



**muswellbrook  
shire council**

**Muswellbrook Shire Council**

**DEVELOPMENT ASSESSMENT  
COMMITTEE MEETING**

**BUSINESS PAPER**

**9 MARCH 2020**



## Development Assessment Committee

### **Aim**

The aim of the Development Assessment Committee is to:

- To determine development applications;
- To monitor the progress of development applications not yet determined;
- To recommend to Council the need to develop or amend policies in relation to planning related matters – including strategic planning.

### **Associated Principal Activities:**

Development Assessment & Regulation

### **Specific Tasks & Parameters**

1. The determination of development applications under the *Environmental Planning and Assessment Act* 1979 not otherwise delegated to the General Manager except where: the development application is for, or in any way related to:
    - (a) (i) food and drink premises used for, or proposed to be used for, the sale of alcohol;
    - (ii) electricity generating works;
    - (iii) mines and extractive industries;
    - (iv) a waste disposal facility; or
    - (v) subdivisions into more than ten lots; or
  - (b) where the capital investment value of the development specified in the development application exceeds \$2,000,000; or
2. The Development Assessment Committee the determination of any development applications under the *Environmental Planning and Assessment Act* 1979 otherwise delegated to the General Manager, which the Development Assessment Committee by resolution elects to determine.
  3. The Development Assessment Committee be constituted as follows:
    - (i) the Councillor Spokesperson for Planning (as Chair);
    - (ii) the Councillor Spokesperson for Infrastructure;
    - (iii) the Councillor Spokesperson for Utilities; andin the absence of any of the councillors set out in (i) to (iii) any other councillor nominated by the Committee Chair or Acting Chair (as the case may be).

### **Committee functions:**

- (i) To determine development applications;
- (ii) To delegate the determination of certain development application to the General Manager;
- (iii) To monitor the progress of development applications not yet determined;
- (iv) To recommend to Council the need to develop or amend policies in relation to planning related matters – including strategic planning.

### **Recommendations**

- Make recommendations Council;

### **Staff Support:**

Director – Environment & Community Services  
Assistant Director – Environment & Community Services  
Senior Development Co-Ordinator  
Project Engineer – Water & Waste  
Manager – Roads, Drainage & Technical Services  
Ecologist & Sustainability Team Leader

**DEVELOPMENT ASSESSMENT COMMITTEE MEETING, 9 MARCH 2020**

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122

MUSWELLBROOK

4 March, 2020

Cr Martin Rush (Chair)  
Cr Rod Scholes  
Cr Brett Woodruff  
Alex Irving  
Sharon Pope  
Hamish McTaggart  
Gamini Hemachandra  
Kellie Scholes  
Ziggy Andersons

You are hereby requested to attend the Development Assessment Committee Meeting to be held in the COUNCILLORS ROOM, Administration Centre, Muswellbrook on **9 March, 2020** commencing at 4.00pm.

Sharon Pope  
**ASSISTANT DIRECTOR - ENVIRONMENT & COMMUNITY SERVICES**

# Order of Business

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE	5
2	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
3	DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST	8
4	PUBLIC PARTICIPATION	8
5	BUSINESS ARISING	8
6	BUSINESS	9
6.1	DA 2019/100 - ANCILLARY DEVELOPMENT - CARPORT AND SHED	9
6.2	OUTSTANDING DEVELOPMENT APPLICATIONS	36
7	DATE OF NEXT MEETING 23 March 2020	45
8	CLOSURE	45



**MUSWELLBROOK SHIRE COUNCIL  
DEVELOPMENT ASSESSMENT COMMITTEE MEETING**

**AGENDA  
MONDAY 9 MARCH 2020**

**1 APOLOGIES AND LEAVE OF ABSENCE**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**RECOMMENDATION**

That the Minutes of the Development Assessment Committee held on **24 February 2020**, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**PRESENT:** Cr R. Scholes (Chair), Cr B. Woodruff and Cr M. Bowditch.

**IN ATTENDANCE:** Ms F. Plesman ( General Manager), Mr D. Finnigan ( Director – Community Infrastructure), Mr H. McTaggart (Co-Ordinator Development) Mr P. Chambers (Chief Engineer and Miss M. Meadows ( PA to the Mayor).

## **1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

That the Minutes of the Development Assessment Committee held on 10 February 2020, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

## **3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST**

Nil

## **4 PUBLIC PARTICIPATION**

Nil

## **5 BUSINESS ARISING**

### **4.1 DA 37/2019 - CONSTRUCTION OF PIPES AND PUMP INFRASTRUCTURE TO RETURN SEEPAGE WATER FROM LAKE LIDDELL DAM WALL TO LAKE LIDDELL**

Councillor Scholes advised the meeting that Development Application 37/2019 - Construction of Pipes And Pump Infrastructure to Return Seepage Water from Lake Liddell Dam Wall to Lake Liddell is awaiting a further response from AGL ahead of being re-reported to the Development Assessment Committee.

## **6 BUSINESS**

### **6.1 DA 25/2015 S4.55(2) MODIFICATION CHILD CARE CENTRE**

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

That the Development Assessment Committee approve the Section 4.55(2) modification of DA 25/2015, 38 Woollybutt Way Muswellbrook, Lot 2 DP 1090457, subject to the recommended conditions of consent set out in Attachment B.

### **6.2 DA41/2019 NINE (9) LOT INTO SIX (6) RURAL SUBDIVISION**

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

That Development Application No. 41/2019 proposing a subdivision of nine lots into six (6) lots at Lot 1 & 2 DP 136249, Lot 4 DP 21335, Lot 61, 62 & 63 DP 750926 Lot 1 & 2 DP 1102585 & Lot 5 DP 750926 Castlerock Road, Muswellbrook be approved subject the conditions in Attachment B to the report.

### **6.3 OUTSTANDING DEVELOPMENT APPLICATIONS**

RECOMMENDED on the motion of Crs Scholes and Woodruff that:

The Development Application DA12/2020 be reported to an Ordinary Council Meeting for determination.

At 04:20 pm Mr H. McTaggart left the Council Chambers.

Cr Scholes asked the Committee if the Heritage Advisor has been engaged to advise the Council of the Heritage impact of DA 109/2019 - Change of Use - Tattoo Shop to Massage Premises- 1/26 Bridge Street, Muswellbrook. Cr Scholes asked the Committee that the original recommendation of DA 109/2019 – Change of Use - Tattoo Shop to Massage Premises- 1/26 Bridge Street, Muswellbrook be reported to Council at the next Ordinary Council Meeting, Tuesday 25 February 2020.

Ms Plesman advised the Committee that the report advises Council of the Heritage considerations.

At 04:35 pm Mr H. McTaggart returned to Council Chambers.

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

## **7 DATE OF NEXT MEETING**

9 March 2020

## **8 CLOSURE**

The meeting was declared closed at 4:40 pm.

.....  
**General Manager**

.....  
**Chairperson**

### **3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST**

Section 451 of the Local Government Act requires that if a councillor or member of a council or committee has a pecuniary interest in any matter before the council or committee, he/she must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain or loss (see sections 442 and 443 of the Local Government Act).

A non-pecuniary interest can arise as a result of a private or personal interest which does not involve a financial gain or loss to the councillor or staff member (eg friendship, membership of an association, or involvement or interest in an activity). A councillor must disclose the nature of the interest to the meeting as soon as practicable.

Council's Model Code of Conduct now recognises two forms of non-pecuniary conflict of interests:

- Significant
- Less than significant

A Councillor must make an assessment of the circumstances and determine if the conflict is significant.

If a Councillor determines that a non-pecuniary conflict of interests is less than significant and does not require further action, they must provide an explanation of why it is considered that the conflict does not require further action in the circumstances.

If the Councillor has disclosed the existence of a significant non-pecuniary conflict of interests at a meeting they must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

### **4 PUBLIC PARTICIPATION**

### **5 BUSINESS ARISING**



## 6 BUSINESS

### 6.1 DA 2019/100 - ANCILLARY DEVELOPMENT - CARPORT AND SHED

Attachments:	A. DA 2019/100 Section 4.15 Assessment Report B. DA 2019/100 Recommended Conditions of Consent C. DA 2019/100 Proposed Plans D. DA 2019/100 Letter from Applicant Supporting DCP Variation
Responsible Officer:	Sharon Pope - Assistant Director - Environment & Community Services
Author:	Hamish McTaggart - Co-Ordinator - Development
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Provide efficient and effective Development Application, Complying Development Certificate, Construction Certificate and Occupational Certificate assessment services.</i>

#### PURPOSE

This report has been prepared to assist the Committee in determining Development Application (DA) 2019/100. A copy the Section 4.15 Assessment Report and recommended conditions of consent are attached for Council's information.

The determination of this development application is within the function delegated to the General Manager and Council Officers, however, the proposed development involves a notable variation to Muswellbrook Development Control Plan 2009 (DCP). Due to this variation the matter is being reported to the Development Assessment Committee for determination.

#### OFFICER'S RECOMMENDATION

**That the Development Assessment Committee grant development consent to DA 2019/100, involving the construction of a carport and shed at 17 Ruth White Avenue, Lot 17 DP 229323, subject to the recommended conditions of consent contained in Attachment B.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

#### DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development involves the construction of a carport and storage shed at 17 Ruth White Avenue, Muswellbrook (Lot 17 DP 229323). The existing dwelling is currently served by a single car garage under the main roof of the house.

The subject site is zoned R1 General Residential under the Muswellbrook Local Environmental Plan 2009 (LEP) and is within an established residential area.

