



10.1.2. DA 2023-26 - Alterations and Additions to existing commercial building (Campbells Corner), change of use for public administration building, demolition works

Attachments:	1. Attachment A - DA 2023-26 Proposed Plans [10.1.2.1 - 30 pages]
	2. Attachment B - DA 2023-26 - Section 4.15 Assessment Report - Barker Ryan Stewart [10.1.2.2 - 56 pages]
	3. Attachment C - DA 2023-26 - Recommended Conditions of Consent [10.1.2.3 - 26 pages]
Responsible Officer:	Sharon Pope - Director - Planning & Environment
Author:	Hamish McTaggart (Development Co-Ordinator)
Community Plan Issue:	3 - <i>Environmental Sustainability</i> 6 - <i>Community Leadership</i>
Community Plan Goal:	An environmentally sensitive and sustainable community Collaborative and responsive leadership that meets the expectations and anticipates the needs of the community.
Community Plan Strategy:	<i>Not Applicable</i> Not applicable

PURPOSE

This report has been prepared to assist Council in its determination of DA 2023/26 involving alterations and additions to an existing commercial building (Campbells Corner), change of use for public administration building, and minor demolition works at 60–82 Bridge Street, Muswellbrook (Lot 101 DP 606303).

In line with Council's Development Conflict of Interest Management Policy, an independent Planning Consultant was engaged to undertake the assessment of the development application. The independent assessment recommends that the development be approved subject to recommended conditions of consent.

OFFICER'S RECOMMENDATION

Council grants development consent to DA 2023/26 involving alterations and additions to an existing commercial building (Campbells Corner), change of use for public administration building, and demolition works at 60 – 82 Bridge Street, Muswellbrook (Lot 101 DP 606303), subject to the conditions of consent contained in Attachment C of the report.

Moved: _____ **Seconded:** _____

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development relates to 60-82 Bridge Street, Muswellbrook (Lot 101 DP 606303). The site contains a two (2) storey heritage listed building known as Campbells Corner. The building contains shops, office space, and the Muswellbrook Shire Council Administration Centre. Plans are provided in Attachment A.

Full details of the proposal are contained in the assessment report (Attachment B).



ASSESSMENT SUMMARY

In compliance with Council's Development Conflict of Interest Management Policy, an independent Planning Consultant (Baker Ryan & Stewart) was engaged to undertake the assessment of the development application. The Planning Consultant has assessed the proposed development against the relevant matters prescribed by s4.15 of the Environmental Planning and Assessment Act 1979.

Key considerations and findings of the Section 4.15 Assessment include:

- The proposed development is permissible with consent within the E2 Commercial Centre zone of Muswellbrook Local Environmental Plan (LEP) 2009.
- The proposed development is in accordance with all relevant provisions of LEP 2009 and Muswellbrook Development Control Plan (DCP) 2009.
- The proposed development was considered against the provisions of other relevant State Environmental Planning Policies (SEPP), and the development is compliant.
- The development application relies on the use of the existing car park and notes changes to parking demand related to the use of the Council Meeting Chambers was not anticipated to create additional conflict, with parking demand during core business hours affecting parking demand for the use of shops, cafes, and existing business at the premises. The assessment also notes that access and car parking was considered by Council Traffic Engineers, who raised no objection in relation to the proposed development.
- The subject site includes a local heritage item. A Statement of Heritage Impact was submitted in relation to the proposed development, and the development application was referred to Council's Heritage Advisor. The development may be supported from a heritage impact perspective.
- The proposed development was notified in accordance with Council's Community Participation Plan. No submissions were received in relation to the proposal through the notification period.

PUBLIC CONSULTATION

The proposed development was publicly notified from 1 May 2023 to 16 May 2023, and for a second period between 27 July 2023 to 11 August 2023 to meet notification requirements set by Council's Community Participation Plan and Council's Development Conflict of Interest Management Policy.

No submissions were received in relation to the proposed development during either 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 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

The Section 4.15 Assessment completed by the independent Planning Consultant is attached. This Assessment recommends the approval of the development application subject to the recommended conditions contained in Attachment B.



Campbell's Corner Building at 60 Brook St. & Bridge St., Muswellbrook NSW 2333



Proposed Council Chamber



Proposed Meeting room



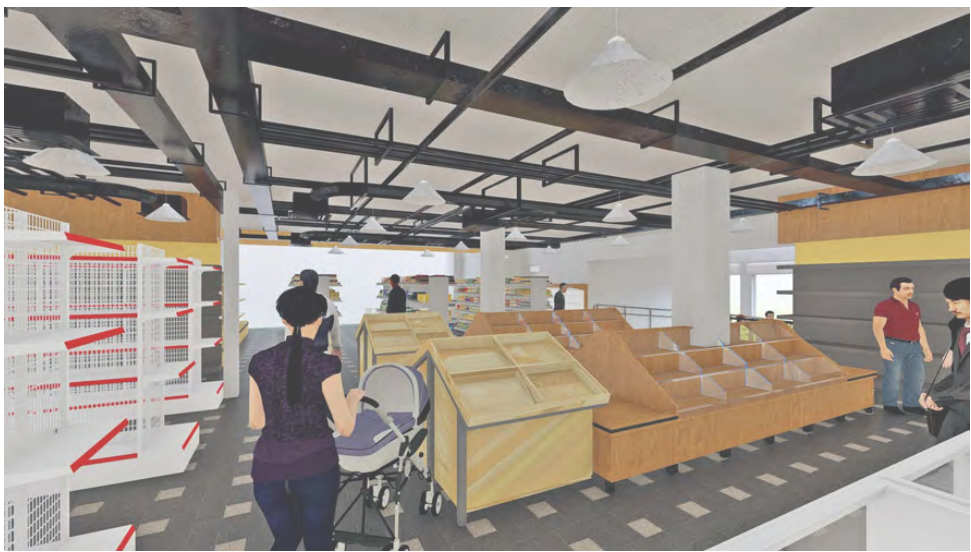
Proposed Entryway and coffee shop



Proposed Takaway food at shop 6



Proposed Commercial Office and Level 1 Entry Door



Proposed Fresh Produce Market

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ISSUE	REVISION	DATE	ISSUE	REVISION	DATE	PROJECT:	DRAWING No:
A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	1 OF 30
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023
C	Amended Preliminary Submission	12/08/2022					
D	Amended Preliminary Submission	17/01/2023					
						CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2
						PROJECT No.: 001/22	DRAWN: EM CHECKED: AA

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STANDARD SPECIFICATION

BE ADVISED : SOME CLAUSES IN THIS SPECIFICATION MAY NOT BE RELEVANT TO THIS PROJECT

1.0 GENERAL
1.1
1.2 - ALL MATERIALS SHALL COMPLY WITH RELEVANT CURRENT AUSTRALIAN STANDARDS AND UNLESS OTHERWISE STATED ON THE PLANS SHALL BE NEW AND THE BEST OF THE THEIR RESPECTIVE KIND AND SUITABLE FOR THEIR INTENDED PURPOSES.
1.3 - ALL WORKMANSHIP SHALL COMPLY WITH RELEVANT CURRENT AUSTRALIAN STANDARDS AND TO GOOD TRADE PRACTICES
1.4 - ALL WORK SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE RESPECTIVE AUTHORITY HAVING JURISDICTION OVER THE WORKS.
1.5 - THE ARCHITECTURAL DRAWINGS SHOULD BE READ IN CONJUNCTION WITH THE SPECIFICATION, SCHEDULES AND CONSULTANTS DRAWINGS THAT FORM PART OF THE CONSTRUCTION DOCUMENTS REFERRED TO IN THE "BUILDING CONTRACT".
1.6 - DO NOT SCALE FROM DRAWINGS. NOTIFY OF ANY ERRORS OR OMISSIONS BEFORE PROCEEDING WITH ANY WORKS
1.7 - ENSURE THAT SUBSTRATES ARE SUITABLE FOR THE INTENDED SUBSEQUENT FINISHES. COMMENCEMENT OF WORK ON THE SUBSTRATES IMPLIES ACCEPTANCE BY THE SUBCONTRACTOR OF THE SUBSTRATES ON WHICH FINISHES ARE APPLIED.
1.8 - CONTRACTOR IS TO SUPPLY ALL EQUIPMENT NECESSARY FOR THE COMPLETION OF THE RESPECTIVE WORKS.
1.9 - CONTRACTOR IS RESPONSIBLE FOR THE PROGRESSIVE CLEAN UP DURING AND AFTER THE COMPLETION OF RESPECTIVE WORKS
2.0 EARTHWORKS
2.1 - UNLESS OTHERWISE STATED, REMOVE TOPSOIL TO A MINIMUM DEPTH OF 200mm INCLUDING ALL ROOTS, AND OTHER MATTER, AND REQUIRED BY THE SOIL CONDITION AND/OR BUILDER. PROVIDE SUITABLE CLEAN FILL AND COMPACT IN LAYERS NOT GREATER THAN 300mm TO REDUCE LEVELS AS SHOWN.
2.2 - DO NOT EXCAVATE SERVICES TRENCHES WITHIN AN ANGLE OF 45 DEGREES DOWN FROM THE BOTTOM EDGE OF THE FOOTING.
2.3 - ALL RETAINING WALLS TO BE TREATED WITH "BITKOTE" WATERPROOFING AGENT
3.0 CONCRETE
3.1 - ALL CONCRETE REINFORCEMENT AND FORMWORK SHALL BE TO STRUCTURAL ENGINEERS DETAILS, RELEVANT BUILDING CODES AND STANDARDS
3.2 - THE FOOTING AND SLAB CONSTRUCTION IS TO COMPLY WITH AS 2870
3.3 - PROVIDE A PROPRIETARY VAPOUR BARRIER WHICH CONSISTS OF HIGH IMPACT RESISTANT POLYTHENE FILM MIN 0.2mm THICK WHICH HAS BEEN PIGMENTED AND BRANDED BY THE MANUFACTURER.
4.0 TERMITE PROTECTION:
4.1 - PROVIDE ANTI-TERMITE TREATMENT UNDER THE BUILDING AREAS IN ACCORDANCE WITH AS 2057, AS 3660.1 AND APPENDIX D, FOR RETICULATED SYSTEMS.
4.2 - BUILDER SHALL PROVIDE "BIFLEX" OR SIMILAR APPROVED ANTI-TERMITE TREATMENT IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARD CODES
5.0 BRICKWORK
5.1 - BRICK WORK SHALL COMPLY WITH :
AS 3700 MASONRY CODE
AS A123 MASONRY CODE
MORTAR FOR MASONRY CONSTRUCTION
5.2 - BRICK GAUGE 7 STANDARD COURSES = 600mm.
5.3 - TIES SHALL BE 3.5mm DIAMETER GALVANIZED WIRE KINKED FOR AND BUILT IN EVERY 5TH COURSE AT APPROXIMATELY 900mm CENTRES, WITH ADDITIONAL TIES AT THE RATE OF 1 TIE/300mm HEIGHT OF OPENINGS AND VERTICAL CONTROL JOINTS AND WITHIN 150mm OF OPENINGS. BUILD TIES INTO EACH LEAF AT LEAST 50mm.
5.4 - VERTICAL CONTROL JOINTS SHALL BE 12mm WIDE FILLED AT COMPLETION WITH A CONTINUOUS FILLER STRIP.
5.5 - CAVITIES TO BE KEPT CLEAR OF MORTAR. PROVIDE CAVITY BOARDS. TEMPORARILY OMIT BRICKS TO PERMIT RAKING OUT OF CAVITY BOTTOMS.
5.6 - FORM WEEP HOLES EVERY FOURTH PERPEND ABOVE FLASHING AND CAVITY FILL KEEP CLEAR OF MORTAR. DO NOT LOCATE WEEP HOLES CLOSER THAN 500mm TO JOINTS IN DAMP PROOF COURSES OR FLASHING.
5.7 - PROVIDE DAMP PROOF COURSES (DPC) IN THE BOTTOM 3 COURSES OF BRICK WORK AND SLAB AND/OR FOOTINGS. DPC ADDITIVE SHALL BE CLEAR IN ALL FACEWORK.
5.8 - SETOUT BRICKWORK ACCURATELY, PLUMP, LEVEL AND PROPERLY BONDED. RISING WORK TO BE RAKED BACK, JAMBS, REVEALS, CORNERS, PERPENDS, ETC TO BE TRUE, PLUMB AND IN LINE WITH PERPENDS TRUE LINE. SETOUT DOOR FRAMES NEAR PERPENDICULAR WALL WITH A MARGIN OF 12mm OR GREATER THAN 50mm
5.9 - PROVIDE 12mm PLASTERING MARGIN BETWEEN WINDOW FRAME AND INTERNAL BRICKWORK TO BE PLASTERED.
5.10 - WHERE NECESSARY REINFORCE BELOW AND OVER OPENINGS WITH GALVANISED WOVEN WIRE FABRIC 75mm WIDE IN CENTRE OF EACH LEAF OPENING EXTENDING ALUMINIUM OF 600mm BEYOND THE OPENING.

5.11 - BUILD IN ALCOR/PGI FLASHINGS AS FOLLOWS:
· WHEREVER SHOWN ON DRAWINGS
· CAVITY WALLS BUILT OF SLAB ON GROUND (WHERE NOT PARGED)
· OVER LINTELS TO EXPOSED OPENINGS - EXTEND THE FULL WIDTH OF OUTER LEAF CONTINUOUS ACROSS CAVITY 50mm INTO INNER LEAF 2c ABOVE
· OVER ROOF - EXTEND THE FULL WIDTH OF EXTERNAL LEAF, STEPPED TO ROOF SLOPE TURNED DOWN MIN. 50mm OVER BASE FLASHING. TURN UP IN CAVITY SLOPING INWARDS AND BUILT INTO INNER LEAF 1c ABOVE.
· DOOR/WINDOW STILES - EXTEND THE FULL HEIGHT 150mm WIDE FIXED TO FRAMES INTERLEAVED WITH SILL AND HEAD FLASHING AT EACH END.
· STRUCTURE OR SERVICES WITHIN 30mm OF OUTER BRICK LEAF IN CAVITY: VERTICAL FLASHING CONTINUOUS 1c BELOW FL TO ABOVE STRUCTURE OR FRAME. NOMINAL 300m WIDE.
· FOR HORIZONTAL STRUCTURES/SERVICES: CONTINUOUS FLASHING BUILT IN AS FOR OVER LINTELS
· AT CAVITY WALLS WITH GLASS BLOCK 300mm WIDE FIXED TO GLASS BLOCK FRAME AND TURNED AWAY IN CAVITY FROM INNER LEAF.
5.12 - WHERE NECESSARY REINFORCE BELOW AND OVER OPENINGS WITH GALVANISED WOVEN WIRE FABRIC 75mm WIDE IN CENTRE OF EACH LEAF OPENING EXTENDING ALUMINIUM OF 600mm BEYOND THE OPENING.
5.13 - UNLESS OTHERWISE SHOWN ON DRAWINGS
EXTERNAL FACE WORK: 230x110x76mm
WINDOW SILLS: 2c FACE BRICK SPLAYED SILLS
WINDOW HEADS: SOLID FACE BRICK COURSE
6.0 LINTELS
MAX SPAN LINTELS SIZE BEARING (mm) (VERT x HORIZ x THICK) EACH END (mm)
900 75x10 150
1200 75x75x8 150
1500 90x90x8 150
1800 100x75x8 230
2100 125x75x8 230
2400 125x75x10 230
2500 100x100x8 230
3000 150x90x10 230
7.0 CARPENTRY WORK
7.1 - ROOF AND CEILING FRAMING SHOULD COMPLY WITH AS 1684 LIGHT TIMBER FRAMING CODE. DRAW STRAP FIRMLY OVER WALL PLATES AND SECURELY FIX TO TOP OF PLATE BY 2x30mm GALV. CLOUDS/STRAP.
7.2 - REFER TO AS 1684 FOR ROOF FRAMING SIZES UNLESS SPECIFIED ON DRAWINGS.
7.3 - SUPPLY AND FIX ALL BULKHEADS & FALSE CEILINGS AS SHOWN ON THE DRAWINGS.
8.0 ROOFING
8.1 - SELECTED ROOFING MATERIAL SHALL BE INSTALLED AND FIXED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATION AND RELEVANT BUILDING CODES
8.2 - GUTTER, FASCIA, DOWNPIPES, FLASHING SHALL BE IN LONGEST POSSIBLE LENGTHS
8.3 - ALLOW FOR ALL JOINTS AND JOINING MATERIALS, COLLARS, STRAPS & FASTENINGS NECESSARY TO COMPLETE WORK.
8.4 - ALLOW FOR ALL ROOF PENETRATIONS, ROOF COWLS, FLASHING, FLUMES THROUGH ROOF
8.5 - FIX GUTTERS & FLASHING TO PERMIT THERMAL MOVEMENT IN THEIR FULL LENGTH
8.6 - SEAL BETWEEN OVERLAPPING FLASHING; FLASHING TURNED DOWN OVER BASE OR APRON FLASHING; FLASHING OVER METAL ROOF; FLASHING OVER SECRET GUTTERS; AROUND ROOF PENETRATIONS ETC.
9.0 WINDOWS/GLAZING
9.1 - UNLESS OTHERWISE STATED ON THE DRAWINGS WINDOW FRAMES SHALL BE ALUMINIUM RESIDENTIAL OR COMMERCIAL IN SECTION WITH POWDERCOAT FINISH AS SELECTED BY OWNER.
9.2 - ALLOW FOR FLYSCREENS TO BE FITTED TO ALL WINDOWS.
9.3 - ANGLED WINDOW UNITS SHALL BE FACTORY MADE AND FIXED AND DELIVERED ON SITE AS A COMPLETE UNIT.
9.4 - WHERE RELEVANT WINDOWS ARE TO COMPLY WITH THE SPECIFICATIONS PROVIDED BY THE THERMAL PERFORMANCE ASSESSOR.
9.5 - CLEAR GLASS GENERALLY: OBSCURE GLASS TO BATHROOMS, REFER TO DRAWINGS.
9.6 - WHERE GLASS BLOCKS HAVE BEEN NOMINATED, THEY SHALL BE IN FRAMES AND INSTALLED TO MANUFACTURERS SPECIFICATIONS
10.0 JOINERY
10.1 - ALL JOINERY SHALL BE OF HIGHEST QUALITY MATERIALS TO BEST TRADE PRACTICES AND HIGH QUALITY FINISH.
10.2 - EXTERNAL DOOR FRAMES SHALL BE: 110x40 DOUBLE REBATED FRAME WITH 130x40 WEATHERED THRESHOLD U.N.O.
10.3 - SUPPLY AND BUILD IN TIMBER DOOR FRAMES TO EXTERNAL LOCATIONS AS SHOWN ON ARCHITECTURAL DRAWINGS.

11.0 CEILINGS
11.1 - CEILINGS SHALL BE RECESSED EDGE, MINIMUM 8.0mm PLASTERGLASS OR GYPROCK.
11.2 - FLUSH JOINTS, SCREW HEADS, AND OTHER BLEMISHES IN THE SHEETS USING APPROVED SYSTEMS TO PROVIDE FLUSH SMOOTH CONTINUOUS SURFACE
11.3 - PROVIDE AND FIX ALL FLUSH STOP BEADS & CASING BEADS TO ALL CORNERS & EDGES
11.4 - PROVIDE ALL SELECTED MOLDINGS AND CORNICES TO ALL CEILINGS AS SHOWN ON THE DRAWINGS.
12.0 PLASTERING
12.1 - INTERNAL WALL FINISHES INCLUDING CUPBOARD, BIN & FRIDGE RECESSES ETC SHALL BE (OTHER THAN FACE FINISHES OR WHERE COVERED BY FEATURE MATERIALS) FLOAT AND SET IN HARDWALL PLASTER U.N.O.
12.2 - PLASTERED WALLS SHALL BE NOMINAL 12mm THICK CONSISTING OF 1:1:9, CEMENT:LIME:SAND RENDER, AND FINISHED WITH NOMINALLY 3mm HARDWALL PLASTER
12.3 - SUPPLY AND FIX EXTERNAL CORNER BEADS TO ALL EXTERNAL CORNERS.
12.4 - PROVIDE STOP BEADS WHERE PLASTER WORK ABUTS TIMBER FRAMES, OR FACEWORK
12.5 - EXTERNAL RENDER WHEN APPLICABLE SHALL BE 2 COAT SAND FINISH. (FOR PAINTING).
12.6 - NIBS IN INTERNAL CORNERS ADJACENT TO DOOR FRAMES GREATER THAN 40mm SHALL NOT BE FLUSHED UP WITH FRAMES.
12.7 - PROVIDE V-JOINTS IN RENDER & FINISHING PLASTER WHERE BRICK WORK ABUTS OR JOINS ONTO CONCRETE WORK.
13.0 FLOORING FINISHES
13.1 - CARPET FLOOR COVERINGS TO NOMINATED AREAS COMPLETE WITH SELECTED UNDERLAY SMOOTH EDGE, DIMINISHING STRIPS ETC, TO COMPLETE THE WORKS: REFER TO DRAWINGS AND FINISHES SCHEDULE
13.2 - PROVIDE TILED FLOOR FINISHES TO NOMINATED AREAS COMPLETE WITH ALL MATERIALS, ANGLE TRIMS ETC. TO COMPLETE THE WORKS: REFER TO DRAWINGS AND FINISHES SCHEDULE
13.3 - PROVIDE TIMBER FLOOR FINISHES TO NOMINATED AREAS COMPLETE WITH ALL MATERIALS, DIMINISHING BOARDS ETC TO COMPLETE THE WORKS: FLOOR BOARDS TO BE SANDED AND POLISHED TO HIGH STANDARD WITH PREMIUM QUALITY SEALER (2 COATS). REFER TO DRAWINGS AND FINISHES SCHEDULE.
14.0 SIGNAGE
14.1 - WHERE NECESSARY SUPPLY & FIX SELECTED UNIT AND HOUSE NUMBERS TO EACH UNIT AND TO LETTERBOXES AS SCHEDULED.
14.2 - "SUPERDRAFT" RESERVES THE RIGHT TO ERECT A BUILDERS SIGN ON THE PROPERTY FACING THE STREET FRONTAGE IN COMPLIANCE WITH AUTHORITY REQUIREMENTS.
15.0 PAVING
15.1 - GENERALLY: WHEN PAVING IS INCLUDED IN THE BUILDING CONTRACT THE FOLLOWING SHALL APPLY AS A MINIMUM STANDARD
· SUPPLY AND LAY ALL PAVING TO EXTERNAL AREAS AS SHOWN ON WORKING DRAWINGS.
· CUT, FILL & COMPACT SAND TO REQUIRED LEVELS. SCREED TO UNIFORM THINNESS AND LEVELS
· PROVIDE BRICK EDGE RETAINING FOOTING EMBEDDED IN MORTAR BENEATH THE PAVING BRICK
· TO DRIVEWAY AREAS, PROVIDE NOMINAL 300x150mm CONCRETE FOOTING ALONG PERIMETER OF DRIVEWAY AND BED EDGE BRICK IN MORTAR.
15.2 - PROVIDE 100mm COMPACTED LIMESTONE BASE TO DRIVEWAY TOPPED WITH 50mm CLEAN SAND AND GRADE TO FALLS.
15.3 - UNLESS NOTED PAVING PATTERN IS TO CLIENTS DETAIL
15.4 - BRICK PAVERS SHALL BE:
TRAFFICABLE AREAS: MIN. 65mm SOLID CLAY OR CONCRETE
PEDESTRIAN AREAS: MIN. 43mm SOLID CLAY OR CONCRETE
16.0 ENERGY EFFICIENCY
16.1 - INSULATION MUST FORM A CONTINUOUS BARRIER WITH CEILINGS, WALLS AND FLOORS BY ABUTTING OR OVERLAPPING ADJOINING INSULATION
16.2 - INSULATION MUST NOT ADVERSELY AFFECT DOMESTIC SERVICES OR FITTINGS
16.3 - REFLECTIVE INSULATION IS TO BE PROVIDED WITH A MINIMUM 25mm AIRSPACE AND IS FITTED CLOSE TO OPENINGS SUCH AS WINDOWS/DOORS ETC. AND IS PROVIDED WITH ADEQUATE SUPPORT.
16.4 - BULK INSULATION MUST MAINTAIN ITS POSITION, THICKNESS. ENSURE THAT CEILING INSULATION OVERLAPS UN-INSULATED WALLS
16.5 - CONSTRUCTION JOINTS, SUCH AS BETWEEN WALL AND FLOOR, ARE TO BE TIGHT FITTING OR SEALED USING CAULKING OR JOINERY ITEMS SUCH AS SKIRTING OR CORNICES
16.6 - EXHAUST FANS ARE TO BE FITTED WITH A SELF CLOSING DAMPER
16.7 - ROOF LIGHTS MUST BE SEALED WITH WEATHERPROOF SEALS
16.8 - HEATED WATER PIPING MUST BE THERMALLY INSULATED AND PROTECTED AGAINST THE WEATHER AND SUN
16.9 - INTERNAL HEATED WATER PIPING TO HAVE AN R VALUE OF 0.2
16.10 - ENCLOSED SUB-FLOOR AND ROOF SPACE TO HAVE AN R VALUE OF 0.45

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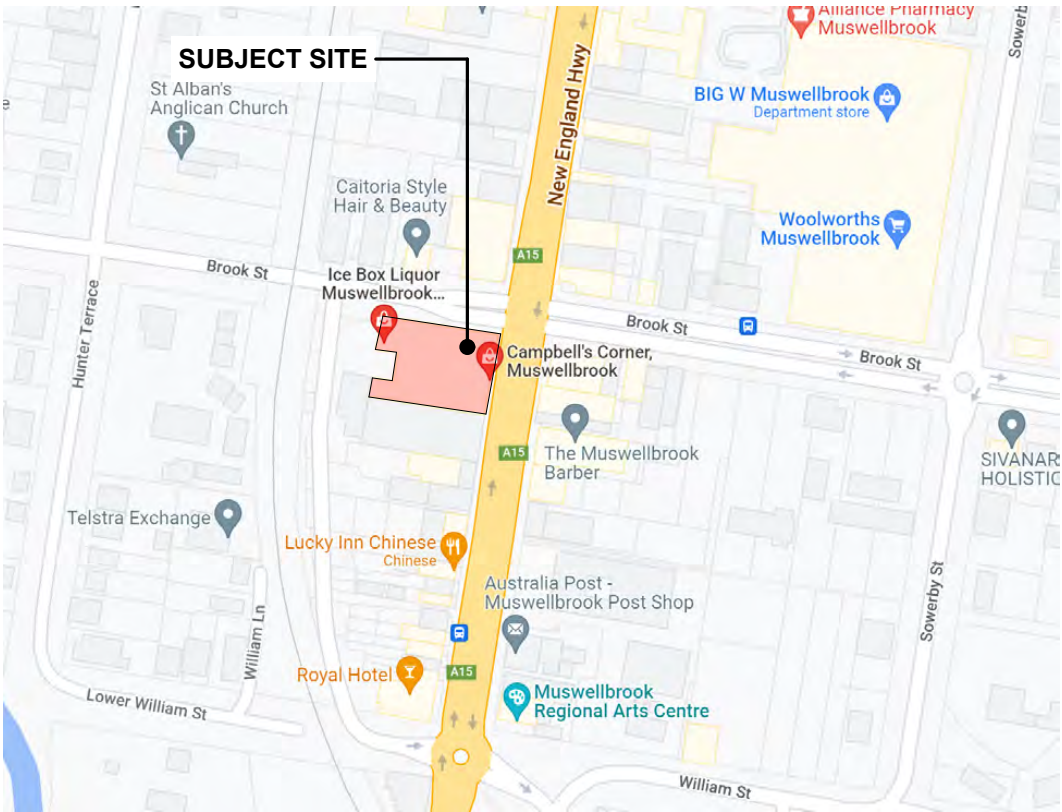
Attachment 10.1.2.1 Attachment A - DA 2023-26 Proposed Plans

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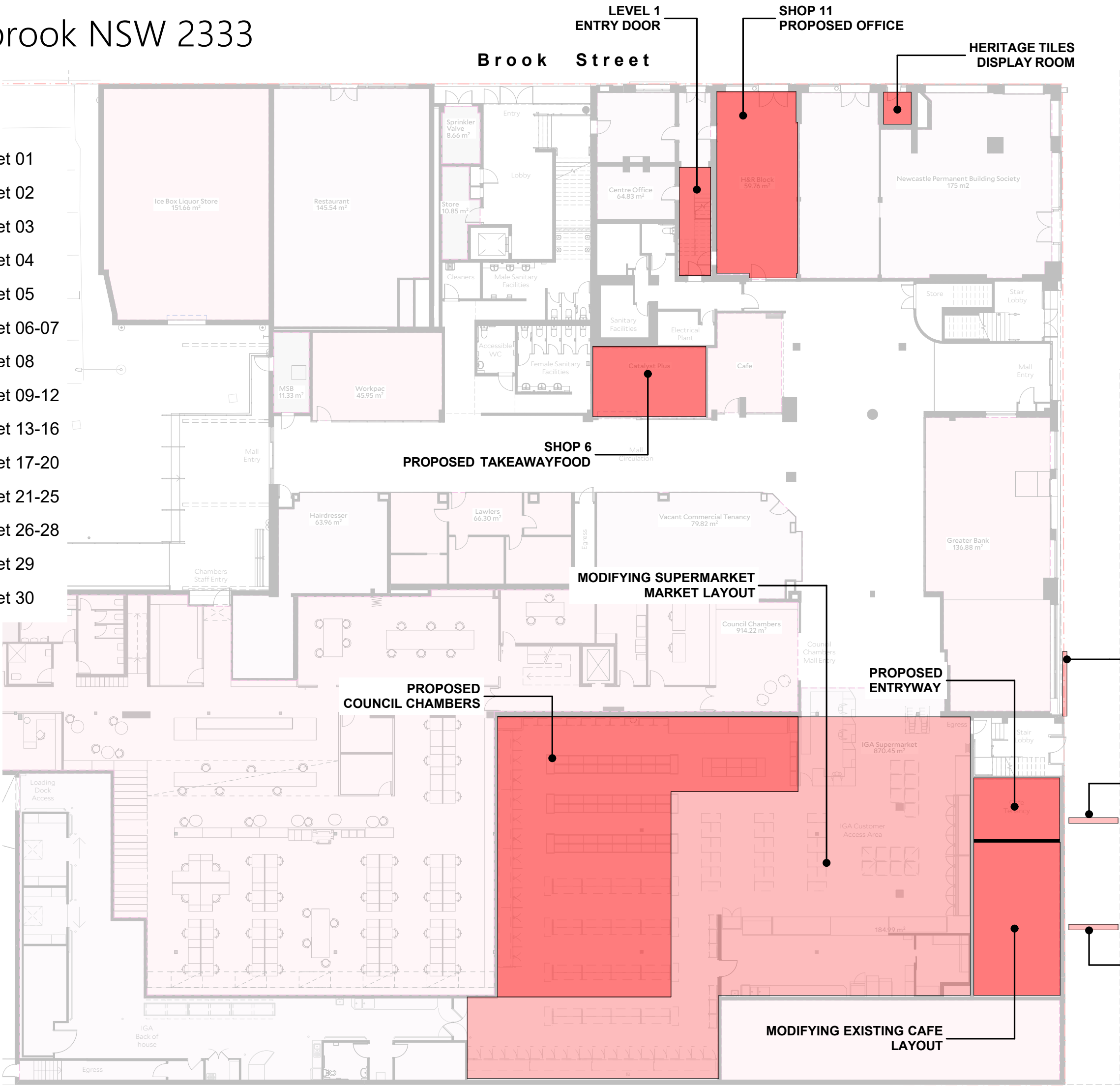
60 Brook St. & Bridge St., Muswellbrook NSW 2333

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LOCATION MAP
NTS



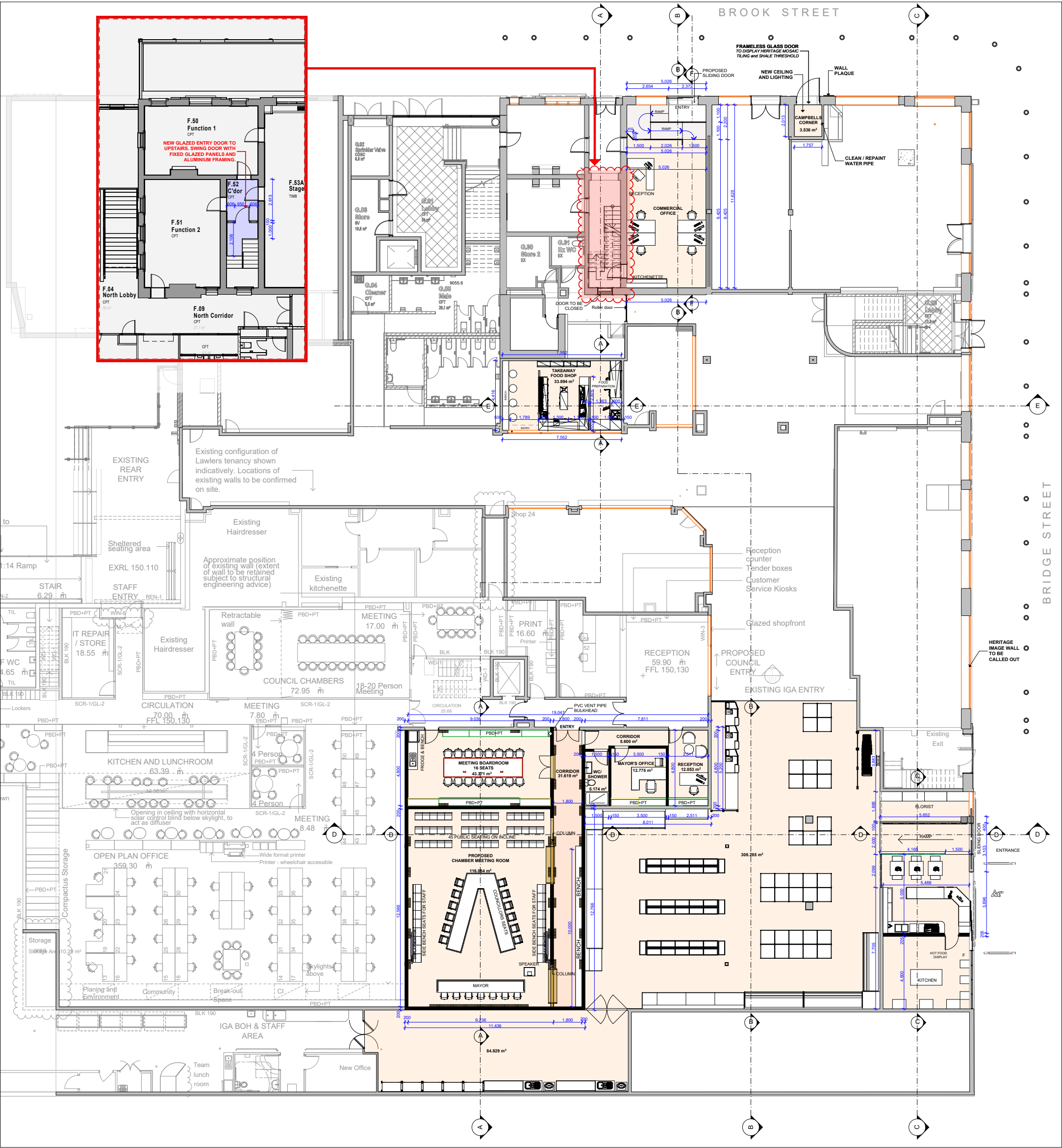
SITE PLAN
NTS

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NOTE:
ALL LEVELS AND DIMENSIONS MUST BE VERIFIED BY THE FITOUT CONTRACTORS PRIOR TO COMMENCEMENT OF ANY WORK AND ANY DISCREPANCY MUST BE NOTIFIED TO THE DESIGNER. ANY ASSOCIATED WORK MUST BE STOPPED UNTIL VERIFICATION RECEIVED FROM THE DESIGNER.
THE DESIGNER IS NOT RESPONSIBLE FOR ANY RELATED WORK THAT IS CARRIED OUT WHILE THERE ARE DISCREPANCIES ON PLANS.
DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS, ENGINEERING DESIGN AND RELEVANT CONSULTANTS DRAWINGS.
AIR-CONDITIONING, SPRINKLERS, OUTLETS LOCATIONS LAYOUT ARE INDICATIVE ONLY, AND ARE SUBJECT TO ENGINEERS DESIGN AND CALCULATIONS TO COMPLY TO AUSTRALIAN STANDARD

PROPOSED GENERAL ARRANGEMENT GROUND FLOOR
1:200

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01

CAMPBELL'S CORNER BUILDING

1:200



01

CAMPBELL'S CORNER BUILDING

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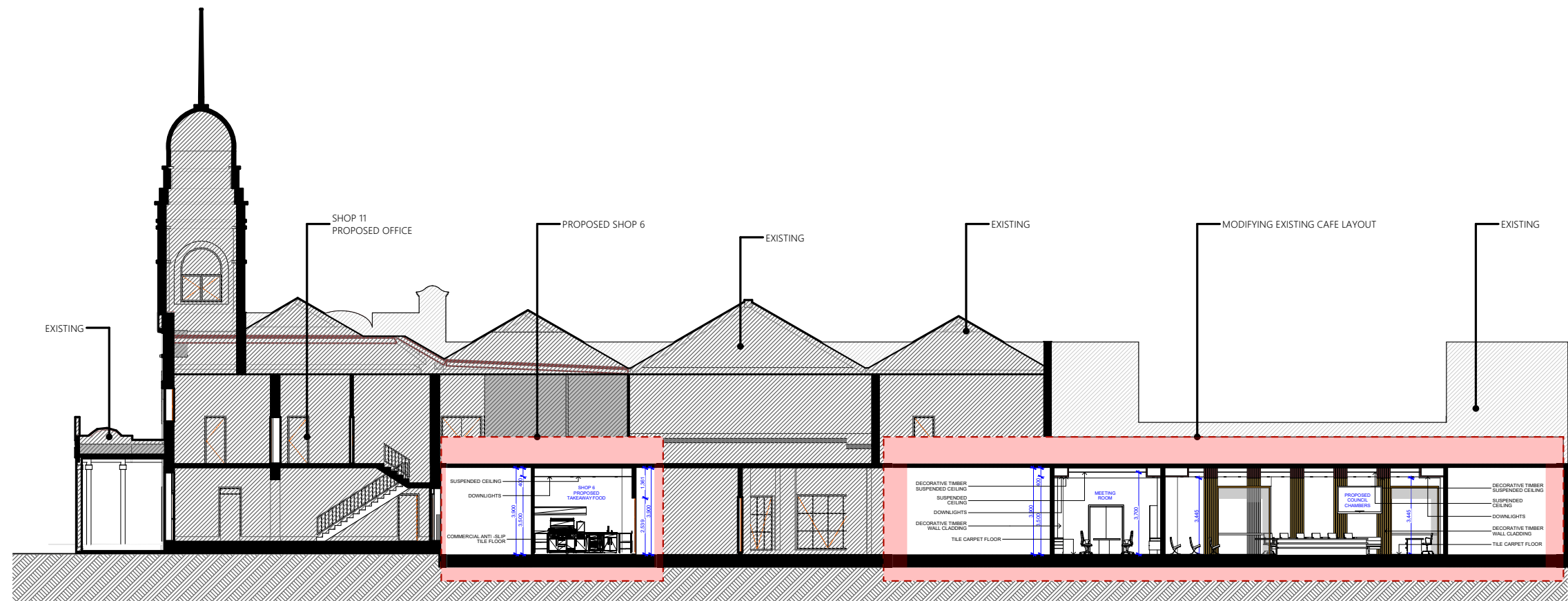
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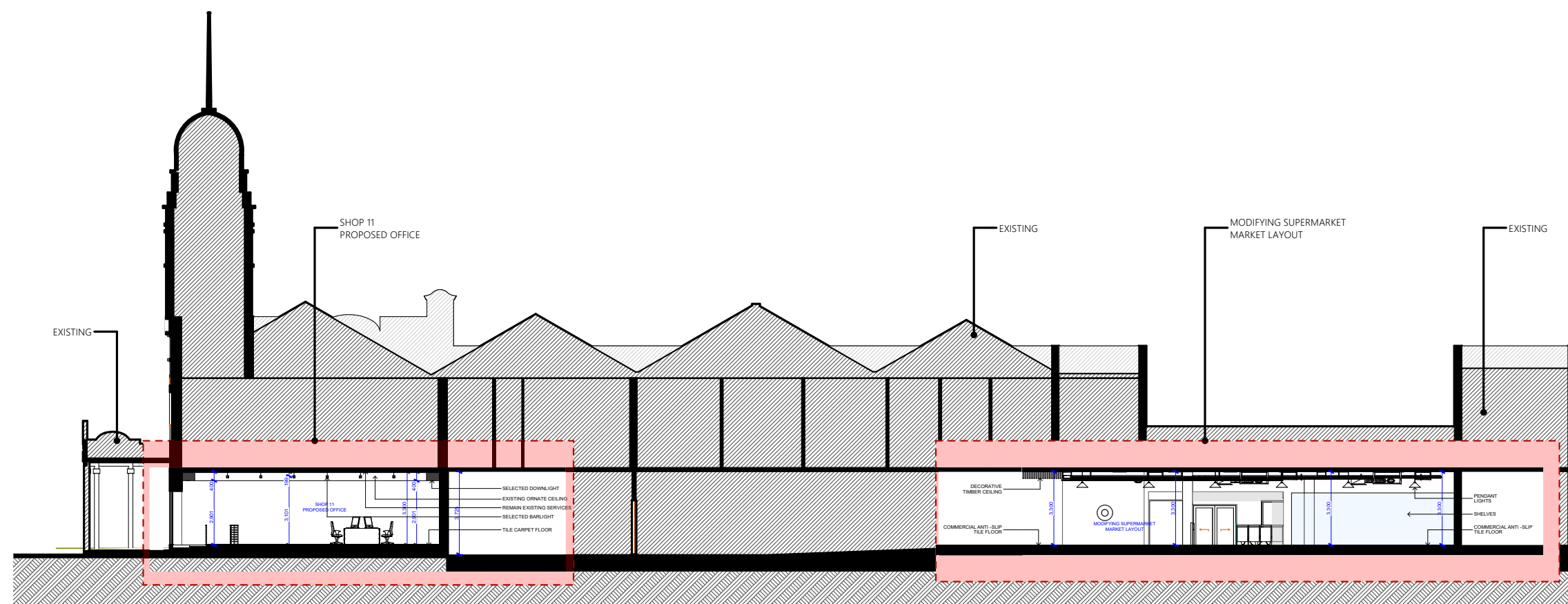
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01 A-A Section 1:200



