

8.4 DA0371/2021 - Dual Occupancy (Attached) and Torrens Title Subdivision (1 into 2 Lots) at 21 Marskell Circuit, Mudgee (Lot 4 DP 1267151)

REPORT BY THE TOWN PLANNER
TO 16 JUNE 2021 ORDINARY MEETING
GOV400088, DA0371/2021

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner on the DA0371/2021 - Dual Occupancy (Attached) and Torrens Title Subdivision (1 into 2 Lots); and
- B. approve DA0371/2021 - Dual Occupancy (Attached) and Torrens Title Subdivision (1 into 2 Lots) subject to the following conditions and statement of reasons:

CONDITIONS

APPROVED PLANS

1. The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except as varied by the conditions listed herein and/or any plan notations.

<i>Title / Name:</i>	<i>Drawing No / Document Ref:</i>	<i>Rev:</i>	<i>Date:</i>	<i>Prepared by:</i>
Site Plan/Analysis	01	D	04/05/21	A J Design & Draft
Lower Floor Plan	02	D	04/05/21	A J Design & Draft
Ground/First Floor Plan	03	D	04/05/21	A J Design & Draft
North-West & South-East Elevations	04	D	04/05/21	A J Design & Draft
North-East & South-West Elevations	05	D	04/05/21	A J Design & Draft
Section A-A	06	D	04/05/21	A J Design & Draft
Shadow Analysis	07	D	04/05/21	A J Design & Draft
Subdivision & Driveway Section	08	D	04/05/21	A J Design & Draft
Schedule of Finishes	09	E	20/5/21	A J Design & Draft
Landscape Concept Plan	21095 DA 1	A	5.5.21	Vision Dynamics

2. This development consent provides approval for the dual occupancy (attached) and Torrens Title subdivision – 1 into 2 Lots, only.

3. **Structures are to be located at least 1500mm away from the centreline of the sewer/stormwater pipe, such that the structures do not encroach in to any easement. The footing for the wall must be of sufficient depth to extend below the Zone of Influence to ensure no additional loading is placed on any existing or proposed pipe.**
4. **In accordance with Council's Development Control Plan, Council does not permit the following types of development over an existing sewer main or easement for sewer/stormwater drainage;**
 - **Erection of permanent structures,**
 - **Cut or fill of land,**
 - **The planting of trees, or**
 - **Concrete structures.**
5. **All stormwater runoff from roof and developed surfaces is to be controlled in such a manner so as not to flow or discharge over adjacent properties. Methods of disposal of excess stormwater including overflow from tank must also include adequate provision for prevention of erosion and scouring.**
6. **Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.**
7. **Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council**
8. **All costs associated with the preparation of the Survey Plan and associated easement documentation are to be borne by the developer.**
9. **Switchboards for gas, electricity, etc., must not be attached to the front or street facing elevations of the buildings.**

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

10. **Prior to the issue of a Construction Certificate, approval pursuant to Section 68 of the *Local Government Act 1993* to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.**
11. **Prior to the issue of a Construction Certificate, the developer shall pay a long service levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$25,000 or more.**

Note - The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.

Note – Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction

Certificate is to be issued by a Private Certifier, the long service levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.

12. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*. The finished surface levels shown on the plan are to demonstrate compliance with the following:

- Any retaining walls are to be located a minimum of 0.3m from the boundary; and
- The depth of any fill must not exceed 0.6m; and
- No cut or fill is to occur within water, stormwater or sewer easements; and
- Cut shall not exceed a depth of 1.0m.

PRIOR TO THE COMMENCEMENT OF WORKS

13. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:

- a) the appointment of a Principal Certifying Authority and
- b) the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

14. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.

NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE

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

- a) stating that unauthorised entry to the work site is prohibited;
- b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
- c) the name, address and telephone number of the principal certifying authority for the work; and
- d) the sign shall be removed when the erection or demolition of the building has been completed.

16. With the exception of work where there is in force an exemption under clause 187 and 188 of the *Environmental Planning and Assessment Regulations 2000*, all building work that involves residential building work for which the Home Building Act requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.

17. If the work involved in the erection/demolition of the building;

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or

b) building involves the enclosure of a public place.

A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed

18. The development site is to be managed for the entirety of work in the following manner:
- a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - b) Appropriate dust control measures;
 - c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

BUILDING CONSTRUCTION

19. All building work must be carried out in accordance with the provisions of the National Construction Code, the *Environmental Planning & Assessment Act 1979* and Regulations and all relevant Australian Standards.
20. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
21. Construction work noise that is audible at other premises is to be restricted to the following times:
- Monday to Saturday - 7.00am to 5.00pm
- No construction work noise is permitted on Sundays or Public Holidays.
22. All mandatory inspections required by the *Environmental Planning & Assessment Act 1979* and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
23. The strength of the concrete used for the reinforced concrete floor slab must be a minimum 25Mpa.
24. The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by an accredited certifier, prior to them being covered. In this regard, at least 24 hours' notice shall be given to Council for inspection of such works. When requesting an inspection please telephone Council's Customer Counter on 6378 2850 and quote Council's DA reference number located on the front page of this consent.
- a. Internal and external sanitary plumbing and drainage under hydraulic test.
 - b. Water plumbing under hydraulic test.
 - c. Final inspection of the installed sanitary and water plumbing fixtures upon

the building's completion prior to its occupation or use.

25. **Structural members subject to attack by subterranean termites shall be protected by one of the methods outlined in AS 3660.1 and a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:**
 - a) the method of protection; and
 - b) the date of installation of the system; and
 - c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - d) the need to maintain and inspect the system on a regular basis.

26. **The requirements of BASIX Certificate numbers 1199700M issued on 6 May 2021 must be installed and/or completed in accordance with the commitments contained in that certificate. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council and/or the Principal Certifying Authority prior to the commencement of the alteration/s.**

27. **All stormwater is to discharge to the street gutter with the use of non-flexible kerb adaptors. Alternatively, stormwater is to be connected to the approved inter-allotment drainage system. In this instance, a grated pit of 600mm x 600mm with a 90mm glue capped stormwater stub is to be provided on the lower corner of each allotment to dispose of stormwater that cannot drain naturally to a public roadway or watercourse.**

28. **Metal roof/wall cladding shall be provided in a non-reflective colour scheme such as "Colorbond" steel sheeting.**

29. **The buildings are to be set out by a registered surveyor in the position approved by Council. A copy of the survey report indicating the position of the buildings as approved, wholly contained within the subject lots is to be submitted to the Principal Certifier prior to the pouring of any in-situ concrete.**

30. **If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.**

CUT AND FILL

31. **All earthworks, filling, building, driveways or other works, are to be designed and constructed to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs. The site shall be graded so that it is free draining.**

32. **Any soil / water retention structures are to be constructed prior to the bulk stripping of topsoil to ensure sediment from the whole site is captured.**

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

33. **Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.**

34. Prior to the issue of an Occupation Certificate, the Developer must construct a new sealed crossover to each of the dwellings from Marskell Circuit. Separate approval is required from Council under the provisions of Section 138 of the *Roads Act 1993* and Council's Access to Properties Policy, prior to any works being undertaken.
35. Prior to issue of an Occupation Certificate, all approved car parking and associated driveway works are to be completed.
36. Outdoor drying facilities and letterboxes are to be provided for each unit prior to occupation of each building. The developer shall contact Council to ensure that the Street Addressing for each dwelling is correctly allocated in accordance with AS4819.
37. A 1.8 metre high screen fence is to be provided to all side and rear boundaries behind the building line prior to occupation of the development. All fencing is to be provided at full cost to the developer.

FENCING CONDITIONS

38. Fencing shall be provided for the development in accordance with the following requirements:
 - a) A 1.8 metre high screen fence is to be provided to all side and rear boundaries, behind the front building line.
 - b) A 1.8 metre high screen fence is to be provided between the private open space areas of the units.
 - c) Fencing provided along property boundaries and between courtyards must not disrupt overland flow of stormwater and floodwater. Boundary fencing forward of the building line shall be a maximum height of 1.2m.
 - d) For corner allotments – no fences, structures or landscaping exceeding 1 metre in height are to be located within the triangle formed by a sight line 6 metres x 6 metres from the intersection of the two street boundary lines.
 - e) Any fencing provided forward of the front building line shall comply with the following requirements:
 - (i) The fences shall be constructed of open panels or a combination of open panels and masonry columns.
 - (ii) The fences shall be of timber or masonry construction. No Colorbond is to be used in fencing located forward of the building line.
 - f) All required fencing shall be provided prior to occupation of the dwelling unit.
 - g) All fencing shall be provided at the full cost of the developer.
 - h) All required fencing shall be maintained at all times.
 - i) Fencing is to be consistent in design and style with the dwelling in terms of style, colour, materials, textures, openings and finishes.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

39. Under the *Environmental Planning & Assessment Act 1979*, a Subdivision Certificate is required before the linen plan of subdivision can be registered with the NSW Land Registry Services.
Note: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges

40. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
41. Prior to issue of a Subdivision Certificate, the developer shall obtain a Certificate of Compliance under the *Water Management Act 2000*, from Council.

Note - Refer to Advisory Notes in relation to payment of contributions to obtain a Certificate of Compliance.

42. The applicant is to provide separate water and sewer reticulation services to each allotment within the subdivision.
43. Prior to issue of a Subdivision Certificate, the developer is to provide a separate sewer junction for each dwelling. This can be achieved by making payment to council in accordance with Council's adopted fees and charges per new junction to cover the cost of installing a junction in an existing main. (SUBJECT TO CPI INCREASE).

Note - Council does not permit other bodies to insert new connections into 'live' water mains.

44. Prior to issue of a Subdivision Certificate, the developer is to provide a water service and meter for each dwelling. This can be achieved by making payment in accordance with Council's adopted fees and charges to cover the cost of installing both the service and a 20mm meter on the water main. (SUBJECT TO CPI INCREASE).

Note: Council does not permit any other bodies to insert new junctions into 'live' sewer/water mains

45. In accordance with the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979* and the Council's Contributions Plan 2019, a contribution shall be paid to Council in accordance with this condition as detailed in the table below. The contribution shall be paid to Council prior to the issue of a Subdivision Certificate.

Section 7.11 contribution rates – Mudgee

	1 New 4 x Bedroom Dwelling (1 x credit for existing Lot)
Transport facilities	\$4,347.00
Recreation and open space	\$2,182.00
Community facilities	\$635.00
Stormwater management	\$458.00
Plan administration	\$995.00
Total	\$8,617.00

Note – the contribution amount will be adjusted by the Consumer Price Index, if not paid in the same financial year the development consent was issued.

Note – Council's Contributions Plan 2019 is available for perusal at Council's Administration Centre at 86 Market Street, Mudgee or on Council's website www.midwestern.nsw.gov.au under Council Documents/Strategies and Plans.

46. Following completion of the subdivision works, work-as-executed plans (WAE) are to be provided to Council in the following formats:
- a) PDF;
 - b) Dwg format or "Autocad compatible";
 - c) MapInfo files.

