



Our Ref: 240332

26<sup>th</sup> July 2024

Maitland City Council  
263 High Street  
MAITLAND NSW 2320

**ATTENTION: Scott Fatches**

Dear Scott,

**RE: DA/2023/415 RESPONSE TO REQUEST FOR INFORMATION  
WYNDELLA ROAD, LOCHINVAR**

We refer to Council's request for information (**RFI**) dated 13<sup>th</sup> November 2023, along with the various discussions and consultation that has occurred over the following months between the Applicant and various Council officers, as well as State agencies and other stakeholders.

As Council is aware through ongoing consultation, we have amended the proposed development to respond to the issues raised by Council and other agencies, and as a result, many of the matters raised in the RFI have been resolved through layout amendments or changes to the proposal. We note that the proposed amendments are generally consistent with the amendments and design principles tabled with Council earlier this year.

Noting the amendments, the proposed development description should be revised to:

**258 Lot Subdivision including 2 public reserves, 1 drainage reserve, road widening and associated infrastructure over 14 stages.**

The key amendments to the proposed development include:

- **Realignment of the existing first order stream** that currently bisects the site, in accordance with DPE – Water Guidelines. This design change has resolved several of Council's major concerns and has enabled improved design outcomes including:
  - The relocation of the southern Local Park (L3) to Council's satisfaction;

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- Significantly improved biodiversity outcomes through the re-establishment of the riparian corridor, which is currently in poor condition;
- A deeper, denser vegetated buffer between New England Highway (**NEH**) and future residences, softening views between the development and its surrounds, as well as provided a green eastern gateway into the Lochinvar township; and
- Alleviating the need for multiple road crossings and accesses to the southern portion of the site (Stage 10), improving bushfire and stormwater outcomes.

The design amendment achieves suitable outcomes from both an environmental and development perspective, represents an efficient use of residentially zoned land and is therefore considered to be in the public interest.

- **Layout amendments to address the development interface to Wyndella Road**, in response to Council restricting direct vehicular access from dwellings onto this road as well as road widening required for development of the broader Lochinvar Urban Release Area (**LURA**) and Anambah Urban Release Area (**AURA**). As recommended by Council, a variety of design options have been incorporated to achieve a quality interface, including:
  - The use of internal perimeter roads, allowing dwellings to present towards Wyndella Road;
  - Limiting long runs of rear fencing, by providing east-west street blocks so that boundary fencing is limited to short runs of side boundaries broken up regularly with local roads; and
  - The use of a short cul-de-sac to restrict vehicular access, whilst maintaining visual connectivity.

In accordance with Section 37 of the *Environmental Planning & Assessment Regulation 2021*, the various development plans and supporting specialist reports have been updated to reflect the amended proposal and the issues raised in Council's RFI, and form attachments to this covering letter as per the Attachment List provided at the end of this letter.

The following sections of this letter address the matters raised in the context of Council's RFI, following the order and format of the RFI letter.

## 1. CONFIRMATION OF LOT DETAILS

We acknowledge that certain lots were not referenced in the NSW Planning Portal when the application was lodged, despite being referenced in the Statement of Environmental Effects (**SEE**). Unfortunately, the NSW Planning Portal did not recognise particular lots and there was no option to reference these manually.

We confirm that the following lots form part of the development application:

- Lot 9 DP 747391 (39 Wyndella Road, Lochinvar);
- Lot 12 DP 1219648 (39 Wyndella Road, Lochinvar);
- Lot 13 DP 1219648 (25 Wyndella Road, Lochinvar);
- Lot 2 DP 747391 (898 New England Highway, Lochinvar);
- Lot 3 DP 747391 (898 New England Highway, Lochinvar);
- Lot 4 DP 747391 (898 New England Highway, Lochinvar);

- Lot 5 DP 747391 (898 New England Highway, Lochinvar);
- Lot 6 DP 747391 (898 New England Highway, Lochinvar);
- Lot 11 DP 1219648 (898 New England Highway, Lochinvar);
- Lot 2 DP 1299958 (20A Cantwell Road, Lochinvar);
- Lot 1 DP 65706 (Wyndella Road, Lochinvar).

We appreciate Council may have the ability to rectify this on the NSW Planning Portal and appreciate the offer to do so.

In relation to Council's query regarding the possessory title application for the road reserve in the north-west corner of the development, and the need for landowners' consent, we confirm that the proposal has been amended to remove all works from this land and it no longer forms part of the DA. As such, landowners' consent is not required.

## 2. MASTER PLAN

As requested by Council, a standalone Masterplan document suitable for endorsement by the elected Council has been prepared. As there was limited information available around the status, purpose or content required to be included in this Masterplan, further consultation with Council's assessing officer was undertaken following the issue of the RFI. Council's assessing officer confirmed the Masterplan document should only be one-to-two pages and focus on demonstrating how the following elements of the LURA have been addressed (with reference to Figures 56, 57, 59 and 60):

- 120m Performance-based Development Area;
- Visually Sensitive Area;
- Proposed Road Network and Intersections;
- Road Widening;
- Riparian Areas / Watercourses; and
- Off-Road Shared Path and On-Road Commuter Path.

The Masterplan provides an overview of the proposal, and addresses how the above principles have been addressed. It is underpinned by the suite of information provided as part of the broader development application, and in this regard is not intended to provide a detailed explanation of the rationale of the various design decisions.

A copy of the Masterplan document is provided as **Attachment 1**.

## 3. INTEGRATED DEVELOPMENT

Amendments have been made to the DA in response to Council and agency comments. In this regard, re-referral will be required to the respective agencies.

