council's Local Traffic Committee. Note: Please allow three months from lodgment for the LTC process. All recommendations of the committee shall be incorporated into approvals and works. The works to be approved include:</p> <ul style="list-style-type: none"> a) "Four-way" cross intersections shall identify priority requirements. b) All regulator line marking and regulatory signage. c) 14m wide roads, or wider, require line marking. d) Roundabouts and signals. <p>Condition Reason: Technical review from Local Traffic Committee prior to the installation of linemarking and signages.</p>
26	<p>Road Hierarchy and design requirements</p> <p>Prior to the issue of the Subdivision Works Certificate the following road hierarchy shall apply to all roads in accordance with council's Manual of Engineering Standards:</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Road Type	Road Description	Comments
	Local - Primary	All roads	Shared path, Road 5 and Road 6
Condition Reason: To ensure satisfactory road parameters according to the lot catchment, the lot size and the potential ultimate lot yield .			
27	Road, drainage landscaping and civil works engineering plans Prior to issue of the Subdivision Works Certificate for the road, drainage, public landscaping and civil works an engineering design shall be prepared by a suitably qualified and practising engineer, in accordance with Council's Manual of Engineering Standards (MOES), and this consent.		
28	Road Pavement Design - General Prior to the issue of a Subdivision Works Certificate, a Geotechnical Report prepared by a suitably qualified professional is to be submitted to the certifying authority for approval. The report is to determine the structural requirements for road pavements, culverts and bulk earthworks in accordance with Austroads and AS3798. Condition Reason: To ensure compliance with Council's Manual of Engineering Standards.		
29	Road Pavement Design - Unsuitable Subgrade Where a Geotechnical engineer determines high expansive soils with $\geq 2.5\%$ swell (10-day soak) or poor CBR ($< 2\%$) are present within 1 metre below the design subgrade, a capping layer of homogeneous select material shall be added to the pavement design and shown on the construction plans. The swell, pavement design and the select material specification shall be considered and justified against Austroads Guide to Pavement Technology (AGPT) Part 2, 4I, 8 and the RMS Supplement to AGPT2, including a 10-day soak. The adjusted pavement design shall be based on the CBR of the subgrade material at 'in-service moisture and density conditions' to stop premature pavement distress and to achieve the design life of the pavement. Note: A minimum, but not limited to, 300mm select material shall be added to the minimum pavement thickness for either swell and/or poor CBR. Condition Reason: To ensure satisfactory road parameters according to the lot catchment, the lot size and the potential ultimate lot yield.		
30	Retaining Walls No retaining walls are approved within existing or future dedicated public land including road reserves and drainage reserves. All batter slopes shall comply with the 'desirable' requirements as listed in Council's Manual of Engineering Standards. Plans complying with this condition shall be submitted to the certifying authority for approval prior to issue of a Subdivision Works Certificate		

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Condition Reason: To ensure compliance with Council's requirements
31	<p>Temporary Turning Heads Prior to the issue of a Subdivision Works Certificate for any stage adjoining a temporary turning head, the applicant shall provide a turning head construction management plan that demonstrates how any temporary turning heads will be maintained and open to the public for the entire duration of construction.</p> <p>Condition Reason: To ensure all temporary turning heads are accessible and maintained.</p>
32	<p>Major utility facilities shall be shown on construction drawings Prior to issue of a Subdivision Works Certificate, any major utilities facilities (water, sewer, electrical, telecommunication items larger than individual lot scale provisions) shall be clearly shown on the construction drawings. Council approval (as the future road authority) is required for all service allocations within roads to be dedicated as part of the proposed subdivision. Approval is not granted for major utilities within future road reserves unless sufficient reserve width and specific service allocation has been approved and referenced in Condition 1 of this development consent.</p> <p>Condition Reason: To ensure services are located in accordance with Council and service authority requirements</p>
33	<p>Street Lighting Street lighting shall be provided in accordance with the requirements of the power supply authority and Council's Manual of Engineering Standards Technical Attachment: Street Lighting. Details shall be submitted to Council prior to issue of a Subdivision Works Certificate.</p> <p>Condition Reason: To ensure compliance with Council and service authority requirements</p>
34	<p>Construction Site Management Plan Before the issue of a Subdivision Works Certificate, a construction site management plan must be prepared, and provided to Certifying Authority. The plan must include the following matters:</p> <ol style="list-style-type: none"> The location and materials for protective fencing and hoardings on the perimeter of the site; Provisions for public safety; Pedestrian and vehicular site access points and construction activity zones; Details of construction traffic management including: <ol style="list-style-type: none"> Proposed truck movements to and from the site; Estimated frequency of truck movements; and Measures to ensure pedestrian safety near the site; Details of bulk earthworks to be carried out; The location of site storage areas and sheds; The equipment used to carry out works; The location of a garbage container with a tight-fitting lid; Dust, noise and vibration control measures; The location of temporary toilets; The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ol style="list-style-type: none"> AS 4970 – Protection of trees on development sites; An applicable Development Control Plan; An arborist's report approved as part of this consent <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>Condition Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
35	<p>Detailed Landscape Design for Park and Detention Basin</p> <p>Prior to the issue of any Subdivision Works Certificate, a detailed landscape design for the detention basin and park must be submitted to and approved by Council. The plan must be prepared by a suitably qualified landscape architect in consultation with a suitably qualified BPAD accredited bushfire consultant and must:</p> <ul style="list-style-type: none"> a) Maximise tree canopy cover and shade to mitigate urban heat, particularly along pedestrian pathways and other areas likely to be most frequently used by the community; b) Shall demonstrate a minimum canopy cover of 30% throughout the proposed park; c) Select tree species from Council's adopted tree species list, prioritising species that achieve high canopy cover and effective shade at maturity; d) All trees shall be installed with a minimum pot size of 45L and shall include details of the height and spread at maturity (of the approved species); e) ensure tree planting maintains adequate visibility and access to all stormwater infrastructure for operation and maintenance purposes; f) Where landscaping adjoins pedestrian paths/corridors, the plants shall be positioned at least 1m offset to the edge of path; g) Show construction details of any fencing/bollards/barriers proposed; h) Include a detailed lighting plan; <p>The detailed landscape plan must be supported by written certification from a suitably qualified BPAD accredited bushfire consultant to verify that the revegetation proposed under the approved Vegetation Management Plan, at maturity, will comply with the fuel loading requirements specified by the NSW Rural Fire Service General Terms of Approval (as referenced in this consent) and the associated bushfire assessment report.</p> <p>Condition Reason: To ensure that an appropriate landscape design outcome is achieved for the park and detention basin.</p>
36	<p>Detailed landscape plan</p> <p>Prior to the issue of the Subdivision Works Certificate for road construction, a detailed "landscape plan" for all road reserves and street trees, in accordance with Council's tree planting guidelines and Manual of Engineering Standards shall be submitted to Council for approval.</p> <p>Condition Reason: To ensure compliance with Council's requirements</p>
37	<p>Plan of Management</p> <p>Prior to the issue of a Subdivision Works Certificate for Stage 1, a detailed Plan of Management, prepared by a suitably qualified BPAD accredited bushfire consultant shall be prepared in relation to the proposed APZ over Lot 601 in accordance with Section 3.2.5 and 3.26 of Planning for Bushfire Protection 2019. This plan of management shall demonstrate a practical way the proposed APZ will be readily accessed and maintained. The Plan of Management shall include, but is not to be limited to:</p> <ul style="list-style-type: none"> • Mechanical means necessary to complete the management required (this shall be capable of being maintained safely by the occupants/benefiting proponent).

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> • A schedule of maintenance to occur to ensure the APZ is regularly managed and • The relevant body responsible for maintaining the APZ. <p>The detailed Plan of Management shall be submitted to and approved by Council prior to issue of any Subdivision Works Certificate.</p> <p>Condition Reason: To ensure that the APZ is appropriately maintained in accordance with NSW RFS General Terms of Approval.</p>
38	<p>Council to be notified of any damage to kerb, gutter, footpath etc prior to commencement</p> <p>The applicant is required to notify Council in writing prior to commencing building operations, of any existing damage to kerbing and guttering and/or footpath paving associated with the subject Lot. The absence of such notification signifies that no damage exists, and the applicant shall therefore be liable for the cost of the repair of any damage to kerbing and guttering or footpath paving which may be necessary after completion of the building operation.</p> <p>Condition Reason: To ensure Council is notified of any existing damage to Council assets.</p>
39	<p>Erosion and Sediment Control Plan</p> <p>Prior to issue of a Subdivision Works Certificate a Soil and Water Management Plan (SWMP) prepared in accordance with Managing Urban Stormwater: Soils and Construction (also known as the Blue Book) shall be developed and certified by a suitably qualified and experienced professional in erosion and sediment control. A copy of the SWMP shall be submitted to and approved by the certifying authority.</p> <p>Condition Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
40	<p>Dilapidation report</p> <p>Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the Certifying Authority</p> <p>Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Certifying Authority, that all reasonable steps were taken to obtain access to the adjoining properties.</p> <p>No less than 07 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time.</p> <p>Condition Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report.</p>
41	<p>Biodiversity Management Plan Development</p> <p>Prior to issue of a commencement of clearing works, a Biodiversity Management Plan (BMP) must be prepared by a suitably qualified person in consultation with Council Manager Environment and Sustainability, to the satisfaction of Council Manager Environment and Sustainability. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan (CEMP).</p> <p>The Biodiversity Management Plan must include (but is not limited to) the following minimum detail:</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> • Clearing strategy developed in accordance with 'Guide 1: Pre-clearing process', 'Guide 4: Clearing of vegetation and removal of bushrock', and 'Guide 9: Fauna handling' in Biodiversity Management Guidelines: Protecting and managing biodiversity on Transport for NSW Projects (Transport for NSW, 2004). At minimum, the Clearing Strategy shall include: <ul style="list-style-type: none"> ○ Proposed pre-clearing and pre-demolition survey actions ○ Proposed timing of clearing and demolition commencement, and pre-clearing checks, noting that clearing should specifically avoid bird nesting season including breeding season for barn owls ○ Proposed vegetation clearing methodology ○ Monitoring and reporting requirements ○ Pre-clearance assessment by climbing arborist or using an elevated work platform for all hollows with potential to provide habitat for breeding owls • Artificial Hollow Plan, including: <ul style="list-style-type: none"> ○ The size, type and quantity of natural tree hollows to be removed ○ Target species and the design of artificial hollows ○ Maps of existing natural hollows and planned artificial hollow installation locations ○ Monitoring and reporting requirements • Identification of trees/vegetation to be retained and proposed actions to minimise damage such as installation and maintenance of exclusion fencing where adjoining the construction boundary. • Appropriate weed control measures, including: <ul style="list-style-type: none"> ○ Weed management priorities and objectives ○ Location of weed-infested areas ○ Measures to prevent the spread of weeds ○ Procedures for onsite weed treatment (e.g composting) and reuse, and/or offsite weed disposal ○ Communication strategies to improve contractor awareness of weeds and weed management • Machinery, plant and equipment hygiene protocol <p>The Biodiversity Management Plan shall be submitted to and approved in writing by Council Manager Environment and Sustainability prior to the issue of any Subdivision Works Certificate.</p> <p>Condition Reason: Biodiversity Offset Scheme - Where a Biodiversity Management Plan is required.</p>
42	<p>Biodiversity Offset Scheme – Ecosystem Credit Retirement</p> <p>The class and number of ecosystem credits in the following table must be retired to offset the residual biodiversity impacts of the development prior to the commencement of clearing works.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.</p> <table border="1"> <thead> <tr> <th>Impact plant community type</th><th>Number of HBT ecosystem credits</th><th>Number of non-HBT credits</th><th>Total credits to be retired</th><th>IBRA sub-region</th><th>Plant community type(s) that can be used offset impacts of development</th></tr> </thead> <tbody> <tr> <td>PCT-3328 - Lower Hunter Red Gum - Paperbark Riverflat Forest</td><td>3</td><td>3</td><td>6</td><td>Hunter OR Any IRBA subregion that is within 100 kilometres of the outer edge of the impacted site.</td><td>Hunter Lowland Redgum Forest in the Sydney Basin and NSW North Coast Bioregions. This includes PCT's: 1603, 1605, 1691, 1692, 333446, 3634.</td></tr> <tr> <td>PCT 3444 - Lower Hunter Spotted Gum - Ironbark Forest</td><td>18</td><td>18</td><td>36</td><td></td><td>Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions. This includes PCT's: 3433, 3443444, 4158</td></tr> </tbody> </table> <p>Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund detailed in the above table must be provided to the consent authority prior the commencement of any clearing works.</p> <p>Condition Reason: Biodiversity Offset Scheme - Where a Biodiversity Development Assessment Report has been provided and ecosystem credits are required to offset impacts.</p>					Impact plant community type	Number of HBT ecosystem credits	Number of non-HBT credits	Total credits to be retired	IBRA sub-region	Plant community type(s) that can be used offset impacts of development	PCT-3328 - Lower Hunter Red Gum - Paperbark Riverflat Forest	3	3	6	Hunter OR Any IRBA subregion that is within 100 kilometres of the outer edge of the impacted site.	Hunter Lowland Redgum Forest in the Sydney Basin and NSW North Coast Bioregions. This includes PCT's: 1603, 1605, 1691, 1692, 333446, 3634.	PCT 3444 - Lower Hunter Spotted Gum - Ironbark Forest	18	18	36		Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions. This includes PCT's: 3433, 3443444, 4158
Impact plant community type	Number of HBT ecosystem credits	Number of non-HBT credits	Total credits to be retired	IBRA sub-region	Plant community type(s) that can be used offset impacts of development																		
PCT-3328 - Lower Hunter Red Gum - Paperbark Riverflat Forest	3	3	6	Hunter OR Any IRBA subregion that is within 100 kilometres of the outer edge of the impacted site.	Hunter Lowland Redgum Forest in the Sydney Basin and NSW North Coast Bioregions. This includes PCT's: 1603, 1605, 1691, 1692, 333446, 3634.																		
PCT 3444 - Lower Hunter Spotted Gum - Ironbark Forest	18	18	36		Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions. This includes PCT's: 3433, 3443444, 4158																		
43	<p>Biodiversity Offset Scheme - Species Credit Retirement</p> <p>The class and number of species credits in the following table must be retired to offset the residual biodiversity impacts of the development prior to the commencement of works.</p> <p>The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.</p> <table border="1"> <thead> <tr> <th>Impacted species credit species</th><th>Number of species credits</th><th>IBRA sub-region</th></tr> </thead> <tbody> <tr> <td><i>Pterostylis chaetophora</i>21</td><td>21</td><td>Any in NSW</td></tr> <tr> <td><i>Myotis macropus</i> / Southern Myotis</td><td>30</td><td>Any in NSW</td></tr> <tr> <td><i>Petaurus norfolkensis</i> / Squirrel Glider</td><td>21</td><td>Any in NSW</td></tr> </tbody> </table>					Impacted species credit species	Number of species credits	IBRA sub-region	<i>Pterostylis chaetophora</i> 21	21	Any in NSW	<i>Myotis macropus</i> / Southern Myotis	30	Any in NSW	<i>Petaurus norfolkensis</i> / Squirrel Glider	21	Any in NSW						
Impacted species credit species	Number of species credits	IBRA sub-region																					
<i>Pterostylis chaetophora</i> 21	21	Any in NSW																					
<i>Myotis macropus</i> / Southern Myotis	30	Any in NSW																					
<i>Petaurus norfolkensis</i> / Squirrel Glider	21	Any in NSW																					

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund detailed in the above table must be provided to the consent authority prior the commencement of clearing works.</p> <p>Condition Reason: Biodiversity Offset Scheme - Where a Biodiversity Development Assessment Report has been provided and species credits are required to offset impacts.</p>
44	<p>Payment of security deposits</p> <p>Prior to commencement of any works under the approved VMP, a security for the cost of the maintenance of the VMP works will be required by way of bond or bank guarantee to be 120% of the value of the maintenance works. The value of the bank guarantee shall be determined in consultation with Council, based on three (3) written quotes for the required works, obtained by the applicant from independent and suitably qualified contractors.</p> <p>The bank guarantee must be in a form acceptable to Council and remain valid for the duration of the VMP management period, or until the satisfactory completion of all works or services as determined by the Council. The applicant must maintain the bank guarantee and provide evidence of its validity upon request by Council. The security will need to be replaced and adjusted for CPI every 2 years.</p> <p>Condition Reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
45	<p>Waste Management Plan requirements</p> <p>Before the issue of a Subdivision Works Certificate, a waste management plan for the development must be prepared and provided to the Certifying Authority. The plan must be prepared:</p> <ol style="list-style-type: none"> in accordance with <ol style="list-style-type: none"> the Environment Protection Authority's Waste Classification Guidelines as in force from time to time; and a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out; and include the following information— <ol style="list-style-type: none"> the contact details of the person removing waste; an estimate of the type and quantity of waste; whether waste is expected to be reused, recycled or sent to landfill; the address of the disposal location for waste. <p>A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.</p> <p>Condition Reason: To ensure resource recovery is promoted and local amenity protected during construction.</p>
46	<p>Ausgrid Clearances</p> <p>Prior to the issue of a Subdivision Works Certificate for Stage 1, verification from shall be obtained from a suitably accredited consultant that the proposed works will result in compliance with Ausgrid's minimum clearance distances outlined in the Ausgrid Network Standard NS220 Overhead Design Manual and Ausgrid's requirements as outlined in the Ausgrid letter dated 23/09/24 reference TRIM2017/26/446, attached to this consent.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Condition Reason: To ensure compliance with Ausgrid Clearance distances.
--	---

Before subdivision work commences

47	All Weather Access Before the commencement of any site or building works, an wide all-weather vehicle access is to be provided and maintained from the kerb and gutter to the building under construction for the delivery of materials and use by trades people. No materials, waste or the like are to be stored on the all-weather access at any time. Condition Reason: To ensure safe and unobstructed access for construction vehicles and personnel during the building process.
48	Approval for Works within the existing public road reserve Prior to commencement of works within an existing public road reserve: a) an engineering design, in accordance with Council's Manual of Engineering Standards, shall be submitted to Council for approval b) consent under the Roads Act for the approved works (s138 Application for New Infrastructure), shall be issued by Council c) all relevant Council fees shall be paid d) A Traffic Management Plan and/or Traffic Guidance Scheme in accordance with the Transport for New South Wales publication "Traffic control at Worksites" shall be submitted to Council. Condition Reason: To ensure appropriate approval(s) has been obtained prior to commencement of works.
49	Legislative Requirements Subdivision Works approved by this consent must not commence until: a) A Subdivision Works Certificate has been issued by the consent authority, Council or an accredited certifier for the relevant works being undertaken; and b) The person having benefit of the development consent has engaged Council as the Principal Certifying Authority for the subdivision works; and At least two (2) days before commencement of subdivision work, the person having benefit of the development consent is to notify Council as to the intention to commence subdivision work. Condition Reason: To ensure compliance with legislative requirements
50	Bulk earthworks management plan Prior to the commencement of subdivision works, a Bulk Earthworks Management Plan (BEMP) is required to be submitted to the PCA. The BEMP must include a report from a suitably qualified engineer that examines and determines: a) the extent of bulk earthworks require for the construction of each stage b) how stockpiles will be managed during construction c) where stockpiles will be located for each stage and what requirements are necessary to manage the locations

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> d) stock pile dimensions and stabilisation measures e) site haulage routes and movement for each stage f) how fill will be managed in the floodway during construction g) any specific requirements relating to the management of Acid Sulfate Soils <p>Condition Reason: To prevent damage to the site and the public road and to minimise impacts on the surrounding properties and environment.</p>
51	<p>Clearing Strategy Implementation</p> <p>Implementation of the Clearing Strategy (as outlined in the BMP) must be undertaken by a qualified ecologist and commence prior to clearing of any vegetation or demolition of structures.</p> <p>Removal of trees with habitat features and structures identified during pre-clearance surveys as providing fauna habitat (e.g., microbats) is to be undertaken at a time that minimises impact to fauna.</p> <p>A staged habitat removal process in accordance with 'Guide 4: Clearing of vegetation and removal of bushrock' in Biodiversity Management Guidelines: Protecting and managing biodiversity on Transport for NSW projects (Transport for NSW, 2024) must be used when identified habitat features are to be removed. Soft fall techniques and sectioning of hollow limbs/trunks shall be applied to all hollow-bearing trees.</p> <p>Once clearing of habitat features has been completed, a report is to be provided to, and approved by, Council Manager Environment and Sustainability verifying compliance with the Clearing Strategy prior to commencement of works.</p> <p>Condition Reason: Development Control Plan/Biodiversity Offset Scheme - Where a Biodiversity Management Plan is required.</p>
52	<p>Vegetation Management Plan Implementation</p> <p>Implementation of the VMP shall commence immediately upon any construction work commencing and shall be carried out in accordance with the approved VMP schedule of works.</p> <p>The VMP shall remain in effect for a minimum of five (5) years or until the completion criteria outlined in the plan are met, whichever occurs first.</p> <p>Prior to completion, Council Manager Environment and Sustainability must provide written evidence that they are satisfied that these criteria have been achieved and that the area has reached a self-sustaining state of natural regeneration, requiring minimal or no ongoing intervention.</p> <p>Condition Reason: Development Control Plan/NRAR Guidelines – where a VMP is required to rehabilitate sensitive land.</p>
53	<p>Security for Vegetation Management Plan</p> <p>Prior to commencement of any works under the approved VMP, a security for the cost of the maintenance of the VMP works will be required by way of bond or bank guarantee to be 120% of the value of the maintenance works. The value of the bank guarantee shall be determined in consultation with Council Manager Environment and Sustainability, based on three (3) written quotes for the required works, obtained by the applicant from independent and suitably qualified contractors.</p> <p>The bank guarantee must be in a form acceptable to Council Manager Environment and Sustainability and remain valid for the duration of the VMP management period, or until the satisfactory completion of all works or</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	services as determined by the Council Manager Environment and Sustainability. The applicant must maintain the bank guarantee and provide evidence of its validity upon request by Council Manager Environment and Sustainability. The security will need to be replaced and adjusted for CPI every 2 years.
	Condition Reason: To ensure appropriate security for the required VMP.
54	<p>Erosion and Sediment Controls in Place</p> <p>Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place. Controls must remain in place until the site has revegetated (at least 70% ground cover achieved over any bare ground on site).</p> <p>Condition Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>

During subdivision work

55	<p>Construction Waste</p> <p>Waste materials (including excavation, demolition, and construction waste materials) must be managed on the site and then disposed of at a waste management facility.</p> <p>Condition Reason: Construction waste management.</p>
56	<p>Control of dust</p> <p>The site shall be managed at all times during construction phase so as to prevent the generation of dust from the land disturbance activities (e.g., by water spray, dust suppression, surface sealants, soil binders, wind barriers and/or dust retardants). Those are required in addition to the use of water cart during operation hours.</p> <p>Condition Reason: To ensure adequate controls with respect to dust pollution during works.</p>
57	<p>Offensive Noise, Dust, Odour and Vibration</p> <p>All work must not give rise to offensive noise, dust, odour or vibration as defined in the Protection of the Environment Operations Act 1997 when measured at the nearest property boundary.</p> <p>Condition Reason: To ensure the works are undertaken per the provisions of the POEO Act 1997.</p>
58	<p>Public Access to the site to be restricted</p> <p>Suitable and adequate measures are to be applied to restrict public access to the site and building works, materials and equipment.</p> <p>Condition Reason: To ensure public access to the building site is restricted.</p>
59	<p>Building materials on Council's footpath</p> <p>While work is being carried out, no building materials, refuse or spoil is to be deposited on or be allowed to remain on Council's footpath.</p> <p>Condition Reason: To ensure no building materials, refuse or spoil restricts use of Council's footpath.</p>
60	<p>Cut & Fill</p> <p>While work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <p>(a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>(b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.</p> <p>Condition Reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.</p>
61	<p>Fill Material</p> <p>Filling material, shall be limited to the following:</p> <p>a) virgin excavated natural material (VENM); b) excavated natural material (ENM) certified as such in accordance with Protection of the Environment Operations (Waste) Regulations 2014. c) material subject to a Waste exemption under Clauses 91 and 92 Protection of the Environment Operations (Waste) Regulations 2014 and recognised by the NSW Environment Protection Authority as being 'fit for purpose' with respect to the development subject of this application.</p> <p>Note: Under no circumstances shall contaminated fill material including but not limited to putrescible wastes, (such as timber, paper, green waste, food etc), oil products (including petrol, bitumen, asphaltic concrete etc), plastic, and the like, be deposited on the land unless expressly authorised by this development consent.</p> <p>Condition Reason: To limit the type of fill material being deposited on site.</p>
62	<p>Construction Noise Management Plan</p> <p>All operations must be carried out in accordance with the recommendations contained in the approved Construction Noise Management Plan.</p> <p>a) Noise mitigation measures. b) Noise and/or vibration monitoring. c) Use of respite periods. d) Complaints handling.</p> <p>Condition Reason: To ensure the works are undertaken in accordance with the approved Construction Noise Management Plan</p>
63	<p>Reconstruction of infrastructure</p> <p>While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).</p> <p>Condition Reason: To ensure payment of approved changes to public infrastructure.</p>
64	<p>Stormwater Drainage Disposal</p> <p>Prior to issue of a Subdivision Works Certificate a drainage design shall be prepared by a suitably qualified and experienced drainage engineer, in accordance with Council's Manual of Engineering Standards. The system requirements shall include, but not limited to, the following:</p> <p>a) In accordance with the approved drainage report prepared by Fisher Consulting Engineers, Revision 3, Dated 25/08/25 b) A major stormwater drainage system catering for discharge from contributing catchment areas in their ultimate developed state</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> c) A stormwater detention system to reduce post-development discharges to pre-developed discharges, for the critical storm up to and including the 1% AEP ('100 year') event d) A stormwater water quality system to collect gross pollutants, nutrients and hydrocarbons generated from the contributing catchment areas in their ultimate developed state e) Inner-allotment drainage (IAD) shall be provided to every lot that cannot adequately drain to its street frontage i) Q100 flow depths, freeboard, and velocity depth ratios shall be shown on the construction drawings at relevant location for overland flowpaths on road and drainage corridors <p>Condition Reason: To ensure appropriate stormwater management both quantity and quality</p>
65	<p>Truck load covered</p> <p>During construction:</p> <ul style="list-style-type: none"> (a) all vehicles entering or leaving the site must have their loads covered, and (b) all vehicles, before leaving the site, must be cleaned of dirt, sand, and other materials, to avoid tracking these materials onto public roads. <p>Condition Reason: To minimise potential emissions and spillage of material from the transportation.</p>
66	<p>Earthworks Standards</p> <p>All earthworks shall be undertaken in accordance with AS 3798-2007 (or as revised) and Maitland City Council's Manual of Engineering Standards. A Geotechnical Inspection and Testing Authority (GITA) shall be engaged to conduct inspection and testing of all fill areas. Filling inspection and testing shall be performed as 'Lot' testing under "Level 1" supervision, in accordance with AS 3798-2007 (or as revised). The frequency of compaction testing shall be in accordance with Table 8.1 of AS 3798-2007, based on the nominated lot size.</p> <p>Fill shall be placed in layers not greater than those specified by the Council or the GITA and shall be compacted to achieve a minimum of 98% standard compaction at Optimum Moisture Content (+ or - 2%), in accordance with the dry density ratio as per AS 1289.5.4.1 or the HILF density ratio as per AS 1289.5.7.1.</p> <p>Condition Reason: To ensure earthworks are undertaken in accordance with relevant Standards</p>
67	<p>No retaining walls within public land</p> <p>No retaining walls are approved within existing or future dedicated public land including road reserves. All batter slopes shall comply with the 'desirable' requirements as listed in Council's Manual of Engineering Standards.</p> <p>Condition Reason: To ensure retaining walls comply with Council's Manual of Engineering Standards.</p>
68	<p>Removal of Waste Materials</p> <p>Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material must be assessed and classified in accordance with the NSW Environmental Protection Agency Waste Classification Guidelines (2008).</p> <p>Once assessed, the materials must be disposed to a licensed waste facility suitable for that particular classification of waste. Copies of tipping docket must be retained and supplied to Council upon request.</p> <p>Condition Reason: To ensure waste is disposed of appropriately.</p>
69	<p>Restriction on working hours for building activity</p> <p>Unless otherwise approved by Council in writing, all general building work shall be carried out between the hours of:</p> <ul style="list-style-type: none"> a. 7.00am to 6.00pm Monday to Friday