01 B-B Section 1:200

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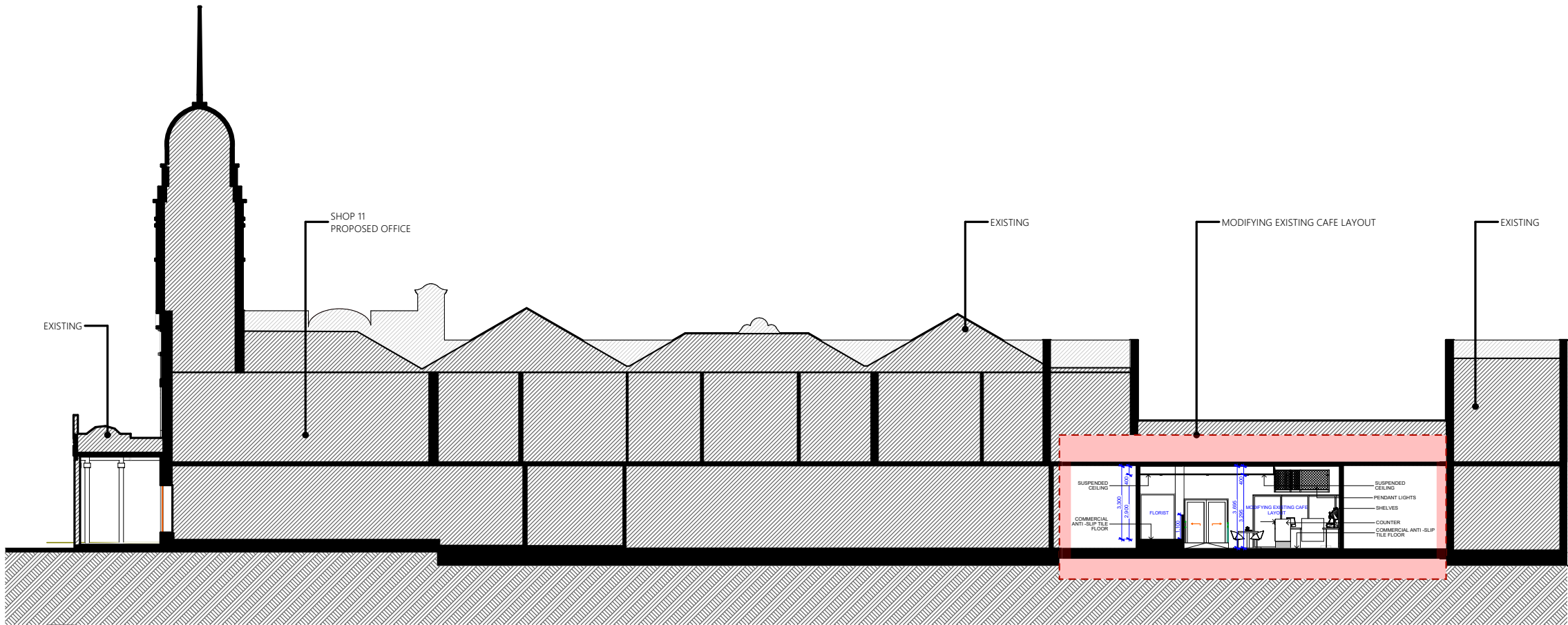
ISSUE	REVISION	DATE	ISSUE	REVISION	DATE
A	Preliminary Submission	26/06/2022			
B	Amended Preliminary Submission	29/06/2022			
C	Amended Preliminary Submission	12/08/2022			
D	Amended Preliminary Submission	17/01/2023			

PROJECT:	60 Bridge Street Muswellbrook NSW 2333
CLIENT:	Muswellbrook Shire Council
PROJECT No.:	001/22

DRAWING No:	6 OF 30
DATE:	17/01/2023
SCALE:	AS SHOWN @A2
DRAWN:	EM
CHECKED:	AA

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+61 2 8005 1818
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Sefton NSW 2162

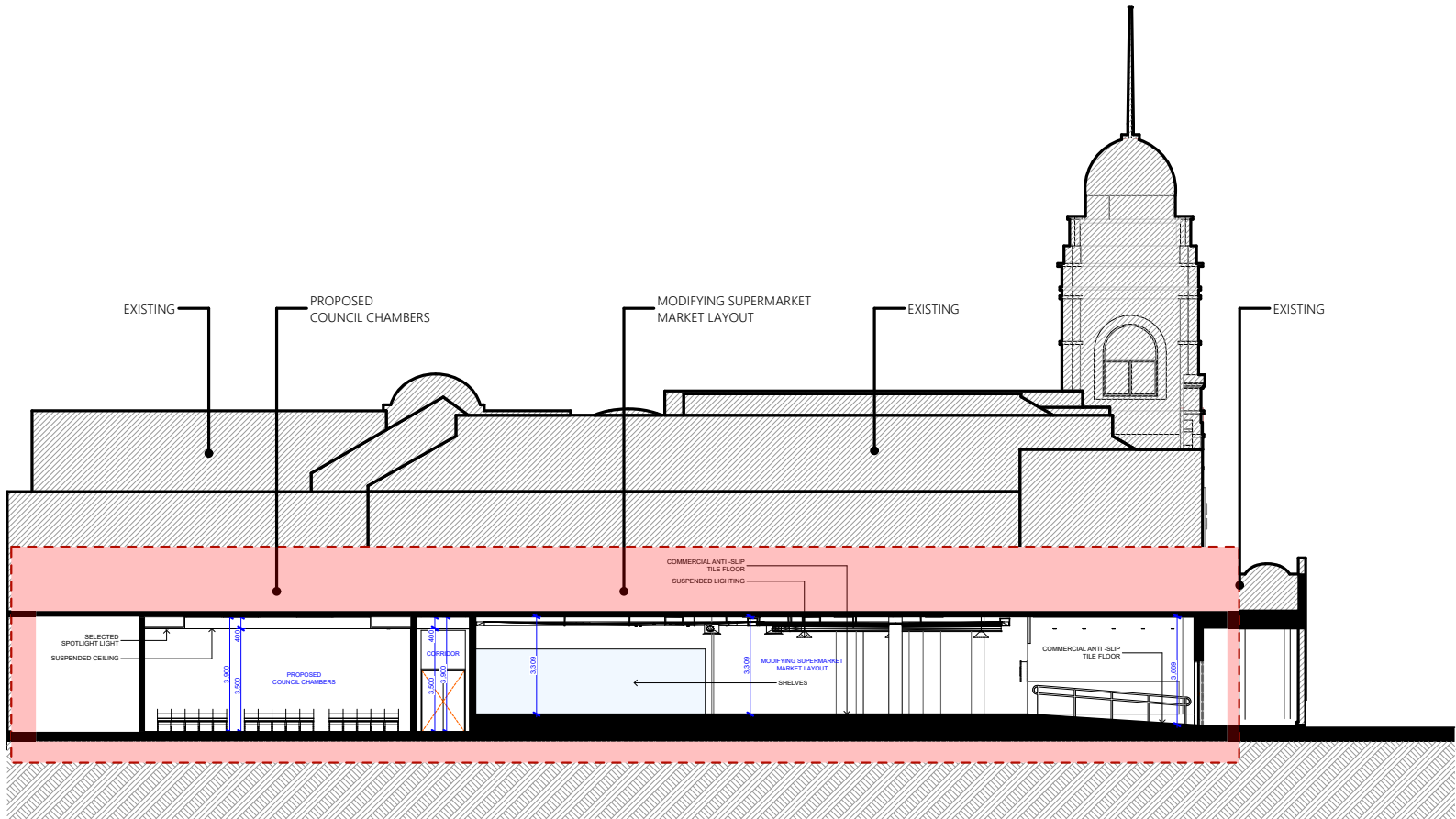
**A&H
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GROUP**
Accredited Building
Designer No. 6297
bda
BUILDING
DESIGNERS
AUSTRALIA



01

C-C Section

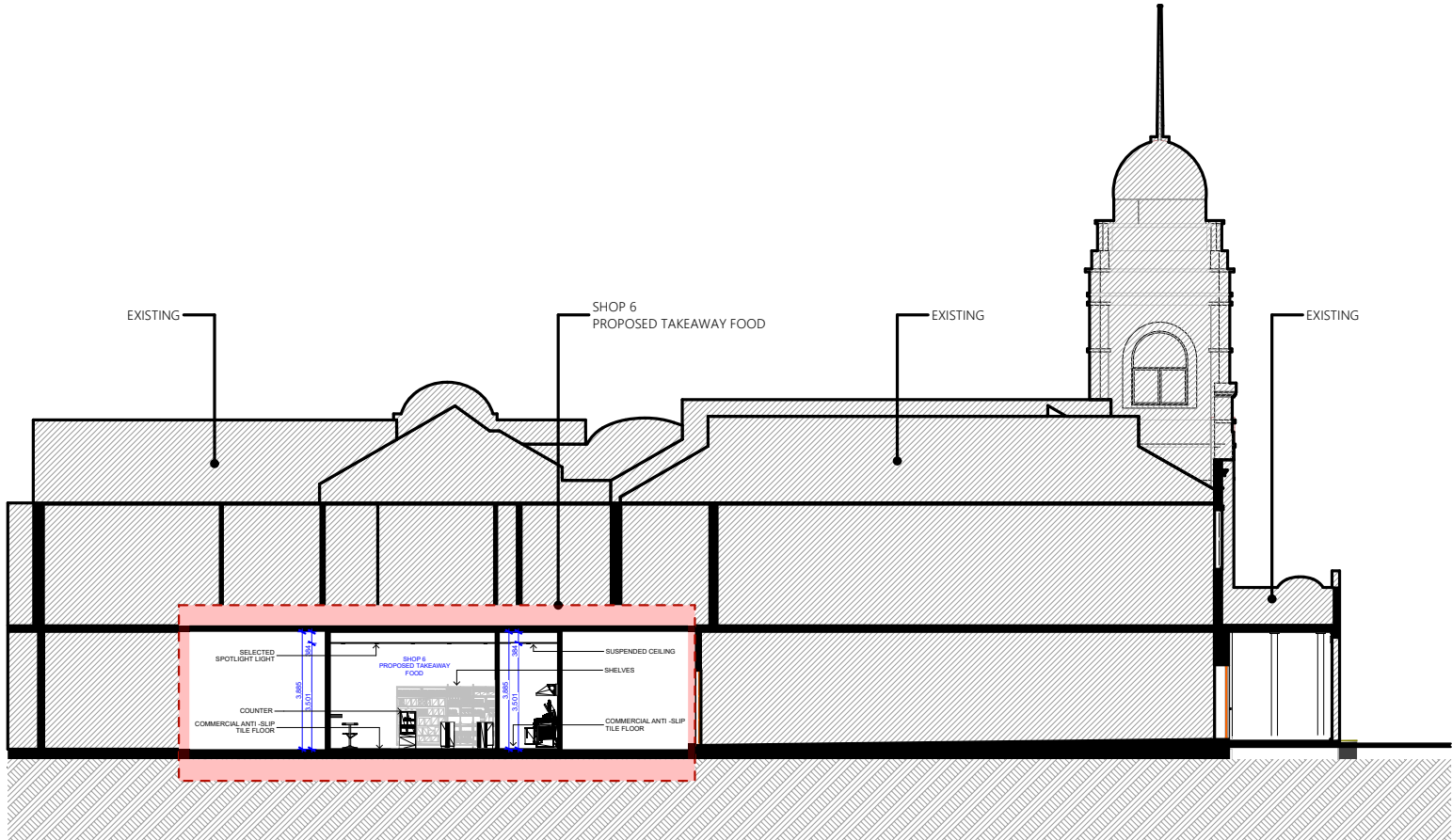
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01

D-D Section

1:200



01

E-E Section

1:200

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ISSUE	REVISION	DATE	ISSUE	REVISION	DATE
A	Preliminary Submission	26/06/2022			
B	Amended Preliminary Submission	29/06/2022			
C	Amended Preliminary Submission	12/08/2022			
D	Amended Preliminary Submission	17/01/2023			

PROJECT:	60 Bridge Street Muswellbrook NSW 2333
CLIENT:	Muswellbrook Shire Council
PROJECT No.:	001/22

DRAWING No:	7 OF 30
DATE:	17/01/2023
SCALE:	AS SHOWN @A2
DRAWN:	EM
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A	Preliminary Submission	26/06/2022			
B	Amended Preliminary Submission	29/06/2022			
C	Amended Preliminary Submission	12/08/2022			
D	Amended Preliminary Submission	17/01/2023			

PROJECT:	60 Bridge Street Muswellbrook NSW 2333
CLIENT:	Muswellbrook Shire Council
PROJECT No.:	001/22

DRAWING No:	8 OF 30
DATE:	17/01/2023
SCALE:	AS
SHOWN:	@A2
DRAWN:	EM
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PROPOSED COUNCIL CHAMBER AND MEETING ROOM

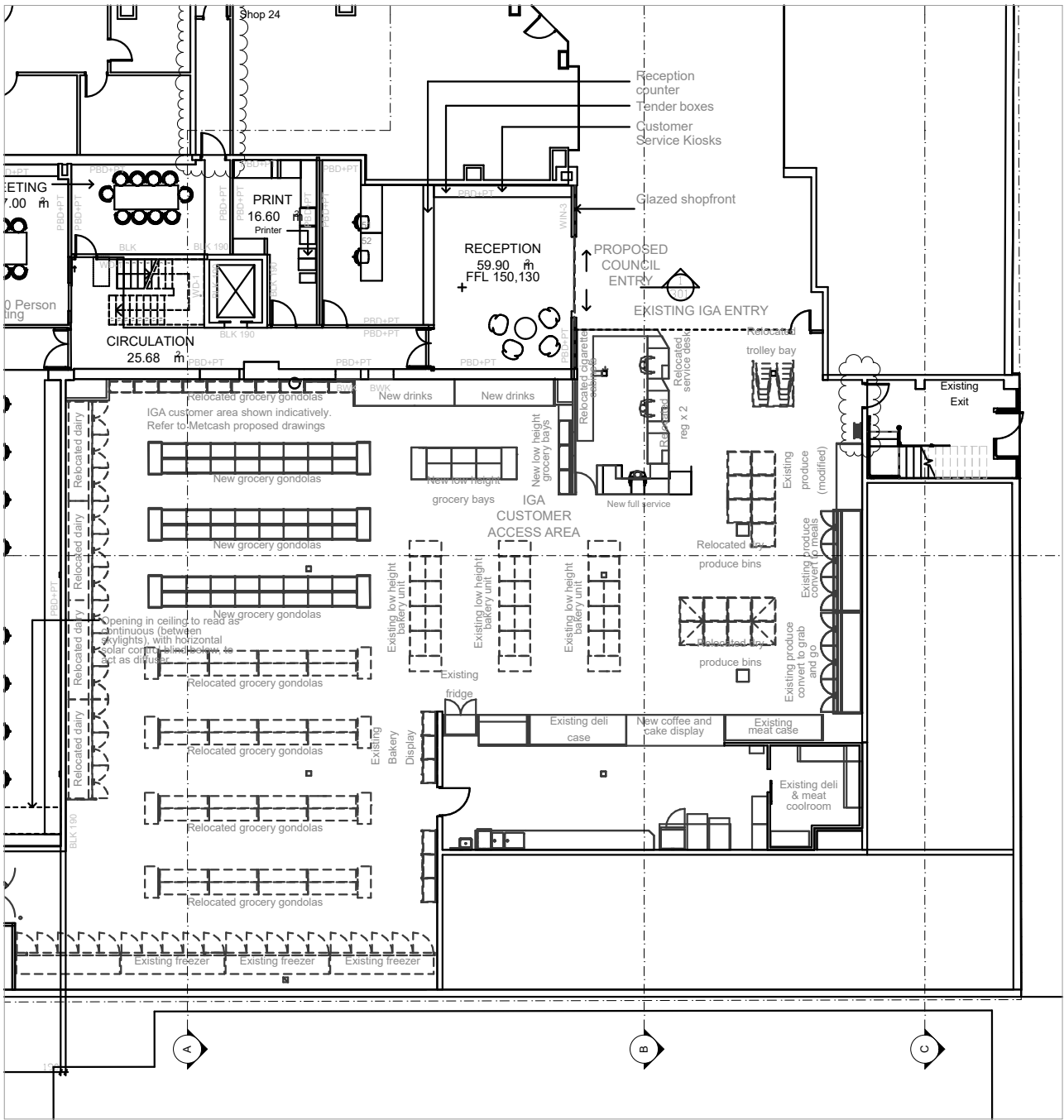
Bridge St, Muswellbrook NSW 2333
Approx. Area 113.70 m²

SITE PLAN, EXISTING FLOOR PLAN & 3D PERSPECTIVES

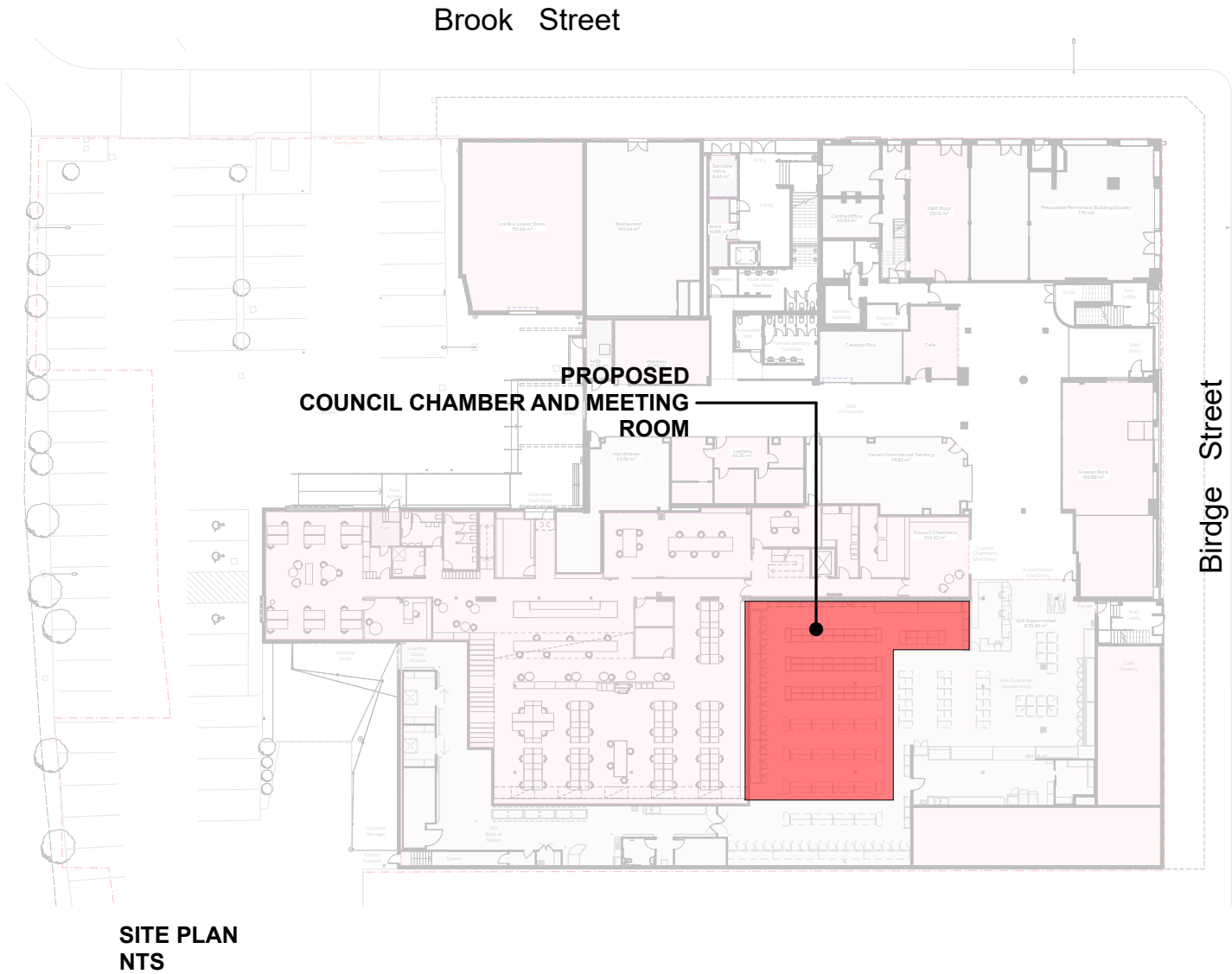
PROPOSED FLOOR PLAN, PROPOSED CEILING & SECTIONS

AXONOMETRIC VIEW (CHAMBER)

3D RENDERINGS



EXISTING FLOOR LAYOUT
1:100



SITE PLAN
NTS



Proposed Council Chamber

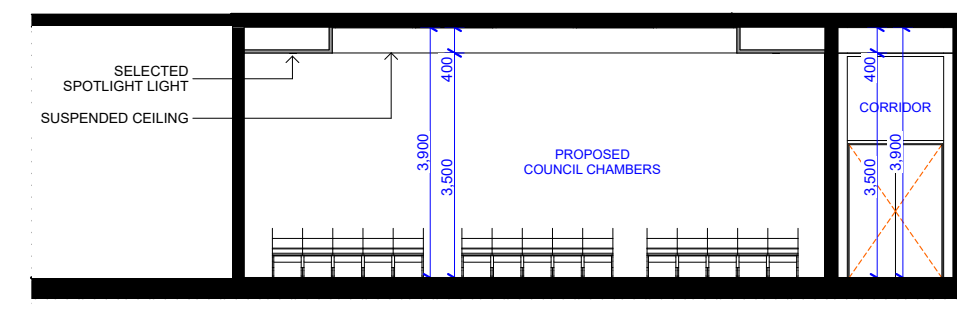
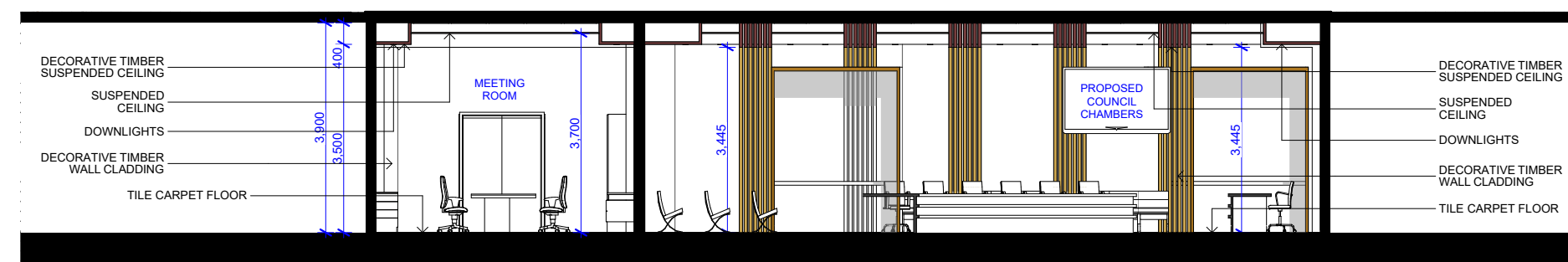
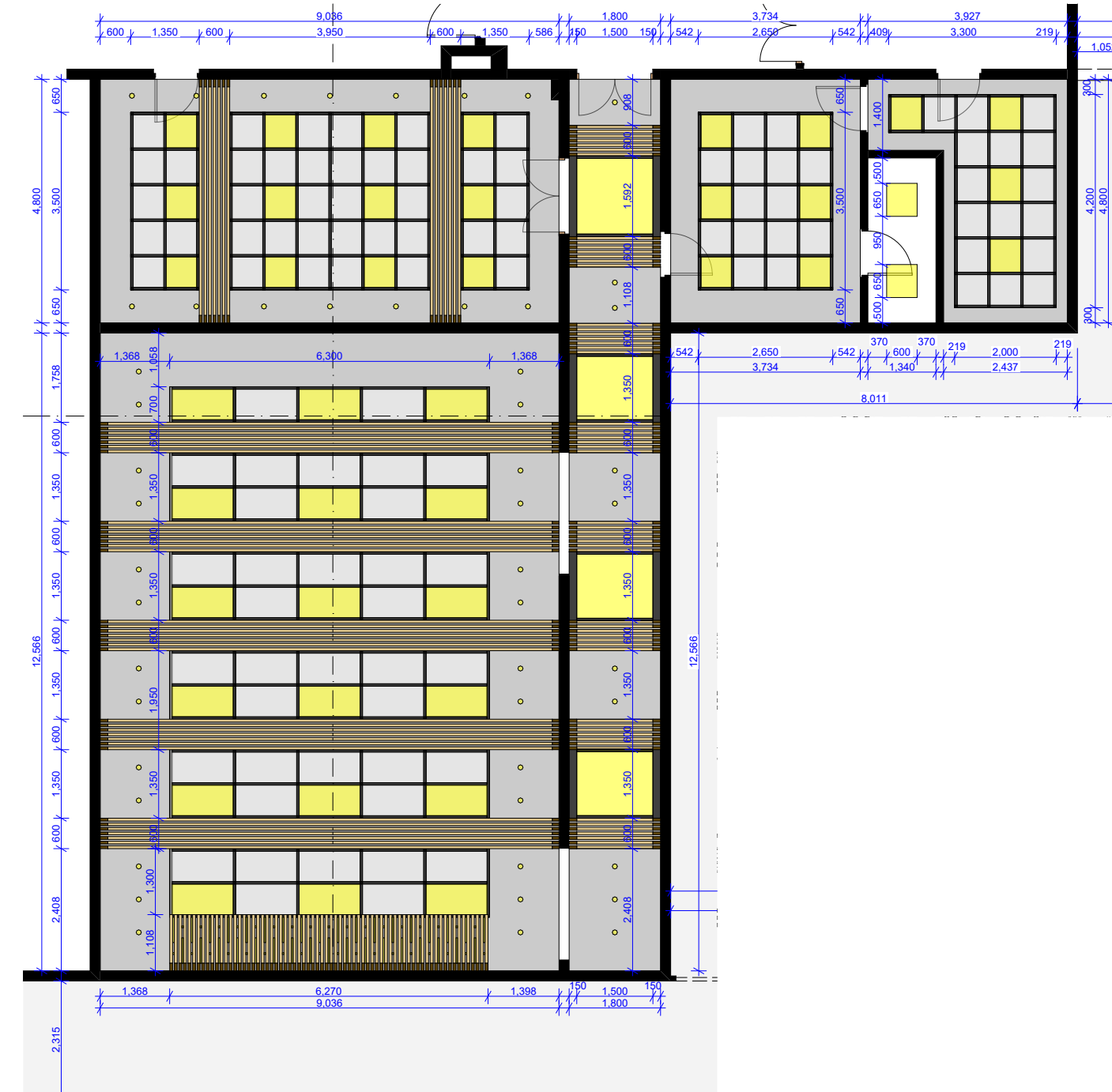
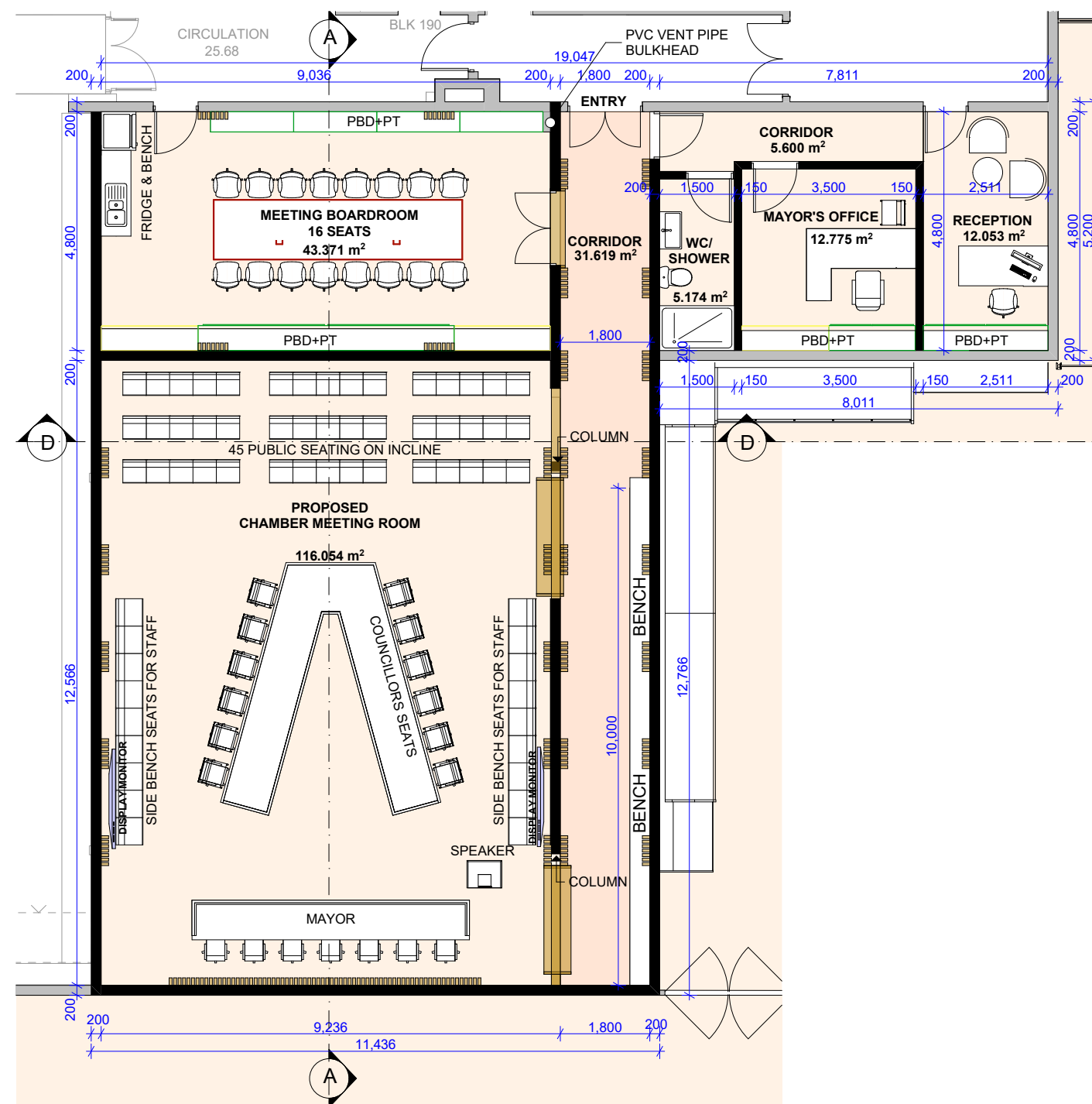


Proposed Meeting room

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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	9 OF 30	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecogroup.com.au
C	Amended Preliminary Submission	12/08/2022				CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2	ahmed@ahecogroup.com.au
D	Amended Preliminary Submission	17/01/2023				PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	+61 433 613 566
								+61 2 8005 1818
								G05/ 101 Clapham Road
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ISSUE	REVISION	DATE	ISSUE	REVISION	DATE
A	Preliminary Submission	26/06/2022			
B	Amended Preliminary Submission	29/06/2022			
C	Amended Preliminary Submission	12/08/2022			
D	Amended Preliminary Submission	17/01/2023			

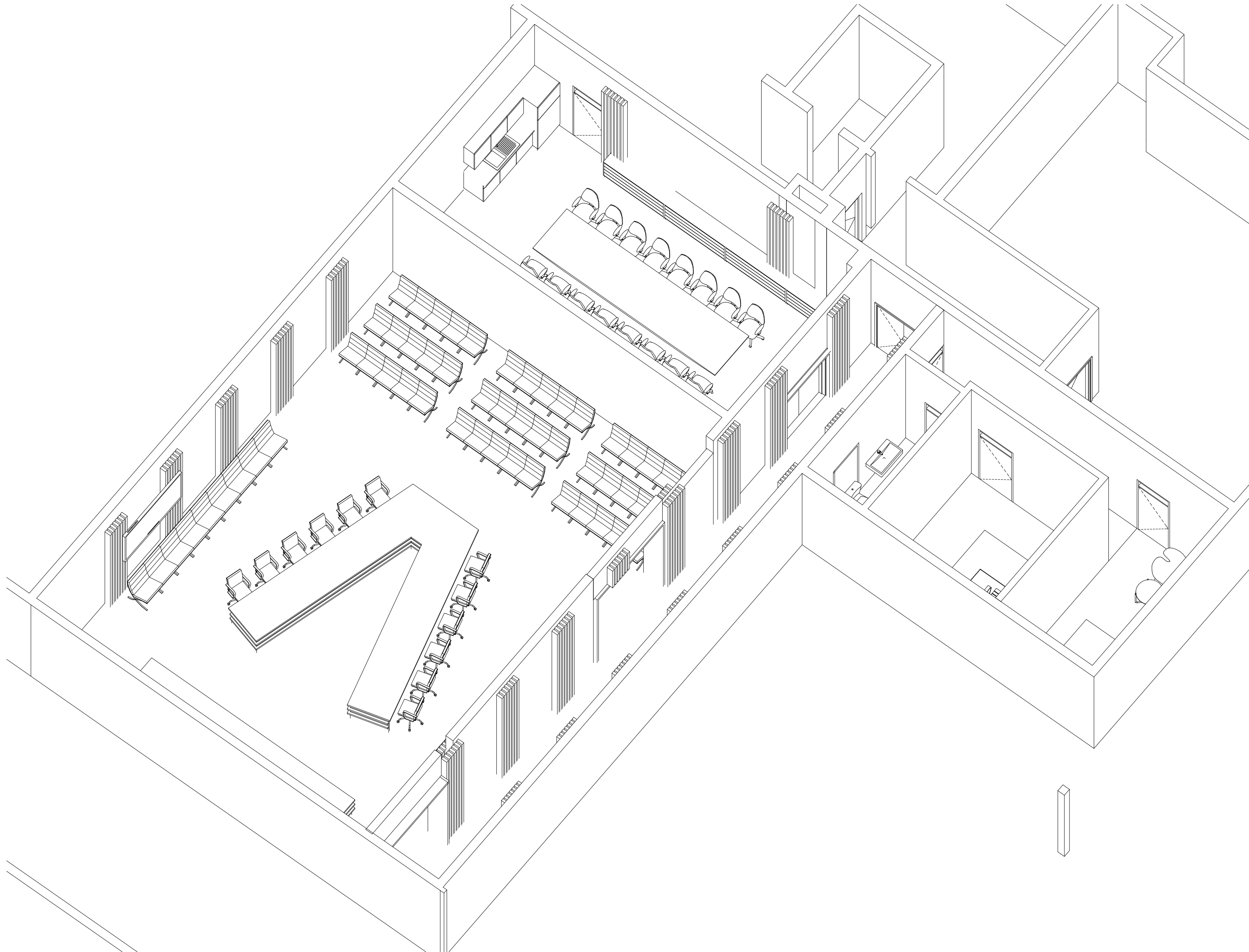
PROJECT: 60 Bridge Street Muswellbrook NSW 2333	
	CLIENT: Muswellbrook Shire Council
	PROJECT No.: 001/22

DRAWING No:	10 OF 30
DATE:	17/01/2023
SCALE:	AS SHOWN @A2
DRAWN:	EM
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Sutton NSW 2162



Accredited Building Designer No. 6297



A.01.11 AXONOMETRIC VIEW (CHAMBER)

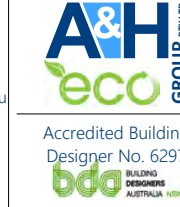
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B	Amended Preliminary Submission	29/06/2022			
C	Amended Preliminary Submission	12/08/2022			
D	Amended Preliminary Submission	17/01/2023			

PROJECT:	60 Bridge Street Muswellbrook NSW 2333
CLIENT:	Muswellbrook Shire Council
PROJECT No.:	001/22

DRAWING No:	11 OF 30
DATE:	17/01/2023
SCALE:	AS SHOWN @A2
DRAWN:	EM
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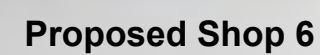
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ISSUE	REVISION	DATE	ISSUE	REVISION	DATE	PROJECT:	DRAWING No:	A&H Eco Group Pty Ltd
A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	12 OF 30	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecogroup.com.au
C	Amended Preliminary Submission	12/08/2022				CLIENT: Muswellbrook Shire Council	SCALE: AS	ahmed@ahecogroup.com.au
D	Amended Preliminary Submission	17/01/2023				PROJECT No.: 001/22	SHOWN @A2	+61 433 613 566
							DRAWN: EM	+61 2 8005 1818
							CHECKED: AA	G05/ 101 Clapham Road Sefton NSW 2162