### 3.1. DPE Water – GTAs

DPE Water issued its GTAs on 29<sup>th</sup> August 2023. The GTAs were issued having regard to the information contained in the following documents, as outlined in Schedule 1 of the GTAs:

- Statement of Environmental Effects, prepare by ADW Johnson Pty Ltd, Rev. B, dated 16/05/2023;
- Riparian Assessment Report, Ref. 2699, prepare by AEP, dated 09/09/2022;

- Concept Civil Engineering Plans, Ref. 240332-CENG, prepared by ADW Johnson Pty Ltd, rev. B, dated 21/04/2023;
- Landscape Plans, Ref. 14503.5, prepared by Terras Landscape Architects, Rev. G, dated 14/04/2023.

Of relevance is the Riparian Assessment Report (**RAR**) listed above, which confirmed the watercourse within the site was a first order stream, based on detailed assessment and ground-truthing.

In relation to works on waterfront land, the proposed amendments alter the nature of the works in the vicinity of the existing watercourse compared to the proposal DPE – Water assessed and will therefore require re-referral to DPE – Water. Of note is the proposal to realign the first order watercourse.

The Applicant contacted DPE – Water regarding the proposed amendments for input; however, DPE – Water officers were not able to review proposed plans at the time but were open to consider stream realignments. In saying this, the proposed stream realignment is consistent with the *Guidelines for Controlled Activity Approvals*, which allows for stream realignment works to occur on first order streams and was therefore considered to be supportable in principle.

The following information has been prepared, or updated, to support the revised development proposal, in particular the proposed stream realignment:

- Concept Civil Engineering Plans (ADW Johnson, Dwg. 240322-CENG-001-F, ADW Johnson, Rev F, 19/7/2024);
- Riparian Assessment Report (AEP, Rev 01, 19/7/2024);
- Biodiversity Management Plan (AEP, Rev 01, July 2024);
- Landscape Documentation (Terras Landscape Architects, Ref 14503.5, Rev K 4/7/2024).

These documents are provided as **Attachments 3, 4, 5** and **6** respectively.

### **3.2. RFS GTAs**

The NSW RFS issued a conditional Bushfire Safety Authority (**BFSA**) on 30<sup>th</sup> July 2023. In its RFI, MCC identified several aspects of the BFSA that required review to ensure compliance could be achieved. It is noted that the development layout has been amended which resolves several of the issues raised by Council.

Notwithstanding, re-referral of the DA to the RFS is required due to the amendments to the proposal. It is also noted that performance-based solutions are proposed in relation to the road widths that differ from those proposed in the original submission.

An updated Bushfire Assessment Report (**BAR**) has been prepared and provided as **Attachment 7**.

Having regard to items a) – l) in Council's RFI letter, we provide the following:

### 3.2.1. Management of Drainage Channel as IPA

This matter is resolved on the basis that the proposed layout has been amended in the vicinity of the drainage channel west of (previously proposed) Lots 1009 and 1010. There is no longer a need or assumption that the drainage channel will be managed as an Inner Protection Area (**IPA**).

### 3.2.2. Temporary Management of Parks as IPA

We confirm that the proposed parks will be managed as an IPA by the Developer, until such time the parks are embellished and transferred to Council. This management will be achieved by implementation of a temporary APZ, enforced by registration of a positive covenant (or similar) on the title and released once it is no longer required.

### 3.2.3. Vegetation Classifications for Detention Basins

We confirm that Basin 1 adjoining the riparian corridor has been considered as a hazard under the original assessment and the updated assessment, with an APZ required from the outer edge of that permanent basin on the basis that it is a 'Freshwater Wetland'.

In relation to the basin in Stage 9 (Basin 2), further clarification is provided. Basin 2 is not assessed as a hazard on the basis that it is a temporary basin only, its landscaping consists of 20m<sup>2</sup> of bioretention planting at its base and turfed batters, and will be maintained by the Developer (rather than Council) until such time as it is decommissioned. In this regard, it is considered managed. This is further clarified from a bushfire perspective in Section 7.02 of the updated BAR.

### 3.2.4. Vegetation Management Plan for Riparian Corridor

A draft BMP has been prepared for the riparian corridor. It is identified as draft, noting the final will be prepared once final detailed design has occurred as part of future SWC processes. The draft BMP has been prepared in response to:

- The updated layout and stream realignment works;
- Council's requirement for native grasses at the base of the riparian corridor and on the batters, and trees within the upper batter; and
- Assist the bushfire consultant in determining the appropriate fuel loading of the riparian corridor.

Due to the stream re-alignment and revegetation works now proposed under the BMP, the vegetation classification per Keith has been updated to Woodland and therefore has a fuel loading of 20.2t/ha. The bushfire assessment has been completed on a fuel loading of 20.2t/ha accordingly, as outlined in Section 7.02 of the updated BAR. A copy of the draft BMP is provided as **Attachment 5** and we confirm that the updated BAR has been prepared based on the draft BMP.

### 3.2.5. Access Requirements (GTA 5)

In relation to access arrangements, it is noted that the proposed amendments to the development will resolve or change the nature of the issues raised, and we have addressed these accordingly.

### **Staged Access Arrangements:**

Council as interpreted the RFS requirement in GTA 5 for 'subdivisions of three or more allotments have more than one access in and out of the development' to apply in a staged context. That is, two points of access need to be available to Wyndella Road at every stage of the development.