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>b. 7.00am to 5.00pm Saturday</p> <p>Any work performed on Sundays or Public Holidays that may cause offensive noise, as defined under the Protection of the Environment Operations Act, is prohibited. Minor works (such as hand sanding, painting, digging and the like) is permitted between the hours of 9.00am to 5.00pm. Power operated tools are not permitted to be used.</p> <p>Condition Reason: To ensure approved building activity does not disrupt the amenity of the surrounding area.</p>
70	<p>Toilet facilities</p> <p>While work is being carried out, temporary toilet(s) must be provided and maintained on site from the time of commencement of building work to completion. The number of toilets provided must be one toilet per 20 persons or part thereof employed on the site at any one time.</p> <p>The temporary toilet is to be either connected to the sewerage system or an approved septic tank or otherwise may be a chemical toilet supplied by a licensed contractor.</p> <p>Condition Reason: To ensure adequate sanitary facilities during construction.</p>
71	<p>Truck Washdown</p> <p>Provision must be made for all trucks to be effectively washed down after loading and unloading, prior to leaving the site. This must be within a suitably contained and designated area.</p> <p>Condition Reason: To minimise potential emissions and spillage of material from the transportation.</p>
72	<p>Unexpected Finds Contingency (Remediation)</p> <p>Should any additional contamination or hazardous materials be encountered during any stage of the remediation process, all remediation works in the vicinity of the findings must cease and compliance with the contingency recommendations in the approved RAP must be adopted.</p> <p>Condition Reason: To ensure a RAP is adopted in the event of unexpected finds during works.</p>

Before issue of a subdivision certificate

73	<p>Surrender of Development Consent</p> <p>Prior to the issue of the first Subdivision Certificate, the applicant must surrender the consent relating to DA No. 2009/451:1 for a dwelling house at 62 Mt Vincent Road, to the extent that it conflicts with this approval, by submitting an application for 'Surrender of a Consent' to Maitland City Council in accordance with Section 67 or 68 of the Environmental Planning and Assessment Regulation 2021.</p> <p>Condition Reason: To ensure current development consent is surrendered where inconsistent with the new consent.</p>
74	<p>Payment of subdivision certificate and house numbering fees</p> <p>Prior to the issue of the Subdivision Certificate, "house numbering" and "subdivision certificate" fees, in accordance with Council's Schedule of Fees and Charges, shall be paid to Council.</p> <p>Condition Reason: To ensure all applicable fees are paid.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323,62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

75	Documentary evidence from utility providers Documentary evidence from the suppliers of electrical power, and communications (and including gas if applicable), confirming that satisfactory arrangements have been made for the installation of infrastructure services, shall be submitted to Council. Condition Reason: To ensure essential services are provided to each allotment.
76	Proposed dedication of detention/water quality system Prior to issue of the Subdivision Certificate for relevant stage, the following requirements shall be satisfied: <ul style="list-style-type: none"> a) An easement to drain water shall be placed over the drainage corridor/system benefiting Council and any adjoining upstream lots. b) A positive covenant shall be placed over the detention/water quality system requiring the lot owner to maintain the detention and water quality system until the basin is dedicated as drainage reserve. c) A positive covenant shall require the lot owner to hold \$10 million public liability for the drainage and detention system until it is dedicated as drainage reserve. d) The authority to release vary or modify the easements/covenants above shall be nominated as 'the lots burdened and benefited only with the written consent of Maitland City Council'. e) Prior to the dedication of the drainage reserve to Council, including proposed drainage reserves, the lot owner shall request a handover inspection and undertake any works to provide an 'as new system' to the satisfaction of the PCA (council). Condition Reason: To ensure the creation of necessary easement(s) and covenant(s) under Section 88B of the Conveyancing Act.
77	Easements to drain water Easements to drain water, in accordance with Council's Manual of Engineering Standards, under Section 88B of the Conveyancing Act, shall be created over pipes, overland flow paths, final discharge structures, stormwater control devices, and stormwater dispersal areas where public stormwater is not located within public land. Condition Reason: To ensure appropriate restrictions are applied to the subject site.
78	Kerb and gutter construction Prior to the issue of the Subdivision Certificate kerb and gutter and road construction with an asphaltic concrete wearing surface of all proposed roads, together with all necessary stormwater drainage and infrastructure facilities, shall be provided in accordance with the approved Subdivision Works Certificate and Council's Manual of Engineering Standards. Condition Reason: To ensure compliance with Council's Manual of Engineering Standards
79	Landscape maintenance agreement / landscape maintenance bond Prior to the issue of the Subdivision Certificate the applicant shall provide to the Council either: <ul style="list-style-type: none"> a) A copy of a 'landscape maintenance agreement' with a qualified landscape contractor to secure maintenance of the landscape plantings for a period of not less than 2 years in accordance with the approved landscape plan;

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323,62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>or</p> <p>b) Provide a landscape maintenance bond to the Council for the maintenance of the landscape plantings for a period of not less than 2 years in accordance with the approved landscape plan.</p> <p>Note: The applicant shall provide three quotations from qualified landscape consultants for the landscape maintenance work and the amount of the bond is to be determined having regard to these quotations.</p> <p>Condition Reason: To ensure landscaping is maintained for at least two (2) years following planting.</p>
80	<p>Landscape works to be completed per approved landscape plan</p> <p>Prior to the issue of the Subdivision Certificate all landscaping shall be undertaken in accordance with the approved landscape plan(s). A letter of certification is to be prepared by a suitably qualified Landscape Architect and submitted for approval to the Manager of Development Services at Council prior to the release of the relevant Subdivision Certificate for the landscape works.</p> <p>Condition Reason: To ensure landscaping works are undertaken per the approved plans.</p>
81	<p>Lot classification per Australian Standards</p> <p>Prior to issue of the Subdivision Certificate, a copy of a report prepared by a geotechnical engineer shall be submitted to Council:</p> <ul style="list-style-type: none"> classifying each lot in accordance with Australian Standards AS 2870, and verifying that compaction of any approved fill-material on the lots is in accordance with AS3798 employing 'level 1' inspection and testing. <p>Condition Reason: To ensure appropriate lot classification for the intended use.</p>
82	<p>Maintenance Management plan for stormwater</p> <p>Prior to issue of the Subdivision Certificate a Maintenance Management Plan for the stormwater detention/retention systems shall be prepared by a suitably qualified and experienced person, shall be submitted to, and accepted as satisfactory by Council.</p> <p>Condition Reason: To ensure adequate maintenance of stormwater devices.</p>
83	<p>New and widened public road dedication</p> <p>The proposed public roads and any necessary adjustments due to road widening shall be dedicated to Council, at no cost to Council.</p> <p>Condition Reason: To ensure dedication to Council for new roads and any road widening.</p>
84	<p>Boundary fencing</p> <p>The following fencing must be constructed and installed at the full cost of the developer at the relevant Stage of the Subdivision as specified below:</p> <ol style="list-style-type: none"> Prior to issue of a Subdivision Certificate for Stage 1, boundary fencing of lot 101-108 adjoining all existing residential allotments shall be constructed consisting of 1.8m lapped and capped timber fencing (or as otherwise agreed by the property owners). Prior to issue of a Subdivision Certificate for Stage 2, boundary fencing of 201-218 adjoining all existing residential allotments and of rear boundaries of Lots 44 and 45 DP863423 shall be replaced with 1.8m lapped and capped timber fencing (or as otherwise agreed by the property owners).

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323,62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>(c) Prior to issue of a Subdivision Certificate for Stage 3, boundary fencing of 301-307 adjoining all existing residential allotments shall be replaced with 1.8m lapped and capped timber fencing (or as otherwise agreed by the property owners).</p> <p>(d) Prior to the issue of the Subdivision Certificate for Stage 2, the western boundary of Lot 218 must be constructed in rural style post and rail material.</p>
	<p>Condition Reason: To ensure appropriate restrictions are applied to the subject site.</p>
85	<p>Proposed dedication of public roads</p> <p>The proposed public roads and/or road widening shall be dedicated to Council at no cost to the Council.</p> <p>Condition Reason: To ensure roads are dedicated to Council.</p>
86	<p>Requirement for a Subdivision Certificate</p> <p>Prior to issue of the Subdivision Certificate, plans and/or documents of survey/title, shall be submitted to Council.</p> <p>The applicant will be required to submit documentary evidence that the property has been developed in accordance with the plans approved by this development consent DA/2024/731, and of compliance with the relevant conditions of consent.</p> <p>Condition Reason: To ensure all survey and title plans are submitted to Council in accordance with the approved plans and conditions of consent.</p>
87	<p>Restriction on title - BAL requirements</p> <p>Prior to issue of a Subdivision Certificate, the following restrictions must be created over relevant allotments under Section 88B of the Conveyancing Act:</p> <ul style="list-style-type: none"> • a restriction shall be imposed on the title of all resulting R1 lots (and the R1 portion of Lot 601), under Section 88B of the Conveyancing Act, shall be created for the ongoing management of all land as an Inner Protection Area in accordance with the requirements of Appendix 4 of Planning for Bushfire Protection 2019. The name of the authority empowered to release, vary, or modify any instrument shall be Maitland City Council. • A restriction of 11.1m from the western boundary of proposed lot 218 shall be created, under Section 88B of the Conveyancing Act, restricting the construction of any habitable part of a building within this APZ. The name of the authority empowered to release, vary, or modify any instrument shall be Maitland City Council. • A 24m wide restriction on the title of lot 601, under Section 88B of the Conveyancing Act, shall be created for the ongoing management of land identified as 'APZ' within the approved plan titled 'Subdivision Plan' dated 15.12.25 Revision 16 Drawing No.HD01 prepared by High Definition Design Pty Ltd, as an 'Inner Protection Area' in accordance with the requirements of Appendix 4 of Planning for Bushfire Protection 2019. The name of the burdened party to maintain this APZ shall be nominated as Lots 307, 523, 519 and 601. The name of the authority empowered to release, vary, or modify any instrument shall be Maitland City Council. • A Right of Access for ongoing access for maintenance of the APZ shall be created over lot 601 to benefit Lots 307, 523 and 519. The name of the authority empowered to release, vary, or modify any instrument shall be Maitland City Council. <p>Condition Reason: To ensure appropriate restrictions are applied to the subject site.</p>
88	<p>Restriction on title - Fencing on flood prone land</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>A restriction on the title of each affected lot, under Section 88B of the Conveyancing Act, shall be created to give effect to the provision that any fencing erected within a watercourse, to the limit of the 1% AEP flood level, shall be of post and wire/rail construction.</p> <p>Condition Reason: To ensure appropriate restrictions are applied to the subject site.</p>
89	<p>Restriction on title - post and wire fencing</p> <p>A restriction on the title of proposed lots 601, under Section 88B of the Conveyancing Act, shall be created to give effect to the provision that boundary fencing, shall be of post and wire or timber rail construction.</p> <p>A restriction on the title of proposed lots 519, 523 and 307, under Section 88B of the Conveyancing Act, shall be created to give effect to the provision boundary fencing adjoining Lot 601 shall be post and wire or timber rail construction.</p> <p>A restriction on the title of proposed lot 512, under Section 88B of the Conveyancing Act, shall be created to give effect to the provision of western boundary fencing shall be post and wire or timber rail construction.</p> <p>A restriction on the title of proposed lots 218 under Section 88B of the Conveyancing Act, shall be created to give effect to the provision boundary fencing on the western boundary of this lot to be timber post and rail construction.</p> <p>Condition Reason: To ensure appropriate restrictions are applied to the subject site.</p>
90	<p>Restriction on title for FPL</p> <p>A restriction on the title of affected lots under Section 88B of the Conveyancing Act, shall give effect to the floor level of dwellings being constructed at the adopted Flood Planning Level (FPL) or 500mm above the 1% AEP flood event, or at a level otherwise approved by Council.</p> <p>Condition Reason: To ensure appropriate restrictions are applied to the subject site.</p>
91	<p>Road Name Application</p> <p>Prior to issue of the Subdivision Works Certificate for earthworks or road construction, application (together with a plan) shall be made, and submitted to Council, for road names. The suggested names shall offer options, which shall be supported with reasons (historical or otherwise) for the chosen names.</p> <p>Condition Reason: To ensure compliance with the NSW road naming requirements.</p>
92	<p>Show Easements/ Restrictions on the Plan of Subdivision</p> <p>The developer must acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.</p> <p>Condition Reason: To ensure all existing easements and restrictions are acknowledged where applicable.</p>
93	<p>Show Easements/ Restrictions on the Plan of Subdivision</p> <p>The developer must acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.</p> <p>In addition, restrictions on the use of land shall be created over all land (lots) within 6m of existing and proposed electricity substations to reflect Ausgrid's construction requirements contained within their letter dated 23/09/24, as follows:</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323,62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>For a distance of 6m surrounding the asset:</p> <ul style="list-style-type: none"> the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres; The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings. The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHz) (ICNIRP 2010). <p>For a distance of 3m surrounding the asset:</p> <ul style="list-style-type: none"> Any portion of a building other than a BCA class 10a structure constructed from non-combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier. <p>The party burdened shall be nominated as each individual lot, with the party with authority to release being Maitland City Council.</p> <p>Condition Reason: To ensure all existing easements and restrictions are acknowledged where applicable.</p>
94	<p>Street and pathway lighting</p> <p>Street and pathway lighting design by a suitability qualified consultant shall be provided in accordance with the Council's requirements and the power supply authority. Additional lightning is required at the following location:</p> <ol style="list-style-type: none"> Major road intersections Pedestrian crossings/refuges Detention Basin Park Reserve Entire length of shared path <p>Condition Reason: To ensure appropriate lighting level in public areas.</p>
95	<p>Surveyors Report</p> <p>A certificate from a Registered Surveyor must be provided to the Principal Certifier, certifying that all drainage lines have been laid within their proposed easements.</p> <p>Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.</p> <p>Condition Reason: To ensure surveyors certification is provided in support of infrastructure and related easements.</p>
96	Temporary Turning Heads

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>Prior to the issue of a Subdivision Certificate temporary turning heads, relevant signage and markers for all terminating roads shall be provided. Turning heads shall comply with:</p> <ul style="list-style-type: none"> • 10.0m minimum radius shall be provided on local and minor streets in accordance with Council's Manual of Engineering Standards. <p>Condition Reason: To ensure adequate turning area for maneuvers of heavy vehicles.</p>
97	<p>Upgrades to public utility services</p> <p>Any necessary alterations to public utility installations being at the developer's expense and to the requirements of both Council and the relevant authority.</p> <p>Condition Reason: To ensure essential services are provided to each allotment.</p>
98	<p>Utility Services</p> <p>Underground water, sewerage, telecommunications and electrical power services shall be reticulated for each lot in accordance with the service provider's requirements.</p> <p>Condition Reason: To ensure essential services are provided to each allotment.</p>
99	<p>Validation Report</p> <p>A Validation Report prepared by a suitably qualified person must be provided to the Principal Certifier within 30 days of completion of the remediation works, and prior to the issue of a Subdivision Certificate, which demonstrates:</p> <p>a) compliance with objectives of the approved Remediation Action Plan (RAP);</p> <p>b) that the remediation acceptance criteria (in the approved RAP) has been fully complied with;</p> <p>c) that all remediation works comply with the Contaminated Lands Planning Guidelines, Contaminated Lands Management Act 1997, National Environment Protection Council 2013, National Environmental Protection (Assessment of Site Contamination Measure) 1999, as amended in 2013, State Environmental Planning (Resilience and Hazards) and Maitland Council's Contaminated Land Policy for Land Use Planning;</p> <p>and includes:</p> <p>d) Works As Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a Registered Surveyor;</p> <p>e) a 'notice of completion of remediation work' as required under Clause 18 of SEPP 55; and</p> <p>f) a statement confirming that the site following remediation of contamination is suitable for the intended use.</p> <p>Condition Reason: To detail the contents of the Validation Report.</p>
100	<p>Minimum finished Floor</p> <p>Prior to issue of the Subdivision Certificate, a surveyor shall provide staked markers representing the nominated flood level (RL 9.73m AHD) over affected lots, together with a reference bench mark with a reduced level for each lot.</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	Condition Reason: To ensure flood affected allotments are nominated and surveyed.
101	<p>Post-construction dilapidation report</p> <p>Before the issue of the Subdivision Certificate a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the Certifying Authority, detailing whether:</p> <ul style="list-style-type: none"> a. after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and b. where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent; and c. a copy of the post-construction dilapidation report must be provided to Council (where Council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s). <p>Before the issue of a Subdivision Certificate, a copy of the post-construction dilapidation report is to be provided to Council and to the relevant adjoining property owner(s). Any rectification works identified by either the engineer, or the principal certifier shall be rectified within the required process, and to the satisfaction of the principal certifier.</p> <p>Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of Council (where a principal certifier is not required), that all reasonable steps were taken to obtain access to the adjoining properties.</p> <p>Condition Reason: To identify any damage to adjoining properties resulting from site work on the development site.</p>
102	<p>Removal of Waste upon completion</p> <p>Before the issue of a Subdivision Certificate:</p> <ul style="list-style-type: none"> a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and b. written evidence of the waste removal must be provided to the satisfaction of the Certifying Authority <p>Condition Reason: To ensure waste material is appropriately disposed or satisfactorily stored.</p>
103	<p>Site clear of waste and debris</p> <p>At the completion of the works, the work site must be left clear of waste and debris.</p> <p>Condition Reason: To ensure construction site is cleared of waste and debris upon completion.</p>
104	<p>Easements to drain water for minor subdivision</p> <p>An easement of minimum 1.5m wide shall be created under Section 88B of the Conveyancing Act, and in accordance with Council's Manual of Engineering Standards, to cover the inter-allotment stormwater drainage lines.</p> <p>Condition Reason: To ensure appropriate restrictions are applied to the subject site.</p>
105	<p>Documentary evidence from utility providers</p> <p>Prior to issue of the Subdivision Certificate, a Compliance Certificate under Section 50 of the Hunter Water Act 1991 for this development shall be submitted to Council.</p> <p>Condition Reason: To ensure essential services are provided to each allotment.</p>
106	<p>Section 88B Instrument – VMP Land</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>All land included within the approved Vegetation Management Plan area must be protected in perpetuity through the creation of a restriction pursuant to Section 88B of the Conveyancing Act 1919 prior to the issue of a Subdivision Certificate.</p> <p>The Section 88B restriction must apply to a minimum area of 13.78 hectares, with boundaries consistent with the VMP area identified in the approved Vegetation Management Plan. The restriction must prohibit clearing, disturbance, development, or any activity that may result in the loss or degradation of biodiversity values within the VMP area, except for works expressly permitted under the approved Vegetation Management Plan. An exception may be made for the ongoing maintenance of areas required for an approved Asset Protection Zone.</p> <p>Evidence of registration of the Section 88B instrument must be submitted to and approved by Council prior to the issue of a Subdivision Certificate.</p> <p>Condition Reason: To ensure a suitable 88B instrument is imposed over the VMP land.</p>
107	<p>Bushfire Requirements</p> <p>Prior to the issue of each Subdivision Certificate, a suitably qualified bushfire consultant must submit written documentation to Council demonstrating that all requirements of the NSW Rural Fire Service General Terms of Approval have been addressed. The submission must include specific evidence showing how each of the requirements has been satisfied in accordance with the GTAs.</p> <p>Note: Council will not accept any APZs on land to be dedicated to Council that is not road reserve. The Bushfire consultant shall consider this requirement.</p> <p>Condition Reason: To ensure compliance with Bushfire Requirements.</p>
108	<p>Easements</p> <p>A restriction, covenant or easement shall be created on the title of all affected lots under the Conveyancing Act 1919 to give effect to the following requirements:</p> <ul style="list-style-type: none"> a) A right of access shall be provided over all temporary turning heads, where applicable b) Asset Protection Zones (APZs) shall be maintained in accordance with the requirements of the NSW Rural Fire Service. <p>The authority empowered to release, vary or modify inter-allotment drainage easements shall be nominated as “the lots burdened and benefitted, only with the consent of Maitland City Council”. The authority empowered to release, vary or modify restrictions and covenants on the use of the land required by this consent, shall be nominated as “Maitland City Council”.</p> <p>Land containing the proposed (and approved future) stormwater basin and park shall be dedicated to Council, at no cost to Council.</p> <p>Condition Reason: To ensure appropriate restrictions are provided.</p>
109	<p>Extension of Shared Pathway</p> <p>Prior to the issue of the Subdivision Certificate for Stage 1, the following works shall be provided within the existing road reserve(s), requiring a s138 Roads Act Approval (Road Reserves) or s68 Local Government Act (Drainage Reserves) approval:</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<ul style="list-style-type: none"> a. A shared pedestrian/cycle path 1.5m wide, along the full frontage of the site in Wilton Drive and connected to the existing 2.5m footpath on the eastern side of Mount Vincent Road. b. Other paths and footpaths as shown on the approved plans. <p>Separate approval via TfNSW shall be obtained for any works within the Mount Vincent Road Reserve</p>
	<p>Condition Reason: To ensure extension of the shared pathway to link with the existing shared path on the eastern side of Mount Vincent Road, in line with the requirements of the Development Control Plan.</p>

Before Demolition Works Commence

110	<p>Demolition Management Plan</p> <p>Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.</p> <p>The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work and must include the following matters:</p> <ol style="list-style-type: none"> 1. The proposed demolition methods 2. The materials for and location of protective fencing and any hoardings to the perimeter of the site 3. Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones 4. Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles 5. Protective measures for on-site tree preservation and trees in adjoining public domain (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's Development Control Plan) 6. Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways 7. Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent 8. Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines 9. Details of any bulk earthworks to be carried out 10. Details of re-use and disposal of demolition waste material in accordance with Council's Development Control Plan 11. Location of any reusable demolition waste materials to be stored on-site (pending future use) 12. Location and type of temporary toilets onsite 13. A garbage container with a tight-fitting lid. <p>Condition Reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site</p>
111	<p>Disconnection of services before demolition work</p> <p>Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.</p> <p>Condition Reason: To protect life, infrastructure and services</p>
112	<p>Notice of commencement for demolition</p>

RECOMMENDED CONDITIONS OF CONSENT – DA/2024/731

Four (4) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services – 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323, 145 Gullivers Lane EAST MAITLAND NSW 2323 & 141 Gullivers Lane EAST MAITLAND NSW 2323

	<p>At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:</p> <ol style="list-style-type: none">1. name2. address,3. contact telephone number,4. licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and5. the contact telephone number of council and6. the contact telephone number of SafeWork NSW (4921 2900).
	<p>Condition Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries</p>

City Planning

**Development Application 2024/731 -
Proposed Four (4) Into Seventy Eight (78)
Lot Torrens Title Staged Residential
Subdivision Including Demolition,
Earthworks, Clearing and Infrastructure
Services at 6 Wilton Drive East Maitland
NSW 2323, 62 Mount Vincent Road East
Maitland NSW 2323**

Submissions (Under Separate Cover)

Meeting Date: 27 January 2026

Attachment No: 5

Number of Pages: 42



From: PlanningAlerts [REDACTED]
Sent: Monday, 16 September 2024 8:35 PM
To: Maitland City Council
Subject: Comment on application DA/2024/731

For the attention of the General Manager / Planning Manager / Planning Department

Application: DA/2024/731
Address: 6 Wilton Drive East Maitland NSW 2323, 62 Mount Vincent Road East Maitland NSW 2323
Description: Three (3) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services
Name of commenter: [REDACTED]
Address of commenter: [REDACTED]
Email of commenter: [REDACTED]

Comment

I find this very disappointing. We will soon settle on the purchase of [REDACTED] and at no time during the negotiations for our purchase was there any mention of the possibility of this subdivision. We thought we were purchasing a home with paddocks behind us and a view, which was one of the main attractions for us. Feeling stunned

This comment was submitted via PlanningAlerts, a free service run by the charity [the OpenAustralia Foundation](#) for the public good. [View this application on PlanningAlerts](#)

Important Privacy Notice - Please Read

The email address and street address are provided to Maitland City Council only so you can contact, identify and verify [REDACTED], in response to DA/2024/731, and not for any other purpose.

You, Maitland City Council do NOT have permission to publish, nor share with anyone outside Maitland City Council the email address and street address without express written permission from [REDACTED]

We specifically confirm that any consent given in any form (including pursuant to your privacy policy) to disclose personal information to third parties is withdrawn.



[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, 3 October 2024 7:14 AM
To: Maitland City Council
Subject: Objection for DA 2024-731
Attachments: Maitland Council Objection DA 2024-731.pdf

Hello

Objection letter for DA 2024-731 attached

Thank you

[REDACTED]

To whom it may concern,

[REDACTED]
are writing to you regarding the DA/2024/731

Property: 141/1225076, 8/855275, 142/1225076 – 62 Mount Vincent Road EAST MAITLAND NSW 2323, 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323

Description: Three (3) into Seventy-Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services

Upon reviewing the documentation for Project No. HD374, we would like to express the following requests and accompanying concerns.

Summary of Requests / Concerns:

1. *Revision of proposed lot zoning to align with existing boundaries and infrastructure of Wilton Drive to ensure functional zoning and aesthetics.*
2. *Amendment of Lot No. 206 and revision of proposed basin due to significant flood risk.*
3. *Modification of road planning due to safety concerns must accommodate necessary service and emergency vehicles.*
4. *Verification of arrangements made with Transport NSW and local bus companies of public transport routes existing and planned.*
5. *Recognising this fear of Hazard or threat development plans needs to include the proposed fire trail transformed into a road built matching the existing road network serving the subdivision for community protection.*

1.1 The proposed development does not fit within the established character of the area and is considered out of context for the locality using minimal size lots.