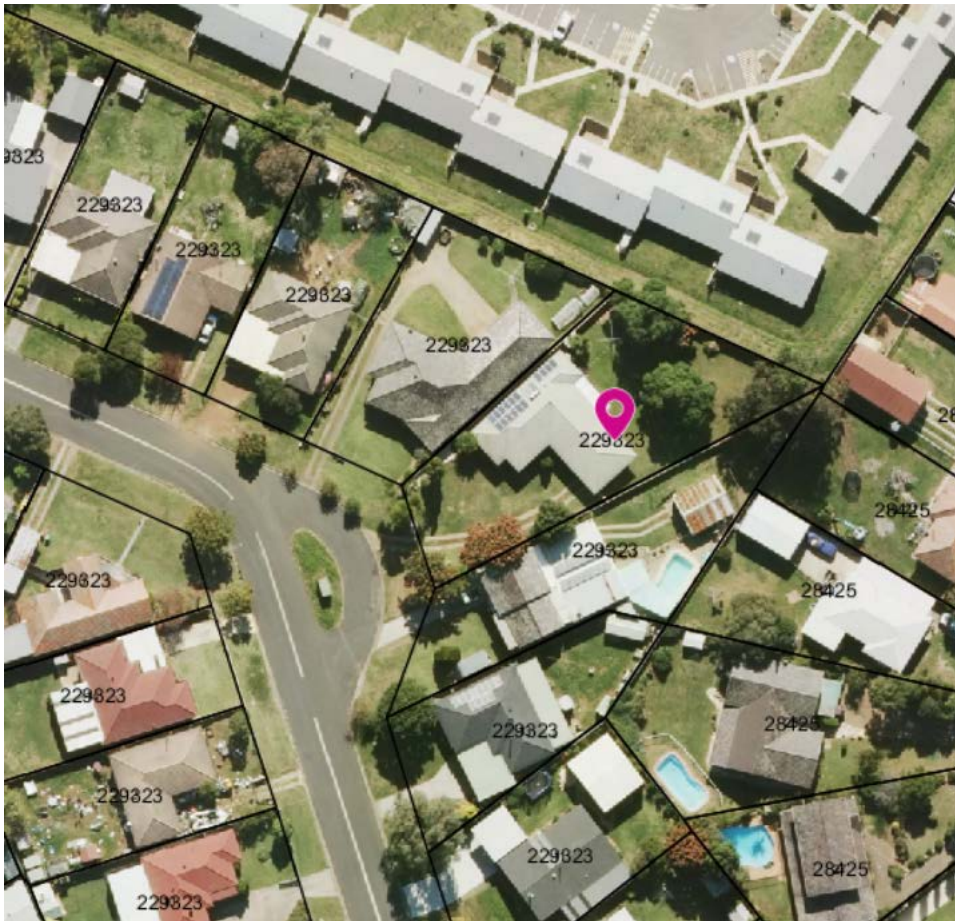


Figure 1 – 17 Ruth White Ave



Figure 2 - Street view of 17 Ruth White Ave

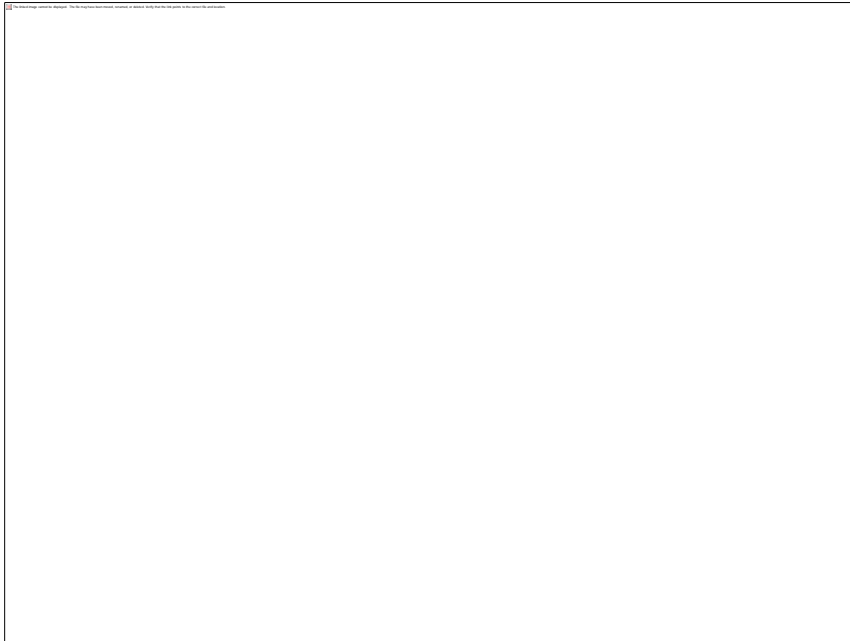


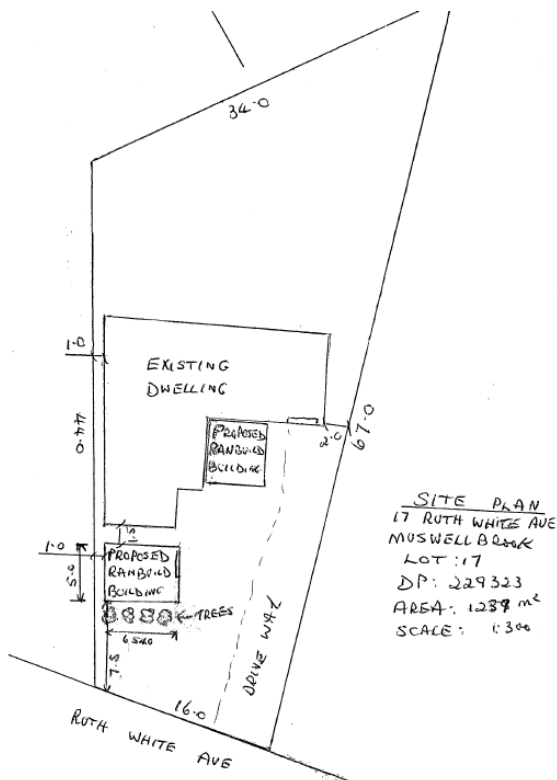
Figure 3 – Front Yard 17 Ruth White Ave

The proposed carport is adjacent to the entry of the existing dwelling. The proposed carport would be 5.2m by 5.2m and does not protrude forward of the front façade of the dwelling. The proposed carport would have a sheet metal roof with a height of 2.6m.

The proposed shed would be located forward of the building line of the dwelling. The submitted plans indicate that shed would be located 7.5m from the Ruth White Avenue Road Reserve. When initially submitted the proposed shed comprised 2 bays, but has been modified to a single bay shed with a width of 5.0m and depth of 6.54m.

The orientation of the proposed shed is such that the side wall of the structure addresses Ruth White Avenue, and its roller door access faces the existing driveway. The proposed shed would have a pitched roof 2.7m at its eaves and 3.37m at its ridge. The development application indicates that the walls of the shed would be clad in steel colorbond sheeting. A condition of consent is recommended to require an alternative material more compatible with dwellings in the street.

A site plan showing the location of the proposed structures has been included below.



## ASSESSMENT SUMMARY

Council Officers have assessed the development application under the relevant heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. A copy of the Section 4.15 Assessment is provided in Attachment A. Council Staff recommend that the development application be approved subject to the recommended conditions of consent provided in Attachment B.

Key considerations and findings of the Section 4.15 Assessment include:

- The proposed development is in accordance with relevant provisions of the Muswellbrook Local Environmental Plan 2009.
- The proposed development was considered against the provisions of relevant State Environmental Planning Policies and there are no inconsistencies which would prevent Council from granting development consent to the proposed development.
- The proposed development would comply with the majority of requirements of the Muswellbrook Development Control Plan (DCP) 2009 that are relevant to the type of development proposed.
- The proposed development does not comply with the development control specified by Section 6.1.4 of the Muswellbrook DCP which restricts the carrying out of building alterations and additions that are not compatible with the prevailing character of the area. It is considered that the installation of a colorbond clad shed forward of the building line of the existing dwelling at the site would be incompatible with the streetscape and character of the area. To manage this non-compliance and moderate the visual impact of the development a condition of consent has been recommended to restrict the use of colorbond wall cladding in favour of timber or plastic composite cladding.
- The proposed development would not comply with the development control specified by Section 6.1.6(i) & (ii) of the Muswellbrook DCP which restricts the construction garages and sheds forward of an established building line. Council Officers are satisfied that there are adequate reasons to

support the variation as the proposed development, where carried out in accordance with recommended conditions restricting the use of colorbond material and the implementation of landscaping, would not conflict with the DCP objective that informs the requirements of Section 6.1.6.

- The assessment considered the environmental impacts that may result from the proposed development. It was found that the proposed development was unlikely to have any adverse environmental impacts that would prevent Council from granting development consent to this development application where it is carried out in accordance with the recommended conditions.

## **COMMUNITY CONSULTATION**

The proposed development was notified from 21 November 2019 to 12 December 2019. No submissions were received by Council.

## **OPTIONS**

The Development Assessment Committee may:

- A. Grant development consent to the proposed development subject to the recommended conditions of consent;
- B. Grant development consent to the proposed development subject to amended conditions of consent;
- C. Refuse development consent to the proposed development and nominate reasons for refusal.

## **LEGAL IMPLICATIONS**

Where the applicant is dissatisfied with the determination of the development application they have an opportunity under the provisions of the *Environmental Planning and Assessment Act 1979* to appeal that determination at the Land and Environment Court.