Whilst PBP is silent on this point, we do not believe this interpretation necessarily reflects the RFS intent. It is our view that the requirement relates to the ultimate subdivision layout, or potentially staged circumstances where the bushfire risk is significant, which is not the case for this site. If RFS required secondary access on a staged basis, it is reasonable to assume the RFS would have highlighted this in its assessment given it would be an obvious non-compliance.

Notwithstanding this, we have amended the staging to address Council's concern. Having regard to the Staging Plan (**Attachment 2**), the Concept Engineering Plans (**Attachment 3**) and shown on the Bushfire Staging Plan (**Attachment 9**), we confirm that:

- Two points of access will be available in Stage 1 by virtue of MC01 and a temporary fire trail along the alignment of MC09;
- Three points of access will be available by Stage 2 by virtue of MC01, the temporary fire trail along MC09 and a temporary emergency access between Wyndella Road and the MC04 loop road. This arrangement will continue until Stage 6 is registered;
- By Stage 7, the Wyndella Road/MC03 connection will be created, resulting in two permanent road connections and the temporary emergency access in Stage 2.

It is noted that the temporary emergency access is not a specific requirement of our bushfire consultant, and has been added to address Council's concern.

In addition to the above, temporary APZs will be established around each construction stage, further reducing the temporary bushfire hazard until such time the development is completed. The bushfire assessment has been completed on this basis as outlined in Section 9.0 of the updated BAR. Refer to Recommendation 2 regarding the establishment of temporary APZs.

Noting the above, Council can be satisfied appropriate temporary access arrangements will be in place to support the individual construction stages and manage temporary bushfire hazard.

### **Cul-de-Sac Radius**

Where cul-de-sacs are proposed, it is acknowledged that RFS requires a minimum 12m outer radius turning circle to achieve the PBP 2019 Acceptable Solutions.

One cul-de-sac is proposed, being Road MC16 adjacent to Wyndella Road, which has a radius of 10m. As outlined in the updated BAR, although the proposed radius does not comply with the Acceptable Solution, the proposal satisfies the relevant Performance Criteria being:

*'Firefighting vehicles are provided with safe, all-weather access to structures'*

Swept path modelling confirms that an 8.8m long service vehicle can perform a turn in a single motion on Road MC16. This modelled vehicle length is larger than a Category 1 RFS appliance, which is only 7.8m.

In relation to Council's requirement for parking being required in addition to the 12m width (or provided internally), it is requested that this requirement is reviewed given that adequate parking to support the proposed lots is available within MC16 outside of the cul-de-sac head. This is on the basis that:

- Lots 1306 and 1307 are battle axe allotments, and due to the length of the driveways (>30m), it is expected occupants will park within the lot itself rather than on the street;
- There are only three lots directly fronting the cul-de-sac (Lots 1303 – 1305), that would potentially park within the cul-de-sac;
- The remainder of the lots fronting Road MC16 have a typical road frontage with parking out the front;
- A long stretch of MC16 is taken up by the side boundaries of Lots 1210 and 1211, provide further unencumbered on-street parking;
- All lots are suitably sized to accommodate a minimum of two off-street car spaces.

On this basis, it is considered that the proposed arrangement is reasonable as it satisfies the performance criteria of the RFS, and will not significantly impact on on-street parking options for residents of Road MC16.

### **Perimeter Roads North and South of the Riparian Corridor**

The revised layout no longer includes development south of the riparian corridor, and comments made in GTA 6 and 8 relating to this area are no longer relevant. Perimeter roads are provided at the northern interface of the riparian corridor, as required by GTA 6. As such, Council's concern has been addressed.

#### **3.2.6. On-Street Parking Requirements**

Council has indicated it requires on-street parking on all roads with lot frontages, and does not support parking restrictions along the lot frontage. Noting a performance-based solution was proposed under the original proposal (and approved by the RFS) in relation to road-widths and parking arrangements, Council requested further information to clearly demonstrate all road types and parking restriction locations, having regard to its requirements.

It is noted that the previously RFS-approved performance-based solution is no longer proposed. Having regard to Council's specific request in this section of the RFI for on-street parking, this matter was reviewed in further detail, and the following performance-based solution is proposed for the road network.

A plan has been prepared identifying the different road types in relation to bushfire requirements (refer to **Attachment 8**).

### **Perimeter Roads (Part MC01, Part MC03, MC05, MC02, MC04, Wyndella Road):**

All perimeter roads will have a width of 10.5m, allowing for a minimum 8m wide clear carriageway and dedicated 2.5m parking lane on the lot-side, as required by Council and per RFS Acceptable Solutions. This excludes Wyndella Road, which does not require on-street parking. The perimeter road network forms a loop road directly adjoining the potential hazard that can be travelled through by emergency services unimpeded;

### **Road MC03:**

Road MC03 will be constructed to a perimeter road standard for its entire length, even for the extent that it is not a perimeter road by definition. It will comprise a minimum 8m wide clear carriageway, with dedicated 2.5m wide parking lanes on each side. Thus, it complies with the PBP Acceptable Solutions.

### **Internal Roads (Part MC01, Part MC04, MC07, MC09, MC12 – 16):**

All proposed internal roads will achieve the minimum width requirements outlined by PBP Acceptable Solutions, although would require widening from 8m to 10.5m to achieve Council's on-street parking requirements.

A performance-based solution has been developed by the bushfire consultant in relation to these roads. On the basis that a significant portion of the proposed roads will be located >100m from any bushfire hazard and >30m from any grassland hazard, and will not be considered to be on 'bushfire prone land' upon completion of the development, it is requested that the sections of road outside of the 30m buffer (as shown on Figure 10 in the BAR) are excluded from the parking restrictions described in Section 5.3.2 of PBP.