- Suggest and consider **the same size border in relation to the adjacent boundaries.** Including and not limited to suitable level of privacy and visual impact.
- STAGE 1 eg. number 31 – 25 (7 existing properties) the proposed number 111 – 119 (9 sites) **no fence lines are aligned due to the minimal small site blocks planned.** Including and not limited to suitable level of privacy and visual impact.

1.2 The Dividing Fences Act 1991 applies where a landowner wants an adjoining owner to contribute to the costs of constructing, replacing, repairing, or maintaining a dividing fence. The general principle is liability for costs is that joining owners are to contribute equally to the fencing work for a dividing fence of a sufficient standard however, all existing properties on Wilton Drive back common boundary fence has **multiple uneven proposed fence lines** due to the minimal small site blocks planned.

1.3 Lot Size and Dimension

- Lot boundaries should follow natural features such as water courses and ridges to minimise the potential for soil erosion.
- Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses.
- Lot size and dimensions are to be suitable for the existing or proposed use, including any building envelopes, ancillary buildings, farm dams, access, parking, landscaping, solar access, provision of services and/or other equipment of any Council development consent.

1.4 Lots should generally be rectangular in shape and the use of battle-axe lots minimised.

Proposed Lot 207, 309 and 324 do these comply?

- Proper consideration for **privacy outcomes** at the site planning stage, such that the privacy of each individual dwelling and adjacent existing dwellings is protected and regard given to private open spaces including and not limited to windows of habitable rooms.
- The **visual impact** of residential subdivisions must be considered especially in areas where they can be viewed from a distance or from above.

2.1 "The Maitland area in **one of the most flood prone parts of New South Wales.**"

- STAGE 2 eg. number 24-45 (6 existing properties) the proposed number 201-206 (6 sites) **no fence lines are aligned** due to the minimal small site blocks planned. Including and incorporating site 206, it appears looking at The FEMA Flood Map Service Center (MSC) online location to find all flood hazard mapping, this site 206 is in the Maitland Flood Zone Map Area.
- **Proposed basin** illustrated on Project No HD374 Concerns around the site location and size incorporating the natural surface slope runoff from these lots. It appears looking at The FEMA Flood Map Service Center (MSC) online location to find all flood hazard mapping, this lot 142 DP1225076 is in the Maitland Flood Zone Map Area.
- **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.

3.1 Road widths and geometry in all urban subdivisions must accommodate necessary service and emergency vehicles.

- **The proposed development Road 1 is the only way in and out of the subdivision.** Risking or endangering a life or compromising treatment! Eg. In the event of a critical instance, thereby blocking access to this road, will stop emergency services getting through as they will be unable to choose another route.

3.2 ROAD DESIGN and widths of roads for residential subdivision based on expected and reasonable traffic distribution.

3.3 Staged development will significantly increase traffic flow affecting safety and amenity of the area (Road Safety Audit).

3.4 Lengthy delays turning right and left from Wilton Dr. into Brunswick St. Impact on existing roads needs a comprehensive and recent up to date traffic report.

4.0 Street Network. The residents of the Rathluba Community rely heavily upon private motor vehicles as the primary means of transport. The design and layout of the street network is fundamental to promoting the safe and efficient movement of all types of vehicles, including private vehicles, trucks, buses, emergency vehicles and waste collection vehicles. The design of the street cross-sections, pedestrian and cycle path location, and street trees.

4.1 Verification of arrangements made with Transport NSW and local bus companies of public transport routes (existing and planned) and any specific requirements for those routes eg. **school bus** routes.

5.1 "As communities have developed and properties and towns have been established, the risk of bush fires impacting on communities has increased."

Proposed Road 2 Fire Trail –

- Is this proposed property as above on bush fire prone land?
- Firefighters rely on fire trails to access the landscape to prevent, fight, manage and contain bush fires.
- Recognising this fear of Hazard or threat development plans needs to include a road built matching the existing road network serving the subdivision for community protection.

Where the balance between bushfire protection and environmental and social impact cannot be achieved, the proposal should not be supported.

6.1 Site Preparation Phase Specific, meaning, method and preparation including controls in place?

7.1 Construction Compliance Phase Specific Monitoring Controls?

From: [REDACTED]
Sent: Monday, 7 October 2024 3:17 PM
To: Maitland City Council
Subject: DA/2024/731

General Manager
Maitland City Council

Dear Sir

- 141/1225076, 8/855275, 142/1225076 - 62 Mount Vincent Road EAST MAITLAND NSW 2323, 6 Wilton Drive EAST MAITLAND NSW 2323, 62 Mount Vincent Road EAST MAITLAND NSW 2323
- Three (3) into Seventy Eight (78) Lot Torrens Titled Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services

We wish to lodge an objection to DA/2024/731 and the abovementioned property and description, and the eleven (11) lots mentioned in the Traffic Assessment which is an attachment to DA/2024/731.

Rathluba Ridge can be accessed via Turnbull Drive in Rathluba Lagoon or as the majority of residents do, through Wilton Drive. Most adhere to the speed limit but many speed up and down this thoroughfare like it was a race track.

13 Wilton Drive [REDACTED] with has already been subdivided and eleven (11) homes built there. This has caused extra traffic on the top end of Wilton Drive and an overflow of cars parking in the street. Now there is a DA to build more homes on 6 Wilton Drive, directly opposite 13 Wilton Drive, which will cause more traffic and street parking as well as being the only access to the seventy eight (78) lots which will use the access road and Wilton Drive every day. We do not believe that this will not have an effect on the area with so many car movements. We also have neighbours in this vicinity who have at least six (6) cars of which four (4) are permanently parked on the street, one (1) which never moves.

When we first moved here we had an acreage alongside of us and a peaceful rural setting. These developments have and will mar this, and residents' privacy.

Please take these issues into consideration when evaluating this DA.

Yours faithfully

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 9 October 2024 9:08 PM
To: Maitland City Council
Subject: Objection to Proposal DA/2024/731
Attachments: Objection to Planning Proposal DA_2024_731.pdf; disclosure statement.pdf

Team,

Please see attached Objection to Proposal DA/2024/731.

Thanks

[REDACTED]

9 October 2024

The General Manager
Maitland City Council

RE: REF No. DA/2024/731

I wish to formally object to Planning Proposal to subdivision of Lot 141 DP1225076 Mount Vincent Road East Maitland.

I wish to express my objection for the following reasons:

1. The Planning Proposal is definitely not in keeping with the existing residential lot density. The development proposal is for 78 Lots which is certainly not in keeping with the immediately adjacent E4 Environmental Lots. The Lot sizes are significantly smaller and higher in density than the existing lots. Recent subdivisions within the immediate area have been larger lots in keeping with the existing residential lot density. The lot sizes should be resized accordingly as a minimum.
2. There will be a significant increase in traffic on Wilton Drive. This is a significant impact and has yet to be thoroughly addressed in this and any previous Traffic Impact Assessments. Two (2) one-hour manual samples is not an accurate indication of current traffic numbers.
3. The supplied report and previously sighted mine subsidence investigations fail to understand the full extent of the mine workings in the area. Mine workings are indicated to the East and South East of existing known boreholes that have not been thoroughly investigated and measured.
4. The significance of the gully on the site do not appear to have been thoroughly addressed from water flow or aboriginal heritage point of view. Has a heritage assessment been undertaken?
5. There appears to be no mention of the 50+ strong kangaroo mob that lay claim to the area and the impact of development in the area would have on their numbers.
6. Plans contained within the Reports state that the future stage 4 is subject to further investigation. The further investigation should be included in the one proposal to understand the full impact of the proposal as it indicates the fire trial will be widened and converted to an access road.
7. There is no information supplied on the impact to the covenants of the existing immediately adjacent landowners.
8. There is information provided on the impact to the existing services in the area that were not designed to include an additional development of this scale. What will be the impact on existing residents to update this infrastructure?

9. There is no details on the proposed landscaping plan for the area.

I believe that the issues raised above need to be fully addressed prior and considered so that the true impacts of the proposal are known BEFORE approving.

Yours sincerely,



From: [REDACTED]
Sent: Thursday, 10 October 2024 12:35 PM
To: Maitland City Council
Subject: DA/2024/731, Three (3) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services, 6 Wilton Drive EAST MAITLAND, 62 Mount Vincent Road EAST MAITLAND
Attachments: disclosure statement of political donations and gifts form.pdf

RE: DA/2024/731, Three (3) into Seventy Eight (78) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services, 6 Wilton Drive EAST MAITLAND, 62 Mount Vincent Road EAST MAITLAND

Application no. DA/2024/731

To Whom it may concern,
[REDACTED] am writing to oppose the above-noted development with a few key factors in mind.

Firstly - we in the upper blocks of Wilton Drive are not connected to storm water. We personally have contacted both council and hunter water regarding our storm water issue and have been recommended to call the other party on every occasion.
How is this going to be rectified?

Secondly, I have attached a photo of the paddock behind our property to point out to council that the paddock floods up to and behind 14 Wilton with every significant rainfall.

Lastly our fencing is noted on our title deed to be rural style fencing. How is this going to be rectified once the development takes place?

Thank you for your consideration.
Please feel free to contact me if you have any questions or if I can assist any further.

Regards,

[REDACTED]



10th October, 2024.

Maitland City Council,
263 High St, MAITLAND NSW 2320

Dear Sir / Madam,

REF: DA/2024/731

I am a resident of Wilton Drive East Maitland whose property backs directly onto the land subject of the above development application.

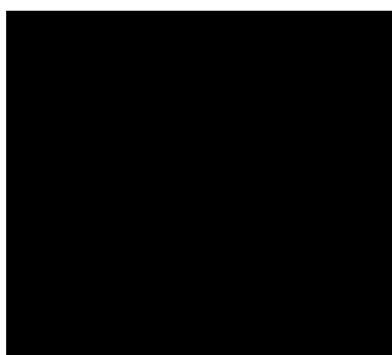
I attached photo's which were taken from the rear of my house during a period of flood between the period of 6th July and 9th July 2022 and am deeply concerned that council are not aware of these flooding issues that take place in the area of the development. The height of the water levels in this area should make any potential new resident in the proposed area and the council very nervous as to how high the levels may rise to and what potential damage this may cause to property in the future.

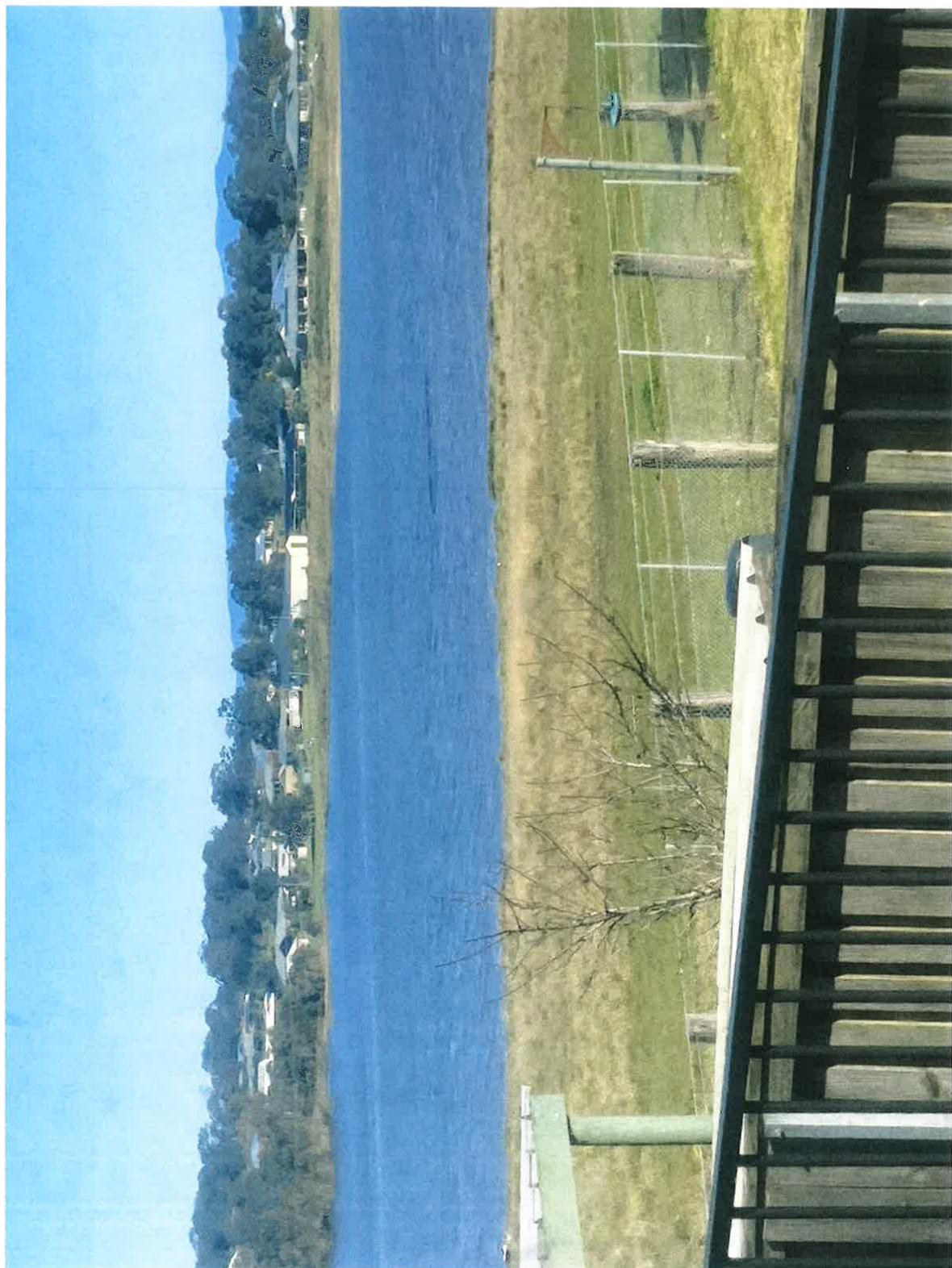
Secondly, the proposal allows for an additional 78 residential lots. The traffic at the top of Wilton Drive onto Mt Vincent Rd is already very problematic. The additional residents and their vehicles will only add to this.

Lastly, there are 2 beautiful trees at the rear of my house and another 2 in the general area which flourish with birdlife, (see attached photo). Should the development be approved, which would be highly disappointing, the cutting down of these trees would make the entire area void of trees. I would like to see these retained to keep some wildlife activity in the area.

For the top 2 reasons above I oppose the proposed development.

Your due consideration of these concerns would be greatly appreciated.











Maitland City Council

DA 2024/731

info@maitland.nsw.gov.au

R.E DA 2024/731

78 lot subdivision

6 Wilton Drive, East Maitland & 62 Mount Vincent Road East Maitland

Dear Sir/Madam,

I have objections to this development but with Council adopting my suggestions would then be happy to support this development:

- 1) The density to 6 Wilton Drive should be reduced. Lot sizes should be reduced so the developer cannot re subdivide these larger lots into smaller lots as they have done across the road. Lots should have a decent setback to Wilton Drive.
- 2) A vegetation corridor is also appreciated as these 8 lots back onto not only my lot but also 8 Wilton Drive
- 3) In relation to the other 70 lots, a vegetation buffer or corridor of 10 meters wide would assist from the existing homes to the new homes – vegetation buffer on boundaries where developer is obliged to plant trees/vegetation along this buffer.
- 4) Traffic: The new road at 6 Wilton drive to service the additional 70 plus lots is not a great idea, this should be left as a cul-de-sac and additional road should be elsewhere. Traffic flow should enter/exit at Mount Vincent Road or at the "Fire Trail" road at the top of Wilton Drive.
- 5) Would be great to retain most of the large trees that currently are established rather than removing and planting new small trees. I believe there can be a balance especially to assist native animals.

Thank you for the opportunity to have a say in this matter.

Regards



3/10/2024



We acknowledge the Wonnarua People as the Traditional Owners and Custodians of the land within the Maitland Local Government Area.

From: [REDACTED]
Sent: Friday, 2 May 2025 8:14 PM

Subject: RE: Mount Vincent Road URA DCP Chapter

Madaline,

I appreciate the DA is under review. My concern at the moment is the inclusion of the second road in the DCP amendment and questioning whether it needed to permanent and/or located as proposed. The concern is that if the DCP amendment is approved and the road becomes permanent, that the DA applicant will revise it again and convert the emergency access road to a permanent one for all traffic to use.

In short, I am objecting to Council allowing a road [REDACTED]. I am hoping that an officer of the Council will meet me on site to visualise this concern.

Thanks,



From: [REDACTED]
Sent: Friday, 2 May 2025 12:10 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Mount Vincent Road URA DCP Chapter

Hi [REDACTED]

Thank you for your email and identifying your concerns with us.

The Development Application remains under assessment. Whilst an initial response to additional information has been received, the response does not comprise a 'complete package' of information. As such, I have made the decision not to re-exhibit the application until such a time that all outstanding additional information has been received. Once I am in a position to do so, I will renotify the application, at which time you will be able to review the revised proposal and make an additional submission.

Please don't hesitate to reach out with any additional questions or concerns.

Thank you for your understanding.

Regards,



From: [REDACTED]
Sent: Wednesday, 30 April 2025 8:48 PM
To: [REDACTED]
Cc: [REDACTED]
<M
Subject: RE: Mount Vincent Road URA DCP Chapter

Amanda,

I appreciate you taking my call and seeking clarification on the inclusion to the south of [REDACTED]. I assume the proposed road being 35m from the boundary is what has been included in the current DA? My recollection is that the road was detailed as emergency access only. The wording in the amendment to the DCP below does not state the road is for emergency purposes. My concern is that the current DA will be amended and the road will become permanent. [REDACTED]

The other issue with the road in this location is the power lines runs through it, the terrain is relatively steep which would generate more traffic noise and I was informed on previous occasions that the gully forms part of the Wallis Creek catchment and the road would need to cross it which would require the road to be somewhat elevated to accommodate an appropriately sized culvert.

My suggested solution is to link the emergency access road to Mt Vincent Road opposite the waste management centre.

1. Primary road hierarchy is to be generally consistent with the Area Plan in Figure 3, including two (2) access points back to Wilton Drive.
2. The perimeter road and the primary access road indicated in Figure 3 is to be in compliance with Maitland City Council Manual of Engineering Standards and bushfire requirements.
3. An additional 3 metres of road reserve is to be provided on private lots fronting the perimeter road as a vegetation buffer.
4. Any development application for subdivisions must ensure that road networks are fully constructed to ensure any future development can be connected into the existing network.
5. No new future lot are to have direct vehicular access to Mount Vincent Road.

I would like to propose that yourself or Georgie; or other suitable representative, could have a site inspection and meeting to discuss these issues because the landscape is significantly different in reality to a top view plan. Can you please advise as to whether that is achievable?

If the area is going to be developed, I just want to ensure that it is done correctly and through full consultation with those immediately affected.

Thanks,

From: [REDACTED]
Sent: Monday, 28 April 2025 3:42 PM
To: [REDACTED]
Subject: Mount Vincent Road URA DCP Chapter

Hello [REDACTED]

Thank you for reaching out with your concerns regarding the proposed road design currently on exhibition as part of the Mount Vincent Road URA chapter. I appreciate the opportunity to explain the background behind the current layout. Following your enquiry, I have spoken with the officer who prepared the Development Control Plan (DCP) to better understand the rationale for the design.

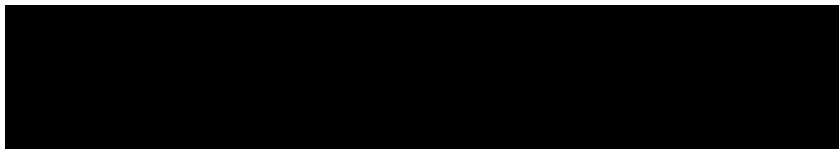
Two road connections to Wilton Drive are required to provide essential emergency access, ensuring an alternative route is available should one road become blocked. This approach is also necessary to meet the bushfire General Terms of Approval issued by the Rural Fire Service (RFS). The road is proposed to be located approximately 35 metres from [REDACTED]. It will cross the easement, run to the south of it, and then cross again to connect to Wilton Drive. As the project progresses, the design will be assessed in detail through the Development Application (DA) process, including ensuring appropriate clearance from existing power poles and other street infrastructure.

If you would like to discuss potential mitigation measures that could be considered through the DA process, you are welcome to contact the assessing officer. Madeline Smith is the assigned officer for the application; however, she is currently on leave. In her absence, Georgie Williams, our Principal Planner, is looking after her applications and would be happy to assist – I have included the contact details of both officers below.

Once I have received your formal submission, I will review it against the proposed controls and take your concerns into consideration as part of the finalisation of the Mount Vincent Road URA chapter.

Please don't hesitate to let me know if you need any further information or assistance in the meantime.

Kind regards,



We acknowledge the Wonnarua People as the Traditional Owners and Custodians of the land within the Maitland Local Government Area.

The views expressed in this email are not necessarily those of the Maitland City Council unless otherwise stated. The organisation does not warrant that this message is free of viruses or any other defect or error. This message and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this message in error please contact the author.

The views expressed in this email are not necessarily those of the Maitland City Council unless otherwise stated. The organisation does not warrant that this message is free of viruses or any other defect or error. This message and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this message in error please contact the author.

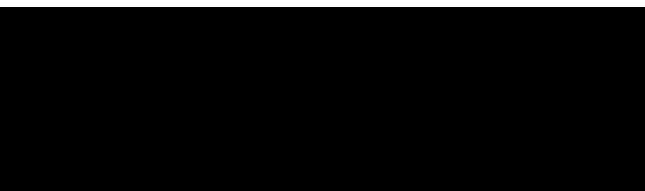
The views expressed in this email are not necessarily those of the Maitland City Council unless otherwise stated. The organisation does not warrant that this message is free of viruses or any other defect or error. This message and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this message in error please contact the author.

From: Customer Experience | Maitland City Council [REDACTED]
Sent: Wednesday, 1 October 2025 11:59 AM
To: [REDACTED]
Subject: FW: DA/2024/731, Three (3) into Seventy Eight (77) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services, 62 Mount Vincent Rd East Maitland / 6 Wilton Drive East Maitland EAST MAITLAND. [REDACTED]
Attachments: disclosure statement of political donations and gifts form.pdf

Hi Team,

Please profile this for the planning department.

Many thanks,



----- Forwarded Message -----

From: [REDACTED]
Sent: 28/9/2025, 7:16 pm
To: [REDACTED]
Subject: DA/2024/731, Three (3) into Seventy Eight (77) Lot Torrens Title Staged Residential Subdivision including Demolition, Earthworks, Clearing and Infrastructure Services, 62 Mount Vincent Rd East Maitland / 6 Wilton Drive East Maitland EAST MAITLAND.

To: Maitland Council

RE: Application no. DA/2024/731

To Whom it may concern,

I, [REDACTED], am writing to oppose the above-noted development with a few key factors in mind.

Firstly, several properties in the upper section of Wilton Drive remain unconnected to the stormwater system. We have personally raised this issue with both Council and Hunter Water, yet each has consistently referred us to the other.

Could you please clarify how this matter will be resolved?

Secondly, we are concerned that the proposed basin outlined in the development plans may be insufficient to mitigate flooding behind Wilton Drive. In the past, water levels have risen alarmingly

close to our fence line, and further development is likely to exacerbate this risk.

What additional measures are being taken to ensure adequate flood protection?

Thirdly, [REDACTED] fencing is formally recorded on [REDACTED] title deed as rural-style fencing.

What provisions are in place to address this once the development proceeds?

Finally, we are deeply concerned about the environmental impact of the proposed development, particularly the downsizing of natural habitat for local wildlife. The area currently supports a range of native species, and further disruption may lead to displacement or loss of biodiversity.

What plans are in place to preserve or rehabilitate wildlife corridors and ensure environmental sustainability throughout the development process?

Thank you for your consideration.

Please feel free to contact me if you have any questions or if I can assist any further.

[REDACTED]

The views expressed in this email are not necessarily those of the Maitland City Council unless otherwise stated. The organisation does not warrant that this message is free of viruses or any other defect or error. This message and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this message in error please contact the author.



thread::1CfnGdv4JdqkH80UuSEJKgw::

Maitland City Council

DA 2024/731



R.E DA 2024/731

77 lot subdivision

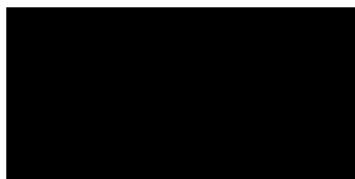
6 Wilton Drive, East Maitland & 62 Mount Vincent Road East Maitland

Dear Sir/Madam,

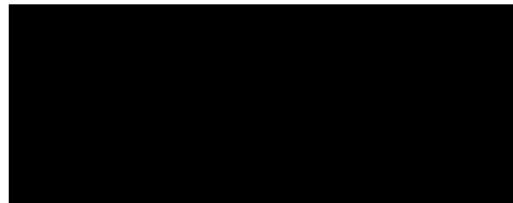
I have concerns to this development but with Council considering my suggestions below, would be happy to support this development:

- 1) A vegetation setback or easement would be beneficial for all existing homes along Wilton Drive. Even a 5 or 8 metre vegetation setback for lots 101-104, 106-108, 201-218 and 301-307 would be appreciated by not only existing homes but also benefitting new homes.
- 2) No areas for extra cars, trailers and or caravans. New residents will park extra vehicles, trailers and caravans on Wilton drive as there is no allowance or space to have these contained within this new subdivision. I have seen in other council areas, a dedicated space to address this issue within the new subdivision area.
- 3) Traffic should enter/exit at Mount Vincent Road not Wilton drive as shown. Traffic along Wilton drive is already busy at peak times and a dedicated entry/exit along Mount Vincent Road, which is already a bigger Road, would not impact anyone.

Thank you for the opportunity to have a say in this matter.



25/10/2025



30 October 2025

Mr Jeff Smith
General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

Dear Mr Smith

RE: DA-2024/731

141/1225076, 8/855275, 142/1225076, 143/1225076 - 62 Mount Vincent Road, EAST MAITLAND NSW 2323, 6 Wilton Road, EAST MAITLAND NSW 2323, 62 Mount Vincent Road, EAST MAITLAND 2323, 62 Mount Vincent Road, EAST MAITLAND NSW 2323

Three (3) into Seventy Seven (77) Lot Torrens Title Staged Residential Subdivision

Thank you for the opportunity to comment on the abovementioned proposal. We are the owners of [REDACTED] Wilton Drive, East Maitland and we are writing to strongly object to the abovementioned proposal on the aforesaid land. Although as in other cases of development on Wilton Drive and comments by a senior person at Council, we think this battle is already lost.

