



muswellbrook
shire council

Muswellbrook Shire Council

ORDINARY COUNCIL MEETING

BUSINESS PAPER

TUESDAY 28 JUNE 2022



MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK

21 June, 2022

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the Training Room, Level 1, University of Newcastle - Upper Hunter Campus, 87 Hill Street, Muswellbrook on **Tuesday 28 June 2022** commencing at 6:00pm.

Fiona Plesman
GENERAL MANAGER



Council Meetings

Meeting Principles

Council and committee meetings should be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- Respectful:* Councillors, staff and meeting attendees treat each other with respect.
- Effective:* Meetings are well organised, effectively run and skilfully chaired.
- Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Public Forums

The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.

To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by no later than 9.00 am two (2) days prior to the day of the meeting before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than 3 days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

Each speaker will be allowed 2 minutes to address the council. This time is to be strictly enforced by the chairperson.



Declarations of Interest

Statement of Ethical Obligations

Councillors are reminded of their oath or affirmation of office, made under section 233A of the NSW Local Government Act 1993, to undertake the duties of the office of Councillor in the best interests of the people of Muswellbrook Shire and Muswellbrook Shire Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them, under the Local Government Act 1993 or any other Act, to the best of their ability and judgment. Pursuant to the provisions of the Muswellbrook Shire Council Code of Meeting Practice and the Muswellbrook Shire Council Code of Conduct, Councillors are reminded of their obligations to disclose and appropriately manage conflicts of 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.



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- 1. Acknowledgement of Country**
- 2. Civic Prayer**
- 3. Apologies and Applications for a Leave of Absence or Attendance by Audio Visual Link by Councillors**
- 4. Confirmation of Minutes**
 - 4.1. Confirmation of Minutes**

RECOMMENDATION

The Minutes of the Ordinary Council Meeting held on 24 May, 2022, the Extra-Ordinary Council Meetings held on 31 May, 2022 and 14 June, 2022, copies of which has been distributed to all members, be taken as read and confirmed as a true record.

Moved: _____ Seconded: _____

5. Disclosure of any Pecuniary or Non-Pecuniary Interests

6. Mayoral Minute

Nil

7. Public Participation

8. Business Arising (From Previous Meetings)

Nil

9. Business (Specific Reports)

9.1. Planning and Environment

- 9.1.1. DA 2021-32 - Boarding House - 41 Maitland Street, Muswellbrook**



Attachments:	1. DA 2021-32 - Development Assessment report [9.1.1.1 - 23 pages]
	2. DA 2021-32 - Recommended Conditions of Consent [9.1.1.2 - 15 pages]
	3. DA 2021-32 - Plans of Proposal [9.1.1.3 - 13 pages]
	4. DA 2021-32 - Statement of Environmental Effects [9.1.1.4 - 29 pages]
	5. DA 2021-32 - Consolidated Submissions Redacted [9.1.1.5 - 14 pages]
	6. DA 2021-32 - Submission - Muswellbrook South P and C [9.1.1.6 - 4 pages]
	7. DA 2021-32 - Upper Hunter Homeless Support Letter [9.1.1.7 - 1 page]
Responsible Officer:	Derek Finnigan - Deputy General Manager
Author:	Hamish McTaggart – Development Co-Ordinator
Community Plan Issue:	6 - Community Leadership
Community Plan Goal:	22.1 - Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.
Community Plan Strategy:	24.1.6 - Provide efficient and effective Development Application, Complying Development Certificate, Construction Certificate and Occupational Certificate assessment.

Documents referred to in assessment not attached:

- Local Environmental Plan 2009
 - Development Control Plan 2009
-

PURPOSE

The report has been prepared to assist Council in the determination of DA 2021/32 involving the erection of a two-storey boarding house at 41 Maitland Street, Muswellbrook (Lot 8 DP 18699).

The development application was reported to the May 2022 Ordinary Council Meeting where the matter was deferred. Deferral was to allow for further consideration of the size of the development, parking, other issues raised in public addresses by submitters objecting to the development and notification to the P&C of Muswellbrook South Public School.

OFFICER'S RECOMMENDATION

Council approves DA 2021/32, involving the construction of a two-storey boarding house at Lot 8 DP 18699, 41 Maitland Street, Muswellbrook, subject to the conditions in Attachment 2.

Moved: _____ **Seconded:** _____



<input type="checkbox"/> Cr A. Barry	<input type="checkbox"/> Cr M. Bowditch	<input type="checkbox"/> Cr D. Douglas
<input type="checkbox"/> Cr J. Drayton	<input type="checkbox"/> Cr L. Dunn	<input type="checkbox"/> Cr J. Lecky
<input type="checkbox"/> Cr R. Mahajan	<input type="checkbox"/> Cr D. Marshall	<input type="checkbox"/> Cr G. McNeill
<input type="checkbox"/> Cr S. Reynolds	<input type="checkbox"/> Cr R. Scholes	<input type="checkbox"/> Cr B. Woodruff

24 MAY 2022 COUNCIL DEFERRAL

At Council's 24 May 2022 Ordinary Council Meeting, Council resolved to defer the determination of this development application. The relevant Council Minute is provided below:

10.1 DA 2021/32 – BOARDING HOUSE, 41 MAITLAND STREET, MUSWELLBROOK

1 RESOLVED on the motion of Crs Drayton and Douglas that:

This item be deferred to the June Ordinary Meeting of Council to ensure all concerns raised such as size of development, parking, notification etc have been considered.

Council Officers have included the following commentary to assist Councillors in the review of the key issues raised.

Parking

The State Environmental Planning Policy (Affordable Rental Housing) 2009 prevents a Council from refusing a boarding house development application where that application complies with a minimum rate of off-street parking prescribed by this State Environmental Planning Policy (SEPP).

The development application before Council complies with the SEPP off-street car parking requirements.

These requirements are:

- (iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and*
- (iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site.*

The proposed development includes thirteen (13) off-street car parking spaces, which would comply with the off-street car parking rate under the SEPP, which prevents the refusal of the development application of:

- 1 space per 0.5 boarding rooms (22 boarding rooms = 11 required spaces).
- 1 space per person employed in connection with the premises (1 site manager = 1 space).
- Total required 12 – Total proposed 13.

Overlooking

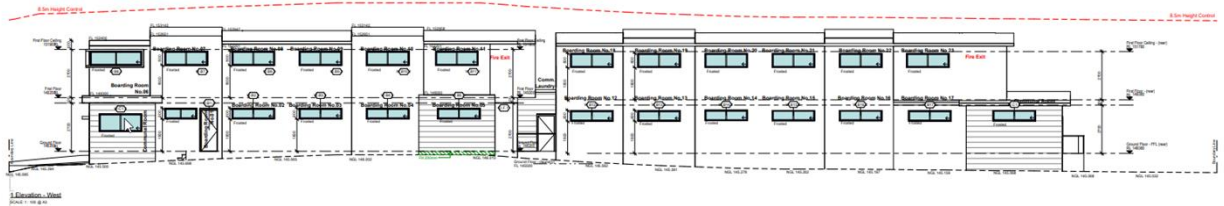
Issues related to overlooking and privacy are expanded on at length in the attached Section 4.15 Assessment under headings related to the Muswellbrook DCP, likely environmental



impacts and the submitter concerns table.

Measures have been incorporated into the development design to minimise privacy impacts and include:

- All outward facing windows on the first and second floor elevation adjoining the most impacted residence, in terms of privacy (39 Maitland Street) would be installed at a height between 1.8m – 2.4m (ground floor) and 1.8m – 2.6m first floor, limiting the potential for boarders to passively view the rear yard and dwelling of this property. The elevation view of the proposed development adjacent to this property boundary has been included below.



- All private open space for any of the ground floor boarding rooms and door openings face the on-site carpark and not 39 Maitland Street.
- No external facing windows have been proposed on the western common room elevation and thereby there will be limited overlooking of properties to the west on Francis Street, which includes the land where the home-based family day-care is located.
- The proposal includes screening along the first-floor walkways to minimise passive overlooking of the adjoining property to the south.
- A recommended condition of consent has been put forward to require 1.8m (minimum height) colourbond fencing along all neighbouring property boundaries.

Overshadowing

Council's Development Control Plan includes controls related to overshadowing for development on residential zoned land. The proposed development is not located on residential zoned land, and thereby this control does not directly apply to the development proposed. The clause has been included below to assist Council when considering the issue of overshadowing.

Sunlight to the principal area of ground level private open space of adjacent properties should not be reduced to less than 4 hours between 9am and 3pm on June 21. Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%. Where overshadowing may occur, a shadow diagram is required to demonstrate that this control has been met.

In relation to this issue:

- A shadow diagram has been submitted in relation to the proposed development.
- The shadow diagram for the winter solstice indicates that there would be limited overshadowing of the properties located southeast of the development site (43 Maitland Street). Overshadowing of this property is mitigated by the car park location and adjoining drainage reserve.
- The shadow diagram for the winter solstice indicates the proposed development would have minimal impact on the property located north of the site (39 Maitland Street).
- The shadow diagram for the winter solstice indicates that the rear yard of the property



southwest of the proposed development (3 Francis Street) would be affected by some overshadowing during the winter solstice. This overshadowing would mostly occur during the morning hours. Any overshadowing of this property between the hours of 9am and 3pm would not extend to affect the existing pool, dwelling or majority of outdoor areas located on the property. Using Council's mapping software, it is calculated the area most affected by overshadowing to be approximately 35m² and the area of the property is approximately 1,150m². Any increase in overshadowing would therefore be less than 20% of this neighbouring property (35m² equates to 3.04% of the property).

Stormwater

The issue of stormwater affecting neighbouring properties was raised by neighbouring property owners.

The applicant has prepared a stormwater Management Plan and Flood Impact Assessment in relation to the proposed development. Each of these documents have been reviewed by Council Roads and Drainage Engineers. The stormwater management plan includes on-site stormwater detention and pollution controls in accordance with Muswellbrook DCP 2009 requirements. The proposed development will not significantly increase stormwater runoff to adjoining properties.

Security and safety

As the development application is for a Boarding House it is subject to the provisions of the *Boarding Houses Act 2012* and the *Boarding Houses Regulation 2013*. These pieces of legislation require a Plan of Management and specify what must be included in the Plan of Management. The Plan of Management lodged with the application complies with this legislation.

The socio-economic and demographic characteristics of future residents and possible crime related risks were a theme in submissions. The reality is, a person of low socio-economic background, or a person with intent to commit a crime (as there is no evidence to suggest it is only people of lower socio-economic backgrounds that commit crime) could live or work in any house or business/service in Muswellbrook and not specifically in a boarding house. In considering socio-economic and safety issues, Council should focus on the design and layout of the development.

In relation to safety and security and crime management Council Officers note:

- The development would have an on-site manager. Recommended conditions of consent require the site manager or a suitably qualified alternate person to be contactable 24/7 to attend to any urgent matters.
- A plan of management has been developed to include measures related to safety and security, house rules and enforcement and general operation of the premises.
- Council Officers have included a recommended condition of consent related to the keeping of records related to the occupants of the boarding house and instances of complaints, non-compliances and their investigation and resolution. Council and the NSW Police would have the ability to access these records on request. This is in line with the approved boarding house in Tindale Street.
- In accordance with the SEPP (Housing) 2021 the occupation of the boarding house would be restricted to individuals that meet the eligibility criteria for affordable housing. A decision by Council to restrict the operation of the premises to prevent certain people from occupying the proposed boarding house, who would otherwise meet the criteria of being eligible for affordable housing, would likely be contrary to anti-discrimination legislation.



- Given the level of passive surveillance that would be established in a 22-room boarding house with an on-site manager, CCTV surveillance has not been recommended as a condition. Council may request additional conditions related to CCTV surveillance being installed in public areas of the development.

Development Application Notification

The notification of a development application by Council Officers is guided by Council's Community Participation Plan which was adopted by Council in 2019.

Council Officers have sought feedback following the 24 May 2022 Council Meeting from the Muswellbrook South Public School P&C. A submission was received on 16 June 2022 (see attachment F).

Key matters raised by the submission largely relate to the rate of car parking, potential for the development to affect the safety of school children walking in the area and the potential for the development to be carried out in 2 Stages.

With regards to these points Council Officers note:

- The development was amended through its assessment to remove the staging initially proposed. The development is not proposed to be carried out in 2 Stages – the development was changed to a single stage by the Proponent in September 2021.
- The off-street car parking proposed complies with the State wide controls in the SEPP (ARH) 2009.
- The design of the development and passive surveillance opportunities for public areas within the development and adjoining streets would act as a deterrent to crime. A more detailed consideration of security related issues is included under the Security sub-heading above.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development involves the demolition of existing residential buildings and the construction of a two-storey boarding house at 41 Maitland Street, Muswellbrook.

The boarding house would include:

- Twenty two (22) boarding rooms;
- A site manager's residence;
- Common room;
- Common laundry;
- Outdoor common space;
- Thirteen (13) off-street parking spaces together with five (5) motorcycle/cycle parking spaces; and
- Landscaping and associated works.

The proposed development has been amended through the assessment of the development application and additional information provided to respond to issues raised by Council Officers through that assessment.

Images depicting the building elevations have been included in Attachment B.

Image.1 (Site Location)





ASSESSMENT SUMMARY CONSULTATION

Council Officers have assessed the DA under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (see Attachment A).

To inform the assessment and determination of the development application, the applicant submitted the following documentation to council:

- Statement of Environmental Effects (see attachment D)
- Proposed Plans (see attachment B)
- Traffic Impact Assessment
- Stormwater Management Report
- Flood Impact Assessment
- Draft Plan of Management

A copy of the technical reports and information referenced above can be provided to Councillors under separate cover if requested.

Key section 4.15 assessment findings are:

- The proposed development was referred to Transport for NSW, NSW Police, Council's Building Surveyor, Senior Environmental Health Officer, Community Services Section, Water and Wastewater Engineers and Roads and Drainage Engineers. No objection was raised to the proposed development, however they did recommend conditions of consent.
- The proposed development has been considered against relevant provisions of the former SEPP Affordable Rental Housing (ARH) 2009. The SEPP (ARH) 2009 prevents the refusal of a development application for a boarding house for reasons related to floor space ratios, building height, landscaping, solar access, private open space, vehicle parking and accommodation size where the development meets the SEPP ARH criteria for each of these matters. The proposed development complies with the SEPP ARH requirements for these matters.
- Updated provisions of the State Environmental Planning Policy (Housing) 2021 have been considered so far as they relate to the proposed development. The provisions of this SEPP are generally comparable with the SEPP ARH requirements except for a new control that restricts the operation of boarding houses to providing affordable housing. In line with Clause 26 of this draft SEPP (not in force at the time the application was lodged), Council Officers have recommended a condition of consent to require evidence that the boarding house will provide affordable housing and be managed/operated by a 'registered community housing provider' prior to the issue of an Occupation Certificate. A further condition has been recommended to require an 88B instrument is registered over the land to ensure the boarding house operation complies with this requirement in perpetuity.
- The proposed development was considered against the provisions of other relevant State Environmental Planning Policies (SEPP's) and the development is compliant.
- The proposed development is in accordance with all relevant provisions of the Muswellbrook Local Environmental Plan (MLEP) 2009.
- The proposed development was considered against the requirements of the Muswellbrook Development Control Plan 2009 (MDCP 2009). The proposal is generally in accordance with MDCP 2009. The proposal is inconsistent with a DCP control related to the location of residential development on the ground floor of land in the B2 Local Centre. However, it is compatible with the related DCP objectives. The relationship of the



proposed development with the DCP is discussed in greater detail under the related heading of the attached Section 4.15 Assessment.

- The proposed development is located on flood liable land. A Flood Impact Assessment has been submitted to Council in relation to the proposal. In accordance with Council DCP requirements, the finished floor level for habitable rooms will be constructed 0.5m above the identified 1% flood height.
- Submissions objecting to the proposed development have raised numerous issues. The submissions have been included as attachments to this report. Key issues raised include the height of the proposed development comparative to adjoining residential buildings, and the potential for overlooking, overshadowing and noise impacts affecting the amenity of nearby neighbours. Council Officers have had regard to these concerns when assessing the application.

While Council Officers recognise the proposed development would have an impact on the amenity of adjoining neighbours, it is not considered to be such a significant impact that would warrant the refusal of the proposed development after considering the proposal's compatibility with relevant development controls, mitigation measures put forward in updated designs to address potential impacts, and opportunity for conditions to be imposed to further manage impacts.

PUBLIC CONSULTATION

The proposed development was notified in accordance with the provisions of the Muswellbrook Community Participation Plan on two occasions, between 3 May 2021 and 17 May 2021 and, following the receipt of amended plans, between 16 September 2021 and 1 October 2021.

On each occasion the application was notified, five (5) submissions were received by Council objecting to the proposed development. The submissions received following the second notification period have been included as attachments to this report.

After having regard to the issues raised, development amendments and the ability for conditions of consent to address some of the issues raised, Council Officers have recommended the proposed development for approval as a development compatible with the relevant Section 4.15 assessment criteria.

OPTIONS

Council may:

- A. Grant development consent to the proposed development subject to the recommended conditions of consent.
- B. Grant development consent to the proposed development unconditionally or 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 the determination at the Land and Environment Court.

CONCLUSION

DA 2021/32 has been reported to Council to determine given the number of submissions objecting to the proposed development.



An assessment of the proposed development has been carried out against the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. This assessment report recommends that the proposed development be approved subject to the recommended conditions outlined in Attachment C.

DEVELOPMENT ASSESSMENT REPORT

Attached: Site Plan

REPORT TO THE GENERAL MANAGER

ADDRESS:	LOT: 8 DP: 18699 41 Maitland Street MUSWELLBROOK																																																																																						
APPLICATION No:	32/2021																																																																																						
PROPOSAL:	Demolition of an existing dwelling and construction of a 23 Room Boarding House.																																																																																						
PROPOSED PLANS:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Plan No.</th> <th style="width: 10%;">Revision No.</th> <th style="width: 30%;">Plan Title.</th> <th style="width: 30%;">Drawn by.</th> <th style="width: 20%;">Dated.</th> </tr> </thead> <tbody> <tr> <td>20138 A000</td> <td>C</td> <td>Cover Sheet</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A001</td> <td>C</td> <td>Site Analysis</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A002</td> <td>C</td> <td>Site/Roof Plan</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A101</td> <td>C</td> <td>Existing Construction Management and Sediment Control Plan</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A201</td> <td>C</td> <td>Proposed Ground Floor Plan</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A202</td> <td>C</td> <td>Proposed First Floor Plan</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A301</td> <td>C</td> <td>Elevations</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A350</td> <td>C</td> <td>Sections & Internal Elevations</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A401</td> <td>C</td> <td>Winter Shadow Diagram</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A408</td> <td>C</td> <td>Summer Shadow Diagram</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A503</td> <td>C</td> <td>Area Calculations</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A602</td> <td>C</td> <td>Material Schedule</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> <tr> <td>20138 A901</td> <td>C</td> <td>Notification Plan</td> <td>Duplex Building Design</td> <td>29/03/2022</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Document Title.</th> <th style="width: 15%;">Version No.</th> <th style="width: 45%;">Prepared By.</th> <th style="width: 20%;">Dated.</th> </tr> </thead> <tbody> <tr> <td>Statement of Environmental Effects</td> <td>V2 (Submitted 7 September 2021)</td> <td>Casson Planning and Development Services</td> <td>29 May 2021</td> </tr> <tr> <td>Traffic Impact</td> <td>➤</td> <td>Traffic Control Management and</td> <td>09/03/2021</td> </tr> </tbody> </table>					Plan No.	Revision No.	Plan Title.	Drawn by.	Dated.	20138 A000	C	Cover Sheet	Duplex Building Design	29/03/2022	20138 A001	C	Site Analysis	Duplex Building Design	29/03/2022	20138 A002	C	Site/Roof Plan	Duplex Building Design	29/03/2022	20138 A101	C	Existing Construction Management and Sediment Control Plan	Duplex Building Design	29/03/2022	20138 A201	C	Proposed Ground Floor Plan	Duplex Building Design	29/03/2022	20138 A202	C	Proposed First Floor Plan	Duplex Building Design	29/03/2022	20138 A301	C	Elevations	Duplex Building Design	29/03/2022	20138 A350	C	Sections & Internal Elevations	Duplex Building Design	29/03/2022	20138 A401	C	Winter Shadow Diagram	Duplex Building Design	29/03/2022	20138 A408	C	Summer Shadow Diagram	Duplex Building Design	29/03/2022	20138 A503	C	Area Calculations	Duplex Building Design	29/03/2022	20138 A602	C	Material Schedule	Duplex Building Design	29/03/2022	20138 A901	C	Notification Plan	Duplex Building Design	29/03/2022	Document Title.	Version No.	Prepared By.	Dated.	Statement of Environmental Effects	V2 (Submitted 7 September 2021)	Casson Planning and Development Services	29 May 2021	Traffic Impact	➤	Traffic Control Management and	09/03/2021
Plan No.	Revision No.	Plan Title.	Drawn by.	Dated.																																																																																			
20138 A000	C	Cover Sheet	Duplex Building Design	29/03/2022																																																																																			
20138 A001	C	Site Analysis	Duplex Building Design	29/03/2022																																																																																			
20138 A002	C	Site/Roof Plan	Duplex Building Design	29/03/2022																																																																																			
20138 A101	C	Existing Construction Management and Sediment Control Plan	Duplex Building Design	29/03/2022																																																																																			
20138 A201	C	Proposed Ground Floor Plan	Duplex Building Design	29/03/2022																																																																																			
20138 A202	C	Proposed First Floor Plan	Duplex Building Design	29/03/2022																																																																																			
20138 A301	C	Elevations	Duplex Building Design	29/03/2022																																																																																			
20138 A350	C	Sections & Internal Elevations	Duplex Building Design	29/03/2022																																																																																			
20138 A401	C	Winter Shadow Diagram	Duplex Building Design	29/03/2022																																																																																			
20138 A408	C	Summer Shadow Diagram	Duplex Building Design	29/03/2022																																																																																			
20138 A503	C	Area Calculations	Duplex Building Design	29/03/2022																																																																																			
20138 A602	C	Material Schedule	Duplex Building Design	29/03/2022																																																																																			
20138 A901	C	Notification Plan	Duplex Building Design	29/03/2022																																																																																			
Document Title.	Version No.	Prepared By.	Dated.																																																																																				
Statement of Environmental Effects	V2 (Submitted 7 September 2021)	Casson Planning and Development Services	29 May 2021																																																																																				
Traffic Impact	➤	Traffic Control Management and	09/03/2021																																																																																				

		Assessment		Planning Pty td	
		Stormwater Management Report	➤	AE Consulting Engineers	04/10/2021
		Draft Plan of Management	➤	Casson Development Services	August 2021
		Flood Impact Assessment	➤	AE Consulting Engineers	6/09/2021
OWNER:	Mr N Gupta				
APPLICANT:	Mr N Gupta 324/158 Day Street SYDNEY NSW 2000				
AUTHOR:	Mr H A McTaggart				
DATE LODGED:	15/04/2021				
DATE OF REPORT:	8 May 2022				

1. Site Locality and Description

The development application relates to 41 Maitland Street (Lot 8 DP 18699), Muswellbrook.

The land has previously been developed for its residential use and a single storey dwelling and associated outbuildings are located on the site.

Although developed for a residential use, the land is zoned B2 Local Centre under the Muswellbrook Local Environmental Plan (MLEP) 2009. This land use zone promotes commercial development and employment opportunities. Land adjoining the site along Maitland Street is similarly zoned B2 Local Centre, while properties west of the site fronting Francis Street are zoned R1 General Residential.

Despite the mixture of land use zones, the properties immediately adjoining the site on both Maitland and Francis Streets are all developed for residential purposes, with the exception of the Remington Motel which is located diagonally opposite the development site on the opposite side of Maitland Street.

Maitland Street (New England Highway) is a Classified State road at this location, under the control of Transport for NSW.

The land is identified as flood liable. An open swale-drain, in the ownership and management of Council, is located immediately south of the development site.

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



2. Description of Proposal

The proposed development involves the demolition of existing buildings on the site and the construction of a multi-storey boarding house.

Through the assessment of the development application the applicant amended aspects of the proposed development. Key changes to the scope of the proposal were to remove

the initially proposed staging of the development, adjust aspects of the design and adjust the timing of the demolition of the existing dwelling.

The proposed development as amended involves:

- Demolition of existing buildings
- Construction of two two-storey boarding house buildings. The buildings would comprise:
 - Building one (building at rear of the site)
 - Twelve (12) single boarding rooms with ensuite and kitchenette, including one (1) accessible boarding room.
 - Communal room
 - Common laundry
 - Building two (building at front of the site)
 - Ten (10) single boarding rooms with ensuite and kitchenette, including one (1) accessible boarding room.
 - A site managers room to be located on the ground floor.
 - Common room
- Provision of waste storage area
- Provision of off-street car parking to comprise thirteen (13) off-street car parking spaces including a dedicated managers car park and two (2) accessible parking spaces.
- Five (5) motorcycle and cycle parking spaces.
- Provision of a waste storage area

The total number of boarding rooms proposed as part of the development application is twenty-two (22), with a twenty-third room provided as an on-site managers residence.

The images below include a site plan and elevations for the proposed development.

Figure 1. –Site Plan

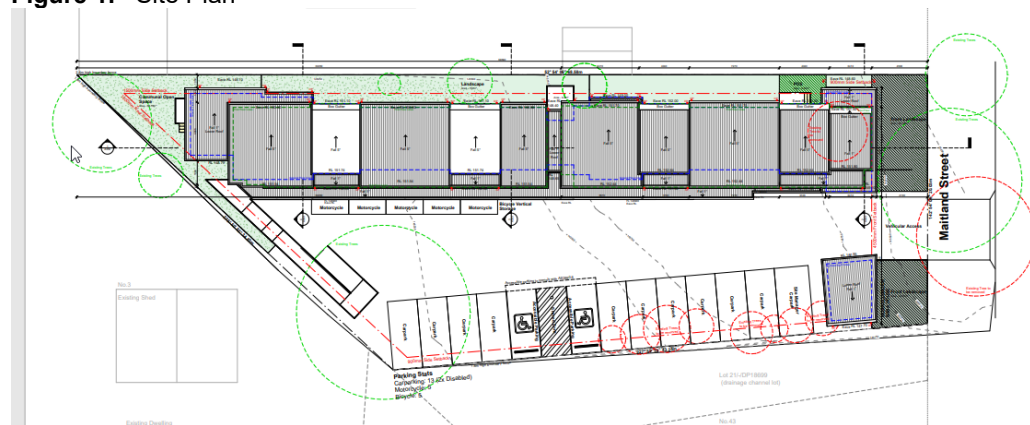


Figure 2. –Elevations



3. Referral Comments

3.1 External Referrals

The proposed development was referred to the following external Government Agencies for comment/consideration.

Transport for NSW

The proposed development involves the construction of a new vehicle access to the New England Highway. Accordingly, the proposed development was referred to Transport for NSW (TfNSW) for comment as the Road Authority for the New England Highway.

TfNSW had no additional comments for Council's consideration as part of its assessment of the application.

NSW Police

The proposed development was referred to NSW Police on the 9 April 2021 for consideration and comment. No response was received to this referral. The referral of the application to the NSW Police is an optional referral and not required under any legislation.

3.2 Internal Referrals

The application was referred to Council's Building Surveyor, Environmental Health Officer, Water and Waste, Community Infrastructure and Community Services Section. The referral comments received have been summarised below.

Building Surveyor

The new buildings proposed will need to be designed and Constructed in accordance with the Building Code of Australia to obtain an Occupation Certificate.

Senior Environmental Health Officer

A commercial kitchen is not proposed as part of the application. Council's Senior Environmental Health Officer has recommended a standard condition of consent that should a commercial kitchen be proposed at a later stage it must be approved by Council prior to its operation.

Water and Waste Section

This advice raises no issue with the proposed development and recommends standard conditions related to the provision of water and sewerage services and the payment of headworks contributions.

Roads and Drainage Section

The proposed development was referred to Council's Roads and Drainage Team to consider and provide comment on issues related to stormwater, traffic and flooding.

Council Roads and Drainage Officers issued two requests for additional information in relation to the proposed development. An initial request for information was sent following the receipt of the original development application and a second after the submission of revised/updated plans.

Final comments provided by Council Engineers raised no issue in relation to the proposed development or the suitability of the way that stormwater management, flooding or traffic management had been addressed by the proposal.

Community Services Section

The proposed development was referred to Council's Community Services Section to consider and provide any comment related to the potential social impacts of the proposed development.

No formal response was received to this referral. From discussions with Community Services Officers it is understood that Council Community Services Officers were happy for the application to proceed without providing formal comment to Council.

4 Assessment under Section 4.15 of the Environmental Planning and Assessment Act

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

4.1 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:

4.1.1 Muswellbrook Local Environmental Plan 2009 (MLEP 2009)

Part 2 Permitted or Prohibited Development

Land Use Zone and Permissibility

The development site is zoned B2 Local Centre in accordance with the MLEP 2009. The land use table for the B2 Local Centre zone identifies *boarding house* as a type of development permissible with consent. As such the proposed boarding house is a type of development permitted with consent under the Muswellbrook LEP 2009 controls for B2 zoned land.

The B2 Local Centre land use table has been included below for reference.

2 Permitted without consent

Home occupations

3 Permitted with consent

*Amusement centres; **Boarding houses**; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Health services facilities; Heavy industrial storage establishments; Highway service centres; Hostels; Information and education facilities; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Research stations; Respite day care centres; Restricted premises; Roads; Service stations; Sewage reticulation systems; Sex services premises; Shop top housing; Signage; Storage premises; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals; Water recycling facilities; Water reticulation systems; Wholesale supplies*

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Objectives of the B2 Local Centre Zone

The relationship of the proposed development with the B2 Local Centre zone objectives and land use table has been considered below.

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

The B2 Local Centre land use zone objectives have been listed and their relationship with the proposed development commented on below.

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*

Planning Comment: the proposed development does not provide a retail or business use. Council Officers consider the proposal to be compatible with the land use zone as a community use that serves people who work in and visit the local area.

- *To encourage employment opportunities in accessible locations.*

Planning Comment: The proposal will support the employment of a boarding house manager and possibly cleaning and maintenance staff.

- *To maximise public transport patronage and encourage walking and cycling.*

Planning Comment: The proposed development would provide for intensive accommodation in the B2 zone. The development is near bus routes and a train station but is likely more than a 10 minute walk to the core CBD area and key service providers and grocery shops. Accordingly, the proposed development is unlikely to promote walking and cycling.

- *To maintain the status and encourage the future growth of the Muswellbrook established business centre as a retail, service, commercial and administrative centre while maintaining the centre's compact form.*

Planning comment: the proposed development provides additional housing in the Muswellbrook town centre. The proposed development is considered to be compatible with this objective.

- *To enable a wide range of land uses that are associated with, ancillary to, or supportive of the retail and service functions of a business centre.*

Planning Comment: Noting that the land use is permissible the provision of the intensive boarding house style accommodation with or close to the business centre can be viewed as a type of development that is compatible with this objective.

- *To maintain the heritage character and value and streetscape of the business centre of Muswellbrook.*

Planning comment: the site subject to this development application is outside the heritage conservation and does not directly adjoin a heritage item. Accordingly, Council Officers are satisfied that the proposed development would not impact the heritage values of the core business area.

- *To support business development by way of the provisions of parking and other civic facilities.*

Planning Comment: The proposed development would include twenty two (22) accommodation rooms and a managers room and provide a total of 13 off-streetcar parking spaces.

In view of the commentary above, the standing of the proposed development as a type of development permissible with consent under the B2 Local Centre land use table and the provisions of the SEPP (affordable Rental Housing) 2009 related to off-street car parking Council Officers have accepted the proposed development as a development compatible with the land use zone objectives.

Part 3 Exempt and Complying Development

The proposed development has not been identified to be exempt or complying development and therefore this part of the LEP 2009 does not apply to the development.

Part 4 Principal Development Standards

Relevant Clause	Control	Proposed	Compliance
4.3 Height of buildings	13m	5.7m	Yes
4.4 Floor space ratio	2:1	0:67	Yes

Part 5 Miscellaneous Provisions

5.10 Heritage conservation	The site subject does not include or adjoin a heritage item and is located outside the Heritage Conservation Area. Accordingly, the provisions of this Clause do not require further consideration in relation to the proposed development. Not Relevant
5.21 Flood planning	The subject site has been identified as flood prone. The applicant has provided a flood information Report generated by Council which shows that the maximum water level for the 1% AEP Flood data is 145.71.

	<p>The proposed units will be located at a finished flood level of 146.2.</p> <p>Complies</p>
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Part 7 Additional Local Provisions

7.1 Terrestrial biodiversity	<p>The land subject to this application is not identified as 'biodiversity' by this mapping. Accordingly, the provisions of this clause do not relate to the assessment of this development application.</p> <p>Not Relevant</p>
7.6 Earthworks	<p>This clause requires a consent authority to take the following matters into consideration before granting development consent to development involving earthworks:</p> <ul style="list-style-type: none"> a) <i>the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</i> b) <i>the effect of the proposed development on the likely future use or redevelopment of the land,</i> c) <i>the quality of the fill or of the soil to be excavated, or both,</i> d) <i>the effect of the proposed development on the existing and likely amenity of adjoining properties,</i> e) <i>the source of any fill material or the destination of any excavated material,</i> f) <i>the likelihood of disturbing relics,</i> g) <i>the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</i> <p>Based on the information submitted with this development application Council Officers are confident that the proposed development would be carried out in accordance with the requirements of this clause and/or where approved conditions of consent imposed to require the development to ensure compliance with the requirements of this Clause.</p> <p>Complies</p>

4.1.2 State Environmental Planning Policies

The Following State Environmental Planning Policies (SEPP's) are relevant considerations for the assessment of the proposed development.

a) State Environmental Planning Policy No. 55 – Remediation of Land

Pursuant to 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.

Council Officers searched Council's record system, inspected the site and considered current and historic uses. From this research Council Officers concluded that the subject site has a longstanding history of residential use associated with the dwelling presently located on the land. Council Officers are satisfied that the land was unlikely to be subject to any contamination requiring remediation under the SEPP as part of this proposed development.

b) State Environmental Planning Policy (Infrastructure) 2007

The proposed development has frontage to Maitland Street, which is a State Classified Road. In accordance with the provisions of the SEPP the proposed development was notified to TfNSW who indicated they did not wish to provide comment in relation to the application.

c) State Environmental Planning Policy (Affordable Rental Housing) 2009

The SEPP (Affordable Rental Housing) 2009 was a SEPP was in force at the time the development application was lodged and thereby remains relevant to the assessment of this development application.

The SEPP has been since been repealed and its provisions related to boarding houses replaced by the new SEPP (Housing) 2021.

In determining the relevance of the now repealed SEPP (Affordable Rental Housing) 2009 and the newly establishment of the new SEPP (Housing) 2021 to the assessment of this development application Council Officers have had regard to legal advice indicating that when assessing a development application Council should have regard to the environmental planning instruments and planning controls in place at the time the development application was lodged, while updated/new environmental planning instruments should be given some assessment.

Accordingly, Council Officers have completed the assessment of the proposed development against the provisions of the SEPP (Affordable Rental Housing) 2009 in place at the date the application was lodged, and had regarded to the updated and changed provisions of the SEPP (Housing) 2021 under the draft Environmental Planning Instrument heading of this report.

The Clause 29 provisions which restrict Council from refusing an application for a boarding house for reasons related to the relevant Clause (where compliant) have been referenced in the table and assessed in the table below.

SEPP (ARH) 2009 CI29 Standard	Proposed Development	Complies
Floor Space Ratio – 2:1	The proposed development would not exceed the maximum FSR of 2:1.	Yes
Building height – 13m	The height of the proposed development would not exceed 13m.	Yes
Landscaping to be compatible with the streetscape	Compliance with this provision could be reasonably managed via a standard condition of consent requiring submission and implementation of a detailed landscape plan.	Yes

SEPP (ARH) 2009 CI29 Standard	Proposed Development	Complies
Solar Access 3 hours of direct sunlight to living rooms in mid-winter	A solar diagram has been provided in relation to the proposed development. Council Officers do not have concerns with the availability of direct sunlight to living rooms.	Yes
Private Open Space – 20m ² plus 8m ² for the boarding house manager	A private open space area of 57m ² would be provided in accordance with this requirement along with an 8.5m ² private open space for the boarding house manager.	Yes
Parking – at a rate of 0.5 spaces per boarding room. Plus 1 space for the Manager's room	A total of twelve (12) off-street parking spaces are required for this development. The thirteen parking spaces proposed would be in accordance with the SEPP's requirements that prevent the application from being refused for reasons related to the provision of parking.	Yes
Accommodation Size ➤ 12m ² – room intended to be used by a single lodger ➤ 16m ² in any other case	Each bedroom would have an area greater than 12m ² .	Yes

Clause 30 of the SEPP specifies that a consent authority must not consent to a boarding house development which these controls apply to unless it is satisfied that these controls would be met.

SEPP (ARH) 2009 CI30 Standard	Proposed development	Complies
Boarding house of 5 or more rooms to have communal living areas.	The development includes a communal living area	Yes
No boarding room will have a Gross Floor area (excluding bathrooms and kitchens) of more than 25m ² .	The areas of boarding rooms would range between 12.3m ² and 24m ²	Yes
No boarding room would be occupied by more than 2 adult lodgers.	Boarding rooms are proposed to single adult lodgers.	Yes
Adequate bathroom and kitchen facilities will be available at the boarding house for use by each lodger	Each boarding room would be provided with kitchen and bathroom facilities	Yes
If a boarding house has a capacity for more than 20 lodgers a boarding room or on-site dwelling is to be provided for a boarding house manager.	An on-site manager room has been proposed as part of this development	Yes

SEPP (ARH) 2009 CI30 Standard	Proposed development	Complies
If the boarding house is located on land zoned primarily for commercial purposes no part of the boarding house adjoining the streetscape is to be used for residential purposes, unless an environmental instrument permits such a use.	The restriction of the use of the part of the boarding house adjoining the streetscape for residential purposes does not apply as a 'boarding house' is permitted on the land under another instrument MLEP 2009.	NA
At least one parking space will be provided for a motor cycle and one parking space for a bicycle for every 5 borders	Parking spaces for 5 bicycles and a motor cycle are proposed for the development.	Yes

Summary comment

The proposed development complies with the provisions of the SEPP (Affordable Rental Housing) 2009.

The proposed developments consistency with the minimum development standards including off-streetcar parking requirements prevent Council from refusing the proposed development for reasons related to the developments non-compliance for the matters referenced under Clause 29 of the SEPP including off-street parking.

d) State Environmental Planning Policy (Housing) 2021

The *State Environmental Planning Policy (Affordable Rental Housing) 2009* was repealed during the assessment of the application and was replaced by the *State Environmental Planning Policy (Housing) 2021*. This new SEPP consolidated the requirements of various housing related Policies into one Policy and made minor amendments to the same. As this SEPP was not in force at the time that the development application was lodged the SEPP has been considered as a Draft Environmental Planning Instrument.

The most notable change to the SEPP provisions that relate to the assessment of this application have been considered and commented on below:

Clause	Provisions	Planning Consideration
CI 26	requires a consent authority to be satisfied that the boarding house will be used for affordable rental housing prior to its occupation	Council has raised this new requirement with the applicant who has advised that it is their intention to use the premises for affordable housing and would have no objection to a condition requiring its use for affordable housing to be demonstrated prior to an OC in line with the draft SEPP requirements.
CI 24(2)(g)	Prevents Council from refusing the application for reasons related to the provision of communal living areas where communal living areas are provided at a rate of	Per the standard Council would not be able to object to the communal living space for the development where a total of 54m ² is provided.

Clause	Provisions	Planning Consideration
	30m ² for the initial 6 boarding rooms with an additional 2m ² for every additional boarding room	The applicant has proposed 51m ² of communal living areas. Given the instrument is viewed as a draft standard in relation to this development, a non-compliance with the standard does not require Council to refuse the application and the proposed communal living area does not vary significantly from the amount required by this standard Council.
CI 24(2)(h)	Requires a communal open space at least 20% of the total site area	The proposed communal open space of 57m ² does not comply with this requirement. This notwithstanding that open space would comply with the minimum private open space requirement of the SEPP ARH 2009 of 20m ² . Under the provision of this SEPP in force at the time the application was lodged Council is not able to refuse the proposed development for a non-compliance related to private open space where it complies with this minimum requirement.

Summary comment:

A recommended condition of consent has been put forward to ensure that the site operator demonstrates that the premises will provide affordable housing in accordance with this instrument at the time an occupation Certificate is applied for. While the rates of communal living and open space provided do not meet the requirements of Clause 24(2)(g) and (h) this is not considered a reason for refusal.

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

There is not draft EPI applying to the site

4.3 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 MDCP 2009.

Section 9 – Local Centre Development

This Section of the DCP relates to development applications within the B2 Local Centre land use zone.

MUSWELLBROOK SHIRE COUNCIL DCP SECTION 9 LOCAL CENTRE DEVELOPMENT		
DCP REQUIREMENTS	COMPLIES	PLANNING COMMENT
<p>9.1.1 Built Form</p> <p>(i) The design of new buildings should reflect and enhance the existing character of local centres. (refer to section 15 of this DCP for further guidance on development in the Bridge Street area)</p> <p>(ii) Building design should relate to its retail/commercial/office function.</p> <p>(iii) Building materials should be of high quality and harmonise with surrounding development. The use of reflective materials is discouraged. Materials and colours should not dominate the streetscape.</p> <p>(iv) Awnings should be designed to integrate with the architecture of the building façade and provide for continuous shelter for pedestrians. Awnings should follow consistent heights above the footpath with a minimum height to the underside of the awning of 3.2 metres</p> <p>(v) Building facades should relate to the context of buildings in the area to achieve continuity and harmony. The continuity of commercial frontages should not be broken by parking areas, service and delivery areas etc.</p> <p>(vi) Buildings should provide for 'activated street frontages' by incorporating active uses at street level including cafes and other retail activities.</p> <p>(vii) Blank building facades to streets or public places are to be avoided.</p> <p>(viii) The placement of windows should provide visual interest and variation to the building façade and relate to</p>	<p>Yes</p> <p>9.1.1(ix) – complies with DCP objective</p>	<p>➤ The proposed development would be compatible with the character of the streetscape. The contemporary design of the proposed development would be compatible with the design and appearance with other modern buildings in the vicinity of the development site including the Remington building opposite the site on the New England Highway.</p> <p>➤ While the proposed development is not a commercial use it remains permissible in the B2 Local Centre zone under the MLEP 2009 provisions.</p> <p>➤ The premises would not provide an active street frontage, but would increase activity in the area and it incorporates architectural design elements which address the streetscape.</p> <p>➤ The streetscape orientated windows would provide for passive surveillance of the street.</p> <p>While the proposal clearly complies with the majority of controls, the proposal conflicts with control 9.1.1(x) '<i>new residential development shall be located above street level</i>'.</p> <p>In considering the issue of the developments relationship with this provision Council Officers have had regard to the related DCP objective (the EP&A Act 1979 requires a consent authority to be flexible in its application of DCP controls and have regard to DCP objectives when considering any non-compliance).</p> <p>The objectives which relate to this part of the DCP are:</p> <p><i>a) To provide for the integration of new development into local centres.</i></p> <p><i>b) To ensure the design of buildings complements and enhances existing local centres.</i></p> <p><i>c) To maintain the heritage character/ value and streetscape of the business centre of Muswellbrook.</i></p> <p>From a design perspective the proposed development would make a positive contribution to the streetscape as a contemporary modern two storey building.</p> <p>Council Officers are of the view that the proposal remains consistent with the DCP objectives that relate to Section 9.1.1(ix) and thereby the proposal may be supported pursuant with the relevant EP&A Act 1979 provisions.</p> <p>Complies with DCP Objectives</p>

MUSWELLBROOK SHIRE COUNCIL DCP SECTION 9 LOCAL CENTRE DEVELOPMENT		
DCP REQUIREMENTS	COMPLIES	PLANNING COMMENT
<p>those of adjacent buildings.</p> <p>(ix) Building designs should allow for passive surveillance of public places and streets.</p> <p>(x) Building entrances should be well defined and well lit.</p> <p>(xi) New residential development shall be located above street level.</p> <p>(xii) Incorporate areas for future signage into the building design.</p>		
<p>9.1.2 Height of Buildings</p> <p>(i) Building heights comply with the building height limits prescribed by Muswellbrook LEP 2009.</p> <p>(ii) The height of buildings should be consistent with the character of the area, and include roof parapets where that is a characteristic in the surrounding streetscape.</p> <p>(iii) The height of buildings should not result in unreasonable overshadowing or compromise the privacy of adjoining properties.</p>	Yes	<p>The proposed development complies with the requirements of this section of the DCP. This view has been formed based on the observations below:</p> <ul style="list-style-type: none"> ➤ The height of the proposed development would not exceed the maximum building height for the land specified by the MLEP 2009. ➤ The site subject to this development application directly adjoins single storey residential buildings. The two-storey component of the boarding house is not out of character with development in the wider B2 Local Centre precinct which includes the adjoining two-storey Remington Motel and other two storey and sizeable commercial premises. <p>In relation to overshadowing, shadow diagrams have been provided in relation to the proposal which demonstrate the development will cause limited overshadowing at neighbouring properties. The development adjoins a drainage reserve and provides a buffer between the site and neighbouring properties that may otherwise be more significantly impacted by the proposed development.</p> <p>With regards to privacy, the proposal includes design measures to reduce the opportunity for passive overlooking of neighbouring properties from boarding rooms. These controls include a privacy screen along the first storey outdoor walkway area and ensuring that the southern facing windows on the first and second storey are located 1.8m above the internal finished floor level of the building to prevent passive outward surveillance of the immediately adjoining neighbour in that direction. First and second storey windows will be frosted and the applicant has submitted that this will be done to negate vision outside each room. No windows are proposed on the rear elevation.</p>
<p>9.1.3 Setbacks</p> <p>(i) The front of buildings should be aligned to provide a continuous street frontage.</p>	Yes	<p>The proposed development is considered to be in accordance with the development controls.</p> <p>The proposed building will respect existing building setbacks and would incorporate landscaping into</p>

MUSWELLBROOK SHIRE COUNCIL DCP SECTION 9 LOCAL CENTRE DEVELOPMENT		
DCP REQUIREMENTS	COMPLIES	PLANNING COMMENT
(ii) In some cases, front setbacks should allow for street landscaping and footpath widening where necessary. (iii) New development should respect the setbacks of other buildings along the streetscape. (iv) Separation fencing is provided between development land and any rail corridor. (v) (Not included Relates to Rail Corridor Development)		this setback area.
9.1.4 Accessibility This Section of the DCP requires new commercial developments to be designed and constructed in a manner which comply with the relevant accessibility standard.	Yes	The building must be constructed in accordance with the Building Code of Australia and Access to Premises Standard. It would be necessary for the person acting with this consent to provide detailed designs plans demonstrating that the development would comply with the relevant accessibility standards to the Principle Certifying Authority prior to the issue of a Construction Certificate and ensure that the accessibility standards had been met prior to an application for an Occupation Certificate. The proposed development has also been referred to Council's Building Surveyor who raised no concerns in relation to the design of the proposed development from an accessibility perspective based on the review of the proposed plans.
9.2.1 Urban Landscaping (i) Where appropriate, landscaping should be incorporated into building design to enhance the character of the streetscape and the amenity of buildings and public places. (ii) Landscaping should reflect the size and height of buildings and should be consistent with the character of the area. (iii) Landscaping should be used to soften the impact of hard surfaces where necessary. (iv) Where landscaping is proposed to be incorporated into a new development, a landscape plan detailing hard and soft landscaping works should be	Yes	The plans include an area for landscaping along the Maitland St frontage. A final landscape plan will be required demonstrating that proposed species are suitable native species or alternate species accessible to Council prior to the issue of a Construction Certificate.