All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

To accompany the WAE Drawings, Council also requires the completion of Asset Data Excel Spreadsheets (to be provided by Council) prior to the issue of Subdivision Certificate.

47. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- a) The final inspection report shall be submitted to Council with the Subdivision Certificate application.
 - b) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent.

48. Prior to issue of the *Subdivision Certificate*, Council is to be supplied with:
- a) A certificate of acceptance from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision; and
 - b) Satisfactory evidence that arrangements have been for the installation of fibre-ready facilities to all individual lots so as to enable fibre to be readily connected to any premises that may be constructed on those lots. This will need to include confirmation in writing from the carrier that they are satisfied that the fibre ready facilities are fit for purpose; and
 - c) Satisfactory evidence (usually by way of an agreement with a carrier) that arrangements have been made for the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots.

OTHER APPROVALS

Not Applicable.

ADVISORY NOTES

1. This development consent requires a Certificate of Compliance under the *Water Management Act 2000* to be obtained prior to the issue of a Construction Certificate. A person may apply to Mid-Western Regional Council, as the water supply authority, for a Certificate of Compliance pursuant to section 305 of the *Water Management Act 2000*.

Please be advised that as a precondition to the granting of a Compliance Certificate. A monetary contribution in accordance with the following Schedule of Contributions must be paid in full (including indexation, where applicable).

Section 64 Contributions		
2 Residences (One credit for existing Lot)		
	<i>ET/Unit</i>	<i>Value</i>
Water Headworks	0.5	\$4,344.50
Sewer Headworks	0.5	\$1,983.50
Total Headworks		\$6,328.00

Note - Section 64 Developer Contributions are subject to Consumer Price Index increase at 1 July each year. Please contact Council's Planning and Development Department regarding any adjustments.

2. The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".
3. The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
4. It is recommended that all stormwater runoff from new roof surfaces be directed to a rainwater tank of sufficient capacity to provide for detention storage requirements no less than 1,500 litres, i.e., tank capacity 3,000 litres with restricted orifice for discharge set at 1,500 litres. Runoff should be discharged from the tank through a restricted outlet of no greater than 25 mm. Runoff from the restricted orifice and tank overflow should be directed to the existing point of discharge.
5. Division 8.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 12 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Development Department for more information or advice.
6. If you are dissatisfied with this decision Section 8.7 of the EP&A Act gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.
7. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and *Mid-Western Regional Development Control Plan 2013*.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

Executive summary

OWNER/S	Mid-Western Regional Council
APPLICANT:	Alex Jabbour
PROPERTY DESCRIPTION	21 Marskell Circuit, Mudgee (Lot 4 DP 1267151)
PROPOSED DEVELOPMENT	Dual Occupancy (Attached) and Torrens Title Subdivision – 1 into 2 Lots
ESTIMATED COST OF DEVELOPMENT:	\$600,000.00
REASON FOR REPORTING TO COUNCIL:	Council is the owner of the land and the construction value exceeds \$150,000
PUBLIC SUBMISSIONS:	0

Council is in receipt of Development Application DA0371/2021 that seeks approval for a dual occupancy (attached) and Torrens Title subdivision – 1 into 2 lots, located at 21 Marskell Circuit MUDGEES NSW 2850, Lot 4 DP 1267151, received by Council on 11 May 2021.

The subject site is located in the newly created Saleyards Lane Subdivision in which Council was the developer.

The application was notified, in accordance with the Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 31 May 2021. During the notification period, no submissions were received.

The proposed development has been assessed in accordance with Council's DCP and the LEP. The proposed development is considered generally consistent with Council's planning controls.

The application has been referred to Council for determination as it exceeds staff's *Delegation of Authority*, in that Council was the owner of the land at the time of lodgement, and the construction value exceeds \$150,000.

The application is recommended for Approval.

Disclosure of Interest

Council is the owner of the land subject to this report.

Detailed report

The site is located within the newly created Saleyards Lane subdivision, on the edge of the Mudgee urban area, to the west of town. The area is sloping up to the south, with a northerly aspect over the Cudgegong River flood plains and Castlereagh Highway. The area is characterised by vacant rural land, and newly emerging residential development which is a direct result of recent subdivisions along Saleyards Lane.

Development Details:

- Erection of an attached dual-occupancy - two-storey four-bedroom dwelling each with a total ground floor area of 178.3m². The dwellings are to be built into the slope with a single-storey profile fronting Marskell Circuit and a two-storey northern elevation at the rear of the site. Each dwelling consists of:
 - Open kitchen/dining, single garage and driveway, balcony, and bathrooms on the ground and first floor; and patio, outdoor storage, and landscaped private open space on the lower ground level.
- One-into-two lots Torrens Title subdivision:
 - Lot 1 – 325m², contains Dwelling 2.
 - Lot 2 – 355m², located at the corner of Marskell Circuit and Croake Way, contains Dwelling 1.



Figure 1 – Site Plan

REQUIREMENTS OF REGULATIONS AND POLICIES

The application has been assessed in accordance with Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The main issues are addressed below as follows.

Designated Development

The development proposal is not considered to be Designated Development, in accordance with Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regs).

Integrated Development

The development proposal is not considered to be Integrated Development, in accordance with section 4.46 of the EP&A Act.

State Environmental Planning Policy no 55 – Remediation of Land

A site inspection and a search of Council's records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal involves development that requires the issue of a BASIX certificate. The applicant has provided the relevant BASIX certificate and a condition of consent has been included ensuring that the commitments be met as listed in the certificate.

Mid-Western Regional Local Environmental Plan 2012

The following clauses of Mid-Western Regional Local Environmental Plan 2012 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

Clause 1.2 Aims of Plan

The application is not contrary to the relevant aims and objectives of the plan.

Clause 1.4 Definitions

The proposal is defined in accordance with the MWRLEP 2012 as a:

dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Note—Dual occupancies (attached) are a type of **dual occupancy**

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned R1 General Residential and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned R1 General Residential pursuant to MWRLEP 2012. The proposal, being a dual occupancy (attached) is permissible with consent in the zone and complies with the relevant objectives.

The objectives of the zone and how the proposal satisfies the objectives is addressed below:

R1 General Residential

1. *To provide for the housing needs of the community.*

Comment The proposal will contribute to the housing needs of the community.

2. *To provide for a variety of housing types and densities.*

Comment The proposal will contribute to the variety of housing types and densities within the R1 zone.

3. *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment The proposal is not expected to hinder other possible permissible land uses within the immediate area.

Clause 2.6 Subdivision – consent requirements

As the proposal involves subdivision this will also require development consent as discussed throughout the report.

Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

This clause applies as the land is zoned R1 General Residential.

The dual occupancy (attached) is proposed on a site sized 680m², greater than the required 600m².

Accordingly, the proposal complies with this development standard.

Clause 4.1B Exceptions to minimum lot sizes for certain residential development

This clause applies as the land is zoned R1 General Residential.

The proposal involves the erection of a dual occupancy (attached) and a subdivision that will result in a lot size of not less than 300m² for each dwelling – 355m² (Lot 1) and 325m² (Lot 2) . Accordingly, the proposal complies with this development standard and the application of 4.1 is unnecessary.

Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5 metres above existing ground level. The development is proposed at a height of 5.6 metres and therefore complies.

Clause 5.4 Controls relating to miscellaneous permissible uses

The proposal does not include any of the listed uses contained under this clause.

Clause 5.10 Heritage Conservation

No items of aboriginal significance or a heritage item are recorded on the site or in the vicinity. Notwithstanding this, a condition will be placed upon the consent ensuring that work is ceased should an item be discovered during construction.

Clause 6.1 Salinity

The proposal only involves minimal earthworks and is not expected to significantly affect the process of salinisation.

Additionally, as the proposal involves a concrete slab, a condition of consent has been included requiring the slab to be designed appropriately to minimise the impacts of salts in the ground on the building.

Clause 6.2 Flood planning

The subject site is not identified as being within the flood planning area in accordance with Council's maps and the Floodplain Study and Management Plan. No further consideration is necessary.

Clause 6.3 Earthworks

The proposal involves only minor earthworks to prepare the site for the development. The works are not expected to generate any significant impacts as listed in Clause 6.3(3). Conditions of consent have been included to ensure any earthworks related activities are carried out appropriately and minimise impacts upon neighbouring properties.

Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. No broad excavation is needed to facilitate the proposal and no significant impacts upon those matters contained within clause 6.4(3) is expected as a result of the proposed development. Given the extent of excavation, it is considered that the development would not cause groundwater contamination, adversely affect any groundwater dependent ecosystems, will not cumulatively

impact potable water supply, and therefore no special measures, or conditions of consent would be considered necessary.

Clause 6.5 Terrestrial biodiversity

The development footprint is located within an area of 'High Biodiversity Sensitivity'. However, no vegetation is proposed to be removed as a result of the proposed development and, therefore, the impacts to be addressed in accordance with this clause are not considered significant.

Clause 6.8 Airspace operations – Mudgee Airport

The proposal will not penetrate the relevant height limits for safe operation of the Mudgee Airport.

Clause 6.9 Essential Services

All essential services that are relevant to the proposal are available or will be available as a result of the proposed development.

4.15(1)(a) Requirements of Regulations and Policies

(ii) Draft environmental planning instruments (EPI)

No draft environmental planning instruments apply to the land to which the Development Application relates.

(iii) Any development control plans

Mid-Western Regional DCP 2013

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

Part 3.1 Residential Development

DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
Minimum lot size	
Attached Dual Occupancy – Minimum 600m ²	Complies – The original lot is sized 680m ²
Building Setback from the street	
Zones R1, R2 and R3 where Lot size is less than 900m ² : 4.5m and 5.5m to the garage	Complies – the building line and garages of both proposed dwellings are setback 4.5m and 5.5m from Marskell Circuit respectively
Building Side/Rear setback	
Zones R1, R2 and R3 where Lot size is less than 900m ² : 900mm	Complies – Dwelling 2 is setback 965mm from the western boundary. Both dwellings setback 9.05m from the rear boundary
Building Secondary Frontage for corner lots setback	
Zones R1, R2 and R3 where Lot size is less than 900m ² : 0m for garages in laneways 2m to side boundary	Complies – Dwelling 1, which is located on a corner lot, has a 2m setback from Croake Way
Building height / design	
Elevated housing developments must minimise the impact on areas of predominantly single storey housing	Complies – the proposed dwellings have a single-storey profile from Marskell Circuit. The visual bulk of the two-storey section at the rear will be mitigated with the proposed 1.8m tall boundary fence and 3m tall plants that surround the rear private open space.