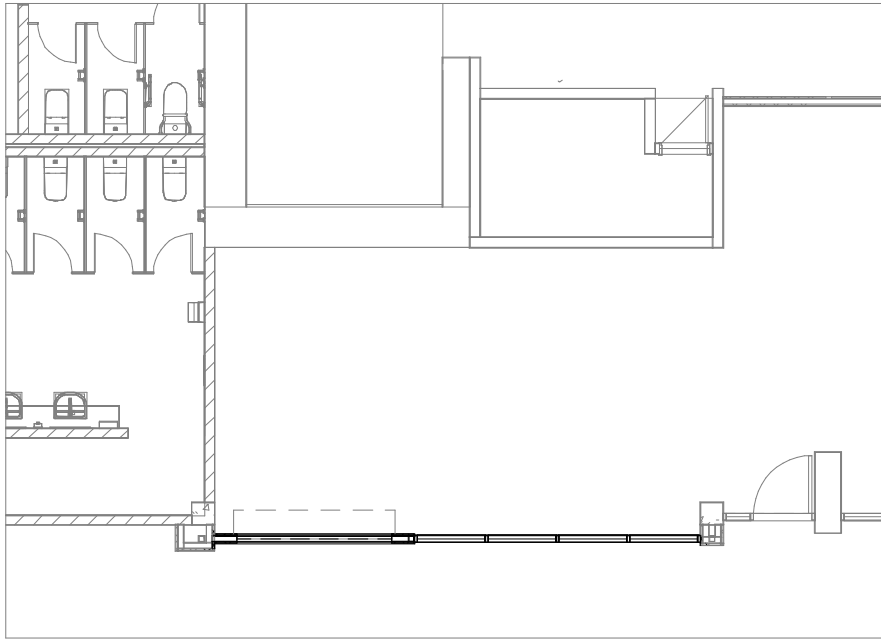
Shop 6 Bridge St, Muswellbrook NSW 2333
Approx. Shop Area 33.73 m²

3D RENDERINGS

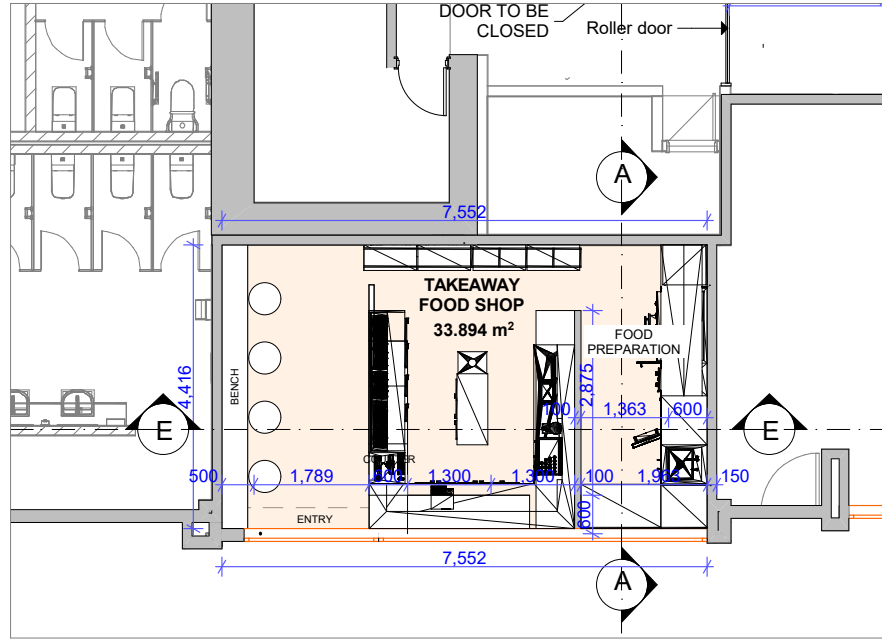


ISSUE	REVISION	DATE	ISSUE	REVISION	DATE	PROJECT:		DRAWING No: 13 OF 30	A&H Eco Group Pty Ltd
A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333		DATE: 17/01/2023	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022						www.ahecgroupp.com.au	
C	Amended Preliminary Submission	12/08/2022						ahmed@ahecgroupp.com.au	
D	Amended Preliminary Submission	17/01/2023						+61 433 613 556 +61 2 8005 1818 G05/ 101 Clapham Road Sethon NSW 2160	
						CLIENT	Muswellbrook Shire Council	SCALE: AS SHOWN @A2	
						PROJECT No.	001/22	DRAWN: EM CHECKED: AA	

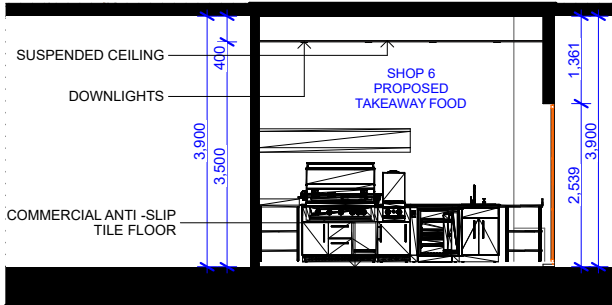




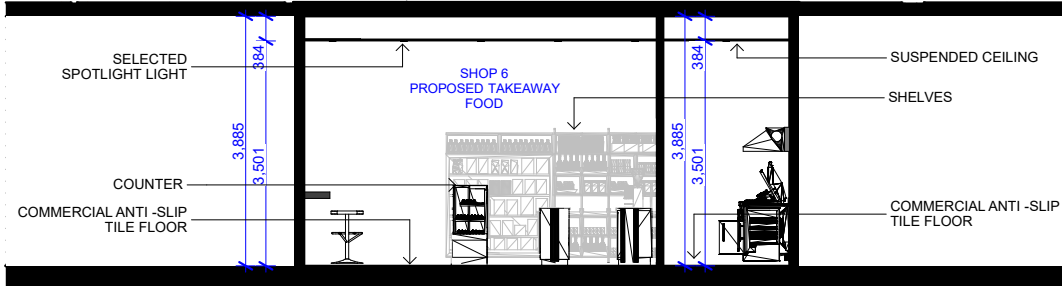
EXISTING FLOOR LAYOUT
1:100



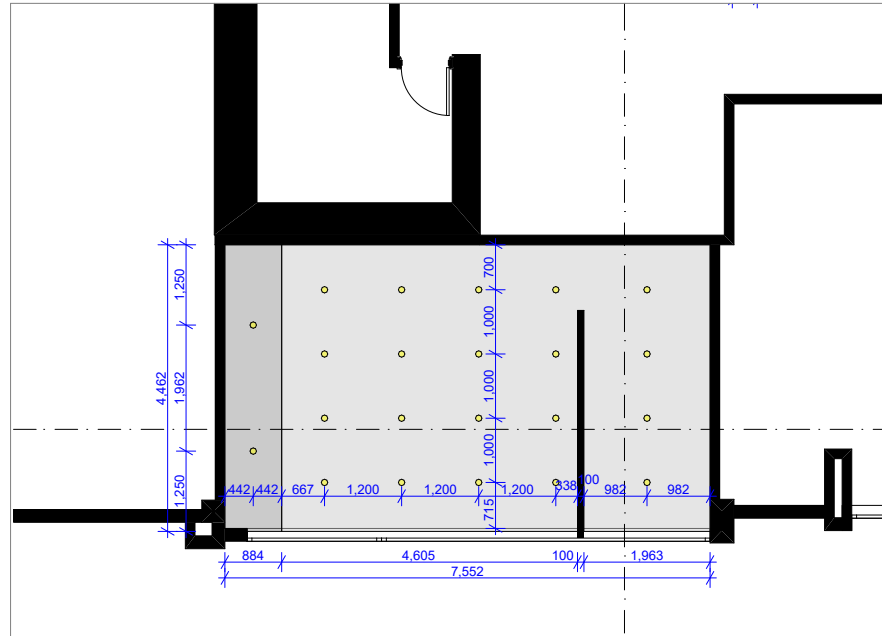
PROPOSED FLOOR LAYOUT
1:100



SECTION A-A (SHOP 6)
1:100



SECTION E-E (SHOP 6)
1:100



PROPOSED RCP PLAN
1:100

NOTE:

ALL LEVELS AND DIMENSIONS MUST BE VERIFIED BE THE FITOUT CONTRACTORS PRIOR TO COMMENCEMENT OF ANY WORK AND ANY DISCREPANCY MUST BE NOTIFIED TO THE DESIGNER. AND ANY ASSOCIATED WORK MUST BE STOPPED UNTIL VERIFICATION RECIEVED FROM THE DESIGNER.

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DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS, ENGINEERING DESIGN AND RELEVANT CONSULTANTS DRAWINGS.

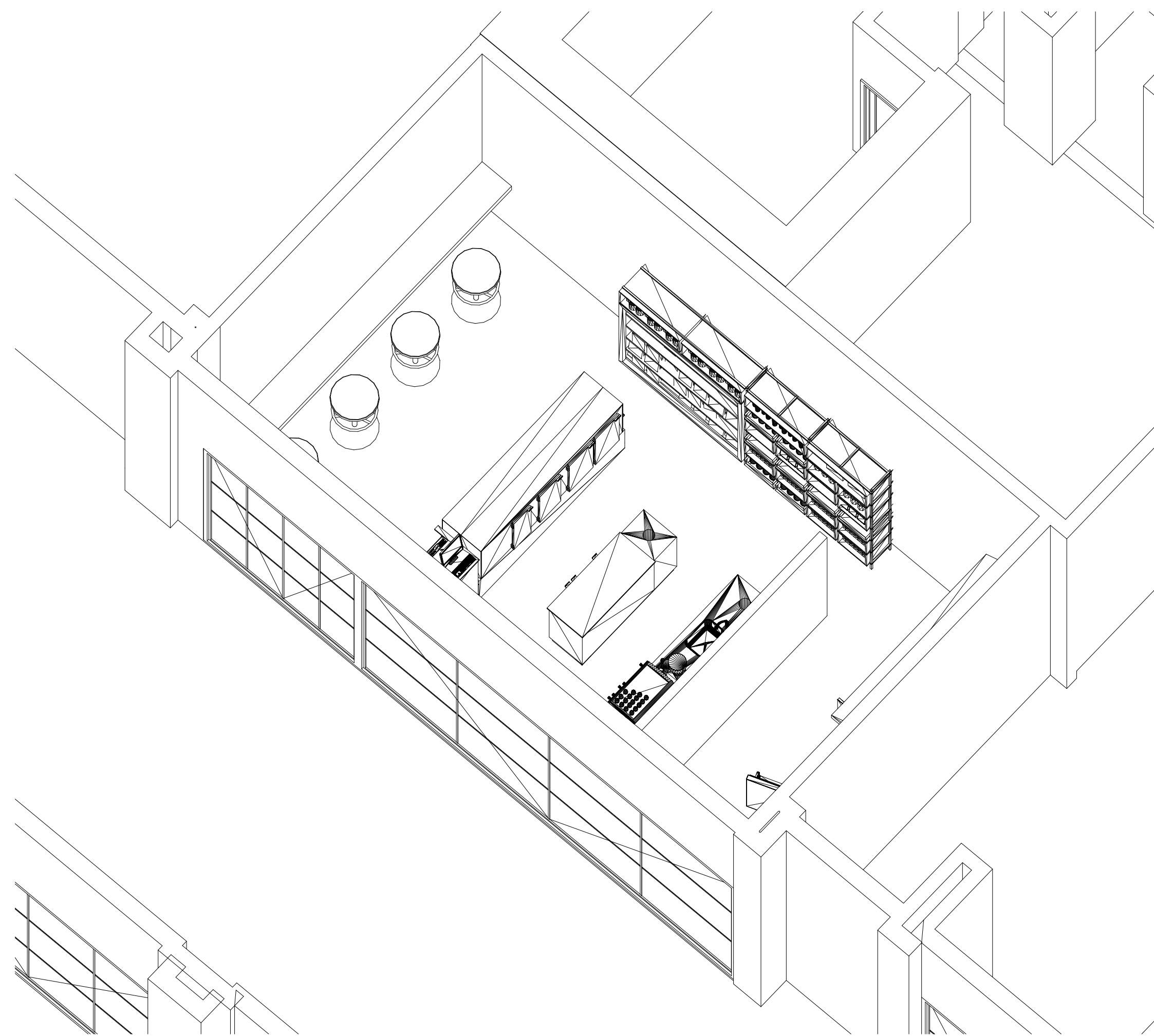
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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	14 OF 30
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023
C	Amended Preliminary Submission	12/08/2022					SCALE: AS
D	Amended Preliminary Submission	17/01/2023					SHOWN @A2
						CLIENT: Muswellbrook Shire Council	DRAWN: EM
						PROJECT No.: 001/22	CHECKED: AA

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A.01.15 AXONOMETRIC VIEW (SHOP 6)

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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	15 OF 30	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecogroup.com.au
C	Amended Preliminary Submission	12/08/2022				CLIENT: Muswellbrook Shire Council	SCALE: AS	ahmed@ahecogroup.com.au
D	Amended Preliminary Submission	17/01/2023				PROJECT No.: 001/22	SHOWN @A2	+61 433 613 566
							DRAWN: EM	+61 2 8005 1818
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A	Preliminary Submission	26/06/2022				60 Bridge Street		16 OF 30	
B	Amended Preliminary Submission	29/06/2022				Muswellbrook NSW 2333		DATE: 17/01/2023	
C	Amended Preliminary Submission	12/08/2022				CLIENT:	Muswellbrook Shire Council	SCALE: AS SHOWN @A2	
D	Amended Preliminary Submission	17/01/2023					PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	

PROPOSED NEW ENTRY & MODIFIED EXISTING CAFE

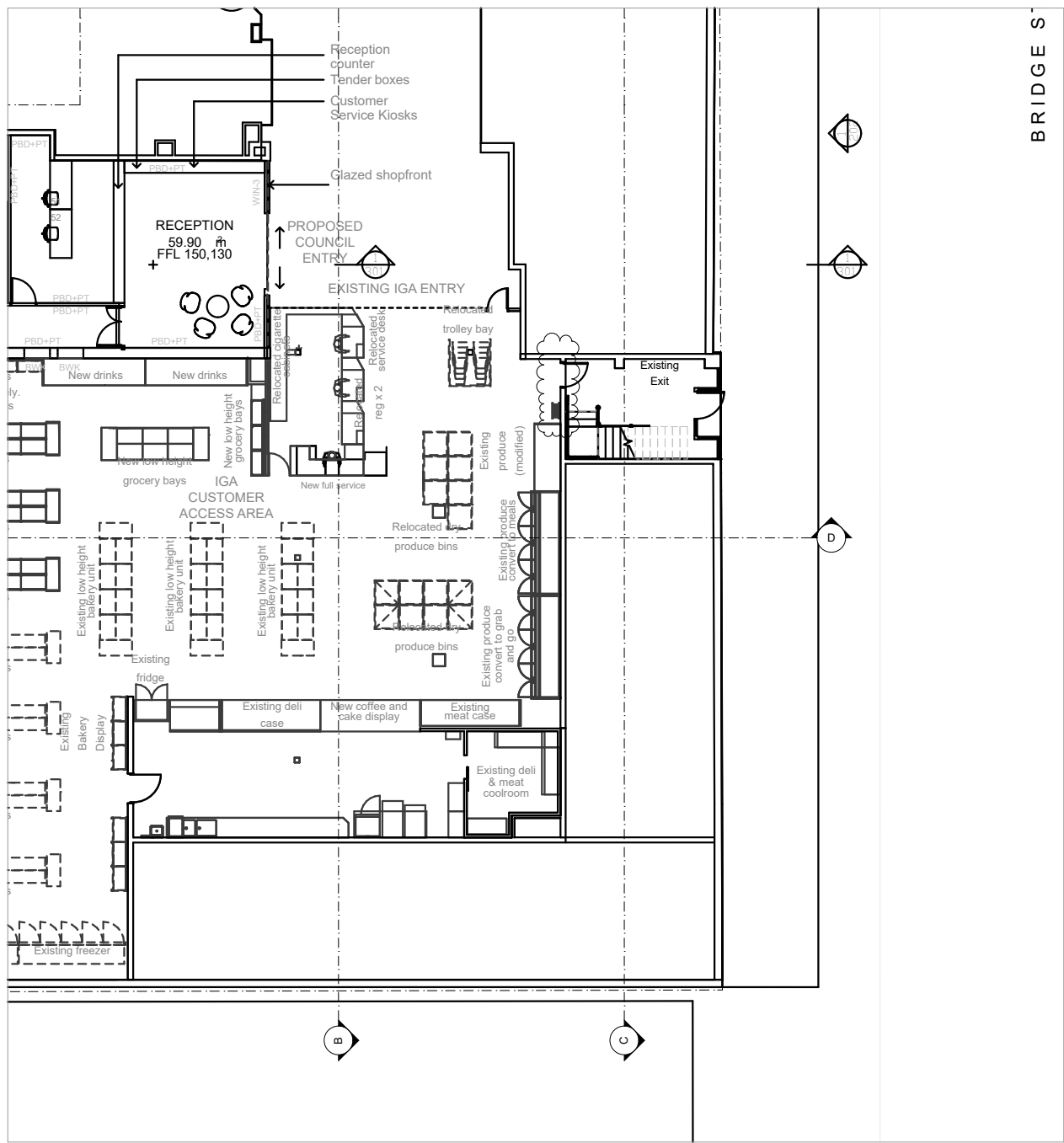
New Entry & Modified Existing Cafe, Bridge St, Muswellbrook NSW 2333
Approx. Shop Area 26m² & 49.40m²

SITE PLAN ,EXISTING FLOOR PLAN & 3D PERSPECTIVES

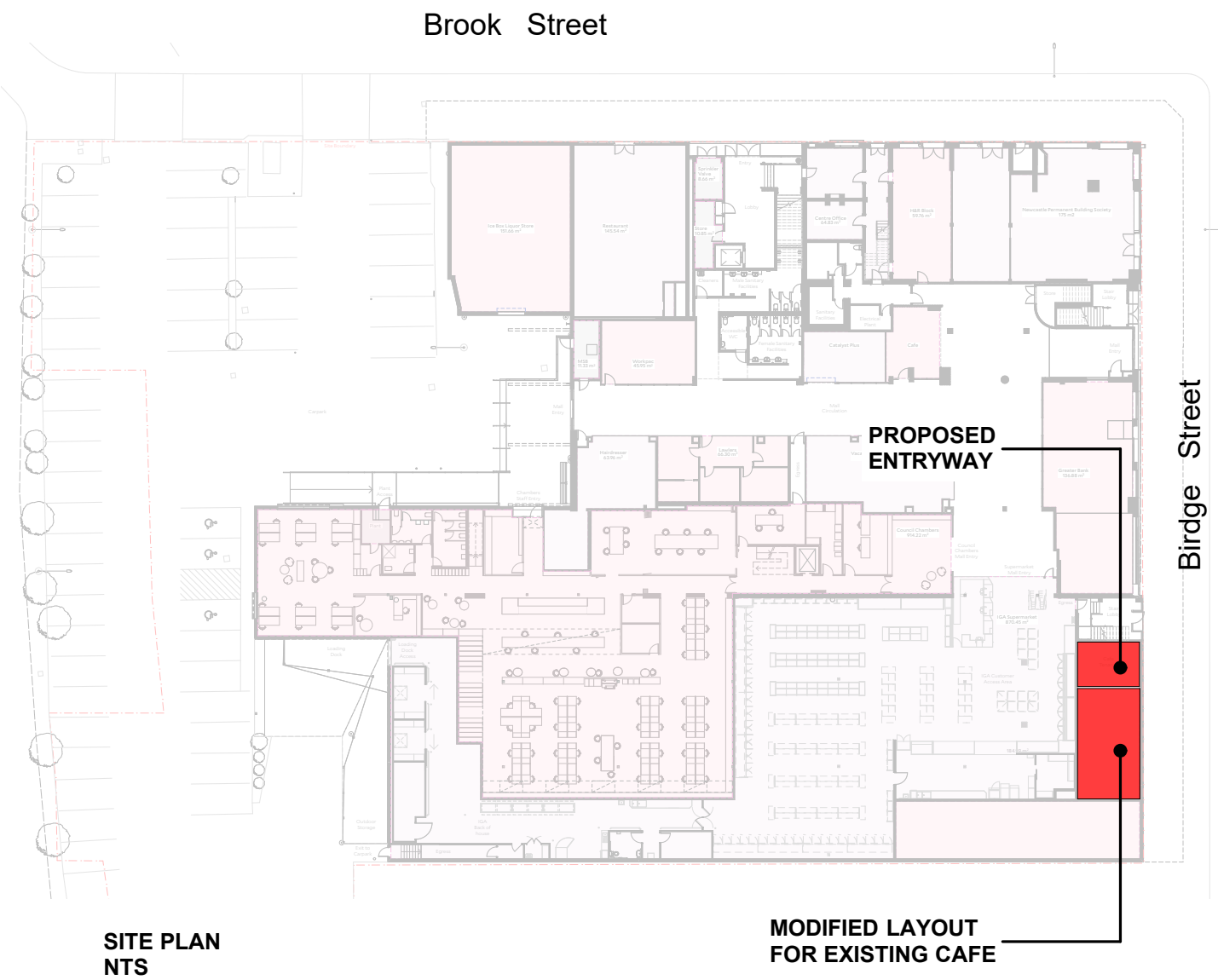
EXISTING FLOOR PLAN, PROPOSED FLOOR PLAN, PROPOSED CEILING & SECTIONS

AXONOMETRIC VIEW (SHOP 6)

3D RENDERINGS



EXISTING FLOOR LAYOUT
1:100



SITE PLAN
NTS

MODIFIED LAYOUT
FOR EXISTING CAFE

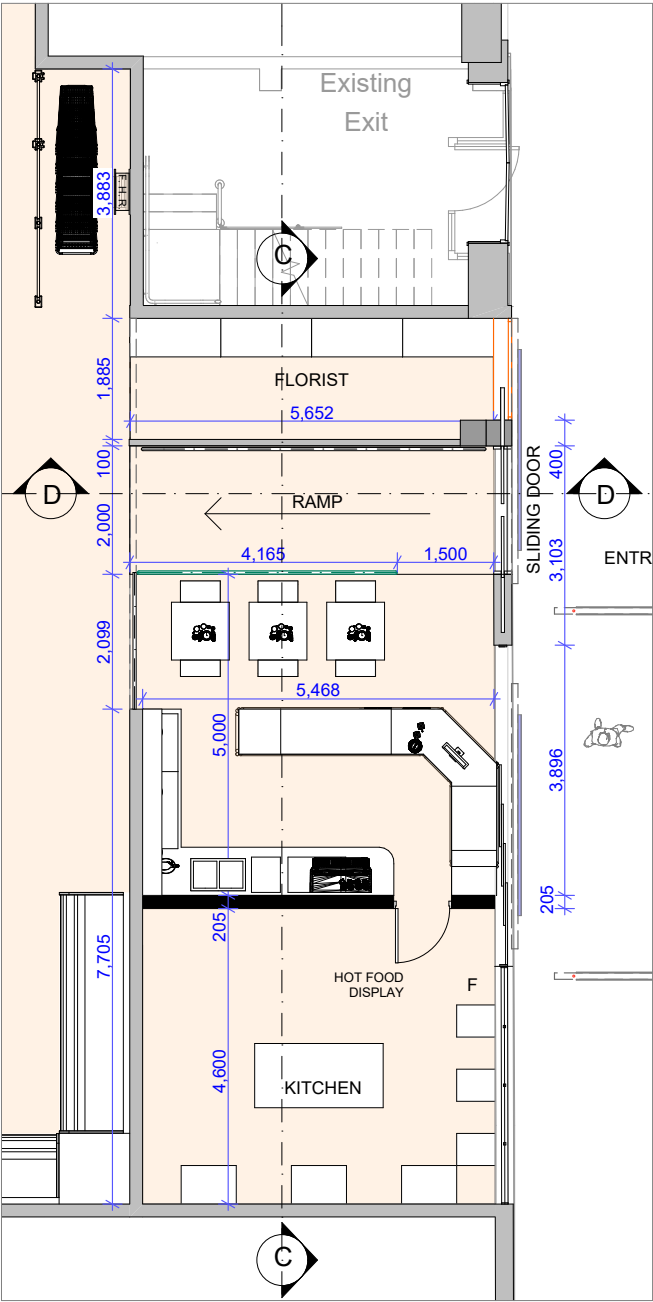


Proposed New Entry & Modified Cafe

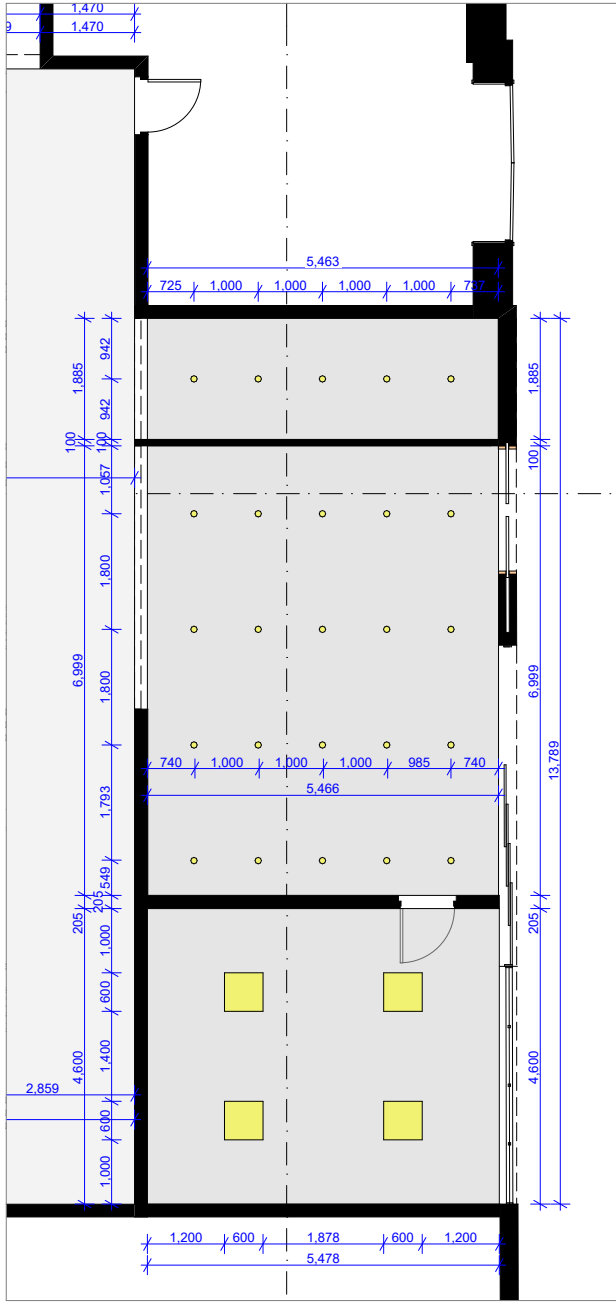
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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	17 OF 30	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecogroup.com.au
C	Amended Preliminary Submission	12/08/2022				CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2	ahmed@ahecogroup.com.au
D	Amended Preliminary Submission	17/01/2023				PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	+61 433 613 566 +61 2 8005 1818
								G05/ 101 Clapham Road Sutton NSW 2162

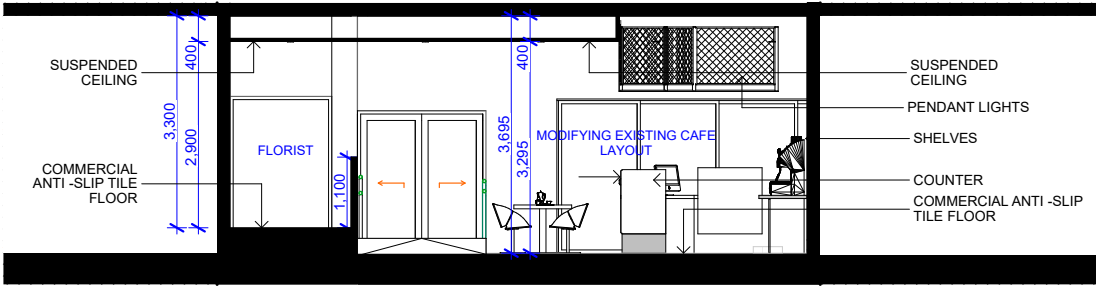




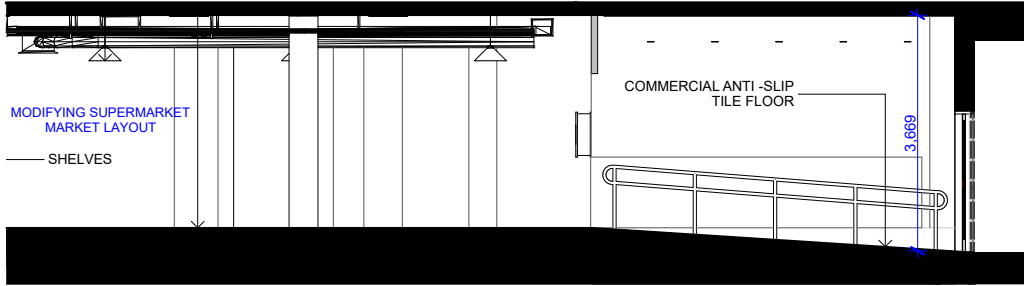
PROPOSED FLOOR LAYOUT
1:100



PROPOSED RC PLAN
1:100



SECTION C-C (CAFE)
1:100

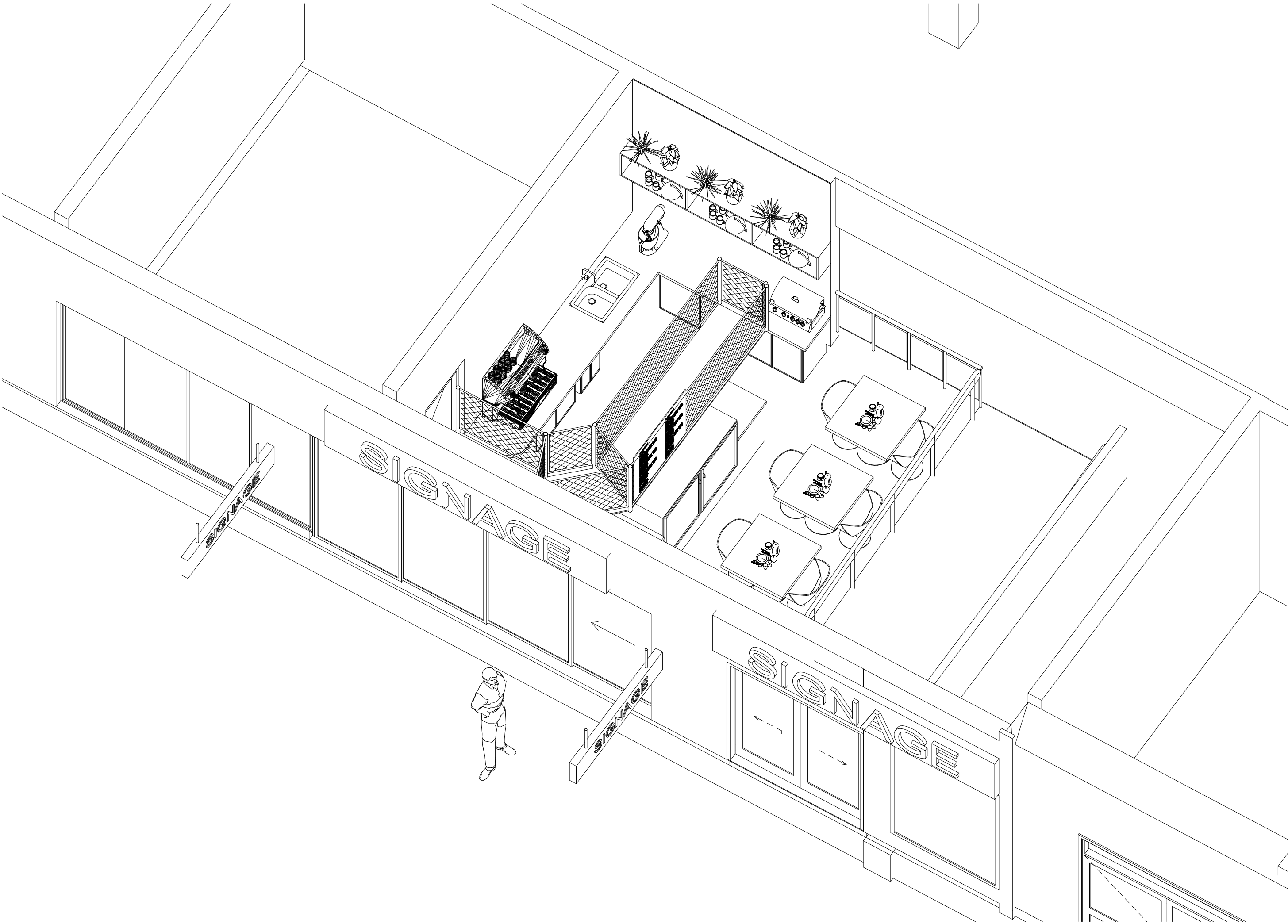


SECTION D-D (NEW ENTRY)
1:100

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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	18 OF 30
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023
C	Amended Preliminary Submission	12/08/2022					
D	Amended Preliminary Submission	17/01/2023					
						CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2
						PROJECT No.: 001/22	DRAWN: EM CHECKED: AA
							A&H Eco Group Pty Ltd ACN: 616 399 421 www.ahecogroup.com.au ahmed@ahecogroup.com.au +61 433 613 566 +61 2 8005 1818 G05/ 101 Clapham Road Sutton NSW 2162
							Accredited Building Designer No. 6297 bda



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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	19 OF 30
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023
C	Amended Preliminary Submission	12/08/2022					
D	Amended Preliminary Submission	17/01/2023					
						CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2
						PROJECT No.: 001/22	DRAWN: EM CHECKED: AA

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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	20 OF 30	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecogroup.com.au
C	Amended Preliminary Submission	12/08/2022				CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2	ahmed@ahecogroup.com.au
D	Amended Preliminary Submission	17/01/2023				PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	+61 433 613 566
								+61 2 8005 1818
								G05/ 101 Clapham Road
								Sefton NSW 2162



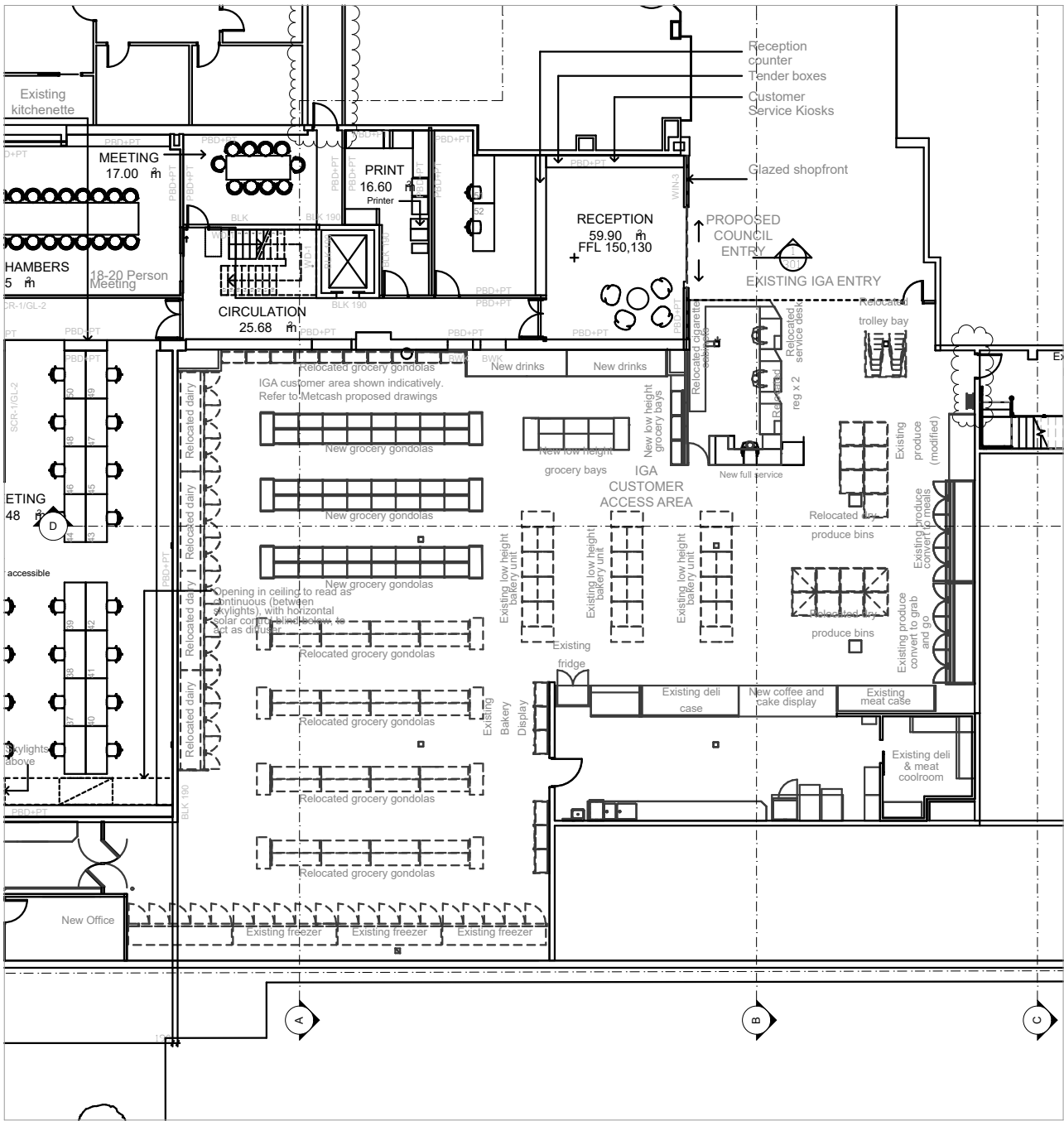
PROPOSED FRESH PRODUCE MARKET LAYOUT

Modified Layout for Proposed Fresh Produce Market
Bridge St, Muswellbrook NSW 2333
Approx. Market Area 406.90m²