MUSWELLBROOK SHIRE COUNCIL DCP SECTION 9 LOCAL CENTRE DEVELOPMENT		
DCP REQUIREMENTS	COMPLIES	PLANNING COMMENT
submitted with the development application		
9.2.2 Car Parking	NA	The ability for Council to object to the proposed development based on the rate of off-street car parking proposed is limited through the provisions of the SEPP (ARH) 2009. The relationship of the proposed development with the DCP car parking requirements is considered further under the sub-heading for Section 16 - Car Parking and Access.
9.2.3 Outdoor Eating Areas	NA	The proposed development does not involve any outdoor eating areas which would require assessment against the requirements of this Sub-section.
9.2.4 Signage and Advertising	NA	The proposed development does not involve outdoor signage requiring consideration under this Section of the DCP.

Section 13 – Floodplain Management

Council Officers are satisfied that the proposed development achieves relevant assessment requirements of this section of the DCP and that compliance can be administered through conditions of consent.

- A Flood Impact Assessment has been prepared in relation to the proposed development.
- The Flood Impact Assessment and its findings were referred to Council's Engineers who determined that the report was consistent with MDCP 2009 requirements.
- No concern has been raised with the potential for the development to increase the flooding of neighbouring properties.
- The proposed floor level of habitable rooms for the eastern part of the building would achieve the minimum finished floor level requirement of 146.20m AHD
- The proposed floor level of habitable rooms for the western part of the building would achieve the minimum finished floor level requirement of 146.08m AHD
- A standard condition of consent has been recommended to ensure building materials below the flood height are designed to be able to withstand flood forces.
- A condition of consent has been recommended in relation to the preparation of a 'Family Flood Plan' Emergency Plan in line with the Flood Impact Assessment recommendation.

Section 16 – Car Parking and Access

A total of thirteen off-street parking space (including two accessible and one manager space) would be provided for the development. This does not comply with the rate of off-street car parking which the DCP requires for boarding house developments.

Although the proposal does not comply with this Section of the DCP Council is prevented from refusing the proposed development for reasons related to the rate of off-street parking proposed where the development complies with the SEPP (ARH) 2009 off-street parking requirements. The proposed thirteen (13) parking spaces would comply.

Section 20 – Erosion and Sediment Control

The proposed development would have a large disturbance area. In accordance with the requirements of this Section of MDCP 2009, an Erosion and Sediment Control Plan is required for the development.

An Erosion and Sediment Control Plan has been included in the civil plans accompanying this development application. Where the application is approved it is recommended that a condition of consent be imposed to require building works to proceed in accordance with the plan requirements.

Section 24 – Waste Management

This section of MDCP 2009 requires development applications to be accompanied by a waste minimisation management plan in relation to the construction and operation of the proposed development.

The applicant has proposed a waste minimisation management plan be provided prior to the issue of a Construction Certificate. Council Officers are satisfied with this approach and that a suitable condition can be imposed to require the preparation of and carrying out of the proposed development in accordance with a suitable Waste Minimisation Management Plan.

Section 25 – Stormwater Management

A stormwater management plan has been submitted in relation to the proposed development. Council Officers are satisfied that the proposed development would be in accordance with this Section of the MDCP 2009.

4.4 Section 4.15(1)(a)(iiia) the provisions of any planning agreement

There are no planning agreements relevant to the subject Application.

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

The Environmental Planning and Assessment Regulation applies to the development.

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

Likely impacts of the proposed development have been considered throughout the assessment of the development application.

Key potential impacts of the proposed development have been considered and commented on under the sub-headings below.

Context and Setting

While it is acknowledged that the immediately adjoining buildings are single storey residential buildings the two storey component of the proposed building is not considered to be out of character with the wider locality which includes two-storey buildings and bulky commercial premises. Accordingly, Council Officers are satisfied that the height bulk and scale of the proposed development would not be incompatible with the type of buildings within the wider B2 Local Centre precinct and development that could reasonably be expected for the site.

Traffic

The subject site is directly accessed via the New England Highway. A Traffic Impact Assessment has been submitted regarding anticipated vehicle movements and impact on the local road network.

Council engineers do not object to the findings of this traffic assessment and have raised no concern with internal manoeuvrability.

In view of the above Council officers are satisfied the proposed development can be supported from a traffic perspective.

Impact to Adjacent Properties

The impact of the proposed development on neighbouring properties has been considered at various stages of the development assessment and modified plans and information submitted at multiple stages through the assessment to mitigate the proposals impact on neighbouring properties or inform Council's assessment of these issues.

While Council Officers recognise the proposed development will change the setting for adjoining neighbours it is not considered to be such a significant impact that would warrant the refusal of the proposed development after taking into account the proposals compatibility with relevant development controls, mitigation measures put forward in updated designs to address potential impacts and opportunity for conditions to be imposed to further manage impacts. Council Officers have made the following observations when considering potential neighbour impacts with regards to the most current plans and information:

- The most impacted residence, in terms of privacy, is the property located north of the subject site. All outward facing windows on the first and second floor in the elevation adjoining this property would be installed at a height between 1.8m – 2.4m (ground floor) and 1.8m – 2.6m first floor, limiting the potential for boarders to passively view the rear yard and dwelling of this neighbouring property. Residents of the first floor would need to be standing at the window to view the backyard of the immediately adjoining property.
- No external facing windows have been proposed on the western common room elevation and thereby there will be limited overlooking of properties to the west on Francis Street.
- The proposal includes screening along the first-floor walkways to minimise passive overlooking from the of the adjoining property to the south
- The shadow diagrams submitted indicate that the proposed development would not cause significant overshadowing of neighbouring properties.
- A recommended condition of consent will require 1.8m colourbond fencing along all neighbouring property boundaries.
- A draft Plan of Management has been submitted for the boarding house. The on-site manager will be required to ensure the house rules are adhered to manage incidents and noise disturbances.
- A recommended condition of consent has been put forward to ensuring that all plant is installed in a manner to ensure plant does not cause excessive noise between 10:00pm and 6:00am.
- A recommended condition of consent has been put forward to require outdoor lighting installations to be installed in accordance with relevant Australian Standards and minimise light spill to adjoining properties.

Natural Hazards

A Flood Impact Assessment has been submitted in relation to the proposed development. The proposed development has been designed to managed flood related issues with the buildings finished floor level designed to be greater then 0.5m above the height of the 1% flood event and information provided to address relevant flood management considerations in accordance with section 13 of MDCP 2009 where required.

Social and Economic Impacts

The proposed development would provide boarding house accommodation in a close proximity to the CBD. The provision of additional affordable housing opportunities would have a positive social impact while the proposal would also have a modest positive economic impact through the provision of related jobs.

4.7 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.

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

The application was notified via notification letters between 3 May 2021 and 17 May 2021. Five (5) submissions were received during the notification period.

The proposed development was renotified to these submitters between 16 September 2021 1 October 2021 following the submission of updated plans by the applicant. Five submissions were again received objecting to the proposed development.

These submissions have been considered through the assessment of this development application and are summarised and commented on under the submitter concerns heading of this report.

The concerns raised in the submissions are summarised below:

Submitter Concern	Town Planning Response
The building would be out of character with the area and adjoining residential buildings	<p>Council Officers do not view the scale of the proposed development as unreasonable.</p> <p>In considering this issue Council Officers have observed that:</p> <ul style="list-style-type: none">- The proposed development would not exceed the maximum building height for the land under MLEP 2009.- The land subject to this development application is zoned B2 Local Centre. The land use zone objectives and controls promote commercial and employment generating development which typically has a greater height bulk and scale than single storey residential dwellings.- Although the site does not immediately adjoin a two-storey building there are examples of two-storey and commercial buildings of a comparable scale within the B2 Local Centre near the development site. Council Officers consider that the proposed development would not be out of context with existing development in the wider Maitland St locality.
Removal of a large established street tree	This is unfortunate, replacement landscaping will be provided.
Lack of information about new landscaping proposed	The applicant has identified landscape areas at the front of the property. A recommended condition has been put forward to require the submission of a detailed landscape plan for Council approval prior to the issue of a Construction Certificate.
Concern related to the type of resident that may intended to	The proponent has advised Council that they intend for the boarding house to be occupied by low income earners eligible

Submitter Concern	Town Planning Response
occupy the boarding house rooms and their impact on privacy and security in the area	for this type of housing under the SEPP (ARH) 2009 and that a site Manager will support residents and enforce site rules.
Laundry location and lack of clothes drying facilities.	A common laundry and close drying facility have been included in the proposed development.
Adequacy of the driveway width for the number of boarders and vehicle movements.	The driveway width and vehicle manoeuvring spaces have been reviewed by Council Engineers who raised no objection to the ability for vehicles to enter and exit the development site.
Inadequate parking provisions. Recommended parking be provided at a rate of 1 space per boarder.	The rate of off-street car parking proposed complies with the minimum rate of parking prescribed under SEPP.
Impact on Council's ability to access and maintain adjacent stormwater channel/waterway.	A stormwater drain is located on the adjoining Lot 21 DP 18699. The site subject to this development application is not incumbered by the stormwater drain or impacted by an 88B Instrument permitting Council access to the stormwater drainage via the site. Accordingly, Council is not benefited by a legal opportunity to access the stormwater drain via the subject site.
Non compliances with Section 6 of Council's DCP	This section of the DCP specifies that it applies to residential development in the R1, R5 and RU5 zones only. The land subject to this development application is located in the B2 local Centre zone. Accordingly, this Section of the DCP does not apply to the development.
Potential for external lighting to impact neighbours	Council Officers have put forward a recommended condition of consent to ensure that all external lighting installations are installed in accordance with the relevant Australian Standard to minimise light spill and impact to adjoining neighbours.
Potential for air conditioner noise to impact neighbours	Council Officers have put forward a recommended condition of consent for plant to be installed in a manner that controls noise emissions and minimises impact on neighbouring properties.
Impact of the proposed development on privacy of neighbouring properties	<p>Council Officers are of the view that the overlooking impacts would be mitigated through controls and conditions and that the impacts do not warrant refusal of the application. When considering the issue it was noted that:</p> <ul style="list-style-type: none"> ➤ All outward facing windows on the first and second floor northern elevation would be installed at a height between 1.8m – 2.4m (ground floor) and 1.8m – 2.6m first floor, limiting the potential for boarders to passively view the rear yard and dwelling of this neighbouring property. Residents of the first floor would need to be standing at the window to view the backyard of the immediately adjoining property. ➤ No external facing windows have been proposed on the western common room elevation and thereby there will be limited overlooking of properties to the west on Francis Street

Submitter Concern	Town Planning Response
	➤ The proposed plans include screening along the first-floor walkways to minimise passive overlooking from the of the adjoining property to the south
Potential overshadowing of neighbouring properties	Shadow diagrams have been submitted in relation to the proposed development. These diagrams indicate the proposal would cause minimal overshadowing to neighbouring properties.
Stormwater drainage during heavy rain	A stormwater management plan has been prepared in relation to the proposed development. In their final referral comments Council Engineers advised that they were satisfied with this plan and the stormwater drainage proposed.

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

The proposed development is considered to be generally in accordance with the public interest. This view has been informed by the following considerations:

- The proposed development is permissible with consent in the B2 local centre zone under the provisions of the Muswellbrook LEP 2009.
- The proposed development would be carried out in accordance with the relevant provisions of the Muswellbrook LEP 2009 and other applicable environmental planning instruments
- SEPP (ARH) 2009 prevents the refusal of a development application for a boarding house for reasons related to floor space ratios, building height, landscaping, solar access, private open space, vehicle parking and accommodation size where the development meets the SEPP ARH criteria for each of these matters. The proposed development complies with the SEPP ARH requirements for these matters.
- The proposed development was considered against the provisions of other relevant State Environmental Planning Policies (SEPP's) and the development is compliant.
- The proposed development is compatible with relevant DCP controls.
- Where carried out in accordance with the recommended conditions of consent the proposed development is unlikely to have a significant adverse environmental impact.
- The proposed development would provide additional affordable housing opportunities. Consequently, the proposal is viewed to have a positive social impact.

5 Development contributions under Section 7.11 of the Act

The Muswellbrook Section 94A Contributions Plan 2010 applies to land within the Muswellbrook Local Government Area.

The cost of works for the proposed development is \$645,000. A developer contribution of \$6,540 will apply to the proposed development should the Application be approved.

6 CONCLUSION AND RECOMMENDATION

The proposed development has been assessed against the relevant heads of consideration pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979*. It is considered that the proposed development is unlikely to result in any significant adverse environmental impacts, is located on a site suited to the proposed development and is in the public interest.

It is recommended that development consent be granted to the proposed development subject to the recommended conditions of consent.

Signed by:

Hamish McTaggart
Development Coordinator

Date: 8 May 2022

DA 2021/32 Recommended Conditions of Consent

IDENTIFICATION OF APPROVED PLANS

(1) Approved Plans and Supporting Documents

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title.	Drawn by.	Dated.
20138 A000	C	Cover Sheet	Duplex Building Design	29/03/2022
20138 A001	C	Site Analysis	Duplex Building Design	29/03/2022
20138 A002	C	Site/Roof Plan	Duplex Building Design	29/03/2022
20138 A101	C	Existing Construction Management and Sediment Control Plan	Duplex Building Design	29/03/2022
20138 A201	C	Proposed Ground Floor Plan	Duplex Building Design	29/03/2022
20138 A202	C	Proposed First Floor Plan	Duplex Building Design	29/03/2022
20138 A301	C	Elevations	Duplex Building Design	29/03/2022
20138 A350	C	Sections & Internal Elevations	Duplex Building Design	29/03/2022
20138 A401	C	Winter Shadow Diagram	Duplex Building Design	29/03/2022
20138 A408	C	Summer Shadow Diagram	Duplex Building Design	29/03/2022
20138 A503	C	Area Calculations	Duplex Building Design	29/03/2022
20138 A602	C	Material Schedule	Duplex Building Design	29/03/2022
20138 A901	C	Notification Plan	Duplex Building Design	29/03/2022

Document Title.	Version No.	Prepared By.	Dated.
Statement of Environmental Effects	V2 (Submitted 7 September 2021)	Casson Planning and Development Services	29 May 2021
Traffic Impact Assessment	-	Traffic Control Management and Planning Pty td	09/03/2021
Stormwater Management Report	-	AE Consulting Engineers	04/10/2021
Draft Plan of Management	-	Casson Development Services	August 2021
Flood Impact Assessment	-	AE Consulting Engineers	6/09/2021

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development

OPERATIONAL CONDITIONS IMPOSED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

(2) Building Code of Australia

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

(3) Carrying out of demolition work

Any demolition work is to be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: Demolition of Structures.

(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 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*.

CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE CARRYING OUT OF ANY DEMOLITION WORKS
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(5) Hazardous Material survey and Asbestos removal

Prior to the carrying out of any demolition work relating to the development:

- (a) a report prepared by an appropriately qualified person (such as an Occupational Hygienist or Environmental Consultant) is to be submitted to the Certifying Authority, with the Construction Certificate application, detailing whether any asbestos or hazardous materials exist on the site that are affected by the proposed building works. (e.g. lead in paints, ceiling dust, glass fiber insulation or asbestos based products).

Note: If no hazardous materials are identified, the demolition may proceed in accordance with AS2601 and the conditions of this consent.

- (b) should any hazardous materials be identified as per item (a), a Work Plan shall be submitted to the Certifying Authority with the Construction Certificate

application and set out in accordance with AS2601 – Demolition of Buildings. The report shall contain details regarding:

- (i) The type of hazardous material;
 - (ii) The level or measurement of the hazardous material in comparison to National Guidelines;
 - (iii) Proposed methods of containment; and
 - (iv) Proposed methods of disposal.
 - (v) Details of signage to be provided on the site to comply with the provisions of the Occupational Health and Safety Regulation 2001, to ensure persons are warned, by the use of signs, labels or other similar measures, of the presence of asbestos or asbestos-containing material in a place at which construction work is being carried out
- (c) where unacceptably high levels of lead are found in a premises to be demolished soil samples from site are to be tested by a NATA Registered laboratory before and after demolition and submitted to Council. This will determine whether remediation of the site is necessary.
- (d) the demolition must be undertaken in accordance with AS2601.
- (e) any works involving asbestos based products must be undertaken in accordance with the requirements of the WorkCover Authority in relation to removal, handling and disposing of material, and the Work Safe Australia Asbestos Code of Practice. (Refer to the information publications provided in your approvals package for more specific information)
- (f) all work involving lead removal must not cause lead contamination of air or ground, and the Work Plan submitted to comply with item (b) must comply with the requirements of AS 4361.2-1998 : *Guide to lead paint management - Residential and commercial buildings*. Particular attention must be given to the control of dust levels on the site.
- (g) Following completion of asbestos removal works a suitably qualified/licensed asbestos removalist, must undertake a clearance inspection and issue an asbestos clearance certificate.
- (h) Tipping receipts demonstrating that all asbestos has been disposed of to an appropriately licensed facility are to be provided to the Certifying Authority.

Details demonstrating compliance with these requirements are to be approved by the Certifying Authority and submitted with the Construction Certificate. If all demolition works have not been completed the time a Construction Certificate is applied for any outstanding documentary evidence is to be submitted to the Certifying Authority at the time the works are completed and prior to the issue of the Occupation Certificate.

Notes:

1. Further details regarding requirements for removal of hazardous materials can be obtained from the WorkCover website.
2. Failure to comply with legislative requirements relating to the removal or handling of hazardous materials is likely to result in enforcement action, including fines or prosecution without prior warnings.

CONSTRUCTION CERTIFICATE REQUIREMENT

(6) 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.

ANCILLARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

(7) Construction Management Program

Prior to the issue of a Construction Certificate a Construction Management Program must be prepared, submitted to and approved in writing by the Council prior. The program shall include such matters as:

- a) a Safe Work Method Statement;
- b) the proposed method of access to and egress from the site for construction vehicles, including access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed;
- c) the proposed phases of construction works on the site, and the expected duration of each construction phase;
- d) the proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken;
- e) the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
- f) the proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site;
- g) the proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- h) the proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
- i) the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising structural engineer, or equivalent;
- j) proposed protection for Council and adjoining properties. Details are to include site fencing and the provision of "B" class hoardings and fans over footpaths and laneways;
- k) proposed protection for Council and adjoining properties;
- l) the location and operation of any on site crane;
- m) the location of any Construction Zone (if required) approved by Council's Traffic Committee, including a copy of that approval; and
- n) location, identification, treatment and disposal of all hazardous materials on site.

All work and excavation, demolition or construction activities shall be undertaken in accordance with the approved Construction Management Program and any conditions attached to the approved plan. A copy of the approved Construction Management Plan, and any conditions imposed on that plan, shall be kept on the site at all times and made available to any officer of Council upon request.

(8) Notice of Requirements – Water and Sewer Connection

Prior to the carrying out of any works associated with the provision of reticulated water and sewer to the development, a 'Notice of Requirements pursuant to the provisions of the Water Management Act 2000, is to be obtained from Council.

Any application for a Notice of Requirements will need to be accompanied by a design plan prepared by the applicant for assessment detailing how reticulated water and sewer connections are proposed to be provided to each lot in the subdivision.

Any Notice of Arrangement under the Water Management Act 2000 will require the proponent to pay Section 64 Headworks Contributions for the development. Council's Water Headworks are charged in accordance with Council's fees and charges and Servicing Plan. For reference an indicative calculation of section 64 headworks charges applicable to development have been included below.

The calculation of the number of equivalent tenancies (ET's) has been based on calculations provided by Council Water and Sewer Engineers and relates back to the anticipated water usage and sewer generation for the development. The final contribution and calculations of water and sewer usage requirements is to be in accordance with the Notice of Requirements issued by Council's Water and Waste Division. The contributions referenced in that document will supersede the charges referenced below which has been included to give you an indicative calculation of the development headwork charges. The indicative calculations provided below have been prepared based on information provided by Council Water and Waste Officers.

	Additional Loading (per bay)	Headworks Contribution Applicable (per ET)	Total Contribution calculated for development (per bay)
Water	7.59 ET	7,732.50	\$ 58,689.68
Sewer	11.5 ET	8,558.00	\$ 98,417
Total			\$ 157,106.68

The contributions payable are subject to annual adjustments in accordance with Council's Fees and Charges and the Consumer Price Index. The contributions paid in relation to this approval shall be the contributions applicable under Council's Fees and Charges at the time of any application for a Compliance Certificate.

Note : To inform the process of obtaining a 'Notice of Requirements' it is recommended that early contact is made with Council's Water & Waste Division on (02) 6549 3840. It is recommended that early contact in relation to the required water connections as the construction of water/sewer extensions can be time consuming and may impact on other services, building, driveway, or landscape design.

(9) Section 7.12 Contributions

Pursuant to section 4.17(1) of the Environmental Planning and Assessment Act 1979, and the Muswellbrook Shire Council Section 94A Development Contributions Plan 2010, a contribution of \$6,450 shall be paid to Muswellbrook Shire Council, being 1% of the cost of carrying out the development.

Documentary evidence demonstrating payment of the above contribution to Council is to be provided to the Certifying Authority prior to the issue of a Construction Certificate.

(10) Section 68 Local Government Act 1993 Approvals

Prior to the issue of a Construction Certificate the person acting with this consent shall obtain approval under Section 68 of the Local Government Act 1993 for the carrying out of stormwater works.

Documentary evidence is to be provided to the Principle Certifying Authority demonstrating that these approvals have been obtained prior to the issue of a Construction Certificate.

The person acting with this consent shall ensure that mandatory stage inspections prescribed by the Section 68 Approval are carried out by Council Officers at the relevant stage of development.

(11) Potential Flood Damage to Buildings

Certification by a qualified practising Engineer is to be submitted to the Certifying Authority with the Construction Certificate, stating that the structure has been designed to withstand the flood pressures, including debris and buoyancy forces, imposed in the event of a 1% AEP flood and that the structure will not sustain unacceptable damage from the impact of floodwater and debris.

(12) Construction of Habitable Areas

The applicant shall ensure that the floor level of all habitable areas of the proposed building are at least 500mm above the 1% AEP flood level. Evidence to support the determination of the flood level shall be supplied by a suitably qualified professional.

Details submitted in association with the Construction Certificate application are to demonstrate compliance with this requirement. The details are to be approved by the Certifying Authority as satisfying this requirement prior to the issue of a Construction Certificate.

(13) Landscape Design Plan

Prior to the issue of any Construction an updated Landscape Plan is to be prepared and submitted to Council for approval in writing.

The landscape plan is to include native species wherever possible and is to be generally in accordance with the standard landscaping requirements of Council's Sustainability Section.

Written confirmation demonstrating that the Landscape Plan has been approved by Council should be provided to the Principle Certifying Authority with an application for a Construction Certificate.

(14) Noise from Mechanical Plant Adjacent to Residential Premises

In accordance with the recommendations of the Operational Noise Impact Assessment the person acting with this consent should consult with a qualified Acoustic Engineer when selecting heating, ventilation and air conditioning plant positions.

A certificate from an appropriately qualified Acoustic Engineer is to be submitted to the Certifying Authority for approval with the Construction Certificate certifying that the development and all sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm –6.00 am) when measured within a habitable room in any adjoining residential premises, and will comply with Environment Protection Authority Noise Policy.

(15) Outdoor Lighting

All lighting is to be designed and positioned to minimise any adverse impact on neighbouring premises.

Prior to the issue of a Construction plans a lighting plan is to be provided to the Certifying Authority demonstrating compliance with the above, that the outdoor lighting installations will comply with the relevant Australian Standards AS/NZ 1158.3.1:2005 Lighting for Roads and Public Spaces Pedestrian Area Lighting and Public Spaces Pedestrian Area (Category P) Lighting – Performance and Design Requirements AS 4282.1997 Control of the Obstructive Effects of Outdoor Lighting.

All lighting installations are to proceed in accordance with the approved lighting plan and the requirements of this consent.

(16) Sediment Control Plan

Prior to the issue of a Construction Certificate a sediment and erosion management plan is to be submitted to and approved by the Certifying Authority. As a minimum, control techniques are to be in accordance with Muswellbrook Shire Council's Guidelines on Erosion and Sediment Control, or a suitable and effective alternative method. The Control Plan shall incorporate and disclose:

- (a) all details to protect and drain the site during the construction processes;
- (b) all sediment control devices, barriers and the like;
- (c) sedimentation tanks, ponds or the like;
- (d) covering materials and methods;
- (e) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

(17) Requirement for an Updated Plan of Management

Prior to the issue of a Construction Certificate updated Plans of Management are to be prepared in relation to the multi dwelling housing and boarding house and submitted to Council for Approval. Individual Plans of Management are to be prepared for both the Boarding House and Multi Dwelling Housing.

The Plans of Management must address the following to the satisfaction of Council:

- a) Update the period within which the Resident Manager is to be contactable. The on-site manager or a suitably qualified alternate person should be contactable by phone and available to attend any issues or urgent matters that arise and/or impact the quiet enjoyment of the premises on a 24/7 basis.

(18) Waste Minimisation Management Plan Requirement

A Waste Management Plan is to be submitted with the Construction Certificate. The plans should include, but not be limited to, the estimated volume of waste and method of disposal for the construction and operation phases of the development, all landfill removed from the site, haulage routes, design of on-site wind proof waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT

(19) Vehicle Entry

Prior to commencing construction of the driveway/vehicle crossing/layback, within the road reserve, a permit for the work must be obtained from Council, under Section 138 of the Roads Act 1993.

(20) Sediment and Erosion Control

All required erosion and sedimentation 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

(21) 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.

(22) Stabilised access

Unless existing constructed site access is utilised, stabilised site access consisting of at least 200mm of aggregate at 30–60mm in size and a minimum of 3m in width must be provided from the road edge to the front of the building being constructed prior to the commencement of work. The stabilised access must be fully maintained and removed from the site when a permanent driveway has been constructed.

(23) Site Facilities

- (a) If the development involves building work or demolition work, the work site must be fully enclosed by a temporary security fence (or hoarding) before work commences.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians.
- (c) Any such hoarding or fence is to be removed when the work has been completed.
- (d) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (e) Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.
- (f) Each toilet provided must:

- be a standard flushing toilet, connected to a public sewer, or
 - if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
 - an approved temporary chemical closet.
- (g) The provision of toilet facilities must be completed before any other work is commenced.
- (h) A person having the benefit of this certificate who causes an excavation that extends below the level of the base of the footings of a building on an adjoining allotment of land must at their own expense and where necessary:
- protect and support the building from damage, and
 - If necessary, underpin and support the building in accordance with the details prepared by a professional engineer.
- (i) A person having the benefit of this certificate who causes the excavation must, at least 7 days before commencing this work, give notice of intention to do so to the owner of the adjoining allotment of land and provide particulars of the proposed work.
- (j) Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site.

(24) 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.

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

(25) Flood Height Certification

The floor level of the proposed building shall be certified by a registered surveyor as being not less than 500mm above the 1% AEP flood level.

In accordance with the approved plans the floor level for the habitable rooms in the eastern part of the building shall therefore be certified as being not less than RL **146.20m Australian Height Datum (AHD)**. The floor level for the western part of the building shall therefore be certified as being no less than **145.71m AHD**.

The evidence shall be submitted to the Certifying Authority prior to construction works proceeding beyond floor level stage.

(26) 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.

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.

(27) Dust Emission and Air Quality

- (a) Materials must not be burnt on the site.
- (b) Vehicles entering and leaving the site with soil or fill material must be covered.
- (c) Dust suppression measures must be carried out to minimise wind-borne emissions in addition odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(28) Applicant's Cost of Work on Council Property

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

(29) 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.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

(30) 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.

(31) Final Compliance Certificate for Water Supply and Sewerage Works

The final compliance certificate for water supply works is to be obtained from Muswellbrook Shire Council Water & Waste Department and a copy must be submitted to the Principal Certifying Authority prior to release of any Occupation Certificate.

(32) Stormwater infrastructure

Prior to the issue of an Occupation Certificate all stormwater management infrastructure is to be installed in accordance the stormwater management plan approved by Council, AS 3500.3, the provisions of the relevant Section 68 Approval and industry best practice.

(33) Connection to Sewer

Prior to the issue of an Occupation Certificate the premises shall be connected to the sewer system in accordance with the Australian Standard 3500 and the requirements of any Section 68 Approval. A Trade Waste Agreement is to have been entered into between the owner of the land and Council and the required Trade Waste

infrastructure installed to Council's satisfaction in accordance with the Trade Waste Agreement.

A works as executed plan on Council's approved form is to be submitted to Council within seven (7) days following the final drainage inspection and prior to any Occupation Certificate being issued.

(34) Construction of Parking Areas

Prior to the issue of an Occupation Certificate all parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas shall be fully constructed, sealed, line marked, sign posted in accordance with the approved plans and AS.2890.1 2004 Parking Facilities and the relevant provisions of AS1428.1 and AS1428.4.

(35) Landscaping

Prior to the issue of an Occupation Certificate the person acting with this consent is to install landscaping within the site in accordance with the approved landscaping plan to the satisfaction of the Principal Certifying Authority.

The approved site landscaping is to be maintained at all times.

(36) Boundary Fencing

Prior to the issue of an Occupation Certificate the person acting with this consent is to install a colorbond fencing with a height of 1.8m along the boundaries with all neighbouring properties.

(37) Redundant Vehicle Crossings

Where a redundant layback will occur at the frontage of the property, a new concrete kerb and gutter must be constructed to replace the redundant layback prior to the issue of an occupation certificate.

(38) Construction of Waste Storage Areas

Prior to issue of any Occupation Certificate the bin storage area is to be constructed in accordance with the approved plans and requirements of this condition or as otherwise specified by Council in writing.

In addition to the design information included on the approved plans the bin storage area is to be constructed in accordance with the following:

- The bin storage is to be discreetly located at the site and screened through the construction of a gated fence/screen enclosure.
- All internal walls of this enclosure are to have a smooth service and the enclosure is to coved flood/wall intersection.
- The floor is to be graded toward the centre of the enclosure to prevent the escape of waste.
- A tap is to be located in a close proximity to the waste storage area.

(39) Flood Response Plan

A Flood Response Plan is to be prepared, by a qualified practising Engineer or other person qualified in preparing emergency response plans, for all buildings and facilities on the site to ensure that appropriate action during flood events to ensure the safety of all boarders. The Flood Response Plan is to be compatible with the recommendations of the Flood Impact Assessment and is to be submitted to Council for approval prior to the issue of an Occupation Certificate.

(40) The provision of operator details to demonstrate the boarding house's use for affordable housing

Pursuant to the provisions of Clause 26 of the State Environmental Planning Policy (Housing) 2021 documentary evidence is to be provided to the satisfaction of Council as the consent authority to demonstrate that the boarding house will be used in perpetuity for affordable housing as defined by the State Environmental Planning Policy and will be managed by a registered community housing provider.

Evidence demonstrating compliance with this requirement and Council's acceptance of the documentary evidence submitted to the Certifying Authority prior to the issue of any Occupation Certificate.

(41) Registration of Positive Covenant

Prior to the issue of any Occupation Certificate a positive covenant is to be registered on the title of the land. The positive covenant shall restrict the operation of the boarding house generally in accordance with the following:

- a) prescribe that all residents accommodated within the boarding house must be eligible for affordable housing pursuant to the provisions of Clause 13 and 26 of the State Environmental Planning Policy (Housing) 2021 or any superseding environmental planning instrument.
- b) Prescribe that at all times the boarding house will be managed by a registered community housing provider as defined by the State Environmental Planning Policy (Housing) 2021, Community Housing Providers (Adoption of National Law) Act 2012 or any superseding legislation.

CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

(42) Stormwater Disposal

All stormwater from the development including all hardstand areas and overflows from rainwater tanks is to be collected and disposed of in accordance with the requirements of any approval under Section 68 of the Local Government Act 1993 and the approved stormwater management plans.

All stormwater infrastructure is to be maintained at all times.

(43) Accommodation Caretaker

At all times a live in Manager/caretaker is to reside at the premises.

(44) Smoking

The operator of the development shall ensure that it complies with the relevant requirements of the Smoke Free Environment Legislation.

(45) Lighting Installation

At all times the outdoor lighting installed at the premises is to be maintained in a manner to minimise impact on adjoining land. Outdoor lighting is to be installed and maintained in accordance with the approved outdoor lighting plan and the provisions of Australian Standard AS 4282:1997 Control of the Obstructive Effects of Outdoor Lighting.

Where the person acting with this consent becomes aware of a complaint or issue with outdoor lighting affecting the amenity of adjoining premises reasonable steps are to be taken to address the issue and minimise the impact of any light spill on adjoining land.

(46) Food health and safety requirement

Prior to any food being provided to patrons either as part of the tenant agreement, or at charge, the business is to be registered with, and receive a satisfactory final inspection from, Council's Environmental Health Department.

The fit out of any commercial food preparation, storage, handling and serving areas are to comply with the requirements of Food Act 2003, Food Regulation 2015 and Australian Standards 4674.

(47) Record keeping requirements

An electronic register must be kept on the premises with details to be provided to Council and/or NSW Police upon request. The register must include (but is not limited to) sufficient information to enable the ascertainment of:

- a) The number of residents at the boarding house at any particular time including in each boarding room,
- b) The length of stay of each resident,
- c) The number of occupancy agreements entered into within a calendar year,
- d) Instances of non-compliance with the Plan of Management,
- e) A record of all complaints received by the boarding house manager, their investigation and resolution
- f) Copies of all and the number of lease agreements for the multi-dwelling housing,
- g) The length of time for each lease agreement entered into for the multi-dwelling housing,
- h) A signed statement from a person with sufficient knowledge of the leasing agreements for the multi-dwelling housing confirming that all leasing agreements are in accordance with the Residential Tenancies Act 2010 and that the buildings have not been leased out for short term occupation or in a way that would constitute 'hotel or motel accommodation or a 'serviced apartment' land uses which are prohibited on the site.

Additionally, a copy of all boarding house residency agreements and tenancy agreements for the multi-dwelling housing must be kept on the premises for a period of two years after their expiration.

(48) Boarding House – Use and Operation

The construction and operation of the boarding house shall comply with all applicable legislation/regulation and standards, including (but not limited to):

- a) Local Government (General) Regulation 2005 under the Local Government Act 1993
- b) Public Health Act 2010
- c) Boarding Houses Act 2012
- d) Boarding Houses Regulation 2013

(49) Graffiti Removal

Where graffiti or vandalism is identified at the premises that damage is to be promptly rectified by the site manager or contractors working under their direction. In the event the graffiti has not or cannot be removed within 14 days in the circumstances shall be

reported to Council and graffiti rectified within such longer period as the Council may reasonably authorise.

(50) Maximum Number of Boarding Rooms and Residents

The maximum number of occupants (including on site manager) of the boarding house shall not exceed 23 at any time.

(51) Plan of Management

At all times the boarding house is to be operated generally in accordance with the approved plan of management or any document that supersedes this document. Any revision to the Plan of Management is to be approved by Council in writing.

(52) Restriction to the operation of the boarding house for affordable housing

At all times the boarding house is to be used strictly for the provision of affordable housing pursuant to the requirement of Clause 26 of the State Environmental Planning Policy (Housing) 2021.

At any stage Council may request documentary evidence to demonstrate that the boarding house's operation is being carried out in accordance with this requirement.

41 Maitland Street
Muswellbrook, 2333
Lot 8 DP 18699

DEVELOPMENT APPLICATION
BOARDING HOMES

DRAWING LIST

A000	Cover Sheet	29.03.22
A001	Site Analysis	29.03.22
A002	Site/Roof Plan	29.03.22
A101	Existing, Construction Management and Sediment Control Plan	29.03.22
A201	Proposed Ground Floor Plan	29.03.22
A202	Proposed First Floor Plan	29.03.22
A301	Elevations	29.03.22
A350	Sections & Internal Elevations	29.03.22
A401	Winter Shadow Diagram	29.03.22
A408	Summer Shadow Diagram	29.03.22
A503	Area Calculations	29.03.22
A602	Material Schedule	29.03.22



Issued for DA

Rev	Revision	By	Date
A	Issued for DA	Z.Mohsen	31.08.21
B	Window amendments	Z.Mohsen	25.02.22
C	Further amendments	Z.Mohsen	29.03.22

SCALE BAR:
THE BUILDER SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSION. DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION PURPOSES.



DRAWINGS BY:
DUPLEX BUILDING DESIGN
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info@duplexbuildingdesign.com
www.duplexbuildingdesign.com
Office: 1300 310 067

CLIENT:
Nitin Gupta
ADDRESS:
41 Maitland Street Muswellbrook

PROJECT:
Proposed Boarding House
DRAWING
Cover Sheet

DATE:
29.03.22
SCALE:
@ A3
PROJECT No:
20138
DRAWING No:
A000
ISSUE:
C

GENERAL NOTES

ALL DOCUMENTATION REPRESENTS THE DETAILED DESIGN INTENT. THE BUILDER IS RESPONSIBLE FOR THE CONSTRUCTION OF THE WORKS.

ALL DIMENSIONS ARE TO BE CHECKED AND VERIFIED ON SITE BY THE BUILDER.

LOCATIONS OF WALLS, STRUCTURAL ELEMENTS AND SERVICES ARE TO BE CHECKED AND VERIFIED ON SITE BY THE BUILDER PRIOR TO COMMENCEMENT OF ANY WORK.

ALL NEWWORKS CONCRETE, SLAB, FOOTING, REINFORCING WALLS, STRUCTURAL, STEEL, STRUCTURAL, THINER THINER FRAMING, TIE-DOWNS, BRACING AND JOINTS IN IS TO BE MET AS PER STRUCTURAL ENGINEER DETAILS AND SPECIFICATIONS (REFER TO RELEVANT DOCUMENTATION).

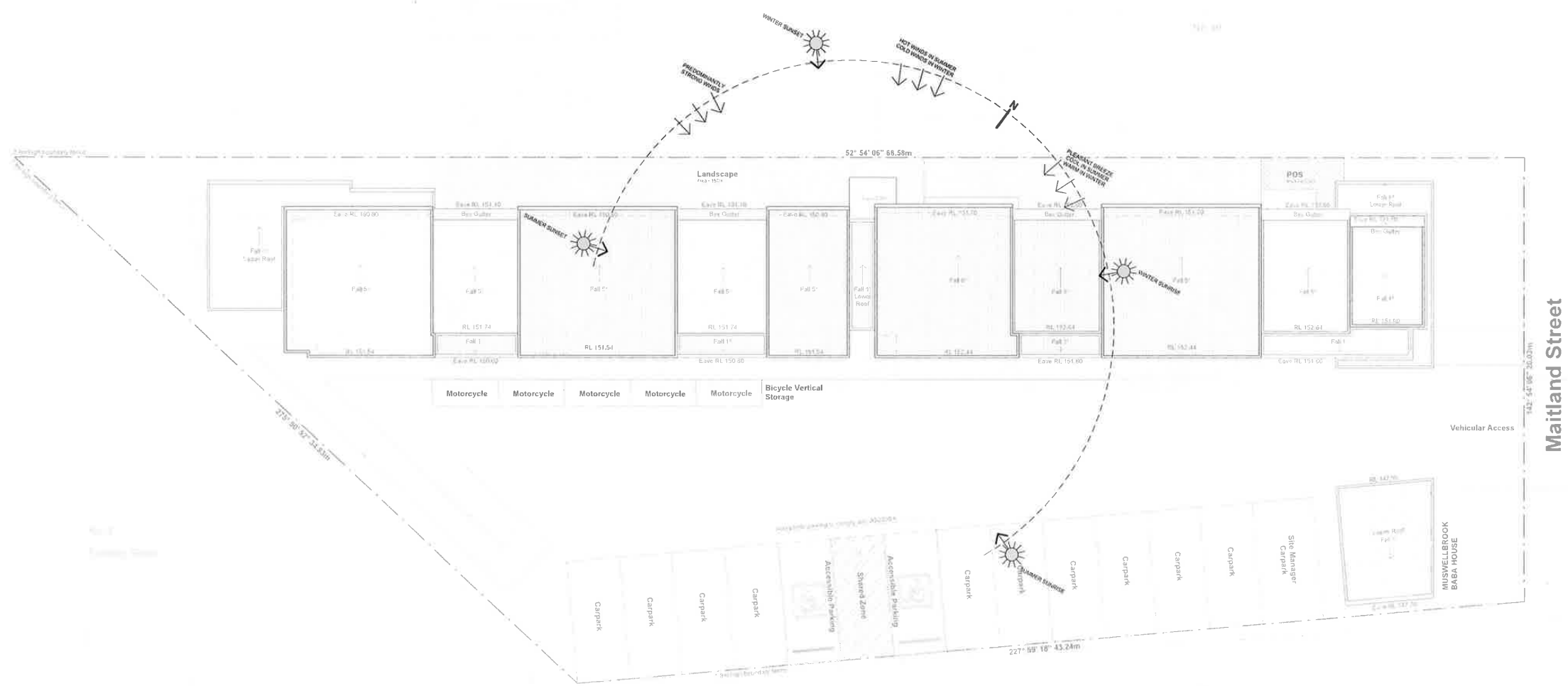
ALL EXISTING STRUCTURES AND FINISHES INTERFERED WITH BY PROPOSED NEWWORK TO BE REPAIRED AND/OR REPLACED AS NECESSARY BY THE BUILDER.

ALL WORKS TO BE CONSTRUCTED TO COMPLY WITH THE CURRENT BCA REQUIREMENTS AND PERFORMANCE CRITERIA.

ALL MATERIAL AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF RELEVANT AUSTRALIAN STANDARDS UNLESS NOTED OTHERWISE.

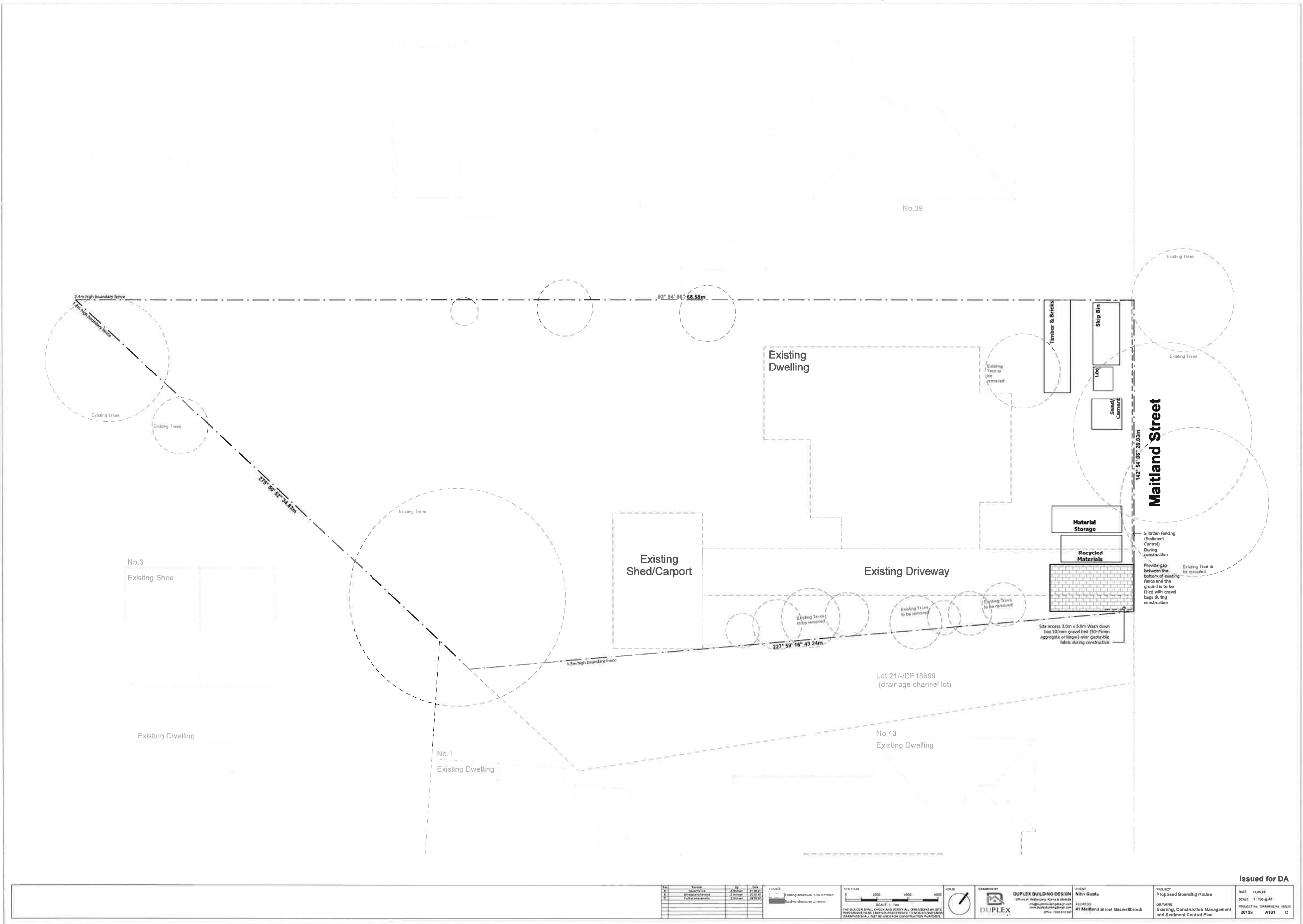
ANY NEW OR ALTERED SEWERAGE AND OTHER SERVICES TO BE CONNECTED TO EXISTING SEWER AND STORMWATER LINES RESPECTIVELY, UNLESS NOTED OTHERWISE.

