

Ordinary Council Meeting

Business Paper

Tuesday 8 April 2025



MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK
2 April, 2025

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the Meeting Room / Teams, Muswellbrook Library, 126 Bridge Street, Muswellbrook on **Tuesday 8 April 2025** commencing at **6:00 pm**.

Derek Finnigan

GENERAL MANAGER



Council Meetings

Meeting Principles

Council and committee meetings should be:

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

Public Forums

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

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

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

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



Declarations of Interest

Statement of Ethical Obligations

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

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

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

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

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

- Significant
- Less than significant

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

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

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



Order of Business

1. Application to Attend via Audio Visual Link	6
2. Acknowledgement of Country.....	6
3. Civic Prayer	6
4. Apologies and Applications for a Leave of Absence by Councillors	6
5. Disclosure of any Pecuniary or Non-Pecuniary Interests	6
6. Mayoral Minute	6
7. Public Participation.....	6
8. Business.....	7
8.1. Planning and Environment.....	7
8.1.1. Draft Development Control Plan - Ironbark Ridge Extension.....	7
8.1.2. Development Application 2024-36 - for 33 Lot Subdivision and 76 Multi-Dwelling Houses - Ironbark Road Muswellbrook.....	72
8.2. Corporate Services	272
8.3. Infrastructure & Property	272
8.4. Community and Economy	272
9. Notices of Motion	272
10. Closed Council.....	272
11. Closure	272



1. Application to Attend via Audio Visual Link

2. Acknowledgement of Country

Acknowledgement of Country

Council would like to respectfully acknowledge the local Aboriginal people who are the Traditional Owners and custodians of the land on which this meeting takes place

3. Civic Prayer

4. Apologies and Applications for a Leave of Absence by Councillors

5. Disclosure of any Pecuniary or Non-Pecuniary Interests

6. Mayoral Minute

Nil

7. Public Participation



8. Business

8.1. Planning and Environment

8.1.1. Draft Development Control Plan - Ironbark Ridge Extension

Responsible Officer:	Director - Planning & Environment
Author:	Development Co-Ordinator
Community Strategic Plan:	3 - <i>Environmental Sustainability</i> An environmentally sensitive and sustainable community
Delivery Program Goal:	1.2.3 - Review the Local Environmental Plan and Development Control Plan to improve investment certainty for industry.
Operational Plan Action:	Not applicable
Attachments:	<ol style="list-style-type: none">Attachment A - Draft DCP Section 30 Ironbark Ridge Extension Urban Release Area [8.1.1.1 - 10 pages]Attachment B - Submissions on Draft DCP and DA 2024/36 [8.1.1.2 - 50 pages]

PURPOSE

At the Ordinary Council Meeting held on 25 June 2024, Council resolved to undertake public consultation related to the Draft Development Control Plan – Ironbark Ridge Extension.

The Draft Development Control Plan was duly notified between 10 July 2024 to 7 August 2024.

The purpose of this report is to provide information about the public consultation outcomes and to seek adoption by Council in accordance with Section 14 of the Environmental Planning and Assessment Regulation 2021.

OFFICER'S RECOMMENDATION

Council resolves to adopt Section 30 of Muswellbrook Development Control Plan 2009 – Ironbark Ridge Extension, provided in Attachment A, in accordance with Section 14 of the Environmental Planning and Assessment Regulation 2021.

Moved: _____

Seconded: _____

FEBRUARY 2025 COUNCIL MEETING

This Draft Development Control Plan was reported to the 25 February 2025 Council Meeting for adoption. At this meeting, Council resolved to defer the determination of the matter to allow for further consideration of the related development application DA 2024-36.

Matters related to DA 2024-36 are a separate business paper item. The 'February 2025 Council Meeting' heading of that report provides a summary of public consultation and assessment actions that have occurred following the decision deferral.

Community concern has been raised with a road connection to Acacia Dr, given the narrow nature of that road. The applicant notes that Council has the option to remove the connection

from the DCP if this is deemed to be an issue.

Staff are recommending an amendment to the DCP:

The extension of Acacia Drive into the urban release precinct is not supported in principle. Any development application for the corresponding stage of the development should provide a pedestrian and cycleway connection only through to Acacia Drive. Any alternate design to connect Acacia Drive into the urban release area as a vehicular road may trigger requirements for road upgrades and improvements to Acacia Drive.

This amendment has been incorporated into the draft version of the document DCP section attachment to this report – see Section 30.5.3(XI).

BACKGROUND

The Ironbark Ridge Extension was zoned R1 Residential and R5 Large Lot Residential zoned land on 30 June 2021.

The site is mapped as part of the ‘urban release area’ identified by the Muswellbrook LEP 2009. Section 6.3(2) of the Muswellbrook Local Environmental Plan 2009 restricts Council from granting development consent to the subdivision of land within an urban release area unless a development control plan providing for matters set out in Section 6.3(3) applies to the site.

A Draft Development Control Plan (DCP) for the Ironbark Ridge Extension was prepared by the Proponent and submitted to Council for consideration. The draft DCP relates to the area identified in the image below:



The controls set in the DCP require consideration in the assessment of any related development application, however, Section 4.15(3A) of the EP&A Act includes provisions guiding consent authorities around the flexibility of their application in scenarios where reasonable alternate solutions demonstrate a means of achieving objectives which inform the related controls.

PREVIOUS COUNCIL RESOLUTIONS



The Draft Development Control Plan was previously reported to Council's 25 June 2024 Ordinary Council Meeting, where Council made the following resolution:

Council resolves to:

- A. prepare a Development Control Plan section related to the Ironbark Ridge Extension Area; and*
- B. undertake public consultation related to the draft Development Control Plan section in line with Council's Community Participation Plan.*

Post notification, the draft Development Control Plan was reported to the 25 February 2025 Ordinary Council Meeting. At this meeting, Council deferred a decision on the final endorsement of the Development Control Plan to allow further consideration of community objections.

REPORT

The Draft DCP was publicly notified between 10 July 2024 and 7 August 2024, in accordance with Council's Community Participation Plan requirements. The Development Control Plan was notified parallel to the notification of DA 2024/36 which relates to subdivision of stage one of the land and the construction of dual occupancy style dwellings on the lots created.

Council's notification correspondence advised individuals interested in making submissions that combined submissions on both the Draft Development Control Plan and related development application were acceptable. Staff reviewed submissions received and consider that all eighteen (18) submissions received through the public notification period relate to both the development application and Draft DCP. The key themes raised by submissions have been considered and commented on under the public consultation heading.

Following the public notification, minor changes have been made to the Draft DCP to update proposed development controls and correct typographical errors. The revised DCP is provided in Attachment A.

DRAFT DEVELOPMENT CONTROL PROVISIONS

The DCP includes:

- a) A Staging Plan – this provides a conceptual lot layout for all stages of the development.
- b) Servicing plan - requires all stages to be accompanied by a Servicing Strategy and for future lots to be serviced by reticulated water, sewer, telecommunication and electricity services installed by the developer in accordance with the related strategy.
- c) Identifies proposed Open space - community open space and public park areas are to be provided generally in accordance with the accompanying open space plan. The proposed community open space arrangement and the concept of accepting the dedication of parkland with the various stages of development was accepted by Council's Park's Team.
- d) Identifies passive and active recreation areas – requirements related to park/playground design and open space pedestrian and cycleway linkages are included.
- e) Water management - requires future stages to be accompanied by stormwater management plans and details related to drainage design requirements.
- f) Built form – references residential design standards. This includes specific setback provision for R5 Large Lot Residential zoned land and requires consideration of bushfire attack level where relevant in dwelling design.
- g) Flora and fauna – requires ecology assessment and Biodiversity Development Assessment



Report, where appropriate, for subdivision of future stages.

- h) Natural hazards - requires future stages accompanied with soil quality investigation, adherence to additional related Development Control Plan and State environmental Planning Policy provisions.

PUBLIC CONSULTATION

Public consultation was carried out from 10 July 2024 to 7 August 2024, concurrently with the development application related to the site (DA 2024/36). Eighteen (18) submissions were received in relation to the combined matters.

A copy of the submissions received is included as attachment B (note: the submissions contained in this attachment are the same submissions included in the DA 2024/36).

Key themes raised in the submissions have been summarised and commented on in the table below:

Concerns	Planning Comment
Capacity of the existing sewer and water infrastructure	<p>The draft DCP requires a servicing strategy be submitted to Council for each stage of the development.</p> <p>The capacity of Council infrastructure to service any future subdivisions in the precinct shall remain a relevant consideration at the time any further development applications are lodged. This is re-enforced by the related proposed DCP control.</p>
<p>Traffic / connection points / road widening</p> <p>Specific concerns were raised about the proposed road connection to Acacia Dr and the very narrow width of this street.</p>	<p>Each stage of the subdivision is required to provide a Traffic Impact Assessment. These reports are a technical assessment of the proposed road network and its ability to accommodate the development proposed by an appropriately qualified traffic engineer.</p> <p>The Traffic Impact Assessments will need to address / consider:</p> <ul style="list-style-type: none"> - Traffic volumes - Triggers for the provision of infrastructure and upgrades - impact of the development on the internal and external road system - identification of roads upgrades - any intersection upgrades - connection to existing road network <p>An option to address community concerns about the vehicular connection to Acacia Dr is to limit this connection to a shared pedestrian/cycle path only.</p>
Not in keeping with the existing rural character of Ironbark Ridge	<p>The Ironbark Ridge Extension has previously been zoned for urban subdivision and designated as an 'urban release area' by Council under the Muswellbrook LEP 2009.</p>



Concerns	Planning Comment
Undesirable living environment due to high density	<p>Documents accompanying the Draft DCP identify sites referred to as 'super lots' on which the Proponent is interested in considering multi-dwelling housing style developments.</p> <p>The "super lots" will all be within the R1 General Residential zoned area which permits multi-dwelling housing of the density proposed. Section 6 of the DCP outlines density requirements that will apply to the proposed "super lots".</p> <p>The draft DCP also allows for the "super lots" to be further subdivided into lots with a minimum area of 600m².</p> <p>This can be seen in section 30.5.7 of the draft DCP</p>

OPTIONS

Council may:

- A) Approve the Development Control Plan included in attachment A to this report (which includes alterations since the notification period).
- B) Approve the Development Control Plan included in Attachment A subject to additional alterations specified by Council.
- C) Decide not to proceed with the Plan.

STATUTORY / LEGISLATIVE IMPLICATIONS

Under section 14(4) of the Environmental Planning and Assessment Act 2021, a development control plan comes into effect on:

- (a) the day on which the notice of the council's decision to approve the plan is published on its website, or
- (b) a later day specified in the notice.

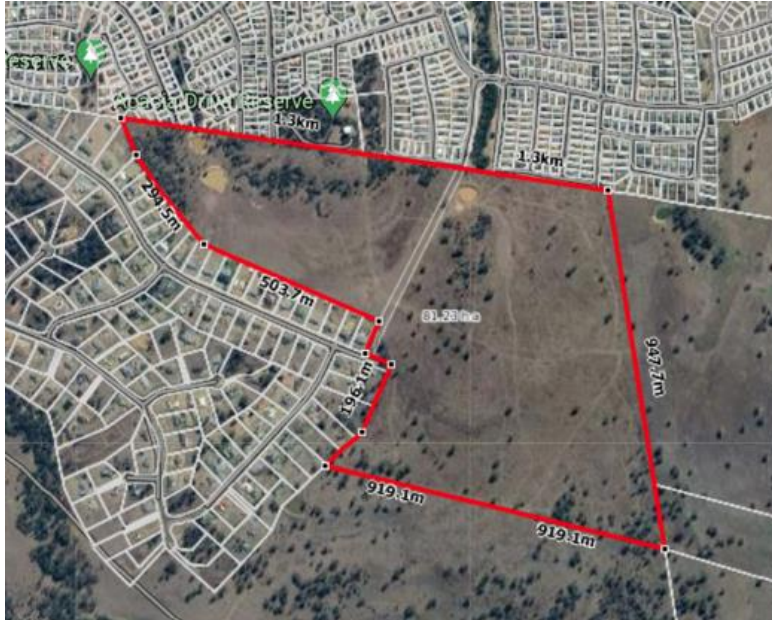
In this regard, this draft section of the DCP will be effective from the date of the Council meeting and will be a relevant consideration for the assessment of any new development applications for the site.

acSection 30 – Ironbark Ridge Extension

30.1 Application

This Section applies to all land with the Ironbark Ridge Extension Urban Release Area, as shown outlined with a red line on the map at Figure 1.

Figure 1. Ironbark Ridge Extension Urban Release Area



30.2 Relationship to other Plans and chapters of the Development Control Plan

This Section supplements the provisions of the Muswellbrook Local Environmental Plan 2009, and the other sections of the Muswellbrook Development Control Plan. Of particular relevance are the provisions of Section 6 - Residential Development.

For many developments, this Chapter will provide supplementary controls, with controls applying to the development also being contained in other chapters of the Muswellbrook Development Control Plan.

Where there is an inconsistency between provisions of this Section and those of other Sections of the Muswellbrook Development Control Plan, this Section prevails.

A range of other Council plans, policies and strategies also apply to the Release Area, as may a range of State Government plans, policies and strategies.

Council officers should be consulted if there is doubt as to the applicability of a specific policy, plan, strategy or provision to the Release Area.

Development proponents are advised to seek professional advice regarding the requirements that may apply to their proposal.

(Note: all figures in this Section are conceptual and schematic in nature).

30.3 Purpose

The purpose of Section 30 of the DCP is to provide detailed controls to guide development in the Ironbark Ridge Extension Urban Release Area

30.4 Objectives

The objectives for Section 30 of the DCP is to ensure that:

- a) Development layout and building design responds to the characteristics, opportunities and constraints of the site and its context.
- b) the design of new buildings reflects and reinforces, or is complementary to, the character of the locality.
- c) the character and pattern of existing setbacks and building orientation within residential streets is reinforced.
- d) site facilities are unobtrusive, integrated into the proposal, provide for needs of residents and reduce the impact of development on the environment.
- e) the design and provision of public utilities, including sewerage, water, electricity, street lighting and telephone conform to the cost-effective performance measures of the relevant servicing authority.
- f) ancillary buildings do not dominate the streetscape.

30.5 Development Requirements

All development applications shall demonstrate consistency with the following requirements.

30.5.1 Staging Plan

The Staging Plan (**Figure 2**) provides a guide to the sequence of land development in the Ironbark Ridge urban release area.

Objectives:

- a) To ensure that development of the land is efficient and cost effective.
- b) To facilitate the logical expansion of urban infrastructure.
- c) To ensure residents have access to urban infrastructure and services
- d) To provide a mechanism for flexibility in the staging of development where this is justified and the timing impacts are mitigated.
- e) To provide the basis for the equitable sharing of infrastructure costs.

Controls

- (i) The development of land is to be generally consistent with the 14-stage plan shown in Figure 2.
- (ii) Each Stage may be subdivided into substages. The substages should be identified in a report to accompany the development application for subdivision, together with a description of the substages and the impact of the substage sequence on the provision of infrastructure.
- (iii) Development in a manner inconsistent with the Staging Plan may occur if the proposed sequence is justified by a supporting study, to the satisfaction of the consent authority. The supporting study must be lodged with the relevant development application.

At a minimum, the issues to be addressed in a supporting study to vary the staging sequence include:

- Impacts on the availability of urban services and infrastructure
- including open space; pedestrians, cyclists and residents.
- Impacts on the development of other land/development stages.
- Servicing strategy.
- Cost impacts on other parties, including servicing authorities.

(Note: If the timing of development is inconsistent with the Staging Plan there may be implications for the quantum or timing of infrastructure works or contributions required as a result of that development, so as to ensure other stages are not disadvantaged or to ensure that residents have sufficient access to urban services and infrastructure).

- (iv) All land in Ironbark Ridge is to be serviced by reticulated water and sewerage services unless a servicing study and strategy is undertaken which justifies an alternative means of providing such services. The servicing strategy must be to the satisfaction of the consent authority prior to the granting of development consent.
- (v) Any offsite easements and infrastructure required to enable stormwater runoff from any Stage of the Urban Release Area to be conveyed to waterways in a managed fashion, is to be registered and the infrastructure connected prior to the registration of the lots within that Stage.

Figure 2. Ironbark Ridge Extension Urban Release Area Staging Plan



30.5.2 Servicing Pan

Objectives:

- a) To ensure services are available in a cost-effective manner.
- b) To minimise the life cycle costs of the provision and operation of service infrastructure.
- c) To connect all lots to reticulated services.

Controls:

- (i) Consent will not be granted for the subdivision of land unless a Servicing Strategy has been lodged to the satisfaction of Muswellbrook Shire Council.
- (ii) The required Servicing Strategy should address:
 - The provision of hydraulic, telecommunication and electricity services.
 - Proposed utilities networks and their relationship to adjacent properties, including links to adjacent properties.
 - Capacities of the utility services and the impact of the proposed development on remaining service capacity.
 - Options for utility service provision and a preferred option.
 - Implications of the servicing options for other landowners in the release area.
 - Proposed cost sharing arrangements with other landowners for any shared utility infrastructure including facility upgrades.
 - Details of consultations with servicing authorities in the preparation of the Servicing Strategy.
- (iii) Development will be required to pay for the upgrade of lead-in and other major infrastructure, such as carrier mains, pumping stations, reservoirs and treatment plants.
- (iv) Variations from the Council's Servicing Strategy may only occur if justified by a supporting study to the satisfaction of Muswellbrook Shire Council. At a minimum, the supporting study must address the environmental, capital and operational costs and implications of the variation including the implications for other development stages.
- (v) The provision of easements may be required by Muswellbrook Shire Council. Easements will be required to be negotiated between adjoining landowners. Prospective developers should contact Council regarding Council's interest in being involved in specific negotiations.

30.5.3 Transport**Objectives**

- a) To ensure residents have access to safe convenient vehicular, pedestrian and bicycle networks.
- b) To maximise vehicular, cyclist and pedestrian connectivity within the release area and to other parts of Muswellbrook.
- c) To provide for safe and convenient pedestrian and bicycle movement throughout the release area and to important destinations in Muswellbrook.
- d) To encourage low vehicle speeds throughout the Release Area.
- e) To ensure that the impact of development on transport infrastructure outside of the Urban Release area is considered.

Controls

- (i) Consent will not be granted for the subdivision of land unless a Traffic Impact Assessment has been lodged to the satisfaction of Muswellbrook Shire Council. The Traffic Impact Assessment should address such matters as traffic volumes, triggers for the provision of infrastructure and upgrades, an assessment of the impact of the development on the road system internal and external to the site and Urban Release Area, pedestrian and cyclist networks, identification of road upgrades, intersection upgrades and the cumulative impact of development on the road network, at a minimum.
- (ii) The Traffic Impact Assessment shall also address the design of the road network that is required to service the relevant stage of development and how

- the road network connects to the other stages of the development in a logical hierarchy of street function, where applicable.
- (iii) All roads and footpaths shall be designed and constructed in accordance with Council requirements.
 - (iv) The road network is to be generally consistent with the road network detailed in the concept staging layout unless otherwise supported by a Traffic Impact Assessment.
 - (v) Road widths are to be in accordance with Section 5 of the Muswellbrook DCP.
 - (vi) The location and design of movement networks must give priority to:
 - facilitating efficient walking, cycling and public transport networks and;
 - retaining and complementing natural topography, such as views and drainage.
 - (vii) Alternative access points other than those identified in concept staging layout are to be supported by a traffic study to the satisfaction of Muswellbrook Shire Council.
 - (viii) Any change to the preferred location of road infrastructure is to be addressed in a traffic study to accompany the development application for subdivision and is to be to the satisfaction of Muswellbrook Shire Council.
 - (ix) Any subdivision following Stage 1 is to be supported by suitable technical information to inform Council and Transport for NSW of the potential impact additional traffic associated with the proposed development may have on the intersection between Bimbadeen Drive and the New England Highway.
 - (x) Where appropriate, Satisfactory Arrangement Certificates are to be achieved for all future subdivisions from the Department of Planning, Housing and Infrastructure. To achieve this required sign off related to state traffic infrastructure per Section 6.1 of the Muswellbrook LEP 2009, it will be necessary for the future development concerned to incorporate any required improvements to the intersection between Bimbadeen Drive and the New England Highway required to achieve this sign off.
 - (xi) The extension of Acacia Drive into the urban release precinct is not supported in principle. Any development application for the corresponding stage of the development should provide a pedestrian and cycleway connection only through to Acacia Drive. Any alternate design to connect Acacia Drive into the urban release area as a vehicular road may trigger requirements for road upgrade and improvements to Acacia Drive.

30.5.4 Open Space

Objectives

- a) Open Space is to provide for a variety of recreational, aesthetic and environmental purposes
- b) Open space should be easily maintained
- c) Open space should provide informal and formal settings.

Controls

- (i) Open space is to be provided generally in accordance with the Open Space Plan at **Figure 3**.
- (ii) Multiple use open space should remain usable for its intended purpose and not be compromised for extended periods by wet soils.
- (iii) Riparian vegetation along main watercourse drainage reserves is to be re-established using native species.
- (iv) Drainage reserve riparian corridors are not to be less than 40 metres in width (i.e. 20m either side of the re-established ephemeral creek) or 20 metres, as

relevant, at any point unless otherwise justified to the satisfaction of the consent authority and as required by the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW).

- (v) Open space areas are to be linked by pedestrian and cycle paths as far as practicable to provide an accessible network of open space.
- (vi) Where possible, roads or laneways/shareways are to border open space areas to provide passive surveillance and access.

Figure 3 Open Space Plan



30.5.5 Landscape Plan

Objectives

- a) Existing native vegetation is to be retained and enhanced where possible.
- b) Ironbark Ridge extension is to exhibit a landscape similar to the existing urban area of Ironbark Ridge.
- c) The scenic quality and local character of the area is to be maintained.
- d) Landscaping should showcase and/or frame the rural vistas to the east and south, where possible.

Controls

- (i) Consent shall not be granted for the subdivision of land unless a Landscape Plan has been lodged to the satisfaction of the consent authority. A concept plan may be acceptable at the development application stage and a detailed plan at the Subdivision Works Certificate stage (this should be confirmed with the consent authority prior to lodgement of a development application for

subdivision). At a minimum, the landscape plan is to contain details of the proposed landscaping of the public domain, including streets and open space. This landscape plan must be to the consent authority's satisfaction prior to the granting of development consent.

- (ii) Landscape plans should include:
 - A schedule of the species, including scientific and common names, planting locations, and the mature height.
 - Technical details of the planting and initial maintenance regime.
 - An assessment of ongoing maintenance requirements.
 - Landscape treatments, including paving and street furniture.
- (iii) Street trees are to be planted to:
 - Soften the streetscape.
 - Act as traffic calming measures through perceived narrowing of the road.
 - Provide shade to footpaths and roads.
- (iv) The main watercourse drainage reserves are to be landscaped as a riparian area, with native vegetation.

30.5.6 Passive and Active Recreational Areas

Objectives

Open Space is to be provided for a variety of recreational, aesthetic, and environmental purposes.

- a) Open space should be easily maintained.
- b) Open space should provide informal and formal settings.

Controls

- (i) Open space is to be provided generally in accordance with **Figure 3**.
- (ii) A local park with an area of not less than 0.2ha with various facilities, including a playground, should be provided in a location detailed on the approved Landscape Plan and approved by the consent authority.
- (iii) Open space areas are to be linked by pedestrian and cycle paths, where practicable, to provide an accessible network of open space.
- (iv) Where possible, roads or laneways/share ways are to border open space areas to provide passive surveillance and access.
- (v) The open space (including drainage reserves) and recreations areas shall be dedicated to Council.

30.5.7 Water Management

Objectives

- a) The water balance of Ironbark Ridge Extension is to be as close as possible to natural conditions.
- b) Drainage should be generally directed away from the existing urban area of Ironbark Ridge to the maximum feasible extent.
- c) Water management should seek to provide an effective treatment train in the context of minimising Council's long term maintenance requirements. The treatment train should consider source controls, water quality, water volume, on and off-site detention, instream treatment measures, salinity management, and the implications for receiving areas.
- d) Runoff generated by more intense rainfall causes no downstream property damage or risk to public safety and to mimic the existing flow regime as near as possible.

- e) All necessary easements will be required to be negotiated between adjoining landowners prior to approval of the Subdivision Works Certificate.

Controls

- (i) Consent will not be granted for the subdivision of land unless a Water Management (stormwater) Strategy has been lodged to the satisfaction of the consent authority.
- (ii) The quality and quantity of runoff of each stage of development is to be equivalent to the pre-development state, where possible. Council will define each stage for the purposes of this Control.
- (iii) Development of land inconsistent with the Water Management Strategy can occur if the proposed measures are justified by a supporting study, to the satisfaction of the consent authority. The supporting study must be lodged prior to or with the relevant development application.
- (iv) The supporting study is to include (but not be limited to):
 - Hydrological and flood analysis of the proposed strategy.
 - Impact on the overall Water Management Concept Plan.
 - Impact on other future urban development within Ironbark Ridge Extension.
 - Cost impact on Council (recurrent) and other future urban development (capital).
 - Impact on upstream and downstream land and buildings.
 - Environmental impact.
- (v) The water management strategy for the main watercourse is to be designed to appear as a natural stable stream in a riparian corridor.
- (vi) Stormwater strategy and design is to consider the context of the site along with upstream and downstream impacts.
- (vii) Water management strategies should aim to achieve a:
 - Reduction of erosion.
 - Reduction of flow velocity.
 - Reduction of runoff volume through at source controls and water quality treatment.
 - Maximum infiltration.
 - Salinity management (note: a balance is required between this and the objective above; Council's advice should be sought in this regard).
 - Drainage easements may need to be provided.
- (viii) Development is to comply with the provisions of Section 25 (Stormwater Management) of the Muswellbrook Development Control Plan.
- (ix) Easements may need to be created in circumstances where water management infrastructure, such as detention basins, are located on land not included in that development. Easements are to be negotiated between adjoining landowners. as required. prior to the approval of the construction certificate of the development.

30.5.8 Built Form /Residential Densities

Refer to Section 6 of this DCP.

(Note: Standards applicable to residential density established under Section 6 of the Muswellbrook DCP apply to the land subject to this site specific DCP).

Objectives

- a) Residential design and construction shall reflect / be consistent with expectations of a new residential area.
- b) Construction of dwellings shall incorporate any bushfire and acoustic considerations where necessary.

- c) Ensure development within R5 zoned land is appropriately sited to complement streetscape and provide suitable privacy setbacks to adjoining land.

Controls

(Note: Lot size controls are shown in the *Muswellbrook Local Environmental Plan 2009*).

- (i) Outbuildings shall
 - be constructed in compatible materials with the locality / residence on the subject land.
 - Only be constructed in conjunction with a new dwelling or after the dwelling has been occupied.
 - Be of an appropriate size and height for a residential setting.
 - Except for carports, outbuildings are to be located entirely behind the building line of dwellings
- (ii) Any Bushfire Attack Level and/or acoustic requirements shall be included in plans for residential development
- (iii) Where Section 6 of the Muswellbrook DCP or any alternate DCP Section does not include minimum setbacks for R5 Large Lot Residential zoned land, the erection of dwelling houses and outbuildings on this land is to comply with the following minimum setbacks:
 - A) Minimum 15m setback from a primary road frontage.
 - B) 10m from any secondary road frontage.
 - C) 5m from any adjoining side or rear property boundary.

30.5.9 Flora and Fauna

Objectives

- a) Future subdivision of the land does not have adverse impacts on either flora or fauna associated with the land.
- b) Trees identified as being retained shall be adequately protected.

Controls

- (iv) Consent will not be granted for the subdivision of land unless an Ecological Assessment Report and Biodiversity Development Assessment Report (if applicable) has been lodged to the satisfaction of the consent authority.
- (v) Trees identified in the report shall be retained during the subdivision development and subsequent occupation of the land.
- (vi) If appropriate, restrictions on use of land shall be placed on the relevant allotments ensuring protection of the nominated trees.

30.5.10 Natural Hazards


Objectives

- a) Ensure future lots are free of any potential contaminants that may inhibit the development of the land or appropriate provisions are made for the remediation of the land concerned.

Controls

- (i) Refer Section 21 of this DCP for requirements in relation to contaminated land.
- (ii) Development application for future stages to be accompanied by a Preliminary Soil Investigation alongside any additional studies considered appropriate to determine the site is suitable for development in accordance with related

provisions of the State Environmental Planning Policy (Resilience and Hazards) 2021.



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi team

Just a follow up to my previous email in relation to subdivision of Ironbark ridge

As previously explained I attended your office and could not get any clear answers.

I current have the property at the end of mahogany and I am attempting to find out what this means for me

The application paperwork that came to my house discussed the changes to acacia drive and widen of roads etc but not of mahogany Ave.

My end of the street is quite narrow and currently the rubbish truck struggles to collect my bins due to lack of space, and water pools in the end sections.

Will mahogany be widened when extended?

If widening will you be repairing driveways that this may effect.

Also in the plan it shows that I will have a zones 1, 10 and 7 what does this mean the for existing dams and my current fence line and the gap between my fence line and the barb wire that separates me from the reserve currently.

Is the bike track a push bike track?


I am also unsure of the road that may be on the map opposite my house will it have some type of safety management to ensure the safety of residents?

Will speed humps be in stalled to slow traffic?

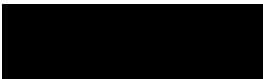
Also will this be developed in sections? To help the wildlife that resides in there to have a smooth transition?

Please could you contact me via email to discuss

I am happy to attend the office and discuss this concerns in person. If a suitable time can be arranged.

My number is  if you have anything you like clarification for.. please email this address back as it's my new one

Thanks kindly



TO THE GENERAL MANAGER OF MUSWELLBROOK SHIRE COUNCIL

Objection and Comments on DRAFT DEVELOPMENT CONTROL PLAN – Section 30 Ironbark Ridge Extension. Lot 101 DP 1170190, LOT 103 DP 1170190

Objectors-

Email Address –

Mobile Phone -

Dear Sir we are objecting to the above proposed Development Application for the following reasons as outlined below:

- 1) **94 Multi Dwelling Housing-** Our main concern is with the proposed development is the construction of 94 dwellings (multi dwelling housing) which is not in keeping with the original Ironbark Development. When we purchased our block of land over 10 years ago we were told that the paddocks behind us were reserved as buffer zone for the Mt Arthur Coal Mine and was not going to be developed. This is a complete reversal of this advice that we were given at the time.

We are concerned that with this proposed multi dwelling housing being constructed in such a small area, this could possibly have the potential to create an undesirable living environment for those people living within and existing residents living around the proposed development which often occurs in these high-density living areas.

The proposed development if approved will also increase the number of vehicles using Ironbark Road which has a history of cars speeding up and down the road causing noise nuisance and safety concerns for residents.

- 2) **Forna and Flora** -There is a large population of kangaroo's and bird wildlife that live in the area where the Development is being Proposed and if the proposed development is approved, they will be forced out of the area as their habitat is progressively being eroded.
- 3) **Development Stormwater Runoff-** The existing properties in Ironbark Road that back onto the Proposed Development have since the Ironbark Road Development was originally established have experienced a considerable amount of storm water runoff from the land where the Proposed Development is being proposed causing localised flooding which has been reported to Council on numerous occasions but no action was taken even though we had received letters from council saying they were going to address the problem.

It is noted on the Draft Plans that (2) two temporary Outfall Channels are to be constructed to discharge storm water as are shown on the Functional Layout Plans Design Drawings Key Map Layout Plan Drawing Numbers 322142-001 CF200A will greatly exasperate the storm water runoff for the existing residents backing onto to the Proposed Development which could result in severe flooding which is not acceptable as a large portion of land in question is falling towards the residents' properties.

As a suggestion Council should request the Developer to amend the draft drainage plans to include the construction of a simple earth V drain running parallel and on the northern side of the affected residents rear property boundary fences which will catch and direct the

stormwater from the Proposed Development site down the hill and into the existing dam water retention Pond north west of Stage1 of this development.

- 4) **Road Widths and Vehicle Park** - The road widths shown on Drawings Nos 322142 – 001 CF300 and 400 show the road cross sections of some of the residential roads 10 metres and 12 metres in the proposed subdivision which in our opinion are too narrow to allow for two lanes of traffic to navigate the road and if someone parks a car on the side of the road it would be almost impossible to get past. Council needs to review the width of these roads.

The other issue is the lack of parking for vehicles in and around the location where the multi dwelling housing is proposed to be constructed. These days it is not unusual to have two or three vehicles per family which poses the question where are residents and visitors going to park their cars. The council needs to request the Proposed Developer to review their assessment of the amount of car parking space so that there is adequate parking available to all vehicles.

- 5) **Sewer and Road Drainage** – When the existing Ironbark Road development was constructed over 10 years ago it is unclear whether the road drainage pipework and the sewerage system pipework was designed to allow for several hundred additional homes to be connected into the existing road drainage and sewerage systems. The proposed new subdivision shows a sewer main extension to be installed outside and at the rear of the existing properties in Ironbark Road. The Council needs to ask the proposed developer to provide assurances that there is adequate capacity to connect into the existing systems.
- 6) **Construction of A Water Retarding Basin.** It is also noted on the proposed development drawings that a proposed Water Retarding Basin is to be constructed adjacent to and across the road from a proposed Early Learning and Childcare Centre. I suppose the question is, did the proposed developer take into account that young children will be in the vicinity of this Basin and what measures are to be in place to prevent children from wandering into the Basin area. Possibly provision of fencing to prevent access by children.

Thank you for the opportunity to comment on this proposed development application as it will have an impact on us and the other residents that will back onto the proposed development and other residents in the estate.

I trust that Council will take our comments into consideration when assessing whether to approve the Proposed Development in relation to DA Application No 2024/36.

Yours Sincerely



PS. [REDACTED] spent 36 years as a Clerk of Works and Civil Inspector which has assisted me in reading the drawings and Interpreting the Proposed Development application. We would be happy to discuss any of the items raised in the above letter with Council Staff if required.

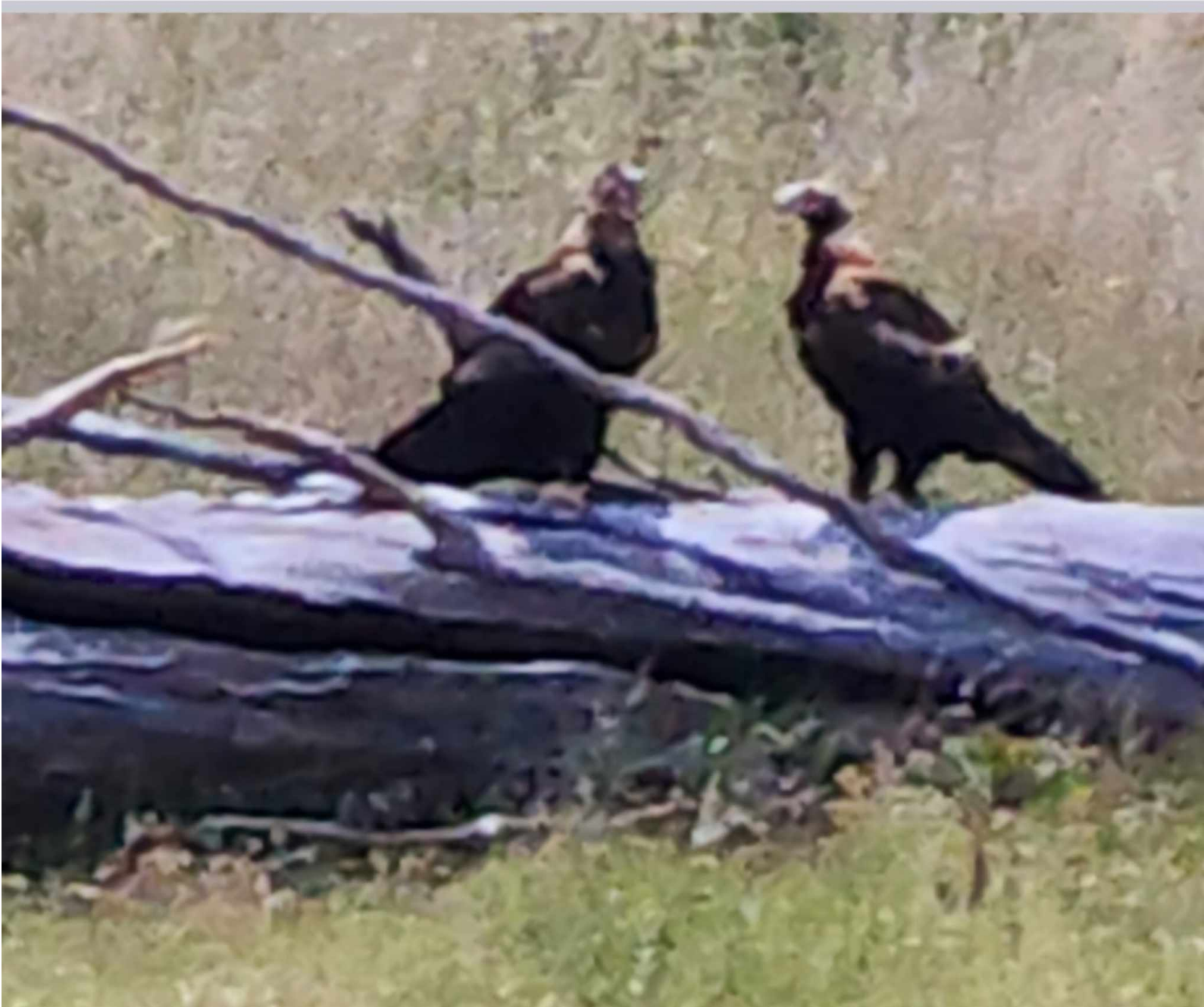














Attachments: [452518867_2322808744588534_6040313465058667646_n.jpg](#)
[452574612_1198734147827197_1116644890371030889_n.jpg](#)
[452183186_2252984268369593_2452770940748721052_n.jpg](#)
[454013946_1013869530464148_4661378583875209310_n.jpg](#)
[453953458_350028471487997_3864028775238429797_n.jpg](#)
[452292566_406285001939131_1644246995030896623_n.jpg](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager of Muswellbrook Shire Council

As the owners of 98 Ironbark road, Muswellbrook we would like to put in our objection to the proposed development of the Ironbark Ridge Extension. The reason we purchased this particular block of land is because of the beautiful land and dams out the back.

While we were in the process of purchasing our house we asked if behind us would ever be built up and we were told no it was being left as a buffer zone.

We have so many animals that live in the land behind our house Kangaroos and Eagles pictured below, numerous birds, lizards, frogs etc.

If the extension has to go ahead could a 10 metre grass break be put between our back fence and the next acre block. If that cannot be arranged we would like permission to install a higher block out fence so we don't have to see the block behind us.

We are so disappointed in the proposed extension of Ironbark Ridge. It will devalue all our houses that back onto the extension and are very opposed to it going forward in its current form.

Thanks



SUBMISSION IN CONFIDENCE

Date: 5 August 2024

email: council@muswellbrook.nsw.gov.au

Dear General Manager

NOTICE OF PROPOSED DEVELOPMENT AND DRAFT DEVELOPMENT CONTROL PLAN

1. DA 2024/36 a Development Application lodged with Muswellbrook Shire Council for the subdivision of Lot 101 DP 1170190 and Lot 103 DP 1170190 into twenty-four Lots and construction of ninety-four (94) dwellings (multi-dwelling housing).
2. A Draft Development Control Plan lodged with Council for the Ironbark Ridge Extension area.

On viewing the submission, we have significant concerns which affect our block of land I.e. 114 Ironbark Road Muswellbrook (Lot No. 211 DP1165467) :

- Our home was approved as a normal block without the requirement to be 10 metres from the side boundary. Our block was not a corner block so the position of our house was approved by Council and developer adhering to the subdivision covenant of 5 metres. To change our block to a corner block will mean our home is closer to the side boundary than any other corner block in the subdivision and noncompliant.
- Since this will not be an intersection to a cul de sac but a main collector street to collector street (as noted on the document) and access to many blocks and the highway, it would seem inappropriate for this to be the case and a further obstacle to visibility.


With the construction of the new intersection from Ironbark Road into the new subdivision next to our Lot 211, we note that our Lot will be the only Lot in the entire Ironbark Ridge Estate that has a squared-off corner at the intersection i.e. the intersection will not have a truncated corner. This would appear to be inconsistent with the document provided for the Lots 101 and 103 as referenced on Drawing No: 322142-001CF400 Rev. A. Function Layout Plan turning template Sheet 1.

Resolution

- We thereby request that the DA be amended to either NOT make Lot 211 Ironbark Road a corner block or Council liaise with the developer to assist us contact and negotiate a boundary change so the position of our home complies. If the proposal goes ahead, the impact to 114 Ironbark will be permanent and unchangeable. Currently, the DA consists of surveyed plans and lines on an application. Our proposal is a minor change to a large developer.

My husband and I have been rate-paying residents of Muswellbrook and area since 1979. We are people who have always sought Council assistance when we had any queries and have always endeavoured to abide by rules and regulations. To put us in a position where this will no longer be the case is a position we hope Council will assist us in resolving.

Yours faithfully



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

16/07/2024

Dear General Manager,

I am writing to express my strong opposition to the proposed housing development plan currently under consideration. (Section 30 Ironbark Ridge Extension) When we purchased our land and built our home, we were attracted by the rural aspects of the area that were promoted to us. The introduction of a large-scale housing development, particularly one that includes affordable housing and prebuilt duplexes, fundamentally undermines these rural qualities and raises several significant concerns.


First and foremost, we believe that the inclusion of affordable housing in the new development will likely lead to a devaluation of our property. This is a significant concern for us as homeowners who have invested considerable resources into our homes and community. Additionally, there is a well-documented correlation between high-density affordable housing and an increase in crime rates, which is something we strongly wish to avoid in Muswellbrook.

We are also opposed to the prebuilt duplexes planned for this development. Such structures do not align with the character and aesthetic of our rural environment. Moreover, we do not see a pressing need for this property expansion. There is still a significant amount of land available for sale within Muswellbrook, and the anticipated closure of mines in the future will likely lead to a reduction in local job opportunities. This makes it unlikely that there will be sufficient employment for the new residents that this development aims to attract.

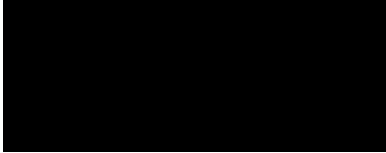
In summary, the proposed housing development threatens the rural nature of our community, risks lowering property values, may contribute to higher crime rates, and seems unnecessary given the current and future land availability and employment prospects in Muswellbrook. We urge the Council to reconsider this plan and seek alternatives that better preserve the qualities of our community.

Thank you for your attention to this matter. We hope that you will take our concerns into serious consideration.

Yours sincerely,



Objection to Proposed Development and Draft Development Control Plan Ironbark Ridge



6th August 2024

General Manager
Muswellbrook Shire Council
Muswellbrook NSW 2333

council@muswellbrook.nsw.gov.au

**Re: Development Application DA 2024/36 and Draft Development Control Plan
Section 30 Ironbark Ridge Extension Lot 101DP 1170190, Lot103DP 1170190**

To Whom It May Concern

In 2018 to 2020 we purchased a block and built a new dwelling at 96 Ironbark Road after specifically deciding on that subdivision because it offered country living within town limits, wide open spaces with a rural outlook, R5 sized blocks and most importantly an E3 zoned area immediately adjoining the rear of our block. There is nothing else in town that offers what Ironbark Ridge Estate does and this is why it is so popular.

We wish to make you aware that we **strongly object** to the proposed Development to allow additional subdivisions as an extension to Ironbark Ridge. We are of the view that the proposed development will have a serious impact on our subdivision.

Our Specific objections are as follows:

1. There are currently a large number of blocks available for sale in Muswellbrook ranging from R1 or small residential to large rural blocks. Why overload the market with more blocks, especially as in the last 10years, the towns' past population growth hasn't supported the need for smaller blocks including the former subdivision planned as you entered town from the East (nick named the Rice paddy fields). We are also following with interest the new releases of blocks near Highbrook Park and the remaining North Muswellbrook Lots.
2. Councils are expected to provide a high standard of layout and design that ensures adequate privacy for the occupants. The proposed development of multiple small residential blocks at the rear of our land (and subdivision) will create the potential for our home and backyard to be overlooked resulting in an invasion of privacy. Although some larger blocks have been proposed along the rear of current homes in Ironbark Road, the view from our backyards up the hill towards the "Water Tower" will be of masses of small multi dwelling homes. It will result in the destruction and disappearance of our rural outlook and a beautiful natural habitat. **In its place will be an area**

resembling one of Sydney's high density suburbs with no decent backyards or space between dwellings.

The current area behind Ironbark Road should be kept and not destroyed for a heavily populated residential area. We didn't purchase a block advertised as having a rural aspect to now be faced with hundreds of dwellings on small blocks looking into our backyard.

3. The design of the proposal does not afford me the right to the quiet enjoyment of my backyard and the Human Rights Act states that a person has the substantive right to respect for their private and family right.
4. We have the right to feel safe in our own home and backyard. The proposed development will result in increased scrutiny of the existing Ironbark Ridge properties and their residents. Statistics support the fact that in areas of medium to high density housing there is an increased number of crimes committed. This could result in the safety and security of current Ironbark residents being negatively affected which would also reflect on the town.
5. If the proposed Application is successful it would result in the loss of characteristics of our estate. At present we enjoy many species of wildlife calling our subdivision home and they are commonly sighted on the vacant land behind us and in the streets and backyards. We feel the open rural blocks support family living not just for humans but for our precious wildlife. This would not be the case if the land was developed as proposed. **It is of utmost importance to protect our wildlife** and it is a known fact that **Green open space** is in short supply in our area and this site would serve best if left as much needed open space for both the local environment inhabitants and local residents. I can provide an enormous number of photos and videos of wildlife in this subdivision and the vacant land at the back of us.
6. **Suggestion: If this Proposal is successful would it not be possible for council to ask the developer to provide an environmental buffer zone of trees/natural habitat or walking trail or bike trail behind the houses in Ironbark Road as appears on the submission behind established homes along Jillaroo Street?**

These photos are taken from on our block and around the subdivision.





7. The Ridge of Ironbark Trees which gave its name to our estate is well established and any Development (particularly the proposed Development of over 500 Blocks), would see the loss of not only those trees but a large area of trees, shrubs and other plants.
8. If the application were successful we feel strongly that there will be a substantial increase in noise from the construction phase of a high density subdivision, the occupants and traffic due to the proposed street design. We feel the proposed development would have more benefit noise wise if a tree lined buffer zone was included behind us (or if not then only large lots similar to ours were approved) which would then minimize traffic flow around the subdivision. Until recently, all traffic to our subdivision entered and exited via Ironbark Road and increasing that again now by a large volume, especially during construction phase, would also increase the safety risk to residents both young and old.

9. The visual impact of small blocks with multi dwelling housing would be devastating to all the residents who chose Ironbark Ridge for town living – country lifestyle. As the original document from 2009 states “great views and open spaces” and this is still reinforced on many current websites e.g Local Real Estate businesses, as well as sites such as Realestate.com, McDonald Jones Homes etc etc who are advertising Ironbark Ridge.

Muswellbrook Shire Council would be aware of the popularity of Ironbark Ridge Estate. This popularity and community value should be protected by Council by maintaining the separation of existing residential blocks . The proposal submitted does not represent any of the current estates values. **When the original lots at Ironbark Ridge Estate were advertised and sold it clearly identified the parcel of E3 Environmental land not to be built upon.**

10. We believe the proposed development contravenes council policies. It does not respect local context, street layout, scale and proportion of adjoining lots and would be entirely out of character with the area, to the detriment of the local environment. All of the Ironbark Ridge blocks are large R5 residential blocks with large spacing between. Residents had to abide by covenants. Shouldn't the council be responsible for any adjoining subdivisions being covered by the same covenants. **Suggestion: This would only be achievable with R5 rural blocks(or buffer zone/natural habitat) for the remaining land in the submission submitted to council and adjoining the present boundaries of Ironbark properties.**

11. The proposed development of Stage 1 residential would significantly alter the fabric of the area leading to a decrease in value of the current homes and land. This could have a serious flow on effect with valuations by financial institutes leaving many residents in a difficult situation. Muswellbrook has in the past seen the effect on families needing to sell homes at a loss and leave town with bitter memories. We do not need a repeat of this. The people currently residing in Ironbark Ridge are the families positively promoting the town. We are passionate supporters of the town which is needed more than ever in this day and age.

12. If the Application was successful we would be concerned also regarding the accessibility for emergency services needing quick and efficient response to emergencies in this proposed development. If the proposed access initially is only along Ironbark Road it could result in a serious safety issue arising to both construction workers and Ironbark Ridge residents (especially if the access roads were obstructed.)

13. Concerns are also raised with the affect the planned subdivision would have on existing local infrastructure should the blocks actually be developed - the health services, transport, education, sewer and water, telecommunications and electrical supply.

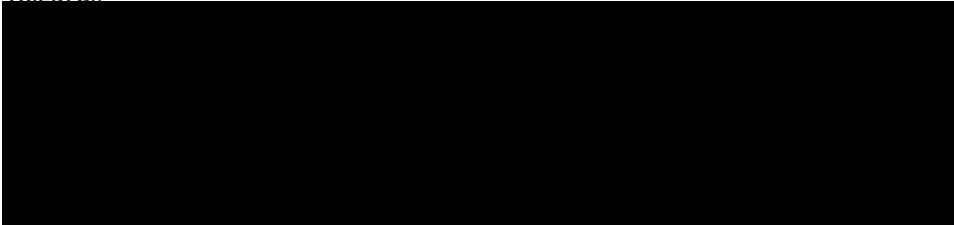
14. If the application is successful we have grave concerns that with the closure of the Power stations, as well as some open cut coal mines and local businesses the town will end up with another "eyesore" of multi dwelling small residential lots. The current demographic of the residents of Ironbark Ridge will change if the proposed development is permitted. Lift the aesthetics of our town by keeping Ironbark Ridge and surrounds as having a rural aspect.
15. If the proposal is successful the Land in question incorporates a sloping block and we have concerns about the impact on surrounding properties in terms of drainage and land stability. The rear of our block and those of our neighbours along Ironbark Road would adjoin the proposed development and many of us have clear memory of the initial drainage problems of Eastbrook Links Estate.

In conclusion, we remain strongly opposed to the inappropriate and imposing plans to allow extension of subdivisions adjoining Ironbark Ridge. Please keep the E3 area as an environmental buffer. This proposal has the potential to detract from and negatively affect the character and community of our area with a flow on effect no doubt felt by council and the wider community.

If the proposal is successful please keep large rural blocks or buffer zone adjoining Ironbark Ridge and involve residents in any future planning of the extensions. The consideration of the current residents' lifestyle and immediate and future value of their properties is of utmost importance.

We would be grateful if these objections were taken into consideration when deciding this Development application and would like to invite any Councillor or interested party to visit our backyard and try to understand why we feel the way we do regarding any development on that land.

Regards



The General Manager

Muswellbrook Shire Council
PO Box 122,
Muswellbrook NSW 2333



Dear Sir,

RE – DRAFT DEVELOPMENT CONTROL PLAN - LOTS 101 & 103 DP 1170190
AND DA 2024/36

We object to both proposals on the basis of reduced visual amenity and interruption of rural residential lifestyle experienced by ourselves and others on Ironbark Ridge Estate. The draft DCP provides little buffer between existing large rural residential lots and the proposed high-density lots. Our property, and all those on the eastern side of Ironbark Road, currently have a rural outlook on vacant land with grazing cattle and natural flora and fauna. The placement of high-density housing on this land in full view is not in keeping with the view experienced by the majority of other Ironbark Ridge Estate residents who enjoy a rural residential outlook.

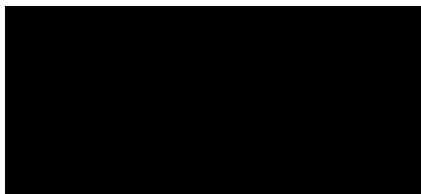
It is noted that in some areas the DCP proposes a larger buffer between existing rural residential lots and the future high density housing lots. This is evident at the southern end of the existing residences on Jillaroo Way where Vegetation and Biodiversity spaces are proposed before transitioning into more large rural residential lots and then to medium and high density lots.

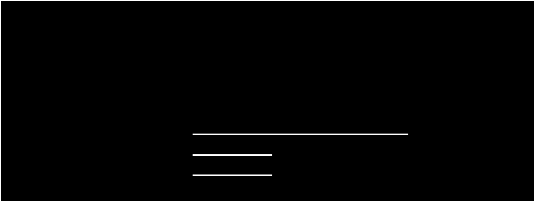
DA 2024/36 demonstrates the worst aspects of the DCP and should be rejected for the reasons mentioned above.

We urge Council to defer a decision on the DCP and the DA and have the proponent revise the DCP with stepped transition from existing large rural residential lots of 4000sqm to medium density lots of say 2000sqm then to 1000sqm lots with high density 300sqm lots at the eastern and southern boundaries. This would place the medium and high-density housing lots closer to existing urban residential lots.

By doing this the residents of Ironbark Road would, over time, have a similar outlook to the majority of existing residents on Ironbark Ridge Estate.

We thank Council for the opportunity to comment and would welcome further discussion to expand or clarify our objection.





CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager,

Dear Sir,

I hope you will consider the following points, all of which I consider extremely important for the town and for the future housing developments.

Over the weekend I took photos of other housing developments in the Hunter Valley.

- Hereford Hill Lochinvar
- Chisholm Thornton

I have also looked at Huntlee as part of my research; and also observed Maitland's developments and Wollongong's developments (which extend from Wollongong to Nowra. Kiama and Gerringong are now just suburbs of Wollongong). There is no distinguishing landscape between these towns as they are all houses. In Maitland the housing developments extend to the horizon and reach Raymond Terrace.

I recognise that with an expected population increase into Australia , of 600,000 in 2024 alone, housing developments are hot topics. It is not surprising that Muswellbrook would be included in this expansion. Although I was surprised, saddened and shocked. No doubt as most people were.

I understand Housing Developments are inevitable, however I do believe that there are **vital improvements and considerations** to be made in this DA, if the town is to thrive into the future.
All the housing developments I looked at have several major features in common.

1.
Every road into the housing developments have a 6 lane Highway leading into them.

There are two lanes for through traffic and a turning lane into the development. I suggest this be the case for Muswellbrook as well.

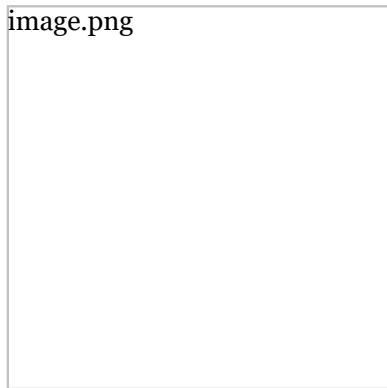
Rather than tearing up Acacia Drive and Bimbadeen Drive , a new Hwy should be built from the New England Hwy through to Thomas Mitchell Drive, and could include Milperra Road as part of this new roadway for future developments.

The advantages of this far outweigh the cost of tearing up the current community. The practical advantages include

- ease of access into the new Estate.
- further housing developments will have reduced costs as a 6 land hwy will already be in place.
- aesthetically it would appeal to the new homeowners and give them pride in their suburb, thus reducing crime and domestic violence.
- reduced traffic for Acacia, Bimbadeen, Bloodwood and Ironbark and other impacted streets, which would otherwise be included in all the dangers associated with fume build up, traffic jams, speeding frustrated drivers, walkers and children using the road being vulnerable to being hit by inconsiderate drivers.
- The entryway of Muswellbrook could be made to look much more appealing and would improve the positivity of the town.
- safer for all concerned.
- in Huntlee so far, there are 600 houses and 2000 residents. If each resident has a car that is 2000 cars to flood into the new estate and the town. As the number of estates grows so would the number of cars.
- In the future there may be as many as 7000 cars from one estate.
- A new entrance could be made at Black Hill and run along the back of Henry Dangar Drive and Wanaruah Circuit, which could have its own entrance.

IMG20240804121539 (1).jpg





Please note: the Sydney Harbour Bridge was built 112 years ago, before the designers could have envisaged the growth of Sydney. It is my hope that Muswellbrook council will use such foresight.

2. The housing estates/ developments were beside the existing towns, and *did not* go through them.

The advantages of this is

- the town will not be impacted poorly with their streets being torn up in a savage, inconsiderate, hostile and drawn out manner, with the thousands of cars driving through them. The follow-on from this would be
- the cost of compensating the current homeowners of the above streets.

The windows of their homes would need to be sound-proofed, and compensation would need to be made for the loss of value in their homes. This is a whole settled leafy green area. Council would have to pay the existing homeowners for damages and the cost of legal battles that would ensue.

The disadvantages include,

- council having to rip-up roads and reclaim part of the streets, which would never be wide enough, unless you demolish homes, in order to widen roads to a practical, safe and appropriate width for future cars, thus causing ongoing and considerable costs to do what should have been done right in the first place. The 'fix' would never be enough and the town would suffer.

Hereford Hill Masterplan



3. Due to the fact that housing developments are here to stay and Muswellbrook will probably have many more in the future, it's important

to preserve the beautiful areas and reduce the possibility of crime, I think it's important to provide this new estate with services such as a small shopping centre, along with the proposed cafe and childcare centre. It may be necessary to check with the Dept of Education what the requirements are for a primary school and /or a central school.

4. A large part of Muswellbrooks appeal for me is how green and leafy Acacia Drive is. The fact that Muswellbrook is not barren but full of trees is a big positive. The small high-density housing in stage 9 and stage 2 will find the weather difficult, it is a high wind area and often extremely hot and /or cold depending on the season. **Being able to afford the heating or cooling** needed in these houses will be an extra burden on their budget. I would suggest they be **moved closer to the service areas**, out of the weather. This area should be reserved for large blocks of land with bigger houses where **trees are valued and preserved** and where the weather will not play such a big part in the family budget.

Please note:

I received This DA on the first day of the school holidays .

I believe this to be an unfair timing process, where people were distracted due to planning holidays with their family and therefore were unlikely to respond to this information , which was too overwhelming.

My neighbour said he simply put his information into the bin. He also felt Council would do as they please regardless of any feedback Council may receive from homeowners.

I also spoke to another resident of Acacia Drive, who had recently moved from Sydney to escape the 'rat-race'. He and his partner moved to Muswellbrook for the country town atmosphere , and with the view of being able to walk their dog safely along this road. They currently walk up Acacia Drive, as do many walkers, and along Ironbark Road to name a few of the walking tracks they use. They have gotten to know Muswellbrook well, because of this habit. He felt dismayed by the housing proposal, but didn't know where to start in untangling his feelings and then being heard. He said he would like me to write a letter on his behalf and he would sign it. I realised many people feel this way. They are not quite sure how to write an email and be heard.

I also believe it's unfair to ask for responses within such a short time frame. It took me quite a while to sort out my own emotions and to form a coherent response.


In conclusion I hope you understand, given a little more time I'm sure many more people would respond to this DA especially if they understood the gravity of the situation. There are currently 4 houses for sale in Acacia. I don't know if this is in response to the DA, however, if Acacia Drive is altered then I too will be looking to sell, I don't believe the safety issues will be able to be resolved and the value of our homes will be irreparably damaged and the area downgraded to a high crime area.

Yours Sincerely





.



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager,

Dear Sir..

For the new housing estate,


1. Use an entrance from the New England Hwy for all traffic from the New Estate.


Do not provide any road access into the township from the estate.

Keep the new development discreet from Muswellbrook- as they do in other Hunter valley housing developments. Eg Hereford Hill is not connected by road to Lochinvar, Chisholm is not connected to Thornton.

2. Provide a service area allowing room for a service station and supermarket similar to Singleton Heights or several of the Maitland housing estates, etc..providing for further development.

3. The land below the water tower is amongst the most valuable land. Please do not use it for high density living , use it for luxury homes.





CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager,
This letter is a follow-on from my previous letter from last night.
I have just now spoken to my other neighbour and her response was that she **didn't understand what the letter from council was all about.**

I explained there would be a **significant increase in traffic** along our road. We discussed that the electrical box, which was moved from one side of Acacia Drive to the other, and **which took months of us having to tolerate noise and loss of sleep** and machinery and digging holes in the lawn which was never repaired correctly, was most likely in readiness for the proposed housing estate. As I spoke to her of my concerns she started to weep. She explained that she couldn't sell up, which is what I am now planning on doing, unless the roadways are changed, and that as she worked in the mines, her **sleep was vital to her well being. In other words she was frightened. I encouraged her to write to the council**, but she said she **didn't like the council**. She has **no trust in their ability to make sound decisions that will be sensitive to the existing community.**

I have a friend in Muswellbrook whose husband took his own life in early August, which is an absolute tragedy. I am concerned if people are placed in untenable positions then **the mental health of the community will be impacted badly.** I am concerned for my neighbours mental health, as well as my own. I have put all my money into my home, which is what most people do.

The time frame for replying to this development application does not allow for people to process this information and make sense of the long-term implications. It took me 5 hours last night to write my first email to you after several prior attempts.

I drove around Chisholm and Hereford Hill Estates last Sunday and took photos, to see what made them so successful. They were both managed by credible developers with years of experience in this field. They had beautified the estates with sculptures of cultural significance on display at the entrance of the estates, not just a blank canvas. They had an entry way which didn't impact the townships that they were located next to, and the cars were directed **not through** the town, **but beside the town** and into their own entry. **They have not impacted the towns at all.**

The pricing for the land/house packages were about \$800,000. making the Muswellbrook Estate at 500 homes close to half a billion dollars. I'm sure the developers could afford to be more sensitive and thoughtful to the current homeowners, by putting a HWY in place as suggested.

Considering the sure knowledge that more housing developments will be coming to Muswellbrook, it doesn't take much foresight to know that a new HWY will be necessary regardless of how often you widen and alter the existing roads. **Putting in a Hwy from the New England HWY at the base of Black Hill to Thomas Mitchell Drive is really the only credible solution.** Acacia is not made to carry a lot of traffic and is probably currently at maximum capacity. No one with any real foresight could have imagined the number of cars that would possibly be using it. Widening the road will not fix the thousand or so cars that will be forced to use it.

When you look around the town, it is beginning to come to life. The main street is beginning to attract new businesses, with new people who are all intent on making this a wonderful place to live.

I hope the town won't be damaged forever because of the roadways which need to be changed to accommodate **everyone** living here.

In conclusion, the DA is quite good. It only needs to have a few changes made as per my previous email and it will be excellent.