We are also concerned that the seemingly cyclical series of proposals to intensify development in Wilton Drive continues and requires our eternal vigilance to become aware of, understand, examine the implications and if appropriate prepare objections. This vigilance both undermines our enjoyment of the property we own and occupy in Wilton Drive and is inconsistent with the claim of planning to provide certainty to property owners. Although our enjoyment of our own property was destroyed when No 13 Wilton Drive was developed. This has caused excessive water runoff onto our property, and the house on our boundary line has five windows having full view into our house, backyard and swimming pool area, for which we had to spend money to regain some of our privacy.

We appreciate the need to constantly review planning priorities for a City like Maitland, particularly during periods of growth pressure, to accommodate desirable new development and to protect the qualities valued by the local community.

The great irony of this proposal is that it undermines the qualities of the Estate that made it a sought after location in which to live.

Due to the development of No 13 into 12 houses, there are already extra cars travelling on Wilton Drive, and cars parked in the street particularly on weekends/holidays which continues to be an issue.

The abovementioned development will have at least another 150+ cars (allowing for an average of 2 cars per block) using Wilton Drive with one access through residential properties at No 6 Wilton Drive.

Page 2

[REDACTED] main entry to the development and the houses that will be built on that block. This number of cars using this access will greatly affect us. Not only that issue but the whole development of 77 blocks affects us.

These vehicles will also not only be using Wilton Drive but Mount Vincent Road which is already dealing with a large increase of traffic with the Hunter Expressway.

These blocks will also have to deal with the noise of the helicopters due to the proximity of the development to the NSW Rural Fire Service on Mount Vincent Road

This proposal will totally alter the ambience of the area, and the valuation of current properties will be affected.

In summing up, we believe that this proposal will alter the character of the estate significantly, increase traffic volume, increase noise levels, increase the population, alter infrastructure and affect the quality of life of current residents.

We therefore strongly object to the proposal.

Yours faithfully

[REDACTED]

30 October 2025

The General Manager
Maitland City Council

RE: REF No. DA/2024/731

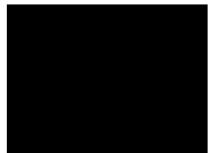
I wish to formally object to Planning Proposal to subdivision of Lot 141 DP1225076 Mount Vincent Road East Maitland.

I wish to express my objection for the following reasons:

1. The Planning Proposal is definitely not in keeping with the existing residential lot density. The development proposal is for 77 Lots which is certainly not in keeping with the immediately adjacent E4 Environmental Lots. The Lot sizes are significantly smaller and higher in density than the existing lots. Recent subdivisions within the immediate area have been larger lots in keeping with the existing residential lot density. The lot sizes immediately adjacent to existing lots should be resized accordingly as a minimum.
2. I object to the location of Road 6 and what assessment has been undertaken on the intersection with Wilton drive? The location sits between an existing stormwater drain and a power pole. Can it be realigned to be opposite the existing Woodrow Way intersection?
3. There will be a significant increase in traffic on Wilton Drive. This impact has yet to be thoroughly addressed in any Traffic Impact Assessments.
4. There is no mine subsidence investigation report.
5. The significance of the gully in the powerline easement on the site do not appear to have been thoroughly addressed from water flow perspective as the road will run across this area.
6. There is no report on the impact of the fauna; including 50+ strong kangaroo mob, that lay claim to the area and the impact of development in the area would have on their numbers.
7. There is no detail on Lot 601.
8. There is no information supplied on the impact to the covenants of the existing immediately adjacent landowners.
9. There is information provided on the impact to the existing services in the area that were not designed to include an additional development of this scale. What will be the impact on existing residents to update this infrastructure?

I believe that the issues raised above need to be fully addressed prior and considered so that the true impacts of the proposal are known BEFORE approving.

Yours sincerely,



Submission from [REDACTED] regarding DA/2024/731 dated 31/10/2025 12:32:10 PM

Exhibition Dates:

Start: 23 Sep 2025 | **End: 31 Oct 2025**

Lot and DP:

Lot 141 DP1225076, Lot 8 DP855275, Lot 142 DP1225076, Lot 143 DP1225076

Exhibition Type:

Development Application Notification

Application Number:

DA/2024/731

Location:

6 Wilton and 62 Mount Vincent Drive East Maitland NSW 2323

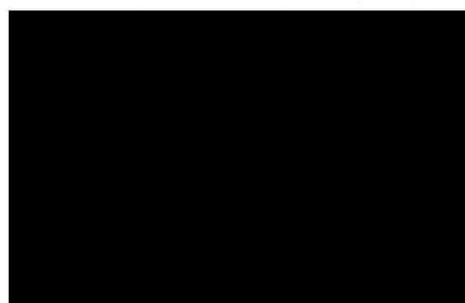
Submissions

Submissions

Submissions can be sent by email to ask@maitland.nsw.gov.au

All submissions must include a completed Political Donations and Gifts form.

Submitter



Page 1 of 7

Submission from [REDACTED] regarding DA/2024/731 dated 31/10/2025 12:32:10 PM

Letter in response to the East Maitland Land 62 Pty Ltd Application 2024/731

1. Background

A development application (DA/2024/731) has been lodged with Maitland City Council for the development of Lot 141, Mt Vincent Road, East Maitland, for a staged residential subdivision creating 78 lots (the "Proposal").

The application includes demolition, earthworks, clearing, and infrastructure services. The development is also referred to as the Mount Vincent Road Urban Release Area and is being publicly exhibited with an exhibition period ending on October 31, 2025.

- The site is within the East Maitland Mine Subsidence District, so approval from Subsidence Advisory NSW is required.
- Maitland City Council has also released a draft Development Control Plan (DCP) for the Mount Vincent Road Urban Release Area.

Development application details

- **Application Number:** DA/2024/731
- **Location:** 6 Wilton Drive and 62 Mount Vincent Road, East Maitland
- **Proposal:** A staged residential subdivision to create 78 lots
- **Includes:** Demolition, earthworks, clearing, and infrastructure services
- **Land identified:** The application affects Lot 141 DP1225076, along with other lots
- **Status:** Currently under public exhibition, which concludes on October 31, 2025

2. Details of this Objection to the Proposal

[REDACTED]

It has been, and remains, a key valued characteristic of the area that each of the properties is of a reasonable space that allows privacy and enjoyment of that space without substantial interference with another person's (neighbour's) use and enjoyment of their land. This DA/2024/731 will compromise that characteristic and will affect the

Submission from [REDACTED] regarding DA/2024/731 dated 31/10/2025 12:32:10 PM

privacy of adjoining residents and will also influence the land value of those adjacent properties.

The Council and the Applicant, jointly and severally, have not provided argument or evidence in support of the DA/2024/731 influence of these significant matters. The primary objection is that DA/2024/731 does not attend to the requirement for the development to be compatible with the surrounding environment and surrounding land use.

A key point of contention is that DA/2024/731 provides for a division of the space into small lots of a diminutive size of less than an average of 600 square metres, which is a significant departure on the approved lot size of adjacent properties which are existing low-density residential and large lot residential properties, being part of the urban area of East Maitland known as Rathluba Ridge.

The Council considered 2 previous applications for the development of Lot 141 from an applicant, ACM Landmark Pty Ltd, for the development of this land for 122 serviced self-care units ("Seniors Housing").

The Department of Planning and Environment provided a report ("DPE1 report") in response to the Council's application for a site compatibility certificate for this previously proposed Seniors Development.

The DPE1 report included that Council had provided comments on that previous proposal regarding, in summary, the following:

1. **the site is subject to mine subsidence.** Council identified the need for further geotechnical investigations over the land to inform construction requirements over the shallow mine workings identified in the July 2016 Douglas Partners report,
2. **the traffic assessment** recommended a bus stop on Wilton Drive or the provision of a private bus service to meet the access requirements of the SEPP regarding public transport (bus) and footpath gradients,
3. **the site is subject to flooding.** Council provided minimum AHD levels for building floor levels and road levels to address flood constraints,
4. **advised of implications of the existing approval requirements and constraints** (based on the EIS) associated with Council's waste management facility,
5. noted the **additional biodiversity studies** over native vegetation include mitigation measures and a level of detail to enable Council to form an opinion on the proposal at DA stage.

On the latest development proposal, the DPE issued a 12-page Gateway Determination Report, dated 01/09/2017 ("DPE2 report").

Submission from [REDACTED] regarding DA/2024/731 dated 31/10/2025 12:32:10 PM

The DPE2 report was in response to a proposal by Maitland City Council to re-zone rural land to residential land (the “Re-Zoning Proposal”). **As part of this proposal, the Council application provided that the land was intended to be sub-divided from the minimum lot size from 40Ha (as RU2 Rural Landscape) to a minimum of 450 square metres (as R1 General Residential).**

- A. In summary, on Report page 1 of 12 , the Department advises that it “is recommending that Council’s proposal proceeds, with further investigation to determine zoning, **minimum lot size** and other controls to respond to the characteristics of the site and **the impact from adjoining land uses**, including Council’s Wast Disposal Management Facility (“WDMF”).”
- B. Report page 2 of 12, 2nd paragraph, **Critical Analysis**, includes that “an analysis of residential land supply in the immediate locality (East Maitland) reveals approximately 18.7ha of vacant zone land, equating to approximately 14 years’ supply of available residential land. There is no immediate demand on housing in this locality, with a variety of available supply for seniors housing, detached housing and a range of large and small lot subdivisions.”
- C. Report page 2 of 12, 3rd paragraph includes that “Development in this locality has historically been constrained by the operation of the Mount Vincent Waste Management Facility (WDMF), restricting urban development progressions along Mt Vincent Road. The Site’s proximity to the facility means that the land is constrained by development buffers vital to mitigating the impact of the land use conflicts (air quality, noise, traffic movements). In addition, there is also uncertainty surrounding the operational lifespan of the [WD Facility]. **Council’s Proposal does not adequately justify** the arbitrary zone boundary proposed or provide evidence to support the adequacy of the proposed development buffer”.
- D. Report page 2 of 12, 4th paragraph also advises that the **Council’s proposal does not adequately resolve direct biodiversity impacts**” and refers to Council’s intention to incorporate ‘arrangements’ to “ensure that the resulting biodiversity impacts will be adequately offset or mitigated. The [Re-Zoning] proposal references biobanking and a future vegetation management plan (VMP) but not when and how this will be secured.”
- E. Report page 2 of 12, 5th paragraph confirms that the proposed re-zoned area (inclusive of DA/2024/731) will be directly south of existing urban residential development (800sqm allotments) and southwest of an environmental living area (15,000sqm allotments). The western part of the site appears to be a logical extension of East Maitland’s urban landscape, and this was confirmed in the Site Compatibility Certificate (SCC) issued on 25 November 2016, for the land enabling Seniors Housing development. The 2016 SCC considered the site constraints and certified that the western portion of the site was suitable for urban development, pending further investigations into biodiversity impacts, visual impacts and

Submission from [REDACTED] regarding DA/2024/731 dated 31/10/2025 12:32:10 PM

flooding. Several other considerations apply to development of this part of the site, including the resolution of mine subsidence risk, indigenous cultural heritage, bushfire threat and site contamination.

As mentioned above, the difference in the size of the new lots with the adjoining lots will give rise to the likelihood of substantial and unreasonable interference with these existing landholders and their current and continued privacy to use and enjoy their land.

The following details are evident in DA/2024/731:

- The substitution of the RU2 Rural Landscape space with R1 General Residential will drastically impact the outlook of all of the proposal's neighbouring existing allotments along the south side of Wilton Drive.

It is also apparent, from the layout of the proposed allotments, that the proposed properties will share property boundaries with existing allotments and there is no buffer between them. In the previous DA for the Seniors Development there was a North-South road dividing the proposed allotments with the existing allotments, providing a degree of separation.

Property values will be affected by the DA/2024/731 development of this land:

- Council is responsible for planning and development matters, including zoning and re-zoning, within our area.
- Rezoning decisions are also subject to a final decision by the Minister for Planning and Infrastructure, on the recommendation of Planning and Infrastructure.

The DEP has provided, in their Gateway Report, several matters to which Council's proposal did not adequately resolve the issues raised by DEP. I can find no evidence that the DA/2024/731 provides such resolution and, as such, it is expected that these items remain unresolved with the DEP.

The Council's re-zoning of this land dictates the types of land uses allowed and will influence property values. This DA/2024/731 must be considered by Council in this context as it will influence adjacent property values.

The broader question is the question as to whether there has been any influence on the Council by the Developers pursuit of this DA/2024/731. One of whom is a former Maitland Council Town Planner, Mr Brad Everett.

Zoning laws are regulations enacted by local governments to control the use of land within their jurisdiction. These laws are intended to serve several key purposes:

- **Orderly Development:** Zoning laws are to ensure that land is used in a manner that promotes orderly development, preventing incompatible land uses from being situated next to each other.

Submission from [REDACTED] regarding DA/2024/731 dated 31/10/2025 12:32:10 PM

- **Community Welfare:** By regulating land use, zoning laws should protect the health, safety, and general welfare of the community. They should also maintain the aesthetic quality of the neighbourhood.

DA/2024/731 is not, in its current form, reasonably considered to be supporting of or conducive to “orderly development” for maintaining the aesthetic quality of the Rathluba neighbourhood and primarily because the proposed lots are significantly smaller than the adjoining properties, and several share existing property boundaries.

Residential Zoning: This category is supposedly dedicated to maintaining the character of the neighbourhood by setting targets on, amongst other things, building **density**.

The Council's re-zoning should come with a set of regulations that should regulate characteristics such as:

- i. Setbacks: Minimum distances that buildings must be set back from property lines or streets.
 - the DA/2024/731 proposal does not appear to provide details of any restrictions, and these characteristics particularly affect separation of houses and living space between dwellings.
- ii. Height Restrictions: Limits on how tall structures can be, often to preserve sightlines or neighbourhood character.
 - the DA/2024/731 proposal does not appear to provide details of any height restrictions, and these characteristics particularly affect the sightlines for immediate property owners and the imposition of living space on existing property owners.
- iii. Density Controls: Regulations on the number of buildings or units allowed per land area.
 - the DA/2024/731 proposal does not appear to provide details of any restrictions on the building density allowed on the proposed new allotments.
 - Previous building approvals have given rise to the construction of multi-level units (13 Wilton Drive), which are out of character of the adjacent neighbourhood.

What are the details provided in DA/2024/731 regarding these characteristics?

ZONING AFFECTS PROPERTY VALUE

Zoning laws are known to play a critical role in shaping the landscape of real estate investments. These regulations, established by Maitland City Council for our area, dictate how our land, and the land adjoining our land, can be used and what types of structures can be built in specific areas. East Maitland Land 62 Pty Ltd are in the

Submission from [REDACTED] regarding DA/2024/731 dated 31/10/2025 12:32:10 PM

business of understanding how zoning affects property value, and influencing a change to area zoning is a profitable endeavour essential to maximising returns.

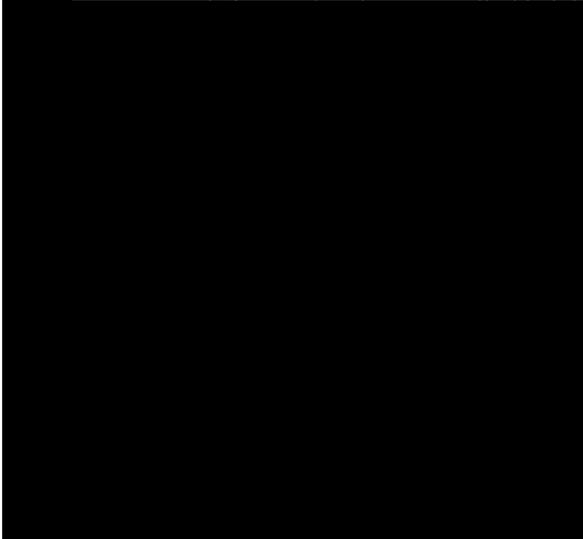
Has Maitland City Council been subject to influence by East Maitland Land 62 Pty Ltd in this regard?

Lot 141 has been re-zoned from a minimum of 40ha RU2 Rural Landscape to a minimum of 450 square metres as R1 General Residential.

It is a matter of conjecture whether East Maitland Land 62 Pty Ltd has taken action to influence the re-zoning of this area, and it is an obvious outcome of the potential approval by Maitland Council of this Development Application that significant commercial benefit will befall East Maitland Land 62 and its two owners, Mr Hilton Grugeon and Mr Brad Everett.

Mr Grugeon is a well-known influential local developer, and Brad Everett has an extensive professional association with Maitland City Council, as their former Town Planner, and with Acrocert Pty Ltd, as a Building Approval Authority.

In response to such conjecture, I request evidence from Maitland City Council that [REDACTED] information available to the Public.





We acknowledge the Wonnarua People as the Traditional Owners and Custodians of the land within the Maitland Local Government Area.

From: [REDACTED]

Sent: Thursday, 6 November 2025 9:07 PM

To: [REDACTED]

Subject: RE: Mount Vincent Road URA DCP Chapter

Madaline,

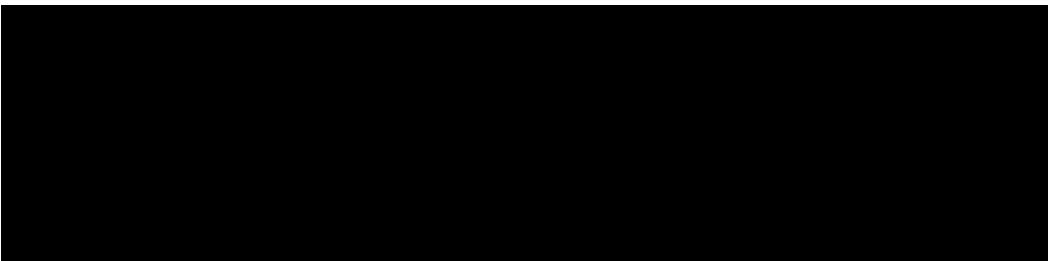
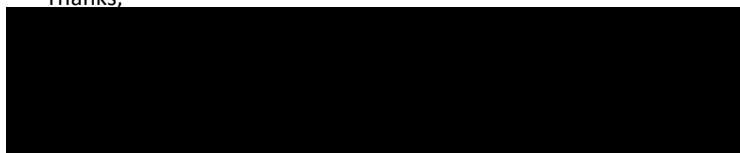
I appreciate the extension in time to review. The page I was working of was not the one you directed me to below.

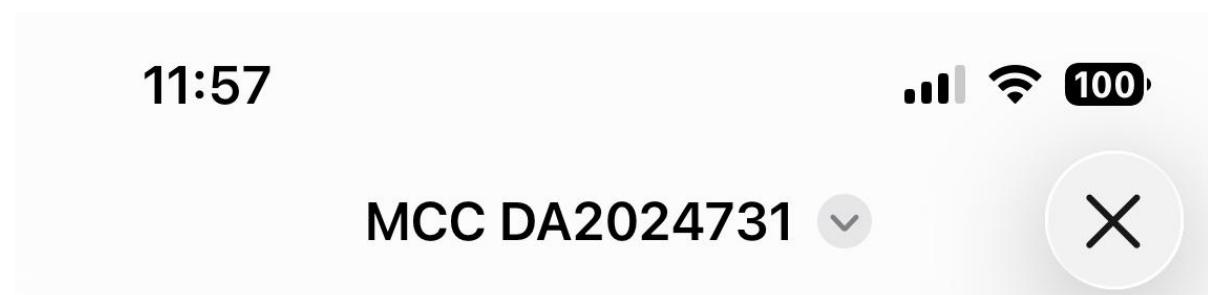
My additional comments are:

1. I stand by my view that a traffic survey taken 2 x 1 hour timeslots at an estimated peak time is not truly reflective of the traffic using Mount Vincent Road. Traffic; including emergency vehicles, has increased again since the opening of the new Maitland Hospital and the survey should be more indepth.
2. The inclusion of the second access road as a full access road is not actually required as the bushfire assessment report states:
 - Access:-** The intent of measures is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.
To achieve this, the following conditions should apply:
 - All perimeter, internal & secondary access roads shall comply with Table 5.3b, PBP 2019 requirements.
 - In this case the proposed secondary access fire trail exceeds these requirements (for a property access road) and shall be sealed, with a 5.5m wide carriageway. As road

I would like a valid justification as to why the road cannot be for emergency access only as originally proposed.

Thanks,



**Submission to Maitland City Council re. DA/2024/731**

62 Mount Vincent Road and 6 Wilton Drive, East Maitland

Madeline Smith
Senior Development Planner

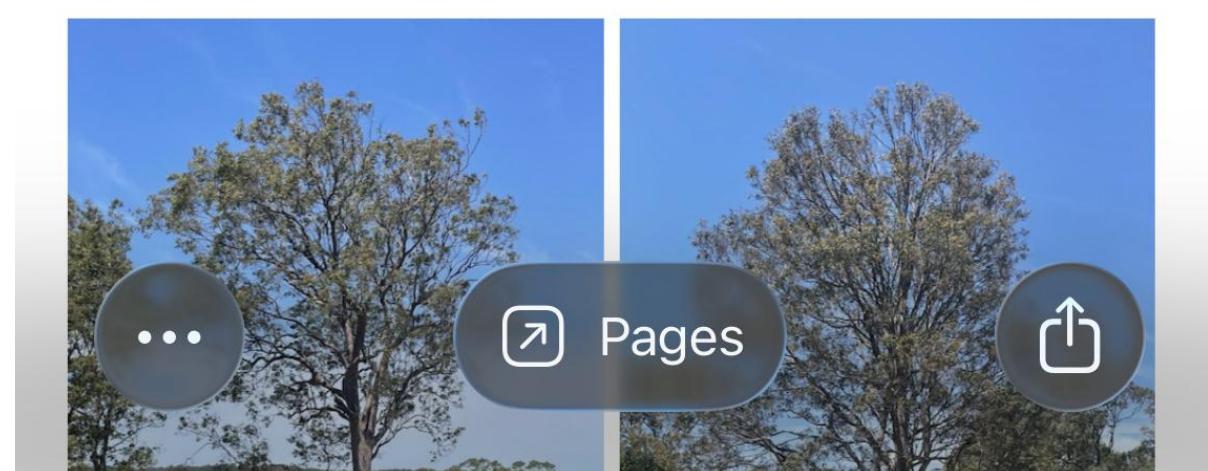
The following key issues should be considered in the assessment of the application:

1. Several large, old gum trees will have to be removed: located approximately on proposed Lots 106, 104 and 202. There may be others that were not apparent on my off-site observations. Some of these trees have nesting hollows that are currently occupied.



Old Gum on Lot 106. Cutting down this huge tree would be environmental vandalism.

1





Old Gum on Lot 106. Cutting down this huge tree would be environmental vandalism.

1



Lot 202 Large gums



Lot 104



2. There is a group of established trees parallel to Wilton Drive on Lots 105 and 101, and Road 1.

2







Gum tree with occupied nesting hollows

4 of 8

3



Trees on Lots 302 to 304

EEC, showing transmission lines;
and approximate area where the fire
access road might slice through the EEC.

4

3. I am concerned about the necessity and location of a secondary road which is proposed to access Wilton Drive east of the two houses on Winton Drive and the transmission lines. This road is not indicated on the subdivision plan that was sent to me by Council's Planning Environment & Lifestyle Support Officer.

I understand that this road is to provide security in case of a bushfire. However, this proposed access road slices into the Lower Hunter Spotted Gum and Ironbark Forrest. Large areas of this endangered Forest have been destroyed since European settlement. There is now less than 10% remaining, often in isolated pockets. It is officially classified as an Endangered Ecological Community (EEC). The remnants are not just the trees, but the whole eco-system, which provides habitat and support for a wide variety of flora and fauna, including people. The EEC forms part of a primary wildlife corridor and vegetation corridor. These corridors provide important ecological benefits to the area that support natural processes within a healthy environment, they allow for species to move through



EEC, showing transmission lines;
and approximate area where the fire
passed through the EEC.



5 of 8

4

3. I am concerned about the necessity and location of a secondary road which is proposed to access Wilton Drive east of the two houses on Winton Drive and the transmission lines. This road is not indicated on the subdivision plan that was sent to me by Council's Planning Environment & Lifestyle Support Officer.

I understand that this road is to provide security in case of a bushfire. However, this proposed access road slices into the Lower Hunter Spotted Gum and Ironbark Forrest. Large areas of this endangered Forest have been destroyed since European settlement. There is now less than 10% remaining, often in isolated pockets. It is officially classified as an Endangered Ecological Community (EEC). The remnants are not just the trees, but the whole eco-system, which provides habitat and support for a wide variety of flora and fauna, including people. The EEC forms part of a primary wildlife corridor and vegetation corridor. These corridors provide important ecological benefits to the area that support natural processes within a healthy environment, they allow for species to move through the landscape to find resources such as food, water and nesting habitat. On-going fragmentation of important habitat corridors can negatively impact on local biodiversity by reducing food and nesting availability, gene flow and increase edge effects. To position an access road through the bush could be dangerous in a fire event. Additionally, the NSW Rural Fire Service has its base about 200 metres along Mount Vincent Road and adjoins the developer's property. So fire danger is greatly reduced.

There are numerous subdivisions in Maitland that don't have a fire access road. Where I live in Louth Park there is a No Through Road from Gullivers Lane to our property. There is a new subdivision located around Boomi Cct off Wallis Street in East Maitland that also has No Through Road signs. Again no fire access road. Also there are any number of Over 55s housing estates in the area that do not have an additional access road.

4. The Draft Development Control Plan for Mount Vincent Urban Release Area (F.17) (meeting date 18 March 2025) notes:

- a. 1.6.7. Bushfire: "Development on bushfire prone land shall be assessed and designed in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guideline". I know that when we built our house, if neighbouring trees presented a fire danger, then we had to modify our house design to be fire safe, not remove the trees (especially if they belonged to the neighbour). A development which would require an access road should be designed to be safe, leaving the native vegetation intact.
- b. 1.8: "A perimeter road (with development on the **internal** side only) is to be provided within the R1 General Residential zoned land abutting the C3 Environmental Management zoned land". It should be noted that a number of Lots are **not** on the internal side: Lots 218, 518, 519, 520, 521, 522, 523. It is an ominous portent that Road 6 doesn't have a cul de sac, and instead stops abruptly at the transmission lines with the implication that at a later date it may continue eastward parallel to Wilton Drive.

5. Biodiversity. Objective 6 of the Hunter Regional Plan (HRP) 2041 focuses on the conservation of environmentally sensitive areas. The EEC certainly falls into this category and requires that development maintains or enhances the environmental value and ecological viability of the regional biodiversity network. The development application involves the clearing of some of this precious, remnant EEC and is likely to result in additional indirect impacts on the adjacent bush. Consequently the proposal is

5

inconsistent with the intent and objectives of the HRP 2041. The development is likely to result in additional indirect impacts on adjacent land. The Proposal has not demonstrated how impacts on biodiversity values have been avoided and minimised. The indirect impacts would mean a loss of habitat viability in the surrounding landscape due to edge effects.

The proposal does not adequately demonstrate how impacts on biodiversity values have been avoided and minimised. There should be an evaluation of feasible alternatives. This deficiency is of particular concern given the extent of impacts on native vegetation and threatened species habitat.