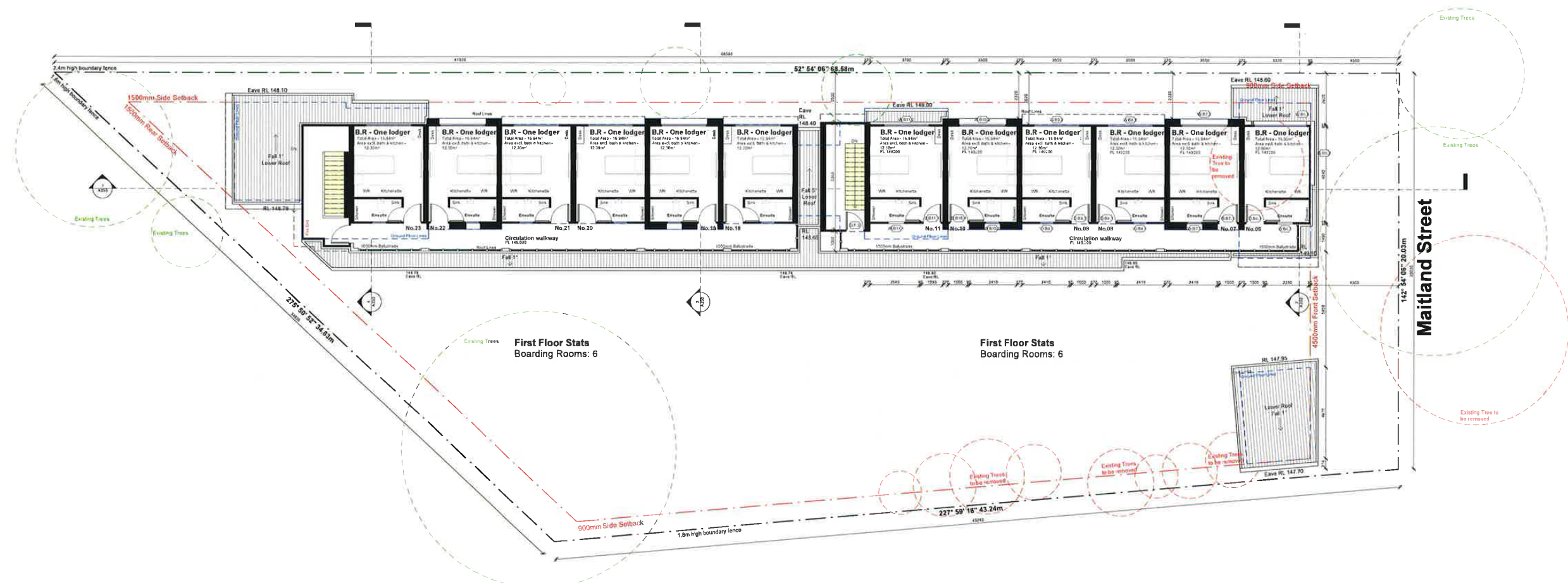
DO NOT SCALE OFF DRAWINGS. USE FIGURED DIMENSIONS ONLY.



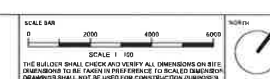
Issued for DA

<div>NO.</div> <div>REVISION</div> <div>DATE</div>			<div>SCALE: 1:500</div> <div><div>0 2000 4000 6000</div><div>1:500</div></div>		<div>NORTH</div> <div></div>	<div>DESIGNED BY</div> <div>DUPLEX BUILDING DESIGN <small>Office at: Midway, 4th Floor, 2010 midway@duplexbd.com Phone: +92-300-251363</small></div>	<div>CLIENT</div> <div>Nitin Gupta</div>	<div>PROJECT</div> <div>Proposed Boarding House</div>	<div>DATE</div> <div>28.03.23</div>
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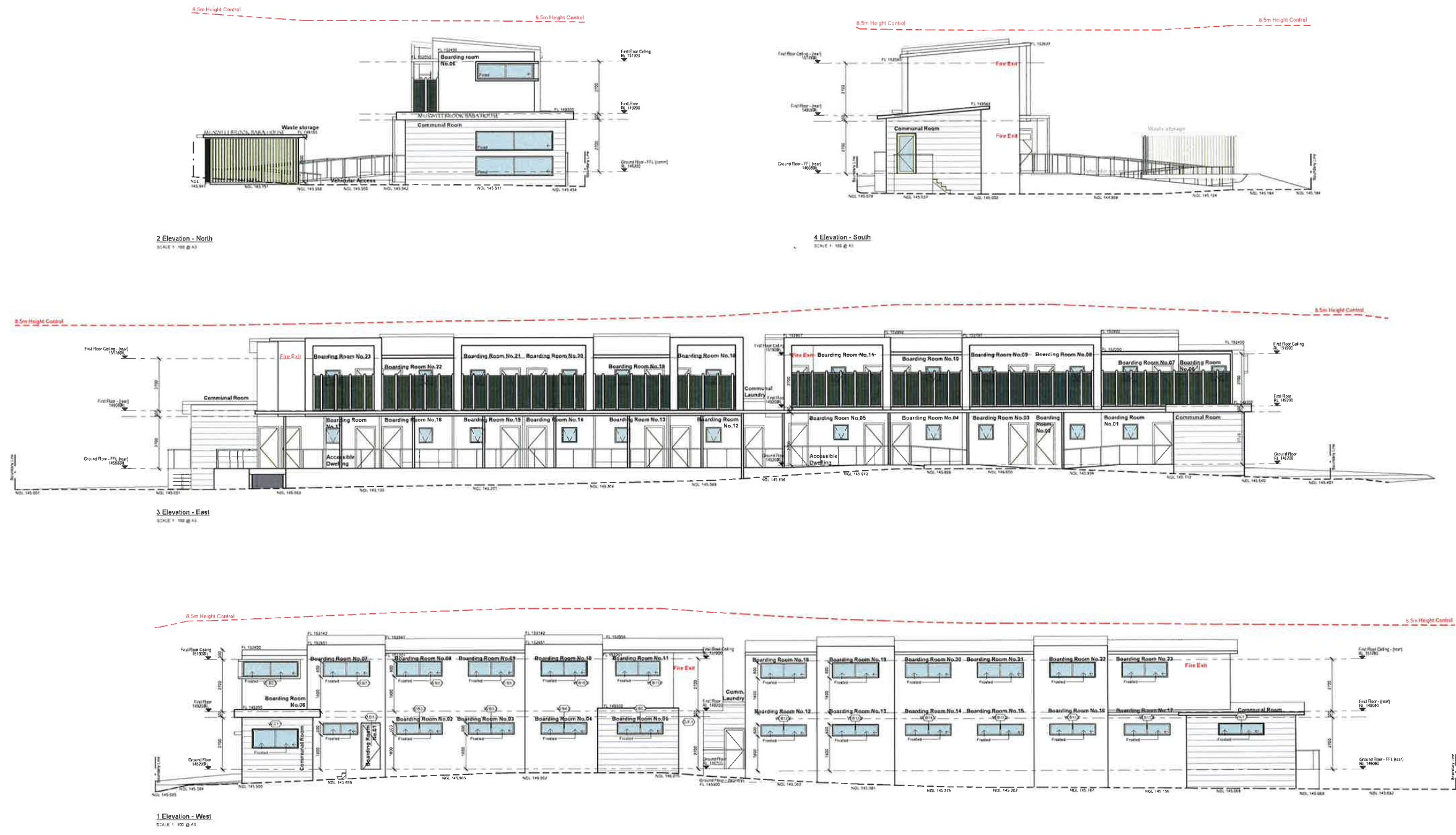
Rev	By	Date	Description
1	Author	20/03/20	Initial Design
2	Designer	20/03/20	Final Design
3	Checker	20/03/20	Check Design



DUPLEX BUILDING DESIGN
 10/100 Maitland Street, Maitland NSW 2320
 Phone: 08 9391 1111
 Email: info@duplexbuildingdesign.com.au
 Website: www.duplexbuildingdesign.com.au

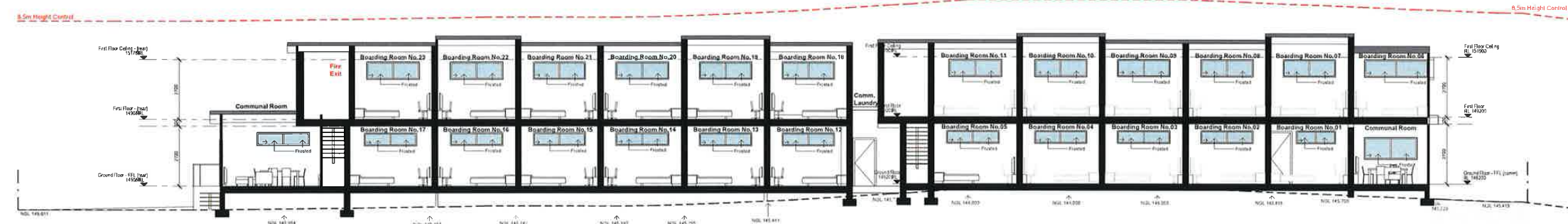
PROJECT
 Proposed Boarding House
DRAWING
 Proposed First Floor Plan

DATE
 20/03/20
SCALE
 1:100 @ A1
PROJECT NO.
 20190
DESIGNER
 A202
ISSUED FOR
 DA

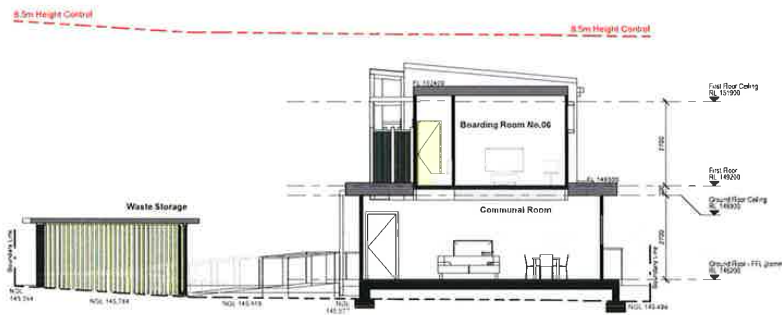


Issued for DA

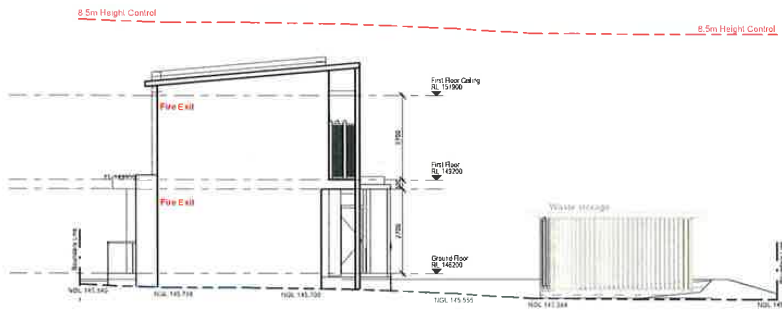
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Revision	By	Date																									
1	Issue for DA	J. Duplex	20.03.22																								
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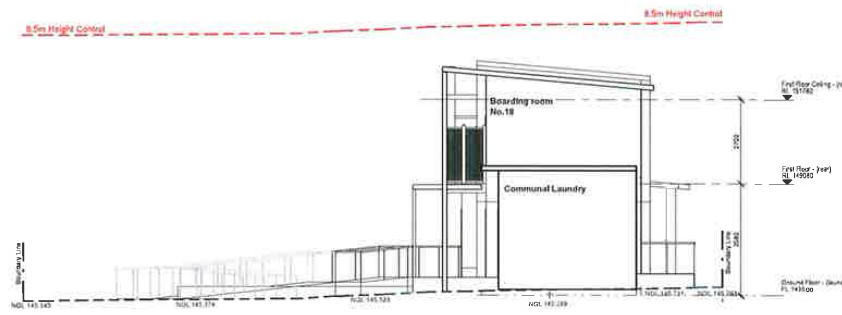
Section 1
SCALE: 1:100 @ A3



Section 2
SCALE: 1:100 @ A3



Internal Elevation 1
SCALE: 1:100 @ A3



Internal Elevation 2
SCALE: 1:100 @ A3

Rev	Revised	By	Date
1	Initial Design	AD	21/03/22
2	Revised Design	AD	21/03/22
3	Revised Design	AD	21/03/22

Legend	Notes
New Concrete Structure	
New Timber Construction	
New Brick Wall	
New Window / Glazing	
Existing Structure to Remain	

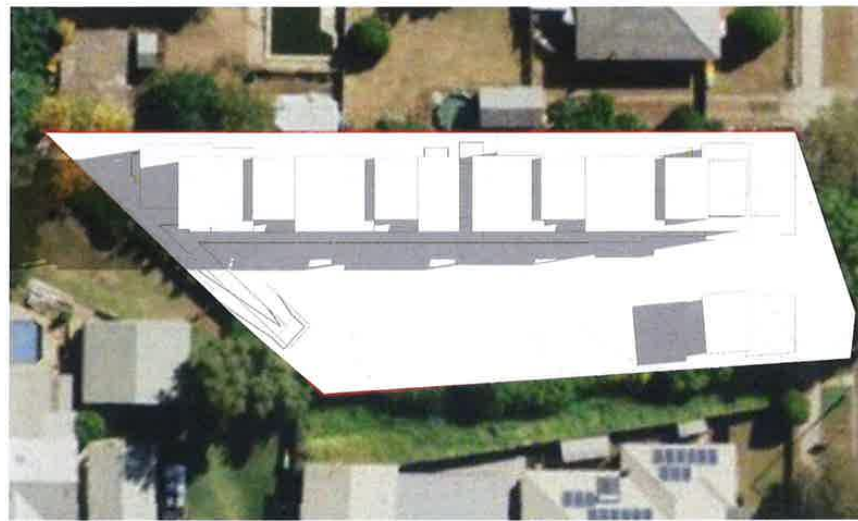
SCALE: 1:100
 0 2000 4000 6000
 THE BUILDER SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. DIMENSIONS TO BE TAKEN IN ACCORDANCE TO BUILDING CONSTRUCTION STANDARDS. NOT RELEVANT FOR CONSTRUCTION PURPOSES.

DESIGNED BY: **DUPLEX BUILDING DESIGN**
 OFFICE: 41 Maitland Street, Muswellbrook, NSW 2333
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 EMAIL: info@duplexbuildingdesign.com.au
 WEBSITE: www.duplexbuildingdesign.com.au

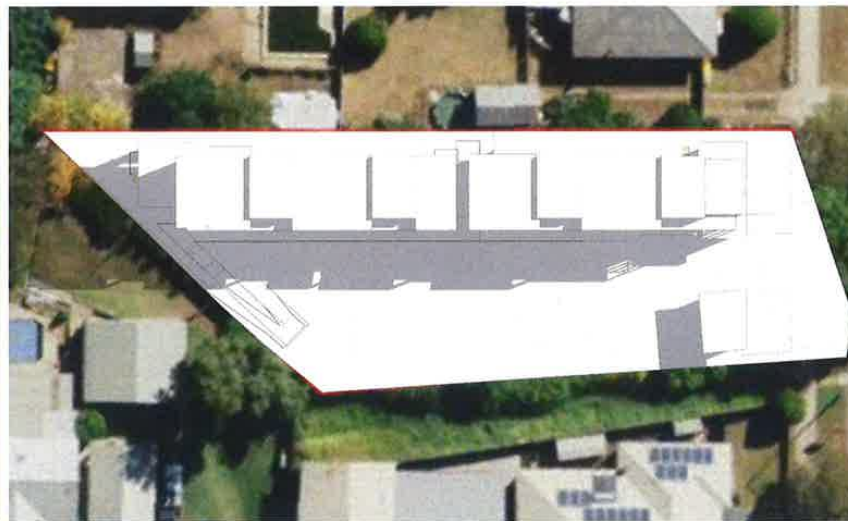
CLIENT: **Nilin Gupta**
 ADDRESS: 41 Maitland Street, Muswellbrook, NSW 2333

PROJECT: **Proposed Boarding House**
 DRAWING: **Sections & Internal Elevations**
 DATE: 28/03/22
 SCALE: 1:100 @ A3
 PROJECT NO: 20138
 DRAWING NO: A350
 ISSUE: G

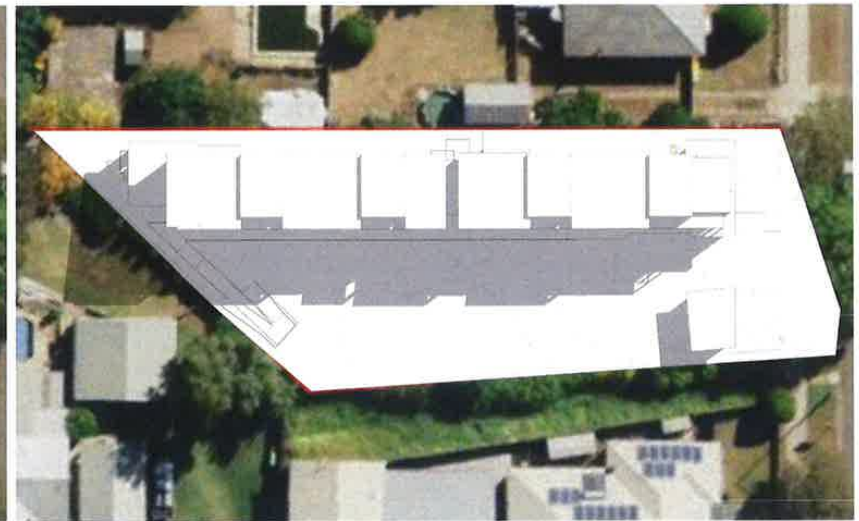
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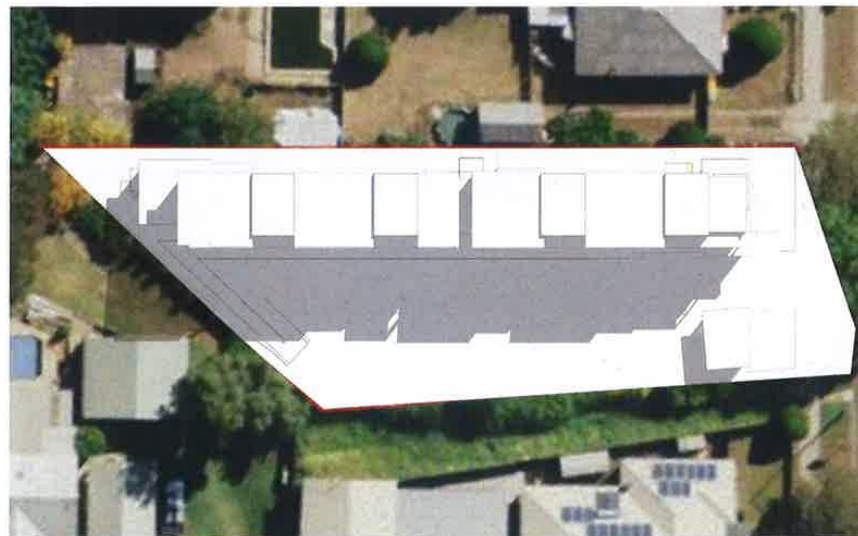
Jan Winter Solstice Shadow Diagram
1/21/21 10:00 AM



15m Winter Solstice Shadow Diagram
1/21/21 10:00 AM



15m Winter Solstice Shadow Diagram
1/21/21 10:00 AM



15m Winter Solstice Shadow Diagram
1/21/21 10:00 AM



15m Winter Solstice Shadow Diagram
1/21/21 10:00 AM



20m Winter Solstice Shadow Diagram
1/21/21 10:00 AM



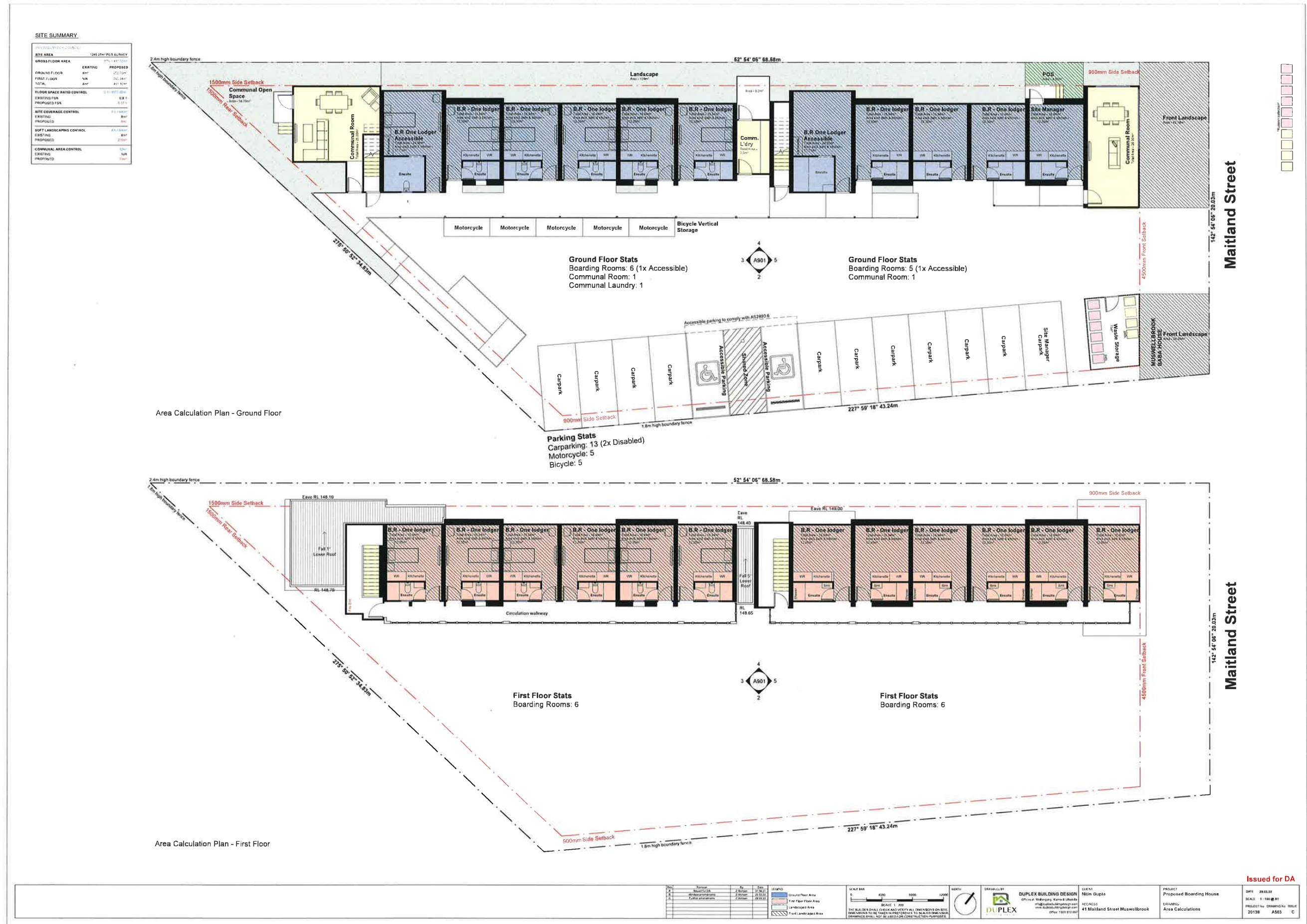
20m Winter Solstice Shadow Diagram
1/21/21 10:00 AM


Issued for DA

<p>Project Name: 41 Roland Street Upgrade</p> <p>Project Number: 2021-32</p> <p>Project Location: 41 Roland Street, Sydney NSW 2015</p> <p>Project Status: Issued for DA</p>	<p>Client: Duplex Building House</p> <p>Architect: Duplex Building House</p> <p>Engineer: Duplex Building House</p> <p>Surveyor: Duplex Building House</p> <p>Builder: Duplex Building House</p>	<p>Scale: 1:100</p> <p>North Arrow</p> <p>Legend</p> <p>Proposed Building House</p> <p>Proposed Shadow Diagram</p>	<p>Issue: 01</p> <p>Issue Date: 1/21/21</p> <p>Issue By: 1/21/21</p> <p>Issue For: 1/21/21</p> <p>Issue By: 1/21/21</p> <p>Issue For: 1/21/21</p>
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Issued for DA



ITEM	PRODUCT NAME	MANUFACTURER	SAMPLE	NOTES
Front Boundary Fence	No Fence proposed			
External Wall Finishes	Cladding	By BGC Innova™		200mm wide
	Render Similar to Raku GR11	By Dulux®		Architectural Render
	Render Similar to Whitsunday	By Dulux®		Architectural Render
Garage Door	No proposed Garage			
Windows	Similar to Monument			Powder coated aluminium
Gutters Downpipes	Similar to Shale Grey™	COLORBOND® Steel		
Roofing	Similar to Monument	COLORBOND® Steel		
Side boundary fences	Similar to Windspray	COLORBOND® Steel		

Finishes Schedule

SCALE: 1 : 100 @ A3

Issued for DA

Rev	Revision	By	Date	SCALE BAR:	NORTH: 	DRAWINGS BY:  DUPLEX BUILDING DESIGN Offices at: Wollongong, Kiama & Ulladulla info@duplexbuildingdesign.com www.duplexbuildingdesign.com Office: 1300 310 067	CLIENT: Nitin Gupta ADDRESS: 41 Maitland Street Muswellbrook	PROJECT: Proposed Boarding House DRAWING: Material Schedule	DATE: 29.03.22 SCALE: 1 : 100 @ A3 PROJECT No: 20138 DRAWING No: A602 ISSUE: C
A	Issued for DA	Z. Mohsen	31.08.21	THE BUILDER SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSION. DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION PURPOSES.					
B	Window amendments	Z. Mohsen	25.02.22						
C	Further amendments	Z. Mohsen	29.03.22						

The General Manager
Muswellbrook Shire Council
PO Box 122
MUSWELLBROOK NSW 2333

29th March 2021

Dear Sir

Proposed Staged Development
Demolition, Subdivision and Boarding Houses
Lots 8 DP 18699
41 Maitland Street, Muswellbrook



Amended 3/9/21

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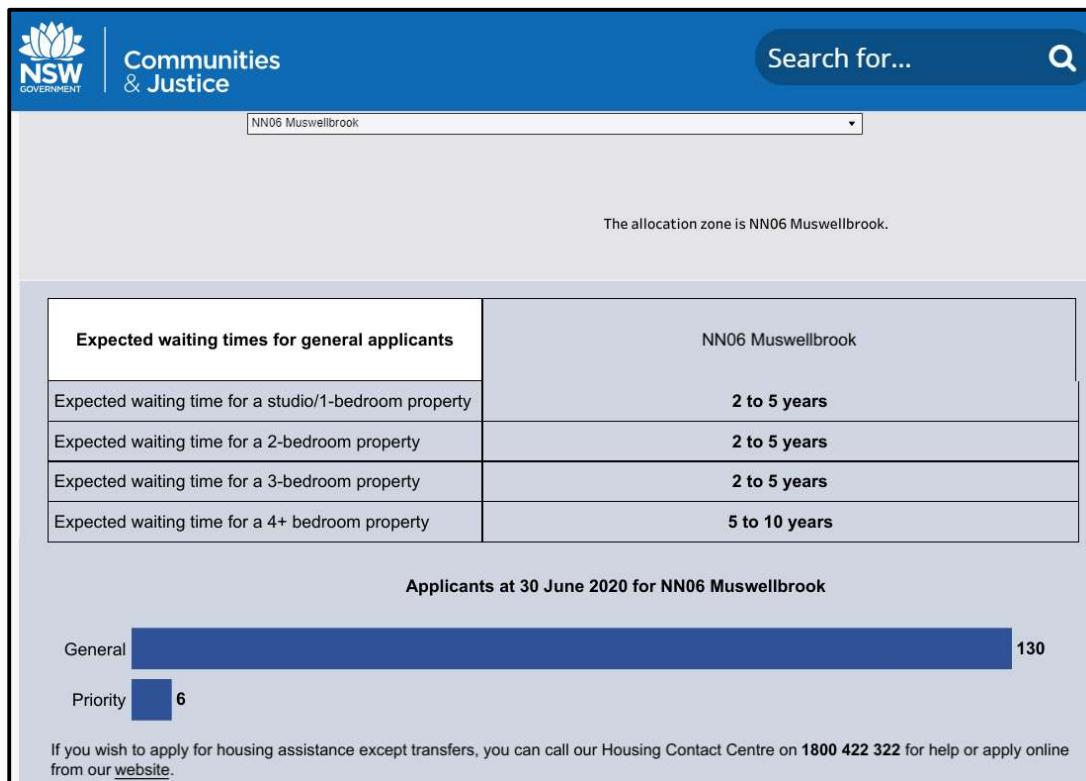
1. INTRODUCTION

This report has been prepared by Casson Planning & Development Services to support a development application to Council demolish an existing dwelling and shed on the subject land and subsequent erection of a boarding house, comprising two buildings

There has been a concerning lack of availability for social housing across Australia for a number of years. In 2019 a national figure of 116,000 homeless was quoted in an article in the Muswellbrook Chronicle (5/8/19). The article referred to comments from the Chairperson of Homeless Australia, Ms Jenny Smith who stated that the country at the time was facing a 'great challenge'. Ms Smith said

"we have a bottleneck and there isn't a solution other than delivering more homes that people in our lowest incomes can afford"

The objective of the development is to provide options or opportunities for those requiring social housing in the Muswellbrook locality. As shown below in an extract from NSW Communities and Justice website – there is a 2-5 year waiting list for suitable accommodation in Muswellbrook with 130 applicants up to 30 June 2020.



Muswellbrook has also at various times had significant shortages of rental properties in general. Reports in the Muswellbrook Chronicle at the end of 2019 indicated that there

*Demolition of Existing Structures and Construction of Boarding House -
Lot 8 DP 18699, 41Maitland Muswellbrook*

had been a significant acceleration of demand on rental properties during the previous 12 months and, at the time, there was only one property available (*Muswellbrook struggling to keep up with demand on rental properties – 02/10/19*). Additional accommodation as proposed will provide a positive impact for an area / locality that has a demonstrated shortage.

The development 1 will include

- Demolition of existing shed
- Construction of the two, two-storey buildings
 - Building one (rear)
 - 12 single rooms with ensuite and kitchenette, including one accessible and one designated for the manager
 - Communal laundry, and
 - Communal room,
 - Building two (front)
 - 11 single rooms with ensuite and kitchenette, including one accessible
 - Communal room
 - Provision of new access crossing, carparking and waste storage area



Figure 1 3d view of completed development

The land is within the B2 Local Centre zone and has other residential properties and / or commercial activities adjoining or in close proximity.

The subject land did have the benefit of a previous development approval for a two-storey motel (DA 114/2011) which lapsed in February 2017.



Figure 2 View from Maitland St

2. DETAILS OF LAND

2.1 Title and Existing Uses

Description:	Lot 8 DP 18699, 41 Maitland St Muswellbrook
Area:	1249.8m ²
Owners:	Ba Ba Group Holding Pty Ltd
Parish:	Rowan
County:	Durham

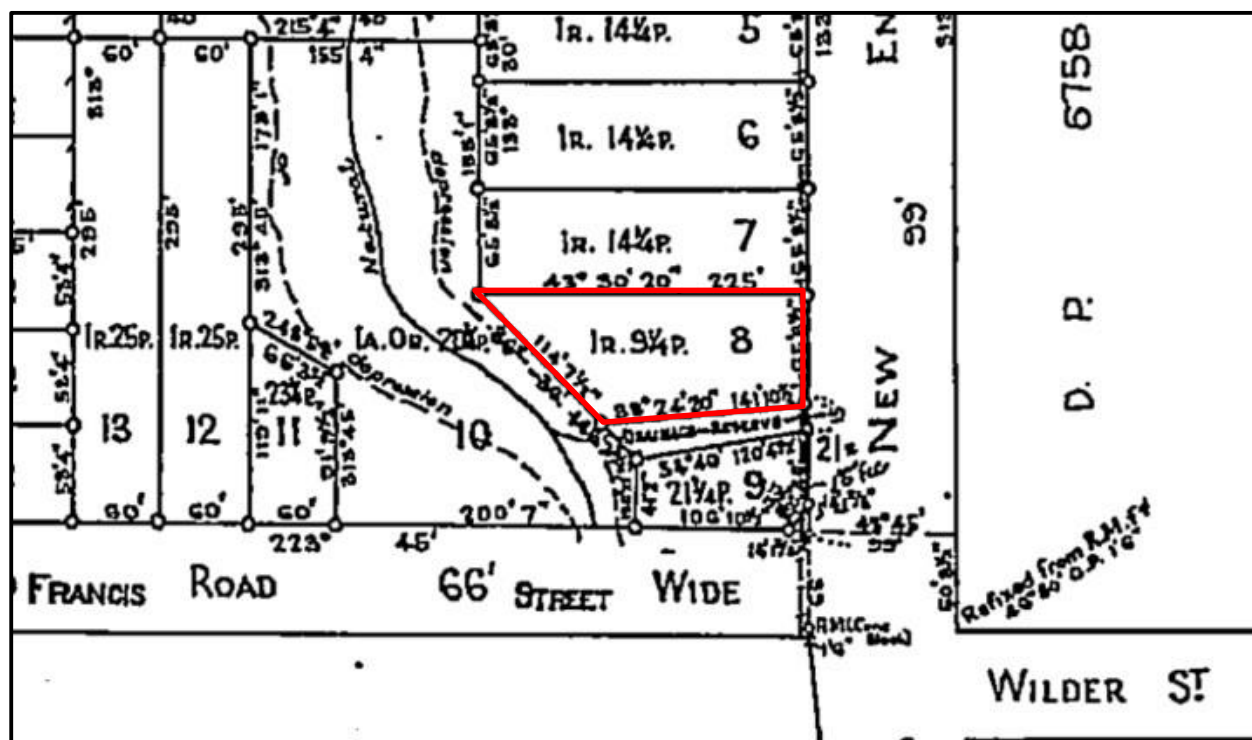


Figure 3 extract from DP 18699

The subject land has an area of 1249.8m²

2.2 Zoning and Planning Instruments

2.2.1 Muswellbrook Local Environmental Plan 2009 (MLEP) – The subject land is zoned B2 Local Centre as shown in figure 2 below

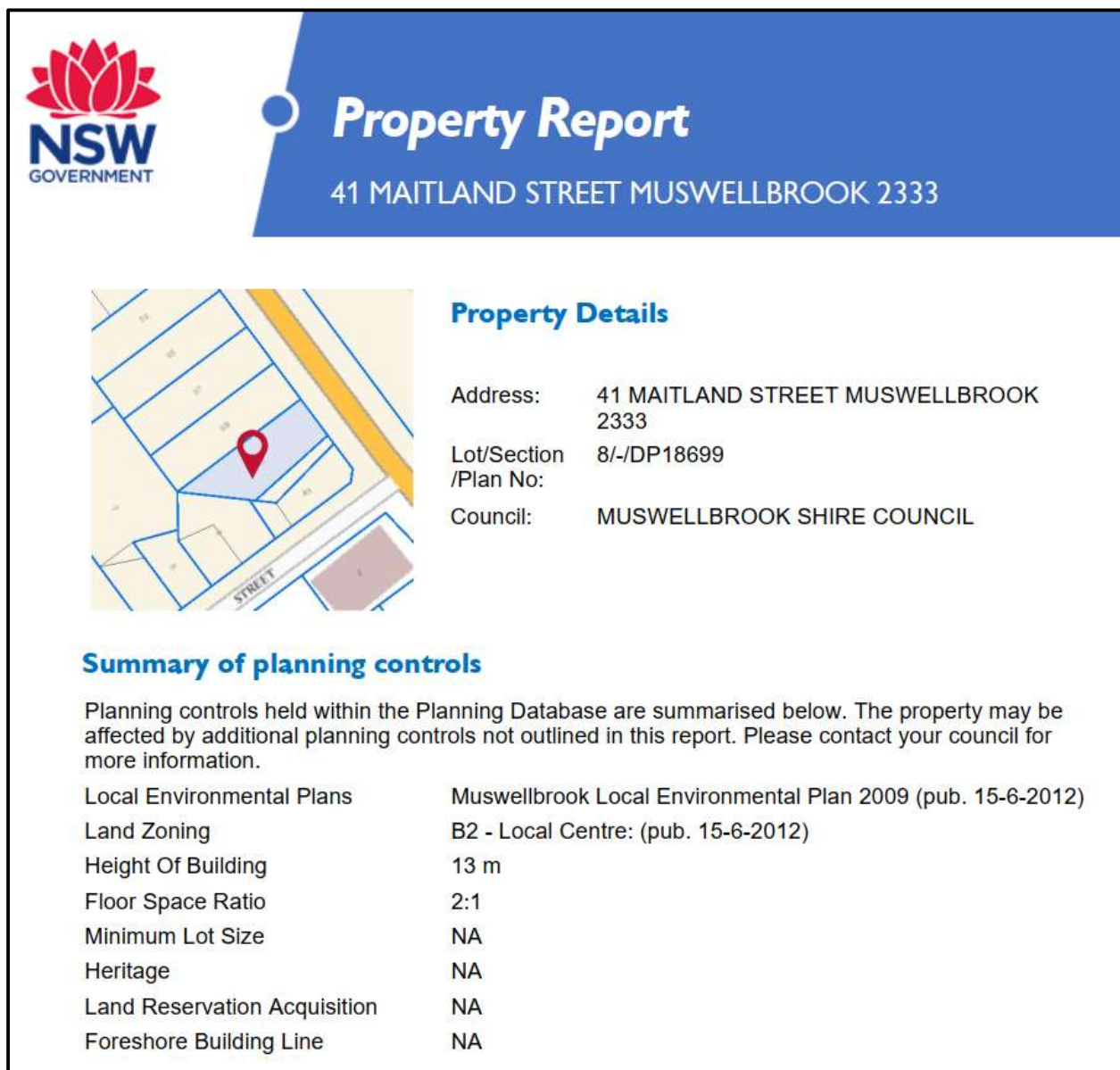


Figure 4 Planning Portal Report (Source NSW Planning Portal)

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.

- *To maximise public transport patronage and encourage walking and cycling.*
- *To maintain the status and encourage the future growth of the Muswellbrook established business centre as a retail, service, commercial and administrative centre while maintaining the centre's compact form.*
- *To enable a wide range of land uses that are associated with, ancillary to, or supportive of the retail and service functions of a business centre.*
- *To maintain the heritage character and value and streetscape of the business centre of Muswellbrook.*
- *To support business development by way of the provisions of parking and other civic facilities.*

2 Permitted without consent

Home occupations

3 Permitted with consent

*Amusement centres; **Boarding houses**; Car parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Health services facilities; Heavy industrial storage establishments; Highway service centres; Hostels; Information and education facilities; Medical centres; Mortuaries; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Research stations; Respite day care centres; Restricted premises; Roads; Service stations; Sewage reticulation systems; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals; Water recycling facilities; Water reticulation systems; Wholesale supplies*

4 Prohibited

Any development not specified in item 2 or 3

The construction of boarding houses are permissible within the zone.

2.2.2 State Environmental Planning Policy (Affordable Rental Housing) 2009

Division 3 of the SEPP refers to Boarding Houses

Clause 26 – Land to which Division Applies

Confirms that the SEPP refers to land within B2 zone

Clause 27 – Development to which Division applies

Not applicable to this development

Clause 28 – Development may be carried out with consent

Not applicable to this development

Clause 29 – Standards that cannot be used to refuse consent

(1) Density or Scale of development expressed as a floor space ratio not more than

- a. Existing maximum FSR of residential accommodation permitted
- b. Not applicable
- c. FSR for subject land is 2:1 as confirmed in figure 4. The development is well under the permissible FSR.

(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds

- a. **Building height** - building not to be higher than maximum in MLEP
Comment maximum building heights in MLEP is 8.5m.
Maximum height is not exceeded (see plans) – Comment: *Proposal Satisfies Requirements*
- b. **Landscaped areas** - landscape treatment of front setback is considered to be compatible with streetscape – Comment Preliminary plans prepared - *Proposal Satisfies Requirements*
- c. **Solar access** – communal living room to have a window which receives min 3 hours direct sunlight between 9am and 3pm, mid winter – Comment: *Proposal Satisfies Requirements – see plans*
- d. **Private open space** –
 - i. Minimum 20m² with minimum dimension of 3m provided for use of lodgers –
 - ii. Minimum 8m² with minimum dimension of 2.5m provided for manager

Comment *Proposal Satisfies Requirements*
- e. **Parking**
 - i. Development in accessible area on behalf of social housing provider – at least 0.2 spaces for each boarding room – *Not applicable*

- ii. Development not in an accessible area on behalf of social housing provider – at least 0.4 spaces for each boarding room - *the accommodation is proposed to be offered as social housing – on this basis, car parking requirements is exceeded – see below*

ii(a) Development not by or on behalf of social housing provider – at least 0.5 spaces for each boarding room – 23 rooms in total are proposed – 13 spaces including 2 disabled and Managers car park, provided – Proposal Satisfies this Requirement

- iii. One space for manager – *stage 2 will include a manager's room. A dedicated carparking space is provided*

Comment *Proposal Exceeds Requirements*

f. Accommodation size

- i. 12m² for boarding room intended for single lodger – *Proposal Satisfies Requirements*
- ii. 16m² in any other case – *Not applicable*

Comment refer to plans – alfresco area provided to each individual unit – *Proposal Satisfies Requirements*

- (3) Boarding house may have private kitchen or bathroom facilities in each boarding room but not required to have either

Comment All boarding rooms have private bathrooms and basic kitchenette - *Proposal Exceeds Requirements*

(4) A consent authority may consent to development which the Division applies whether or not the development complies with the standards set out in subclause (1) or (2)

Comment Council has the capacity to approve a development even if the standards are not satisfied.

Clause 30 – Standards for Boarding Houses

- (1) Consent authority must not consent to the development to which this Division applies unless it is satisfied of each of the following:

- a. If a boarding house has 5 or more boarding rooms – at least one communal living room will be provided - Comment *Proposal Satisfies Requirements*

- b. No boarding rooms will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25m². Comment *Proposal Satisfies Requirements*
- c. No boarding room will be occupied by more than 2 adult lodgers. Comment Single beds only provided in each room - *Proposal Satisfies Requirements*
- d. Adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger - Comment Each room has an ensuite and kitchenette - *Proposal Satisfies Requirements*
- e. If the boarding house capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager. Comment The two buildings have 23 single bedroom units – as such, a dedicated manager’s unit is provided. *Proposal Satisfies Requirements*
- f. Repealed
- g. Applies to commercial zone – not applicable
- h. At least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms. Comment - Refer to site plan - *Proposal Satisfies Requirements*

Clause 30AA – Boarding Houses in Zone R2 Low Density Residential

Not applicable

Clause 30A – Character of local area

A consent authority must not consent to a development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

Comment The subject land could be described as being within a residential section of the Muswellbrook township, however importantly, the subject land is zoned B2 – Local Centre facilitating a range of potential development types in the locality.

The development will retain the predominantly residential nature of the locality – providing low cost housing options. The buildings are well designed, two storey structures which will not be out of character with the locality – with motel developments on the opposite of the street, and other existing and proposed commercial activities within proximity.

The building design does not dominate the streetscape and is considered appropriate for the circumstances.

2.2.3 Muswellbrook Development Control Plan

Section 9 Local Centre Development.

9.1.1 – Building Design

Objectives

- a) To provide for the integration of new development into local centres.*
- b) To ensure the design of buildings complements and enhances existing local centres.*
- c) To maintain the heritage character/ value and streetscape of the business centre of Muswellbrook.*

Controls

- (i) The design of new buildings should reflect and enhance the existing character of local centres. (refer to section 15 of this DCP for further guidance on development in the Bridge Street area)

Comment The locality is generally a mix of residential and commercial development. Particularly on the opposite side of Maitland Rd which has the Remington Hotel established – a large two storey building which runs parallel with the road. The development either side of the subject land is single storey residential.

The development (as viewed from Maitland Rd) as indicated below. The single storey communal common room and waste storage area are setback 4.5m from the front boundary, while the two storey component is 7.9m from the front boundary.

It is suggested that the development achieves the objective of the DCP by *providing for the integration of new development into local centres.*



The image below reflects the side view of the completed development; however the majority of the buildings will be effectively screened by the existing residence on the adjoining allotment (North West) – similar screening provided by the residence on the other side boundary (South East).



- (ii) Building design should relate to its retail / commercial / office function
Comment There is no retail / commercial / office function for this site. The proposed use is permissible in the zone and consistent with the objectives
- (iii) Building materials should be of high quality and harmonise with surrounding development. The use of reflective materials is discouraged. Materials and colours should not dominate the streetscape.
Comment building materials are high quality and considered to be appropriate for the surroundings and the streetscape.
- (iv) Awnings should be designed to integrate with the architecture of the building façade and provide for continuous shelter for pedestrians. Awnings should follow consistent heights above the footpath with a minimum height to the underside of the awning of 3.2 metres
Comment Not applicable
- (v) Building facades should relate to the context of buildings in the area to achieve continuity and harmony. The continuity of commercial frontages should not be broken by parking areas, service and delivery areas etc.
Comment The development façade presents a modern building structure which does not dominate the locality. The waste storage area is of appropriate construction which is sympathetic with the main construction.
- (vi) Buildings should provide for 'activated street frontages' by incorporating active uses at street level including cafes and other retail activities
Comment There are no retail activities proposed. Not applicable to this development

- (vii) Blank building facades to streets or public places are to be avoided
Comment The main building does not have a blank façade. The waste storage building has a textured cladding which is appropriate for the circumstance. An identification sign is proposed for both buildings as shown on the attached plans.
- (viii) The placement of windows should provide visual interest and variation to the building façade and relate to those of adjacent buildings
Comment The windows to the front elevation provide interest and variation, while not dominating or being out of character with the buildings residential dwellings either side.
- (ix) Building designs should allow for passive surveillance of public places and streets. Building entrances should be well defined and well lit
Comment The building design provides upper-level balconies which will allow appropriate passive surveillance through the privacy screens into the carparking area.
- (x) Building entrances should be well defined and well lit
Comment Entrances are to individual rooms and common rooms. They are well defined from the carparking area and will be sufficiently illuminated without causing nuisance to adjoining properties.
- (xi) New residential development shall be located above street level
Comment Clause applies to commercial style development. Proposed boarding houses are permissible in the zone and consistent with the objectives.
- (xii) Incorporate areas for future signage into the building design
Comment The only signage proposed is shown on the attached plans. The proponent has advised that the boarding house will be named “Muswellbrook BABA House”. The main building and small waste storage building are proposed to have the identification signage – noting that the existing street tree will obscure the sign on the main building to a certain degree.
- (xiii) Shop top housing and serviced apartment development complies with relevant provisions *within the Residential Flat Design Code published by the Department of Planning*
Comment. Not applicable to this development

9.1.2 Building Design

Objectives

- a) To ensure the height and scale of buildings is consistent with the character of the streetscape.*
- b) To maintain solar access to public places and adjoining properties.*

Comment The overall design of the new buildings has been given close consideration. The construction of the buildings and associated landscaping to the front boundary, provision of new boundary fencing to all but front boundary will enhance the site. The height and scale is considered to be appropriate for the area – with other two storey buildings in the locality, with frontage to Maitland Street.