Yours Sincerely

A solid black rectangular box used to redact the signature of the sender.



6 August 2024

Muswellbrook Shire Council
PO Box 122
Muswellbrook NSW 2333

Notice of Draft Development Control Plan – Section 30 Ironbark Ridge Extension

Dear Sir,

Firstly, I would like to state that this proposal is not an extension of Ironbark Ridge. If it were to be an extension to the estate, the blocks should be all one acre or more in size. This was the attraction when the current property owners of this estate purchased their blocks.

While my property doesn't back onto the proposed area for extension, or in fact even look at the area, the extension as proposed, would impact us in many ways.

Living in Stage 1 of the estate and on Ironbark Road, the traffic is the thing that I am most concerned about and if this extension went ahead as proposed, I would hate to think what it would be like.

As this extension will also include a road connection to Bimbadeen Drive, this will then allow the residents of Eastbrook Links to also use Ironbark Road rather than travel along the New England Highway, Ironbark Road will become a speedway. There are current residents of the estate that don't stick to the 50kmh speed limit and fly over the final hill at a great rate of knots, our driveway can be a dangerous place at times.

When the stages behind our property (in Stockyard Parade as well as the three cul-de-sacs), were being developed, we had several trucks travelling up and down the road daily, noise is not an issue but the speed is. To see two trucks travelling up the road, side by side was quite alarming, especially to the cars coming over the hill exiting the estate. My husband made several complaints to the owners of the trucking companies as well as the developers of the area, to ask them to slow down. It was a dangerous time. The development of the proposed extension will see this issue arise once again.

Add traffic from the current residents of Ironbark Ridge, traffic from the proposed extension behind existing properties as well as at the end of Ironbark Road and Eastbrook Links residents, I would hate to think of the number of traffic that will use Ironbark Road daily. I would like to point out, Ironbark Road is a residential street not a bypass. This is what it will turn into.

Each afternoon, coming home from work, I travel along Rutherford Road and it's not uncommon to get caught in a line of traffic at the roundabout, going into Muswellbrook Fair, this will only get worse if the rezoning is allowed to go ahead. It can be a struggle at times to get a car park, add cars from the new extension, into the mix and it will be impossible.

The other issue I have personally with this extension proposal, is the devaluation of my home and property. How could a tightly packed residential area so close to the estate be any good for the property prices of Ironbark Ridge?

And then there is the eyesore that is Eastbrook Links, especially on the left hand side approach into Muswellbrook. Is this what is going to happen to our beautiful rural lifestyle of the Ironbark Ridge Estate?

I don't understand why we need so many more housing blocks in Muswellbrook, there are ~100 blocks for sale at the moment as well as the estate that has just been released near the entrance to the Ironbark Ridge. Since 2013, the estimated resident population increased by ~360 people, which reflects a compound annual growth rate of increase of 0.2%. Where are all the people going to come from to fill these homes that are proposed?

Please take my thoughts into consideration when making the decision on the extension proposal. This extension will affect a lot of people currently living in Ironbark Ridge, in so many different ways and it would be a shame to see neighbours sell up and leave because of this proposal. We have a lovely community in the estate and I would hate to see it destroyed.



Hi

I have some concerns relating to DA 2024/36 as follows

DRAFT CONTROL PLAN

30.4 Objectives

d) site facilities are unobtrusive, integrated into the proposal, provide for needs of residents and reduce the impact of development on the environment

How is the impact on the environment ie. Trees ,bird life and other wildlife to be managed ,who monitors this and what are the consequences of whatever guidelines are set out not being followed ?

30.5.1 Staging Plan

(iii) Development of land inconsistent with the Staging Plan can occur if the proposed sequence is justified by a supporting study, to the satisfaction of the consent authority. The supporting study must be lodged prior to or with the relevant development application.

Does anyone other than Council see this and have the ability to comment ?

(iv) At a minimum, the issues to be addressed in a supporting study to vary the staging sequence include:

- Impacts on the development of other land/development stages

There are approximately 80 blocks of northern Queen St

A proposed 120 blocks pending on right side of Highway at Southern entry to town

Another approximately 100 blocks in the Eastbrook estate left side of Highway southern entry

85 Off Ironbark Rd and Plashett Circuit

Are not all of these in competition with one another and will result in over supply ?

30.5.3 Transport

d) To encourage low vehicle speeds throughout the Release Area.

What speed is proposed ,how will it be controlled

Opening Bimbadeen Drive onto Ironbark Rd will create a defacto bypass and current vehicle speeds are on occasion well beyond the speed limit of 50k/h

Controls (i) Consent will not be granted for the subdivision of land unless a Traffic Management Plan has been lodged to the satisfaction of Muswellbrook Shire Council. The Traffic Management Plan should address such matters as traffic volumes, triggers for the provision of infrastructure and upgrades, an assessment of the impact of the development on the road system internal and external to the site and Urban Release Area, pedestrian and cyclist networks, identification of road upgrades, intersection upgrades and the cumulative impact of development on the road network, at a minimum

The current projected increase in traffic flow morning and afternoon of 100 each will be way of the mark due to the connection of Ironbark Rd connected to the highway via Bimbadeen Drive

30.5.5 Landscape Plan

Objectives

- a) Existing native vegetation is to be retained and enhanced where possible.
- b) The scenic quality and local character of the area is maintained.

Will this include the maturing Ironbark trees towards the Acacia water tower and will like for like natives be planted if any are removed

Controls

- Technical details of the planting and initial maintenance regime
- An assessment of ongoing maintenance requirements.

How is compliance with these plans measured and monitored ,what is the penalty for non compliance ?

30.5.6 Water Management

- b) Drainage should be generally directed away from the existing urban area of Iron Bark Ridge to the maximum feasible extent

How is this to be achieved and to where ?

30.5.8 Flora and Fauna

Objectives

- a) Future subdivision of the land does not have adverse impacts on either flora or fauna associated with the land.

Not possible if any trees are removed

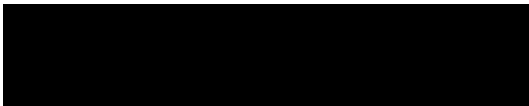
- b) Trees identified as being retained shall be adequately protected.


Identified by who ? Protected how , won't property owners take out trees as they please what penalties apply

Further is the local infrastructure up to so many new dwellings ? Schools ,shopping ,Doctors

Parking at shopping centres

Regards





CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

28th July 2024

Att: General Manager
Application number: DA 2024/36

I am writing to make a submission against the above mentioned DA at Lot 101 and Lot 103 Ironbark rd Muswellbrook

Being a long term resident of Muswellbrook (43years) I am pleased to see Muswellbrook growing and developing. I have concerns and the rate of the development in town.

I reside directly behind the proposed DA in Ironbark rd.

I have the following concerns for this Development Application.

- The style of development is not keeping with the current style of housing in the area. The current style of housing is family homes and duplex living. These type of homes encourages long term residences. The proposed development will encourage short term airbnb style similar to a fly in fly out scenario where people come to work and leave to go back to where they live.

This type of living is best suited to more commercial type land ie closer to amenities in town.

- This type of residences should not be placed in residential/family estates.

- Have council seen where this style of housing has worked in other country towns and able to provide examples?

- I am also concerned for the parking that has been allocated for the premises. All residences these days have a minimum for 2 cars. With there being 94 multi dwelling houses and only 31 off street parking available and no on street parking it is going to fall short of allocation.

The development does not provide enough information regarding


- Will the houses be owner occupied/investors or run as a body corporate strata style?

- who will actually own the homes?

- who will be in charge of maintenance of landscaping and if council is have they allowed this in the budget?

- More information is needed before the community can make an informed decision on this style of housing.

I look forward hearing a response to the questions raised in my submission



Sent from my iPhone

PM

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Att: General Manager
Submission
Notice of Draft Development Control Plann
Lot 101 and 103 Ironbark rd Muswellbrook

I am writing to make a submission to the above mentioned Draft DCP.

We are residences of 104 Ironbark rd Muswellbrook. We have lived here for 8years and been residences of Muswellbrook for over 40years.

We were pleased to see some changes to this control plan to the last one back in 2019 when the land was being rezoned from E3 to R1 and R5.

- linking more roads to the development ie Acacia Drive and Calgaroo Ave.
- Community facilities
- Walking tracks bike trail
- Biodiversity areas.

While we were pleased by these changes we were still dissapointed with some aspects.

- When the land was originally rezoned we were told the blocks directly behind us would 'mirror' our current block style to keep the aesthetics of average living. This has not happened. While we do have an acre block this has been flipped on its side. We would like to see the land as per picture below. This style would allow more blocks and give us a true 'buffer' to R1 residential living allowing us to still feel we have rural living as it was sold as. (Keeping in mind 95% of the houses that back directly onto this development the land was sold to the residences when the land was zoned as E3 and was not to be built on) These R5 blocks should have the same post and rail fencing we have so it looks aesthetic.



- Traffic. Currently along Ironbark rd it is not unusual to see multiple cars speeding. This is especially made worse late at night and on weekends. If this development goes forward it will only encourage more people speeding. We would like to see speed humps put in along Ironbark rd to slow people down. We have a country feel to our estate and have lots of walkers and kids on bikes riding to and from school and on weekends.

- Is Muswellbrook becoming too developed. There is currently more than 4 housing estates that are either in council been passed by council or have been developed. Can there be quotas put in place that's when say 70% of available blocks are sold new ones can be released.

- Is there any other rural town where cluster scale housing has been done?

The concern is that this style of development is not needed by the type of people you are trying to attract to the area. Why put a daycare in when majority of housing will be 1/2 bedroom?

Thank you for listening to our concerns and we look forward to feedback

Sent from my iPhone



To the General Manager:

Submission to the Draft Development Plan and DA 2024/36

As the owners of 102 Ironbark Road, our property has been identified in this proposal to be directly affected by this Development. Our block backs directly onto this future planned subdivision. We have multiple concerns regarding how this will impact both our own, our neighbours and the town's interests. We do not believe that this subdivision in this current form is in the towns' best interest.

As such, we have listed these concerns below and have also noted some suggested amendments to this application that would be better suited to the area.

Concerns:

- The land proposed was zoned as E3, now known as C3. We have added below the description of the C3 zoning and the uses of it from our government website. At the time of the rezoning we were never given any response as to why the land had lost its E3 attributes to allow it to be rezoned. Now the development application is proposing prohibited building as per the C3 zoning (multi-dwelling housing and residential flat buildings).

Zone C3 Environmental Management

<https://legislation.nsw.gov.au/view/whole/pdf/inforce/2024-01-09/epi-2013-0756>

- 1 **Objectives of zone-** • To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values. • To provide for a limited range of development that does not have an adverse effect on those values.
 - 2 **Permitted without consent-**Environmental protection works; Extensive agriculture; Home occupations; Roads
 - 3 **Permitted with consent-**Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies (attached); Dwelling houses; Eco-tourist
 - 4 **Prohibited-**Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3
- This development would have a negative impact on the value of our property and the entire Estate. By putting in this subdivision it will remove the main aspects of the advertised rural acreage living that the developers built and marketed Ironbark Ridge Estate on. This is the reason we bought the land - to have these aspects. This subdivision is taking away our open views of farm lands and replacing them with hundreds of houses. As such this will also devalue our property in a way we never would have expected.
 - We wish to enquire if there is a need for more developed blocks in Muswellbrook. As we drive around town we see multiple unfinished and unused housing estates. These following estates have R1 and higher approved blocks at Highbrook Estate, Eastbrook Links Estate and Queen Street Estates. As well, Queen Street, Ironbark Ridge and Woodland Ridge Estates have R5 blocks for sale. There are also multiple developments in our Shire in Denman.

Objection Letter to Muswellbrook Council



12.07.2024

To:

Muswellbrook Shire Council General Manager

Subject: Objection to Development Application DA-2024-36 on Ironbark Road, Muswellbrook

Dear Sir/Madam,

I am writing to formally object to the proposed Development Application DA-2024-36, located at Lots 101 and 103 DP 1170190 Ironbark Road, Muswellbrook. As a resident of Ironbark Road, I have several concerns regarding this development's potential impact on our community, specifically related to high-density duplex and multi-occupant housing, increased traffic volumes, Safety risks and Aboriginal heritage concerns.

Concerns:

1. High-Density Duplex and Multi-Occupant Housing

The proposed development includes 327 general residential lots, 57 large residential lots, and 240 attached dual occupancy dwellings. This high-density housing plan is not in line with the current character of Ironbark Ridge, which is a quiet estate consisting of large rural blocks. Introducing such a dense population in a relatively small area will disrupt the serene and spacious environment that residents currently enjoy. Additionally, the introduction of high-density duplex and multi-occupant housing will lead to a depreciation of property values for existing larger homes in the area. The current market appeal of Ironbark Road is based on its spacious, rural character and low-density housing. A shift towards higher density would diminish this appeal, negatively impacting property values and the investment of current homeowners. The potential reduction in quality of life for current residents due to increased noise, traffic and concerns about crime and safety are too important to be ignored.

2. Increased Traffic Volumes

The Traffic and Parking Assessment Report for this development highlights significant changes to the local road network, including the creation of a new public road network that connects to Ironbark Road, Bimbadeen Drive, and Calgaroo Avenue. According to the report, the increased traffic from the new development is expected to place considerable strain on these roads. What is councils' proposal to address this issue? Doing nothing is not good enough.

Ironbark Road and the surrounding streets are currently not designed to handle such high volumes of traffic. The increased vehicular movement will not only lead to congestion but also pose safety risks to pedestrians and existing residents. The Traffic and Parking Assessment Report acknowledges the need for strategic road network upgrades to manage the expected traffic increase. However, the extent of these upgrades and their implementation timeline remains uncertain. The Muswellbrook Traffic Study, conducted in 2010, identified necessary upgrades to accommodate future growth, but the proposed development seems to exceed these projections, necessitating further, unplanned infrastructure improvements that are not currently addressed. The reliance on such an outdated traffic management plan fails to adequately reflect the current and future needs of our community, and the study's age (over a decade old) highlights the necessity for a more current and comprehensive analysis. Moreover, the report does not fully address the cumulative impact on existing infrastructure, such as local schools, healthcare facilities, and recreational areas, which are likely to be strained by the influx of new residents. Vehicles will also be taking short cuts from new England highway up Bimbadeen along ironbark road / Skelletar stock route to connect to Denman Rd. The quiet nature of our estate is a key aspect of its appeal, and the development would fundamentally alter the character of our community.

3. Safety Risks and Crime Hotspots

While the Social Impact Statement includes data on crime rates, it acknowledges that Muswellbrook has higher-than-average crime rates for several offences, including domestic violence, general assault, and various types of theft. The maps provided in the statement show that while the proposal site is not currently within a crime hotspot, the increased density of housing and type of housing i.e. High-Density Duplex and Multi-Occupant Housing proposed for low-income earners would contribute to a higher incidence of crime. This is particularly concerning given that current hotspots are associated with low-income and social housing areas. The proposed development has the potential to become another hotspot, exacerbating existing safety issues in the broader community. Especially with the connection of Eastbrook links to Ironbark ridge which gives thieves potential of multiple entry and exit points to the entire eastern side of Muswellbrook. Ironbark Ridge, in contrast, has historically maintained low crime rates due to its isolated location and absence of high-density duplex and multi-occupant housing. The introduction of such housing types could undermine this safety by creating conditions more conducive to crime, similar to existing hotspots such as Wollombi road and Eastbrook links.

4. Environmental Impact

The development will likely lead to the removal of existing vegetation and green space, which will have a detrimental impact on local wildlife and the natural environment. The document does not sufficiently address the long-term environmental consequences of such a development. The study area encompasses diverse landscapes, including dense vegetation, sloping landforms, and areas of natural gully erosion. Historical aerial images show the area's relatively undisturbed state over the decades, indicating a rich environmental context. The proposed development threatens to significantly alter this landscape, potentially destroying both the natural environment and the cultural heritage it holds.

5. Lack of Adequate Infrastructure and impact on local services

Ironbark Road and the surrounding area do not have the infrastructure to support a high-density population. This includes insufficient road capacity, lack of public transport options, and limited local amenities such as schools, parks, and medical facilities. The proposal does not include adequate plans to improve infrastructure to accommodate the expected increase in residents. The below points need to be considered and addressed.

- **Schools and Education:** The Proposed development will put extra strain on local schools due to the increased population. Schools are already at capacity; this will lead to overcrowding and affect the quality of education.
- **Healthcare Services:** Muswellbrooks healthcare facilities do not have the capacity to handle the increased demand that will result from a larger population. It can take weeks or months to schedule a doctor's appointment and the Hospital's emergency department already struggles with low nursing and doctor levels.

Aboriginal Heritage Concerns

The Aboriginal Heritage Archaeological Assessment conducted for this site identified three isolated Aboriginal objects within the study area. The proposed development involves extensive earthworks and landscape modifications that could irreparably harm these culturally significant objects. The study area is also within the Wanaruah Local Aboriginal Land Council boundaries, highlighting its cultural importance to the local Aboriginal community. The potential destruction of these sites would not only violate the National Parks and Wildlife Act 1974 but also undermine the cultural heritage protected under the Aboriginal Land Rights Act 1983.

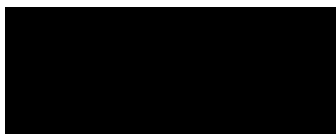
Conclusion

Given these significant concerns, I urge the Muswellbrook Shire Council to reconsider the approval of this development. The potential impacts on Aboriginal cultural heritage, the natural environment, and community safety are too significant to ignore. I believe a more thorough assessment and consideration of alternative development plans are necessary to preserve the integrity of our community, heritage and appeal.

Thank you for considering my objections. I hope the council will take these concerns seriously and act in the best interest of the community and its cultural heritage. It is essential that any new development aligns with the existing character of the area, adequately addresses traffic and safety issues, and does not compromise the quality of life for current residents. Any increase in crime rates or changes to crime hot spots would morally be council's responsibility and would need to be held accountable.

I request that the council conduct a more comprehensive and unbiased impact assessment on the above items and consider alternative development plans that better suit the needs and characteristics of the Ironbark Ridge community I.e. at a minimum all Large Rural blocks.

Yours sincerely,

A solid black rectangular box used to redact the signature of the submitter.

6 August 2024

For the Attention of the General Manager

Dear Sir / Madam

REFERENCE: PLANNING APPLICATION DA 2024/36 & DRAFT DEVELOPMENT CONTROL PLAN

I write in connection with the above planning application. We have examined the documents on line at great length and we know the proposed site well. We wish to object strongly to the development.

We believe that the development is of poor design and it fails to take the opportunities available for improving the character and quality of Muswellbrook and the way it functions. To even accommodate the smallest of increases in traffic would impact on the residents of the existing dwellings to unbearable.

The current roadside parking of the lower end of Acacia Drive impacts to the point that only single vehicles can drive through currently.

Furthermore Muswellbrook is in dire need of upgraded infrastructure for the existing residents let alone for an influx of 600+ residents and thus should be completed prior to any housing is completed or residents arrive.

Could you please advise as to the need for such a large number of houses when Liddell Power Station has recently closed and the Labor Party continues on the path of Coal Mine closures. Granted affordable housing is an issue across the country but without the employment being readily available for productive Australians the housing project would not be viable.

Finally, please note that our objection is in the greatest respect for the proposed development. We have taken every effort to present accurate information for your consideration and apologies for any unintentional errors before reaching your decision.

If you would like to discuss this matter further in person please do not hesitate to contact us on 6543 2398, we would be more than happy to meet with you.

Regards





General Manager
Muswellbrook Shire Council
PO Box 122
Muswellbrook, NSW, 2333

Dear Sir/Madam,

Subject: Objection to Draft Development Control Plan [Section 30 Ironbark Ridge Extension] and Development Application [DA 2024/36]

I am writing to formally object to the proposed draft Development Control Plan [Section 30 Ironbark Ridge Extension] and the Development Application [DA 2024/36], which includes the construction of high-density housing such as duplex blocks and multi-dwelling units within an area predominantly comprised of large, general residential lots.

My primary concerns with this development are as follows:

1. **Incompatibility with Existing Neighbourhood Character:** The proposed high-density housing is inconsistent with the current character of the neighbourhood, which is primarily made up of large, single-family residential lots. Introducing duplex blocks and multi-dwelling units would significantly alter the established aesthetic and atmosphere of the community. This change could diminish the appeal and value of the neighbourhood for current residents who chose Ironbark Ridge specifically for its spacious and less congested living environment. As the draft Development Control Plan is called the 'Ironbark Ridge Extension' the proposed development should reflect the characteristics and land sizes of the existing estate.
2. **Decrease in Property Values:** The release of a total of 504 lots, including 120 lots for high-density housing will likely lead to a decrease in the value of land in the township and neighbouring areas. The increased supply of housing, particularly in the form of duplexes and multi-dwelling units, may saturate the market and reduce demand for existing properties. This decline in property values is a significant concern for current homeowners who have invested in the area.
3. **Lack of Demand for Additional Lots:** There is evidence that demand for new residential lots in the area is not currently strong. For example, other nearby blocks, including those in Eastbrook Links, have not sold. Furthermore, there are already over 120 lots of land for sale in Muswellbrook, including the newly released estate at the entrance of Ironbark Ridge estate, indicating that the market is already well-supplied. Adding another 24 lots and eventually 504 lots to the market seems unnecessary and ill-timed, given the current real estate climate.
4. **Strain on Infrastructure and Services:** High-density housing developments typically lead to increased demand for local infrastructure and services, including roads, public transport, schools, and healthcare facilities. The existing infrastructure in our area is not

The General Manager
Muswellbrook Shire Council
PO Box 122
MUSWELLBROOK NSW 2333
Email: council@muswellbrook.nsw.gov.au



RE: **PROPOSED DEVELOPMENT AND DRAFT DEVELOPMENT CONTROL PLAN
– DA 2024-36**

It has come to our attention through social media and other residents nearby that a Development Application has been submitted for the above-mentioned subdivision.

It is very disappointing that as long-term homeowners in a road that will be affected and named in documents, Council did not feel it was necessary to advise us directly.
Please find outlined below ways in which we feel this development will negatively impact the community and reasons why we don't want this development to proceed.

***TRAFFIC / ACCESS ROAD CONCERNS**

The closest access road for Stage 1 of this Development is Bimbadeen Drive which will have an increased volume of traffic and construction vehicles until further stages are approved and additional connecting access roads available.

The increase in traffic will directly affect Bloodwood Road, as it leads to Acacia Drive which is the other main connecting road to access local shopping facilities.

Bloodwood Road has also been named as a nearby transport option -

'the site is located within 400m walking distance to the nearest bus stops which are located on Ironbark Road, Bloodwood Road and John Howe Circuit'.

The Traffic and Parking Assessment Report recommends the widening of "Acacia Road and Bloodwood Avenue" (as named in document) –

Will the Council/Developer be acting on this recommendation?

Would this occur to one side of road or both sides equally?

What about construction of footpaths for the increased number of residents that may make use of the bus service only 400m walk away?

As main bus routes for school children, elderly and all other community members, increase in traffic to the directly impacted streets should have construction of footpaths and safe crossing zones to ensure safety.

Have pedestrian studies been carried out or a count of school students or the elderly exiting buses on the side of the road? (no footpaths or safe pedestrian crossing area on the whole length of Acacia Drive, footpath halfway up one side of Bloodwood Road no safe pedestrian crossing area).

I note that on-road bikeways have been taken into account, but not footpaths.

'Near the site, existing cycleways exist along the residential areas above the subject site. On-road bikeways are proposed along Bimbadeen Drive, Maitland Street/New England Highway, Ironbark Road, and Rutherford Road.'

Other recommendations noted include –

'Upgrading of Bimbadeen Road & New England Highway from a Give-way intersection to signals'

'The introduction of auxiliary lanes at Weemala Place & Bloodwood Road'

'Upgrading of Rutherford Road & Acacia Drive from a Give-way intersection to a roundabout'

'Upgrading of Rutherford Road & Ironbark Road from a Give-way intersection to a roundabout'



To:

Muswellbrook Shire Council General Manager

Dear Sir /Madam,

Regarding development application DA2024/36 for the subdivision of lot 101 DP1170190 and 103 DP1170190,
I am formally writing to raise my concerns and object to this development.

I am very concerned about the Proposal of the development.

Concerns:

The new development will increase traffic flow and put considerable strain on Ironbark Road with the additional residents from the new development.
Ironbark Estate/Ironbark Road will also be utilised as short cut from the New England Highway through Bimbadeen drive, along Ironbark Road and Skellatar Stock Rte to connect to Deman Road – this will be a huge increase in traffic.

The traffic study conducted in 2010 is outdated and should not be relied on.

Currently school children cross Ironbark Road when they are dropped off the bus,
Increased traffic volumes would increase the likelihood of accidents with no pedestrian crossings, traffic lights or traffic islands to assist children with stopping the traffic safely.

Eastbrook links should not be connected to Ironbark Estate to help prevent excessive traffic as having it would increase risk to current residents and families, not having this road would decrease the risk to the current residents.

Who will be held responsible for not acting and implementing this change to help prevent accidents or loss of human life.

High-Density Living:

The proposed development has a total of 624 dwellings.

327 general resident lots = 52.5%

240 duplexes = 38.5%

57 large lots = 9%

The proposal only has 9% of the lots dedicated to large lots which is not aligned with the current character of Ironbark Ridge Estate as 100% of the current lots are large R5 lots.

With 38% of the dwellings as High-Density Duplex this is an extreme saturation of this type of dwelling in a relatively small area, why has this been allowed when it's not required in Muswellbrook?

With a huge amount of High-Density Duplex in the area, this will negatively impact current resident property values and investments of the current estate home owners, also negatively impact current resident quality of life due to a huge increase in traffic, noise levels.

High Density Duplex will also increase crime rates in the Estate and risk the safety of the current residents and families.

High Density living doesn't build community and promote long term residents to settle in Muswellbrook.

Investors buy this type of dwelling and transit work forces utilise High Density Duplexes, which does not build family friendly/community towns.

With such a high-density population the local community will be adversely impacted as Muswellbrook is not equipped with the infrastructure to handle the large increase.

Healthcare service already struggle with the current residents, lack of doctors, nurses and medical infrastructure, lack of ambulance and staffing – emergency services wait times are already long.

It hard to get appointment with general practitioner and can take weeks to get appointment.

High Density Duplexes will not attract these types of profession to sow roots in Muswellbrook and become a permanent resident and part of the community – low density housing - large R5 lots will.

Education - Schools are already at their maximum capacity, increase population with add to the overcrowding – provide a poor education for the studies – Poor education can lead to higher crime rates which we don't want for our community.

I thank the Muswellbrook council for considering my concerns and objections and reconsider the approval of the development.

Large rural lots would help prevent all the concerns I have raised and maintain the current character, lifestyle and community.

Please review the proposal and conduct a unbiased assessment to address the risks and concerns.

Yours Sincerely,

A solid black rectangular box used to redact the signature of the sender.

TO THE GENERAL MANAGER OF MUSWELLBROOK SHIRE COUNCIL

Ref: DA 2024/36 Proposed Subdivision of Lots 101 DP1170190 and Lot 103 DP1170190 into twenty-four (24) Lots and Construction of ninety-four (94) Dwellings (multi-dwelling housing) Ironbark Road.

Objectors-

Email Address –

Mobile Phone -

Dear Sir we are objecting to the above proposed Development Application for the following reasons as outlined below:

- 1) **94 Multi Dwelling Housing-** Our main concern is with the proposed development is the construction of 94 dwellings (multi dwelling housing) which is not in keeping with the original Ironbark Development. When we purchased our block of land over 10 years ago we were told that the paddocks behind us were reserved as buffer zone for the Mt Arther Coal Mine and was not going to be developed. This is a complete reversal of this advice that we were given at the time.

We are concerned that with this proposed multi dwelling housing being constructed in such a small area, this could possibly have the potential to create an undesirable living environment for those people living within and existing residents living around the proposed development which often occurs in these high-density living areas.

The proposed development if approved will also increase the number of vehicles using Ironbark Road which has a history of cars speeding up and down the road causing noise nuisance and safety concerns for residents.

- 2) **Forna and Flora** -There is a large population of kangaroo's and bird wildlife that live in the area where the Development is being Proposed and if the proposed development is approved, they will be forced out of the area as their habitat is progressively being eroded.
- 3) **Development Stormwater Runoff-** The existing properties in Ironbark Road that back onto the Proposed Development have since the Ironbark Road Development was originally established have experienced a considerable amount of storm water runoff from the land where the Proposed Development is being proposed causing localised flooding which has been reported to Council on numerous occasions but no action was taken even though we had received letters from council saying they were going to address the problem.

It is noted on the Draft Plans that (2) two temporary Outfall Channels are to be constructed to discharge storm water as are shown on the Functional Layout Plans Design Drawings Key Map Layout Plan Drawing Numbers 322142-001 CF200A will greatly exasperate the storm water runoff for the existing residents backing onto to the Proposed Development which could result in severe flooding which is not acceptable as a large portion of land in question is falling towards the residents' properties.

As a suggestion Council should request the Developer to amend the draft drainage plans to include the construction of a simple earth V drain running parallel and on the northern side of the affected residents rear property boundary fences which will catch and direct the

stormwater from the Proposed Development site down the hill and into the existing dam water retention Pond north west of Stage1 of this development.

- 4) **Road Widths and Vehicle Park** - The road widths shown on Drawings Nos 322142 – 001 CF300 and 400 show the road cross sections of some of the residential roads 10 metres and 12 metres in the proposed subdivision which in our opinion are too narrow to allow for two lanes of traffic to navigate the road and if someone parks a car on the side of the road it would be almost impossible to get past. Council needs to review the width of these roads.

The other issue is the lack of parking for vehicles in and around the location where the multi dwelling housing is proposed to be constructed. These days it is not unusual to have two or three vehicles per family which poses the question where are residents and visitors going to park their cars. The council needs to request the Proposed Developer to review their assessment of the amount of car parking space so that there is adequate parking available to all vehicles.

- 5) **Sewer and Road Drainage** – When the existing Ironbark Road development was constructed over 10 years ago it is unclear whether the road drainage pipework and the sewerage system pipework was designed to allow for several hundred additional homes to be connected into the existing road drainage and sewerage systems. The proposed new subdivision shows a sewer main extension to be installed outside and at the rear of the existing properties in Ironbark Road. The Council needs to ask the proposed developer to provide assurances that there is adequate capacity to connect into the existing systems.
- 6) **Construction of A Water Retarding Basin.** It is also noted on the proposed development drawings that a proposed Water Retarding Basin is to be constructed adjacent to and across the road from a proposed Early Learning and Childcare Centre. I suppose the question is, did the proposed developer take into account that young children will be in the vicinity of this Basin and what measures are to be in place to prevent children from wandering into the Basin area. Possibly provision of fencing to prevent access by children.

Thank you for the opportunity to comment on this proposed development application as it will have an impact on us and the other residents that will back onto the proposed development and other residents in the estate.

I trust that Council will take our comments into consideration when assessing whether to approve the Proposed Development in relation to DA Application No 2024/36.

Yours Sincerely



PS. [REDACTED] is a Clerk of Works and Civil Inspector which has assisted me in reading the drawings and Interpreting the Proposed Development application. We would be happy to discuss any of the items raised in the above letter with Council Staff if required.



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom It May Concern,

I am writing in response to DA application DA 2024-36 Ironbark Ridge Extension.

I have several concerns around the proposed subdivision.

1/ The low density duplex lots are not in keeping with the current lot and housing size around the proposed subdivision. The smallest of which is only 375m².

There are lots surrounding the proposed subdivision in excess of 800m² with a single dwelling.

2/ The street sizes proposed in LOT 1 are far too small for appropriate vehicle access, especially for Council and emergency services. The street width in other parts of the area, especially Jeans & Gore Sts have presented many hurdles for services due to the same street width proposals.

Within this lot the low density duplex lots comprise of 95 separate residences. This can mean anywhere up to 180 extra vehicles using the streets and requiring parking.

3/ With the increased traffic volume, there needs to be more firm requirements from both the developer and Council into the recommended widening and realignments mentioned in the Muswellbrook Traffic Study.

Each new proposed LOT should have a requirement for funding to be allocated to the upgrade of the road network it directly affects.

Calgaroo and Acacia Avenues are already nowhere near wide enough for current traffic volumes, and an increased number of vehicles into the thousands will create nothing short of chaos.

If the developer wishes to profit from the development of this land, they should be required to support the community they are affecting.

4/ The traffic surveys conducted as part of this DA were carried out at an incorrect time of day, painting a very different picture to the reality of living on any of these streets.

As you would know, Muswellbrook is comprised of a predominantly Mining workforce, working differing shifts to those "standard" hours often quoted.

The surveys on Bimbadeen & New England Hwy intersection for example were carried out at 8am-9am & 4pm-5pm. Both times are outside those normal travel peak times within our area (usually 6am-7am & 3pm-4pm)

These are just a few of the issues I have with the current applications, and I am sure you will get many other responses.

In short, these applications are poorly thought out to be in keeping with the current Muswellbrook Shire housing. I am not opposed to the subdivision, but the lot sizes, types

and number need a lot more thought.

Regards,





8.1.2. Development Application 2024-36 - for 33 Lot Subdivision and 76 Multi-Dwelling Houses - Ironbark Road Muswellbrook

Responsible Officer: Director - Planning & Environment

Author: Senior Land Use Planner

Community Strategic Plan 5 - *Community Infrastructure*

An inclusive and interconnected community where everyone enjoys full participation

Delivery Program: 2.1.4 - Advocate for affordable housing.

Attachments:

1. Attachment A - DA 2024-36 - Lot layout, open space and landscaping [8.1.2.1 - 17 pages]
2. Attachment B - DA 2024-36 - Road layout and parking [8.1.2.2 - 5 pages]
3. Attachment C - DA 2024-36 - Multi-dwelling housing plans [8.1.2.3 - 16 pages]
4. Attachment D - DA 2024-36 - Submissions [8.1.2.4 - 50 pages]
5. Attachment E - DA 2024-36 - Applicant response post notification - Street car parking standard [8.1.2.5 - 2 pages]
6. Attachment F - DA 2024 36 - Section 4.15 Assessment Report [8.1.2.6 - 45 pages]
7. Attachment G - DA 2024-36 - Draft conditions [8.1.2.7 - 33 pages]
8. Attachment H - DA 2024-36 - Applicant amendment summary & event chronology document [8.1.2.8 - 2 pages]
9. Attachment I - DA 2024-36 - Applicant Response to 12 March Community & Council Feedback [8.1.2.9 - 13 pages]

APPLICATION DETAILS

Applicant: Mr T Polvere

Owner: Mr IR and Ms L & Messrs R & M Webber

Proposal: 33 Lot Torrens Title Subdivision and construction of 76 Multi-Dwelling Houses

Location: Lots 101 and 103 DP 1170190, Ironbark Road Muswellbrook



Permissibility: The proposed development is permissible as a subdivision and multi-dwelling housing within the R1 General Residential, R5 Large Lot Residential and C3 Environmental management Zones under the Muswellbrook Local Environmental Plan 2009.

PURPOSE

To determine DA 2024-36, being a 33 lot Torrens title subdivision and construction of 76 multi-dwelling houses on Lots 101 and 103 DP 1170190, Ironbark Road Muswellbrook.

OFFICER'S RECOMMENDATION

Council approves Development Application No 2024-36 for a thirty-three (33) Lot subdivision and construction of seventy-six (76) multi-dwelling houses on Lots 101 and 103 DP 1170190, Ironbark Road Muswellbrook, subject to the conditions in Attachment G.

Moved: _____ **Seconded:** _____

FEBRUARY 2025 COUNCIL MEETING

This development application was reported to Council's 25 February 2025 Ordinary Council Meeting.

At this Meeting, Council resolved to defer the determination of the development application to allow time for further consideration of the proposal and community feedback.

Following the deferral, Council has undertaken additional engagement and assessment actions detailed in the sub-headings below:

Community Engagement

A Public Meeting was held on 12 March 2025 to provide submitters with a forum to expand on their submissions and concerns with the application.

A summary of key matters raised by members of the public at this forum have been listed below:

- Intersection of Ironbark and Bimbadeen inadequate. No truncated corner so they weren't aware they would be a corner lot. Concern house is too close to the proposed road.
- Lots backing on to existing 4000smq lots on Ironbark Road should have lot boundaries align with existing lots
- Private access road to some of the dual occupancy developments are too narrow and one way and not enough parking.
- Don't want small lots, or even regular lots, prefer 4000sqm rural lifestyle lots.
- Doubt about population growth and desirability of Muswellbrook for young people as a place to live so properties won't sell.
- Concerns that drainage isn't adequately addressed.
- Want small dwellings further away from the Ironbark road properties.
- Remove connection to Acacia for cars.
- House values in Ironbark Ridge will drop.
- Real estate at the time of selling Stage 2 indicated that the land was "Convenient with Rural Living" so rural not residential.

- New short cut (rat run) to Industrial Estate / Denman – New England Highway, Bimbadeen Dr, Ironbark Rd, Stock Route. Impact on Rutherford Rd intersection.
- Poor parking at Market Fair shops. Not enough shops.
- Security / increase in crime due to the multi-dwelling housing area.
- Can the multi-dwelling housing component be leased/sold to Compass housing?
- Submitter suggest that a meeting on site with the Applicant will assist with the application.

Applicant Engagement

Staff and the Mayor met with the applicant related to both the deferral reasons of the 25 February 2025 Council Meeting and the matters raised by the public at the 12 March 2025 Public Meeting.

In response the applicant has:

- A) Provided additional documentation, which outlines amendments made throughout the DA assessment process, see **Attachment H**.

The main amendments reduce overall density and development yield:

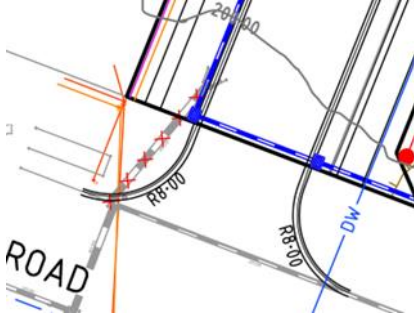
- The reduction in number of dual occupancies proposed from 94 to 76 (-19%).
 - Increase in the total number of general residential zoned lots with sizes greater than 600m2 from 17 to 23 (+35%).
 - Adjustments to the road network and parking arrangement to provide expanded road shoulders and improved parking/traffic flow outcomes for proposed roads 07 and 06 alongside various other traffic calming, traffic flow road safety improvements.
- B) Provided correspondence to Council as an itemised response to the summary of matters raised at the Public Meeting. This document is included as **Attachment I**.

Planning Review


Council Staff have also provided supplementary planning advice/commentary on matters raised at the 12 March 2025 public meeting:

Issue context	Planning Comment
<p data-bbox="319 1426 745 1460">Bimbadeen/Ironbark Intersection</p> <p data-bbox="319 1460 745 1933">Request for a truncated corner</p>	<p data-bbox="745 1426 1273 1494">A truncated corner is a geometrically circular corner. The circular swing below is an example of a truncated corner.</p> <div data-bbox="774 1494 1173 1839"> </div> <p data-bbox="745 1839 1273 1933">An example of something that is not a truncated corner is a corner point between two roads that ends in a sharp 90 degree connection.</p>



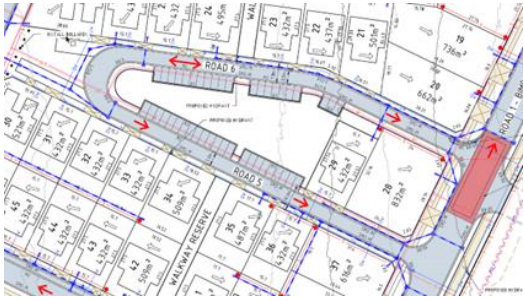
Issue context	Planning Comment
	<p>Ironbark/Bimbadeen corner. The proposed corner has been designed to incorporate a circular geometry consistent with a truncation.</p>  <p>Council's engineers have raised no issue with the design and note that the proposed road reserve and road are consistent with the minimum DCP dimensions. The Road reserve has a width of 25m and the constructed road will be 11m wide (there will be 7m of footpath, service area and landscaping between the road pavement and adjoining property boundary).</p>
<p>Bimbadeen/Ironbark Corner</p> <p>144 Ironbark Rd Dwelling setbacks</p> <p>The owners of 144 Ironbark Road (lot adjoining the proposed Bimbadeen extension) have expressed concern that if the road extension is approved at the location shown they will be a corner lot.</p> <p>They are concerned that their home would not be suitably setback from the adjoining road. The S88B instrument for the Iron Bark Ridge subdivision, by the developer, requires a minimum setback of 15m from primary road boundaries and 10m from secondary road boundaries for dwellings.</p> <p>Council records indicate their dwelling is setback approximately 7m from the side property boundary, the submitter has advised they have a plan that shows a 5m setback (that plan shows the setback from a covered landing/verandah).</p>	<p>A setback of 5m or more to a dwelling from a secondary road frontage is consistent with minimum setbacks in Council's DCP. The setback of the dwelling from the road pavement would be approximately 14m.</p> <p>The landowner is concerned with a possible inconsistency with a S 88B covenant affecting the land. Council does not have regard to private (non-Council related) S 88B instruments affecting private property when determining an application.</p> <p>Now that the Ironbark Ridge Estate is in its final stages, it is unlikely that the developer would spend the funds required to "enforce" a s88B instrument breach of this nature. It is unreasonable to impose the "restriction" after the dwelling has been constructed, particularly when the dwelling was constructed before the road.</p>
<p>R5 Large Lot Orientation – Request a change to the orientation of the proposed R5 Lots.</p> <p>Image below provides a crude sketch of the change discussed in context with the site zoning.</p>	<p>Re-orientation of lots would not follow the established zone boundaries and minimum lot size.</p> <p>Large Lots would contain areas of R1 General zoned land with a 600m minimum lot size. The mixed zone would permit future landowners to attempt further subdivision of any resulting lot.</p>



Issue context	Planning Comment
	
<p>Multi-dwelling housing relocation to stage 6/7 area</p>	<p>The studies submitted with this development application do not cover the land that forms Stages 6 & 7, so no planning assessment can be undertaken for this request.</p> <p>In their submission on the matter of the multi-dwelling housing and its proximity to the existing Ironbark Rd properties, the applicant has noted the transitions between types of property/housing and the physical separation between the Large Lot Residential properties and multi-dwelling housing development.</p> <p>The separation distance between the existing property boundaries and the proposed multi-dwelling housing is approximately 160m.</p> <p>This distance is the length of between 1-2 football fields.</p> <p>Dwellings, landscaping, street trees in roads and other improvements within this 160m buffer will provide a further visual barrier between the Ironbark lots and the multi-dwelling housing.</p>
<p>DCP change to limit access to Acacia Drive</p>	<p>Connections between the existing urban areas and new subdivisions are important to allow people to interact and exercise, in particular. Restricting the Acacia Dr connection to a shared pathway would achieve this outcome.</p>
<p>Stormwater adjacent existing R5 area</p> <p>Ironbark residents have previously complained about water sheeting of the paddocks in this area and into the back of some of the properties adjoining the site at the north-east most portion of the estate. Approximately 4-6 Lots in this area that the water scoured contours can be seen in the image below. Red line also drawn to highlight</p>	<p>In their response to additional information dated 14 October 2024 the applicant commits to extending the outflow channel to a location where the natural surface falls away internally to the property and gravity feeds the stormwater toward the related farm dams.</p> <p>Recommended conditions of consent have been included to require stormwater to avoid impact on neighbours. See condition 14 (14 b & c in particular).</p> <p>Engineering plans detailing how these drainage requirements are to be met are to be provided and approved prior to a Subdivision Works Certificate.</p>



Issue context	Planning Comment
 <p>Current stormwater strategy proposed – manages the balance of stormwater by directing toward a basin to the north.</p> <p>The natural fall of the site means the most southwestern part of the site will not drain to that basin.</p> <p>The stormwater strategy and prelim civil plans detail this stormwater water being managed via a temporary outlet which drains internally into the property and overland toward farm dams in the eastern part of the site.</p>	
<p>Landscaping of multi-dwelling housing</p>	<p>Landscaping plans have been submitted and recommended conditions of consent included.</p> <p>Condition 38 – requires modest upgrades to the landscape plan for the multi-dwelling housing prior to issue of the Construction Certificate</p> <p>Condition 65 requires landscaping to be in place prior to Occupation Certificate</p> <p>Condition 98 – requires landscaping to be maintained at all times</p>
<p>Private access road to some dual occupancies is too narrow</p> <p>The multi-dwelling housing located on proposed Lot S3 is proposed to be accessed via an internal access driveway. While the internal access is shown on design and civil plans alongside proposed new Council Roads all should be mindful that this internal access is not proposed as a public/Council Road, but rather is a private site access (internal to the proposed Lot S3 – on which 30 of the multi-dwelling house units is proposed).</p> <p>The internal private access can be seen as Road 5 & 6 in the image below.</p>	<p>The one-way access is not a public road but a private access driveway. The one-way access would have a width of 5m.</p> <p>The standard lane width for urban roads (public roads) under AUSPEC is 3.5m. While the proposed access remains a private access it is relevant to note that it comfortably exceeds the 3.5m lane width minimum that would have been applicable for a one-way public road.</p> <p>Turning circles provided confirm that there is sufficient turning capacity for a 12.5m long vehicle to navigate in a single motion. Typical local service vehicles (e.g. waste trucks) are 9.1m in length. NSW RFS General fire appliance vehicles have a standard length of 10m. Standard NSW ambulance vehicle dimensions available</p>

Issue context	Planning Comment
 <p>The road has been put forward as a one-way road. The key reason for the one-way arrangement is to mitigate the potential for conflict between the road intersections with Bimbadeen Road – which are separated by approximately 28m.</p>	<p>online indicate their largest vehicle length is 7.3m.</p> <p>Each of these vehicle types could navigate the proposed private road.</p> <p>Council Officers are satisfied that the roads inclusion as a one-way private access is appropriate and that there is no issue with the access dimensions proposed.</p>
<p>Ironbark Road/Rutherford Road intersection</p>	<p>A traffic Impact Assessment has been prepared in relation to the proposed development by a qualified traffic engineer. The development and this document have been reviewed by Council's Engineers.</p> <p>Council Engineers have not raised any concern with the potential impact of the development on the Rutherford Road/Ironbark Road intersection. No upgrade or alteration to this intersection has been recommended by Council technical road officers.</p>
<p>Parking</p>	<p>Parking is the subject of detailed discussion in the Planning Assessment Report.</p> <p>The proposed development provides 120 off-street car parking spaces for the 76 two-bedroom dwellings proposed. A further 39 on-street parking spaces are provided within a widened blister for public roads directly adjoining multi-dwelling house units. Overall, the approach to car parking would be compatible with DCP objectives and achieve a functional car parking outcome, with car parking provided at a rate compatible with the demand that may be reasonably anticipated when considered in context with Council DCP controls.</p>
<p>Options to manage potential crime/unit occupation risks</p>	<p>A condition restricting the type of people who may reside in these or any dwellings that Council approves would be unenforceable and legally challengeable.</p> <p>Council can focus on crime prevention through environmental design. Related strategies include ensuring new development has good levels of passive surveillance, territorial reinforcement (such as landscaping delineation between public and private spaces), and its upkeep is positively managed.</p>



Issue context	Planning Comment
	<p>The proposed development is considered to comply with these design guidelines.</p>
<p>Advice from Realtors landowners and other parties around future development potential</p>	<p>Land use planning is not a static issue. Through planning processes, a person can apply to change the zoning of land that may have been previously zoned to limit development. The process for rezoning land involves notification, submission, opportunity, Council decision and deliberation, and, in certain circumstances, public hearings.</p> <p>The land subject to this application has gone through this rezoning process between 2013 and 2021 to establish its current zoning and land use development opportunities.</p> <p>Since the time of the initial Ironbark development a public Planning Proposal (rezoning process) has been carried out in relation to the land concerned.</p> <p>Through that process, residents of Ironbark Ridge have been directly notified, had opportunities to make representations to Council (which a number did as written submissions and verbally at public meetings).</p>
<p>Desirability of Muswellbrook as location to live and potential to impact property prices</p>	<p>A property developer would not be interested in making a significant commercial investment in developing in this locality if they did not have commercial confidence in the viability of their project.</p> <p>Several factors affect property prices and property prices regularly change over time. It is not possible to assess a hypothetical property price impact for neighbours.</p>
<p>Possibility of local road network being used as a short cut commute to Denman Road</p>	<p>The road network design and Bimbadeen/Ironbark connection reflects Council's long term strategic road design requirements as identified in Council's adopted Muswellbrook Traffic Study (2010, Parsons Brinckerhoff).</p> <p>While Ironbark Road (through Skellatar Stock Route) connects directly with Denman Road, Ironbark road has been designed with this future link in mind. The width of the road is 11m which reflects Council's DCP minimum requirement for a collector road with road reserves of 25m (which exceeds Council requirements for both collector and arterial roads).</p>

In reviewing matters raised at the 12 March 2025 Public Meeting, Council Officers have considered these matters in context with provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The evaluation of the matters raised did not identify any



new information that significantly alters the Section 4.15 Assessment previously undertaken by Council Officers or the recommendation of that assessment.

It remains the recommendation of Council Officers that the development application is approved subject to the recommended conditions of consent.

DESCRIPTION OF THE PROPOSAL

The image below identifies the site subject to this development application.



This development application seeks approval for the subdivision of the land concerned into thirty-three (33) Lots and the construction of multi-dwelling housing over four (4) of the newly created lots.

To assist in assessing the proposed development, the two key components have been described separately in the sub-headings below.

A. Subdivision

The proposed staging of the development of the entire site, along with landscaping and open space provision is provided in Attachment A. The proposed Road Layout for the thirty-three-lot subdivision, and proposed parking arrangements, are shown in Attachment B.

The proposed development was initially lodged as a concept development seeking approval for all stages of a subdivision. The proposal was amended prior to notification to remove the concept approval approach and seeks approval only for the works/extent of development described above, being Stage 1.

The proposed Lot arrangement would create the arrangement of lots (including a public reserve to be dedicated to Council) referenced in the table below:

Number of proposed Lots	Size	Lot Identification
1	1.061ha	Public Reserve for dedication to Council
1	923m ²	Café or residential development lot – subject to separate DA



Number of proposed Lots	Size	Lot Identification
1	2462m ²	Early learning childcare centre – Subject to separate DA
23	>600m ²	Residential lots
2	>4000m ²	Large Lot Residential Lots
1	4461m ²	Multi dwelling housing Lot – Lot S1 (16 multi dwelling housing units)
1	3849m ²	Multi dwelling housing Lot – Lot S2 (16 multi dwelling housing units)
1	1.347ha	Multi dwelling housing Lot – Lot S3 (30 multi dwelling housing units)
1	3369m ²	Multi dwelling housing Lot – Lot S4 (14 multi dwelling housing units)
1	73.3 ha (approximate)	Residual Lot development Lot

The subdivision will involve the carrying out of works to the Bimbadeen Drive/New England Highway intersection generally in accordance with the image below, being:

- Extension of existing central landscaped island in Bimbadeen Drive out to edge of existing through lane.
- Removal of the acceleration lane for Left Turn OUT movements from Bimbadeen.
- TfNSW has indicated that the works shown to the central Highway medium are not to be carried out.





The carrying out of the subdivision would involve construction of roads, utility infrastructure, and a stormwater detention basin.

Under the recommended conditions of consent, the stormwater detention basin would remain within the residual development lot and not dedicated to Council at this stage of development. Recommended conditions of consent have been put forward around the management of the detention basin and the registration of related easements in favour of Council until the detention basin is formally dedicated to Council.

B. Multi-dwelling housing

Within the lots identified as S1, S2, S3 and S4 the construction of 'multi-dwelling housing' is proposed. A total of seventy-six (76) dwellings are proposed across the four (4) Lots:

- Lot S1 – 16 multi dwelling housing units
- Lot S2 – 16 multi dwelling housing units
- Lot S3 – 30 multi dwelling housing units
- Lot S4 – 14 multi dwelling housing units

The proposed dwellings would be constructed as duplex style buildings, with ten (10) dwellings provided as adaptable (accessible access) housing options. All of the proposed dwellings would be two (2) bedrooms and include a covered off-street parking space within a carport attached to the dwelling. The design of the dwellings, including external cladding, design features, and appearance, is shown in Attachment C, and consist of four different design types used across the site.

The Lot S3 Lot would also include:

- a private site access road. The road would be a one-way in one-way out road with two connection points to Bimbadeen Drive.
- Communal off-street parking area.
- A communal landscaped area and BBQ area.
- Private footpath connections connecting through to the other lots (additional pathways would be located on Lot S1, S2, and S4).

Multi-dwelling housing on proposed Lots S1, S2, and S4 would direct frontage to public roads constructed as part of the subdivision.

The proposed multi-dwelling housing complies with the density standards and private open space requirements in the Muswellbrook Development Control Plan (DCP), while a performance solution has been put forward related to off-street parking which responds to related DCP objectives.

The images below provide a layout of the multi-dwelling housing arrangement on the Lots concerned, as well as an artistic impression of the external appearance of four (4) duplex design styles.



MODULE TYPICAL 1



MODULE TYPICAL 1.2



MODULE TYPICAL 1.1



MODULE TYPICAL 1.3

DEVELOPMENT APPLICATION SUBMITTED DOCUMENTATION

Various technical documents were submitted as part of the proposed development. Given the volume of documentation, the full extent of the submitted reports and information have not been included as attachments to this Council Report. If requested, copies of reports can be circulated to Councillors under separate cover.

The key reports submitted with the application are:

- Civil Design Plans.
- Preliminary Site Investigation – investigation into any potential site contamination. The assessment did not identify any site contamination requiring further investigation and that the development may proceed in accordance with related provisions of the SEPP



(Resilience and Hazards) 2021.

- Statement of Environmental Effects – This report reviews relevant development assessment considerations.
- Traffic Impact Assessment – review of traffic generation related to Stage 1 and potential future stages of development to inform road design requirements.
- Social Impact Assessment – assessment of potential social impacts related to the proposed development in context with the Muswellbrook demographic profile.
- Servicing Strategy – related to the delivery of utility infrastructure for the proposed development.
- Water and Wastewater Servicing Report – related to water and sewerage utility services.
- Stormwater servicing strategy – informed by stormwater hydraulic modeling related to the proposed development.
- Building Code of Australia Report – preliminary review of the proposed multi-dwelling housing designs against the Building Code of Australia design requirements.
- Waste Management Plan – construction and operational waste management plan in accordance with Muswellbrook DCP requirements.
- Biodiversity Development Assessment Report – ecological assessment of the development against provisions within the Biodiversity Conservation Act 2016. This report concludes that the proposed development may be supported from an ecological impact perspective subject to the retirement of specified ecological credits.
- MLEP 2009 Clause 4.1 Ecologist Statement – review of the Muswellbrook LEP 2009 S 4.1A subdivision clause requirements by an ecologist.
- Bushfire Threat Assessment – assessment of the proposed development against the provisions of Planning for Bushfire Protection 2019. This report concluded that the proposal may be supported from a bushfire management perspective.
- Aboriginal Cultural Heritage Assessment – archaeological investigation to consider statutory requirements related to the potential disturbance to Aboriginal cultural heritage items. The report was referred to and reviewed by NSW Heritage, who provided General Terms of Approval to confirm that the proposed development may proceed from a cultural heritage impact perspective.
- DCP off-street parking supplementary advice – document setting out the performance solution to the DCP off-street car parking provisions.
- Road Safety Audit (Bimbadeen New England Highway intersection) - review of the functionality and safety of the Bimbadeen/New England Highway intersection. The report recommends minor works and line marking options where the development is approved. Recommendations and related correspondence have informed the final view of Transport for NSW (TfNSW) related to their requirements for this intersection as the Roads Authority.

ASSESSMENT SUMMARY

The proposal has been assessed against the relevant matters prescribed by s4.15 of the Environmental Planning and Assessment Act 1979. A copy of the Assessment Report is provided in Attachment F

A summary of the key issues and findings are provided below:

- The proposed development is integrated development requiring approval from NSW



Heritage under the National Parks and Wildlife Act, due to the potential for impact on items of Aboriginal cultural heritage. NSW Heritage have issued General Terms of Approval for the proposal. Accordingly, the proposed development may proceed from an Aboriginal cultural heritage impact perspective.

- The proposed development is integrated development requiring approval from NSW Rural Fire Service (RFS) under the Rural Fires Act 1997. NSW RFS have issued General Terms of Approval to the proposed development. Accordingly, the proposed development may proceed from a bushfire management perspective.
- Additional external referrals were made to Government Agencies:
 - AUSGRID;
 - NSW Police; and
 - Department of Planning, Infrastructure and Environment – Water.
- Transport for NSW (TfNSW) was sent a referral to consider the impact on the Bimbadeen and New England Highway intersection. Final advice provided by TfNSW indicated their support of the application subject to the carrying out of minor work to the intersection. The required works include:
 - Extension of existing central landscaped island in Bimbadeen Drive out to the edge of the existing through lane.
 - Removal of the acceleration lane for Left Out movements from Bimbadeen.
- TfNSW have advised that this intersection will require signalisation at a future stage of development in the precinct.
- The Department of Planning, Housing and Infrastructure have issued a Satisfactory Arrangement Certificate related to the proposed development.
- The proposed development has been referred internally to the following Council Officers/Sections:
 - Community Infrastructure – Roads and Drainage;
 - Water and Wastewater;
 - Waste Services; and
 - Parks and Gardens.

Advice received has informed the assessment of the development application and draft conditions of consent.

- The proposed R1 General Residential and R5 Large Lot Residential Lots achieve the relevant minimum lot sizes required under Muswellbrook LEP 2009.
- Parts of the site are zoned C3 Environmental Management. Section 4.1A of the Muswellbrook LEP 2009 permits the subdivision to create lots zoned C3 below the minimum lot size control where conservation outcomes are achieved as part of the subdivision and the erection of a dwelling on C3 zoned land restricted. The proposed development would achieve these preconditions through adhering to the BDAR outcomes and dedication of C3 zoned land to Council as a public reserve.
- The subject site is located within an urban release area under the Muswellbrook LEP 2009. Part 6 of the Muswellbrook LEP 2009 includes specific provisions relevant to the subdivision of land within an urban release area. These provisions have been considered and addressed



through the assessment of the development application. In particular, it is advised that:

- A Satisfactory Arrangement Certificate has been issued by the Department of Planning, Housing and Infrastructure regarding the impact of the development on State infrastructure pursuant to Section 6.1 of the Muswellbrook LEP 2009.
- A Draft Development Control Plan has been prepared in relation to the urban release area precinct. A report has been submitted, requesting Council's final endorsement of the related Development Control Plan. Section 6.3 of the Muswellbrook LEP 2009 requires the establishment of the Development Control Plan related to the urban release area prior to granting a consent related to the subdivision of the land.
- The proposed development is compatible with all other Muswellbrook LEP 2009 controls not specifically referenced in this assessment summary. Full details related to their assessment can be reviewed in the attached Section 4.15 Assessment.
- The proposed development is compliant with the provisions of relevant State Environmental Planning Policies (SEPP). A review of the proposal against the provisions of relevant SEPPs is included in the attached Section 4.15 Assessment report.
- The proposed development would meet relevant provisions of the Biodiversity Conservation Act 2016 related to ecological impacts, where approved subject to the recommended conditions of consent. The recommended conditions of consent reflect requirements related to retirement of ecological credits:
 - The proposed development has been assessed against the provisions of the Muswellbrook Development Control Plan (DCP). Detailed commentary on the assessment of the development against these provisions is included in the attached Section 4.15 Assessment report. For ease of reference, a number of DCP standards that have been met by the proposal and are core to this assessment have been referenced below: Section 5.5.1 - subdivision road widths – all proposed road reserve widths are consistent with DCP requirements.
 - Section 5.5.10 - open space – the new public reserve proposed to be dedicated to Council would exceed Council minimum requirements for public open space related to the proposed subdivision.
 - Section 6.2.1 - usable open space – the proposed plans indicate that all multi-dwelling housing units would be provided with an area of private open space that achieves or exceeds the prescribed minimum of 35m².
 - Section 6.2.5 multi-dwelling housing – the collective density of the multi-dwelling housing proposed would be consistent with the maximum density standard provided for under this Section of the DCP (this density standard is informed by a person to number of bedrooms ratio included in the DCP) – relevant maximum 150.6 persons per site area, with the density proposed equating to 136.04 persons across the entirety of the multi-dwelling site.
 - Section 25 Stormwater Management – stormwater management plan which includes on-site detention has been prepared and reviewed by Council Engineers.
 - The proposed development involves variations to some Muswellbrook DCP 2009 development standards. The *Environmental Planning and Assessment Act 1979* requires a consent authority to take a flexible approach to applying the DCP, and in doing so have regard to related DCP objectives. A detailed assessment of each variation is included in the attached Section 4.15 Assessment. Council Officers are satisfied that



the variations may be supported as either minor variations or variations that remain compatible with the relevant DCP objectives:

- Section 5.5.6 - minimum lot width of 18m – eight proposed Lots would have a width of 17.8m - minor variation which remains consistent with related DCP objectives.
 - Section 6.3.1 - residential earthworks maximum cut of 1.5m and fill of 1m – limited area where cut and fill will exceed requirements – variation proposed within acceptable limits, compatible with approach in other Muswellbrook localities and consistent with DCP objectives.
 - Section 16 off-street car parking (see related evaluation in Section 4.15 Assessment Report for expanded analysis). The DCP prescribes 135 off-street car parking be provided for the multi-dwelling housing proposed. A total of 120 off-street car parking spaces have been proposed – 15 less than the total required. A performance solution has been proposed. Unlike a typical multi-dwelling housing development layout where units typically front a private road, 46 of the 76 multi-dwelling housing units would have direct frontage to a Council local road. This layout and road frontage would supplement the off-street parking proposed within a road environment where there would be a limited number of parking users not associated with the multi-dwelling housing. To ensure on-street parking does not adversely impact the road environment, the civil design plans include an extended road shoulder to provide for on-street parking bays. The design plans indicate a total of 39 on-street car parking spaces in these on-street parking bays, though the total number may be adjusted downward to accommodate additional landscaping blisters recommended by Council Engineers. The approach to car parking would be compatible with DCP objectives and achieve a functional car parking outcome, with car parking provided at a rate compatible with anticipated demand.
- The proposed development is viewed to be compatible with the public interest. The proposed development would provide additional housing options which complement strategic outcomes identified in the Hunter Regional Plan and the Muswellbrook Shire Local Housing Strategy. Suitable technical reports and studies have been prepared to inform the design and assessment of the proposed development. The Section 4.15 Assessment report indicates that the proposal adequately addresses relevant State and local planning controls that inform the long term/strategic public interest regarding development proposals.