<p>Building height must ensure that adjacent properties are not overlooked or overshadowed.</p>	<p>Complies – privacy intrusions are sufficiently mitigated as described below:</p> <p>The closest approved dwelling (45 Saleyards Lane) is around 19m distance from the proposed dwellings and sits approximately 5m below the proposed first floor. A 1.8m tall fence will also be erected at the rear boundary. As a result, the neighbouring property is not likely to be overlooked.</p> <p>Window sills on the western elevations are located 1.5m from floor level to prevent overlooking and retain privacy for the inhabitants.</p> <p>A solid brick wall will be erected on the north-western side of the balcony to Dwelling 2 to prevent overlooking to the west.</p> <p>According to the shadow analysis submitted by the applicant, the dwelling will not overshadow the neighbouring lots.</p>
<p>The design is not a mirror or duplication for the two dwellings when fronting streets.</p>	<p>Complies. Varying windows, materials (brick and render) and colours.</p>
<p>75% of internal living areas shall receive at least three hours effective sunlight between the hours of 9.00am and 3.00pm on 21 June (Winter solstice)</p>	<p>Complies – living areas in both dwellings are oriented to the north with large windows on the northeast elevation to allow effective solar access.</p>
<p>Both dwellings have direct street frontage, ie battleaxe arrangements are not permissible</p>	<p>Complies – both dwellings are arranged side by side.</p>
<p>Minimum separation of 3 metres between buildings</p>	<p>Not applicable – attached dual occupancy</p>
<p>The garage door or carport does not exceed 45% of the front elevation</p>	<p>Complies – garage doors account for approximately 24.6%</p>
<p>All facades with street frontage contain windows</p>	<p>Complies</p>
<p>Street frontage elevations contain minimum 5% openings</p>	<p>Complies – each dwelling has approximately 17% openings on street frontage elevations</p>
<p>Building is not a transportable or relocated dwelling</p>	<p>Complies – both dwellings will be built on site.</p>
<p>Slope and cut and fill</p>	
<p>The slope of the site does not exceed 15%</p>	<p>Complies – the site has a 10.5% slope</p>
<p>Cut is limited to 1m</p>	<p>Conditioned.</p>
<p>Fill is limited to 600mm and is made up of clean fill and is accompanied by a geo-technical assessment demonstrating compaction complies with Australian Standards.</p>	<p>Conditioned.</p>
<p>Any cut and fill has been provided with retaining wall including drainage and is set back a minimum 300mm from the allotment boundary.</p>	<p>Not applicable</p>
<p>Fill does not direct stormwater onto adjoining properties and drainage pits for overland flow paths have been provided.</p>	<p>Conditioned.</p>

Cut / fill is clear of any water or sewer easements.	Complies. Clear of sewer easement at the rear north western corner of the site.
Open space	
Private open space is located on the Northern or Eastern side of dwellings.	Complies – private open spaces are located to the north of the dwelling
Private open space has direct access from main living areas.	Complies – direct access from main living areas to private open space is provided in both dwellings
Each dwelling provides a Principal Private Open Space with a minimum of 80m ² and a minimum dimension of 5 metres.	Complies – details as follows: <u>Dwelling 1:</u> Minimum dimension: 9.05m Size: 92m ² <u>Dwelling 2:</u> Minimum dimension: 9.05m Size: 88.1m ²
If alfresco is to be counted as Principal Private Open Space, it must be: i) located at or near ground level ii) have direct northerly aspect iii) create no more than 25% of principal open space	Complies – the patio is provided at ground level with a direct northerly aspect in both dwellings. The patio of Dwelling 1 and Dwelling 2 is 12.4% and 12.9% respectively, of principle open space.
Where Principal Private Open Space is located within front set back: i) located behind suitably landscaped area ii) minimum width of 1.5 metres to the front boundary	Not applicable – Principal Private Open Space located at the rear of both dwellings
75% of Principal Private Open Space shall receive a minimum of 3 hours sunlight between 9.00am and 3.00pm on 21 June	Complies – Principal Private Open Spaces for both dwellings have northerly aspect with sufficient solar exposure during winter solstice
Site coverage	
Maximum site coverage of 50%	Complies – 45.5%
Parking	
Each dwelling has two car parks with a minimum of one being a garage for each.	Complies – a one-car garage and sufficient driveway space for stack parking is provided for each dwelling
Parking and manoeuvring areas are hard stand	Complies – driveway will be constructed in concrete
Driveways are located a minimum of 6m from any intersection	Complies – the driveway of Dwelling 1 is approximately 8m from the nearest intersection at Marskell Circuit.
Utilities	
Buildings are located clear of utility infrastructure	Complies
Building is not located within an easement for the purpose of utility infrastructure	Complies – both dwellings are not located within an easement Complies – The proposed dwellings are set back approximately 7.5m from the nearest water main on Marskell Circuit. Dwelling 2 is located 6m away from the nearest sewer main in the backyard.
Structures are located a minimum of 1500mm from the centre of water and sewer main	
All storm water flows to a gravity system	Complies
Buildings are not located in the path of overland flow	Complies
Fencing	
1.8 metre high fencing is provided between Principal Private open	Complies. – a 1.8m tall boundary

spaces	fence will be provided between Lot 1 and Lot 2, and along the rear boundaries of Lot 1 and Lot 2. Conditioned.
Front fences are open panel, do not exceed 1.2 metres in height and are not of Colorbond material construction	Complies – no fence proposed at the front of both dwellings. The front boundaries will be marked by metal garden edges. Condition included.
Side fences located in front of the building line are open panel or a combination of open panel and masonry columns to match the front fence and do not exceed 1.2 metres in height	Complies – proposed side fence in front of the building line
Side and rear fences do not exceed 1.8 metres in height once behind the building	Complies and conditioned.
For corner allotments no fence, structure or landscaping in greater than 1 metre in height is located within the triangle formed by a sight line 12 metres x 6 metres from the intersection of the two street boundaries	Conditioned.
Dividing fences do not affect the flow of surface water with the possibility of causing flooding.	Conditioned

Part 4.4 Signs

Not applicable.

Part 4.7 Tree Preservation Order

No trees to be removed.

Part 5.1 Car Parking

Car Parking Requirement	Compliance
2 spaces per dwelling – 1 space to be a garage, 1 space may be provided in a stacked arrangement in front of the garage that the space is contained wholly within the site.	Complies. The proposal has a single garage for each dwelling, and space in the front setback for stack parking. Total 2 spaces provided per dwelling.

Part 5.2 Flooding

Not applicable.

Part 5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

Part 5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

Part 7.1 Urban Subdivision

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Applies to	
Land zoned residential; village zones; rural residential lots up to 2 hectares	Land is zoned Residential
Lot size	
Minimum lot size as determined by MWRC LEP 2012	Yes
All lots have street frontage	All lots have frontage to Marskell Circuit.
Lots increase in size relative to slope as follows: – 0-10 degrees: 600m ² – 10-15 degrees: 700m ²	Complies. The site (680m ²) has a slope of approximately 6 degrees.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
– 15-20 degrees: 800m ² – >20: subdivision prohibited	
All lots have 16m width at building line in residential and village zones	Not applicable. The proposed subdivision is for a dual-occupancy and subdivision. The 16m frontage is only relevant for the subdivision of land only.
Battle-axe handles in R1, R3 and RU5 Village have width of 4m	Not applicable
Lot Design	
For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development	Yes. Achieves adequate solar access.
Lots generally rectangular in shape	The development includes 2 rectangular lots which are sufficiently sized to accommodate the attached dual occupancy dwellings.
Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling	Not applicable
Corner lots have sufficient area to allow dual occupancy and independent utility connection points	Yes
Street Trees	
Two (2) street trees provided per lot	Complies – Street trees provided as required by the original subdivision (DA0248/2014).
Developer provides levy to Council to provide these trees after 80% of works carried out	Not applicable
Utility Services	
Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development	Lots to be connected to reticulated water, sewer, electricity and telecommunications
Evidence of consultation with relevant authorities submitted with application	Not applicable (small subdivision)
Drainage	
As per Section 5.3 Stormwater and Drainage	Detailed stormwater plan to be lodged at CC stage. Concept plan adequate

Section 7.11 Contributions

Mid-Western Regional Contributions Plan 2019

Pursuant to Council's Contributions Plan 2019, the development is proposing residential accommodation comprising of 4 bedrooms per one additional dwelling which requires the payment of a contribution in accordance with the plan as follows:

\$8,617 per 2 or more bedroom dwelling.

The contribution payable has been calculated below:

Section 7.11 contribution rates – Mudgee

	1 New 4-Bedroom Dwelling (1 x credit for existing Lot)
Transport facilities	\$4,347.00

Recreation and open space	\$2,182.00
Community facilities	\$635.00
Stormwater management	\$458.00
Plan administration	\$995.00
Total	\$8,617.00

An appropriate condition has been imposed requiring payment of the contribution.

Section 64 - Water/Sewer Developer Services Charges

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the proposed development will require the payment of DC headworks charges calculated as follows:

1 x credit – residential allotment (medium) 650m² - 1200m² (Water 1 ET and Sewer 1 ET)

Water - 2 x debit – residential allotment (small) <650m² (2 x 0.75 ET)

Sewer - 2 x debit – residential allotment (small) <650m² (2 x 0.75 ET)

Total ET - water 0.5 ET and sewer 0.5 ET

Section 64 Contributions		
2 Residences (One credit for existing Lot)		
	ET/Unit	Value
Water Headworks	0.5	\$4,344.50
Sewer Headworks	0.5	\$1,983.50
Total Headworks		\$6,328.00

4.15(1)(a) Provisions of any Planning Agreement or Draft Planning Agreement – (1)(a)(iiia)

No Planning Agreements are applicable.

Regulations –4.15(1)(a)(iv)

Environmental Planning and Assessment Regulation 2000

No matters prescribed by the Regulations impact determination of the Development Application.

IMPACT OF DEVELOPMENT

Context and Setting

The proposal is appropriate with regards to the surrounding residential context and setting.

Access, transport and traffic

The local road network is capable of absorbing the additional traffic generated from this dual occupancy development. The proposal is considered appropriate.

Public domain

The development will not impact the public domain in terms of recreation opportunities, the amount, location, design, use and management of public spaces, or pedestrian linkages between public spaces.

Utilities

All relevant utilities are available or can be made readily available to the site.

Heritage

Not applicable.

Other land resources

No impact expected on the conserving and the use of valuable land, such as productive agricultural land, mineral or extractive resources, or water supply catchments.

Water

No significant impact expected.

Soils

No significant impact expected. The land is not known to be affected by subsidence, slip or mass movement, subject to contamination, and will not result in significant soil erosion or degradation.

Air and Microclimate

The development is not expected to impact air quality or microclimatic conditions.

Flora & fauna

Not applicable.

Waste

Waste service available.

Energy

Development to comply with the BASIX energy efficiency requirements.

Noise & vibration

No significant impact expected from the residential use.

Natural Hazards

The development site is not identified as bushfire prone or flood prone and there are no known subsidence, slip or mass movement issues.

Technological hazards

There are no known risks to people, property or the biophysical environment, resulting from technological or industrial hazards, or building fire risk.

Safety, security and crime prevention

Increased passive surveillance as a result of the proposed development.

Social impact in the locality

Generally positive.

Economic impact in the locality

Generally positive.

Site design and internal design

Generally positive.

Construction

To comply with the Building Code of Australia. Conditions of consent to regulate.