9.1.3 Setbacks

Objectives

- a) To provide setbacks that complement the streetscape.*
- b) To ensure the siting of buildings provides for adequate separation between buildings for the amenity of the development and adjoining properties.*

Comment The side boundary setbacks of the boarding house buildings vary along the northern building due to the articulation in the design. The ‘communal rooms’ are 1500mm with the same setback to the rear boundary. The balance of the building however ranges from 1800mm – 2770mm to the northern boundary.

The Communal Room for the front is single storey and setback 4500mm from the Maitland Rd frontage, as is the waste storage structure.

The attached plans show numerous shadow diagrams and the predicted impact on adjoining properties.

The plan show minimal impact of shadow on the adjoining northern property in either Summer or Winter scenarios.

The Winter diagrams indicate some shadow on the allotment to the south at around 3pm. The allotment to the rear is more shadow impacted during Winter – however this is restricted to the rear of the dwelling with open space to the east having little if any impact.

9.1.4 Accessibility

Objectives

- a) To ensure that equitable access is provided to new commercial buildings and existing buildings undergoing a change of use or alterations and additions.*

- b) To ensure that developments comply with the provisions of the Disability Discrimination Act 1992.*

Comment The development includes accessible units, access to the buildings and carparking as required as shown on the attached plans.

9.2 URBAN LANDSCAPE

9.2.1 Landscaping

Objectives

- a) To enhance the character of the town centre.*
- b) To provide landscaping which enhances the amenity of a development by allowing for adequate open space, sunlight and shade.*

Comment The land is not within the town centre. Indicative landscaping details are included on the plans, including 3d views to provide a 'realistic' concept. Further detail will be submitted, if required, with a construction certificate in the future.

9.2.2 Car Parking

Objectives

- a) To ensure the safe and efficient movement of pedestrians and vehicles through the town centre.*
- b) To ensure that developments provide simple, safe and direct vehicular access.*
- c) To provide sufficient and convenient parking for employees and visitors.*

Comment The development is not within the town centre. Safe and direct vehicular access is available to and from Maitland Rd to the subject land. Carparking has been provided which exceeds the SEPP requirements.

9.2.4 Signage and Advertising

Objectives

- a) To ensure signage is compatible with the scale of surrounding buildings and the locality.*
- b) To maximise the effectiveness of advertising whilst minimising visual clutter through the proliferation of signs.*

c) To ensure signage complements the character and amenity of the locality and the development on which advertisements are displayed

Comment The current application proposes building identification signage only for the two storey structure and waste storage building, as shown on attached plans. The signage is minimal and will not impact on the amenity of the locality.

Section 24 – Waste Minimisation and Management

The objectives of this section are:

- to minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources*
- to encourage building designs, construction and demolition techniques in general which minimise waste generation*
- to maximise reuse and recycling of household waste and industrial/commercial waste*

The section applies to the following types of development:

- demolition*
- construction*
- subdivision*
- change of use.*

Sub-section 24.3.1 – Demolition of Buildings or Structures and 24.3.2 – Construction of Buildings or Structures are relevant to this proposal.

The principal aim of managing the activity is stated as being to “maximise resource recovery and minimise residual waste from demolition activities”

The objectives in terms of demolition are:

- 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 the environmental impacts associated with waste management*
- avoid legal dumping, and*
- promote improved project management*

Comment

The proposal includes demolition of existing dwelling. The proponent will be engaging an appropriate contractor to undertake a Preliminary Hazardous Substance Assessment. Should any hazardous material be identified, appropriate measure for safe disposal will be utilised. More information in this regard will be available when the report has been undertaken.

It is proposed to prepare a Site Waste Management Plan in respect of both construction and demolition to accompany construction certificate documents to ensure that the abovementioned objectives are complied with.

Requirements as deemed necessary can be included in conditions of consent, to be satisfied prior to issue of construction certificate

In terms of waste storage and disposal – a waste bin storage area is provided within the development as shown on the plans. The number of waste bins complies with the SEPP requirements.

The Property Management Plan includes important information about management of waste on site.

All boarders shall be responsible for disposing their waste to the waste bins and are to utilise the general waste, paper / cardboard and bottle / can recycling provisions. Separate receptacles are to be provided in each room. Each boarder is responsible to ensure the bins are emptied in the waste storage area.

General waste bins will be collected by way of kerbside garbage collection on a weekly basis, while recycled waste is collected each fortnight.

The Manager is responsible for the collection arrangements including:

- Appropriate waste bins are placed appropriate at the kerbside on the day of the collection, and*
- Return of empty bins to the waste storage area, promptly after collection*

In addition, the Manager shall:

- monitor waste collection by Boarders to ensure correct use of recycling opportunities.*
- Ensure that the waste collection area is cleaned on a regular basis,*

- *Ensure that waste bins are not overflowing -and distribute any excess to available containers.*

The number of bins to be provided for residents is 6 general collection and 4 recycle bins. The role of the Manager is important in the waste management system as it is proposed to rely on kerbside pickup for the waste bins, as there is insufficient room within the site for waste collection trucks to enter and manoeuvre on site.

The Manager is responsible to place the bins on the kerb on the morning of collection days, and removed from the kerb shortly after they have been emptied, minimising the time that the bins will be visible along the kerbside.

2.3 LOCALITY SKETCH

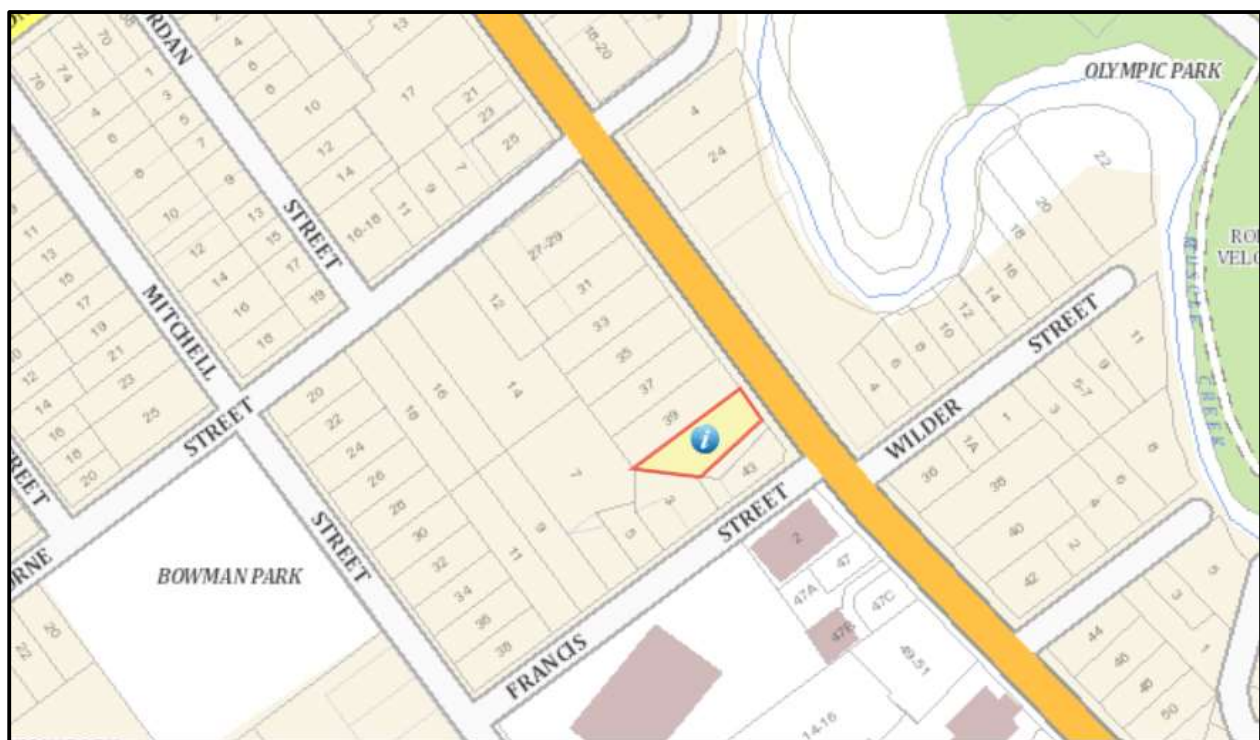


Figure 5 Locality Map (Source SIX Maps 2021)

Other points under this plan will be discussed within the Statement of Environmental Effects.

3. STATEMENT OF ENVIRONMENTAL EFFECTS

3.1 Flooding, Drainage, Landslip and Soil Erosion

Council's Flood Information Certificate dated 11/2/21 confirmed the flooding scenarios for the subject land.

In particular, the key point location flood data has been utilised to set appropriate minimum floor levels for the building. The 1% AEP level for the 6 points identified on the land range from 145.49 AHD (at the rear southwestern corner) to 145.70 at the front of the allotment.

As demonstrated by the plans, the floor level for the rear building ground floor rooms is 146.08 – satisfying the Planning Level requirement of minimum 500mm above the 1% level at the rear of the land. The front building floor level is nominated as 146.2 AHD which is 500mm above the 1% level at the front of the land.

The adoption of such floor levels has required provision of accessible ramps from carparking area etc as shown on the plans.

A flood impact assessment which takes into consideration Council's DCP guidelines, has been carried out by A E Consulting Engineers – a copy of which is attached to this submission. The FIA has the following conclusion

Based on the 1-dimensional HECRAS assessment, council provided information and acceptable engineering practice, it has been demonstrated that the strategy discussed in this report has minimal to no effects on the neighbouring properties.

Appendix F, G, H, I, and J outline the flood levels in the proposed and existing scenarios have a little to no effect as a result of the development.

The below items are to be concluded from this report.

- 1. Habitable Floor level raised to minimum **RL 146.08m AHD for western section and RL 146.20m AHD for eastern section.***
- 2. Provide Flood compatible materials and flood proofing for Building Structure and Services below FPL.*
- 3. Ensure that the development's flood hazard category does not increase due to the scope of works.*

By incorporating these flood mitigation measures it will reduce the risk of damage or injury due to flooding to the satisfaction of council's guidelines and the proposed development will not adversely affect or impact the existing flooding conditions.

Engineering plans have also been prepared by A E Consulting indicating proposed stormwater management details.

.

3.2 Bushfire Risk

The subject land is surrounded by existing development within the township of Muswellbrook and is not considered a bushfire risk.

3.3 Flora and Fauna

Development of the site will require removal of a number of trees for the building, carpark and footpath trees for adequate access to the site as shown on accompanying plans. New landscaped areas will be provided to mitigate any perceived impacts of such removal which is essential for the development.

3.4 Lot Shape and Size

The shape of the lot is generally appropriate for the development as demonstrated on the plans. All integral components – buildings, carparking, waste storage area can be accommodated on site. The site however does not allow for the manoeuvring of waste trucks – collection will utilise kerb pickup.

3.5 Impact on adjacent properties

The proponent is aware of the concerns of adjoining and nearby neighbours. Modifications to the plans / development have been undertaken to mitigate such concerns including:

- Highlight, frosted windows with a sill height of 1.8m to negate any views to adjoining properties to the west from upper-level rooms
- Provision of privacy screens along the handrail of the upper-level landing – significantly reducing views to and from properties to the east and south
- Provision of a new, minimum 1.8m high boundary fence to the perimeter of the subject land (excluding front boundary)
- Plan of Management which requires acknowledgment and agreement of all residents which includes a wide range of matters which must be complied with to remain in the accommodation (see attached document)
- On site Manager – which is required by legislation, and who will be responsible to ensure residents comply with the 'Rules' specified in the Plan of Management and therefore mitigate concerns regarding on going use of the land for a boarding house

The shadow diagrams submitted indicate minor affect to the properties to the south and rear – primarily during winter for a short period of time, or relatively small section of the land.

Boundary fencing will mitigate any impacts from vehicles entering or leaving the site on adjoining properties, while a sealed carpark will similarly mitigate noise levels.

3.6 Impact on existing and future amenity of the locality

The proposal is for a boarding house offering 'social housing' accommodation for a single person in each room. An onsite Manager will be located on site from the first day of operation. There is no obvious reason to suggest that the use of the premises for this purpose will have adverse impact on the amenity of the locality. Tenants have adequate carparking which complies with the SEPP requirements. The rooms have basic kitchen facilities which will allow them to be self sufficient with a communal laundry provide in each of the buildings.

A detailed Plan of Management has been prepared which outlines the circumstances that those seeking accommodation must satisfy to be accepted for accommodation, and the 'rules' of occupancy, which all residents must sign. A copy of the Plan of Management will be displayed in all bedrooms and common rooms.

The Plan of Management is an important component for the operation of the Boarding House – ensuring that all residents are aware of their obligations. The on site Manager will be responsible to ensure that impacts on amenity due to resident interaction are mitigated wherever possible.

Previous consent was issued for a motel on the same site. Such use was deemed appropriate for the circumstances at the time, and there is now no reason to suggest that circumstances have changed. This development will result in reduced density of occupation – and less car movements – particularly as residents will be occupying their rooms for extended periods.

Tenants without their own transport have options available via public transport, bicycle or pedestrian paths.

3.7 Traffic Considerations

The proposed development is unlikely to have any adverse impact on traffic on Maitland Street (New England Highway). There are only single occupants of rooms and it may well be the case that not all occupants have their own transport. Any additional traffic generated from the development will represent a be a very small increase / impact on existing traffic flow.

The carparking, bicycle spaces on site exceeds the minimums required by the SEPP.

This view is confirmed by the attached Traffic Impact Assessment prepared by TCMAP - copy of which is attached.

3.8 Methods of Sewerage Effluent Disposal

Drainage will be connected to the existing sewerage system. I

3.9 Availability of Utility Services, Power, Telephone, Water, Sewer

All Utility services are available to the development.

3.10 Social and Economic Effects

The buildings are within the B2 Local Business Zone. The proximity of the land to the Central Business District ensures convenient access to the businesses and services that are available.

The targeted residents for the boarding house are from the lower socio-economic group. As confirmed previously, there is a recognised and defined shortage of social housing with well over 130 applications last financial year being recorded and a 2-5 year waiting list being evident in the area. Twenty-two single bedroom units (excludes Manager's unit) will make a difference for this socio-economic group that simply do not have the level of facilities and basic needs satisfied.

This application represents an opportunity to provide some relief and improvement to the waiting list for such accommodation in Muswellbrook. The importance of providing such accommodation / facilities cannot be understated and will represent a positive social effect for the community. The subject land is well located to the CBD and other services, which will allow easy and convenient transport options for residents.

3.11 Anticipated Impact of Noise Levels to the site and the locality

The proposed development is permissible within the locality. The Plan of Management prepared for the development includes a range of 'rules' for tenants to minimise the opportunity for any offensive noise levels to be emitted from the property including the following:

- 1. No visitors are permitted on the premises after 10pm or before 7am. No keys are to be provided to visitors without permission of Management*
- 2. Access to the outdoor communal areas is restricted to no later than 10pm or earlier than 7am*
- 3. No live or amplified music is permitted in the communal open space*
- 4. Boarders shall not create or contribute to any excessive noise or unruly behaviour*

The onsite manager is charged with ensuring these rules are complied with.

As a result of these measures, there is no reason to anticipate that noise levels generated by tenants of the building/s will be creating offensive noise in the locality.

3.12 Archaeological/Heritage Items

The proposal seeks approval for development on land which has been used for residential purposes for many years. There is no concern in respect of Archaeological / Heritage Items.

3.13 Accessibility

The plans attached to this document confirm that adequate provision is made within proposed development for accessible units and carparking. Two designated accessible units and two designated car parks are provided. Ramps from the car park to the rooms comply with the relevant Australian Standard

4 CONCLUSION

In support of this application, we highlight the following points covered within this report:

- The subject land is within a predominantly residential area, which is zoned B2 – Local Centre with a wide range of permissible uses, including Boarding Houses.
- The designers have taken care to provide buildings which will be in keeping with the local character of the area
- Modifications to the design have been undertaken to mitigate concerns from adjoining and nearby residents relating to privacy / overlooking through provision of frosted, highlight windows and privacy screens.
- A total of 23 rooms is provided – one allocated for the Onsite manager. Provision of 22 single bedroom units for social housing should be recognised as an important positive step towards some reduction of the need for such housing in the Muswellbrook community which is currently at a 2-5 year waiting period.
- It is suggested that the development has positive social impacts for the broader community and will not result in adverse environmental or other impacts in the area.

We believe this application complies with councils' overall objectives for development with the zone and for the reasons abovementioned and detailed in this report should be approved.

Yours faithfully,



David Casson
Planning and Development Advisor

5 ATTACHMENTS

- 5.1 Architectural Plans
- 5.2 Engineering Plans
- 5.3 Traffic Impact Assessment
- 5.4 Flood Impact Assessment

Attachment 5.1 - Architectural Plans

Attachment 5.2 – Engineering Plans

Attachment 5.3 – Traffic Impact Assessment

Attachment 5.4 – Flood Impact Assessment

[REDACTED]
[REDACTED]
[REDACTED]
28.9.21

Dear General Manager,

We are writing in regards to notice of amendment to proposed DA 2021/32 at premises LOT : 8 DP: 18699-41 Maitland St,

As I reside at 5 Francis street I'm not opposed to the building being built on Maitland street, in my last proposal I feel that none of the issues have still been delt with as the applicant is still requesting a two story building I do feel this will affect my family and outdoor lifestyle and requested to be assessed a single dwelling was my way of offering a resolution and this I feel would assist with my concerns of privacy issues also it may seem trivial but this building would seem to look out of place as it has been shown on the application to be a two story units. However, I'm very concerned as I feel I have not been given enough information on the build of this, I feel that what we have not been provided all the details ie who will reside there. My other concern is for my safety and privacy for my family as I previous mentioned that the plans have still shown a two story building that if were to go ahead those that reside on the top floor will view my back yard and feel extremely uncomfortable with this as I moved to the home 6 years ago feeling that I made the right decision moving into this street with it being very much a family orientated street as my family had to escape a domestic violence environment with that been said that is why I'm extremely concerned who will reside in this building for example why it is for lower economic individuals that require an onsite manager the following stipulations that they are to require to live by, these were attached by Mr N Gupta to the DA 2021/32

- That the boarding house is limited to low to very low-income earners who principal place of residence is with in Muswellbrook LGA
 - Site manager on site, the manager is to carry out regular minimum weekly inspections
 - No live or amplified music is permitted in the communal open space areas
 - No Music or tv sounds are to be audible beyond individual rooms
 - access to the outdoor communal areas is off limits between 10pm and 7am
 - At no time is any room to be advertised or made available for shot stay accommodation such as that associated with backpacker, motel, hostel hotel accommodation or the likes
 - Residents are required to provide the manager with a list of personal medication that they are required to take
 - No border is allowed to bring their own furniture or appliances
 - Residents are only to have a visitor in the communal areas
 - No alcohol permitted
 - No smoking permitted
- My concerns Are

*With how will that affect me does that mean I cannot play my music outdoors after 10pm this applies to the second point as well

*Who is this intended for to live in this building and explain who is a low or very low income earner

*Why is it required to have an onsite Manager will there be surveillance cameras, who will be able to view these what type of person will be suited for this role

* Why would the occupants need to provide a personal list of medication who will be authorised to check and if required to administer

*No alcohol or smoking is permitted I feel that this is a hard thing to control how will this be controlled also I do enjoy having a social drink with friends in my yard and I myself do smoke I feel that with the view of the second story they would clearly see this

*Why are they only allowed one visitor are they allowed to stay with them for a night stay or period of time

So my question is who is this intended for is it possible that it may be for parole people that have been released from prison.to my understanding a person that has gone to jail can range from assaults, murder, fraud, Drug offences, paedophile and I'm sure many other illegal acts of crime as the points I pointed out earlier I feel this fits a criteria and plans that have been proposed to us. I understand that they have served their time but why must my neighbours and my family put in this type of situation of fearing for our safety, privacy and the stipulations that were stated by the applicant what about our needs and our time spent in our own backyards were the thought and consideration to us that already reside here. Another concern is that my young children walk to and from to catch their school bus and other children walk to and from the local school that is a 5-minute walk from my house this is a high traffic area for pedestrian's as we are in central part of Muswellbrook this could pose a threat to local safety and wellbeing.

Another concern of mine is what will this do to the value of my property .

Kind regards

[Redacted Signature]

[Redacted Address]



Submission re: DA2021/32 for Lot: 8DP: 18699
41 Maitland Street, Muswellbrook
Applicant Mr N Gupta

The General Manager
Muswellbrook Shire Council
157 Maitland Street
Muswellbrook NSW 2333

09.04.2021

The following is my appraisal of adverse changes to my standard of living if this development takes place.

The proposed development is much too large to fit on a block of this size and shape (much of the block tapers to a point at the rear).

During times of heavy rains and possible floods there is nowhere for excess water from building roofs and parking lots to go.

My backyard would be lit up at night and with possibly so many people coming and going I would be faced with noise problems.

I am retired, peace and quiet are most important to me.

The proposed development would overlook my small yard and consequently I would lose my privacy, this is also important to me.

With the transient nature of borders on the site I would have significant security issues. Although council is unable to put dollar value on any changes in value for my property, I know it would be worth significantly less if this development is undertaken.

Having so many people living in such close quarters and near to me during this COVID-19 era is avoidable and unnecessary.

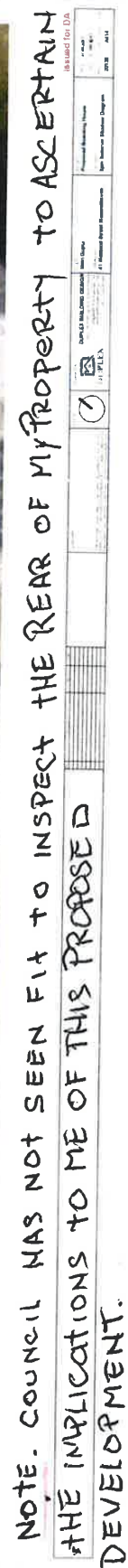
I see no provisions for large amounts of garbage and its removal in this tight space.

I believe Mr Gupta is attempting to reap much more than is reasonable from this property and has total disregard for my interest.

Sincerely



#3 PRINCIPAL ~~REDACTED~~ ROBERT TAYLOR
RE - DA APPLICATION# 2021/32 DATE: 9 SEPTEMBER 2021



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

29/9/2021

Dear General Manager,

We are writing in regards to the notice of amendment to proposed DA 2021/32 at premises LOT: 8 DP: 18699-41 Maitland Street, Muswellbrook.

To all concerned let it be known that we are not against the developers right to develop his property, but we are concerned about the proposed two story Boarding house due to:

On drawing No.A408 picturing the morning shadow over our property is projected as the 9am shadow. The shadow over our property will start from 5:30am so shadowing will be much greater than pictured in drawing. How does a two story building like this not shadow of a morning, but cast a greater shadow of an evening refer to drawing No. A407. It appears these shadowing drawings are not accurate as all shadows don't cast off the said development site.

Western side of building:

Glare from light coloured walls and windows, still not addressed.

Windows still no awnings to prevent vision into neighboring properties.

Fence on western side needs to be 2.4mtr high acoustic wall from top of ground floor slab level, not from existing ground level as this building is raised 500mm plus slab depth so standing on top of steps or at sliding door of ground level units a 1.8mtr fence as stated in DA is only 900mm high at top of slab level so vision into our adjoining yard is very open plus the noise from the POS will travel through a standard fence, so the privacy and quietness of our backyard is jeopardized.

Parking: Still no explanation as to where excess vehicles will be parking, as this development is on the highway we feel vision and safety exiting our driveway will be impeded with excess vehicles parking on the street.

Drainage: Where will excess rainwater go as this development will be raised higher than neighboring properties and this development is mainly concrete, there doesn't appear to be adequate landscaping to allow for absorption.

Height of building: This development will be the only two story building in this block taking away all neighboring properties privacy and sense of security and will look totally out of place. Refer to MSC development control plan.

Heating and Cooling: It states that there will be sufficient heating and cooling, but there is no pictures on plan as to where the air-conditioning units will be placed or what style will be used as some 23 individual air-conditioning units will create a lot of noise.

It is very concerning as to why this development has such strict rules:

- On site manager
- No alcohol permitted
- No smoking permitted
- No illegal drugs
- Access to the outdoor communal area is off limits between 10pm and 7am


- No music amplified or live is not permitted in the communal open space
- The boarding house is limited to very low income earners whose principle place of residence is within the Muswellbrook LGA.
- Residents are required to provide the manager with a list of personal medication that they are required to take.
- Residents are only allowed to have visitors in the communal areas.

As neighboring families very are concerned that this development is to be used for releasing prisoners or a parole house. If council is to allow this after our serious concerns about the people residing in said development (not saying that all are a high risk) what is our guarantee that there won't be anyone residing in BA BA HOUSE who poses a risk to our families and more importantly our children.

We believe this development is located in the wrong location, with a childcare center, a playgroup and Muswellbrook South Public School within close proximity.

Thanks Wayne and Sue Perrett





29 September 2021

Reference: Development Application No: 2021/32

To The General Manager – Muswellbrook Shire Council

We write in response to the recently received Notice of Amendment to Plans of Proposed Development, Lot: 8 DP: 18699 – 41 Maitland Street, dated 9 September 2021.

Whilst we are not opposed to the development of this property, we have a number of concerns regarding the proposal as outlined below.

One of our main concerns regarding this development is the adverse effect that it will have on the amenity of the area.

We have owned our property at 37 Maitland Street for 38 years. During this time we have been lucky enough to enjoy a friendly neighbourhood where everyone feels safe and we have the right to privacy in our own yards. Over the years we have watched generations of children walk past on their way to school at Muswellbrook South and would often see our neighbour who runs a family day care, wander past with the children in her care in tow. We now see parents walking their children to the Ungooroo playgroup located on the corner of Francis Street.

Currently, all of the dwellings and businesses along the south side of the street are single story. The construction of this two (2) storey building is not “consistent with the character of the streetscape” (Muswellbrook Shire Development Control Plan; Section 9; Local Centre Development; Subsection 9.1.2 Building Height). In addition, the “height of the buildings should be consistent with the character of the area” (Muswellbrook Shire Development Control Plan; Section 9; Local Centre Development; Subsection 9.1.2 Building Height). Whilst the Remington Motel is also a two (2) storey building, given the lack of residential dwellings on that side of the street we don’t believe that a comparison between it and this proposed building can be justified.

In addition to this, with the exception of the building that comprises the newsagency, pizza and video shops, the expected modern type of construction that is proposed is not consistent with the homes in the area. The existing dwellings are approximately 50 years old and the construction of a modernised, two (2) storey building in the area is not sympathetic to the streetscape refer to the Muswellbrook Shire Development Control Plan; Section 9; Local Centre Development; Subsection 9.1.1 Building Design which states that buildings must “maintain the heritage character / value and streetscape of the business centre of Muswellbrook”.

After further review of the plans, it is evident that the development will include the removal of one (1) of the large trees from the nature strip out the front of 41 Maitland Street. We believe that this is detrimental to the area and not in keeping with the “character of the town centre” (Muswellbrook Shire Development Control Plan; Section 9; Local Centre Development; Subsection 9.2.1 Landscaping). Removal of any of the large, well established trees along the south side of the street will negatively affect the streetscape. In addition, Subsection 9.2.1 Landscaping of the Muswellbrook Shire Development Control Plan, clearly states that “Where landscaping is proposed to be incorporated into

a new development, a landscape plan detailing hard and soft landscaping works should be submitted with the development application", at this time we have been unable to locate any such landscape plan within the documents either sent to us or available on Council's website.

Within the Statement of Environmental Effects available with the Development Application on Council's website, it clearly states that the targeted residents of the proposed boarding house will be from the "lower socio-economic group". This begs the questions – what type of boarding house is this to be and who can we expect to be living in our neighbourhood? Within an approximate 1 kilometre radius, this area of Muswellbrook comprises Muswellbrook South Public School (kindergarten to year six), a home run family day care centre (operating from Francis Street with an adjoining fence to the proposed development) and Ungooroo Playgroup. It is also expected that in the near future, 35 Maitland Street will be open to Aboriginal children from the Kamilaroi tribe where they will learn about their culture. Given the targeted residents for the proposed boarding house, we are concerned for the safety of the young children in this area, including privacy for the adjoining family day care centre.

We believe that it is also important to note that the rooms within the proposed boarding house are single occupant only, with a basic kitchenette and bathroom encompassing a shower. It is evident from the plans, that the targeted residents are not families or single parents who are struggling to find rental or emergency accommodation in Muswellbrook. This again raises the question – who is expected to be utilising the accommodation at the proposed boarding house?

Based on the information outlined in the Plan of Management submitted with the Development Application, the proposed boarding house will include a Resident Manager, a set of House Rules (including the prohibition of alcohol within the building or rooms), weekly inspections, and a Record of Resident's Special Needs (including medication) amongst a number of other items. This indicates that the targeted residents are not simply people from the Muswellbrook community that need emergency accommodation and that the proposed boarding house may be utilised as a so called "half-way house". Should this be the case, this raises additional concerns for us including our own safety and the safety of our grandchildren, who visit often, along with value of our property. Should this be the type of development that is proposed, we reserve the right to submit an objection to such a development.

We thank you for taking the time to consider the concerns that we have raised.

Regards

A large, irregular black redaction mark covering the signature area.

[REDACTED]

28-9-21

Dear General Manager,

We are writing in regards to notice of amendment to proposed DA 2021/32 at premises LOT:8 DP:18699-41 Maitland St, Muswellbrook.

Again, it needs to be said that, whilst we do not oppose the applicants right to demolish the existing building and build something new, what the applicant has proposed is causing us some angst, perhaps it is because we are not draftsman but, we have struggled a little, when looking at the plans, to understand the way things will be once this build is completed.

On drawing A301 it is stated that there is to be a laundry placed at both the front (near the communal room) and the middle of the building however, on all other drawings the laundry appears to only be in the middle of the building, so is there one laundry or two? Farther more we could not see any provisions made on the plans for clothes lines, and yet in the applicants Plan of Management statement it states in paragraph one, on page 9, it says that "Boarders are to utilise the clothes hanging deck or clothes dryer." Yet, in the Muswellbrook Shire Development Control Plan, it clearly says in, 6.4.4 Objectives (a) provide for needs of residents and reduce impact of development on the environment. Control (1) Provide open air clothes drying facilities in a sunny location which is adequately screened.

We have noticed that on the plans it appears that there is a singular (though be it 4500mm wide) driveway access at the front of the development, which will cater, for both vehicular and pedestrians entering and leaving the premisses with no clear separation and with the proposed development having the potential to house 23 people at full capacity and therefore the possibility of 23 cars/bikes entering and leaving this residential address has the potential for a dangerous incident in the said driveway. We

also believe that there should be provisions for one car parking space per boarder/lodger as it should not be assumed that just because the tenant is a low-income earner that they don't have a car and there also appears to have been no provisions made for a visitors carpark. Will they be forced to park on the busy New England Hwy?

Directly adjacent this proposed development there is a narrow water easement, (within 40 Metres) which limits council's access to maintain this important piece of infrastructure, as such, we wonder is there a covenant on the land beside the easement which allows council access, if required, whilst most of the space is designated for waste storage and car parking, and will have a small shed built at the front whilst the rest of the area will be concrete would that concrete be built to park a car on, or will it be reinforced to with stand council's heavy equipment if required.

Whilst on the subject of drainage, there appears to be a lot of concrete and roof space which will cause a lot of rain/storm water run-off and not very much exposed bare earth or natural ground (201.58 square metres is much less than 35% required by Muswellbrook Shire Development Control Plan 6.2.3 Landscaped Area Objectives (c) and (d) Controls (i) 35% of total site area is to be landscaped) for rain/storm water to be absorbed on the proposed site which will lead to excessive water run-off. Is this catered for within the existing water drainage infrastructure or is an upgrade to the affected section of our town system required as a result of this? It is stated in general notes on Diagram A001 that all new or altered stormwater lines to be connected to existing stormwater lines.

We have not been able to find a landscape plan as required by Muswellbrook Council Development Control Plan Landscaped Area 6.2.3, On page 6-8,

(iii) Retain existing mature vegetation and trees and show what measures are to be implemented to protect this vegetation during construction.

(vi) For dual occupancies, multi dwelling houses and residential flat buildings, a landscape plan is to be submitted.

(vii) the selection of tree species indicated on the landscaping plan must be in a scale with the size of the proposed buildings. For example, buildings of 2 storeys must include trees with an achievable mature height of at least 8 metres.

Given the size of the proposed development and the amount of concrete surrounding the building to provide car/bike parking and the need to provide communal open space all existing advanced trees will be removed and there is no land left to plant trees, shrubs or suitable vegetation.

External lighting has the potential to be an issue for us as a neighbour. It states in the Plan of Management that it is the Manager's responsibility to replace any damaged or non-functioning external lights immediately, but where are these lights going to be located, which direction will they face, and will they impact us and our premisses?

In the Plan of Management Report Mr N Gupter has written under 6.0 Boarding House Furniture and Facilities 6.1 Each room will be provided with

*Appropriate means of heating and cooling the rooms.

What is meant by this? In our climate, one would assume, that individual air conditioners would be used if so the noise from 23 x Air conditioners could possibly impact my lifestyle when we are outside.

We are a little overwhelmed at the thought of a two-storey building being built on the entirety of that site as it would give the occupants a clear view into our previously very private backyard. Once again, the submitted plans make it difficult for us to know exactly what is going on as on page 6 of the document prepared by Casson Planning & Development Services originally dated 29th March 2021 and Amended 3-9-21 the height of the building is stated as being 13 metres however, on drawing A350, it indicates that the roof height will be 8.5 metres and we can only assume that is from the new ground level which appears to be 800mm above the existing ground level. This makes a total of 9.3 meters

Our privacy is extremely important to us and not something that we take lightly as I Chris Hope have been an educator with Family Day Care at our property for the past 32.5 years and as such it is important for children in my care feel safe, secure and supported so as to encourage confident individuals for the future.

Not only is the building going to tower over us giving the residents full views of our property, as on the south eastern side where the balconies are, tenants will have a clear view of our back door and area

directly out from that, whilst on the North Western side of the proposed development, tenants will be able to view our large back yard where children regularly play and whilst the tenants are socialising in their communal open space at the rear of the proposed development they will be able to clearly look over our fence as the existing fence is 1800mm high however, from what we understand from the plans, the land needs to be raised 800mm to build this proposed boarding house which will mean that the existing fence will only be in affect 1000mm high on their side giving the residents at Ba Ba House a clear view into our yard and that of the children entrusted in my care.

We would like to point out that there are currently NO two storey buildings on that block and therefore would definitely look out of place.

It is clearly stated in the Muswellbrook Local Environmental Plan:

Part 4 Principal Development Standards

4.3 Height of Buildings

(1) Objectives of the clause are:

(a) to limit height of buildings

(b) to promote development that is compatible with the height of surrounding development and conforms to and reflect natural landforms by stepping development on sloping land to follow the natural gradient,

(e) to maintain privacy for residents of existing dwellings and promote privacy for residents of new buildings

Given the surrounding buildings are all single storey we believe that this building should also be limited to single storey which would, therefore, maintain continuity with surrounding development and maintain privacy of those who already live in the vicinity of this proposal. It is also worth noting that the façade of the proposed building is in stark contrast to existing buildings that surround it.

At this point, we would like to question the proposed clientele Ba Ba House is being designed for, whilst they say it is for low socio-economic demographic, many questions remain, such as, is it all female, all male or mixed gender, that will reside in the said boarding house? When reading the Plan of Management dated August 2021 provided by Mr N Gupta attached to the DA 2021/32 we noticed the many rules attached which were:

- That the boarding House is limited to low to very low income earners' who's principle place of residence is within Muswellbrook LGA.
- The fact that there is a site manager
- The manager is to carry out regular minimum weekly inspections.
- No live or amplified music is permitted in the communal open space.
- No music or TV sounds are to be audible beyond individual rooms.
- Access to the outdoor communal area is off limits between 10pm and 7am.
- At no time is any room to be advertised or made available for short stay accommodation such as that associated with backpacker, motel, hostel, hotel accommodation or the like.
- Residents are required to provide the manager with a list of personal medication that they are required to take.
- No boarder is allowed to bring their own furniture or appliances.
- Residents are only allowed to have a visitor in the communal areas.
- No alcohol permitted
- No smoking is permitted

This raises the question. Is this Ba Ba Boarding House actually intended to be a form of Parole House or Prisoner Release Housing? This would also fit the criteria of Low Socio-economic Demographic. In which case we would have to strongly oppose this Development Application as being an Early Childhood Educator, I would be forced into early retirement as there is no way, I could allow innocent children to play in my backyard, with the possibility of somebody (possibly even a paedophile) taking a photo of a child in my care from their balcony. We would not even be able to allow our grandchildren to play in our backyard. If this was to happen who will compensate me for this? If this is the plan for the development there are many others that would be affected within close proximity such as Ungaroo Playgroup, just 40metres away from the said development and then there is the South Muswellbrook Primary School, a short walk of approximately 150metres away both of these venues would attract young vulnerable child which could unfortunately be exposed to undesirable people.

Yours Truly,

[Redacted Signature]

[Redacted Signature]

Hamish McTaggart

Mayor, Councilors and General Manager

We are writing in regards to the development application of 41 Maitland Street, Muswellbrook.

Main 3 reasons of concern are the safety of our school children, the security of our school and the safety of all other school children using this travel path.

This includes all children from Muswellbrook south public school, Muswellbrook Highschool, the to be build Pacific Brook Christian school and the children using Wilders street as this is now opening up to the Muswellbrook Aquatic Centre, Scout hall, Tennis facilities, Olympic park and the Muswellbrook Velodrome.

The development is approximately 150 meters away from our school entry.

School was not informed as it is not a direct neighbor.

Muswellbrook South Public School has 506 children at the present time. This excludes our preschool that has approximately 20 children.

The school is forecasted to grow to 750 children in the next 5 to 10 years.

The building is an overdevelopment for the size of the block. The amount of people that will be permanent on this site is not appropriate for this square meter rate.

The number of carparks is not enough for the development. Parking along the New England Highway is not an option in this part either as it would give great safety concerns.

Carpark should be available for every room and a number of visitors.

After expressing our concerns at the last meeting and getting this matter deferred, we managed to do a little research in the development, the applicant Mr. Gupta and a small follow up on the donation to Muswellbrooks need of housing.

The building is going to be built in two stages. According to earlier submitted paperwork and meetings this is to find out if stage one is profitable.

29th of March 2021 the development is being put together with numbers of Communities and Justice.

Mr. Gupta stated he is donating the building to Upper Hunter Homeless Society. (From here on in UHHS) UHHS has been asked by MR Gupta in the last couple of months to provide numbers of the homeless in our area. These numbers have also been requested by me and kindly provided to me by UHHS.

Main need for Muswellbrook is housing for single female WITH one or two children.

Why has UHHS not been involved in the design of the boarding house if they are going to be managing this?

The boarding house application states single adult rooms with communal areas and a manager's residence. 14 carparks and 5 Motor bike parking bays.

No children's play area is in this design but availability for smoking is taken in consideration.

The rooms are 12 square meters with a kitchenette. No visitors are allowed in the room. The property needs to be managed under Sepp housing rules for boarding homes.

When homeless are on the street they manage well without others. Medication needs, need to be provided to the manager. According to UHHS most with Mental Health issues are undiagnosed. When they are not in the boarding home no one tells them when to take their medication.

The development application states the boarding home is for low to very low-income earners only. Most single income earners in the Muswellbrook demographic are mine workers looking for a room to bunk when they are working here during their shift, to then go back to where the family home is. None of these man and woman would be eligible for this type of home.

This leaves us to the next demographic in our town which would be the reentering of released prisoners from St Heliers and other jails in the area that this type of housing could be used for.

Due to the strict rules on the boarding house this is looking most likely. This is where the real worry starts. A lot of the children are walking past this address and do this unsupervised as children are being encouraged to walk to school. Some walk with the older siblings. This should be possible at all times in our town.

At our school we deal with feed in from lower sociodemographic and some of these parents and children, sadly enough, are under protection of court orders and AVO orders.

How is this boarding house going to provide the security that our children can safely walk past this property? Is council going to police the policy put in place for this?

Minimum stay for the boarding house is three months. Most homeless get rehomed as soon as possible by UHHS. This type of boarding house would not work for them.

Reentering prisoners would be ideally settling in a community from a place like this and trying to find a job and then moving to a different unit as they become available. This boarding house would only increase the shortage of housing as very limited housing is available.

If this boarding home is not used for miners, homeless or reentering prisoners the problems would switch to the next demographics and that's more to youth moved from troubled homes not always to a fold of their own but often brings along problems as well. The likelihood of drug use, fights, rubbish and foul language is quite common with this. Not really something we would like the children exposed to on a day-to-day occurrence.

This would also expose the school to more breaks and enters and vandalism. Cost inquired due to these matters would be reimbursed by the owner of the building? Council? Or the school and the personal belongings of the teachers?

As stated before, our school alone has around 40 to 50 children going past the address. During our school swimming program, the children walk from the school to the Muswellbrook Aquatic Centre. This involves children from year two to year six. Approximately 400plus children. This will grow with the forecasted growth figure.

The boarding house is for single adults only and under strict rules over a certain number of rules.

Some of the rules of the boarding house:

Accommodation register. How do you do background checks on homeless? Why do you do background checks on homeless as you want them of the streets.

Please provide details on this matter.

Complaint register. Actions on complaints? Are there fines on the complaints? How often is the complaints register being checked? How do we know all complaints are being noted? Can the boarding house be closed down on too many or too high a severity of complaint? Is this council that checks these items or is this a police matter?

Please provide details.

Medical register. Why does a manager need to know about the privacy details on medical needs? Will everyone be open to providing these details? How does the manager ensure they get all the correct details?

Please provide details.

Visitors in communal areas only. Starting to look a bit like jail now. No privacy when meeting someone as a visitor is not allowed in the rooms. Bit odd, I think.

All these rules become obsolete if there are less than 21 boarders. This means that if stage two never gets build a manager is not needed on site. What type of security offers this to the community? As Mr. Gupta stated, it is not for profit. How is one going to book a room for three months without advertising the boarding house.

Mr. Gupta is the developer speaking. Is this in his own interest or is it in the interested of BaBa Holdings group that has annual sales of U\$774.408,-- (approx. Aus\$ 106770,--) and originally put in the DA?

We are all for housing in all socioeconomic needs in this town as we need it. Maybe the area where the housing should be is not right and the DA should not be approved without carefully considering the future of our town is walking past this development on a day-to-day basis.

Development of this boarding house should not be in this area as there are too many unknowns that seem to get hidden by the developer. Clearly the area is developed with a lot of motels. This block was also granted for development of a motel. It should stay like that and not be considered for high density housing development

Thank you for taking our late submission in consideration.

Kind Regards,
on behalf of the Muswellbrook South Public School P & C
The President,
Jan Kamstra



Upper Hunter Homeless Support
P.O Box 250
Muswellbrook 2333
Phone: 02 6542 5051

Friday, 17 June 2022

To whom it may concern,

I refer to the application for a boarding house at 41 Maitland Street, Muswellbrook which is being considered by Council.

I can confirm that I have had discussions with Mr Nitin Gupta, the owner of the property and proposed developer.

My understanding is that the boarding house will provide accommodation for the low to very low income bracket of the community including the homeless which would be a welcome addition to the community provided facilities which are in short supply in the area.

I understand that Council have indicated a preference that the Boarding House be managed by a community organisation or the like. We are willing to participate in setting up a 'vetting' process for proposed tenants, to add a level of certainty regarding the occupation of the boarding house.

Yours sincerely,

Mary Spora
General Manager

Upper Hunter Homeless Support

P: 0265425051 E: admin@uhhsos.org.au W: www.upperhunterhomelessupport.org
3 Wilkinson Avenue, Muswellbrook / PO Box 250, Muswellbrook NSW 2333



9.1.2. DA 2021-139 - Alterations and Additions to Educational Establishment - Muswellbrook South Public School - 57 Maitland Street, Muswellbrook

- Attachments:**
1. DA 2021-139 Development Assessment Report [9.1.2.1 - 11 pages]
 2. DA 2021-139 Recommended Conditions of Consent [9.1.2.2 - 6 pages]
 3. DA 2021-139 Amended Architectural Plans [9.1.2.3 - 15 pages]
 4. DA 2021-139 Amended Traffic Assessment Report [9.1.2.4 - 69 pages]

Responsible Officer: {use-custom-field-responsible-officer-do-not-delete}

Author: Tanya Jolly – Project Planner

Community Plan Issue: {use-custom-field-community-plan1-do-not-delete}

Community Plan Goal: {use-custom-field-community-plan2-do-not-delete}

Community Plan Strategy: {use-custom-field-community-plan3-do-not-delete}

Documents referred to in assessment not attached:

- Local Environmental Plan 2009
- Development Control Plan 2009

APPLICATION DETAILS

Applicant: {use-custom-field-applicant-do-not-delete}

Owner: {use-custom-field-owner-do-not-delete}

Proposal: {use-custom-field-proposal-do-not-delete}

Location: {use-custom-field-location-do-not-delete}

Permissibility: The proposed development is permissible as Educational Establishment within the R1 General Residential Zone

PURPOSE

This report has been prepared to assist Council in the determination of DA 2021/139 involving the alterations and additions to an educational establishment at 57 Maitland Street, Muswellbrook.

The development application has been reported to Council for determination as its determination is outside the functions delegated to the General Manager by Council due to the total estimated value of the works.

OFFICER'S RECOMMENDATION

Development Application No. 2021-139 proposing alterations and additions to an educational establishment at Lot 36 DP 880135, 57 Maitland Street be approved subject

**the conditions in Attachment B.****Moved:** _____ **Seconded:** _____

<input type="checkbox"/> Cr A. Barry	<input type="checkbox"/> Cr M. Bowditch	<input type="checkbox"/> Cr D. Douglas
<input type="checkbox"/> Cr J. Drayton	<input type="checkbox"/> Cr L. Dunn	<input type="checkbox"/> Cr J. Lecky
<input type="checkbox"/> Cr R. Mahajan	<input type="checkbox"/> Cr D. Marshall	<input type="checkbox"/> Cr G. McNeill
<input type="checkbox"/> Cr S. Reynolds	<input type="checkbox"/> Cr R. Scholes	<input type="checkbox"/> Cr B. Woodruff

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development involves the construction and use of a new learning hub building to expand the existing Muswellbrook South Public School. Specifically, the development involves:

- Earthworks associated with establish development pad;
- Construction and use of a 1,915m² GFA learning hub building with 90 student capacity inclusive of:
 - o 8 learning spaces,
 - o 5 support learning spaces,
 - o Group, practical activity, and learning street areas, and
 - o Associated amenities and storage spaces.
 - o Landscape enhancements;
 - o Installation of supportive services;
 - o Installation and upgrade of stormwater management system; and
 - o Other minor elements indicated on the Architectural Plans

Through the assessment of the proposed development the applicant elected to amend the proposed development to remove a 'kiss and drop' zone originally proposed on Maitland Street (New England Highway). The location of this proposed 'kiss and drop' zone for students was not supported by Transport for NSW or Council Roads and Drainage Engineers.