COMMUNITY CONSULTATION

The application was placed on public exhibition from 10 July to 7 August 2024. Council received 18 submissions. Details from the submissions are included as attachment D.

The matters raised are considered and commented on under the heading Section 4.15(d) of the attached Section 4.15 Assessment Report.

Key themes from the submissions include concerns related to:

- traffic generation on existing road networks;
- impacts on the amenity of adjoining large lot residential and residential land, including impacts related to noise, privacy, crime, and visual impact;
- potential ecological impacts; and
- compatibility of the density of development proposed when considered in context with the adjoining large lot residential precinct.

These issues were considered at the time the land was rezoned for residential purposes and as



part of the assessment of this application.

OPTIONS

Council may:

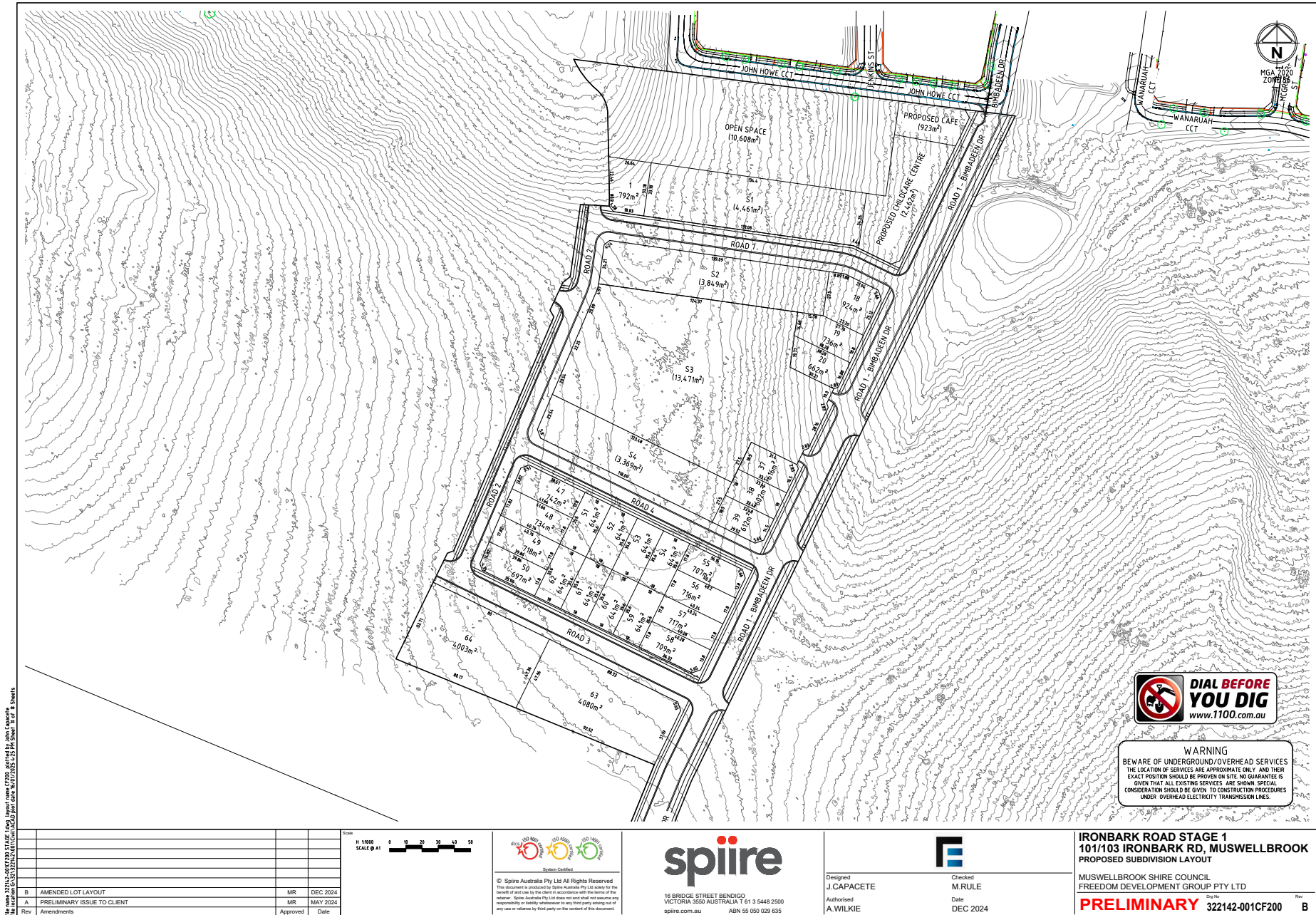
- a) Approve the proposed development subject to the recommended conditions of consent.
- b) Approve the proposed development subject to amended conditions of consent.
- c) Refuse the proposed development and, in doing so, provide reasons for refusal.

CONCLUSION

The Assessing Officer recommends that Council approves the proposed development subject to the conditions of consent set out in Attachment G.

LEGAL IMPLICATIONS

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



FOR DEVELOPMENT APPLICATION

STAGE 1
LOT 101-103 IRONBARK ROAD,
MUSWELLBROOK NSW 2333

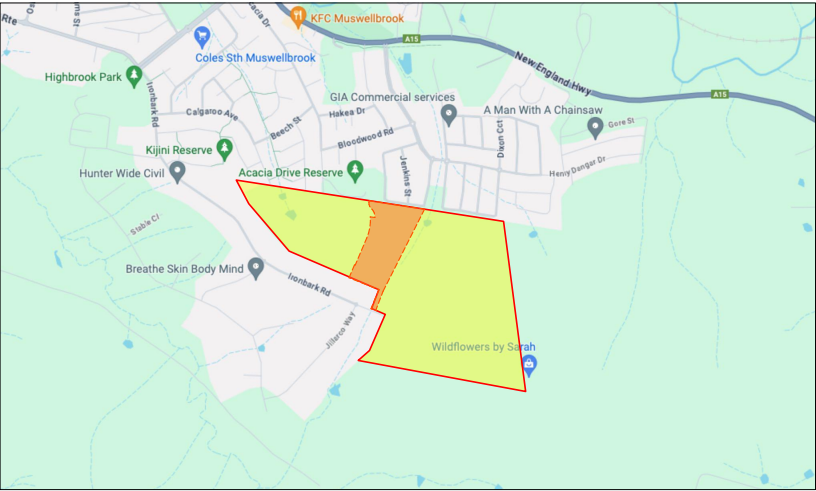
DRAWING LIST

SHEET NO.	SHEET TITLE	REVISION	DATE
L/100	COVER SHEET	F	29.11.24
L/101	LANDSCAPE MASTER PLAN	F	29.11.24
L/102	PROPOSED STAGE 1 LANDSCAPE SITE PLAN	F	29.11.24
L/103	PROPOSED STAGE 1 FENCE LAYOUT PLAN	F	29.11.24
L/104	PROPOSED STAGE 1 COMMUNAL OPEN SPACE MASTER PLAN	F	29.11.24
L/105	PROPOSED STAGE 1 COMMUNAL OPEN SPACE PLANTING PLAN	F	29.11.24
L/106	PROPOSED STAGE 1 DOG PARK MASTER PLAN	F	29.11.24
L/107	PROPOSED STAGE 1 DOG PARK PLANTING PLAN	F	29.11.24
L/108	PROPOSED STAGE 1 MARKET GARDEN MASTER PLAN	F	29.11.24
L/109	PROPOSED STAGE 1 MARKET GARDEN PLANTING PLAN	F	29.11.24
L/110	LANDSCAPE MATERIALS	F	29.11.24
L/111	LANDSCAPE MATERIALS	F	29.11.24
L/112	PROPOSED STAGE 1 CORNER LOT LANDSCAPE PLAN	F	29.11.24
L/113	PROPOSED STAGE 1 STANDARD LOT LANDSCAPE PLAN	F	29.11.24
L/114	LANDSCAPE SPECIFICATION	F	29.11.24
L/115	PROPOSED PUBLIC RESERVE SECTIONS	F	29.11.24

STAGE 1 PLANT SCHEDULE

Latin Name	Common Name	Quantity	Scheduled Size	Spread	Height
Acer rubrum 'Fairview Flame'	Canadian Maple	18	75lt	6000	10000
Baeckea virgata 'Nana'	Heath Myrtle	165	200mm	2000	1500
Callistemon viminalis 'Slim'	Bottlebrush	61	200mm	1000	2000
Doryanthes excelsa	Gymea Lily	52	15lt	2000	1500
Eremophila alba 'Amber Carpet'	Emu Bush	134	200mm	2500	300
Ginkgo biloba	Maidenhair Tree	11	75lt	6000	12000
Grevillea 'Lady O'	Grevillea	99	200mm	2000	1000
Hakea salicifolia	Willow-leaved Hakea	114	200mm	2500	4000
Laegstroemia 'Acoma'	White Crepe Myrtle	6	75lt	3500	4000
Lomandra 'Tanika'	Dwarf Lomandra	376	tube	700	700
Photinia robusta	Photinia	140	200mm	1500	2500
Pitracadia terminalis	Native Foxglove	18	200mm	1500	1500
Poa labillardieri	Tussock Grass	625	tube	900	900
Scabiosa alba 'Mauve Clusters'	Fan Flower	225	200mm	1000	300
Westringia 'Grey Box'	Coastal Rosemary	138	150mm	1200	500

NOTE:
ALL PLANT SPECIES ARE SELECTED FROM COUNCILS AMENITY TREE PLANTING - PREFERRED SPECIES LIST





LOCATION PLAN - 101 & 103 IRONBARK ROAD, MUSWELLBROOK 2333 (SOURCE: GOOGLE MAPS)



AERIAL PHOTO - 101 & 103 IRONBARK ROAD, MUSWELLBROOK 2333 (SOURCE: SIX MAPS)

NOTE:
COUNCIL WILL BE MOWING AND
MAINTAINING THE WATER TOWER
RESERVE TO THE NORTH

NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO
NOT EXCEED 10 DEGREES TO ALLOW FOR
MAINTENANCE WITH RIDE-ON-MOWERS

F 29/11/24 E 30/10/24 D 4/10/24 C 9/5/24 B 17/4/24 A 12/4/24		Amended to latest architectural Updated to address Bushfire Consultant advice Amendments for RPI Letter Amended to latest architectural Amended for review Issue for review	CV CV CV OC OC OC	Notes: 1. All dimensions and levels shall be verified by Contractor on site prior to commencement of work. 2. Do not scale from drawings. 3. If in doubt contact Landscape Architect. 4. This design is copyright and shall not be copied, utilised or reproduced without the written permission of A Total Concept Landscape Architects. 5. This plan has been prepared for DA purposes only. 6. All building works shall be installed to Structural Engineers (SWR).	Client:  SKYLINE ARCHITECTS	Drawing: Cover Sheet Address: Lot 101-103 Ironbark Road, Muswellbrook NSW 2333 Project: Residential Estate Development Client: Freedom Development Group	A Total Concept Landscape Architects & Swimming Pool Designers 45 Myers Street, North Sydney NSW 2060 P 02 939 9112 F 02 939 9113 www.atotallandscape.com.au  A total concept landscape architects & swimming pool designers	Status: SCALE - NTS @ A1 Drawn By: JCC Checked By: JBT CAD File Name: 101 & 103 Ironbark Rd, Muswellbrook - DA.dwg	Project No: Freedom Drawing No: L/100 F Rev #: OF 116
---	--	--	----------------------------------	--	---	---	--	---	---



LEGEND:

- BOUNDARY
- ... STAGE BOUNDARY
- PROPOSED WALKING/BIKE TRAIL
- PROPOSED LAWN AREA
- PROPOSED GARDEN AREA
- PROPOSED SOFTFALL AREA
- EXISTING TREE TO BE RETAINED
- EXISTING TREE TO BE REMOVED
- FENCED EXISTING DAM
- RETAINED VEGETATION/REVEGETATION AREA
- BARBECUE AREA
- DOG PARK
- WALKING/BIKE TRAIL
- WALKING/BIKE TRAIL
- TOILET BLOCK
- CHILDRENS BIKE TRAIL
- CHILDRENS PLAYGROUND
- CHILDCARE CENTRE
- CAFE

NOTE:
COUNCIL WILL BE MOWING AND
MAINTAINING THE WATER TOWER
RESERVE TO THE NORTH

NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO
NOT EXCEED 10 DEGREES TO ALLOW FOR
MAINTENANCE WITH RIDE-ON MOWERS

F	29/11/24	Amended to latest architectural	CV	Notes:
	30/10/24	Updated to address Bushfire Consultant advice	CV	
	4/10/24	Amendments for RPI Letter	CV	
	9/5/24	Amended to latest architectural	OC	
	17/6/24	Amended for review	OC	
A	12/4/24	Issue for review	OC	1. All dimensions and levels shall be verified by Contractor on-site prior to commencement of work
No		Date	REVISION	By



SKYLINE
ARCHITECTS

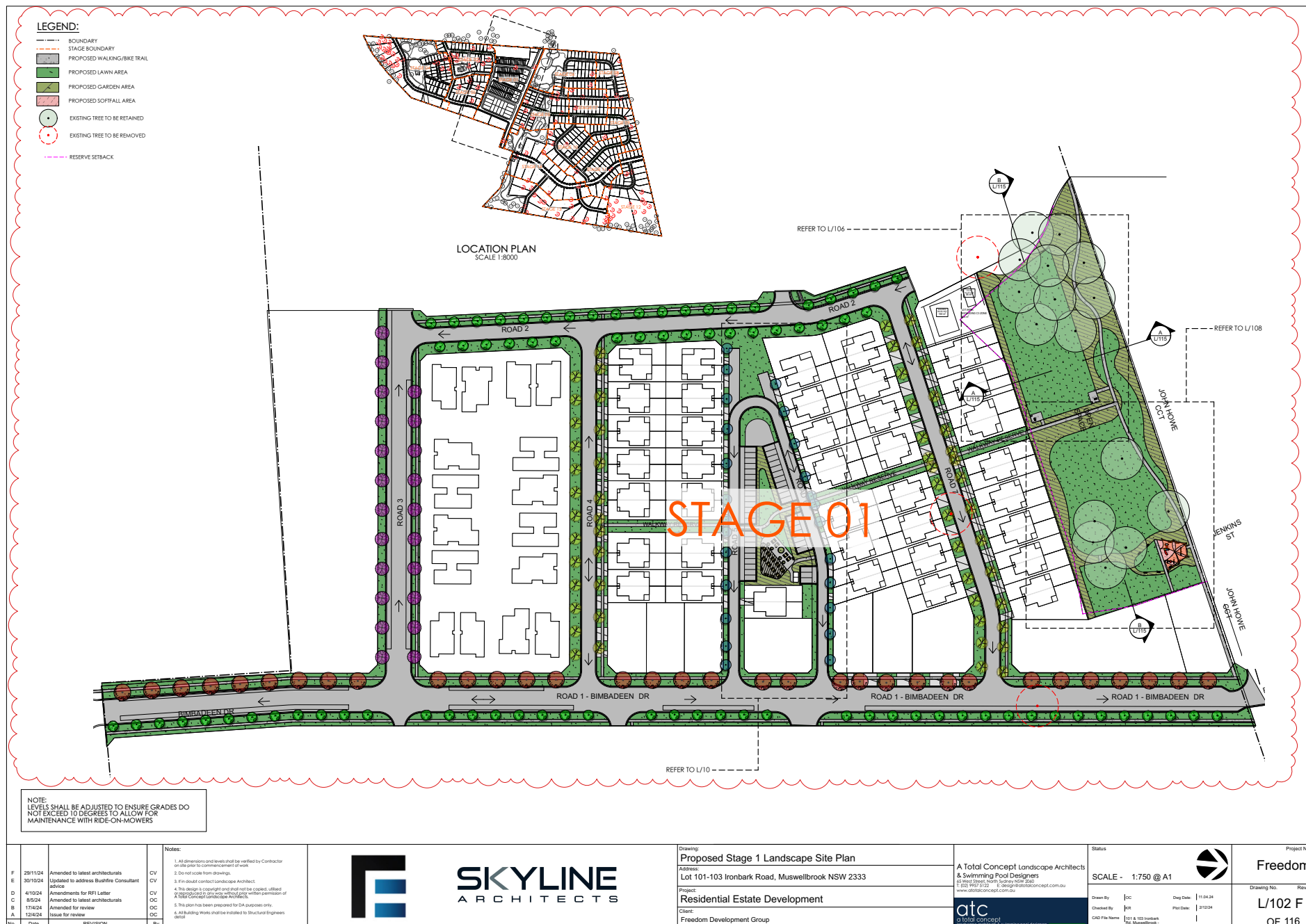
Drawing:
Landscape Master Plan
Address:
Lot 101-103 Ironbark Road, Muswellbrook NSW 2333
Project:
Residential Estate Development
Client:
Freedom Development Group

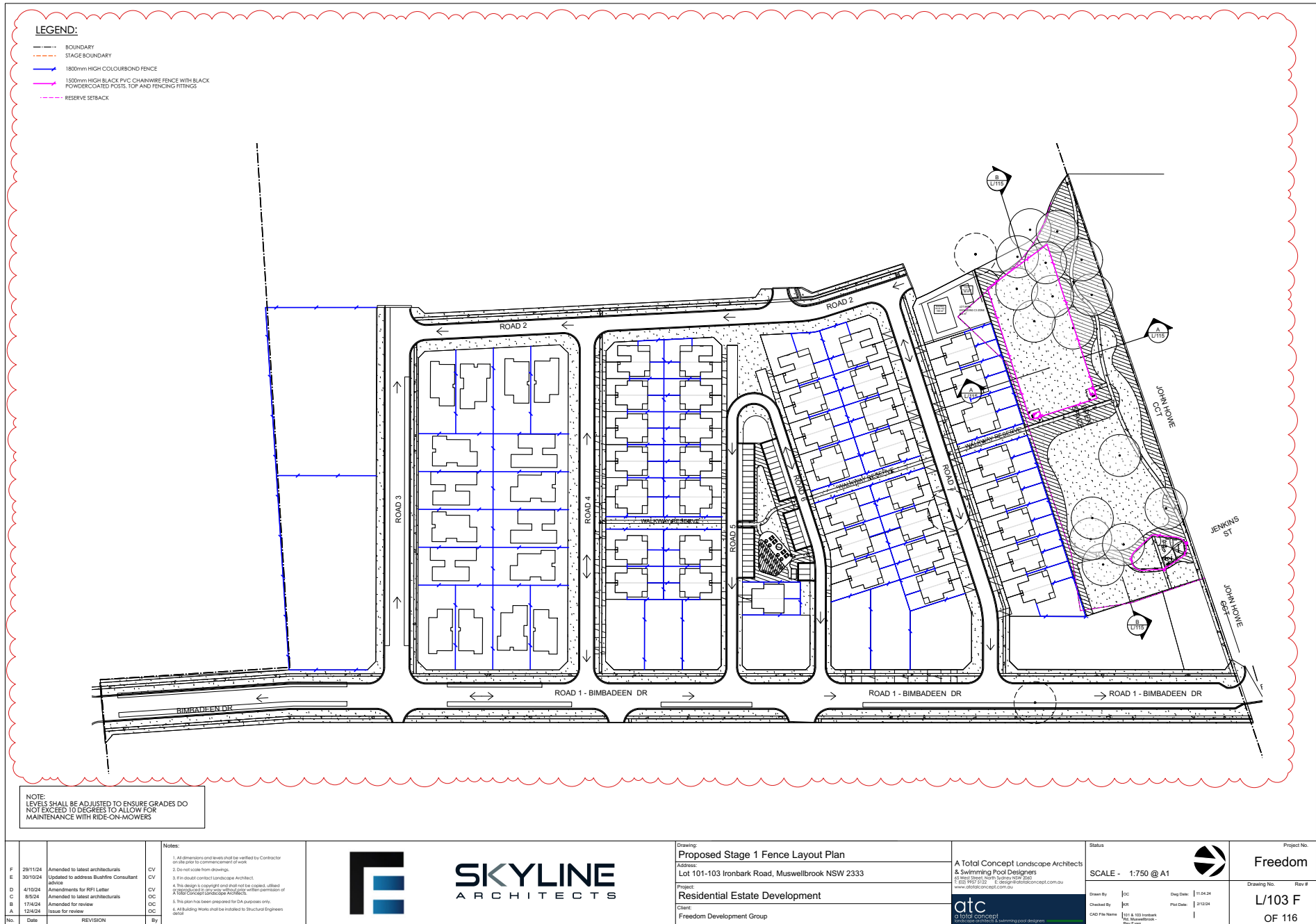
A Total Concept Landscape Architects
& Swimming Pool Designers
45 West Street, North Sydney NSW 2060
P: 02 9437 0120 E: design@totalconcept.com.au
www.totalconcept.com.au
atc
A total concept landscape architects & swimming pool designers

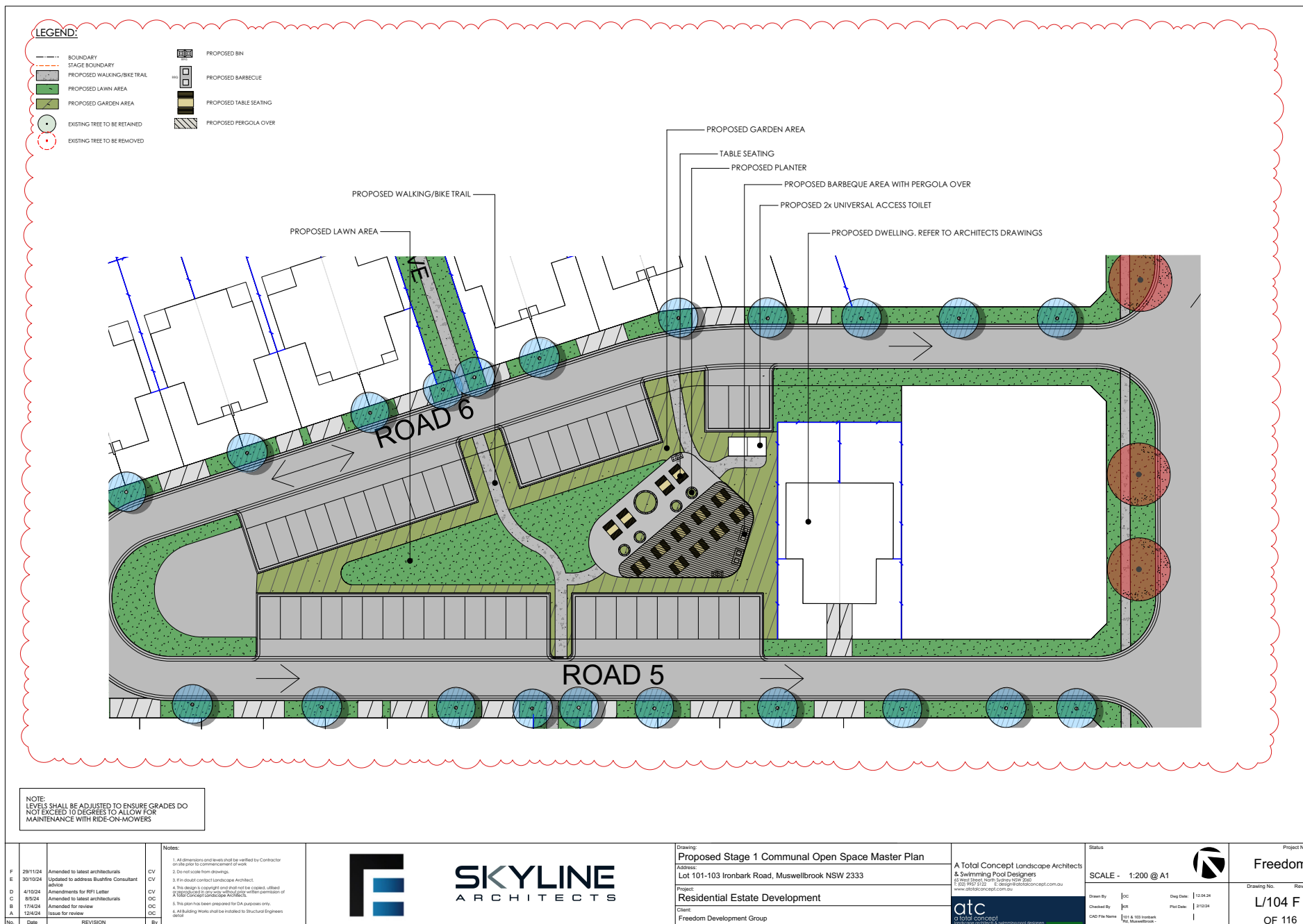
Status:
SCALE - 1:2000 @ A1



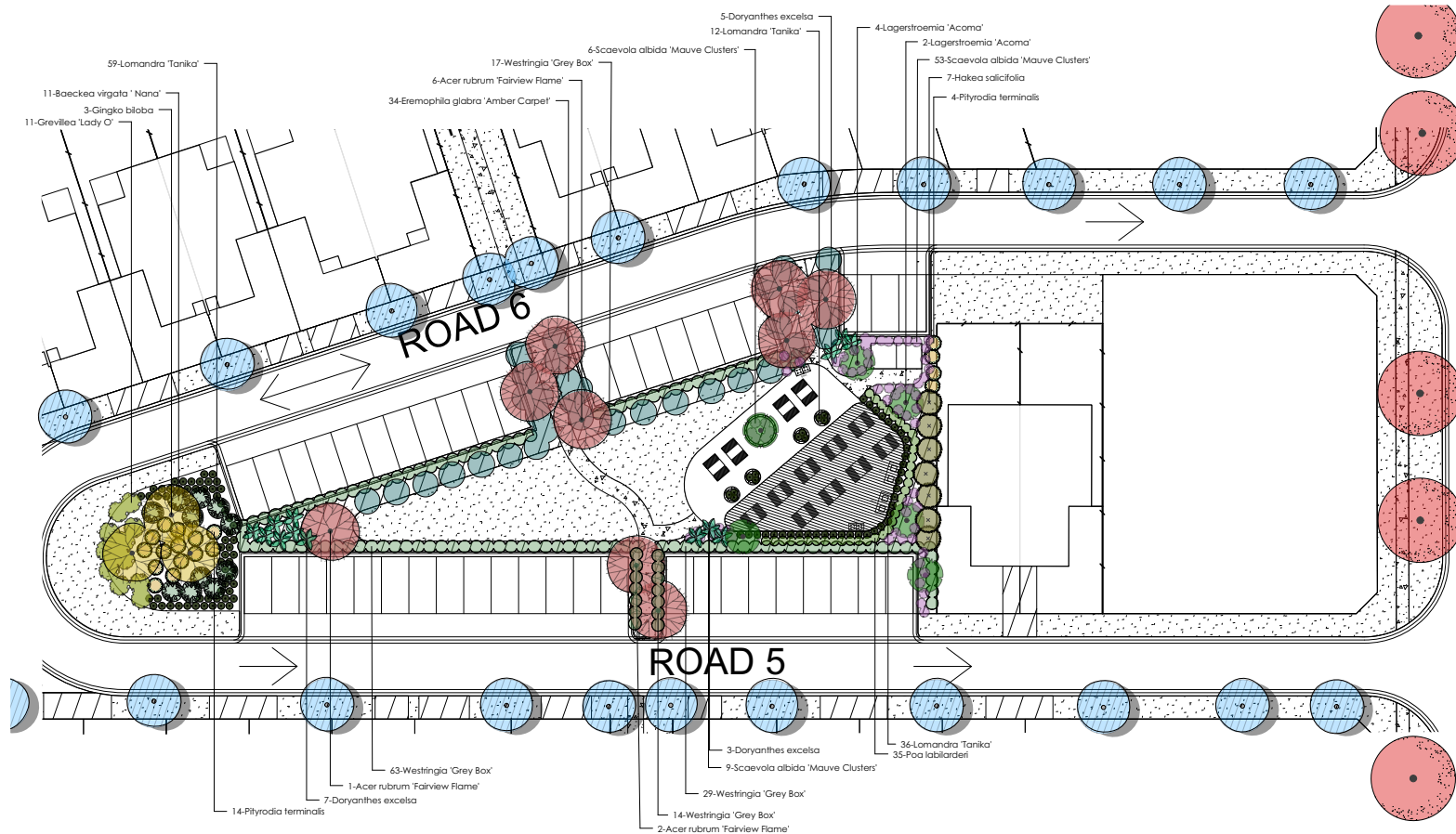
Project No:
Freedom
Drawing No:
L/101 F
Rev #
OF 116







NOTE:
REFER TO COVER SHEET L/100 FOR
STAGE 1 PLANTING SCHEDULE



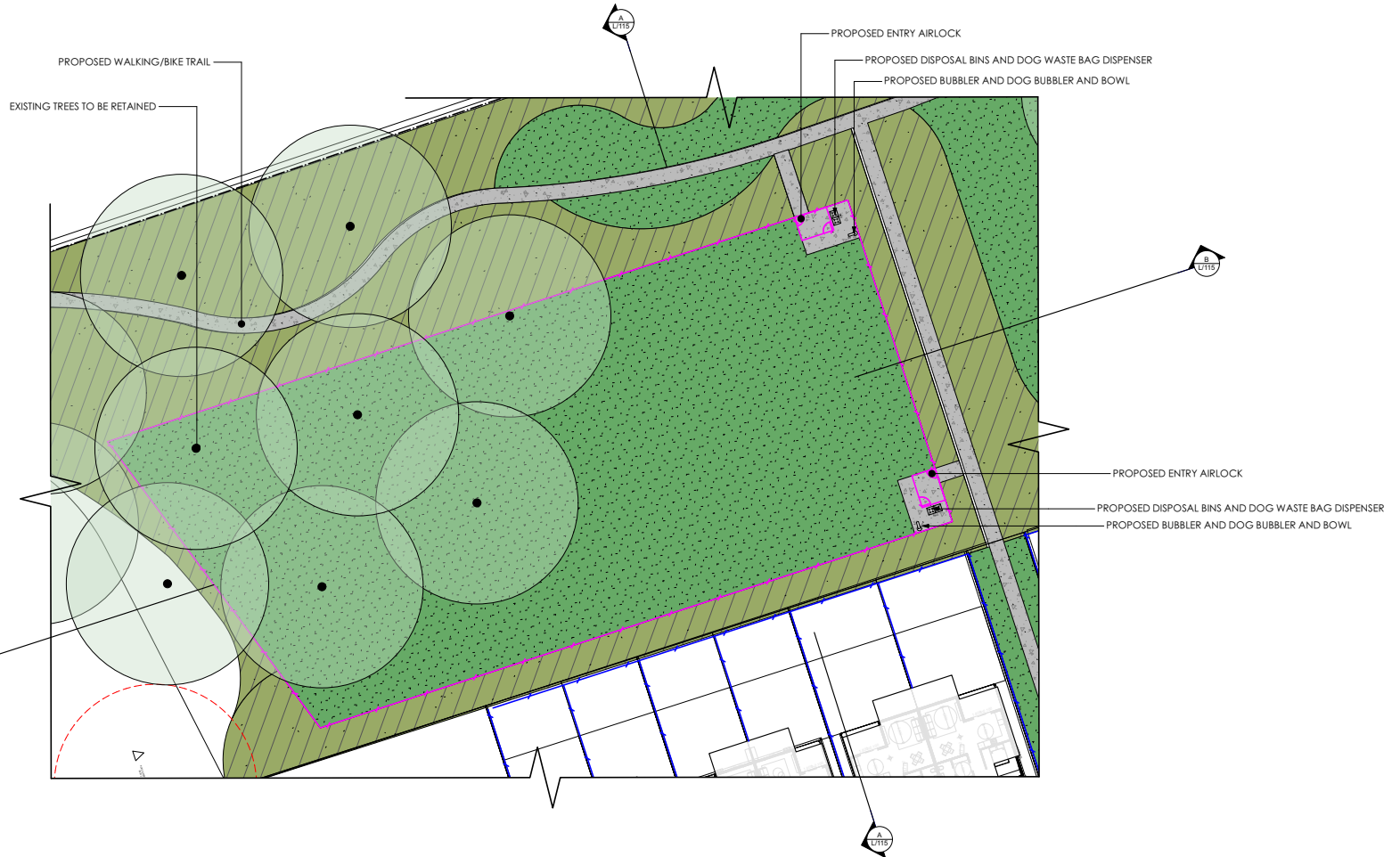
NOTE:
ALL PLANT SPECIES ARE SELECTED FROM COUNCILS
AMENITY TREE PLANTING - PREFERRED SPECIES LIST

NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO
NOT EXCEED 10 DEGREES TO ALLOW FOR
MAINTENANCE WITH RIDE-ON MOWERS

<p>F 29/11/24 E 30/10/24 C 4/10/24 D 9/5/24 B 17/6/24 A 12/4/24</p>	<p>Amended to latest architectural Updated to address Bushfire Consultant advice Amendments for RPI Letter Amended to latest architectural Amended for review Issue for review</p>	<p>CV CV CV OC OC OC</p>	<p>By</p>	<p>Notes: 1. All dimensions and levels shall be verified by Contractor on-site prior to commencement of work. 2. Do not scale from drawings. 3. If in doubt contact Landscape Architect. 4. This design is copyright and shall not be copied, utilized or reproduced in any form without the written permission of the Designer. 5. This plan has been prepared for DA purposes only. 6. All Building Works shall be installed to Structural Engineers' advice.</p> <p>SKYLINE ARCHITECTS</p>	<p>Drawing: Proposed Stage 1 Communal Open Space Planting Plan Address: Lot 101-103 Ironbark Road, Muswellbrook NSW 2333 Project: Residential Estate Development Client: Freedom Development Group</p>	<p>A Total Concept Landscape Architects & Swimming Pool Designers 65 West Street, North Sydney NSW 2060 T: 29 987 0129 F: design@totalconcept.com.au www.totalconcept.com.au</p> <p>atc a total concept landscape architects & swimming pool designers</p>	<p>Status SCALE - 1:200 @ A1</p> <p>Drawn By: JCC Checked By: JCC CAD File Name: [101 & 103 Ironbark Rd, Muswellbrook - 23/3/24]</p> <p>Draw Date: 12/24/24 Plot Date: 21/3/24</p>	<p>Project No: Freedom Drawing No.: L/105 F Rev #: OF 116</p>
---	--	--	-----------	--	--	---	---	--

LEGEND:


- BOUNDARY
- STAGE BOUNDARY
- PROPOSED WALKING/BIKE TRAIL
- PROPOSED LAWN AREA
- PROPOSED GARDEN AREA
- EXISTING TREE TO BE RETAINED
- EXISTING TREE TO BE REMOVED
- 1800mm HIGH COLOURBOND FENCE
- 1500mm HIGH BLACK PVC CHAINWIRE FENCE WITH BLACK POWDERCOATED POSTS, TOP AND FENCING FITTINGS



NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO NOT EXCEED 10 DEGREES TO ALLOW FOR MAINTENANCE WITH RIDE-ON-MOWERS

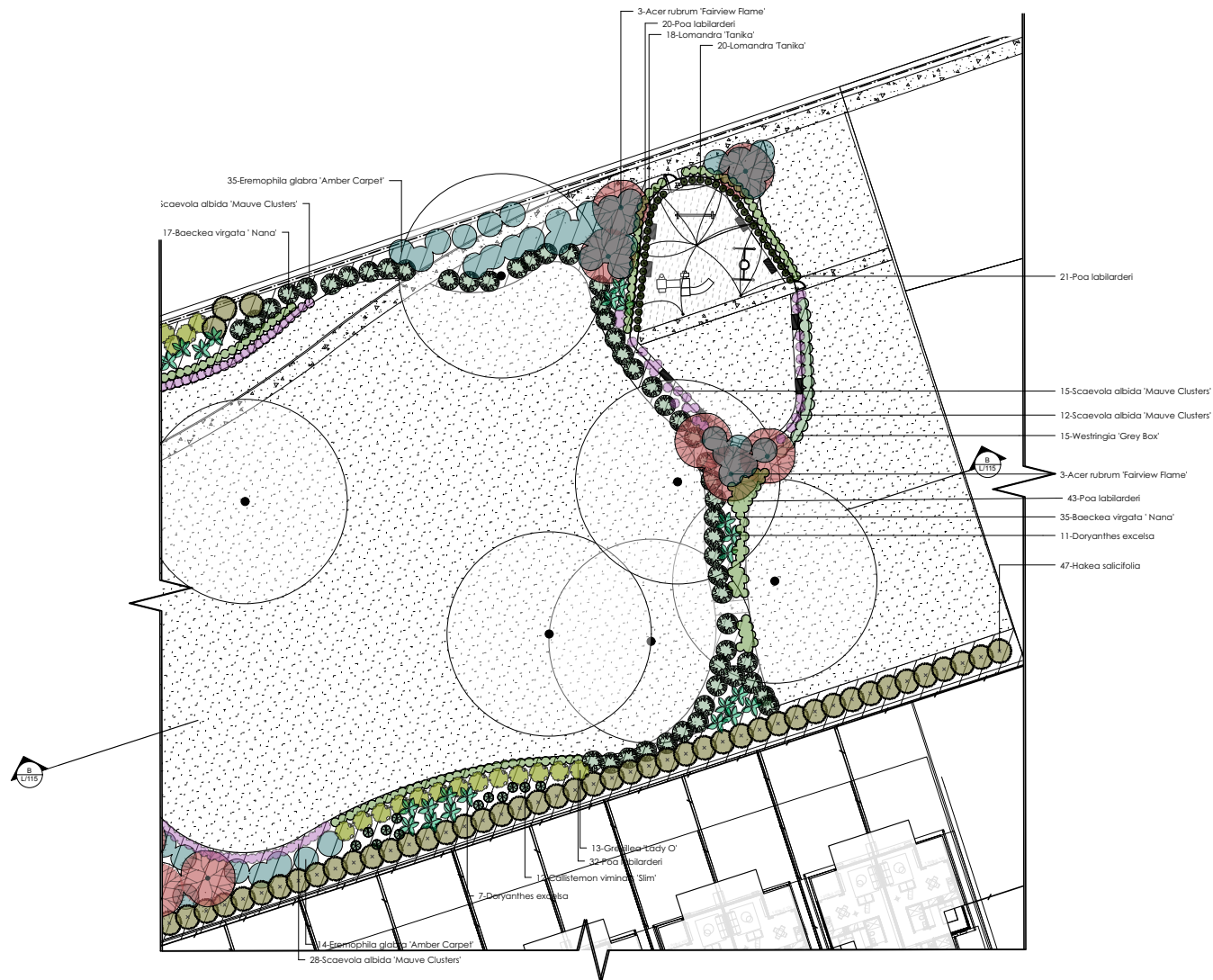
<p>F 29/11/24 E 30/10/24 D 4/10/24 C 9/5/24 B 17/6/24 A 12/4/24</p>	<p>Amended to latest architectural Updated to address Bushfire Consultant advice Amendments for RPI Letter Amended to latest architectural Amended for review Issue for review</p>	<p>CV CV CV OC OC OC</p>	<p>By</p>	<p>SKYLINE ARCHITECTS</p>	<p>Drawing: Proposed Stage 1 Dog Park Master Plan Address: Lot 101-103 Ironbark Road, Muswellbrook NSW 2333 Project: Residential Estate Development Client: Freedom Development Group</p>	<p>A Total Concept Landscape Architects & Swimming Pool Designers 45 West Street, North Sydney NSW 2060 P. 255 985 0132 E. design@totalconcept.com.au www.totalconcept.com.au atc A TOTAL CONCEPT LANDSCAPE ARCHITECTS & SWIMMING POOL DESIGNERS</p>	<p>Status SCALE - 1:200 @ A1 Drawn By: JCC Checked By: JCC CAD File Name: [101 & 103 Ironbark Rd, Muswellbrook - 23/3/24] Draw Date: 12/24/24 Plot Date: 21/2/24</p>	<p>Project No. Freedom Drawing No. L/106 F Rev # OF 116</p>
---	--	--	-----------	--------------------------------------	---	---	---	--

NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO
NOT EXCEED 10 DEGREES TO ALLOW FOR
MAINTENANCE WITH RIDE-ON-MOWERS

<p>Notes:</p> <p>All dimensions and levels shall be verified by Contractor on site prior to commencement of work</p> <p>Do not scale from drawings.</p> <p>Final work to address Building Consultant advice</p> <p>Final work to address NPI Letter</p> <p>Amendments to latest architectural</p> <p>Amendments for DA purposes only</p> <p>All building works must be reviewed to Structural Engineers detail</p>				 <p>SKYLINE ARCHITECTS</p>		<p>Drawing: Proposed Stage 1 Dog Park Planting Plan</p> <p>Address: Lot 101-103 Ironbark Road, Muswellbrook NSW 2333</p> <p>Project: Residential Estate Development</p> <p>Client: Freedom Development Group</p>		<p>A Total Concept Landscape Architects & Swimming Pool Designers</p> <p>1/2017 Street View P: 02 955 81222 E: design@totalconcept.com.au www.totalconcept.com.au</p> <p>atc a total concept landscape architects & swimming pool designers</p>		<p>Status</p> <p>SCALE - 1:200 @ A1</p> <p>Drawn By: [JC] Date: 12/04/24</p> <p>Checked By: [JH] Plot Date: 21/02/24</p> <p>CAD File Name: [L101 & 103 Ironbark Rd, Muswellbrook] OF 116</p>		<p>Project No.</p> <p>Freedom</p> <p>Drawing No.</p> <p>L/107 F</p>		<p>Rev #</p> <p>OF 116</p>	
---	--	--	--	---	--	--	--	--	--	---	--	---	--	-----------------------------------	--



NOTE:
REFER TO COVER SHEET L/100 FOR
STAGE 1 PLANTING SCHEDULE



NOTE:
ALL PLANT SPECIES ARE SELECTED FROM COUNCILS
AMENITY TREE PLANTING - PREFERRED SPECIES LIST

NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO
NOT EXCEED 10 DEGREES TO ALLOW FOR
MAINTENANCE WITH RIDE-ON-MOWERS

No.	Date	REVISION	By
F	29/11/24	Amended to latest architectural	CV
E	30/10/24	Updated to address Bushfire Consultant advice	CV
D	4/10/24	Amendments for RPI Letter	CV
C	9/5/24	Amended to latest architectural	OC
B	17/6/24	Amended for review	OC
A	12/4/24	Issue for review	OC

Notes:

1. All dimensions and levels shall be verified by Contractor on-site prior to commencement of work.
2. Do not scale from drawings.
3. If in doubt contact Landscape Architect.
4. This design is copyright and shall not be copied, utilized or reproduced without the written permission of A Total Concept Landscape Architects.
5. This plan has been prepared for DA purposes only.
6. All building works shall be installed to Structural Engineers' specification.



SKYLINE
ARCHITECTS

Drawing:
Proposed Stage 1 Market Garden Planting Plan

Address:
Lot 101-103 Ironbark Road, Muswellbrook NSW 2333

Project:
Residential Estate Development

Client:
Freedom Development Group

A Total Concept Landscape Architects
& Swimming Pool Designers
45 West Street, North Sydney NSW 2060
T: 255 995 0122 E: design@atotalconcept.com.au
www.atotalconcept.com.au



Status:
SCALE - 1:200 @ A1

Drawn By: [OC] Draw Date: 12/24/24
Checked By: [JH] Plot Date: 21/24
CAD File Name: [101 & 103 Ironbark Rd, Muswellbrook - 23/24.dwg]

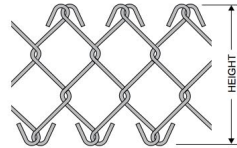
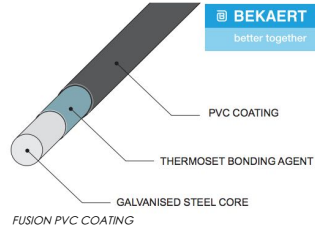


Project No.
Freedom

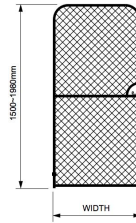
Drawing No. Rev #
L/109 F
OF 116



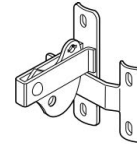
1500MM HIGH PERIMETER FENCING - 1500MM 49X2.50MM FUSION BONDED BLACK PVC CHAINWIRE FENCE WITH BLACK POWDERCOATED POSTS, TOP RAIL AND FENCING FITTINGS AS AVAILABLE FROM PROTECTIVE FENCING OR SIMILAR



CHAINWIRE KNUCKLE/KNUCKLE SELVEDGE CONFIGURATION



1500MM HIGH PEDESTRIAN ENTRY GATE - 1500MM, NOMINAL 900MM WIDE GATE WITH BLACK POWDERCOATED FRAME AND GATE FITTINGS, AND 49X2.50MM FUSION BONDED BLACK PVC CHAINWIRE AS AVAILABLE FROM PROTECTIVE FENCING OR SIMILAR



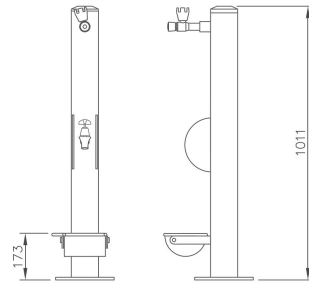
D-LATCH & STRIKE - D-LATCH & STRIKE FOR USE WITH PEDESTRIAN ENTRY GATE AS AVAILABLE FROM PROTECTIVE FENCING OR SIMILAR FOR USE ON ENTRY AIRLOCK 2 (NON-ACCESSIBLE)



DOG PARK ENTRY AIRLOCK - REFER DOG PARK SET OUT PLAN

The PF 400 is a strong and robust standard upright fountain for parks, schools and any outdoor environment. It is not suitable for disabled access.

- Dimensions**
- Height: 1011mm
 - Width: 100mm
 - Dog bowl height: 173mm
- Materials**
- Steel RHS main body
 - 316 S/S dog bowl
 - Chrome activator button
 - Chrome bubbler and tap
- Finishes**
- Hot spray galvanised
 - Primed and Powdercoated (Available in many different colours. [See colour selector](#))
- Options**
- Dog leash handles
 - Maintenance tap
 - Anti vandal tap shrouds



BUBBLER & DOG BUBBLER - PET DRINKING FOUNTAIN AS AVAILABLE FROM URBAN FOUNTAINS & FURNITURE



CYCLE TRACK/FOOTPATH



DOG WASTE BAG DISPENSER AS AVAILABLE FROM DRAFFIN STREET FURNITURE. DOG WASTE BAG DISPENSER SHALL BE MOUNTED BETWEEN 900-1100mm ABOVE FINISHED FLOOR LEVEL IN ACCORDANCE WITH ACCESS REPORT PREPARED BY MORRIS GODING ACCESS CONSULTING



Size

- W237mm H182mm D143mm
- To suit bags up to 110mm Diameter x 210mm Long

Material Options

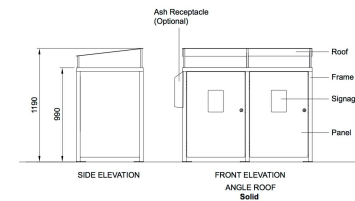
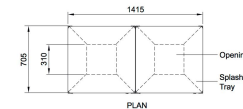
- 316 Brushed Stainless Steel

Other Standard Features

- Tri Key Lock and Key
- Facility for optional padlock
- Integrated bag weight to stop bags rolling out in the wind

Fixing Options

- Wall Mount
- Bin Surround Mount
- Steel Post Mount



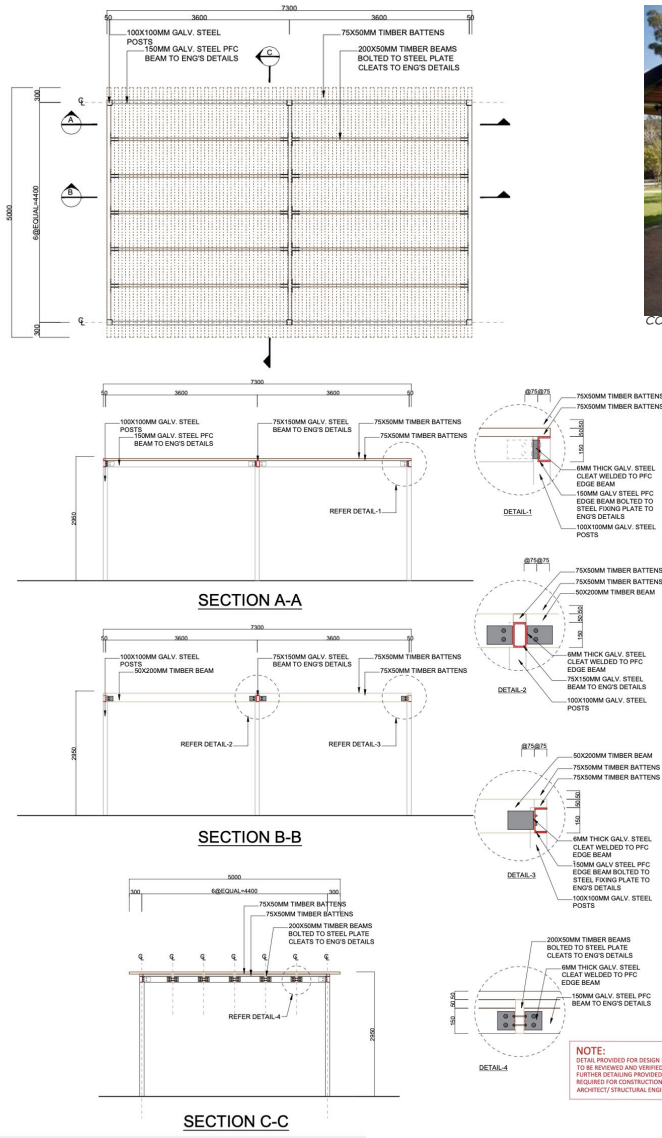
NOTE: CONTRACTOR SHALL ENSURE ALL COMPONENTS OF EQUIPMENT INCLUDING ALL FINISHES AND MATERIALS ARE SUITABLE FOR INTENDED USE IN THE COASTAL ENVIRONMENT

STREET FURNITURE AUSTRALIA FRAME DUAL, BATTENED (CODE: WBE-F140)

- ENCLOSURE TYPE: WBE-F140K (FITS 140K WHEELED BIN)
- ROOF: ANGLE
- BATTENS: PREMIUM HARDWOOD OILED
- FRAME & PANELS: ALUMINIUM POWDER COATED, COLOUR TBC
- SIGNAGE: GARBAGE AND RECYCLE
- MOUNTING: SURFACE

F 29/11/24 E 30/10/24 D 4/10/24 C 9/5/24 B 17/6/24 A 12/4/24		Amended to latest architectural Updated to address Bushfire Consultant advice Amendments for RPI Letter Amended to latest architectural Amended for review Issue for review	CV CV CV OC OC OC	Notes: 1. All dimensions and levels shall be verified by Contractor on-site prior to commencement of work 2. Do not scale from drawings 3. If in doubt contact Landscape Architect 4. This design is copyright and shall not be copied, utilized or reproduced without the written permission of SKYLINE ARCHITECTS 5. This plan has been prepared for DA purposes only 6. All Building Works shall be installed to Structural Engineers (SE) approval	Client: 	Drawing: Landscape Materials Address: Lot 101-103 Ironbank Road, Muswellbrook NSW 2333 Project: Residential Estate Development Client: Freedom Development Group	A Total Concept Landscape Architects & Swimming Pool Designers 45 West Street, North Sydney NSW 2060 P. 02 939 0112 F. design@totalconcept.com.au www.totalconcept.com.au 	Status: SCALE - NTS @ A1 Drawn By: JCC Checked By: JCC CAD File Name: [101 & 103 Ironbank Rd, Muswellbrook - 2333].dwg	Project No: Freedom Drawing No.: L/110 F Rev #: OF 116
---	--	--	----------------------------------	--	-------------	---	--	---	--

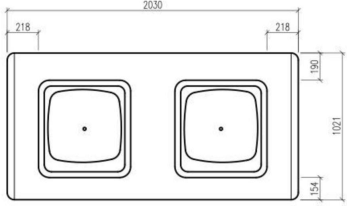
TYPICAL LIGHTWEIGHT PERGOLA DETAILS:



COMMUNAL OPEN SPACE CURVED SHADE PERGOLA



NOTE: CONTRACTOR SHALL ENSURE ALL COMPONENTS OF EQUIPMENT INCLUDING ALL FINISHES AND MATERIALS ARE SUITABLE FOR INTENDED USE IN THE ENVIRONMENT



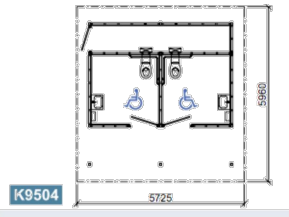
NOTE:
CONTRACTOR SHALL ENSURE OUTDOOR BARBECUE COMPLIES WITH ACCESS DESIGN CHECKLIST REQUIREMENTS. REFER ACCESS REPORT PREPARED BY MORRIS GODDING ACCESS CONSULTANTS

BARBECUE - LANDMARK KB602 DOUBLE PLATE ACCESS BBQ

TOLLET FACILITY FACILITY INCLUSIONS
On-slab Restrooms | model K9504 - CARETAKER



LANDMARK EQUIPMENT AS SUPPLIED BY LANDMARK, PH: 1300 768 230, WEB: www.landmarkpro.com.au ADDRESS UNIT 8, 9 KILTO CRESCENT, GLENDEENING, NSW 2761



K9504

F	29/11/24	Amended to latest architectural	CV	Notes:
E	30/10/24	Updated to address Bushfire Consultant advice	CV	1. All dimensions and levels shall be verified by Contractor on-site prior to commencement of work
D	4/10/24	Amendments for RPI Letter	CV	2. Do not scale from drawings
C	9/5/24	Amended to latest architectural	OC	3. If in doubt contact Landscape Architect
B	17/6/24	Amended for review	OC	4. This design is copyright and shall not be copied, utilized or reproduced without the written permission of Skyline Architects
A	12/4/24	Issue for review	OC	5. This plan has been prepared for DA purposes only
No.	Date	REVISION	By	6. All building works shall be installed to Structural Engineers approval

Client:



SKYLINE
ARCHITECTS

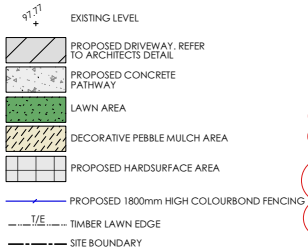
Drawing:
Landscape Materials
Address:
Lot 101-103 Ironbank Road, Muswellbrook NSW 2333
Project:
Residential Estate Development
Client:
Freedom Development Group

A Total Concept Landscape Architects
& Swimming Pool Designers
45 West Street, North Sydney NSW 2060
P: 02 955 0122 E: design@totalconcept.com.au
www.totalconcept.com.au
atc
a total concept
landscape architects & swimming pool designers

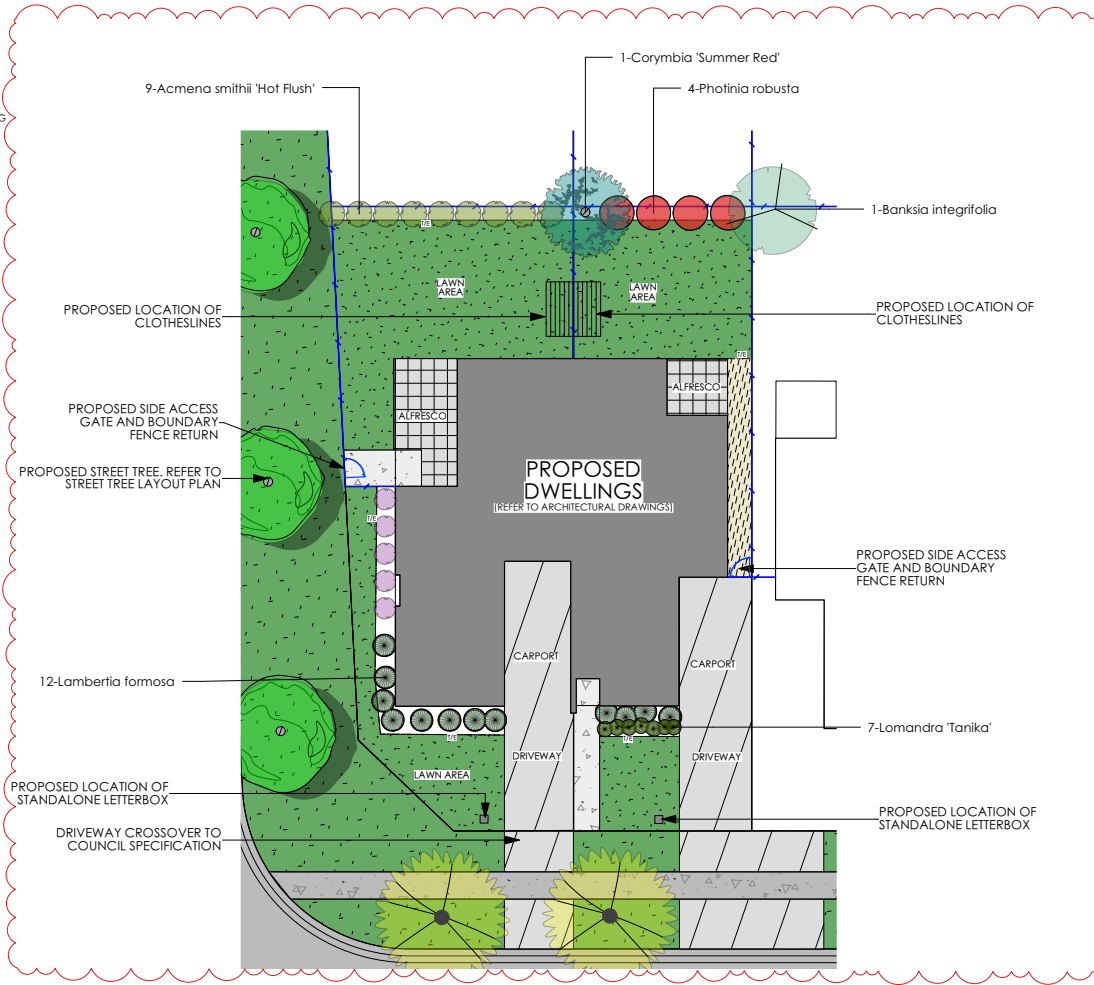
Status
SCALE - NTS @ A1
Drawn By: JCC
Checked By: JCC
CAD File Name: [101 & 103 Ironbank Rd, Muswellbrook - 12/4/24]
Date: 12/4/24
Plot Date: 21/5/24

Project No.
Freedom
Drawing No.
L/111 F
Rev #
OF 116

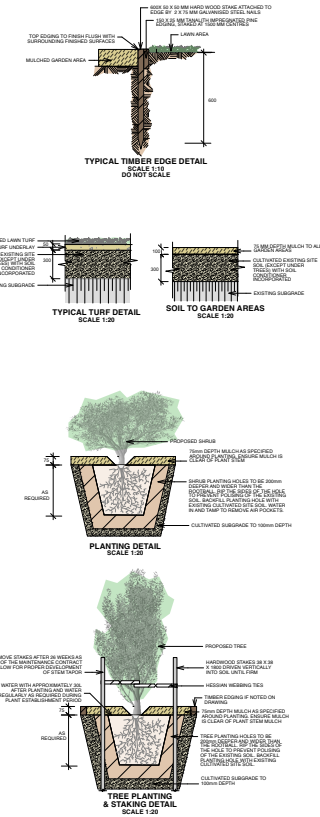
LEGEND:



PLANT IMAGES



TYPICAL DETAILS

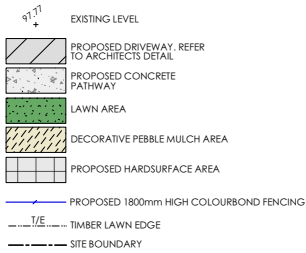


Note:
Landscape Contractor shall undertake minor adjustments after handover by builder as required to achieve maximum gradient to all lawn and mulched areas of 1:20, and 1:4 to be garden areas. Special retaining walls be required to achieve three fall zone and be designed by an engineer and be a maximum height compliant with council or developer policies.