Thank you for the opportunity to provide comment on the development application. If you require any further information, please do not hesitate to contact me on telephone

4. The Draft Development Control Plan for Mount Vincent Urban Release Area (F.17) (meeting date 18 March 2025) notes:

a. 1.6.7. Bushfire: "Development on bushfire prone land shall be assessed and designed in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guideline". I know that when we built our house, if neighbouring trees presented a fire danger then we had to modify our house design to be fire safe, not remove the trees (ed to the neighbour). A development which would require an signed to be safe, leaving the native vegetation intact.

 6 of 8

road (with development on the **internal** side only) is to be provided within the R1 General Residential zoned land abutting the C3 Environmental Management zoned land". It should be noted that a number of Lots are **not** on the internal side: Lots 218, 518, 519, 520, 521, 522, 523. It is an ominous portent that Road 6 doesn't have a cul de sac, and instead stops abruptly at the transmission lines with the implication that at a later date it may continue eastward parallel to Wilton Drive.

5. Biodiversity. Objective 6 of the Hunter Regional Plan (HRP) 2041 focuses on the conservation of environmentally sensitive areas. The EEC certainly falls into this category and requires that development maintains or enhances the environmental value and ecological viability of the regional biodiversity network. The development application involves the clearing of some of this precious, remnant EEC and is likely to result in additional indirect impacts on the adjacent bush. Consequently the proposal is

5

inconsistent with the intent and objectives of the HRP 2041. The development is likely to result in additional indirect impacts on adjacent land. The Proposal has not demonstrated how impacts on biodiversity values have been avoided and minimised. The indirect impacts would mean a loss of habitat viability in the surrounding landscape due to edge effects.

The proposal does not adequately demonstrate how impacts on biodiversity values have been avoided and minimised. There should be an evaluation of feasible alternatives. This deficiency is of particular concern given the extent of impacts on native vegetation and threatened species habitat.

Thank you for the opportunity to provide comment on the development application. If you require any further information, please do not hesitate to contact me on telephone

6

City Services

Local Transport Forum Meeting Minutes (December 2025)

Local Transport Forum Minutes (December 2025) (Under Separate Cover)

Meeting Date: 27 January 2026

Attachment No: 1

Number of Pages: 32



LOCAL TRANSPORT FORUM MEETING

MINUTES

4 DECEMBER 2025



4 DECEMBER 2025

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
COMMENCEMENT		1
1 ACKNOWLEDGEMENT OF COUNTRY		1
2 APOLOGIES AND LEAVE OF ABSENCE		1
3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING		1
4 BUSINESS ARISING FROM MINUTES		1
4.1 TIME LIMIT ON RV PARKING SPOTS - HAROLD GREGSON PARK		1
5 LOCAL TRANSPORT FORUM REPORTS		2
5.1 PROPOSED CHANGES TO TRAFFIC MANAGEMENT - MAITLAND NETBALL ASSOCIATION - GIPPS STREET, SOUTH MAITLAND.....		2
5.2 PROPOSED CHANGED TRAFFIC MANAGEMENT - PARTIAL ONE-WAY TRAFFIC FLOW CONVERSION OF GREGORY ROAD, LOCHINVAR		6
5.3 ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE		13
5.4 PROPOSED CHANGES TO TRAFFIC MANAGEMENT AT MCKEACHIE DRIVE AND OAKHAMPTON ROAD INTERSECTION		20
5.5 PROPOSED CHANGED TRAFFIC MANAGEMENT CONDITIONS AT THE INTERSECTION OF DRAGONFLY DRIVE AND GRASSHAWK DRIVE, CHISHOLM		23
6 GENERAL BUSINESS.....		26
6.1 PROPOSED INTERMITTENT CLOSURES OF HERITAGE DRIVE CHISHOLM DURING SCHOOL SHUTDOWN - 2025/444714		26
6.2 NEW YEAR'S EVE BUS SERVICE EXTENSION.....		26
6.3 LINE MARKING - STATION LANE, LOCHINVAR		26
6.4 KISS AND DROP ZONE - RUTHERFORD PUBLIC SCHOOL		27
6.5 DIRT BIKE INCIDENT - TENAMBIT.....		27
6.6 MOTORBIKES AND CARS ON SHARED PATH - EAST MAITLAND		27
7 CLOSURE.....		30

LOCAL TRANSPORT FORUM MEETING MINUTES

4 DECEMBER 2025

PRESENT

Cr Warrick Penfold – Councillor (Chairperson)
Giovanna Kozary – Representative for Jenny Aitcheson MP
John Carey – Transport for NSW Representative
Senior Constable Rodney Minter – Maitland Police Representative
William Ridley – Hunter Valley Buses
Stephen Smith – Maitland City Council
Brendan Moran – Maitland City Council
Andrew McAdam – Maitland City Council
Steven Roach – Maitland City Council
Craig Parsons – Maitland City Council
Andrew Puller – Maitland City Council
Kevin Tseng – Maitland City Council (until 9.24am)
Olivier Minnett - Maitland City Council
Christina Devine – Maitland City Council (minute taker)

COMMENCEMENT

The meeting was declared open at 9.31 am.

1 ACKNOWLEDGEMENT OF COUNTRY

2 APOLOGIES AND LEAVE OF ABSENCE

Sergeant Amber Brown – Maitland Police
Garry Blair - Representative for David Lazell MP

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

No objection or amendments were received within the two week notification period with regards to the distributed Minutes of the Local Transport Forum Meeting held 6 November 2025 and the minutes were hereby considered adopted on 20 November 2025.

4 BUSINESS ARISING FROM MINUTES

4.1 TIME LIMIT ON RV PARKING SPOTS – HAROLD GREGSON PARK

- Council reported that investigations confirmed the time limit for RV parking at Harold Gregson Park was never formally established.
- Council will formalise the time limit for RV parking and provide an update at a future LTF meeting.

4 DECEMBER 2025

5 LOCAL TRANSPORT FORUM REPORTS

5.1 PROPOSED CHANGES TO TRAFFIC MANAGEMENT - MAITLAND NETBALL ASSOCIATION - GIPPS STREET, SOUTH MAITLAND

FILE NO:

4351-1D

ATTACHMENTS:

1. Plan No. 4351-1F Netball Court Car Park Upgrade - Gipps Street

AUTHOR:

Civil Design Engineer

Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

As part of the Maitland Park Master Plan, a series of upgrades in the Maitland Netball Association area are proposed. These works include:

- A new car parking facility with an additional fifty five (55) car parking spaces;
- A Kiss & Ride Area; and
- A proposed 10 km/h Shared Zone that connects with the Existing Car Park.

Approval is sought for the raised thresholds, new regulatory signage and associated line marking for the Shared Zone, Kiss & Ride Area and a proposed No Parking area along Gipps Street in the southbound direction (within the Shared Zone).

OFFICER'S RECOMMENDATION

THAT

1. The proposed raised thresholds, signage and line marking for the 10km/h Shared Zone, Kiss & Ride Area and No Parking area along Gipps Street in the southbound direction within the Shared Zone detailed on plan no. 4351-1F dated 05/12/2025 be approved by Council.

COMMITTEE RECOMMENDATION

THAT

1. The proposed raised thresholds, signage and line marking for the 10km/h Shared Zone, Kiss & Ride Area and No Parking area along Gipps Street in the southbound direction within the Shared Zone detailed on plan no. 4351-1F dated 05/12/2025 as amended in red be approved by Council.

4 DECEMBER 2025

Local Transport Forum Reports

PROPOSED CHANGES TO TRAFFIC MANAGEMENT - MAITLAND NETBALL ASSOCIATION - GIPPS STREET, SOUTH MAITLAND

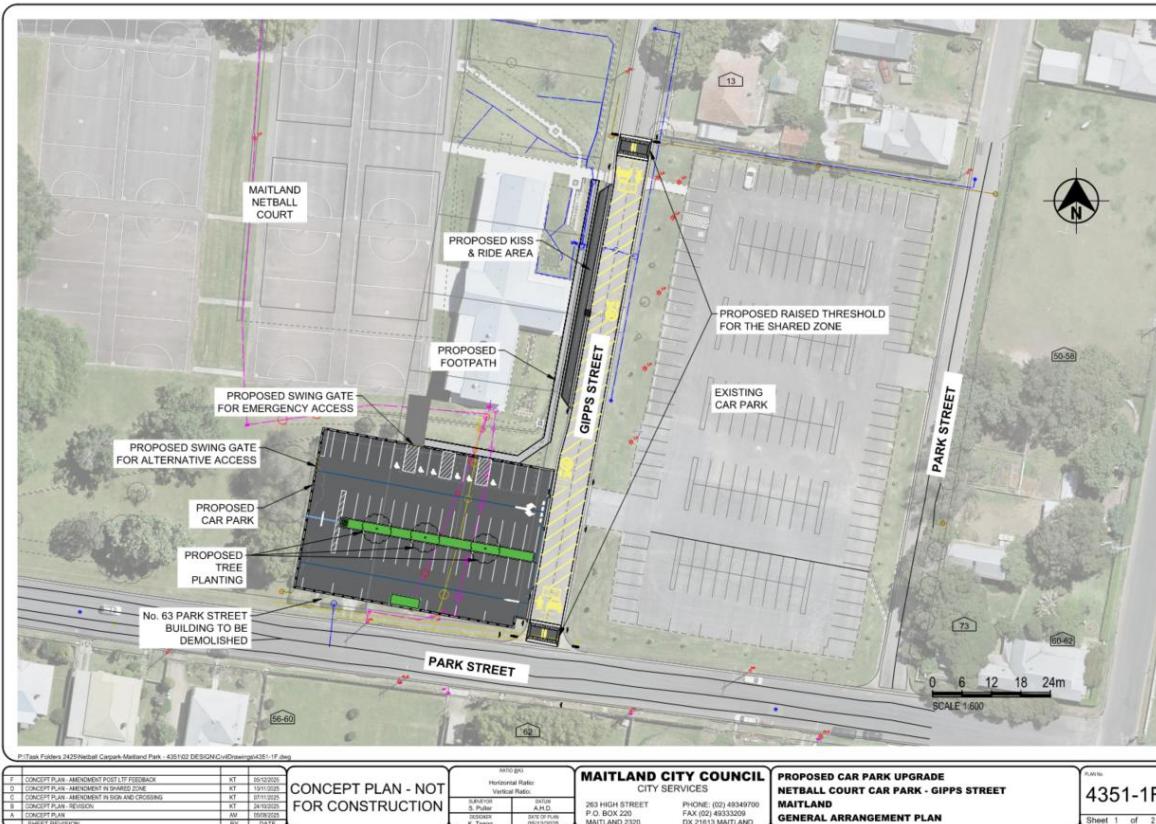
Plan No. 4351-1F Netball Court Car Park Upgrade - Gipps Street

Meeting Date: 4 December 2025

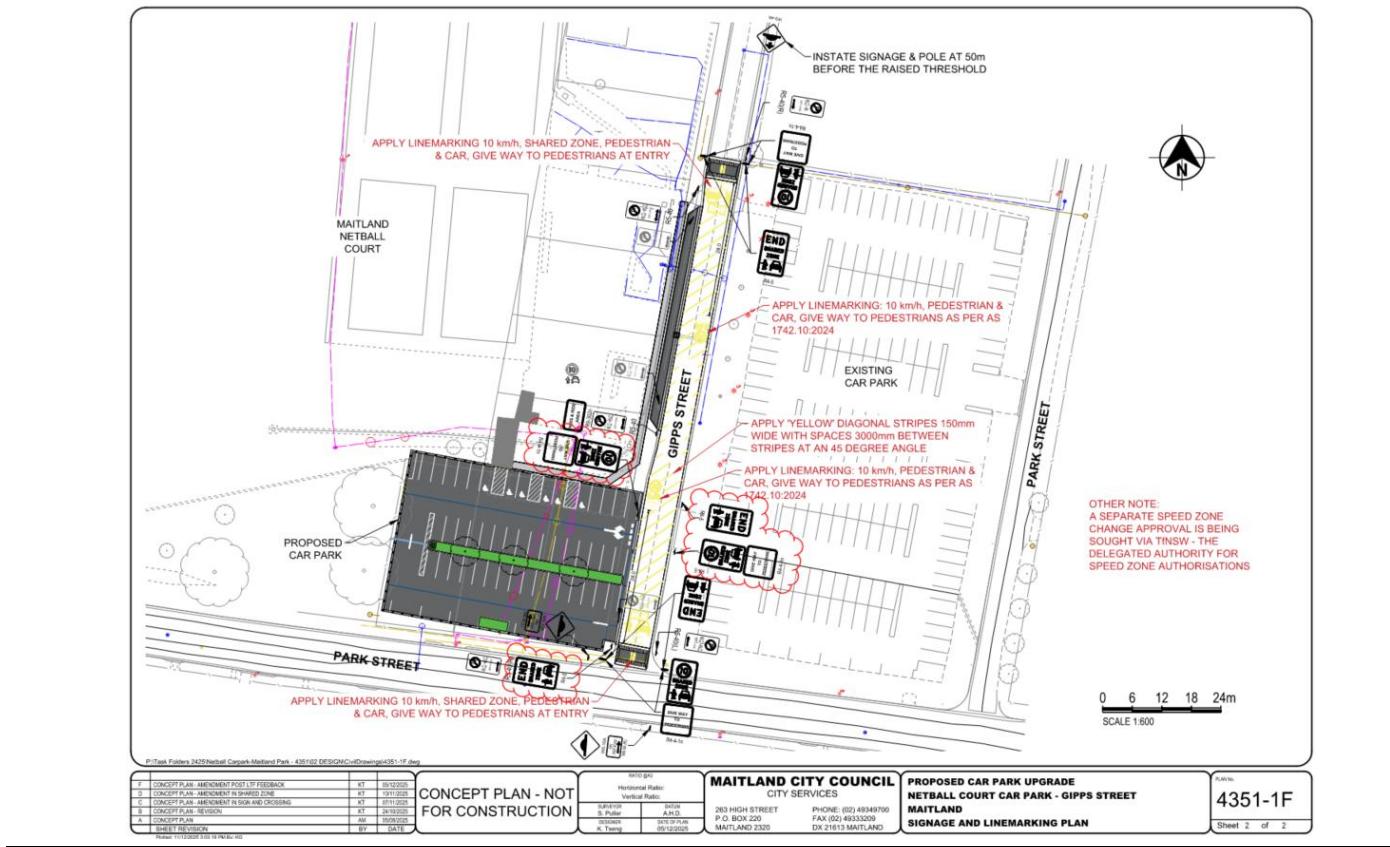
Attachment No: 1

Number of Pages: 2

4 DECEMBER 2025



4 DECEMBER 2025



4 DECEMBER 2025

5.2 PROPOSED CHANGED TRAFFIC MANAGEMENT - PARTIAL ONE-WAY TRAFFIC FLOW CONVERSION OF GREGORY ROAD, LOCHINVAR

FILE NO:

2025/444263

ATTACHMENTS:

1. **Gregory Road - One Way Proposal**

AUTHOR:

Traffic Management Officer

Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Council has received correspondence regarding pedestrian safety concerns In Gregory Road, Lochinvar between Station Lane and Robert Road due to the narrowing of the road at the culvert. As a medium-term measure for the safety of pedestrians it is proposed to make Gregory Road one way only from St Patrick's Catholic Primary School carpark to Robert Road (in an east bound direction) so that sufficient space is made available to implement a protected pedestrian walkway across the culvert. It is proposed that this traffic and pedestrian arrangement will remain in place until road and culvert widening works are undertaken.

OFFICER'S RECOMMENDATION

THAT

1. Council implements the required regulatory signage to enact one way traffic flow, eastbound on Gregory Road, Lochinvar from the St Patrick's School carpark to Robert Road intersection.

COMMITTEE RECOMMENDATION

THAT

1. Council implements the required regulatory signage to enact one way traffic flow, eastbound on Gregory Road, Lochinvar from the St Patrick's School carpark to Robert Road intersection as per Gregory Road - One Way Proposal Concept Plan as amended in red.

4 DECEMBER 2025

Local Transport Forum Reports

PROPOSED CHANGED TRAFFIC MANAGEMENT - PARTIAL ONE-WAY TRAFFIC FLOW CONVERSION OF GREGORY ROAD, LOCHINVAR

Gregory Road - One Way Proposal

Meeting Date: 4 December 2025

Attachment No: 1

Number of Pages: 5

4 DECEMBER 2025

Project Description

SCOPE OF WORKS

DOCUMENT CONTROL

RELEASE DETAILS	By	Ch'kd	Date
A CONCEPT PLAN	SR		12/11/2025

LOCALITY PLAN



SHEET SCHEDULE

1. COVER SHEET - LOCALITY PLAN
2. WORK AREA LAYOUT PLAN
3. SHORT TERM TRAFFIC MANAGEMENT PLAN
4. LONG TERM TRAFFIC MANAGEMENT PLAN
5. DETOUR PLAN

RELEASE APPROVAL

These Plans comply to the PIB & specified requirements.	Design Officer
These plans satisfy the requirements of the PIB for construction.	Operations Manager Design and Project
Approval is granted for the release of these plans.	Manager Engineering & Design
Approval is granted for the delivery of the works in accordance with these plans.	Manager Capital Works Delivery
Approval is granted for the construction of the works in accordance with these plans.	Manager Works

COPYRIGHT
Copyright in these drawings, information and data hereon is the property of Maitland City Council and may not be used or reproduced in whole or part for any purpose other than that which it is supplied with out the written consent of Maitland City Council

STATUS

CONCEPT PLAN

SURVEYOR	DATUM
	A.H.D.
DESIGNER	

MAITLAND CITY COUNCIL
CITY SERVICES

263 HIGH STREET
P.O. BOX 220
MAITLAND 2320

PHONE: (02) 49549700
FAX (02) 49533209
DX 21613 MAITLAND

PLAN No.

Sheet 1 of 4

4 DECEMBER 2025

NOTES

1. These drawings have been prepared in accordance with the relevant Australian Standards, Austroads, Transport for NSW Supplements and the Preliminary Project Information sheet (PPI).
2. Dimensions shall not be scaled off plans. Any additional dimensions, clarification or discrepancies shall be referred to the Manager Engineering and Design before proceeding with the Works.
3. A DBVD search has been carried out & services physically located where required at the time of design. The DBVD search shall be repeated prior to the start of work. Services are to be located & marked on site & the marks maintained throughout the construction period.
4. Occupiers of properties & businesses affected by the Works shall be notified prior to the start of work. Where access to a property or business is affected, the affected parties shall be consulted with and arrangements made to minimise the effect or provide alternative access or parking.
5. Works shall be carried out in accordance with the Environmental Management Plan (EMP) and any additional measures implemented by the Manager Works.
6. Variations to the estimated cost shall be referred to the Capital Works Programme Group for consideration before being committed.
7. A "Works As Executed" Plan shall be prepared and forwarded to the Manager Engineering and Design on completion of the Works. The WAE Plans shall show all variations, final locations & levels.

SITE PLAN

Legend:

- New Sign Location
- Crash Rated protection
- Non Crash Rated protection
- Concrete Barrier



STATUS

CONCEPT PLAN - NOT FOR CONSTRUCTION

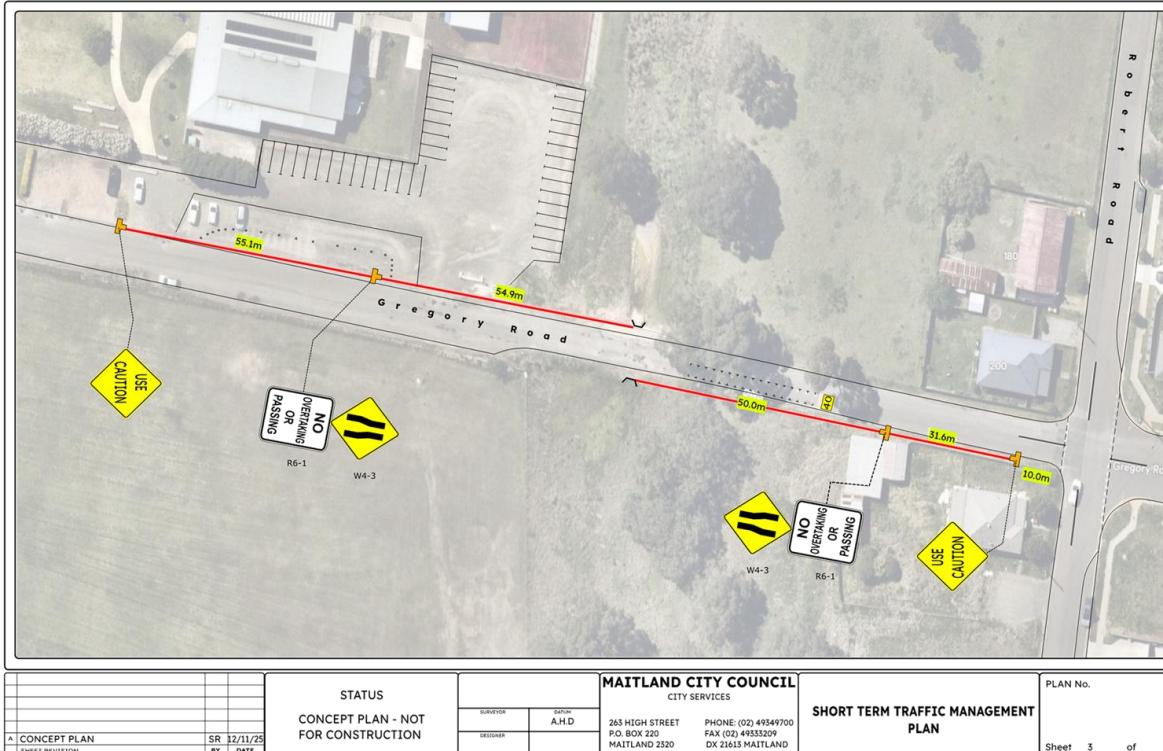
SURVEYOR	DATUM
DESIGNER	A.H.D.

MAITLAND CITY COUNCIL
CITY SERVICES
265 HIGH STREET
P.O. BOX 220
MAITLAND 2320
PHONE: (02) 49549700
FAX: (02) 49535209
DX 21615 MAITLAND

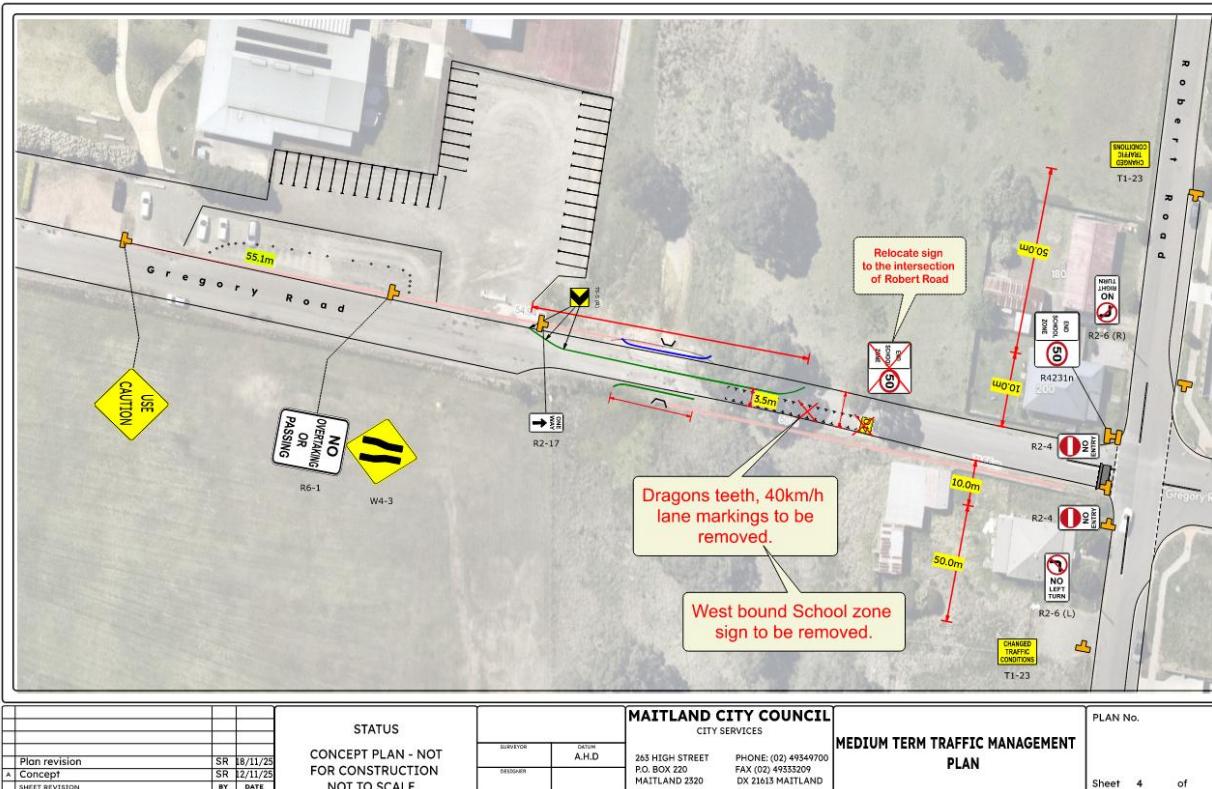
PLAN No.

SITE PLAN AND CONSTRUCTION NOTES Sheet 2 of 4

4 DECEMBER 2025



4 DECEMBER 2025



4 DECEMBER 2025



4 DECEMBER 2025

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE (Cont.)

5.3 ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE

FILE NO:

4256

ATTACHMENTS:

1. 4256-1B

AUTHOR:

Senior Design Officer

Operations Manager Transport & Infrastructure Engineering
Road Safety Officer

EXECUTIVE SUMMARY

Council has been successful in securing funding for safety upgrade works around Ashtonfield Public School through the State and Federally funded Road Safety Program. Part of the proposal was to upgrade two existing crossings; one on Norfolk Street, Ashtonfield and the other on South Seas Drive, Ashtonfield, to raised wombat crossings. This report covers the line marking and signage proposal for both raised crossings.

OFFICER'S RECOMMENDATION

THAT

1. The regulatory line marking and signage associated with the "Ashtonfield Public School - School Zone Infrastructure" construction plans 4256-1B (Sheet 4 and Sheet 7) be approved by Council.

COMMITTEE RECOMMENDATION

THAT

1. The regulatory line marking and signage associated with the "Ashtonfield Public School - School Zone Infrastructure" construction plans 4256-1B (Sheet 4 and Sheet 7) as amended in red be approved by Council.

4 DECEMBER 2025

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE (Cont.)

Local Transport Forum Reports

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE

4256-1B

Meeting Date: 4 December 2025

Attachment No: 1

Number of Pages: 5

4 DECEMBER 2025

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE (Cont.)