ASSESSMENT SUMMARY

Council Officers have assessed the DA under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (see Attachment A). Council Officers recommend that the development application be delegated to the General Manager for determination.

To inform the assessment and determination of the development application the applicant submitted the following documentation to council:

- Statement of Environmental Effects (see attachment)
- Proposed Plans (see attachment)
- Traffic Impact Assessment
- Survey Plan
- Building Fabric Compliance Report
- Preliminary Site Investigation
- BCA Report
- Access Report

A copy of the technical reports and information referenced above can be provided to



Councillors under separate cover if requested.

Key section 4.15 assessment issues and findings are:

- The proposed development has been lodged on behalf of the Crown. The assessment of the development application has been carried out in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* which relate to Crown developments. In accordance with those provisions (S4.33(1)) Council may not:
 - (a) *refuse its consent to a Crown development application, except with the approval of the Minister, or*
 - (b) *impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.*

Council Officers have recommended the approval of the development application, while notice of the recommended conditions of consent has been provided to the applicant who has not raised objection.

- Through the assessment of the proposed development the applicant amended the development proposed. This amendment removed a 'kiss and drop' zone for students and parents that had initially been proposed on Maitland Street (New England Highway).

The Maitland Street 'kiss and drop' zone was opposed by Transport for NSW and Council Roads and Drainage Engineers for reasoning related to student safety.

After taking on board this feedback the applicant revised the proposal, Statement of Environmental Effects and Traffic Impact Assessment. With regards to the kiss and drop of zone the updated Traffic Impact Assessment indicated that the existing Kiss and Drop off zone which services the proposed development from Osborn Avenue is operating at an acceptable performance level.

Following the receipt of this updated information the application was again considered by:

- Transport for NSW who noted the removal of the kiss and drop of zone and that the Osborn Street kiss and drop of zone did not require further input on their part as it did not relate to a classified state road.
- Council's Roads and Drainage Engineers who accepted the proposed changes and made the following observations related to car parking and drop off arrangements.

'Based on the details provided by the applicant on the recently updated TIA for the South Muswellbrook Public School, CI are generally satisfied that there is no significant increase in demand for parking or increased risks in drop off for the school based on the current arrangement'.

In view of the amendments to the proposed development and final referral comments by Council and Transport for NSW Engineers Council's *Assessing* Officer is satisfied that the proposal can be progressed from a parking, drop of and transport perspective.

- A recommended condition of consent has not been put forward regarding the payment of any Section 7.12 contribution. The proposal meets the criteria for types of development that may be exempted from Section 7.12 contributions under Council's Section 94A Plan as an educational establishment. Furthermore, the proposal has been lodged on behalf of Crown and agreement from the applicant is required for the imposition of a condition of consent related to the imposition of Section 7.12 contributions.

In view of these considerations a condition requiring the payment of Section 7.12 contributions has not been recommended by Council Officers.

- The proposed development was considered against the provisions of other relevant



State Environmental Planning Policies (SEPP's) and the development is compliant.

- The proposed development is in accordance with all relevant provisions of the Muswellbrook Local Environmental Plan (LEP) 2009.
- The proposed development was considered against the requirements of the Muswellbrook Development Control Plan (DCP). The proposal is generally in accordance with the majority of DCP provisions. The proposal is inconsistent with a DCP control related to the location of residential
- Council received no submissions in relation to the proposed development throughout its public notification.

PUBLIC CONSULTATION

The proposed development was notified in accordance with the provisions of the Muswellbrook Community Participation Plan on via notification letters and was notified from 26/11/2021. The development was also advertised on Council's Website along with corresponding Facebook post from 29/11/2021 to 13/12/2021. No submissions were received during the notification period.

OPTIONS

Council may:

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

CONCLUSION

DA 2021/139 has been reported to Council to determine due to the cost of works and scale of the proposed development.

An assessment of the proposed development against the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. This assessment report recommends that the proposed development be approved subject to the recommended conditions outlined in Attachment B.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS:

No disclosures of a political donations or gifts have been made in relation to this application.

SOCIAL IMPLICATIONS

The proposed development is likely to have a positive social impact on the locality by providing higher quality

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.



STATUTORY IMPLICATIONS

Statutory implications relating to assessment of the subject application have been addressed in the body of the report.

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 the determination at the Land and Environment Court.

DEVELOPMENT ASSESSMENT REPORT

Attached: Site Plan

REPORT TO:
COUNCIL

ADDRESS:	LOT: 36 DP: 880135 REF: SCHOOL 57 Maitland Street MUSWELLBROOK
APPLICATION No:	139/2021
PROPOSAL:	Educational establishment
OWNER:	Department Of Education
APPLICANT:	Slr Consulting Australia Pty Ltd Suite 2 125 Bull Street Newcastle West NSW 2302
AUTHOR:	Ms T Jolly
DATE LODGED:	11/11/2021
DATE OF REPORT:	2 December 2021

SUMMARY

ISSUES	Traffic Considerations
SUBMISSIONS	None
RECOMMENDATION	Approval subject to conditions

1. SITE AND LOCALITY DESCRIPTION

The site subject to this development application is called Lot 36 DP880135 and generally referred to as 57-61 Maitland Street Muswellbrook NSW 2333. The site is irregularly shaped, covers an area of 33,548m², and is afforded an approximate 83m frontage to Maitland Street with an approximately 18m secondary frontage to Osborn Avenue.

The site currently contains the Muswellbrook South Public School with associated classroom buildings, administration building, sports field, and outdoor play areas (see Figure 1). Access to the site is provided via an entry and exit cross over from Maitland Street connecting to an at grade car park along with an entry/exit crossover from Osborn Avenue with at grade parking.

The site is located on the southern side of Maitland Street which falls within the boundaries of the Muswellbrook Local Government Area (LGA). The site is located adjacent to the Muswellbrook TAFE Campus to the east. A bus depot and vehicle tyre shop are located to the west. Residential properties are located to the north across Maitland Street and adjoining the site to the south-west and south. Previous Approvals for the site found on the Council Mapping System has been shown on Figure 2.

Figure 1. – Site Aerial Image (Source: Spectrum)



Figure 2. – Previous Approvals

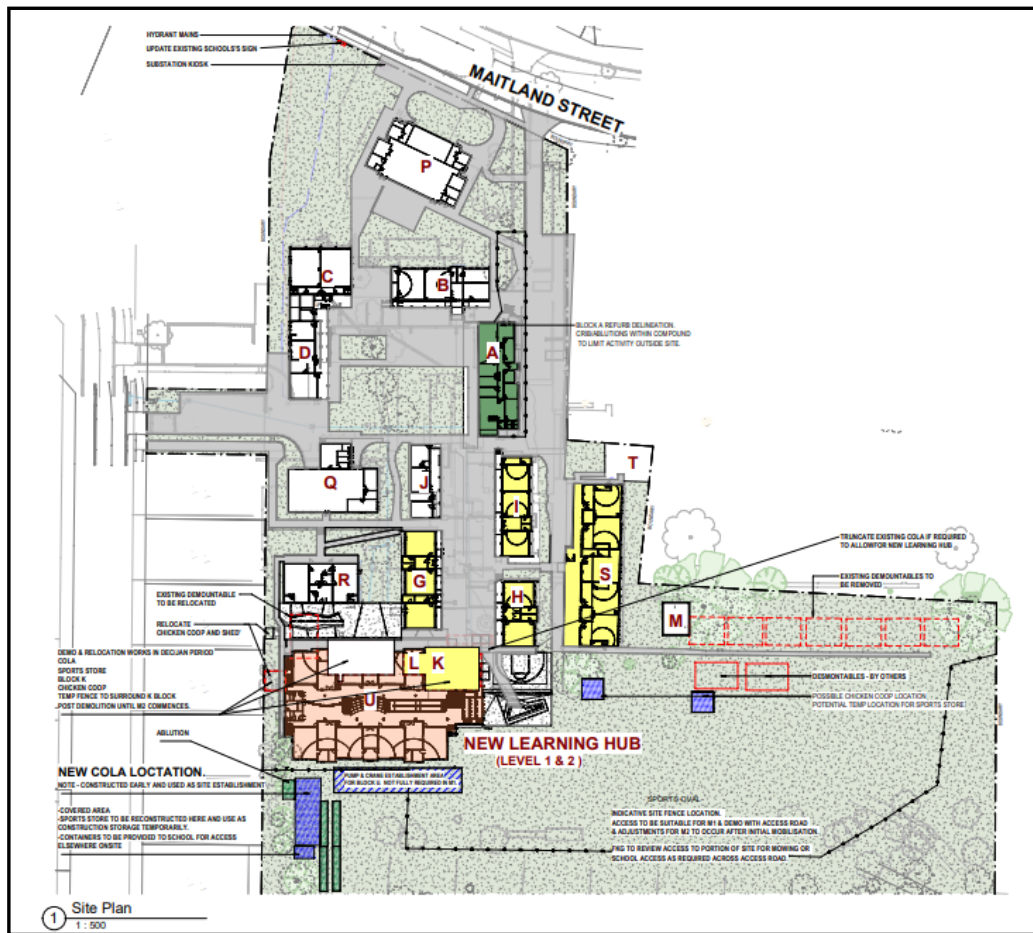
Formatted Account	Precis	Received Date	Determination Date	Determination
005.2021.00000139.001	Educational establishment	11/11/2021		
005.2019.00000046.001	Replace Existing School Sign with New LED School Sign	17/06/2019	29/07/2019	Approved by Delegation
005.2007.00000218.001	STEEL SHED	27/06/2007	25/07/2007	Approved
005.2005.00000118.001	NEW SCHOOL FACILITY WITH TWO HOMEBASES WITHIN ONE BUILDING	31/03/2005	25/05/2005	Approved

2. DESCRIPTION OF PROPOSAL

The proposed development involves the construction and use of a new learning hub building to expand the existing Muswellbrook South Public School. Specifically, the development involves:

- Earthworks associated with establish development pad;
- Construction and use of a 1,915m² GFA learning hub building with 90 student capacity inclusive of:
 - 8 learning spaces,
 - 5 support learning spaces,
 - Group, practical activity, and learning street areas, and
 - Associated amenities and storage spaces.
- Landscape enhancements;
- Installation of supportive services;
- Installation and upgrade of stormwater management system; and
- Other minor elements indicated on the Architectural Plans

Figure 3. – Site Plan



3. SPECIALIST COMMENTS

3.1. Internal Referrals

The application was referred to Council's Building Surveyor, Water and Waste and Community Infrastructure Section. Each section reviewed the proposal and recommended standard conditions to be placed on the development consent should the application be approved.

3.1.1. Building Surveyor

Council's Building surveyor reviewed the application, inspected the premises and reviewed the existing fire safety measures in the building used to protect persons using the building, and to facilitate their egress from the building, in the event of fire, and the measures to restrict the spread of fire from the building to other buildings nearby. The Officer noted that there is currently no fire safety schedule on file for this building, however, from the inspection that the fire safety measures in the buildings are being maintained and as it is a school, Dept Education would have a stringent requirement for measures to be maintained.

The Officer did not have any additional comments for the development.

3.1.2. Water and Waste

Council's water and Waste engineer reviewed the application and noted that the school is provided with water and sewerage services. As the development is a crown development, they are exempt from Developer charges, however the school or the Dept of Educations should bear the cost of any upgrades if required.

Council's Assessing Officer has included a condition to reflect the requirements as requested by the Water and Waste Officer.

3.1.3. Community Infrastructure

Council's Community Infrastructure Officers initially reviewed the application and had concerns in relation to the Kiss and Drop proposed on Maitland Street. Following the updated documents provided by the applicant removing the Kiss and Drop from the proposal, the Officers were generally satisfied that there will be no significant increase in demand for parking or increased risks in drop off for the school based on the current arrangement.

The Officers did, however, recommend improvements/resurfacing of the existing pavement within the school. The Assessing Officer has included this recommendation as a condition of consent

3.2. External Referrals

3.2.1. Transport for NSW

As the proposal involved new development adjacent to a classified road, that will have an impact on the same, the application was referred to Transport for NSW for comment. TfNSW requested additional information in relation to the proposed kiss and drop and its impact on potential queuing on Maitland Street.

TfNSW also requested to investigate whether further opportunities have been investigated to improve the accessibility via the Osborne Avenue access with consideration given to whether more spaces could be created at the Osborne Avenue location and how a kiss and drop zone at the Osborne Avenue location could be better managed for a safer and more efficient drop zone.

Council's Assessing Officer organised a meeting with the applicant, the Department of

Education, Transport for NSW and Council's Community Infrastructure Section to discuss the matter in detail following which the applicant provided updated documents removing the kiss and drop from Maitland Street.

Council's Assessing Officer forwarded these documents to TfNSW who reiterated the importance of relocating the kiss and drop to Osbourn Avenue and not on the State classified Road (Maitland Street) and recommended including a condition to ensure the same.

The Assessing Officer has included TfNSW requirements as a condition of consent.

4. 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:

4.1. Muswellbrook Local Environmental Plan 2009 (MLEP 2009)

Land Use Zone and Permitted Land Use

The development site is zoned R1 General Residential pursuant to MLEP 2009. The proposal is best defined as alterations and additions to an educational establishment, which is permitted with consent in the subject Zone.

Objectives of the R1 General Residential Zone

- *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.*

It is considered that the development proposal is not contrary to the objectives of the Zone, should the development be carried out in accordance with the conditions of consent.

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

<i>Part 1 Preliminary</i>	
<i>1.3 Land to which Plan applies</i>	The MLEP 2009 applies to the whole of Muswellbrook Local Government Area.
<i>1.6 Consent authority</i>	The consent authority for this development is Muswellbrook Shire Council.
<i>Part 2 Permitted or prohibited development</i>	
<i>2.3 Zone objectives and Land Use Table</i>	This section of the DCP specifies that the consent authority must have regard to the objectives for development in a zone when determining a

	development application in respect of land within the zone. The land use and permissibility of the development on the site has been discussed above. Complies
2.4 Unzoned land	Not applicable
Part 3 Exempt and complying development	
Part 4 Principal development standards	
4.1 Minimum subdivision lot size	This clause applies to the carrying out of a subdivision to any land shown on the lot size map. The clause restricts the carrying out of a subdivision where the resultant lots do not achieve the minimum lot size for the land shown on the minimum lot size map. The proposal does not involve any subdivision works. Not relevant
4.3 Height of buildings	MLEP 2009 specifies a maximum building height of 13m in relation to the land. The proposal does not involve building works over 8.7m. Complies
4.4 Floor space ratio	MLEP 2009 does not specify a maximum floor space ratio in relation to the land. Not Relevant
Part 5 Miscellaneous provisions	
5.1 Relevant acquisition authority	
5.10 Heritage conservation	The subject site has not been identified to be within a Heritage Conservation area nor does it contain an Item of Heritage Significance. Not Relevant
5.12 Infrastructure development and use of existing buildings of the Crown	This clause relates to development for or on behalf of the Crown. The proposed development is classified as a Crown development as it is on behalf of School Infrastructure NSW (SINSW), which exists under the NSW Department of Education. Clause 5.12 states: 1. <i>This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007.</i> 2. <i>This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.</i> The proposal does not involve any works that are prohibited under the LEP.
5.21 Flood Planning	The site has not been identified to be located on Flood Prone Land. Not Relevant
Part 6 Urban release areas	
Part 7 Additional local provisions	
7.1 Terrestrial biodiversity	The land has not been identified as terrestrial Biodiversity. Not Relevant
7.6 Earthworks	The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring land uses, cultural or heritage items or features of the surrounding land. The majority of the proposed works will be internal refurbishment of the existing buildings on the site and will have minimal impacts due to earthworks. A Site visit conducted by the Assessing Officer revealed that the subject site is a relatively sloped block. The officer noted that the proposed building has been sited to minimize the impact on environmental functions and processes, neighbouring uses, or

	features of the surrounding land while ensuring that the new building remains easily accessible from the existing infrastructures. Complies.
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4.2. State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) applies to the subject development. This SEPP aims to streamline the development pathways for educational establishments. Under this Policy, in accordance with Clause 35 (6) requires that the consent Authority consider:

- (a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and*
- (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.*

The applicant has provided an Assessment against Schedule 4 of the Education SEPP under the Statement of Environmental Effects. The Assessing Officer reviewed this Assessment in conjunction with the provided plans and documents and agree with the information provided so long as the development is carried out in accordance with the approved plans and documentation.

4.3. State Environmental Planning Policy (Infrastructure) 2007

The infrastructure SEPP applies to the proposed development. This Policy provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process.

Clause 101 Development with frontage to classified road

The site has frontage to Maitland Street which is a listed TfNSW classified road within the New England Highway. The proposed development involves the addition of a new building to an existing school use which is appropriate for the location on a classified road. The site holds existing crossovers to the road network including to Maitland Street.

Clause 104 Traffic-generating development

The proposed development is not a specifically listed use within Schedule 3 of the SEPP and is therefore defined as Any other purpose under with access to a classified road. The proposed new learning hub building will directly increase the capacity of the existing school by 90 students contributing 26 additional cars to the existing school which already exceeds the 50-vehicle threshold. As a result, the proposal will require referral to TfNSW under Clause 104 of the SEPP Infrastructure.

The applicant has provided a Traffic and Transport Impact Assessment dated 3 November 2021 which examines the traffic implications of the proposed development including the predicted traffic generation and its impact on the existing road network and intersection capacities.

The development application and its associated documents were referred to Transport for NSW and Council's Roads and Drainage Section for Comment and has been discussed above.

4.4. State Environmental Planning Policy No. 55 – Remediation of Land

Council Officers are unaware of any activities which have carried out on the site likely to have caused the contamination of the land. No visual evidence of any contamination was observed

by Council Officers during an inspection of the site. The site has historically been an educational facility, which is unlikely to create any significant contamination issues.

A Preliminary Site Investigation (PSI) has been prepared by *Cardno Pty Ltd* dated 23/10/2020 and provided by the applicant. The PSI found that based on site history and a site inspection, no evidence or indication of gross contamination was identified.

Due to this, the site is considered to have a low risk of potential contamination and is therefore considered that the subject site is unlikely to be affected by contamination requiring remediation in accordance with the SEPP. The proposed development may therefore proceed without the need to further consider the provisions of this SEPP.

In accordance with the recommendation as outlined in the PSI, the Assessing Officer recommends including a condition to develop an unexpected finds protocol to address any potential contamination during construction phase.

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

There are no draft EPIs relevant to the subject Application.

4.6. 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

This section of the Muswellbrook DCP has been repealed following the adoption of the Muswellbrook Community Participation Plan. In accordance with this plan, the application was notified via notification letters for not less than 14 days from 29/11/2021 to 13/12/2021.

No submissions were received during the notification period.

Section 6 – Residential Development

This Section applies to residential development in Zones R1, R5, and RU5 only. The proposed development has not been identified as residential development and therefore does not apply to the same.

Section 16 – Car Parking and Access

The proposed development is for additions and alterations to an existing school. The applicant has noted that the proposed new learning hub building will increase capacity of the school by 90 students by 2036.

The State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 3 outlines rules and regulations to facilitate the effective delivery of educational establishments and early education and care facilities across the State. The requirements under this SEPP would overrule the requirements under the Muswellbrook DCP 2009.

Under section 3.37 of this SEPP, an existing school may carry out a number of minor works so long as the proposed development does not result in:

- (a) *an increase in the number of students that the school can accommodate that is more than the greater of 10% or 30 students, compared with the average number of students for the 12 months immediately before the commencement of the development, or*

- (b) *an increase in the number of staff employed at the school that is more than 10%, compared with the average number of staff for the 12 months immediately before the commencement of the development.*

The applicant has noted that the proposed development is not expected to create an increase to the number of students attending the school, but rather, facilitate the gradual increase of students that is expected and exempted under the Education SEPP. The applicant no longer proposes a Kiss and Drop on Maitland Street or any changes to the existing car parking on the site.

The Assessing Officer is satisfied that the proposed development complies with the requirements of the Education SEPP.

Section 20 – Erosion and Sediment Control

The relevant objective of this section states:

‘to demonstrate through the preparation of an Erosion and Sediment Control Plan or Strategy for developments over 250m² of disturbance that appropriate controls are planned to be installed’.

The total floor area of the proposed development is greater than 250m² and therefore requires an Erosion Control as Sediment Plan under the Muswellbrook DCP. An Erosion and Sediment Control Plan has been provided with the application. The Assessing Officer recommends including a standard condition to ensure that the proposed works are carried out in accordance with the proposed plan.

Section 24 – Waste Management

A waste management plan has not been prepared in relation to the proposed development as DCP requirement. The Assessing Officer recommends including a standard condition that a Waste Management Plan be provided prior to the issue of an Occupation Certificate, should the application be approved.

Section 25 – Stormwater Management

The applicant has provided a Stormwater Management for the site. The assessing Officer recommends including a condition to ensure that the proposed works are carried out in accordance with the approved stormwater Management Plan.

Section 94A Contributions Plan 2010

A recommended condition of consent has not been put forward regarding the payment of any Section 7.12 contribution. The proposal meets the criteria for types of development that may be exempted from Section 7.12 contributions under Council's Section 94A Plan as an educational establishment. Furthermore, the proposal has been lodged on behalf of Crown and agreement from the applicant is required for the imposition of a condition of consent related to the imposition of Section 7.12 contributions.

In view of these considerations a condition requiring the payment of Section 7.12 contributions has not been recommended by Council Officers.

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

There are no planning agreements relevant to the subject Application.

4.8. 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.

4.9. 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.

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

The following additional matters were considered and, where applicable, have been addressed elsewhere in this report:

Context & Setting	Waste
Built Form	Energy
Potential Impact on Adjacent Properties	Noise and Vibration
Access, Traffic and Transport	Natural hazards
Public Domain	Technological hazards
Utilities	Safety, Security, and Crime Prevention
Heritage	Social Impact on Locality
Other land resources	Economic Impact on the Locality
Water	Site Design and Internal Design
Soils	Construction
Air & microclimate	Cumulative Impacts
Flora & fauna	

Car Parking and Access

The applicant has noted that the capacity of the school is expected to increase by 90 students by 2036. This has been identified to be a natural increase in students and not caused due to the proposed development – though the proposed development facilitates this growth. The applicants have not proposed an increase in onsite parking.

Based on the current informal kiss and drop operations assumptions, the additional students and those expected to be dropped-off/picked-up at Osborn Avenue may require up to 2 additional spaces, when the 90 additional student increase is expected by 2036. The increase in demand will be negligible in the short term with the opening of the new building and the impacts will also be negligible.

The demand and impacts at Osborn Avenue expected by 2036 is still relatively minor. As such, no provision of additional parking or alternative parking arrangements are proposed

Social and Economic Impact

The proposal is expected to have a positive social and economic impact for the locality. The anticipated social and economic impacts include:

- The proposed development will provide job opportunities during the construction phase and ongoing operation phase for both skilled and unskilled workers.
- The new facilities will enable the school to accommodate the predicted population growth for the area.
- Deliver a school that is sustainable and efficient; incorporating positive environmental measures including insulation and updated glazing.

Overall, the proposal will have no significant negative social or economic impacts and is anticipated to create a stronger tie between the school and Muswellbrook community through additional facilities tailored to the school's and community's needs.

Visual Impact

The proposed built form is of an appropriate height, scale and bulk suitable for the area and

desired development under precinct planning. The site includes extensive boundary plantings, enhancing its appearance from surrounding properties and public areas.

4.11. 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.

4.12. Section 4.15(1)(d) any submissions made

No submissions were received during the notification period:

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

It is considered that the proposal is not contrary to the public interest.

5. CONCLUSION

The application has been assessed in accordance with the legislation listed at the beginning of the report. The application has also been notified to neighbouring property owners in accordance with the provisions of the Muswellbrook Community Participation Plan.

The proposed development has been assessed against the relevant heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979. As outlined above it is considered that the proposed development would be in accordance with the relevant planning provisions.

Accordingly, it is recommended the application be approved subject to conditions of consent.

6. RECOMMENDATION

The proposed development has been assessed against the relevant heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979. As outlined above it is considered that the proposed development would be in accordance with the relevant planning provisions.

Accordingly, it is recommended the application be approved subject to conditions of consent.

Signed by:



Tanya Jolly
Planning Assistant

Date:

18/05/2022

RECOMMENDED CONDITIONS OF CONSENT

IDENTIFICATION OF APPROVED PLANS

1. Approved Plans and Supporting Documents

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Rev No.	Plan Title.	Drawn by.	Dated.
A-000	2	Coversheet	EJE Architecture	August 2021
A-0015	3	Overall Demolition Plan	EJE Architecture	November 2021
A-0020	3	Overall Site/ General Arrangement	EJE Architecture	August 2021
A-0100	4	New Learning Hub Ground Floor Plan	EJE Architecture	August 2021
A-0101	4	New Learning Hub – Level 1 & 2 Plan	EJE Architecture	August 2021
A-0102	4	New Learning Hub – RCP – Ground Floor	EJE Architecture	26/08/2021
A-0103	4	New Learning Hub – RCP – Level 1 & 2	EJE Architecture	26/08/2021
A-0104	3	Furniture Plan – NH – Ground Level	EJE Architecture	09/07/2021
A-0105	3	Furniture Plan – NH – Level 1	EJE Architecture	09/07/2021
A-0106	3	Furniture Plan – NH – Level 2	EJE Architecture	09/09/2021
A-0107	3	New Learning Hub – Roof Plan	EJE Architecture	10/05/2021
A-0120	4	Elevations – Sheet 1	EJE Architecture	August 2021
A-0121	4	Elevations – Sheet 2	EJE Architecture	August 2021
A-0130	4	Sections – Sheet 1	EJE Architecture	August 2021

Document Title.	Ver No.	Prepared By.	Dated.
BCA Report	02	NewCert Pty Ltd	07/10/2021
Disability Access Report	Rev 1	Lindsay Perry Access	29/09/2021
Statement of Environmental Effects	Version Received June 2022	SLR Consulting	Nov 2022
Traffic Impact Assessment	8.0	SCT Consulting	6 June 2022

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

2. Limit to Demolition Works

Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

3. Limitation to the Scope of Works

In accordance with the amendment to the development application dated 14 June 2022 no approval is granted or inferred for any works related to the Maitland Street kiss and drop zone shown on the original development plans submitted.

Any future proposed alterations to the school pick up and drop of in Maitland Street shall require further approval through either a development application or approval under the Roads Act 1993 from the relevant road authority.

OPERATIONAL CONDITIONS IMPOSED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

4. Building Code of Australia

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

5. Access to premises standard

The building shall comply with the requirements of the *Commonwealth Disability (Access to Premise Standard) 2010*.

6. Carrying out of demolition work

Any demolition work is to be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: Demolition of Structures.

ANCILLARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A CROWN CERTIFICATE AND THE COMMENCEMENT OF BUILDING WORK

7. Crown Certificate Requirement

No works shall commence on-site until a Crown Certificate has been issued for the Crown building work being carried out from the Crown Certifier for the works.

8. Waste Management Plan

A Waste Management Plan is to be submitted with the Crown Certificate. The plans should include, but not be limited to:

- a) the estimated volume of waste and method of disposal for the construction and operation phases of the development,
- b) all landfill removed from the site,
- c) haulage routes,
- d) design of on-site wind proof waste storage and recycling area, and
- e) administrative arrangements for waste and recycling management during the construction process.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT

9. Construction Traffic Management Plan

Prior to the commencement of works and in accordance with the recommendations of the Traffic Impact Assessment a detailed Construction Traffic Management Plan is to be prepared prior to the commencement of construction.

A copy of the Construction Traffic Management Plan is to be provided to Council. Any Where required the person acting with this consent is to make adjustments to the Traffic Management Plan in line with any feedback from Council Roads and Drainage Engineers.

10. Pedestrian Fencing of Maitland Street median

Prior to the commencement of works associated with the pedestrian fencing of the Maitland Street median the person acting with this consent is to have submitted to and obtained approval for the pedestrian fencing from Transport for NSW and a Road Occupancy License for its construction.

In line with Transport for NSW's 15 June 2022 correspondence technical direction for the installation of pedestrian fencing along NSW classified roads can be found online at: https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/technical-directions/rtd2019_001.pdf

11. 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 erosion and sedimentation 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.

12. 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 Crown Certifier for the work.

Any such sign must be maintained while to 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.

13. 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 to Council, in writing and/or photographic record, evidence 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.

14. Site Facilities

- (a) If the development involves building work or demolition work, the work site must be fully enclosed by a temporary security fence (or hoarding) before work commences.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway to facilitate the safe movement of pedestrians.
- (c) Any such hoarding or fence is to be removed when the work has been completed.
- (d) A garbage receptacle fitted with a tight-fitting lid is to be provided for disposal of all food scraps and papers from the work site prior to building work commencing, and must be maintained and serviced for the duration of the work.
- (e) Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.
- (f) Each toilet provided must:
 - be a standard flushing toilet, connected to a public sewer, or
 - if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
 - an approved temporary chemical closet.
- (g) The provision of toilet facilities must be completed before any other work is commenced.
- (h) A person having the benefit of this certificate who causes an excavation that extends below the level of the base of the footings of a building on an adjoining allotment of land must at their own expense and where necessary:
 - protect and support the building from damage, and
 - If necessary, underpin and support the building in accordance with the details prepared by a professional engineer.
- (i) A person having the benefit of this certificate who causes the excavation must, at least 7 days before commencing this work, give notice of intention to do so to the owner of the adjoining allotment of land and provide particulars of the proposed work.
- (j) Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site.

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

15. 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 7.00am 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.

16. Cost of Work on Council Property

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

17. Erosion and Sediment Controls

The approved Sediment & Erosion controls shall be reinstated daily prior to workers leaving the site where modified at any time. Any sediment that escapes from the allotment shall be cleaned, collected and disposed of to Council's waste management facility or the sediment shall be returned to the subject allotment on a daily basis.

18. Site Waste Minimisation

Throughout the carrying out of building works the person acting with this consent shall take 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 and any approved Waste Management Plan. Steps to be taken:

- 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.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE CROWN COMPLETION CERTIFICATE

19. Occupation/completion

Prior to the occupation and use of the building, work is to be completed in accordance with the approved plans and a Crown Completion Certificate has been issued by the Crown Certifier.

20. Connection to Sewer

The premises shall be connected to the sewer system in accordance with the Australian Standard 3500.

A works as executed plan on Council's approved form is to be submitted to Council within seven (7) days following the final drainage inspection and prior to any Crown Completion Certificate being issued.

21. Maitland Street Pedestrian Median Fencing

Prior to the completion of works and occupation of the approved building suitable pedestrian fencing is to be completed along the Maitland Street median in accordance with the Traffic Impact Assessment and Transport for NSW requirements.



ARTISTIC 3D PERSPECTIVE VIEW - NLH

Muswellbrook South Public School

CDC

ARCHITECTURAL...

NO. TITLE

A-0000	COVERSHEET
A-0015	OVERALL DEMOLITION PLAN
A-0020	OVERALL SITE/ GENERAL ARRANGEMENT
A-0100	NEW LEARNING HUB - GROUND FLOOR PLAN
A-0101	NEW LEARNING HUB - LEVEL 1 & 2 PLAN
A-0102	NEW LEARNING HUB - RCP - GROUND FLOOR
A-0103	NEW LEARNING HUB - RCP - LEVEL 1 & 2
A-0104	FURNITURE PLAN - NH - GROUND LEVEL
A-0105	FURNITURE PLAN - NH - LEVEL 1
A-0106	FURNITURE PLAN - NH - LEVEL 2
A-0107	NEW LEARNING HUB - ROOF PLAN
A-0108	FLOOR FINISHES PLAN - GROUND FLOOR
A-0109	FLOOR FINISHES PLAN - LEVEL 1 & 2
A-0110	NLH - GROUND - SET OUT
A-0111	NLH - LEVEL 1 & LEVEL 2 - SET OUT
A-0112	NEW LEARNING HUB - CONCRETE PROFILE PLAN - GROUND FLOOR
A-0113	NEW LEARNING HUB - CONCRETE PROFILE PLAN - LEVEL 1
A-0114	NEW LEARNING HUB - CONCRETE PROFILE PLAN - LEVEL 2
A-0120	ELEVATIONS - SHEET 1
A-0121	ELEVATIONS - SHEET 2
A-0122	CENTRAL CYARD ELEVATIONS - SHEET 3
A-0130	SECTIONS - SHEET 1
A-0131	SECTIONS - SHEET 2

ARCHITECTURAL...

NO. TITLE

A-0132	SECTIONS DETAIL
A-0140	WALL TYPE SCHEDULE - EXTERNAL WALLS
A-0141	WALL TYPE SCHEDULE - INTERNAL WALLS
A-0150	NLH- RAMP AND STAIR DETAILS - SHEET 0
A-0151	NLH- RAMP AND STAIR DETAILS - SHEET 1
A-0152	NLH- RAMP AND STAIR DETAILS - SHEET 2
A-0153	NLH- RAMP AND STAIR DETAILS - SHEET 3
A-0154	NLH- RAMP AND STAIR DETAILS - SHEET 4
A-0155	NLH- RAMP AND STAIR DETAILS - SHEET 5
A-0160	NLH - GF - WET AREA DETAILS - SHEET 0
A-0161	NLH - GF - WET AREA DETAILS - SHEET 1
A-0162	NLH - GF - WET AREA DETAILS - SHEET 2
A-0163	NLH - L1 - WET AREA DETAILS - SHEET 3
A-0164	NLH - L1 - WET AREA DETAILS - SHEET 4
A-0165	NLH - L2 - WET AREA DETAILS - SHEET 5
A-0166	NLH - L1 & L2 - WET AREA DETAILS - SHEET 6
A-0167	NLH - L1 & L2 - WET AREA DETAILS - SHEET 7
A-0170	NLH - L1 - INTERIOR ELEVATIONS - SHEET 0
A-0171	NLH - L1 - INTERIOR ELEVATIONS - SHEET 1
A-0172	NLH - L2 - INTERIOR ELEVATIONS - SHEET 2
A-0173	NLH - L2 - INTERIOR ELEVATIONS - SHEET 3
A-0180	NHL - WALL SECTIONS - SHEET 1
A-0181	NHL - WALL SECTIONS - SHEET 2
A-0182	NHL - WALL SECTIONS - SHEET 3

ARCHITECTURAL...

NO. TITLE

A-0200	BLOCK A - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-0201	BLOCK A - PROPOSED RCP AND FURNITURE PLAN
A-0210	BLOCK A - EXTERNAL ELEVATIONS
A-0211	BLOCK A - INTERNAL ELEVATIONS - SHEET 1
A-0212	BLOCK A - INTERNAL ELEVATIONS - SHEET 2
A-0213	BLOCK A - INTERNAL ELEVATIONS - SHEET 3
A-0214	BLOCK A - INTERNAL ELEVATIONS - SHEET 4
A-0215	BLOCK A - INTERNAL ELEVATIONS - SHEET 5
A-0216	BLOCK A - INTERNAL ELEVATIONS - SHEET 6
A-0217	BLOCK A - INTERNAL ELEVATIONS - SHEET 7
A-0218	BLOCK A - INTERNAL ELEVATIONS - SHEET 8
A-0220	BLOCK A - RAMP DETAIL - SHEET 1
A-0300	BLOCK A - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-0301	BLOCK B - PROPOSED RCP AND FURNITURE PLAN
A-0310	BLOCK B - EXTERNAL ELEVATIONS
A-0311	BLOCK B - INTERNAL ELEVATIONS - SHEET 1
A-0312	BLOCK B - INTERNAL ELEVATIONS - SHEET 2
A-0320	BLOCK B - RAMP DETAIL - SHEET 1
A-0400	BLOCK C - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-0401	BLOCK C - PROPOSED RCP AND FURNITURE PLAN

ARCHITECTURAL...

NO. TITLE

A-0411	BLOCK C - INTERNAL ELEVATIONS - BLOCK C - SHEET 1
A-0412	BLOCK C - INTERNAL ELEVATIONS - BLOCK C - SHEET 2
A-0420	BLOCK C - RAMP DETAIL - SHEET 1
A-0600	BLOCK G - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-0601	BLOCK G - PROPOSED RCP AND FURNITURE PLAN
A-0610	BLOCK G - INTERNAL ELEVATIONS - SHEET 1
A-0611	BLOCK G - INTERNAL ELEVATIONS - SHEET 2
A-0612	BLOCK G - INTERNAL ELEVATIONS - SHEET 3
A-0700	BLOCK H - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-0701	BLOCK H - PROPOSED RCP AND FURNITURE PLAN
A-0710	BLOCK H - INTERNAL ELEVATIONS - SHEET 1
A-0712	BLOCK H - INTERNAL ELEVATIONS - SHEET 3
A-0800	BLOCK I - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-0801	BLOCK I - PROPOSED RCP AND FURNITURE PLAN
A-0810	BLOCK I - INTERNAL ELEVATIONS - SHEET 1
A-0811	BLOCK I - INTERNAL ELEVATIONS - SHEET 2
A-0812	BLOCK I - INTERNAL ELEVATIONS - SHEET 3

ARCHITECTURAL...

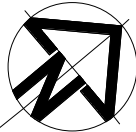
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A-01200	BLOCK R - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-01201	BLOCK R - PROPOSED RCP AND FURNITURE PLAN
A-01210	BLOCK R - ELEVATIONS
A-01211	INTERNAL ELEVATIONS - BLOCK R - SHEET 1
A-01212	INTERNAL ELEVATIONS - BLOCK R - SHEET 2
A-01300	BLOCK S - PROPOSED REFURBISHMENT AND DEMOLITION PLANS
A-01301	BLOCK S - PROPOSED RCP AND FURNITURE PLAN
A-01310	BLOCK S - INTERNAL ELEVATIONS - SHEET 1
A-01311	BLOCK S - INTERNAL ELEVATIONS - SHEET 2
A-01312	BLOCK S - INTERNAL ELEVATIONS - SHEET 3
A-01313	BLOCK S - INTERNAL ELEVATIONS - SHEET 4
A-01314	BLOCK S - INTERNAL ELEVATIONS - SHEET 5
A-02000	TYPICAL DOOR & WINDOW SCHEDULE - EXISTING BUILDINGS
A-02005	TYPICAL DOOR SCHEDULE - NEW LEARNING HUB - SHEET 1
A-02010	TYPICAL WINDOW SCHEDULE - NEW LEARNING HUB - SHEET 1
A-03000	JOINERY & CONSTRUCTION DETAIL

EJE ARCHITECTURE
ACN 002 912 843 | ABN B2 644 649 849 | NSW Architects Registration No: 4438
Nominated Architect - Bernard Collins | E je@eje.com.au | W www.eje.com.au
P +61 2 4529 2253 | F +61 2 4529 3069 | A 412 KING STREET, NEWCASTLE, NSW 2300

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0 50mm 100mm 200mm ON ORIGINAL A1

VRFD | PROJECT :

Muswellbrook South Public School

CLIENT : **FKG Group**

SITE :

**57-61 Maitland St,
Muswellbrook, New South
Wales 2333**

DRAWING : **COVERSHEET**

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

DRAWN :

LD

PROJECT No :

13599

DATE :

AUG 2021

PHASE :

SD A-0000

SCALES :

@ A1

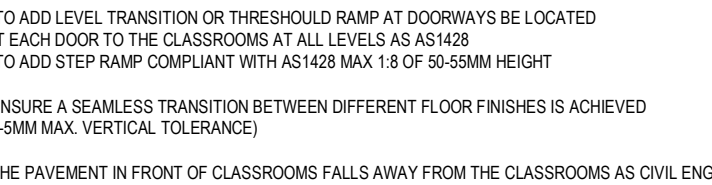
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REV :

2







1 : 100



EVE architecture

LEGEND

FLOOR FINISHES CODES

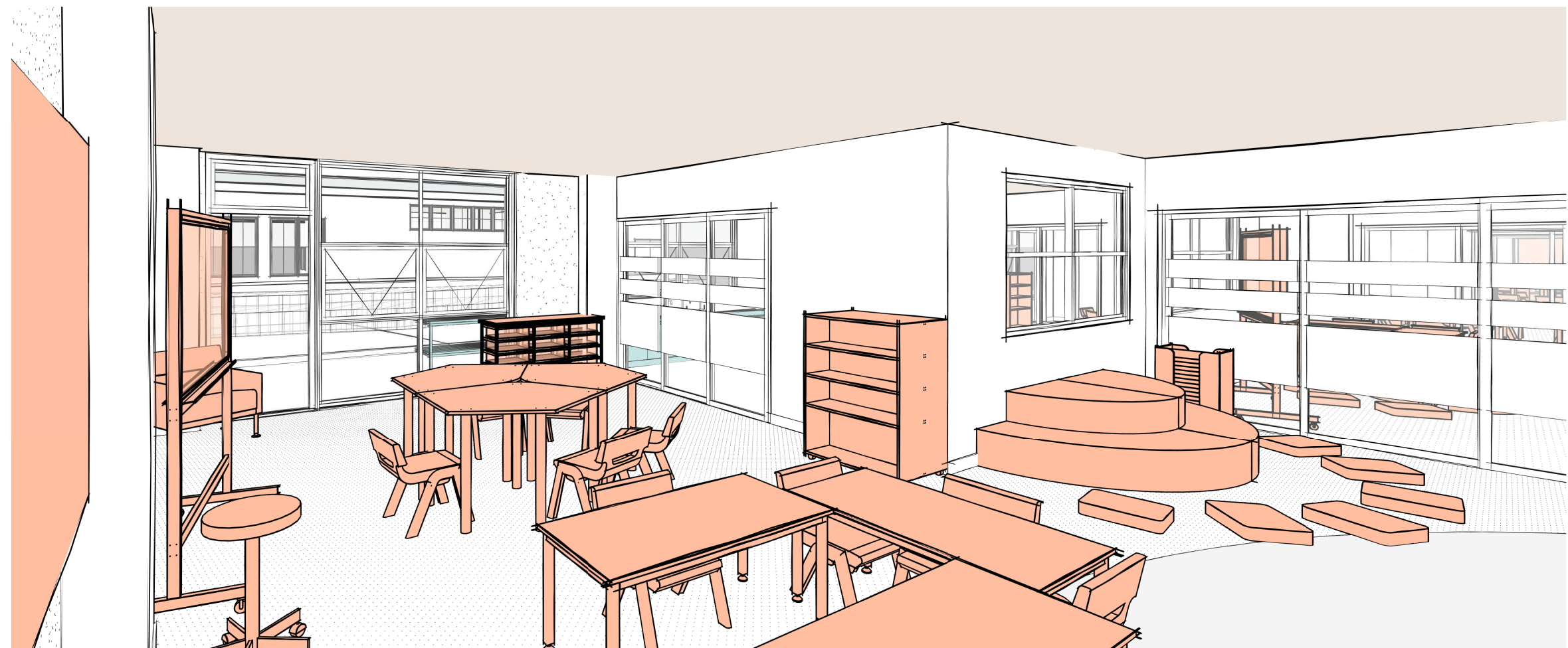
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SN #	- STAIR NOSING AS SCHEDULED
TGSI #	- TACTILE GROUND SURFACE INDICATORS
TL #	- VITRIFIED TILES AS SCHEDULED
VF #	- VINYL FLOOR SHEET AS SCHEDULED
SK #	- SKIRTING AS SCHEDULED
TGSI #	- TACTILE GROUND SURFACE INDICATORS
COL #	- CONCRETE COLUMN