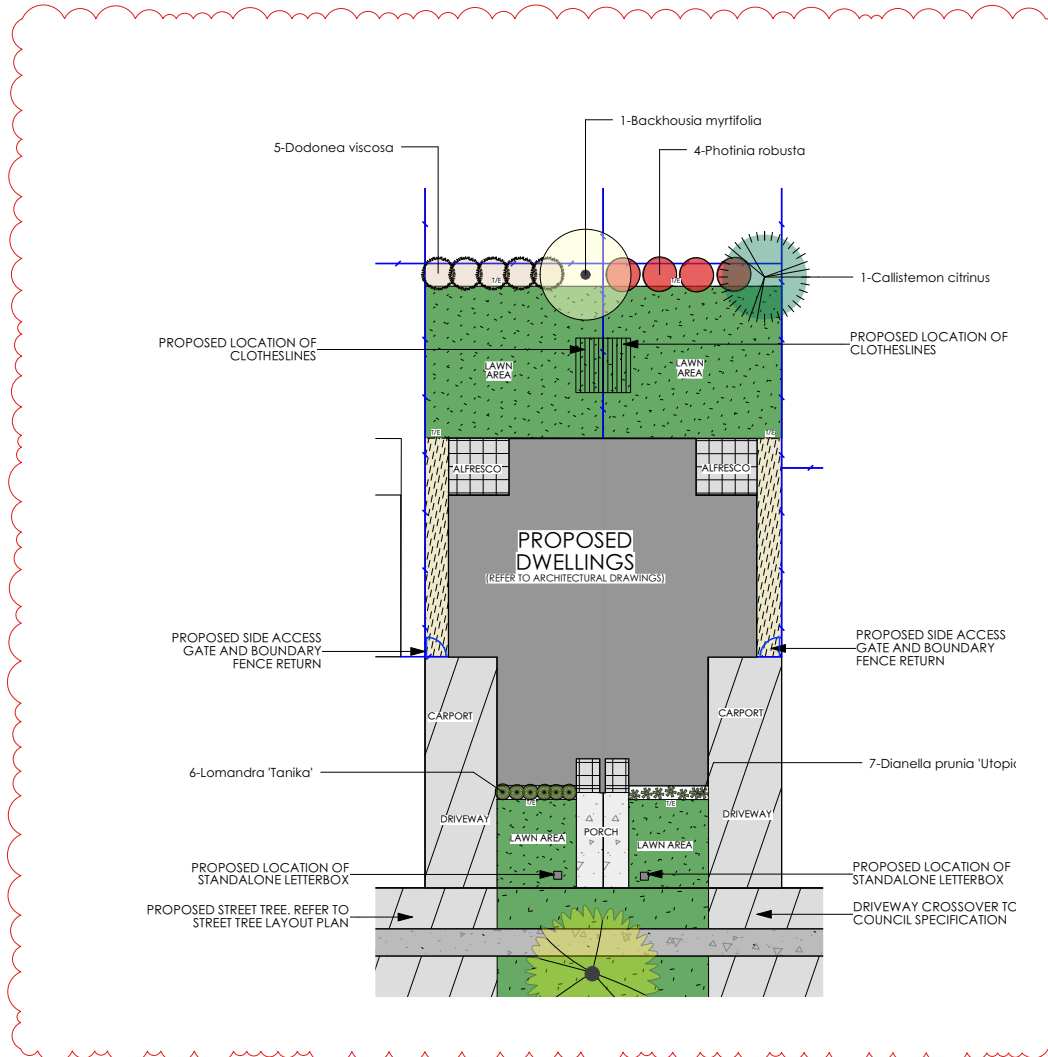
NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO NOT EXCEED 10 DEGREES TO ALLOW FOR MAINTENANCE WITH RIDE-ON MOWERS

<p>F 29/11/24 E 30/10/24 D 4/10/24 C 9/5/24 B 17/6/24 A 12/4/24</p>	<p>Amended to latest architectural Updated to address Bushfire Consultant advice Amendments for RPI Letter Amended to latest architectural Amended for review Issue for review</p>	<p>CV CV CV OC OC OC</p>	<p>Notes: 1. All dimensions and levels shall be verified by Contractor on site prior to commencement of work 2. Do not scale from drawings 3. If in doubt contact Landscape Architect 4. This design is copyright and shall not be copied, utilized or reproduced without the written permission of A Total Concept Landscape Architects 5. This plan has been prepared for DA purposes only 6. All Building Works shall be installed to Structural Engineers specification</p>	<p>Client: SKYLINE ARCHITECTS</p>	<p>Drawing: Proposed Stage 1 Corner Lot Landscape Plan Address: Lot 101-103 Ironbark Road, Muswellbrook NSW 2333 Project: Residential Estate Development Freedom Development Group</p>	<p>A Total Concept Landscape Architects 10 West Street, North Sydney NSW 2060 P 02 955 0132 E design@atotalconcept.com.au www.atotalconcept.com.au atc a total concept landscape architects & swimming pool designers</p>	<p>Status SCALE - 100 @ A1 Drawn By: [OC] Date: 12/24/24 Checked By: [OC] Plot Date: 21/24/24 CAD File Name: [OC] & 103 Ironbark Rd, Muswellbrook - [OC] Project No. Freedom Drawing No. L/112 F Rev # OF 116</p>
---	--	--	---	--	--	--	---

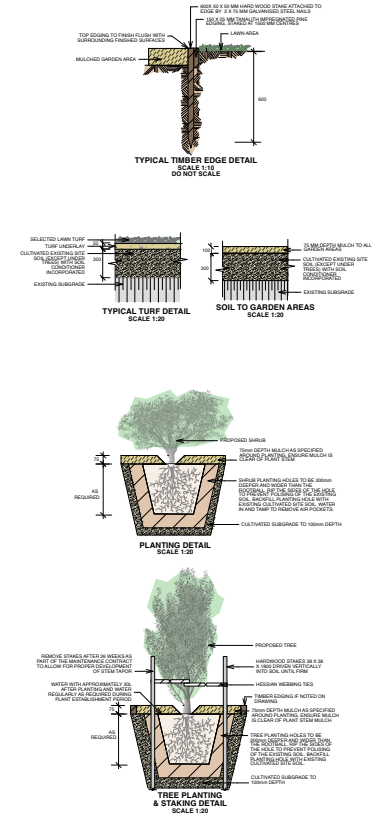
LEGEND:



PLANT IMAGES



TYPICAL DETAILS



Note:
Landscape Contractor shall undertake minor adjustments after handover by builder or required to achieve maximum gradient to all lawn and mulched areas of 1:20 and 1:4 to be garden areas. Special retaining walls be required to achieve three fall three and all be designed by an engineer and be a maximum height compliant with council or developer policies.

NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO NOT EXCEED 10 DEGREES TO ALLOW FOR MAINTENANCE WITH RIDE-ON MOWERS

<p>F 29/11/24 E 30/10/24 D 4/10/24 C 9/5/24 B 17/6/24 A 12/4/24</p>	<p>Amended to latest architectural Updated to address Bushfire Consultant advice Amendments for RPI Letter Amended to latest architectural Amended for review Issue for review</p>	<p>CV CV CV OC OC OC</p>	<p>By</p>	<p>Notes: 1. All dimensions and levels shall be verified by Contractor on-site prior to commencement of work 2. Do not scale from drawings 3. If in doubt contact Landscape Architect 4. This design is copyright and shall not be copied, utilized or reproduced without the written permission of A Total Concept Landscape Architects 5. This plan has been prepared for DA purposes only 6. All Building Works shall be installed to Structural Engineers specification</p>	<p>Client: SKYLINE ARCHITECTS</p>	<p>Drawing: Proposed Stage 1 Standard Lot Landscape Plan Address: Lot 101-103 Ironbank Road, Muswellbrook NSW 2333 Project: Residential Estate Development Client: Freedom Development Group</p>	<p>A Total Concept Landscape Architects & Swimming Pool Designers 120 West Street, North Sydney NSW 2060 P 02 939 7132 F 02 939 7133 www.atotconcept.com.au atc A total concept landscape architects & swimming pool designers</p>	<p>Status: SCALE - 100 @ A1 Drawn By: JCC Checked By: JCC CAD File Name: 101 & 103 Ironbank Rd, Muswellbrook - 23/24</p>	<p>Project No: Freedom Drawing No: L/113 F Rev #: OF 116</p>
---	--	--	-----------	---	--	--	---	---	---

MAINTENANCE SCHEDULE:

TWELVE MONTHS MAINTENANCE SCHEDULE	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Plant Care												
Monitoring												
Pruning as required												
Deadhead / tip pruning												
Slow release fertilise												
Rapid soluble fertilise as required												
Cut back perennials and grasses												
Watering as required												
Garden Bed												
Edging												
Remove weeds and herbicide spraying as required												
Top up mulch as required												
Dead foliage removal												
Pest Management												
Monitoring and herbicide spraying as required												
Turfed Area												
Fertilise												
Make good turf as required												
Winter clean up												
Remove dead foliage and pruning as required												

OUTLINE LANDSCAPE SPECIFICATION:

Preparation by Builder: Builder shall remove all existing concrete pathways, fences, footings, walls etc. not notated to be retained and complete all necessary excavation work prior to commencement on site by Landscape Contractor (Contractor). Builder shall also install new retaining walls, kerbs, layback kerb, crossover, pathways etc. and make good all existing kerbs, gutters etc. as necessary and to approval of Council.

All fencing and paving shall be by Builder.

Builder shall ensure that a minimum 600mm of topsoil exists in garden areas and a minimum 300mm of topsoil exists in lawn areas on natural ground. Should specified depths not exist Builder shall contact Landscape Architect and ask for instructions prior to completion of excavation works.

In areas of cut, excavate as necessary, then fill with approved site topsoil (or other approved Soil Mix) to allow for minimum 600mm soil depth in garden areas and 300mm soil depth in lawn areas and to gain required shapes & levels. Ensure all garden and lawn areas drain satisfactorily. All levels & surface drainage shall be determined by others & approved on site. Note: Approved imported Soil mix may be utilised if there is insufficient site topsoil available.

Initial Preparation: Verify all dimensions & levels on site prior to commencement. Do not scale from drawings. Locate all underground & above ground services & ensure no damage occurs to them throughout contract. Spray approved weedicide to all proposed lawn & garden areas to manufacturer's directions. Remove existing concrete pathways, footings, walls etc. not notated to be retained & weeds from site. Final level shall be the sole responsibility of Landscape Contractor.

Tree Protection: Trees to be retained shall be protected during site works and construction by the erection of solid barricades to the specification of Council. Storage of machinery or materials beneath canopy of trees to be retained shall not be permitted. Changes to soil level and cultivation of soil beneath canopy of trees to be retained shall not be permitted unless under direct supervision of Landscape Architect. Existing trees shall be pruned to Landscape Architects onsite instructions.

Soil Preparation: Cultivate to depth of 300mm all proposed lawn & garden areas incorporating minimum 100mm depth of organic clay breaker into existing site soil. Do not cultivate beneath existing trees to be retained. In areas where fill is required gain required shapes & levels using a approved Soil Mix. In areas where excavation is required (if in city) over excavate as required to allow for installation of 600mm depth of premium grade topsoil mix to garden areas and 300mm depth of premium grade topsoil mix to lawn areas. Undertake all required action to ensure that no rootballs of plants sit in clay wells and that all garden areas and lawn areas drain satisfactorily. Note it is intended that wherever possible existing levels shall not be altered through garden and lawn areas. It is the Contractors responsibility to ensure that the end result of the project is that all lawn and garden areas drain sufficiently (both surface & subsurface), are at required finished levels and have sufficient soil depths to enable lawn and plants to thrive and grow. Should additional works to those specified be required to achieve the above result, Contractor shall inform Builder at time of Tender and request instructions.

Lawn Edging: Contractor shall install approved 150mm deep x 20mm wide treated pinewood, to lines nominated on plan as edging. Edging shall be laid with top of edging finishing flush with surrounding finished surfaces.

Planting: Purchase plants from an approved nursery. Plants to be healthy & true to type & species. Set out plants to positions indicated on plan. Following approval, plant holes shall be dug approximately twice width and to 100mm deeper than plant rootballs that they are to receive. Base and sides of hole shall be further loosened. Fertiliser, followed by 100mm depth of topsoil mix then be placed into base of hole and lightly consolidated. Base of hole shall then be watered. Remove plant container and install plant into hole. Rootball shall be backfilled with surrounding topsoil and topsoil firmed into place. An approved shallow dish shall be formed to contain water around base of stem. Base of stem of plant shall finish flush with finished soil level. Once installed plant shall be thoroughly watered and maintained for the duration of the Contract.

Staking: All trees shall be staked using 2 x 38mm x 38mm x 2000mm long hardwood stakes per plant and with hessian webbing ties installed to Landscape Architect's on site instructions.

Mulching: Install 100mm depth of 25mm diameter hardwood mulch to all garden areas, coving mulch down around all plant stems & to finish flush with adjacent surfaces.

Turfing: Prepare for, level & lay cultivated Buffalo turves to all areas nominated on plan as being lawn. Roll, water, fertilise, mow & maintain lawns as necessary until completion of maintenance period. At same time make good all existing lawn areas using same lawn type. Allow to retrim and return councils nature strip as required.

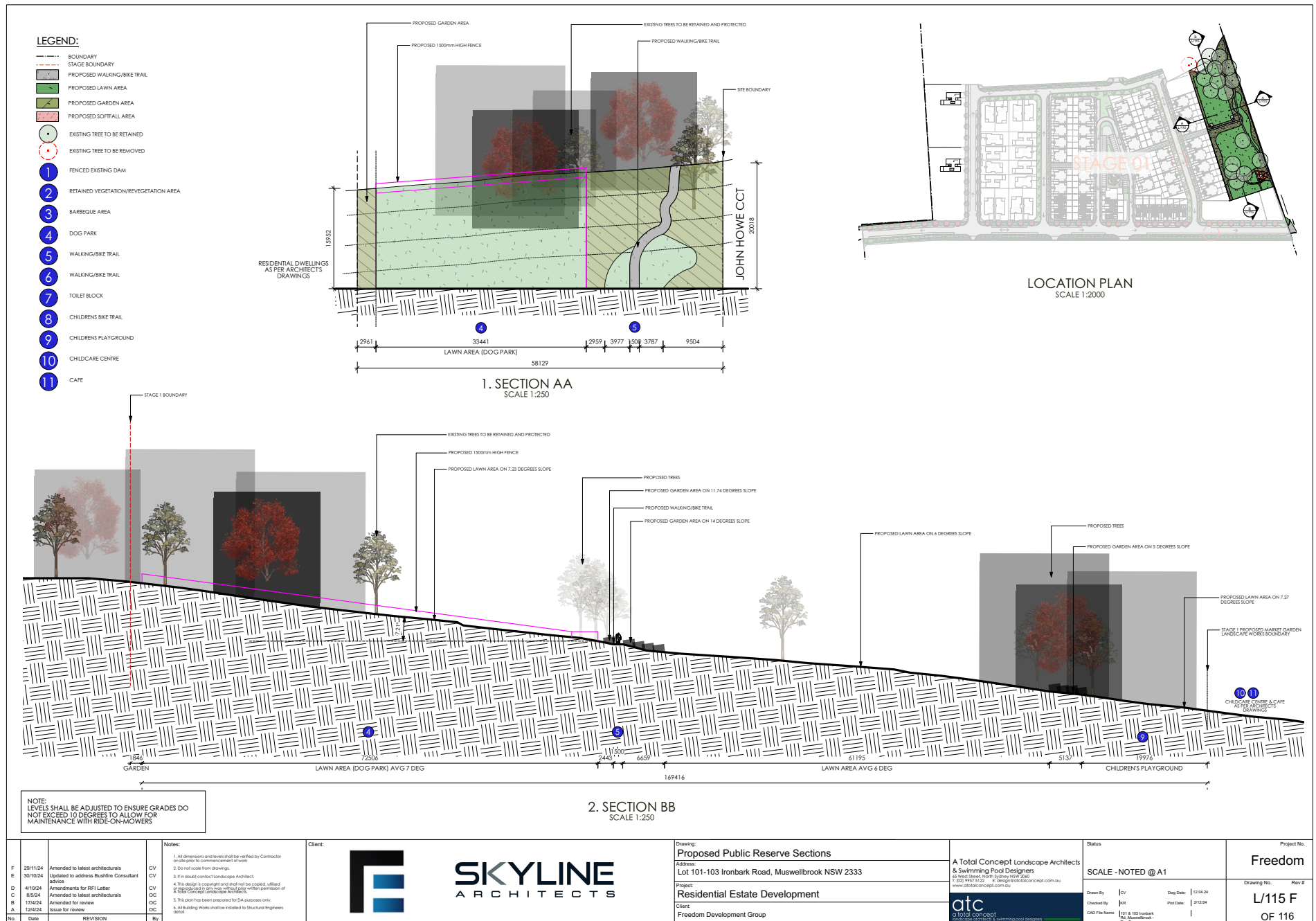
Completion: Prior to practical completion remove from site all unwanted debris occurring from work. Satisfy Council that all landscaping work has been undertaken in strict accordance with Councils landscape codes & guidelines.

Maintenance Period: A twelve month maintenance period shall be undertaken by owners representative as set out. Owner shall have care and maintenance of all work specified under this Contract and shall rectify any defective work for a period of 52 weeks following Practical Completion of Landscape Works and shall be known as the Maintenance Period. Work shall also include for the care and maintenance of all existing vegetation to be retained and proposed vegetation. Site shall be attended at least weekly and as otherwise required. The following works shall be undertaken during the Maintenance Period.

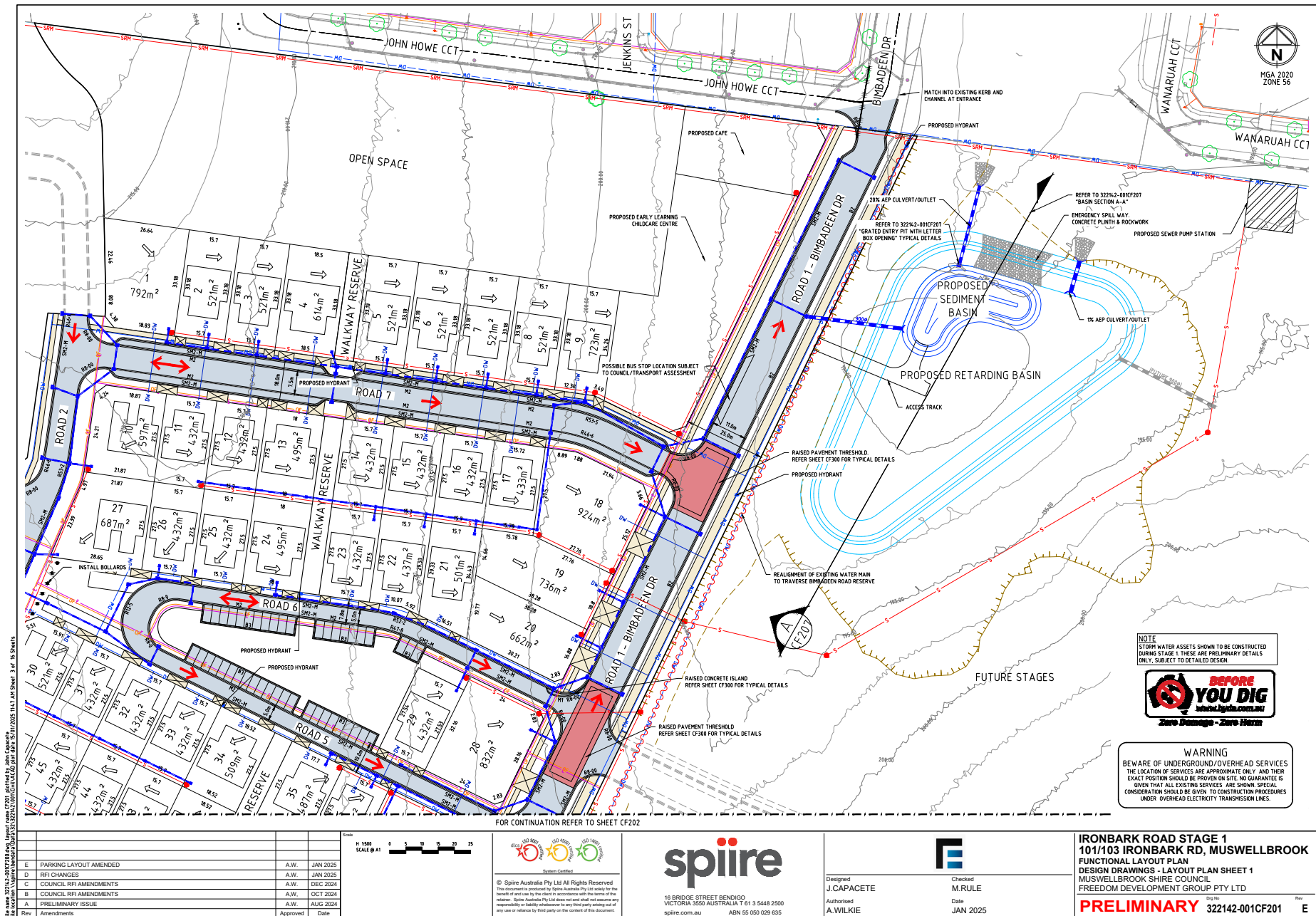
- (a) **Recurrent works:** Undertake recurrent works throughout the Maintenance Period. These works shall include but are not limited to watering, weeding, fertilising, pest and disease control, returfing, staking and tying, replanting, cultivation, pruning, aerating, renovating, top dressing and the like. Gardens to be regularly manicured.
- (b) **Watering:** Regularly water all plants and lawn areas to maintain optimal growing conditions. Contractor shall adjust the water quantity utilised with regard to climatic conditions prevalent at the time.
- (c) **Replacements:** Immediately replace plants which die or fail to thrive (at discretion of Landscape Architect) with plants of same species or variety and of same size and quality unless otherwise specified. Plant replacement shall be at Contractors expense, unless replacement is required due to vandalism or theft, which shall be determined by Landscape Architect. Required replacement of plants due to vandalism or theft shall be undertaken by Contractor and shall be paid for by Client at an agreed predetermined rate.
- (d) **Mulched surfaces:** Maintain mulched surfaces in clean, tidy, weed-free condition and shall reinstate mulch as necessary to maintain specified depths.
- (e) **Stakes & Ties:** Adjust and/or replace stakes and ties as required. Remove stakes and ties at end of Maintenance Period if directed by Landscape Architect.
- (f) **Lawn areas:** Lawn areas shall be mown at regular intervals to ensure non heading of lawn with a fine-cutting mulching mower and clippings removed from lawn. Primary cut after laying of lawn by others shall be determined on site taking into consideration season, watering and growth rate of lawn. Following the primary cut all lawns shall be regularly mown as required to ensure a healthy lawn and a neat appearance. Care shall always be taken to ensure that no clippings are left on surrounding roads or garden areas after mowing. Replace lawn areas that fail to thrive at discretion of Landscape Architect. All new and made good lawn areas shall be barricaded off from pedestrian traffic by use of star pickets and brightly coloured plastic safety mesh until establishment of lawn. Barricades shall be removed upon establishment of lawn area.
- (g) **Weeding:** Remove by hand, or by carefully supervised use of weedicide, any weed growth that may occur throughout Maintenance Period. This work shall be executed at weekly intervals so that all lawn and garden areas may be observed in a weed-free condition.
- (h) **Pruning:** Prune new and existing plants (excluding existing trees) as necessary to maintain dense foliage conditions. Any rogue branches, or branches overhanging or obstructing pathways, roads, doorways, etc., shall be removed by approved horticultural methods.
- (i) **Spraying:** Spraying for insect, fungal and disease attack shall be undertaken as required and in accordance with spray manufacturers recommendations at intervals taking into account the season of year during which landscape works are to be implemented.
- (j) **Tree Care:** Should any existing trees be damaged during construction works immediately engage an experienced arboriculturist and then undertake any rectification work recommended by arboriculturist

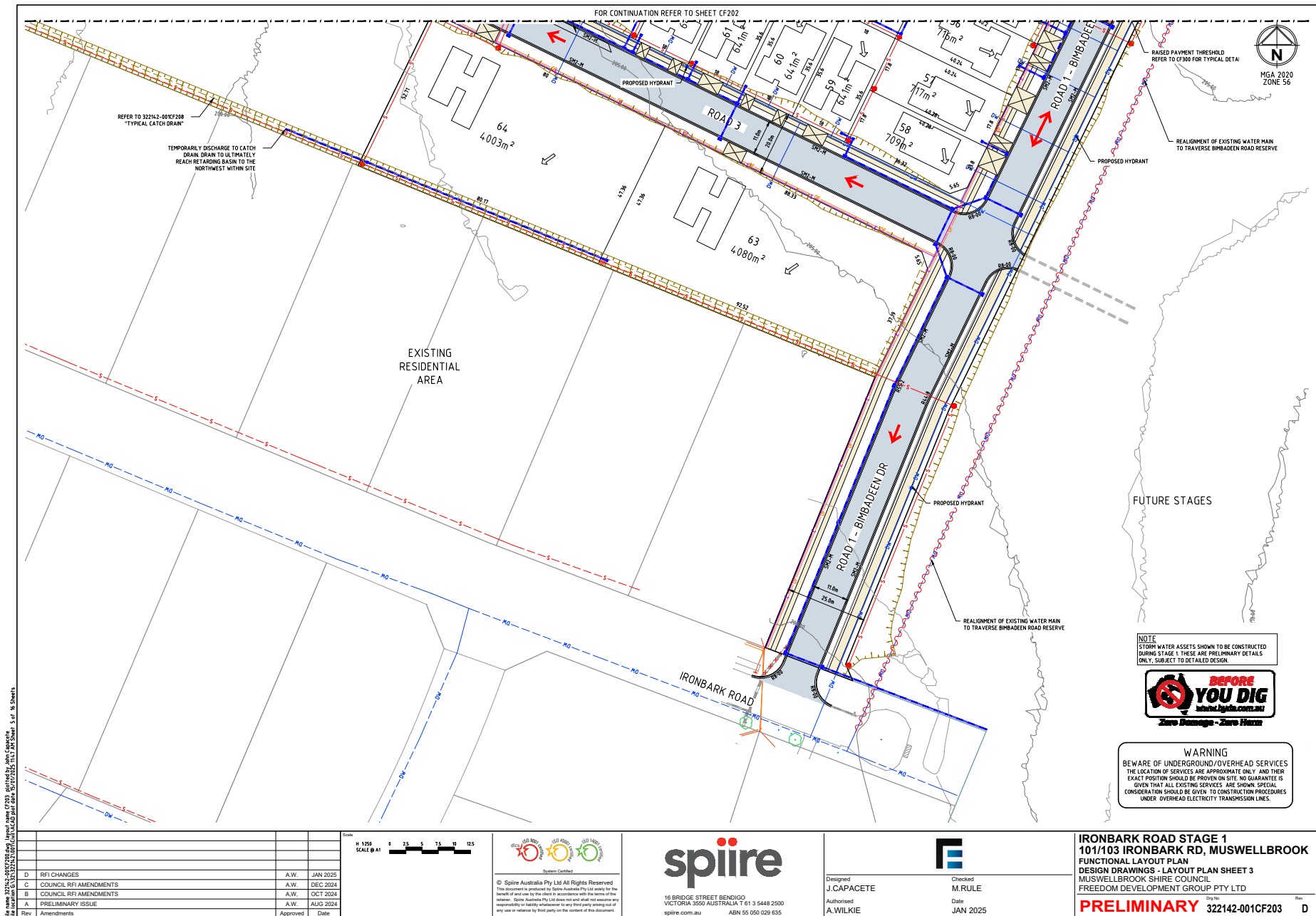
NOTE:
LEVELS SHALL BE ADJUSTED TO ENSURE GRADES DO
NOT EXCEED 10 DEGREES TO ALLOW FOR
MAINTENANCE WITH RIDE-ON MOWERS

			Notes:		Client:	Drawing: Landscape Specification	Status	Project No. Freedom
F	29/11/24	Amended to latest architectural	CV	1. All dimensions and levels shall be verified by Contractor on site prior to commencement of work 2. Do not scale from drawings. 3. If in doubt contact Landscape Architect.				
E	30/10/24	Updated to address Bushfire Consultant advice	CV	4. This design is copyright and shall not be copied, utilised or disseminated (including photocopying, written permission or otherwise) without the written permission of A Total Concept Landscape Architects Pty Ltd.	Lot 101-103 Ironbrook Road, Muswellbrook NSW 2333	A Total Concept Landscape Architects & Swimming Pool Designers 45 West Street, North Sydney NSW 2060 P: 02 955 0122 E: design@atotalconcept.com.au www.atotalconcept.com.au	SCALE - NTS @ A1	Drawing No. Rev # L/114 F
D	4/10/24	Amendments for RPI Letter	CV	5. This plan has been prepared for DA purposes only.				
C	8/5/24	Amended to latest architectural	OC	6. All Building Works shall be installed to Structural Engineers approval	Residential Estate Development	atc a total concept landscape architects & swimming pool designers	Drawn By: JCC Checked By: JWH CAD File Name: [1] & 103 Ironbrook Rd, Muswellbrook - NSW	Date: 12/24/24 Plot Date: 21/24/24
B	17/6/24	Amended for review	OC					
A	12/4/24	Issue for review	OC		Freedom Development Group			OF 116
No.	Date	REVISION	By					




Page 106






MATERIALS SCHEDULE




A

EXTERNAL WALL 1-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Brown bear or similar



B

CARPORT POSTS -
Powder coated steel
paint finish - 'Dulux
Stony creek or similar




C

METAL ROOF
SHEETING -
'Colorbond
windspray or similar



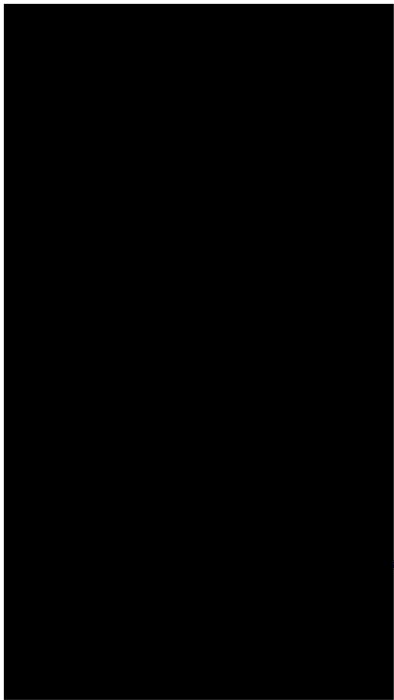
D

WINDOW AND
DOORS -
Aluminium
Powdercoat
Black

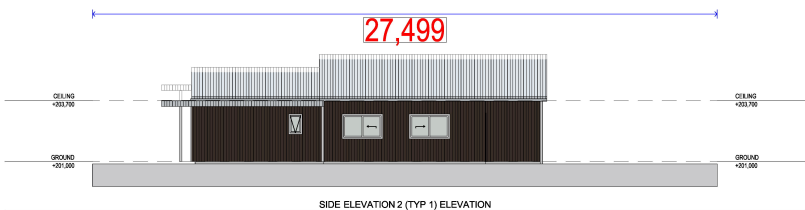
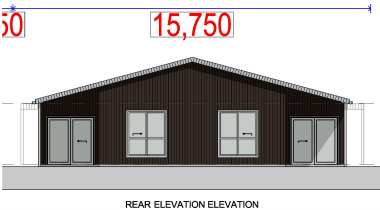
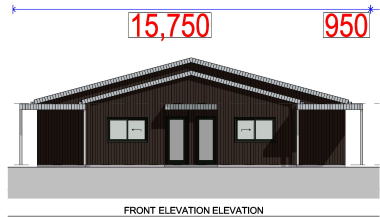


E

CONCRETE
DRIVEWAY -
Coloured stencil
paint finish -
'Dulux Slikwort
or similar



MODULE TYPICAL LAYOUT 1



Copyright SKYLINE ARCHITECTS PTY LTD ©
Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DA. BEFORE YOU DO IT, IF YOU DO NOT HAVE INFORMATION, IT IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

J	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	04.10.24
I	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 20 SEPTEMBER 2024	13.09.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	26.04.24
G	ISSUED FOR REVIEW	08.04.24
F	ISSUED TO CONSULTANTS	07.04.24
E	ISSUED FOR REVIEW	20.03.24
D	ISSUED FOR REVIEW	21.03.24
C	ISSUED FOR REVIEW	16.03.24
B	RE DESIGN MASTER LAYOUT FOR NEW MODULES	22.02.24
A	SKETCH DESIGN	22.02.24
Rev	Drawn/checked	Date

Project
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#5th City NSW

SKYLINE
ARCHITECTS

Barrington Avenue, 30 Green Street, PARRAMATTA NSW 2150
Postal Address: 30 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8655 3650
Email: info@skylinesydney.com.au

Notwithstanding to whomsoever
You send it please keep to 8003

Drawing Title

FLOOR PLANS
GROUND FLOOR TYPICAL 1

Checked/Approved

Scale

1:100

Project Number

230-82

Sheet

DA



Drawing Number Revision

DA-105 J

DA

MATERIALS SCHEDULE

EXTERNAL WALL 1-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Nomad or similar

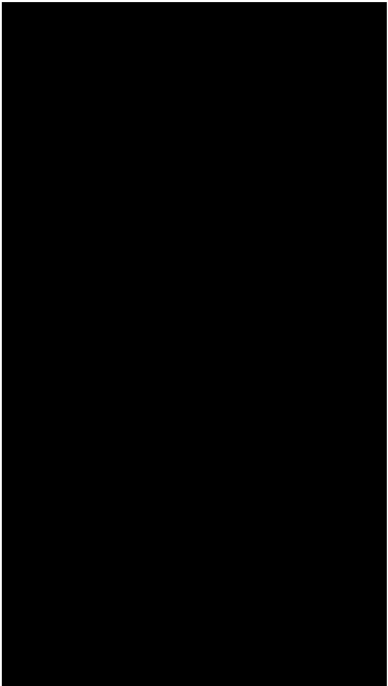
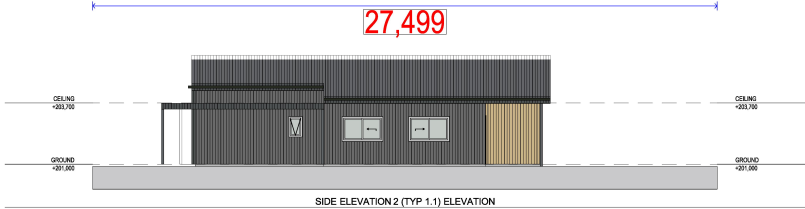
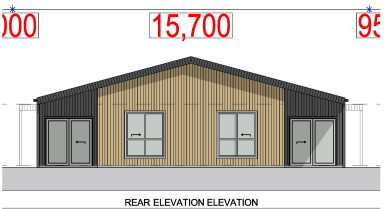
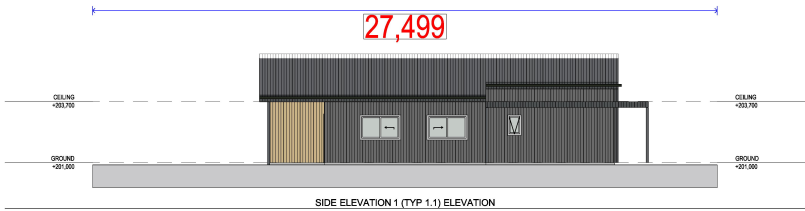
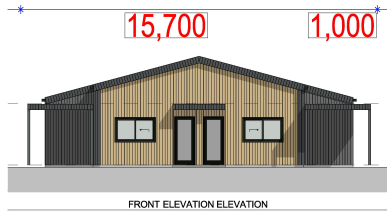
EXTERNAL WALL 2-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Monument or similar

CARPORT POSTS -
Powder coated steel
paint finish - 'Dulux
Stony creek or similar

METAL ROOF
SHEETING -
'Colorbond
Monument or
similar

WINDOW AND
DOORS -
Aluminium
Powdercoat
Black

CONCRETE
DRIVEWAY -
Coloured stencil
paint finish -
'Dulux Slikwort
or similar



MODULE TYPICAL LAYOUT 1.1



Copyright SKYLINE ARCHITECTS PTY LTD ©
Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTRACTING DIG. BEFORE YOU DIG. IF DIG BEFORE YOU DIG INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

J	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	16.11.24
I	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 20 SEPTEMBER 2024	04.10.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	13.09.24
G	ISSUED FOR REVIEW	26.04.24
F	ISSUED TO CONSULTANTS	08.04.24
E	ISSUED FOR REVIEW	07.04.24
D	ISSUED FOR REVIEW	20.03.24
C	ISSUED FOR REVIEW	21.03.24
B	REDESIGN ANTI-FILL LAYOUT FOR NEW MODULES	16.03.24
A	SKETCH DESIGN	22.02.24
Rev	Discussions	Date

Project
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#5th City NSW

SKYLINE
ARCHITECTS
Barrington Avenue, 30 Green Street, PARRAMATTA NSW 2150
Postal Address: 30 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8655 3650
Email: info@skylinedesign.com.au

Notwithstanding to whomsoever

Yours faithfully

Drawing Title

FLOOR PLANS
GROUND FLOOR TYPICAL 1.1

Checked/Approved

Scale

1:100

Project Number

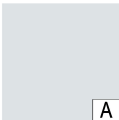
230-82

Sheet

DA


Drawing Number Revision
DA-106 J

MATERIALS SCHEDULE




A

EXTERNAL WALL 1-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Sky painting or similar



B

CARPORT POSTS -
Powder coated steel
paint finish - 'Dulux
Lexicon whait or
similar




C

METAL ROOF
SHEETING -
'Colorbond
Monument or
similar



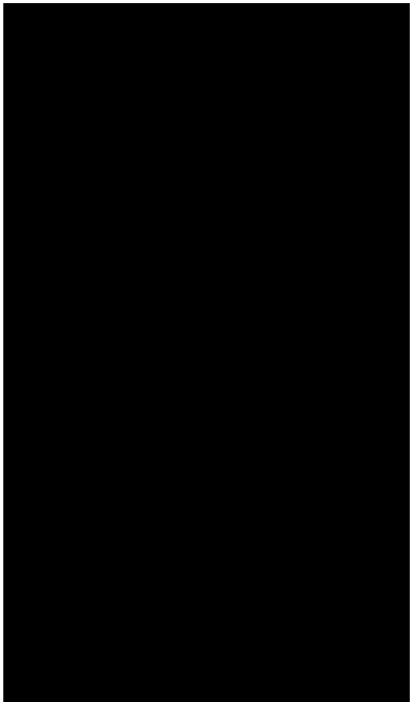
D

WINDOW AND
DOORS -
Aluminium
Powdercoat
Black

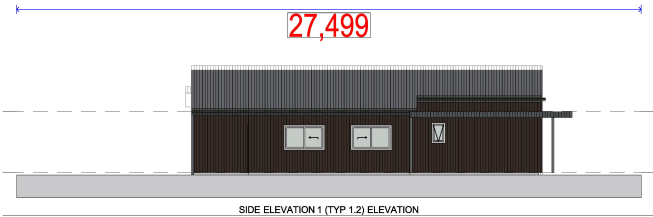
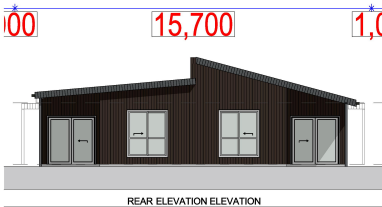
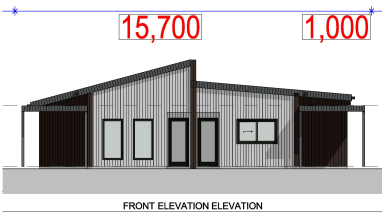


E

CONCRETE
DRIVEWAY -
Coloured stencil
paint finish -
'Dulux Slikwort
or similar



MODULE TYPICAL LAYOUT 1.2



Copyright SKYLINE ARCHITECTS PTY LTD ©
Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAAL. BEFORE YOU DO, IF YOU DO, BEFORE YOU DO INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

J	REVIEWED DRAWING	16.11.24
I	LETTER DATED 16 NOVEMBER 2024	04.11.24
H	REVIEWED DRAWING	13.09.24
G	ISSUED TO COUNCIL FOR DA APPROVAL	26.04.24
F	ISSUED FOR REVIEW	08.04.24
E	ISSUED TO CONSULTANTS	07.04.24
D	ISSUED FOR REVIEW	20.03.24
C	ISSUED FOR REVIEW	21.03.24
B	REDESIGN ANTI-CLIP LAYOUT FOR NEW MODULES	16.03.24
A	SKETCH DESIGN	22.02.24
Rev	Drawn	Date

Project
INTERGATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#Site City NSW

SKYLINE
ARCHITECTS

Barrington Avenue, 30 Green Street, PARRAMATTA NSW 2150
Postal Address: 30 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8655 3650
Email: info@skylinesearchitects.com.au

Notarised Acknowledgment:
I, the undersigned, do hereby acknowledge that I have received the above mentioned documents and that I have read and understood the contents thereof.

Drawing Title

FLOOR PLANS
GROUND FLOOR TYPICAL 1.2

Checked/Approved

Scale

1:100

Project Number

230-82

Sheet

DA



Drawing Number Revision
DA-107 J

EXTERNAL WALL 1-

James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Sky painting or similar

James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Sky painting or similar

Powder coated steel
paint finish - 'Dulux
Stony creek or similar

METAL ROOF SHEETING -
'Colorbond Surfmist or similar

Aluminium
Powdercoat
Black

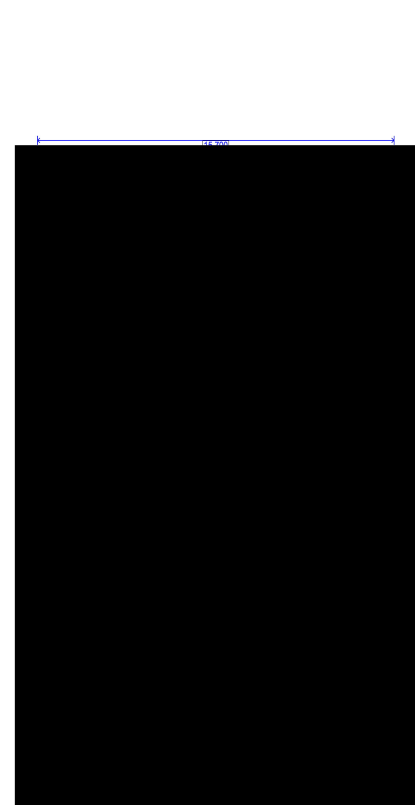
Coloured stencil
paint finish -
'Dulux Slikwort
or similar

Copyright SKYLINE ARCHITECTS PTY LTD ©

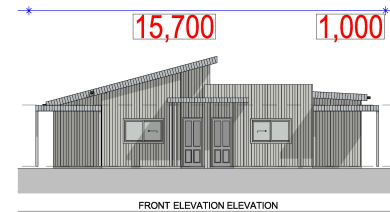
Notes

1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORKS BY CONTACTING DIAL BEFORE YOU DIG. IF DIAL BEFORE YOU DIG INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

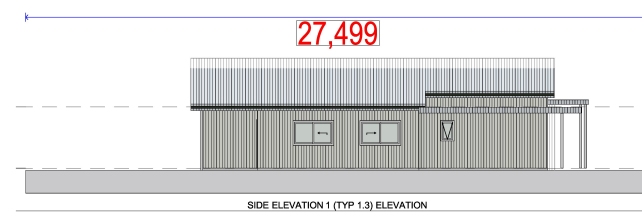
 **DIAL BEFORE YOU DIG**



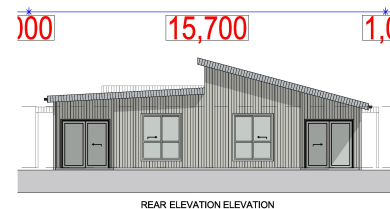
MODULE TYPICAL LAYOUT 1.3



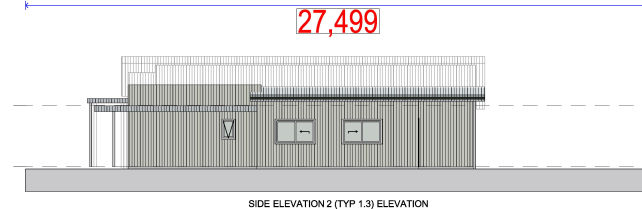
FRONT ELEVATION ELEVATION



SIDE ELEVATION 1 (TYP 1.3) ELEVATION



REAR ELEVATION ELEVATION



SIDE ELEVATION 2 (TYP 1.3) ELEVATION



Rev	Description	Date	App'd
J	ISSUED DRAWINGS ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	06.12.24	
I	ISSUED DRAWINGS ACCORDING TO COUNCIL LETTER DATED 20 SEPTEMBER 2024	04.10.24	
H	ISSUED TO COUNCIL, FOR DA APPROVAL	13.05.24	
G	ISSUED FOR REVIEW	04.04.24	
F	ISSUED TO CONSULTANTS	06.04.24	
E	ISSUED FOR REVIEW	07.04.24	
D	ISSUED FOR REVIEW	25.03.24	
C	ISSUED FOR REVIEW	21.03.24	
B	REDRAWN MASTER LAYOUT FOR NEW MODULES	18.03.24	
A	SKETCH DESIGN	22.02.24	

Project
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#She City NSW

SKYLINE
ARCHITECTS
Business Address: 50 O'Connell Street, PARRAMATTA NSW 2150

Postal Address: 30 Grose Street, PARRAMATTA NSW 2150
Phone Number: (02) 8660 3650
Email: info@skylinearchitects.com.au
Nominated Architects:

Youssef El Khawaja Reg no 8933

FLOOR PLANS

GROUND FLOOR TYPICAL 1.3

Checked/Approved _____

Scale

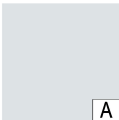
Desired Month: _____

Project Number
230-82

Status
PA


DA _____

MATERIALS SCHEDULE




A

EXTERNAL WALL 1-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Sky painting or similar



B

CARPORT POSTS -
Powder coated steel
paint finish - 'Dulux
Stony creek or similar




C

METAL ROOF
SHEETING -
'Colorbond Surfmist
or similar



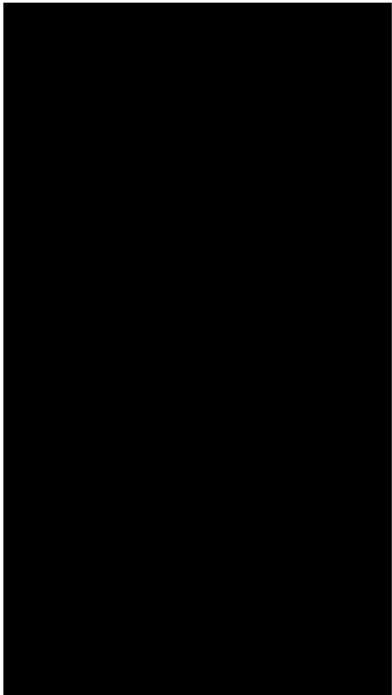
D

WINDOW AND
DOORS -
Aluminium
Powdercoat
Black

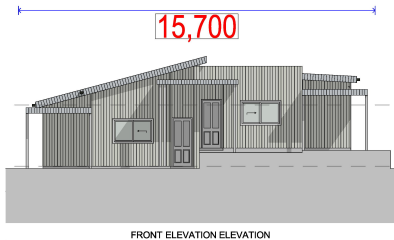


E

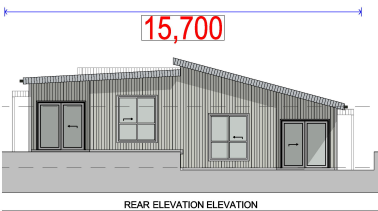
CONCRETE
DRIVEWAY -
Coloured stencil
paint finish -
'Dulux Slikwort
or similar



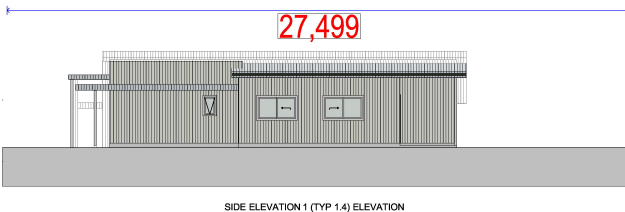
MODULE TYPICAL LAYOUT 1.4



FRONT ELEVATION ELEVATION



REAR ELEVATION ELEVATION



SIDE ELEVATION 1 (TYP 1.4) ELEVATION



SIDE ELEVATION 2 (TYP 1.4) ELEVATION



Copyright SKYLINE ARCHITECTS PTY LTD ©
Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAAL BEFORE YOU DO. BEFORE YOU DO INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

J	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	16.11.24
I	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 20 SEPTEMBER 2024	04.10.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	13.09.24
G	ISSUED FOR REVIEW	26.08.24
F	ISSUED TO CONSULTANTS	08.08.24
E	ISSUED FOR REVIEW	07.06.24
D	ISSUED FOR REVIEW	20.05.24
C	ISSUED FOR REVIEW	21.03.24
B	REDESIGN AND LAYOUT FOR NEW MODULES	16.03.24
A	SKETCH DESIGN	22.02.24
Rev	Drawn/checked	Date

Project
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#5th City NSW

SKYLINE
ARCHITECTS

Barrington Avenue, 30 Green Street, PARRAMATTA NSW 2150
Postal Address: 30 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8655 3650
Email: info@skylinesydney.com.au

Notwithstanding to the above,
You shall remain responsible for the design.

Drawing Title
FLOOR PLANS

GROUND FLOOR TYPICAL 1.4

Checked/Approved

Scale
1:100


Project Number
230-82

Sheet
DA




Drawing Number Revision
DA-109 J

MATERIALS SCHEDULE




A

EXTERNAL WALL 1-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Nomad or similar



B

CARPORT POSTS -
Powder coated steel
paint finish - 'Dulux
Stony creek or similar




C

METAL ROOF
SHEETING -
'Colorbond
Monument or
similar




D

WINDOW AND
DOORS -
Aluminium
Powdercoat
Black



E

CONCRETE
DRIVEWAY -
Coloured stencil
paint finish -
'Dulux Slikwort
or similar

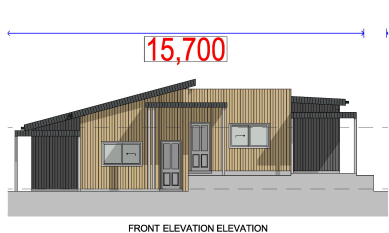


F

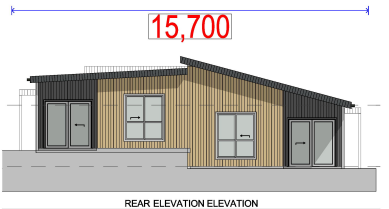
EXTERNAL WALL 2-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Monument or similar



MODULE TYPICAL LAYOUT 1.1



FRONT ELEVATION ELEVATION



REAR ELEVATION ELEVATION



SIDE ELEVATION 1 (TYP 1.4.1) ELEVATION



SIDE ELEVATION 2 (TYP 1.4.1) ELEVATION



Copyright SKYLINE ARCHITECTS PTY LTD ©
Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES
BEFORE COMMENCING WORK BY CONTACTING DAAL.
BEFORE YOU DO IT. IF YOU DO NOT HAVE INFORMATION, IT
PROCESSED WITH THIS DOCUMENTATION IT SHALL BE
ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL
MAKE THEIR OWN ENQUIRIES.

J. REVIEWED DRAWING ACCORDING TO COUNCIL 16.11.24
I. LETTER DATED 16 NOVEMBER 2024 04.11.24
I. REVIEWED DRAWING ACCORDING TO COUNCIL 04.11.24
H. LETTER DATED 20 SEPTEMBER 2024 13.09.24
G. ISSUED TO COUNCIL FOR DA APPROVAL 26.04.24
F. ISSUED FOR REVIEW 08.04.24
E. ISSUED TO CONSULTANTS 07.04.24
D. ISSUED FOR REVIEW 20.03.24
C. ISSUED FOR REVIEW 21.03.24
B. REDESIGN ANTI-FLAT LAYOUT FOR NEW MODULES 16.03.24
A. SKETCH DESIGN 22.02.24
Rev. Description Date Approval

Project
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#Site City NSW

SKYLINE
ARCHITECTS
Barrington Avenue, 30 Green Street, PARRAMATTA NSW 2150
Postal Address: 30 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8650 3650
Email: info@skylinesearchitects.com.au

Notwithstanding to whomsoever
You send it please keep to 8003

Drawing Title

FLOOR PLANS
GROUND FLOOR TYPICAL 1.4.1

Checked/Approved

Scale

1:100

Project Number

230-82

Sheet

DA




Drawing Number Revision

DA-110 J


DA

MATERIALS SCHEDULE




A

EXTERNAL WALL 1-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Nomad or similar



B

CARPORT POSTS -
Powder coated steel
paint finish - 'Dulux
Stony creek or similar




C

METAL ROOF
SHEETING -
'Colorbond
Monument or
similar



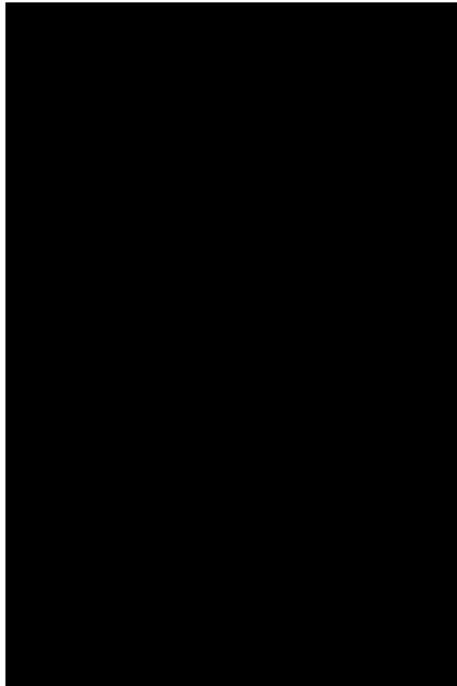
D

WINDOW AND
DOORS -
Aluminium
Powdercoat
Black

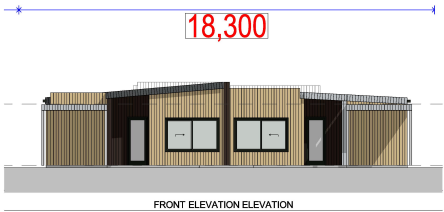


E

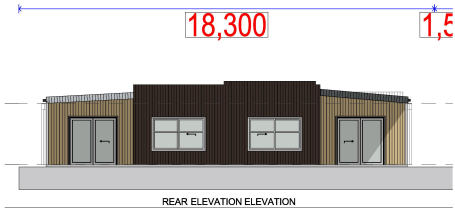
CONCRETE
DRIVEWAY -
Coloured stencil
paint finish -
'Dulux Slikwort
or similar



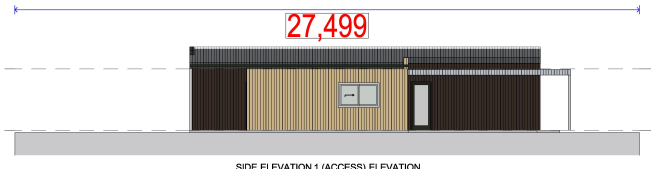
MODULE ACCESSIBLE HOUSE 1



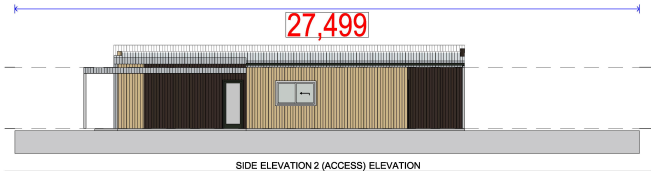
FRONT ELEVATION ELEVATION



REAR ELEVATION ELEVATION



SIDE ELEVATION 1 (ACCESS) ELEVATION



SIDE ELEVATION 2 (ACCESS) ELEVATION



Copyright SKYLINE ARCHITECTS PTY LTD ©
Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAAL. BEFORE YOU DO, IF YOU DO, BEFORE YOU DO INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

J
REVISED DRAWING ACCORDING TO COUNCIL
LETTER DATED 19 NOVEMBER 2024
04.10.24

I
REVISED DRAWING ACCORDING TO COUNCIL
LETTER DATED 20 SEPTEMBER 2024
13.09.24

H
ISSUED TO COUNCIL FOR APPROVAL
24.04.24

G
ISSUED FOR REVIEW
08.04.24

F
ISSUED TO CONSULTANTS
07.04.24

E
ISSUED FOR REVIEW
21.03.24

D
ISSUED FOR REVIEW
16.03.24

C
ISSUED FOR REVIEW
22.02.24

B
REVISION MATERIAL LAYOUT FOR NEW MODULES
16.03.24

A
SKETCH DESIGN
22.02.24

Rev
Date
Appr

Project
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#5th City NSW

SKYLINE
ARCHITECTS

Barrington Avenue, 30 Green Street, PARRAMATTA NSW 2150
Postal Address: 30 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8655 3650
Email: info@skylinesearchitects.com.au

Notified to Authorities:
Township of Parramatta, Reg No 3003

FLOOR PLANS
GROUND FLOOR TYPICAL ACCESS

Checked/Approved

Scale
1:100


Project Number
230-82

State
DA

Drawing Number
DA-111


Revision
J

MATERIALS SCHEDULE




A

EXTERNAL WALL 1-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Brown bear or similar



B

CARPORT POSTS -
Powder coated steel
paint finish - 'Dulux
Stony creek or similar




C

METAL ROOF
SHEETING -
'Colorbond
windspray or similar




D

WINDOW AND
DOORS -
Aluminium
Powdercoat
Black



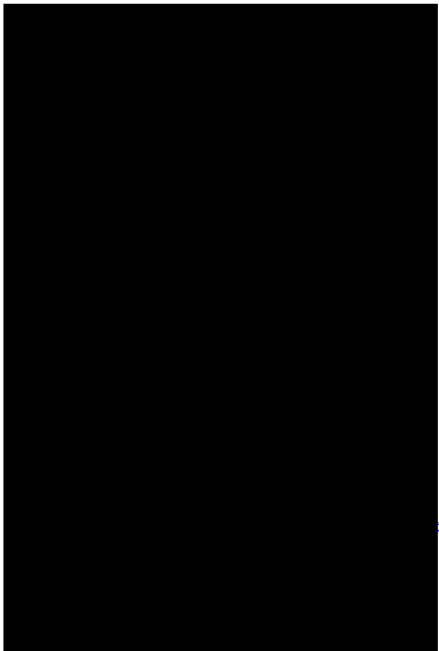
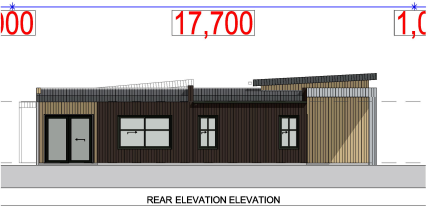
E

CONCRETE
DRIVEWAY -
Coloured stencil
paint finish -
'Dulux Slikwort
or similar



F

EXTERNAL WALL 2-
James Hardie
CFC Cladding
(fine texture- vertical)
paint finish - 'Dulux
Nomad or similar



MODULE CORNER BLOCK 1



Copyright SKYLINE ARCHITECTS PTY LTD ©
Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DA. BEFORE YOU DO, IF YOU DO, BEFORE YOU DO INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

J	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	16.11.24
I	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 20 SEPTEMBER 2024	04.10.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	13.09.24
G	ISSUED FOR REVIEW	26.08.24
F	ISSUED TO CONSULTANTS	08.08.24
E	ISSUED FOR REVIEW	07.08.24
D	ISSUED FOR REVIEW	28.07.24
C	ISSUED FOR REVIEW	21.07.24
B	REDESIGN MASTER LAYOUT FOR NEW MODULES	16.07.24
A	SKETCH DESIGN	22.02.24
Rev	Description	Date

Project
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#She City NSW

SKYLINE
ARCHITECTS

Barrambi Address: 30 Green Street, PARRAMATTA NSW 2150
Postal Address: 30 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8655 3650
Email: info@skylinesydney.com.au

Notwithstanding to Architects:
You are to ensure that you are to ensure

Drawing Title

FLOOR PLANS
GROUND FLOOR CORNER 1

Checked/Approved

Scale

1:100

Project Number

230-82

Sheet

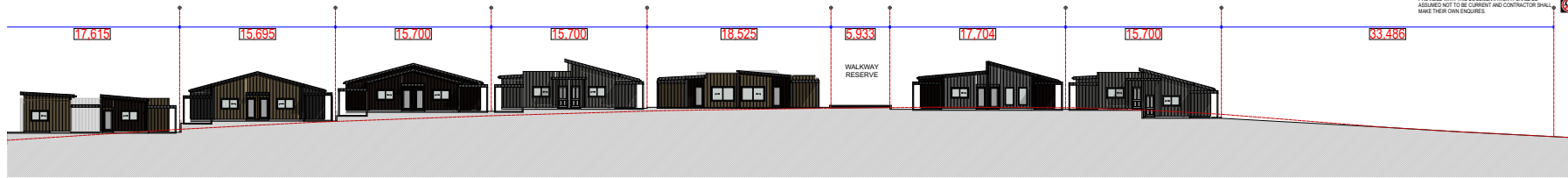
DA



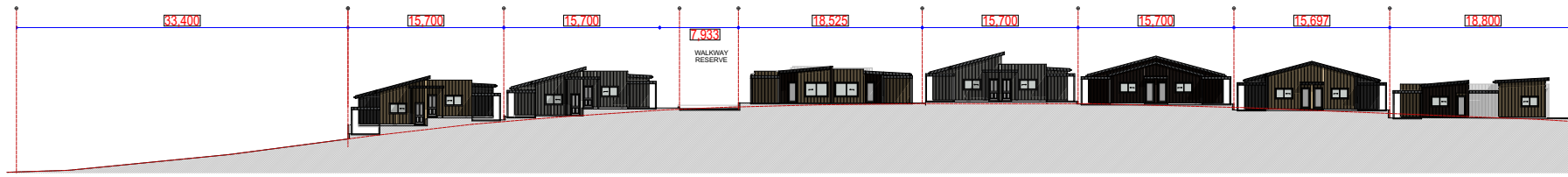
Drawing Number Revision

DA-112 J

Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTRACTUAL TIME.
BEFORE YOU DO, IF YOU DO, BEFORE YOU DO INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSURED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.