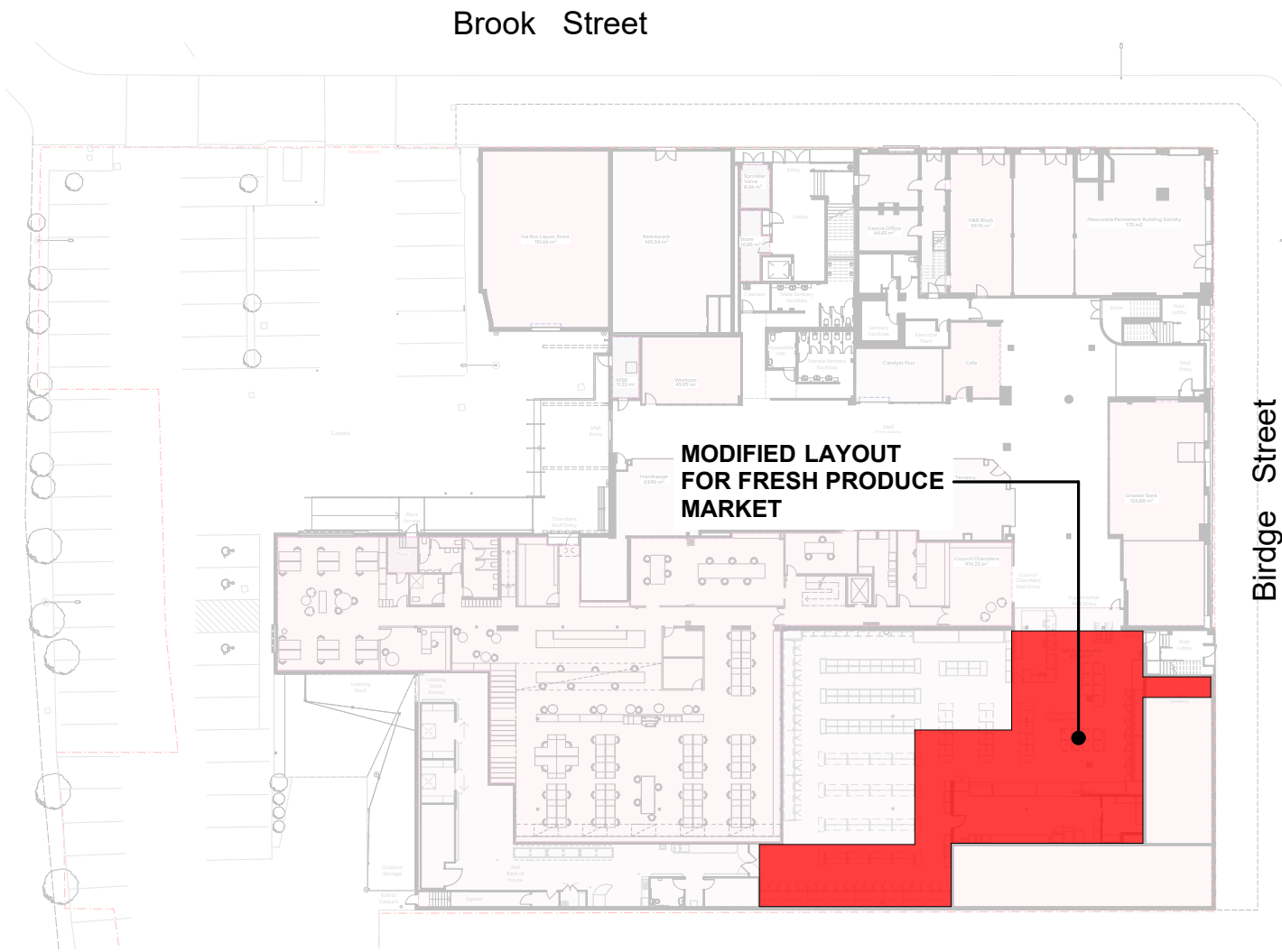
SITE PLAN ,EXISTING FLOOR PLAN & 3D PERSPECTIVES

EXISTING FLOOR PLAN, PROPOSED FLOOR PLAN, PROPOSED CEILING & SECTIONS

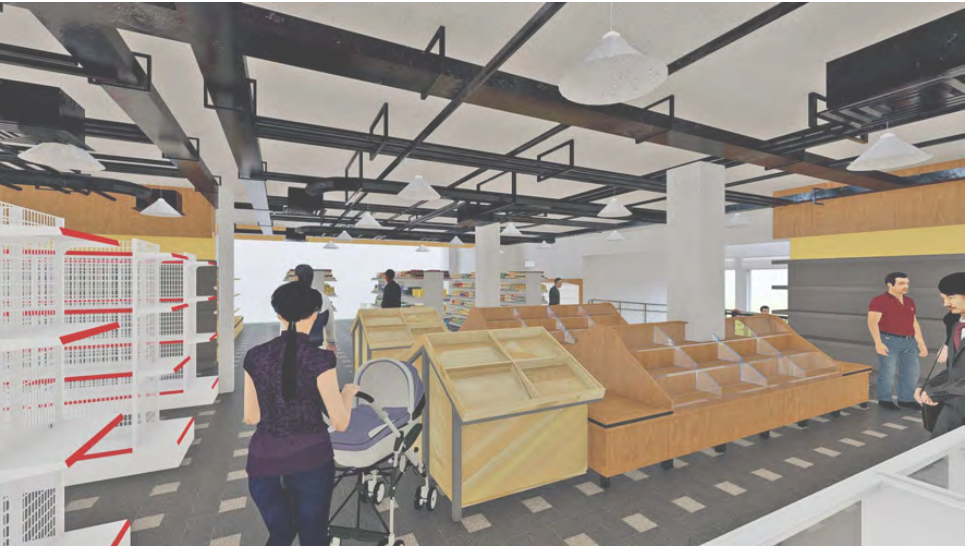
AXONOMETRIC VIEW (SHOP 6)



EXISTING FLOOR LAYOUT
1:100



SITE PLAN
NTS

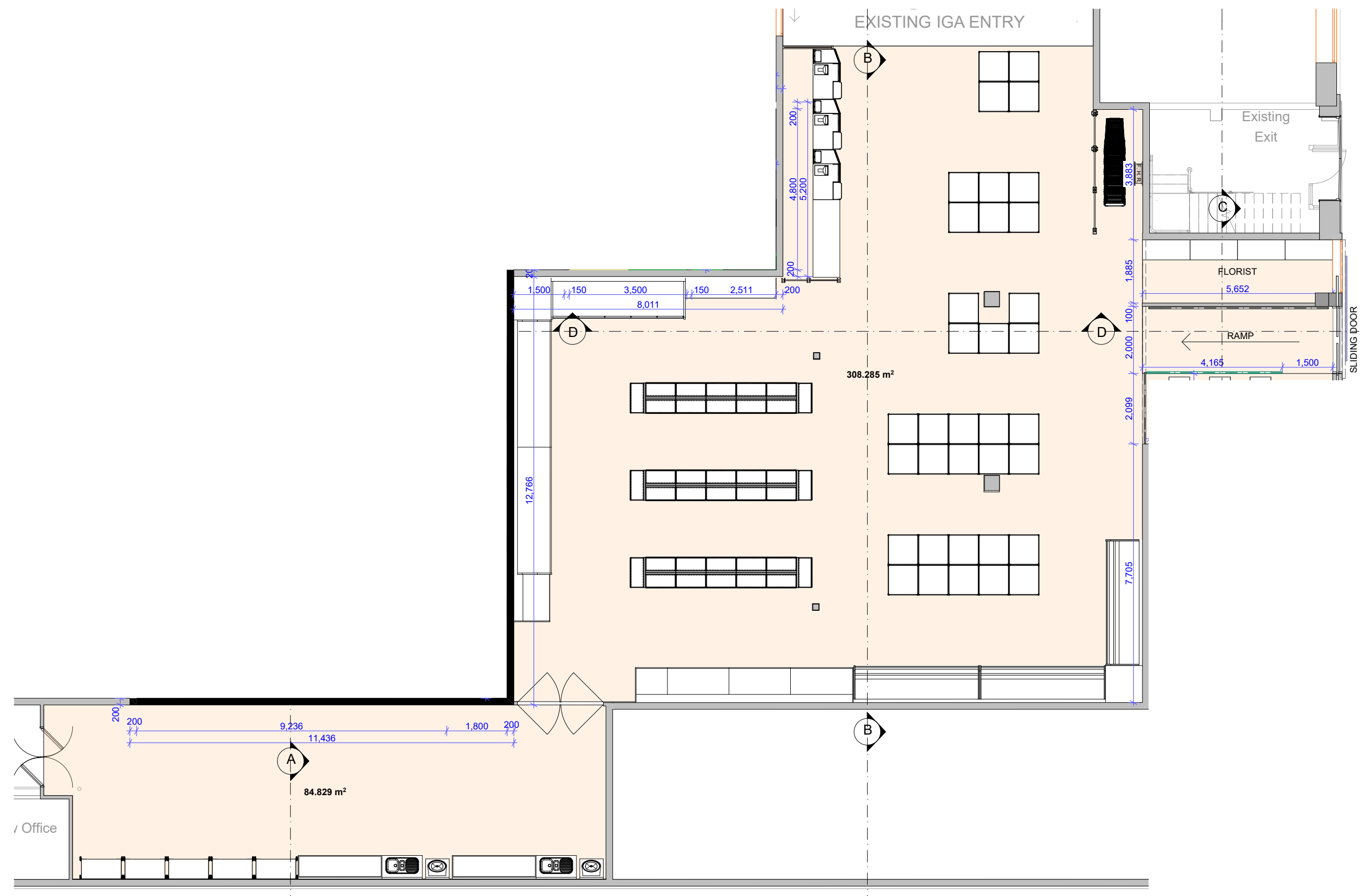


Proposed Fresh Produce Market

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A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	21 OF 30	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecogroup.com.au
C	Amended Preliminary Submission	12/08/2022				CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2	ahmed@ahecogroup.com.au
D	Amended Preliminary Submission	17/01/2023				PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	+61 433 613 566
								+61 2 8005 1818
								G05/ 101 Clapham Road
								Sefton NSW 2162





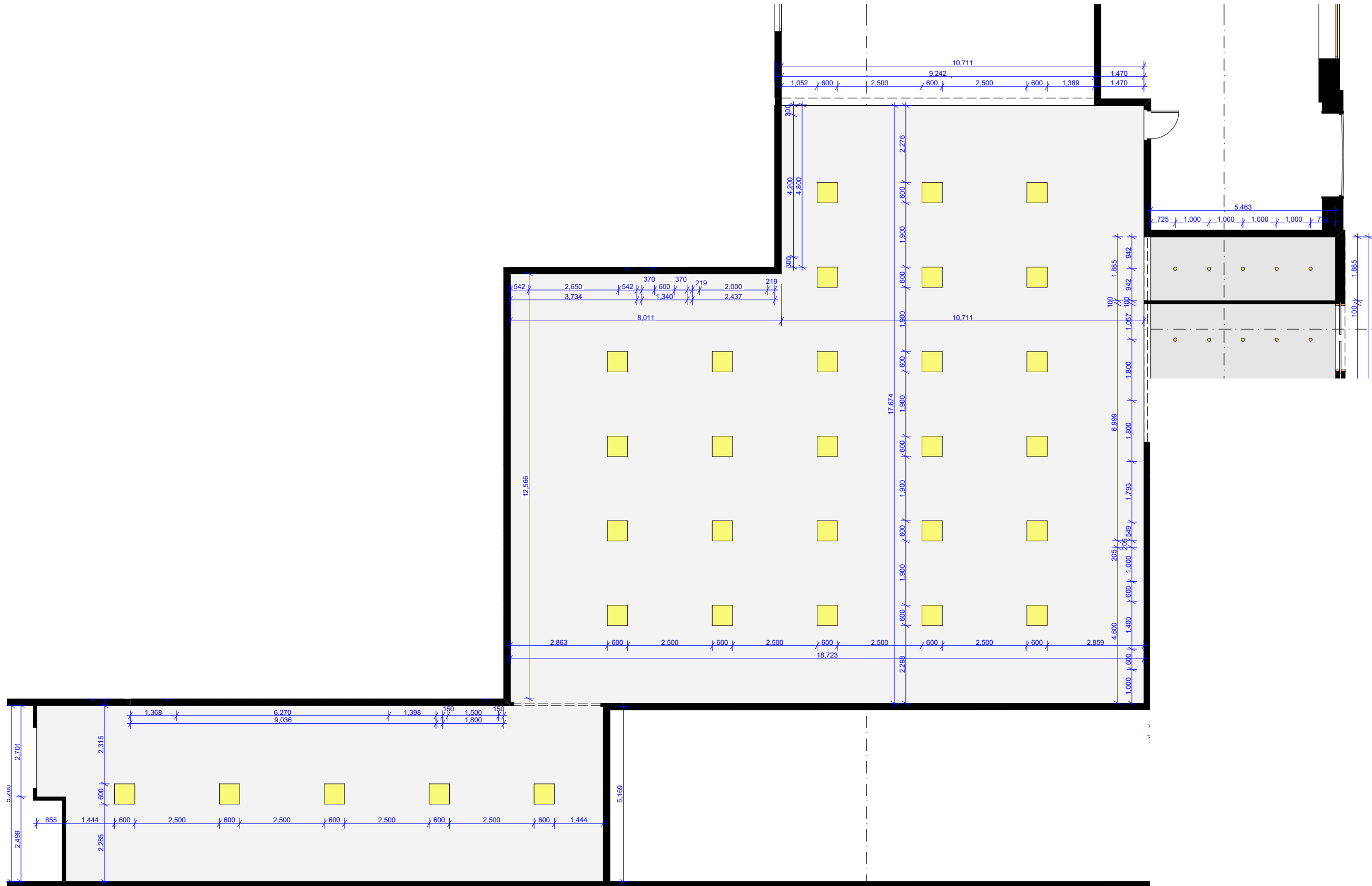
**PROPOSED FLOOR LAYOUT
1:100**

NOTE:
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ISSUE	REVISION	DATE	ISSUE	REVISION	DATE	PROJECT:	DRAWING No:	A&H Eco Group Pty Ltd
A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	22 OF 30	ACN: 616 399 421
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecogroup.com.au
C	Amended Preliminary Submission	12/08/2022						ahmed@ahecogroup.com.au
D	Amended Preliminary Submission	17/01/2023						+61 433 613 566
						CLIENT: Muswellbrook Shire Council	SCALE: AS	+61 2 8005 1818
						PROJECT No.: 001/22	SHOWN @A2	G05/ 101 Clapham Road
							DRAWN: EM	Setton NSW 2162
							CHECKED: AA	





PROPOSED RCP LAYOUT
1:100

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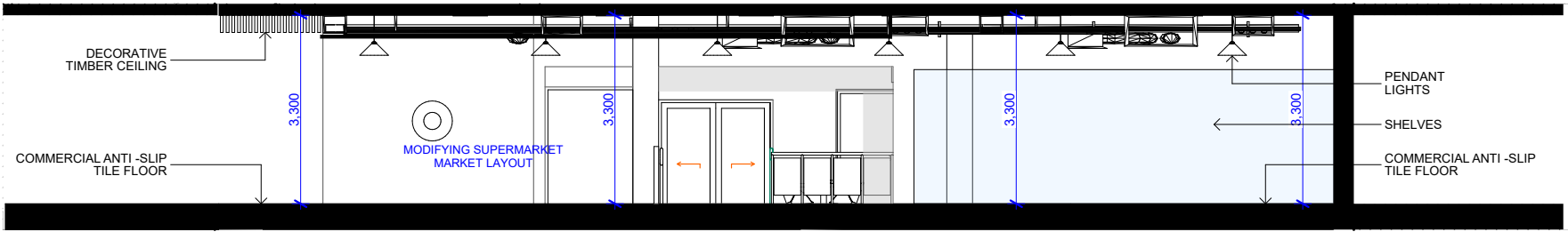
ISSUE	REVISION	DATE	ISSUE	REVISION	DATE
A	Preliminary Submission	26/06/2022			
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D	Amended Preliminary Submission	17/01/2023			

PROJECT:	60 Bridge Street Muswellbrook NSW 2333
CLIENT:	Muswellbrook Shire Council
PROJECT No.:	001/22

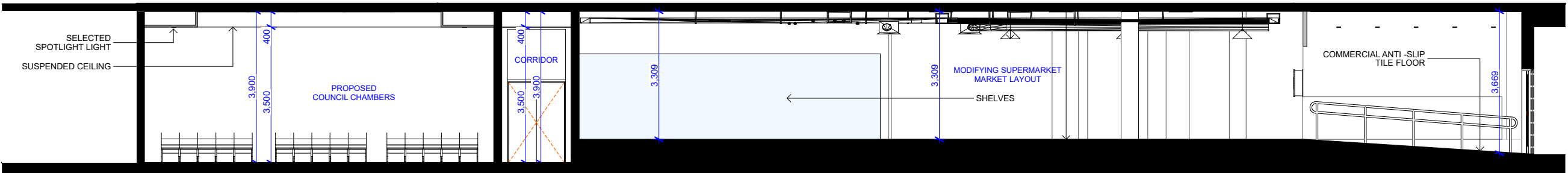
DRAWING No:	23 OF 30
DATE:	17/01/2023
SCALE:	AS
SHOWN @:	A2
DRAWN:	EM
CHECKED:	AA

A&H Eco Group Pty Ltd
ACN: 616 399 421
www.ahecogroup.com.au
ahmed@ahecogroup.com.au
+61 433 613 566
+61 2 8005 1818
G05/ 101 Clapham Road
Sutton NSW 2162





SECTION B-B (Fresh Produce Market)
1:100



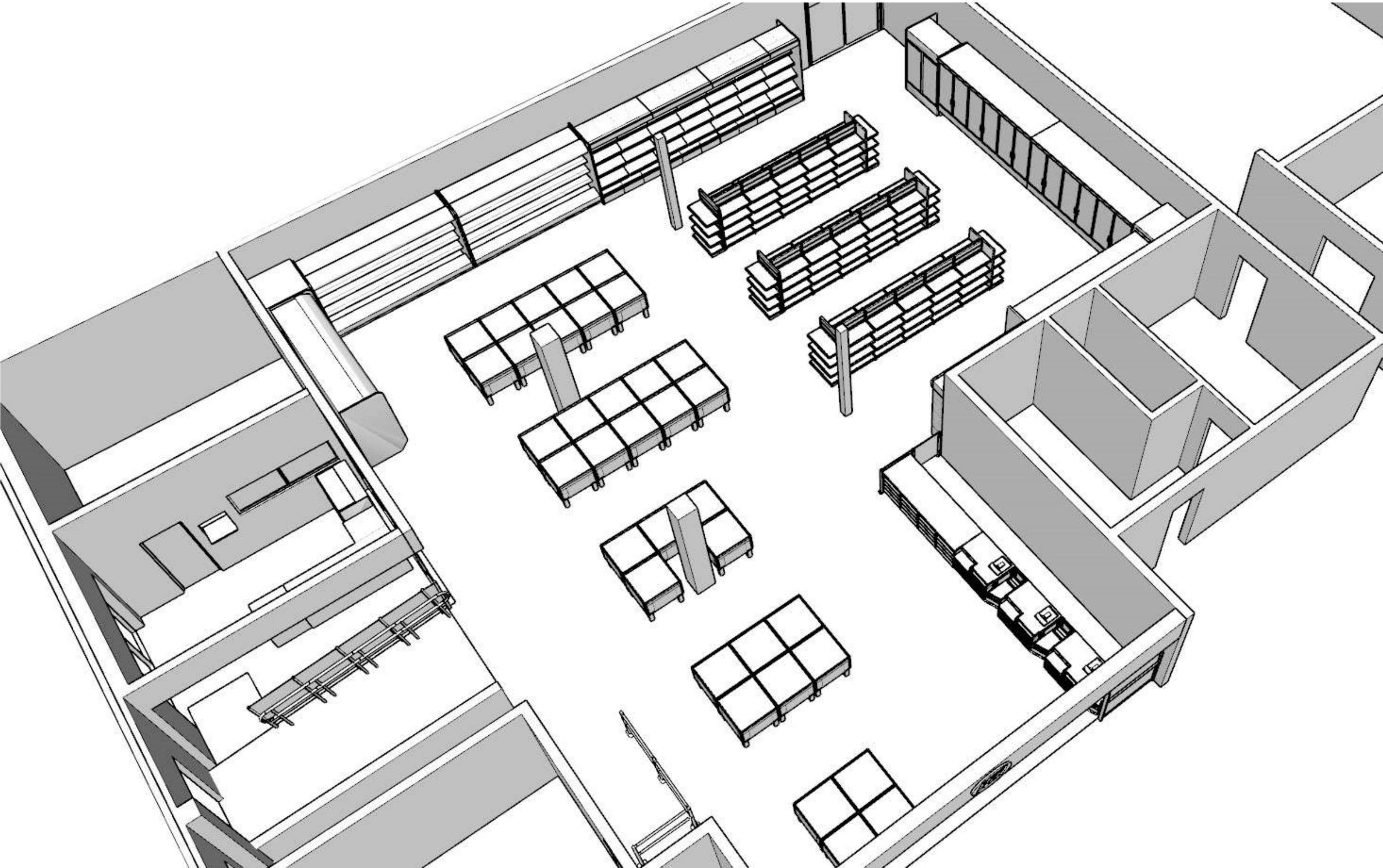
SECTION D-D (Fresh Produce Market)
1:100

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						CLIENT: Muswellbrook Shire Council	SCALE: AS SHOWN @A2	+61 2 8005 1818
						PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	G05/ 101 Clapham Road Sefton NSW 2162





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						CLIENT: Muswellbrook Shire Council		SCALE: AS	+61 2 8005 1818	
						PROJECT No.: 001/22		SHOWN @A2	G05/ 101 Clapham Road	
								DRAWN: EM	Sefton NSW 2162	
								CHECKED: AA		



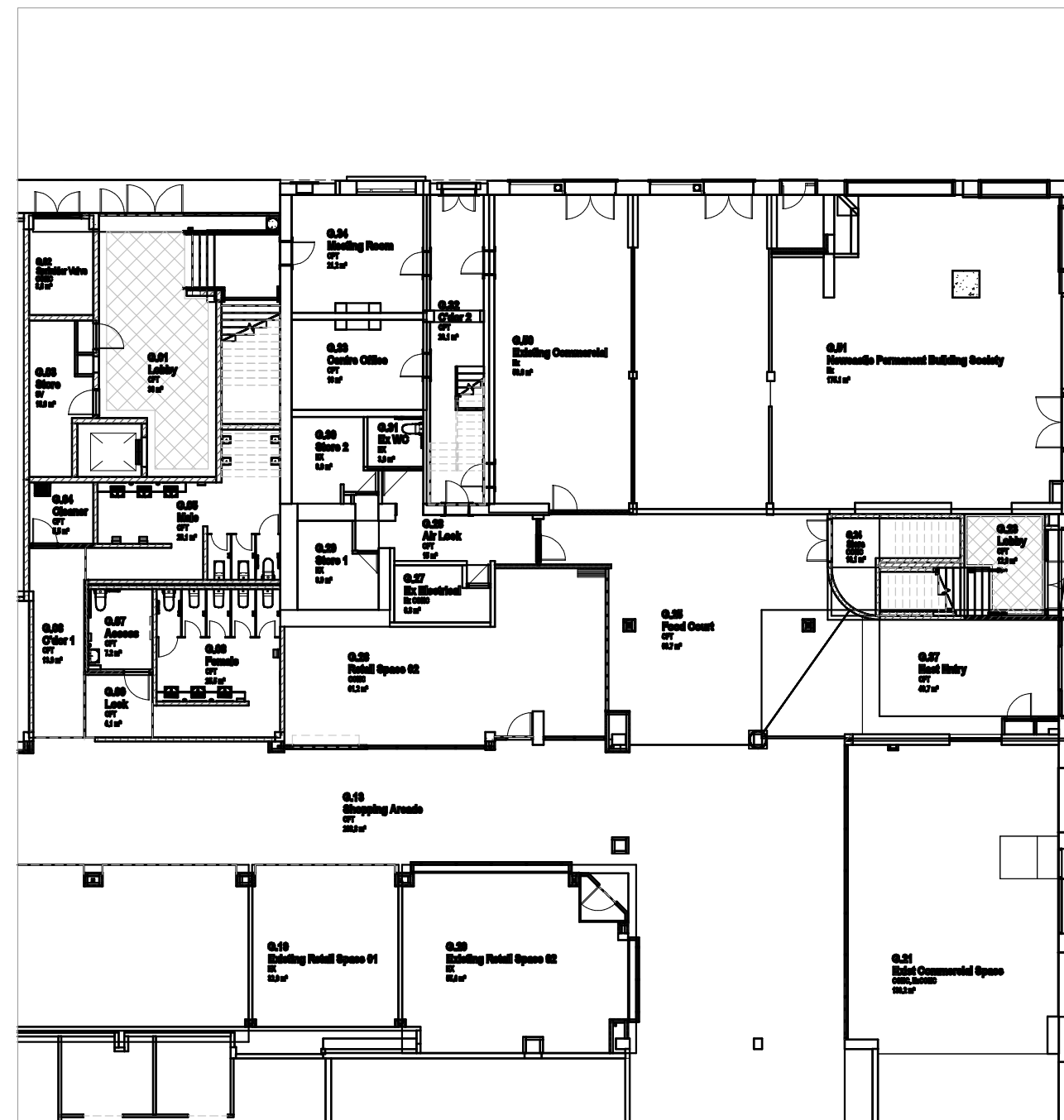
Shop 11 Proposed Office Bridge St, Muswellbrook NSW 2333
Approx. Area 58.40m²

Shop 11 Proposed Office Bridge St, Muswellbrook NSW 2333
Approx. Area 58.40m²

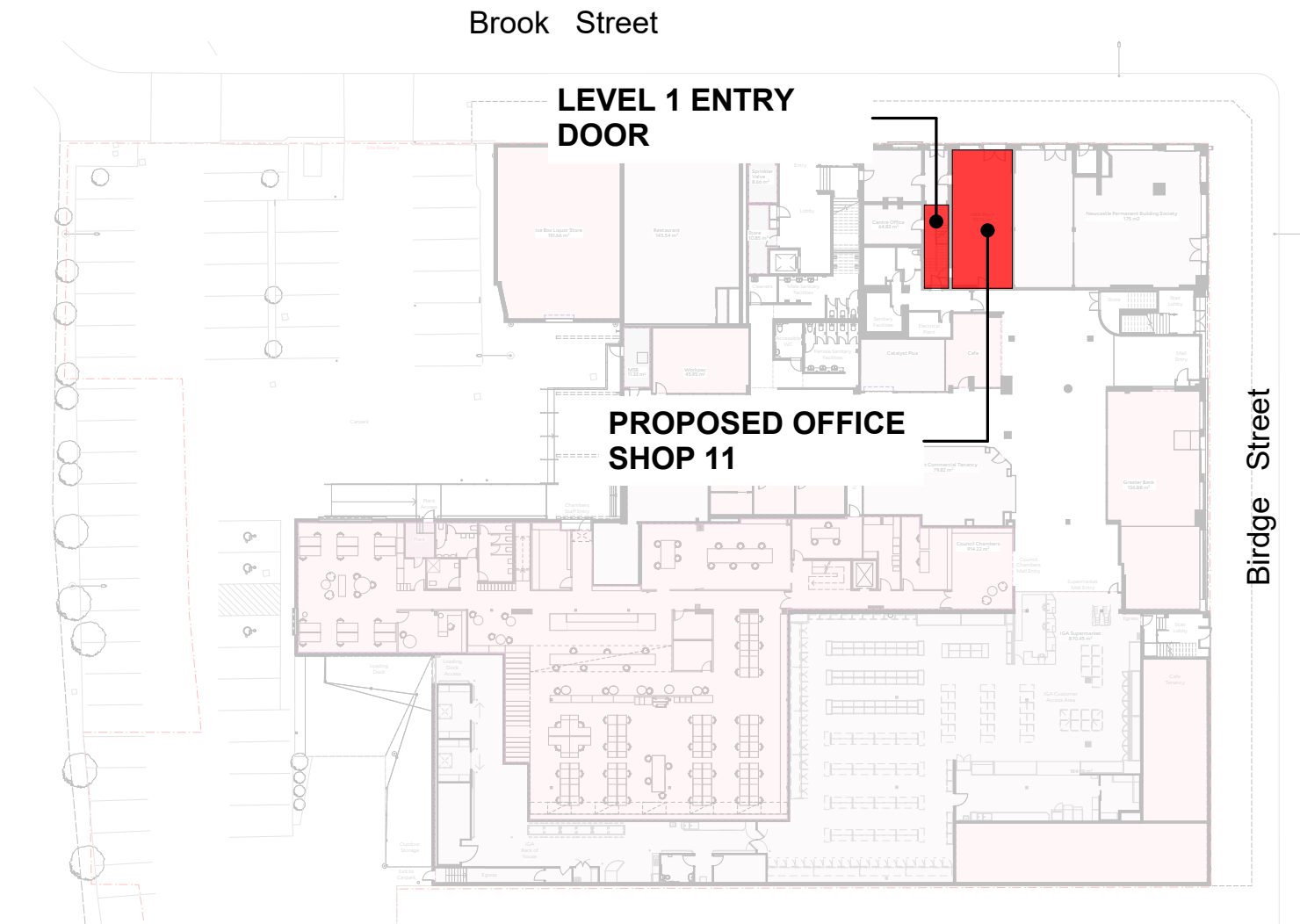
COVER PAGE, SITE PLAN AND 3D PERSPECTIVES

PROPOSED FLOOR PLAN , PROPOSED CEILING & SECTIONS

AXONOMETRIC VIEW (SHOP11)




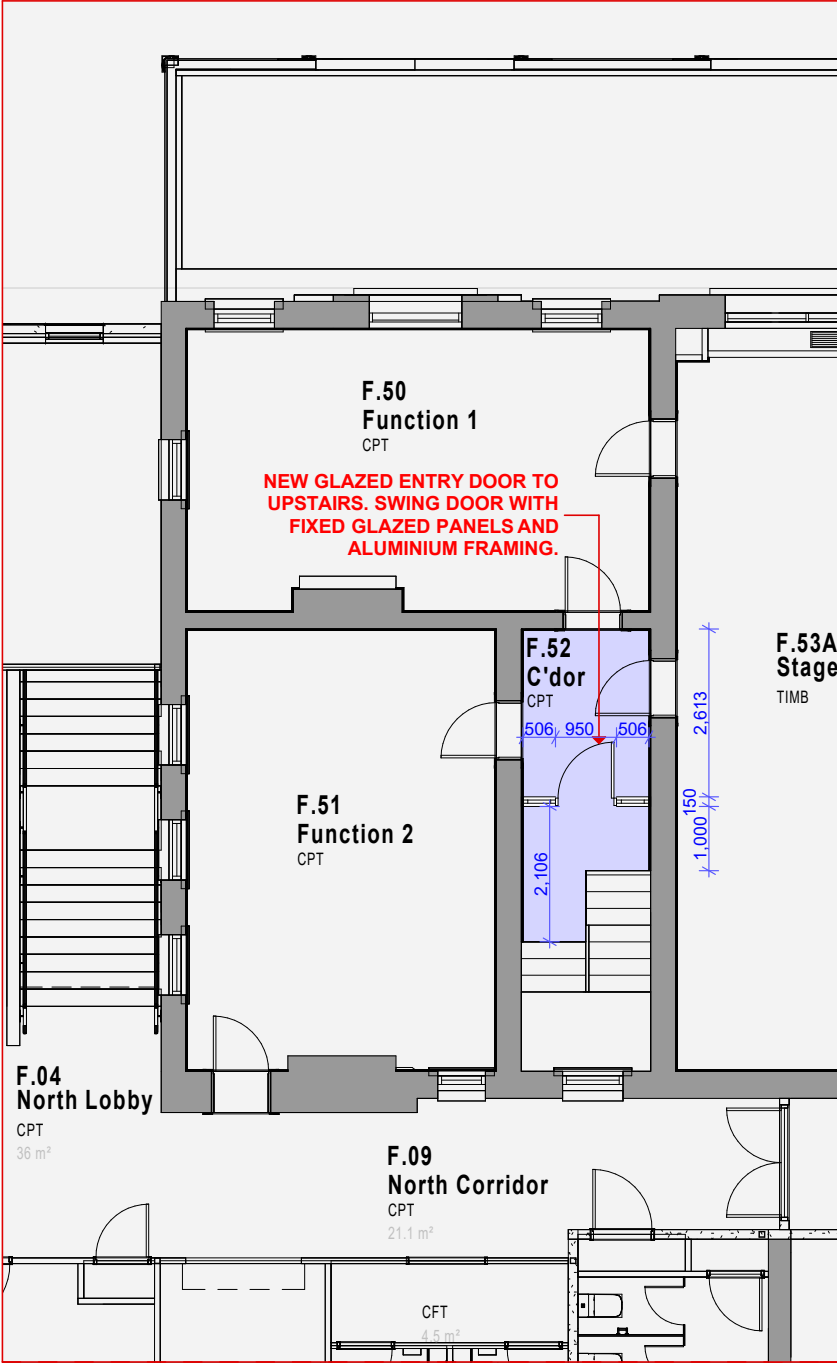
EXISTING FLOOR LAYOUT
1:100



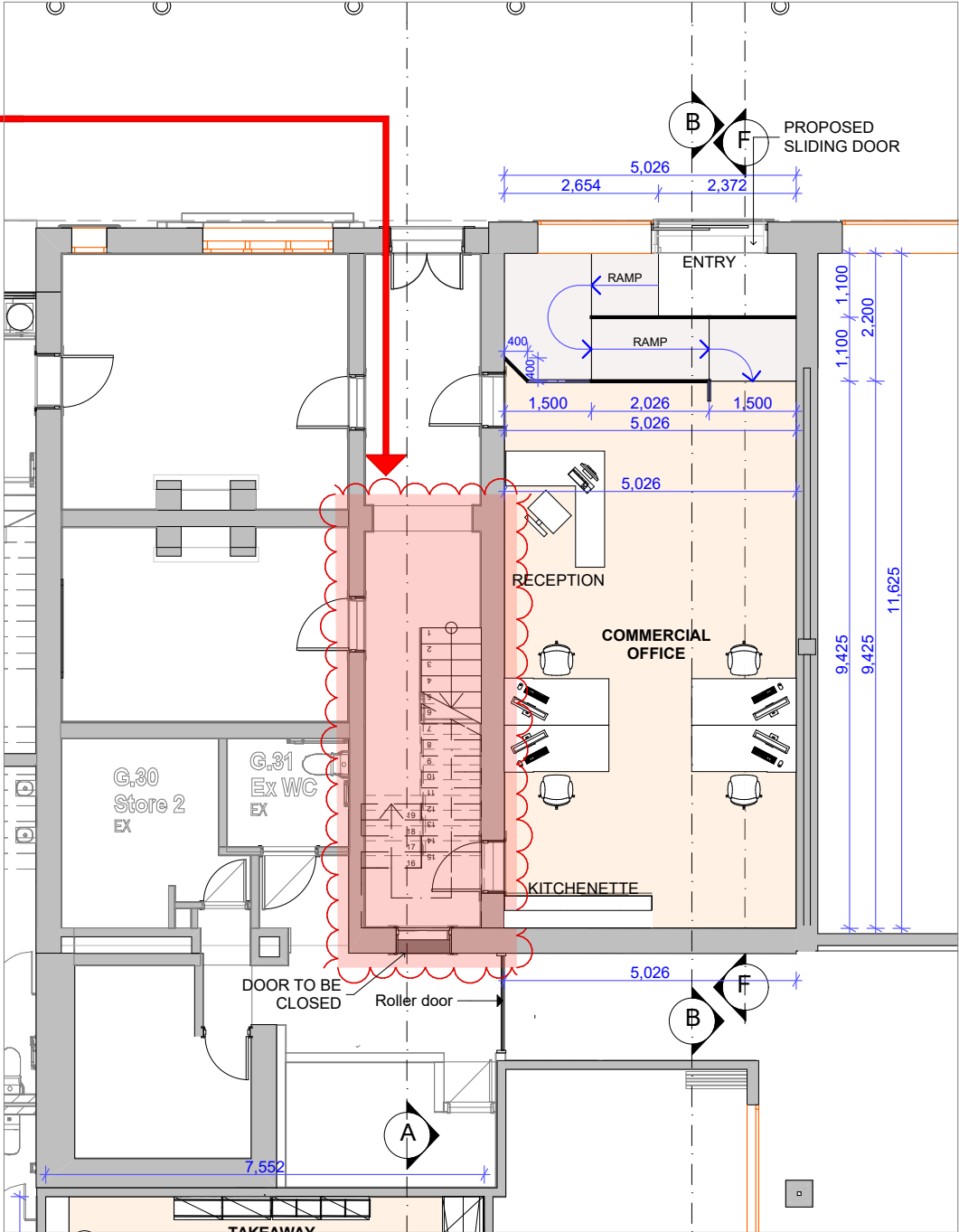
SITE PLAN NTS



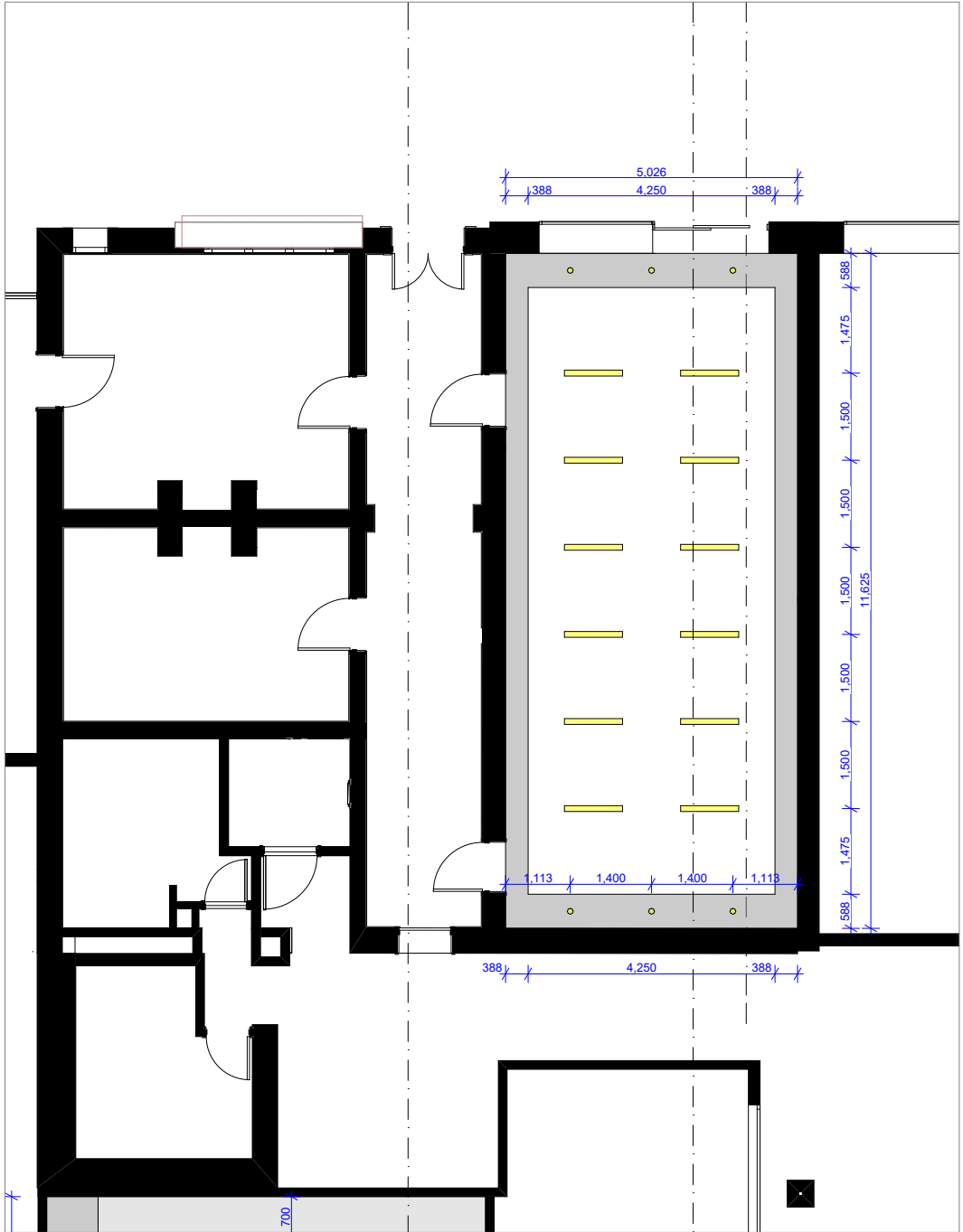
ISSUE	REVISION	DATE	ISSUE	REVISION	DATE	PROJECT:	DRAWING No:	A&H Eco Group Pty Ltd	 Accredited Building Designer No. 6297
A	Preliminary Submission	26/06/2022				60 Bridge Street Muswellbrook NSW 2333	26 OF 30	ACN: 616 399 421	
B	Amended Preliminary Submission	29/06/2022					DATE: 17/01/2023	www.ahecgroupp.com.au	
C	Amended Preliminary Submission	12/08/2022				CLIENT: Muswellbrook Shire Council	SCALE: AS SHOW @A2	ahmed@ahecgroupp.com.au +61 433 613 566 +61 2 8005 1818	
D	Amended Preliminary Submission	17/01/2023				PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	G05/ 101 Clapham Road Sellyn, NSW 2222	