Cumulative Impacts

Nil. There are no known impacts that have the potential to act in unison, in terms of space or time, or owing to their repetitive nature, that would produce an effect greater or different than the sum of the separate parts.

SUITABILITY OF SITE FOR DEVELOPMENT

Does the proposal fit in the locality

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments and there are adequate utilities and transport facilities in the area available for the development.

Are the site attributes conducive to development

Yes. The site is not subjected to any natural hazards, and the project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site.

SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

Public Submissions

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 31 May 2021. During the notification period, no submissions were received.

Submissions from public authorities

No submissions were sought or received from public authorities.

THE PUBLIC INTEREST

Federal, State and local government interests and community interests

No significant issues in the interests of the public are expected as a result of the proposed development.

CONSULTATIONS

Health & Building

Council's Health & Building Surveyor has not raised any concerns with the proposal, subject to standard conditions.

Development Engineer

Council's Development Engineer has not raised any concerns with the proposal subject to standard conditions.

Heritage Advisor

No consultation necessary.

Summary

The proposed development complies with the requirements of the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, relevant State Environmental Planning policies, Mid-Western Local Environmental Plan 2012, Mid-Western Regional Council Development Control Plan 2013 and Mid-Western Community Participation Plan 2019 and is therefore recommended for approval subject to the attached conditions of consent.

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 31 May 2021. During the notification period, no submissions were received.

Recommendation

Having considered the matters raised and discussed in the assessment of the Application, the subject Development Application DA0371/2021 for Dual Occupancy at Lot 4 DP 1267151, 21

Marshell Circuit MUDGEES NSW 2850, is recommended for approval subject to the conditions attached.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Ensure land use planning and management enhances and protects biodiversity and natural heritage

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Contributions Plan 2019
Mid-Western Regional Community Participation Plan 2019

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning & Assessment Regulation 2000
Mid-Western Regional Local Environmental Plan 2012

Financial implications

The applicant will be required to pay developer contributions in accordance with the Mid-Western Regional Contributions Plan 2019.

Associated Risks

Should Council refuse the Development Application, the applicant may seek a further review of this decision or appeal through the Land & Environment Court.

CAMERON AMOS
TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

21 May 2021

Attachments: 1. Development Plans.

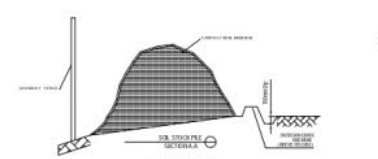
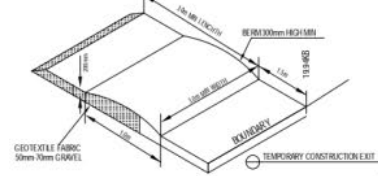
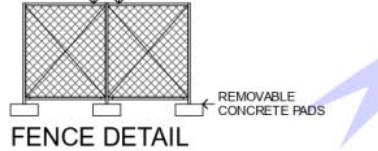
APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

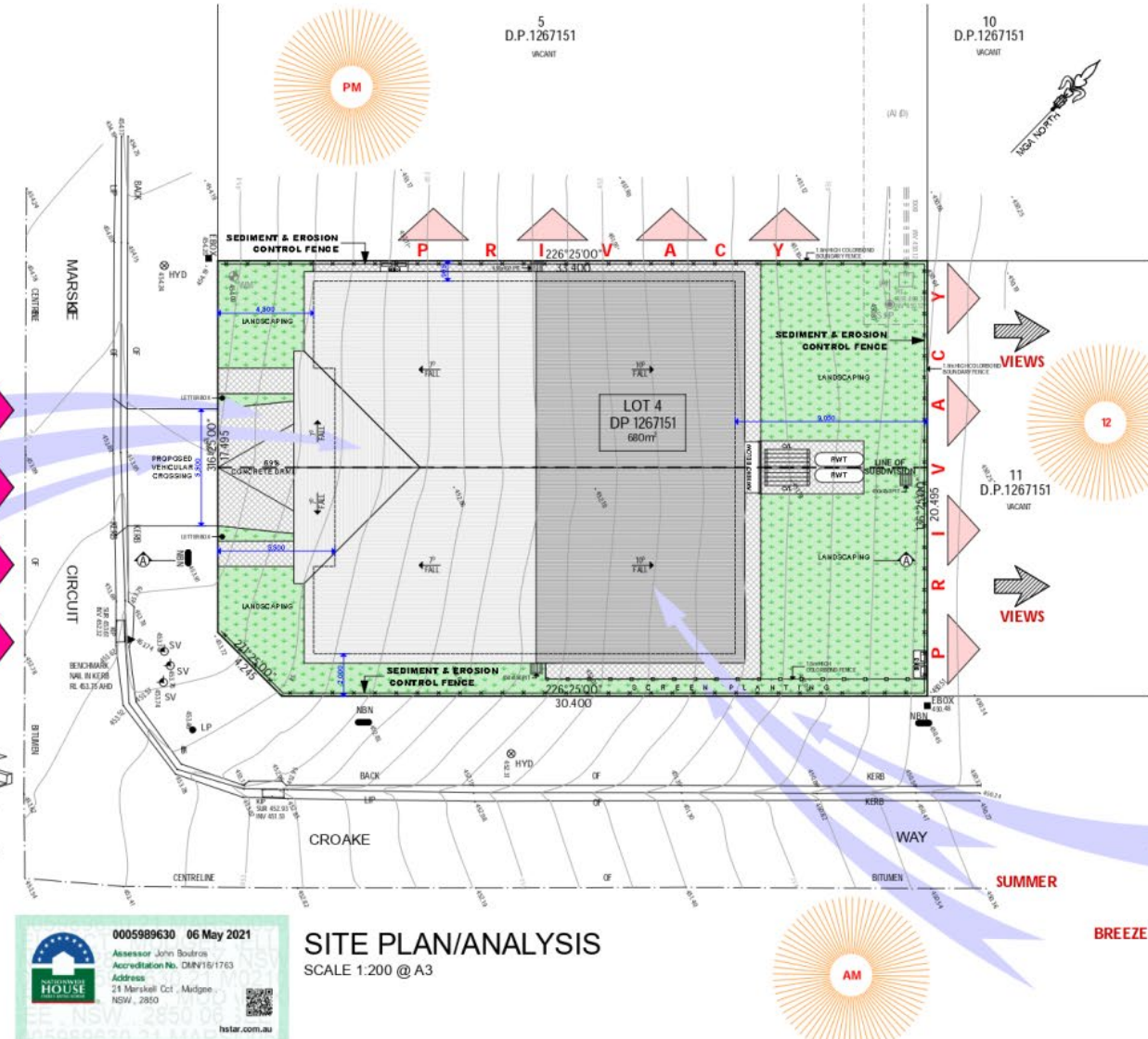


LOCATION MAP - SOURCED FROM SIX MAPS

CYCLONE HIRED FENCE 2.3m HIGH WITH SHADE CLOTH FOR DUST PROTECTION AROUND SITE BOUNDARY
50 DIA. PIPE SUPPORTS



WINTER
CHILL
NOISE
N
O
I
S
E



0005989630 06 May 2021
Assessor John Boulton
Accreditation No. CLN15181763
Address
21 Marskell Cct, Mudgee
NSW, 2850
hstar.com.au

SITE PLAN/ANALYSIS
SCALE 1:200 @ A3

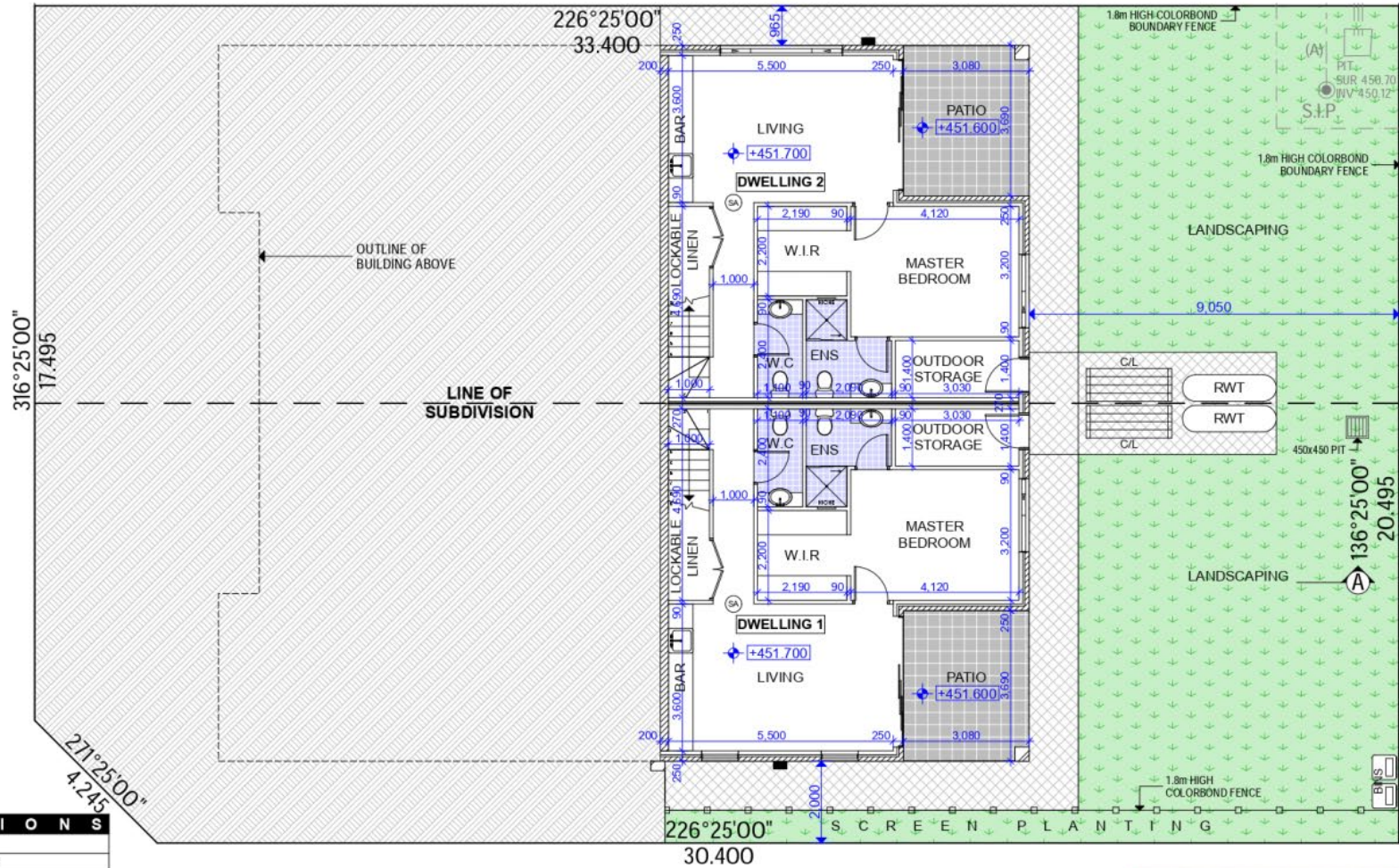
SEDIMENT & EROSION CONTROL PLAN- NTS

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Issue	Amendment	Date	SCHEDULE OF DRAWINGS
A	CLIENT REVIEW	13/04/21	08- SUBMISION & DRIVEWAY SECTION
B	CLIENT REVIEW	16/04/21	09- SCHEDULE OF FINISHES
C	CONSULTANT CO-ORDINATION	20/04/21	
D	DEVELOPMENT APPLICATION	04/05/21	