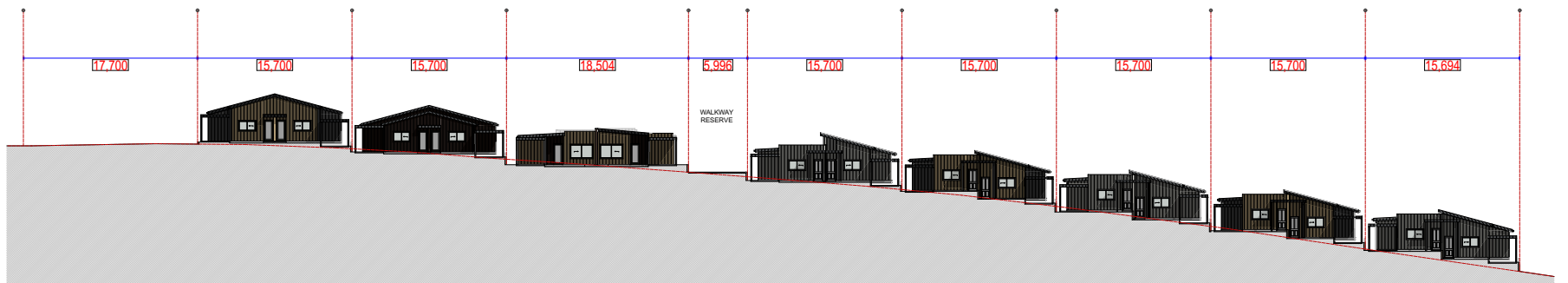


ROAD 4 (SOUTH) ELEVATION



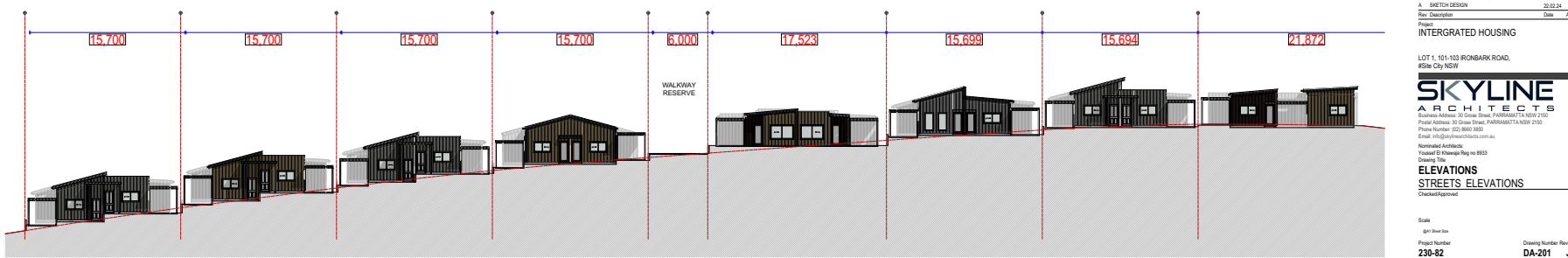
ROAD 5 (NORTH) ELEVATION

1:200



ROAD 7 (SOUTH) ELEVATION

1:200



ROAD 7 (NORTH) ELEVATION

1:200

J	REVISED DRAWINGS ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	04.10.24
I	REVISED DRAWINGS ACCORDING TO COUNCIL LETTER DATED 2ND SEPTEMBER 2024	04.10.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	13.05.24
G	ISSUED FOR REVIEW	24.04.24
F	ISSUED TO CONSULTANTS	08.04.24
E	ISSUED FOR REVIEW	07.04.24
D	ISSUED FOR REVIEW	23.03.24
C	ISSUED FOR REVIEW	21.03.24
B	REDESIGN MASTER LAYOUT FOR NEW MODULES	09.03.24
A	SKETCH DESIGN	22.02.24

Rev: Description Date Issue

Project: INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD, #5th City NSW

SKYLINE ARCHITECTS

Executive Address: 31 Green Street, PARRAMATTA NSW 2150
Postal Address: 33 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8662 3650
Email: info@skylinearchitects.com.au

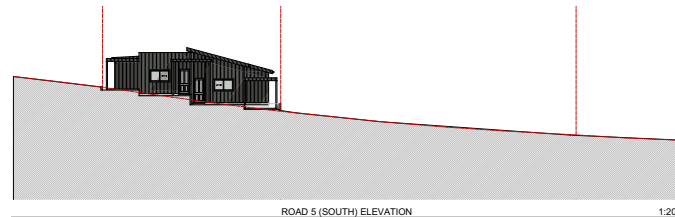
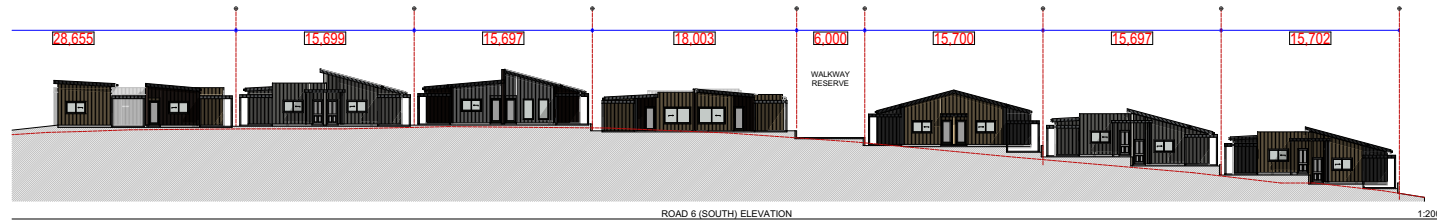
Nominated Architects:
Yusef El Thomas Reg no 8853

Drawing Title: **ELEVATIONS**
Streets Elevations

Scale: 1/4" = 1'-0"

Project Number: **230-82**
Drawing Number: **DA-201**
Revision: **J**

Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTRACTING LINE.
BEFORE YOU DIG, IF YOU DO NOT HAVE INFORMATION IN PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.



J	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	06.11.24
I	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 2ND SEPTEMBER 2024	04.10.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	13.05.24
G	ISSUED FOR REVIEW	24.04.24
F	ISSUED TO CONSULTANTS	08.04.24
E	ISSUED FOR REVIEW	27.04.24
D	ISSUED FOR REVIEW	23.03.24
C	ISSUED FOR REVIEW	21.03.24
B	REDESIGN MASTER LAYOUT FOR NEW MODULES	06.03.24
A	SKETCH DESIGN	22.02.24
Rev	Description	Date

Project:
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#5th City NSW

SKYLINE
ARCHITECTS
Business Address: 31 Green Street, PARRAMATTA NSW 2150
Postal Address: 33 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8602 3620
Email: info@skylinearchitects.com.au

Nominated Architects:
Yusef El Khawaja Reg no 8853

Drawing Title:
ELEVATIONS
STREETS ELEVATIONS

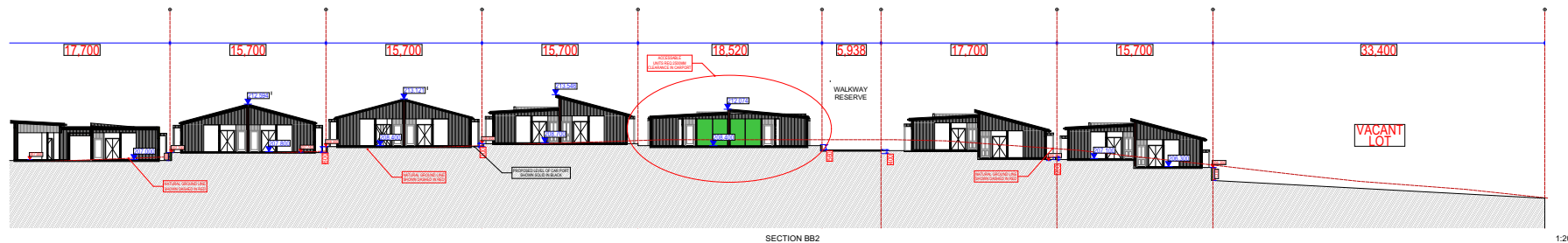
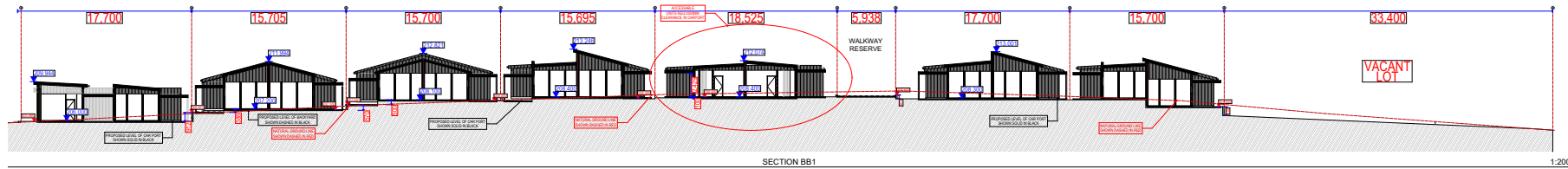
Checked/Approved:

Scale:
A4 Sheet Size

Project Number:
230-82
DA

Drawing Number/Revision:
DA-202 J

Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING LAL.
BEFORE YOU DIG. IF FAIL BEFORE YOU DIG INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.



J	REVISED DRAWINGS ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	06.11.24
I	REVISED DRAWINGS ACCORDING TO COUNCIL LETTER DATED 24 SEPTEMBER 2024	04.10.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	13.05.24
G	ISSUED FOR REVIEW	24.04.24
F	ISSUED TO CONSULTANTS	08.04.24
E	ISSUED FOR REVIEW	27.04.24
D	ISSUED FOR REVIEW	23.03.24
C	ISSUED FOR REVIEW	21.03.24
B	REDESIGN MASTER LAYOUT FOR NEW MODULES	16.03.24
A	SKETCH DESIGN	22.02.24
Rev	Description	Date

Project:
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#SITE City NSW

SKYLINE
ARCHITECTS
25 Green Street, Parramatta NSW 2150
Phone Number: (02) 8660 3650
Email: info@skylinearchitects.com.au

Nominated Architects:
Yusef El Khawarizmi (Lic 8853)

Drawing Title:

SECTIONS
GENERAL SECTION

Checked by: g.m.v.

Scale:
@A1 Sheet Size

Project Number:

230-82

Sheet:

DA

Drawing Number Revision:

DA-301 J

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

DA

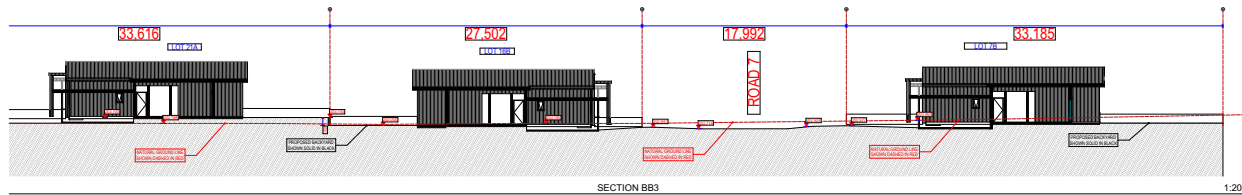
DA

DA

DA

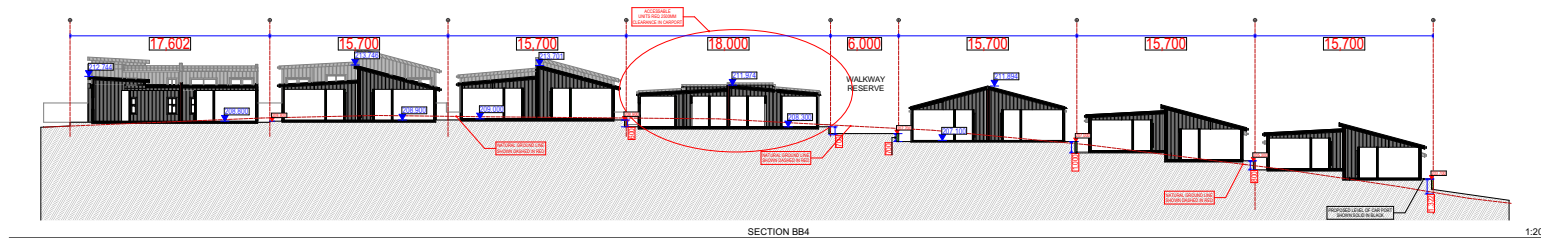
Copyright SKYLINE ARCHITECTS PTY LTD ©

Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTRACTING LINE.
BEFORE YOU DIG. IF FAIL BEFORE YOU DIG INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.



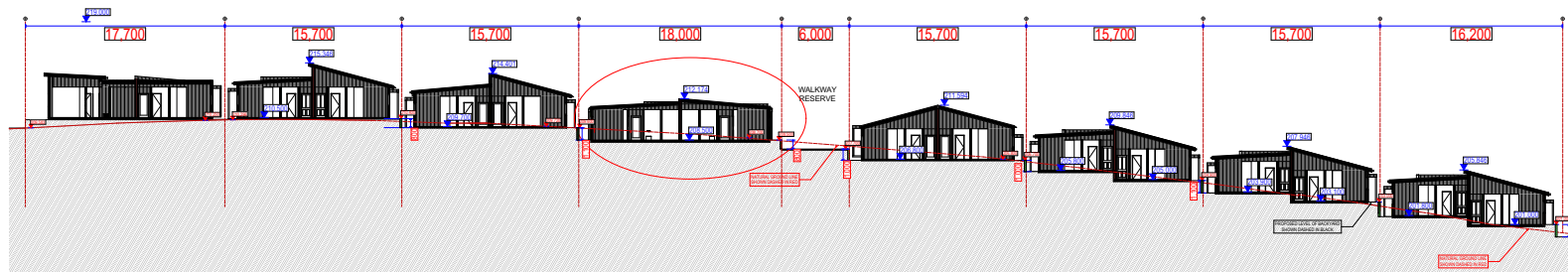
SECTION BB3

1:200



SECTION BB4

1:200



SECTION BB5

1:200

J	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 19 NOVEMBER 2024	06.11.24
I	REVISED DRAWING ACCORDING TO COUNCIL LETTER DATED 2ND SEPTEMBER 2024	04.10.24
H	ISSUED TO COUNCIL FOR DA APPROVAL	13.05.24
G	ISSUED FOR REVIEW	24.04.24
F	ISSUED TO CONSULTANTS	08.04.24
E	ISSUED FOR REVIEW	27.04.24
D	ISSUED FOR REVIEW	21.03.24
C	ISSUED FOR REVIEW	16.03.24
B	REDESIGN MASTER LAYOUT FOR NEW MODULES	22.02.24
A	SKETCH DESIGN	22.02.24

Rev Description Date Issue

Project INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD, #Sis City NSW

SKYLINE ARCHITECTS

Business Address: 32 Green Street, PARRAMATTA NSW 2150

Postal Address: 33 Green Street, PARRAMATTA NSW 2150

Phone Number: (02) 8600 3550

Email: info@skylinearchitects.com.au

Nominated Architects: Visual ID Planning Pty Ltd (no 8853)

Drawing Title: SECTIONS

GENERAL SECTIONS

Checked by: g.m.v.

Scale: 1/4" = 1'-0"

Project Number: 230-82

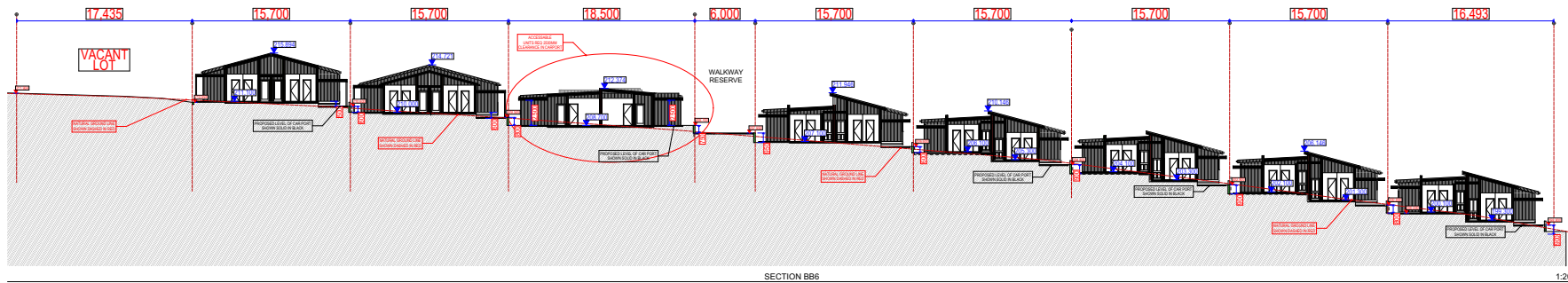
Drawing Number: DA-302

Revision: J

DA

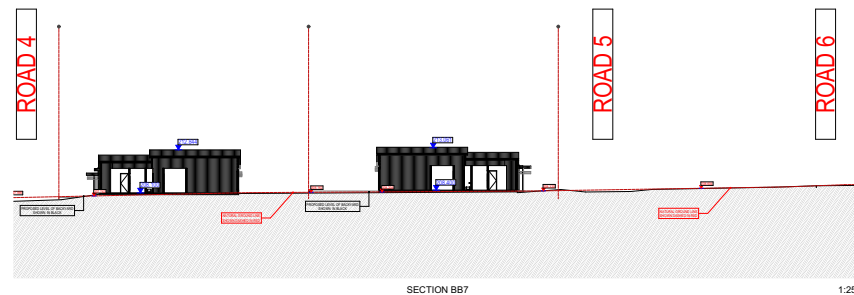
Copyright SKYLINE ARCHITECTS PTY LTD ©

Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING LIAISON BEFORE YOU DIG. IF YOU BEFORE YOU DO INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.



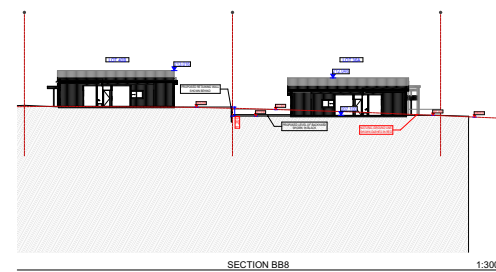
SECTION BB6

1:200



SECTION BB7

1:250



SECTION BB8

1:300

J	REVISED DRAWING ACCORDING TO COUNCIL	06.11.24
I	LETTER DATED 19 NOVEMBER 2024	
H	REVISED DRAWING ACCORDING TO COUNCIL	04.10.24
G	LETTER DATED 2ND SEPTEMBER 2024	
F	ISSUED TO COUNCIL FOR DA APPROVAL	13.05.24
E	ISSUED FOR REVIEW	24.04.24
D	ISSUED TO CONSULTANTS	08.04.24
C	ISSUED FOR REVIEW	27.04.24
B	ISSUED FOR REVIEW	25.03.24
A	REDESIGN MASTER LAYOUT FOR NEW MODULES	21.03.24
	SKETCH DESIGN	09.03.24
Rev	Description	Date

Project: INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
#She City NSW

SKYLINE
ARCHITECTS
Business Address: 31 Green Street, PARRAMATTA NSW 2150
Postal Address: 33 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8600 3650
Email: info@skylinearchitects.com.au

Nominated Architects:
Yusef El Khawaz Reg no 8853

SECTIONS
GENERAL SECTIONS

Checked by: yusef

Scale:
1/4" = 1'-0"

Project Number:
230-82

Sheet:
DA

Drawing Number Revision:
DA-303 J

Note:
1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTRACTING LINE.
BEFORE YOU DO, IF YOU DO BEFORE YOU DO INFORMATION IS PROVIDED WITH THIS DOCUMENTATION IT SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRIES.



J	REVISED DRAWINGS ACCORDING TO COUNCIL	06.11.24
I	LETTER DATED 19 NOVEMBER 2024	
H	REVISED DRAWINGS ACCORDING TO COUNCIL	04.10.24
G	LETTER DATED 2ND SEPTEMBER 2024	
F	ISSUED FOR REVIEW	13.05.24
E	ISSUED TO CONSULTANTS	24.04.24
D	ISSUED FOR REVIEW	08.04.24
C	ISSUED FOR REVIEW	27.04.24
B	REDESIGN MASTER LAYOUT FOR NEW MODULES	21.03.24
A	SKETCH DESIGN	09.03.24
	Rev	Description

Project:
INTERGRATED HOUSING

LOT 1, 101-103 IRONBARK ROAD,
PARRAMATTA NSW

SKYLINE
ARCHITECTS
Registered Address: 32 Green Street, PARRAMATTA NSW 2150
Postal Address: 33 Green Street, PARRAMATTA NSW 2150
Phone Number: (02) 8602 3650
Email: info@skylinearchitects.com.au

Nominated Architect:
Vicent E Thomas Reg no 8853

Drawing Title:

EXTERNAL FINISHES

GENERAL STREET VIEWS

Client: Skyline

Scale

1/4" = 1' - 0"

Project Number

230-82


DA



Drawing Number

DA-503

J



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi team

Just a follow up to my previous email in relation to subdivision of Ironbark ridge

As previously explained I attended your office and could not get any clear answers.

I current have the property at the end of mahogany and I am attempting to find out what this means for me

The application paperwork that came to my house discussed the changes to acacia drive and widen of roads etc but not of mahogany Ave.

My end of the street is quite narrow and currently the rubbish truck struggles to collect my bins due to lack of space, and water pools in the end sections.

Will mahogany be widened when extended?

If widening will you be repairing driveways that this may effect.

Also in the plan it shows that I will have a zones 1, 10 and 7 what does this mean the for existing dams and my current fence line and the gap between my fence line and the barb wire that separates me from the reserve currently.

Is the bike track a push bike track?


I am also unsure of the road that may be on the map opposite my house will it have some type of safety management to ensure the safety of residents?

Will speed humps be in stalled to slow traffic?

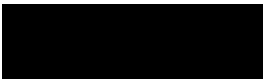
Also will this be developed in sections? To help the wildlife that resides in there to have a smooth transition?

Please could you contact me via email to discuss

I am happy to attend the office and discuss this concerns in person. If a suitable time can be arranged.

My number is  if you have anything you like clarification for.. please email this address back as it's my new one

Thanks kindly



TO THE GENERAL MANAGER OF MUSWELLBROOK SHIRE COUNCIL

Objection and Comments on DRAFT DEVELOPMENT CONTROL PLAN – Section 30 Ironbark Ridge Extension. Lot 101 DP 1170190, LOT 103 DP 1170190

Objectors-

Email Address –

Mobile Phone -

Dear Sir we are objecting to the above proposed Development Application for the following reasons as outlined below:

- 1) **94 Multi Dwelling Housing-** Our main concern is with the proposed development is the construction of 94 dwellings (multi dwelling housing) which is not in keeping with the original Ironbark Development. When we purchased our block of land over 10 years ago we were told that the paddocks behind us were reserved as buffer zone for the Mt Arthur Coal Mine and was not going to be developed. This is a complete reversal of this advice that we were given at the time.

We are concerned that with this proposed multi dwelling housing being constructed in such a small area, this could possibly have the potential to create an undesirable living environment for those people living within and existing residents living around the proposed development which often occurs in these high-density living areas.

The proposed development if approved will also increase the number of vehicles using Ironbark Road which has a history of cars speeding up and down the road causing noise nuisance and safety concerns for residents.

- 2) **Forna and Flora** -There is a large population of kangaroo's and bird wildlife that live in the area where the Development is being Proposed and if the proposed development is approved, they will be forced out of the area as their habitat is progressively being eroded.
- 3) **Development Stormwater Runoff-** The existing properties in Ironbark Road that back onto the Proposed Development have since the Ironbark Road Development was originally established have experienced a considerable amount of storm water runoff from the land where the Proposed Development is being proposed causing localised flooding which has been reported to Council on numerous occasions but no action was taken even though we had received letters from council saying they were going to address the problem.

It is noted on the Draft Plans that (2) two temporary Outfall Channels are to be constructed to discharge storm water as are shown on the Functional Layout Plans Design Drawings Key Map Layout Plan Drawing Numbers 322142-001 CF200A will greatly exasperate the storm water runoff for the existing residents backing onto to the Proposed Development which could result in severe flooding which is not acceptable as a large portion of land in question is falling towards the residents' properties.

As a suggestion Council should request the Developer to amend the draft drainage plans to include the construction of a simple earth V drain running parallel and on the northern side of the affected residents rear property boundary fences which will catch and direct the

stormwater from the Proposed Development site down the hill and into the existing dam water retention Pond north west of Stage1 of this development.

- 4) **Road Widths and Vehicle Park** - The road widths shown on Drawings Nos 322142 – 001 CF300 and 400 show the road cross sections of some of the residential roads 10 metres and 12 metres in the proposed subdivision which in our opinion are too narrow to allow for two lanes of traffic to navigate the road and if someone parks a car on the side of the road it would be almost impossible to get past. Council needs to review the width of these roads.

The other issue is the lack of parking for vehicles in and around the location where the multi dwelling housing is proposed to be constructed. These days it is not unusual to have two or three vehicles per family which poses the question where are residents and visitors going to park their cars. The council needs to request the Proposed Developer to review their assessment of the amount of car parking space so that there is adequate parking available to all vehicles.

- 5) **Sewer and Road Drainage** – When the existing Ironbark Road development was constructed over 10 years ago it is unclear whether the road drainage pipework and the sewerage system pipework was designed to allow for several hundred additional homes to be connected into the existing road drainage and sewerage systems. The proposed new subdivision shows a sewer main extension to be installed outside and at the rear of the existing properties in Ironbark Road. The Council needs to ask the proposed developer to provide assurances that there is adequate capacity to connect into the existing systems.
- 6) **Construction of A Water Retarding Basin.** It is also noted on the proposed development drawings that a proposed Water Retarding Basin is to be constructed adjacent to and across the road from a proposed Early Learning and Childcare Centre. I suppose the question is, did the proposed developer take into account that young children will be in the vicinity of this Basin and what measures are to be in place to prevent children from wandering into the Basin area. Possibly provision of fencing to prevent access by children.

Thank you for the opportunity to comment on this proposed development application as it will have an impact on us and the other residents that will back onto the proposed development and other residents in the estate.

I trust that Council will take our comments into consideration when assessing whether to approve the Proposed Development in relation to DA Application No 2024/36.

Yours Sincerely



PS. [REDACTED] spent 36 years as a Clerk of Works and Civil Inspector which has assisted me in reading the drawings and Interpreting the Proposed Development application. We would be happy to discuss any of the items raised in the above letter with Council Staff if required.

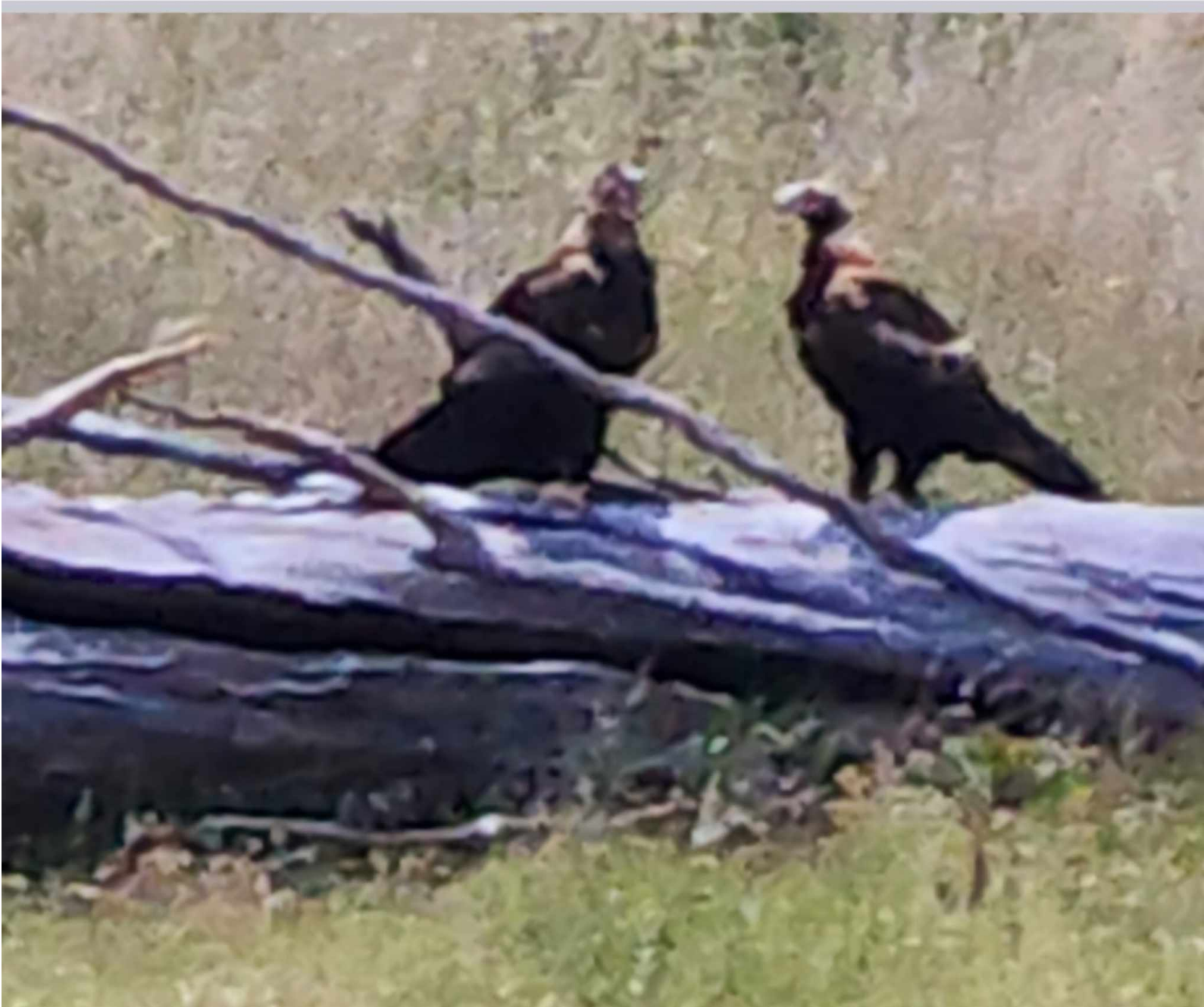














Attachments: [452518867_2322808744588534_6040313465058667646_n.jpg](#)
[452574612_1198734147827197_1116644890371030889_n.jpg](#)
[452183186_2252984268369593_2452770940748721052_n.jpg](#)
[454013946_1013869530464148_4661378583875209310_n.jpg](#)
[453953458_350028471487997_3864028775238429797_n.jpg](#)
[452292566_406285001939131_1644246995030896623_n.jpg](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager of Muswellbrook Shire Council

As the owners of 98 Ironbark road, Muswellbrook we would like to put in our objection to the proposed development of the Ironbark Ridge Extension. The reason we purchased this particular block of land is because of the beautiful land and dams out the back.

While we were in the process of purchasing our house we asked if behind us would ever be built up and we were told no it was being left as a buffer zone.

We have so many animals that live in the land behind our house Kangaroos and Eagles pictured below, numerous birds, lizards, frogs etc.

If the extension has to go ahead could a 10 metre grass break be put between our back fence and the next acre block. If that cannot be arranged we would like permission to install a higher block out fence so we don't have to see the block behind us.

We are so disappointed in the proposed extension of Ironbark Ridge. It will devalue all our houses that back onto the extension and are very opposed to it going forward in its current form.

Thanks



SUBMISSION IN CONFIDENCE

Date: 5 August 2024

email: council@muswellbrook.nsw.gov.au

Dear General Manager

NOTICE OF PROPOSED DEVELOPMENT AND DRAFT DEVELOPMENT CONTROL PLAN

1. DA 2024/36 a Development Application lodged with Muswellbrook Shire Council for the subdivision of Lot 101 DP 1170190 and Lot 103 DP 1170190 into twenty-four Lots and construction of ninety-four (94) dwellings (multi-dwelling housing).
2. A Draft Development Control Plan lodged with Council for the Ironbark Ridge Extension area.

On viewing the submission, we have significant concerns which affect our block of land I.e. 114 Ironbark Road Muswellbrook (Lot No. 211 DP1165467) :

- Our home was approved as a normal block without the requirement to be 10 metres from the side boundary. Our block was not a corner block so the position of our house was approved by Council and developer adhering to the subdivision covenant of 5 metres. To change our block to a corner block will mean our home is closer to the side boundary than any other corner block in the subdivision and noncompliant.
- Since this will not be an intersection to a cul de sac but a main collector street to collector street (as noted on the document) and access to many blocks and the highway, it would seem inappropriate for this to be the case and a further obstacle to visibility.


With the construction of the new intersection from Ironbark Road into the new subdivision next to our Lot 211, we note that our Lot will be the only Lot in the entire Ironbark Ridge Estate that has a squared-off corner at the intersection i.e. the intersection will not have a truncated corner. This would appear to be inconsistent with the document provided for the Lots 101 and 103 as referenced on Drawing No: 322142-001CF400 Rev. A. Function Layout Plan turning template Sheet 1.

Resolution

- We thereby request that the DA be amended to either NOT make Lot 211 Ironbark Road a corner block or Council liaise with the developer to assist us contact and negotiate a boundary change so the position of our home complies. If the proposal goes ahead, the impact to 114 Ironbark will be permanent and unchangeable. Currently, the DA consists of surveyed plans and lines on an application. Our proposal is a minor change to a large developer.

My husband and I have been rate-paying residents of Muswellbrook and area since 1979. We are people who have always sought Council assistance when we had any queries and have always endeavoured to abide by rules and regulations. To put us in a position where this will no longer be the case is a position we hope Council will assist us in resolving.

Yours faithfully



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

16/07/2024

Dear General Manager,

I am writing to express my strong opposition to the proposed housing development plan currently under consideration. (Section 30 Ironbark Ridge Extension) When we purchased our land and built our home, we were attracted by the rural aspects of the area that were promoted to us. The introduction of a large-scale housing development, particularly one that includes affordable housing and prebuilt duplexes, fundamentally undermines these rural qualities and raises several significant concerns.


First and foremost, we believe that the inclusion of affordable housing in the new development will likely lead to a devaluation of our property. This is a significant concern for us as homeowners who have invested considerable resources into our homes and community. Additionally, there is a well-documented correlation between high-density affordable housing and an increase in crime rates, which is something we strongly wish to avoid in Muswellbrook.

We are also opposed to the prebuilt duplexes planned for this development. Such structures do not align with the character and aesthetic of our rural environment. Moreover, we do not see a pressing need for this property expansion. There is still a significant amount of land available for sale within Muswellbrook, and the anticipated closure of mines in the future will likely lead to a reduction in local job opportunities. This makes it unlikely that there will be sufficient employment for the new residents that this development aims to attract.

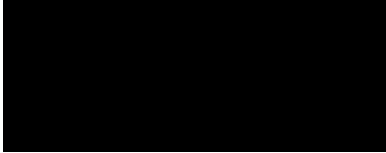
In summary, the proposed housing development threatens the rural nature of our community, risks lowering property values, may contribute to higher crime rates, and seems unnecessary given the current and future land availability and employment prospects in Muswellbrook. We urge the Council to reconsider this plan and seek alternatives that better preserve the qualities of our community.

Thank you for your attention to this matter. We hope that you will take our concerns into serious consideration.

Yours sincerely,



Objection to Proposed Development and Draft Development Control Plan Ironbark Ridge



6th August 2024

General Manager
Muswellbrook Shire Council
Muswellbrook NSW 2333

council@muswellbrook.nsw.gov.au

**Re: Development Application DA 2024/36 and Draft Development Control Plan
Section 30 Ironbark Ridge Extension Lot 101DP 1170190, Lot103DP 1170190**

To Whom It May Concern

In 2018 to 2020 we purchased a block and built a new dwelling at 96 Ironbark Road after specifically deciding on that subdivision because it offered country living within town limits, wide open spaces with a rural outlook, R5 sized blocks and most importantly an E3 zoned area immediately adjoining the rear of our block. There is nothing else in town that offers what Ironbark Ridge Estate does and this is why it is so popular.

We wish to make you aware that we **strongly object** to the proposed Development to allow additional subdivisions as an extension to Ironbark Ridge. We are of the view that the proposed development will have a serious impact on our subdivision.

Our Specific objections are as follows:

1. There are currently a large number of blocks available for sale in Muswellbrook ranging from R1 or small residential to large rural blocks. Why overload the market with more blocks, especially as in the last 10years, the towns' past population growth hasn't supported the need for smaller blocks including the former subdivision planned as you entered town from the East (nick named the Rice paddy fields). We are also following with interest the new releases of blocks near Highbrook Park and the remaining North Muswellbrook Lots.
2. Councils are expected to provide a high standard of layout and design that ensures adequate privacy for the occupants. The proposed development of multiple small residential blocks at the rear of our land (and subdivision) will create the potential for our home and backyard to be overlooked resulting in an invasion of privacy. Although some larger blocks have been proposed along the rear of current homes in Ironbark Road, the view from our backyards up the hill towards the "Water Tower" will be of masses of small multi dwelling homes. It will result in the destruction and disappearance of our rural outlook and a beautiful natural habitat. **In its place will be an area**

resembling one of Sydney's high density suburbs with no decent backyards or space between dwellings.

The current area behind Ironbark Road should be kept and not destroyed for a heavily populated residential area. We didn't purchase a block advertised as having a rural aspect to now be faced with hundreds of dwellings on small blocks looking into our backyard.

3. The design of the proposal does not afford me the right to the quiet enjoyment of my backyard and the Human Rights Act states that a person has the substantive right to respect for their private and family right.
4. We have the right to feel safe in our own home and backyard. The proposed development will result in increased scrutiny of the existing Ironbark Ridge properties and their residents. Statistics support the fact that in areas of medium to high density housing there is an increased number of crimes committed. This could result in the safety and security of current Ironbark residents being negatively affected which would also reflect on the town.
5. If the proposed Application is successful it would result in the loss of characteristics of our estate. At present we enjoy many species of wildlife calling our subdivision home and they are commonly sighted on the vacant land behind us and in the streets and backyards. We feel the open rural blocks support family living not just for humans but for our precious wildlife. This would not be the case if the land was developed as proposed. **It is of utmost importance to protect our wildlife** and it is a known fact that **Green open space** is in short supply in our area and this site would serve best if left as much needed open space for both the local environment inhabitants and local residents. I can provide an enormous number of photos and videos of wildlife in this subdivision and the vacant land at the back of us.
6. **Suggestion: If this Proposal is successful would it not be possible for council to ask the developer to provide an environmental buffer zone of trees/natural habitat or walking trail or bike trail behind the houses in Ironbark Road as appears on the submission behind established homes along Jillaroo Street?**

These photos are taken from on our block and around the subdivision.





7. The Ridge of Ironbark Trees which gave its name to our estate is well established and any Development (particularly the proposed Development of over 500 Blocks), would see the loss of not only those trees but a large area of trees, shrubs and other plants.
8. If the application were successful we feel strongly that there will be a substantial increase in noise from the construction phase of a high density subdivision, the occupants and traffic due to the proposed street design. We feel the proposed development would have more benefit noise wise if a tree lined buffer zone was included behind us (or if not then only large lots similar to ours were approved) which would then minimize traffic flow around the subdivision. Until recently, all traffic to our subdivision entered and exited via Ironbark Road and increasing that again now by a large volume, especially during construction phase, would also increase the safety risk to residents both young and old.

9. The visual impact of small blocks with multi dwelling housing would be devastating to all the residents who chose Ironbark Ridge for town living – country lifestyle. As the original document from 2009 states “great views and open spaces” and this is still reinforced on many current websites e.g Local Real Estate businesses, as well as sites such as Realestate.com, McDonald Jones Homes etc etc who are advertising Ironbark Ridge.

Muswellbrook Shire Council would be aware of the popularity of Ironbark Ridge Estate. This popularity and community value should be protected by Council by maintaining the separation of existing residential blocks . The proposal submitted does not represent any of the current estates values. **When the original lots at Ironbark Ridge Estate were advertised and sold it clearly identified the parcel of E3 Environmental land not to be built upon.**

10. We believe the proposed development contravenes council policies. It does not respect local context, street layout, scale and proportion of adjoining lots and would be entirely out of character with the area, to the detriment of the local environment. All of the Ironbark Ridge blocks are large R5 residential blocks with large spacing between. Residents had to abide by covenants. Shouldn't the council be responsible for any adjoining subdivisions being covered by the same covenants. **Suggestion: This would only be achievable with R5 rural blocks(or buffer zone/natural habitat) for the remaining land in the submission submitted to council and adjoining the present boundaries of Ironbark properties.**

11. The proposed development of Stage 1 residential would significantly alter the fabric of the area leading to a decrease in value of the current homes and land. This could have a serious flow on effect with valuations by financial institutes leaving many residents in a difficult situation. Muswellbrook has in the past seen the effect on families needing to sell homes at a loss and leave town with bitter memories. We do not need a repeat of this. The people currently residing in Ironbark Ridge are the families positively promoting the town. We are passionate supporters of the town which is needed more than ever in this day and age.

12. If the Application was successful we would be concerned also regarding the accessibility for emergency services needing quick and efficient response to emergencies in this proposed development. If the proposed access initially is only along Ironbark Road it could result in a serious safety issue arising to both construction workers and Ironbark Ridge residents (especially if the access roads were obstructed.)

13. Concerns are also raised with the affect the planned subdivision would have on existing local infrastructure should the blocks actually be developed - the health services, transport, education, sewer and water, telecommunications and electrical supply.

14. If the application is successful we have grave concerns that with the closure of the Power stations, as well as some open cut coal mines and local businesses the town will end up with another "eyesore" of multi dwelling small residential lots. The current demographic of the residents of Ironbark Ridge will change if the proposed development is permitted. Lift the aesthetics of our town by keeping Ironbark Ridge and surrounds as having a rural aspect.
15. If the proposal is successful the Land in question incorporates a sloping block and we have concerns about the impact on surrounding properties in terms of drainage and land stability. The rear of our block and those of our neighbours along Ironbark Road would adjoin the proposed development and many of us have clear memory of the initial drainage problems of Eastbrook Links Estate.

In conclusion, we remain strongly opposed to the inappropriate and imposing plans to allow extension of subdivisions adjoining Ironbark Ridge. Please keep the E3 area as an environmental buffer. This proposal has the potential to detract from and negatively affect the character and community of our area with a flow on effect no doubt felt by council and the wider community. If the proposal is successful please keep large rural blocks or buffer zone adjoining Ironbark Ridge and involve residents in any future planning of the extensions. The consideration of the current residents' lifestyle and immediate and future value of their properties is of utmost importance.

We would be grateful if these objections were taken into consideration when deciding this Development application and would like to invite any Councillor or interested party to visit our backyard and try to understand why we feel the way we do regarding any development on that land.

Regards



The General Manager

Muswellbrook Shire Council
PO Box 122,
Muswellbrook NSW 2333



Dear Sir,

RE – DRAFT DEVELOPMENT CONTROL PLAN - LOTS 101 & 103 DP 1170190
AND DA 2024/36

We object to both proposals on the basis of reduced visual amenity and interruption of rural residential lifestyle experienced by ourselves and others on Ironbark Ridge Estate. The draft DCP provides little buffer between existing large rural residential lots and the proposed high-density lots. Our property, and all those on the eastern side of Ironbark Road, currently have a rural outlook on vacant land with grazing cattle and natural flora and fauna. The placement of high-density housing on this land in full view is not in keeping with the view experienced by the majority of other Ironbark Ridge Estate residents who enjoy a rural residential outlook.

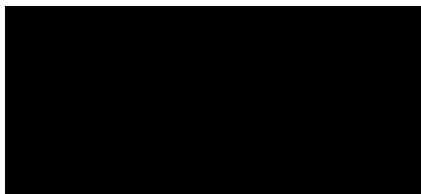
It is noted that in some areas the DCP proposes a larger buffer between existing rural residential lots and the future high density housing lots. This is evident at the southern end of the existing residences on Jillaroo Way where Vegetation and Biodiversity spaces are proposed before transitioning into more large rural residential lots and then to medium and high density lots.

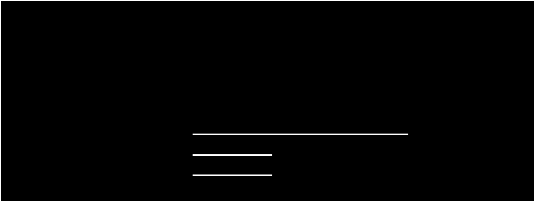
DA 2024/36 demonstrates the worst aspects of the DCP and should be rejected for the reasons mentioned above.

We urge Council to defer a decision on the DCP and the DA and have the proponent revise the DCP with stepped transition from existing large rural residential lots of 4000sqm to medium density lots of say 2000sqm then to 1000sqm lots with high density 300sqm lots at the eastern and southern boundaries. This would place the medium and high-density housing lots closer to existing urban residential lots.

By doing this the residents of Ironbark Road would, over time, have a similar outlook to the majority of existing residents on Ironbark Ridge Estate.

We thank Council for the opportunity to comment and would welcome further discussion to expand or clarify our objection.





CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager,

Dear Sir,

I hope you will consider the following points, all of which I consider extremely important for the town and for the future housing developments.

Over the weekend I took photos of other housing developments in the Hunter Valley.

- Hereford Hill Lochinvar
- Chisholm Thornton

I have also looked at Huntlee as part of my research; and also observed Maitland's developments and Wollongong's developments (which extend from Wollongong to Nowra. Kiama and Gerringong are now just suburbs of Wollongong). There is no distinguishing landscape between these towns as they are all houses. In Maitland the housing developments extend to the horizon and reach Raymond Terrace.

I recognise that with an expected population increase into Australia , of 600,000 in 2024 alone, housing developments are hot topics. It is not surprising that Muswellbrook would be included in this expansion. Although I was surprised, saddened and shocked. No doubt as most people were.

I understand Housing Developments are inevitable, however I do believe that there are **vital improvements and considerations** to be made in this DA, if the town is to thrive into the future.
All the housing developments I looked at have several major features in common.

**1.
Every road into the housing developments have a 6 lane Highway leading into them.**

There are two lanes for through traffic and a turning lane into the development. I suggest this be the case for Muswellbrook as well.

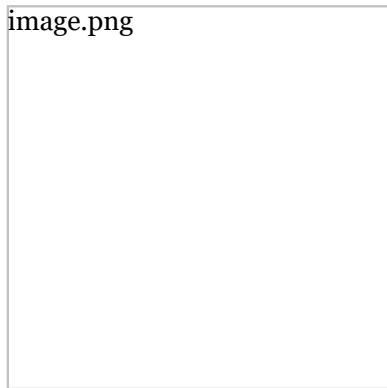
Rather than tearing up Acacia Drive and Bimbadeen Drive , a new Hwy should be built from the New England Hwy through to Thomas Mitchell Drive, and could include Milperra Road as part of this new roadway for future developments.

The advantages of this far outweigh the cost of tearing up the current community. The practical advantages include

- ease of access into the new Estate.
- further housing developments will have reduced costs as a 6 land hwy will already be in place.
- aesthetically it would appeal to the new homeowners and give them pride in their suburb, thus reducing crime and domestic violence.
- reduced traffic for Acacia, Bimbadeen, Bloodwood and Ironbark and other impacted streets, which would otherwise be included in all the dangers associated with fume build up, traffic jams, speeding frustrated drivers, walkers and children using the road being vulnerable to being hit by inconsiderate drivers.
- The entryway of Muswellbrook could be made to look much more appealing and would improve the positivity of the town.
- safer for all concerned.
- in Huntlee so far, there are 600 houses and 2000 residents. If each resident has a car that is 2000 cars to flood into the new estate and the town. As the number of estates grows so would the number of cars.
- In the future there may be as many as 7000 cars from one estate.
- A new entrance could be made at Black Hill and run along the back of Henry Dangar Drive and Wanaruah Circuit, which could have its own entrance.

IMG20240804121539 (1).jpg





Please note: the Sydney Harbour Bridge was built 112 years ago, before the designers could have envisaged the growth of Sydney. It is my hope that Muswellbrook council will use such foresight.

2. The housing estates/ developments were beside the existing towns, and *did not* go through them.

The advantages of this is

- the town will not be impacted poorly with their streets being torn up in a savage, inconsiderate, hostile and drawn out manner, with the thousands of cars driving through them. The follow-on from this would be
- the cost of compensating the current homeowners of the above streets.

The windows of their homes would need to be sound-proofed, and compensation would need to be made for the loss of value in their homes. This is a whole settled leafy green area. Council would have to pay the existing homeowners for damages and the cost of legal battles that would ensue.

The disadvantages include,

- council having to rip-up roads and reclaim part of the streets, which would never be wide enough, unless you demolish homes, in order to widen roads to a practical, safe and appropriate width for future cars, thus causing ongoing and considerable costs to do what should have been done right in the first place. The 'fix' would never be enough and the town would suffer.

Hereford Hill Masterplan



3. Due to the fact that housing developments are here to stay and Muswellbrook will probably have many more in the future, it's important

to preserve the beautiful areas and reduce the possibility of crime, I think it's important to provide this new estate with services such as a small shopping centre, along with the proposed cafe and childcare centre. It may be necessary to check with the Dept of Education what the requirements are for a primary school and /or a central school.

4. A large part of Muswellbrooks appeal for me is how green and leafy Acacia Drive is. The fact that Muswellbrook is not barren but full of trees is a big positive. The small high-density housing in stage 9 and stage 2 will find the weather difficult, it is a high wind area and often extremely hot and /or cold depending on the season. **Being able to afford the heating or cooling** needed in these houses will be an extra burden on their budget. I would suggest they be **moved closer to the service areas**, out of the weather. This area should be reserved for large blocks of land with bigger houses where **trees are valued and preserved** and where the weather will not play such a big part in the family budget.

Please note:

I received This DA on the first day of the school holidays .

I believe this to be an unfair timing process, where people were distracted due to planning holidays with their family and therefore were unlikely to respond to this information , which was too overwhelming.

My neighbour said he simply put his information into the bin. He also felt Council would do as they please regardless of any feedback Council may receive from homeowners.

I also spoke to another resident of Acacia Drive, who had recently moved from Sydney to escape the 'rat-race'. He and his partner moved to Muswellbrook for the country town atmosphere , and with the view of being able to walk their dog safely along this road. They currently walk up Acacia Drive, as do many walkers, and along Ironbark Road to name a few of the walking tracks they use. They have gotten to know Muswellbrook well, because of this habit. He felt dismayed by the housing proposal, but didn't know where to start in untangling his feelings and then being heard. He said he would like me to write a letter on his behalf and he would sign it. I realised many people feel this way. They are not quite sure how to write an email and be heard.

I also believe it's unfair to ask for responses within such a short time frame. It took me quite a while to sort out my own emotions and to form a coherent response.


In conclusion I hope you understand, given a little more time I'm sure many more people would respond to this DA especially if they understood the gravity of the situation. There are currently 4 houses for sale in Acacia. I don't know if this is in response to the DA, however, if Acacia Drive is altered then I too will be looking to sell, I don't believe the safety issues will be able to be resolved and the value of our homes will be irreparably damaged and the area downgraded to a high crime area.

Yours Sincerely

A black rectangular box used to redact the signature of the person writing the letter.



.



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager,

Dear Sir..

For the new housing estate,


1. Use an entrance from the New England Hwy for all traffic from the New Estate.


Do not provide any road access into the township from the estate.

Keep the new development discreet from Muswellbrook- as they do in other Hunter valley housing developments. Eg Hereford Hill is not connected by road to Lochinvar, Chisholm is not connected to Thornton.

2. Provide a service area allowing room for a service station and supermarket similar to Singleton Heights or several of the Maitland housing estates, etc..providing for further development.

3. The land below the water tower is amongst the most valuable land. Please do not use it for high density living , use it for luxury homes.





CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the General Manager,
This letter is a follow-on from my previous letter from last night.
I have just now spoken to my other neighbour and her response was that she **didn't understand what the letter from council was all about.**

I explained there would be a **significant increase in traffic** along our road. We discussed that the electrical box, which was moved from one side of Acacia Drive to the other, and **which took months of us having to tolerate noise and loss of sleep** and machinery and digging holes in the lawn which was never repaired correctly, was most likely in readiness for the proposed housing estate. As I spoke to her of my concerns she started to weep. She explained that she couldn't sell up, which is what I am now planning on doing, unless the roadways are changed, and that as she worked in the mines, her **sleep was vital to her well being. In other words she was frightened. I encouraged her to write to the council**, but she said she **didn't like the council**. She has **no trust in their ability to make sound decisions that will be sensitive to the existing community.**

I have a friend in Muswellbrook whose husband took his own life in early August, which is an absolute tragedy. I am concerned if people are placed in untenable positions then **the mental health of the community will be impacted badly.** I am concerned for my neighbours mental health, as well as my own. I have put all my money into my home, which is what most people do.

The time frame for replying to this development application does not allow for people to process this information and make sense of the long-term implications. It took me 5 hours last night to write my first email to you after several prior attempts.

I drove around Chisholm and Hereford Hill Estates last Sunday and took photos, to see what made them so successful. They were both managed by credible developers with years of experience in this field. They had beautified the estates with sculptures of cultural significance on display at the entrance of the estates, not just a blank canvas. They had an entry way which didn't impact the townships that they were located next to, and the cars were directed **not through** the town, **but beside the town** and into their own entry. **They have not impacted the towns at all.**

The pricing for the land/house packages were about \$800,000. making the Muswellbrook Estate at 500 homes close to half a billion dollars. I'm sure the developers could afford to be more sensitive and thoughtful to the current homeowners, by putting a HWY in place as suggested.

Considering the sure knowledge that more housing developments will be coming to Muswellbrook, it doesn't take much foresight to know that a new HWY will be necessary regardless of how often you widen and alter the existing roads. **Putting in a Hwy from the New England HWY at the base of Black Hill to Thomas Mitchell Drive is really the only credible solution.** Acacia is not made to carry a lot of traffic and is probably currently at maximum capacity. No one with any real foresight could have imagined the number of cars that would possibly be using it. Widening the road will not fix the thousand or so cars that will be forced to use it.

When you look around the town, it is beginning to come to life. The main street is beginning to attract new businesses, with new people who are all intent on making this a wonderful place to live.

I hope the town won't be damaged forever because of the roadways which need to be changed to accommodate **everyone** living here.

In conclusion, the DA is quite good. It only needs to have a few changes made as per my previous email and it will be excellent.

Yours Sincerely

A solid black rectangular box used to redact the signature of the sender.



6 August 2024

Muswellbrook Shire Council
PO Box 122
Muswellbrook NSW 2333

Notice of Draft Development Control Plan – Section 30 Ironbark Ridge Extension

Dear Sir,

Firstly, I would like to state that this proposal is not an extension of Ironbark Ridge. If it were to be an extension to the estate, the blocks should be all one acre or more in size. This was the attraction when the current property owners of this estate purchased their blocks.

While my property doesn't back onto the proposed area for extension, or in fact even look at the area, the extension as proposed, would impact us in many ways.

Living in Stage 1 of the estate and on Ironbark Road, the traffic is the thing that I am most concerned about and if this extension went ahead as proposed, I would hate to think what it would be like.

As this extension will also include a road connection to Bimbadeen Drive, this will then allow the residents of Eastbrook Links to also use Ironbark Road rather than travel along the New England Highway, Ironbark Road will become a speedway. There are current residents of the estate that don't stick to the 50kmh speed limit and fly over the final hill at a great rate of knots, our driveway can be a dangerous place at times.

When the stages behind our property (in Stockyard Parade as well as the three cul-de-sacs), were being developed, we had several trucks travelling up and down the road daily, noise is not an issue but the speed is. To see two trucks travelling up the road, side by side was quite alarming, especially to the cars coming over the hill exiting the estate. My husband made several complaints to the owners of the trucking companies as well as the developers of the area, to ask them to slow down. It was a dangerous time. The development of the proposed extension will see this issue arise once again.

Add traffic from the current residents of Ironbark Ridge, traffic from the proposed extension behind existing properties as well as at the end of Ironbark Road and Eastbrook Links residents, I would hate to think of the number of traffic that will use Ironbark Road daily. I would like to point out, Ironbark Road is a residential street not a bypass. This is what it will turn into.

Each afternoon, coming home from work, I travel along Rutherford Road and it's not uncommon to get caught in a line of traffic at the roundabout, going into Muswellbrook Fair, this will only get worse if the rezoning is allowed to go ahead. It can be a struggle at times to get a car park, add cars from the new extension, into the mix and it will be impossible.

The other issue I have personally with this extension proposal, is the devaluation of my home and property. How could a tightly packed residential area so close to the estate be any good for the property prices of Ironbark Ridge?

And then there is the eyesore that is Eastbrook Links, especially on the left hand side approach into Muswellbrook. Is this what is going to happen to our beautiful rural lifestyle of the Ironbark Ridge Estate?

I don't understand why we need so many more housing blocks in Muswellbrook, there are ~100 blocks for sale at the moment as well as the estate that has just been released near the entrance to the Ironbark Ridge. Since 2013, the estimated resident population increased by ~360 people, which reflects a compound annual growth rate of increase of 0.2%. Where are all the people going to come from to fill these homes that are proposed?

Please take my thoughts into consideration when making the decision on the extension proposal. This extension will affect a lot of people currently living in Ironbark Ridge, in so many different ways and it would be a shame to see neighbours sell up and leave because of this proposal. We have a lovely community in the estate and I would hate to see it destroyed.



Hi

I have some concerns relating to DA 2024/36 as follows

DRAFT CONTROL PLAN

30.4 Objectives

d) site facilities are unobtrusive, integrated into the proposal, provide for needs of residents and reduce the impact of development on the environment

How is the impact on the environment ie. Trees ,bird life and other wildlife to be managed ,who monitors this and what are the consequences of whatever guidelines are set out not being followed ?

30.5.1 Staging Plan

(iii) Development of land inconsistent with the Staging Plan can occur if the proposed sequence is justified by a supporting study, to the satisfaction of the consent authority. The supporting study must be lodged prior to or with the relevant development application.

Does anyone other than Council see this and have the ability to comment ?

(iv) At a minimum, the issues to be addressed in a supporting study to vary the staging sequence include:

- Impacts on the development of other land/development stages

There are approximately 80 blocks of northern Queen St

A proposed 120 blocks pending on right side of Highway at Southern entry to town

Another approximately 100 blocks in the Eastbrook estate left side of Highway southern entry

85 Off Ironbark Rd and Plashett Circuit

Are not all of these in competition with one another and will result in over supply ?

30.5.3 Transport

d) To encourage low vehicle speeds throughout the Release Area.

What speed is proposed ,how will it be controlled

Opening Bimbadeen Drive onto Ironbark Rd will create a defacto bypass and current vehicle speeds are on occasion well beyond the speed limit of 50k/h

Controls (i) Consent will not be granted for the subdivision of land unless a Traffic Management Plan has been lodged to the satisfaction of Muswellbrook Shire Council. The Traffic Management Plan should address such matters as traffic volumes, triggers for the provision of infrastructure and upgrades, an assessment of the impact of the development on the road system internal and external to the site and Urban Release Area, pedestrian and cyclist networks, identification of road upgrades, intersection upgrades and the cumulative impact of development on the road network, at a minimum

The current projected increase in traffic flow morning and afternoon of 100 each will be way of the mark due to the connection of Ironbark Rd connected to the highway via Bimbadeen Drive

30.5.5 Landscape Plan

Objectives

- a) Existing native vegetation is to be retained and enhanced where possible.
- b) The scenic quality and local character of the area is maintained.
Will this include the maturing Ironbark trees towards the Acacia water tower and will like for like natives be planted if any are removed

Controls

- Technical details of the planting and initial maintenance regime
- An assessment of ongoing maintenance requirements.

How is compliance with these plans measured and monitored ,what is the penalty for non compliance ?

30.5.6 Water Management

- b) Drainage should be generally directed away from the existing urban area of Iron Bark Ridge to the maximum feasible extent

How is this to be achieved and to where ?

30.5.8 Flora and Fauna

Objectives

- a) Future subdivision of the land does not have adverse impacts on either flora or fauna associated with the land.

Not possible if any trees are removed

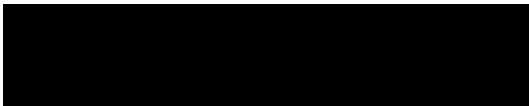
- b) Trees identified as being retained shall be adequately protected.


Identified by who ? Protected how , won't property owners take out trees as they please what penalties apply

Further is the local infrastructure up to so many new dwellings ? Schools ,shopping ,Doctors

Parking at shopping centres

Regards





CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

28th July 2024

Att: General Manager
Application number: DA 2024/36

I am writing to make a submission against the above mentioned DA at Lot 101 and Lot 103 Ironbark rd Muswellbrook

Being a long term resident of Muswellbrook (43years) I am pleased to see Muswellbrook growing and developing. I have concerns and the rate of the development in town.

I reside directly behind the proposed DA in Ironbark rd.

I have the following concerns for this Development Application.

- The style of development is not keeping with the current style of housing in the area. The current style of housing is family homes and duplex living. These type of homes encourages long term residences. The proposed development will encourage short term airbnb style similar to a fly in fly out scenario where people come to work and leave to go back to where they live.

This type of living is best suited to more commercial type land ie closer to amenities in town.

- This type of residences should not be placed in residential/family estates.

- Have council seen where this style of housing has worked in other country towns and able to provide examples?

- I am also concerned for the parking that has been allocated for the premises. All residences these days have a minimum for 2 cars. With there being 94 multi dwelling houses and only 31 off street parking available and no on street parking it is going to fall short of allocation.

The development does not provide enough information regarding


- Will the houses be owner occupied/investors or run as a body corporate strata style?

- who will actually own the homes?

- who will be in charge of maintenance of landscaping and if council is have they allowed this in the budget?

- More information is needed before the community can make an informed decision on this style of housing.

I look forward hearing a response to the questions raised in my submission



Sent from my iPhone

PM

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Att: General Manager
Submission
Notice of Draft Development Control Plann
Lot 101 and 103 Ironbark rd Muswellbrook

I am writing to make a submission to the above mentioned Draft DCP.

We are residences of 104 Ironbark rd Muswellbrook. We have lived here for 8years and been residences of Muswellbrook for over 40years.

We were pleased to see some changes to this control plan to the last one back in 2019 when the land was being rezoned from E3 to R1 and R5.

- linking more roads to the development ie Acacia Drive and Calgaroo Ave.
- Community facilities
- Walking tracks bike trail
- Biodiversity areas.

While we were pleased by these changes we were still dissapointed with some aspects.

- When the land was originally rezoned we were told the blocks directly behind us would 'mirror' our current block style to keep the aesthetics of average living. This has not happened. While we do have an acre block this has been flipped on its side. We would like to see the land as per picture below. This style would allow more blocks and give us a true 'buffer' to R1 residential living allowing us to still feel we have rural living as it was sold as. (Keeping in mind 95% of the houses that back directly onto this development the land was sold to the residences when the land was zoned as E3 and was not to be built on) These R5 blocks should have the same post and rail fencing we have so it looks aesthetic.



- Traffic. Currently along Ironbark rd it is not unusual to see multiple cars speeding. This is especially made worse late at night and on weekends. If this development goes forward it will only encourage more people speeding. We would like to see speed humps put in along Ironbark rd to slow people down. We have a country feel to our estate and have lots of walkers and kids on bikes riding to and from school and on weekends.

- Is Muswellbrook becoming too developed. There is currently more than 4 housing estates that are either in council been passed by council or have been developed. Can there be quotas put in place that's when say 70% of available blocks are sold new ones can be released.

- Is there any other rural town where cluster scale housing has been done?

The concern is that this style of development is not needed by the type of people you are trying to attract to the area. Why put a daycare in when majority of housing will be 1/2 bedroom?

Thank you for listening to our concerns and we look forward to feedback

Sent from my iPhone



To the General Manager:

Submission to the Draft Development Plan and DA 2024/36

As the owners of 102 Ironbark Road, our property has been identified in this proposal to be directly affected by this Development. Our block backs directly onto this future planned subdivision. We have multiple concerns regarding how this will impact both our own, our neighbours and the town's interests. We do not believe that this subdivision in this current form is in the towns' best interest.

As such, we have listed these concerns below and have also noted some suggested amendments to this application that would be better suited to the area.

Concerns:

- The land proposed was zoned as E3, now known as C3. We have added below the description of the C3 zoning and the uses of it from our government website. At the time of the rezoning we were never given any response as to why the land had lost its E3 attributes to allow it to be rezoned. Now the development application is proposing prohibited building as per the C3 zoning (multi-dwelling housing and residential flat buildings).