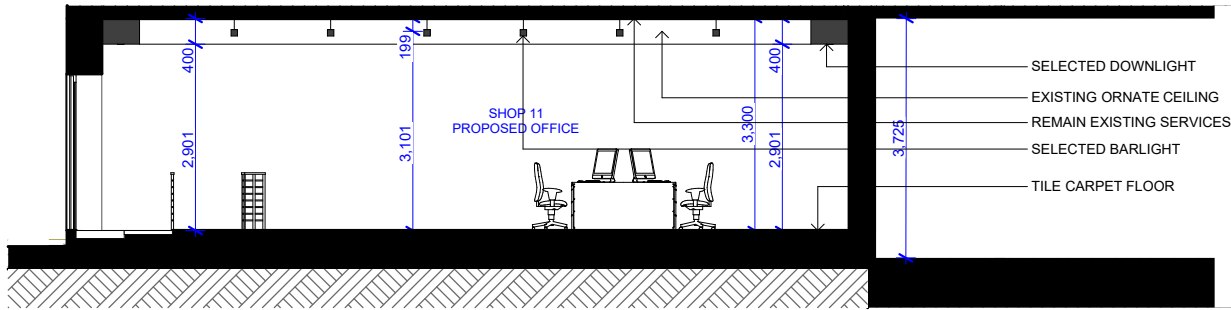
PROPOSED LEVEL 1 ENTRY DOOR
1:100



PROPOSED FLOOR LAYOUT
1:100



PROPOSED RCP LAYOUT
1:100



SECTION B-B (SHOP 11)
1:100



SECTION F-F (SHOP 11)
1:100

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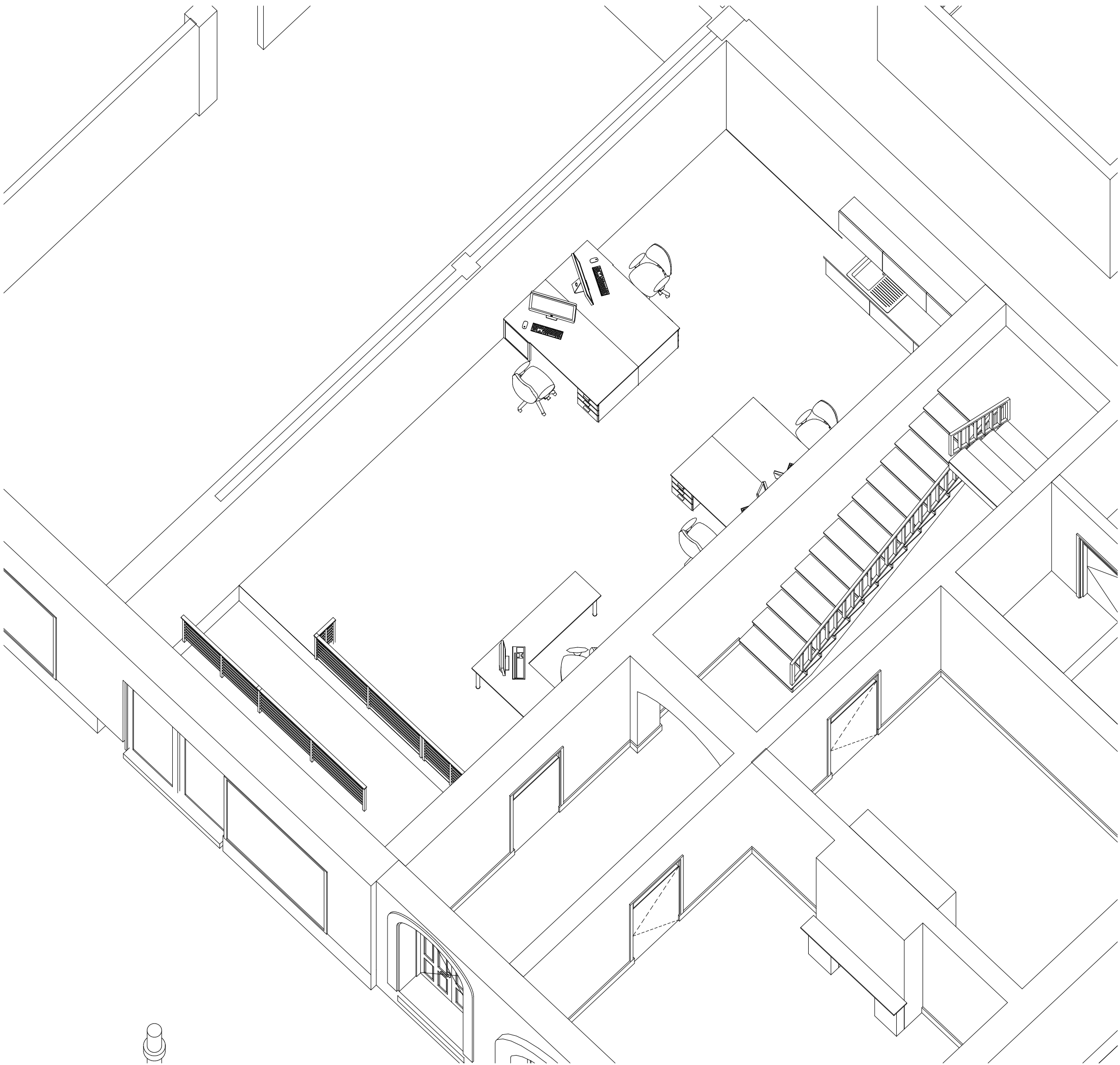
ISSUE	REVISION	DATE	ISSUE	REVISION	DATE
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PROJECT:	60 Bridge Street Muswellbrook NSW 2333
CLIENT:	Muswellbrook Shire Council
PROJECT No.:	001/22

DRAWING No:	27 OF 30
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Sutton NSW 2162

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Designer No. 6297
bda
BUILDING
DESIGNERS
AUSTRALIA



AXONOMETRIC VIEW (SHOP11)

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SCALE:	AS
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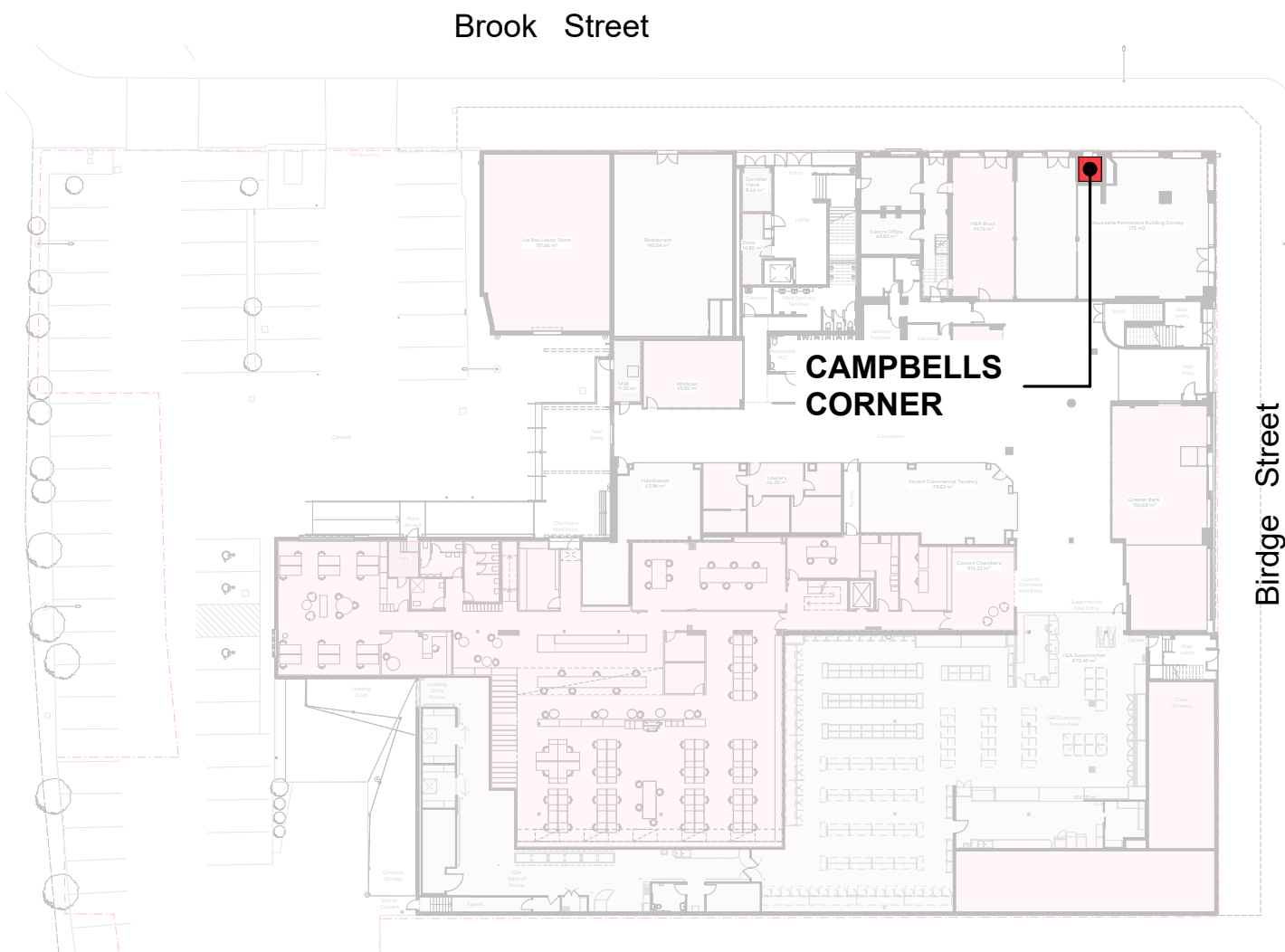
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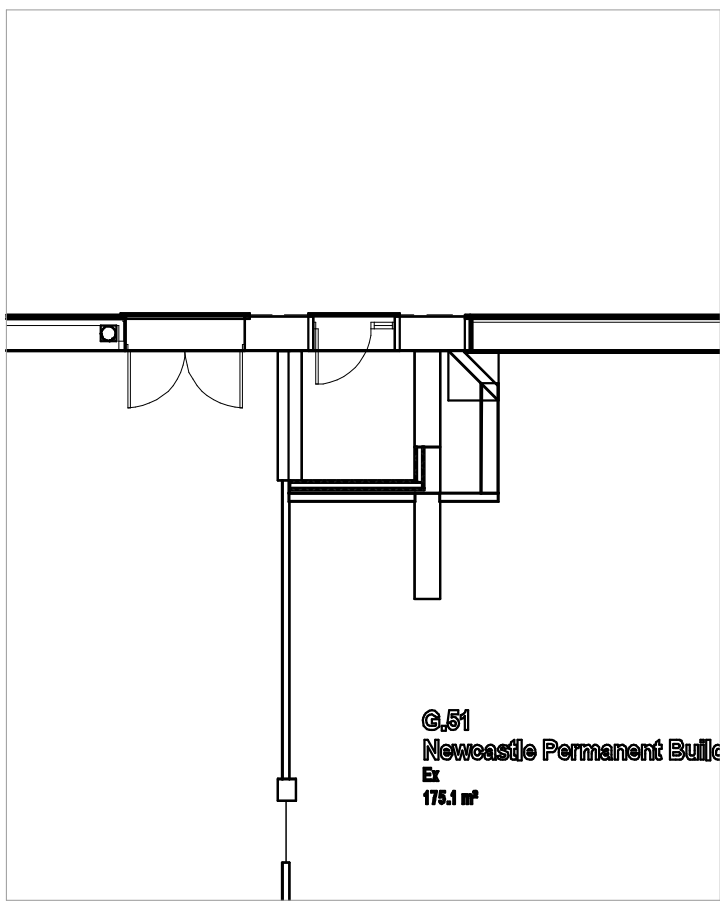
PROPOSED HERITAGE TILE DISPLAY

Proposed Heritage Tile Display, Bridge St, Muswellbrook NSW 2333
Approx. Area 5.36m²

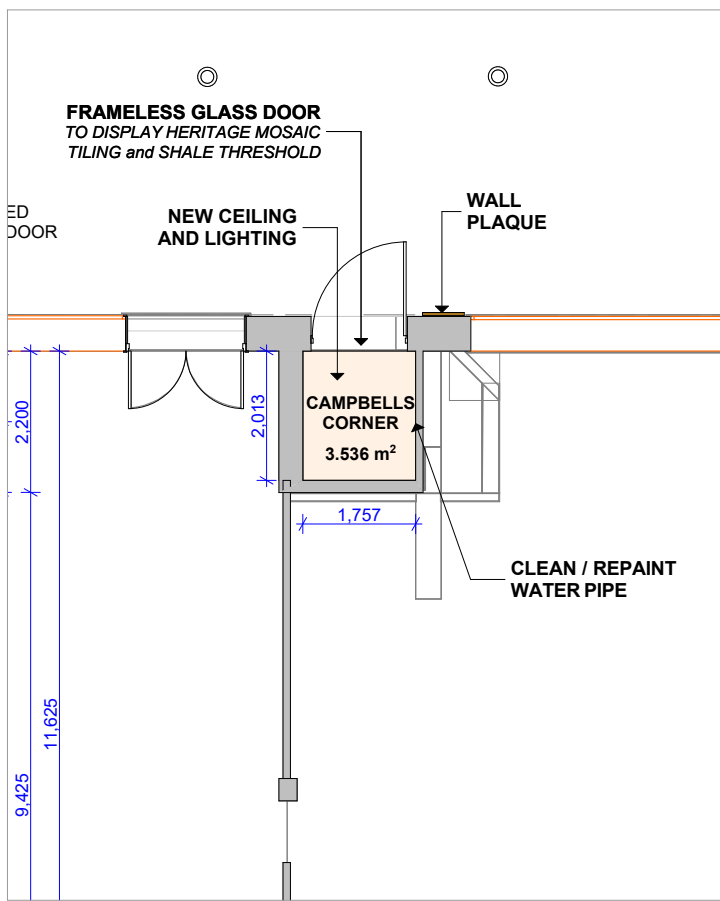
SITE PLAN AND 3D PERSPECTIVES, EXISTING FLOOR PLAN , PROPOSED FLOOR PLAN & PROPOSED CEILING



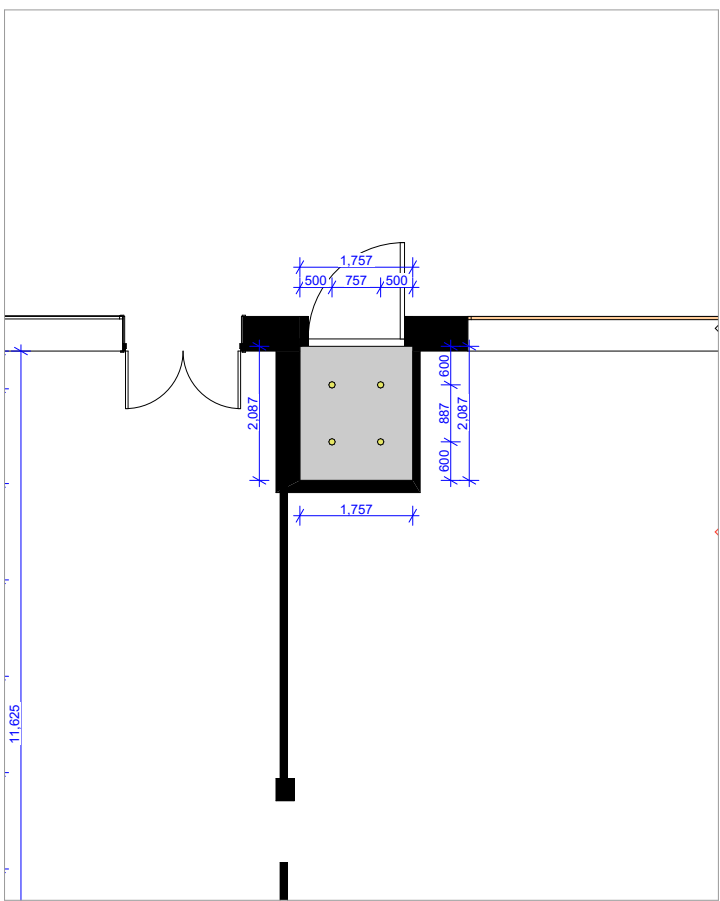
SITE PLAN
NTS



EXISTING FLOOR LAYOUT
1:100



PROPOSED FLOOR LAYOUT
1:100


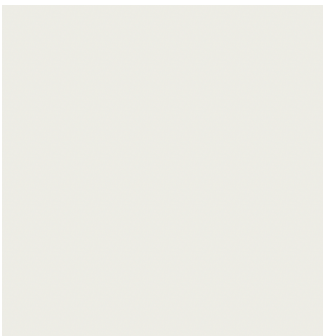
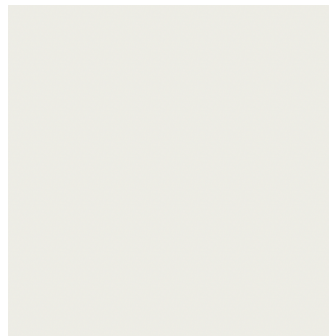
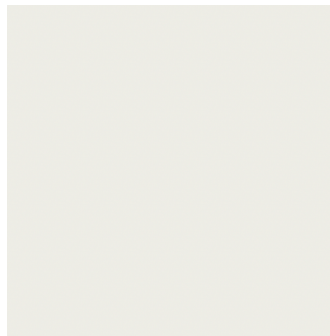
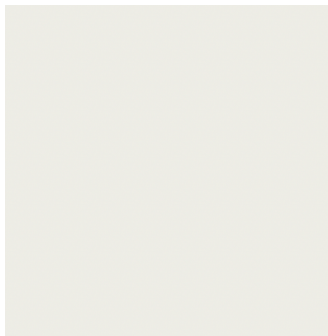
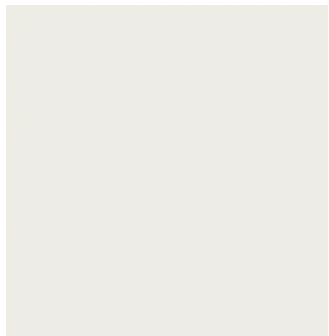
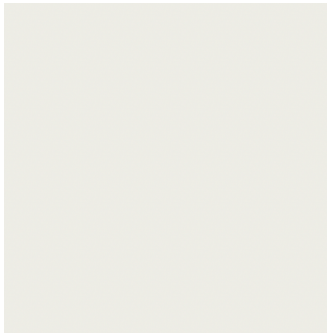



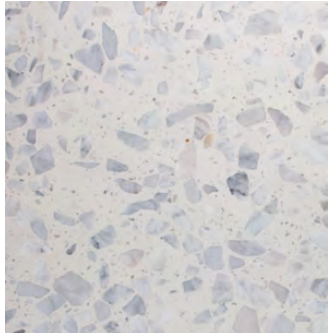
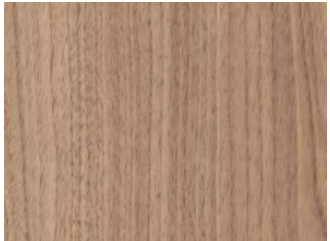
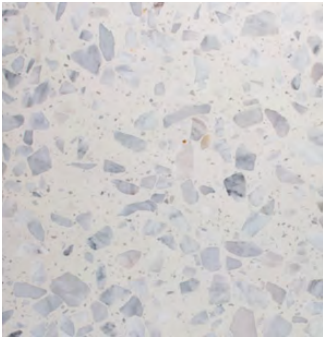
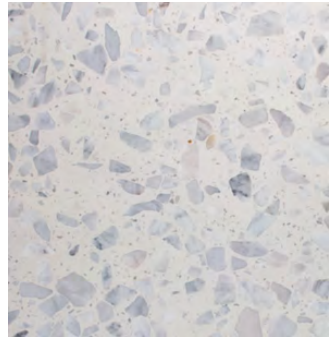



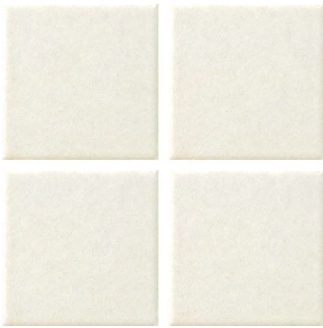


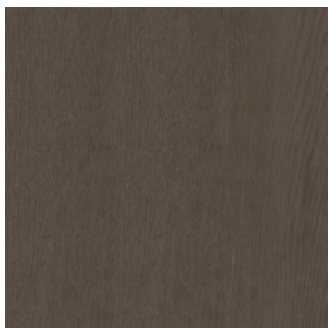


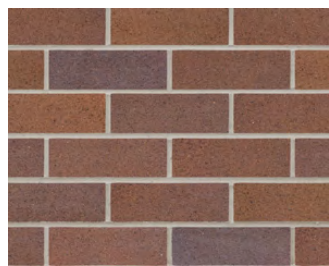
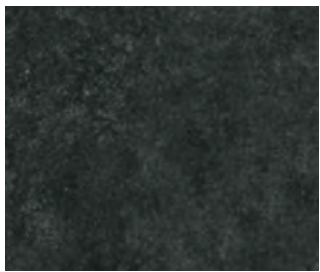
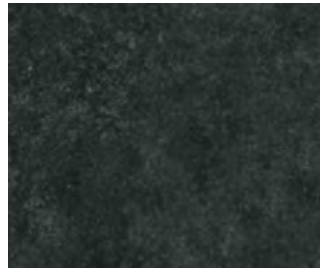


PROPOSED RCP LAYOUT
1:100

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						PROJECT No.: 001/22	DRAWN: EM CHECKED: AA	G05/ 101 Clapham Road Sutton NSW 2162



Proposed Council Chambers, Mayor's office		Proposed Fresh Produce Market		Proposed of a New Connection to The Street Frontage on Bridge St via the Munchies Café and Takeaway Area		Proposed Refurbishment of the Existing Office at Shop 11		Commercial Space at Shop 6 with the Intention of Procuring a New Food Premises Tenant		Proposed Refurbishment Campbells Corner	
WALLS & CEILING Timber Battens		WALLS & CEILING Plasterboard		WALLS & CEILING Plasterboard		WALLS Plasterboard		WALLS & CEILING Plasterboard		WALLS & CEILING Plasterboard	
WALLS & CEILING Plasterboard		FLOOR Type: Technifirma Size: 900 x 900 x 20mm Grout: TBC		FLOOR - RAMP Type: Technifirma Size: 900 x 900 x 20mm Grout: TBC		FLOOR - RAMP Type: Technifirma Size: 900 x 900 x 20mm Grout: TBC		FLOOR Type: VM850 - Bianco Neve Terrazzo Tile Size: 60 x 60 x 20mm Grout: TBC			
DOORS Timber		FLOOR Type: VM850 - Bianco Neve Terrazzo Tile Size: 60 x 60 x 20mm Grout: TBC		FLOOR Type: VM850 - Bianco Neve Terrazzo Tile Size: 60 x 60 x 20mm Grout: TBC		FLOOR Wool loop pile carpet		COUNTER WALLS Timber Battens			
FLOOR Wool loop pile carpet		WALL Type: Plimepaplka - 13756 Nagoya Mosaic-Tile Co Size: 45 x 45 x 7mm Grout: TBC		COUNTER CEILING Type: American Oak Veneer Raw - Quartered Cut Finish: Dark walnut		CEILING EXISTING TO BE REMAIN		SHELF Timber			
COUNCILOR'S TABLES Solid veneered timber		WALL Type: Plimepaplka - 13760 Nagoya Mosaic-Tile Co Size: 45 x 45 x 7mm Grout: TBC		COUNTER WALL Austral Bricks Bowral Blends POA				COUNTER Pietra Del Nero stone bench top			
				COUNTER Pietra Del Nero stone bench top							

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								CHECKED: AA	Sefton NSW 2162	



Extended
DEVELOPMENT ASSESSMENT REPORT

REPORT TO:
COUNCIL

ADDRESS:	LOT: 101 DP: 606303 60-82 Bridge Street MUSWELLBROOK			
APPLICATION No:	DA 2023/26			
PROPOSAL:	Alterations and Additions to existing commercial building (Campbells Corner), Change of Use for Public Administration Building, Demolition Works.			
PLANS REF:	Drawings no.	Drawn by	Date	Received
	1 of 30 Title Page	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	2 of 30 General Notes	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	3 of 30 Location Plan and Site Map	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	4 of 30 General Arrangement	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	5 of 30 External Signage Elevations	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	6 of 30 Sections	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	7 of 30 Sections	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	8 of 30 Perspectives	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	9 of 30 Proposed Council Chamber and Meeting Room	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	10 of 30 Proposed Council Chamber and Meeting Room	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	11 of 30 Proposed Council Chamber and Meeting Room	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	12 of 30 Proposed Council Chamber and Meeting Room	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	13 of 30 Proposed Shop 6 Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	14 of 30 Proposed Shop 6 Layout	A&H Eco group Pty Ltd A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	15 of 30 Proposed Shop 6 Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	16 of 30 Proposed Shop 6 Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	17 of 30 Proposed New Entry and Modified Existing Cafe	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	18 of 30	A&H Eco group Pty Ltd	17.01.2023	
	19 of 30 Proposed New Entry and Modified Existing Cafe	A&H Eco group Pty Ltd	17.01.2023	28.02.2023

	20 of 30 Proposed New Entry and Modified Existing Cafe	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	21 of 30 Proposed Fresh Produce Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	22 of 30 Proposed Fresh Produce Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	23 of 30 Proposed Fresh Produce Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	24 of 30 Proposed Fresh Produce Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	25 of 30 Proposed Fresh Produce Layout	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	26 of 30 Proposed Commercial Office Layout and Level 1 Entry Door	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	27 of 30 Proposed Commercial Office Layout and Level 1 Entry Door	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	28 of 30 Proposed Commercial Office Layout and Level 1 Entry Door	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	29 of 30 Proposed Heritage Tile Display	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
	30 of 30 Finishes Schedule	A&H Eco group Pty Ltd	17.01.2023	28.02.2023
OWNER:	Muswellbrook Shire Council			
APPLICANT:	Mr E Macdonald Campbells Corner 60-82 Bridge Street MUSWELLBROOK NSW 2333			
AUTHOR:	Leah Reeves/Ivan Holland – Barker Ryan Stewart – Consultant Planners			
DATE LODGED:	13/04/2023			
DATE OF REPORT:	5/10/2023			

1. RECOMMENDATION

It is recommended that development consent be granted to DA 2023/26 for Alterations and Additions to existing commercial building (Campbells Corner), Change of Use to Public Administration Building and Demolition Works subject to the recommended conditions of consent.

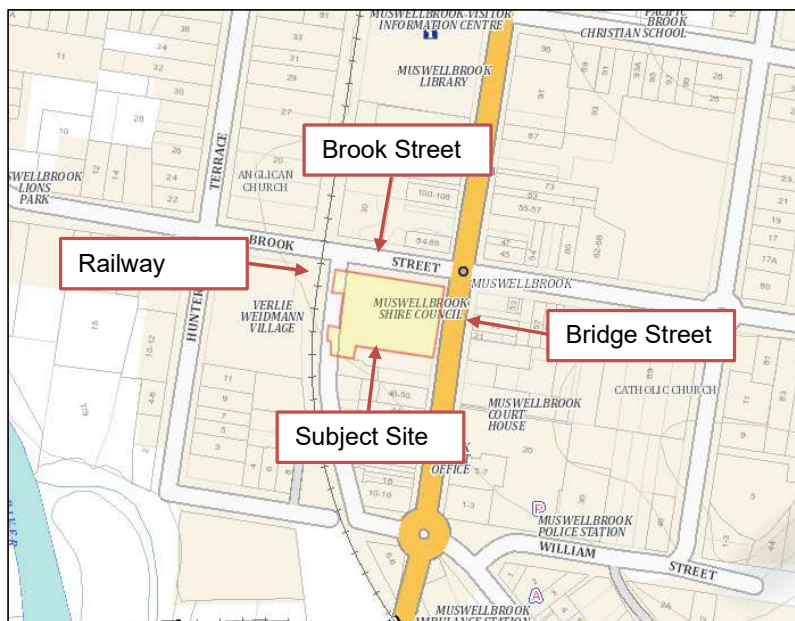
2. SITE LOCALITY AND DESCRIPTION

The subject site is located at 60-82 Bridge Street Muswellbrook and is legally described as Lot 101 DP 606303 (the site). The site is located on the western side of Bridge Street (New England Highway) and to the south of Brook Street in Muswellbrook. The site is located on a corner allotment. Pedestrian access to the site is via Bridge Street and Brook Street. On-site car park servicing is accessed via Brook Street.

The site is located within the town centre of Muswellbrook which comprises a mix of commercial and retail land uses, with a wide main street and on-street car parking on both sides of the street.

The site currently supports a two (2) storey heritage listed building known as Campbell's Corner. Within the building, there are several commercial uses with the ground floor comprising an internal mall area. The mall hosts several speciality shops and office spaces including banks, a café, hairdresser and accountants. The Muswellbrook Shire Council Administration Building occupies the south western portion of the building. The mall currently contains some vacant commercial tenancies and an empty supermarket previously occupied by IGA. The first floor of the building contains the Upper Hunter Conservatorium of Music. An at grade car parking area is located to the west of the building with ramp and stair access into the mall area on the ground floor. The location of the site is illustrated in **Figure 1**.

Figure 1. – Site Location (Source: SIX Maps)



The site is bounded to the north by Brook Street, east by Bridge Street, to the west by the Great Northern Railway line and to the south by existing commercial development. An aerial view of the site is shown in **Figure 2**.

Figure 2. – Aerial Image of Site (Source: Nearmap – Image Date 12.02.2023)



The site is relatively flat. The majority of the site is occupied by buildings or hardstand areas. The site does not contain any vegetation and no significant natural site features or constraints would restrict future development of the site for the proposed purposes.

The site is surrounded by a mix of commercial uses. The predominant land uses surrounding the site include the following:

- To the north: single and two storey development including unoccupied shop fronts and uses such as hairdresser and radio station.
- To the east: two storey commercial and retail development comprising uses such as banks, a furniture shop and an arcade.
- To the south: single and two storey commercial and retail development comprising uses such as a bank, café, gym and accountant.
- To the west: the Great Northern Railway and residential development.

The site and surrounding development is illustrated in **Figures 3 to 14**.

Figure 3. – Site from the north eastern corner of Bridge Street and Brook Street (Source: BRS)



Figure 4. – View of site - shopfronts from Bridge Street elevation (Source: BRS)



Figure 5. – View of site - shopfronts from Brook Street elevation (Source: BRS)



Figure 6. – View of site – Muswellbrook Council Public Administration Building (Source: BRS)



Figure 7. – View of site – access to building from rear carpark (Source: BRS)

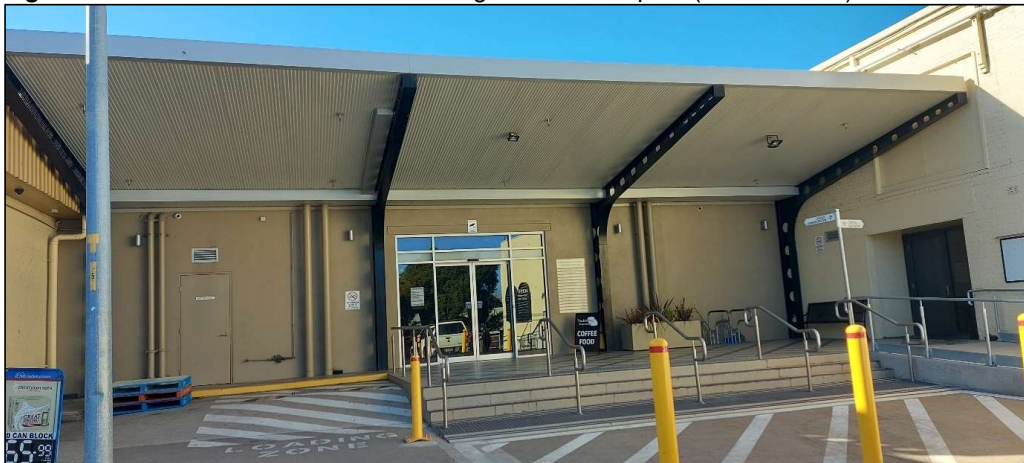


Figure 8. – View of site – internal mall (Source: BRS)

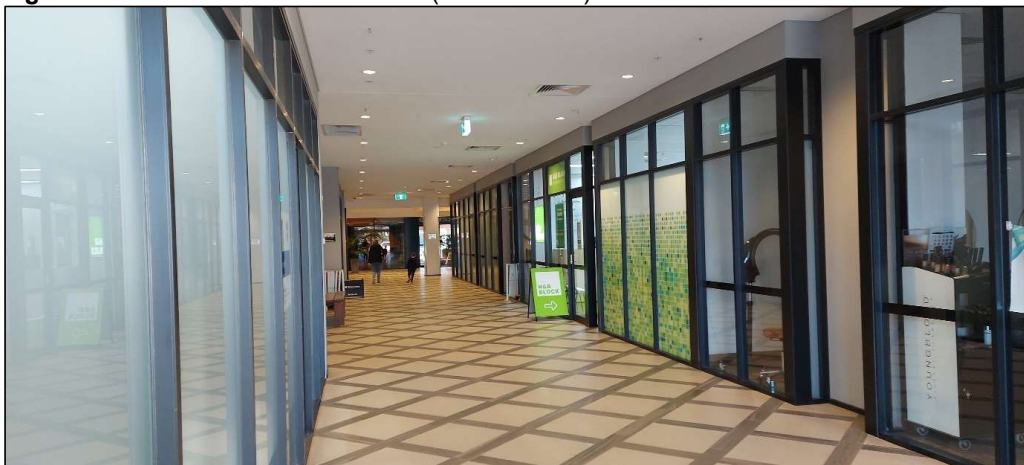


Figure 9. – View of site – access to building from Bridge Street (Source: BRS)



Figure 10. – Example of surrounding development on Bridge Street with site at rear (Source: BRS)



Figure 11. – View of railway crossing to west of the site (Source: BRS)

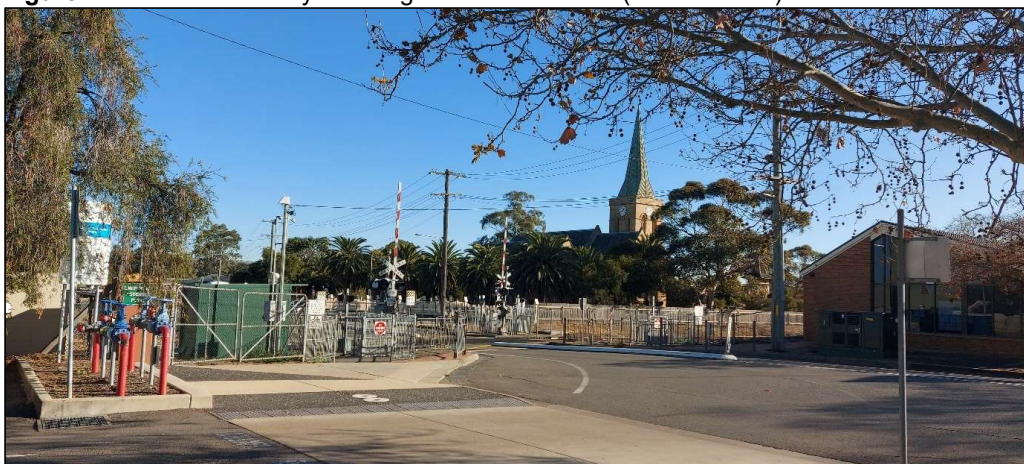


Figure 12. – Surrounding development to north east of the site (Source: BRS)

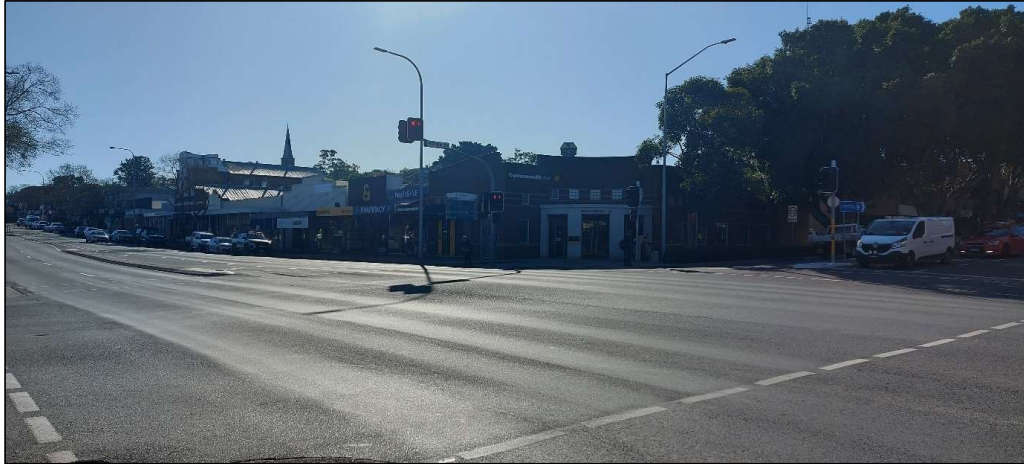


Figure 13. – Surrounding development to north of the site (Source: BRS)



Figure 14. – Surrounding development to east of the site with site at right of picture (Source:



BRS)

Figure 15. – Car park at rear of the site (Source: BRS)



The site is subject to the following constraints:

Flood Prone Land	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Bushfire Prone Land	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Terrestrial Vegetation	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Heritage Conservation Item	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Heritage Conservation Zone	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Contaminated Land	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Mine Subsidence	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Classified Road Frontage	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Council Infrastructure within Site	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Other	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

3. POLICY CONTEXT

Muswellbrook Town Centre Strategy

Council endorsed the *Muswellbrook Town Centre Strategy* in February 2017 to guide future development in Muswellbrook CBD and to establish a land use strategy to ensure key urban design principles are incorporated into the future development opportunities within Muswellbrook Town Centre.

Section 9 contains the Muswellbrook Town Centre Strategy Action Table which provides the key steps required to achieve the objectives of this strategy plan and includes the Key Strategic Directions, objectives and actions. The Key Strategic Directions relevant to the current proposal are considered in below. The proposal is consistent with this Strategy.

KEY STRATEGIC DIRECTION	OBJECTIVE	ACTION	PROPOSAL
1. Key Land Use Outcomes	Maintain and enhance government service provision in the centre.	Plan for relocation of the Council Administration Offices to the Town Centre as a catalyst project, promoting stronger	The relocation of the Council Chambers, Mayor's office and meeting room are associated with the Council Administration

		presence and connection with the town.	Centre which was relocated to the site under DA 88/2019. The proposal is consistent with this key land use outcome.
3. Improved Heritage Conservation	Preserve and maintain the heritage character of the town centre	Consider introduction of incentives in the LEP to encourage adaptive reuse of heritage buildings such as bonus FSR or reduced parking requirements.	<p>The proposal involves alterations and additions to the Campbell's Corner building and change of use of a portion of the building for the purpose of a public administration building. The proposal also seeks a heritage display and heritage imagery. The Campbell's Corner building is a heritage listed building, which is consistent with this heritage outcome.</p> <p>The proposal will be undertaken in accordance with the Building Code of Australia and will assist in preserving the use of the building.</p>
4. Enhanced Public Facilities and Services	Develop a program for improved public facilities and services	Investigate development of a performing arts centre and relocation of the Council Administration Centre to the town centre	The relocation of Council infrastructure associated with the Council Administration Centre is achieved by the proposal. The proposal is consistent with this strategic direction.