FURNITURE LEGEND - NEW HUB - GROUND

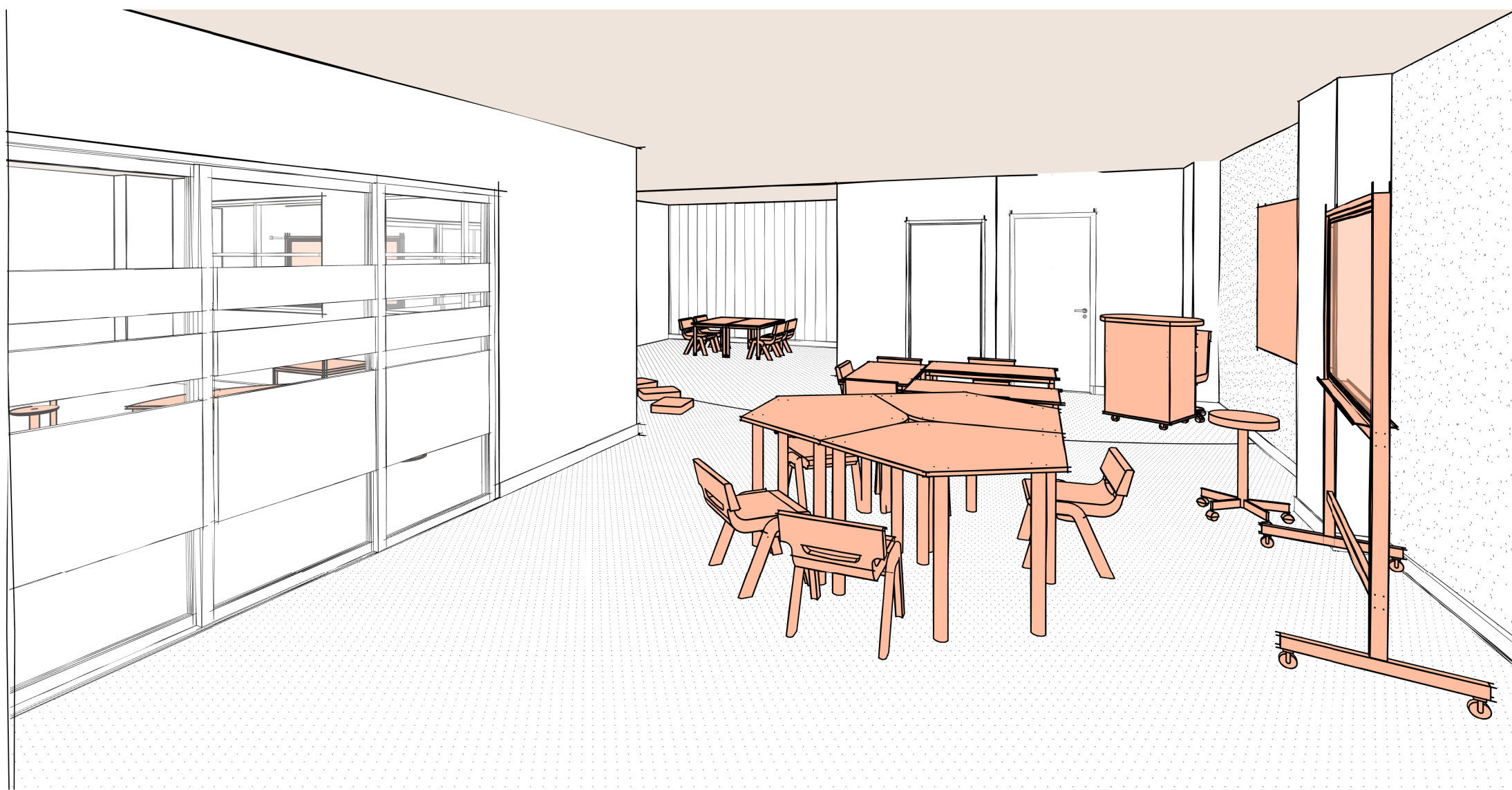
CODE	EFGS Code	DESCRIPTION
CART	XX	SEAT CUSHION CART, 506W X 390D X 755H
CH-13		TEACHERS CHAIR
CH-04	S-13	WORKSTATION CHAIR
CH-06	S-40	TEACHERS CHAIR
CH-08	S-62	STUDENT CHAIR, 350H, COLOUR CHARCOAL
CH-10	S-64	STUDENT CHAIR 430H - COLOUR CHARCOAL
CPD-03	C-95	BOOKCASE 1800H X 900W X 315D
MB-01	T-88	MOBILE PEDESTAL 620H X 460W X 520D
OT-01	XX	TIERED OTTOMAN, 1350D X 1350W X 620
OT-04	XX	OTTOMAN AND TABLE SET, 900DIA X 500H
PAD	XX	SEAT CUSHIONS (FROM WITHIN CART)
SBD-01	SB	SMARTBOARD
SH-08	M-41	ART DRYING RACK, 1200H X 800W X 600D
SH-01	B-53	TOTE TROLLEY 770H X 1450W X 475D
SH-02	SA-400	METAL SHELVING UNIT 2200H X 900W X 400D
SH-05	LS-1713	DOUBLE SIDED BOOKCASE, 1200H X 900W X 600D
ST-01	XX	STUDENT STOOL, 400-500H
ST-02	XX	TEACHERS STOOL
TB-14	T-96	ADJUSTABLE SEMI-CIRCLE TABLE
TB-05	TW-243	ONE PERSON WORKSTATION 1500W X 750D X 730H
TB-10	T-01	STUDENT TABLE, 1200 X 600, ADJUSTABLE HEIGHT
TB-11	T-51	TEACHERS TABLE, 1055H X 900W X 600D
TB-13	XX	SUPPORT UNIT STUDENT TABLE 1300W X 891D X ADJUSTABLE HEIGHT
TB-15	T-21	PRACTICAL ACTIVE AREA TABLE 1200W X 900D
TB-17	T-152	TABLE 1200W X 600D, ADJUSTABLE HEIGHT
WB-03	BO-21	MOBILE WHITEBOARD, 900H X 1500W
WBD-01	BO-19	WHITEBOARD, 1200 x 1200

1 NLH - GROUND FLOOR - FURNITURE PLAN

1 : 100



2 INTERIOR NORTH VIEW HOME BASE - UR0001 - GROUND FLOOR



3 INTERIOR SOUTH VIEW HOME BASE - UR0001 - GROUND FLOOR

EJE ARCHITECTURE

ACN 002 912 843 | ABN 82 644 549 849
Nominated Architect - Bernard Collins
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A 412 KING STREET, NEWCASTLE, NSW 2300

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REV	DATE	COMMENTS
A	01/02/2021	SCHEMATIC DESIGN 100%
B	08/10/2021	FOR REVIEW
C	26/10/2021	FOR REVIEW
D	26/11/2021	DEVELOPMENT DESIGN 40%
E	18/01/2022	80% DD
F	04/03/2022	DESIGN DEVELOPMENT SUBMISSION
G	09/03/2022	100% DESIGN DEVELOPMENT
H	15/03/2022	100% DESIGN DEVELOPMENT - REVISION 1
I	20/05/2022	CDC
J	30/05/2022	CDC - REV A

DRG	CHKD	VRFD
LD/MG	KG	
LD	KG	
LD/MG	KG	
LD	KG	
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LD	KG	
LD	KG	
LD	KG	
LD	KG	
LD	KG	
LD	KG	

PROJECT :

**Muswellbrook South
Public School**

FKG Group

SITE :

**57-61 Maitland St,
Muswellbrook, New South
Wales 2333**

DRAWING :

**FURNITURE PLAN - NH -
GROUND LEVEL**

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

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DRAWN :

LD

DATE :

09/07/21

SCALE :

As indicated @ A1

1 : 100 @ A3

PROJECT No :

13599

PHASE :

SD

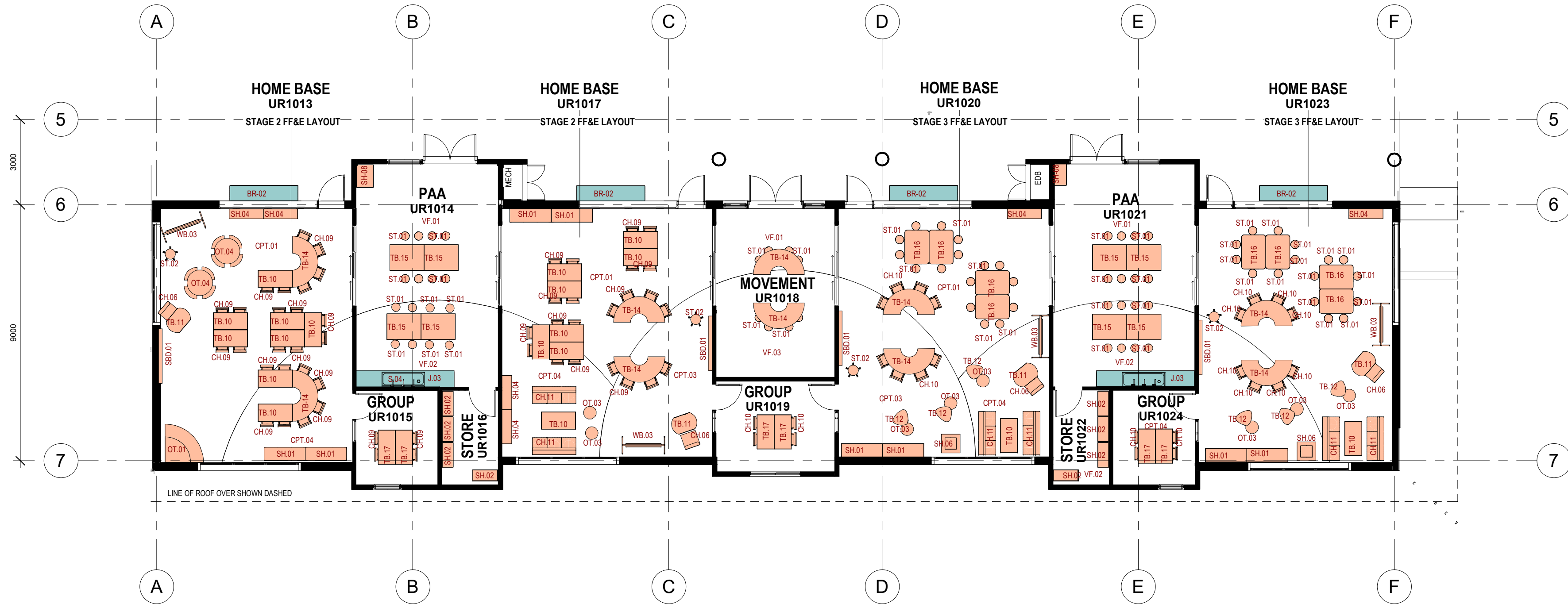
DRAWING No :

A-0104

REV :

3





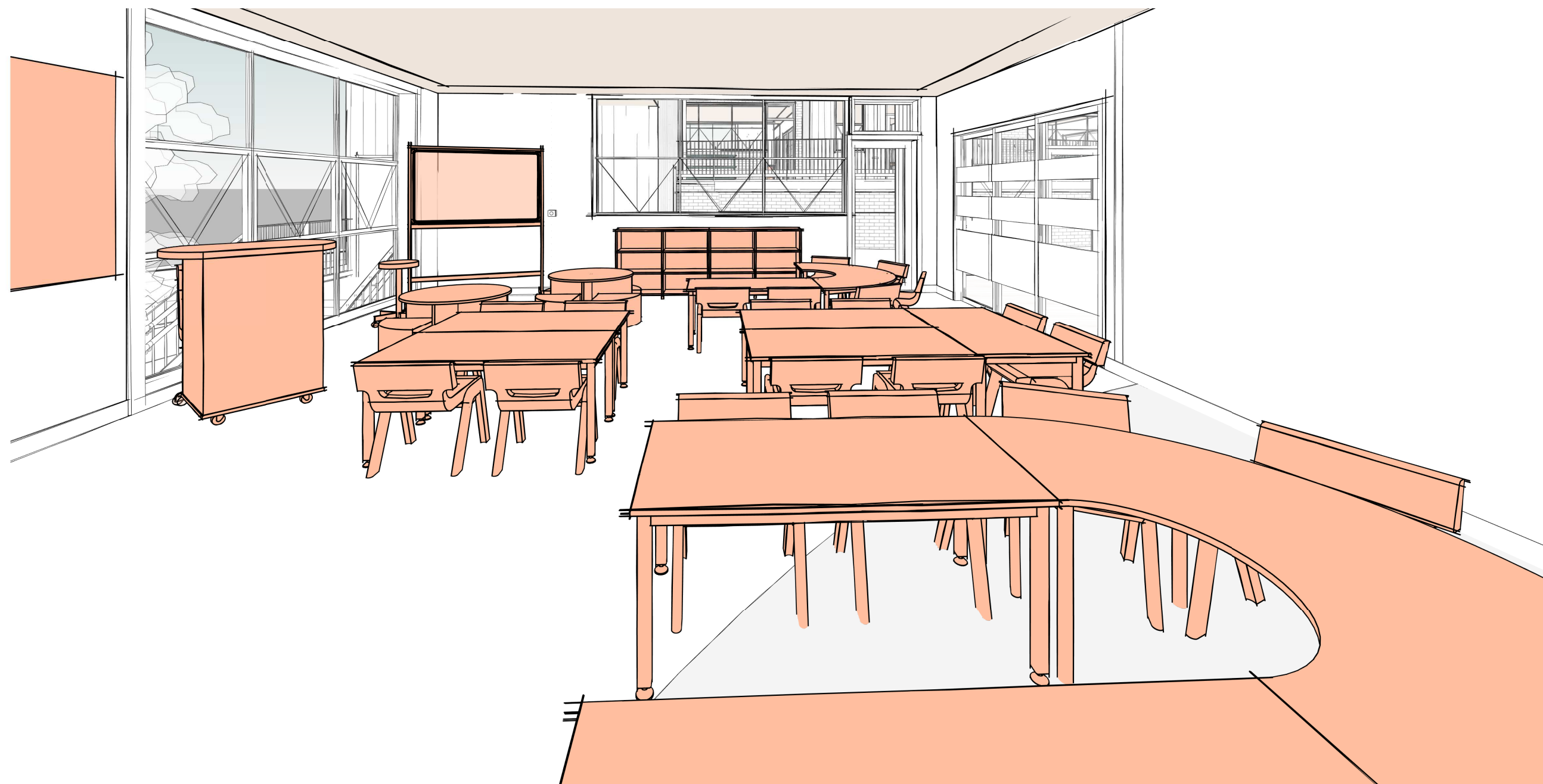
FURNITURE LEGEND - NEW HUB - LEVEL 1

CODE	EFSG Code	DESCRIPTION
CH.06	S-40	TEACHERS CHAIR
CH.09	S-53	STUDENT CHAIR, 380H, COLOUR CHARCOAL
CH.10	S-54	STUDENT CHAIR 430H - COLOUR CHARCOAL
CH.11		MOBILE BOOTH, 1115H X 1530W X 600D
OT.01	XX	TIERED OTTOMAN, 1350D X 1350W X 620
OT.03		OTTOMAN, 450DIA X 450H
OT.04	XX	OTTOMAN AND TABLE SET, 900DIA X 500H
SBD.01	SB	SMARTBOARD
SH.06	M-41	ART DRYING RACK, 1200H X 800W X 600D
SH.01	B-53	TOTE TROLLEY 770H X 1450W X 475D
SH.02	SA-400	METAL SHELVING UNIT 2200H X 900W X 400D
SH.04	B-51	BOOK CASE 1200W X 390D X 900H
SH.06		SPINNER BOOKSHELF, 660W X 660D X 1575H
ST.01	XX	STUDENT STOOL, 400-500H
ST.02	XX	TEACHER'S STOOL
TB.14	T-06	ADJUSTABLE SEMI-CIRCLE TABLE
TB.10	T-01	STUDENT TABLE, 1200 X 600, ADJUSTABLE HEIGHT
TB.11	T-51	TEACHERS TABLE, 1056H X 900W X 600D
TB.12	XX	ADJUSTABLE LAPTOP TABLE
TB.15	T-21	PRACTICAL ACTIVE AREA TABLE 1200W X 900D
TB.16		ISLAND TABLE STASH STORE, 725H, 1200W, 850D
TB.17	T-152	TABLE 1200W X 600D, ADJUSTABLE HEIGHT
WB.03	BO-21	MOBILE WHITEBOARD, 900H X 1500W

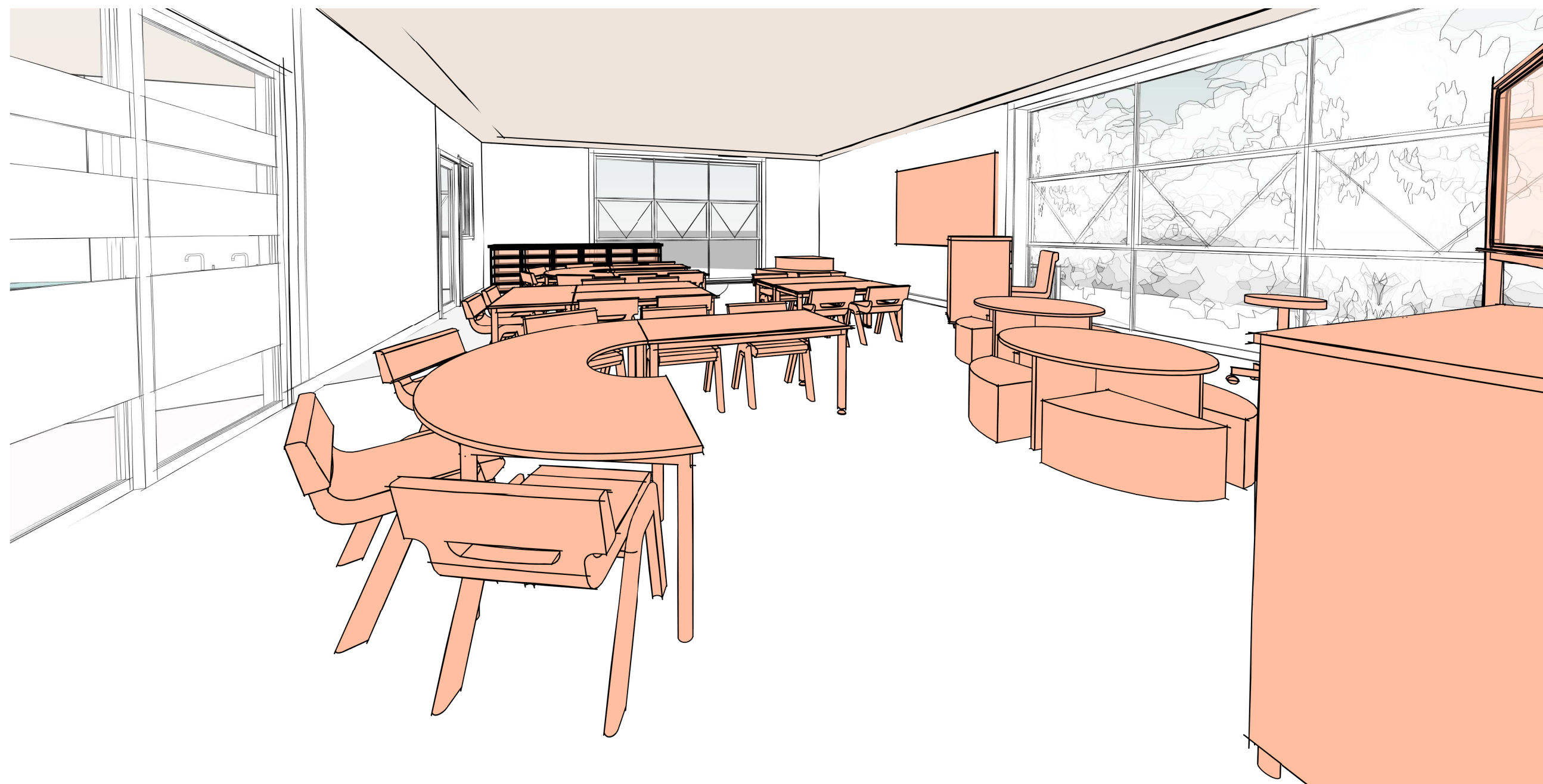
FF&E - NEW HUB - LEVEL 1

CODE	DESCRIPTION
BR-02	BAG RACK, 870H X 2400W X 550D
BSN-01	WALL BASIN
BT-01	BASIN BOTTLE TRAP
CC	CONCRETE COLUMNS
CH-01	COAT HOOK
GR-01	ACCESSIBLE 90° GRAB RAILS
HUNG BASIN	Wall hung basin - shroud installed
Mi-01	MIRROR
PTD-01	PAPER TOWEL
S.04	JOINERY UNIT WITH SINK
SD-01	SOAP DISPENSER
TGSI.01	TACTILE INDICATORS
TP-01	TAP - TYPE 01
TP-06	TAP - TYPE 06
TRD-01	TOILET ROLL HOLDER
WC-02	TOILET - TYPE 01

1 NLH - LEVEL 1 FURNITURE PLAN
1 : 100



2 INTERIOR NORTH VIEW HOME BASE - UR1013 - STAGE 1 - LEVEL 1



3 INTERIOR SOUTH VIEW HOME BASE - UR1013 - STAGE 1 - LEVEL 1

EJE ARCHITECTURE

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C	16/09/2021	FOR REVIEW
D	23/09/2021	FOR REVIEW
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F	08/10/2021	FOR REVIEW
G	26/10/2021	FOR REVIEW
H	26/11/2021	DEVELOPMENT DESIGN 40%
J	18/01/2022	80% DD
K	04/03/2022	DESIGN DEVELOPMENT SUBMISSION
O	09/03/2022	100% DESIGN DEVELOPMENT
1	15/03/2022	100% DESIGN DEVELOPMENT - REVISION 1
2	20/05/2022	CDC
3	30/05/2022	CDC - REV A

DRN	CHKD	VRFD
LD	KG	
LDNG	KG	
LDNG	KG	
LD	KG	
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LD	KG	
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LD	KG	

PROJECT: **Muswellbrook South Public School**

CLIENT: **FKG Group**

SITE: **57-61 Maitland St, Muswellbrook, New South Wales 2333**

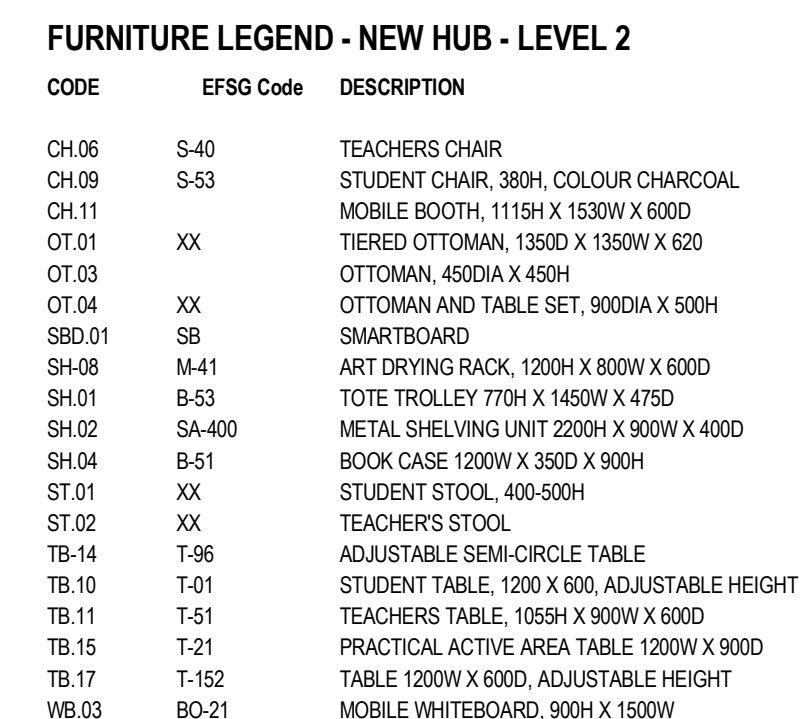
DRAWING: **FURNITURE PLAN - NH - LEVEL 1**

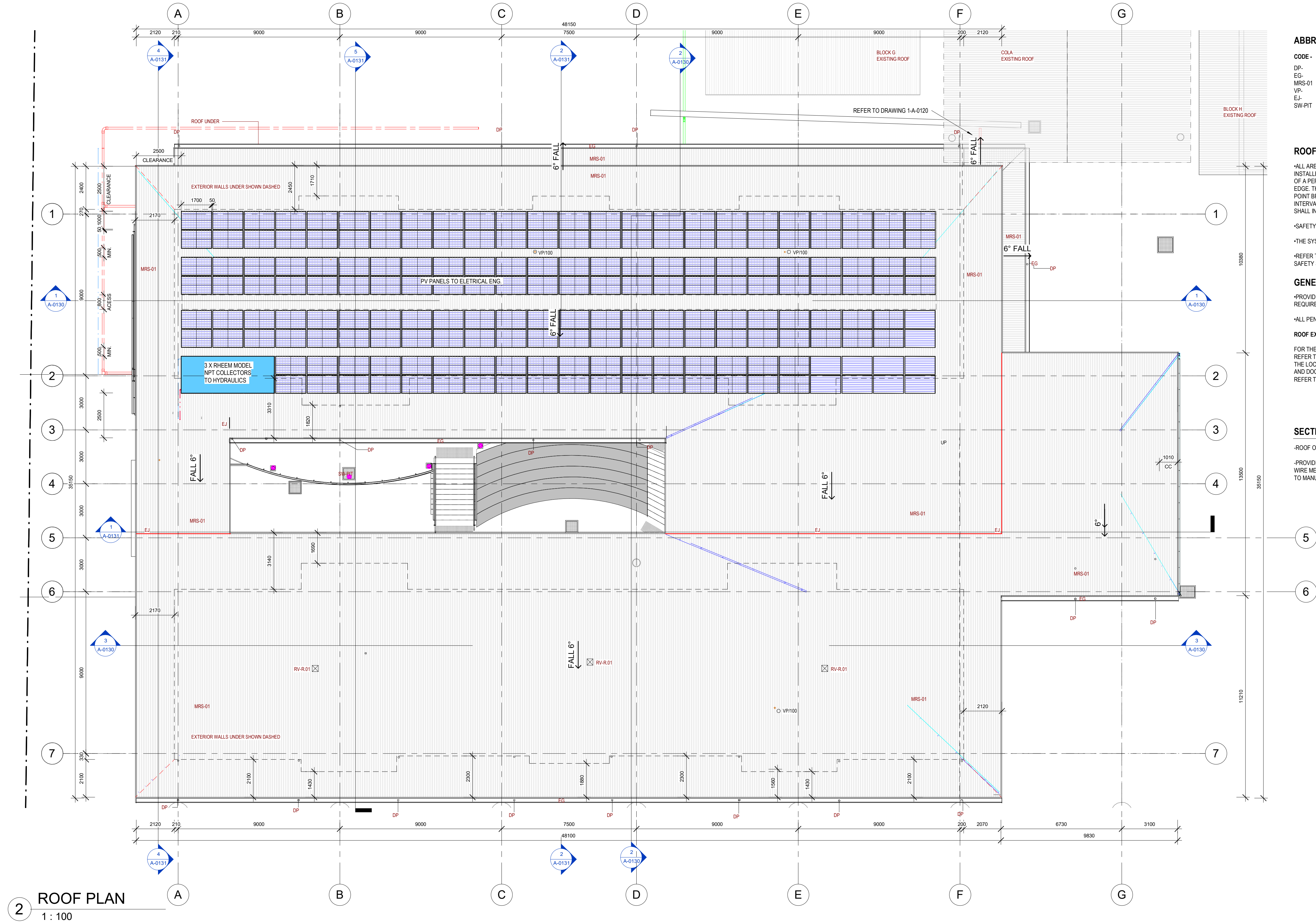
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DRAWN: **LD** DATE: **09/07/21** SCALES: **1:100 @ A1**
1:100 @ A3

PROJECT No: **13599** PHASE: **SD** DRAWING No: **A-0105** REV: **3**







ABBREVIATION LEGEND

CODE	DESCRIPTION
DP-	DOWN PIPE
EG-	EAVES GUTTER 250mm
MRS-01	PREFINISHED METAL ROOF SHEETING AS SCHEDULED
VP-	VENT PIPE
EJ-	EXPANSION JOINT
SW-PIT	TO CIVIL ENG. DETAILS

ROOF ACCESS NOTES

-ALL AREAS OF THE ROOF SHALL HAVE A FALL ARREST SYSTEM INSTALLED AS REQUIRED BY AS 1891. THE SYSTEM SHALL CONSIST OF A PERIMETER SAFETY LINE INSTALLED 2500mm FROM THE ROOF EDGE. THE SYSTEM SHALL BE PROVIDED WITH LADDER FIXING POINT BRACKETS AND AN ATTACHMENT SYSTEM AT THE REQUIRED INTERVALS AND LOCATIONS AROUND THE BUILDING. THE SYSTEM SHALL INCLUDE:

- SAFETY WIRE INCLUDING ROOF ANCHORS
- THE SYSTEM SHALL COMPLY WITH AS. 1891.2 & AS1891.5
- REFER TO SPECIFICATION SECTION -0193 BUILDING ACCESS SAFETY SYSTEM.

GENERAL NOTES

- PROVIDE EXPANSION JOINTS IN ROOF SHEET TO MANUFACTURES REQUIREMENTS
- ALL PENETRATIONS ARE TO BE FLASHED TO AS/NZS 2904

ROOF EXHAUST, VENTS AND SOLAR PANELS:

FOR THE LAYOUT OF ROOF VENTILATORS, INTAKE AND EXHAUST REFER TO MECHANICAL DRAWINGS AND DOCUMENTATION. FOR THE LOCATION OF VENT PIPES REFER TO HYDRAULIC DRAWINGS AND DOCUMENTATION. FOR THE LOCATION OF THE SOLAR PANELS REFER TO ELECTRICAL DRAWINGS AND DOCUMENTATION.

SECTION J, NOISE MITIGATION

- ROOF OVER AIRCONDITIONED SPACES TO ACHIEVE R3-7.
- PROVIDE 120MM FOIL BACKED INSULATION - SUPPORTED ON WIRE MESH OVER PURLING. PROVIDE APPROPRIATE SPACERS TO MANUFACTURES & BCA REQUIREMENTS.

2 ROOF PLAN
1 : 100

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C	18/01/2022	80% DD
D	04/03/2022	DESIGN DEVELOPMENT SUBMISSION
0	09/03/2022	100% DESIGN DEVELOPMENT
1	15/03/2022	100% DESIGN DEVELOPMENT - REVISION 1
2	20/05/2022	CDC
3	30/05/2022	CDC - REV A

DRN	CHKD	VRFD	PROJECT
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		

Muswellbrook South Public School

FKG Group

57-61 Maitland St, Muswellbrook, New South Wales 2333

NEW LEARNING HUB - ROOF PLAN

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DRAWN : **LD** DATE : **10/05/21** SCALE : **1 : 100 @ A1**
13599 SD A-0107 3
PROJECT No : **13599** PHASE : **SD** DRAWING No : **A-0107 3** REV : **3**





LEGEND

FINISHES CODES

- | | |
|--------|--|
| BAL # | - ALUMINUM BALUSTRADE WITH PC FINISH |
| PC # | - ALUMINUM DOR & WINDOW FRAMES. SASHES, MULLIONS |
| BRK # | - FACE BRICK AS SCHEDULED & TO COMPLY WITH AS.3700 |
| SN # | - STAIR NOSING AS SCHEDULED |
| TGSI # | - TACTILE GROUND SURFACE INDICATORS |
| MS # | - PREFINISHED METAL SHEETING AS SCHEDULED |
| MS # | - PREPARED METAL ROOF SHEETING AS SCHEDULED |
| MS # | - EAVES SOFFIT LININGS |
| DP # | - RAINWATER DOWNPIPE |
| EG # | - RAINWATER GUTTERING |
| CONC # | - CONCRETE SLAB / BEAMS / STAIRS/ PATHWAY AS SCHEDULED |
| COL # | - CONCRETE COLUMNS AS SCHEDULE |
| PC # | - PREFINISHED RC SLT PANEL AS SCHEDULE |
| BLK # | - BLOCK WORK |

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E	18/01/2022	80% DD
F	04/03/2022	DESIGN DEVELOPMENT SUBMISSION
0	09/03/2022	100% DESIGN DEVELOPMENT
1	15/03/2022	100% DESIGN DEVELOPMENT - REVISION
2	18/03/2022	CDC DRAFT
3	20/05/2022	CDC
4	30/05/2022	CDC - REV A

DRN	CHKD	VRFD	PROJECT
LD	KG		
LD/IMG	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	GCS	Kathy Green	
LD	GCS		CLIENT :
LD	KG	Kathy Green	
LD	KG		

PROJECT : **Muswellbrook South
Public School**

FKG Group

SITE : **57-61 Maitland St,
Muswellbrook, New South
Wales 2333**

ELEVATIONS - SHEET 1

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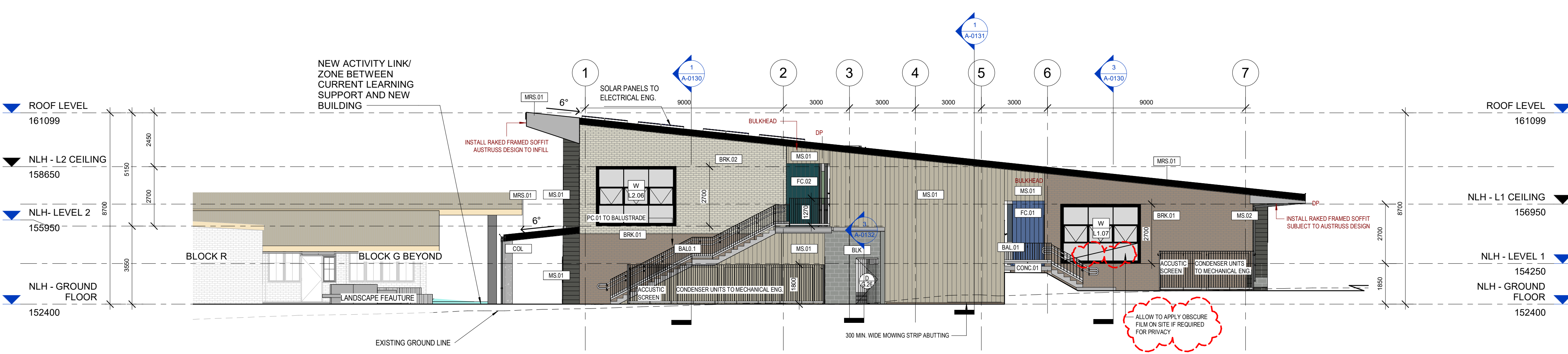
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DRAWN : **LD** DATE : **AUG 2021** SCALES : As indicated@ A1
1 : 200@ A3

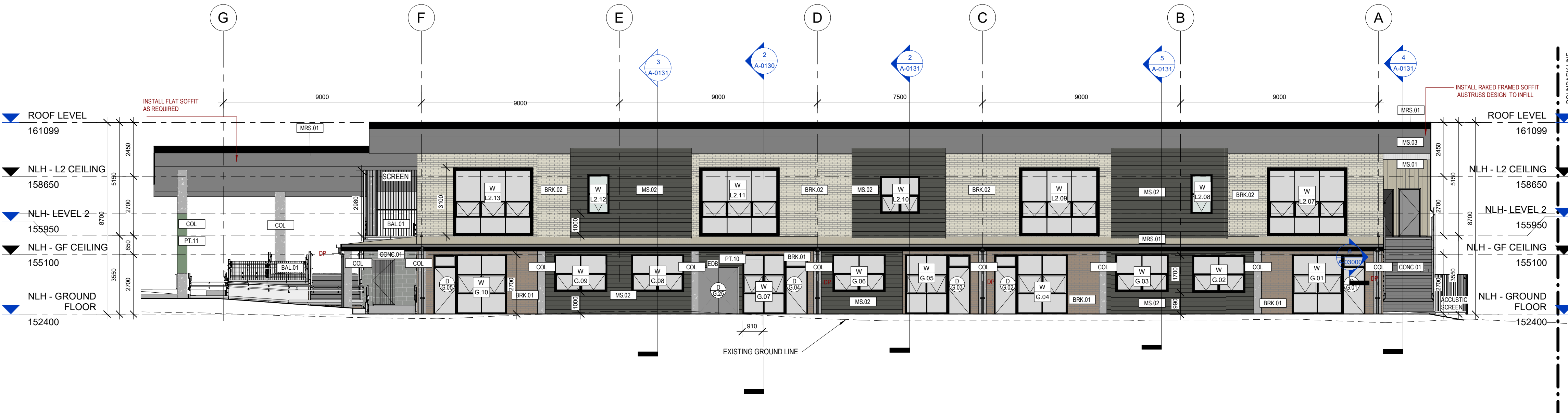
PROJECT No: **13599** PHASE: **SD** DRAWING No: **A-0120** REV: **4**



EVE architecture



1 WEST ELEVATION
1 : 100



2 NORTH ELEVATION
1 : 100

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Nominated Architect - Bernard Collins
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2	18/05/2022	CDC DRAFT
3	20/05/2022	CDC
4	30/05/2022	CDC - REV A

DRN	CHKD	VRFD	PROJECT
LD	KG		Muswellbrook South Public School
LD/NG	KG		
LD	KG		
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LD	KG		
LD	KG		
LD	KG		
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LD	KG		

CLIENT: FKG Group

SITE: 57-61 Maitland St, Muswellbrook, New South Wales 2333

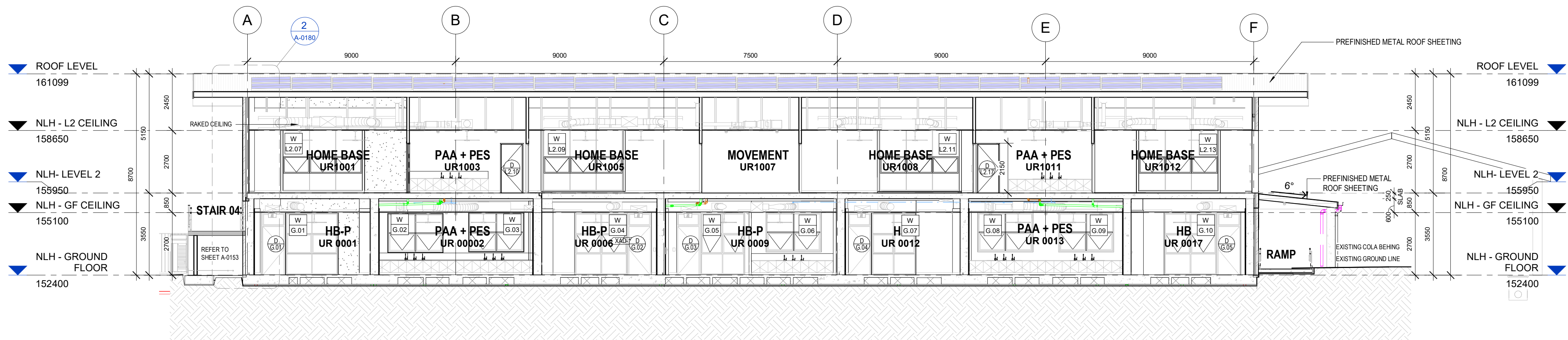
DRAWING: ELEVATIONS - SHEET 2

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DRAWN: LD DATE: AUG 2021 SCALES: As indicated @ A1 1:200 @ A3

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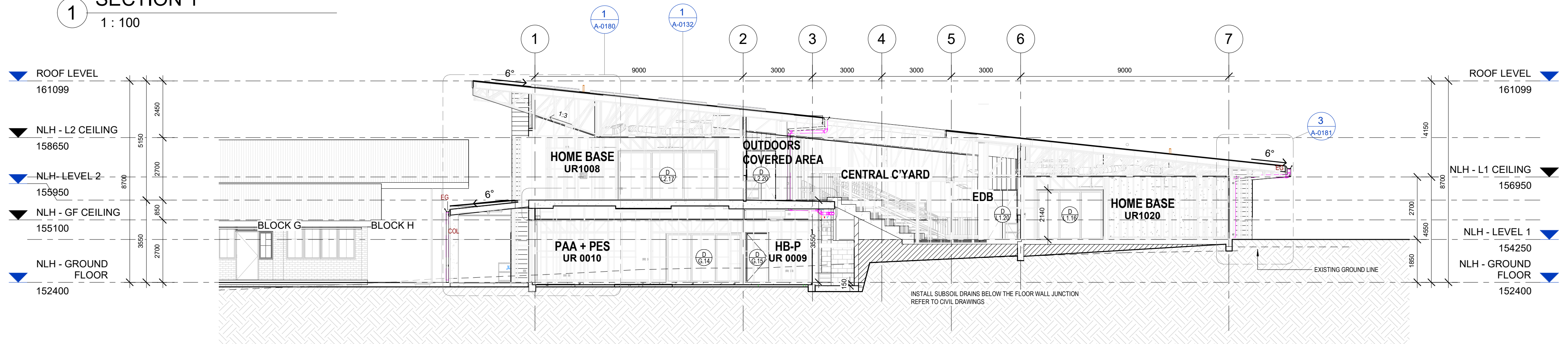
EJE architecture



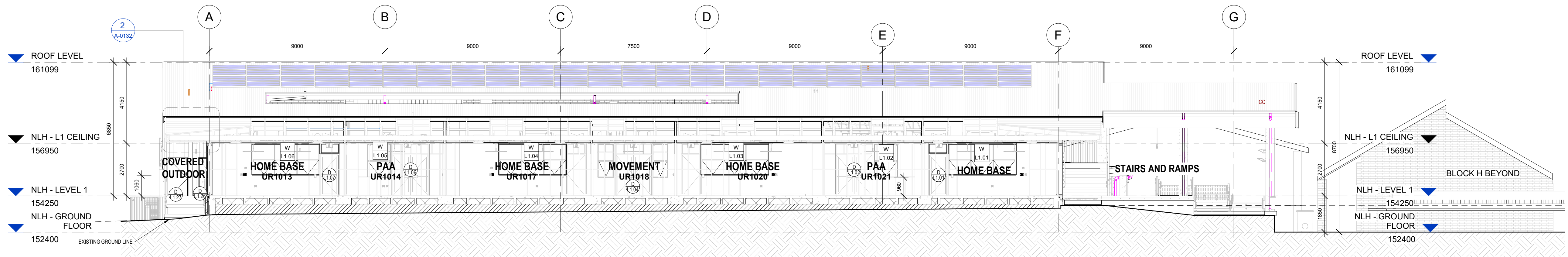
NOTES:

- INSTALL SUBSOIL DRAINS BELOW THE FLOOR WALL JUNCTION AS REQUIRED. REFER TO CIVIL DRAWINGS.
- BLOCK WORK - WATERPROOF COATING TO COMPLY WITH AS 3700
- INSULATION TO EXTEND 900mm EITHER SIDE OF WALL CENTRE. NO UNTREATED OPENINGS IN THE CEILING. MAKE GOOD AS REQUIRED.
- INSULATION IN CORRIDORS WALL
-RW 45 WALL: EXTEND 600 mm
-RW: 50 NO ADDITION INSULATION REQUIRED.
- DUCT WITH INSULATION AS REQUIRED.
FILL GAP BETWEEN CONCRETE AND DUCT WORK WITH 45KH/M² DENSITY INSULATION
- REFER TO ACOUSTIC REPORT AND DETAILS FOR INSULATION REQUIREMENTS.
- CO-ORDINATE ALL SERVICE PENETRATION SIZES AND LOCATIONS WITH MECHANICAL ELECTRICAL AND HYDRAULIC CONSULTANT'S DRAWINGS.
-ALL PENETRATION TO BE FIRE RATED AS REQUIRED.
- THE SEALING OF THE PENETRATIONS IN DOWN PIPES NEEDS TO BE IN ACCORDANCE WITH AS4654.2-2012

SECTION 1 1 : 100



SECTION 2 1 : 100



SECTION 3 1 : 100

EJE ARCHITECTURE

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Nominated Architect - Bernard Collins
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4	30/05/2022	CDC - REV A

DRN	CHKD	VRFD	PROJECT
LD	KG		
LD/ING	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		
LD	KG		

Muswellbrook South Public School

FKG Group

SITE:

**57-61 Maitland St,
Muswellbrook, New South
Wales 2333**

DRAWING:

SECTIONS - SHEET 1

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.
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DRAWN:

LD

DATE:

AUG 2021

SCALE:

**As indicated @ A1
1 : 200 @ A3**

PROJECT No:

13599

PHASE:

SD

DRAWING No:

A-0130

REV:

4



MUSWELLBROOK SOUTH PUBLIC SCHOOL

Traffic and Transport Impact Assessment

6 JUNE 2022





Quality Assurance

Project:	Muswellbrook South Public School		
Project Number:	SCT_00220		
Client:	Department of Education c/o School Infrastructure NSW	ABN:	40 300 173 822
Prepared by:	SCT Consulting PTY. LTD. (SCT Consulting)	ABN:	53 612 624 058

Quality Information	
Document name:	Muswellbrook South Public School
Prepared:	Shawn Cen, Senior Consultant Adam Smith, Consultant Jonathan Chung, Consultant
Reviewed:	Jonathan Busch, Associate Director
Authorised:	Andy Yung, Director

Revision	Revision Date	Details
1.0	5 March 2021	Draft report
2.0	11 March 2021	Draft Report
3.0	29 July 2021	Draft Report
4.0	13 October 2021	Draft Final Report
5.0	27 October 2021	Final Report
6.0	3 November 2021	Updated Final Report
7.0	1 June 2022	Response to submissions update
8.0	6 June 2022	Updated Final Report with response to submissions

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Muswellbrook South Public School

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Executive Summary

Background and introduction

SCT Consulting has been engaged by School Infrastructure NSW to prepare a Traffic and Transport Impact Assessment to support a Development Application for the upgrade of Muswellbrook South Public School. The school is located at 57 Maitland Street in Muswellbrook South.

According to The Hunter Regional Plan 2036, Muswellbrook is a strategic centre and one of its development priorities is to enhance its role as a centre of educational excellence in the Upper Hunter Region. The proposed school upgrade seeks demolition and refurbishment of several existing buildings and construction of one new split level building within the school boundary.

Existing conditions

The active transport mode share is about 15 per cent of the total students. Footpaths are provided only on one side of some local roads and on both sides of Maitland Street in the vicinity of the school. These walking facilities offer limited connectivity and pedestrian mobility within the catchment area.

Pedestrian crossings at the intersection of Maitland Street/Bell Street, Osborn Avenue/Ruth White Avenue and outside the school entrance on Maitland Street provide some level of pedestrian priority and improves pedestrian safety.

Seven school buses are servicing the existing student population, which cover a wide area in Muswellbrook based on the student locations. This contributes around 40 per cent of bus uses by the school students. This is considered a high proportion of students using buses to go to this school, given 44 per cent of students are eligible for subsidised school travel.

On-street parking is currently permitted on both sides of Osborn Avenue. Opposing traffic needs to give way to each other given the width of the local road. During school hours, the drop-off/pick-up traffic uses both sides of Osborn Avenue near the school gate. These traffic movements lead to an increased frequency of opposing traffic that needs to give way to each other. There are also pedestrians crossing Osborn Avenue near the school gate when the drop-off/pick-up occurs on the western side of Osborn Avenue.

The on-street parking spaces along Maitland Street are not time-restricted. This results in a low turnover rate and low availability during school hours and subsequently unattractiveness to conduct drop-off/pick-up for the parents.

SIDRA intersection models were prepared for the road network around the Muswellbrook South Public School to understand the existing network performance and to test the impacts of the proposed school upgrade. The modelling results show that the intersections in the road network operate at an acceptable level of service and have sufficient remaining capacity during the AM and PM peak hours to cater for the forecast traffic increase.

The proposal

The school upgrade will provide an additional facility to accommodate the growing student population numbers at the school, which will be a gradual increase, allowing for mitigations to be adjusted over time, particularly with school transport initiatives. For the purpose of the traffic and transport assessment, we have allowed for a maximum of 90 additional students to be enrolled at the school by 2036 based on estimates provided by SINSW.

It does not include any changes to the existing access arrangement, staff car parking, drop-off/pick-up facilities and servicing/emergency strategy.

Based on the assumption of 45 per cent car use by the school students, it is estimated that there could be a **net increase of 20 cars (per direction)** generated by the potential increase in student numbers by 2036 during the AM and PM school peak hour, which is considered very limited traffic increase on the road network. The traffic distribution was conducted based on the traffic counts for multiple drop-off/pick-up locations around the school. This is also considered to be the worst case and the traffic increases could be less than 20 cars when further sustainable transport measures be implemented as part of the School Transport Plan including a Green Travel Plan and Transport Access Guide.

Transport assessment

Sustainable transport

From discussion with the school principal, the mode share is indicatively 15 per cent by walking/cycling/scooter, 40 per cent by bus and 45 per cent by car. This is a higher than average bus mode share for a primary school.

A review of the school buses servicing the site indicates that the coverage is very high. 89 per cent of students are within 400m distance of a school bus stop and 45 per cent are eligible for subsidies to student travel.

Assuming there could be an additional 90 students to be enrolled by 2036, it is forecast that there could be an additional 36 students who would be travelling to/from school by bus. TfNSW reviews bus services regularly. As student numbers grow, TfNSW may need to run additional school bus services depending on the capacity of the existing seven school bus routes and student locations in the future.

