

Chapter 2: Environmental Considerations

This chapter substantially incorporates and expands upon the existing Part B – Environmental Guidelines of the 2011 Maitland Development Control Plan. However significant revisions have been made to align with State Government directions and guidelines, and the actions of Council's Environmental Sustainability Strategy 2030 and Local Strategic Planning Statement 2040+. Broadly, the Environmental Considerations chapter covers:

- Environmental management, including addressing Maitland's biodiversity and waterways
- Vegetation management, including tree and vegetation removal, tree canopy, and vegetation management plans.
- Flood and floodplain management, addressing flooding in line with the *Flood Risk Management Manual 2023* and the *Hunter River Floodplain Risk Management Study and Plan 2015*.
- Environmental hazard management, addressing bushfire, noise, air quality, and contamination.

1. Implementing our Environmental Sustainability Strategy 2030

In response to the adoption of the Maitland Environmental Sustainability Strategy 2030, a series of controls have been implemented to align the draft 2025 Maitland Development Control Plan with the actions of the strategy. This includes improving tree canopy cover, protecting the green and blue grid, and shoring up Council's communication and transparency around expectations for biodiversity as part of development applications.

A series of guidelines have also been prepared to help support and inform the public about these changes and how to appropriately respond to a variety of development controls in the draft DCP.

Aligned with Maitland's Community Strategic Plan – Priorities 2.1 and 2.2.

2. Refining the position on flood management

In the wake of the 2022 NSW Flood Enquiry and the consequent Flood Risk Management Manual issued by the NSW Government in 2023, additional clarity and a revisiting of the development controls relating to flood management in the Maitland local government area was required.

Broadly, this has led to the identification of new areas being subject to controls related to flooding while simultaneously ensuring that the controls provided are appropriate for their locations.

The new flooding controls additionally empower Council's assessing staff to make more merit-based decisions in respect to the flood risk of specific sites, rather than the broad application nature of the existing flooding controls. The flood controls remain generally in alignment with the recommendations of the Council-adopted 2015 Hunter River Floodplain Management Study and Plan.

Aligned with Maitland's Community Strategic Plan – Priorities 2.1 and 2.2.

3. Tree management

With the update to the draft DCP has come a revisiting of our tree management process. A planning pathways table has been introduced, alongside a cleanup of our existing development controls to ensure that residents have clarity as to where tree clearing is exempt, requires a permit, or requires a development application.

Aligned with Maitland's Community Strategic Plan – Priorities 2.1.1, 2.1.2, and 2.1.3.

4. Protecting our waterways

To assist in protecting and embellishing our waterways in areas where development is occurring, a comprehensive set of development controls have been prepared to help guide outcomes that improve the health of our waterways. This includes creating riparian corridors through large subdivisions and allowing them to have multiple uses, including for recreation and environmental protection.

Aligned with Maitland's Community Strategic Plan – Priorities 2.1.4.

5. Reducing land use conflicts

In order to help protect the interaction between our urban areas and offensive and hazardous infrastructure, such as wastewater treatment plants, assessment buffers have been proposed in line with the guidance provided by the NSW Environmental Protection Agency. This helps communicate that, where development occurs near potentially offensive or hazardous development, Council requires a higher degree of assessment to occur in order to mitigate potential impacts on future uses.

Aligned with Maitland's Community Strategic Plan – Priorities 1.1.2 and 2.1.4.