4. DESCRIPTION OF PROPOSAL

The proposal seeks development approval for Alterations and Additions to an existing commercial building (Campbells Corner) and Change of Use of a portion of the old IGA supermarket to Public Administration Building.

Specifically, the proposal includes the following:

Change of Use/Proposed Council Chamber and Meeting Room

The development proposes a change of use of the western portion of the ground floor from a supermarket 'shop' to 'public administration building'.

The proposal seeks refurbishment of part of the former IGA supermarket to include a new Council Chamber, a meeting/boardroom area and a Mayor's office, reception and amenities. The proposal will link to Council's existing administrative space within the building.

A site plan and proposed floor layout are depicted in **Figure 16** and **Figure 17**.

Figure 16. – Site Plan – Proposed Council Chamber and Meeting Room (Source: A&H Eco Group)

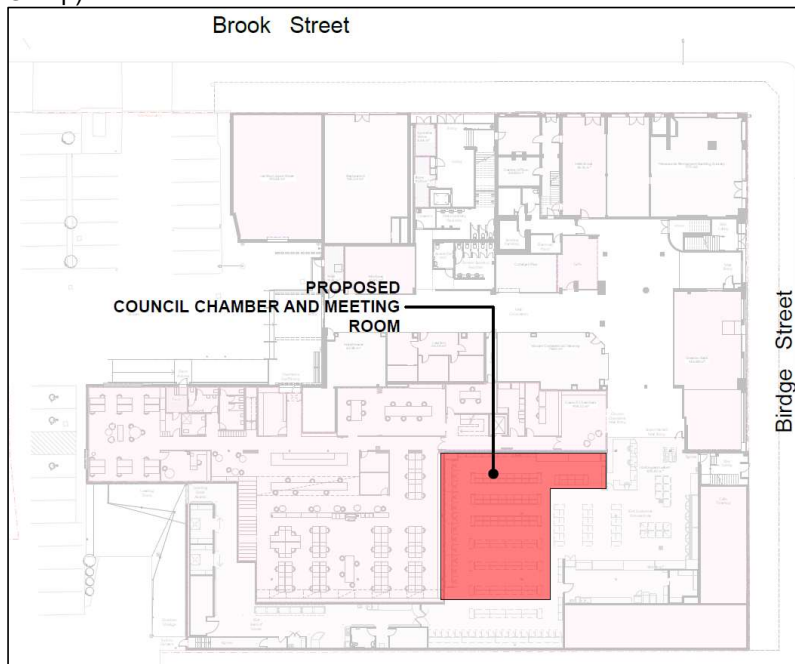
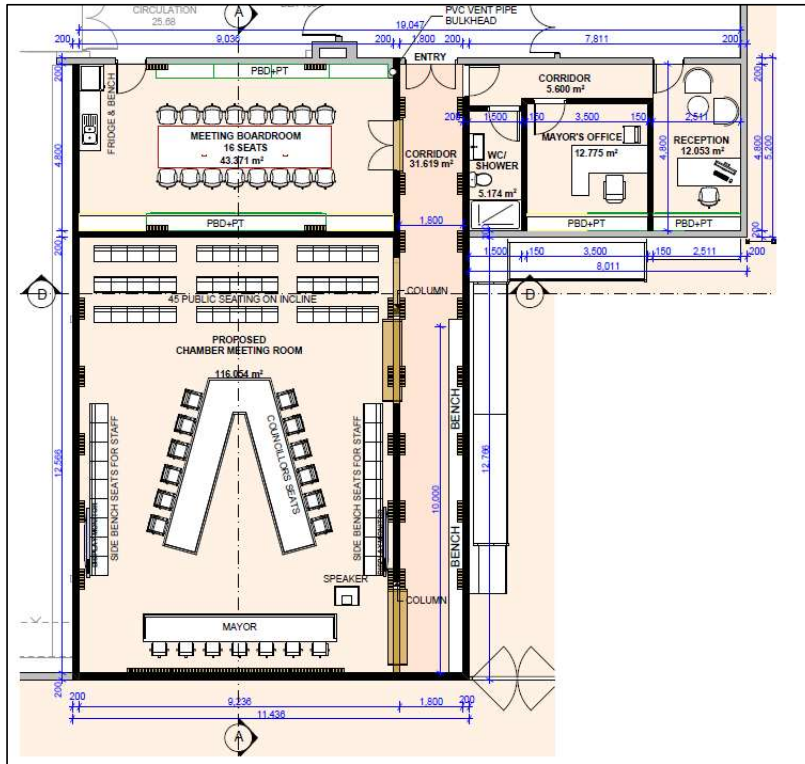


Figure 17. – Proposed Floor Layout – Proposed Council Chamber and Meeting Room (Source: A&H Eco Group)



Proposed Takeaway Shop Fitout (Shop 6)

The proposal seeks alterations and additions to an existing commercial office space for the purpose of a takeaway shop.

The space was approved under previous DA 2012-178 as being part of the Retail Space "G26" for a food premises. The retail space "G26" was subsequently modified to accommodate a smaller café tenancy, leaving the remaining space to be leased as a commercial office and labelled "Shop 6".

A site plan and proposed floor layout are depicted in **Figure 18** and **Figure 19**.

Figure 18. – Site Plan – Shop 6 (Source: A&H Eco Group)

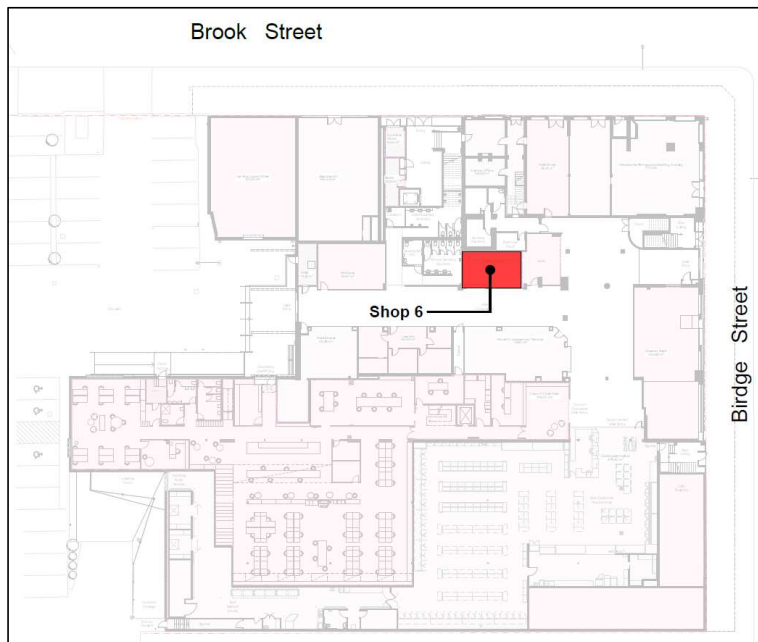
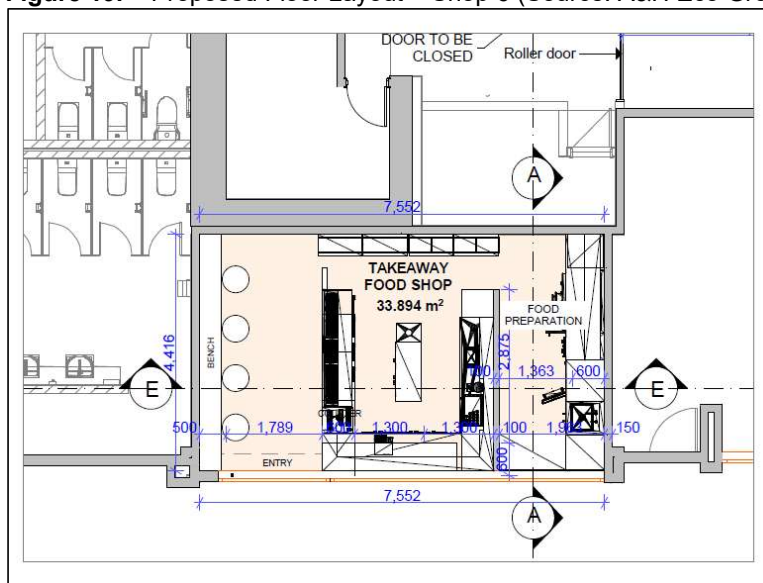


Figure 19. – Proposed Floor Layout – Shop 6 (Source: A&H Eco Group)



Proposed New Entry and Modification to Existing Café

The proposal seeks alterations and additions to an existing café (Munchies Café) to allow for a new entry to the building to service the proposed fresh produce market.

The new access will be from the Bridge Street elevation via a proposed entryway glass sliding door. The new entry will provide access to the proposed fresh produce market and a ramp for disability access to the building. These works will include an updated fitout to the café to make space for the proposed entry.

A site plan and proposed floor layout are depicted in **Figure 20** and **Figure 21**.

Figure 20. – Site Plan – Proposed New Entry & Modified Existing Café (Source: A&H Eco

Group)

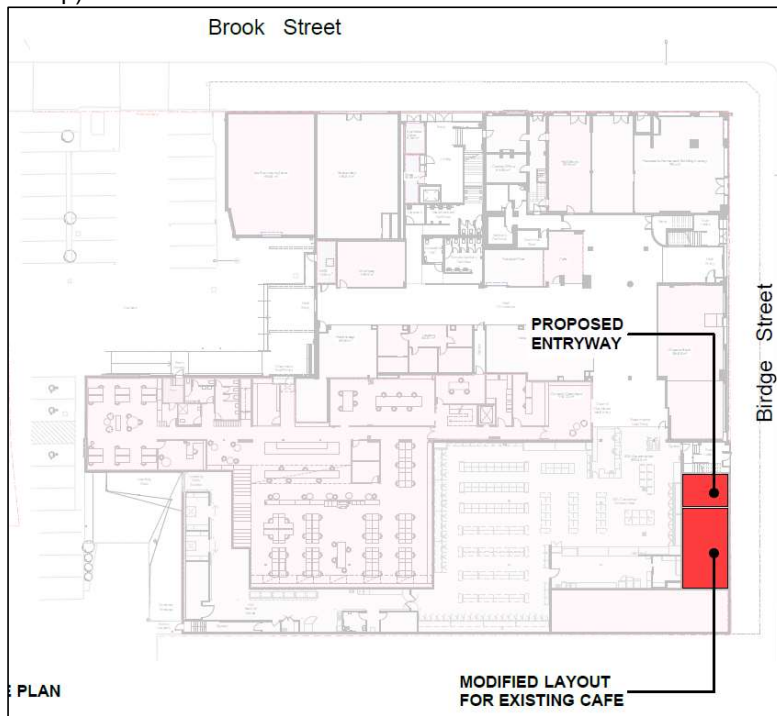


Figure 21. – Proposed Floor Layout – Proposed New Entry & Modified Existing Cafe (Source: A&H Eco Group)

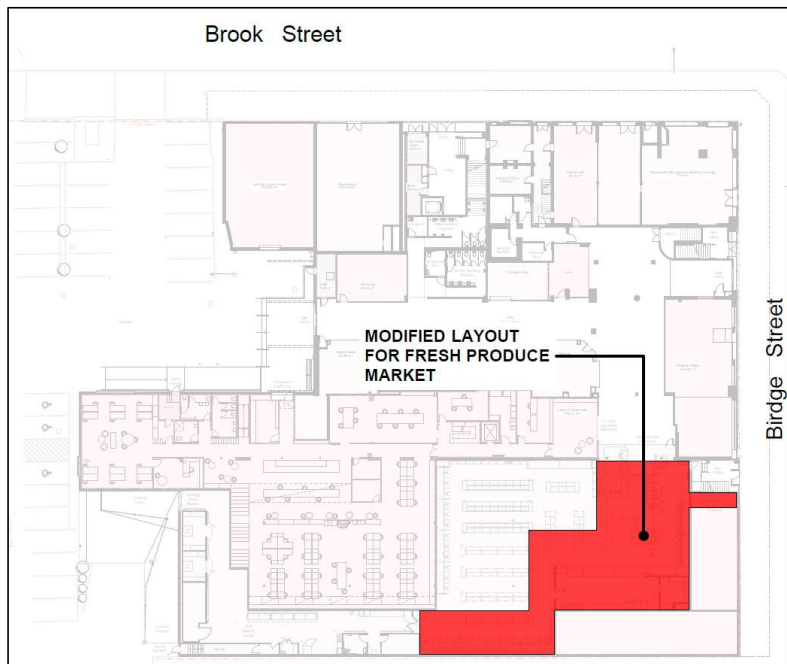
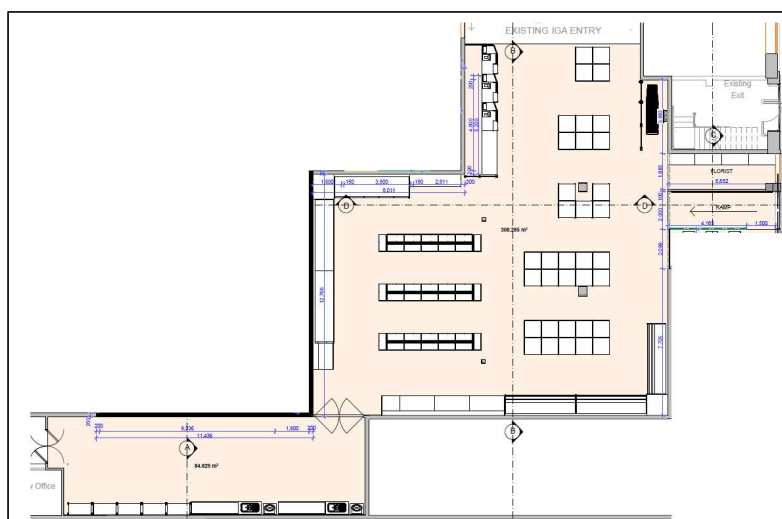


Figure 23. – Proposed Floor Layout – Proposed Fresh Produce Market (Source: A&H Eco Group)



Proposed Commercial Office (Shop 11) and Level 1 Entry Door

The proposal seeks alterations and additions to the existing commercial space for disability access and works to the level 1 entry door.

Entry to the commercial office space at Shop 11 is proposed to be altered to include new disability access to the space via an internal ramp. A portion of the existing timber floor will be replaced to accommodate the new ramp. New automatic doors will replace the existing aluminium doorway on the Brook Street elevation. Proposed works will allow for the existing original decorative ceiling to be exposed. The ceiling is currently hidden behind a lowered false ceiling arrangement. The current suspended ceiling will be removed and the existing ceiling repaired, and new lighting installed.

The entry to level 1 is proposed to be altered to include a new glazed door.

A site plan and proposed floor layout are depicted in **Figure 24** and **Figure 25**.

Figure 24. – Site Plan – Proposed Commercial Office layout and Level 1 Entry Door (Source: A&H Eco Group)

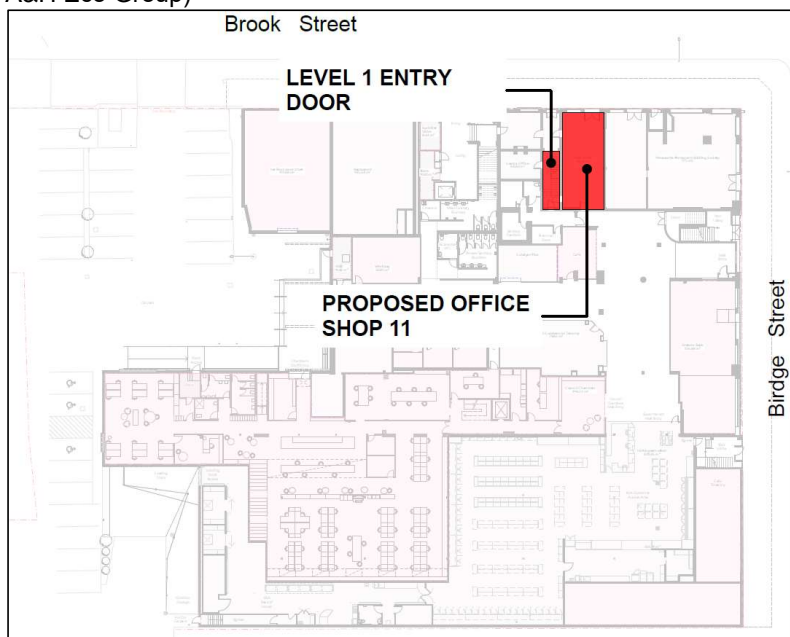
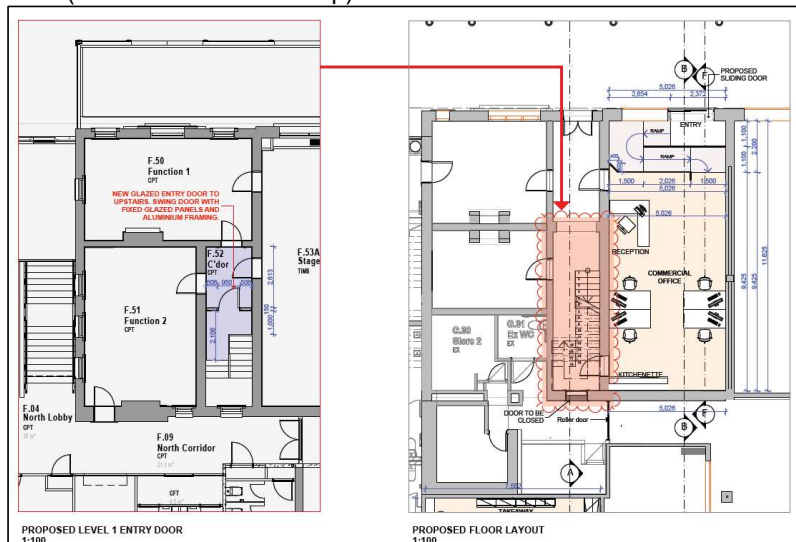


Figure 25. – Proposed Floor Layout – Proposed Commercial Office layout and Level 1 Entry Door (Source: A&H Eco Group)



Proposed Heritage Tile Display

The proposal seeks alterations to the entry door off Brook Street and the retention and display of heritage significant items.

The existing single door entry off Brook Street is considered to have heritage significance because it incorporates a slate threshold step, decorative pattern tile layout and the name "CAMPBELL & Co Ltd". The proposal seeks the retention of these items for the purpose of heritage display. The display will be cleaned and painted for the public to view. A wall plaque is to be mounted adjacent to the display.

The existing aluminium door frame and sidelight on the Brook Street elevation are to be replaced with a new outward opening frameless glass door to display the wide slate threshold, the decorative black & white ceramic tile pattern and the floor signage.

A site plan and proposed floor layout are depicted in **Figure 26** and **Figure 26**.

Figure 26. – Site Plan – Proposed Heritage Tile Display (Source: A&H Eco Group)

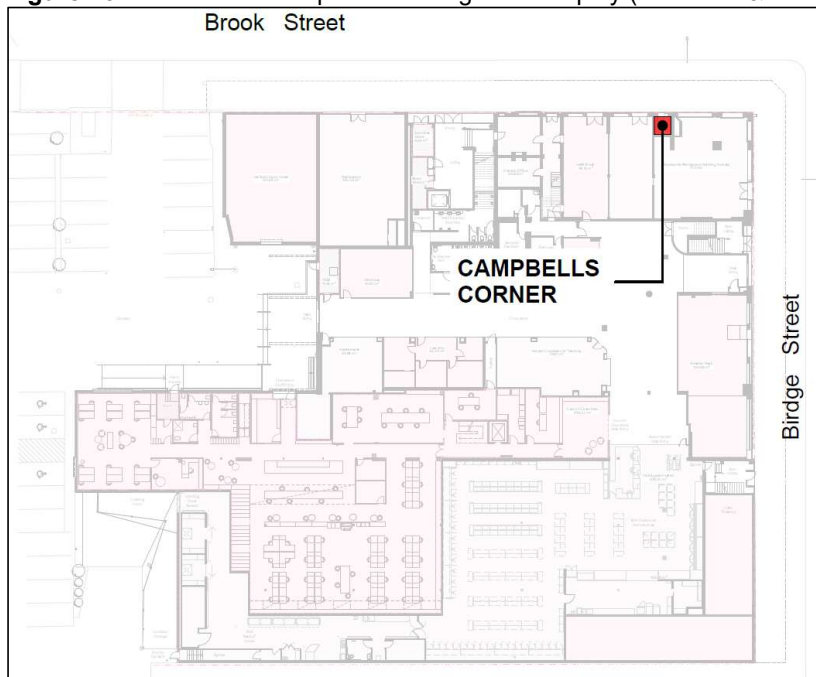
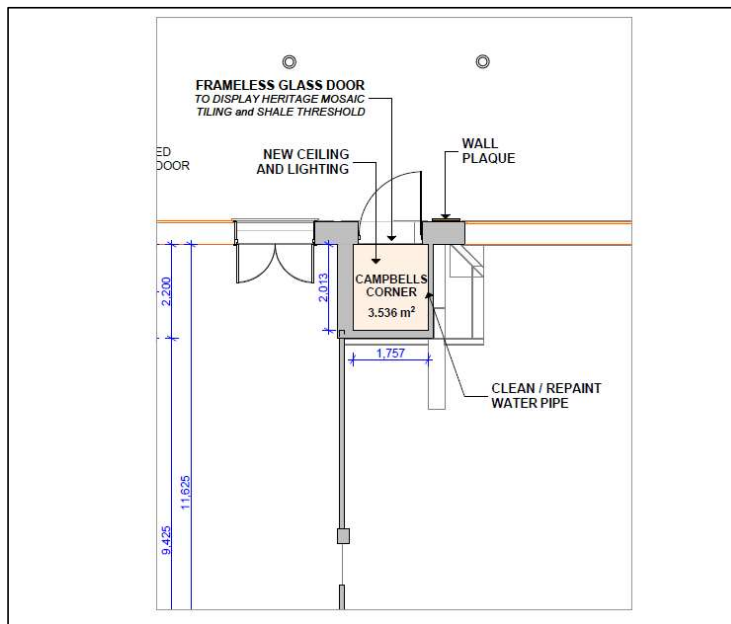


Figure 27. – Proposed Floor Layout – Proposed Heritage Tile Display (Source: A&H Eco Group)



Signage

The proposal seeks external signage on the Bridge Street and Brook Street elevations of the building.

New signage is proposed on the Bridge Street frontage (refer **Figure 28**). Under awning signage via a pendant light sign and top hamper signs are proposed to be located over doorway entries to the building. Signage is associated with building tenancies including the proposed fresh produce market. Muswellbrook Shire Council signage is proposed to be located on the blank wall beside the heritage facade. Historic imagery of the Campbell's Corner building is proposed to be provided on stainless steel within windows facing Bridge Street.

New signage is proposed on the Brook Street frontage (refer **Figure 29**). Signage for the fresh produce market and Council Administration Building are proposed at the rear of the building. The proposed heritage tile display will be on the Brook Street evaluation.

Figure 28. – Proposed Signage – Bridge Street Elevation (Source: A&H Eco Group)

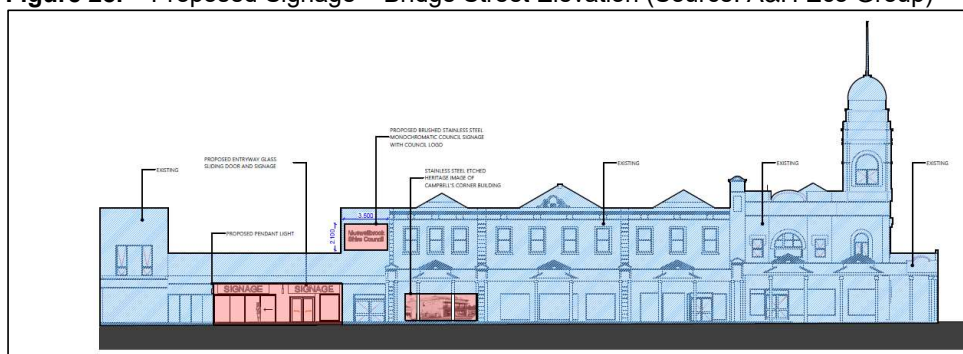


Figure 29. – Proposed Signage – Brook Street Elevation (Source: A&H Eco Group)



Demolition

The proposal seeks demolition works to accommodate the proposed modifications.

Demolition work will be required in the modification of the former IGA area, including removal of internal walls and fixtures. Other modifications for new office space, food premises etc. will require minor demolition work.

Notification Required	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Notification Dates	1/5/2023 to 16/5/2023 and 27/07/2023 to 11/08/2023
Number of Submissions	Nil
Standard Local Development	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Regionally Significant Development	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Designated Development	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Integrated Development	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

5. RELEVANT HISTORY

Previous Approvals

Numerous development consents have been issued for various alterations to the site, including the following:-

- DA 88/2019 (approved 28/5/2020) for alterations and additions to Campbells Corner (local heritage item) and change of use for part of the building for use as a public administration building (Muswellbrook Shire Council Administration Centre). A modification was also approved on 9 September 2020 for minor alterations to Shop 24.
- DA 19/2017 (approved on 8/3/17) for signage;
- DA 121/2016 (approved on 8/12/16) for change of use from upstairs unit to offices - addition of downstairs office and signage;
- DA 108/2016 (approved on 17/10/16) for the internal refurbishment of Shop 19 comprising the replacement of the existing shopfront with auto entry doors and the replacement of the existing awning with new steel awning & new signage;
- DA 97/2016 (approved on 19/9/16) for signage for IGA;
- DA 54/2016 (approved on 9/6/16) for use of premises for a hair dressing salon;

- DA 103/2015 (approved on 27/11/15) for shop fitout to existing tenancy - external signage – ATM. A modification was also approved on 18 February 2016 for a Section 96(1) application to remove the Section 94A Contribution Requirement;
- DA 126/2013 (approved on 24/5/13) for the refurbishment of the supermarket (IGA). A Section 96(1A) modification application was approved on 10 October 2013 for the conversion of a trolley room into an office and the conversion of the current office into a meat preparation area;
- DA 178/2012 (approved on 10/08/2012) for the staged redevelopment of the building comprising refurbishment and extensions to provide for commercial premises and a community facility (conservatorium of music). This development consent has been modified several times including Section 96(2) modifications for alterations to internal and external layout of approved plans and removal of first floor addition & internal alterations. Other modifications under Section 96(1A) were also approved to amend permitted hours of building and demolition work and the installation of a double cavity fire rated brick wall in cafe area

Other Background Information

The Campbell's Corner building was established by Malcolm Campbell, a Scottish retailing pioneer, in 1869 given its proximity to the newly constructed railway to the west of the site.

The building was constructed in stages over several decades, beginning in 1870 with the two storey building comprising large windows to the ground floor and four double doors opening onto a cantilevered balcony. The building has gone through many changes and additions over the years including expansion of the original store, added wings, removal of the balcony, conversion of doorways to windows, roof reconfiguration and replaced awning.

Campbell's Corner is representative of the development of the commercial precinct of Muswellbrook over the last 130 years. The building has expanded significantly since its establishment but still comprises components of all its development periods. It is an example of a continuously evolving commercial development in the town.

Dates for construction of the early shops:

The EJE Architecture Inventory Sheet lists the dates of construction for the original complex of buildings as - 1870; 1879; 1891-92; 1893-94; and 1910.

Recent construction works:

In 2016 Muswellbrook Shire Council completed the refurbishment and adaptive re-use of the building for the Upper Hunter Conservatorium of Music. The work involved the preservation of the heritage building fabric both externally and internally together with reconstruction of the awning to bridge & Brook Streets based on the photographic records held by the Muswellbrook Historical Society.

In 2019 Muswellbrook Council commissioned Collins & Turner Architects to prepare plans for council office accommodation within the Campbell's Corner building complex to move their offices from Muswellbrook South to the central township of Muswellbrook following their purchase of the building and plans for the future of the immediate area surrounding the intersection of Bridge & Brook Streets.

This initial refurbishment was located on the ground floor and first floor of the southern portion of the listed heritage building, beside the then leased supermarket area. The IGA Supermarket ceased trading in the building at the end of May 2022, vacating the area for a new use.

6. REFERRAL COMMENTS

Internal Comments	
CI – Roads and Drainage	Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
CI – Water and Waste	Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Environmental Health Officer	Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Building Surveyor	Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Community Services	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Sustainability	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Heritage Advisor	Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Other	Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Trade Waste Team	Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
External Comments	
TfNSW	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
NSW Heritage	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
RFS	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
NSW Police	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
NSW Fire & Rescue	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
EPA	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
NSW Health	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
DPIE	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Local Traffic Committee	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Other	Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA

Detailed comments provided in Attachment A.

7. ASSESSMENT - Section 4.15 Matters for Consideration

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(1)(a)(i) The provisions of any Environmental Planning Instrument (EPI)

The following EPIs, are relevant to this Application:

A. State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause 2.88 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 permits development for the purpose of public administration buildings by or on behalf of a public authority with consent in a prescribed zone.

The site is zoned E2 Commercial Centre pursuant to Clause 2.2 of the *Muswellbrook Local Environmental Plan 2009* ('MLEP 2009'). Under Clause 2.85 of the Transport and Infrastructure SEPP, the E2 zone is a prescribed zone.

The proposed alterations and change of use associated with the Council Chamber and meeting room can be classified as a *public administration building* (Council). The relevant definition of a public administration building from the Dictionary of the Standard Instrument is as follows:-

public administration building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

As the proposed development can be defined as a public administration building and is located

in a prescribed zone, it can be carried out with consent under the provisions of Chapter 2, Part 2.3, Division 14 of the Transport and Infrastructure SEPP.

It is acknowledged that under Clause 2.89 of the Transport and Infrastructure SEPP that the proposed alterations and additions to the public administration building can be classed as development permitted without consent. It is understood that Council has previously considered the approval pathway of the proposed activity as development without consent via the process of a Environmental Impact Assessment/Review of Environmental Factors. As the proposal includes multiple components and land uses, it is understood that Council decided to proceed with a Development Application for all works, including the public administration building. Resultantly, the proposed public administration building is permitted with consent under the Transport and Infrastructure SEPP.

B. Muswellbrook Local Environmental Plan 2009 (MLEP 2009)

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009 are:

Part 2 Permitted or prohibited development

Land use Zone	E2 Commercial Centre
Proposed Use	Commercial premises, signage
Permissibility	Permitted with Consent
Zone Objective	Complies with Objective

The site is zoned E2 Commercial Centre pursuant to Clause 2.2 of the MLEP 2009. Permissible uses in the E2 zone include (among other uses) *commercial premises*, and *signage*. The relevant definitions from the Dictionary of the MELP 2009 include the following:-

commercial premises means any of the following:

- (a) *business premises*,
- (b) *office premises*,
- (c) *retail premises*.

business premises means a building or place at or on which:

- (a) *an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or*
 - (b) *a service is provided directly to members of the public on a regular basis,*
- and includes funeral homes, goods repair and reuse premises and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital..*

Note. Business premises are a type of commercial premises—see the definition of that term in this Dictionary.

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Note. Office premises are a type of commercial premises—see the definition of that term in this Dictionary.

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and

includes any of the following;

- (a), (b) (Repealed)*
- (c) food and drink premises,*
- (d) garden centres,*
- (e) hardware and building supplies,*
- (f) kiosks,*
- (g) landscaping material supplies,*
- (h) markets,*
- (i) plant nurseries,*
- (j) roadside stalls,*
- (k) rural supplies,*
- (l) shops,*
- (la) specialised retail premises,*
- (m) timber yards,*
- (n) vehicle sales or hire premises,*

but does not include farm gate premises, highway service centres, service stations, industrial retail outlets or restricted premises.

Note. Retail premises are a type of commercial premises—see the definition of that term in this Dictionary.

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Note. Shops are a type of retail premises—see the definition of that term in this Dictionary.

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

- (a) an advertising structure,*
- (b) a building identification sign,*
- (c) a business identification sign,*

but does not include a traffic sign or traffic control facilities.

The proposed alterations are most appropriately classified as *office premises and retail premises* (shops and food and drink premises).

Accordingly, the proposal is permissible with consent in the E2 zone, as *office premises, retail premises* and *signage* pursuant to Clause 2.3 of the MLEP 2009.

The objectives under the E2 Commercial Centre Zone are as follows:

- *To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.*

- To encourage investment in commercial development that generates employment opportunities and economic growth.
- To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.
- To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To maintain the status and encourage the future growth of the existing Muswellbrook business centre as a retail, service, commercial and administrative centre while maintaining the centre's compact form.
- To maintain the heritage character and values of the business centre of Muswellbrook.
- To support business development by providing parking and other civic facilities.

Below is a consideration of the proposal against the relevant zone objectives as required by Clause 2.3 of the MLEP 2009. The proposal will allow business opportunities for the area, encouraging employment and economic growth. Further, the use of the site for office and retail purposes may support the activation of the commercial centre. In addition, the proposal seeks alterations to the existing building to allow for high level of accessibility.

The proposal is also considered to be satisfactory having regard to heritage values as outlined in the accompanying Statement of Heritage Impact. Further, the use of heritage displays and imagery will activate the street frontages of the building and attract pedestrian traffic whilst maintaining the heritage character and value of the site and surrounds. The proposal will provide for the continued use of a locally listed heritage building.

Accordingly, the proposed development is consistent with the relevant objectives for the E2 Commercial Centre zone.

Clause 2.7 Demolition requires development consent

The proposal seeks demolition works to accommodate the proposed modifications.

Demolition work will be required in the modification of the former IGA area, including removal of internal walls and fixtures. Other modifications for new office space, food premises etc. will require minor demolition work.

The proposed development complies with this control.

Part 4 Principal Development Standards

Relevant Clause	Control	Proposed	Compliance
4.3 Height of buildings	13m	The proposal does not involve any changes to the existing height of the building which is 10.8 metres.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
4.4 Floor space ratio	2:1	The proposal does not involve any additional floor space.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Part 5 Miscellaneous Provisions

Relevant Clause	Compliance
5.4 Controls relating to miscellaneous uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
5.10 Heritage Conservation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

5.21 Flood planning	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA

Clause 5.4 Controls relating to miscellaneous uses

The development proposes a fresh produce market which could be classified as a neighbourhood supermarket.

In accordance with Clause 5.4, the gross floor area of a neighbourhood supermarket must not exceed 1000 square metres.

The fresh produce market proposes a gross floor area of 393.11m² and is therefore compliant with this clause.

Clause 5.10 Heritage Conservation

The Clause requires consideration of the conservation of environmental heritage, the heritage significance of heritage items/conservation areas, archaeological sites and aboriginal objects and aboriginal places of heritage significance. The site contains a heritage item (Item I67 – Campbell's Corner) and is located within a Heritage Conservation Area.

A Statement of Heritage Impact was prepared for the site. The report provided a number of recommendations and concluded the following:

This SoHI has assessed the proposed design for additional accommodation for council in the former supermarket area and found that the overall alteration work has minimal impact on the heritage significance of the Campbell's Corner building, the nearby individually listed heritage items and the surrounding heritage conservation area.

Council's Heritage Advisor has provided the following comments:

I've looked over the plans and HIS by John Carr for the works. I endorse John Carr's findings and recommendations. The works are acceptable in heritage terms.

The heritage referral also provided an additional recommendation to reconstruct missing fabric on the first floor of the building. The heritage recommendations have been addressed in the recommended consent conditions.

The proposal is consistent with this clause.

Part 6 Urban Release Area

Considered:	Comment
<input type="checkbox"/> Yes	The site is not located within an Urban Release Area.
<input type="checkbox"/> No	
<input checked="" type="checkbox"/> N/A	

Part 7 Additional Local Provisions

Relevant Clause	Compliance
7.1 Terrestrial Biodiversity	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
7.6 Earthworks	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA

C. State Environmental Planning Policies Relevant to Muswellbrook Shire

SEPP (Biodiversity and Conservation) 2021
<p>Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p>Chapter 2 Vegetation in non-rural areas</p> <p>This chapter aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation by outlining the types of clearing permitted with or without consent and relevant provisions for the same.</p> <p><u>Comment:</u></p> <p>The proposal does not involve the clearing of any native vegetation and therefore this section of the SEPP does not need to be considered further.</p> <p>Chapter 3 Koala habitat protection 2020</p> <p>This Chapter applies in the Muswellbrook Shire Council local government area. This environmental planning instrument encourages the conservation and management of natural vegetation areas that provide habitat for koalas.</p> <p>Under Schedule 2 of this SEPP, the Central Coast Koala Management Plan is applicable within the Muswellbrook Shire Council. This Chapter applies to land in the following land use zones:</p> <ul style="list-style-type: none"> (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (c) Zone RU3 Forestry. <p><u>Comment:</u></p> <p>The proposed development is located on land zoned E2 Commercial Centre. As the proposed development is not located within the above zones, this chapter does not apply.</p> <p>Chapter 4 Koala habitat protection 2021</p> <p><u>Comment:</u></p> <p>This Chapter of the SEPP does not apply to Muswellbrook Shire Council.</p> <p>The Chapters 5 to 13 are not applicable within the Muswellbrook Shire LGA.</p>
SEPP (Building Sustainability Index: BASIX) 2004
<p>Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p>The proposed development is not defined as BASIX affected development. Therefore, a BASIX Certificate is not required.</p>
SEPP (Housing) 2021
<p>Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p>This SEPP aims to enable the development of diverse housing types by encouraging the development of housing that will meet the needs of more vulnerable members of the community.</p> <p><u>Comment:</u></p> <p>The proposal does not involve any affordable or diverse housing as defined under this SEPP and therefore does not need to be considered further.</p>

SEPP (Industry and Employment) 2021
<p>Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p>Chapter 2 Western Sydney employment area</p> <p><u>Comment:</u></p> <p>Not Applicable</p> <p>Chapter 3 Advertising and signage</p> <p>This chapter applies to all signage that is visible from any public place or public reserve and aims to ensure that signage is compatible with the desired amenity and visual character of an area and is of a high quality design and finish.</p> <p>The aims of this chapter are to:</p> <ul style="list-style-type: none"> (a) to ensure that signage (including advertising)— <ul style="list-style-type: none"> (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and (b) to regulate signage (but not content) under Part 4 of the Act, and (c) to provide time-limited consents for the display of certain advertisements, and (d) to regulate the display of advertisements in transport corridors, and (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. <p><u>Comment:</u></p> <p>The proposal includes the following signage:</p> <ol style="list-style-type: none"> 1. Along the Bridge Street (eastern) elevation: <ul style="list-style-type: none"> – 2 x top hamper signage; – 1 x under awning pendant light sign to be used for existing café; – 1 x flush wall sign comprising Council signage of brushed stainless steel; – 1 x stainless steel etched heritage image of Campbell's Corner building; – Use of existing pendant light box signage for proposed fresh produce market. 2. Along the Brook Street (northern) elevation: <ul style="list-style-type: none"> – 1 x flush wall sign comprising Council signage; – 1 x flush wall sign comprising proposed fresh produce market signage. <p>The proposed heritage tile display is also viewed from the Brook Street evaluation.</p> <p>Clause 3.6 of SEPP (Industry and Employment) 2021 states:</p> <p><i>"A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</i></p> <ol style="list-style-type: none"> <i>(a) that the signage is consistent with the objectives of this Policy as set out in clause 3.1 (1) (a), and</i> <i>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5."</i> <p>These matters are considered below for the proposed signage.</p>

Schedule 5 Assessment Criteria

The assessment criteria contained in Schedule 5 is considered below in the context of the proposed signage:

1. Character of the area

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

Comment: The proposed signage is considered to be consistent with the existing character of the area given it comprises flush wall, under awning and top hamper signage only and has been integrated into the design of the existing building. The signage does not obstruct views or dominate the facade and is informative, using well recognised logos for local people to find services required.