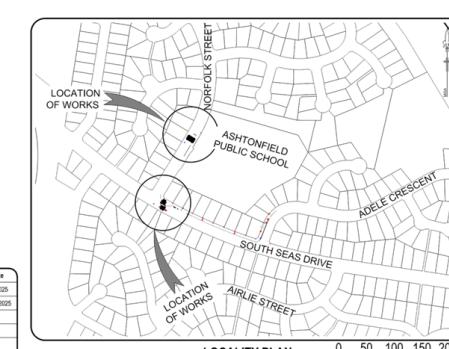
SOUTH SEAS DRIVE
ASHTONFIELD
PROPOSED TRAFFIC FACILITIES
SCHOOL CROSSING INFRASTRUCTURE

SCOPE OF WORKS

- CONSTRUCT A RAISED PEDESTRIAN CROSSING ON NORFOLK STREET
- CONSTRUCT TWO PEDESTRIAN RAMPS ON NORFOLK STREET REFER TO SHEET 3
- CONSTRUCT TWO RAISED PEDESTRIAN CROSSINGS ON SOUTH SEAS DRIVE MATCHING INTO PROPOSED PEDESTRIAN REFUGE
- CONSTRUCT TWO PEDESTRIAN RAMPS ON SOUTH SEAS DRIVE REFER TO SHEET 10
- INSTALL SIGNAGE WHERE SHOWN ON PLAN (REFER TO SHEET 10).

SHEET SCHEDULE

1. COVER SHEET - LOCALITY PLAN
2. GENERAL ARRANGEMENT PLAN
3. RAISED PEDESTRIAN CROSSING ONE - SITE PLAN
4. RAISED PEDESTRIAN CROSSING ONE - SIGNAGE
5. RAISED PEDESTRIAN CROSSING TWO - SITE PLAN
6. RAISED PEDESTRIAN CROSSING THREE - SITE PLAN
7. RAISED PEDESTRIAN CROSSING TWO & THREE SIGNAGE



LOCATION OF WORKS

LOCATION OF WORKS

NORFOLK STREET

ASHTONFIELD PUBLIC SCHOOL

ADELE CRESCENT

SOUTH SEAS DRIVE

AILIE STREET

SCALE 1:5000

DOCUMENT CONTROL

RELEASE DETAILS	By	Chk'd	Date
A CONCEPT PLAN	OM	TJ	9/10/2025
B FOR CONSTRUCTION	OM	TOB	18/11/2025

P1Task_Folders 2420 Ashtonfield Public - Traffic Facilities - 429602 DESIGN4256-1B.dwg

RELEASE APPROVAL

These plans comply to the PB & specified requirements.	Design Officer
These plans satisfy the requirements of the PB for construction.	Operations Manager Design and Project
Approval is granted for the release of these plans.	Manager Engineering & Design
Approval is granted for the delivery of the works in accordance with these plans.	Manager Capital Works Delivery
Approval is granted for the construction of the works in accordance with these plans.	Manager Works

COPYRIGHT
Copyright in these drawings, information and data herein is the property of Maitland City Council and may not be used or reproduced in whole or part for any purpose other than that which it is supplied with out the written consent of Maitland City Council

STATUS

CONSTRUCTION PLAN

SUPERVISOR S. PUNNETT	DESIGNER A.H.D. D. DANNETT
--------------------------	----------------------------------

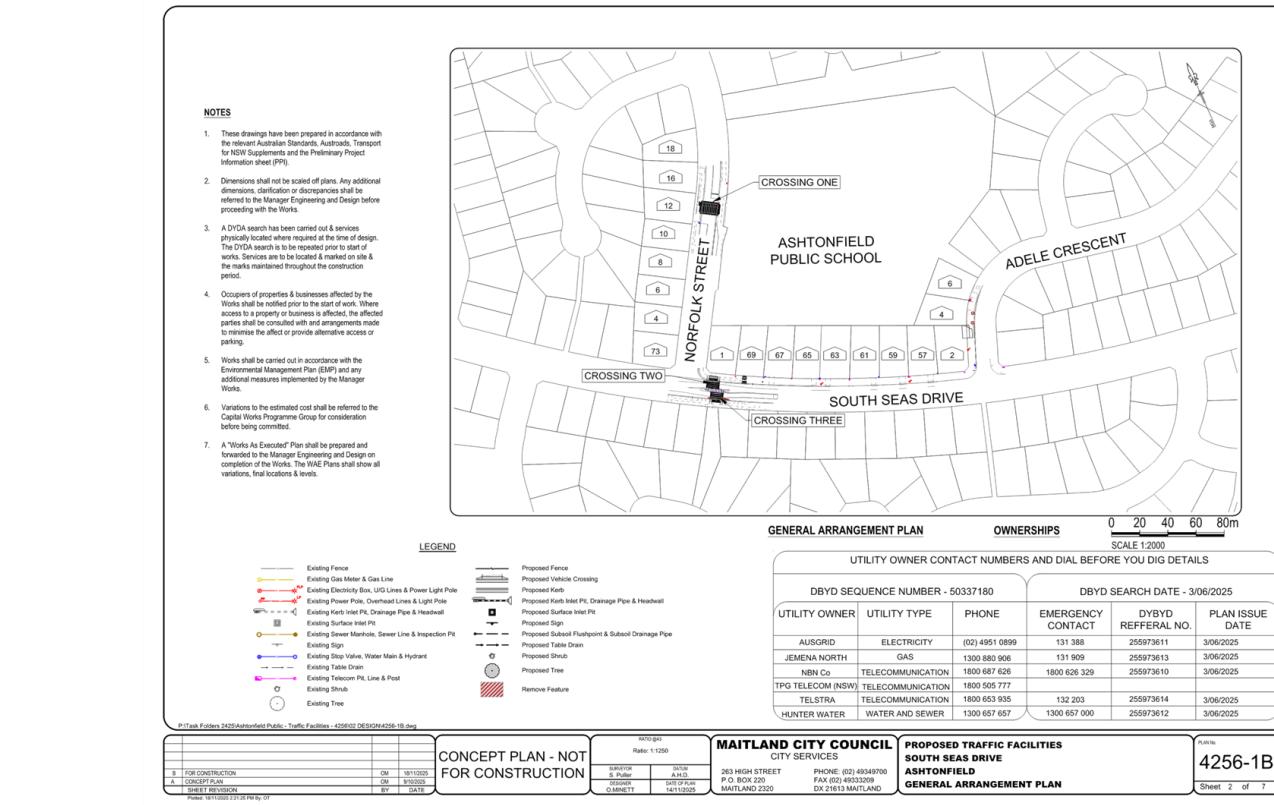
MAITLAND CITY COUNCIL
 CITY SERVICES

263 HIGH STREET P.O. BOX 220 MAITLAND 2320	PHONE: (02) 49349700 FAX: (02) 49333209 DX 21615 MAITLAND
--	---

Publ. No. 4256-1B
 Sheet 1 of 7

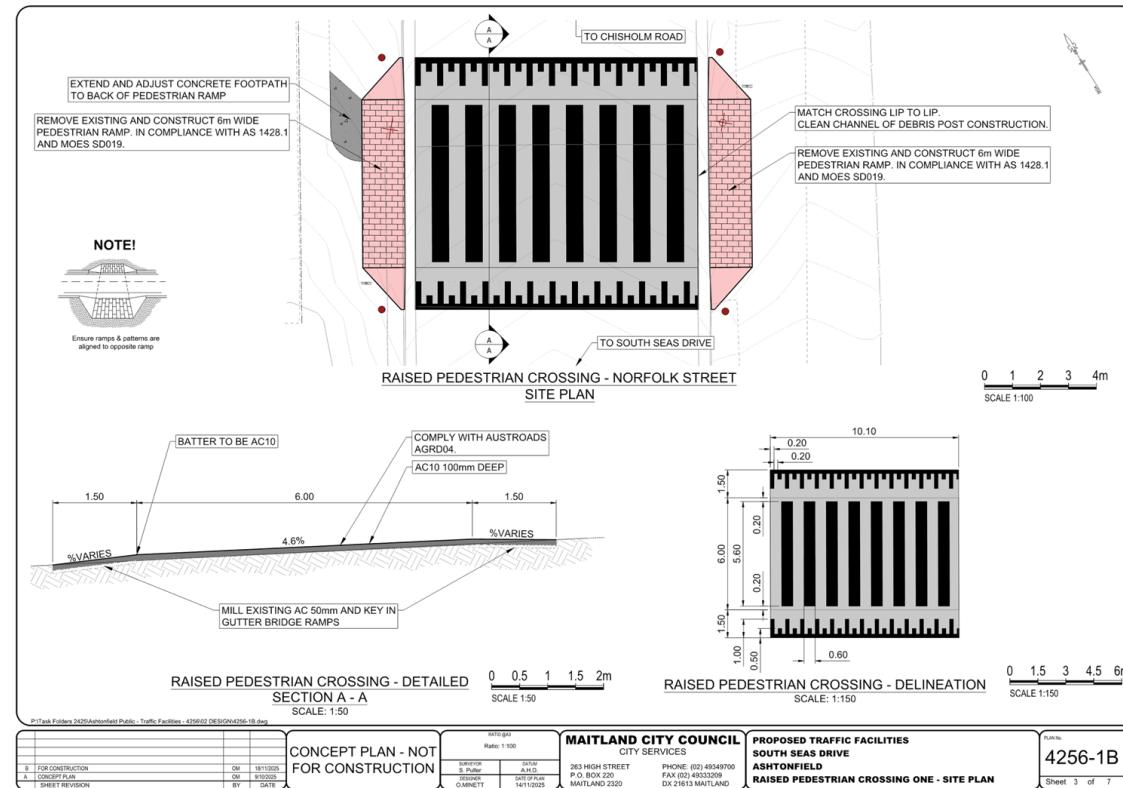
4 DECEMBER 2025

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE (Cont.)



4 DECEMBER 2025

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE (Cont.)

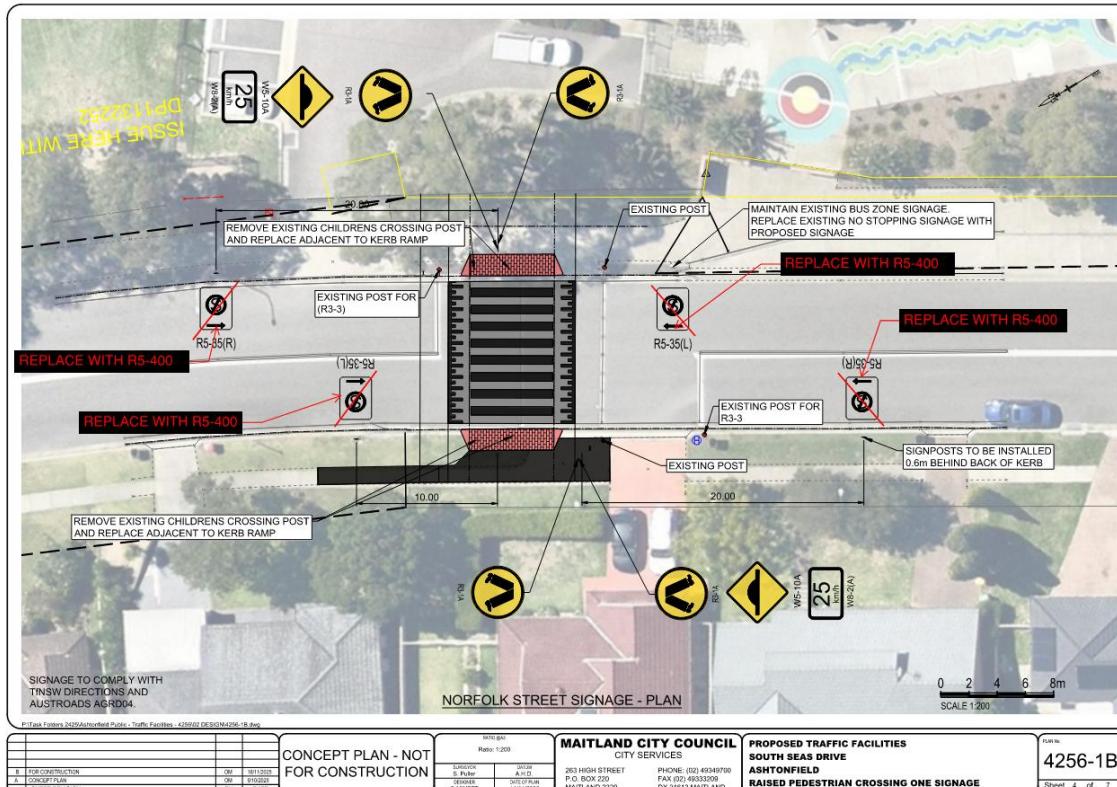


Maitland City Council | Local Transport Forum Meeting Minutes

P17

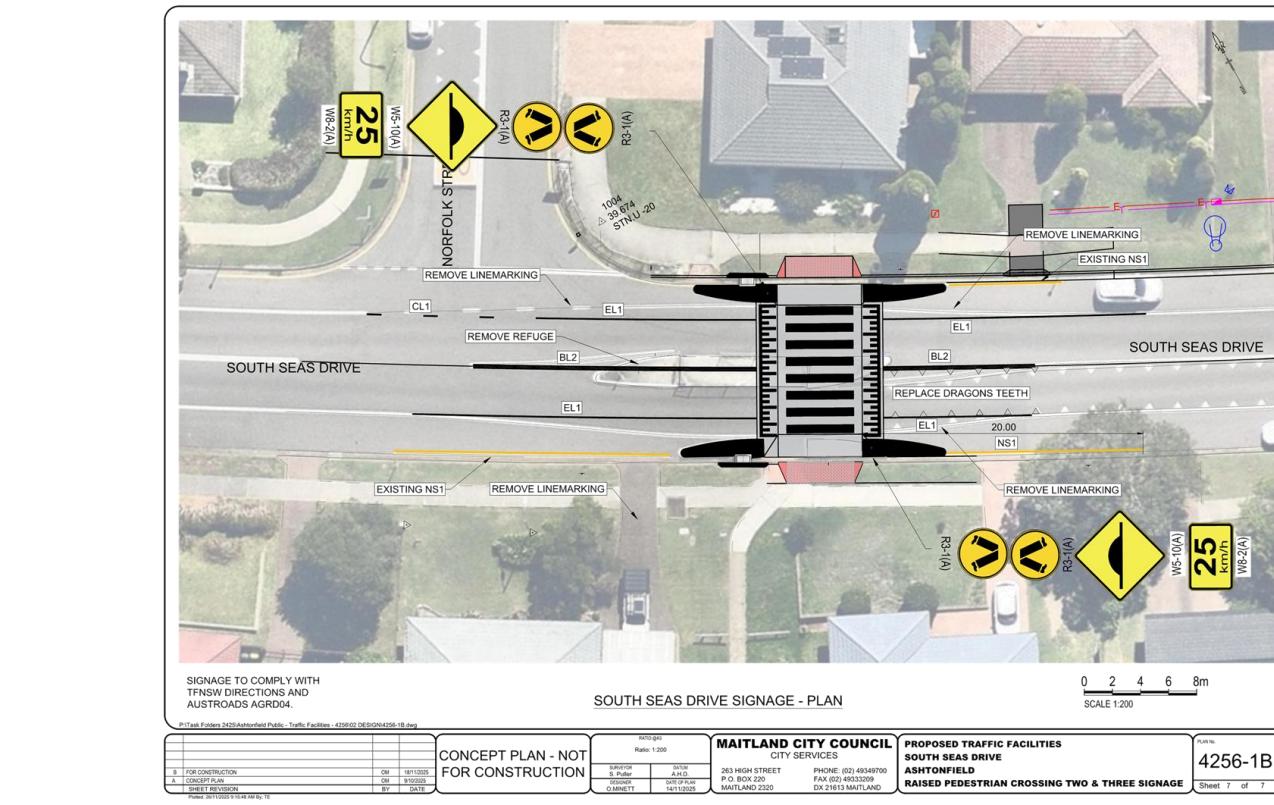
4 DECEMBER 2025

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE (Cont.)



4 DECEMBER 2025

ASHTONFIELD PUBLIC SCHOOL SAFETY UPGRADE WORKS - LINE MARKING AND SIGNAGE (Cont.)



4 DECEMBER 2025

5.4 PROPOSED CHANGES TO TRAFFIC MANAGEMENT AT MCKEACHIE DRIVE AND OAKHAMPTON ROAD INTERSECTION

FILE NO:

4456

ATTACHMENTS:

**1. Proposed Raised Pavement Threshold at
Intersection of McKeachie Dr and Oakhampton Rd**

AUTHOR:

Civil Design Engineer

Operations Manager Transport & Infrastructure Engineering

Support Officer Engineering & Design

EXECUTIVE SUMMARY

Approval is sought for the implementation of changed traffic management including regulatory signage and line marking associated with the proposed construction of a raised pavement threshold at the intersection of McKeachie Drive and Oakhampton Road. This will serve the purpose of traffic calming whilst increasing safety for road users and pedestrians.

OFFICER'S RECOMMENDATION

THAT

1. The proposed raised threshold, regulatory signage and line marking at the intersection of McKeachie Drive and Oakhampton Road as detailed on plan no. 4456-1A be approved by Council.

COMMITTEE RECOMMENDATION

THAT

1. The proposed raised threshold, regulatory signage and line marking at the intersection of McKeachie Drive and Oakhampton Road as detailed on plan no. 4456-1A be approved by Council.

4 DECEMBER 2025

Local Transport Forum Reports

PROPOSED CHANGES TO TRAFFIC MANAGEMENT AT MCKEACHIE DRIVE AND OAKHAMPTON ROAD INTERSECTION

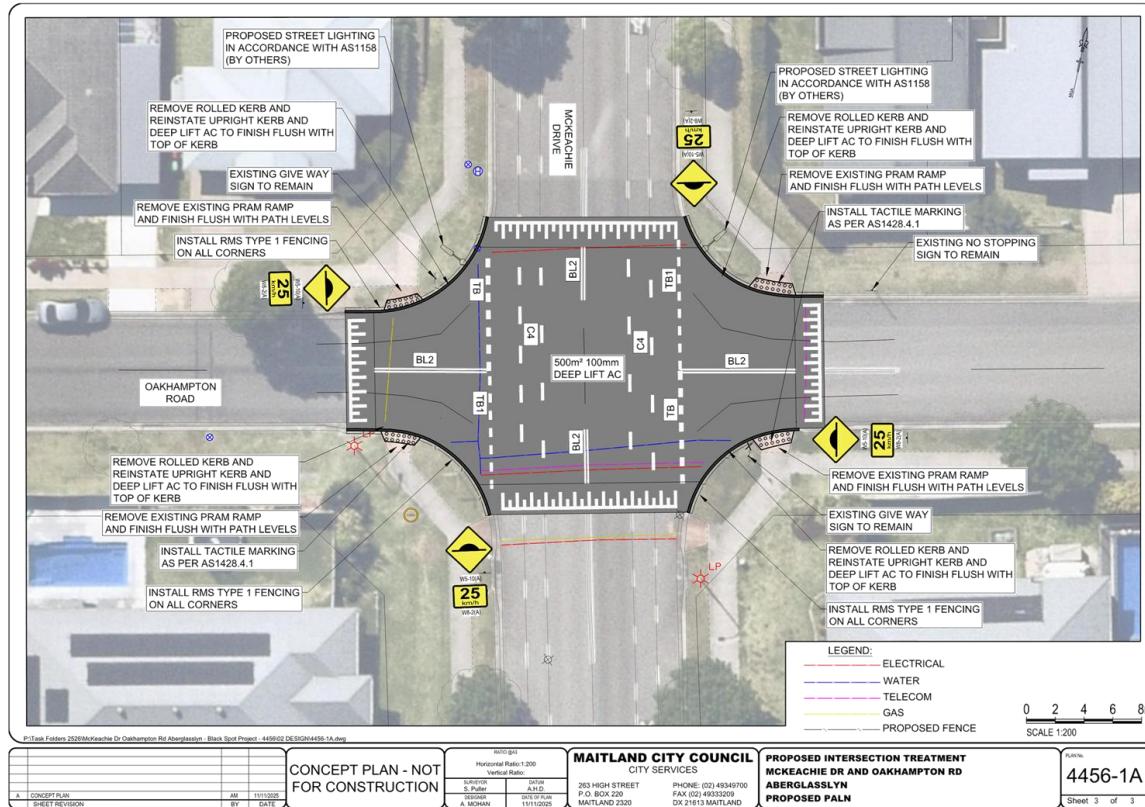
Proposed Raised Pavement Threshold at Intersection of McKeachie Dr and Oakhampton Rd

Meeting Date: 4 December 2025

Attachment No: 1

Number of Pages: 1

4 DECEMBER 2025



Maitland City Council | Local Transport Forum Meeting Minutes

P22

4 DECEMBER 2025

PROPOSED CHANGED TRAFFIC MANAGEMENT CONDITIONS AT THE INTERSECTION OF DRAGONFLY DRIVE AND GRASSHAWK DRIVE, CHISHOLM (Cont.)

5.5 PROPOSED CHANGED TRAFFIC MANAGEMENT CONDITIONS AT THE INTERSECTION OF DRAGONFLY DRIVE AND GRASSHAWK DRIVE, CHISHOLM

FILE NO: 222/1154

ATTACHMENTS: 1. Roundabout and Signage Plan

AUTHOR:
Senior Design Officer
Traffic Management Officer
Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Approval is sought for the implementation of changed traffic management including regulatory signage and line marking associated with the proposed construction of a roundabout at the intersection of Dragonfly Drive and Grasshawk Drive, Chisholm.

OFFICER'S RECOMMENDATION

THAT

1. The proposed upgraded traffic management at the intersection of Dragonfly Drive and Grasshawk Drive, Chisholm (including roundabout construction and associated line marking and signage) as per the submitted plans 4455-2B, dated 28/10/2025 be approved by Council.

COMMITTEE RECOMMENDATION

THAT

1. The proposed upgraded traffic management at the intersection of Dragonfly Drive and Grasshawk Drive, Chisholm (including roundabout construction and associated line marking and signage) as per the submitted plans 4455-2B, dated 28/10/2025 as amended in red be approved by Council.

4 DECEMBER 2025

PROPOSED CHANGED TRAFFIC MANAGEMENT CONDITIONS AT THE INTERSECTION OF DRAGONFLY DRIVE AND GRASSHAWK DRIVE, CHISHOLM (Cont.)

Local Transport Forum Reports

PROPOSED CHANGED TRAFFIC MANAGEMENT CONDITIONS AT THE INTERSECTION OF DRAGONFLY DRIVE AND GRASSHAWK DRIVE, CHISHOLM

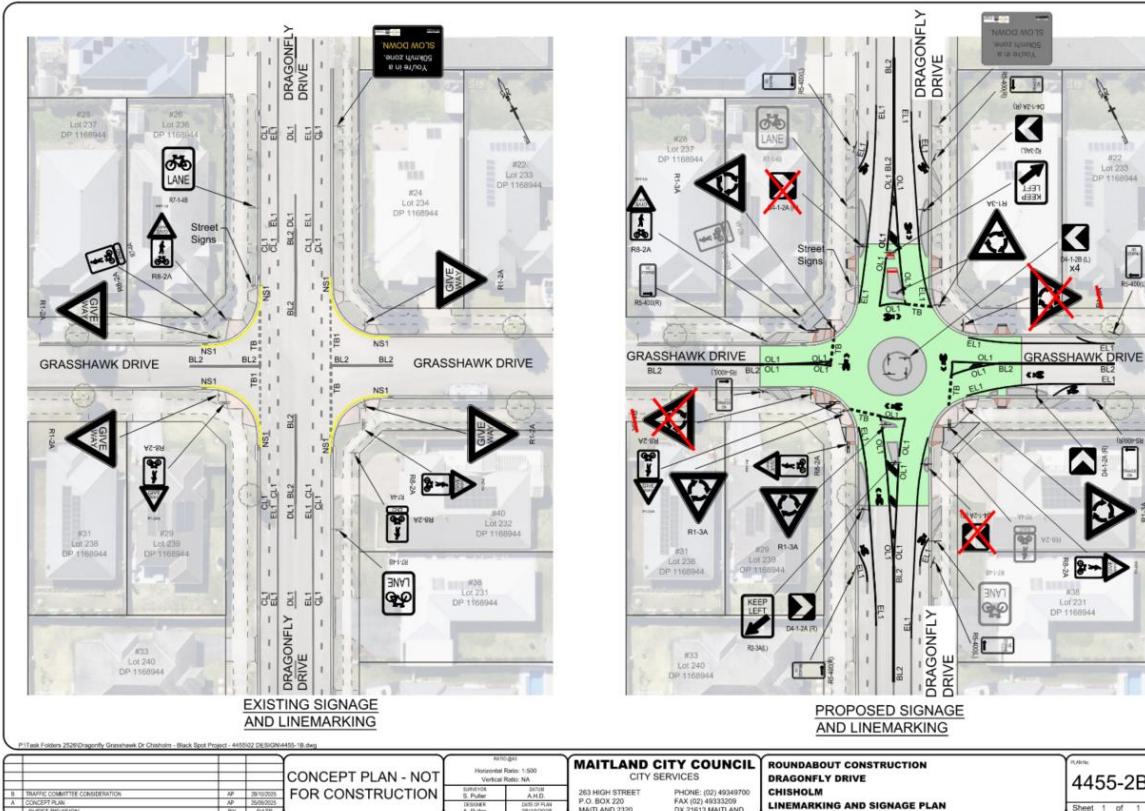
Roundabout and Signage Plan

Meeting Date: 4 December 2025

Attachment No: 1

Number of Pages: 1

4 DECEMBER 2025



4 DECEMBER 2025

6 GENERAL BUSINESS

FILE NO:

140/5

ATTACHMENTS:

1. Heritage Drive proposed interim closure TGS

AUTHOR:

Support Officer Engineering & Design
Operations Manager Transport & Infrastructure Engineering
Traffic Management Officer

6.1 PROPOSED INTERMITTENT CLOSURES OF HERITAGE DRIVE CHISHOLM DURING SCHOOL SHUTDOWN - 2025/444714

QUERY/ DETAILS

- The Chisholm Plaza Construction Company has proposed intermittent closures to Heritage Drive during the January 2026 school closure to undertake concrete pours with minimal impact to the public.

ACTION/ OUTCOME

- Council to issue a conditional approval to allow intermittent closures of Heritage Drive, Chisholm between Settlers Boulevard and Tigerhawk Drive during the month of January to allow for the scope of works that require the full use of the road reserve. These conditions include:
 - Seven (7) days notification to affected businesses / residents, emergency services and CDC buses prior to works.
 - Little Zak's Academy to remain accessible at all times.
 - Heritage Drive to be reopened and remain open outside intermittent closure dates and times.

6.2 NEW YEAR'S EVE BUS SERVICE EXTENSION

QUERY/ DETAILS

- Hunter Valley Buses advised that extended public bus services will operate on New Year's Eve as part of a pilot program.
- NSW Transport Planning and Contracts supported the proposal, and Council agreed to fund the extended services.

ACTION/ OUTCOME

- Hunter Valley Buses will report on the success of the pilot and explore opportunities to provide extended bus services for future events.
- Communications by Council will be undertaken prior to the event to ensure that attendees are aware of the extended bus services.