## **CONCLUSION**

DA 2019/100 has been reported to the Development Assessment Committee as the proposed development seeks a variation to the provisions of Muswellbrook DCP 2009.

Council Officers have completed a Section 4.15 Assessment in relation to the proposed development. As a result of the assessment, staff are recommending that the Committee support the variation of the DCP to permit the development, subject to conditions of consent related to managing the visual impact of the development.

**DEVELOPMENT ASSESSMENT REPORT**

<b>ADDRESS:</b>	LOT: 17 DP: 229323 17 Ruth White Avenue MUSWELLBROOK
<b>APPLICATION No:</b>	2019/100
<b>PROPOSAL:</b>	Ancillary Development - Carport and Shed
<b>OWNER:</b>	Ms K A Cameron
<b>APPLICANT:</b>	Ms K A Cameron 17 Ruth White Avenue Muswellbrook 2333
<b>AUTHOR:</b>	Mr T Bhuiya
<b>DATE LODGED:</b>	14/11/2019
<b>AMENDED:</b>	20 January 2020
<b>DATE OF REPORT:</b>	17 February 2020

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**SUMMARY**

**ISSUES:** Compliance with Muswellbrook Development Control Plan

**SUBMISSIONS:** Nil

**RECOMMENDATION:** Approval subject to conditions

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## 1.0 SITE AND LOCALITY DESCRIPTION

The land subject to this development application is 17 Ruth White Avenue, Muswellbrook (Lot 17 DP 229323).

The subject site is zoned R1 General Residential under the Muswellbrook Local Environmental Plan 2009 (LEP) and is situated in an established residential area. A dwelling house is located on the subject site, and is setback approx.14m from the front boundary. Muswellbrook TAFE and associated student accommodation is located on land north of the site.

An electrical substation is located in the Ruth White Road Reserve adjacent to the site. This substation is located on a small traffic island.

The image below identifies the subject site in context with the wider locality.

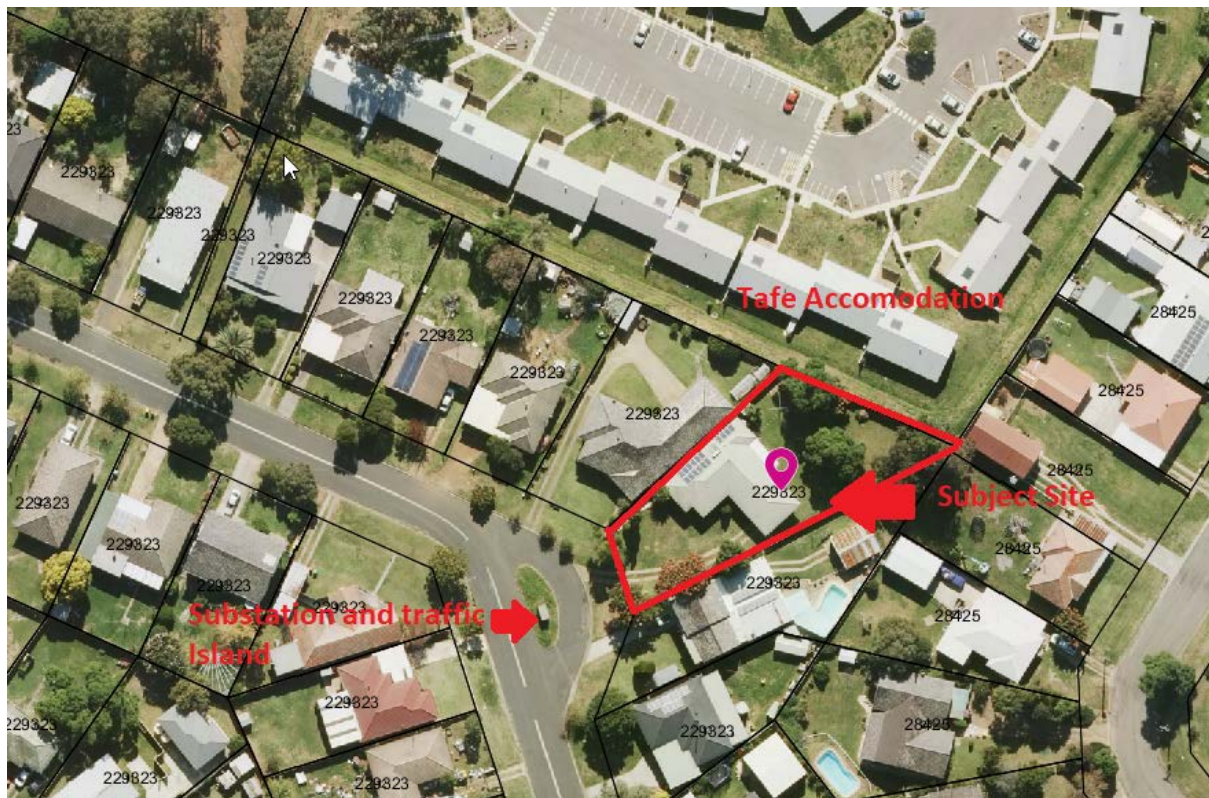


Figure 1 – Location

## 2.0 DESCRIPTION OF PROPOSAL

The proposed development involves the construction of a carport and storage shed at the subject site.

The carport would be constructed adjacent the entry of the existing building. The carport would be 5.2m by 5.2m and will not protrude forward of the front façade of the dwelling closest to the Ruth White Avenue Road Reserve. The proposed carport would have a sheet metal roof with a height of 2.6m.

The proposed shed would be located forward of the building line of the dwelling. The proposed plans indicate that shed would be located 1.5m forward of the dwelling and 7.5m from the Ruth White Avenue Road Reserve. When initially submitted the proposed shed comprised 2 bays, but has been modified to a single bay shed with a width of 5.0m and depth of 6.54m. The orientation of the proposed shed is such that the side wall of the structure faces Ruth White Avenue and its roller door is adjacent the existing driveway. The proposed shed would have a pitched roof 2.7m at its eaves and 3.37m at its ridge. The proposal is that the shed be clad in steel metal sheeting.

### **3.0 SPECIALIST COMMENTS**

#### **3.1 Referrals**

Due to the scope of the proposed development the proposal was not considered to require referral to any external government agencies or any internal specialist areas of Council.

### **4.0 ASSESSMENT**

This report provides an assessment of the material presented in the Application against the relevant State and local planning legislation and policy.

#### **Section 4.15 Matters for Consideration**

##### **Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument (EPI)**

The following EPIs, DCPs, Codes and Policies are relevant to this Application:

#### **1. Muswellbrook Local Environmental Plan 2009 (LEP)**

##### **Land Use Zone and Permitted Land Use**

The development site is zoned R1 General Residential under the LEP. The proposed development is ancillary to the dwelling situated on the land and the residential use of the premises. Development for the purpose of dwelling houses is permissible with consent in the R1 General Residential zone. Accordingly, the proposed development is also viewed as being permissible as a type of development ancillary to this use and development of the land.

##### **Objectives of the R1 General Residential Zone**

Clause 2.3 of the Muswellbrook LEP 2009 requires a consent authority to have regard to the land use zone objectives of the relevant land use zone when determining a development application.

The land subject to this development application is zoned R1 General Residential. The R1 General Residential land use zone objectives are listed below:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To enable sensitive infill development of other housing types.*
- *To allow people to carry out a reasonable range of activities from their homes, where such activities do not adversely affect the living environment of neighbours.*
- *To promote the principles of ecological sustainable development including energy and water efficient subdivision and housing design.*



- To minimise the impact of non-residential uses and ensure these are in character and compatible with surrounding development.
- To ensure that development is carried out in a way that is compatible with the flood risk of the area.

As the proposed development would support the residential use of the land and the requirements of the building occupant, the proposed development is considered to be in accordance with the above land use zone objectives.

#### Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

<i>Part 1 Preliminary</i>	
<i>Part 2 Permitted or prohibited development</i>	
<i>2.3 Zone objectives and Land Use Table</i>	Council Officers are satisfied that the proposed development is a type of development permissible with consent and compatible with the R1 General Residential land use zone objectives. <b>Complies</b>
<i>Part 3 Exempt and complying development</i>	
<i>Part 4 Principal development standards</i>	
<i>4.1 Minimum subdivision lot size</i>	The proposed development does not involve the subdivision of the land. <b>Not relevant.</b>
<i>4.3 Height of buildings</i>	The maximum building height for the site is 8m. The height of the proposed development will not exceed this maximum building height. <b>Complies</b>
<i>4.4 Floor space ratio</i>	<p>The FSR map prescribes a maximum FSR of 0.5:1 in relation to the subject site.</p> <p>The area of the subject site is approximately 1,200m<sup>2</sup> and measurements taken from aerial maps suggest that the area of the existing dwelling is approximately 275m<sup>2</sup>. Accordingly, Council Officers are satisfied that the proposed development would not cause the developed area of the site to exceed the 0.5 maximum FSR requirement. <b>Complies</b></p>
<i>Part 5 Miscellaneous provisions</i>	
<i>Part 6 Urban release areas</i>	
<i>Part 7 Additional local provisions</i>	
<i>7.1 Terrestrial biodiversity</i>	The land subject to this development application is not identified on the terrestrial biodiversity map. Accordingly, the provisions of this clause do not require further consideration in relation to this development application. <b>Not relevant</b>
<i>7.6 Earthworks</i>	<p>This development application would involve the carrying out of earthworks associated with the establishment of foundations for the proposed development.</p> <p>Council Officers have reviewed the matters for consideration prescribed by this Clause and are satisfied that the proposed earthworks would have a negligible environmental impact where carried out in accordance with recommended construction, sediment and erosion control conditions. <b>Complies</b></p>

## **2. State Environmental Planning Policy No. 55 – Remediation of Land**

Under Clause 7 of this SEPP a consent authority must not consent to the carrying out of any development on land unless:

- (a) It has considered whether the land is contaminated, and

- (b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The subject land has previously been used for residential living and is unlikely to be subject to any contamination requiring remediation under the SEPP. Accordingly, Council Officers are satisfied that the proposed development can be supported without any requirement for further site contamination investigations or a requirement for the site to be remediated under the SEPP.