2. Special areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

Comment: The site is located within a Muswellbrook Business Heritage Conservation Area and sites a local heritage item (Campbell's Corner). The Statement of Heritage Impact (SHI) lodged with the application provided the following in relation to the proposed signage:

The location of the signage zone aligned with the window and architraves of the heritage item is suitable as they form a strong aesthetic statement in the facade of this building. Carefully designed signage in this manner should have minimal impact on the heritage significance of the item and surrounding HCA.

The council and commercial signage to the car parking area on the western side of the complex will have minimal impact on the heritage significance of the building due to its location near the contemporary additions in this area.

Council's Heritage Advisor endorsed the SHI's findings and recommendations and concluded that the works are acceptable in heritage terms.

It is considered that the proposed signage is satisfactory having regard to its location within a heritage conservation area and on a heritage item.

3. Views and vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

Comment: The proposed signage does not obscure any views or view corridors and does not dominate the skyline given only flush wall, under awning and top hamper signs are proposed. The proposed signage respects the viewing rights of other advertisers as there are no views along the street obstructed.

4. Streetscape, setting or landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*

- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

Comment: The proposed signage is of an appropriate scale, proportion and form for the streetscape.

Signage comprises flush wall signs and top hamper signs on areas of the building which do not currently contain any architectural elements and which are mostly separate to the main, original part of the building. The proposal seeks to utilise an existing pendant light sign and proposes another sign of this type. Pendant light signage is characteristic of the existing building and in keeping with the surrounding streetscape.

The proposed signage contributes to the visual interest of the streetscape particularly at street level.

The proposal does not result in any excess clutter of signage as there is not an oversupply of signage within the street. There is no unsightliness to cover and the proposed signage does not protrude above the building. There is no ongoing vegetation management required for the proposed signage.

5. *Site and building*

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

Comment: The proposed signage has been designed to be integrated into the building design and complements the heritage significance of the site and surrounding area. There are no current features of the building proposed to be removed or relocated to allow for signage, ensuring that the signage is integrated into the characteristics of the existing building. Further, the proposal seeks to utilise an existing pendant light sign and proposes another sign of this type. In these ways, the proposed signage respects the site and the existing building configuration.

6. *Associated devices and logos with advertisements and advertising structures*

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

Comment: The proposed signage comprises one pendant light sign and the utilisation of an existing pendant light sign.

7. *Illumination*

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

Comment: Illumination of the signage is proposed. The proposal seeks to utilise an existing pendant light sign and proposes another sign of this type along the Bridge Street elevation.

Illumination of signage will not result in unacceptable glare or adversely impact on pedestrian motorist safety.

<p>The signage is not located within proximity to residential development or any other form of accommodation.</p> <p>Pendant light signage is characteristic of the existing building and in keeping with the surrounding streetscape.</p> <p>8. Safety</p> <ul style="list-style-type: none"> • <i>Would the proposal reduce the safety for any public road?</i> • <i>Would the proposal reduce the safety for pedestrians or bicyclists?</i> • <i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i> <p><u>Comment:</u> The proposed signage is considered unlikely to adversely impact on pedestrian or motorist safety.</p> <p>The proposed signage is considered to be consistent with the assessment criteria contained in Schedule 5 and is consistent with the objectives of the clause.</p>
SEPP No 65—Design Quality of Residential Apartment Development
<p>Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p>This Policy applies to development for the purpose of a residential flat building, shop top housing or mixed-use development with a residential accommodation component.</p> <p><u>Comment:</u></p> <p>The proposal does not involve any residential apartment development and therefore, this chapter under the SEPP does not need to be considered further.</p>
SEPP (Planning Systems) 2021
<p>Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p>Chapter 2 State and regional development</p> <p><u>Comment:</u></p> <p>The proposed development is not classified as State or regional development under this SEPP.</p> <p>Chapter 3 Aboriginal land</p> <p><u>Comment:</u></p> <p>The proposed development is not located within the Aboriginal Land Application Map and therefore this section of the SEPP does not need to be considered further.</p>
SEPP (Primary Production) 2021
<p>Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p>The proposal does not involve any Primary Production use as defined under this SEPP and therefore does not need to be considered further.</p>
SEPP (Resilience and Hazards) (2021)
<p>Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>

Chapter 2 Coastal Management

Comment:

The proposed development is not located in a coastal zone and therefore this section of the SEPP is not applicable.

Chapter 3 Hazardous and offensive development

This chapter contains planning provisions for hazardous and offensive development and aims to ensure that adequate consideration is given to the likely impacts of such development. This Policy also aims to identify industries or activities which may be potentially hazardous or offensive via the production of a Preliminary Hazard Analysis (PHA).

Comment:

The proposal does not involve any hazardous or offensive development and will not be impacted by any such nearby development. Therefore this section of the SEPP does not need to be considered further.

Chapter 4 Remediation of Land

This chapter under the SEPP requires that 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.*

Comment:

The site has historically been used as a commercial premises, which is unlikely to be a source of significant contamination. There is no history of any contaminating uses having been undertaken on the site and there is no excavation proposed under this proposal. It is considered unlikely that the site is contaminated and as no soil disturbance is proposed, no further investigation or consideration of contamination is warranted.

SEPP (Resources and Energy) 2021

Satisfactory: ☐ Yes ☐ No ☒ NA

Chapter 2 Mining, petroleum production and extractive industries

Comment:

The proposal does not involve any development outlined under this SEPP.

Chapter 3 Extractive industries in Sydney area

Comment:

Not within applicable area.

SEPP (Transport and Infrastructure) 2021

Satisfactory: ☒ Yes ☐ No ☐ NA

Chapter 2 Infrastructure

This SEPP provides a planning framework and development controls for the efficient development, redevelopment or disposal of surplus government owned land and particular infrastructure development.

Comment:

Clause 2.98 Development adjacent to rail corridors

This clause is not applicable as the proposed development is not likely to have an adverse effect on rail safety and does not involve the placing of a metal finish on a structure where the rail corridor or concern is used by electric trains. The proposal also does not involve the use of a crane in air space above any rail corridor, nor is the development located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.

Clause 2.100 Impact of rail noise or vibration on non-rail development

This clause applies to development for residential accommodation, a place of public worship, a hospital or an educational establishment or centre-based child care facility that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration. The proposal does not propose any of this type of development and accordingly this is not relevant to the current proposal, notwithstanding its proximity to the rail corridor to the west.

Clause 2.119 Development with frontage to classified road

Pursuant to Clause 2.119 of the Policy, a consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The New England Highway (Bridge Street) is a State classified road and vehicular access to the site is from Brook Street, which satisfies Clause 2.119(2)(a).

The vehicular access to the proposal will not adversely impact on Bridge Street given its location approximately 62 metres from the intersection with Bridge Street. The proposal will not result in any significant smoke or dust which would impact on the classified road and the traffic generation from the proposal is unlikely to adversely impact on Bridge Street. The proposal is therefore consistent with Clause 2.119(2)(b).

The development is not of a type that is sensitive to traffic noise or vehicle emissions as it is a commercial/business use within an indoor office/retail environment. Accordingly, the proposal is considered to be consistent with Clause 2.119(2)(c). The proposal is consistent with the provisions of Clause 2.119 of the Infrastructure SEPP.

Clause 2.120 Impact of road noise or vibration on non-road development

Pursuant to Clause 2.102 of Infrastructure SEPP, development on land in or adjacent to a road corridor with an annual average daily traffic volume of more than 40,000 vehicles must take appropriate measures to ensure that nominated LAeq levels are not exceeded, while roads with between 20,000 and 40,000 are recommended to include such an assessment. This assessment is based on the traffic volume data published on the website of RMS.

Clause 2.102(1) lists the development to which clause applies, which includes development for the following purposes on such land outlined above and that the consent authority considers is likely to be adversely affected by road noise or vibration:

- (a) *residential accommodation,*
- (b) *a place of public worship,*
- (c) *a hospital,*
- (d) *an educational establishment or centre-based child care facility.*

The proposed use of the building, being for a commercial/public administration use, is not included in the application of this Clause and is not considered to be sensitive to acoustic or vibrational impacts from the adjoining classified road. Accordingly, the proposal is considered to be satisfactory with regards to traffic noise and this Clause.

Chapter 3 Educational establishments and child care facilities

The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State.

Comment:

The proposal does not involve any educational establishments or child care facilities and therefore does not need to be considered further.

Chapter 4 Major infrastructure corridors

This chapter applies to all land:

- in a future infrastructure corridor; or
- within 25 in any direction of a future infrastructure corridor

Comment:

The proposal does not involve any development on the land to which this SEPP applies and therefore does not need to be considered further.

Chapter 5 Three ports—Port Botany, Port Kembla and Port of Newcastle

Comment:

Not within applicable area.

Chapter 6 Moorebank Freight Intermodal Precinct

Comment:

Not within applicable area.

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

No draft EPIs were identified that are relevant to the subject Application.

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

Muswellbrook Development Control Plan 2009

The Muswellbrook Development Control Plan 2009 ('MDCP 2009') was gazetted on 9 April 2009 and applies to all land within the Muswellbrook Shire Local Government Area (LGA), including the proposal. The relevant provisions of the MDCP 2009 to the proposal are considered below.

Section 3 Site Analysis	
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
Relevant documentation has been provided with the application. It is considered that the documentation provided with the Development Application satisfies the provisions of Section 3 of the MDCP 2009.	
<i>8.4 Frost Control Fans</i>	
Section 9 - Local Centre Development	
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
<i>9.1 Built Form</i>	
<i>Building Design</i>	
(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)	There are no new buildings and limited external building works proposed. The majority of works will be internal. External works include signage, a heritage display and a new entry along the Bridge Street frontage to service the proposed fresh produce market. The SIH prepared for the works concluded that proposed signage would result in minimal impact and was considered suitable in the context of heritage. Council's Heritage Advisor endorsed the SIH's findings and recommendations and concluded that the works are acceptable in heritage terms. No objection was made in relation to the proposed entry door. The SIH concluded that the new entry will have no impact on the heritage significance of the building due to the location and minor nature of the work.
(ii) Building design should relate to its retail/commercial/office function.	The proposed works relate directly to the buildings commercial and public administration function.
(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.	There are no new buildings and limited external building works proposed. Proposed works will not negatively impact on the surrounding 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	No change to awnings proposed.
	There are no new buildings and limited external building works proposed. Proposed works are in keeping with surrounding streetscape.

<p>(v)</p> <p>(vi)</p> <p>(vii)</p> <p>(viii)</p> <p>(ix)</p> <p>(x)</p> <p>(xi)</p> <p>(xii)</p> <p>(xiii)</p>	<p>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>Buildings should provide for 'activated street frontages' by incorporating active uses at street level including cafes and other retail activities.</p> <p>Blank building facades to streets or public places are to be avoided.</p> <p>The placement of windows should provide visual interest and variation to the building façade and relate to those of adjacent buildings.</p> <p>Building designs should allow for passive surveillance of public places and streets.</p> <p>Building entrances should be well defined and well lit.</p> <p>New residential development shall be located above street level.</p> <p>Incorporate areas for future signage into the building design.</p> <p>Shop top housing and serviced apartment development complies with relevant provisions within the Residential Flat Design Code published by the Department of Planning.</p>	<p>The proposed heritage tile display within the Brook Street frontage and heritage image along the Bridge Street frontage will enhance and activate the street frontages. The existing café and other uses addressing the street will be retained.</p> <p>There are no new buildings and limited external building works proposed. Works will not result in blank facades. Proposed heritage imagery along the Bridge Street frontage will improve a current blank wall.</p> <p>No new windows proposed.</p> <p>There are no new buildings and limited external building works proposed. Works will not reduce the existing passive surveillance to the street.</p> <p>The development proposed one new building entrance off Bridge Street. The proposed entrance is well defined. No changes are proposed to existing entrances.</p> <p>N/A</p> <p>The proposal includes additional signage which will be assessed as part of this application.</p> <p>N/A</p>
<p>Building Height</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p>	<p>Building heights comply with the building height limits prescribed by Muswellbrook LEP 2009.</p> <p>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>The height of buildings should not result in unreasonable overshadowing or compromise the privacy of adjoining properties.</p>	<p>No changes to building height proposed.</p> <p>No changes to building height proposed.</p> <p>No changes to building height proposed.</p>
<p>Setbacks</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(iv)</p>	<p>The front of buildings should be aligned to provide a continuous street frontage.</p> <p>In some cases, front setbacks should allow for street landscaping and footpath widening where necessary.</p> <p>New development should respect the setbacks of other buildings along the streetscape.</p> <p>Separation fencing is provided between development land and any rail corridor.</p>	<p>No changes to setbacks proposed.</p> <p>No changes to setbacks proposed.</p> <p>No changes to setbacks proposed.</p> <p>No changes to setbacks proposed.</p>

<p>(v) Development adjacent to rail corridors identified in clause 31 of the LEP will require an acoustic report to be submitted to Council to address and indicate measures to mitigate potential impacts from noise and vibration. Relevant publications available from "Railcorp" for consideration are:</p> <ul style="list-style-type: none"> - Rail Related Noise and Vibration; Issue to Consider in Local Environmental Planning - Interim Guidelines for Councils - consideration of rail noise and vibration in the planning process - Guidelines for applicants - consideration of rail noise and vibration in the planning process 	<p>No changes to setbacks proposed. The proposal does not involve any sensitive development and is not likely to be adversely affected by rail noise or vibration, as discussed above.</p>
<p>Accessibility</p> <p>(i) New buildings or buildings undergoing alterations and additions or a change of use are required to provide equitable provision of access to and circulation within the premises for people with disabilities in accordance with the provisions of AS 1428.1.</p> <p>(ii) Continuous accessible paths of travel shall be provided:</p> <ul style="list-style-type: none"> • from parking spaces, public streets and walkways to building entrance(s); • between buildings, facilities and spaces that are on the same site; • to connect the building entrance(s) with all spaces and facilities within the building; and • to minimise travel distance between each accessible element of the building and of facilities within it. <p>(iii) For the purposes of subsection 9.1.4(ii), access shall be provided to and within all the areas or facilities of the building where there is a reasonable expectation of access by any owner, occupier, employee, or visitor. It does not include any area if access would be inappropriate because of the particular purpose for which the area is used.</p> <p>(iv) Council may vary these provisions if compliance will cause major difficulties or unjustifiable hardship to a person or organisation. Each claim for unjustifiable hardship is determined on a case by case basis taking into account the following:</p> <ul style="list-style-type: none"> • Whether there is a benefit or a detriment to any person concerned; 	<p>A Building Report has been prepared for the proposed alterations to the building by Acrocet. The report concluded the following:</p> <p><i>It is considered that building work carried out in accordance with the referenced plans and specifications can meet the deemed-to-satisfy provisions of the Building Code of Australia inclusive of access and facilities for persons with a disability where further plans associated with development and building approvals are provided.</i></p>

<ul style="list-style-type: none">• How it affects the disability of the person concerned; and• The financial cost. And considering the following circumstances:<ul style="list-style-type: none">• technical limits;• topographical restrictions;• safety, design and construction issues; and• does not rely on the 'public domain' to solve access issues within the site.	
9.2 Urban Landscape	
Landscaping	
<p>(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.</p> <p>(ii) Landscaping should reflect the size and height of buildings and should be consistent with the character of the area.</p> <p>(iii) Landscaping should be used to soften the impact of hard surfaces where necessary.</p> <p>(iv) 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.</p>	The proposal generally involves internal changes with limited external building works proposed (comprising new doors, signage and a heritage display). No tree removal in the street or existing car park is proposed.
Car Parking	
<p>(i) Car parking and loading facilities is to be provided in accordance with the parking rates prescribed by Section 17 – Car Parking.</p> <p>(ii) The provision of parking spaces for people with disabilities is to be in accordance with AS 1428.1.</p> <p>(iii) All vehicles should be able to enter and exit a site in a forward direction.</p> <p>(iv) Car parking should be screened from residential areas.</p> <p>(v) Vehicular access to properties fronting the New England Highway should be from laneways or shared driveways.</p> <p>(vi) Parking areas shall be sealed in accordance with Section 16.4.6 Construction Materials.</p>	<p>No changes to the existing car parking arrangement are proposed.</p> <p>Council's Road and Drainage Engineer raised no concern regarding the traffic impact of the proposed development and did not identify any significant issues with car parking at the rear of Campbell's Corner.</p> <p>Disabled car parking spaces are provided at the rear of the building. Disabled car parking spaces are appropriately marked.</p> <p>Vehicles can enter and leave the site in a forward direction. A condition of consent is to be provided to require installation of bollards to discourage travel in the incorrect direction along the one-way transit areas, as requested by Council's Road and Drainage Engineer.</p> <p>Car park adjoins the commercial area and the railway land.</p> <p>No vehicle access to Bridge Street (New England Highway) is proposed. Vehicle access is via the car park accessed from Brook Street.</p> <p>No changes to the existing car park is proposed.</p>
Outdoor Eating Areas	
<p>(i) Any outdoor eating areas should be located directly adjacent to cafes or restaurants.</p> <p>(ii) A clear space is required to be provided on the footpath to allow free flow of pedestrian traffic.</p> <p>(iii) Outdoor eating areas are required to comply with section 19 of this DCP.</p>	Munchies Café has provision for existing outdoor dining within the Bridge Street footpath. No other tenancies have outdoor eating areas at this time and no further are proposed as part of the proposed works. It is assumed the café will maintain the existing outdoor eating area.

Signage and Advertising	
(i) Proposed signage to be in accordance with Section 15 – Outdoor Advertising.	Outdoor signage is considered below.
(ii) Signage should be compatible with the scale and character of development in the area and the number and size of signs should be limited to avoid clutter and unnecessary repetition.	The proposed signage is of an appropriate scale, proportion and form for the streetscape. The proposal does not result in any excess clutter of signage as there is not an oversupply of signage in this portion of the Bridge or Brook Street.
(iii) Signage should form an integrated part of the building façade, architectural design and scale of the building.	The proposed signage has been designed to be integrated into the building design and complements the heritage significance of the site and surrounding area. The proposed signage contributes to the visual interest of the streetscape particularly at street level.
(iv) No signage is permitted on a building wall abutting or facing a residential area.	N/A
Section 13 – Flood Prone Land	
Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	
The site is not floor prone pursuant to the <i>Muswellbrook Floodplain Risk Management Study and Plan</i> prepared by Royal Haskoning DHV dated 8 April 2019 on behalf of Council.	
Section 14 Outdoor Signage	
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
14.1 Signage Design and Analysis	Noted. The site is not zoned E1 Local Centre and is not located within the Denman Conservation Area.
14.2 Matters for consideration	Schedule 5 has been considered in the SEPP (Industry and Employment) 2021 assessment above.
14.3 Signage Design, location and content	See below.
14.2.1 Design, scale and size	
(i) Provide outdoor signage that is visually interesting and integrated with architecture of the building.	Signage is integrated with building design being flush with wall, under awning or top hamper. Proposed signage is of a compatible size and type to existing signage in the street.
(ii) Use lettering, materials and colours that complement the existing building or place.	Final details to be provided.
(iii) Avoid signage that dominates the building.	Signage does not dominate the building.
(iv) Provide an appropriate scale, form and similar proportions to the desired character of the streetscape. (Refer to character statements above and Fig. 16.1)	Proposed signage is compatible with the area.
(v) Do not locate signage where it will obstruct views, vistas or cause significant overshadowing.	No view obstructions as signage is for flush wall, under awning and top hamper designs.
(vi) Provide outdoor signage which does not dominate the building or protrude above any parapet or eaves.	Signage does not dominate or protrude above the parapet.
(vii) Avoid locating advertisements over a window, other openings or which covers significant architectural detail of the building.	Most signage proposed is to be located beside the main heritage façade and on contemporary additions to the building. Where located within the heritage façade, signage will not cover any architectural detail.
(viii) The proposed means of fixture to the building or any support structure for freestanding signs must be consistent with the character statement in clause 16.1.	N/A. No freestanding signs are proposed.
	N/A. No freestanding signs are proposed.

(ix) Avoid freestanding signs that dominate the skyline when viewed from the ground within one kilometre.	
<p>14.2.2 Location</p> <p>(i) The façade of the host building is subdivided into a series of vertical or horizontal panels on which the signage can be placed (fig. 16.2).</p> <p>(ii) Join together two smaller panels to form a more usable horizontal or vertical panel. (Fig. 16.3)</p> <p>(iii) Project lines from the adjacent buildings across the façade of the building to identify horizontal panels where signs can be located to achieve visual continuity with neighbouring buildings. (Fig. 16.4).</p> <p>(iv) The preferred location for signage is identified in the character statement in clause 16.1.</p>	<p>The location of proposed signage is consistent with the compatible design solutions under the MDCP 2009.</p>
<p>14.2.3 Restrictions</p> <p>(i) Do not provide any more than one large building and/or business identification sign per building to be allocated to a major tenant of the building.</p> <p>(ii) Under awning signs must be located 2.6m above natural ground level, not exceed 2.5 m in length or 0.5 m in height.</p> <p>(iii) Avoid advertising products that are not sold on the premises.</p> <p>(iv) Only one directory board permitted for multiple occupancy buildings.</p> <p>(v) Provide signs that respect the viewing rights of other advertisers. No advertising structure shall be erected closer than 3 metres in a horizontal plane to any other advertising structure.</p> <p>(vi) Integrate the name or logo (max. - 0.25m²) of the person who owns or leases an advertisement into the signage display area.</p> <p>(vii) Proposed signage greater than 20 square metres and within 250 metres of and visible from a classified road will be referred to the RTA for agreement.</p> <p>(viii) Permanent advertising panels have a maximum surface area of 6m² and are limited to one per property.</p> <p>(ix) Pole or pylon signs shall have a maximum advertising area of 3m² and a maximum height of 7m to the top of the sign, measured from ground level (existing).</p>	<p>The development proposes two signs for Muswellbrook Shire Council and the fresh produce market. The two signs for each tenancy is considered an appropriate solution due to the location of the site on a corner block and multiple entrances to the building.</p> <p>Under awning signage is proposed within the Bridge Street elevation. A condition of consent is recommended to be provided requiring compliance with this control.</p> <p>N/A. No advertising signage proposed.</p> <p>N/A. No directory board proposed.</p> <p>The proposed signage will not interfere with existing signage along Bridge Street or Brook Street. Proposed signage is in keeping with surrounding streetscape.</p> <p>N/A. No advertising signage proposed.</p> <p>N/A. proposed signage is less than 20 square metres.</p> <p>N/A. No advertising signage proposed.</p> <p>N/A. No pole or pylon signs proposed.</p>
<p>14.2.4 Inappropriate forms</p> <p>(i) Outdoor signage other than exempt development, business or building identification signs are not permitted in the following areas identified under the LEP:-</p> <ul style="list-style-type: none"> • R1 Residential zone • E3 Environmental management zones • Heritage conservation areas • RE1 and RE2 Open space zones 	<p>The proposed signage comprises business identification signs in a heritage conservation area. The SHI did not object to the proposed signage.</p> <p>The development does not propose the listed signs.</p>

<p>(ii) The following forms of signage are generally not considered appropriate in Muswellbrook Shire:-</p> <ul style="list-style-type: none"> • Above awning signs (attached to the top surface of awning) • Horizontal projecting wall signs are not favoured and shall not be permitted except in exceptional circumstances. • Flag pole signs • Inflatable signs • Moving and flashing signs • Video Signs • Roof or sky signs • Large signs (>20m2 or higher than 8m) including billboards 	
<p>14.2.5 Content</p> <p>(i) Advertising alcohol products is limited to places that sell such products.</p> <p>(ii) Discriminatory advertising messages are considered to be undesirable as specified in the Anti-Discrimination Act 1977.*</p> <p>(iii) Signage messages should not offend sensitive land uses (churches, schools, day care centres).</p> <p>(iv) Changes in content or message of any Council approved sign will not require development consent provided the proposal meets the controls of this clause.</p> <p>(v) The content of signage must relate to the premises or place at which the sign is displayed.</p>	<p>N/A. Not proposed.</p> <p>N/A. Not proposed.</p> <p>The development proposes business identification signs for the Muswellbrook Shire Council, proposed fresh produce market, cafe and heritage purposes. Signage is not considered offensive. Noted.</p> <p>Muswellbrook Shire Council and the proposed fresh produce market are both tenants of the building. Other proposed business identification signs will be utilised for the existing Munchies cafe. Heritage imagery relates directly to the site.</p>
<p>14.2.6 Pedestrian and road safety</p> <p>(i) Provide signage that avoids confusion with road traffic signs, signals or use the word "stop" or other directions.*</p> <p>(ii) Do not obscure a road hazard, oncoming vehicles or pedestrians.</p> <p>(iii) Avoid signage messages, designs, or bright lighting that may distract motorists.</p> <p>(iv) Signs must not be located where drivers require a higher level of concentration for example, major intersections.</p>	<p>Proposed signage will not interfere with traffic signals.</p> <p>No impact from proposed signage.</p> <p>No impact from proposed signage.</p> <p>No impact from proposed signage.</p>
<p>14.2.7 Signs on Heritage items and in conservation areas</p> <p>(i) One sign per property which is a minor element and restrained in design.</p> <p>(ii) Original signs are retained and conserved at the site.</p> <p>(iii) Avoid new signs on side walls of buildings.</p> <p>(iv) Provide a high standard of materials and graphics.</p> <p>(v) Use traditional designs, colours, lettering and construction methods.</p> <p>(vi) Avoid placing illuminated signs on heritage items.</p>	<p>Proposed signage is considered appropriate given the multiple tenancies located within the building.</p> <p>The proposal does not seek the removal of any original signage. Floor signage associated with the heritage significance of the building will be retained and displayed as part of this proposal.</p> <p>Proposed signage is considered appropriate given the multiple tenancies located within the building and the number of entrances to the building.</p> <p>Final details to be provided.</p> <p>Final details to be provided.</p> <p>Illuminated signs are proposed. Refer to comments under 14.2.8 below.</p>

<p>14.2.8 Illuminated signs</p> <p>(i) Provide levels of illumination that do not cause light spillage for nearby residential properties.</p> <p>(ii) Avoid positioning illuminated signs on properties fronting laneways between residential and commercial areas.</p>	<p>The proposal seeks to utilise the existing under awning pendant light signage along Bridge Street in the location of Munchie's Café and proposes an additional pendant light sign in this location for the proposed fresh produce. Pendant light signage is characteristic of the existing building and in keeping with the surrounding streetscape.</p> <p>The signage is not located within proximity to residential development or any other form of accommodation.</p>
<p>14.2.9 Roof or sky advertisements</p>	<p>N/A. No roof or sky advertisements proposed.</p>
<p>14.2.10 Wall Signs</p> <p>(i) Allow only one wall sign per building elevation.</p> <p>(ii) Integrate wall signs into the overall design of the building.</p> <p>(iii) Avoid signs that have an area greater than:-</p> <ul style="list-style-type: none"> • 10% if the wall elevation is > 200m2 • 20m2 if the elevation is greater than 100 m2 but < 200 m2 • 20% for elevations of <100m2 <p>(iv) Protrusions from the wall should be no greater than 300 millimetres.</p> <p>(v) Avoid locating a wall sign on a building elevation if there is an existing building or business identification sign.</p>	<p>Proposed signage is considered appropriate given the multiple tenancies located within the building.</p> <p>The proposed signage is considered to be consistent with the existing character of the area given it comprises flush wall, under awning and top hamper signage only and has been integrated into the design of the existing building.</p> <p>Flush wall signs are satisfactory.</p> <p>No protrusions from the wall are proposed.</p> <p>The site comprises a building with multiple tenancies.</p>
<p>14.2.11 Special promotional advertisement</p>	<p>N/A. No special promotional advertisement proposed.</p>
<p>14.2.12 Signage to assist disabled access</p>	<p>N/A. No signage to assist disabled access proposed.</p>
<p>14.2.13 New technologies</p>	<p>N/A. No future signage generated by new technologies is proposed.</p>
<p>14.2.14 A-frame signs</p>	<p>N/A. No A-Frame signs proposed.</p>
<p>Section 15 Heritage Conservation</p>	
<p>Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>	
<p>This section of the DCP provides controls in relation to heritage items, heritage conservation areas and what information is required for applications lodged in relation to these items and areas. The application is accompanied by a <i>Statement of Heritage Impact</i> (SHI) which concluded the following:</p> <p><i>This SoHI has assessed the proposed design for additional accommodation for council in the former supermarket area and found that the overall alteration work has minimal impact on the heritage significance of the Campbell's Corner building, the nearby individually listed heritage items and the surrounding heritage conservation area.</i></p> <p>The SHI provided the following recommendations to minimise disturbance and/or enhance the interpretation of the heritage significance of the item:</p> <p><i>Recommendation 1: Heritage advice on the detailing of an appropriate cornice as well as detailing the provision of services within the Commercial Office should be obtained at Construction Certificate stage. Reason - to ensure original materials are retained and suitable details are used where required.</i></p> <p><i>Recommendation 2: Appropriate detailing of the new doorway to the first floor landing could be included with other heritage detailing to be signed off at Construction Certificate stage. The detailing will require preservation of the skirting boards and picture rail where the new doorway meets the walls to enable minimal repairs when the doorway is removed in the future perhaps as a change of use. Reason - to ensure original materials are retained and suitable details are used where required.</i></p> <p><i>Recommendation 3: It may also be possible to provide a large print of the building on the rear wall of this area. Reason - to provide the public with a large print of the 1908 additions.</i></p>	

Recommendation 4: The height of the signage on Bridge St should correspond with and align to the window and architrave on the adjacent heritage facade. Reason - to align the new sign with the adjacent heritage windows including their architraves.

This application was referred to Council's Heritage Advisor for review which provided the following conclusion:

I've looked over the plans and HIS by John Carr for the works. I endorse John Carr's findings and recommendations. The works are acceptable in heritage terms.

I would just add to John's recommendations that it would also be appropriate to reconstruct missing fabric on the first floor of the building, where fabric can be specified as reconstructing to the original design. An example might be to reconstruct skirtings against original walls if there are remains of the original skirtings in the period respective part of the building.

Based on this review it has considered that the proposal is satisfactory, subject to the recommendations. Accordingly, the proposal is considered to be consistent with the objectives of Section 15 of the MDCP 2009.

Section 16 Car Parking and Access

Satisfactory: ☒ Yes ☐ No ☐ NA

This Section provides the controls for car parking and access with the relevant controls considered below in the context of the current proposal. The development application does not seek to change the existing car parking area on the site, comprising 55 car parking spaces, or the existing vehicle access point from Brook Street.

16.3 Non-Residential Development

Section 16.3 provides controls for non-residential development which are considered below in the context of the current proposal including the following:

- (i) *Car parking is provided on site in accordance with the requirements of 16.6 of this section of the DCP*

This is considered below.

- (ii) *On-site parking facilities are designed and constructed to comply with the provisions of AS2890.1/AS2890.2*

There are no changes to the existing car parking on the site.

- (iii) *To ensure that traffic movements into and out of a site are made, whenever possible, in a forward direction. If a site layout does not permit forward movement for delivery vehicles, then the developer, owner or occupier must provide a risk management plan, to the satisfaction of Council, detailing the measures required to ensure that traffic movements are carried out in an adequate and safe manner*

Vehicles can enter and leave the site in a forward direction. A condition of consent has been recommended by Council's Road and Drainage Engineer to require the installation of bollards to discourage travel in the incorrect direction along the one-way transit areas.

Section 16.4 Design Guidelines for Off-Street Vehicular Parking Areas

This Section provides controls for the off-street car parking areas. There are no changes proposed to the existing car parking area to the rear of the existing building adjoining the railway.

The proposed fresh produce market will utilise the existing loading dock associated with the former IGA. No changes are proposed to the loading dock.

Section 16.5 Qualifications and Exceptions to Parking Standards

Sections 16.5.5 and 16.6.6 contain provisions which set out requirements for car parking in relation to changes of use and mixed use developments respectively. These controls require compliance with Section 16.6 and any non-compliance will need to be accompanied by justification and where, the case of mixed uses, it can be demonstrated that the peak demand for each land use component of the development is staggered.

The proposed development will utilise the existing car parking on site. The existing car park is considered adequate to accommodate the proposal change of use and modifications to the building. The proposal does not generate any additional gross floor area and is not proposing any additional uses that are not in keeping with existing tenancies on site.

The peak demand for each land use component of the development will also be staggered. Council meetings within the Council Chambers will generally be held outside of normal business hours when offices, café's and

<p>retail uses are closed.</p> <p>Further, Council's Road and Drainage Engineer raised no concern regarding the traffic impact of the proposed development and did not identify any significant parking concerns.</p> <p>16.6 Car Parking Schedule for Specific Land Uses</p> <p>Clause 16.6 provides the requirements for car parking for individual uses. In this case, the following requirements are the most relevant:</p> <ul style="list-style-type: none"> • <i>Public administration building</i> - 1 space per 40m² GFA; • <i>Business Premises</i> (office premises, financial institutions, real estate agents etc) - 1 space per 35m² GFA; • <i>Retail Premises</i> (< or = to 1000m² GFA) - 1 space per 20m² GFA. • <i>Food and Drink Premises</i> – 1 space per 6.5m² service area plus 1 space per 3 employees. <p>As discussed above, existing car parking on site is considered sufficient in meeting the required parking demands for the proposed development. Council's Road and Drainage Engineer raised no concern regarding the traffic impact of the proposed development and did not identify any significant parking concerns, therefore no further assessment on parking adequacy is required.</p>
<p>Section 21 – Contaminated land</p> <p>Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p>Contaminated land has been considered in the SEPP (Resilience and Hazards) 2021 assessment above.</p>
<p>Section 24 – Waste Minimisation and Management Systems</p> <p>Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p> <p>A waste management plan has not been submitted with the development application. Due to the relatively minor scale of the works, a condition of consent is recommended requiring a Waste Management Plan be provided prior to the issue of a Construction Certificate. However, Council may wish to request a waste management plan prior to determination of the development application.</p>
<p>Section 25 – Stormwater Management</p> <p>Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p> <p>The proposal will not increase the impermeable area of the site and is not expected to impact on the quantity, quality or frequency of stormwater discharges from the site. The proposal does not seek to alter the current arrangement for the management of stormwater from the site.</p>

The proposal is considered to be generally consistent with the MDCP 2009 as outlined above.

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

There are no planning agreements relevant to the subject Application.

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

Part 4 Division 1 of the Environmental Planning and Assessment Regulation 2021 applies to the development.

Part 4 Division 1 of the *Environmental Planning and Assessment Regulation 2021* applies to the proposal in relation to the determination of development applications. In particular, Clause 61 (Additional matters that consent authority must consider), Clause 64 (Consent authority may require upgrade of buildings) and Clause 66A (Council related development applications) are applicable to this assessment.

Clause 61(1) requires the consent authority, in the case of a development application for the

demolition of a building, to have regard for the provisions of *AS 2601 - 2001: The Demolition of Structures*. The proposal involves some minor internal; demolition and will be required to be undertaken in accordance with AS 2601 as a recommended condition of consent.

Clause 64 requires the consent authority to consider whether it is appropriate to require the existing building to be brought into total or partial conformity with the Building Code of Australia, where development involves the rebuilding, alteration, enlargement or extension of an existing building. The Building Report lodged with the application confirms the current design can comply with the BCA. Further, Council's Building Surveyor reviewed the proposed in relation to Clause 64. The Building Surveyor was satisfied that the building has suitable fire protection for continued use and that the current fire safety measures will ensure occupant safety. Conditions are recommended to require the building to remain compliant with the BCA.

Clause 66A requires that a Council related development application must not be determined by the consent authority unless the Council has adopted a conflict of interest policy and the Council considered the policy in determining the application. Muswellbrook Shire Council have a Development Conflict of Interest Management Policy. The Policy aims to increase transparency, establish principles, and manage potential conflict of interest(s) with development applications and Part 5 projects relating to Council property, or where Council, Councillors or senior staff of Council are the applicant. The proposed development is subject to a Management Strategy as Council is the applicant and the proposed development has a capital investment value of more than 1 million dollars and less than 5 million dollars. Subsequently, the proposed application is subject to the following management approach:

- Will be publicly notified for a minimum of 28 days;
- Will be assessed by qualified external third party; and
- Are to be determined by Council staff with appropriate delegations, unless:
 - more than two unique objections are received, then the application will be determined by Council; or
 - more than 10 unique objections are received, then the assessment will be peer reviewed by a qualified external third party before the application is determined by Council.

The proposed development was publicly notified for two periods of 14 days, equating to 28 days, and no submissions were received. The application has been assessed by a qualified third party. The application has therefore followed the required management approach subject to determination.

Development Contributions

The cost of works for the proposed development is \$1,387,378.28 incl GST.

The proposed development has been assessed under Councils Section 95A Development Contributions Plan 2010.

Pursuant to Clause 1.5 of this Plan, the proposal is not subject to the provisions of this Plan as the proposal is for the sole purpose of the adaptive reuse of an item of environmental heritage.

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

Potential impacts related to the proposal have been considered in response to the relevant SEPPs, MLEP 2009 and MDCP 2009 controls. As outlined in the assessment above, the proposed development will not have significant adverse impacts on the locality or the amenity of the built environment subject to the recommended conditions.

Other considerations include:

Context and Setting

Muswellbrook is identified as a 'Strategic Centre' in the Hunter Regional Plan 2041. Strategic centres are the primary activity destinations providing the highest level of community, cultural, civic and commercial uses and services. The proposal will support increased patronage within the Muswellbrook Town Centre as it seeks to make use of underutilised spaces within the building.

The proposed development comprises mostly internal works with minimal changes to the external façade. Alterations to the façade of the building are consistent with the surrounding locality and complement the heritage values of the building and heritage conservation area in which it is located.

Built Form

The proposed development comprises mostly internal works with minimal changes to the external façade. The proposal does not seek to alter the height, shape or mass of the building. The proposal does seek some minor changes to the surface appearance of the building through heritage displays, signage and a new entry door.

The proposal respects the heritage value of the building and surrounding area. The proposal will incorporate a heritage display and heritage imagery within the external façade.

The proposed signage is considered to be consistent with the existing character of the building and area given it comprises flush wall, under awning and top hamper signage only and has been integrated into the design of the existing building. It is considered that the proposed signage is satisfactory having regard to its location within a heritage conservation area and on a heritage item.

The proposed new entry from Bridge Street is not considered to significantly impact the built form of the proposed development and in keeping with the existing character of the building. Further, the entry is within the southern contemporary section of the building and will not impact the heritage facade. The works will have a negligible impact on the heritage significance of the building due to the location and minor nature of the work.

The proposal is expected to have a positive impact on the built environment.

Potential Impact on Adjacent Properties

There is likely to be minimal adverse impacts on the adjoining properties in terms of visual loss or acoustic impacts, particularly after the construction works are completed.

The proposal is within an existing building located in the Muswellbrook town centre and does not seek land uses that are out of character of the area. The proposed development will be unlikely to present any significant adverse amenity, acoustic or visual privacy impacts to surrounding development in the locality that would not already be resulting from the existing town centre/commercial environment.

Further, foot traffic generated by the proposed fresh produce market as well as tenants to office and retail spaces is expected to increase patronage to the site which may result in increased business to surrounding properties.

Given the proposal seeks a change of use and alterations and additions to an existing building with minimal changes to the building façade, the proposal will have no impacts on overshadowing or views and vistas of adjacent properties.

Access, Transport and Traffic

The proposed development is not expected to have an adverse impact in terms of access,

transport and traffic.

The proposed development will utilise the existing car parking on site. The existing car park is considered adequate to accommodate the proposal change of use and modifications to the building.

Council's Road and Drainage Engineer raised no concern regarding the traffic impact of the proposed development and did not identify any significant parking concerns but did request a condition of consent to require the installation of bollards to discourage travel in the incorrect direction along the one-way transit areas and discourage short-cutting through the accessible parking spaces to avoid the speed bump.