4 DECEMBER 2025

6.3 LINE MARKING – STATION LANE, LOCHINVAR

QUERY/ DETAILS

- The Representative for Jenny Aitcheson MP raised concerns regarding sections of Station Lane lacking line marking in a high pedestrian traffic area.

ACTION/ OUTCOME

- Council recommended the matter be referred to the Office of the General Manager for investigation and formal response by Council Officers.

6.4 KISS AND DROP ZONE – RUTHERFORD PUBLIC SCHOOL

QUERY/ DETAILS

- A resident requested the establishment of a Kiss and Drop zone at Rutherford Public School.

ACTION/ OUTCOME

- Council advised that a No Parking zone currently exists on Weblands Street to facilitate morning drop-offs.

6.5 DIRT BIKE INCIDENT – TENAMBIT

QUERY/ DETAILS

- A resident queried whether Maitland Police acted on a reported near-miss incident on 10 November involving two men on a dirt bike wearing balaclavas on Maize Street, Tenambit.

ACTION/ OUTCOME

- Council confirmed CCTV footage captured police pursuing the described dirt bike on 10 November.

6.6 MOTORBIKES AND CARS ON SHARED PATH – EAST MAITLAND

QUERY/ DETAILS

- Reports were received by Council regarding motorbikes and cars using the shared path between Fieldsend Street and Victoria Street Station, East Maitland.

ACTION/ OUTCOME

- Council has issued a work order for the installation of bollards to deter illegal access by cars.

4 DECEMBER 2025

General Business

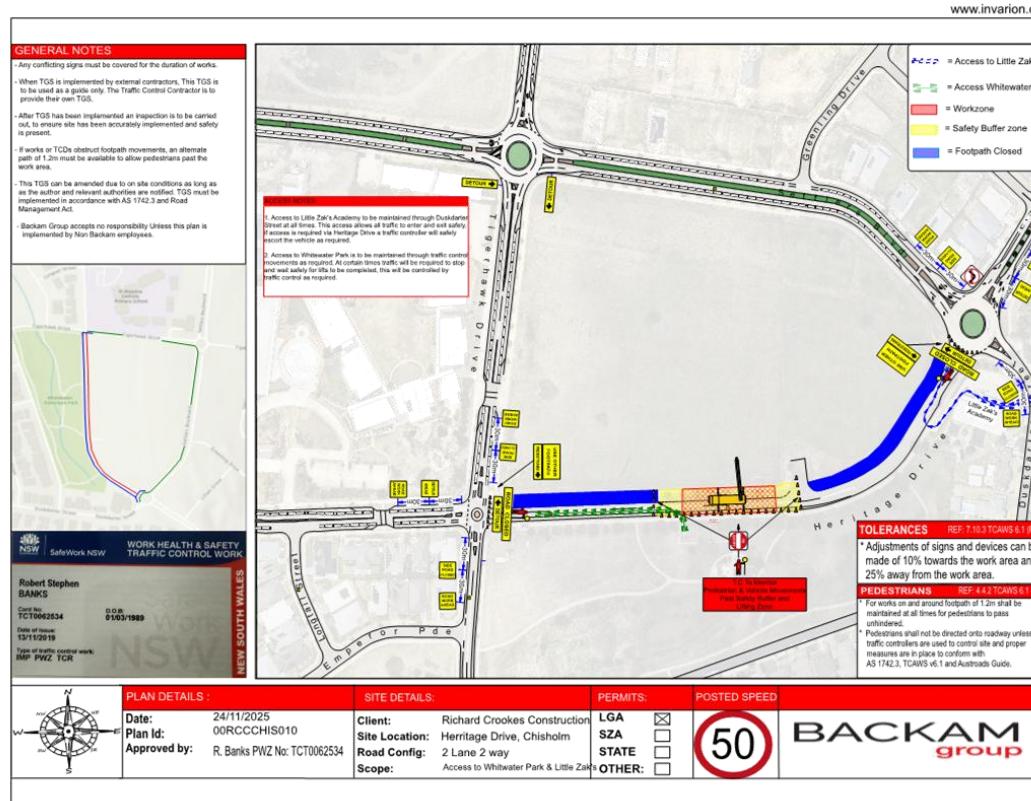
Heritage Drive proposed interim closure TGS

Meeting Date: 4 December 2025

Attachment No: 1

Number of Pages: 1

4 DECEMBER 2025



LOCAL TRANSPORT FORUM MEETING MINUTES

4 DECEMBER 2025

7 CLOSURE

The meeting was declared closed at 10.23 am.

Items for Information

Strategic Advisory Committee Meeting Minutes

**City Planning Heritage & Design
Committee - 23 July 2025 (Under Separate
Cover)**

Meeting Date: 27 January 2026

Attachment No: 1

Number of Pages: 3

City Planning, Heritage and Design Strategic Advisory Committee Minutes

City Planning, Heritage and Design Strategic Advisory Committee

Minutes for meeting 23 July 2025

File no: 35/7/8

MEETING:	City Planning, Heritage and Design Strategic Advisory Committee	
MEETING DATE:	Wednesday, 23 July 2025	
COMMENCED AT:	6.35pm	
COMPLETION TIME:	7.34pm	
VENUE:	Maitland City Council; Councillors Room	
CHAIRPERSON:	Mayor Penfold	
MINUTE TAKER:	Hayley Foster	
PRESENT:	Mayor Penfold, Cr Whiting, Cr Penfold, Cr Yarrington, Jason Linnane, Andrew Ashton, Brett Gardiner, Clare James, Scott Page, Renee Meister, Sarah Heys, Lauren Ryan	
APOLOGIES:	Steven Dumpleton, Cr Halliday	
ATTACHMENTS:	Nil	



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Introductions

All members introduced themselves.

2. Overview of Terms of Reference

Nil.

Terms of Reference are available in the meeting and are available on Council's website.

3. Policy

Nil

4. Strategic planning – presentation from Brett

4.1 Development Control Plan & Manual of Engineering Standards

- The Development Control Plan (DCP) was last reviewed in 2011.
- Discussions had regarding flood risk in the Development Control Plan (DCP)
- There is currently no legislative requirements for the DCP to go on public exhibition however this is Maitland City Council's procedure with the document.

4.2 Economic Development Strategy

1.1. The Economic Development Strategy is a first for Maitland City Council. The Economic Development Strategy sits within Council's Maitland's Future document, under the Vibrant City theme of the adopted Community Strategic Plan.

- A draft copy of the EDS is currently on public exhibition on Council's website.
- As part of the EDS being developed, Council is launching the Maitland Pulse Business Survey to study the health of businesses in the local area.

5. Development assessment delivery performance

5.1 Service Metrics

- Statement of expectations order
 - DA assessment timeframes
 - Legislation says 105 days however Maitland City Council have an expectation of 82 days in assessing a development application.
 - Maitland City Council are \$100,000 higher than other Council's indicating the complexity of the applications that Council receive. Maitland City Council is dealing with much bigger applications than other Council's.
 - Planning Proposals
 - Local Housing Strategy review and alignment
 - Local Strategic Planning Statement review and implementation

6. Heritage Matters

- For financial year 2025/26 the available money is \$25,000. Council had 13 nominations which equalled a total of \$24,900 requested. It was noted that one of the 13 nominations was for a documentary research and filming project by Cintra, with another being 418 High Street Maitland.

- The maximum amount someone can apply for in the heritage fund is \$2000 and the applicant is required to match the price. There is the opportunity to review the program which is partly funded from the state government (Heritage NSW).

ACTION: Findings from further investigation on the improvements of the Heritage Fund to return to the City Planning, Heritage and Design Committee at the meeting 22 October 2025 prior to a report going to Council.

- Suggestion from stakeholder representative for Maitland Council to speak to other Council's excelling in heritage revitalisation e.g. Broken Hill Council

7. General Business

- It was suggested that the community representatives and stakeholder representatives join the Maitland Business Chamber if they wish to be more involved with the local businesses and speak to the Maitland community to gain an understanding of the public interest.

ACTION: Discussion on what the definition of heritage is at the next meeting.

- Walka Water Works
 - There are 2 main issues at Walka Water Works being the asbestos and the pumphouse building. The State Government is responsible for the asbestos and an MoU has been signed. The restoration of the site will be completed in 4 stages.
 1. Remediation of the asbestos contamination land areas on the site
 2. Stabilisation and strengthening of the chimney
 3. Repurposing and improvements to the pumphouse building to support community utilisation of the asset
 4. General improvements across the site e.g. weed and pest management, water quality improvements, improvements of accessibility to walking trails and other recreation on the site.
 - There is a grant worth \$5 million that is currently submitted with no formal outcome at this stage.

ACTION: Discussion at the next meeting to involve Walka Water Works and options for displaying the history of the site.

ACTION: The remediation and grant opportunities of Walka Water Works are added to the agenda for the next meeting.

The sensitivity of the meeting was noted, identifying Walka Water Works to be a contentious topic.

ACTION: Jason to assist in providing a response regarding the consultative committee of the airport for Councillor Yarrington.

8. Next Meeting

Wednesday, 22 October 2025 – 6.30pm

Items for Information

Strategic Advisory Committee Meeting Minutes

**City Planning Heritage & Design - 22
October 2025 (Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 2

Number of Pages: 3

City Planning, Heritage & Design Advisory Committee

Minutes

Minutes for meeting 22 October 2025

File no: 35/7/8

MEETING:	City Planning, Heritage & Design Advisory Committee
MEETING DATE:	Wednesday, 22 October 2025
COMMENCED AT:	6.32pm
COMPLETION TIME:	7.33pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Mayor Penfold
MINUTE TAKER:	Hayley Foster
PRESENT:	Councillors: Mayor Penfold, Cr Whiting, Cr Penfold, Cr Yarrington, Cr Halliday Staff Representatives: Trevor Ryan, Jason Linnane, Brett Gardiner Stakeholder Representatives: Renee Meister (Maitland Historic Association), Steven Dumpleton (EXP Capital Australia Pty Ltd) Community Representatives: Lauren Ryan, Sarah Heys
APOLOGIES:	Staff Representatives: Kristy Cousins
ATTACHMENTS:	<ul style="list-style-type: none"> • Presentation – Urban Development Program • Presentation – Development Statistics



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Minutes from previous meeting

1.1. Minutes from 23 July 2025

- Minutes from the 23 July 2025 were noted.

2. Actions from previous meeting

2.1. Refer to attachment 1

- Jason Linnane and Brett Gardiner discussed the actions from the previous meeting.
- It was noted that Council resolved on the 21 October 2025 to write to the Member for Maitland, The Honourable Ms Jenny Aitchison, seeking urgent support and funding on the continuing deterioration and brick failure of the chimney at Walka Water Works and report back at the January meeting as to any reply or otherwise from the minister.

Jason Linnane left the meeting at 6.45pm.

- **ACTION:** committee members to revise and provide advice on heritage definition for February meeting.
- Discussion surrounding the Reconciliation Action Plan. Trevor advised that work is progressing in regards to Cultural capacity and awareness for Council. It was also noted that Council does not have a Heritage Strategy at the present time.

3. Strategic Planning

3.1. Urban Development Program

- Presentation from Brett Gardiner
- Discussions surrounding the significant growth increase in Maitland. In November 2025, Maitland will exceed 100,000 people in the LGA.
- The housing strategy interrelates with the urban development program.
- Future growth for Maitland is moving from traditional concentration in the east, to the west of the city (Anambah to Branxton).
- Discussions regarding Maitland Council approach to planning for locations susceptible to urban heat, noting that the Environmental Sustainability Strategy provides a framework for improved outcomes.
- **ACTION:** An overview of Council green corridor and flood corridors be provided to the committee in February.
- Discussions regarding developers and the use of green star ratings. These discussions are becoming more frequent.
- Suggestion for Council staff to look at development at Murrays Rise.

4. Development Assessment Delivery Performance

4.1. Metrics Overview

- Ministers order of expectations was revised in 2024.

- Development Application statistics
 - Median days include stop the clock which is any request for information.
 - Councils are assessed on the lodgement time of development applications
 - For the FY2025/26 Maitland Council has an 85 day timeframe to complete development applications. Maitland Council is performing well.
 - It was noted that the number of days per council depends on previous assessing times.

5. Heritage Matters

- Heritage Grants
 - Suggestions for the funding to be increased for the local heritage fund grant program. i.e. increased the funding by 5% each year to align with inflation or review of options to ensure funding meets rising expectations for costs.
 - **ACTION:** A detailed report to be provided to the Committee prior to the meeting in February 2026 in time for feedback to allow for applications to open in May 2025 for the FY2026/27.

6. General Business

- **ACTION:** Terms of Reference to be recirculated to the committee
- Development Control Plan (DCP) update
 - Council received over 250 submissions and valuable feedback from the public exhibition period. Internal discussions are occurring and it is anticipated that it will return to Council in early 2026.
- Committee members asked questions relating to matters overseen by other strategic advisory committees. The chair noted that this committee is only focusing on the purpose of the City Planning, Heritage and Design committee outlined in the Terms of Reference.
- It was noted that Committee members can send any questions to committees@maitland.nsw.gov.au

7. Next Meeting

7.1. 4 February 2026 – 6.30pm – 7.30pm

Items for Information

Strategic Advisory Committee Meeting Minutes

**Sport, Recreation & Leisure - 23 July 2025
(Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 3

Number of Pages: 4

Sport, Recreation and Leisure Advisory Committee Minutes

Sport, Recreation and Leisure Advisory Committee

Minutes for meeting 23 July 2025

File no: 35/7/8

MEETING:	Sport, Recreation and Leisure Advisory Committee
MEETING DATE:	Wednesday, 23 July 2025
COMMENCED AT:	5.31pm
COMPLETION TIME:	6.30pm
VENUE:	Maitland City Council; Councillors Room
CHAIRPERSON:	Mayor Penfold
MINUTE TAKER:	Hayley Foster
PRESENT:	Mayor Penfold, Cr Halliday (remote), Cr Hackney, Cr Worth, Cr Jordan, Jason Linnane, Gary Fisher, Paul Brownlee (remote), Paul Johns Presenters - Stephen Smith, Geoff Wilton, Whitney Williams, Isaac Conway, Darren Crumpler
APOLOGIES:	Nil
ATTACHMENTS:	Nil attachments



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Introductions

All members introduced themselves.

2. Overview of Terms of Reference

Nil

Terms of Reference are available in the meeting and are available on Council's website.

3. Policy

Nil

4. Capital Expenditure (CAPEX) Planning

4.1. Overview of the Community Infrastructure Strategy (CIS) currently under development

- The Community Infrastructure Strategy (CIS) is a key document for Maitland City Council. That will provide the strategic direction for the planning and provision of community infrastructure into the future
- There is a councillor briefing planned for August 2025 and a workshop in October 2025. The CIS will be reported to Council in December 2025 with a public exhibition period in January and February 2026 returning to Council in March of 2026. ACTION- staff to arrange a 2hr workshop with the SRLAC prior to the Councillor workshop in October

Cr Halliday joined via phone call at 5.43pm.

4.2 Overview of the Asset Management Planning Framework

- There are approximately \$2.1 billion dollars' worth of assets looked after by council which includes approximately 50,000 individual assets.
- The service asset management plans and framework is being drafted and will focus on the service level of the assets. This incorporates consideration of the condition of the assets, the risks, maintenance costs, depreciation and required CAPEX.
- The supporting plans from the Community Infrastructure Strategy (CIS) will include the respective Service Asset Management Plan.

4.3 How the above strategies will be used to inform the future CAPEX programs

- The CAPEX programs will be guided by the Community Infrastructure Strategy (CIS) and Service Asset Management Plan to future programming for CAPEX projects. In simple terms, these two documents will create the pipeline for future CAPEX programs
- They will also be used to inform planning for new release areas
- Having these documents is a new for Maitland City Council however many contemporary councils have this approach in place.

5. Walka Water Works

- Walka Water Works has had partial closure since 2022 when asbestos was found at the site.
- Four areas of focus for the works
 1. Remediation of contamination land areas on the site
 2. Stabilisation and strengthening of the chimney
 3. Repurposing and improvements to the pumphouse building fabric to support utilisation of the asset
 4. General improvements across the site e.g. weed and pest management, water quality improvements, improvements of accessibility to walking trails and other recreation on the site.

A top priority for Walka Water Works is the asbestos remediation of the site. Council recently received \$3.1 million in funding from the State Government/Crown Lands (as part of a deed that acknowledges they are wholly responsible for asbestos remediation) for the first stage of the remediation. Commencing these works depends on a development application which is planned to be submitted by March/April 2026. We aim to commence works soon after this time. Council will continue to look for additional grant funding for the building related works so these can be progressed concurrently with the asbestos remediation.

A draft plan of management has been provided to Crown Lands as owner of the site for their approval prior to it being reported to council for public exhibition.

6. Maitland Park

6.1 Maitland Park Masterplan

- There are 5 key principles
 1. Bringing the 'heart' back into the park by enhancing its citywide appeal
 2. Providing a pedestrian-friendly and vibrant civic space
 3. Reclaiming green open space by improving parking and road efficiency within and around the park
 4. Providing more recreational opportunities for the community and tourists
 5. Creating a playspace that reflects the importance of Maitland Park to the community by upgrading the existing playspace
- There were 159 contributions during the exhibition period
- As part of the redevelopment of Maitland Park, there will be a traffic study completed
- The delivery of works will be staged as funding becomes available and will be done as part of Councils CAPEX budgetary process
- Stakeholder representative, Paul Brownlee will arrange for formal discussions with Cricket NSW to discuss and seek Councils support in pursuing funding opportunities.

6.2 Citywide Playspace

- The Citywide Playspace is currently largely unfunded and may require a development application. Council is currently unsure of the development application process regarding the additions to the site however this will be clarified as we move through due diligence and detailed planning
- There were positive comments regarding the accessibility of Morpeth Common and suggestions for more disability parking at the citywide playspace

ACTION: Staff to confirm when the demolition of the house at Maitland Park is occurring.

- A community member raised with a councillor the suggestion for a concrete pad with cover for those fundraising at event e.g. weekend netball

ACTION: Staff to provide advice at the next SRLAC meeting.

- Discussions were had regarding the exit of the northern end of the park and the lack of vision. This will be looked at when the traffic study is completed by external consultants. Jason noted that it is not as straight forward as it would seem due to potential land ownership issues and the need to have holistic approach
- Works have commenced on addressing the condition of the pool.

7. Maintenance and operational planning

7.1 Overview of the CAPEX delivery review process for the 2025/26 financial year

- Conversation was held on how this process works.
- Data on performance will be proved to the next meeting of the SRLAC

8. Maintenance and operations delivery

Nil

9. Usage

Nil

10. General Business

- Councillor Jordan raised the need for further discussions regarding the Basketball Stadium and the need for more courts.
- It was noted that there has been requests for squash courts in Maitland
- There is a report being drafted for the August 2025 Council Meeting in response to a prior NoM which was carried unanimously by Council.
- It was noted that focus should be on community infrastructure and ageing buildings, that we should be focusing further than just new infrastructure.

ACTION: Hayley to send terms of reference of the meeting to Cr Halliday.

ACTION: It was raised that the length of the meeting should be discussed for future meetings and the potential to extend further than one hour.

ACTION: It was suggested that wet weather sporting should be further discussed as clubs are unsure of the process and implications

- There is funding from the Maitland Park Recreation group and Maitland Sports Advisory board with both having approximately \$35K to \$40K allocated. A report for Council is scheduled for September meeting of Council to further determine options with this money.

11. Next Meeting

Wednesday, 22 October 2025 – 5.30pm

Items for Information

Strategic Advisory Committee Meeting Minutes

**Sport, Recreation & Leisure - 24
September 2025 (Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 4

Number of Pages: 2

Sport, Recreation and Leisure Strategic Committee

Extraordinary Meeting Minutes

Sport, Recreation and Leisure Strategic Committee

Minutes for extraordinary meeting 24 September 2025

MEETING:	Sport, Recreation and Leisure Strategic Committee
MEETING DATE:	Wednesday, 24 September 2025
COMMENCED:	5.30pm
CONCLUDED:	6.34pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Cr Sally Halliday
PRESENT:	<p>Councillors: Cr Halliday, Cr Hackney, Cr Jordan Staff Members: Jason Linnane, Darren Crumpler, Geoff Wilton, Whitney Williams, Kelly Baldwin</p> <p>Consultants: Judy Jaeger</p> <p>Stakeholder Representatives: Gary Fisher (Northern NSW Football)</p> <p>Community Representatives: Paul Johns</p>
APOLOGIES:	<p>Councillors: Mayor Penfold, Cr Worth</p> <p>Stakeholder Representatives: Paul Brownlee (MDSS, City United Cricket, Hunter Valley Region Cricket Council)</p>
ATTACHMENTS uploaded TO SHAREPOINT:	<ul style="list-style-type: none"> Community Infrastructure Strategy Overview Community Infrastructure Strategy Workshop
FILE NUMBER:	35/7/8



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Welcome and apologies

Cr Halliday introduced the meeting noting apologies from Mayor Penfold, Cr Worth and Paul Brownlee.

2. Community Infrastructure Strategy Overview

Darren Crumpler gave an introduction to the Community Infrastructure Strategy noting that this document will become Council's roadmap for assisting with future decisions.

There are 10 supporting plans within the Community Infrastructure Strategy with the Sport, Recreation and Leisure Strategic Advisory Committee focusing on the Outdoor Sports Supporting Plan.

Council's Consultant for the Community Infrastructure Strategy is responsible for orchestrating to pull the supporting plans together.

Whitney Williams is Council's lead for the Community Infrastructure Strategy.

3. Community Infrastructure Strategy Workshop

Discussions for the Community Infrastructure Strategy and the background of the Community Infrastructure Strategy.

Breakout session regarding Outdoor Sports Network current provision rates.

Breakout sessions regarding trends, guidelines and standards.

Discussion surrounding engagement that has been completed and that will be completed with sporting groups and the Community Infrastructure Strategy.

4. Where to next?

Following this workshop with the Sport, Recreation and Leisure Committee, there will be a community information session planned for November 2025 and a briefing with Councillors in October and November 2025. The October briefing will be a workshop based on all the supporting plans across the Community Infrastructure Strategy. The November briefing will be once the changes are refined. The Community Infrastructure Strategy is planned to go to Council in December 2025 and a public exhibition period from December 2025 to February 2026. The Sport, Recreation and Leisure Committee will be updated post the exhibition period.

Items for Information

Strategic Advisory Committee Meeting Minutes

**Sport, Recreation and Leisure - 22 October
2025 (Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 5

Number of Pages: 4

Sport, Recreation and Leisure Advisory Committee

Minutes

Minutes for meeting 22 October 2025

File no: 35/7/8

MEETING:	Sport, Recreation and Leisure Advisory Committee
MEETING DATE:	Wednesday, 22 October 2025
COMMENCED AT:	5.32pm
COMPLETION TIME:	6.26pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Mayor Penfold
MINUTE TAKER:	Hayley Foster
PRESENT:	<p>Councillors: Mayor Penfold, Cr Halliday, Cr Hackney, Cr Worth.</p> <p>Staff Representatives: Jason Linnane, Geoff Wilton, Stephen Smith, Ashley Kavanagh, Kelly Baldwin</p> <p>Stakeholder Representatives: Gary Fisher (Northern NSW Football),</p> <p>Community Representatives: Paul Johns</p>
APOLOGIES:	<p>Councillors: Cr Jordan</p> <p>Stakeholder Representatives: Paul Brownlee (MDCA, City United Cricket, Hunter Valley Region Cricket Council)</p>
ATTACHMENTS:	<ul style="list-style-type: none"> • Presentation – Recreation Facilities – Maintenance and Operational Planning • Presentation – Sportsground – Usage and Wet Weather



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Minutes from previous meeting

1.1. Minutes from 23 July 2025

- Minutes from the 23 July 2025 were noted.

2. Actions from previous meeting

2.1. Refer to attachment 1

- Jason Linnane discussed the actions from the previous meeting.

3. Capital Expenditure (CAPEX) Planning

3.1. 2026/27 development process

- It was noted that not all projects on the presentation will be completed in the following financial year. Some may be in the planning and design phase only.
- A policy is being prepared to go to Council regarding the naming of sportsgrounds.
- It was noted that the CAPEX funding forecast for future years is lower due to not having secured funding yet i.e. grants
- It was noted by a Committee Member that King Edward Park may not meet future requirements of cricket at senior level. It was also agreed that this does not deter from the need to have major upgrades to the facilities at this site to cater for a range of other uses.
- Discussions regarding dog park at Rutherford, the need for it, location and inclusions for stage 1

4. CAPEX Delivery Update

4.1. 2025/26 delivery update

- Notes from item 4.1 have been merged with item 3.1

5. Maintenance and Operational Planning

Nil

6. Maintenance and Operations Delivery

6.1. Customer Request Data Overview

• Sporting and Rec Facilities

- Statistics noted are since January 2024
- Since January 2024 to current date, there has been a total of 83 customer service requests regarding sportsgrounds. The service level agreement is 14 days to complete however the average days are currently 35 days to complete. Majority of these are surrounding vandalism, vehicle damage, wet weather damage.

- Since January 2024 to current date there have been a total of 45 customer service requests regarding floodlights. The service level agreement is 35 days however the average days are currently 32 days to complete.
- It was noted that contractors are required to be engaged for electrical works and maintenance.
- It was noted that the hockey floodlights are still compliant with lighting standards but are in future years CAPEX program..

Cr Hackney left the meeting at 5.55pm

7. Usage

7.1. Ground Usage Data Overview (previously 8.1 in the agenda)

- Presentation from Kelly Baldwin.
- Council now have 4.5 years of data since utilising the booking system (Momentous).
- There is an industry standard of 22.5 per week that facilities are booked however Council's target is 25 hours of usage per week.
- Council record when venues are booked out for infrastructure maintenance and cannot be used by the community.
- Discussion regarding the effect of wet weather on turf grounds and the need to prioritise irrigation and drainage works.

8. General Business

8.1. Wet Weather Policy (Requested by Committee)

- Council staff have been investigating what surrounding Council's processes are for managing wet weather affected facilities.
- The Committee completed a test of a QR system with the
 - Feedback regarding the test QR code;
 - Clarification of turf only affected areas.
 - Inclusion to include age groups (under 5, under 16) in assessing the wet weather usage.
- It was noted the importance of stopping motorbikes and cars accessing Homesville Lane behind Coronation Oval.
- Cricket NSW indicated that they will not make any funding commitments until council have 50% of the funding for the cricket nets project at Maitland Park. Staff will continue to work on this.

- It was noted that the soccer community have indicated the need for synthetic surface at Cooks Square and there is the potential for them to reach out to Maitland City Council.
- It was raised by a committee member regarding the need for better shading options at bus stops.
- **ACTION:** Further discussions to be had regarding bus stops in Maitland and the coverage.

8.2. Length of the meeting

- Meetings to continue at the current frequency.