**Section 4.15(1)(a)(ii) the provisions of any draft EPI.**

There are no draft EPIs relevant to the subject Application.

**Section 4.15(1)(a)(iii) the provisions of any development control plan**

Section 3 – Site Analysis

It is considered that the documentation provided with the Development Application satisfies the provisions of Section 3 of the Muswellbrook DCP.

Section 4 – Notification

In accordance with the provisions of Section 4 of the Muswellbrook DCP 2009, the Application was notified from 21 November 2019 to 12 December 2019. No submissions were received by Council in relation to the development application.

Section 6 – Residential Development

	Comments
<b>6.1 Built Form</b>	
6.1.1 Context	Council Officers are satisfied that some consideration has been given to the site attributes in the preparation of the development application. <b>Complies</b>
6.1.2 Front Setbacks	Under the provisions of the DCP a front setback of 4.5m is applicable to the site. The proposal complies with a setback of 7.5m. <b>Complies</b>
6.1.3 Side and Rear Setbacks	A minimum side and rear setback of 0.9m is required for the proposed development. The proposal has a setback of 1m from the closest adjoining boundary. <b>Complies</b>
6.1.4 Building Height and Scale	<p>This section of the DCP restricts the construction of buildings or alterations and additions that do not conform with the prevailing character of the area to the rear of the rear of the site.</p> <p>The subject site is located within an established residential area. The character of the area is a typical 1970's residential neighbourhood with a mixture of brick and timber clad homes that address the streetscape.</p> <p>The proposal is for a colorbond shed to be constructed forward of the building line of the existing brick veneer residential building. This type of building, where situated forward of the building line of the principle dwelling is not typical of the character of the area. The applicant has demonstrated that there is limited space for vehicles to access the rear of the</p>

	<p>premises.</p> <p>It is recommended that the development application be approved subject to a condition of consent which restricts the use of colorbond cladding on the building walls, requiring instead painted timber, plastic composite or similar cladding. A window is also recommended for the wall orientated toward the street.</p> <p><b>Does not comply – compliance to be managed through the imposition of an additional condition restricting the use of colorbond wall cladding.</b></p>
6.1.5 Front Fencing and Retaining Walls	<p>The proposed development does not involve any front fencing or retaining wall construction. <b>Not Relevant</b></p>
6.1.6 Garages, Carports and Sheds	<p>Council Officers are satisfied that the proposed carport would generally comply with the relevant provisions of this section.</p> <p>The proposed shed is not compatible with the following DCP controls imposed by this section:</p> <ul style="list-style-type: none"> <li>(i) <i>Garages, carports and sheds visible from the street shall compliment (i.e. not detract from) the colour and roof form (i.e. pitch) of the dwelling on that allotment.</i></li> <li>(ii) <i>Garages and sheds are not located forward of the established building line.</i></li> </ul> <p>The colorbond construction of the proposed shed would not be compatible with the provisions of 6.1.6(i) and would contrast the appearance of the existing buildings. To manage this issue Council Officers are recommending a condition of consent requiring the use of alternate building cladding, to be approved prior to the issue of a Construction Certificate.</p> <p>Council has the ability to approve development applications that are not strictly in accordance with the development controls imposed by the DCP. In doing so Council is required to have regard to the objectives that inform the DCP control and the circumstantial merits of the variation of the DCP provision.</p> <p>The DCP objective relevant to this section of the DCP is:</p> <p><i>a) To ensure that ancillary buildings do not dominate the streetscape and reflects the existing location of ancillary buildings within the streetscape.</i></p> <p>The applicant has raised the following key issues as reasoning to support the variation of the DCP provision:</p> <ol style="list-style-type: none"> <li>1. The land holding has an irregular shape and narrows toward the street frontage. The width of the lot and length of existing dwelling significantly restricts the ability of a vehicle to manoeuvre into the rear yard.</li> <li>2. An additional off-street enclosed car parking space is required. The applicant has concerns about her vehicle being parked on the street or in a visible location due to her employment and role.</li> <li>3. A large square electrical sub-station is situated immediately adjacent the site. The sub-station detracts from the streetscape. The structure would reduce the visual impact of the proposed shed</li> </ol>

	<p>from passing traffic.</p> <ol style="list-style-type: none"> <li>4. To construct the shed at an alternate location a number of trees would need to be removed.</li> <li>5. No submissions have been received from neighbouring residents objecting to the proposed development</li> </ol> <p>Council Officers accept that the re-siting of the structure to the rear of the yard would be challenging. If the colorbond steel wall sheeting was replaced with timber, plastic composite or similar cladding, Council Officers would be satisfied that the proposed development would be compatible with the DCP objectives and be unlikely to have a significant impact on the streetscape.</p> <p>Accordingly, Council Officers have formed the view that this DCP control may be varied to support the development subject to a condition requiring the use of an alternative cladding, the inclusion of a forward facing window to enhance street surveillance and the employment of landscaping around the building.</p> <p><b>Does not comply – recommended Council support the development as a variation to DCP requirement and subject to additional conditions.</b></p>
6.1.7 Dwelling Entry	<p>This section relates to ensuring entry points to dwellings are clearly identifiable. The proposed development would alter the interface of the dwelling with the streetscape. However, Council Officers are satisfied that the entry point would remain clearly identifiable. Council Officers have noted that the proposed garage would reduce passive street surveillance from the dwellings existing windows. To manage this issue and maintain an appearance of passive street surveillance from the premises, it is recommended that a condition be imposed to require a window in the wall orientated toward the street.</p> <p><b>Complies</b></p>
6.1.8 Accessibility and Adaptability	<b>Not relevant</b>
6.1.9 Reflective Materials	<p>This clause restricts the use of reflective materials in residential development and encourages natural colours and earthy tones.</p> <p>Council Officers are satisfied that the proposed development would be in accordance with the requirements of this clause where the development is carried out in accordance with the recommended conditions of consent. <b>Complies</b></p>
6.2 Urban Landscape	
6.3 Environmental	
6.3.1 Topography	<p>This application would not involve the carrying out of any substantial earthworks and Council Officers are satisfied that it will not impact natural landforms in a manner contrary to the clause requirements.</p> <p><b>Complies</b></p>
6.4 Site Operation	
6.4.2 Stormwater Management	<p>The proposed development site is served by the existing storm water system. A condition will be placed on the consent requiring stormwater to be disposed of via a piped connection to the kerb and gutter.</p>

**Section 24 – Waste Management**

A site waste minimisation and management plan has not been included with the proposed development. Section 24 of the DCP requires a Waste Minimisation and Management Plan should have been included with the construction of buildings and structures.

It is recommended that a Waste Management Minimisation Plan not be required and the DCP objectives adhered to through the inclusion of a condition for the minimisation and management of any waste associated with the development.

**Section 25 – Stormwater Management**

Stormwater discharge from the proposed development will be directed toward Council's stormwater network. The proposed development would comply with the relevant stormwater requirements of the DCP for residential development.

**Section 94 Contributions Plan 2001**

Not applicable

**Section 94A Contributions Plan 2009**

Council's Section 94A Contribution Plan requires the payment of a Section 7.12 Contribution for development with an estimated value of \$100,000 and greater. The estimated value of the proposed development is less than \$100,000 and therefore no Section 7.12 contribution is applicable under the provisions of this plan.

**Section 4.15(1)(a)(iia) the provisions of any planning agreement**

There are no planning agreements relevant to the subject Application.

**Section 4.15(1)(a)(iv) the provisions of the regulations**

Division 8A of the Environmental Planning and Assessment Regulation 2000 applies to the development.

**Section 4.15(1)(a)(v) the provisions of any coastal zone management plan**

This item is not relevant to the subject Application. The Application does not relate to a coastal area.

**Section 4.15(1)(b) the likely impacts of that development**

Potential environmental impacts associated with the proposed development have been considered through the assessment of this development application and some commentary on these matters provided under the LEP and DCP headings of this assessment report.

Given the scale of the proposed development Council Officers are satisfied that the proposal is unlikely to have any significant environmental impacts where it is carried out in accordance with the recommended conditions of consent and the use of colorbond wall cladding is restricted so to manage the visual impact of the proposed development and its impact on the streetscape.

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

It is considered that the development is compatible with surrounding land uses and site characteristics, subject to consent conditions.

**Section 4.15(1)(d) any submissions made**

The proposed development was notified in accordance with the requirements of Council's DCP.

No submissions were received by Council in relation to the proposal.

**Section 4.15(1)(e) the public interest.**

The proposed development is in the public interest. The proposal complies with the Muswellbrook LEP 2009 and the majority of DCP provisions. No submissions were received by Council objecting to the proposed development. Where the development is carried out in accordance with the recommended conditions of consent and colorbond wall cladding is replaced with a more sympathetic material, the proposed development is not anticipated to have any adverse impact on the streetscape.