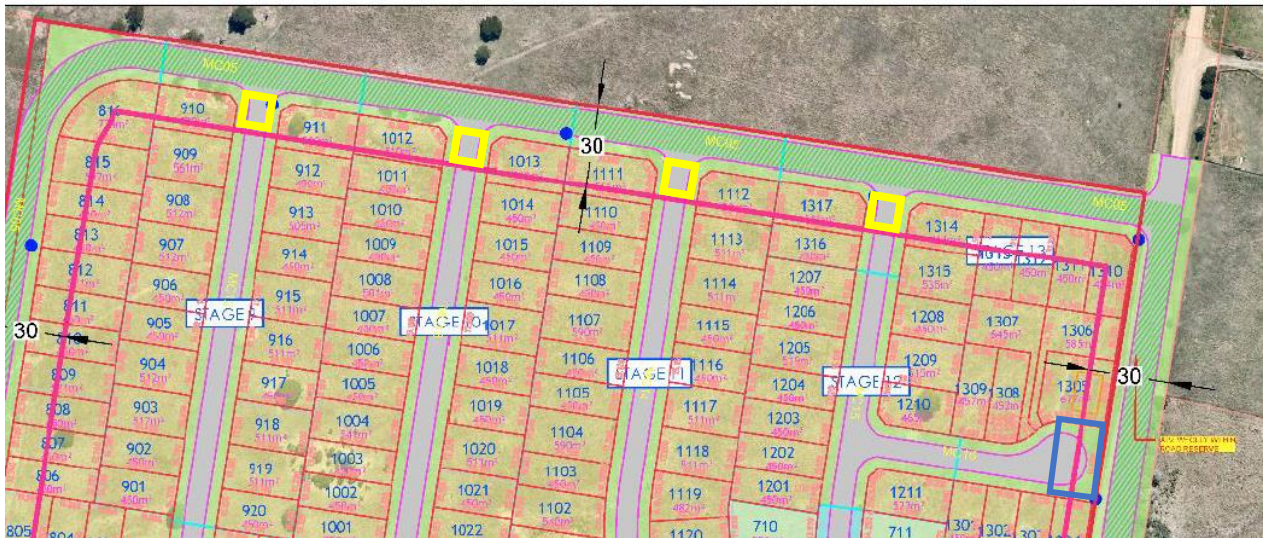
Having regard to Figure 10 in the BAR, the extents of internal roads within the 30m buffer that are not already designed as perimeter roads, generally coincide with intersections, where parking is restricted irrespective of bushfire controls. It is noted that in the following areas the parking restriction will extend slightly further than usual; however, these are justified for the following reasons:

- On-street parking would be restricted directly at the front of Lots 910, 911, 1012, 1013, 1111, 1112, 1314 and 1317, as these lots front internal roads. The yellow outline on **Figure 1** below identifies the short extent of road with parking restrictions. However, ample on-street parking is provided along the secondary frontages of these lots by virtue of the perimeter road (MC05), with limited to no 'competition' given only four lots front Road MC05 directly at the eastern end.
- A short extent of the cul-de-sac head (MC16) would be subject to no-parking a result of this Performance Based solution (outlined in blue on Figure 1 below). This coincides with other no-parking restrictions discussed in Section 3.2.5 of this letter for other reasons, and as a result, it is not considered a significant impact to parking.
- As can be seen on **Figure 2** overleaf, parking will be restricted for approximately 30m along Road MC04, essentially at the primary frontage of Lot 217 and 218 (refer to blue outline). Notwithstanding, on-street parking is available along the secondary frontage of Lot 218, noting that this part of MC04 is a perimeter road with parking provided on the lot side and directly north of Lot 217 on both sides of the road. In this regard, the short extent of restricted parking is considered reasonable.



- Parking will also be restricted on proposed Road MC09 where it runs parallel with Wyndella Road, as outlined in blue on **Figure 3**. This outcome is considered reasonable, given it coincides with the secondary boundaries of Lots 610 and 611.

It is considered that the proposed arrangements for access roads achieve the requirements of PBP 2019, whilst managing Council's expectations for the provision of on-street parking. Although some parking restrictions will be required in isolated locations, as nominated on **Figures 1 to 3** below, these are considered insignificant in terms of having an impact on car parking for residents for the reasons outlined above.



**Figure 1: Proposed Parking Restricted Areas on Roads MC12 – 16, based on Figure 10 of Updated BAR**



**Figure 2: Proposed Parking Restricted Areas on Road MC04, based on Figure 10 of Updated BAR**



**Figure 3: Proposed Parking Restricted Areas on Road MC09, based on Figure 10 of Updated BAR**

### 3.2.7. Secondary Access through Future Park

This matter is closed on the basis that development south of the riparian corridor is no longer proposed, and the park has been relocated and is no longer affected by the secondary access.

### 3.2.8. Plant Species for Use within the Perimeter Road Reserve

Updated landscaping plans have been prepared, having regard to the types of plant species to be used within the perimeter roads. Lower flammability or smooth-barked species will be used at the interface of perimeter roads and bushfire hazards. Refer to **Attachment 6** (Sheet L060).

### 3.2.9. Management of Temporary APZs

Temporary APZs will be implemented during the construction of the subdivision and will be the responsibility of the Developer to actively manage. As the development progresses, the temporary easement is released. This is standard practice for staged subdivisions, and imposed through the 88B instrument.

Plans identifying the staged approach to temporary APZs are provided as **Attachment 9**.