9. Next Meeting

9.1. 4 February 2026 – 5.30pm – 6.30pm

CONFIDENTIAL

Items for Information

Strategic Advisory Committee Meeting Minutes

**Environment & Sustainability - 3
September 2025 (Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 6

Number of Pages: 4

Environment and Sustainability Advisory Committee

Minutes

MEETING:	Environment and Sustainability Strategic Advisory Committee
MEETING DATE:	Wednesday, 3 September 2025
COMMENCED AT:	5.32pm
COMPLETION TIME:	6.32pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Cr Warrick Penfold
MINUTE TAKER:	Hayley Foster
PRESENT:	<p>Councillors: Cr Penfold, Cr Yarrington, Cr Flannery</p> <p>Staff Members: Jason Linnane, Michelle Lindsay, Ben Maddox, Will Brown, Kelsie Wilson, Hayley Foster</p> <p>Stakeholder Representatives: Tara Dever (Mindaribba Local Aboriginal Land Council)</p> <p>Community Representatives: Margaret Clarke, Michael McFadyen</p>
APOLOGIES:	Cr Ferris, Cr Halliday
ATTACHMENTS uploaded TO SHAREPOINT:	Environment and Sustainability Committee Presentation
FILE NUMBER:	35/7/8



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Introductions

- Cr Halliday and Cr Ferris are apologies for the meeting.
- Each member on the Committee introduced themselves.

2. Overview of Terms of Reference

- Terms of reference is available on the Environment & Sustainability Strategic Advisory Hub and a physical copy in the meeting.

- It was noted that it is preferred that items covered in the meeting are kept between committee members.
- It was noted that this committee is an advisory committee only. A committee can make recommendation and provide advice on items to be put forward to Council for consideration

3. Policy

3.1. The Greening Plan

- The Greening Plan was Council's original environmental document prior to the Environment Sustainability Strategy. The Greening Plan is still relevant and is the basis of environmental initiatives.
- Since the Environmental Sustainability Strategy was endorsed in October 2023 it has been a key commitment of Council's to update the Greening Plan to align with the strategy.
- The first target for this update is to a further review biodiversity corridors across the Maitland Local Government Area.
- Council plans to review the original Greening Plan and focus on what was achieved and what is still to be achieved in the future. The updated Greening Plan will go on public exhibition.

3.2. Feral Cats

- Currently Council has little control over feral cats however, there are changes to the Companion Animals Act coming.
- Council's Management of feral and/or infant animals policy is planned to go to the September Council Meeting with a recommendation to go on public exhibition. This policy will partly relate to feral cats however this is more directed to Council's Maitland Animal Management Facility and how they will deal with feral and/or infant animals.
- The Regulatory Compliance Team Leader is working with Local Land Services relating to a desexing program for feral cats.
- **ACTION:** A presentation at a future meeting to provide clarity around legislative processes and responsible management of feral animals across the LGA

3.3. Weed Management

- Council have a dedicated weeds team which undertake a combination of inspections and on-ground works.
- Internally there is seven separate policies, procedures and plans that the weeds team follow.
- Council have grant funding programs to deliver across Maitland.
- Key sites that are being focused on include:
 - Wetland areas including Tenambit wetlands
 - Four Mile Creek (focus on land north of Tafe)
 - Hunter and Paterson River
 - Areas surrounding Landscape Supply & Nursery Sites – to monitor for potential environmental weeds escaping from these properties

4. Strategic Planning

4.1. Environment Sustainability Strategy update

- A commitment within Maitland Local Strategic Planning Statement, the Environment Sustainability Strategy 2030 was adopted in October 2023. It is an informing strategy within the Integrated Planning and Reporting framework.
- In 2021/22 a process was commenced to prepare Council's first comprehensive Environment and Sustainable Strategy. Its preparation involved technical background studies, reference to State government policies, internal consultation and community engagement. The final document included 4 themes and 13 targets and were adopted as Council's Policy position on Environment and Sustainability. The current status of actions to achieve the targets was reported.
- There has been pressure for the biodiversity corridors and canopy cover especially in the transition from a rural to an urban city.
- The FOGO project (Food Organics and Garden Organics) has been introduced in 2025 and services such as the bulky waste project have been implemented to discourage illegal dumping.
- The Sustainability Education team will continue to educate and engage with the community on ways they can make their own contribution and work with Council on improved environment and sustainability outcomes.

5. Environmental Projects

5.1. Migratory Birds update

- Latham's Snipe
 - The Latham's Snipe lives in wetlands. There is currently a population living in Rutherford in a constructed wetland behind the industrial area.
 - The Latham's Snipe flies between Australia and Russia to breed.
 - The species is protected under State, Commonwealth and International Legislation as a Migratory and Vulnerable species.
 - The Hunter Bird Observers raised the lack of habitat with Council and Council is working to rehabilitate the site.
 - **ACTION:** Catherine Pepper's Latham Snipe story to be uploaded to the committee hub.

6. Waste Services

6.1. Review of Performance Metrics

- There is now the option for Maitland residents to opt for a fortnightly service for general waste which aligns with the introduction of FOGO.
- The resource recovery from kerbside bin is 38% or 16,023 tonnes for 2024-25. The implementation of FOGO has had a 256 tonnes increase from July 2024 which had a similar growth profile indicating an increase due to food being placed in the FOGO bins.
- Maitland Council have always maintained low contamination rates and will continue to work and educate the community of this.
- Maitland's Resource Recovery Facility has had an increase in tonnes of 27% from 2023/24 which shows a positive increase in the use of the facility and customers separating their recycling.
- **ACTION:** A further update on FOGO metrics to be provided at the next meeting.

7. General Business

- Committee members are welcome to add additional agenda items which are to be forwarded to committees@maitland.nsw.gov.au
- **ACTION:** A further update to be provided to the committee regarding addressing biodiversity offsets in Maitland.
- **ACTION:** Upload Maitland City Council's submission to recent Bloomfield Project
- Discussions surrounding air quality (cooking with gas, traffic fumes, smoke from wood fired home heating).
- **ACTION:** Suggestion that Community could be supplied with information to allow them to consider their options for improving air quality within their homes and broader environment. Discuss at next meeting
- Suggestion for meetings to be longer than one hour.

8. Next Meeting

Wednesday, 26 November 2025

CONFIDENTIAL

Items for Information

Strategic Advisory Committee Meeting Minutes

**Environment & Sustainability - 26
November 2025 (Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 7

Number of Pages: 4

Environment and Sustainability Advisory Committee

Minutes

Minutes for meeting 26 November 2025

File no: 35/7/8

MEETING:	Environment and Sustainability Strategic Advisory Committee
MEETING DATE:	Wednesday, 26 November 2025
COMMENCED AT:	5.29pm
COMPLETION TIME:	6.34pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Cr Warrick Penfold
MINUTE TAKER:	Hayley Foster
PRESENT:	<p>Councillors: Cr Yarrington, Cr Halliday, Cr Flannery, Cr Ferris</p> <p>Staff Representative: Trevor Ryan, Catherine Pepper, Michelle Lindsay, Will Brown, Ben Maddox</p> <p>Stakeholder Representative: Tara Dever (Mindaribba Local Aboriginal Land Council)</p> <p>Community Representative: Margaret Clarke, Michael McFayden</p>
SUPPORTING DOCUMENTS UPLOADED TO THE HUB:	<ul style="list-style-type: none"> Presentation – Environment and Sustainability – 26 November 2025 Memo – Council's controls regarding foxes at Walka Water Works and Impacts of fox predation on turtle nests – 26 November 2025



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Minutes from Previous Meeting

1.1. Minutes from 3 September 2025

- Minutes were uploaded to the hub following the previous meeting.

- Question from Committee Member regarding the figure of weed management grant that Council applied for.

2. Actions from Previous Meeting

2.1. Refer to attachment 1

- Catherine Pepper reviewed each of the action items that remain open.
- It was noted that there is frustration of not being able to print documents from the hub to allow to taking notes prior to the meeting.
- **ACTION:** Request for printed copies of the agenda in the meeting.

3. Policy

Nil

4. Strategic planning

Nil

5. Environmental projects

5.1. Biodiversity Offsets in Maitland

- Presentation from will brown regarding the Biodiversity offsets in Maitland.
- It was noted that the State Based system closely relates to Maitland Council and is used to answer enquires.
- Breakdown of how biodiversity offsets work relating to the state-based system
 - Development triggers NSW Biodiversity Offset Scheme
 - Number and type of biodiversity credits are calculated
 - Biodiversity credits are retired at a biodiversity stewardship site
 - No Net Loses to biodiversity (statewide)
- Biodiversity based system that are not state based examples:
 - Maitland Development Control Plan
 - Conditions of Consent
 - Draft Biodiversity Offset Policy for Council Projects
- Discussions regarding the legal agreement between owner of land and minister that establishes the biodiversity stewardship site.
- Minimum requirements to set up own biodiversity site agreements (BSA)
 - Large area - min 80,000 to 100,000 hectares, threatened species
 - Land owned by Maitland City Council
 - Not required for community use - cannot have tracks for community members, motorbikes etc.
 - Not linked to any future development
- Discussions regarding biodiversity stewardship agreements (BSA) options in Maitland City Council
 - Wetlands don't provide credits
 - Waste buffer - has potential for BSA however it is located near the Waste Facility
- Next steps are to complete a feasibility analysis

- Two stages -
 - Stage 1 - site suitability and constraints (Internal stakeholder discussions)
 - Stage 2 - Economic feasibility analysis (management costs, assessment and field base training, privately owned land to determine suitability for acquisition)
- Discussions regarding the importance of relationships with landowners
- Discussions regarding the cost of consultants on this project is between \$10,000 - \$15,000.
- It was noted that Council currently have a commitment to undertake this feasibility analysis as it is an operational plan action item for the current financial year.

5.2. Air Quality Improvements

- Air quality was raised at the previous meeting, highlighting the importance of understanding and educating the community on mitigation measures.
 - Indoor air quality: Gas heaters and cooktops release substances that can negatively affect health, including triggering asthma.
 - Outdoor air quality: Wood fire heaters, vehicle emissions, and hot water systems contribute to reduced outdoor air quality.
- Council's approach moving forward is to provide factual information and education, including health benefits to the community via the website and social media channels.
- **Action:** The Sustainability Strategy Team to develop and implement community education initiatives and report back to the committee on progress.

6. Waste Services

6.1. FOGO Metrics Update

- Presentation from Michelle Lindsay regarding FOGO metrics. Data looks at the first three months of implementation noting that we have now reached 4.5 months of implementation.
- Discussions relating to the objectives for first 12 months
- Discussions of Council's key achievements in this first 3 months of implementation
 - Garden and food organics has increased by 55% (July to September)
 - 180 tonnes less general waste than last year
- It was noted that the contamination rate is very low which is effective of council's education and engagement campaigns.
- Approximately 2950 properties have opted into fortnightly collection. This converts to 8% of residential properties in the local government area
- Next steps involved the continuation of education within the community and a 200 bin audit in February 2026.
- **ACTION:** Request for costing / savings to be included in the next FOGO update.
- Suggestion for incentives to be used across suburb audit etc

7. General Business

7.1. Council's controls regarding foxes at Walka Water Works and impacts of fox predation on turtle nests.

- Crown reserve improvement fund grant was unsuccessful in the previous year however Council plan to apply for the grant again this year to undertake fox management activities at the site.

7.2. **ACTION:** Extend the next Environment & Sustainability Committee meeting by 15 minutes and a suggestion for meeting to be at end of three meetings in a night.

8. Next Meeting

8.1. Wednesday, 25 February 2026 – 5.30pm – 6.30pm

CONFIDENTIAL

Items for Information

Strategic Advisory Committee Meeting Minutes

**Culture & Community - 3 September 2025
(Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 8

Number of Pages: 4

Culture and Community Strategic Advisory Committee

Minutes

MEETING:	Culture and Community Strategic Advisory Committee
MEETING DATE:	Wednesday, 3 September 2025
COMMENCED AT:	6.37pm
COMPLETION TIME:	7.26pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Cr Warrick Penfold
MINUTE TAKER:	Hayley Foster
PRESENT:	<p>Councillors: Cr Penfold, Cr Flannery, Cr Worth, Cr Atkinson</p> <p>Staff Members: Jason Linnane, Jo Smith, Geoff Wilton, Whitney Williams, Kelly Baldwin, Stephen Smith, Kelsie Wilson, Hayley Foster</p> <p>Stakeholder Representatives: Penelope Jackson (Mindaribba Local Aboriginal Land Council), Anna Sharikova (Meliora Projects)</p> <p>Community Representatives: James Annesley</p>
APOLOGIES:	Cr Hackney, Darcie Cliff, Darren Crumpler
ATTACHMENTS uploaded TO SHAREPOINT:	<ul style="list-style-type: none"> Partnerships & Collaboration with Community Groups Maitland Libraries Framework Indigenous Partnership Framework Community Infrastructure Strategy Community Centre Utilisation Review 2025-26 CAPEX Program Update Walls That Talk at the Library - Vision & Guidelines Engagement Snapshot - Libraries Service Plan
FILE NUMBER:	35/7/8



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Introductions

- Chair of the meeting, Cr Hackney is an apology. Cr Warrick Penfold chaired the meeting.
- All committee members introduced themselves.

2. Overview of Terms of Reference

- Terms of reference is available on the Culture and Community Strategic Advisory Hub and a physical copy in the meeting.
- It was noted that it is preferred for items that are discussed to be kept between committee members
- It was noted that this committee is an advisory committee only. A committee can make a recommendation and provide advice for items to be put forward to Council for consideration.

3. Policy

3.1. Service Delivery Partnering and Collaboration

- The Service Delivery Partnership and Collaboration policy is changing the perspective of Council. It's focuses on Council working with community groups, leveraging the respective strengths and allowing for Council to be more efficient and effective . The Service Delivery Partnerships and Collaboration Policy will be going to Council in October to be endorsed for public exhibition
- **ACTION:** The Service Delivery Partnerships and Collaboration policy to be uploaded to the Culture & Community Committee Hub when the policy is released in the October Council Meeting agenda.

4. Indigenous Matters

4.1. Indigenous Partnership Framework

- Presentation outlined the proposed engagement approach for the next 12 months with the intention to reach out to community stakeholders and reestablish a connection.
- Council are establishing an internal group of officers, to assist in minimising engagement fatigue.
- Council will be consulting with the community over the next 12 months.

5. Youth Matters

5.1. Proposed Notice of Motion

- At the September Council Meeting, Cr Worth is aiming to put forward a Notice of Motion for a Youth Forum. This will provide an opportunity for youth to interact with Council, bringing forward ideas for future planning.
- This Notice of Motion will integrate with Council's Social Strategy.

6. Strategic Planning

6.1. Community Infrastructure Strategy Project update

- The Community Infrastructure Strategy sits as an informing strategy within Maitland's Future document. This strategy is a 20 year cycle and is looking to align with work across Council.
- The Community Infrastructure Strategy will align with the Social Strategy and the Civil Asset Strategy.
- There was a suggestion for Community Assets to be located within public transport locations.

6.2. Maitland Library Framework update

- The Engagement report has been uploaded to the Culture & Community Hub.
- The framework relates to the services that come from our existing library assets (buildings).
- Challenges and Opportunities are highlighted in the document, with library staff having the opportunity to review the community's feedback.
- The Maitland Library Framework will guide Council to deliver actions that align with Council's Community Strategic Plan, Maitland's Future. The Framework talks to the key principles, transforming existing spaces and services, empowering our community through lifelong learning and programming, and connecting our community through building a shared sense of belonging and identity.
- The framework focuses on the library's service elements. This focuses on the lifelong learning, community history, social connection and providing support to digitally learn.
- Discussions surrounding the technology of the libraries was raised an important focus.
- During book week 2025, there was approximately 800 students that had touch points with the libraries.
- There has recently been successful grant opportunities assisting with social cohesion and it is hoped that there will be future opportunities for promoting libraries with the citizenship ceremonies. Council have been successful in an Aus Reads grant through Lit Up project partnering with schools.
- **ACTION:** Add library framework update to the next meeting agenda.

6.3. "Walls that Talk" update

- The Walls That Talk project was previously managed by Council's Place Activation Team. The Libraries are new to managing this activation program.
- Council staff are keen to have the Culture & Community Committee's input for preparing this program.
- The Walls That Talk project team work 18 months ahead in terms of planning the program roll-out.
- At the November Culture & Community Committee meeting, staff would like input from possible community groups that may fit the guidelines to for future projects.

7. CAPEX Planning

7.1. Update on 2025/26 CAPEX program

- The Capital Expenditure (CAPEX) principles apply when developing the 2025/26 program. Future iterations of the program will be informed by strategic planning documents such as the Community Infrastructure Strategy the Civil Assets Strategy and councils asset management plans.
- Data collected on assets provides the basis for decisions made when planning the Capital Works Program.
- Community Asset Projects commencing financial year 2025/26 are:
 - Rutherford Library Upgrade – Planning and Design
 - Morpeth Court House (Museum) Renewal of Courtyard, stables and amenities
 - Woodberry Community Centre – Services Upgrades
 - St Ethels Maitland Building – Electrical and Compliance Works
 - Rutherford SES Centre Upgrade – Planning and Design

- Chisholm Community Centre Construction
- MRAG – Various Upgrade Projects
- Asset Revitalisation Program (Buildings)

8. CAPEX Delivery

Nil

9. Maintenance and Operational Planning

Nil

10. Maintenance and Operational Delivery

Nil

11. Usage

11.1. Community Centre Utilisation Review

- Some venues have had a decline in regular hirers however there has been an increase in weekend users. This trend shows that Council needs to focus on the evolving change.
- Regular hirers are looking for a permanent environment where they don't have to bump in and bump out around other hirers.
- In 2021 a venue management system was implemented. This now allows for usage data to be reviewed and analysed.
- The facilities are aging (technology etc) and this is a focus area for improvement. Staff are also receiving feedback from customers regarding the facilities.
- There are currently 12 community centres that are operating and some that need work to reopen.
- Across the 12 community centres there are – multiple booking spaces within the one facility that can be challenging to manage bookings in each space
- **ACTION:** Presentation at the next committee meeting regarding the changing nature of community spaces usage to how we will respond to this in our planning for future facilities.

12. Working Groups Update

Nil

13. General Business

- Committee members are welcome to add additional agenda items which are to be forwarded to committees@maitland.nsw.gov.au.

14. Next Meeting

Wednesday, 26 November 2025 – 6.30pm

Items for Information

Strategic Advisory Committee Meeting Minutes

**Culture & Community - 24 September 2025
(Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 9

Number of Pages: 2

Culture and Community Strategic Committee

Extraordinary Meeting Minutes

Culture and Community Strategic Committee

Minutes for extraordinary meeting 24 September 2025

MEETING:	Culture and Community Strategic Committee
MEETING DATE:	Wednesday, 24 September 2025
COMMENCED AT:	6.37pm
COMPLETION TIME:	7.30pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Cr Bill Hackney
PRESENT:	<p>Councillors: Cr Penfold, Cr Atkinson</p> <p>Staff Members: Jason Linnane, Darren Crumpler, Geoff Wilton, Whitney Williams, Kelly Baldwin</p> <p>Consultants: Judy Jaeger</p> <p>Stakeholder Representatives: Penelope Jackson (Mindaribba Local Aboriginal Land Council)</p> <p>Community Representatives: James Annessley</p>
APOLOGIES:	<p>Councillors: Cr Worth, Cr Flannery</p> <p>Staff Members: Jason Linnane</p> <p>Stakeholder Representatives: Anna Sharikova (Meliora Projects)</p> <p>Community Representatives: Darcie Cliff</p>
ATTACHMENTS uploaded TO SHAREPOINT:	<ul style="list-style-type: none"> Community Infrastructure Strategy Overview Community Infrastructure Strategy Workshop
FILE NUMBER:	35/7/8



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Welcome and apologies

Cr Hackney introduced the meeting and noted the apologies of Cr Worth, Anna Sharikova, Darcie Cliff and Jason Linnane.

2. Community Infrastructure Strategy Overview

Darren Crumpler gave an introduction to the Community Infrastructure Strategy noting that this document will become Council's roadmap for assisting with future decisions.

There are 10 supporting plans within the Community Infrastructure Strategy with the Culture and Community Strategic Advisory Committee focusing on the Community Facilities Supporting Plan.

Council's Consultant for the Community Infrastructure Strategy is responsible for orchestrating to pull the supporting plans together.

Whitney Williams is Council's lead for the Community Infrastructure Strategy.

3. Community Infrastructure Strategy Workshop

Discussions for the Community Infrastructure Strategy and the background of the Community Infrastructure Strategy.

Breakout session regarding the current provisions meeting the needs of the community.

Breakout session regarding the hierarchy, standards and trends of community facilities.

Discussions surrounding the engagement that has been undertaken by Council staff, including discussions with current facility hirers.

Discussions surrounding the sustainable maintenance of community facilities / assets, noting the focus of the ongoing costs.

Suggestions for improvements to the booking system of community facilities.

Discussions surrounding transport access between community facilities and the financial impacts on the community.

4. Where to next?

Following this workshop with the Culture and Community Committee, there will be a community information session in November 2025 and a briefing to Councillors in October and November 2025. The October briefing will be a workshop based briefing for all the supporting plans across the Community Infrastructure Strategy and the November briefing will be once the changes are refined. The Community Infrastructure Strategy is planned to go to Council in December 2025 and a public exhibition period from December 2025 to February 2026. The Culture and Community Committee will be updated post the public exhibition period.

Items for Information

Strategic Advisory Committee Meeting Minutes

**Culture & Community - 26 November 2025
(Under Separate Cover)**

Meeting Date: 27 January 2026

Attachment No: 10

Number of Pages: 4

Culture and Community Strategic Advisory Committee

Minutes

Minutes for meeting 26 November 2025

File no: 35/7/8

MEETING:	Culture and Community Strategic Advisory Committee
MEETING DATE:	Wednesday, 26 November 2025
COMMENCED AT:	6.39pm
COMPLETION TIME:	7.26pm
VENUE:	Maitland City Council; Antechamber
CHAIRPERSON:	Cr Bill Hackney
MINUTE TAKER:	Hayley Foster
PRESENT:	<p>Councillors: Cr Penfold, Cr Flannery, Cr Atkinson</p> <p>Staff Members: Jason Linnane, Jo Smith, Darren Crumpler, Whitney Williams, Sam Thomas</p> <p>Stakeholder Representatives: Penelope Jackson (Mindaribba Local Aboriginal Land Council),</p> <p>Community Representatives: James Annesley</p>
APOLOGIES:	<p>Councillors: Cr Worth</p> <p>Stakeholder Representatives: Anna Sharikova (Meliora Projects)</p> <p>Community Representatives: Darcie Cliff</p>
SUPPORTING DOCUMENTS UPLOADED TO HUB:	<ul style="list-style-type: none"> • Presentation – Disability Inclusion Action Plan • Presentation – Draft Maitland Libraries Framework • Presentation – Walls That Talk • Presentation – Social Strategy • Presentation – Changing nature of community spaces usage



MAKE THINGS EASY

Do the hard work to make things intuitive for everyone.



BE WELCOMING

Care for everyone as people, not tasks or numbers.



BE OPEN MINDED

Listen to each other and work together to find solutions.



KEEP YOUR PROMISES

Follow through on your commitments to everyone.



LOOK OUT FOR ME

Thoughtfully anticipate what will make our days go smoother.

1. Minutes from Previous Meeting

1.1. Minutes from 3 September 2025

- Minutes were uploaded to the hub following the previous meeting.
- It was noted that the incorrect minutes were linked to the agenda for this meeting.

2. Actions from Previous Meeting

2.1. Refer to attachment 1

Nil comments

3. Policy

Nil

4. Indigenous Matters

Nil

5. Youth Matters

Nil

6. Senior Matters

Nil

7. Multicultural matters

Nil

8. Disability Inclusion

8.1. Disability Inclusion action plan

- A presentation was provided by staff.
- Consultant has been engaged to design the Disability Inclusion Action Plan
- Types of engagement that will be undertaken
 - Anonymous Internal Staff Survey
 - Community engagement sessions
 - Business Insight (service provider) sessions
 - Online community surveys (YourSay Surveys)
 - Access and Inclusion Working Group Workshops
 - **ACTION:** Councillors to be included in the anonymous staff survey when it is undertaken
- It was raised with the Director City Services of potential issues with the actions from the previous Access and Inclusion Committee that no longer exists.
- **ACTION:** Status update of outstanding action items from the previous Access and Inclusion Committee to be provided at the next meeting of the committee.

9. Strategic Planning

9.1. Library Framework Update

- A presentation was provided by staff.
- The Maitland Libraries Framework is being developed to guide Council's decision making on library spaces, collections, services and delivery priorities.
- The Libraries Framework aligns with Council Community Strategic Plan.
- It was noted that Rutherford library is needing roof repairs. Council will plan the works to minimise impact on users.

9.2. Walls That Talk Ideas

- A presentation was provided by staff.
- Walls That Talk exhibitions are presented in two styles:
 - Community Exhibitions (highlight local groups, individuals, and projects that make a positive impact—through creativity, service, or everyday contributions. These exhibitions focus on stories that promote inclusion, wellbeing, learning, and resilience)
 - Collections Exhibitions (draw from Maitland's cultural collections, showcasing the people, places, objects, and history that make Maitland unique. These may include images and small displays within Maitland Library, giving visitors a chance to connect with Maitland's rich cultural heritage).
- Council is currently planning for exhibitions for financial year 2026/27 noting each exhibition is a period of three months.
- **ACTION:** Committee to provide further ideas at the next meeting regarding potential exhibitions for the next financial year

9.3. Social Strategy

- A presentation was provided by staff.
- The approach of developing a Social Strategy went to Council and was endorsed in June 2025.
- This strategy provides a vision for improving wellbeing in Maitland and is found under the Vibrant Maitland banner in Council's Corporate Document, Maitland's Future
- Benefits of this strategy include;
 - Demonstrating commitment to addressing social issues
 - Evidence for future grant applications
 - It was noted that Council do not qualify for some grants due to not having a social strategy.
 - It was noted the importance of relationship building in applying for grants
 - Engagement is currently underway
 - Engagement has been staggered so it is not overwhelming for community

10. CAPEX Planning / Delivery

Nil

11. Maintenance and Operational Planning / Delivery

Nil

12. Usage

12.1. Changing nature of community spaces usage

- Presentation provided by staff
- Key emerging trends are;
 - Size and scale
 - Location, co-location and multipurpose
 - Placemaking, community identity and community capacity
 - Resourcing and partnerships
- Planning for future facilities
 - Community Infrastructure Strategy will go to Council in December 2025, with public exhibition planned to run through to February 2026. It is expected that a report will be prepared for the April 2026 meeting of Council.
 - Planning principles that will inform future investment and improvements are;
 - Aligned
 - Informed
 - Priorities
 - Planned
 - Resources
 - Sustainable
- Discussions regarding the usage of facilities noting that utilisation is increasing across some facilities and declining in others. General sentiment is that this is related to the quality of the facility and its offering

13. General Business

Nil

14. Next Meeting

14.1. Wednesday, 25 February 2026 – 6.30pm – 7.30pm