**5 CONCLUSION**

Council Officers have completed a merit assessment of the proposal, and aspects of the development that are inconsistent with the DCP can be supported subject to the imposition of conditions of consent to manage the impact of the proposed development on the streetscape.

In view of these findings it is recommended that the proposed development be approved subject to the recommended conditions of consent.

Signed by:



Hamish McTaggart  
Development Coordinator

Date:

26/02/2020

**DA 2019/100 – Recommended Conditions of Consent:****IDENTIFICATION OF APPROVED PLANS****(1) Development in Accordance with Plans**

The development being carried out in accordance with the development application and the drawings referenced below, and endorsed with Council's approval stamp, except where amended by the following conditions.

Drawing No.	Revision	Drawn by	Drawing Date	Received
Site Plan	-	Applicant	Not Dated	17 January 2020
MUBRK1-14752 (Shed Plan General Arrangement)	A	Ranbuild	Not Dated	17 January 2020
MUBRK1-14584 (Skillion Carport General Arrangement)	A	Ranbuild	Not Dated	15 November 2019

**(2) Restriction on the use of sheet metal wall cladding**

The use of sheet metal wall cladding for the construction of the shed is not approved. Prior to the issue of a Construction Certificate a revised plan is to be provided which complies with the requirements of condition (6) of this consent and details a satisfactory alternate design for the construction of the shed walls.

**OPERATIONAL CONDITIONS IMPOSED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION****(3) Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

**(4) Home Building Act**

- (1) Building work that means residential building works (under the meaning and exemptions of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development which the work relates:
  - (a) In the case of work being carried out by a licensed builder :
    - (i) Has been informed in writing of the licensee's name and license number, and;
    - (ii) Has received Home Owners Warranty Insurance for works where the contract price of the works exceeds \$20,000.
  - (b) In the case of an Owner Builder:
    - (i) Has been informed in writing of the person's name and Owner Builder permit number where the cost of works is greater than \$10,000, or;
    - (ii) Has been given declaration signed by the owner of the land that states that the reasonable market cost of the labour and materials is less than \$10,000.



- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Note: (1) The amounts referred to in point 1 may be subject to change as regulations are amended.

(2) An owner that engages multiple licensees/contracts or contracts for part of the work and completes work themselves is considered an Owner Builder under the *Home Building Act 1989*.

<b>ANCILLARY MATTERS TO BE ADDRESSED TO THE SATISFACTION OF COUNCIL PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE</b>
--

**(5) Construction Certificate Requirement**

No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.

Note: A construction certificate issued by an Accredited Certifying Authority must be deposited with Council at least 48 hours prior to the commencement of any earthworks, engineering or building work at the site.

**(6) Submission of Plans for Shed Wall Design**

Prior to the issue of a Construction Certificate, documentary evidence is to be provided to the Certifying Authority demonstrating compliance with the following:

Revised plans are to be submitted to and approved by Council in relation to the shed. These revised plans must detail:

- The use of an acceptable alternative cladding for the external walls. The alternative cladding shall be timber weatherboard, a high quality plastic composite material that looks like weatherboard or an alternate material acceptable to Council. Sheet metal wall cladding will be permitted.
- The inclusion of a window in the shed wall elevation that addresses Ruth White Avenue.

The revised elements of the design included in these plans are to be reflected in the plans endorsed as part of any Construction Certificate and the development carried out in accordance with the revised design requirements.

<b>CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT</b>
--

**(7)      Sediment and Erosion Control**

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum control techniques are to be in accordance with 'The Blue Book' published by Landcom provisions on Erosion and Sediment Control, or a suitable effective alternative method.

All required sedimentation control techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised

**(8)      Site Sign**

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a)    stating that unauthorised entry to the work site is prohibited;
- (b)    showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c)    showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

**(9)      Materials**

In accordance with the provisions of the Muswellbrook Development Control Plan the external metal roofing installed on the shed and carport shall be non-reflective. Zinalume or reflective white sheet metal cladding is not be used without the prior written approval from Council.

**(10)     Damage to Public Infrastructure**

The applicant shall bear the cost of all restoration works to Council property damaged during the course of this development. The applicant shall submit in writing and/or photographic record, of any existing damage to Council property before commencement of work.

Note: This documentation will be used to resolve any dispute over damage to infrastructure. If no documentation is received prior to commencement of work it will be assumed that the infrastructure was undamaged and the

applicant will be required to restore all damaged infrastructure at their expense.

<b>CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK</b>
--

**(11) Construction Hours**

- (a) Subject to this clause, building construction is to be carried out during the following hours:
  - i. between Monday to Friday (inclusive)—7.00am to 6.00pm
  - ii. on a Saturday—8.00am to 1.00pm
- (b) Building construction must not be carried out on a Sunday or a public holidays.
- (c) Demolition works and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.
- (d) The builder and excavator must display, on-site, their 24 hour contact telephone numbers, which are to be clearly visible and legible from any public place adjoining the site.

**(12) Prohibition on Use of Pavements**

Building materials and equipment must be stored wholly within the work site, unless prior written approval has been obtained from council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

**(13) Mandatory inspections under Section 68 of the Local Government Act 1993**

The person acting with this consent shall ensure that all mandatory sewer, water and stormwater inspections are carried out by Council Officers at the relevant stages of construction in accordance with any Section 68 approval issued for the development.

Note: a minimum notice of 48 hours is required when booking an inspection. Inspection fees will be charged in accordance with Council's adopted fees and charges and must be paid prior to the issue of the Construction Certificate.

**(14) Site Waste Minimisation**

Throughout the carrying out of building works the person acting with this consent shall take reasonable steps to minimise waste from the carrying-out of the development in accordance with the following objectives of Chapter 24 Waste Minimisation and Management of Council's Development Control Plan.

- Optimise adaptive reuse opportunities of existing building/structures.
- Maximise reuse and recycling of materials.
- Minimise waste generation.
- Ensure appropriate storage and collection of waste.
- Minimise environmental impacts associated with waste management.
- Avoid illegal dumping.
- Promote improved project management.

<b>CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE</b>
--

**(15)      Occupation**

The building is not to be used or occupied until a final inspection has been carried out and an occupation certificate has been obtained from the Principal Certifying Authority.

**(16)      Landscaping**

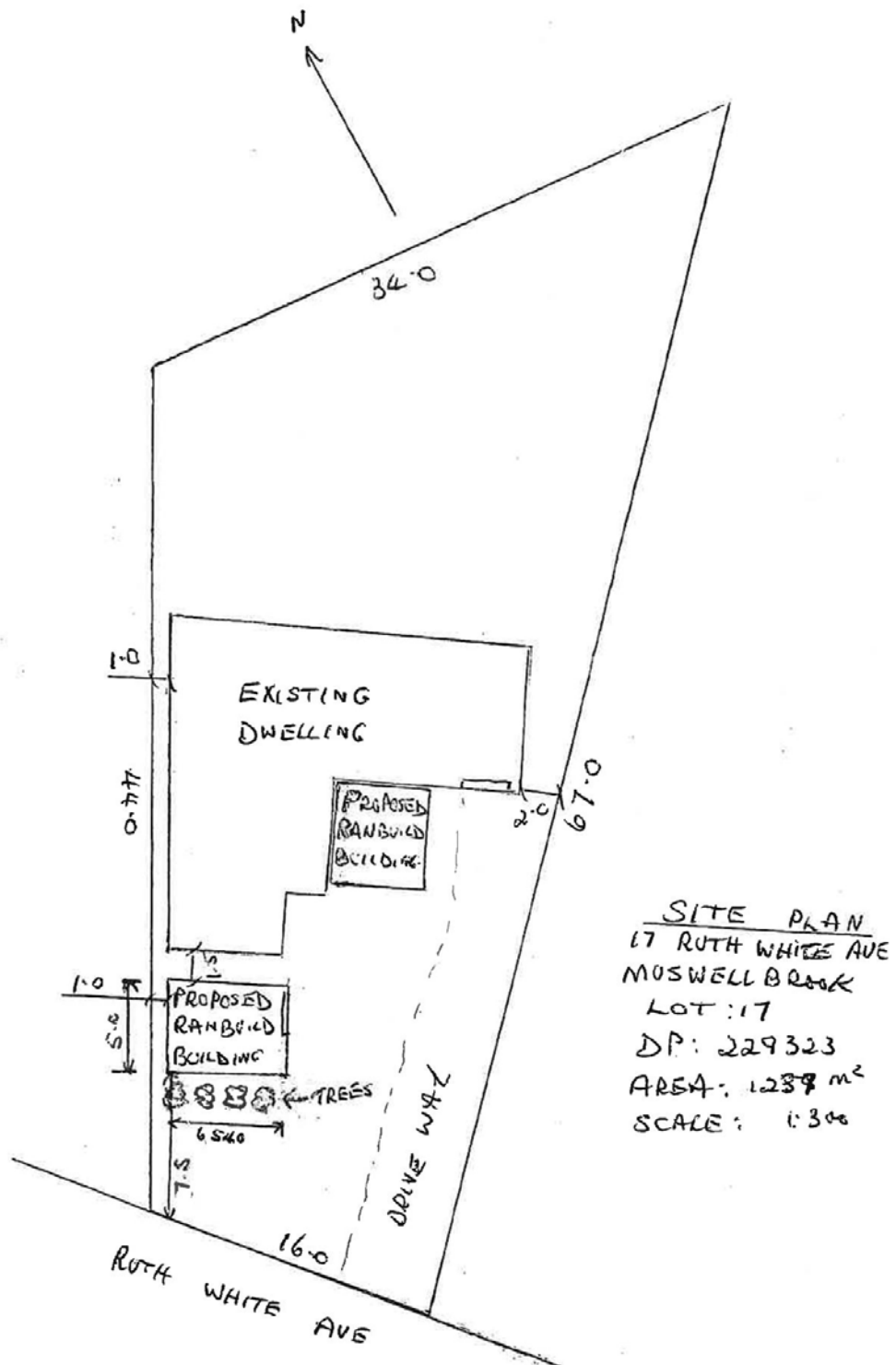
Prior to the issue of an Occupation Certificate landscaping is to be installed between the shed and Ruth White Avenue in accordance with the following:

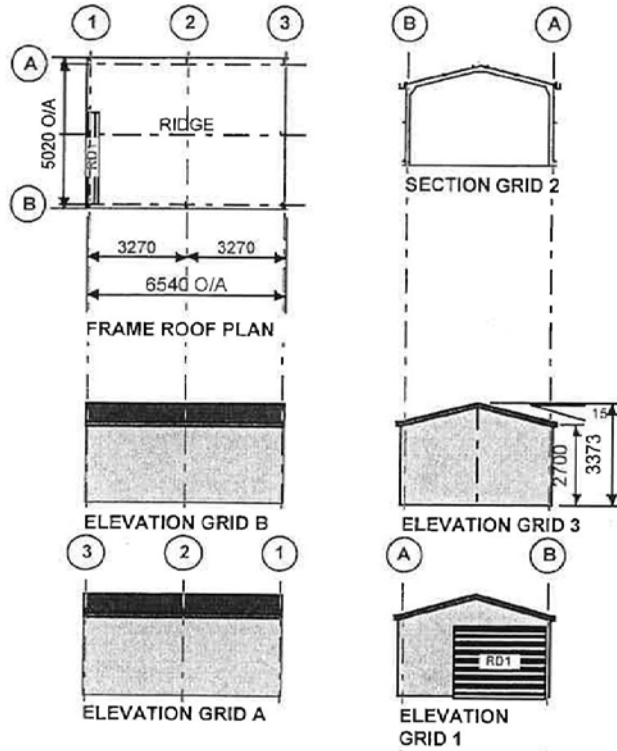
- A garden bed is to be established along the length of the shed wall that addresses Ruth White Avenue, with a minimum depth of 1 metre and the garden bed is to be planted or seeded to support the establishment of vegetation that grows to a minimum of 1m in height.


<b>CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES</b>
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**(17)      Stormwater Disposal**

All stormwater from the development , including all hardstand areas and overflows from rainwater tanks, is to be collected and disposed of to the kerb and gutter (piped).







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Solutions Pty Ltd  
trading as RANBUILD

CLADDING			
ITEM	PROFILE (min)	FINISH	COLOUR
ROOF	CUSTOM ORB 0.42 BMT	CB	WG
WALLS	TRIMDEK 0.35 BMT	CB	EH
CORNERS	-	CB	EH
BARGE	-	CB	WG
GUTTER	SHEERLINE	CB	WG
DOWNPIPE	100x50	CR	EH

0.35bmt=0.40tct; 0.42bmt=0.47tct; 0.48bmt=0.53tct

ACCESSORY SCHEDULE & LEGEND		
QTY	MARK	DESCRIPTION
1	RD1	B&D, Firmadour, R.D, Residential "R1F", 2300 high x 3000 wide Clear Opening C/B

ARCHITECTURAL DRAWING ONLY, NOT FOR CONSTRUCTION USE

WIND DESIGN			
IMPORTANCE LEVEL	REGION	TERRAIN	Ms
2	A	2.5	1.0

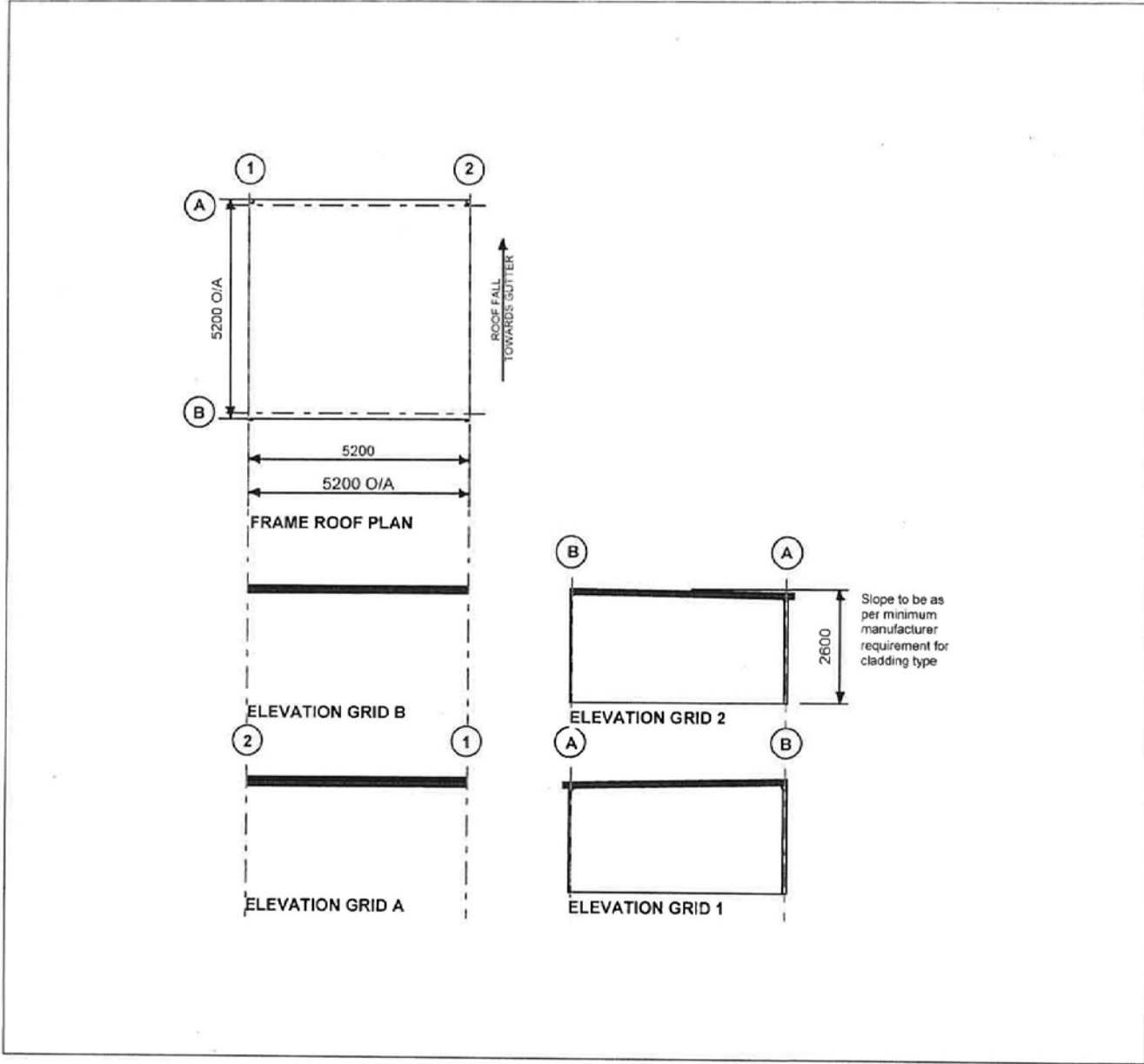
CLIENT  
**KATHRYN CAMERON**


SITE  
**17 RUTH WHITE AVE,  
MUSWELLBROOK NSW 2333**

BUILDING  
**SUNDOWN DELUXE  
5020 SPAN x 2700 EAVE x 6540 LONG**

TITLE  
**GENERAL ARRANGEMENT**

SCALE A4 SHEET 1:200	DRAWING NUMBER <b>MUBRK1-14752</b>	REV <b>A</b>	PAGE <b>1/1</b>
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CLADDING			
ITEM	PROFILE (min)	FINISH	COLOUR
ROOF	TRIMDEK 0.42 BMT	CB	AA
WALLS			
CORNERS			
BARGE		CB	AA
GUTTER	SHEERLINE	CB	AA
DOWNPIPE	100x50	CB	AA

0.35bmt=0.40lct; 0.42bmt=0.47lct; 0.48bmt=0.53lct

ACCESSORY SCHEDULE & LEGEND		
QTY	MARK	DESCRIPTION

ARCHITECTURAL DRAWING ONLY, NOT FOR CONSTRUCTION USE

WIND DESIGN			
IMPORTANCE LEVEL	REGION	TERRAIN	Ms
2	A	2.5	1.0

CLIENT  
**KATHRYN CAMERON**

SITE  
**17 RUTH WHITE AVE,  
MUSWELLBROOK NSW 2333**

BUILDING  
**SKILLION CARPORT  
5200 SPAN x 2600 EAVE x 5200 LONG**

TITLE  
**GENERAL ARRANGEMENT**

SCALE A4 SHEET 1:125	DRAWING NUMBER <b>MUBRK1-14584</b>	REV <b>A</b>	PAGE <b>1/1</b>
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Muswellbrook Shire Council

Post Office Box 122, Muswellbrook NSW 2333

**Attention to: Hamish McTaggart – Development- Co-ordinator**

**Applicant: Kathryn Cameron**

[kacameron111@hotmail.com](mailto:kacameron111@hotmail.com)

**0414943617**

**RE: Development Application 100/2019 – Ancillary Development – Carport and Shed at 17 Ruth White Avenue, Muswellbrook NSW 2333**

**Subject Issue being:**

Section 6.1.6 of the Developmental Control Plan which restricts the construction of sheds forward of the established building line of a dwelling on residentially zoned land and with this has seen an issue with my current application submitted mid-November 2019 for a shed to be erected to the front of my existing home at Ruth White Avenue.