Project No: 01
Designer: AJ DESIGN & DRAFT
Mob: 0433 810 118
Email: alex@ajdd.com.au
ABN: 71 605 258 820
Scale: AS SHOWN
Drawn: AJ
Checked: AJ

Project	Proposed Dual Occupancy Development 21 Marskell Cct, Mudgee
Drawing	SITE PLAN/ANALYSIS
Client	DIBCON PTY LTD
Issue	DA
Date	24/03/21
Project No.	21-10
DWG No.	01



CALCULATIONS

TOTAL SITE AREA = 680m ²	
LOT 1 = 355m ²	LOT 2 = 325m ²
MAX SITE COVERAGE = 340m ² (50%)	
PROPOSED SITE COVERAGE = 309.3m ² (45.5%)	
DWELLING 1	DWELLING 2
LOWER GROUND FLOOR = 56.3m ²	LOWER GROUND FLOOR = 56.3m ²
GROUND/FIRST FLOOR = 122m ²	GROUND/FIRST FLOOR = 122m ²
TOTAL GFA = 178.3m ²	TOTAL GFA = 178.3m ²
PRIVATE OPEN SPACE REQUIRED = 80m ² 5m x 5m	
P.O.S PROPOSED = 92m ²	P.O.S PROPOSED = 88.1m ²
LANDSCAPING = 133.2m ²	LANDSCAPING = 94.9m ²

LEGEND

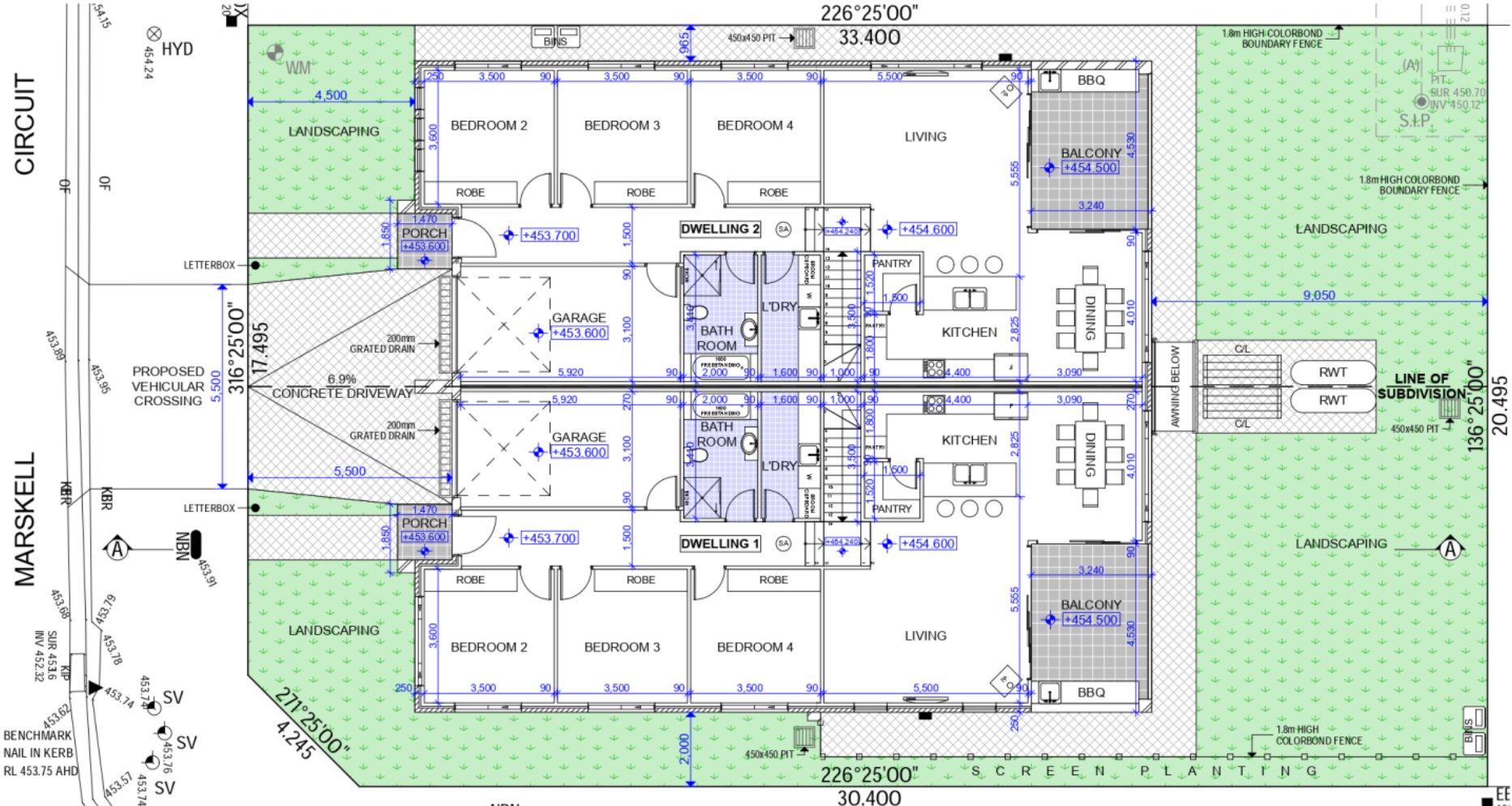
PROPOSED BRICK VENEER WALLS	
PROPOSED TIMBER STUD WALLS	
PROPOSED SOLID BRICK WALLS	
SMOKE ALARMS TO AS 3786	
ELECTRIC INSTANTANEOUS HOT WATER SYSTEM	

LOWER GROUND FLOOR PLAN

SCALE 1:100 @ A3



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	A	CLIENT REVIEW	13/04/21	01- SITE PLAN/ANALYSIS	08- SUBDIVISION & DRIVEWAY SECTION	 AJ DESIGN & DRAFT Mob: 0433 810 118 Email: alex@ajdd.com.au ABN: 71 605 258 820	PROPOSED DUAL OCCUPANCY DEVELOPMENT 21 MARSKELL CCT, MUDJEEE
	B	CLIENT REVIEW	16/04/21	02- LOWER FLOOR PLAN	09- SCHEDULE OF FINISHES		Drawing
	C	CONSULTANT CO-ORDINATION	20/04/21	03- GROUND/ FIRST FLOOR PLAN			LOWER FLOOR PLAN
D	DEVELOPMENT APPLICATION	04/05/21	04- NORTH-WEST & SOUTH-EAST ELEVATIONS 05- NORTH-EAST & SOUTH-WEST ELEVATIONS 06- SECTION A-A 07- SHADOW ANALYSIS		Client		
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				Drawn	AJ	Project No.	21-10
				Date	24/03/21	DWG No.	02



LEGEND	
PROPOSED BRICK VENEER WALLS	
PROPOSED TIMBER STUD WALLS	
PROPOSED SOLID BRICK WALLS	
SMOKE ALARMS TO AS 3786	
ELECTRIC INSTANTANEOUS HOT WATER SYSTEM	

0005989630 06 May 2021
 Assessor John Soudras
 Accreditation No. DMV15/1763
 Address
 21 Marskell Cct. Mudgee,
 NSW, 2850
 hstar.com.au

Issue	Amendment	Date
A	CLIENT REVIEW	13/04/21
B	CLIENT REVIEW	16/04/21
C	CONSULTANT CO-ORDINATION	20/04/21
D	DEVELOPMENT APPLICATION	04/05/21

SCHEDULE OF DRAWINGS	
01- SITE PLAN/ANALYSIS	
02- LOWER FLOOR PLAN	
03- GROUND/ FIRST FLOOR PLAN	
04- NORTH-WEST & SOUTH-EAST ELEVATIONS	
05- NORTH-EAST & SOUTH-WEST ELEVATIONS	
06- SECTION A-A	
07- SHADOW ANALYSIS	

Project No: 08- SUBDIVISION & DRIVEWAY SECTION
 09- SCHEDULE OF FINISHES

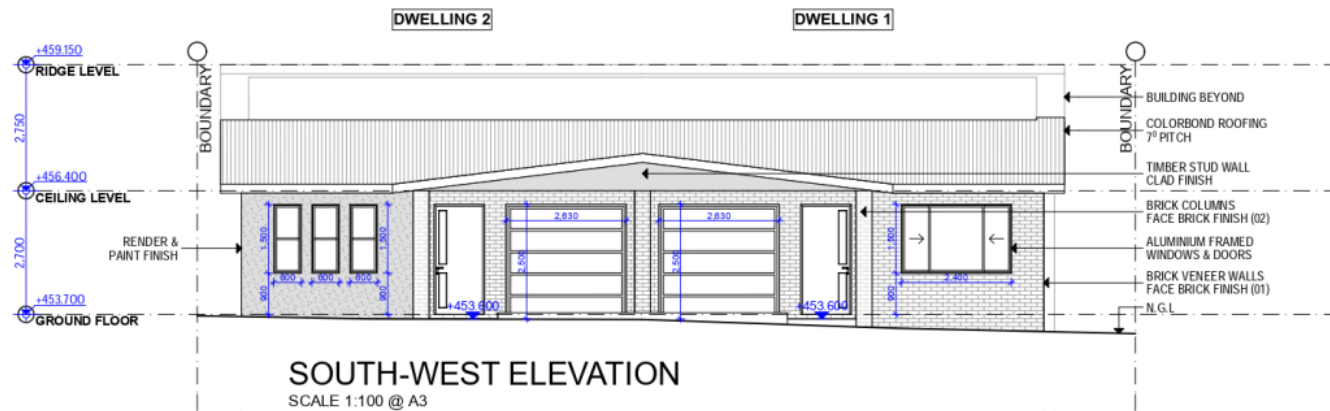
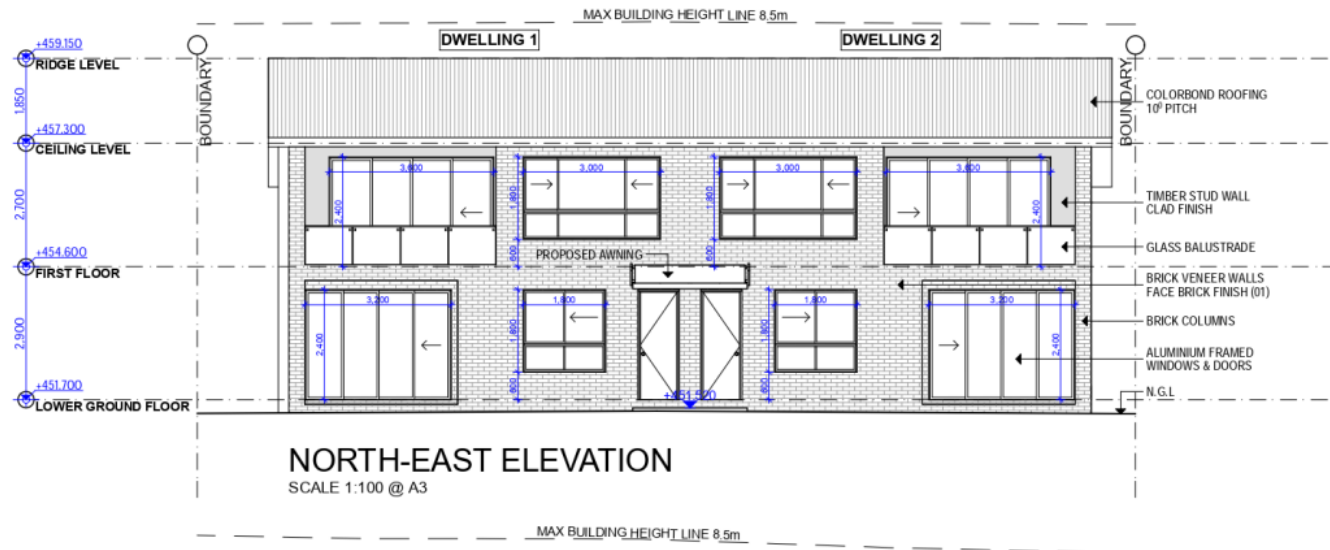
Project No: 08- SUBDIVISION & DRIVEWAY SECTION
 09- SCHEDULE OF FINISHES