Zone C3 Environmental Management

<https://legislation.nsw.gov.au/view/whole/pdf/inforce/2024-01-09/epi-2013-0756>

- 1 **Objectives of zone-** • To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values. • To provide for a limited range of development that does not have an adverse effect on those values.
 - 2 **Permitted without consent-**Environmental protection works; Extensive agriculture; Home occupations; Roads
 - 3 **Permitted with consent-**Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies (attached); Dwelling houses; Eco-tourist
 - 4 **Prohibited-**Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3
- This development would have a negative impact on the value of our property and the entire Estate. By putting in this subdivision it will remove the main aspects of the advertised rural acreage living that the developers built and marketed Ironbark Ridge Estate on. This is the reason we bought the land - to have these aspects. This subdivision is taking away our open views of farm lands and replacing them with hundreds of houses. As such this will also devalue our property in a way we never would have expected.
 - We wish to enquire if there is a need for more developed blocks in Muswellbrook. As we drive around town we see multiple unfinished and unused housing estates. These following estates have R1 and higher approved blocks at Highbrook Estate, Eastbrook Links Estate and Queen Street Estates. As well, Queen Street, Ironbark Ridge and Woodland Ridge Estates have R5 blocks for sale. There are also multiple developments in our Shire in Denman.

Objection Letter to Muswellbrook Council



12.07.2024

To:

Muswellbrook Shire Council General Manager

Subject: Objection to Development Application DA-2024-36 on Ironbark Road, Muswellbrook

Dear Sir/Madam,

I am writing to formally object to the proposed Development Application DA-2024-36, located at Lots 101 and 103 DP 1170190 Ironbark Road, Muswellbrook. As a resident of Ironbark Road, I have several concerns regarding this development's potential impact on our community, specifically related to high-density duplex and multi-occupant housing, increased traffic volumes, Safety risks and Aboriginal heritage concerns.

Concerns:

1. High-Density Duplex and Multi-Occupant Housing

The proposed development includes 327 general residential lots, 57 large residential lots, and 240 attached dual occupancy dwellings. This high-density housing plan is not in line with the current character of Ironbark Ridge, which is a quiet estate consisting of large rural blocks. Introducing such a dense population in a relatively small area will disrupt the serene and spacious environment that residents currently enjoy. Additionally, the introduction of high-density duplex and multi-occupant housing will lead to a depreciation of property values for existing larger homes in the area. The current market appeal of Ironbark Road is based on its spacious, rural character and low-density housing. A shift towards higher density would diminish this appeal, negatively impacting property values and the investment of current homeowners. The potential reduction in quality of life for current residents due to increased noise, traffic and concerns about crime and safety are too important to be ignored.

2. Increased Traffic Volumes

The Traffic and Parking Assessment Report for this development highlights significant changes to the local road network, including the creation of a new public road network that connects to Ironbark Road, Bimbadeen Drive, and Calgaroo Avenue. According to the report, the increased traffic from the new development is expected to place considerable strain on these roads. What is councils' proposal to address this issue? Doing nothing is not good enough.

Ironbark Road and the surrounding streets are currently not designed to handle such high volumes of traffic. The increased vehicular movement will not only lead to congestion but also pose safety risks to pedestrians and existing residents. The Traffic and Parking Assessment Report acknowledges the need for strategic road network upgrades to manage the expected traffic increase. However, the extent of these upgrades and their implementation timeline remains uncertain. The Muswellbrook Traffic Study, conducted in 2010, identified necessary upgrades to accommodate future growth, but the proposed development seems to exceed these projections, necessitating further, unplanned infrastructure improvements that are not currently addressed. The reliance on such an outdated traffic management plan fails to adequately reflect the current and future needs of our community, and the study's age (over a decade old) highlights the necessity for a more current and comprehensive analysis. Moreover, the report does not fully address the cumulative impact on existing infrastructure, such as local schools, healthcare facilities, and recreational areas, which are likely to be strained by the influx of new residents. Vehicles will also be taking short cuts from new England highway up Bimbadeen along ironbark road / Skelletar stock route to connect to Denman Rd. The quiet nature of our estate is a key aspect of its appeal, and the development would fundamentally alter the character of our community.

3. Safety Risks and Crime Hotspots

While the Social Impact Statement includes data on crime rates, it acknowledges that Muswellbrook has higher-than-average crime rates for several offences, including domestic violence, general assault, and various types of theft. The maps provided in the statement show that while the proposal site is not currently within a crime hotspot, the increased density of housing and type of housing i.e. High-Density Duplex and Multi-Occupant Housing proposed for low-income earners would contribute to a higher incidence of crime. This is particularly concerning given that current hotspots are associated with low-income and social housing areas. The proposed development has the potential to become another hotspot, exacerbating existing safety issues in the broader community. Especially with the connection of Eastbrook links to Ironbark ridge which gives thieves potential of multiple entry and exit points to the entire eastern side of Muswellbrook. Ironbark Ridge, in contrast, has historically maintained low crime rates due to its isolated location and absence of high-density duplex and multi-occupant housing. The introduction of such housing types could undermine this safety by creating conditions more conducive to crime, similar to existing hotspots such as Wollombi road and Eastbrook links.

4. Environmental Impact

The development will likely lead to the removal of existing vegetation and green space, which will have a detrimental impact on local wildlife and the natural environment. The document does not sufficiently address the long-term environmental consequences of such a development. The study area encompasses diverse landscapes, including dense vegetation, sloping landforms, and areas of natural gully erosion. Historical aerial images show the area's relatively undisturbed state over the decades, indicating a rich environmental context. The proposed development threatens to significantly alter this landscape, potentially destroying both the natural environment and the cultural heritage it holds.

5. Lack of Adequate Infrastructure and impact on local services

Ironbark Road and the surrounding area do not have the infrastructure to support a high-density population. This includes insufficient road capacity, lack of public transport options, and limited local amenities such as schools, parks, and medical facilities. The proposal does not include adequate plans to improve infrastructure to accommodate the expected increase in residents. The below points need to be considered and addressed.

- **Schools and Education:** The Proposed development will put extra strain on local schools due to the increased population. Schools are already at capacity; this will lead to overcrowding and affect the quality of education.
- **Healthcare Services:** Muswellbrooks healthcare facilities do not have the capacity to handle the increased demand that will result from a larger population. It can take weeks or months to schedule a doctor's appointment and the Hospital's emergency department already struggles with low nursing and doctor levels.

Aboriginal Heritage Concerns

The Aboriginal Heritage Archaeological Assessment conducted for this site identified three isolated Aboriginal objects within the study area. The proposed development involves extensive earthworks and landscape modifications that could irreparably harm these culturally significant objects. The study area is also within the Wanaruah Local Aboriginal Land Council boundaries, highlighting its cultural importance to the local Aboriginal community. The potential destruction of these sites would not only violate the National Parks and Wildlife Act 1974 but also undermine the cultural heritage protected under the Aboriginal Land Rights Act 1983.

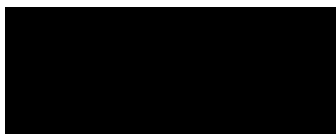
Conclusion

Given these significant concerns, I urge the Muswellbrook Shire Council to reconsider the approval of this development. The potential impacts on Aboriginal cultural heritage, the natural environment, and community safety are too significant to ignore. I believe a more thorough assessment and consideration of alternative development plans are necessary to preserve the integrity of our community, heritage and appeal.

Thank you for considering my objections. I hope the council will take these concerns seriously and act in the best interest of the community and its cultural heritage. It is essential that any new development aligns with the existing character of the area, adequately addresses traffic and safety issues, and does not compromise the quality of life for current residents. Any increase in crime rates or changes to crime hot spots would morally be council's responsibility and would need to be held accountable.

I request that the council conduct a more comprehensive and unbiased impact assessment on the above items and consider alternative development plans that better suit the needs and characteristics of the Ironbark Ridge community I.e. at a minimum all Large Rural blocks.

Yours sincerely,

A solid black rectangular box used to redact the signature of the person writing the letter.

6 August 2024

For the Attention of the General Manager

Dear Sir / Madam

REFERENCE: PLANNING APPLICATION DA 2024/36 & DRAFT DEVELOPMENT CONTROL PLAN

I write in connection with the above planning application. We have examined the documents on line at great length and we know the proposed site well. We wish to object strongly to the development.

We believe that the development is of poor design and it fails to take the opportunities available for improving the character and quality of Muswellbrook and the way it functions. To even accommodate the smallest of increases in traffic would impact on the residents of the existing dwellings to unbearable.

The current roadside parking of the lower end of Acacia Drive impacts to the point that only single vehicles can drive through currently.

Furthermore Muswellbrook is in dire need of upgraded infrastructure for the existing residents let alone for an influx of 600+ residents and thus should be completed prior to any housing is completed or residents arrive.

Could you please advise as to the need for such a large number of houses when Liddell Power Station has recently closed and the Labor Party continues on the path of Coal Mine closures. Granted affordable housing is an issue across the country but without the employment being readily available for productive Australians the housing project would not be viable.

Finally, please note that our objection is in the greatest respect for the proposed development. We have taken every effort to present accurate information for your consideration and apologies for any unintentional errors before reaching your decision.

If you would like to discuss this matter further in person please do not hesitate to contact us on 6543 2398, we would be more than happy to meet with you.

Regards





General Manager
Muswellbrook Shire Council
PO Box 122
Muswellbrook, NSW, 2333

Dear Sir/Madam,

Subject: Objection to Draft Development Control Plan [Section 30 Ironbark Ridge Extension] and Development Application [DA 2024/36]

I am writing to formally object to the proposed draft Development Control Plan [Section 30 Ironbark Ridge Extension] and the Development Application [DA 2024/36], which includes the construction of high-density housing such as duplex blocks and multi-dwelling units within an area predominantly comprised of large, general residential lots.

My primary concerns with this development are as follows:

1. **Incompatibility with Existing Neighbourhood Character:** The proposed high-density housing is inconsistent with the current character of the neighbourhood, which is primarily made up of large, single-family residential lots. Introducing duplex blocks and multi-dwelling units would significantly alter the established aesthetic and atmosphere of the community. This change could diminish the appeal and value of the neighbourhood for current residents who chose Ironbark Ridge specifically for its spacious and less congested living environment. As the draft Development Control Plan is called the 'Ironbark Ridge Extension' the proposed development should reflect the characteristics and land sizes of the existing estate.
2. **Decrease in Property Values:** The release of a total of 504 lots, including 120 lots for high-density housing will likely lead to a decrease in the value of land in the township and neighbouring areas. The increased supply of housing, particularly in the form of duplexes and multi-dwelling units, may saturate the market and reduce demand for existing properties. This decline in property values is a significant concern for current homeowners who have invested in the area.
3. **Lack of Demand for Additional Lots:** There is evidence that demand for new residential lots in the area is not currently strong. For example, other nearby blocks, including those in Eastbrook Links, have not sold. Furthermore, there are already over 120 lots of land for sale in Muswellbrook, including the newly released estate at the entrance of Ironbark Ridge estate, indicating that the market is already well-supplied. Adding another 24 lots and eventually 504 lots to the market seems unnecessary and ill-timed, given the current real estate climate.
4. **Strain on Infrastructure and Services:** High-density housing developments typically lead to increased demand for local infrastructure and services, including roads, public transport, schools, and healthcare facilities. The existing infrastructure in our area is not

The General Manager
Muswellbrook Shire Council
PO Box 122
MUSWELLBROOK NSW 2333
Email: council@muswellbrook.nsw.gov.au

RE: **PROPOSED DEVELOPMENT AND DRAFT DEVELOPMENT CONTROL PLAN
– DA 2024-36**

It has come to our attention through social media and other residents nearby that a Development Application has been submitted for the above-mentioned subdivision.

It is very disappointing that as long-term homeowners in a road that will be affected and named in documents, Council did not feel it was necessary to advise us directly.
Please find outlined below ways in which we feel this development will negatively impact the community and reasons why we don't want this development to proceed.

***TRAFFIC / ACCESS ROAD CONCERNS**

The closest access road for Stage 1 of this Development is Bimbadeen Drive which will have an increased volume of traffic and construction vehicles until further stages are approved and additional connecting access roads available.

The increase in traffic will directly affect Bloodwood Road, as it leads to Acacia Drive which is the other main connecting road to access local shopping facilities.

Bloodwood Road has also been named as a nearby transport option -

'the site is located within 400m walking distance to the nearest bus stops which are located on Ironbark Road, Bloodwood Road and John Howe Circuit'.

The Traffic and Parking Assessment Report recommends the widening of "Acacia Road and Bloodwood Avenue" (as named in document) –

Will the Council/Developer be acting on this recommendation?

Would this occur to one side of road or both sides equally?

What about construction of footpaths for the increased number of residents that may make use of the bus service only 400m walk away?

As main bus routes for school children, elderly and all other community members, increase in traffic to the directly impacted streets should have construction of footpaths and safe crossing zones to ensure safety.

Have pedestrian studies been carried out or a count of school students or the elderly exiting buses on the side of the road? (no footpaths or safe pedestrian crossing area on the whole length of Acacia Drive, footpath halfway up one side of Bloodwood Road no safe pedestrian crossing area).

I note that on-road bikeways have been taken into account, but not footpaths.

'Near the site, existing cycleways exist along the residential areas above the subject site. On-road bikeways are proposed along Bimbadeen Drive, Maitland Street/New England Highway, Ironbark Road, and Rutherford Road.'

Other recommendations noted include –

'Upgrading of Bimbadeen Road & New England Highway from a Give-way intersection to signals'

'The introduction of auxiliary lanes at Weemala Place & Bloodwood Road'

'Upgrading of Rutherford Road & Acacia Drive from a Give-way intersection to a roundabout'

'Upgrading of Rutherford Road & Ironbark Road from a Give-way intersection to a roundabout'



To:

Muswellbrook Shire Council General Manager

Dear Sir /Madam,

Regarding development application DA2024/36 for the subdivision of lot 101 DP1170190 and 103 DP1170190,
I am formally writing to raise my concerns and object to this development.

I am very concerned about the Proposal of the development.

Concerns:

The new development will increase traffic flow and put considerable strain on Ironbark Road with the additional residents from the new development.
Ironbark Estate/Ironbark Road will also be utilised as short cut from the New England Highway through Bimbadeen drive, along Ironbark Road and Skellatar Stock Rte to connect to Deman Road – this will be a huge increase in traffic.

The traffic study conducted in 2010 is outdated and should not be relied on.

Currently school children cross Ironbark Road when they are dropped off the bus,
Increased traffic volumes would increase the likelihood of accidents with no pedestrian crossings, traffic lights or traffic islands to assist children with stopping the traffic safely.

Eastbrook links should not be connected to Ironbark Estate to help prevent excessive traffic as having it would increase risk to current residents and families, not having this road would decrease the risk to the current residents.

Who will be held responsible for not acting and implementing this change to help prevent accidents or loss of human life.

High-Density Living:

The proposed development has a total of 624 dwellings.

327 general resident lots = 52.5%

240 duplexes = 38.5%

57 large lots = 9%

The proposal only has 9% of the lots dedicated to large lots which is not aligned with the current character of Ironbark Ridge Estate as 100% of the current lots are large R5 lots.

With 38% of the dwellings as High-Density Duplex this is an extreme saturation of this type of dwelling in a relatively small area, why has this been allowed when it's not required in Muswellbrook?

With a huge amount of High-Density Duplex in the area, this will negatively impact current resident property values and investments of the current estate home owners, also negatively impact current resident quality of life due to a huge increase in traffic, noise levels.

High Density Duplex will also increase crime rates in the Estate and risk the safety of the current residents and families.

High Density living doesn't build community and promote long term residents to settle in Muswellbrook.

Investors buy this type of dwelling and transit work forces utilise High Density Duplexes, which does not build family friendly/community towns.

With such a high-density population the local community will be adversely impacted as Muswellbrook is not equipped with the infrastructure to handle the large increase.

Healthcare service already struggle with the current residents, lack of doctors, nurses and medical infrastructure, lack of ambulance and staffing – emergency services wait times are already long.

It's hard to get appointment with general practitioner and can take weeks to get appointment.

High Density Duplexes will not attract these types of profession to sow roots in Muswellbrook and become a permanent resident and part of the community – low density housing - large R5 lots will.

Education - Schools are already at their maximum capacity, increase population with add to the overcrowding – provide a poor education for the students – Poor education can lead to higher crime rates which we don't want for our community.

I thank the Muswellbrook council for considering my concerns and objections and reconsider the approval of the development.

Large rural lots would help prevent all the concerns I have raised and maintain the current character, lifestyle and community.

Please review the proposal and conduct a unbiased assessment to address the risks and concerns.

Yours Sincerely,

A solid black rectangular box used to redact the signature of the sender.

TO THE GENERAL MANAGER OF MUSWELLBROOK SHIRE COUNCIL

Ref: DA 2024/36 Proposed Subdivision of Lots 101 DP1170190 and Lot 103 DP1170190 into twenty-four (24) Lots and Construction of ninety-four (94) Dwellings (multi-dwelling housing) Ironbark Road.

Objectors-

Email Address –

Mobile Phone -

Dear Sir we are objecting to the above proposed Development Application for the following reasons as outlined below:

- 1) **94 Multi Dwelling Housing-** Our main concern is with the proposed development is the construction of 94 dwellings (multi dwelling housing) which is not in keeping with the original Ironbark Development. When we purchased our block of land over 10 years ago we were told that the paddocks behind us were reserved as buffer zone for the Mt Arther Coal Mine and was not going to be developed. This is a complete reversal of this advice that we were given at the time.

We are concerned that with this proposed multi dwelling housing being constructed in such a small area, this could possibly have the potential to create an undesirable living environment for those people living within and existing residents living around the proposed development which often occurs in these high-density living areas.

The proposed development if approved will also increase the number of vehicles using Ironbark Road which has a history of cars speeding up and down the road causing noise nuisance and safety concerns for residents.

- 2) **Forna and Flora** -There is a large population of kangaroo's and bird wildlife that live in the area where the Development is being Proposed and if the proposed development is approved, they will be forced out of the area as their habitat is progressively being eroded.
- 3) **Development Stormwater Runoff-** The existing properties in Ironbark Road that back onto the Proposed Development have since the Ironbark Road Development was originally established have experienced a considerable amount of storm water runoff from the land where the Proposed Development is being proposed causing localised flooding which has been reported to Council on numerous occasions but no action was taken even though we had received letters from council saying they were going to address the problem.

It is noted on the Draft Plans that (2) two temporary Outfall Channels are to be constructed to discharge storm water as are shown on the Functional Layout Plans Design Drawings Key Map Layout Plan Drawing Numbers 322142-001 CF200A will greatly exasperate the storm water runoff for the existing residents backing onto to the Proposed Development which could result in severe flooding which is not acceptable as a large portion of land in question is falling towards the residents' properties.

As a suggestion Council should request the Developer to amend the draft drainage plans to include the construction of a simple earth V drain running parallel and on the northern side of the affected residents rear property boundary fences which will catch and direct the

stormwater from the Proposed Development site down the hill and into the existing dam water retention Pond north west of Stage1 of this development.

- 4) **Road Widths and Vehicle Park** - The road widths shown on Drawings Nos 322142 – 001 CF300 and 400 show the road cross sections of some of the residential roads 10 metres and 12 metres in the proposed subdivision which in our opinion are too narrow to allow for two lanes of traffic to navigate the road and if someone parks a car on the side of the road it would be almost impossible to get past. Council needs to review the width of these roads.

The other issue is the lack of parking for vehicles in and around the location where the multi dwelling housing is proposed to be constructed. These days it is not unusual to have two or three vehicles per family which poses the question where are residents and visitors going to park their cars. The council needs to request the Proposed Developer to review their assessment of the amount of car parking space so that there is adequate parking available to all vehicles.

- 5) **Sewer and Road Drainage** – When the existing Ironbark Road development was constructed over 10 years ago it is unclear whether the road drainage pipework and the sewerage system pipework was designed to allow for several hundred additional homes to be connected into the existing road drainage and sewerage systems. The proposed new subdivision shows a sewer main extension to be installed outside and at the rear of the existing properties in Ironbark Road. The Council needs to ask the proposed developer to provide assurances that there is adequate capacity to connect into the existing systems.
- 6) **Construction of A Water Retarding Basin.** It is also noted on the proposed development drawings that a proposed Water Retarding Basin is to be constructed adjacent to and across the road from a proposed Early Learning and Childcare Centre. I suppose the question is, did the proposed developer take into account that young children will be in the vicinity of this Basin and what measures are to be in place to prevent children from wandering into the Basin area. Possibly provision of fencing to prevent access by children.

Thank you for the opportunity to comment on this proposed development application as it will have an impact on us and the other residents that will back onto the proposed development and other residents in the estate.

I trust that Council will take our comments into consideration when assessing whether to approve the Proposed Development in relation to DA Application No 2024/36.

Yours Sincerely



PS. [Redacted] is a Clerk of Works and Civil Inspector which has assisted me in reading the drawings and Interpreting the Proposed Development application. We would be happy to discuss any of the items raised in the above letter with Council Staff if required.



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom It May Concern,

I am writing in response to DA application DA 2024-36 Ironbark Ridge Extension.

I have several concerns around the proposed subdivision.

1/ The low density duplex lots are not in keeping with the current lot and housing size around the proposed subdivision. The smallest of which is only 375m².

There are lots surrounding the proposed subdivision in excess of 800m² with a single dwelling.

2/ The street sizes proposed in LOT 1 are far too small for appropriate vehicle access, especially for Council and emergency services. The street width in other parts of the area, especially Jeans & Gore Sts have presented many hurdles for services due to the same street width proposals.

Within this lot the low density duplex lots comprise of 95 separate residences. This can mean anywhere up to 180 extra vehicles using the streets and requiring parking.

3/ With the increased traffic volume, there needs to be more firm requirements from both the developer and Council into the recommended widening and realignments mentioned in the Muswellbrook Traffic Study.

Each new proposed LOT should have a requirement for funding to be allocated to the upgrade of the road network it directly affects.

Calgaroo and Acacia Avenues are already nowhere near wide enough for current traffic volumes, and an increased number of vehicles into the thousands will create nothing short of chaos.

If the developer wishes to profit from the development of this land, they should be required to support the community they are affecting.

4/ The traffic surveys conducted as part of this DA were carried out at an incorrect time of day, painting a very different picture to the reality of living on any of these streets.

As you would know, Muswellbrook is comprised of a predominantly Mining workforce, working differing shifts to those "standard" hours often quoted.

The surveys on Bimbadeen & New England Hwy intersection for example were carried out at 8am-9am & 4pm-5pm. Both times are outside those normal travel peak times within our area (usually 6am-7am & 3pm-4pm)

These are just a few of the issues I have with the current applications, and I am sure you will get many other responses.

In short, these applications are poorly thought out to be in keeping with the current Muswellbrook Shire housing. I am not opposed to the subdivision, but the lot sizes, types

and number need a lot more thought.

Regards,



15th January 2025

Muswellbrook Shire Council
PO Box 122
Muswellbrook NSW 2333

Attention: Hamish McTaggart

Dear Hamish,

Request for Further Information - Development Application No. 2024/36 – Stage 1 – Subdivision Of (2) Lots Into (25) & Construction of Multi-Dwelling Housing comprised of ninety-four (94) dwellings LOT: 101 DP: 1170190 - Ironbark Road Muswellbrook

I refer to Council's email dated 13 January 2025 identifying matters requiring further consideration in relation to the provision of car parking in accordance with DCP requirements, particularly in relation to off-street parking.

This submission is accompanied by and amended Functional Layout Plans (3).

The amended Functional Layout Plans (3) detail the provision of a complying 159 car parking spaces detailed in the following table.

Lot	Units	Off-street car parks required under DCP	Off-street car parks proposed	Compliance
S1	16	28	16 (driveways) 13 (indented spaces)	Yes
S2	16	28	16 (driveways) 14 (indented spaces)	Yes
S3	30	54	30 (driveways) 44 (indented spaces)	Yes
S4	14	25	14 (driveways) 12 (indented spaces)	Yes
Total	76	135	76 (driveways) 83 (indented spaces)	Yes

Note: Off street car parks required under the DCP include on-site spaces, spaces to remain as common property, visitor spaces and car wash spaces.

Polvere Planning & Development Pty Ltd
Unit 407,5 Warayama Place, Rozelle
NSW 2039 Australia
Mobile 0403 242 926
ABN 90 735 894 744

When considering adequate requirements for car parking, it is important to have due consideration to the following:

- In total, the development is proposing 159 car parking spaces, or slightly over 2 car parking spaces per dwelling.
- This development is essentially similar to dual occupancy development and if the development were to be strata-titled, the proposal would be formally described as dual occupancy development and subsequently only require an overall total of 76 car parking spaces to comply with the DCP requirements of 1 car parking space per dwelling.
- The off-street car parking requirements in the DCP used for the assessment of this proposal are more suited to higher density developments such as residential flat buildings.
- Each dwelling has their own driveway that will be used for car washing expending the need to provide an additional 6 car washing spaces as required in the DCP calculations.
- Each dwelling has their own on-site driveway that is approximately 10m long from the front street boundary that in some circumstances, will accommodate up to 2 parked cars without extending over the public domain.
- Houses and dual occupancy developments with a gross floor area up to 125m² require only a total of 1 car parking space per dwelling. Each proposed dwelling is relatively small at around 77m² in gross floor area with 2 bedrooms. This will not generate a demand for additional car parking spaces as a dwelling of 3 bedrooms with up to 125m² in gross floor area.

A Section 88B Instrument will be lodged as part of the plan to ensure that all 44 indented car parking spaces in Lot S3 between roads 5 and 6 can be accessed by all occupants of the proposed multi-dwelling development proposal.

In summary, the proposed car parking is compliant with the DCP requirements and will adequately meet the demand for car parking generated by the development.

We trust this information will assist with the further assessment of the development application.

Please do not hesitate to contact the undersigned directly on (mobile) 0403 242 926 or (e-mail) tony@polvere.com.au if you require further details or clarification of the additional information provided in this submission.

Yours sincerely



Tony Polvere
Director

DEVELOPMENT ASSESSMENT REPORT

REPORT TO: COUNCIL

ADDRESS:	Lots 101 and 103 DP 1170190 Ironbark Road MUSWELLBROOK 2333
APPLICATION No:	2024-36
PROPOSAL:	Subdivision of (2) Lots into thirty-three (33) Lots & Construction of seventy-six (76) multi-dwelling houses
OWNER:	Mr I R & Ms L & Messrs R & M Webber
APPLICANT:	Mr T Polvere Unit 407 5 Warayama Place ROZELLE NSW 2039
AUTHOR:	Donna Watson
DATE LODGED:	13/06/2024

1. RECOMMENDATION

It is recommended that development consent be granted to DA 2024-36 for Subdivision of (2) lots into thirty-three (33) Lots & Construction of seventy-six (76) multi-dwelling houses subject to the recommended conditions of consent.

2. SITE LOCALITY AND DESCRIPTION

The subject site is Lots 101 and 103 DP 1170190 and known as Ironbark Road, Muswellbrook. The site is irregular in shape and has a combined area of 81.23 hectares.

The site is used for grazing and contains pasture, stands of trees, isolated trees, farm dams and creeks. The site is undulating and is located on the edge of existing residential land on the southern side of Muswellbrook.

Land to the north of the site has been developed for residential purposes with lot sizes ranging from 600m² to 1000m². These lots contain dwellings. Land to the southwest of the site is a large lot residential subdivision with lot sizes having a minimum area of 4000m². These lots contain dwellings and ancillary structures.

To the north of the site are three public reserves. The reserve on the northeast, known as Eastbrook Reserve, directly adjoins Bimbadeen Drive and allows for the discharge of stormwater down to the New England Highway and across to the golf course. The reserve directly north, known as Acacia Drive Reserve, contains a Council Water Reservoir which was constructed in conjunction with the Eastbrook Links estate, and the reserve to the west, is known as Kurrajong reserve.

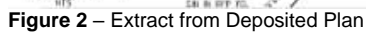
The figure below identifies the site location, with key development assessment site attributes listed in the table below.



Figure 1. – Site Aerial Image

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

There are no matters identified on the 88B instrument or deposited plan that would impact upon the proposed development.



The proposal seeks development approval for the:

- subdivision of two (2) lots into 33 Lots.
- Construction of stormwater detention basin.
- Construction of roads, utility services and related subdivision support infrastructure.
- Site earthworks.
- Construction of multi dwelling housing:
 - Seventy-six (76) housing units.
 - Internal private access road, parking and open space areas within proposed Lot S3.
 - Related servicing infrastructure.
 - Earthworks and retaining walls
 - Ten (10) of the proposed semi-detached (duplex style) buildings will be adaptable dwellings suitable for occupation by individuals requiring accessible (disable access) housing.
 - The 38 semi-detached (duplex style) buildings would comprise four styles of semi-detached (duplex style) designs including differing layouts and exterior cladding / design features. The development layout alternates between the different unit design types.
 - The image below provides an artistic impression / example of the type of housing construction proposed alongside a layout of the multi dwelling housing locations.



The table below shows the breakdown of the development Lots proposed in this Stage of the subdivision

Number of proposed Lots	Size	Lot Identification
1	1.061ha	Public Reserve for dedication to Council
1	923m ²	Café or residential development lot – subject to separate DA
1	2462m ²	Early learning childcare centre – Subject to separate DA
23	>600m ²	Residential lots
2	>400m ²	Large Lot Residential Lots
1	4461m ²	Multi dwelling housing Lot – Lot S1 (16 semi-detached (duplex style) buildings)

1	3849m ²	Multi dwelling housing Lot – Lot S2 (16 semi-detached (duplex style) buildings)
1	1.347ha	Multi dwelling housing Lot – Lot S3 (30 semi-detached (duplex style) buildings)
1	3369m ²	Multi dwelling housing Lot – Lot S4 (14 semi-detached (duplex style) buildings)
1	73.3 ha (approx)	Residual Lot development Lot

In accordance with requirements of TfNSW and the Department of Planning, Housing and Infrastructure the carrying out of the subdivision will involve the carrying out of works to the Bimbadeen Drive/New England Highway intersection generally in accordance with the image and related notes included below:

- Extension of existing central landscaped island in Bimbadeen Drive out to edge of existing through lane
- Removal of the acceleration lane for Left Out movements from Bimbadeen.
- TfNSW has indicated that the works shown to the central Highway medium are not to be carried out.



The applicant has included the following reports and studies to enable the assessment of the application:

- Statement of Environmental effects
- Architectural Plans
- Stage 1 – subdivision plan
- Super lot plan and layout
- Concept plan
- Site specific Development Control Plan
- Stormwater Plans
- Landscape plans
- Stage 1 – landscape plan
- Flora and Fauna Report
- BASIX Certificate
- Waste management Plan
- BCA Report
- Preliminary Site Investigation
- Traffic Report

- Bushfire Assessment Report
- Servicing Strategy
- Stormwater Servicing Strategy
- Water and Wastewater Servicing report
- Social Impact Statement
- Erosion and Sediment Control plan
- Biodiversity Development Assessment Report (BDAR)

5. RELEVANT HISTORY

Planning Proposal and Rezoning – In 2012, Council received a Planning Proposal (PP 2012-9) to rezone Lots 101 and 103 DP 1170190 from E3 Environmental Management to part R1 General Residential and part R5 Large Lot Residential. The Planning Proposal was endorsed by Council and Muswellbrook LEP 2009 was amendment on the 30 June 2021.

6. REFERRAL COMMENTS

The application was referred to several internal departments and external agencies for consideration and comment. Their individual feedback is provided below.

External Referrals

Heritage NSW

The proposed development was referred to Heritage NSW as integrated development, to consider the submitted Aboriginal Cultural Heritage Assessment and to advise on the approval pathway required for the development from this Agency for an Aboriginal Heritage Impact Permit under the National Parks and Wildlife Act.

General Terms of Approval were issued by Heritage NSW on 23 October 2024, permitting the proposed development to proceed from a cultural heritage impact perspective.

Heritage NSW General Terms of Approval have been reflected in the recommended conditions of consent.

NSW Rural Fire Service

The site is identified as bush fire prone land and proposes a subdivision under Section 100B of *Rural Fires Act 1997*, being a Special Fire Protection Purpose. In this regard, the application was referred to NSW Rural Fire Service as integrated development under Section 4.46 of the Environmental Planning and Assessment Act.

The NSW Rural Fire Service issued a Bushfire Safety Authority for the proposed development, permitting the proposal to proceed from bushfire management perspective. The conditions of the Bushfire Safety Authority will be included in the recommended conditions of consent.

Department of Climate Change, Energy, Environment and Water (DCCEEW) – Water

The proposed development involves the carrying out of work within 40m of a creek. The application was referred to DCCEEW-Water for consideration as integrated development under Section 4.46 of the Environmental planning and Assessment Act.

Following a request for information, the applicant provided updated plans that indicated that the extent of the proposed works would not extend to within 40m of a creek. This information was reviewed by DPIE Water who provided correspondence to Council

confirming that the proposal may proceed without further consultation with this Agency.

Department of Planning, Housing and Infrastructure (DPHI)

As the subject site is identified as an Urban Release Area, the application was required to be referred to DPHI under Clause 6.1 of the Muswellbrook Local Environmental Plan 2009.

Refer to further discussion later in the report under Clause 6.1 Arrangements for designated State public infrastructure.

Transport for NSW (TfNSW)

TfNSW was referred the development application through the Department of Planning, Housing and Infrastructure as part of the Department's processing of their Satisfactory Arrangement Certificate.

TfNSW considered the Bimbadeen and New England Highway intersection. Final advice provided by TfNSW indicated their support of the application subject to the carrying out of work to improve the intersection as generally by:

- Extension of existing central landscaped island in Bimbadeen Drive out to edge of existing through lane
- Removal of the acceleration lane for Left Out movements from Bimbadeen.

TfNSW also indicated that this intersection will require signalisation at a future stage of development in the precinct.

Informed by the TfNSW advice the DPHI have issued a Satisfactory Arrangement Certificate related to the proposed development.

Ausgrid

The application was referred to Ausgrid under Clause 45(2) of State Environmental Planning Policy (Transport and Infrastructure) 2021.

Ausgrid have not objected to the proposal and recommended conditions to be included in the determination to ensure the protection of their existing infrastructure.

NSW Police

The application was referred to the NSW Police for consideration and comment in relation to the principles of Crime Prevention Through Environmental Design (CPTED). The NSW Police provided comments in relation to:

1. Surveillance
2. Access Control
3. Territorial reinforcement
4. Space and activity management

In general, the NSW Police raised no objections to the development, however, suggestions were proposed for further consideration. These suggestions included:

- Potential widening of Bimbadeen Drive intersection from single lane to dual lane.
- Road island or crossing near the Childcare facility to reduce the risk to people crossing the road.

- Employ updated security and safety measures within the “Acacia Drive reserve”, by way of CCTV and site development.
- Anti graffiti materials
- Rubbish disposal

The assessing officer has reviewed the NSW Police response and where possible, and related to the proposed development, their recommendations were managed through proposed design measures or related recommended conditions.

Internal Referrals

Roads and Drainage

Roads and Drainage staff comments and recommendations informed recommended conditions of consent, particularly in relation to the detailed design requirements for subdivision infrastructure to be transferred to Council as part of the development.

Parks and recreation

Council Parks and Recreational Officers were generally supportive of the proposal and acknowledged the proposed dedication of the public reserve to Council.

Commentary provided by Council Parks and Recreation Team have informed recommended conditions of consent.

Water and Waste

Council's Water and Waste Department have confirmed that the proposed lots can be serviced with water and sewerage services by extending the existing water and sewer reticulation systems. This will be carried out at the full cost of the developer.

The overall lot layout (masterplan) submitted with the water servicing strategy is not complete as no provision for locations of future water booster pump stations and sewer pump stations was provided. Future applications will require water and sewer infrastructure to be recognised in their servicing strategies.

Headworks charges for water and sewer are applicable to this application and have been recommended as a standard condition of consent. The current amounts are shown below and are subject to CPI increases at the time of payment:

Headworks Contribution	ET calculated per additional Lot created	Rate (based on 2024/2024 Fees and charges)	Total	Payment Due
Subdivision component of the application (33 lots including credit for residual lot)				
				Payment is due, prior to the release of the subdivision Certificate
Water	32	\$8,839.50	\$282,864	
Sewer	32	\$6,862.80	\$219,609.60	
		TOTAL	\$502,473.60	
Multi-Dwelling housing component of the application (38 semi detached duplex style buildings plus 1 residential lots - credit given for 4 lots, being lots S1, S2, S3 and S4)				
Water – Dual Occupancy	0.5 x 76 = 38	\$8,839.50	\$335,901	Payment is due, prior to the release
Water – single	1	\$8,839.50	\$8,839.50	

residential lot				of the Construction Certificate
Sewer – Dual Occupancy	0.75 x 76 = 57	\$6,862.80	\$391,179.60	
Sewer – single residential lot	1	\$6,862.80	\$6,862.80	
		TOTAL	\$742,782.90	

Waste Section

The application was referred to Council's Waste section for comments regarding the garbage collection for the multi-dwelling housing component of the development. They have advised that Council's Waste Services Contractor only provides collection services on public roads. Therefore, should the development wish to use Council's Waste collection services, the garbage bins would need to be located on Bimbadeen Drive.

It is considered unreasonable for the occupiers of these dwellings to locate their garbage bins on Bimbadeen Drive each week. It would result in 154 bins being placed along Bimbadeen Drive in addition to the proposed residential lots.

It is therefore recommended that the development enter into a private agreement with a Waste Collection Service for the regular collection of waste for the multi-dwelling units proposed on Lot S3. The multi-dwelling units proposed in Lots S1, S2 and S4 will be able to utilise Council's Waste Collection Service.

7. BIODIVERSITY CONSERVATION ACT 2016

The Biodiversity Conservation Act 2016, together with the Biodiversity Conservation Regulation 2017, outlines the framework for assessment and approval of biodiversity impacts associated with development that requires consent under the Environmental Planning and Assessment Act 1979 (having regard to Section 1.7 of the Environmental Planning & Assessment Act and Part 7 of the Biodiversity Conservation Act 2016).

A Biodiversity Development Assessment Report (BDAR) prepared by an accredited assessor has been submitted with the development application under clause 7.7 of the Biodiversity Conservation Act.

The BDAR determines the impacts of the proposed development on biodiversity values and the biodiversity conservation measures needed to avoid or minimise that impact. The BDAR identified that the area of native vegetation within the construction and operational footprint of the proposed development is 8.9ha.

The BDAR concludes that there are no species at risk of serious and Irreversible Impacts (SAII) within the study area. In relation to other ecological impacts, the BDAR identified low and moderate condition Native vegetation communities. The plant type community within the development site is Central Hunter Ironbark Grassy Woodland. The direct impacts arising from the project include:

- 7.66 ha of PCT 3431: Central Hunter Ironbark Grassy Woodland

The BDAR identified one (1) threatened species – *delma vescolineata* (Hunter Valley Delma) which is not yet a species credit species and therefore has been identified as *delma impar* for offset species credits.

Fourteen (14) threatened fauna species have been assumed present as appropriate surveys could not be conducted due to constraints in survey periods. These included Bush Stone Curlew, gang-gang Cockatoo, South-eastern glossy Black Cockatoo, Eastern Pygmy Possum, Green and Golden Bell Frog, Southern Myotis, Barking Wol, Powerful Owl, Southern Greater

Glider, Squirrel Glider, Brush-tailed Phascogale, Koala, Common Planigale and Masked owl.

In terms of offsets (in the form of credit obligations), the BDAR identified the following credits are required using the Biodiversity Assessment method:

Impacted plant Community type	
TEC/EC	Number of Ecosystem Credits required
Central Hunter Grey Box-Ironbark Woodland in the NSW north Coast and Sydney Basin Bioregions	3
Impacted species	
Common Name	Number of Species Credits required
Striped legless Lizard	31
Southern Myotis	18
Barking Owl	3
Powerful Owl	3
Squirrel glider	3
Brush-tailed Phascogale	3
Masked owl	3

The credit obligations are included as conditions of consent. The consent authority does have the discretion to increase or decrease the credit obligation generated by the BDAR.

8. ASSESSMENT – SECTION 4.14 – CERTAIN BUSHFIRE PRONE LAND

A Bushfire Assessment which assesses the multi-dwelling component of the application was submitted. The multi-dwelling units will be required to be constructed to Bushfire Attack Level 12.5 (BAL 12.5). Bushfire conditions are included in the determination.

Section 4.14 of the Act is applicable and an assessment is provided in the table below.

	Performance criteria	Acceptable solutions	Complies
ASSET PROTECTION ZONES	<ul style="list-style-type: none"> ➤ APZs are provided commensurate with the construction of the building; and ➤ A defendable space is provided 	<ul style="list-style-type: none"> ➤ An APZ is provided in accordance with Table A1.12.2 or A1.12.3 in Appendix 1. 	<p>The Bushfire Assessment Report identifies a 15m wide APZ to be provided on the proposed public recreation area.</p> <p>To be conditioned</p>
	<ul style="list-style-type: none"> ➤ APZ are managed and maintained to prevent the spread of a fire to the building 	<ul style="list-style-type: none"> ➤ APZs are managed in accordance with the requirements of Appendix 4 of PBP 	<p>Noted.</p>
	<ul style="list-style-type: none"> ➤ The APZ is provided in perpetuity. ➤ APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is maintained 	<ul style="list-style-type: none"> ➤ APZ are wholly within the boundaries of the development site. ➤ APZ are located on lands with a slope less than 18 degrees. 	<p>Complies</p>
ACCESS	<ul style="list-style-type: none"> ➤ Firefighting vehicles are provided with safe, all-weather access to structures and hazard vegetation 	<ul style="list-style-type: none"> ➤ Property access roads are two-wheel drive, all-weather roads 	<p>The access roads to the site will be two coat bitumen sealed.</p> <p>Complies</p>
	<ul style="list-style-type: none"> ➤ The capacity of access roads is adequate for fire fighting vehicles 	<ul style="list-style-type: none"> ➤ The capacity of road surfaces and any bridges/causeways is sufficient to carry out fully loaded firefighting vehicles (up to 23 tonnes), bridges and causeways are to clearly indicate load rating 	<p>The development involves the construction of new roads. These roads will be a minimum of two coat bitumen seal and constructed in</p>

			accordance with AUSPEC requirements
	<ul style="list-style-type: none"> ➤ There is appropriate access to water supply 	<ul style="list-style-type: none"> ➤ Hydrants are provided in accordance with the relevant clauses of AS2419.1:2005; ➤ There is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available. 	<p>Complies</p> <p>The site will have access to reticulated water. Therefore, water hydrants will be required. Not applicable</p> <p>Complies</p>
WATER SUPPLIES	<ul style="list-style-type: none"> ➤ An adequate water supply is provided for firefighting purposes. 	<ul style="list-style-type: none"> ➤ Reticulated water is to be provided to the development, where available; and 	<p>The site will have access to reticulated water.</p> <p>Complies</p>
	<ul style="list-style-type: none"> ➤ Water supplies are located at regular intervals; and ➤ The water supply is accessible and reliable for firefighting operations 	<ul style="list-style-type: none"> ➤ Fire hydrant spacing, design and sizing comply with the relevant clauses of AS2419.1:2005; ➤ Hydrants are not located within any road carriageway; and ➤ Reticulated water supply to urban subdivisions uses a ring main system for areas within perimeter roads 	<p>The site will have access to reticulated water and therefore, fire hydrants will be installed. To be conditioned.</p> <p>Complies</p>
	<ul style="list-style-type: none"> ➤ Flows and pressure are appropriate 	<ul style="list-style-type: none"> ➤ Fire hydrant flows and pressures comply with the relevant clauses of AS2519.1:2005 	<p>Noted.</p>
	<ul style="list-style-type: none"> ➤ The integrity of the water supply is maintained 	<ul style="list-style-type: none"> ➤ All above-ground water service pipes external to the building are metal, including and up to any taps 	<p>Noted.</p>
	<ul style="list-style-type: none"> ➤ Location of electricity services limits the possibility of ignition of surrounding bush land of the fabric of buildings 	<ul style="list-style-type: none"> ➤ Where practicable, electrical transmission lines are underground; and ➤ Where overhead, electrical transmission lines are proposed as follows: <ul style="list-style-type: none"> • Lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and • No part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines 	<p>The site will require the extension of electricity supply.</p> <p>To be conditioned</p>
CONSTRUCTION STANDARDS	<ul style="list-style-type: none"> ➤ The proposed building can withstand bushfire attack in the form of embers, radiant heat and flame contact 	<ul style="list-style-type: none"> ➤ BAL is determined in accordance with Tables A1.12.5 to A1.12.7; and ➤ Construction provided in accordance with the NCC as modified by section 7.5 (Please see advice on construction in the flame zone) 	<p>The Bushfire Assessment Report has identified the BAL levels for the development.</p> <p>The application was referred to NSW RFS for consideration under Section 100B of the Rural Fires Act who confirmed that the residential dwellings are to be constructed to BAL 12.5</p> <p>To be conditioned</p>
	<ul style="list-style-type: none"> ➤ Proposed fences and gates are designed to minimise the spread of bushfire 	<ul style="list-style-type: none"> ➤ Fencing and gates are constructed in accordance with section 7.6 	<p>Noted</p>

LANDSCAPING	<ul style="list-style-type: none"> ➤ Landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions 	<ul style="list-style-type: none"> ➤ Compliance with the NSW RFS "Asset Protection zone standards"(see Appendix 4); ➤ A clear area of low-cut lawn or pavement is maintained adjacent to the house; ➤ Fencing is constructed in accordance with section 7.6; and <ul style="list-style-type: none"> • Trees and shrubs are located so that; • The branches will not overhang the roof; • The tree canopy is not continuous; and • An proposed windbreak is located on the elevation from which fires are likely to approach. 	<p>The applicant has submitted a landscaping plan for the subdivision which is primarily street trees.</p> <p>For the multi-dwelling housing component of the application, a more detailed landscaping plan has been provided for the communal space.</p> <p>A condition will be imposed requiring the development to comply with Planning for Bushfire Protection.</p> <p>To be conditioned.</p>
-------------	--	--	--

Conditions will be imposed requiring compliance with Planning for Bushfire Protection.

9. ASSESSMENT - Section 4.15 Matters for Consideration

In determining a Development Application, the consent authority is to take into consideration the following matters as detailed in Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* (the Act) as follows:

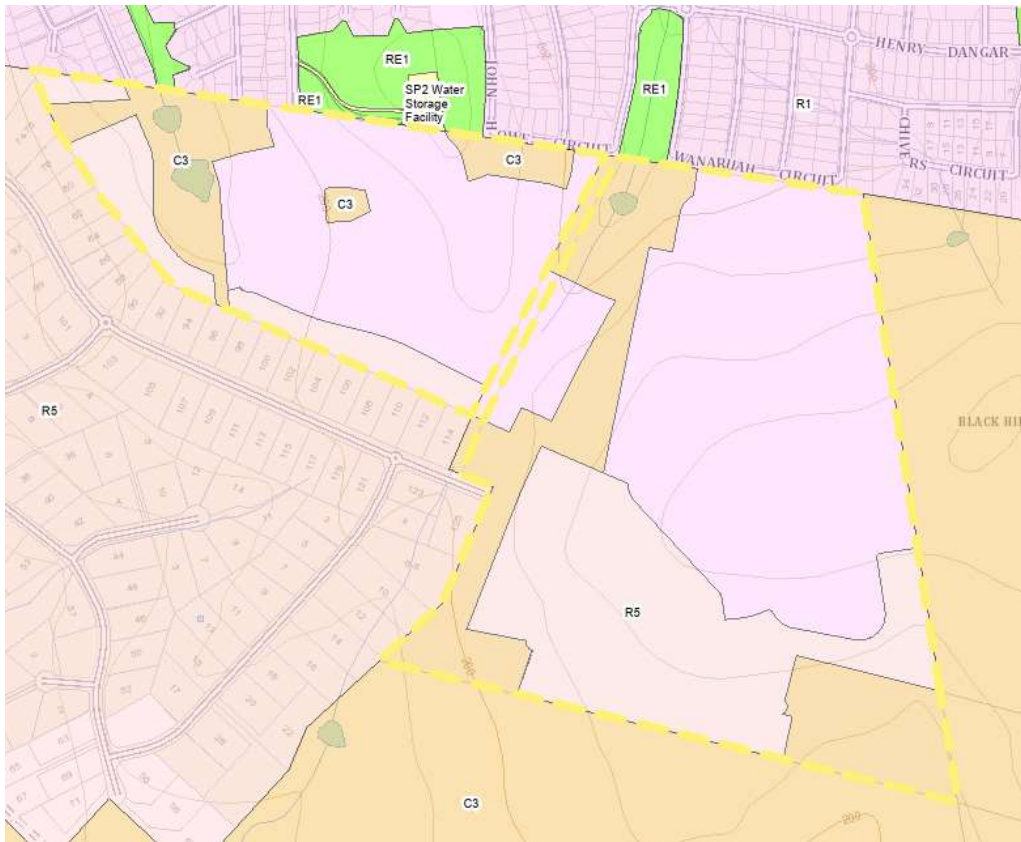
Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument (EPI)

A. Muswellbrook Local Environmental Plan 2009 (MLEP 2009)

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

Part 2 Permitted or prohibited development

The subject site is zoned R1 General Residential, part R5 Large Lot Residential and part C3 Environmental Management under the Muswellbrook Local Environmental Plan 2009.



Figure– Zoning extract from the Muswellbrook Local Environmental Plan 2009 (Source – NSW Planning Portal)

The objectives under the R1 General Residential Zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow a mix of community, service and employment activities that are compatible in scale and impact with a residential environment.*

The objectives under the R5 Large Lot Residential Zone are as follows:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To isolate housing from existing intensive agriculture or future intensive agricultural areas.*

The objectives under the C3 Environmental Management Zone are as follows:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*

- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To promote the rural amenity and scenic landscape values of the area and prevent the silhouetting of unsympathetic development on ridgelines.*

The proposed development meets the objectives under the R1 General Residential, R5 Large Lot Residential and C3 Environmental Management Zone.

Under the Muswellbrook LEP 2009, the development is defined as a subdivision (Torrens title) and multi dwelling housing. Both the subdivision and multi dwelling housing are permissible within the R1 General residential zone subject to development consent.

In this regard, multi dwelling housing is defined as:

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

The following additional clauses of the Muswellbrook Local Environmental Plan 2009 apply to the development.

Clause 4.1 Minimum subdivision lot size

The objectives of this clause are:

- (a) *to ensure that new subdivisions reflect characteristic lot sizes and patterns in the surrounding locality,*
- (b) *to ensure that lot sizes that create a dwelling entitlement are consistent with lot sizes on adjoining lands,*
- (c) *to ensure that lot sizes have a practical and efficient layout to meet intended use,*
- (d) *to prevent the fragmentation of rural lands.*

Under the MLEP 2009, the site has the following minimum lot sizes:

- R1 General Residential = 600m²
- R5 Large Lot Residential = 4000m²
- C3 Environmental Management = 80ha

The proposed plans indicate that all R1 and R5 proposed Lots will meet the minimum lot size requirements.

The subdivision of the C3 Environmental Management zoned land would not meet the 80ha minimum lot size. However, an additional local clause 4.1A applies. The proposed subdivision will comply with these requirements and thereby may proceed. Clause 4.1A is explored under the heading below.

Complies

Clause 4.1A Exception to minimum subdivision lot size for biodiversity conservation

This clause provides flexibility to the standards for the subdivision of the C3 zoned land. This Clause applies specifically to the subject site and was established through the related site rezoning.

C3 zoned lots may be created below the 80ha lot size where it is satisfied that:

- (a) *the subdivision will facilitate long-term biodiversity conservation management across the resulting lots, and*
- (b) *suitable arrangements have been, or will be, made for the long-term protection, conservation and management of the land, and*

(c) the subdivision will not create the opportunity for additional dwellings on any of the resulting lots.

Planning Comment:

A Biodiversity Development Assessment Report (BDAR) has been prepared in relation to the proposal.

While compatible with the State ecological impact consideration framework it is also viewed that the proposal would include localised measures for ensuring suitable ecological outcomes across the C3 zoned land through:

- The dedication of the balance of C3 zoned land that is part of the Stage 1 development area to Council as a public park / reserve for future management in a manner compatible to this zoning and ecological management objectives.
- The imposition of related conditions of consent to ensure the achievement of these outcomes.
- Where a small portion of C3 zoned land would be incorporated into a residential lot (due to the shape and size of that land), a S88B instrument will be required on that part of the lot to restrict future construction on the C3 zoned part of the land concerned).
- No impact or change would occur to the management of C3 zoned parts of the residual lot. As any future development of the residual lot progresses adjacent to further C3 zoned areas their development or dedication to Council will be subject to consideration through related applications.
- A S88B instrument restricting dwellings on C3 areas will be recommended to ensure compliance with sub-clause 4.1A(c).

Council Officers are satisfied that the proposal may advance as a development that is compatible with the requirements of Clause 4.1A.

Complies

Clause 4.3 Height of Buildings

This development also includes a multi dwelling housing component, which comprises of 38 semi-detached (duplex style) buildings (76 dwellings) and 1 residential allotment. Therefore, this clause applies.

The multi dwelling housing will be single storey and comply with the 8.5m maximum height requirement.

Complies

Clause 4.4 Floor Space Ratio

The maximum floor space ratio for the site is 0.5:1

	Unit area	Lot size	Density
S1 – 8 attached dual occupancies	1,252m ²	4,461m ²	0.28:1 Complies
S2 – 8 attached dual occupancies	1,252m ²	3,849m ²	0.32:1 Complies
S3 – 15 attached dual occupancies + 1 residential allotment	2,350m ²	13,471m ²	0.17:1 Complies
S4 – 7 attached dual occupancies	1,098m ²	3,369m ²	0.34:1 Complies

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

In addition to the subdivision of R1 General Residential zoned land, the application also includes R5 Large Lot Residential and C3 Environmental Management zoned land, therefore this clause applies. The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).

In determining whether to grant development consent to development on land to which this clause applies, the Council must take into consideration the following matters:

- (a) *the existing uses and approved uses of land in the vicinity of the development,*
- (b) *whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,*
- (c) *whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*
- (d) *any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).*

The proposed development is unlikely to have a significant impact on the predominate land uses within the vicinity of the area, being residential development.

Complies

Clause 6.1 Arrangements for designated state public infrastructure

The subject site is located within an Urban Release Area as identified on the Urban Release Maps of the Muswellbrook Local Environmental Plan 2009.

This Clause requires satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.

The proposed development was referred to the Department of Planning, Housing and Infrastructure who have provided a Satisfactory Arrangement Certificate supporting the progression of the proposed development.

Clause 6.2 Public utility Infrastructure

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

The application involves the extension of Council's water, sewer and stormwater systems to service the proposed lots. In addition to Council's services, the development will also be providing electrical and telecommunication services to all the proposed lots.

These services will be required as a condition of consent, should the application be approved.

Complies

Clause 6.3 Development Control Plan

The objective of this clause is to ensure that development on land in an urban release area

occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.

The applicant has submitted a Draft Development Control Plan, being Section 30 – Ironbark Ridge Extension. This document was publicly exhibited for a minimum 28 days. A separate report has been prepared for Council on adoption of this DCP section.

Complies

Clause 7.1 Terrestrial biodiversity

The objective of this clause is to protect, maintain and improve the diversity of landscapes, including:

- (a) *protecting the biological diversity of native fauna and flora, and*
- (b) *protecting ecological processes necessary for their continued existence, and*
- (c) *encouraging the recovery of threatened species, communities and populations and their habitats.*

Before granting development consent, Council must be satisfied that the development satisfies the objective of this clause:

- (a) *the development is designed and will be located and managed to avoid any potential adverse environmental impact, or*
- (b) *if a potential adverse environmental impact cannot be avoided, the development:*
 - (i) *is designed and located so as to have minimum adverse impact, and*
 - (ii) *incorporates effective measures to remedy or mitigate any adverse impact caused.*



Figure – Extract of the Terrestrial biodiversity map from MLEP 2009k

Stage 1 development will not impact on these lands as the development will be on the western side of Lot 103 DP 1170190, shown in yellow. Consideration of these lands will occur in future applications.

Complies

Clause 7.4 Subdivision in Zone R1 General Residential and Zone RU5 Village

Development consent must not be granted for subdivision development on the land to which this clause applies until the land is adequately serviced with water and sewerage, or

arrangements satisfactory to the consent authority have been made to service it.

The proposed development involves the creation of 33 lots. These lots will require the extension of water, sewer, stormwater service and suitable arrangements for the connection of electricity and telecommunications.

Should the application be approved, conditions will be imposed requiring services to be provided to the lots.

Complies

Clause 7.6 Earthworks

The subdivision will involve cut and fill to allow provision of infrastructure. The range / depth of cut and fill will be +/-2.4m. As a result of the amount of cut and fill proposed, the development will require the construction of retaining walls.

The retaining walls will be constructed within the multi-dwelling housing component of the development and will range between 200mm and 1700mm in height. Should the application be approved, a condition will be imposed which will require the submission of retaining wall details with the Subdivision Works Certificate.

Complies – to be conditioned

B. State Environmental Planning Policies Relevant to Muswellbrook Shire

SEPP (Biodiversity and Conservation) 2021
See discussion below regarding Chapter 4 – Koala habitat protection. See earlier discussion regarding the Biodiversity Development Assessment Report (BDAR).
State Environmental Planning Policy (Sustainable Buildings) 2022
A BASIX Certificate has been provided for the multi dwelling housing component of the site. From a review of the certificate, the development can achieve the required targets.
Complies
SEPP (Resilience and Hazards) (2021)
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
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: <i>(a) It has considered whether the land is contaminated, and</i> <i>(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</i> <i>(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.</i>
Council Officers are unaware of any activities which have carried out on the site that are likely to have caused the contamination of the land. No visual evidence of any contamination was

observed by Council Officers during an inspection of the site. Furthermore, there are no known previous investigations regarding contamination on the subject land or land use restrictions issued by the EPA.

The applicant included a Preliminary Site Investigation report which did not find gross contamination and found the site to be suitable for the proposed future development. The report recommended that works should be stopped in the event of any significant unknown type of material is identified on site.

Appropriate conditions of consent are recommended.

Complies

SEPP (Biodiversity and Conservation) 2021

Chapter 4 of the SEPP applies. The aims of this chapter of the SEPP is to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

With Muswellbrook Local Government Area not having an approved koala plan of management and the development site comprises of land having an area more than 1 hectare, Clause 4.9 applies.

In this regard, before a Council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.

In order to determine whether the development is likely to have an impact on koalas or koala habitat, the applicant has provided:

- (a) information, prepared by a suitably qualified and experienced person, that the council is satisfied demonstrates that the land subject of the development application:
 - (i) does not include any trees belonging to the koala use tree species listed in Schedule 3 for the relevant koala management area, or
 - (ii) is not core koala habitat, or
- (b) information the council is satisfied demonstrates that the land subject of the development application—
 - (i) does not include any trees with a diameter at breast height over bark of more than 10 centimetres, or
 - (ii) includes only horticultural or agricultural plantations.

The applicant submitted a Biodiversity Development Assessment Report which included consideration of Chapter 4 of the SEPP. No koalas were found to be present, or evidence of their presence, when conducting site surveys. Therefore, a Koala Assessment report was not required.

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

There are no draft EPIs relevant to the subject Application.