## 3.3. Heritage NSW

It is noted that at the time of issuing the RFI, Heritage NSW comments were not available; however, we make reference to Heritage NSW request for additional information dated 15<sup>th</sup> November 2023. Heritage NSW requires an Aboriginal Cultural Heritage Assessment Report (**ACHAR**) is provided, which is informed by test excavations and prepared in consultation with the Registered Aboriginal Parties (**RAP**).

An ACHAR has since prepared, based on test excavations undertaken on 13<sup>th</sup> February 2024 with the RAPs. In summary, the ACHAR concluded the following:

- Test excavations of the Potential Archaeological Deposit (**PAD**) associated with AHIMS 37-6-2228 found that it was a highly disturbed area and no artefacts were found. That is, it is not a PAD and no further investigations are required.
- The surface Loci of AHIMS 37-6-2228 (Loci 1 and Loci 4) will be directly impacted by the development. However, Loci 1 is an isolated artefact and Loci 4 is a highly disturbed artefact scatter consisting of four artefacts originally. These sites are well represented both locally and regionally, and are highly disturbed with little to no research or scientific potential.
- An AHIP will be required for AHIMS 37-6-2228 (Loci 1 and Loci 4) prior to works commencing at those locations.

The updated ACHAR is provided as **Attachment 10**, and we request a copy is provided to Heritage NSW.

### 3.4. DPE – Fisheries

It is noted that at the time of issuing the RFI, DPI – Fisheries comments were not available; however, we refer to its request for additional information dated 21<sup>st</sup> November 2023.

DPI – Fisheries sought confirmation as to whether any works are proposed in Key Fish Habitat (**KFH**), being the (mapped) third order stream located within the western half of Lot 2 DP 747391. If so, a detailed description and designs for any proposed works within Key Fish Habitat.

At the outset, we confirm that our response has been prepared in the context of the revised development design, which now proposes stream realignment works.

An aquatic ecology report (**AER**) has been prepared by AEP in response to DPI – Fisheries RFI to determine the presence of KFH, its condition and appropriate management actions to avoid or minimise impacts. The report identified that:

- Within the subject site, the existing watercourse is in a highly degraded condition, with a blockage to fish passage present.
- No native or threatened fish were observed during field surveys.
- Type 3 – Minimally Sensitive KFH occurs within the site and the creek is a Class 3 – Minimal KFH Waterway.
- Riparian and aquatic vegetation was dominated by exotic species, with the native aquatic plant *Ottelia ovalifolia* present in low abundance.
- A patch of native casuarina and eucalypt riparian vegetation occurs near the western boundary of the site. This riparian vegetation will be avoided and retained.
- A BMP is proposed for the riparian corridor, increasing opportunities for fish passage and constructing fish habitat within the subject site, and regenerate aquatic habitat and riparian land. As part of the stream reconstruction, KFH features (such as pools, meanders and riffles) will be constructed.

As concluded in the AER, the proposal will result in a net gain in catchment health, increasing the quantity and quality of fish habitat on the site.

A copy of the AER is provided as **Attachment 11**, for referral to DPI – Fisheries.

#### 4. SEPP TRANSPORT & INFRASTRUCTURE

The referrals from Ausgrid and Transport for NSW (TfNSW) are noted.

Comments provided by Ausgrid are largely procedural, and do not object or materially alter the DA.

In relation to TfNSW feedback, it is noted that it provided two sets of comments. The first set was issued 29 June 2023, and requested further information regarding the SIDRA modelling, provision of footpaths and shared paths and public transport. The second response was provided on 25 August 2023 following review of the SIDRA modelling, and requested additional modelling to be provided in an updated TIA.

In response:

- An updated Traffic Impact Assessment has been prepared to address issues raised by TfNSW, and provided as **Attachment 12**. It is noted that several matters raised have been resolved during further consultation, and this is reflected in the updated TIA. In addition to the TIA, a copy of the SIDRA file and updated TfNSW SIDRA model review spreadsheet will be provided to Council and TfNSW separately via email, on the basis that these files cannot be uploaded to the Planning Portal;
- In response to TfNSW request for wider footpaths (minimum 2m footpaths and 4m shared paths) and recommendation that the network should link to activity centres such as parks, schools and bus stops, the proposed pathway network is considered appropriate as it is consistent with the overall pedestrian and cycleway networks established under the LURA DCP (Figure 59) and provides linkages within the site to key locations (such as the parks) and off-site via connections to the NEH. In relation to the widths, the proposed pathways are consistent with MCC requirements who will ultimately be the asset owner for majority of the proposed path network. It is also noted that after TfNSW issued these comments, it has endorsed Roche Group's strategic concept design for the NEH intersection upgrades and the proposed 2.5m shared pathway was deemed acceptable.
- Bus stops have been shown indicatively on the updated Concept Engineering Plans on MC03, directly adjacent to the park. All lots will be within 400m of a bus stop. This level of provision is considered acceptable for the proposed development.

It is considered that the matters raised by TfNSW in its correspondence, and through subsequent consultation have been adequately addressed; however, it is anticipated Council will re-refer the proposal to TfNSW for comment.

#### 5. MAITLAND LEP 2011

##### 5.1. Zoning

It is understood that Council holds a view that all works associated with a residential subdivision must be located within the R1 zone unless separately defined and the works have minimal environmental impact (that is, roads and associated earthworks). This was raised in the context on the road batters extending into the adjoining RU2 zoned land.

Council also holds a view that the road widening identified in Figure 57 for Wyndella Road is to be contained within the boundaries of the LURA, which extends to the eastern limit of the Wyndella Road reserve. This is on the basis the land to the east is zoned RU2, which is not a zone that supports residential subdivision development that would warrant road widening and is not subject to a planning proposal indicating upzoning.