Scale: AS SHOWN

Designer: AJD

AJ DESIGN & DRAFT
 Mob: 0433 810 118
 Email: alex@ajdd.com.au
 ABN: 71 605 258 820

Project			
PROPOSED DUAL OCCUPANCY DEVELOPMENT 21 MARSKELL CCT, MUDGEE			
Drawing			
GROUND/ FIRST FLOOR PLAN			
Client			
DIBCON PTY LTD			
Issue	Date	Project No.	DWG No.
DA	24/03/21	21-10	03



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		A	CLIENT REVIEW	13/04/21			
		B	CLIENT REVIEW	16/04/21			
		C	CONSULTANT CO-ORDINATION	20/04/21			
		D	DEVELOPMENT APPLICATION	04/05/21			
E	AMENDED FACADE	20/05/21					

BASIX COMMITMENTS

- EACH DWELLING IS TO HAVE 4 STAR SHOWERHEADS, 3 STAR KITCHEN/BATHROOM TAPS AND 4 STAR TOILET FLUSHING SYSTEMS
- EACH DWELLING IS TO HAVE A 1200L RAINWATER TANK TO COLLECT AT LEAST 40m² OF ROOF AREA CONNECTED TO LANDSCAPED AREA
- ALL DWELLINGS ARE TO BE FITTED WITH AN ELECTRIC INSTANTANEOUS HOT WATER SYSTEM
- ALL BATHROOMS, KITCHENS & LAUNDRIES ARE TO BE FITTED WITH AN INDIVIDUAL FAN DUCTED TO FACADE OR ROOF WITH A MANUAL ON/OFF SWITCH
- EACH DWELLING IS TO HAVE AIR CONDITIONING DUCTING
- EACH KITCHEN, BATHROOM, LAUNDRY, HALLWAY, 2 LIVING ROOMS & 4 BEDROOMS/STUDY ARE TO HAVE ARTIFICIAL LIGHTING
- ALL DWELLINGS ARE TO HAVE ELECTRIC COOKTOPS AND ELECTRIC OVENS AS WELL AS WELL-VENTILATED FRIDGE SPACES
- ALL DWELLINGS ARE TO HAVE FIXED OUTDOOR CLOTHES DRYING AREAS
- DWELLING 2 IS TO HAVE A MINIMUM 3.5KW PHOTOVOLTAIC SYSTEM CONNECTED TO THE DEVELOPMENTS ELECTRICAL SYSTEM

NATHERS COMMITMENTS

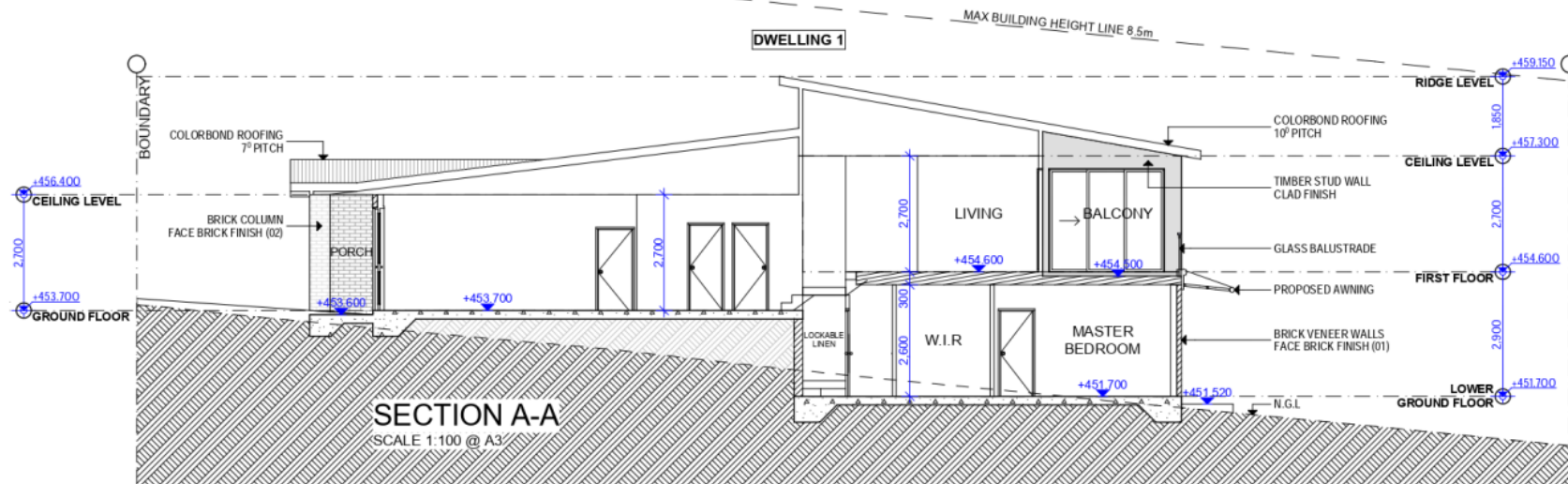
- FLOORS: CONCRETE SLAB ON GROUND, TIMBER ABOVE LOWER GROUND LEVEL
- EXTERIOR WALLS: ALL DWELLING WALLS THAT ARE NOT PARTY WALLS TO OTHER DWELLINGS
 - R2.0 INSULATION TO BRICK VENEER WALLS WITH FOIL SARKING (WALL SYSTEM REACHING TOTAL R3.12). MODELLED WITH DEFAULT MEDIUM COLOUR FINISHES. AS PER STAMPED PLANS
 - R2.0 INSULATION TO LIGHTWEIGHT WALLS WITH FOIL SARKING (WALL SYSTEM REACHING TOTAL R2.69). MODELLED WITH DEFAULT MEDIUM COLOUR FINISHES. AS PER STAMPED PLANS
 - R2.0 INSULATION TO INTERIOR GARAGE WALLS WITH FOIL SARKING (WALL SYSTEM REACHING TOTAL R2.72).
- GLAZING: HIGH SOLAR GAIN LOW-E GLASS WITH ALUMINIUM FRAMING TO DWELLING 1 (LIVING ROOM & DINING)
 - TYPE A- U-VALUE: 5.4, SHGC: 0.49
 - TYPE B- U-VALUE: 5.4, SHGC: 0.58
- GLAZING: SINGLE CLEAR GLASS WITH ALUMINIUM FRAMING TO REMAINING
 - TYPE A- U-VALUE: 6.7, SHGC: 0.57
 - TYPE B- U-VALUE: 6.7, SHGC: 0.7
- U-VALUE & SHGC ARE COMBINED GLASS & FRAME FIGURES
- CEILING INSULATION: MINIMUM R4.0 CEILING INSULATION TO ALL CEILINGS TO ROOF (OR BALCONY OVER)
 - MODELLED WITH SEALED LED DOWNLIGHTS & WET AREA EXHAUST FANS
- METAL ROOF MODELLED AS UNVENTILATED WITH DARK COLOUR FINISH & *ANTICORN 90° GLASSWOOL/FOIL UNDER (OR SIMILAR R2.0 RATED PRODUCT)

REFER TO NATHERS INDIVIDUAL CERTIFICATES FOR FURTHER DETAILS

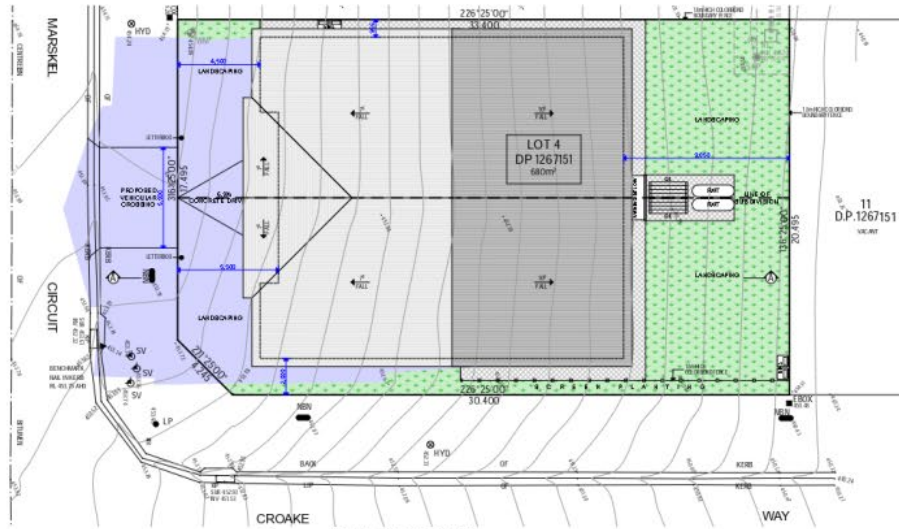


Thermal loads				
Dwelling no.	Area adjusted heating load (in mJ/m ² /yr)	Area adjusted cooling load (in mJ/m ² /yr)		
1	258.3	8.8		
All other dwellings	259.2	9.6		