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

Muswellbrook DCP 2009

Section 3 Site Analysis

Satisfactory: <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA	
A site and other relevant documentation has been provided with the application.	
Section 5 Subdivision	
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
5.3 General Requirements For Subdivision	
5.3.2 Special Considerations	Noted, the site is identified as being bushfire prone. In this regard, the application was referred to NSW Rural Fire Service where consideration was given to the access road. Complies
5.3.3 Adoption of AUS-SPEC	Noted. Conditions will be imposed on the consent requiring the subdivision works to be constructed in accordance with AUS-SPEC requirements. Complies – To be conditioned.
5.3.4 Buffers	Noted. Not applicable for this development.
5.4 Rural / Rural Residential Subdivision	
5.4.1 Lot Size and Shape	The proposed lots within the R5 large Lot Residential zone meet the minimum lot size of 4000m ² and can achieve a 2000m ² building envelope with a minimum dimension of 30m. Complies
5.4.2 Roads and Access	The site will be a newly constructed subdivision. The proposed roads will need to be designed and constructed in accordance with AUS-SPEC Development Specification. Complies – To be conditioned.
5.4.3 Crown Roads	The development will not be accessed by Crown Road. Not applicable
5.4.4 Soil and Water Management	The development will need to submit a detailed stormwater management plan. Detailed engineering designs will be required to be submitted with the Subdivision Works Certificate. Complies – To be conditioned.
5.4.5 Effluent Disposal	Not applicable as the site will have access to reticulated sewer. Therefore, no on site waste water system will be required.
5.4.6 Flora and Fauna	The proposal included a Flora and Fauna report and a Biodiversity Development Assessment Report for the site. This has been discussed earlier in the report. Noted
5.4.7 Visual Amenity	The applicant has provided a 3D model of the site. Complies
5.4.8 Heritage	The site does not contain any heritage listed properties or within a heritage conservation area.
5.4.9 Utility Services	The site will be fully serviced with electricity, power, water and sewer. Provisions will also be made for the drainage of stormwater. Complies
5.4.10 Hazards	The site is identified as being bushfire prone. In this regard, the application was referred to NSW Rural Fire Service. Complies
5.5 Residential Subdivision	
5.5.1 Local Street Design	The subdivision will involve the construction of several roads:

	<ul style="list-style-type: none"> - Road 1 – Public – Bimbadeen Road – carriageway width – 11m - Road 2 – Public Road - carriageway width – 7.5m - Road 3 – Public road - carriageway width – 11m - Road 4 – Public road - carriageway width – 7.5m - Road 5 – Private road - carriageway width – 5m - Road 6 – Private road - carriageway width – 5m - Road 7 – Public Road - carriageway width – 7.5m <p>The proposed road widths comply with the requirements of the DCP.</p> <p>The applicant has indicated that footpaths will be constructed along Road 1, being Bimbadeen Drive and Road 2, unnamed. Council's Roads and Drainage Section have recommended footpaths be constructed on one side of all other proposed "public" roads. Refer to earlier discussion in the report.</p> <p>Complies</p>
5.5.2 Access Way Design	<p>The multi-dwelling housing component of the development will involve the construction of the semi-detached (duplex style) buildings. Along with the construction of the dwellings, the development will require the construction of individual driveway crossings.</p> <p>These driveways are to be sealed and have a minimum width of 3m. No section 138 permits will be required for these driveways as they will be constructed prior to the lots being in individual titles.</p> <p>The remaining residential lots will require driveways, however, the location of these will be determined when individual applications for dwellings are lodged.</p> <p>Complies</p>
5.5.3 Pedestrians and Cyclists	<p>Council will be requiring the applicant to provide details of the proposed footpaths with the lodgement of the Subdivision Works Certificate. The plans submitted with the application show the location of some footpaths along the public roads and within the open space areas.</p> <p>However, no widths of these footpaths have been provided.</p> <p>To be conditioned.</p>
5.5.4 Utility Services	<p>The proposed lots will be fully serviced. Refer to discussions earlier in the report from Council's Water and Waste Section and the Roads and Drainage Section.</p> <p>Complies – To be conditioned.</p>
5.5.5 Stormwater Management	<p>The development is proposing a sediment basin and retarding basin (used to temporarily store stormwater during heavy rain events) to be located on the northeastern side of proposed road 1, being the extension of Bimbadeen Drive.</p> <p>Detailed engineering design plans will be required to be submitted to the Certifying Authority with the lodgement of the Subdivision Works Certificate.</p> <p>Complies – To be conditioned.</p>
5.5.6 Lot Size and Shape	<p>This Clause includes a minimum width for residential lots of 18m. Most of the R1 General Residential lots achieve or exceed the 18m minimum lot width.</p>

	<p>Proposed Lots 47, 48, 49, 50, 55, 56, 57 and 58 have lot widths which fall 0.2m short of the 18m minimum width at 17.8m. This represents a 1.1% variation to the DCP numerical standard.</p> <p>In considering an application which involves the variation of a DCP development standard the consent authority is required to have regard to the related DCP objectives. In this instance the related DCP objectives related to ensuring that the lots are a suitable shape and size to facilitate their future development.</p> <p>The 17.8m wide lots remain a suitable width to support future residential development and remain compliant with the total minimum lot size applicable.</p> <p>Accordingly, Council Officers are satisfied that the proposed development may be supported against this DCP Section as a development compatible with related DCP objectives.</p> <p>Complies with objective</p>
5.5.7 Solar Access and Lot Orientation	The applicant has proposed north facing lots where achievable.
5.5.8 Heritage	The site does not contain any heritage listed properties or within a heritage conservation area.
5.5.9 Site Works	<p>The proposal involves the construction of seven new roads which involves some major earthworks. Refer to discussion under the earthworks heading of the LEP.</p> <p>Complies – To be conditioned.</p>
5.5.10 Open Space	<p>The applicant is proposing to dedicate over 1ha of open space to Council with the subdivision stage of the application. This will be located along the northern boundary adjacent to John Howe Circuit. The landscaping plans submitted indicate that a children's playground will be constructed adjacent to the future "café" lot and will be fully fenced.</p> <p>The multi-dwelling housing development will include open space, which will be considered as "private" open space to be used by the residents. This private open space area will include a few outdoor tables and barbecues.</p> <p>Council's Parks and Recreation section have provided comments regarding these spaces. Refer to earlier discussion in the report.</p> <p>Complies</p>
Section 6 Residential Development	
Satisfactory: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
6.1 Built Form	
6.1.1 Context	Noted.
6.1.2 Front Setbacks	<p>The proposed torrens title lots do not have an indicative building envelope proposed, so the front setbacks cannot be assessed at this time. However, when future applications for dwellings are lodged, front setbacks will be assessed.</p> <p>The applicant will be constructing the dwellings within the multi-</p>

	dwelling housing development. These dwellings will all comply with the front setback requirement of 4.5m. Complies
6.1.3 Side and Rear Setbacks	The side and rear setback for dwellings is 900mm for walls up to 3m in height. The applicant will be constructing the dwellings within the multi-dwelling housing development. These dwellings will all comply with the side and rear requirements of 900mm. Complies
6.1.4 Building Height and Scale	The Muswellbrook LEP has a maximum height of 8.5m for the subject site. The multi-dwelling housing component will comprise of single storey dwellings, which will not exceed the height restriction. The applicant has proposed eight (8) different dwelling designs for the multi-dwelling housing development. This will provide variety to the streetscape. Complies
6.1.5 Front Fencing and Retaining Walls	The development is not proposing any front fences. Due to the earthworks proposed, the multi-dwelling housing component will require the construction of several retaining walls. The retaining walls range in height from 200mm to 1700mm and will all be a single wall i.e. not tiered. No design details of the retaining walls have been provided with the application. A condition will be imposed requiring retaining wall details to be provided with the Construction Certificate. Complies – To be conditioned.
6.1.6 Garages, Carports and Sheds	The multi-dwelling housing component of the development will include the construction of single open carports for each of the dwellings. The carports will be located behind the building line. No garages or sheds have been proposed with this application. Complies
6.1.7 Dwelling Entry	The proposed dwelling entries will be visible from the street. This will allow for casual surveillance of the street. Noted
6.1.8 Accessibility and Adaptability	This section requires a minimum of 10% of the dwellings to be adaptable housing for accessible persons. The applicant has proposed 5 accessible dual occupancies. Complies
6.1.9 Reflective Materials	The proposed multi-dwelling housing will have dark muted colours and consist of colourbond roofing and CFC cladding. Complies
6.2 Urban	

Landscape									
6.2.1 Usable Open Space	<p>This clause applies to the multi-dwelling housing component of the development and requires a minimum of 35m² of private open space to be provided per dwelling. The open space is to be directly accessible from the living area.</p> <p>The applicant has confirmed that each of the proposed units will achieve the minimum 35m² of private open space and will be directly accessed from the living area.</p> <p>Complies</p>								
6.2.2 Carparking	Refer to discussion under Section 16 Carparking and Access.								
6.2.3 Landscaped Area	<p>The proposal development is compatible with the requirements of this Clause.</p> <p>A landscape plan has been submitted for the proposed development in accordance with the Clause provisions for multi-dwelling housing.</p> <p>To maximise community benefit attached to landscape areas a large communal open space area has been proposed as a landscaped/bbq area in the centre of proposed Lot S3.</p> <p>Complies</p>								
6.2.4 Landscaping	<p>The application included the submission of a landscape plan which identifies the tree species, number to be planted, pot size and distance between the plantings.</p> <p>Complies</p>								
6.2.5 Dual Occupancy Housing, Multi Dwelling Housing and Secondary Dwellings	<p>Under this clause, the residential density of multi-dwelling housing on residentially zoned land is to not be greater than 60 persons per site hectare (equates to 1 person requires 166.67m²).</p> <p>In this instance, the multi-dwelling housing all contain two bedrooms per unit which equates to 1.79 person per unit. The total area of the lots containing the proposed multi-dwelling housing have been considered against the density standard in the table below.</p> <table><tr><th>Lot size</th><th>Density</th><th>Maximum persons per lot</th><th>Proposed persons per site</th></tr><tr><td>25,150m²</td><td>25,150m² / 166.67</td><td>150.6</td><td>136.04 Complies</td></tr></table> <p>Considered collectively the total area of the multi-dwelling housing and the total density of the multi-dwelling housing is consistent with the related DCP requirement.</p> <p>Complies</p>	Lot size	Density	Maximum persons per lot	Proposed persons per site	25,150m ²	25,150m ² / 166.67	150.6	136.04 Complies
Lot size	Density	Maximum persons per lot	Proposed persons per site						
25,150m ²	25,150m ² / 166.67	150.6	136.04 Complies						
6.3 Environmental									
6.3.1 Topography	<p>This clause requires the finished floor level and retaining walls to be no greater than 1.5m below or 1m above existing ground level.</p> <p>The development will require cut and fill to be carried out over the site. As a result, there will be several retaining walls to be constructed. Due to the topography of the site, the proposed variation to the retaining</p>								

	<p>wall height can be supported.</p> <p>In accordance with related Environmental Planning and Assessment Act 1979 Clause 4.15(3A) provisions Council is required to take a flexible approach to applying DCP provisions in dealing with non-compliances to related controls.</p> <p>In the instances of this DCP variation it is noted that:</p> <ul style="list-style-type: none">- Related DCP objectives attach to minimising earthworks and maintaining natural topography and land forms.- Council Officers note that across the balance of the site earthworks and retaining wall heights are modest with larger retaining walls located in the north east area of the multi-dwelling housing lots.- The proposed earthworks have been designed in keeping with the subdivision and development layout and respect the sites existing topographical parameters.- The majority of cut and fill and soil retaining across the multi-dwelling housing lots would comply with the related DCP control.- The proposed retaining walls would be situated within the multi-dwelling housing estate Lots. The owner of these lots and/or any strata or body corporate (where the related lots are subject to any further subdivision and the retaining structures are retained as common property would be responsible for their maintenance and upkeep. This multi-dwelling housing estate ownership and responsibility for the retaining walls within that estate is anticipated to result in improved management and maintenance arrangements than in examples of retaining walls adjoining individual private residential lot boundaries within other Muswellbrook localities. <p>Compatible with Development Control Plan Objectives</p>						
6.3.2 Solar Access	<p>This clause recommends a minimum of 4 hours per day of sunlight to private open space areas between 9am and 3pm. The multi-dwelling housing units will achieve this.</p> <p>Complies</p>						
6.3.3 Visual Privacy	<p>This clause requires multi-dwelling housing to have adequate separation between habitable rooms, non-habitable rooms as follows:</p> <table><tr><td>Separation between windows in habitable rooms</td><td>Separation between habitable balconies / outdoor space and non-habitable rooms</td><td>Separation between non-habitable rooms</td></tr><tr><td>12m</td><td>9m</td><td>6m</td></tr></table> <p>The multi-dwelling housing units have a rear private open space area with a length in the vicinity of 7m (a 14m separation from the nearest adjoining multi dwelling).</p> <p>Privacy of multi-dwelling housing units would be reinforced through internal fencing installed around private open space areas.</p> <p>Complies</p>	Separation between windows in habitable rooms	Separation between habitable balconies / outdoor space and non-habitable rooms	Separation between non-habitable rooms	12m	9m	6m
Separation between windows in habitable rooms	Separation between habitable balconies / outdoor space and non-habitable rooms	Separation between non-habitable rooms					
12m	9m	6m					
6.3.4 Acoustic	<p>The development will be required to be constructed in accordance with</p>						

Privacy	the Building Code of Australia. Complies
6.4 Site Operation	
6.4.1 Energy Conservation	Should the application be approved, a condition will be imposed requiring an updated BASIX Certificate and amended plans to show the BASIX Commitments prior to the release of the Construction Certificate. Complies – To be conditioned.
6.4.2 Stormwater Management	The BASIX Certificate submitted with the application states that each multi-dwelling housing unit will be required to provide a minimum 2,500L rainwater tank. The applicant has provided a concept stormwater plan. There will be a sediment basin constructed in the northeastern corner of the site. Refer to the earlier stormwater discussion under the Muswellbrook LEP. Complies – to be conditioned.
6.4.3 Security, Site Facilities and Services	This clause requires: <ul style="list-style-type: none"> - Clothes drying facilities to be in a sunny area - Garbage bins are to be accessible by waste collector - Lockable mailbox - Numbering system (street numbers) - Street lighting. Complies – to be conditioned.
Section 16 – Carparking and Access	
See discussion below.	
Section 20 – Erosion and Sediment Control	
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
<p>Prior to the release of the subdivision works certificate the applicant will be required to provide a detailed sediment and erosion control plan for the subdivision component of the development. The sediment and erosion control plan may also include the earthworks associated with the multi-dwelling housing phase.</p> <p>Complies – to be conditioned</p>	
Section 24 – Waste Minimisation and Management Systems	
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	
<p>The applicant has provided a Waste minimisation Management Plan with the application. This plan provides estimates on the amount of waste to be generated during the subdivision and construction of the multi-dwelling housing component.</p> <p>Council's Waste Section have advised that Council's Waste Service Contractor only provides collection services on public roads. In this regard, the private roads will need to have a private agreement in place with a Waste Collection Service to ensure the removal of ongoing domestic waste.</p> <p>Complies – to be conditioned.</p>	
Section 25 – Stormwater Management	
Satisfactory: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	

The applicant has provided the following:

- Stormwater Servicing Strategy; and
- Drainage Catchment Plan based on the 1% Annual Exceedance Probability (AEP)

These reports were referred to Council's Roads and Drainage section for review.
Refer to Internal referral section of the report for detailed discussion.

Complies – To be conditioned

Section 16 – Car Parking and Access

The rates of off-street parking required for multi-dwelling housing are

1.5 spaces – per two-bedroom unit

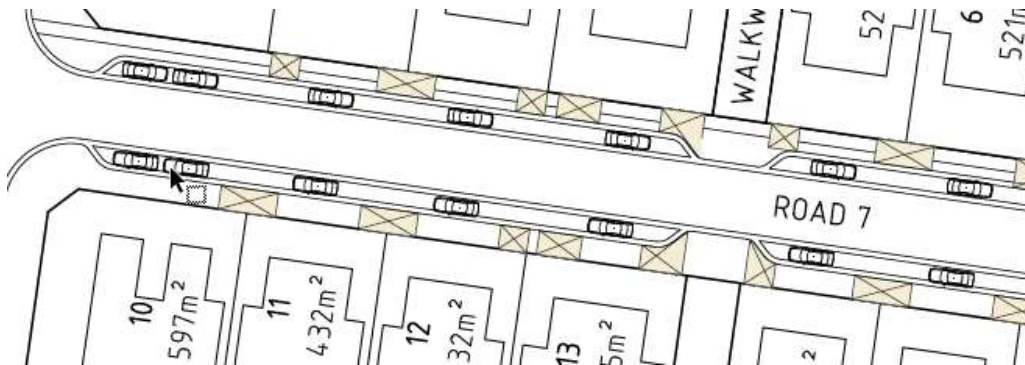
1 visitor space per 5 units

1 car wash space per 10 dwellings

This prescribe rate of off-street car parking is applied to the proposed development in the table below:

Lot	Units	Car parks required under DCP	Car parks proposed	Compliance
Lot S1	16	(1.5 x16) = 24 (16/5) = 3 (16/10) = 1 Total = 28	16 proposed (12 less than required)	
Lot S2	16	(1.5 x16) = 24 (16/5) = 3 (16/10) = 1 Total = 28	16 proposed (12 less than required)	
Lot S3	30	(1.5 x30) = 45 (30/5) = 6 (30/10) = 3 Total = 54	80 proposed (26 more than required)	
Lot S4	14	(1.5 x14) = 22 (14/5) = 2 (14/10) = 1 Total = 25	14 proposed (11 less than5 required)	
Combined Total	76	135	120	No – Compliance with DCP Objectives (15 spaces less than the DCP requirement - a 11% DCP standard variation)

In addition to the off-street parking shown in the table above the applicant has put forward a parking solution that provides widened road widths for proposed public roads fronting the multi-dwelling housing. .



On street car parking within the extended road shoulders are proposed at the following rates:

Lot S1 frontage	13
Lot S2 frontage	14
Lot S4 frontage	12

Total 39

Where Council was to consider the on-street and off-street car parking cumulatively all proposed two-bedroom multi-dwelling houses would comply with the DCP requirement.

Clause 4.15(3A) of the Environmental Planning and Assessment Act 1979 requires Council to apply a flexible approach to applying DCP provisions in dealing with non-compliances to related controls and in doing so have regard to related DCP objectives and reasonable alternate solutions.

135 off-street car parking spaces are required to fully comply with the Muswellbrook Development Control Plan. The 120 off-street parking spaces proposed represents a variation of 15 car parking spaces. This represents a variation of 11% from the related development standard.

A total of 39 on-street car parking spaces would be provided to service the proposed development on road shoulders immediately adjacent the multi dwelling housing. Considered cumulatively, the development would provide a total rate of parking of 165 car parking spaces. With 76 two bedroom units proposed this rate of car parking would exceed 2 spaces per unit and 1 space per proposed bedroom.

Muswellbrook DCP 2009 prescribes a different rate of off-street parking for dual occupancies. The dual occupancy off-street parking standard requires 1 space per housing unit with the less than 125m² floor areas. Where considered against this rate of off-street car parking, the proposed development would significantly exceed the 1 space per dwelling rate of off-street parking required.

The depth of driveways leading into an undercover off-street parking space would facilitate a second vehicle parking within the driveway as stacked parking space.

If the project had proposed a standard approach to subdivision into residential lots, Dual Occupancies would be possible as Complying Development. The proposed development and off-street car parking solution represents a better outcome to what may occur as complying development.

Having regard to the above considerations, Council Officers are satisfied that the proposed development complies with the Development Control Plan Objectives under this Section and that Council may proceed to support the proposed development.

Complies with objectives

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

There is no planning agreement or draft planning agreement that has been entered into under Section 7.4 of the Act that relates to the subject site.

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

Section 4.15(1)(a)(iv) of the EP&A Act requires the consent authority to consider any prescribed matters under the Environmental Planning and Assessment Regulations 2021 (EP&A Regulation). Staff have assessed the development in accordance with all relevant matters prescribed by the EP&A Regulation.

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

Not applicable - The Application does not relate to a coastal area.

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

Section 4.15(1)(b) of the EP&A Act requires Council to consider "the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality".

Context and Setting

The site is an urban release area which is currently vacant land and previously used for agriculture.

The adjoining land to the north contains R1 General Residential Land with lots having a minimum lot size of 600m² and the land to the south west contains R5 Large Lot Residential land with these lots having a minimum lot size of 4000m².

The subject site is close to the Ironbark Ridge large lot residential precinct. The proposed subdivision pattern has regard to the large lot setting in its design which incorporates a transition in lot sizes and densities with 4,000m² large lot residential style lots proposed adjacent the Ironbark Ridge boundary, before transitioning to 600m² residential lots and the multi-dwelling housing located further north at an increased separation from the Ironbark Ridge precinct.

Submissions received have raised concerns with the multi-dwelling housing proposed as a type of housing incompatible with the Ironbark Ridge Estate development.

- The proposed multi-dwelling housing is permissible with consent and compatible with density standards imposed through Council's DCP.
- The multi-dwelling housing is setback from the Ironbark Ridge Estate and a logical transition has been included with larger lifestyle lots between this site and the adjoining Ironbark Ridge development.
- Landscaping plans have been included in the development application and incorporate landscaping through street trees in public areas associated with the proposed development as well as landscaping of communal areas within the multi-dwelling housing estate.
- An electronic 3D model has been provided in relation to the overall visual appearance of the proposed development. Visually when viewed from the Ironbark Ridge area the multi-dwelling housing would be similar to the adjoining Eastbrook Links Estate.

Council staff consider that the proposed development will not have a significant adverse impact on the site context and setting.

Built Form

The development will involve the construction of multi-dwelling housing units which will comprise of 38 attached dual occupancies (76 dwellings) in several stages. The applicant has proposed eight (8) duplex with standard non-corner site duplexes predominately alternating between the four (4) designs shown below.



Figure - example of the proposed building designs

Potential Impact on Adjacent Properties

The key potential adverse impacts have been considered throughout the assessment and in the documentation submitted in support of the proposal. Related to these considerations it is noted:

- A traffic impact assessment to ensure the design of the road network is suitable to support transport movements related to the proposed development.
- Consideration has been given to the proposed developments relationship with the Ironbark Ridge context and setting with a transition design from large lots to smaller lots to manage the visual relationship between the two localities.
- The density of the proposed multi-dwelling housing is compatible with related DCP controls.
- The proposed development incorporates a public reserve that provides additional recreation opportunities and walking paths for the locality.
- A social impact assessment has been prepared in relation to the proposal which is supportive of the proposal from a social impact perspective.
- The proposed multi-dwelling housing would not directly adjoin any existing established residential property. Impacts would be further mitigated as the vegetation included in the landscape plan becomes established and the development of residential lots progresses.

Council staff consider that there will be no significant adverse impact on the amenity of adjoining residential properties.

Access, Transport and Traffic

The development will involve the construction of new roads, which will be transferred to Council upon registration of the subdivision, except for the private vehicle access identified as proposed Road 5 and 6, which will serve as a private access to several of the multi-dwelling housing units.

A Traffic Impact Assessment was prepared to inform the proposed road design, while a road safety audit was undertaken in relation to the Bimbadeen and New England Highway intersection to inform TfNSW and Council on the suitability of this intersection to support the proposed development.

The applicant is proposing traffic calming measures in the way of raised pavement thresholds at the intersections of all the new roads connecting with Bimbadeen Drive. This will assist with slowing vehicles down along this road.

Private roads associated with the multi-dwelling housing component will be restricted to one way traffic flow. Vehicles will enter on the northern side, being road 6 and exit via road 5. This will reduce the impact on intersections proposed with later stages of the development to the east.

The plans submitted indicate there will be footpaths along all the public roads to provide linkages throughout the stage. There will also be a walkway reserve through the development which will provide direct access to the open space area to the north of the site.

Comments from Council Engineers were supportive of the proposed development and road arrangement and recommended conditions of consent related to other detailed design and construction as part of the carrying out of the proposed development where approved.

Public Domain

The development will be providing public open space to the north of the site. This open space area will include:

- fully fenced children's playground with shade sails
- fully fenced dog park with two entries, dog water station, disposal bins and bag dispenser
- shared foot / cycle way throughout.

Figure– Extract of the proposed open space area.

Once the subdivision is registered this area would be dedicated to Council as a public reserve

In addition to this public open space area, the multi-dwelling housing component will have their open private open space area. This area will be used by these residents and include:

- carparking
- table seating
- BBQ area with covered pergola
- 2 x universal access toilets



Figure – Proposed communal space for the multi-dwelling housing component of the development

Utilities

The applicant will be required to provide services to all proposed lots.

Heritage

The site does not contain any heritage items or located within a heritage conservation area. However, the application was referred to Heritage NSW for consideration in relation to Aboriginal Cultural Heritage. The application has been supported by Heritage NSW with conditions to be included in the determination.

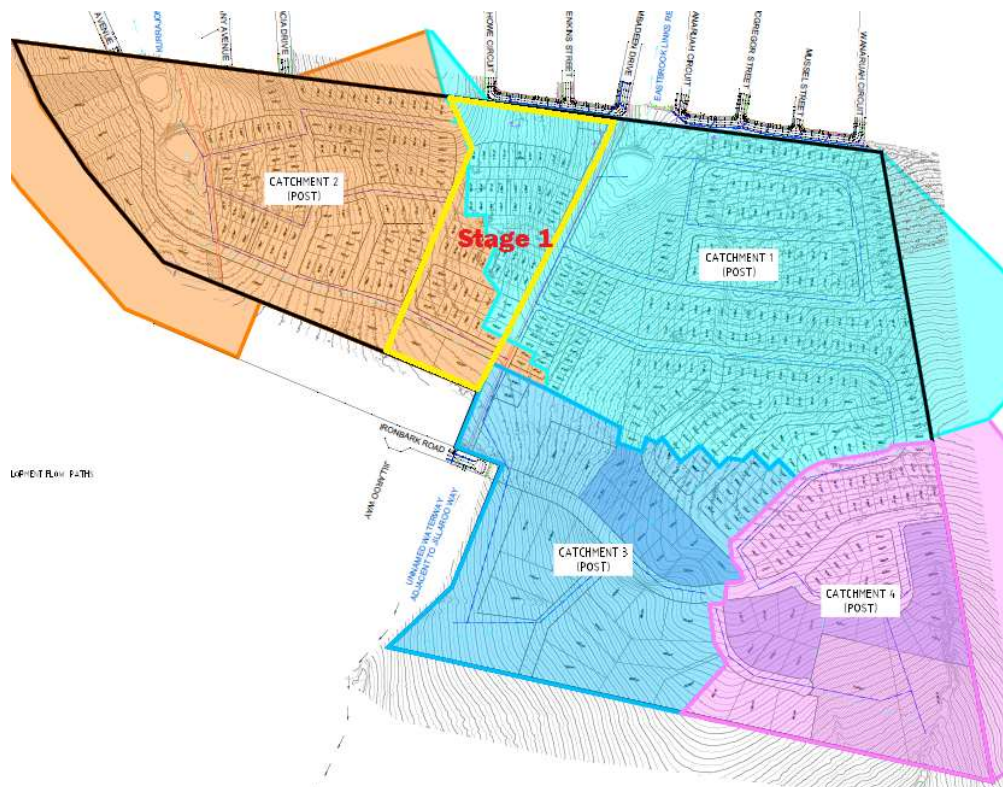
Refer to earlier discussion in the report.

Water and Sewer

The proposed development will be required to connect to Council's reticulated water and sewer infrastructure.

Stormwater

The application included a Stormwater Servicing Strategy which was reviewed by Council's Engineers. The Stormwater Servicing Strategy has identified the subject site contains 4 catchment areas. The subject development is predominately located within Catchment 1 with a part in Catchment 2.



The stormwater generated by the development in Catchment 1, will be directed to a new retardation basin (reference as RB1 in the strategy) in the northeastern area of the site. This basin will drain into the existing Eastbrook Links drainage reserve.

The stormwater generated by the development in Catchment 2, will be collected and discharged clear of the development site into a temporary surface drain directing overland discharge toward the catchment 2 detention basin/detention dam located in the northwest section of the site.

A temporary outflow channel is to be constructed to capture and divert water away from adjoining properties with the farm dams and related waterway providing a lawful point of discharge. This is reflected in the stormwater management documentation submitted.

Recommended conditions of consent have been informed by the submitted plans and Council Engineers.

Soils

The applicant has submitted a sediment and erosion control plan for the development. This plan shows the indicative location of the site compound / office and the stockpiles. Should the application be approved, conditions will be imposed regarding the implementation and ongoing maintenance of the sediment and erosion control measures for the site.

Air/Microclimate

The development has the potential to generate dust during the construction phase of the development. A condition is proposed requiring a water cart to be onsite to reduce dust generation.

Flora and Fauna

The applicant has provided a Flora and Fauna Report and Biodiversity Development Assessment Report for the development. These documents have been discussed earlier in the report.

Waste

The application was referred to Council's Waste Section for consideration regarding the garbage collection arrangements for the multi-dwelling housing component of the development. Refer to comments earlier in the report.

Energy

The multi-dwelling housing component of the development will require the units to comply with the BASIX commitments that are contained within the BASIX Certificate.

Noise & Vibration

The construction of the development will generate noise during the construction of the civil works due to machinery being used for earthworks and the like. The applicant included a Noise Impact Assessment for the development which did not require any mitigation measures to be implemented for any of the adjoining properties.

Natural Hazards

The site is identified as being bushfire prone land. Refer to the bushfire discussion earlier in the report. Conditions will be imposed from NSW Rural Fire Service for the subdivision and general bushfire conditions will be imposed for the multi-dwelling housing component of the development.

Safety, Security & Crime Prevention

NSW Police have suggested a few measures be implemented in the public areas of the development to assist with crime prevention.

These measures include:

- Road island or crossing near the Childcare facility to reduce the risk of people crossing the road.
- Employ updated security and safety measures within the "Acacia Drive reserve", by way of CCTV and site development.
- Anti graffiti materials
- Ample rubbish disposal

These recommendations, where suitable, will be included as conditions of consent should the application be approved.

In addition to this, the site will have restricted access during construction with all visitors being required to report to the site office upon arrival. This will be detailed in the Construction Management Plan which will be required prior to the release of the Subdivision Works Certificate.

Social Impact on the Locality

A Social Impact Assessment has been prepared in relation to the proposed development. This assessment does not identify any social basis for the refusal of the proposal and re-enforces the need for additional housing opportunities and types to be provided within the Muswellbrook locality.

Economic Impact on the Locality

Increased local population will support reatail and service businesses.

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

The proposed development is compatible with surrounding land uses and site characteristics, subject to consent conditions.

Section 4.15(1)(d) any submissions made

The Application was notified to adjoining owners from 10 July to 7 August 2024. A notice was also placed on Council's website and Facebook page at the commencement of the notification period.

A total of 18 submissions were received during the notification period. The matters raised in the submissions are summarised below:

Concern	Comment
Increase in traffic and speed	<p>The development will generate additional traffic movements. The applicant provided a Traffic Impact Assessment which considered the existing and proposed traffic movements for the locality.</p> <p>The Traffic Impact Assessment indicates the capacity of the existing road network is sufficient to accommodate traffic movement associated with the proposed development.</p> <p>Road widths of all proposed new roads conform with the Muswelbrook DCP requirements.</p> <p>A Road Safety Audit was carried out in relation to the New England Highway and Bimbadeen intersection. The Road Safety Audit recommended modest improvements to marking, signage and road islands at this intersection to ensure intersection functionality and safety is not adversely impacted by the proposed development.</p> <p>The proposed development was referred to Council's Engineers as the local roads authority and TfNSW as the roads authority for the New England Highway. Comments from both these referrals were supportive of the proposal subject to recommended conditions of consent.</p>
Loss of privacy	<p>The lot size of all properties would be consistent with the relevant minimum lot size. While the proposed subdivision pattern has adopted a pattern which transitions from 4,000m² large lot residential lots adjacent the existing R5 large lot Ironbark ridge locality to R1 General Residential. Lots for the multi-dwelling housing setback from these properties at the greatest distance.</p> <p>The proposed recreation reserve to the north as well its contours would provide an additional visual and privacy buffer between the large lot residential properties and adjoining R1 General Residential zoned land.</p> <p>The will not give rise to an unreasonable impact on the privacy of adjoining residential land.</p>
Increase in noise	<p>Noise impacts associated with the construction of the proposed development would be temporary in nature and recommended conditions have been put forward to ensure they are managed in a manner consistent with other development in the Shire.</p> <p>In terms of noise related to the occupation of the constructed multi-dwelling housing, this would be consistent with typical domestic noise attached to the occupation of a dwelling.</p> <p>Offensive or intrusive noise in established residential areas</p>

	<p>is managed under a number of pieces of legislation.</p> <p>No significant adverse noise impacts are anticipated as result of the proposed development.</p>
loss of rural amenity	<p>The proposal and its minimum lot sizes would be consistent with the zoning and minimum lot sizes established for this land under the Muswellbrook LEP 2009.</p> <p>Reflected in both the zoning and the proposed development is a design measure to manage the transition between the established Ironbark Ridge precinct and the proposed development through the proposed subdivision pattern. This subdivision pattern puts forward Large Lot Residential properties with areas exceeding 4,000m² adjacent the sites existing boundary with the Ironbark Ridge estate before transitioning the smaller R1 general residential lots and multi-dwelling housing further to the north.</p> <p>Impacts of the proposed development on the existing Ironbark Ridge large lot residential are consistent with impacts of an expanding residential area.</p>
Decrease of property values	<p>Section 4.15 of the Environmental Planning and Assessment Act 1979 required the assessment of the proposal to be against relevant assessment considerations which include the degree to which the proposal is anticipated to impact the amenity of existing adjoining residential properties.</p> <p>The development is considered to be suitable in a growing residential area.</p>
Opposed to pre-built duplexes	<p>While the house components will be factory constructed these components will be assembled into dwellings on-site.</p> <p>The construction of the proposed dwellings will be subject to a Construction Certificate being obtained with their construction in accordance with the Building Code of Australia being subject to certification and inspection in accordance with related NSW legislation.</p>
Adequate land for sale within Muswellbrook - expansion not necessary / over supply	<p>The site subject to this development application is appropriately zoned for its subdivision and has been strategically identified as an urban growth area.</p> <p>There is currently insufficient housing supply across NSW and significant concerns about housing affordability.</p>
Increase in crime rates	<p>The assertion that the occupants of the proposed subdivision would be individuals more likely to perpetrate criminal offences and the development is a speculative assertion.</p> <p>Any consideration of potential crime risks should be informed by the use of crime prevention through environmental design techniques incorporated into the proposed subdivision and multi-dwelling housing arrangement. In this regard the proposed development is</p>

	<p>viewed to be compatible with relevant principles with the multi-dwelling housing arrangement providing good passive surveillance outcomes and denoting public and private areas.</p> <p>It is also noted that a Social Impact Assessment was submitted in support of the proposed development and the development application referred to NSW Police who raised no objection to the proposal.</p>
Not enough employment to warrant the subdivision - mine closures	Council notes that the mines have a limited life span and are working with different industries to look at bringing other employment generating businesses to the Shire.
Will Mahogany Road be extended?	There is no extension of Mahogany Road proposed in this development. Any extension of Mahogany Road proposed as part of a future stage of the development will be considered when that development application goes before Council.
Concern about boundary fencing	Adjoining residential land is predominately fenced. A recommended condition of consent has been put forward requiring the applicant to fence the boundary of the new road reserve and the unfenced adjoining property at 114 Ironbark Rd.
Not in keeping with the Ironbark development / larger lots	<p>The subject site has been identified as an Urban Release Area and appropriately rezoned in June 2021.</p> <p>The rezoning application allowed for a transition of R5 zoned land to R1 zoned land.</p> <p>The proposed development includes larger lots to transition between the Ironbark Ridge precinct and the proposed smaller lots.</p>
Undesirable living environment due to high density	The multi-dwelling housing component of the development has been assessed against Chapter 6 – Residential Development chapter of the DCP. It has been found that the multi-dwelling housing complies with the site density requirement.
Loss of fauna and flora due to development	<p>The applicant has provided a Flora and Fauna report and a Biodiversity Development Assessment Report (BDAR) for the proposal. The BDAR report identified a number of species on the site through undertaking surveys.</p> <p>In accordance with the related Biodiversity Conservation Act 2016 provisions the BDAR includes the purchase of credits to offset ecological impacts.</p> <p>Related conditions have been recommended should the development be approved.</p> <p>Where carried out in accordance with these requirements the proposed development would be consistent with relevant State legislation related to managing ecological</p>

	impacts.
Increased stormwater runoff / localised flooding	<p>The application included a Stormwater Servicing Plan.</p> <p>The proposed stormwater management plan will include on-site stormwater detention which most of the site catchment would be directed to.</p> <p>The smaller portion of the site would drain centrally toward farm dams and associated waterway locality centrally to the site, via an interim outflow channel (to be extended where future stages of development in the locality progress). The outflow channel is to be designed to ensure water does not sheet toward adjoining residential properties and related recommended conditions around its detailed design have been proposed.</p> <p>Refer to earlier discussion in the report regarding stormwater management.</p>
Require the applicant to redesign the stormwater management - install a v-drain	<p>A catch drain along the southern boundary of the proposed development has been included to prevent water sheeting toward properties to the south of the site. Recommended conditions of consent have been included related to the outflow point to ensure its final design is such to include energy dissipation and prevent any sheeting toward adjoining properties.</p>
Proposed road widths are too narrow	<p>All proposed roads comply with the requirements of the Muswelbrook DCP. The development is proposing the following road / pavement widths for the new roads:</p> <ul style="list-style-type: none"> • Road 1 – 11m • Road 2 – 7.5m • Road 3 – 11m • Road 4 – 7.5m (not including the extended shoulder to provide for parking) • Road 7 – 7.5m (not including the extended shoulder to provide for parking) <p>Should the application be approved, conditions will be imposed on the consent requiring road construction, including widths, to comply with AUSPEC standards.</p>
Lack of parking for the multi-dwelling component	<p>An assessment of the carparking requirement has been carried out under Chapter 16 Carparking and Access of the Muswellbrook Development Control Plan. The proposed development includes 120 off-street car parking spaces and involves a 11 space variation to the DCP requirement of 136. In addition to this off-street car parking a wider road shoulder has been proposed on Council Roads fronting multi-dwelling housing to facilitate improved on-street parking outcomes in that frontage.</p> <p>Refer to the discussion under the DCP off-street car parking Section of this report.</p> <p>Overall the car parking arrangement put forward would remain functional, effective in context with the rates of</p>

	housing proposed.
Concerns over capacity of the sewer / infrastructure	The existing water and sewer infrastructure has capacity to service this development. However, when applications are lodged for future stages, a detailed water and sewer servicing plan will be required to be submitted. This Plan will need to include the location of new water and sewer pump stations to service the future development.
Consider fencing water retarding basin near the proposed childcare centre	<p>The stormwater detention basins will be designed to moderate the rate of stormwater discharge from the site and will be designed with public safety in mind.</p> <p>Warning signage and related measures have been recommended by Council Engineers.</p> <p>No recommendation has been put forward regarding any pool style child barriers. Council has not required the installation of this type of fencing at other locations where there are open waterways or bodies in the urban environment.</p>
New road layout will make dwellings non-compliant with setback requirements	The plans submitted for the multi-dwelling housing component confirms that the dwellings will all meet the minimum 4.5m front setback requirement under the Development Control Plan.
No truncated corner provided to Lot 211	<p>The proposed development will create a secondary road frontage adjacent the property boundary of the existing Ironbark Ridge property at 114 Ironbark Road. The existing dwelling at 114 Ironbark is setback approximately 7m from the new proposed road alignment.</p> <p>The proposed road arrangement has been designed in accordance with relevant Muswellbrook DCP and AUSTROAD standards.</p> <p>To ensure this property is not adversely impacted by inadvertent pedestrian or vehicle access a recommended condition has been put forward to require the developer to install new fencing along the property boundary with the new proposed road, with fencing to be compatible with the existing Ironbark Ridge fencing style unless otherwise directed by the property owner.</p>
Advised subject site was not to be built on - buffer land for mines	The subject site has been identified as an urban release area. The land is in private ownership and not considered to be "mine buffer" land.
Concern that Ironbark Road & Bimbadeen Drive connection will be a by-pass/rat-run	<p>The extension of Bimbadeen Drive will provide residents of the area an alternate route to the New England Highway and Rutherford Road and is part of Council's adopted future road strategy.</p> <p>A traffic impact assessment has been prepared in relation to the proposed development and includes transport modelling to inform the road network design proposed.</p>

	The applicant has proposed traffic calming measures along extension of Bimbadeen Drive to reduce the speed of vehicles.
Construction of new road from Highway to Thomas Mitchell Drive	<p>A traffic impact assessment has been prepared in relation to the proposed development and includes transport modelling to inform the road network design proposed.</p> <p>The proposed traffic network has been considered by both Council Engineers and TfNSW who are supportive of the proposed traffic arrangement subject to recommended conditions.</p>
Consideration of services within the estate i.e. shops, café, childcare centre	<p>The plans submitted have identified two lots for a café and childcare centre. These are indicative and will be subject to a detailed development application.</p> <p>Impacts attached to these potential or alternate developments on the sites will be thoroughly assessed should any future related development application be lodged.</p>
Consideration of landscaping / preservation of existing vegetation / environmental buffer	<p>The application included the submission of a Landscape plan for the proposal. This plan identified the proposed species, location to be planted, distance between plantings, pot sizes and a maintenance schedule.</p> <p>A Vegetation Management Plan will be required for the development which will address the protection of existing vegetation in the C3 Environmental Management zone.</p>
Objection to the short timeframe given for submissions	The proposed development was notified for 28 days. A period more than the standard 14 or 21 day DA notification requirement to provide additional timeframe for consideration. Notification was consistent with Council's Community Participation Plan requirements.
Application relying on outdated Council studies	The applicant has provided current studies for the development. The traffic study has included new modelling and traffic counts
No consideration of public transport options	The supporting documentation submitted with the application indicates that the subdivision has provision for the local buses to be included in the proposal.
Consideration is to be given to aboriginal sites / objects	The application was referred to Heritage NSW to review the Aboriginal Cultural Heritage Assessment. They have provided General Terms of Approval which are required to be included in the determination of the application.
Accessibility of emergency services	Council Officers are satisfied that the proposed design is appropriate to support access via emergency vehicles into the subdivision road network and onto private multi-dwelling housing site accesses.
Upgrade of Bimbadeen Drive	The application has been referred to Transport for NSW related to the Bimbadeen/New England Highway intersection who have made recommendations related to

	<p>the improvement of this intersection.</p> <p>Other road design matters have been informed by the traffic study and Traffic Impact Assessment and review of the development by Council Engineers.</p>
Consideration of CCTV in the Acacia Drive Reserve and other proposed businesses	<p>The NSW Police provided comment on the application during the notification period. They have recommended a few crime prevention measures to be implemented for the development. These have been discussed earlier in the report.</p> <p>It is not recommended for Council to install surveillance cameras in the Acacia Drive area.</p>
Traffic count carried out at the incorrect time of day - not accurate	<p>Modelling and traffic counts are acceptable.</p> <p>Refer to earlier discussions in the report regarding traffic.</p>
Prohibited buildings to be constructed in C3 zone	<p>The C3 Environmental Management zoned land located in this application will be transferred to Council to be used a public recreation.</p> <p>The applicant is proposing a playground which will be in the northeastern corner of the lot. This land is predominately cleared and relatively flat. Therefore, the construction of the playground will not be proposing to remove any vegetation.</p>
Question over who was notified	<p>The application was public exhibited in accordance with Council's Community Participation Plan for a minimum of 28 days.</p> <p>The public exhibition included an advertisement in the local paper, details placed on Council's website and posts on Council's social media platform. In addition to the advertisement, notification letters were sent out to over 350 letters surrounding residents.</p>
Concerns with the widening of Acacia Drive and Bloodwood Road	<p>The subject application is not proposing to widen Acacia Drive or Bloodwood Road.</p>

Council Officers have considered the matters raised in the submissions and consider that the proposal may be approved subject to conditions.

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

Section 4.15(1)(e) of the EP&A Act requires Council to consider "the public interest".

The development satisfactorily addresses Council's criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Approval of the development would be in the public interest.

Section 4.46 - integrated development

Legislation	Discussion
Rural Fires Act 1997 (Section 100B)	The development occurs on bushfire prone land and is for a special fire protection purpose as defined in Section

	<p>100B of the Rural Fires Act 1997.</p> <p>General terms of approval have been provided dated 8 August 2024 and will be included in the determination of the application.</p>
National Parks and Wildlife Act 1974 (Section 90)	<p>The subject site is nominated as having potential for Aboriginal heritage items to be found in several areas on site. An Aboriginal Heritage Impact Permit will be required to be granted by Heritage NSW (former Office of Environment and Heritage).</p> <p>The application was referred to Heritage NSW for comment, General Terms of Approval were issued on 23 October 2024 and will be included in the determination of the application.</p>
Water Management Act 2000 (Sections 89, 90 and 91)	<p>The site contains a number of watercourses and therefore required referral to DCCEEW – Water under the Water Management Act.</p> <p>DCCEEW have provided their response and advised that no Controlled Activity Approval is required.</p>

Section 7.11 – Developer Contributions

An assessment of the application has been undertaken in relation to Muswellbrook Shire Council's Section 94 Contributions Plan 2001 and it was found that Section 7.11 contributions are applicable to the development. In this regard, should the application be approved, the following amounts are to be paid to Council.

Levy area	Criteria	Rate (based on 2024/2024 Fees and charges)	Number of lots	Total	Payment Due
Subdivision component of the application (33 lots including credit for residual lot)					
Open Space and Recreation facilities	Per additional lot	\$2383.50	32	\$ 76,272.00	Payment is due, prior to the release of the subdivision Certificate
Roads and Drainage	Per additional lot	\$1284.50	32	\$ 41,104.00	
		TOTAL		\$117,376.00	
Multi-Dwelling housing component of the application (38 dual occupancies plus 1 residential lots - credit given for 4 lots, being proposed lots S1, S2, S3 and S4)					
Open Space and Recreation facilities	Per additional dwelling	\$2383.50	35	\$83,422.50	Payment is due, prior to the release of the Construction Certificate
Roads and Drainage	Per additional dwelling	\$1284.50	35	\$44,957.50	
			Total	\$128,380.00	

The above amounts will be CPI indexed and the applicant will be required to obtain an updated calculation prior to paying the monies to Council.

As the multi-dwelling housing is proposed on land that required the payment of section 7.11 Contributions, no further contributions are applicable.

Should the multi-unit housing be subdivided under a future application, Section 7.11 contributions would be applicable.

CONCLUSION

Council's assessment of the development has considered all relevant matters under section 4.15 of the EP&A Act.

The development meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the EP&A Act. Accordingly, the development is recommended for approval subject to conditions.

General Conditions

1. Approved Plans and Supporting Documents

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

Pln. No.	Rev. No.	Plan Title.	Drawn by.	Dated.
	B	Proposed subdivision layout	Spiire	Dec 2024
CF100	F	Face sheet	Spiire	Jan 2025
CF200	D	Design Drawings – Key Map	Spiire	Dec 2024
CF201	E	Design Drawings – Layout Plan – Sheet 1	Spiire	Jan 2025
CF202	E	Design Drawings – Layout Plan – Sheet 2	Spiire	Jan 2025
CF203	D	Design Drawings – Layout Plan – Sheet 3	Spiire	Dec 2024
CF204	F	Design Drawings – Earthworks Plan – Sheet 1	Spiire	Jan 2025
CF205	F	Design Drawings – Earthworks Plan – Sheet 2	Spiire	Jan 2025
CF206	D	Design Drawings – Earthworks Plan – Sheet 3	Spiire	Dec 2024
CF207	D	Design Drawings – Basic Plan – Sheet 1	Spiire	Dec 2024
CF208	D	Design Drawings – Catch Drain Plan	Spiire	Dec 2024
CF209	C	Design Drawings – Hydrant Spacing	Spiire	Dec 2024
CF210	B	Design Drawing – Parking Layout	Spiire	Oct 2024
CF300	D	Cross Section – Typical Sections	Spiire	Dec 2024
CF400	C	Turning Templates – Sheet 1	Spiire	Dec 2024
CF401	C	Turning Templates – Sheet 2	Spiire	Dec 2024
CF402	C	Turning Templates – Sheet 3	Spiire	Dec 2024
322142-001C001	B	Environmental Management Plan – Sheet 1	Spiire	October 2024
322142-001C002	A	Environmental Management Plan – Sheet 2	Spiire	May 2024
Multi-dwelling housing component				
DA-000	J	Site – Cover	Skyline Architects	6 December 2024
DA-001	J	Site – Plan / Roof Plan Site analysis	Skyline Architects	6 December 2024
DA-002	J	Site - Retaining walls	Skyline Architects	6 December 2024

DA-101	J	Floor Plans – Subdivision and Corner Building Setbacks	Skyline Architects	6 December 2024
DA-102	J	Floor Plans – General Plan	Skyline Architects	6 December 2024
DA-103	J	Floor Plans – General Floor Plan Part 1	Skyline Architects	6 December 2024
DA-104	J	Floor Plans – General Floor Plan Part 2	Skyline Architects	6 December 2024
DA-105	J	Floor Plans – Ground Floor Typical 1	Skyline Architects	6 December 2024
DA-106	J	Floor Plans – Ground Floor Typical 1.1	Skyline Architects	6 December 2024
DA-107	J	Floor Plans – Ground Floor Typical 1.2	Skyline Architects	6 December 2024
DA-108	J	Floor Plans – Ground Floor Typical 1.3	Skyline Architects	6 December 2024
DA-109	J	Floor Plans – Ground Floor Typical 1.4	Skyline Architects	6 December 2024
DA-110	J	Floor Plans – Ground Floor Typical 1.4.1	Skyline Architects	6 December 2024
DA-111	J	Floor Plans – Ground Floor Typical Access	Skyline Architects	6 December 2024
DA-112	J	Floor Plans – Ground Floor Corner 1	Skyline Architects	6 December 2024
DA-201	J	Elevations – Streets elevations	Skyline Architects	6 December 2024
DA-202	J	Elevations – Streets elevations	Skyline Architects	6 December 2024
DA-301	J	Sections – General Section	Skyline Architects	6 December 2024
DA-302	J	Sections – General Section	Skyline Architects	6 December 2024
DA-303	J	Sections – General Section	Skyline Architects	6 December 2024
DA-401	J	Options – Compliance Landscaping calculations	Skyline Architects	6 December 2024
DA-402	J	Options – Compliance Private Open Space calculations	Skyline Architects	6 December 2024
DA-501	J	External Finishes – Views 1	Skyline Architects	6 December 2024
DA-502	J	External Finishes – Views 2	Skyline Architects	6 December 2024
DA-503	J	External Finishes – General Street views	Skyline Architects	6 December 2024
Landscape plans				
L/100	F	Cover Sheet	Skyline Architects	29 November 2024
L/101	F	Landscape Master Plan	Skyline Architects	29 November 2024
L/102	F	Proposed Stage 1 Landscape Site Plan	Skyline Architects	29 November 2024
L/103	F	Proposed Stage 1 Fence Layout Plan	Skyline Architects	29 November 2024

L/104	F	Proposed Stage 1 Communal Open Space Master Plan	Skyline Architects	29 November 2024
L/105	F	Proposed Stage 1 Communal Open Space Planting Plan	Skyline Architects	29 November 2024
L/106	F	Proposed Stage 1 Dog Park Master Plan	Skyline Architects	29 November 2024
L/107	F	Proposed Stage 1 Dog Park Planting Plan	Skyline Architects	29 November 2024
L/108	F	Proposed Stage 1 Market Garden Master plan	Skyline Architects	29 November 2024
L/109	F	Proposed Stage 1 Market Garden Planting Plan	Skyline Architects	29 November 2024
L/110	F	Landscape Materials	Skyline Architects	29 November 2024
L/111	F	Landscape Materials	Skyline Architects	29 November 2024
L/112	F	Proposed Stage 1 Corner Lot Landscape Plan	Skyline Architects	29 November 2024
L/113	F	Proposed Stage 1 Standard Lot Landscaping Plan	Skyline Architects	29 November 2024
L/114	F	Landscape Specification	Skyline Architects	29 November 2024
L/115	F	Proposed Public Reserve Section	Skyline Architects	29 November 2024

Document Title.	Ver. No.	Prepared By.	Dated.
BASIX Certificate 1748187M	-	Gradwell Consulting	20 May 2024
Aboriginal Cultural Heritage Assessment		Ecological Australia	21 October 2024
Bushfire Assessment Report	6	Bushfire Environment Management Consultancy	13 November 2024
Biodiversity Development Assessment report		Wildthing Environmental Consultants	29 November 2024
Road Safety Audit	2	PNL Audits	23 December 2024
Water and Wastewater Servicing Report	1	ACOR Consultants	2 November 2023
Waste Minimisation-Management plan	-	Dickens Solutions	May 2024
Stormwater Servicing Strategy		Spiire	19 April 2024
Social Impact Assessment		Judith Stubbs and Associates	17 April 2024
Servicing Strategy report	A	Spiire	13 May 2024
Preliminary Site Investigation Report		Hunter Environmental Consulting	19 February 2024
Traffic and Parking Assessment report		CJP Consulting Engineers	17 May 2024
Flora and Fauna Report	2	Wildthing Environmental Consultants	July 2024
Email Subject title RE: RFI Ironbark		Chris Palmer CJP Consulting	14 January 2025

In the event of any inconsistency between the approved plans and the supporting

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

Where there is an inconsistency between the final set of civil plans, the landscape plan and architecture plans related to the final road design detail the civil plans shall prevail over the extent of that inconsistency.

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

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

2. Future Stages

This development consent relates to the scope of works shown on the approved plans only and does not grant or apply future approval to any future Stage of the development referenced in the related concept master plans or accompanying documentation. Any future stages shall be subject to future development applications.

Condition reason: To ensure all parties are aware of the scope of this approval and the works to which it relates.

3. Limitation of Approval (child care centre and café)

This Notice of Determination does not grant or imply any approval to the establishment of a child care centre or café.

Any future development for this purpose related to the proposed Lots which reference these as potential future uses remains subject to a future separate development application. In the case of any potential café it would also be necessary for any person considering this as a future development to have regard to the relevant land use zone table to determine the permissibility of that land use within the zone and undertake any necessary Planning Proposal prior to preparing a related development application.

Condition reason: To ensure all parties are aware of the scope of this approval and the works to which it relates.

4. Building Code of Australia

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

Condition reason: Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

5. Home Building Act Requirements

1. Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifier for the development to which the work relates:

- a. in the case of work to be done by a licensee under that Act:
 - i. has been informed in writing of the licensee's name and contractor licence number, and
 - ii. is satisfied that the licensee has complied with the requirements of the Home Building Act, or
- b. in the case of work to be done by any other person:

- i. has been informed in writing of the person's name and owner-builder permit number, or
- ii. has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was Gazetted, that amount was \$10,000. As those regulations are amended from time to time, that amount may vary.

- 2. A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Note: Insurance thresholds are set out in Clause 53 of the Home Building Regulation 2014, stating that for the purposes of sections 92 (3) and 96 (3) (e) of the Act, the amount of \$20,000 (inclusive of GST) is prescribed.

- 3. If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Condition reason: Prescribed condition under section 69 and 71 of the *Environmental Planning and Assessment Regulation 2021*.

6. General Terms of Approval

The development is to be carried out in accordance with the General Terms of Approval issued by the following approval bodies and referenced below:

- NSW Rural Fire Service – dated 5 December 2024, reference number DA20240702002690-S38-1
- Heritage NSW – dated 23 October 2024, reference number DOC 24/867831

These General Terms of Approval have been stamped with Council's Approval Stamp and form part of this Notice of Determination

Condition reason: Requirement under Section 4.46 of the *Environmental Planning and Assessment Act 1979*.

Before the issue of the Subdivision Works Certificate

7. Subdivision Works Certificate

A subdivision works Certificate is to be issued by the Certifying Authority prior to the commencement of any site works. The applicant for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment (Development

Certification and Fire Safety) Regulations 2021 and conditions of the Development Consent.

Condition reason: Legislative

8. Subdivision design and Legislation, policies and technical detail

All subdivision and associated works are to be designed and constructed in accordance with the following documents or current equivalent document at the time of application.

- a. Relevant Austroads publications
- b. Associated Transport for NSW (TfNSW) (formerly the Roads and Maritime Services (RMS)) supplements and Technical Directions
- c. Muswellbrook Shire Council – Engineering Specifications for Development Design and Construction.

Condition reason: ensure compliance with Muswellbrook Development Control Plan and relevant design standards

9. Section 138 Approval Requirement

Prior to the issue of the Subdivision Works Certificate, the applicant is to submit a Section 138 Application to the certifying Authority for approval being for the connection to:

- Bimbadeen Drive and
- Ironbark Road

Any Section 138 Permit should be accompanied with a Traffic Management Plan, haulage route detail, dilapidation survey of traffic routes and safe work method statement alongside any other documentation specified by the relevant Roads Authority.

Condition reason: Requirement under section 138 of the Roads Act 1993.

10. Headworks Contribution - Notice of Requirements

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

Any Notice of Requirements will require the payment of water and sewer headworks contributions prior to the issue of a Compliance Certificate. Water and sewer headworks contributions applicable under Council's current fees and charges for the development are specified the table below:

Headworks Contribution	ET calculated per Lot additional created (32 Lots – park excluded)	Contribution per 1 ET	Total Contribution calculated for 1 Lot
Water	32	\$9,317.00	\$298,144.00
Sewer	32	\$7,233.50	\$231,472.00
Total			\$529,616.00

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

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

Condition reason: Requirement under the *Water Management Act 2000*.

11. Road naming

Prior to the issue of the Subdivision Works Certificate, the development shall submit to Council proposed road names for the subdivision. The new road / street names shall be submitted in accordance with the Geographical Names Board NSW and Council's Road Naming Policy. In accordance with Council's current Fees and Charges a fee for each new road / street name needs to be paid by the developer prior to proceeding with advertising in accordance with Council's policy.

Note; It is recommended that these names be submitted to Council as early as practical to provide adequate time to finalise prior to the release of the Subdivision Certificate.

Condition reason: To ensure the new roads / streets are named

12. Erosion and Sediment Control Plan

Prior to the issue of the Subdivision Works Certificate, an Erosion and sediment Control Plan is to be submitted to include the following as a minimum:

- a. 'Dirty water pipes' subject to detail design to ensure that dirty water from sedimentation is controlled at all times. This may require float intake pumping measures or suitable siltation controls at all times. All overflows are to have downstream erosion and silt control measures detailed.
- b. Catch-drains, staked hay bales and grass filter strips to be detailed for sheet flow and/or prior to drainage structures within swale drains and disturbed lots.
- c. Additional leaky weir system or other suitable measures for stormwater discharge / velocity control to be designed to mitigate erosion issues towards adjoining land incorporating piped discharge, including but not limited to rock mattress and turbing.
- d. Any other discharge pipe from detention basins to have a suitably designed tail out geo-textile wrapped rock lined drained to prevent erosion and for energy dissipation.
- e. Appropriate energy dissipation treatment is to be detailed and provided to mitigate erosion impacts from spillways of all detention basins.
- f. Details of any stockpile location and related sediment and erosion control measures to manage stockpiles. Wherever possible Cut and fill material stockpiles are to be located centrally within the site to maximise their setback/separation from adjoining residential properties.

Condition reason: To prevent higher velocity flows discharging to downstream property for erosion mitigation

13. Construction Site Management Plan

Before the issue of the Subdivision Works Certificate, a Construction Site Management Plan must be prepared, and provided to the Certifying Authority for approval. The plan must include the following matters:

- a. The location and materials for protective fencing and hoardings on the perimeter

- of the site;
- b. Provisions for public safety;
- c. Pedestrian and vehicular site access points and construction activity zones;
- d. Details of construction traffic management including:
 - i. Proposed truck movements to and from the site;
 - ii. Estimated frequency of truck movements; and
 - iii. Measures to ensure pedestrian safety near the site;
- e. Details of bulk earthworks to be carried out;
- f. The location of site storage areas and sheds;
- g. The equipment used to carry out works;
- h. The location of a garbage container with a tight-fitting lid;
- i. Dust, noise and vibration control measures;
- j. The location of temporary toilets;
- k. The location of any soil stockpiles during the carrying out of works (soil stockpiles are to be setback reasonable distances from adjoining residential properties).

Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction

14. Stormwater Drainage and detention basin design

Prior to the issue of a Subdivision Works Certificate an updated detailed stormwater management plan is to be provided for the development for construction the updated stormwater drainage design shall be generally in accordance with the approved plans and incorporate the following additional design measures.

- a. Stormwater Management Plan – Provide a detailed stormwater management plan, including all design elements, ensuring compliance with Council's DCP and accordance with Australian Rainfall and Runoff 2019 guidelines, using appropriate software, such as DRAINS, MUSIC, or as other software accepted by Council.
- b. Ironbark Road stormwater drainage outlet – the updated stormwater drainage design is to include additional design measures to incorporate the existing outflow stormwater discharge location located within Lot 103 DP 1170190 into the proposed stormwater network or alternatively provide a new appropriately constructed discharge location within the subject site to the satisfaction of Council Roads and Drainage Engineers. Any proposed new discharge outlet is to be designed to ensure the performance of the drainage outlet is equal to or improved from the existing outflow point and does not direct additional stormwater discharge toward adjoining residential properties.
- c. Temporary outflow channel design – incorporate a temporary outflow channel design compatible with the submitted design plans to ensure stormwater at the Stage 1 southern boundary is captured and directed toward the RB2 (retardant basin 2) discharge area and away from adjoining residential properties. The outlet point is to be constructed to provide sufficient treatment to prevent erosion.
- d. Velocity control - Design a leaky weir system or other suitable measures for stormwater discharge/velocity control in the north-west corner of the site to mitigate erosion. This should include rock mattress and turfing.
- e. A geotextile wrap is to be incorporated under rock spill ways from detention basins.
- f. Tail-out Erosion Control – Discharge pipes from detention basins must have geotextile wrapped, rock-lined drains for erosion control and energy dissipation.
- g. Energy Dissipation – Provide energy dissipation treatment to mitigate erosion from all detention basin spillways
- h. Floodway Warning Signs - Install at least three floodway warning signs around each basin at prominent locations
- i. Gradient Specifications - Basin gradients must not exceed 1:4 to ensure safety to

- the public and ease of maintenance.
- j. Stormwater Infrastructure – All pipes within Council roadway areas for stormwater are to be a minimum of DN375, and all non-allotment stormwater drainage infrastructure to be steel-reinforced concrete structures.
- k. Pipe Design – All pipes within Council roadway areas must be designed to carry all service and construction loads and installed in accordance with AS3725, including allowance for reduced cover during construction and earthworks
- l. Overflow Management – Stormwater up to the 1% AEP must be fully contained within road areas, including overflow areas, with consideration for emergency vehicle access/egress, and suitably managed to avoid unnecessary public risk
- m. Pre-Treatment of Stormwater – GPT systems must pre-treat stormwater before conveyance to Council's drainage and detention basins. Capacity for pollutant storage must be a minimum of 1m³ - 1.2m³ per hectare per year. These systems must be maintained at all times at full cost by the developer during the defect liability period and any subsequent construction stages of development. Inverts are to be higher than 1 year top water level.
- n. Access for GPTs and detention basin – Provide all-weather access for service vehicles (9.9m) to GPTs and bioretention water quality basins. The access must include all weather access such as reinforced turf with an underlayer of 200mm of DGB20 gravel or approved equivalent.
- o. Design of all stormwater pipework is to be in accordance with relevant Muswellbrook Development Control Plan provisions and applicable Australian Standards.

Condition reason: Ensure final design of stormwater management infrastructure complies with the requirements of Council's Roads and Drainage Engineers

15. Pedestrian/Cycleway

Footpath design plans submitted with the Subdivision Works Certificate are to be in accordance with the following:

- a. Shared paths and kerb and gutter must comply with Council's Road Hierarchy and Kerb and Gutter Policy F10, providing 2.5m and 1.5m shared paths on sub-arterial roads and 1.5m paths on other roads.
- b. Bimbadeen is an arterial road. The Bimbadeen footpath is to comply with the 2.5m width minimum specification unless otherwise directed in writing by Council.
- c. Footpaths within the recreation area to be dedicated to Council shall comply with the minimum 2.5m width specification unless otherwise directed in writing by Council.
- d. Footpath designs are to include pram ramps in accordance with Council's Policy F10 kerb and gutter policy where appropriate. within the Bimbadeen Drive shall

Condition reason: Ensure footpath design complies with requirements of Council Roads and Drainage Engineers as the relevant Roads Authority.

16. Geotechnical Investigation

Detailed civil designs submitted with any Subdivision Works Certificate are to be informed by geotechnical assessments undertaken by an appropriately qualified and experienced consultant in line with the relevant Australian Standards, Auspec, and to the written satisfaction of with Council's Chief Engineer or relevant representative.

Condition reason: To determine the existing soil classifications

17. Road Design Criteria

The proposed public roads shall be constructed at the cost of the applicant, in accordance with AUSPEC specifications C201, C242, C245 and C271, and designed in

accordance with specifications D1 and D2 for Urban collector roads, with the following design criteria:

- a) Road Safety Audit Prior to the Roads Act Works and/or the Subdivision Works Certificate approval, a Concept/Preliminary/Detail Design stage Road Safety Audit for the description of development prepared by a minimum Level 3 and Level 2 Road Safety Auditors who are registered on the NSW Register of Road Safety Auditors is required to be submitted to the Council.

Recommendations are to be made in the Road Safety Audit to address any identified deficiencies. Resolutions of the identified deficiencies are to be carried out in consultation with Council and the Traffic Committee to their mutual satisfaction and Council to sign off the corrective actions prior to the issue of any Roads Act Works Approval and/or Subdivision Works Certificate.