Although we do not strictly agree with Council's position, we confirm that the proposal is consistent with it on the basis that:

- In relation to the batter extending into the RU2 zoned land to the north, we note that roads (and associated batters) are permissible with consent. The batter was considered in the SBDAR, and will impact exotic canopy and pastures only. It is therefore considered that the road batter will have minimal environmental impact, and can therefore be supported by Council; and
- In relation to the Wyndella Road widening, we confirm that works associated with this development application do not extend beyond the eastern boundary of the existing road reserve, as shown on the Concept Engineering Plans. Batters shown beyond the eastern boundary of Wyndella Road (north of Road MC03) are associated with upgrades required to facilitate the development of the AURA, and in this regard, Council's position may require further examination as part of that application (by others).

It is considered that the updated proposal satisfies Council's position on road works within the RU2 zone.

## **5.2. Clause 5.10(8) – Heritage Conservation**

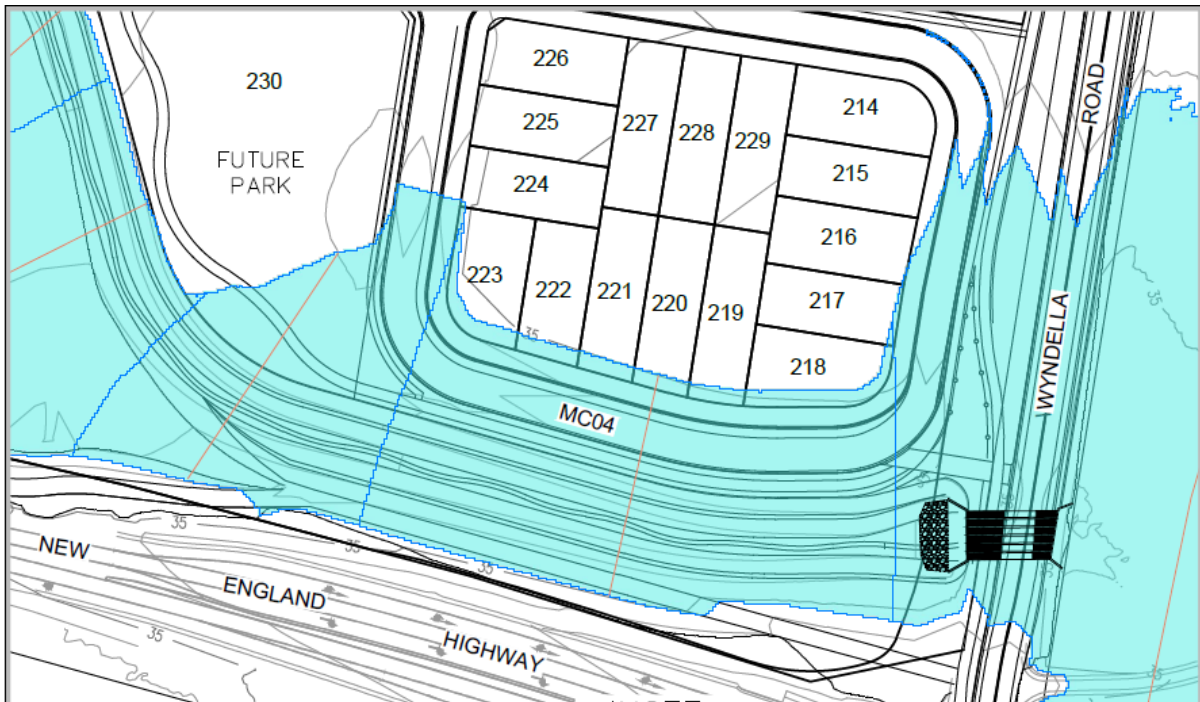
The ACHAR has been updated, as per Heritage NSW request. Refer to Section 3.3 of this letter for further discussion.

It is noted that the reference in the SEE to the ACHAR being a draft document was in error; however, this point is now resolved through the provision of the updated ACHAR.

## **5.3. Clause 5.21 – Flood Planning**

The proposed layout has been amended and no longer proposes Lots 206 and 1010 in their previous form. In this regard, Council's comments relating to flood-free access in this context are no longer relevant. Further, the proposal no longer includes residential lots with a direct interface to the riparian corridor and therefore the requested cross-section is no longer required.

Having regard to the revised layout, we confirm that all lots are flood free for all design events up to and including the PMF, with the exception of several batters within the 5m front setback of some lots (shown in **Figure 4** below). This confirms that refuge-in-place is appropriate for the proposed development in extreme flood events. Further details are provided in the updated Stormwater Management Plan (**Attachment 13**).



**Figure 4: Lots affected by PMF Flood Extent  
(ADW Johnson, Dwg. 240332-ESK-009-C, 27 June 2024)**

#### 5.4. Clause 6.1 – Arrangements for designated State infrastructure

Discussions with DPHI in relation to the State VPA are ongoing. It is acknowledged that the DA cannot be determined without a Satisfactory Arrangements Certificate.

#### 5.5. Clause 6.2 – Public Utility Infrastructure

It is acknowledged that development consent must not be granted for development on land in an URA unless the Council is 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 it is required.

Essential services for the proposed subdivision include sewer, water and electricity. For subdivision, essential infrastructure is generally required prior to registration of lots within a stage and is typically controlled via consent conditions.

