

Section 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 (DCCEE).)

- (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.