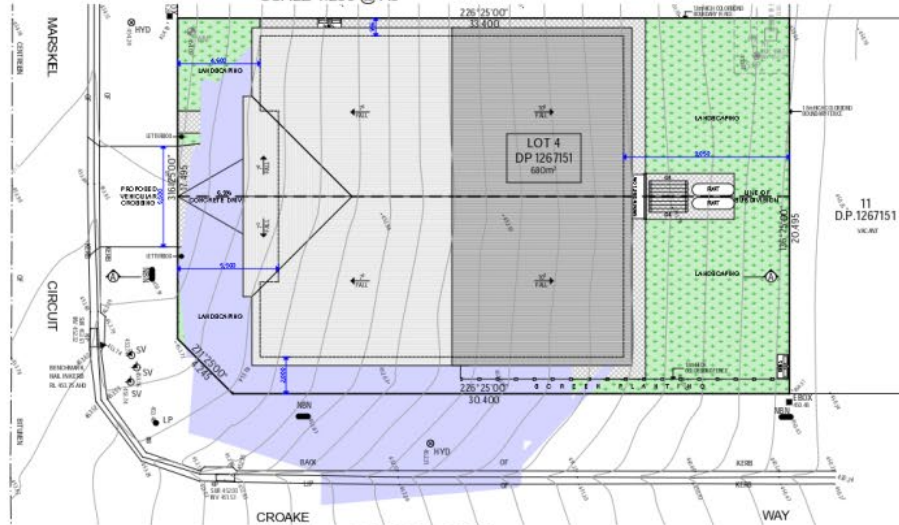
Construction of floors and walls					
Dwelling no.	Concrete slab on ground(m ²)	Suspended floor with open subfloor (m ²)	Suspended floor with enclosed subfloor (m ²)	Suspended floor above garage (m ²)	Primarily rammed earth or masonry walls
All dwellings	124	-	-	-	No



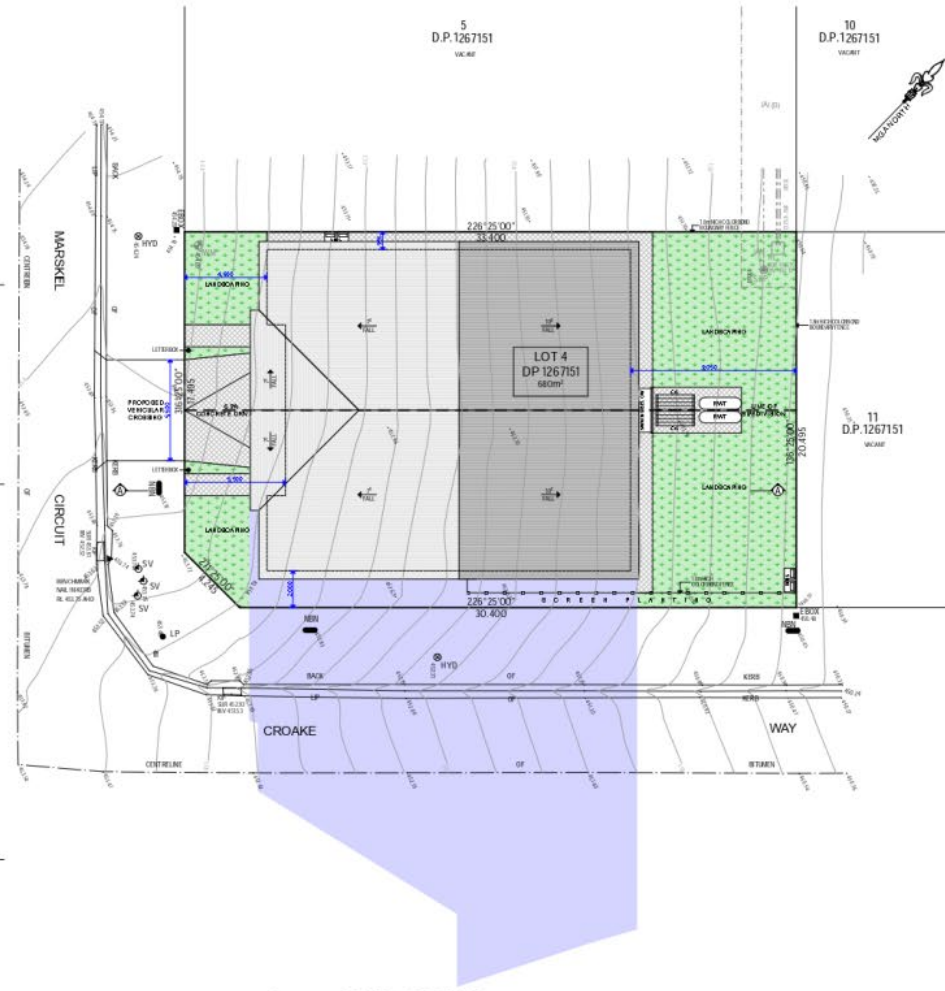
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		Issue DA Date 24/03/21 Project No 21-10 DWG No 06							






9am SHADOW
SCALE 1:250 @ A3

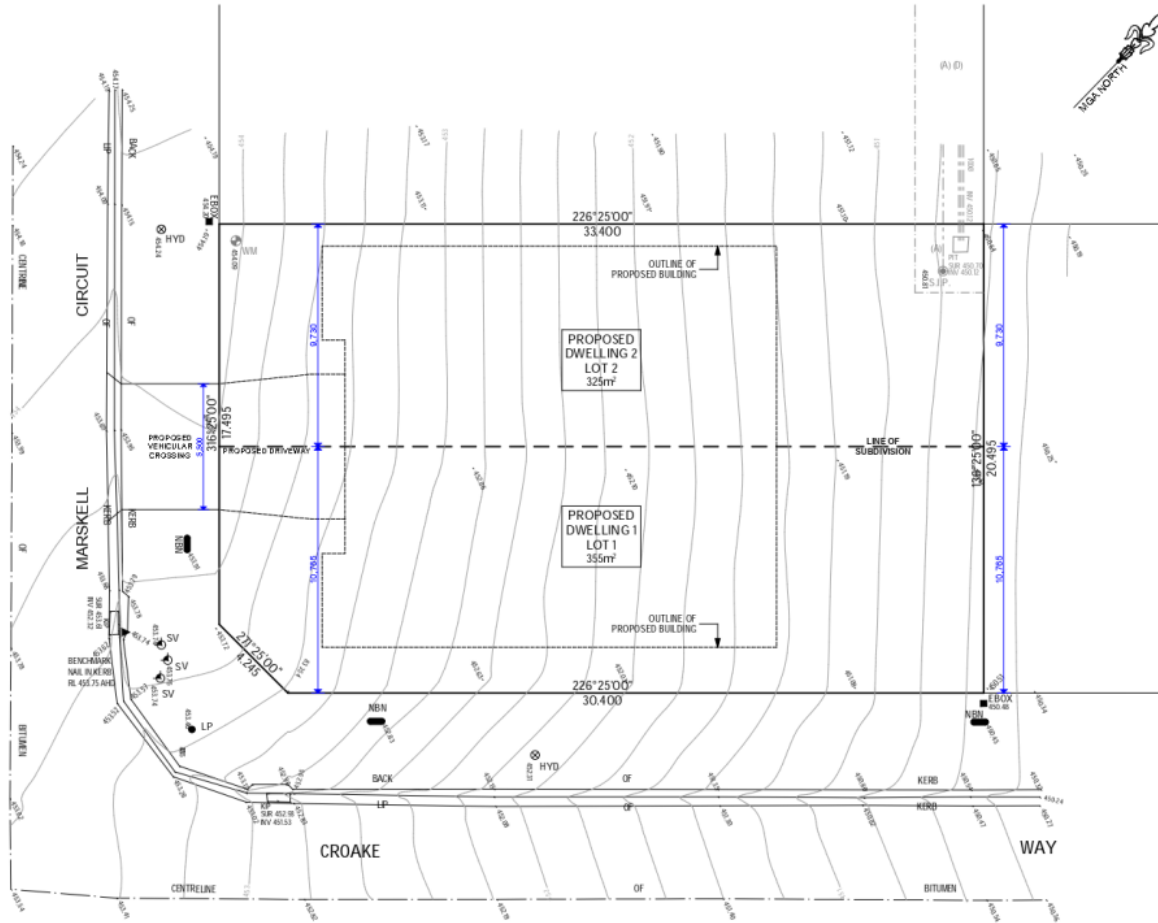


12pm SHADOW
SCALE 1:250 @ A3

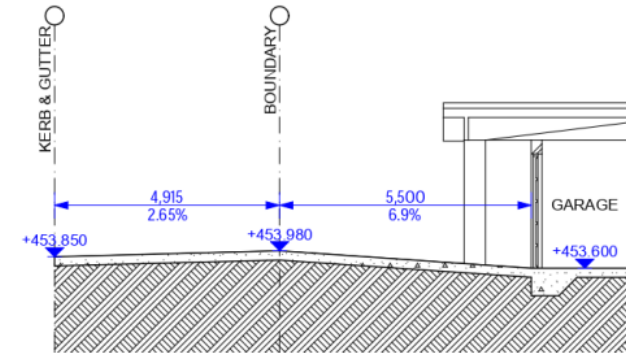


3pm SHADOW
SCALE 1:250 @ A3

AJ Design & Draft © Copyright  ACCREDITED BUILDING DESIGNER (CONSTRUCTION No. 1487)	Issue A CLIENT REVIEW B CLIENT REVIEW C CONSULTANT CO-ORDINATION D DEVELOPMENT APPLICATION	Amendment 	Date 13/04/21 16/04/21 20/04/21 04/05/21	SCHEDULE OF DRAWINGS 01- SITE PLAN/ANALYSIS 02- LOWER FLOOR PLAN 03- GROUND/ FIRST FLOOR PLAN 04- NORTH-WEST & SOUTH-EAST ELEVATIONS 05- NORTH-EAST & SOUTH-WEST ELEVATIONS 06- SECTION A-A 07- SHADOW ANALYSIS	08- SUBMISSION & DRIVEWAY SECTION 09- SCHEDULE OF FINISHES	Project No:  AS SHOWN	Designer:  AJ DESIGN & DRAFT Mob: 0433 810 118 Email: alex@ajdd.com.au ABN: 71 605 258 820	Project: PROPOSED DUAL OCCUPANCY DEVELOPMENT 21 MARSKELL CCT, MUDGEE Drawing: SHADOW ANALYSIS Client: DIBCON PTY LTD Issue: DA Date: 24/03/21 Project No: 21-10 DWG No: 07
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SUBDIVISION PLAN
 SCALE 1:200 @ A3



DRIVEWAY SECTION
 SCALE 1:100 @ A3

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		A	CLIENT REVIEW	13/04/21	01- SITE PLAN/ANALYSIS	09- SCHEDULE OF FINISHES	AS SHOWN	DA	24/03/21	Project No.	21-10	DWG No.	08
		B	CLIENT REVIEW	16/04/21	02- LOWER FLOOR PLAN								
		C	CONSULTANT CO-ORDINATION	20/04/21	03- GROUND/ FIRST FLOOR PLAN								
D	DEVELOPMENT APPLICATION	04/05/21	04- NORTH-WEST & SOUTH-EAST ELEVATIONS										
					05- NORTH-EAST & SOUTH-WEST ELEVATIONS								
					06- SECTION A-A								
					07- SHADOW ANALYSIS								