To satisfy Council that 'adequate arrangements have been made to make that infrastructure available when it is required,' we provide the following:

- A copy of the Wyndella Road Wastewater Servicing Strategy Addendum (2022-1185), approved by Hunter Water on 30<sup>th</sup> April 2024;
- A copy of the Wyndella Road Lochinvar Water Servicing Strategy (2022-1185), approved by Hunter Water on 25<sup>th</sup> August 2023; and
- A copy of Ausgrid's Design Related Services Offer (4<sup>th</sup> July 2023), confirming that the development can be serviced subject to network alterations.

Copies of the above documentation are provided as **Attachments 14, 15** and **16** respectively.

## 5.6. Clause 7.8 – Subdivision of Land in Zone R1 in Anambah Urban Release Area

Council has requested that the plans for this development application indicate provision for accommodating the required AURA works to ensure the subdivision layout can be achieved. This request has been made by Council in the context of Clause 7.8(3) which states:

*Development consent must not be granted to the subdivision of land that would result in more than 1200 lots being on the land to which this clause applies unless the consent authority is satisfied that—*

- a) persons residing on the land will have suitable and safe road access to the New England Highway via Wyndella Road, and*
- b) the road will be appropriately located.*

At the outset, it is important to note that the application of Clause 7.8 applies to development on land within the AURA only, as stated in sub-clause (1):

*'This clause applies to development on land in Zone R1 General Residential in the Anambah Urban Release Area identified on the Urban Release Area Map.'*

Clause 7.8 does not apply to this development application, because the land is not located in the AURA. It is in the LURA, as per the Urban Release Area Maps. In this regard, there is no requirement to address, or comply with, the provisions of Clause 7.8 as part of this development application.

Notwithstanding the above, and in good-faith, the Applicant has set aside land adjacent to the NEH intersection based on the concept design of the NEH TCS and Wyndella Road upgrades made available by Roche Group, which presumably have been prepared cognisant of the Clause 7.8 requirement of flood-free access. A sketch plan demonstrating this has been provided as **Attachment 17**.

The updated Stormwater Management Plan has sized the proposed culverts under Wyndella Road to ensure flood free access. Modelling confirmed the culverts provide freeboard to Wyndella Road in the 1% AEP design event. Presumably, these culverts will be extended as part of the AURA NEH/Wyndella Road intersection works undertaken in future. Refer to **Attachment 13** for further detail.

As such, whilst there is no requirement for this development application to comply with Clause 7.8, accommodations have been made for future road upgrading works.

## 6. CONTRIBUTIONS PLAN

The issues raised under Item 6 are no longer relevant, based on the proposed amendments to the layout (including the location of Park L3) and further discussions with Council.

Council confirmed via email on 7 March 2024 that the proposed park locations are suitable and would not require amendment to the Contributions Plan.

## 7. URBAN DESIGN

### 7.1. Lot Density & Diversity

Council notes that no provision has been made for super lots to accommodate future medium density housing, nor has there been consideration of access to other amenities and services beyond the two parks been considered in the context of the density proposed. Council requires the subdivision proposal be revised with an increased range of lot sizes.

In response to this, we confirm that consideration was given to access to other amenities and services beyond the two parks in the context of determining appropriate densities. Aside from the local parks and a future bus route, there are minimal other facilities within, or in close proximity to, the development area that would typically justify Council mandating higher densities on the site than what is proposed. This is evidenced by Figure 55 of the LURA DCP (provided as **Figure 5** overleaf for reference) and the site's location at the periphery of the URA, as discussed below:

- In terms of the existing services and facilities, the site is in excess of 1.3km from the existing Local Centre (E1) zoned land, in excess of 700m from the entrances of the nearest schools and 800m to the existing local playing fields;
- In terms of access to future facilities, reference is made to Figure 55 of LURA which provides the overall area plan, identifying various land uses across the URA. Although it is acknowledged that this is a strategic document and may be considered as somewhat indicative, there is a clear intention to provide key services and facilities to support the URA south of NEH. This includes the future town centre, recreation areas, potential school sites and the proposed transport interchange accessing the railway line.
- In addition to this, and perhaps most relevantly, Council has specifically identified locations for 'potential medium density housing' on Figure 55. Consistent with the point made above, these are all focused south of NEH and adjacent to key facilities and services.

In addition, reference is made to the planning controls in the DCP and LEP:

- As outlined in the LURA, there are no specific requirements for residential densities in the LURA, as densities are controlled by lot sizes established in MLEP 2011;
- The minimum lot size for the site is 450m<sup>2</sup>. All lots comply with this requirement;
- It is acknowledged that greater densities could be achieved using Clause 4.1A, whereby 300m<sup>2</sup> lots can be achieved but only if a dwelling is proposed at the same time. There are several lots >600m<sup>2</sup> that could be utilised to achieve higher densities in future;
- Lot diversity, as currently appropriate for the site, is established through the range of lot widths required by DC.1.1 of Section C.10 of the DCP (refer to Section 10.4.1 of this letter).

Having regard to the above and its position in the overall LURA structure plan, it is clear that a lower density outcome is more appropriate for the site from a planning perspective and site physical constraints. Although it is accepted that providing some diversity is appropriate for market choice, concentrations of medium density through multiple super lots is not warranted at this point.



If market demand exists in the future, consideration will be given to consolidating and creating smaller lots in proximity to the bus route and local parks, suitable for detached style housing.