This Audit shall include any proposed aboveground service infrastructure such as power pole locations.

- a) Design Compliance: All road and parking designs must comply with Austroads guidelines, Auspec specifications, and Council's development control plan.
- b) Pavement Design: Pavement designs, including geogrid installation beneath basecourse and subsoil drains where applicable, must be provided before SWC approval.
- c) Turning Circles: Design Stage 1 roads to accommodate a 9.9m waste service vehicle turning circles, including temporary sealed turning heads and chevron boards.
- d) Traffic Control and Safety: Provide all additional infrastructure for traffic control, speeding, and safety improvements in road design, including as directed by the Traffic Committee and Council for compliance.
- e) Bimbadeen Street Intersection Upgrades: The developer is to design and install all relevant infrastructure as required by TfNSW and Traffic Committee advice for the safe operation of the Bimbadeen St and Maitland St intersection, to be completed prior to Subdivision Certification.
- f) Detail the installation of perimeter bollards for roads adjoining public reserves to prevent unauthorised vehicle access.
- g) Dead-end roads require a sealed temporary cul-de-sac (9.9m service vehicle turning head) with chevron board per Planning for Bush Fire Protection 2019.
- h) Include temporary secure fencing in a stock fencing or alternate style approved by Council adjacent to road reserves that form part of this subdivision and adjoin the undeveloped residual lot not proposed for residential development as part of this subdivision.
- i) Where final road design includes roll top shoulders at locations shown to be potential future road intersections along Bimbadeen and proposed Road 2 construction designs shall implement temporary protections for undeveloped lots/road connections to prevent erosion and unauthorized access.
- j) Incorporate a bus shelter concrete pad for school students and public use, subject to discussions with local bus services and Council. Design to include accessibility considerations and appropriate signage.

Details demonstrating compliance with the above requirements and certified by an appropriately qualified and practising civil engineer shall be submitted to the Certifying Authority for approval with the Subdivision Works Certificate.

Condition reason: Ensure road design complies with requirements of Council Roads and Drainage Engineers as the relevant Roads Authority.

18. Inspection Test Plan

An Inspection Test Plan and Procedures (ITP) detailing the scope of works for all civil infrastructure shall be provided to Certifying Authority for approval with any Subdivision Works Certificate and prior to the commencement of any construction.

Condition reason: Comply with local authority requirements

19. Underground Electricity

All electricity provision to the site is to be designed in conjunction with Energy Australia so that it can be easily connected underground when the street supply is relocated underground. Details to be shown on plans submitted to the Certifying Authority and approved with the Subdivision Works Certificate.

Condition reason: To comply with Council Development Control Plan requirements

20. Biodiversity Ecosystem Credit Retirement

- Prior to issue of the Subdivision Works Certificate, the class and number of ecosystem credits in Table below must be retired to offset the residual biodiversity impacts of the development.
- The requirement to retire credits in this condition may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.
- Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the consent authority prior to issue of the Subdivision Works Certificate

Impacted plant community type	Number of ecosystem credits	BRA sub-region	Like-for-like credit retirement options
PCT – 3431 – Central Hunter Grey Box-Ironbark Woodland	3	NSW North Coast and Sydney Basin Bioregions	3

Condition reason: Statutory requirement and to protect the natural environment

21. Species Credit Retirement Conditions

- Prior to issue of the Subdivision Works Certificate, the class and number of species credits in Table below must be retired to offset the residual biodiversity impacts of the development.
- The requirement to retire credits outlined in the condition may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.
- Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table [2] requirements must be provided to the consent authority prior to issue of the Subdivision Works Certificate.

Impacted species credit species	Number of Species credits	Scientific name	Like-for-like credit retirement options
Striped legless Lizard	31	<i>Delma impar</i>	31
Southern Myotis	18	<i>Myotis macropus</i>	18
Barking Owl	3	<i>Ninox connivens</i>	3
Powerful Owl	3	<i>Ninox strenua</i>	3
Squirrel glider	3	<i>Petaurus norfolcensis</i>	3
Brush-tailed Phascogale	3	<i>Phascogale tapoatafa</i>	3
Masked owl	3	<i>Tyto novaehollandiae</i>	3

Condition reason: Statutory requirement and to protect the natural environment.

22. Biodiversity Management Plan

Prior to the issue of the Subdivision Works Certificate, a Biodiversity Management Plan for the development site must be prepared and submitted to the consent authority for approval.

The Biodiversity Management Plan must identify all measures proposed in the Biodiversity Development Assessment Report (prepared by Wildthing Consulting, dated November 2024), to avoid, mitigate and manage impacts on biodiversity, including performance measures, timing and responsibilities for each commitment (see figure 8.5 and 7.6 of the related report).

The Management Plan is to stipulate the detail of how effect will be given to these mitigation responsibilities through the carrying out of the development.

The Management Plan is to be complied with at all times through the carrying out of the Works.

Condition reason: Statutory requirement and to protect the natural environment.

23. Section 90 Permit Aboriginal Heritage Impact Permit

Prior to the commencement of any works on-site and the issue of the Subdivision Works Certificate, a Section 90 Aboriginal Heritage Impact Permit is to be obtained for the proposed development from NSW Heritage.

A copy of the Section 90 Permit is to be provided to the Certifying Authority for the subdivision works.

Condition reason: Statutory

24. Updated Landscape Plan

Prior to the issue of a Subdivision Works Certificate, an updated Landscape Plan is to be submitted to Council for approval.

The updated Landscape Plan shall be updated to reflect the final version of the Civil Plans which include updates to the road shoulder/parking space and footpath locations. Landscaping within related road corridors is to be updated to respond to the civil plan

amendments while ensuring landscaping and street trees along the affected road reserves remains generally in accordance with the requirements of the Muswellbrook Development Control Plan and Local Roads Authority.

To address the Muswellbrook DCP and Local Road Authority requirements in the most practical manner the following should be considered with regard to providing reasonable minimum street trees and landscaping within a reasonable the Road 4 and 7 corridors where the road pavement has been explained to provide improved parking opportunities:

- Where appropriate the installation of street trees or acceptable alternate landscaping within the southern part of the road shoulder of road 7 and the northern shoulder of road 4 at locations that would not interfere with underground service arrangements.
- Where insufficient space is available to provide significant landscaping within the road reserve consideration should be given to the incorporation of street trees or landscaping within the frontage of multi-dwelling housing units fronting the road reserve.
- The incorporation of landscape blisters/planter boxes at strategic locations in the parking shoulder.
- Landscape blisters with vegetation to provide shading to be incorporated at locations adjacent pedestrian crossing locations adjacent to the 'walkway reserve' identified on the proposed plans.

Condition reason: Ensure development is consistent with the approved plans and complies with landscaping requirements

25. New England Highway Bimbadeen Intersection Design

Prior to the issue of a Subdivision Works Certificate a strategic design is to be submitted as part of the design plans for the upgrade of the New England Highway Bimbadeen Drive intersection as part of the development. The design and related works are to be generally in accordance with the design received from Chris Palmer, CJP Consulting Engineering via email dated 14 January 2025 with the exception that the final design is not to include any modification to the central median on the New England Highway between Bimbadeen Drive and the Broadlands site. A general description of the works is included below:

- Extension of existing central landscaped island in Bimbadeen Drive out to edge of existing through lane
- Removal of the acceleration lane for LT OUT movements from Bimbadeen.

Prior to the commencement of related intersection work the person acting with this consent is to have a Works Authorisation Deed in place with Transport for NSW related to the work concerned.

Condition reason: Comply with TfNSW and Department of Planning, Housing and Infrastructure Satisfactory Arrangement Certificate requirement.

Before issue of a Construction Certificate for the multi-dwellings

26. Construction Certificate Requirement

No works shall commence related to 'building work' and the construction of the multi-dwelling housing on-site until a Construction Certificate has been issued for either part or all of the works to be undertaken. If a Construction Certificate is issued for part of the

approved works, it must relate to all works being undertaken.

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

Condition reason: Prescribed condition under Clause 6.7 of the *Environmental Planning and Assessment Act 1979*.

27. Subdivision Works Certificate

A Subdivision Works Certificate is to be obtained for the carrying out of works related to the subdivision of the land prior to the issue of any Construction Certificate related to the multi-dwelling housing approved as part of this Notice of Determination.

Documentary evidence demonstrating that a Subdivision Works Certificate has been obtained is to be provided to the Certifying Authority with any Construction Certificate application.

Condition reason: To ensure appropriate development sequencing and adequate provision has been made for the design of servicing and infrastructure required to support the multi-dwelling housing units.

28. Part Construction Certificate requirement

Where part Construction Certificate's are applied for in the carrying out of the development and individual Construction Certificates are sought for the multi dwelling houses contained in each of the related lots (Lot S1, S2, S3 and S4) the person acting with this development consent is to ensure that all relevant documentation required for each Part Construction Certificate and building works to which it relates is contained within the relevant Construction Certificate application. This includes demonstrating the compliance with the conditions of consent listed in this part of the consent related to each Part Construction Certificate.

Condition reason: Ensure compliance with this consent and submission of relevant details with Construction Certificate applications.

29. Fire Hydrant Coverage

Prior to the issue of a Construction Certificate the person acting with this consent must provide suitable evidence to the Certifying Authority to demonstrate that appropriate fire hydrant coverage will be provided to the parts of the development which a Construction Certificate is being sought.

This should be done either:

- through the submission of plans showing that the relevant Building Code of Australia coverage and requirements of NSW Fire and Rescue's document 'Fire Hydrants for Minor Residential Development' will be achieved for all parts of the development site and proposed buildings or
- providing detailed design documents for the provision of a new internal hydrant to provide coverage within the site.

Condition reason: To ensure compliance with Building Code of Australia is demonstrated.

30. Long Service Levy

Prior to the issue of a Construction Certificate, documentary evidence is to be provided to the Certifying Authority demonstrating the payment of Long Service Levy applicable to the development in accordance with the provisions of Section 34 of the Long Service

Levy Act.

Condition reason: To ensure the long service levy is paid

31. Section 7.11 Contributions

Prior to the issue of the Construction Certificate, a contribution pursuant to the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979*, as specified under the Muswellbrook Shire Council Section 7.11 Contribution Plan shall be made to Council for the multi-dwelling housing units related to that Construction Certificate.

The table below detail the rates of Section 7.11 Contributions applicable to the multi-dwelling housing units within each related lot (lot numbers reference the Lot numbers include on the subdivision plan submitted with this development application.

Lot Number	Number of additional dwellings (1 credit deducted for each Lot)	Contribution types	Contribution (per lot)	Payment Required
S1	15	Open Space and Community Facilities	\$2,383.50	\$35,752.50
		Roads and Drainage	\$1,284.50	\$19,267.50
S2	15	Open Space and Community Facilities	\$2,383.50	\$35,752.50
		Roads and Drainage	\$1,284.50	\$19,267.50
S3	29	Open Space and Community Facilities	\$2,383.50	\$69,121.50
		Roads and Drainage	\$1,284.50	\$37,250.50
S4	13	Open Space and Community Facilities	\$2,383.50	\$30,985.50
		Roads and Drainage	\$1,284.50	\$16,698.50
Total Payable	72			\$264,096

All contributions required by this condition are to be paid to Council prior to the issue of a Construction Certificate. Suitable evidence provided to the Certifying Authority demonstrating their payment with the relevant Construction Certificate application.

The above amount shall be adjusted for inflation by reference to the Consumer Price (All Ordinaries) Index and Council Fees and Charges applicable at the time of the payment of the contribution.

A copy of the Muswellbrook Shire Council section 7.11 contribution plan can be viewed at the office of Council.

Condition reason: Fixed development consent levy in accordance with Section 7.11 of the *Environmental Planning and Assessment Act 1979*.

32. Headworks Contribution - Notice of Requirements

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

Any Notice of Requirements will require the payment of water and sewer headworks contributions prior to the issue of a Compliance Certificate. Water and sewer headworks contributions applicable under Council's current fees and charges for the development.

The current rate of water and sewer headworks under Council's fees and charges is as follows

Water 1 ET = \$9,317.00

Sewer 1 ET = \$7,233.50

(1 ET is equal to 1 residential dwelling)

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

The precise rate of Section 64 headworks contributions will be established in the Notice of Requirements issued by Council's Water and Sewer Division related to the scope of works applied for.

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

Condition reason: Requirement under the *Water Management Act 2000*.

33. Section 68 Local Government Act Approval

Prior to the issue of a Construction Certificate, it shall be necessary for the applicant to obtain a Section 68 Local Government Act approval for all water supply, sewerage and stormwater drainage works.

Condition reason: Requirement under Section 68 under the *Local Government Act 1993*.

34. Compliance with BASIX Requirements

Under Section 75 of the *Environmental Planning and Assessment Regulation 2021*, it is a condition of this Development Consent that all commitments listed in the relevant BASIX Certificate submitted with this development application are to be complied with. Any subsequent version of this BASIX Certificate will supersede all previous versions of the certificate.

Condition reason: Prescribed condition under Clause 6.7 of the *Environmental Planning and Assessment Act 1979*.

35. Bushfire Construction

New residential construction (stage 1) shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019*.

The design plans submitted to the Certifying Authority with any Construction Certificate shall demonstrate compliance with this required Bushfire Attack Level Design requirement.

Condition reason: To ensure compliance with the requirements of NSW Rural Fire Service

36. Section 138 Permits

Where multi-dwelling housing requires the installation of a new driveway crossover within a dedicated Council Road and/or the carrying out of works over such a road a Section 138 permit is to be obtained from Council for the work concerned prior to the issue of a Construction Certificate.

Any Section 138 application must be accompanied by detailed design plans demonstrating that all required vehicle crossovers and associated works in the road reserve will comply with the relevant Australian Standards and Council requirements.

Where a S138 permit is required in accordance with this condition documentary evidence is to be provided to the Certifying Authority demonstrating compliance with this requirement.

Condition reason: To comply with road authority requirements.

37. Lot S3 – Waste collection management

Prior to the issue of a Construction Certificate for the multi-dwelling housing contained in the proposed Lot S3 arrangements are to be made for the waste collection contract for multi-dwelling housing units within this Lot through either:

- a. The person acting with this consent is to enter into a memorandum of understanding or similar with a private waste collection company to collect waste within the development from the internal access road. The related final waste collection contract is to be entered into prior to the Occupation Certificate or
- b. Arrangements are to be made with Council for waste collection to be administered via Council's kerbside collection (pick up location at the sites Bimbadeen frontage. Where waste is to be managed via Council collection at Bimbadeen a related waste management plan is to be provided to Council for approval related to bin allocations within the development which is to include details related to:
 - i. Number of bins
 - ii. Storage location for bins
 - iii. Paths of travel for bin movement between storage locations (where centralised or located at individual dwelling sites and the Bimbadeen collection location).
 - iv. Where central waste storage proposed the storage location is to be

hardstand, visually screened and provided with a tap and house for wash down.

- v. Include details related to the management and upkeep of bin storage locations.

Documentary evidence is to be provided to the Certifying Authority confirming compliance with this requirement prior to the issue of any related Construction Certificate.

Condition reason: Ensure appropriate provisions are made for waste management and collection.

38. Landscape Plan

Prior to the issue of a Construction Certificate a landscaping plan is to be submitted for approval to the Certifying Authority detailing landscaping detailing the establishment of landscaped areas within the multi-dwelling housing.

The landscape plan is to:

- Be in accordance with the Muswellbrook Development Control Plan and Muswellbrook Council preferred species landscaping guidance.
- Where possible incorporate native species of vegetation.
- Incorporate any landscaping within the multi-dwelling housing lots included in the landscaping plan approved with the Subdivision Works Certificate.

The approved landscaping plan is to be complied with through the carrying out of the development.

Condition reason: To comply with Muswellbrook Development Control Plan.

39. Multi-dwelling Housing Lot S3 internal access

Prior to the issue of a Construction Certificate for any multi dwelling housing within the Lot approved as proposed Lot S3. A detailed plan of the site access internal road (road identified as Road 5 and 6 on approved plans) is to be provided to the Certifying Authority. The detailed design of the site access shall:

- Be generally in accordance with the design and layout of the approved civil plans.
- Designed as a sealed road in accordance with relevant Austroads guidelines and Australian Standards.
- Be a one-way access road with entry via Road 6 and exit via Road 5.
- Incorporate road signage referencing one way in and out arrangement. Signage to be generally in accordance with approved civil plans

The road access and signage plan is to be submitted to and approved by Councils' Roads and Drainage Division with documentary evidence confirming the approval of that plan provided to the Certifying Authority.

Condition reason: To ensure appropriate road design and traffic management

Before building and or subdivision work commences

40. Site Sign

A sign must be erected in a prominent position on any work site on which work 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.

Condition reason: Requirement under Section 70 under the *Environmental Planning and Assessment Regulation 2021*.

41. Site Facilities

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

Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site

Condition reason: To ensure that measures that will protect the public, and the surrounding environment are in place during site works and construction.

42. Haulage route

- a. A haulage route for the site is to be provided to Council prior to any constructed works and a defects assessment for the route is to form part of the Section 138 permit.
- b. All works are subject to a Section 138 Road Permit prior to construction, and is to

be adhered to at all times, including but not limited to haulage routes, defect assessments and traffic control.

- c. During road construction, continuous suitable and safe access allowances are to be made for all local traffic.

Condition reason: Comply with roads authority requirements

43. Stabilised Access

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

The stabilised access must be fully maintained and removed from the site when a permanent driveway has been constructed.

Condition reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site.

44. Damage to Public Infrastructure

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

Note: This documentation will be used to resolve any dispute over damage to infrastructure. If no documentation is received prior to commencement of work, it will be assumed that the infrastructure was undamaged, and the applicant will be required to restore all damaged infrastructure at their expense.

Condition reason: To ensure any damage to public infrastructure is rectified.

45. Temporary Fences and Tree Protection

All protected trees on-site shall be tagged with luminous tape or the like for purposes of identification prior to excavation or construction, and no materials or builder's waste are to be stored in the vicinity of the tree / trees.

Appropriate fencing or barricades and protection measures shall be installed around the trees identified for retention within the Stage 1 Area identified for retention in the related habitat trees map included on page 36 of the Flora and fauna report prepared by Wildthing Consulting in relation to the development.

The related trees are identified as (H80, H81, H82, H83, H84 and H2)

Condition reason: To minimise ecological impact and ensure compliance with Clause 4.1A of the Muswellbrook LEP 2009

46. Public Liability Insurance

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 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.

Condition reason: To ensure any damage to public infrastructure is rectified.

47. Water Meter

Prior to the carrying out of building work on a lot to which reticulated water is available, a water meter issued and installed by Muswellbrook Shire Council must be connected to the town's reticulated water supply prior to commencement of works on site.

Condition reason: To ensure relevant utility services are provided to the development site.

48. Erosion and sediment controls in place

Before any site work commences, the Certifying Authority must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways

49. Supply of Electricity – Ausgrid

The applicant is to obtain advice from Ausgrid for the connection of the proposed development to the adjacent electricity network infrastructure. Details on how to connect to Ausgrid's network with a specific focus on details related to Notification of Arrangements for Subdivisions can be found on Ausgrid's website – www.ausgrid.com.au.

Condition reason: To ensure electricity connection and infrastructure is suitably designed.

During building and/or subdivision works

50. Works Authorisation Deed

For any works on the classified (State) road the developer will be required to enter into a Works Authorisation Deed (WAD) with TfNSW. All works shall be designed and constructed in accordance with Austroads Guidelines, Australian Standards and TfNSW Supplements. All works shall be at full cost to the developer and no cost to TfNSW.

Conditions reason: Prescribed by legislation. Ensure compliance with roads authority requirements.

51. Construction Hours

Subject to this clause, building construction is to be carried out during the following hours:

- i. between Monday to Friday (inclusive)—7.00am to 6.00pm
- ii. on a Saturday—8.00am to 1.00pm

Building construction must not be carried out on a Sunday or a public holiday.

Demolition works and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.

The builder and excavator must display, on-site, their 24-hour contact telephone numbers, which are to be clearly visible and legible from any public place adjoining the site

Condition reason: To protect the amenity of the surrounding area.

52. Discovery of relics and Aboriginal objects

While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:

- a. the work in the area of the discovery must cease immediately;
- b. the following must be notified for a relic – the Heritage Council; or
- c. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- a. for a relic – the Heritage Council; or
- b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Condition reason: To ensure the protection of objects of potential significance during works

53. Working Near Power Lines - Overhead

All work near overhead power lines is to be carried out in accordance with the Safework NSW document – Work Near Overhead Powerlines Code of Practice.

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost.

It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

Condition reason: To ensure safety through the carrying out of work.

54. Working near Power Lines – Underground cables

All work near underground cables is to be carried out in accordance with Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156.

The developer is to locate and record the depth of all known underground services prior to any excavation in the area. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath.

Condition reason: To ensure safety through the carrying out of work.

55. Amenity - Dust Emission and Air Quality

The following measures must be taken to control the emission of dust:

- a. Materials must not be burnt on the site.
- b. Vehicles entering and leaving the site with soil or fill material must be covered.
- c. Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- d. All dusty surfaces and stockpiles of materials must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the stormwater system.
- e. 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.

Condition reason: To protect the amenity of the locality.

56. Sediment & Erosion Controls

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

Condition reason: To protect the amenity of the area

57. Soil management

While site work is being carried out, the Certifying Authority must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- a. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the Certifying Authority.
- b. All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997

Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants

58. Mandatory Inspections under Section 68 Local Government Act 1993

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

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

Condition reason: To ensure the development is satisfactorily connected to Council's infrastructure

Before issue of any Occupation Certificate

59. Occupation Certificate Requirement

The building / structure is not to be used or occupied until a final inspection has been

carried out and an Occupation Certificate has been issued by the Certifying Authority.

Condition reason: Prescribed condition under Clause 6.9 of the Environmental Planning and Assessment Act 1979.

60. Street Numbering

The street number shall be displayed and be visible from the front boundary prior to occupation of the multi – dwelling development.

Condition reason: To ensure that properties are numbered in accordance with the requirements prescribed by the Geographical Names Board.

61. Works-as-executed plans – Multi dwelling development

Prior to the issue of an Occupation Certificate a works as executed plan drawn on the NSW Fair Trading approved template detailing the layout and location of the sewer and stormwater pipe work is to be submitted to Muswellbrook Shire Council.

Condition reason: To confirm the location of works once constructed that will become council assets

62. Installation of Driveways

Prior to the issue of any Occupation Certificate, a sealed vehicular crossover shall be constructed between the property boundary and the road in accordance with Council's Footpath, Kerb & Guttering Policy (F10/1) and any S138 approval. The driveway is to continue from the property boundary to the garage in accordance with the profile on the approved plans and is to be fully constructed and sealed prior to the issue of an occupation certificate.

Condition reason: Ensure compliance with Roads Authority requirements

63. Final Compliance Certificate for Water Supply and Sewerage Works

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

Condition reason: Ensure compliance with water authority requirements

64. Connection to Sewer

The premises shall be connected to the sewer system in accordance with the Australian Standard 3500. A works as executed plan on Council's approved form is to be submitted to Council within seven (7) days following the final drainage inspection and prior to any Occupation Certificate being issued.

Condition reason: Ensure compliance with water authority requirements

65. Installation of landscaping

Prior to the issue of any Occupation Certificate landscaping is to be installed at the site in accordance with the approved Landscape Plan, the requirements of this consent or as otherwise directed by Council in writing.

Condition reason: Ensure compliance with Muswellbrook Development Control Plan

66. Installation of Fencing

Prior to the issue of any Occupation Certificate 1.8m high secure Colourbond fencing is

to be installed around the private open space areas of all multi-dwelling housing units relevant to the Occupation Certificate being applied for. This fencing is to be installed at full cost to the person acting with this consent.

Condition reason: Ensure appropriate privacy provided to multi-dwelling housing units.

67. Cloths drying facility

Prior to the issue of an Occupation Certificate all dwellings are to be provided with an open-air clothes drying facility situated in a sunny location in accordance with the requirements of Council's Development Control Plan.

Condition reason: Ensure compliance with Muswellbrook Development Control Plan

68. Dwelling Numbering

Prior to any Occupation Certificate being issued for the building works, the person acting upon this consent must apply to Muswellbrook Shire Council and receive written confirmation of the allocated street address(es) or house number(s) for the completed project. These are the numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of AS/NZS 4819:2003 – Geographic information – Rural and urban addressing.

To assist Council when applying for strata unit number allocations, a draft proposal for unit numbering within the strata scheme should be submitted for concurrence to Council, as these unit numbers will be used to maintain Council's property and mapping database.

Condition reason: Ensure appropriate road numbering and compliance with local authority and geographic naming board requirements

69. Construction of Parking Areas

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

Condition reason: Ensure off-street parking constructed in accordance with the approved plans.

70. Lot S3 – Waste Management

Prior to the issue of an Occupation Certificate, for multi-dwelling housing within Lot S3 confirmation is to be provided to the Certifying Authority that final waste collection arrangements have been made and any required collection contracts or waste collection/storage requirements completed in accordance with related requirements approved with the Construction Certificate application.

Condition reason: Ensure appropriate waste management.

71. Multi-dwelling Housing Lot S3 internal access

Prior to the issue of an Occupation Certificate the internal site access relevant to this Lot is to be constructed and sealed in accordance with the related approved design plans and Australian Standards.

All one-way and traffic signage is to be installed at this road in accordance with the

related approved plans.

Condition reason: Ensure appropriate road design and traffic management

72. Section 88B Instrument

Prior to the issue of an Occupation Certificate for any Stage of the multi-dwelling housing a Section 88B instrument shall be established on the title of the relevant Lots with Council being nominated as the sole authority to release, vary or modify each encumbrance unless specially noted otherwise:

- Lot S3 Parking – an easement benefiting proposed Lot A1, S2, S4 is to be registered over proposed Lot S3 benefiting the lots concerned with the opportunity to use the internal access road and off-street parking centrally located within multi-dwelling housing layout design for this lot.
- Walkway reserves – the parts of Lots S1, S2, S3 and S4 identified as 'walkway reserves' on the approved plans are to be dedicated as public rights of way permitting public pedestrian traffic through the land concerned.
- The BBQ, pergola and landscape area within proposed Lot S3 as identified on the approved landscape plan alongside walking pathways to and from this area is to be subject to an easement that benefits proposed Lots S1, S2 and S3 with access to and use of this communal BBQ and picnic space.

Condition reason: To ensure appropriate services provided to multi dwelling housing

Before issue of a Subdivision Certificate

73. Subdivision Certificate

An application for a Subdivision Certificate is to be submitted to and approved by Council prior to the release of the final plan of subdivision.

Condition reason: Prescribed legislation

74. Section 88B

The plan of subdivision and Section 88B instrument shall establish the following title encumbrances with Council being nominated as the sole authority to release, vary or modify each encumbrance unless specially noted otherwise. Wherever possible the extent of the land affected shall be defined by bearings and distances shown on the plan of subdivision:

- Restriction as to user – incorporated onto the title of proposed Lot 1 – the restriction is to affect and identify the part of the Lot zoned C3 Environmental Management – the restriction as to user is to restrict the erection of any building on the part of proposed Lot 1 zoned C3 Environmental Management.
- Public stormwater drains, existing and proposed stormwater outlets, overland flow paths located outside of the drainage reserves.
- Water and sewer utility services located on private lots.
- An easement is to be included over the stormwater drainage detention basin. The terms of the easement shall permit Council to enter this land to carry out maintenance or improvement work to the stormwater detention basin
- Easements for services in favour of the property serviced and / or the appropriate utility provider.
- All stormwater infrastructure located on private property is to be included within easements in favour of Council in accordance with related provisions of Section 25 of the Muswellbrook Development Control Plan.

- Asset protection zones per NSW Rural Fire Service General Terms of Approval
- Reference requirement for any new residential constructions to consider and comply with the requirements of Planning for Bushfire Protection 2019.
- Easement is to be registered on the title of Lot S1, S2, S3 and S4 requiring the owner of the land concerned to at all times maintain all retaining walls on the boundary of that land where it adjoins a residential lot that is not part of a multi dwelling housing estate approved as part of this application.
- Lot S3 Parking – an easement benefiting proposed Lot A1, S2, S4 is to be registered over proposed Lot S3 benefiting the lots concerned with the opportunity to use the internal access road and off-street parking centrally located within multi-dwelling housing layout design for this lot.
- Walkway reserves – the parts of Lots S1, S2, S3 and S4 identified as 'walkway reserves on the approved plans are to be dedicated as public rights of way permitting public pedestrian traffic through the land concerned.
- The BBQ, pergola and landscape area within proposed Lot S3 as identified on the approved landscape plan alongside walking pathways to and from this area is to be subject to an easement that benefits proposed Lots S1, S2 and S3 with access to and use of this communal BBQ and picnic space.

Condition reason: Comply with this development consent.

75. Section 7.11 Contributions

Prior to the Issue of the Subdivision Certificate, a contribution pursuant to the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979, as specified under the Muswellbrook Shire Council Section 94 Contribution Plan for the services detailed in column A and, for the amount detailed in column B shall be made to Council:

Description	Number of Lots (deducted from total number of Lots – public reserve & 1 credit attached to existing development Lot)	Contribution (per lot)	Payment Required
Roads and Drainage	31	\$1,284.50	\$39,819.50
Open Space and Community Facilities	31	\$2,383.50	\$73,888.50
Total Payable			\$113,708.00

The above amount shall be adjusted for inflation by reference to the Consumer Price (All Ordinaries) Index applicable at the time of the payment of the contribution.

A copy of the Muswellbrook Shire Council section 7.11 contribution plan can be viewed at the office of Council.

Condition reason: To ensure that services to the lot are contained within the lot boundaries.

76. Notice of Completion – Water and Sewer

Prior to the issue of the Subdivision Certificate, a Notice of Completion or a final compliance certificate from Council's Water and Waste Division is to be obtained in relation to works carried out to provide a reticulated water and sewerage service to each of the lots in the subdivision.

Details demonstrating compliance with this requirement must be provided to the Certifying Authority demonstrating that this requirement has been complied with and a connection to the reticulated water and sewer service provided to each lot in the subdivision.

Condition reason: To ensure that contributions and works required by the Notice of Requirements have been complied with.

77. Notice of Arrangements

Prior to the issue of the Subdivision Certificate, a Notice of Arrangement is to be obtained and the appropriate works completed to provide connections to each lot in the subdivision of each of the following services:

- a. electrical reticulation
- b. National Broadband Network

All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

Condition reason: To ensure that the lots are connected to essential services.

78. Location of Services

Prior to the issue of a Subdivision Certificate the applicant shall provide Council with documentation from a registered surveyor certifying that the relevant service infrastructure required to support each lot in the subdivision is located entirely within the boundary of the relevant lot that it services or an appropriate easement to be registered on the title to be registered on the title in favour of the benefited lot and burdening any other lot the service intersects.

All Council water, sewer and stormwater infrastructure located on private Lots are to be incorporated into a 3m wide easement that references Council as the benefited authority and empowers Council to enter the land to carry out work related to the maintenance or improvement of its infrastructure where necessary.

Condition reason: To ensure that services to the lot are contained within the lot boundaries

79. Street Numbering (Subdivisions)

Prior to issuing the Subdivision Certificate written confirmation of the allocated street names and addresses (house number) for any approved allotments are to be obtained from Muswellbrook Shire Council.

These are the street names and numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of *AS/NZS 4819:2003 – Geographic information – Rural and urban addressing*.

Condition reason: To ensure that the lots are addressed in accordance with the relevant standards.

80. All works completed

All subdivision works, road works granted consent under s138 of the Roads Act 1993 and public utility installations are to be completed, prior to issue of the relevant Subdivision Certificate.

Condition reason: To comply with road authority requirements

81. Final Inspection Report

A Final Inspection Report (or equivalent as determined by the Road Authority) is to be issued by the Road Authority for any works granted consent under section 138 of the Roads Act 1993.

Condition reason: To comply with road authority requirements

82. Certificate of Practical completion

A Final Inspection is to be carried out and a Practical Completion Certificate, is to be issued by the Principal Certifier for any works approved under a Subdivision Works Certificate.

Condition reason: To ensure civil works completed in accordance with this Notice of Determination

83. Repair of Damage

The Developer making good any damage caused to a public road or associated structures, including drains and kerb and gutter, as well as to private property, and revegetating any disturbed areas resulting from the works.

Condition reason: To ensure repair of any damage to property through carrying out of work.

84. Certification – Civil Works

An appropriately qualified and practising civil engineer and/or surveyor shall certify to the Certifying Authority that the stormwater drainage system was constructed in accordance with this consent and the provisions of Council's AUSPEC and Australian Standards for earthworks. The applicant shall, upon completion of the development works and prior to the issue of a Subdivision Certificate, submit to Council a copy of the aforementioned letter of certification together with the Work as Executed and Quality Assurance Documentation.

Condition reason: Ensure civil works completed in accordance with this Notice of Determination

85. Works as Executed Plans

All civil works shall be completed to Council's satisfaction. On completion, "Works-as-Executed" (WAE) drawings are to be provided by the developer, to Council and accepted, prior to the release of the subdivision certificate. The drawings shall be in the form of a marked-up copy of the approved Subdivision Works Certificate Certified Engineering Plan, and also in marked-up digital CAD format approved by Council GIS Officer at the time of subdivision (current digital copy requirement is for a CAD and .dxf format document).

Digital data requirements shall be confirmed with Council's Asset Manager prior to provision of the WAE drawings.

All WAE drawings shall be individually certified as compliant with the design requirements of this consent by an appropriately qualified engineer or registered surveyor.

Line sheets/junction sheets are to be provided by the developer for all access chamber lengths covered by the WAE sewer main drawings.

Condition reason: Ensure civil works completed in accordance with this Notice of Determination

86. Bill of quantities

Prior to the issue of a Subdivision Certificate and within 21 days of the issue of a Certificate of Practical Completion a Bill of Quantities and costs for all constructed public works for handover to Council is to be provided to Council unless otherwise approved in writing by Council Roads and Drainage Section. The Bill of Quantities is required to inform Council in the management of public assets.

Condition reason: Ensure detailed documentation is provided in accordance with Council Roads and Drainage Section requirements regarding constructed civil assets

87. Vegetation Management Plan

Prior to the issue of the Subdivision Certificate for Stage 1, a Vegetation Management Plan is to be prepared and submitted to Muswellbrook Shire Council outlining the methodology for the management of vegetation within the public reserves within Stage 1. The Vegetation Management Plan shall include:

- The VMP shall include a 10 metre asset protection zone management standard along the southern boundary (Dog Park & Market Garden open space reserve) to the proposed residential lots that front proposed road 2.
- The VMP shall incorporate surface and mid-storey vegetation to be managed in accordance with Appendix 4 of *Planning for Bush Fire Protection 2019*.
- The VMP shall identify Canopy vegetation - Dog Park & Market Garden Master Plan, can be retained to the current survey - Landscape Master Plan, except where it exceeds the asset protection zone requirements for the required 10 metre asset protection zone, and no additional canopy can be included (replacement canopy applicable).
- The VMP shall identify new canopy vegetation to the Communal Open Space reserve shall comply with Appendix 4 of *Planning for Bush Fire Protection 2019*.

Condition reason: Comply with requirements of the Local Authority/public reserve land manager and NSW Rural Fire Service

88. Biodiversity Conservation Act 2016 Requirements and Retirement of Credits

Prior to the issue of any Occupation Certificate A Biodiversity Assessment Method Calculator (BAMC) Report is to be provided to Council and the Principle Certifying Authority to demonstrate that the BAMC has been finalised.

Condition reason: Legislative requirement.

89. Maintenance Bond

A six-month defect liability period applying in respect of a Subdivision Works Certificate issued for the development, prior to Council accepting maintenance responsibility for subdivision infrastructure including landscaping. Each defect liability period is to commence at the date of registration of the respective plan of subdivision.

In this regard, a cash bond or bank guarantee in an amount equivalent to 5.0% of the final construction value of the subdivision works for which Council is accepting maintenance responsibility for, or an alternative lesser amount as may be agreed to by Council, is to be submitted to Council prior to certification of the Subdivision Certificate.

Note:

- I. A further inspection of the subdivision infrastructure will be undertaken by Council at the cessation

- of the Defect Liability period.
- II. Any defects identified by Council are to be rectified by the developer prior to Council's acceptance of maintenance responsibility and the release of the bond.
- III. In the event that the developer fails to rectify defects notified by Council within one month of notification, Council may elect to call on the bond to affect the required repairs.
- IV. A Final Inspection will be undertaken by Council at the completion of the specified maintenance period.

Condition reason: Ensure infrastructure constructed and performs in accordance with this consent

90. Public Road Dedication

All formed roads, with the exception of the road identified as Road 5 and 6 (private internal multidwelling access) are to be dedicated as public roads on the Subdivision Certificate and Linen Plan(s) of subdivision.

Condition reason: To ensure the roads are transferred to Council.

91. Street Lighting

Street lighting is to be provided in accordance with Council's and energy Australia's requirements prior to the release of the Subdivision Certificate.

Condition reason: To ensure the subdivision has sufficient street lighting.

92. Bushfire Work Certification

Prior to the issue of the Subdivision Certificate, a Certificate is to be prepared by an appropriately qualified bushfire planning consultant and submitted to the Certifying Authority confirming that all required bushfire management works prescribed by the NSW Rural Fire Service General Terms of Approval and the related Section 100B have been complied with relevant to the completion of the subdivision works.

Condition reason: Demonstrate compliance with Planning for Bushfire Protection 2019.

93. Public Parks

The public park reserve is to be constructed and fit out by the person acting with this consent in accordance with the approved plans.

A final inspection report is to be completed by the Certifying Authority at the completion of works related to the park confirming the completion of work related to the public park in accordance with the approved plans.

The public park is to be dedicated to Council as a public recreation space as a public reserve on the plan of subdivision.

Condition reason: Comply with local authority requirements

94. Residual Lot fencing

Prior to the issue of a Subdivision Certificate temporary secure aesthetic stock style fencing is to be installed at the interface of newly created Road Reserves that form part of the subdivision and the undeveloped residual lot in accordance with related plans submitted with the Subdivision Works Certificate, or as otherwise directed by Council in writing.

Condition reason: Protect the environment and ensure potential for unlawful vehicle access to private property and Council reserves is appropriately managed.

95. Fencing adjacent Road Reserve and existing private property

Prior to the issue of a Subdivision Certificate a post and rail stock proof fence is to be constructed at full cost the person acting with this consent adjacent to the boundary of the Bimbadeen Road reserve and the existing property 114 Ironbark Road (Lot 211 DP 1165467). The composition of the fence is to be generally in accordance with the rural post and rail stock fence design style of properties fronting Ironbark Road unless otherwise agreed to between the owner of 114 Ironbark Road in writing.

Condition reason: Ensure delineation of public and private areas, mitigate impact to and prevent unlawful public access between footpath areas and private property.

96. Bimbadeen Drive New England Highway Intersection Work Completion

Prior to the issue of any Subdivision Certificate for the subdivision or Occupation Certificate related to multi-dwelling housing work required by this consent, and as referenced in Transport for NSW correspondence dated 12 February 2025 related to the upgrade of the Bimbadeen intersection are to have been fully constructed to the satisfaction of Transport for NSW as the relevant roads authority.

Documentary evidence is to be provided to the Certifying Authority confirming the satisfactory completion of the work concerned at the time the Subdivision Certificate is applied for.

Condition reason: Ensure compliance with this consent, Roads Authority requirements and related legislation.

Occupation and ongoing use

97. Stormwater Disposal – Multi-Dwelling development

All stormwater from the development including all hardstandings and overflows from rainwater tanks is to be collected and disposed off to the kerb and gutter piped, except where an alternate design is approved by the endorsed stormwater management plan.

Condition reason: Ensure appropriate stormwater management.

98. Landscaping

Unless otherwise approved by Council in writing the landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan.

Condition reason: Ensure landscaping is maintained in accordance with this consent and local authority requirements.

99. One way multi dwelling access road

The internal multi dwelling access road to proposed Lot S3 is to remain a one-way site access at all times unless otherwise approved by Council in writing. All road safety signage related to the internal site access is to be maintained on the land at all times.

Condition reason: Ensure compliance with approved development and maintain road safety.

100. Transport for NSW future urban release area requirement

Any future subdivision development within the URA that rely on the New England

Highway and Bindadeen Drive intersection for access must be supported by a robust and reliable transport impact assessment to understand the delivery triggers for the signalisation of the intersection.

Condition reason: Prescribed by Transport for NSW.

Chronology of Events for DA2024-36

10 Mar 14	Council identifies the subject land as being suitable for residential rezoning within the Muswellbrook Residential and Rural Residential Strategy.
30 Jun 21	Council establishes the site zoning (which includes R1 Residential and R5 Large Lot Residential zoned land) by an amendment to the Muswellbrook Local Environmental Plan.
9 Nov 23	Preliminary discussions with Council planning staff around the subdivision of the site for residential development.
30 Nov 23	Feedback provided by Council officers on preparation of Site Specific DCP.
20 Jan 24	Presentation of draft Concept Plan to Council for preliminary discussion.
20 May 24	Lodgement of DA on the NSW Planning Portal.
29 May 24	Additional information provided in response to request from Council.
13 Jun 24	DA accepted for assessment and formally lodged.
25 Jun 24	Council resolves to prepare a DCP section related to the Ironbark Ridge Extension Area and undertake public consultation related to the draft DCP section in line with Council's Community Participation Plan.
10 Jul - 7 Aug 24	Application placed on public exhibition.
Jul 24 - Oct 24	Discussions and meetings with Dept of Planning, Dept of Transport and Council regarding Satisfactory Arrangement Certificate and upgrade to Bimbadeen and New England Highway intersection. Dept of Planning issue Satisfactory Arrangement Certificate.
11 Oct 2024	Additional information provided in response to request from Council.
23 October	Heritage NSW provide general terms of approval for DA. NSW Rural Fire Services provide general terms of approval for DA.
11 Dec 2024	Additional information provided in response to request from Council.
8 Jan 2025	Additional information provided in response to request from Council.
15 Jan 2025	Additional information provided in response to request from Council.

The following provides a list of key changes made to the development application (DA2024-36) following public exhibition of DA from 19 July to 7 August 2024.

These changes were made to proposed Stage 1 development in response to on-going discussions with Council officers, public submissions and a number of subsequent Requests for Further Information.

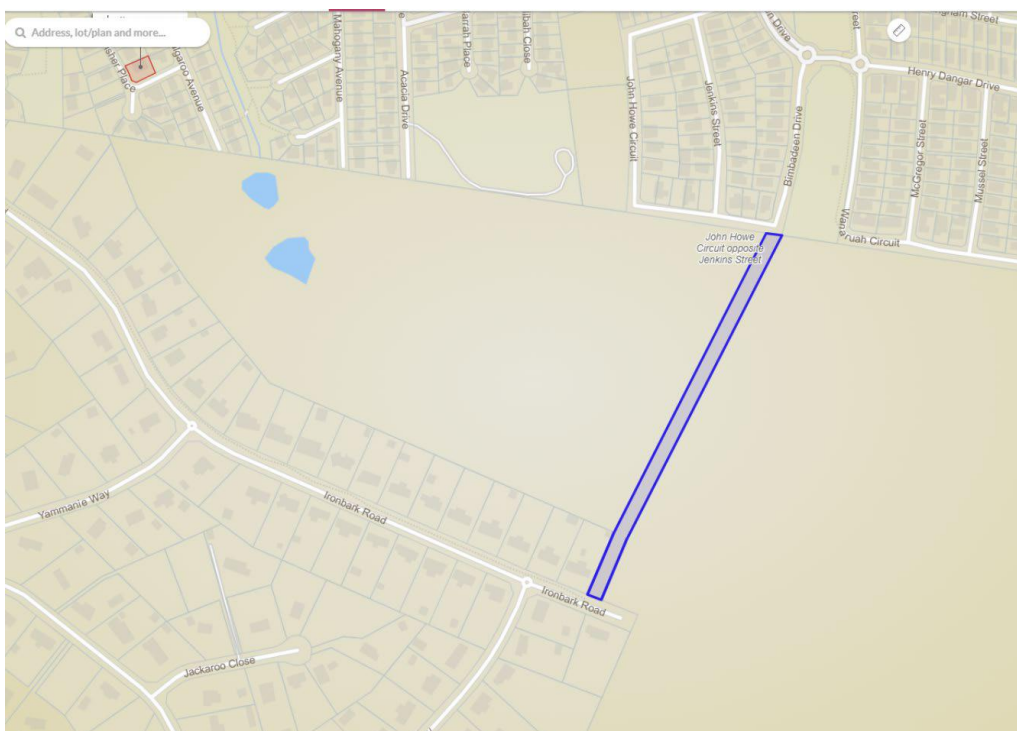
1. Total number of dual occupancy dwellings has decreased from 94 to 76 (-19%).
2. Total number of general residential lots (ranging in size from 641m² to 924m²) has increased from 17 to 23 (+35%).
3. Total number of car parking spaces has increased from 144 to a complying 159 (+10%). This includes 76 driveway spaces and 83 on-street indented spaces on roads 3, 4, 5 & 6.
4. Plans amended to provide vehicular turning templates demonstrating how proposed roads 5 & 6 are suitable to accommodate a 12.5m service vehicle and accommodate vehicles travelling in opposite directions to pass one another.
5. Road 6 will be entry only with vehicles exiting from Road 5 onto Bimbadeen Dr.
6. Road 5 connection through to Council Road 2 has been removed. Bollards introduced to further discourage illegal vehicle movement through to Road 2.
7. Road widths and pathway widths have been updated to comply with Council requirements.
8. An instrument such as a 'positive covenant' (88B instrument) is to be put in place within the areas of lots 4 & 5 that are split zoned *R1 General Residential* and *C3 – Environment Management* to facilitate long-term biodiversity conservation management.
9. Visual Impact Assessment provided with perspective views of the individual single-storey building units and general views of proposed dwellings in the context of their streetscape. This includes provision of an electronic 3D model of the proposed dual occupancies.
10. Improved street tree planting provided in amended Landscape Plans.
11. Pedestrian links are proposed through the housing development as detailed in the amended Architectural Plans. These paths have a width of approximately 5.5m-6m that will enable a wheelchair and pram crossing in a two-way arrangement.
12. Improved stormwater provisions provided in updated Stormwater Plans and Stormwater Servicing Strategy.

Dear Sharon,

Please see responses from your email dated 19th of March 2025, which were discussed in the meeting today with the mayor.

- Intersection of Ironbark and Bimbadeen inadequate. No truncated corner so they weren't aware they would be a corner lot. Concern house is too close to the proposed road.

The alignment accords with the existing title and proposed alignment on Bimbadeen Drive. The splay is not required in this instance as we can achieve appropriate sight distances and service alignments without it. We are also consistent with setbacks to the house. Nothing has changed in this regard from the planning proposal, which was originally identified by Council in 2014 and approved in 2021. The previous work completed by MM Hyndes Bailey & Co was exhibited as part of the planning proposal so this owner has been aware of this for many years.



- Lots backing on to existing 4000smq lots on Ironbark Road should have lot boundaries align with existing lots

Unlike the Ironbark road properties which have narrow frontages and deep blocks this development has wide frontages meaning one of our R5 blocks typically overlap 2 of the

ironbark blocks. This means that there are less dwellings backing onto the Ironbark road properties.

In relation to the boundary alignment the R5 lots do align with the current ironbark road properties as seen below. Furthermore, this plan is consistent with the plan exhibited as part of the planning proposal.



- Private access road to some of the dual occupancy developments are too narrow and one way and not enough parking.

This is a private road which will be owned by strata and Council planners have put conditions in place to discourage use from local residents. Council officers requested that we make this road one way instead of two way to manage traffic flows. All parking provided meets or exceeds the requirements of the planning scheme. Provision of parking was worked through meticulously with Council officers over many months to reach the current agreed position that satisfied all of Council officers requirements.

- Don't want small lots, or even regular lots, prefer 4000sqm rural lifestyle lots.

This has been through a ten-year planning proposal prior to me getting involved. All of the landowners were comprehensively consulted as part of the planning proposal. The R5 zoning bordering the Ironbark road properties was the compromise that was given as part of the planning proposal.

- Doubt about population growth and desirability of Muswellbrook for young people as a place to live so properties won't sell.

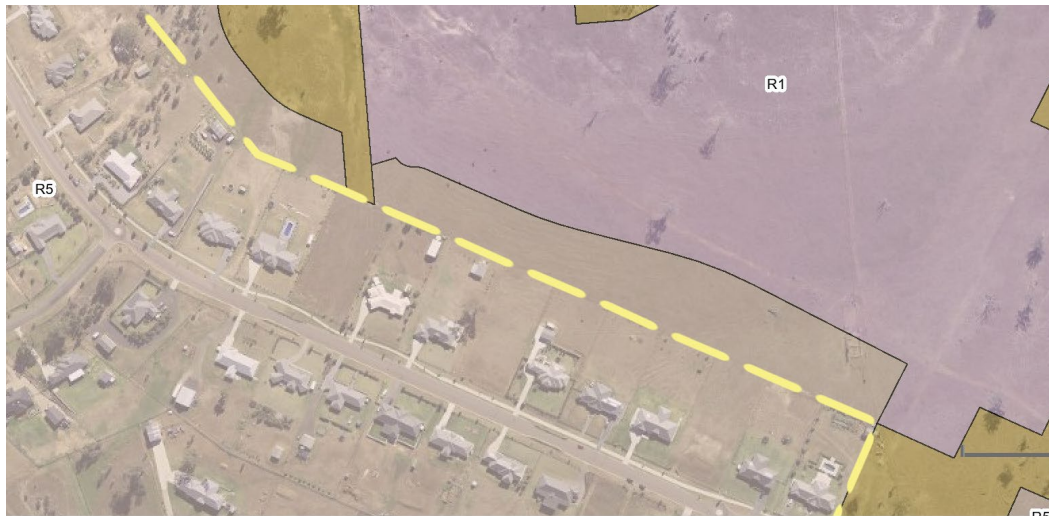
This is not a reason not to approve a development and is our risk as developers. These comments are not supportive of building the town of Muswellbrook and I propose that we all need to work together to change this perception.

- Concerns that drainage isn't adequately addressed.

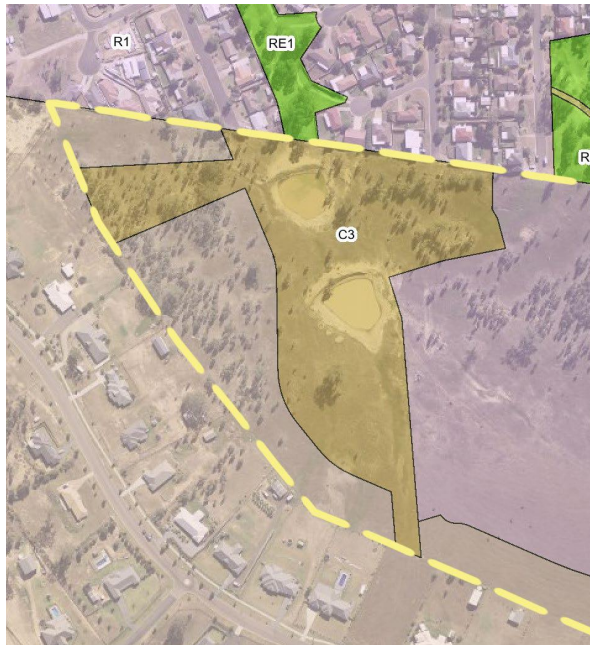
We have had some of Australia's best engineers working on the drainage and servicing plan, which has all been checked and verified by council engineers. The drainage situation particularly for Ironbark road will be significantly improved as we will be diverting all the run-off that currently comes off the hill into the large retention basin. If there is someone who has knowledge and experience in drainage and is qualified to read the plans and finds a legitimate issue then we will of course amend and rectify the plans.

- Want small dwellings further away from the Ironbark road properties.

The site was zoned to provide a buffer of large lots bordering the Ironbark Road properties. The zoning is shown below.



In addition as a part of the planning proposal a large area which was designated for 60 houses was amended to conservation to provide more green space as seen below.



In addition we have provided a significant buffer from the Ironbark road properties with large lots then standard housing before we get closer to the duplex lots.



Initially we considered putting the duplex dwellings in stage 6, however the stage 1 location was a requirement as the Bimbadeen road intersection had to be completed in stage 1. Furthermore, there is significant infrastructure required in stage 1 including a sewer pump

station, road works, retention basin and servicing and the duplex lots needed to be provided to make the site feasible.

As Council are aware we won our last case in the Land and Environment Court against Muswellbrook Shire Council and following that unnecessary process we agreed to work closely with council staff and councillors on any future developments. Before lodging these plans we gave a presentation to councillors and council staff discussing the inclusion and location of the duplex's, which was well received. We have had weekly calls with council staff and constructive feedback from councillors, council staff and the community leading to **12 variations** to the plans. ***Most notably following public exhibition of the DA from 19 July to 7 August 2024 the total number of dual occupancy dwellings decreased from 94 to 76 (-19%) in stage 1.***

We are now compliant with the LEP and DCP and have the support from council planning for Development Approval. If we were to go through the Land and Environment Court again we will be pursuing further duplex dwellings in stage 1, which will be closer to Ironbark road. This scheme will be fully compliant so we would be very confident of a successful outcome.

Finally, Council espouses the need for diversity of housing. The vast majority of housing stock is 4/2/2 with very limited apartment and townhouse stock. When we first spoke to Council they advised that this was needed in the community. This is also reflected across Australia with 26% of households being single households and 50% of households making up singles and couples.

- Remove connection to Acacia for cars

Not a problem. Originally the plan didn't have a connection but we added one based on council feedback so that traffic could dissipate more freely. If Council wants to advise out of the 3 options: No connection, 1 way, 2 way, then we can make the necessary amendments as part of the later DA.

- House values in Ironbark Ridge will drop

This is speculation and isn't a reason not to approve a development.

However, to provide some background to the Ironbark residents. We will be delivering large 5 bedroom residences on the 4000sqm lots at a price guide of about \$1.1-1.2m. We have provided a list of the sales on Ironbark road and as you can see everyone has significant equity in their properties based on their purchase prices. In particular, 103 Ironbark road on 5224 sqm of land sold for \$1m in 2022 so our pricing will be higher and land size lower than this offering.

796 m ²	\$15,000	15/02/1991
872 m ²	\$147,000	29/06/1999
873 m ²	\$22,000	13/08/1988
886 m ²	\$22,500	07/07/1988
6.13 ha		
2,190 m ²	\$482,500	16/10/2015
334 m ²	\$1,150,000	22/09/2023
319 m ²	\$1,150,000	22/09/2023
1,373 m ²	\$1,150,000	22/09/2023
1,373 m ²		
1,500 m ²	\$165,000	15/08/2011
5,031 m ²	\$365,000	17/02/2012

2,397 m ²	\$269,000	01/12/2021
2.4 ha	\$84,000	09/10/1997
2,397 m ²	\$305,000	06/07/2022
2,397 m ²	\$222,500	06/12/2021
2,397 m ²		
2,397 m ²	\$230,000	30/11/2021
2,397 m ²		
0 m ²	\$95,000	20/03/2003
0 m ²	\$69,000	17/04/1991
2,397 m ²		
0 m ²	\$170,000	06/02/2006
1,060 m ²	\$0	12/08/2016
1,253 m ²	\$710,000	05/09/2024
1,454 m ²	\$14,000	11/09/2002

967 m ²	\$0	07/06/2021
944 m ²	\$495,000	26/05/2021
907 m ²	*\$735,000	14/03/2025
1,421 m ²	\$130,000	08/08/2009
639 m ²	\$125,000	02/07/2010
8,033 m ²	\$1,130,000	09/08/2024
2.67 ha	\$605,000	22/04/2022
1.39 ha		
621 m ²	\$655,000	24/09/2024
7,091 m ²	\$198,000	12/11/2009
630 m ²	\$125,000	06/07/2010
8,276 m ²	\$210,000	24/11/2009
8,676 m ²	\$0	19/11/2019

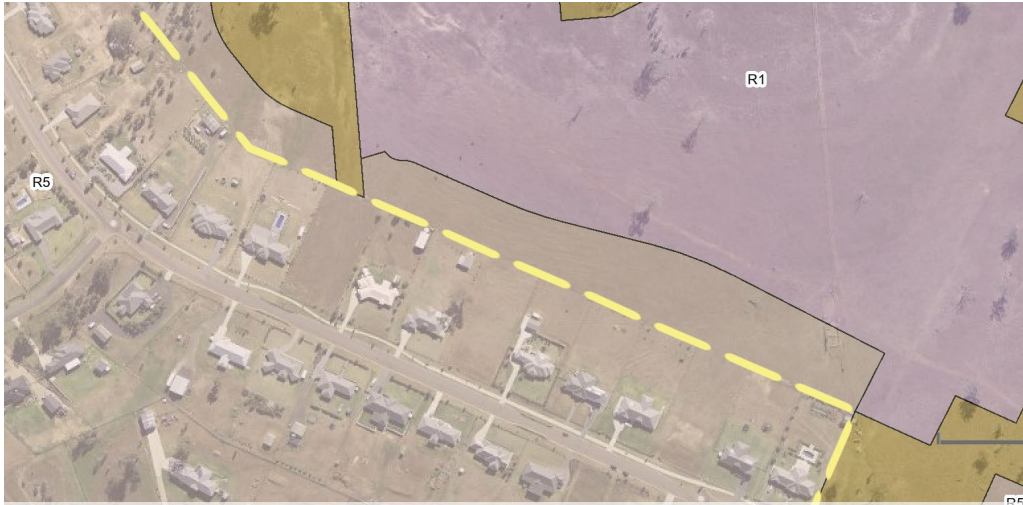
4,007 m ²	\$790,000	19/06/2020
9,926 m ²	\$850,000	19/11/2021
7,021 m ²	\$170,000	17/12/2009
4,015 m ²	\$675,000	11/03/2021
1.2 ha	\$850,000	31/10/2018
4,020 m ²	\$550,000	14/06/2018
4,014 m ²	\$680,000	04/02/2021
6,508 m ²	\$142,000	07/04/2010
4,013 m ²	\$163,000	21/07/2010
4,228 m ²	\$167,000	06/09/2010
4,011 m ²	\$178,000	25/06/2010
4,599 m ²	\$190,000	11/11/2009
4,003 m ²	\$186,000	19/11/2010
5,283 m ²	\$649,000	15/08/2022
4,010 m ²	\$210,000	04/10/2018
4,965 m ²	\$142,000	17/12/2009

4,020 m ²	\$192,000	24/12/2010
4,074 m ²	\$185,000	21/12/2010
4,022 m ²	\$233,000	03/05/2013
4,085 m ²	\$185,000	08/10/2010
4,023 m ²	\$178,000	28/10/2020
4,085 m ²	\$0	16/12/2016
4,012 m ²	\$190,000	11/11/2010
4,085 m ²	\$985,000	29/07/2022
4,043 m ²	\$188,000	03/03/2011
4,085 m ²	\$605,000	03/11/2016
4,085 m ²	\$800,000	08/10/2021
4,085 m ²	\$990,000	07/07/2022
4,081 m ²	\$181,000	03/12/2010
4,111 m ²	\$182,000	22/03/2012
5,844 m ²	\$187,000	10/04/2012

662 m ²	\$60,000	16/07/1984
686 m ²	\$745,000	01/05/2024
679 m ²	*\$675,000	18/02/2025
690 m ²	\$259,000	22/10/2017
701 m ²	\$680,000	15/04/2024
2.4 ha	\$72,000	17/09/1999
657 m ²	\$345,000	10/05/2018
599 m ²	\$350,000	06/12/2021
616 m ²	\$410,000	04/05/2022
740 m ²	\$242,000	04/06/2018
843 m ²	\$575,000	25/09/2024
1,017 m ²	\$22,500	08/04/1991
800 m ²	\$105,000	03/05/1997
620 m ²	\$275,000	30/04/2012
681 m ²	\$0	24/04/2019

- Real estate at the time of selling Stage 2 indicated that the land was “Convenient with Rural Living” so rural not residential.

The lots on Ironbark road are R5 rural residential. The lots adjoining the Ironbark road as seen below are rural residential as well so this is not inconsistent with what the real estate agent advised.



- New short cut (rat run) to Industrial Estate / Denman – New England Highway. Bimbadeen Dr, Ironbark Rd, Stock Route. Impact on Rutherford Rd intersection.

Ironbark road was originally developed at a width to handle the future expansion. The initial extension of Bimbadeen road has been widely considered by both Council and Transport for NSW. While many of the new residents will use Ironbark road to drive out to the industrial estate, the current Ironbark road residents will enjoy the benefits of a shorter commute along Bimbadeen drive when they travel to Singleton.

- Poor parking at Market Fair shops. Not enough shops.

This is a matter for council and nothing to do with our development.

- Security / increase in crime due to the multi-dwelling housing area

Given the target market and price point we are do not foresee any increase in crime due to the use of the multi-dwelling housing.

- Can the multi-dwelling housing component be leased/sold to Compass housing?

This is irrelevant to an approval. We are not in any discussions with Compass Housing nor any other affordable housing provider. These groups are not our target markets.

In addition to the below community feedback the mayor Mr Jeff Drayton has requested that I respond to two additional items.

1. Duplex dwellings not being seen in other developments in Maitland and Cessnock.

Many of the developments in Cessnock now have lot sizes as small as 300sqm and instead of duplex dwellings many are offering Dual key homes. Below is a copy of the McDonald Jones Homes Serrano Floor Plan which shows a 1 bedroom and 4 bedroom dwelling joined by a common wall. This is essentially a duplex.



2. That the dwellings could be used for fly in-fly out workers and Council wants workers to live locally.

We are fully aligned on this. We are directly targeting fly in fly out workers at the mines and local contractors so they can purchase a property and move to the area. We have already commenced a Move2muswellbrook campaign and we intend to offer 100% financing through Ownhome & salary packaging through Paywise to provide a pathway for home ownership for these workers. Without quality housing we cannot incentivise workers and their partners and children to move to Muswellbrook. While we cannot stop the mines from fly in fly out rosters we can do our part to provide quality housing and financing to incentive them to make the move. This is far more than what is currently being done anywhere else and we hope this initiative will leave a legacy for the town of Muswellbrook and a blueprint for other communities and councils around Australia.

Regards,

Edward Fernon



8.2. Corporate Services

Nil

8.3. Infrastructure & Property

Nil

8.4. Community and Economy

Nil

9. Notices of Motion

Nil

10. Closed Council

Nil

11. Closure

Date of Next Meeting: 22 April, 2025