An opportunity was identified to potentially increase bus mode share, which could assist in further mitigating the impacts of the expansion of the school on the traffic network:

- **Proposal 1 – remove requirements for subsidised student passes for Muswellbrook South:** the travel subsidy affects 56 per cent of students who are not eligible for a bus pass. Removal of the subsidy exemption to provide all students with free travel could increase bus travel further. Increase in bus uptake could be up to an additional 100-200 students if SSTS no longer limited to longer distances for years 3 and above. Given impacts of COVID-19 on public transport patronage, could be means to encourage return to public transport services.

This proposal is not required for this DA, but SINSW will continue liaison with TfNSW and the local school bus operators to investigate the feasibility of this proposal to further increase the sustainable mode share for the school.

It is recommended that a Green Travel Plan and Transport Access Guide be prepared as part of the School Transport Plan to improve awareness about sustainable travel options and to better equip the school community to walk, cycle and take public transport.

Traffic modelling

According to the *New England Highway Muswellbrook Bypass Options Report (2018)*, between 29 and 35 per cent of traffic on the New England Highway in Muswellbrook is through traffic. The proportion of heavy vehicles travelling through the township is 56 to 59 per cent. With the potential introduction of the New England Highway bypass, it is expected that the through traffic would use an alternative route to pass Muswellbrook and a 30 per cent reduction of the traffic demand could occur on New England Highway in the future. However, for modelling purposes, the traffic reduction associated with the bypass is ignored such that worst case traffic has been considered.

The Traffic Impact Assessment includes testing of the following future year scenarios based on the trip generation associated with the proposed school upgrade.

1. **2036 Future year base:** This scenario examines the performance of the intersections in 2036 with background traffic growth
2. **2036 Future year with development:** This scenario examines the performance of the intersections in 2036 with background traffic growth and additional 90 students.

Due to the limited traffic demand increase associated with the proposed increase in student numbers and the current performance of intersections, the network is anticipated to operate at satisfactory levels in all modelled periods with no intersection upgrades required. No cumulative impacts of other known and committed developments are expected. It is noted that the intersection performance during the peak hours in 2036 could be better than forecast due to the open of the New England Highway bypass and the corresponding traffic volume decrease on Maitland Street.

Construction traffic is proposed to gain access to the site via Maitland Street / Bell Street traffic signals and then through Bell Street to the eastern boundary of the site. The construction vehicles would operate only outside of school hours, limiting impacts on the network.

Kiss 'n drop

The majority (55 per cent) of drop-off/pick-up traffic uses Osborn Avenue, while other traffic uses both sides of Maitland Street as well as the TAFE site. Muswellbrook South Public School does not support the use of the TAFE site. To discourage the use of the TAFE, a Transport Access Guide (**Appendix A**) has been developed that includes messaging to parents/guardians to avoid using the TAFE.

Given the limited increase in students, it is anticipated that there is no significant impact on the existing drop-off/pick-up operation on all surrounding streets. Assuming there could be an additional 90 students to be enrolled by 2036, the additional 20 drop-off/pick-up cars would be spread out across multiple locations during the school peak hours with about the highest of 10 cars using Osborn Avenue. The total hourly traffic volume on Osborn Avenue is therefore expected to be around 120 cars combined in both directions during the AM peak hour in 2036. This level of traffic volume is less than half of the environmental capacity for typical local streets in a residential area.

Based on the current kiss and drop operations assumptions, the additional students and those expected to be dropped off/picked up at Osborn Avenue may require up to 2 additional spaces, when the 90 additional student increase is expected by 2036. The increase in kiss and drop demand will be negligible in the short term with the opening of the new building and the impacts will also be negligible. The demand and impacts at Osborn Avenue expected by 2036 is still relatively minor.

Conclusion

Given the limited student increase associated with the proposal, the transport impacts are considered negligible and at a level to be accommodated by the existing infrastructure provision.

1.0 Introduction

1.1 Purpose of report

SCT Consulting has been engaged by School Infrastructure NSW to prepare a Traffic and Transport Impact Assessment to support a Development Application for the upgrade of Muswellbrook South Public School. The school is located at 57 Maitland Street in Muswellbrook South. The scope of this traffic impact assessment is to:

- Review relevant background documents and information including relevant state, regional and local planning policies, transport planning documents and parking and standards
- Review the existing transport conditions and transport provision of the school including Census, Journey-to-Work data, travel mode and existing network descriptions and performance
- Carry out traffic survey and SIDRA intersection modelling of three surrounding intersections
- Analyse vehicular movements, deliveries, car parking/bicycle parking, bus, drop-off/pick-up capacity analysis as a result of the proposed school upgrade
- Evaluate likely traffic and transport impacts during the operations of the upgraded school
- Identify public and active transport measures and sustainable travel initiatives as a result of the school upgrade.

1.2 Site context

The existing school is bound by Maitland Street to the north, TAFE NSW Muswellbrook to the east, low-density residential premises to the south and west and a bus depot to the west. It currently has two pedestrian accesses on Maitland Street and one access on Osborn Avenue. There is one car access on Osborn Avenue and Maitland Street, respectively to connect with the staff parking areas. The site context map is shown in **Figure 1-1**.

Figure 1-1 Site context



1.3 Report structure

This report has been structured into the following sections:

- **Section 2.0** describes the existing transport conditions for all modes of transport
- **Section 3.0** describes the proposed school upgrade works and its access strategy
- **Section 4.0** outlines the traffic and transport appraisal which describes the traffic modelling undertaken, the likely trip generation and indicative impacts resulting from the proposed school upgrade
- **Section 5.0** summarises the report content and presents the conclusions.

2.0 Existing Conditions

2.1 Muswellbrook South Public School

Muswellbrook South Public School, as shown in **Figure 2-1**, is located at 57 Maitland Street in Muswellbrook. It has two pedestrian accesses on Maitland Street and one access on Osborn Avenue. There is one car access on Osborn Avenue and Maitland Street, respectively to connect with the staff parking areas. It is adjacent to TAFE Muswellbrook to the southeast, Muswellbrook Seventh-day Adventist Church to the northeast and low-density residential premises surrounding the school to the west and south.

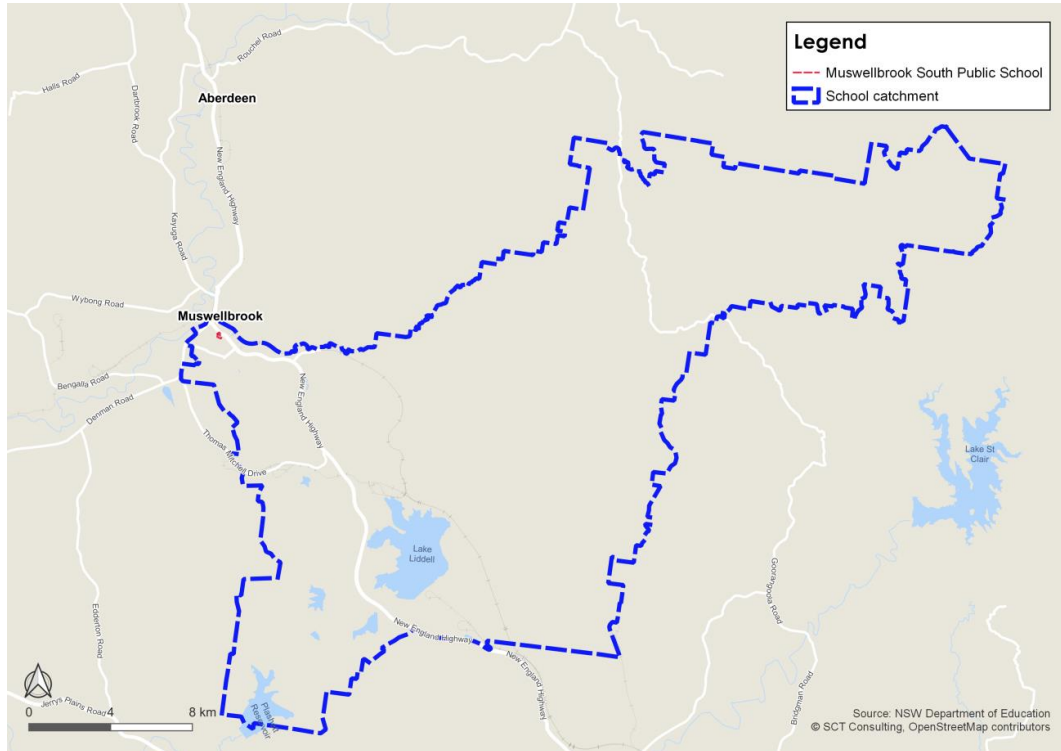
Figure 2-1 Existing site access



Source: SCT Consulting, 2021

The school has a student population of 508 students and 37 staff. The students are mostly located within the school enrolment catchment, as shown in **Figure 2-2**, which covers the south of Muswellbrook, as well as a large rural area within the Upper Hunter Region to the south, east and north-east.

Figure 2-2 School enrolment catchment



2.2 Pedestrian network

Within the vicinity of the school, footpaths are provided on one side of Osborn Avenue, Skellatar Street between Osborn Avenue and Mitchell Street, and Bell Street. Footpaths are available on both sides of Maitland Street in the vicinity of the school. These walking facilities offer limited connectivity and pedestrian mobility within the catchment area. Footpaths are missing on both sides of the streets in the vicinity of the school. Provision of these missing links, combined with their proximity to the school, could improve safety and walkability for students/staff commuting to school.

Signalised pedestrian crossings are provided at the intersection of Maitland Street/Bell Street and outside the school entrance on Maitland Street. The raised pedestrian crossing at the intersection of Osborn Avenue/Ruth White Avenue provides some level of pedestrian priority and improves pedestrian safety. The speed humps at the intersections of Osborn Avenue/Skellatar Street and Ruth White Avenue/Adams Street south of the school reduces vehicle speeds on those local roads.

Figure 2-3 shows the walking catchments of the existing school. Currently, 30-40 per cent of the students live within a realistic walking time/distance (15min/1200m) of the school, but only about 15 per cent of them walk/cycle/scoot.

Figure 2-3 Walking catchments of the school

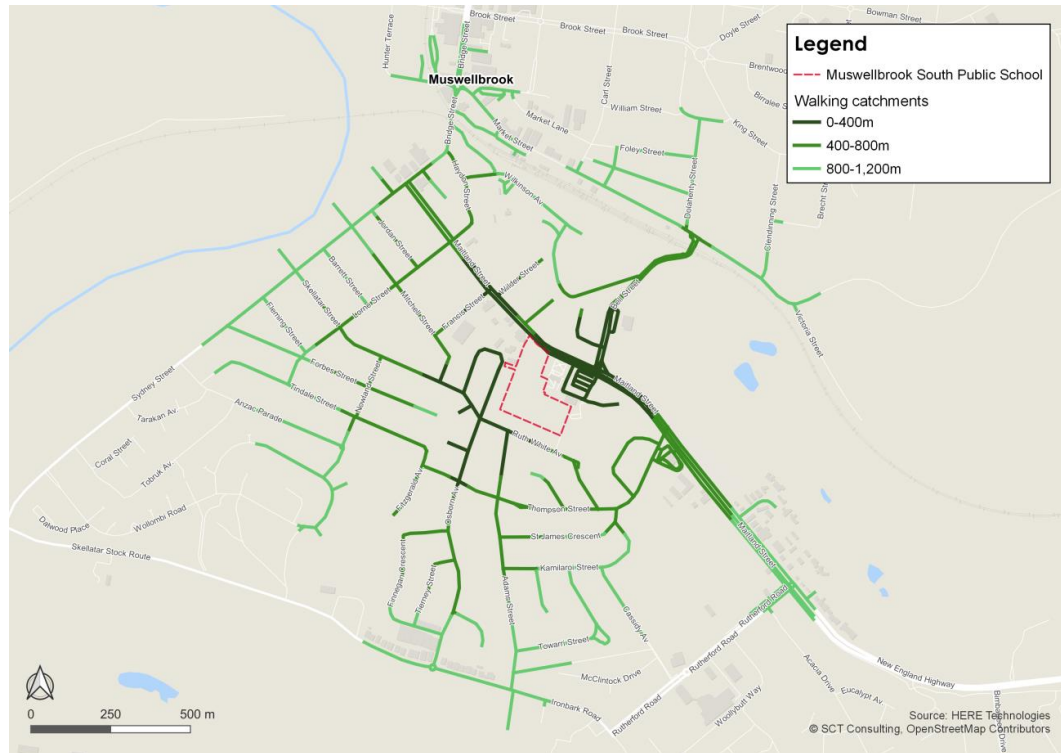


Table 2-1 provides an analytical overview of the student population by walking distance. The table shows the information both from a notional and on-path perspective.

Table 2-1 Catchment analysis

Travel catchment	Notional (as the crow flies)		Actual (using road network as a proxy)	
	#	%	#	%
1-400m (5min walk)	39	8%	20	4%
401-800m (10min walk)	76	15%	51	10%
801-1,200m (15min walk)	85	17%	82	17%
Outside actual walking distance (1,200m)	200	40%	153	31%
1-1,600m crow flies/2,300m on-path (ineligible for SSTs)	277	55%	287	56%
>1,600m crow flies/2,300m on-path (eligible for SSTs)	231	45%	221	44%
Located within 400m buffer of a school bus stop	451	89%	-	-

Source: NSW Department of Education, SCT Consulting, 2021

2.3 Cycling network

Figure 2-4 shows the locations of the shared pedestrian/cycle paths and on-road cycle lanes close to the school. The on-road cycle lane situated along the northern side of Maitland street is next to the unrestricted on-street parking lane. This results in potential conflicts between cyclists and moving traffic.

The cycling infrastructure around the school is overall poor in connectivity and availability.

Figure 2-4 Cycling infrastructure

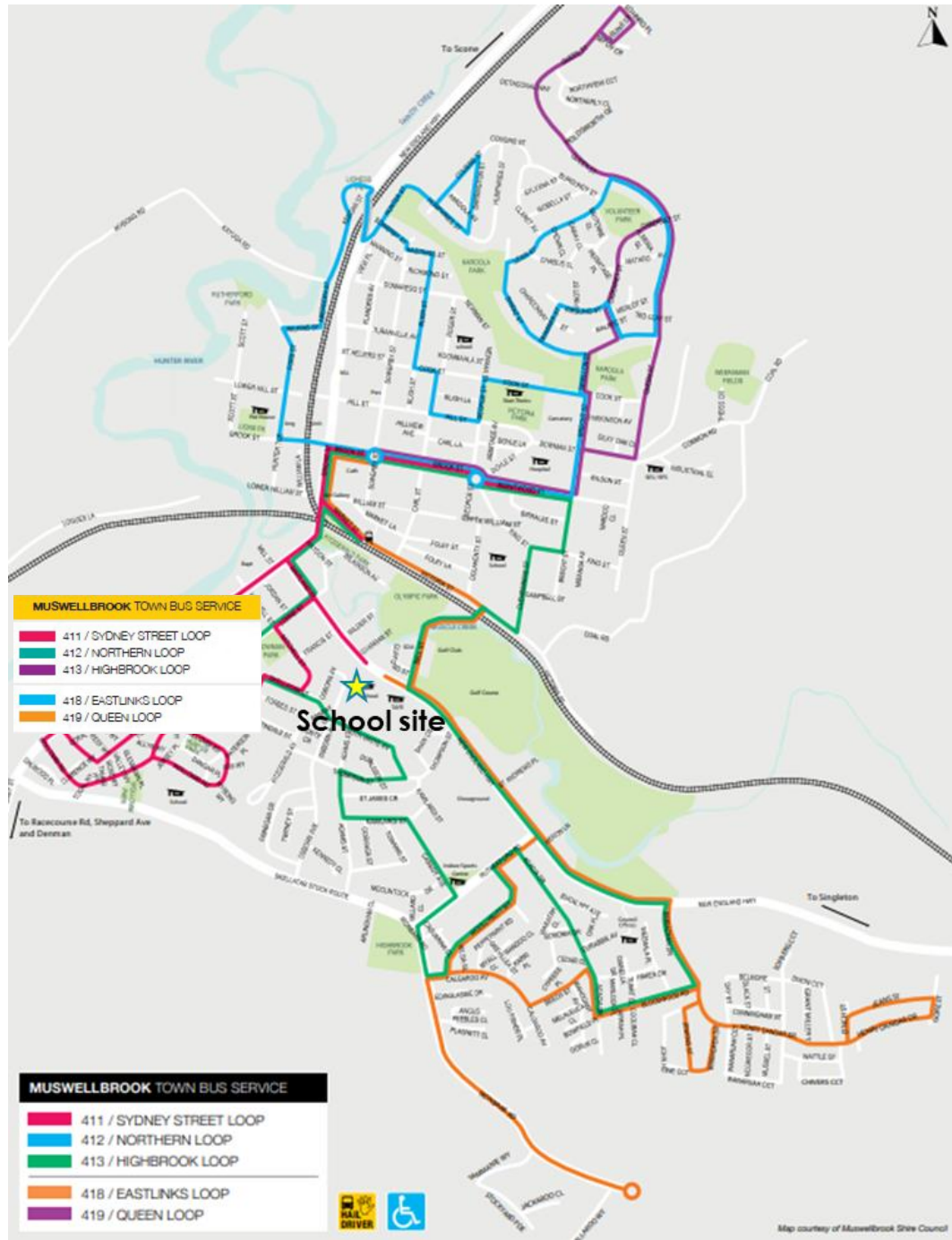


2.4 Public transport network

The closest public bus stops to Muswellbrook South Public School are located about 80m west of the Maitland Street entrance, and in front of the TAFE located 180m east of the school (as shown in **Figure 2-6**).

Buses which stop at these locations include route 411, 413, 414, 415 and 418. Currently, only the 414 between Muswellbrook and Scone arrives at 8:01 am before the starting bell time. There are no public buses that stop near the school in the afternoon. **Figure 2-5** provides an overview of the bus routes in Muswellbrook.

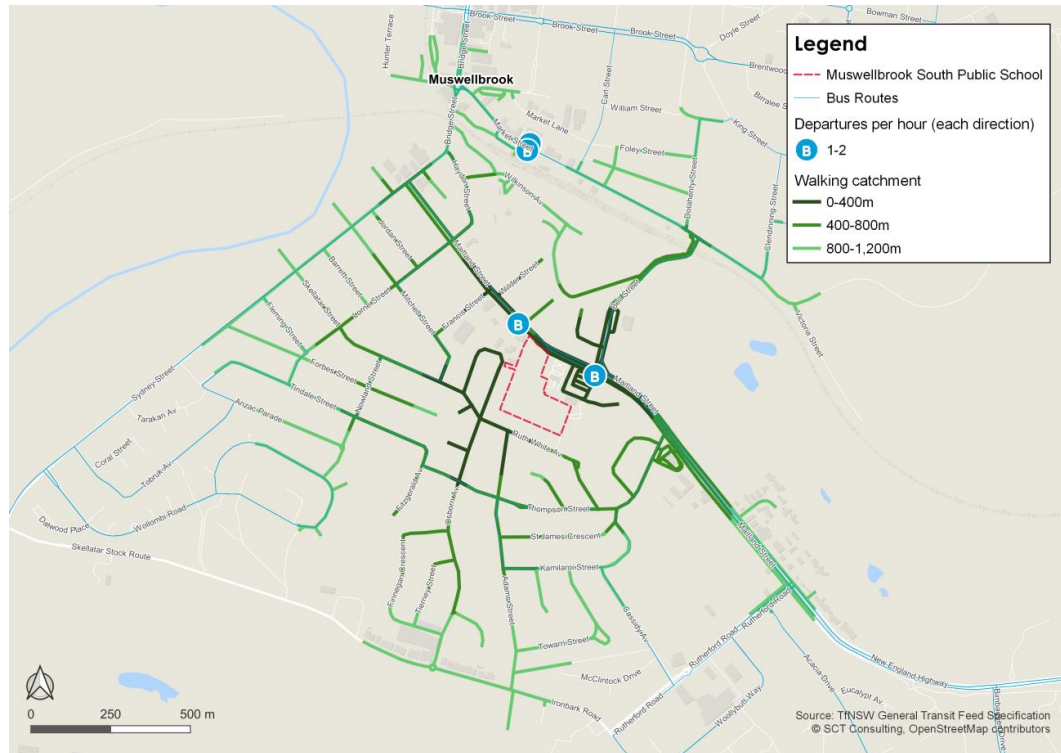
Figure 2-5 Muswellbrook bus routes



Source: Osborn Transport, 2021

Figure 2-6 indicates that bus frequency within 1,200m of the school is lower than two trips per hour during the AM peak. The operation of public transport buses is only within school session times except for route 414, making public buses an unrealistic mode of transport for students to get to and from school.

Figure 2-6 Bus frequency (between 8:00-9:00 am on a typical AM peak)



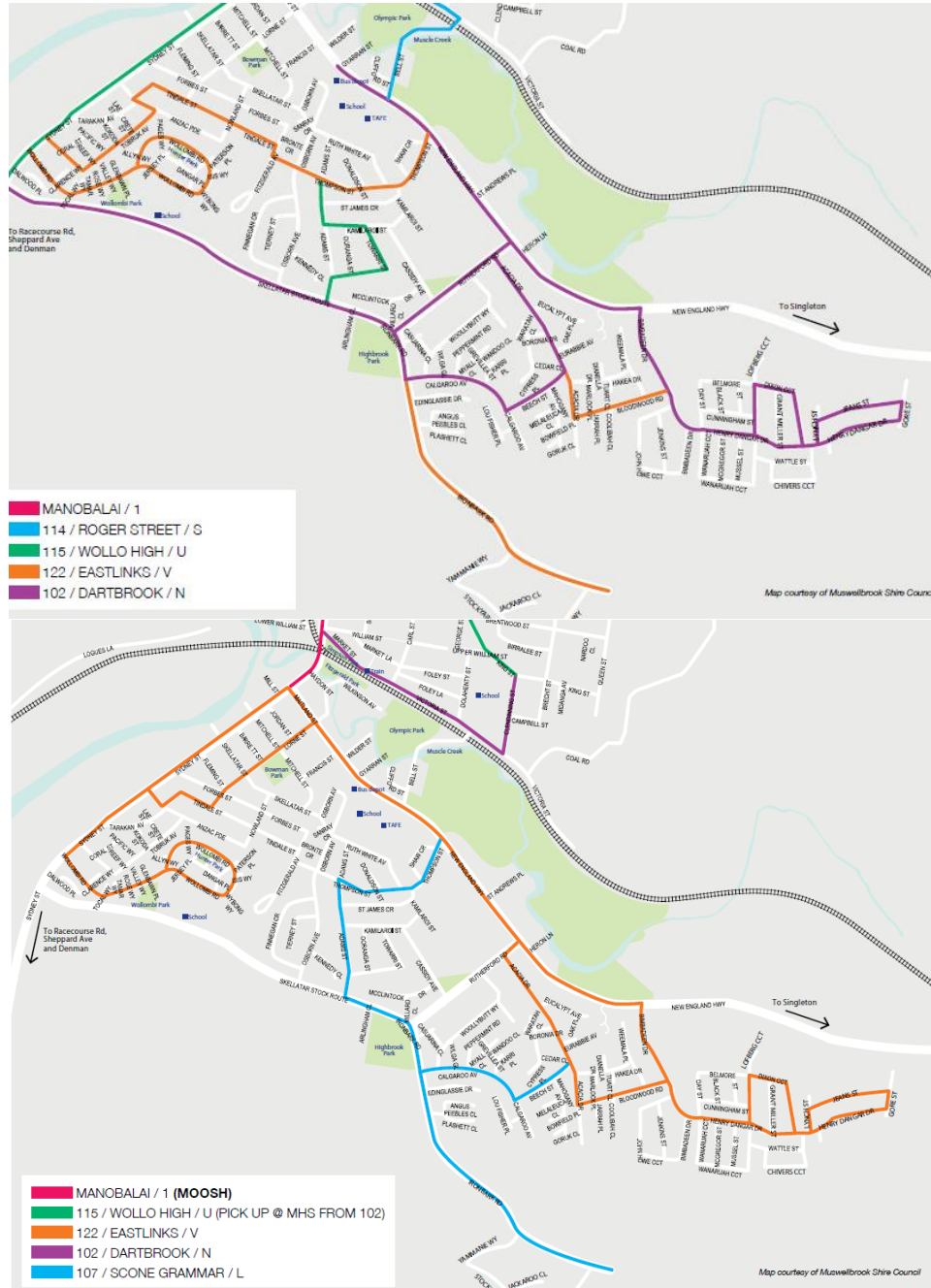
2.5 School bus network

Six school bus routes (five operate by Osborn's Transport and one operates by Howard's Bus & Charter) serve the school with 60 bus stop locations distributed throughout Muswellbrook and neighbouring towns. It is also noted that these school bus routes also serve other schools.

The school buses stop at the two bus zones located at Maitland Street, just to the west of the pedestrian signal crossing (as shown in **Figure 2-10**) and right outside the school. The school bus stops are also shown in the Transport Access Guide as included in **Appendix A**.

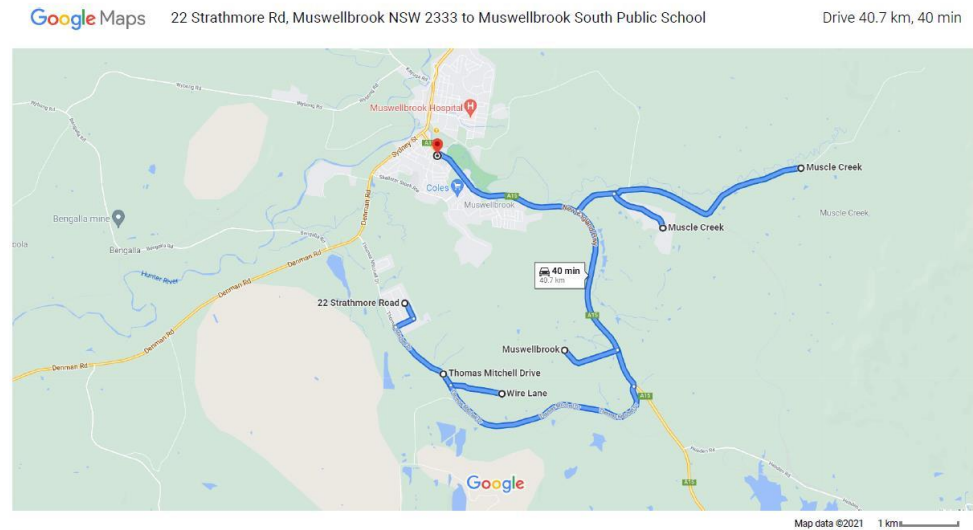
Seven school buses arrive at the bus zone on the southern side of Maitland Street (outside the school) between 8:50am and 9:15am. In the afternoon, four buses leave the bus zone (on the school side) from 3:25pm – 3:40pm, and three buses leave the bus zone on the northern side of Maitland Street after 3:45pm. These school bus routes also serve other schools. These school bus routes have different routes in the morning and afternoon peaks. The routes of the school buses are shown in **Figure 2-7** and **Figure 2-8**.

Figure 2-7 School bus routes (morning on top and afternoon on bottom) operated by Osborn's Transport



Source: Osborn's Transport, 2021

Figure 2-8 School bus route operate by Howard's Bus & Charter (to Muscle Creek and Thomas Mitchell Drive)



The existing school bus routes service a wide area in Muswellbrook based on the student locations. Approximately 200 students (40 per cent) use the school buses to access the school. This is considered a high proportion of students using buses to go to this school, given 44 per cent of students are eligible for subsidised school travel.

2.6 Road network

The main roads in the vicinity of the school include Maitland Street/New England Highway, Bell Street, Osborn Avenue, and Ruth White Avenue. The road network surrounding Muswellbrook South Public School is shown in **Figure 2-9**.

Figure 2-9 Road hierarchy



The characteristics of the roads surrounding the school are:

- **Maitland Street/New England Highway** is a primary road as part of the New England Highway connecting Newcastle to the southeast. It has two lanes in each direction with a posted speed limit of 50 km/hr. The school zone is in operation between Francis Street and Bell Street. There is a mix of unrestricted parking, bus zone, mail zone and No Stopping zone in the vicinity of the school entrance on both sides of the road with footpaths available on both sides.
- **Bell Street** is a local road that intersects Victoria Street to the north and Maitland Street to the south. It has one lane in each direction with a shared path along the southern half of the road. It has a posted speed limit of 50 km/hr. On-street parking is unrestricted south of Muscle Creek and footpaths are available on both sides of the road from Maitland street to Clifford Street and along the west side only to the north of Clifford Street.
- **Osborn Avenue** is a local road providing direct access to the school and surrounding local residences. The majority of the road is in a school zone. Parking is unrestricted on both sides of the road, hence give the road width, opposing traffic will have to give way to each other. A continuous footpath is only available on the school side of the road.
- **Ruth White Avenue** is a local road that intersects with Thompson Street to the east and Osborn Avenue to the west, providing an east-west connection to the south of the school. The road is in a school zone between Adams Street and Mitchell Street. Wombat crossing is provided at the intersection of Osborn Avenue, allowing students/staff to cross the intersection safely. Parking is unrestricted on both sides of the road while there are no available footpaths.

2.7 Kiss and drop

On-street parking is currently permitted on both sides of Osborn Avenue (**Figure 2-10**). Opposing traffic needs to give way to each other given the width of the local road. During school hours, the drop-off/pick-up traffic uses both sides of Osborn Avenue near the school gate. These traffic movements lead to an increased frequency of opposing traffic that needs to give way to each other. There are also pedestrians crossing Osborn Avenue near the school gate when the drop-off/pick-up occurs on the western side of Osborn Avenue.

Figure 2-10 On-Street parking restrictions



Source: Nearmap, 2021

The on-street parking spaces along both sides of Maitland Street are not time-restricted. This results in a low turnover rate and low availability during school hours and subsequently unattractiveness to conduct drop-off/pick-up for the parents.

It is understood that parents/guardians are using the TAFE car park for a kiss 'n drop without the permission of the landowner. This has not been encouraged by the school but is likely occurring because the car park is close to the school and off Maitland Street. This is an existing issue and not a product of this development application.

Based on kiss and drop surveys at multiple locations around the school, the numbers of drop-off/pick-up were collected for Osborn Avenue, Maitland Street on-street parking, and TAFE parking. It is estimated that a total of about 180 drop-offs and 110 pick-ups took place for the existing school during the AM and PM peak hour, respectively. This tallies with the existing car mode share from the interview with the school principal. It is assumed that students may shift to other modes such as school bus in the PM peak as their parents/guardians may not be able to pick-up, leading to fewer pick-up trips in the PM peak hour. The traffic distribution of drop-off/pick-up at multiple locations is

estimated in **Table 2-2**. It is also noted that some students are picked up and dropped off on the surrounding streets such as Gyarran Street, Bell Street, etc.

Table 2-2 Traffic distribution of kiss and drop

Location	AM peak	PM peak
Osborn Avenue	60%	55%
Maitland Street on-street parking	20%	15%
TAFE parking (without permission of the landowner)	20% *	30% *
Total	100%	100%

*- includes some students picked up and dropped off on the surrounding streets such as Gyarran Street, Bell Street

Source: SCT Consulting, 2021

2.8 Existing travel behaviour

SCT Consulting organised an interview with the school principal of Muswellbrook South Public School on 2 February 2021 to understand the transport issues of the existing school. It is identified that 45 per cent of the students travel by car and are dropped off/picked up by their parents or guardians. 40 per cent of the students use school buses/buses to and from school and only 15 per cent of students use a bicycle or walk to/from school.

2.9 Existing road network performance

2.9.1 Modelling software

SIDRA intersection models were prepared for the road network around the Muswellbrook South Public School to understand the existing network performance and to test the impacts of the proposed school upgrade and the potential increase in student numbers. Intersections assessed are listed below and summarised in **Figure 2-11**:

- Maitland Street and Bell Street
- Ruth White Avenue and Osborn Avenue (w)
- Ruth White Avenue and Osborn Avenue (e)

Traffic data was collected on Thursday 18 February 2021 during the AM (7:30-9:30am) and PM (2:30-4:30pm) school peak hours. The data indicate that 8:30-9:30am and 2:45-3:45 pm¹ were the two peak hours for the school based on traffic volumes. These peak periods were used in SIDRA modelling as the worst-case scenario. The school generates little traffic during the network PM peak (indicatively 5:00-6:00 pm) given no OOSH. This period was therefore not assessed.

For modelling purposes, the intersection layouts were derived from a combination of Nearmap, Google street view and Six Maps imagery.

¹ The selection of PM peak hour was based on the priority intersections on Ruth White Avenue, as they better reflect the traffic condition in related to school.

Figure 2-11 Modelled intersections



2.9.2 Calibration and validation

The model was calibrated using the input data to reflect observations of traffic behaviours around the school. One of the key goals is to calibrate the models such that the degree of saturation of all movements was 1.0 or below. This is a standard procedure to ensure that the models are not over-predicting congestion under current conditions. The setting of gap acceptance follows default as stipulated in Transport for NSW's (ex-Road and Maritimes Services) *Traffic Modelling Guidelines (2013)*.

2.9.3 Performance metrics

Operational performance is typically measured through an assessment of the throughput of vehicles across a traffic network, with average delay per vehicle used to assess the performance of an individual intersection. The average delay per vehicle measure is linked to a Level of Service (LoS) index which characterises the intersection's operational performance. **Table 2-3** provides a summary of the LoS performance bands.

Also, intersection performance is measured using the Degree of Saturation (DoS), which is a measure of the spare capacity of each intersection.

Table 2-3 Level of Service index

Level of Service	Average Delay per Vehicles (sec/h)	Performance explanation
A	Less than 14.5	Good operation
B	14.5 to 28.4	Good with acceptable delays and spare capacity
C	28.5 to 42.4	Satisfactory
D	42.5 to 56.4	Operating near capacity
E	56.5 to 70.4	At capacity, at signals incidents will cause excessive delays. Roundabouts require other control methods.
F	70.5 or greater	At capacity, at signals incidents will cause excessive delays. Roundabouts require other control methods.

Source: Guide to Traffic Generating Developments; RMS; 2002

2.9.4 Intersection performance

The intersection performance per the SIDRA Network results is shown in **Table 2-4**.

Table 2-4 Intersection performance for existing conditions (2021)

Intersection	AM Peak			PM Peak		
	Delay	LoS	DoS	Delay	LoS	DoS
Maitland Street and Bell Street	14.7s	B	0.55	12.3s	A	0.45
Ruth White Avenue and Osborn Avenue (w)	4.0s	A	0.07	4.0s	A	0.06
Ruth White Avenue and Osborn Avenue (e)	7.2s	A	0.06	7.2s	A	0.05

Source: SCT Consulting, 2021

The SIDRA results show that the intersections in the road network surrounding the Muswellbrook South Public School operate at an acceptable level of service and have remaining capacity during AM and PM peak hours to cater for potential traffic increase.

3.0 The Proposal

3.1 School upgrades

The proposed school upgrade seeks demolition and refurbishment of several existing buildings and construction of one new split level building within the school boundary (**Figure 3-1**).

The school upgrade will provide an additional facility to accommodate the growing student population numbers at the school, which will be a gradual increase, allowing for mitigations to be adjusted over time, particularly with school transport initiatives. For the purpose of the traffic and transport assessment, we have allowed for a maximum of 90 additional students to be enrolled at the school by 2036 based on estimates provided by SINSW.

Figure 3-1 Proposed site plan



Source: Webber Architects, 2021

3.2 Site access

The proposed school upgrade does not propose any changes to site access arrangements.

3.3 Sustainable transport principles

Sustainable transport and Travel Demand Management (TDM) strategies involve the application of policies, objectives, measures, and targets to influence travel behaviour, to encourage uptake of sustainable forms of transport, i.e., non-car modes, wherever possible. TDM measures have proven to reduce congestion created by

growth within urban areas and unlock urban renewal opportunities. They result in travel behaviour that uses less road space than a single-occupant vehicle commute and takes advantage of spare transport capacity outside the morning and afternoon peaks.

TDM strategies generally guide all relevant customers (residents, employees, and visitors) in changing travel behaviour in the following ways:

- Re-mode (consideration of travel via alternative modes)
- Re-time (consideration of travel at alternative times)
- Re-route.

A School Transport Plan including a Green Travel Plan and Transport Access Guide will be developed for the Muswellbrook South Public School to deliver best practice travel programs and initiatives to manage travel demand for students and staff. A sample of the draft Transport Access Guide is included in **Appendix A** and the suggested initiatives and programs to be included as part of the School Transport Plan to be developed for Muswellbrook South Public School is included in **Appendix B**.

The School Transport Plan is a tool designed to address the school's travel needs and impacts and to provide measures and initiatives that encourages and supports sustainable travel alternatives for staff, students and their parents or guardians. It also covers the efficient and safe access and operation of the school transport environment for students and staff accessing by any applicable mode of transport (e.g. kiss and drop, bus, car, etc.). The planning and implementation of a targeted School Transport Plan could support the mode shift and provide significant opportunities for alternative travel options and reduce the need for car travel.

While it is important to develop a School Transport Plan that is aimed at managing travel demand and reducing reliance on car travel, it is more important to monitor and evaluate the effectiveness of individual measures and the need to adjust the measures. It is a living document, meaning it will change over time. This plan will require ownership by stakeholders to be effectively implemented.

3.4 Car parking

The proposed school upgrade does not propose any change to the existing parking areas currently within the school.

3.5 Trip generation and distribution

3.5.1 Trip generation

The trip generation estimation was conducted based on the following assumptions:

- A 90-student net increase by 2036
- About 45 per cent car mode share for students (estimated from meeting with the school principal and assuming zero mode shift)
- The vehicle occupancy rate for students would be around 2 per car (calibrated based on mode share and survey data)
- 100 per cent of students would arrive in the typical AM/PM peak given there is no out of school hours care.

Hence, the total additional car trip would be around 20 cars (per direction) for pick-up/drop-off during a typical school AM and PM peak hour by year 2036. This is also considered to be the worst case and the traffic increases could be less than 20 cars when further sustainable transport measures are implemented as part of the School Transport Plan including a Green Travel Plan and Transport Access Guide as discussed in **Section 3.3**.

Table 3-1 Traffic generation for the Development Application

	Existing conditions	With Development
Students	507 students	597 students
Students by car	228 students	268 students
Number of car trips per peak hour	114 cars (228 total car trips)	134 cars (268 total car trips)
Increase in traffic generation	-	+20 cars (+40 total car trips)

Assuming there could be an additional 90 students to be enrolled by 2036, the additional 20 drop-off/pick-up cars would be spread out across multiple locations during the school peak hours with about the highest of 10 cars using Osborn Avenue.

3.5.2 Trip distribution

Table 2-2 has identified the distribution of car trips for drop-off/pick-up at multiple locations. For the modelled intersections, the percentage of traffic from the east and west on Ruth White Avenue, and the percentage using the TAFE parking area from different directions can be determined by the right turn/left turn/through movements from the existing traffic counts. This is because those movements are very likely to be associated with school traffic. Therefore, the traffic distribution of the additional school traffic is shown in **Table 3-2**.

Table 3-2 Traffic distribution for the additional school trips

Location	AM peak	PM peak
Osborn Avenue (w)	29%	24%
Osborn Avenue (e)	28%	30%
Bell Street (n)	23%	20%
Maitland Street (w)	7%	2%
Maitland Street (e)	13%	24%
Total	100%	100%

Source: SCT Consulting, 2021

4.0 Transport Impact Assessment

The school upgrade will provide an additional facility to accommodate the growing student population numbers at the school, which will be a gradual increase. For the purpose of the traffic and transport assessment, we have allowed for a maximum of 90 additional students to be enrolled at the school by 2036 based on estimates provided by SINSW.

Assuming a potential gradual increase of 90 students by 2036, there could be an increase of 14 students that would walk/cycle/scoot to/from school, 36 students by bus and 40 students by car, based on the current travel mode share estimated in 2021.

4.1 Active transport network impact assessment

As the student population increase is minimal, about 14 additional students could walk/cycle/scoot to/from school. No footpath/shared path works are required to mitigate the impacts of the proposed school upgrade and it is assumed that there is no capacity issue concerning the walking/cycle infrastructure. However, the provision of the missing links, combined with their proximity to the school, could improve safety and walkability for students/staff commuting to school.

4.2 Public transport network impact assessment

Assuming there could be an additional 90 students to be enrolled by 2036, it is forecast that there could be an additional 36 students who would be travelling to/from school by bus.

Despite the strong existing bus network, further opportunities in improvements may assist in reducing the impacts of expansion and increasing sustainable travel for the school. An opportunity was identified to potentially increase bus mode share, which could assist in further mitigating the impacts of the expansion of the school on the traffic network:

- **Proposal 1 – remove requirements for subsidised student passes for Muswellbrook South:** the travel subsidy affects 56 per cent of students who are not eligible for a bus pass. Removal of the subsidy exemption to provide all students with free travel could increase bus travel further. Increase in bus uptake could be up to an additional 100-200 students if SSTS no longer limited to longer distances for years 3 and above. Given impacts of COVID-19 on public transport patronage, could be means to encourage return to public transport services.

This proposal is not required for this DA, but SINSW will continue liaison with TfNSW and the local school bus operators to investigate the feasibility of this proposal to further increase the sustainable mode share for the school.

TfNSW, Osborn's Transport and Howard's Bus & Charter should continue to monitor capacity of services as the school expands.

It is recommended that a Green Travel Plan and Transport Access Guide be prepared as part of the School Transport Plan to improve awareness about sustainable travel options and to better equip the school community to walk, cycle and take public transport.

4.3 Road network

4.3.1 Background traffic growth

The background traffic growth for Maitland Street was analysed based on extrapolation of traffic growth between 2015 and 2019, taken from the nearby TfNSW permanent traffic counters:

- New England Highway, Station ID 6154 (1.64km south of Muscle Creek Road)
- New England Highway, Station ID 6157 (60m north of Burtons Lane).

There is slight growth across the two sites in the area between 2015 and 2019. The average annual growth rate across the area is shown in **Table 4-1**. Data for 2020 has been excluded due to the COVID-19 pandemic. This growth rate was applied to 2021 traffic volumes as the general background traffic growth to understand traffic volumes and potential impacts at the peak hours of 2036.

Table 4-1 Background growth rate of Maitland Street

Time period	AM peak	PM peak
Annual	+0.7%	+0.1%
15-year	+11%	+1.5%

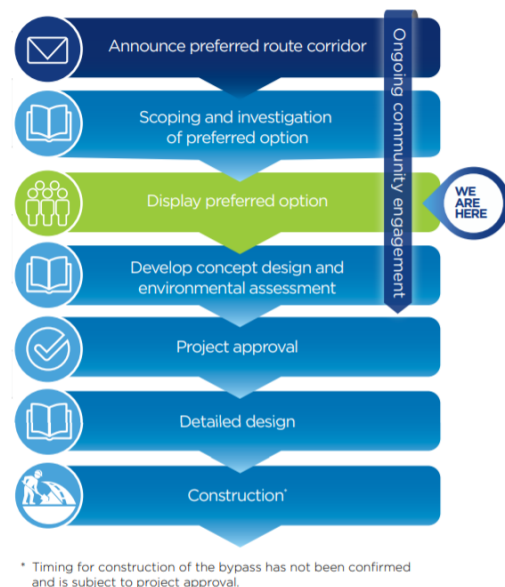
Source: SCT Consulting, 2021

The area that the school sits in is a mature residential area and no major developments are expected. Given the limited possibility for new major development in this area in the future, it is assumed that there will be no background traffic growth for the local road network such as Osborn Avenue up to 2036.

4.3.2 New England Highway Muswellbrook bypass

The NSW Government is planning for a New England Highway bypass of Muswellbrook. The bypass would improve travel times for long haul freight movements and safety for all road users, especially in the Muswellbrook town centre. The project is anticipated to open by the end of 2025.

Figure 4-1 Current status of planning for New England Highway Muswellbrook bypass



According to the *New England Highway Muswellbrook Bypass Options Report (2018)*, between 29 and 35 per cent of the traffic on the New England Highway in Muswellbrook is through traffic. For trucks, this proportion rises to between 56 and 59 per cent.

A total of five alignment options were assessed. The highest performing option is a nine-kilometre route that departs the New England Highway near its intersection with Milpera Drive and connects with the New England Highway about 1.2 kilometres north of Sandy Creek Road.

The daily traffic forecast indicates that traffic volume on Maitland Street (west of Rutherford Road in the vicinity of the site) would increase to 22,500 vehicles in both directions by 2034. With the introduction of the bypass, it is expected that the through traffic would use an alternative route to pass Muswellbrook and a 30 per cent reduction of the traffic demand could occur on New England Highway. This could result in a daily traffic volume of around 15,000 vehicles in 2034, which is even lower than the traffic demand in 2016.

It is expected that the bypass would downgrade Maitland Street from a primary road. This lower function would enable greater kiss and drop activity due to less conflicting traffic. It is expected that the traffic volume on Maitland Street during the peak hours would also decrease with the introduction of the New England Highway bypass. However, for modelling purposes, the traffic reduction associated with the bypass was ignored.

4.3.3 Road network performance

The Traffic Impact Assessment includes testing of the following future year scenarios based on the trip generation associated with the proposed school upgrade as discussed in **Section 3.5**.

1. **2036 Future year base:** This scenario examines the performance of the intersections in 2036 with background traffic growth
2. **2036 Future year with development:** This scenario examines the performance of the intersections in 2036 with background traffic growth and additional 90 students.

The performance of the intersections under each scenario is shown in **Table 4-2**. Due to the limited traffic demand increase with the proposal, the network is anticipated to operate at satisfactory levels in all modelled periods with no intersection upgrades required. No cumulative impacts of other known and committed developments are expected.

It is noted that the intersection performance during the peak hours in 2036 would be even better than the below modelling results given the open of New England Highway bypass and the corresponding traffic volume decrease on Maitland Street.

Table 4-2 Future year intersection performance for the road network surrounding the school

Intersection	2036 Future year base						2036 Future year with the development					
	AM Peak			PM Peak			AM Peak			PM Peak		
	Delay	LoS	DoS	Delay	LoS	DoS	Delay	LoS	DoS	Delay	LoS	DoS
Maitland Street and Bell Street	15.1s	B	0.57	12.3s	A	0.46	15.2s	B	0.57	12.4s	A	0.46
Ruth White Avenue and Osborn Avenue (w)	4.0s	A	0.07	4.0s	A	0.06	4.1s	A	0.08	4.0s	A	0.06
Ruth White Avenue and Osborn Avenue (e)	7.2s	A	0.06	7.2s	A	0.05	7.2s	A	0.08	7.2s	A	0.06

Source: SCT Consulting, 2021

Traffic modelling shows the intersection performance at the enrolment level of additional 90 students operates at Level of Service B or better, with most intersections operating at Level of Service A.