I take this opportunity to thank you for your recent letter and phone communication in relation to my development application in which I have acknowledged your expressed concerns about where I would like to have my shed built and that of Section 6.1.6 of the Development Control Plan. Meaning that, and my understanding of, this Section restricts the construction of sheds being forward of an established building line of a dwelling on residentially zoned land in the Muswellbrook shire.

I would like to make a few points in relation to this situation being the position of the shed for you to understand and further consideration towards this development application as there are a few factors which I believe, makes this shed a suitable site for this unique parcel of land at Ruth White Avenue – hence why in the first instance I contacted RANDBUILD (Hunter Sheds) to provide me with a quote and assistance to prepare the application to council for consideration and hopefully, approval of this shed.

My land has an area size just over 1400 sqm which at the rear of the house backs onto the Tafe cottages and to the front of the house looks out onto the street at a large industrial electrical box positioned one could say, in the middle of the street, which in turn council has provided a separate small access road area for me to access my land.

When this house was built back in the 80s (I think), the owner positioned the house right in the middle of the land and allowed No Access to the left-hand side of the house to fit a car to the rear yard and with that also left a very, very small area to the right of the home being such a tight squeeze that I would be too frightened to even try and get my car down that side.

Similarly, I have spoken to the neighbors about this proposed shed and they are more than happy to have this shed positioned to the front of the building line because as stated previously – this tight squeeze to the right of the home would mean if a shed was built to the rear that some beautiful trees would have to be removed – being established large trees which provide shade for myself and my neighbor. I would also incur extra costs with a driveway as stated previously that this allotment is over 1400 sqm in size.

Another factor is the four feet wide electrical easement buried on my land which runs below this tight squeeze area I previously mentioned to the right of the house is the only possible way of accessing the rear yard by a car.

In many ways and from the opinions of many, many people I have spoken to about this sheds positioning – being people who have no (money) gain or profit from their opinion of this shed agree that it makes good reasoning for it to be positioned at the front boundary line.

I have selected a color which is one could say, earthly – being ‘not in one’s face’ and have spoken to Randbuild about positioning the roof gable (the same as the house) as the sheds entry would be at the side (not facing the road). Similarly, I planned on planting native trees in front of the shed (facing the road) and also have on-site two recently purchased 5000-litre slimline water tanks to collect the surplus runoff water as I am most certainly, an environmentally friendly minded person.

To conclude: When I purchased this property which settled in November this year I was aware from researching properties in the Muswellbrook area, that this property at Ruth White Avenue has been on the market a while with the agent having trouble getting people through the home as there (is/was) a lack of garaging and a negative impact in relation to accessing the beautiful large rear yard which such a small tight squeeze area which turned potential people off, ‘so to speak’. There too was the easement situation and also the electrical box in the street. All I am trying to do is have a garage built and keep my neighbors happy by letting them enjoy the shade they have enjoyed for many years before I arrived and also save my car insurance costs by avoiding claims from scraping out on the brickwork or hitting the boundary fence to access a garage down that tight area to the right of the house should a garage be erected in the rear yard.

Should you wish to have a site inspection in relation to my concerns as stated then maybe you may understand my reasoning for this development application as being the most suitable option which was carefully considered before its submission to council.

Again thank you for your time and I eagerly await your reply.

Kind regards, Kathryn Cameron

**6.2 OUTSTANDING DEVELOPMENT APPLICATIONS**

<b>Attachments:</b>	<b>A. Outstanding Development Applications 4 March 2020</b>
<b>Responsible Officer:</b>	<b>Sharon Pope - Assistant Director - Environment &amp; Community Services</b>
<b>Author:</b>	<b>Michelle Reichert - Administration Officer</b>
<b>Community Plan Issue:</b>	<b><i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i></b>
<b>Community Plan Goal:</b>	<b><i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Facilitate the inspection of all development sites subject to Development Application / Construction Certificate in accordance with statutory requirements.</i></b>

**PURPOSE****OFFICER'S RECOMMENDATION**

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**STATUTORY IMPLICATIONS**

Under the provisions of the Environmental Planning and Assessment Regulation 2000 Council has a statutory obligation to assess:

General development applications within 40 days (excluding stop the clock days) of their receipt; and

The following types of development applications within 60 days (excluding stop the clock days) of their receipt:

- (i) Designated development,
- (ii) Integrated development,
- (iii) Development for which the concurrence of a concurrence authority is required, and
- (iv) A development application accompanied by a biodiversity development assessment.

## Development Assessment Committee - Outstanding DAs as at 4/03/2020

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2020.00000025.001	Replacement and Upgrade of Observation Hut	16 Sheppard AVE MUSWELLBROOK LOT: 150 DP: 708030	Muswellbrook Race Club Limited	\$20,000	28/02/2020	5	DA Acknowledgement
005.2020.00000024.001	Steel Storage Shed	53 Bimbadeen DR MUSWELLBROOK LOT: 420 DP: 1089305	Ms M Martin	\$32,200	26/02/2020	7	Notify Adjoining Owners
005.2020.00000023.001	Installation of Two (2) Rainwater Tanks	8 Ironbark RD MUSWELLBROOK LOT: 1017 DP: 262815	Mr T E Hammond	\$2,000	21/02/2020	12	DA Acknowledgement
005.2020.00000022.001	Industrial Hard Stand Area	LOT: 20 DP: 1119843	Mr G Ray	\$73,500	19/02/2020	14	Notify Adjoining Owners
005.2020.00000021.001	Rural Workers Dwelling	828 Bylong Valley Wy BAERAMI LOT: 5 DP: 1152622	Mr G K Towell	\$273,717	17/02/2020	16	Notify Adjoining Owners
005.2020.00000020.001	Residential Shed	28 Silver Eye RD MUSWELLBROOK LOT: 307 DP: 1105347	Mr T C Stewart	\$25,000	17/02/2020	16	Notify Adjoining Owners
005.2020.00000019.001	Dwelling Additions	11 Grevillea ST MUSWELLBROOK LOT: 3006 DP: 263113	Mr B R Lanesbury	\$49,977	13/02/2020	20	Notify Adjoining Owners
005.2020.00000018.001	Steel Shelter	241 Merriwa RD DENMAN LOT: 1 DP: 128061	Ms L M Pearce	\$13,900	12/02/2020	21	Notify Adjoining Owners
005.2020.00000016.001	New Dwelling	21 Finnegan CR MUSWELLBROOK LOT: 414 DP: 1182016	Mrs R Mahajan	\$385,335	7/02/2020	26	Notify Adjoining Owners
005.2020.00000015.001	Residential Shed	104 Osborn AVE MUSWELLBROOK LOT: 120 DP: 1105564	Mr G S Anderson	\$19,500	6/02/2020	27	Notify Adjoining Owners

## Development Assessment Committee - Outstanding DAs as at 4/03/2020

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2020.00000014.001	New Dwelling	7 Honeyeater CL DENMAN LOT: 3 DP: 1248157	Meticon Homes Pty Ltd	\$560,395	6/02/2020	27	Additional Info Required
005.2020.00000013.001	Residential Shed	7 Honeyeater CL DENMAN LOT: 3 DP: 1248157	Mr D J Collins	\$35,000	4/02/2020	29	Additional Info Required
005.2020.00000012.001	Residential Shed	Honey LA SANDY HOLLOW LOT: 2 DP: 1234634	Mr S R Cox	\$35,194	4/02/2020	29	DA Acknowledgement
005.2020.00000011.001	Residential Shed	29 Palace ST DENMAN LOT: 2109 DP: 864033	Mrs H E Hassett	\$12,350	3/02/2020	30	Additional Info Required
005.2020.00000010.001	Single Residential Garage	1 Gyarran ST MUSWELLBROOK LOT: 6 DP: 16372	Mr M J Hughes	\$9,000	3/02/2020	30	Additional Info Required
005.2020.00000009.001	Single Residential Garage	52 Palace ST DENMAN LOT: 345 DP: 576669	Mr C J Garland	\$27,548	31/01/2020	33	Notify Adjoining Owners
005.2020.00000008.001	New Dwelling	Honey LA SANDY HOLLOW LOT: 2 DP: 1234634	Mr S R Cox	\$320,029	30/01/2020	34	Notify Adjoining Owners
005.2020.00000007.001	Additions and Alterations to existing Hotel	184 Bridge ST MUSWELLBROOK LOT: 3 DP: 37789 REF: HOTEL	Mr P Ryan	\$110,000	24/01/2020	40	Notify Adjoining Owners
005.2020.00000006.001	Carport	26 George ST MUSWELLBROOK ALT: B DP: 371230	Mrs S Gillespie	\$1,900	24/01/2020	40	Additional Info Required
005.2020.00000005.001	Change of Use from a Restaurant to a Community Facility	29 Sydney ST MUSWELLBROOK LOT: 1 DP: 69766	Sunnyfield	\$0	20/01/2020	44	Additional Info Required