STEGBAR



WOODLAND GREY

AUSTRAL



GREY GUM

WEATHERTEX



SELFLOK ECOGROOVE SMOOTH

AUSTRAL



BLACKSTONE

COLORBOND



WOODLAND GREY

DULUX



SILKWORT

RENDER & PAINT FINISH
SILKWORT SN4H2
OR SIMILAR IN COLOUR
SELECTED FROM
DULUX COLOUR RANGE

FACE BRICK FINISH
'GREY GUM' OR SIMILAR
IN COLOUR SELECTED
FROM AUSTRAL BRICKS

WALL CLADDING
'SELFLOK ECOGROOVE SMOOTH'
OR SIMILAR SELECTED FROM
WEATHERTEX

FACE BRICK FINISH
'BLACKSTONE' OR SIMILAR
IN COLOUR SELECTED
FROM AUSTRAL BRICKS

POWDERCOATED
ALUMINIUM
WINDOWS & DOORS
'WOODLAND GREY' OR
SIMILAR SELECTED FROM
STEGBAR COLOUR CHART

METAL SHEET ROOFING
'WOODLAND GREY' OR SIMILAR
SELECTED FROM
COLORBOND RANGE



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Issue	Amendment	Date
A	CLIENT REVIEW	13/04/21
B	CLIENT REVIEW	16/04/21
C	CONSULTANT CO-ORDINATION	20/04/21
D	DEVELOPMENT APPLICATION	04/05/21
E	AMENDED FACADE	20/05/21

SCHEDULE OF DRAWINGS	
01- SITE PLAN/ANALYSIS	08- SUBDIVISION & DRIVEWAY SECTION
02- LOWER FLOOR PLAN	09- SCHEDULE OF FINISHES
03- GROUND/ FIRST FLOOR PLAN	
04- NORTH-WEST & SOUTH-EAST ELEVATIONS	
05- NORTH-EAST & SOUTH-WEST ELEVATIONS	
06- SECTION A-A	
07- SHADOW ANALYSIS	

Project No: 21-10
 Scale: AS SHOWN
 Drawn: AJ
 Checked: AJ

Designer:

AJ DESIGN & DRAFT
 Mob: 0433 810 118
 Email: alex@ajdd.com.au
 ABN: 71 605 258 820

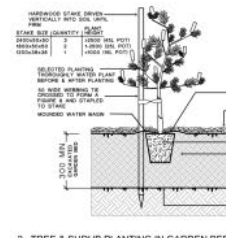
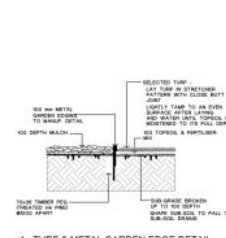
Project	PROPOSED DUAL OCCUPANCY DEVELOPMENT 21 MARSHELL CCT, MUDGEE		
Drawing	SCHEDULE OF FINISHES		
Client	DIBCON PTY LTD		
Issue	Date	Project No:	DWG No:
DA	24/03/21	21-10	09

LEGEND / FINISHES SCHEDULE	
	EXISTING PL
	EXISTING TREE TO BE REMOVED NOTE: All removal works on the site shall be removed and destroyed as per their specification under the relevant weeds Act.
	EXISTING TREE TO BE RETAINED AND SHALL BE PROTECTED DURING CONSTRUCTION IN ACCORDANCE WITH AS 4970-2009 TREE PRUNING SHALL BE IN ACCORDANCE WITH AS 4373
	PROPOSED TREES, SHRUBS & GROUND COVER REFER NO. TO PLANT SCHEDULE
	BOUNDARY FENCE MATCHED GARDEN BED 800 WIDE MIN. OR AS SHOWN ON PLAN REFER TO DETAIL 1 & 2 SELECTED METAL GARDEN EDGE OR AS SELECTED REFER TO DETAIL 1
	LAWN AREA SIS WALTER BUFFALO REFER TO DETAIL 1 All turf area shall be finished level with existing surface and shall fall away to approved point of drainage
	PERMEABLE PEBBLE AREA SELECTED 150 DEPTH RIVER PEBBLES WITH REEF MAT UNDER
	DRIVEWAY / PATH SELECTED STINKLED OR COLOURED CONCRETE TO SUIT STANDARDS PATIO / TERRACE / PATH SELECTED TRUS TO SUIT STANDARDS
	SELECTED CLOTHES LINE TO MANUF. DETAIL
	SELECTED LETTER BOX TO SUIT MOST REQUIREMENTS AND TO AS/NZS 4153:1994
	SELECTED ILLUMINATION ILLUMINATION SHALL BE DESIGNED BY A QUALIFIED LIGHTING AS 4281, AS 1600 & AS 1518 IN ACCORDANCE
	DRAINAGE REFER TO ENGINEER PLANS FOR DETAILS
	DRAINAGE PIT NOTE: PROVIDE SELECTED HEEL GUARD GRATES TO FIT ON TRANSFORMABLE AREAS - TO MANUF. DETAIL
ITEM	MATERIAL
SOL	NOTE: ALL SOL TYPE AS PER ASUST NATIVE LANDSCAPE SUPPLY OR EQUIVALENT AND SHALL BE IN ACCORDANCE WITH AS 4476 AND AS 4478 FOR SOL CONDITIONS AND COMPOSITE
DETAIL 1 & 2	
LAWN AREA	NO QUALITY TOP SOIL NATIVE GARDEN MIX EXOTIC GARDEN BED ORGANIC GARDEN MIX
MASON	SELECTED HARD WOOD CHIP SHALL BE IN ACCORDANCE WITH AS 4444 NOTE: PROVIDE SEPARATIVE GROWTH TO OED / RAIN GARDEN AREA REFER TO DETAIL 1 & 2
PLANT MATERIAL	AS PER PLANT SCHEDULE REFER TO DETAIL 2
GARDEN EDGE	SELECTED PRESSED BRICK OR AS SELECTED REFER TO DETAIL 1
FENCE	800 HIGH COLOURBOND
SIDES & REAR BOUNDARY	UNLESS THE TYPE OF MATERIAL IS STIPULATED IN ANY PLAND STUDY PREPARE FOR THE SITE NOTE: SIDE FENCES ARE TO BE TAPER FROM THE FRONT BUILDING LINE TO BE NOT MORE THAN 100MM HIGH AT THE FRONT BOUNDARY
COURTYARD SEPARATION FENCE	800 HIGH COLOURBOND
FRONT	REFER TO ARCHITECT'S DETAIL



PROPOSED PLANT SCHEDULE
 IN ACCORDANCE WITH AS 2303: 2018

ID	BOTANICAL NAME	COMMON NAME	APPROX MATURED HEIGHT	POT SIZE	QUANTITY
GROUND COVER / BOARDER					
1	Lilium monatum 'Just Dign'	Just Right Lilace	0.2	150mm	25
2	Dianella tasmanica 'Destiny'	Destiny Fleck Lily	0.4	150mm	10
7	Phoradendron discoloratum	Discolorated Maji	0.4	150mm	2
LOW SHRUBS					
10	Brachyotum indica 'Snow Maiden'	Indian Hawthorn	1	200mm	12
14	Syringa 'Standard'	Lily, gilly Standard	1.2	200mm	2
20	Westringia Blue Gem	Westringia	1.2	200mm	20
TALL SHRUBS					
23	Blackbeard myrtle	Grey Myrtle	3	200mm	2
24	Cestrum lilium	She substance	3	200mm	16
26	Phoradendron discoloratum 'Silver Sheen'	Discolorated Silver Sheen	3	200mm	11
TREES					
35	Corymbia 'Red Sensation'	Red Sensation	1.2	25 L	2
40	Alphina newmarket variegata	Variegated Shell Grey	1.5	200mm	4
41	Elaeagnus reticulata	Blueberry Ash	4	45 L	1
44	Tristania laurina 'Luscious'	Water gum	4	45 L	1
46	Lagerstromia indica 'Indian Summer'	Craope Myrtle	6	45 L	2



NOTE:
 THE TREES SHALL COMPLY WITH NATSRED SPECIFYING TREES
 A GUIDE TO ASSIGNMENT OF TREE QUALITY LEVELS OR AUSTRALIAN STANDARD AS 2303
 2018 TREE STOCK FOR LANDSCAPE USE
 HEIGHT AND SPAN ARE INDICATIVE ONLY SUBJECT TO ON SITE ENVIRONMENTAL FACTORS
 USE ONLY AS A GUIDE

REV	DESCRIPTION	REVISION DATE
A	DA ISSUE	9.9.21

- NOTE:**
- In the event of any inconsistency between the architectural plans and stormwater plans, the architectural plans shall prevail to the extent of the inconsistency.
 - All landscape works shall be carried out by members of the LANDSCAPE CONTRACTORS ASSOCIATION OF AUSTRALIA
 - Contractors must verify all dimensions at the site before commencing any work or making any shop drawings which must be approved before manufacturing.
 - Do not scale drawing, if in doubt - ASK
 - This drawing is to be read in conjunction with Architectural, Hydraulic and survey plans
 - All existing trees to remain shall be protected as per attached report & council requirements
 - All grading shall be in accordance with the AS 4373
 - Thoroughly eradicate weeds from all garden areas
 - No variation to the works to be carried out without prior approval from owner
 - All materials to be the best of their respective kinds and shall comply with approved sample type indicated or specified
 - Substitution of plant species or varieties will not be permitted
 - Unless otherwise specified or directed, all instructions are to be issued by the consulting landscape designer
 - All storm water outlets & surface run off shall be to hydraulic Engineers detail
 - Provide sub-surface drainage to garden beds & lawn areas where required - To be confirmed on site
 - Refer to survey plan for position of all existing services
 - Refer to Architectural elevations & Sections for existing and proposed ground lines
 - All landscape works shall comply with all Councils DA & DC conditions and all relevant 'AUSTRALIAN STANDARDS' and AUS SPEC NOT1 Specification C073-Landscaping
 - Irrigation system - If required, shall be designed & installed to comply with AS 2386-1:2004, AS 2386-2:2004, AS 2698-3:1992, water seal and other relevant authority regulations

MAINTENANCE

All landscape works are to be maintained for a period of 12 months from the date of completion of the landscape contractor after final completion AND shall be maintained at all times in a suitable manner. Details of plants which have failed with the same species. Much to be maintained at specified detail. All plants and turf shall be watered on a regular basis to maintain moisture levels required for optimum growth. All garden areas are to be maintained free from weeds.

0 1 2 3 4 5
 METRE
 SCALE

PROPOSED DUPLEX
 21 Marskell Cct.
 Mudgee

ARCHITECT:

LANDSCAPE DESIGN:

184050408 design
 8 Blaxland Road
 Kilaru NSW 2571
 PH:02 8499 0888 FAX:02 8499 0889
 www.visiondynamics.com.au

DRAWING TITLE: **LANDSCAPE CONCEPT PLAN**

DRAWN BY: FF SCALE: 1:100 (A1 OR 1:200 (A2))

DATE: 21/09/21 DA 1

REV: A