Public Domain

The proposal will not impede pedestrian access in the area and will not impinge on any public areas.

Utilities

All utilities are available to the site.

Heritage

The proposal will not adversely affect the heritage values of the heritage item or the heritage conservation area the site is located within.

The application is accompanied by a Statement of Heritage Impact which concluded the following:

This SoHI has assessed the proposed design for additional accommodation for council in the former supermarket area and found that the overall alteration work has minimal impact on the heritage significance of the Campbell's Corner building, the nearby individually listed heritage items and the surrounding heritage conservation area.

The proposed development has been designed to complement the heritage value of the building. The proposal will incorporate a heritage display and heritage imagery within the external façade. These displays will activate the street frontage and create interest in the heritage value of the building and history of the Muswellbrook area.

Proposed works at Shop 11 will expose the original decorative ceiling, further respecting the heritage values of the building. Works at the level 1 entry door will be conditioned to include heritage detailing and preservation.

The proposed works are expected to complement the heritage value of the site.

Other Land Resources

Not applicable.

Water

The proposed development will make use of existing water infrastructure servicing the site.

The proposal involves managing stormwater under the current arrangements as there are no additions to the building envelope.

Council's Water and Waste Officer reviewed the proposal and concluded that as the proposed works are internal, there is no impact on water and sewer infrastructure.

Soils

The proposed development will not have an effect on soils as no earthworks are proposed.

Air/Microclimate

Temporary and localised air quality impacts may be generated during the construction of the proposed development.

The proposed development will not contribute to the ongoing emission of dust, particulates, odours, fumes, gases and pollutants.

Flora and Fauna

There is no vegetation or high value habitat identified on site and no vegetation will be removed.

Waste

The proposal seeks minimal demolition and construction works.. A Waste Management Plan, prepared in accordance with Council requirements, will be required to address demolition, construction and ongoing use of the proposed development. A conditions has been recommended requiring a Waste Management Plan to be provided with the construction certificate application.

Council's Trade Waste Team reviewed the proposal and recommended conditions relating to the issue of a Trade Waste Agreement which have been included in the suite of recommended conditions.

Energy

The proposal is not expected to generate a demand for energy far greater than what is currently experienced.

Noise & Vibration

There is likely to be minimal adverse impacts on the adjoining properties in terms of acoustic impacts, particularly after the construction works are completed.

The proposal is within an existing building located in the Muswellbrook town centre and does not seek land uses that are out of character of the area. The proposed development will be unlikely to present any significant adverse acoustic impacts to surrounding development in the locality that would not already be resulting from the existing town centre/commercial environment.

The use of Council Chambers and meeting room outside of business hours will unlikely generate any unacceptable noise levels associated with attendees departing the area.

Natural Hazards

The site is not affected by any natural hazards.

Technological Hazards

Building fire risk is a potential technological hazard. The building has been recently upgraded in association with a recent DA.

Council's Building Surveyor assessed the proposed development and 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. They concluded that the building has suitable fire protection for continued use and that the current fire safety measures will ensure occupant safety.

Safety, Security & Crime Prevention

The proposal does not require a formal crime risk assessment, however, the CPTED guidelines are considered below for the proposal given its location in the town centre and potential for after-hours use of the Council Chamber.

CPTED / Safer By Design Assessment

Safer by design is a crime prevention strategy that focuses on design, planning and structure of our cities and neighbourhoods. It aims to reduce opportunities for crime by employing design and space management principles which reduce the likelihood of crime.

There are four principles that need to be considered in the assessment of development applications to minimise the opportunity for crime which includes the following matters:

- surveillance
- access control
- territorial reinforcement
- space management.

These matters are considered below in the context of the proposal.

Surveillance

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.

Good surveillance means that people can see what others are doing. People feel safe in public areas when they can easily see and interact with others. Would be offenders are often deterred from committing crime in areas with high levels of surveillance.

From a design perspective, 'deterrence' can be achieved by:

- *clear sightlines between public and private places*
- *effective lighting of public places*
- *landscaping that makes places attractive, but does not provide offenders with a place to hide or entrap victims.*

Comment:

Natural surveillance is achieved through the use of glazing. The proposed new entry from Bridge Street will facilitate natural surveillance as it proposes a glazed sliding door, allowing users to see into and out of the building.

The proposed development does not seek to alter existing internal windows or landscaping.

Formal surveillance of the site will be undertaken by staff to the street frontage and within the building. Formal surveillance will only occur during staffed hours.

CCTV is currently installed in common areas and entries to the building from Bridge Street and the car park. CCTV will be retained as part of the development.

After hours security patrols undertaken in and around the premises will be maintained.

Access Control

Access control treatments restrict, channel and encourage people and vehicles into, out of and around the development. Way-finding, desire-lines and formal/informal routes are important crime prevention considerations. Effective access control can be achieved by using physical and symbolic barriers that channel and group pedestrians into areas, therefore increasing the time and effort required for criminals to commit crime.

Natural access control includes the tactical use of landforms and waterways features, design measures including building configuration; formal and informal pathways, landscaping, fencing and gardens.

Technical/Mechanical access control includes the employment of security hardware. Crime, Design and Urban Planning: From theory to Practice Formal (or Organised) access control includes on-site guardians such as employed security officers.

Formal (or Organised) access control includes on-site guardians such as employed security officers.

Comment:

Proposed signage will reinforce and clearly delineate entry points, including the proposed entry to the fresh produce market, and ensure users of the premises will be able to find their way appropriately.

Restricted access to the Council staff area from the rear car park will be maintained. Access to the proposed Council Chambers and meeting room will be via the reception area which is monitored by staff during normal business hours. Limited access is available outside these hours with access doors being located to minimise potential for the public to access Council private areas.

It is considered that there are appropriate access controls proposed for the works and it is clear where people are permitted to go and not go which reduces the excuse making behaviour for potential offenders.

Territorial Reinforcement

Community ownership of public space sends positive signals to the community. Places that feel owned and cared for are likely to be used, enjoyed and revisited. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers and criminals rarely commit crime in areas where the risk of detection and challenge are high. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it.

Territorial Re-enforcement uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should/not be and what activities are appropriate.

Comment:

The public spaces in the vicinity of the development include the car parking area at the rear

and the internal mall area. The car parking area is well lit and is well used by customers of the mall and the town centre in general. There is a relatively high turnover of car parking spaces meaning there is community ownership of this space, particularly during the day.

In relation to the mall area, this is also well maintained and well patronised by people using the mall as an arcade between the main street and the car park as well as utilising the businesses in the mall.

The proposal seeks a heritage display and heritage imagery. These depictions of the community's historical progress will create attractive public spaces, encouraging public interest and resulting in well used areas.

It is considered that the proposal exhibits good territorial reinforcement which will reduce crime opportunities.

Space Management

Space/Activity Management strategies are an important way to develop and maintain natural community control. Space management involves the formal supervision, control and care of the development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

Comment:

As outlined above, the space surrounding the building is well maintained and cared for, such that the areas are well patronised and provide for good natural surveillance. The area is well used part of the town centre which may see an increased level of activity to the building as a result of the proposed development. An existing active maintenance program will continue for the site. Accordingly, the proposal is considered to be satisfactory having regard to space management.

It is considered the proposal will generate no significant adverse impacts that cannot be managed through imposition of the recommended conditions.

Social Impact on the Locality

The proposed development will position the Council Chambers in the Muswellbrook town centre, providing a strong link between the community and Council.

The proposal will support increased patronage of the Muswellbrook town centre through the use of existing vacant building stock in the form of the former IGA building. Further, alterations and additions to the building will allow for a new food premises and the retention of all other commercial tenancies on site.

The proposed heritage tile display and heritage imagery will activate the street frontage of the building, promoting the heritage value of the site and locality .

The proposal includes two new ramps to improve access to the site for persons with a disability.

Accordingly, the proposed fit out and use of the premises is likely to have a positive social impact.

Economic Impact on the Locality

The proposal will support increased patronage of the Muswellbrook town centre through the use of existing vacant building stock in the form of the former IGA building. Further, alterations and additions to the building will allow for a new food premises and the retention of all other commercial tenancies on site.

The proposal will also provide economic benefits in the short-term, providing additional employment opportunities for workers in the construction sector, which may benefit local residents within this industry.

Accordingly, the proposal is expected to have a positive economic impact.

Site Design and Internal Design

The proposed development seeks internal alterations with limited alterations to the external façade. The proposal does not seek any alterations that would alter the existing size, position, site coverage or form appearance of the building.

The most significant alterations will occur at the site of the former IGA supermarket and adjoining café. Proposed internal design of these spaces is considered appropriate and an efficient use of a currently underutilised space within the building. The new entry from Bridge Street will provide accessible access to the fresh produce market. Further, alterations to Shop 11 will allow for access to the office space for persons with a disability via a proposed access ramp. Alterations to Shop 6 and the level 1 entry door will not significantly alter existing conditions.

The Building Report lodged with the application that confirms the current design can comply with the BCA. Further, Council's Building Surveyor reviewed the proposed in relation to Clause 64. The Building Surveyor was satisfied that the building has suitable fire protection for continued use and that the current fire safety measures will ensure occupant safety. Relevant conditions are recommended to be imposed to ensure the building is compliant with the BCA.

Construction

The proposed development will be constructed in accordance with the requirements of the BCA and relevant recommended conditions.

Cumulative Impacts

No potential cumulative impacts that may result from the development have been identified.

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

The proposed development is compatible with the current use of the site, surrounding land uses and site characteristics, and is suitable for the proposed development.

Section 4.15(1)(d) any submissions made

The development application was notified from 01 May 2023 until 16 May 2023. A notice was placed on Council's website and Facebook page and letters were issued to adjoining landowners. There were no submissions received during notification and exhibition of the development application.

The development application was again notified from 27 July 2023 until 11 August 2023 to fulfil the notification period requirements of Council's Development Conflict of Interest Management Policy. A notice was placed on Council's website and Facebook page. Council advised that as previous direct notification was given to adjoining landowners via letter and no submissions were received, no letters were issued to adjoining landowners during the second

period of notification.. There were no submissions received during notification and exhibition of the development application.

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

The proposed development is largely consistent with relevant planning requirements, is not expected to result in adverse impacts and no submissions were received in objection to the proposal. As such, the proposal is considered to be in the public interest.

8. CONCLUSION

The application has been assessed in accordance with the relevant environmental planning instruments and development control plan as outlined in this report. The application has also been advertised and notified in accordance with the provisions of the Muswellbrook Development Conflict of Interest Management Policy.

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 is in accordance with the relevant planning provisions.

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

Signed by:



Leah Reeves
Consultant Planner

Date: 05/10/2023

Peer
Reviewed:



Ivan Holland
Consultant Planner

Date: 05/10/2023

Attachment A – Internal and external referral comments

Internal Referrals

The application was referred to the following Council Officers for specialist comment:

CI – Roads and Drainage

Council's Road and Drainage Engineer reviewed the proposal and raised no objections subject to the imposition of recommended conditions. Their review concluded that they generally have no concerns regarding traffic impact of the proposal.

Council's Road and Drainage Engineer was consulted again throughout the development assessment process to ensure parking on site was considered as part of their review. The Roads and Drainage Engineer provided the following further commentary relating to car parking requirements:

- *No significant issues with car parking at the rear of Campbell's Corner*
- *The development of the Council Boardroom would generally be afternoon-evening activity when car parking generally begins to deplete from morning staff or customers providing capacity for additional vehicles*
- *There are some issues with unsafe movements in the car park within the direct rear of the existing Council office associated with travel in the incorrect direction along one-way transit areas, and short-cutting through accessible parking spaces to avoid the speed bump. Council intends as a condition of consent to request 1-2 bollards be applied to the north of the accessible spaces, adjacent to the 'drop off zone' for a permanent resolution, repainting of the existing arrow markers of the car park, and two additional one-way arrows installed to the east and west of the central parking area (centrally)*

CI – Water and Waste

Council's Water and Waste Officer reviewed the proposal and concluded that as the proposed works are internal, there is no impact for water and sewer infrastructure.

Environmental Health Officer

Council's Environmental Health Officer reviewed the proposal. Their review found that the proposed alterations to Shop 6 do not appear to adhere to AS4674. Further, the exposed beams in the display/storage areas of the fresh produce market are not supported as they are not easily cleanable and pose a potential harbourage of pests. Conditions have been recommended to resolve these issues.

Building Surveyor

Council's Building Surveyor reviewed the proposal and raised no objections. The Building Surveyor provided the following comments:

I am satisfied that the building has suitable fire protection for continued use and that the current fire safety measures will ensure occupant safety.

I can see no major BCA non-compliance's with the current design. There is a BCA report lodged with the application that confirms the current design can comply with the BCA.

Heritage Advisor

Council's Heritage Advisor reviewed the proposal and raised no objections. Council's Heritage Advisor has provided the following comments:

I've looked over the plans and HIS by John Carr for the works. I endorse John Carr's findings and recommendations. The works are acceptable in heritage terms.

The heritage referral also provided additional recommendations regarding the first floor of the building at the location of the level 1 entry door to be altered as part of the proposed development. Recommendations have been considered in the consent conditions to address the concerns.

Trade Waste

Council's Trade Waste Team reviewed the proposal and recommended conditions relating to the issue of a Trade Waste Agreement which have been included in the suite of recommended conditions.

External Referrals

No external referrals.

Attachment D - Assessment of Submissions

No submissions were received during notification and exhibition of the development application.



CONDITIONS OF DEVELOPMENT CONSENT

A. Conditions that Identify Approved Plans

CP

Development in Accordance with Plans

AA01 The development being carried out in accordance with the development application and the drawings referenced below, and endorsed with Council's approval stamp, except where amended by the following conditions.

Drawings no.	Revision	Drawn by	Date	Received
1 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
2 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
3 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
4 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
5 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
6 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
7 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
8 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
9 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
10 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
11 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
12 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
13 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
14 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
15 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
16 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
17 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
18 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
19 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
20 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
21 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
22 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023

23 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
24 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
25 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
26 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
27 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
28 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
29 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023
30 of 30	D	A&H Eco Group Pty Ltd	17/01/2023	28/2/2023

CP

Development in Accordance with Documentation

AA1C The development is to be carried out generally in accordance with the following documents:

Title	Written by	Date
Statement of Heritage Impact	John Carr Heritage Design	24.01.2023
Building Report Alterations to Existing Building	Acrocet Pty Ltd	25.01.2023
Trade Summary	Quanto Quantity Surveyors Pty Ltd	22.07.2022
Statement of Environmental Effects	Casson Planning & Development Services	06.02.2023

Note: Nothing in this consent authorises any site activities or civil works including, but not limited to earthworks, the installation of any utility service, excavation, filling of land, construction of any roads, pathways or retaining walls, undertaking landscaping works or riparian corridor rehabilitation, bushfire hazard management works, clearing of vegetation or the removal of topsoil, before a construction certificate has been issued for the development.

CP

Plans on Site

AA02 A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

CP

Limit to Demolition Works

AA03 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.

CP

B. Conditions that require 'Ancillary' Matters to be Completed Prior to Issue of a Construction Certificate

This category must include only those matters which need to be submitted to and approved in writing by Council before the issue of any Construction Certificate. You must limit, to the fullest extent possible, the conditions in this category. These conditions will not include those matters identified in Clause 161 of the Regulations, but may include such things as traffic management plans to be approved by the traffic committee.

CP

Construction Management Program

BB01 A Construction Management Program must be prepared and submitted to, and approved in writing by the Council prior to the issue of any Construction Certificate. 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.

CP

Traffic Management Plan

BB02 A Traffic Management Plan (TMP) prepared by an appropriately qualified civil engineer shall be prepared and submitted to Council for written approval prior to the issue of any Construction Certificate. The TMP is also to be submitted with the application for consent under the Roads Act 1993 (section S138) require The TMP must detail measures to ensure the safety of pedestrians, including but not limited to patrons of the building, during construction from vehicle movements, particularly on Bridge Street and the rear car park areas. The TMP shall include certification and details addressing the following:-

- (a) Details of the proposed vehicle circulation routes within the car park;
- (b) Details of proposed pedestrian routes, kerb construction methods and other protective measures such as bollards or the like to ensure safety of pedestrians/patrons;
- (c) Details of proposed traffic control signage to be installed and references to relevant RMS Guidelines and Australian Standards; and
- (d) Details of speed limit restrictions within the car park.

Notes:

- (i) It is recommended that the TMP be prepared and submitted at an early stage as the Traffic Committee only meets once a month, and make require further information prior to approval.
- (ii) The TMP is used to ensure appropriate safety and traffic management is provided within the development which can be enforced through relevant legislation. It is in the interests of the applicant that it is completed.

(Identified as part of assessment by Council's Roads and Drainage Engineer).

C. Operational Conditions imposed under EP&A Act and Regulations and other Relevant Legislation

CP

Building Code of Australia

- CC01 All building work must be carried out in accordance with the provisions of the Building Code of Australia.

CP

D. Conditions that Require Subsidiary Matters to be Completed Prior to Issue of a Construction Certificate

Most subsidiary matters which need to be checked before issue of a Construction Certificate fall into this category. These matters are capable of being checked by either Council or Accredited Certifiers.

This category is also limited to conditions that are imposed to protect neighbouring properties from the impacts of demolition or where further investigation or information is required to be undertaken before a building is demolished, eg, where there is a requirement for an existing building to be recorded for heritage conservation reasons. In addition, requirements for the completion of archaeological and contamination reports and requirements for all remediation work to be completed.

These conditions can also be used to highlight issues to applicants for site preparation.

Muswellbrook Shire Water & Waste Division

- D001 If required, a Compliance Certificate under the Water Management Act 2000 must be obtained from Muswellbrook Shire Water & Waste Division on (02) 6549 3840.

A 'Notice of Requirements' under the Water Management Act 2000 must be obtained detailing water and sewer extensions to be built and charges to be paid by the applicant prior to any Construction Certificate application.

Details demonstrating compliance with any requirements for works by Muswellbrook Shire Water & Waste Division are to be provided with the Construction Certificate application.

The final compliance certificate must be submitted to the Principal Certifying Authority prior to release of any linen plan for subdivision or Occupation Certificate.

CP

Structural Engineer's Plans and details – Proposed Works

- D002 A certificate and detailed drawings issued by an appropriately qualified structural engineer are to be submitted to the Certifying Authority with the Construction Certificate application, which certifies that the design and construction of the structural elements will be structural adequate for its intended purpose.

CP

CP

Colours, Finishes and Materials – Heritage Items (Alterations and Additions)

D003 The colours, finishes and materials shall closely match the original colours, finishes and materials of the existing building, including but not limited to items (a) to (c) below. If there is any proposed change to the colours, finishes or materials of the existing building, written concurrence to the proposed changes shall be obtained from an experienced Heritage Architect or Conservation Planner prior to the changes being undertaken. Details demonstrating compliance with this requirement are to be submitted to the Certifying Authority for approval with the Construction Certificate.

- (a) Detailing of an appropriate cornice as well as detailing the provision of services within the Commercial Office..

(Identified as part of Statement of Heritage Impact).

- (b) Appropriate detailing of the new doorway to the first floor landing should be included with other heritage detailing. The detailing will require preservation of the skirting boards and picture rail where the new doorway meets the walls to enable minimal repairs when the doorway is removed in the future perhaps as a change of use..

(Identified as part of Statement of Heritage Impact).

- (c) Appropriate detailing of missing fabric on the first floor landing should be included with other heritage detailing. Missing fabric on the first floor should be reconstructed, where fabric can be specified as reconstructing to the original design. For example, reconstruct skirtings against original walls if there are remains of the original skirtings in the period respective part of the building..

(Identified as part of assessment by Council's Heritage Advisor).

CP

Colours (External) – Conservation Areas and Adjoining Heritage Items (Alterations and Additions)

D004 External colours shall be similar to traditional colour schemes appropriate to the type and architectural style of the building, and be complimentary to similar buildings in the immediate vicinity. Details of the proposed colour scheme are to be approved in writing by a recognised heritage architect or planner, and submitted to the Certifying Authority for approval with the Construction Certificate.

CP

Design and Survey for Public Infrastructure

D005 The applicant shall engage an appropriately qualified person to undertake the survey, design and preparation of plans for all works located within Council's property or all works that revert to Council's care and control upon completion of the development. The design plans are to be certified by an appropriately qualified and practising Civil Engineer to confirm compliance with appropriate Australian Standards and submitted to the Certifying Authority for approval with the Construction Certificate.

CP

Garbage and Recycling Facilities

D006 An appropriate area shall be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The following requirements shall be met:

- (a) all internal walls of the storage area shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
- (b) include provision for the separation and storage in appropriate categories of material suitable for recycling;
- (c) the storage area shall be adequately screened from the street and located behind the building line;
- (e) garbage enclosures serving residential units are to be located within areas designated for non-residential uses; and
- (f) all waste is to be removed weekly from the site by a contractor and disposed of at a site approved for such purposes

Details of the storage area are to be provided to, and approved by the Certifying Authority prior to issuing of the Construction Certificate.

CP

Asbestos & Hazardous Material Survey (High hazard)

D007 In relation to the demolition or alteration of the existing building (or part of a building) on the site:

- (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 following conditions, including dust control and WorkCover requirements.

- (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.

Details demonstrating compliance with these requirements are to be approved by the Certifying Authority and submitted with the Construction Certificate.

Notes:

- 1. Further details regarding requirements for removal of hazardous materials can be obtained from the WorkCover website or at ☐ HYPERLINK "http://www.lead.org.au" ☐ www.lead.org.au ☐.
- 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.

CP

No External Service Ducts

D008 Service ducts shall be provided within the building to keep external walls free of plumbing, drainage or any other utility installations. Details demonstrating compliance are to be provided in the Construction Certificate documentation.

CP

Access for People with Disabilities

D009 Ramps and access for people with disabilities are to be provided to the building as per the approved architectural plans. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the provisions of the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

CP

Waste Management Plan

D010 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 demolition, 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.

CP

Location of Plant

- D011 All plant and equipment (including but not limited to air conditioning equipment) is not to be located on the roof. Details demonstrating compliance are to be submitted to the Certifying Authority for approval with the Construction Certificate application.

CP

Commercial Food Business Fit Out

- D012 Prior to the issue of a Construction Certificate the applicant shall submit detailed design plans to the Principal Certifying Authority demonstrating that the fit out of the food preparation, storage, handling and serving areas will comply with the requirements of Food Act 2003, Food Regulation 2015 and Australian Standards relevant design construction and fit out of food premises (AS4674). Details of the commercial food business fit out are to be provided to, and approved by, the Certifying Authority prior to issuing of the Construction Certificate.

(Identified as part of assessment by Council Environmental Health Officer).

Cleanliness and Maintenance of Food Preparation Areas

- D013 To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all building work in connection with the occupation or use of the premises for the preparation and storage of food shall be designed and carried out in accordance with the requirements of:-

- (a) The Food Act (as amended)
- (b) The Food Regulation (as in force);
- (c) AS4674 (Design, Construction and Fit-Out of Food Premises);
- (d) Muswellbrook Water & Waste Section;
- (e) The Clean Air (Plant and Equipment) Regulation;
- (f) AS 1668 Part 2;
- (g) The Protection of the Environment Operations Act; and
- (h) The Building Code of Australia;

The relevant matters to be taken into account under this approval relate to:-

- (i) construction, materials and finishes;
- (ii) installation of fixtures, fittings and equipment;

- (iii) washing facilities, other facilities and special requirements;
- (iv) mechanical ventilation and exhaust discharges; and
- (v) temperature control

Detailed plans and specification of work showing that these design requirements have been met shall be submitted to, and approved by, the Certifying Authority prior to the issue of a Construction Certificate.

CP

Drainage Infrastructure

- D014 Existing drainage infrastructure is to be assessed for damage and/or maintenance and the applicant to ensure all existing and proposed drainage works is taken to a legal point of discharge. Details of the existing and proposed drainage infrastructure are to be provided to, and approved by the Certifying Authority prior to issuing of the Construction Certificate.

(Identified as part of assessment by Council's Roads and Drainage Engineer)

Trade Waste

- D015 Prior to the issue of a Construction Certificate a Commercial Liquid Trade Waste Application is to be completed, signed by the property owner and submitted to Council for approval along with relevant documentation, including hydraulic plans, relating the existing liquid trade waste infrastructure and any alterations to that infrastructure required as part of the development.

Documentary evidence is to be provided to the Principle Certifying Authority confirming that a Liquid Trade Waste application has been lodged with Council prior to the issue of a Construction Certificate.

Hydraulic Analysis

- D016 Assessment and confirmation of existing water supply and pressure to occur to ensure that relevant fire service requirements are able to be met. Details of the detailing of existing water supply and pressure are to be provided to, and approved by, the Certifying Authority prior to issuing of the Construction Certificate.

(Identified as part of Statement of Environmental Effects).

Signage

- D017 The height of the signage on Bridge St should correspond with and align to the window and architrave on the adjacent heritage facade. Details of the proposed signage is to be provided to, and approved by, the Certifying Authority prior to issuing of the Construction Certificate.

(Identified as part of assessment by Council's Heritage Advisor).

Car Parking

- D018 One to two bollards shall be applied to the north of the existing accessible spaces, adjacent to the 'drop off zone' in the car parking area on site to avoid unsafe movements. Details of the proposed bollards and location is to be provided to, and approved by, the Certifying Authority prior to issuing of the Construction Certificate.

(Identified as part of assessment by Council's Road and Drainage Engineer).

- D019 Existing arrow markers of the car parking area are to be repainted and two additional one-way arrows installed to the east and west of the central parking area (centrally) to direct traffic in the correct direction along the on-way transit areas. Details of arrow markers are to be provided to, and approved by, the Certifying Authority prior to issuing of the Construction Certificate.

(Identified as part of assessment by Council's Road and Drainage Engineer).

E. Conditions That Must Be Addressed Prior To Any Commencement

Public Liability Insurance

- EE01 Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Muswellbrook Shire Council, as an interested party and a copy of the Policy must be submitted to Council and the Principal Certifying Authority prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

(Note: Applications for vehicular crossings etc will require evidence of insurance upon lodgement of the application.)

CP

Site Facilities

EE02

- (a) If the development involves building work or demolition work, the work site must be fully enclosed by a temporary security fence (or hording) 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.

CP

Site Sign

- EE03 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.

CP

Construction Certificate Requirement

- EE04 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 in must cover the works being undertaken onsite.

Damage to Public Infrastructure

- EE05 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.

Section 68 Local Government Act Approval

- EE06 Prior to the commencement of any works it shall be necessary for the applicant to obtain a Local Government Act approval under Section 68 for all water supply and sewer drainage works.

F. Conditions that Must be Complied With During Demolition and Building Work

This category contains conditions to ensure that demolition and construction activities will be carried out in a satisfactory manner, consistent with the consent and relevant legislative provisions. (eg. compliance with AS2601 – Demolition of Structures) Do not include conditions which are the responsibility of other statutory authorities, eg, compliance with occupational health and safety requirements.

CP

No Changes To Openings

FF01 The windows / doors / fenestration shall not be enlarged or relocated on any elevation of the development but for changes identified in the approved development plans.

CP

Approved Materials

FF02 The colour, texture and substance of all external materials shall be generally as detailed in the application.

CP

Second Hand Materials

FF03 Second hand materials shall not be used unless specifically approved by the Certifying Authority or Principal Certifying Authority in writing.

CP

No Removal of Trees on Public Property

FF04 No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

CP

Removal of Extra Fabric

FF05 Should any portion of the existing building, roads and drainage infrastructure, trees, or curtilage of the site which is indicated on the approved plans to be retained, be damaged, for whatever reason, all the works in the area of the damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained. Failure to comply with the provisions of this condition will result in the Council taking further action including legal proceedings if necessary.

CP

Dust Emission and Air Quality

- FF06
- (a) Materials must not be burnt on the site.
 - (b) 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.

CP

No Work on Public Open Space

FF07 The applicant shall not enter or undertake any work within adjoining public lands (ie. Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of a Construction Management Plan.

CP

Applicant's Cost of Work on Council Property

FF08 The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

CP

Construction Hours

FF09

- (1) Subject to this clause, building construction is to be carried out during the following hours:
 - (a) between Monday to Friday (inclusive)—7.00am to 6.00pm,
 - (b) on a Saturday—8.00am to 1.00pm.
- (2) Building construction must not be carried out on a Sunday or a public holiday.
- (3) Demolition works and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.
- (4) 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.

CP

Out of Hours Work Permits

FF10 Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to written permission on each occasion from Council. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk. Any further variation shall require the lodgement and favourable determination of a modification application pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979.

Failure to obtain a permission for work outside of the approved hours will result in fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.

It is recommended that applications be lodged as early as possible to allow sufficient time for determination by Council and to avoid disruption or delay due to conflicting priorities.

CP

Prohibition on Use of Pavements

FF11 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.

CP

Excavation/Demolition

FF12

- (3) Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.
- (4) The builder is to ensure that persons working on the site comply with the WorkCover Authority's requirements.

CP

Protection of Public Places

- FF13
- (1) If the work involved in the erection or demolition of a building:-
 - (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - (b) building involves the enclosure of a public place,a hoarding and site fencing must be erected between the work site and the public place and be contained within the site boundary unless prior permission has been obtained in writing from Council.
 - (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
 - (4) Any such hoarding, fence or awning is to be removed when the work has been completed.
 - (5) No access across public reserves or parks is permitted.

CP

Essential Services

FF14 The following essential services are to be installed in the building:

- (a) hydrants as per E1.3 of Building Code of Australia
- (b) hose reels as per E1.4 of Building Code of Australia
- (c) portable fire extinguishers as per section E1.6 Building Code of Australia
- (d) emergency lighting as per Section E4.4 Building Code of Australia
- (e) exit signs as per section E4.8 Building Code of Australia

CP

Demolition or Removal of Buildings

FF15

- 1) A person having the benefit of this certificate must ensure that all vehicles leaving the work site carrying demolition materials, have their loads covered and do not track soil or waste material onto the road.
- 2) If demolition work obstruct or inconvenience pedestrians or vehicular traffic on an adjoining public road or reserve, a separate application must be made to council to enclose the public place with a hoarding or fence.
- 3) The work site must be left free of waste and debris when work has been completed.

Mandatory Council Inspections

FF16 At the following stages of construction, a satisfactory report from Council is to be obtained prior to works proceeding:

- (a) Council infrastructure- at completion of works and prior to an Occupation Certificate inspection.

To arrange an inspection please contact Council's Environmental Service Department on (02) 6549 3745.

Note: Inspection fees will be charged in accordance with Council's adopted fees and charges and must be paid prior to the issue of the Construction Certificate.

Site Waste Minimisation

FF17 Throughout the carrying out of building works the person acting with this consent shall take reasonable steps to minimise waste from the carrying-out of the development in accordance with the following objections of Chapter 24 Waste Minimisation and Management of Council's Development Control Plan.

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

- Promote improved project management.

G. Conditions which Must be Complied With Prior to Issue of Occupation Certificate

Section 156 of the EP & A Regulations provides that if a new building or part is a Class 1a or Class 10 building (or any other class), for the purpose of Section 109M(2)(c), an Occupation Certificate is required. These conditions refer to specific matters or certification that must be addressed prior to the issuing of any Occupation Certificate.

CP

Access for People with Disabilities

GG01 Provision shall be made for access to and within the building on the site for persons with a disability in accordance with the provisions of AS 1428 Part 1 prior to the issue of any Occupation Certificate.

CP

Disabled Access from the Public Realm - Tactile Surface Indicators

GG02 Tactile ground surface indicators complying with AS1428.4 shall be provided at the point of common public access to the building and at the vehicular access points to assist people with visual impairments in gaining access to and from the public way and the premises prior to occupation. Such works are to be undertaken wholly within the boundaries of the site.

CP

Noise Impact of Plant

GG03 All sound producing plant, equipment, machinery or fittings associated with or forming part of the mechanical ventilation system and/or the refrigeration system, shall be sound insulated and/or isolated so that the noise emitted does not exceed 5 dB(A) above the background level in any octave band from 63.0 HZ centre frequencies inclusive, and not more than 5 dB(A) above the background level (LA90) during the day when measured at the nearest affected residence. For assessment purposes, the above LAeq sound levels are to be adjusted in accordance with EPA guidelines for tonality, frequency weighting, and impulsive characteristics where necessary, at any time the plant is in operation, at the boundary of the site. .

Note: The method of measurement of sound shall be carried out in accordance with Australian Standard 1055.1 - 1989.

CP

Mechanical Exhaust Ventilation

GG04 Any new mechanical exhaust system required as part of the development shall be installed in accordance with AS1668, and be operated in such a way so as to minimise/prevent the creation of odours, fumes and excessive noise which may adversely affect the amenity, or interfere unreasonably with the comfort or repose of occupants of the building and adjoining premises.

Certification, from an appropriately qualified and practising Mechanical Engineer, is to be submitted to the Principal Certifying Authority, detailing that any new exhaust ventilation system has been installed in accordance with AS1668, prior to completion and the issue of any Occupation Certificate.

CP

Damage to Adjoining Properties

GG05 All precautions must be taken to prevent any damage likely to be sustained to adjoining properties.

, If damage to an adjoining property is reported or identified and requires rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible and prior to the issue of a final Occupation Certificate.

CP

Disposal Information

GG06 Upon completion of works and prior to occupation, the person entitled to act on this consent shall provide to Council the following information;

- (a) the total tonnage of all waste and excavated material disposed of from the site;
- (b) the disposal points and methods used; and
- (c) a copy of all disposal receipts are to be provided

CP

Regulated Systems - Air Handling

GG07 To ensure that adequate provision is made for ventilation of the building any new mechanical and/or natural ventilation systems shall be designed, constructed and installed in accordance with the provisions of:

- (a) The Building Code of Australia,
- (b) AS 1668 Part 1 & 2 ,
- (c) The Public Health Act
- (d) Public Health (Microbial Control) Regulation,
- (e) Work Cover Authority,
- (f) AS 3666 Air Handling and water system of building microbial control:
 - Part 1 - Design installation and commissioning
 - Part 2 - Operation and maintenance
 - Part 3 - Performance based maintenance of cooling water systems

Certification, from an appropriately qualified and practising Mechanical Engineer, is to be submitted to the Principal Certifying Authority, detailing that any new mechanical and/or natural ventilation system has been installed in accordance with the relevant standards, prior to completion and the issue of any Occupation Certificate.

Asbestos & Other Hazardous Materials

GG08 Prior to issuing any Occupation Certificate for building works where asbestos based products and other hazardous materials have been removed tipping receipts, which detail

that all waste has been disposed of at an approved waste disposal depot shall be provided to the Principal Certifying Authority.

(Note: Further details of licensed asbestos waste disposal facilities can be obtained from www.dec.nsw.gov.au)

Public Infrastructure Inspection

- GG09 Prior to the issue of an Occupation Certificate written confirmation is to be obtained from Muswellbrook Shire Council' building section that all damage caused to Council's infrastructure has been reinstated to a satisfactory condition. Council's inspection charges will apply. Any damaged infrastructure is to be replaced to Council' Chief Engineers written satisfaction.

(Identified as part of assessment by Council's Roads and Drainage Engineer)

Evidence of mandatory inspections

- GG10 Prior to the issue of an Occupation Certificate, a satisfactory inspection report is to be obtained from Council confirming that the following inspections have been carried out:

- (a) Council infrastructure

Commercial Food Business

- GG11 Prior to the issue of an Occupation Certificate for any shop that is handling, storing or preparing food for sale, a satisfactory final inspection of the kitchen must be undertaken by Council's Environmental Health Officer to determine compliance with relevant construction requirements including Food Act 2003, Food Regulation 2015 and Australian Standards relevant design construction and fit out of food premises (AS4674)

(Identified as part of assessment by Council Environmental Health Officer).

Registration with Council's Environmental Health Department

- GG12 Prior to the issue of the Occupational certificate for any shop that is handling, storing or preparing food for sale, the business is to be registered with Council's Environmental Health Department.

(Identified as part of assessment by Council Environmental Health Officer).

Trade Waste

- GG13 Prior to the issue of an Occupation Certificate 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.

I. Conditions that Must be Complied with at All Times

These are ongoing conditions that relate to the continued use of a development and the maintenance of parking and specified facilities in the development to ensure appropriate amenity is maintained. This would include hours of operation for a commercial development.

CP

Application for Change of Use

- II01 The specific commercial use or occupation of the former IGA shall be the subject of further development approval for such use or occupation.

CP

Trade Waste

- II02 Trade waste water shall be disposed of in accordance with the requirements of the trade waste agreement between the Owner and Muswellbrook Shire Council.

CP

Impact on Amenity of Surrounding Area – Non-Residential Areas

- II03 The implementation and intensity of this development shall not adversely affect the amenity of the neighbourhood by reason of excessive levels of illumination (internal or external), solar glare arising from the building materials utilised in any construction processes or fit-out, the emission of noises, noxious fumes, odours and waste.

CP

Obstruction of Parking Areas

- II04 No parking spaces, loadings bays or vehicular access ways or access thereto shall be restricted, constrained or enclosed by any form of structure such as fencing, or the like, without prior consent from Council.

CP

Existing Dock

- II005 The existing loading dock shall be maintained and utilised for use in connection with the proposed development.

CP

Loading Within Site

- II006 All loading and unloading operations shall be carried out wholly within the confines of the site, at all times and within loading bays designated on the approved plans.

CP

Concealed Wiring

- II07 All wiring to the under awning sign shall be concealed within the fabric of the building and in the support structure of the sign.

CP

Illumination

- II08 Only the two under awning pendant light box signs as shown on the approved plans are to be illuminated. No other sign illumination is approved.

CP

Illumination Intensity

- II09 The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised to ensure that excessive light spill or nuisance is not caused to any nearby premises.

CP

Under Awning Sign

- II10 The under awning signage shall be erected approximately horizontal to the ground and be at no point less than 2.6m from the ground not exceed 2.5 m in length or 0.5 m in height.

CP

Daily Cleaning

- II11 The proprietor is to ensure that at all times when the premises are open and at the end of each day after the premises have closed, all rubbish including loose papers, cigarette butts, bottles etc which may be left on the subject area or immediately adjacent is picked up and placed in the proprietor's rubbish bins.

CP

Shop Premises Registration

- II12 Any food and drink premises must advise Council and NSW Food Authority prior to commencement of business. This will require the following:-

- (a) advice submitted to Council's Environmental Services Department, and
- (b) notification to the NSW Food Authority under Standard 3.2.2 Division 2 Section 4 Notification. This requirement is to be met by notification through the following website: www.foodauthority.nsw.gov.au

CP

Lighting

- II13 No flood lighting is to be provided to the building.

CP

L. ADVISORY NOTES

Electronic Plan Information

LL01 Requirements for the submission of electronic plans to Council

- (a) File format for drawings submitted is to be dxf.
- (b) Where possible the dxf is to be projected using real world co-ordinates.
- (c) Council's preferred projection is MGA94 using the GDA94 datum, zone 56 south. If a projection other than MGA94 is used then the details must be provided with the file and a justification needs to be provided as to why MGA94 wasn't used.
- (d) In the case where information is unable to be supplied in real world coordinates, then ground survey points (minimum 2) marked on the dxf, must be supplied so that the dxf can be transformed from non-earth to real world.
- (e) A text file listing the layers used and the themes placed on each layer is to be supplied.
- (f) Drawings must contain separate layers for each theme e.g. the layer containing contour lines should not contain outlines for trees or roads.

CP

Wet Areas

LL02 The wet areas in the building are to be impervious to water as required by P2.4.1 of the Building Code of Australia (Housing Provisions). A certificate shall be furnished to the Principal Certifying Authority verifying that the waterproofing has been completed in accordance with the manufacturer's specifications and AS 3740-1994.

CP