## Development Assessment Committee - Outstanding DAs as at 4/03/2020

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2020.00000004.001	Old Denman Courthouse change of use to Bed and Breakfast, Carpark and addition of accessible bathroom.	Palace ST DENMAN LOT: 228 DP: 727761 32 Palace ST DENMAN LOT: 227 DP: 727761	Mr I P Simpson	\$46,585	16/01/2020	48	Notify Adjoining Owners
005.2020.00000003.001	Demolition and Replacement of Rural Workers Dwelling	Widden Valley RD DENMAN LOT: 48 DP: 755441	The Flying Builder PTY LTD	\$313,233	10/01/2020	54	Notify Adjoining Owners
005.2020.00000002.001	Residential Shed	31 Weemala PL MUSWELLBROOK LOT: 307 DP: 1087265	Mr G J Irwin	\$10,500	6/01/2020	58	Additional Info Required
005.2020.00000001.001	Residential Garage and Carport	18 Grimes CL DENMAN LOT: 21 DP: 45633	Mr I G McLeod	\$25,000	6/01/2020	58	Additional Info Required
005.2019.00000109.001	Change of use from Tattoo Shop to Thai Massage Spa, Internal Fitout and Shop Front Signage	26 Bridge ST MUSWELLBROOK LOT: 7 DP: 1124521	ArkExpress Design Pty Ltd	\$50,000	10/12/2019	85	Notify Adjoining Owners
005.2019.00000104.001	Industrial Development - Installation of Demountable Office Building	Thomas Mitchell DR MUSWELLBROOK LOT: 25 DP: 260504	Mrs N S Englebrecht	\$75,000	27/11/2019	98	DA Acknowledgement
005.2019.00000102.001	Electricity Generating Works (Solar Farm)	1333 Merriwa RD DENMAN LOT: 12 DP: 1042612	Vernon Trust C/- Andrew King	\$6,114,757	19/11/2019	106	Refer to RFS - Head Office
005.2019.00000100.001	Ancillary Development - Carport and Shed	17 Ruth White AVE MUSWELLBROOK LOT: 17 DP: 229323	Ms K A Cameron	\$22,619	14/11/2019	111	Additional Info Required

## Development Assessment Committee - Outstanding DAs as at 4/03/2020

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2019.00000099.001	Secondary Dwelling Appurtenant to Principle Dwelling	159 Martindale RD DENMAN LOT: 22 DP: 739528	Miss P G Wilks	\$210,000	8/11/2019	117	Notify Adjoining Owners
005.2019.00000093.001	Change of use to Retail Outlet, Alterations to front of building and Signage	19 Bridge ST MUSWELLBROOK LOT: 60 DP: 847718	Casson Planning and Development Services	\$20,000	24/10/2019	132	Notify Adjoining Owners
005.2015.00000025.003	S4.55 (2) Modification - modification of the design and layout of an approved child care centre	38 Woollybutt WY MUSWELLBROOK LOT: 2 DP: 1090457	Beaini Projects Pty Ltd	\$0	17/10/2019	139	Notify Adjoining Owners
005.2019.00000091.001	Demolition of Existing Identification Sign and Erection of New Identification Sign	310 Richmond Grove RD SANDY HOLLOW LOT: 124 DP: 833250	Castlepeake Consulting Pty Ltd	\$12,000	8/10/2019	148	DA Acknowledgement
005.2019.00000090.001	Subdivision of One (1) Lot into Twenty (20) Lots	9 Yarrawa RD DENMAN LOT: 1 DP: 323945	Waebron Pty Ltd	\$2,828,700	30/09/2019	156	Additional Info Required
005.2019.00000089.001	Storage Shed	Turner ST DENMAN PRT: 231 DP: 729996 REF: FIELD	Denman Golf Club	\$37,220	26/09/2019	160	Advertisement - Proposal
005.2019.00000087.001	Replacement Dwelling	Bureen RD DENMAN LOT: 413 DP: 1251003	Casson Planning and Development Services	\$200,000	20/09/2019	166	Notify Adjoining Owners
005.2019.00000054.001	Subdivision One (1) Lot into Three (3) Lots	52 Palace ST DENMAN LOT: 345 DP: 576669	Casson Planning and Development Services	\$10,000	28/06/2019	250	Additional Info Required

## Development Assessment Committee - Outstanding DAs as at 4/03/2020

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2019.00000053.001	Subdivision of Two (2) Lots into Seventy Five (75) Lots	9027 New England HWY MUSWELLBROOK LOT: 12 DP: 1162012 Day ST MUSWELLBROOK LOT: 8 DP: 1181346	WZ Capital Holdings Pty Ltd	\$4,875,600	27/06/2019	251	Notify Adjoining Owners
005.2019.00000041.001	Subdivision - Nine (9) Lots into Six (6) Lots	Castlerock RD MUSWELLBROOK LOT: 1 DP: 136249 Castlerock RD MUSWELLBROOK LOT: 2 DP: 136249 Castlerock RD MUSWELLBROOK LOT: 5 DP: 750926 Castlerock RD MUSWELLBROOK LOT: 61 DP: 750926 Castlerock RD MUSWELLBROOK LOT: 62 DP: 750926 Castlerock RD MUSWELLBROOK LOT: 63 DP: 750926 Ellis PH COUNTY BRISBANE LOT: 4 DP: 21335 Castlerock RD MUSWELLBROOK LOT: 2 DP: 1102585 Castlerock RD MUSWELLBROOK LOT: 1 DP: 1102585	Mm Hyndes Bailey & Co	\$10,000	9/05/2019	300	Notify Adjoining Owners
005.2019.00000037.001	Construction of Pipes and Pump Infrastructure to Return Seepage Water from Lake Liddell Dam Wall to Lake Liddell	New England HWY MUSWELLBROOK LOT: 102 DP: 1053098 New England HWY MUSWELLBROOK LOT: 14 DP: 1193430	AGL Macquarie Pty Ltd	\$250,000	16/04/2019	323	Advertisement - Proposal



## Development Assessment Committee - Outstanding DAs as at 4/03/2020

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005.2019.00000016.001	Information and Education Facility (Museum)	Turner ST DENMAN PRT: 231 DP: 729996 REF: FIELD	Denman & District Heritage Village Inc.	\$265,000	15/02/2019	383	Additional Info Required
005.2019.00000013.001		8911 New England HWY MUSWELLBROOK LOT: 1300 DP: 1164893	Raj & Jai Construction Pty Ltd	\$5,142,236	14/02/2019	384	Notify Adjoining Owners
005.2019.00000002.001	The construction of multi dwelling housing comprising a total of Sixte	19 John Howe CCT MUSWELLBROOK LOT: 514 DP: 1089307	Raj & Jai Construction Pty Ltd	\$4,414,300	14/01/2019	415	Notify Adjoining Owners
005.2018.00000117.001	Commercial Alterations and Additions (Expansion of Bottle Shop)	36 Sydney ST MUSWELLBROOK LOT: 1 DP: 80963	Mr N Sakno	\$500,000	21/12/2018	439	Additional Info Required

## Development Assessment Committee - Outstanding DAs as at 4/03/2020

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005.2018.00000054.001	Demolition of a Commercial Building and the Construction of a Three	142 Bridge ST MUSWELLBROOK LOT: 1 DP: 11221 140 Bridge ST MUSWELLBROOK LOT: 2 DP: 11221 126 Bridge ST MUSWELLBROOK LOT: 7 DP: 71755 REF: LIBRARY 126 Bridge ST MUSWELLBROOK PT: 8 ALT: A SEC: 6 DP: 758740 REF: LIBRARY Bridge ST MUSWELLBROOK Lot: 400 DP:816923 Bridge ST MUSWELLBROOK Lot: 562 DP:747012 30 Brook ST MUSWELLBROOK LOT: 1 DP: 219503 30 Brook ST MUSWELLBROOK LOT: 6 DP: 219503 30 Brook ST MUSWELLBROOK LOT: 1 DP: 76058 83 Hill ST MUSWELLBROOK LOT: 5 DP: 11221 REF: TERTIARY ED* 85 Hill ST MUSWELLBROOK LOT: 4 DP: 11221 87 Hill ST MUSWELLBROOK LOT: 3 DP: 11221 Bridge ST MUSWELLBROOK PT: 8 ALT: B SEC: 6 DP: 758740 REF: WEIDMAN 83 Hill ST MUSWELLBROOK LOT: 5 DP: 11221 REF: CARPARK	Muswellbrook Shire Council	\$3,556,300	15/06/2018	628	Additional Info Required

## Development Assessment Committee - Outstanding DAs as at 4/03/2020

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005.2017.00000058.002	S96 (1A) Modification - Modify Condition 8	Jerdan ST DENMAN LOT: 1 DP: 151236	Ms M J Melville	\$0	19/02/2018	744	Advertisement - Proposal
005.2017.00000060.001	Change of Use - Building Materials Recycling Depot	7 Glen Munro RD MUSWELLBROOK LOT: 5 DP: 1018378	Mr L McWhirter	\$0	23/06/2017	985	Additional Info Required
005.2000.00000212.006	S96(1a) Modification - Extension of timeframe of Operations & Extraction Area, Site Plan, Removal of Conditions	Denman PH COUNTY BRISBANE LOT: 1 DP: 221400 2449 Denman RD MUSWELLBROOK LOT: 12 DP: 1027580	Cardno (NSW/ACT) Pty Ltd	\$0	29/05/2017	1010	Advertisement - Proposal
005.2016.00000032.001	Placement of Fill	110 Merriwa RD DENMAN LOT: 402 DP: 1175263 Merriwa RD DENMAN LOT: 403 DP: 1175263	Casson Planning and Development Services	\$5,000	12/04/2016	1422	Additional Info Required
<b>DAs Outstanding:</b>	<b>48</b>						

**7 DATE OF NEXT MEETING**

23 March 2020

**8 CLOSURE**