4.3.4 Kiss and drop performance

The majority (55 per cent) of drop-off/pick-up traffic uses Osborn Avenue, while other traffic uses both sides of Maitland Street as well as the TAFE site. It is expected that kiss 'n drop movements would continue to occur in various other northern locations such as Gyarran Street, Bell Street. Muswellbrook South Public School does not support the use of the TAFE site. To discourage the use of the TAFE, a Transport Access Guide (**Appendix A**) has been developed that includes messaging to parents/guardians to avoid using the TAFE.

SINSW is proposing to deliver pedestrian fencing along Maitland Street between the pedestrian midblock crossing and Bell Street signals to reduce the risk of illegal crossing and improve the safety of students.

Assuming there could be an additional 90 students to be enrolled by 2036, the additional 20 drop-off/pick-up cars would be spread out across multiple locations during the school peak hours with about the highest of 10 cars using Osborn Avenue, as shown in **Table 4-3**.

Table 4-3 Future year kiss and drop demand

	2021 under existing conditions			2036 DA with increased of up to 90 students		
	Osborn Ave	Maitland St	Northern sites ²	Osborn Ave	Maitland St	Northern sites ³
Students	507			597		
% using this location	55%	15%	30%	55%	15%	30%
Car Mode Share	45%					
Students by car	125	34	68	148	40	81
Vehicle occupancy	2 students/car					
Number of cars trips	63	17	34	74 (+11)	20 (+3)	40 (+6)
Dwelling time per car (seconds)	200	150	200	200	150	200
Total drop off window	20 minutes					
Total spaces required	10	2	6	12 (+2)	3 (+1)	7 (+1)

Given the limited increase in students, it is anticipated that there is no significant impact on the existing drop-off/pick-up operation on all surrounding streets. Assuming there could be an additional 90 students to be enrolled by 2036, the additional 20 drop-off/pick-up cars would be spread out across multiple locations during the school peak hours with about the highest of 10 cars using Osborn Avenue. The total hourly traffic volume on Osborn Avenue is therefore expected to be around 120 cars combined in both directions during the AM peak hour in 2036. This level of traffic volume is less than half of the environmental capacity for typical local streets in a residential area.

Based on the current kiss and drop operations assumptions, the additional students and those expected to be dropped off/picked up at Osborn Avenue may require up to 2 additional spaces, when the 90 additional student increase is expected by 2036. The increase in kiss and drop demand will be negligible in the short term with the opening of the new building and the impacts will also be negligible. The demand and impacts at Osborn Avenue expected by 2036 is still relatively minor.

Muswellbrook South Public School will actively discourage use of the TAFE site, which will likely redistribute traffic to other locations.

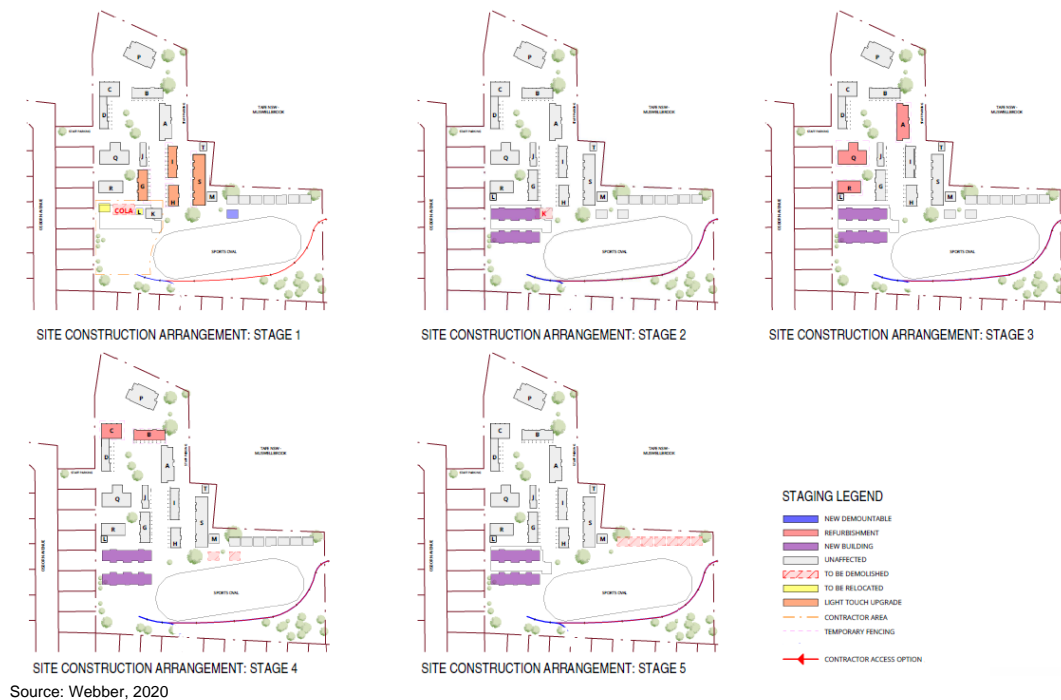
² Including TAFE, Gyarran Street and Bell Street.

³ Including TAFE, Gyarran Street and Bell Street.

4.4 Construction traffic impact assessment

The proposed construction staging is shown in **Figure 4-2**.

Figure 4-2 Site construction arrangement



Source: Webber, 2020

Construction traffic is proposed to gain access to the site via Maitland Street/Bell Street traffic signals and then through Bell Street (through the neighbouring TAFE) to the eastern boundary of the site. The signalised intersection provides access to and from all directions for haulage vehicles.

As the construction vehicles need to travel to the west end within the site via the sports oval, to minimise conflict with the school activities, the sports oval would be secured with site fencing during the construction phases and the construction vehicles will use its best endeavours to limit traffic in school peak hours.

A detailed Construction Traffic Management Plan (CTMP), which will include a construction traffic control plan will be prepared before commencement of construction and per the *Traffic Control at Work Sites Technical Manual* (2010).

The CTMP will address the overall traffic management of the site during the construction phase, including provision for vehicular and pedestrian access, parking for construction vehicles and appropriate wayfinding. The vehicular movements and expected routes to and from the site will also be further quantified and defined.

5.0 Conclusion

The proposed school upgrade seeks demolition and refurbishment of several existing buildings and construction of one new split level building within the school boundary (**Figure 3-1**).

The school upgrade will provide an additional facility to accommodate the growing student population numbers at the school, which will be a gradual increase, allowing for mitigations to be adjusted over time, particularly with school transport initiatives. For the purpose of the traffic and transport assessment, we have allowed for a maximum of 90 additional students to be enrolled at the school by 2036 based on estimates provided by SINSW.

In summary:

- Based on the interview with the school principal, the transport mode share for the students are:
 - 45% by car
 - 40% by bus/school bus
 - 15% by walking/cycling.
- The kiss and drop survey indicates that the drop-off/pick-up activities on Osborn Avenue are operating at an acceptable performance level given there is no major queue or significant delays observed during the school hours.
- The proposal does not include any changes to the existing access arrangement, staff car parking and servicing/emergency strategy.
- Assuming a potential gradual increase of 90 students by 2036, there could be an increase of 14 students that would walk/cycle/scoot to/from school, 36 students by bus and 40 students by car, based on the current travel mode share estimated in 2021.
- The study suggests further opportunity to increase bus mode share, which could assist in mitigating the impacts of the expansion of the school on the traffic network:
 - Proposal 1 – remove requirements for subsidised student passes for Muswellbrook South: the travel subsidy affects 56 per cent of students who are not eligible for a bus pass. Removal of the subsidy exemption to provide all students with free travel could increase bus travel further. Increase in bus uptake could be up to an additional 100-200 students if SSTS no longer limited to longer distances for years 3 and above. Given impacts of COVID-19 on public transport patronage, could be means to encourage return to public transport services.
- It is recommended that a Green Travel Plan and Transport Access Guide be prepared as part of the School Transport Plan to improve awareness about sustainable travel options and to better equip the school community to walk, cycle and take public transport.
- Given the limited increase in students, it is anticipated that there is no significant impact on the existing drop-off/pick-up operation on all surrounding streets. Assuming there could be an additional 90 students to be enrolled by 2036, the additional 20 drop-off/pick-up cars would be spread out across multiple locations during the school peak hours with about the highest of 10 cars using Osborn Avenue. The total hourly traffic volume on Osborn Avenue is therefore expected to be around 120 cars combined in both directions during the AM peak hour in 2036. This level of traffic volume is less than half of the environmental capacity for typical local streets in a residential area.
- Based on the current kiss and drop operations assumptions, the additional students and those expected to be dropped off/picked up at Osborn Avenue may require up to 2 additional spaces, when the 90 additional student increase is expected by 2036. The increase in kiss and drop demand will be negligible in the short term with the opening of the new building and the impacts will also be negligible. The demand and impacts at Osborn Avenue expected by 2036 is still relatively minor.
- Traffic modelling indicates that intersections around the school will operate satisfactorily during the peak hours of 2036 given the limited student increase. No cumulative impacts of other known and committed developments would be expected as well. It is noted that the actual intersection performance during the peak hours in 2036 could be even better than the modelling results given the opening of the New England Highway bypass and the corresponding traffic volume decrease on Maitland Street.
- It is estimated that the construction trucks could gain access from the intersection of Maitland Street/Bell Street to the eastern boundary of the site. As the construction vehicles need to travel to the west end within the site via the

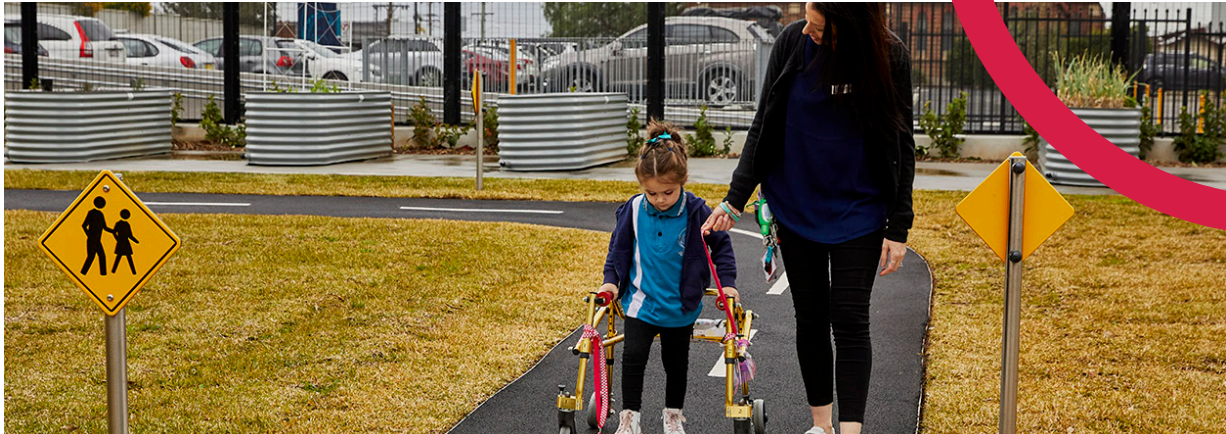
sports oval, to minimise conflict with the school activities, the sports oval would be secured with site fencing during the construction phases and the construction vehicles will use its best endeavours to limit traffic in school peak hours.

- A detailed Construction Traffic Management Plan (CTMP), which will include a construction traffic control plan will be prepared before commencement of construction and per the Traffic Control at Work Sites Technical Manual (2010). The CTMP will address the overall traffic management of the site during the construction phase, including provision for vehicular and pedestrian access, parking for construction vehicles and appropriate wayfinding. The vehicular movements and expected routes to and from the site will also be further quantified and defined.

Given the limited student increase associated with the proposal, the transport impacts are considered negligible and at a level to be accommodated by the existing infrastructure provision.

APPENDIX A

Draft Transport Access Guide



Muswellbrook South Public School

Travel Access Guide

01/06/2022

Project overview

Muswellbrook South Public School will undergo a major upgrade to support the growing needs of the local community.

Active ways to get to school



Walking is an active and healthy way to get to school

- Stop! Look! Listen! Think! every time you cross the road and keep checking until safely across.



Ride your bike

- Always wear a helmet when you ride your bike.
- Take special care at driveways here vehicles may be driving in or out.
- Ride your bike away from the roads.



Ride your scooter

- Always wear a helmet when you ride your scooter.
- Take special care at driveways where vehicles may be driving in or out.
- Ride your scooter away from the roads.

Kiss and drop expectations

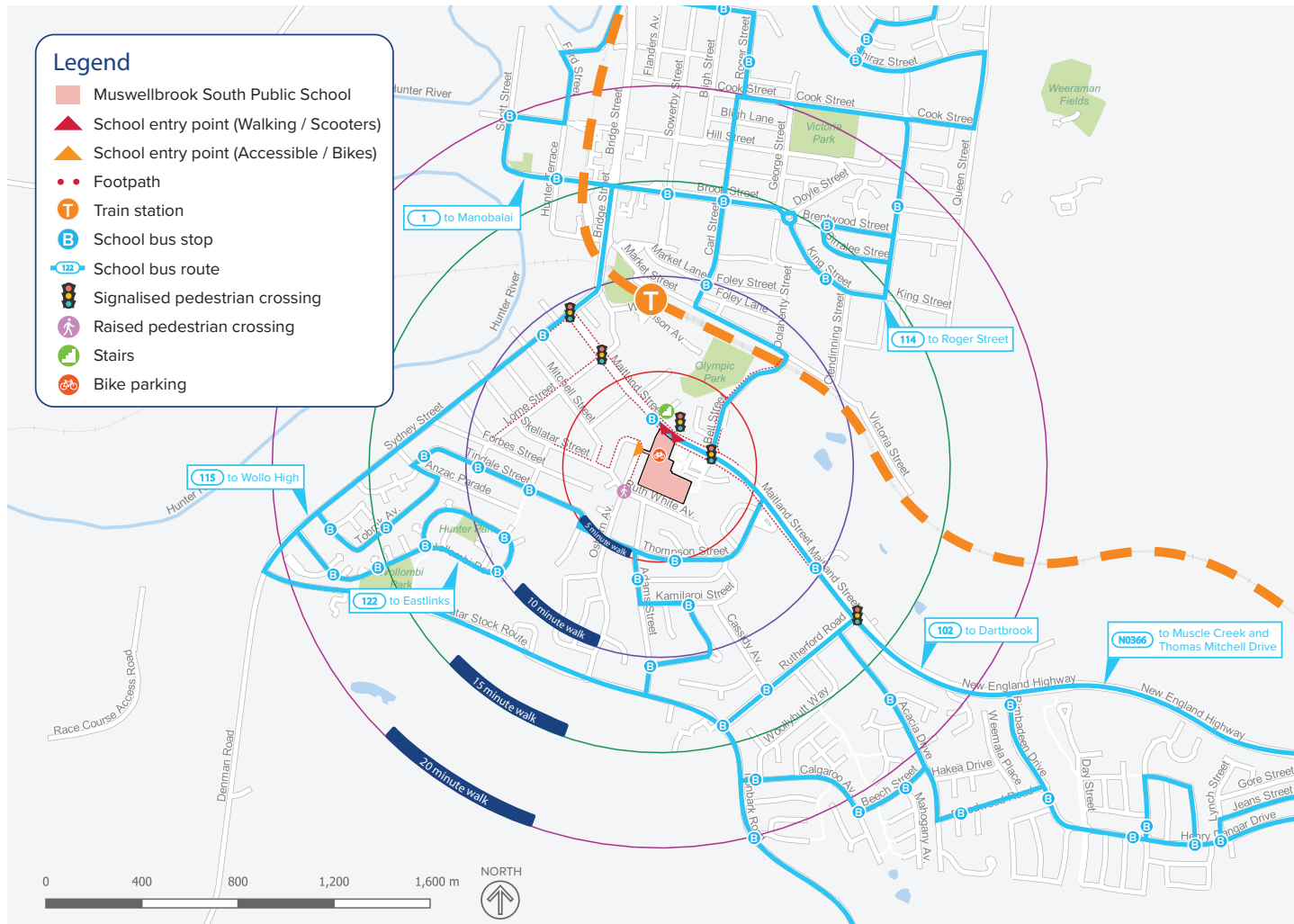
- Kiss and drop locations are at Maitland Street and Osborn Avenue near the school entrances.
- Drop your child off and pick them up on the school site of the road.
- Always take extra care in 40km school zones.
- Follow all parking signs - these help keep your child as safe as possible.
- Park responsibly even if it means you have to walk further to the school gate.
- It might be convenient, but please don't park at TAFE next door. This isn't school property and we have received complaints.

For more information contact:

School Infrastructure NSW
Email: schoolinfrastructure@det.nsw.edu.au
Phone: 1300 482 651
www.schoolinfrastructure.nsw.gov.au



NSW Department of Education – School Infrastructure



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Muswellbrook South Public School

Travel Access Guide

01/06/2022

Project overview

Muswellbrook South Public School will undergo a major upgrade to support the growing needs of the local community.

Using public transport to get to school

School buses



- Routes 1, 114, 115, 122, 102, 107 and N0366 are available on Maitland Street and Thompson Street.
- Always wait until the bus has gone, then use a safe place to cross.

Trains



- Muswellbrook Station is located 1.5km from the school (20 minute walk).
- Plan ahead, allow plenty of travel time and slow down to avoid slips and falls.

Apply for a School Opal Card | School Term Bus Pass

- School Opal cards provides free school travel and can be used as a School Term Bus Pass, for travel within the Opal network. Apply through the

School Student Transport Scheme (SSTS) website.

- Students are expected to be courteous and responsible, and follow the school student's code of conduct when travelling on public transport.

Kiss and drop code of conduct

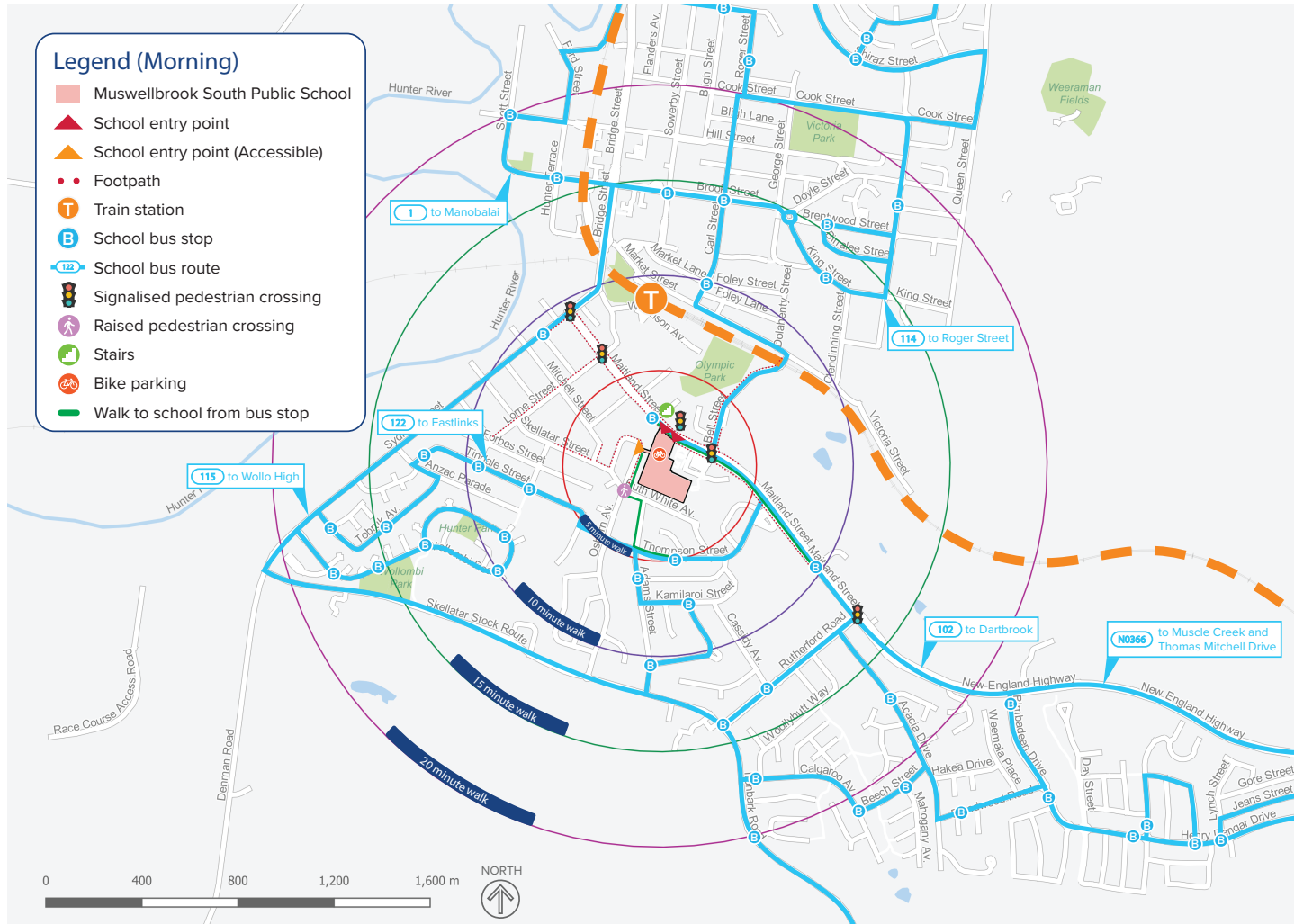
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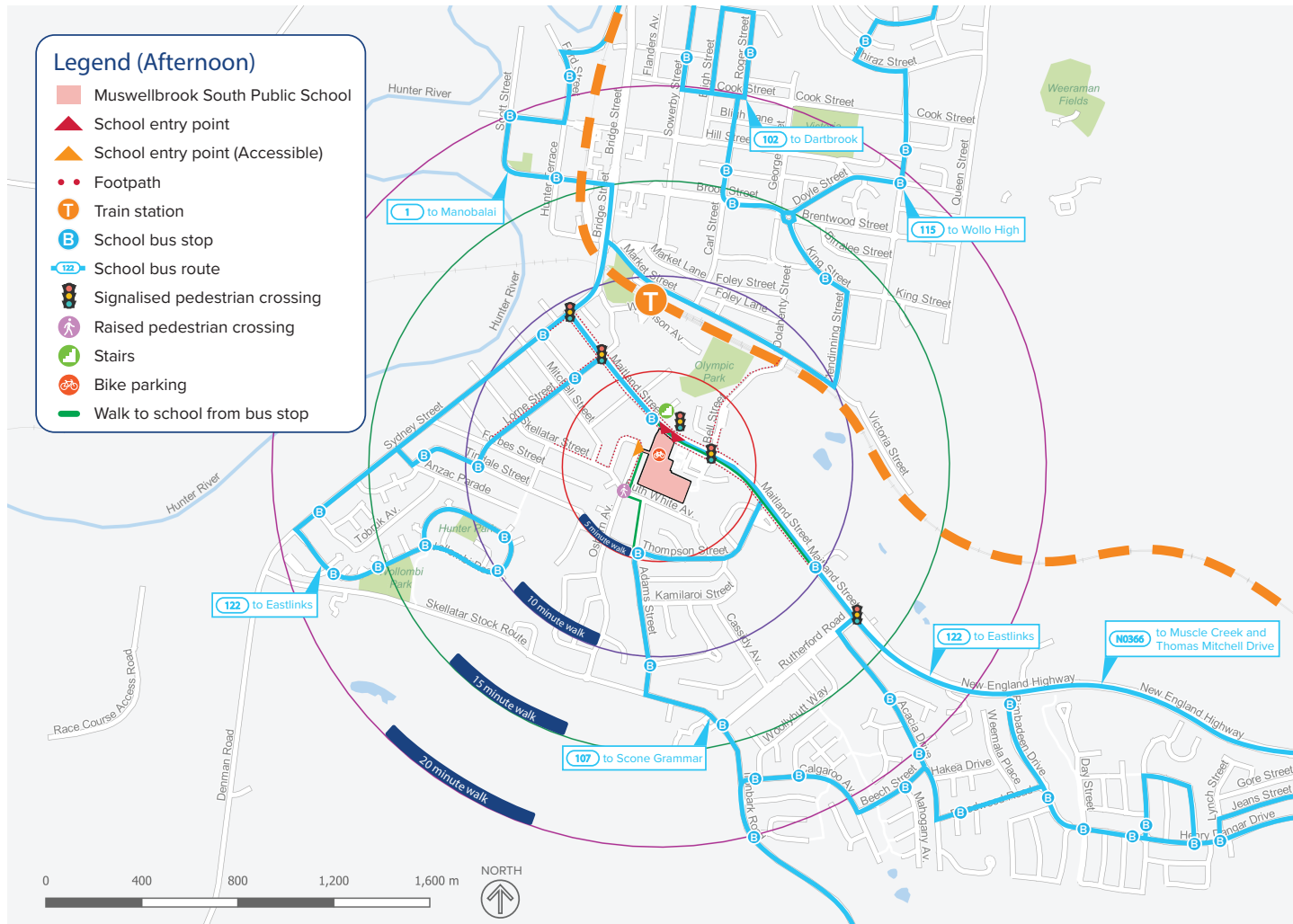


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APPENDIX B

School Transport Plan Initiatives and Programs



School Travel Planning for Primary Schools

Initiatives and Programs

Prepared by: Anneli Clasié

Reviewed by: Jonathan Busch

7 October 2021 | version 1.0



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- 02** SUCCESSFULLY IMPLEMENTED SCHOOL TRAVEL PLANS
- 03** PROGRAMS AND INITIATIVES FOR STAFF
- 04** PROGRAMS AND INITIATIVES FOR STUDENTS

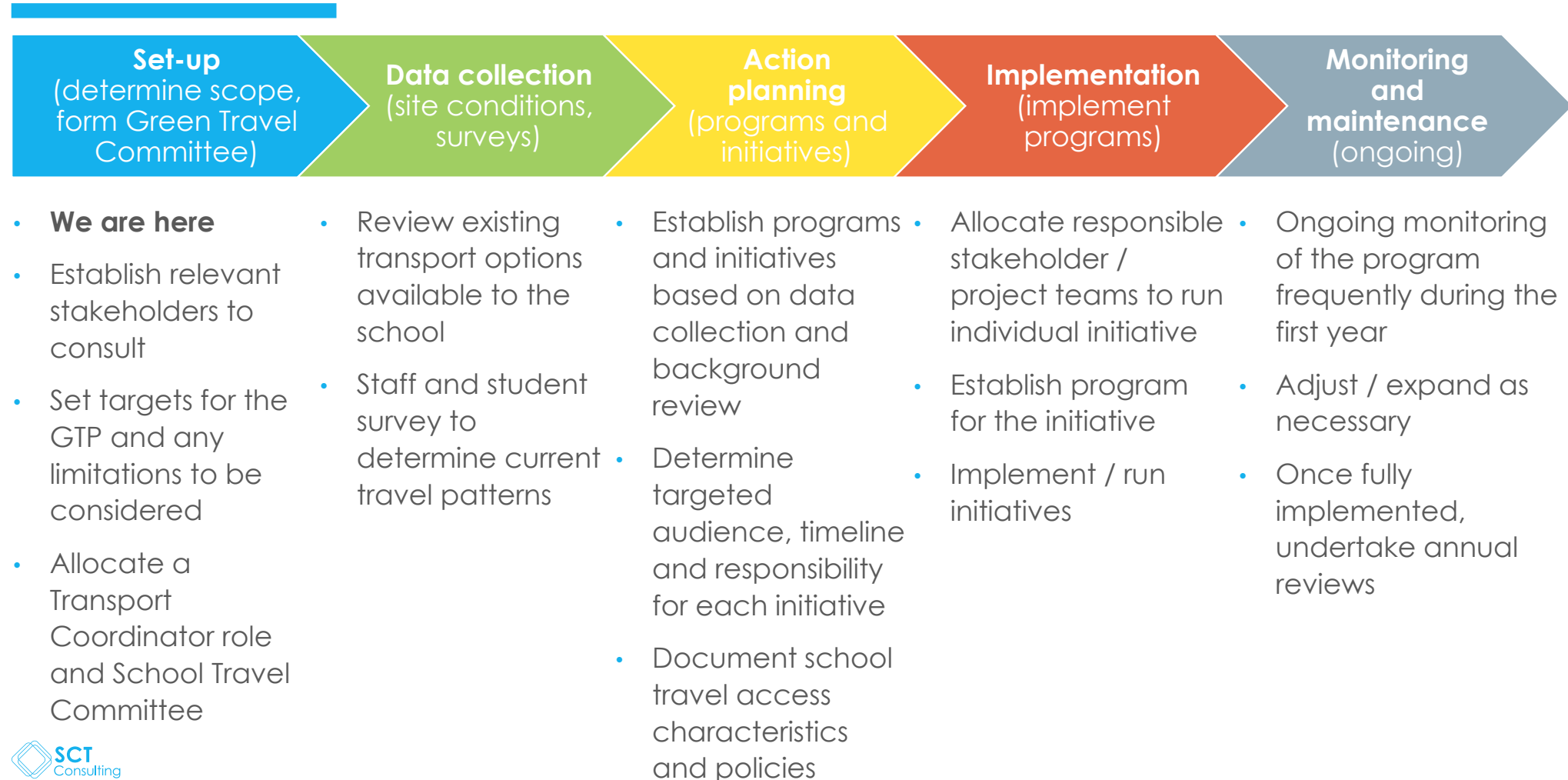
[01]

The STP process

What is a School Travel Plan?

- A tool designed to address an organisation's travel needs and impacts and to provide measures and initiatives that encourages and supports sustainable travel alternatives for staff, students and their parents or guardians.
- It also covers the efficient and safe access and operation of the school transport environment for students and staff accessing by any applicable mode of transport (e.g. kiss 'n drop, bus, car, etc.)
- This is a **living document**, meaning it will change over time. This plan will requires ownership by stakeholders to be effectively implemented.
- Green Travel Plans for schools and their success is not widely documented for Australia. Some background study and reference have therefore been based on Travel Plans undertaken for schools in the UK for this presentation.

The STP process



[02]

Successfully implemented School Travel Plans

Successfully implemented school Travel Plans (1/2)

The 'Making school travel plans work' research study undertaken in 2010* summarises several Travel Plans case studies, prepared at 23 different schools in England.

Findings included that after implementation of a Travel Plan:

- the average reduction in car use was 23%, with some schools cutting car use by >50%;
- parents perceived that travelling conditions had become safer and some schools recorded reduction in accidents (with one school recording a 25% reduction in child casualties);
- a walking bus reduced car usage from 76% to 63% in two years at one school;
- cycling usage increased from 2% to 6% at one school;
- seven of the case study schools had increased walking by around half or more;
- a car sharing scheme implemented at one school encouraged 28% of those arriving by car to now share the journey; and
- general improvements in children's attendance and punctuality, health and fitness and readiness to learn was noticed.

Successfully implemented school Travel Plans (2/2)

Other findings of the 'Making school travel plans work' research study (England, 2010)*, relating to the success of a Travel Plan included that:

- launch events and promotion play an important role in encouraging participation in the programs;
- school assemblies were used by more than two thirds of the case study schools, to raise awareness of travel issues (by visiting speakers such as Police, Council or the P&C, or the children presenting themselves) and to announce initiatives or programs;
- lots of schools found ways to reward and celebrate the efforts of those taking part in travel initiatives, with prizes, certificates and trophies, or special days and promotional events (usually presented in assemblies);
- more than half the primary schools were running schemes to reward children for walking to school with stickers, badges, certificates and prizes; and
- the type of assistance schools commonly said they would find helpful were funding for specific aspects of the programs (for example to pay for prizes or for time spent by the co-ordinator).

[03]

Transport encouragement initiatives for staff

Programs and initiatives for staff

1. The “10,000 steps per day” initiative
2. A workplace walking group
3. Use of carpooling and carsharing
4. Availability of information on available transport modes
5. Ride and Walk to Work Days (described under student initiatives)

1. The “10,000 steps per day” initiative

Overview:

- Set challenge over a period of time, recommended 4-6 weeks
- Staff members are rewarded for achieving the 10,000-step goal over the set period
- Prizes such as vouchers, team outing, special activity
- Free registration with the 10,000 steps organisation website <https://www.10000steps.org.au/> if desired

Investment:

- Volunteer staff coordinator (~2 hrs / week)
- Cost of prizes

Stakeholders:

- Staff
- The 10,000 step organisation

Evidence:

- 93% of organisations reported the challenge to be effective in increasing physical activity in employees
- 90% of staff enjoyed taking part in the tournament*



Photographer: Banternaps, unsplash.com

* Source: <https://www.10000steps.org.au/>, August 2020

2. A workplace walking group

Overview:

- Staff members who live locally are invited to walk together to school
- Walking group can also be set up for a short walk lunch time
- Celebrate success – the first month, six months or year, or number of kilometres walked
- Consider prize for those who regularly attend walking group

Investment:

- Volunteer staff coordinator (~1 hr / week)
- Cost of prizes

Stakeholders:

- Staff

Evidence:

Walking for 30 minutes a day can:

- reduce risk of coronary heart disease by 19 per cent
- lower the risk of stroke by 35% percent and Type 2 diabetes by 40%*



Photographer: Arek Adyoue, unsplash.com

* Source: <https://walking.heartfoundation.org.au/benefits-of-walking/>, August 2020

3. Use of carpooling and carsharing

Overview:

- An online carpooling forum for staff travelling on the same route to be set up
- Priority designated parking within the staff car park could be considered
- Provide information to staff regarding the availability of car share opportunities

Investment:

- Volunteer staff coordinator (~1 hr / week)
- Installation of car pooling signage (by Council)

Stakeholders:

- Staff
- Carsharing company
- Council, to approve and install signage

Evidence:

- A car sharing scheme implemented at one school in the UK encouraged 28% of those arriving by car to now share the journey*



Photographer: David Emrich, unsplash.com

* Source: Making school travel plans work - Experience from English Case Studies (Carey Newson, Sally Cairns & Adrian Davis , 2010), carried out for the Department of Transport

4. Availability of information on available transport modes

Overview:

- Add Transport for NSW trip planning information to individual workstations and the school website
- Include the Transport for NSW Trip Planner app on the staff intranet
- Provide information about sustainable transport to new staff as part of their orientation, including where Opal cards can be purchased

Investment:

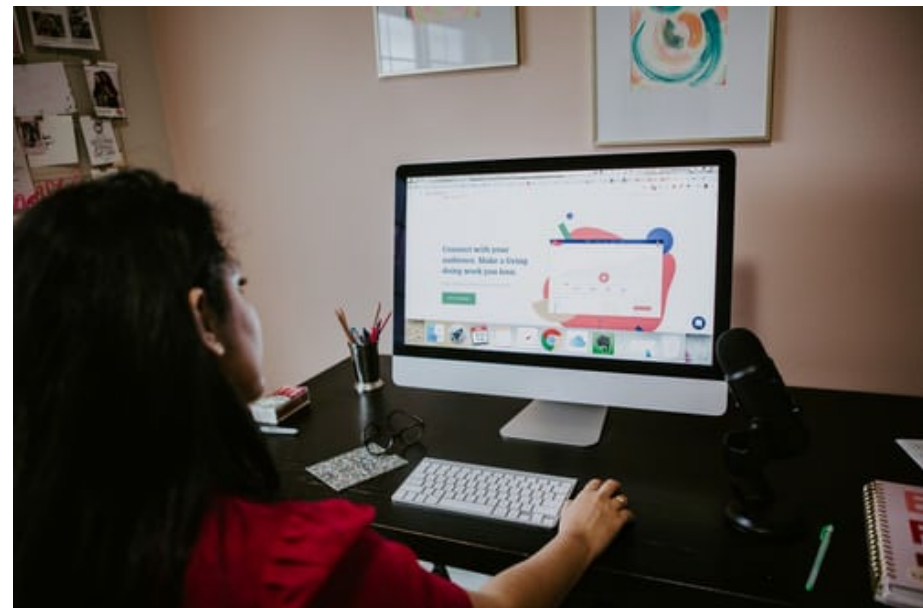
- Volunteer staff coordinator (~2 hrs)

Stakeholders:

- Staff

Evidence:

- No specific evidence able to be located, potentially not collected.



Photographer: ConvertKit, unsplash.com

[04]

Transport encouragement initiatives for students

Provision of a Travel Access Guide

Overview:

- Prepare a Travel Access Guide (map with descriptive text) that provides information for students and parents with the most sustainable and safe modes to access school
- Include description for each mode such as public transport routes and stops, key walking access routes, possible park and walk locations, bike routes, pedestrian crossing points and school entry points
- The map may also encourage meeting points for students to walk, ride or scoot to school together

Investment:

- Parent or P&C volunteer (~1 to 2 days to prepare)
- Cost of printed map / flyer material

Stakeholders:

- Nil

Evidence:

- No specific evidence found



Photographer: Ross Sneddon, unsplash.com

Community & student leadership

Overview:

- Engaging parents to co-create a local social marketing campaign to increase incidental physical activity
- Coordinating leadership training for students across s to support student-driven demand for active travel to school.
- Supporting students to develop videos advocating to Council for improved pedestrian infrastructure to enhance walkability or promoting safe travel.

Investment:

- P&C or parent coordinator (~2 hrs)

Stakeholders:

- Council
- The school community

Evidence:

- An additional **4,177 children travelled actively to school** as part of an overall program
(<https://www.healthyactivebydesign.com.au/case-studies/whittlesea-active-travel-in-schools>)



Source: healthy active by design (Heart Foundation)

Walking wayfinding

Overview:

- On-footpath signage can be used to identify safe walking routes to school.
- Footpath stickers are a way of putting forward signage with little cost and likely no Council concerns.
- Wayfinding can
 - Focus student travel on key corridors, creating safety in numbers
 - Encourage use of safer routes
 - Encourage students to walk or cycle further
 - Promote independence with less chance of getting lost

Investment:

- Investment of time (~16 hrs)
- Cost of stickers and installation by professionals

Stakeholders:

- Council (approval)
- The school community

Evidence:

- An additional **4,177 children travelled actively to school** as part of an overall program (<https://www.healthyactivebydesign.com.au/case-studies/whittlesea-active-travel-in-schools>)



Source: healthy active by design (Heart Foundation)

A Walking School Bus (guided pedestrian groups)

Overview:

- A number of set walking routes to the school, which can first be risk assessed by Council for safety to be established
- Group walks along set route, picks up or drops off children along the way at designated 'bus stops'
- Walking groups to be led by parent volunteers
- Can be carried out daily or certain days only

Investment:

- Parent volunteers (~2-5 hrs / week)
- High visibility vests

Stakeholders:

- School community
- Council, for input on safety of routes

Evidence:

- A walking bus reduced car usage from 76% to 63% in two years at one school in the UK*



Photograph from <https://www.edenprojectcommunities.com/stuff-to-do/organise-a-walking-bus> website

* Source: Making school travel plans work - Experience from English Case Studies (Carey Newson, Sally Cairns & Adrian Davis, 2010), carried out for the Department of Transport

National Ride or Walk to School Day

<p>Overview:</p> <ul style="list-style-type: none">• Coordinated through Bicycle Network as a day where students and staff are encouraged to ride, walk, scoot or skate to work (March every year)• Can involve educational class presentations and awards or bicycle maintenance workshops• Register: https://www.bicyclenetwork.com.au/rides-and-events/ride2school	 <p>Photographer: Ben Wicks, unsplash.com</p> <p><small>* Source: Making school travel plans work - Experience from English Case Studies (Carey Newson, Sally Cairns & Adrian Davis , 2010), carried out for the Department of Transport</small></p>
<p>Investment:</p> <ul style="list-style-type: none">• Staff coordinator (~4 hours preparation)• Cost of prizes• Grant application of up to \$5,000 from Bicycle Network (refer link above)	
<p>Stakeholders:</p> <ul style="list-style-type: none">• The Bicycle Network• The school community	
<p>Evidence:</p> <ul style="list-style-type: none">• The implementation of cycling initiatives increased cycling from 2% to 6% at one school in the UK*	

Targeted cycling outreach for girls

Overview:

- There is a big gender difference in cycling in the 0-14 age range, with boys cycling twice as often as girls (AMR, 2013)
- E.g. MIND.BODY.PEDAL program for high school girls by the Bicycle Network, to address issues of self-esteem and confidence regarding bike riding. Ideas could be tailored to younger girls:
 - A team of youth workers chat to the girls about issues such as peer pressure and challenging social norms
 - Group sessions on mindfulness and importance of moving
 - Educational bike ride around the local community,

Investment:

- Staff coordinator (~2 hours preparation)
- Cost of external speaker / educator

Stakeholders:

- External facilitator

Evidence:

- The initiative 'Girls riding together' in the US saw a raise in girls participating in riding from 20 to 40 percent in three years*



Photographer: Janco Ferlic, unsplash.com

* Source: The Push to Get More Girls on Bikes, 'Outside Online' article (<https://www.outsideonline.com/2415765/exercise-good-dog-secret/>)

Bike check up

Overview:

- Bicycle Network provides resources for bicycle maintenance education sessions at school
- Bicycle maintenance could be run by a parent or a staff member who is a keen rider
- Workshops could include the ABC (Air, Brakes, Chain, Tight) Safety Checklist and helmet safety checks*

Investment:

- Staff coordinator (~2 hours preparation)
- Potential cost of training

Stakeholders:

- Staff
- Volunteers

Evidence:

- The implementation of cycling initiatives increased cycling from 2% to 6% at one school in the UK**



Photographer: www.unsplash.com

* Source: Safe Cycle Yrs 5 and 6 (<http://paf.org.au/wp-content/uploads/2015/02/Safe-Cycle-Yr-5-6-Downloadable-Lessons.pdf>) and <https://www.bicyclenetwork.com.au/rides-and-events/ride2school/>

** Source: Making school travel plans work - Experience from English Case Studies (Carey Newson, Sally Cairns & Adrian Davis, 2010), carried out for the Department of Transport

Cycling education lesson plans

Overview:

- Bicycle Network provides resources for teachers to create their own bike education lesson plan
- Lessons could include safety in riding, bike control, hazards, bike games, route planning and riding set route together, end of course riding celebrations
- Can be run for a number of lessons throughout term
- <https://www.bicyclenetwork.com.au/rides-and-events/ride2school/programs/bike-education/>
- <http://paf.org.au/wp-content/uploads/2015/02/Safe-Cycle-Yr-5-6-Downloadable-Lessons.pdf>

Investment:

- Staff (up to ~2 hrs / week for a term)
- Cost of prizes for games

Stakeholders:

- Staff
- Bicycle Network

Evidence:

- The implementation of cycling initiatives increased cycling from 2% to 6% at one school in the UK*



Photographer: Amber Faust, unsplash.com

* Source: Making school travel plans work - Experience from English Case Studies (Carey Newson, Sally Cairns & Adrian Davis , 2010), carried out for the Department of Transport

Encouraging car sharing

Overview:

- Parents living in clusters can be contacted by the school and invited to exchange phone numbers with others living nearby, to arrange car sharing
- A web-based car sharing scheme for the school could be set up by parents or the P&C
- Could also prompt families to make their own informal sharing arrangements, even if not participating in 'formal scheme'

Investment:

- Parent or P&C volunteer (~4 hrs to set up)

Stakeholders:

- The school community

Evidence:

- The implementation of car sharing initiatives increased the number of pupils car sharing from 8% to 14% in two years at eight schools in the UK*



Photographer: Jantine Doornbos, unsplash.com

* Source: Making school travel plans work - Experience from English Case Studies (Carey Newson, Sally Cairns & Adrian Davis, 2010), carried out for the Department of Transport

Road Safety Education day

Overview:

- Invite an external facilitator (such as Council, Police, the NRMA) to hold a road safety education day to increase children's awareness and knowledge around road safety
- Could cover helmet fitting, safety in and around vehicles, how to cross a road and what happens in a crash
- Could be extended to invite parents to attend the education day at the school

Investment:

- Staff volunteer (~4 hrs to set up)
- Programs can be offered for free to schools

Stakeholders:

- Staff
- Council, Police (as an external facilitator)

Evidence:

- Previous road safety programs have shown:
 - 61% of students have used a safe strategy they learned;
 - 50% have shared a safety strategy with family or friends;
 - 56% increase in ability to recognise unsafe road behaviours.*



Photographer: Logan Weaver, unsplash.com

* Source: <https://www.mynrma.com.au/community/what-we-do/education-centre/science-and-road-safety-day/>, August 2020

New Starter Kit for all new students

Overview:

- Provide all new students with a resource kit for sustainable and safe travel such as maps of the area, voucher for purchasing cycling equipment, sunblock, safety equipment (such as a high visibility vest)
- Include educational material (such as a travel access guide) to inform students and their parents of sustainable travel choices and any programs currently running at the school
- Include a statement of school's vision for sustainable transport in information provided

Investment:

- Staff or P&C volunteer (~8 hrs to set up)
- Cost of starter kit

Stakeholders:

- Staff or the P&C

Evidence:

- No specific evidence able to be located, potentially not collected.



Photographer: Krzysztof Kowalik, unsplash.com

Increased surveillance of drivers' behaviour

Overview:

- Sporadic surveillance of drivers' behaviour when vehicle is parked (by Council ranger) or moving (by Police), to reduce dangerous and aggressive behaviour during drop off and pick up
- Could involve both parking enforcement and speed limit enforcing and random breath testing
- Could be carried out at sporadic times, to make drivers around the school more aware in general

Investment:

- P&C or parent coordinator (~2 hrs)
- Cost of time for Police/Ranger (by Council or Police)

Stakeholders:

- Council
- Police
- The school community

Evidence:

- No specific evidence able to be located, potentially not collected.



Photographer: Andrei Mike, unsplash.com

Thank you

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[Footer]

Reference list

Documents

- Making school travel plans work - Experience from English Case Studies (Carey Newson, Sally Cairns & Adrian Davis , 2010), carried out for the Department of Transport
- The Push to Get More Girls on Bikes, 'Outside Online' article (<https://www.outsideonline.com/2415765/exercise-good-dog-secret>)
- Safe Cycle Years 5 and 6 - Cycling education unit linked to The Australian Curriculum (Initiative of the ACT Government) (<http://paf.org.au/wp-content/uploads/2015/02/Safe-Cycle-Yr-5-6-Downloadable-Lessons.pdf>)

Webpages

- <https://www.10000steps.org.au/>, August 2020
- <https://walking.heartfoundation.org.au/benefits-of-walking/>, August 2020
- <http://schoolstreets.org.uk/how/>, August 2020
- <https://www.bicyclenetwork.com.au/rides-and-events/ride2school/>, August 2020
- <https://www.mynrma.com.au/community/what-we-do/education-centre/science-and-road-safety-day/>, August 2020

Photographs

- Photographs taken from the www.unsplash.com website
- Photo of Walking Bus taken from <https://www.edenprojectcommunities.com/stuff-to-do/organise-a-walking-bus> website