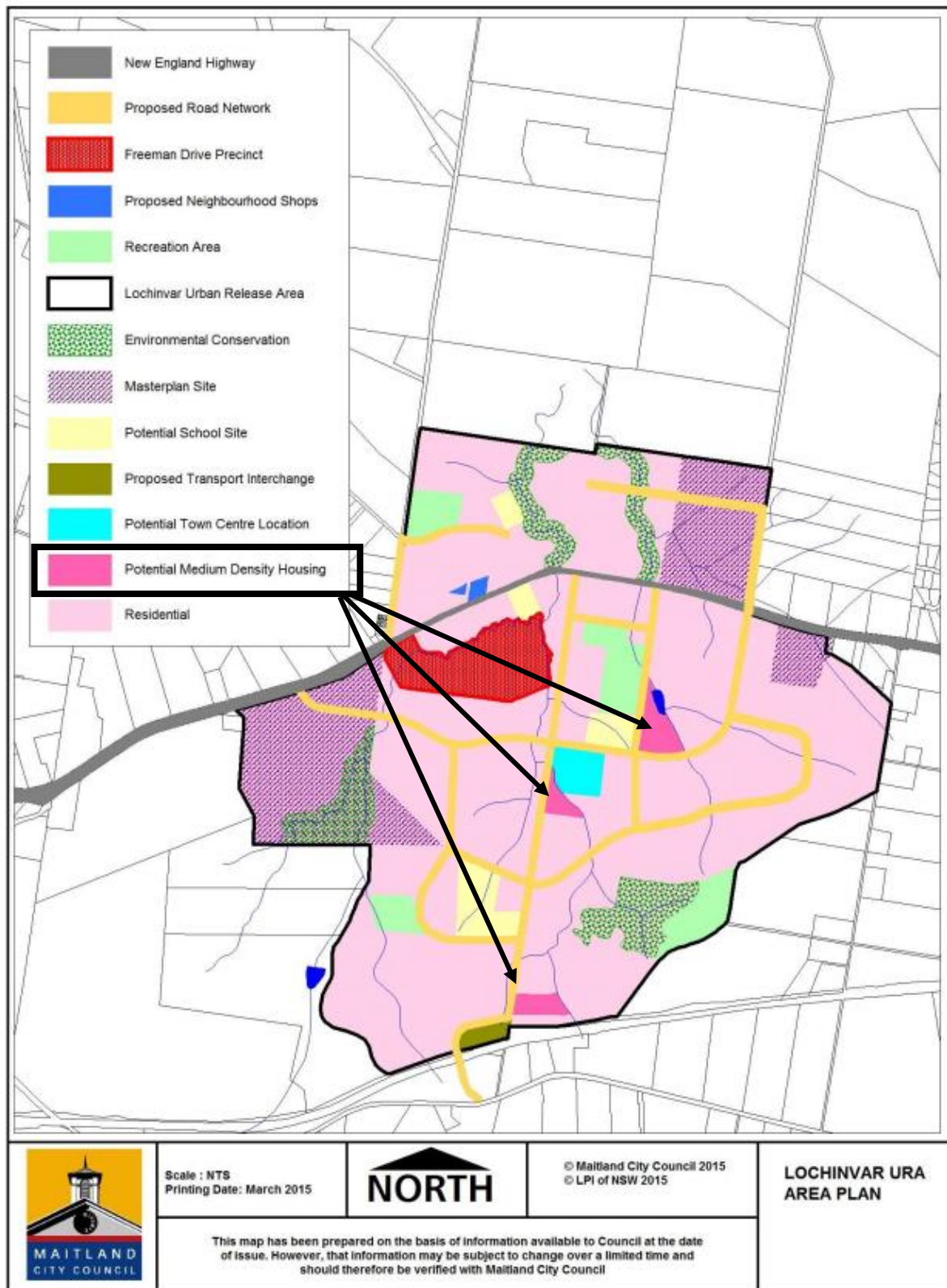


Figure 5: Lochinvar URA Area Plan (Figure 55 of MDCP Section F.9)

## 7.2. Landscape and Acoustic Buffer

As the updated layout no longer proposes lots at the NEH interface, the acoustic buffer is no longer required. This land will be dedicated to Council, which resolves Council's concerns regarding long term maintenance of the landscape buffer if it is in private and disparate ownership. This issue is therefore considered resolved.

## 7.3. Street Tree Species Selection

Further consultation was undertaken between Council and the project landscape architect, Terras, regarding the street tree selection in June 2024. Council agreed to reconsider the proposed street tree palette in recognition that there are in fact two Council lists of preferred street trees in existence, which present an inconsistency in Council documents. That is, the preferred street tree list available on Council's public website and an internal spreadsheet that is used by engineers and the environment team provide different species.

Council accepted that all proposed species are included on the abovementioned lists, except for the Dwarf Yellow Bloodwood. Council suggested that the updated landscape plans include a note confirming that, although not on either list, the Dwarf Yellow Bloodwood is a suitable street tree for Maitland City Council. This approach is consistent with Section 8.1 of Council's Manual of Engineering Standards – Environment which states the following in relation to street landscaping:

*'The landscape designer is encouraged to recommend new species and to use a variety of species in the designs. Maitland City Council has for reference, a list of suitable street tree species which identifies some local spp and suitable varieties that have been successfully placed as street trees'*

Noting the above, and as agreed with Council, no change to the selected street trees species is necessary.

## 7.4. Street Tree Planting along Road MC05

Street trees were not originally proposed along the northern boundary based on Council's advice during Pre-DA discussions in November 2022, where Council's engineers specifically requested that no street trees were to be planted on the outer edge of perimeter roads to manage bushfire hazards.

Notwithstanding, the Landscape Plans have been updated to provide planting along the northern boundary on the northern side of MC05 using mixed groupings of lower flammability species as a rural interface, as requested by Council more recently. The planting will occur in the road reserve, noting lands to the north are being investigated for urban purposes (in accordance with Council's Local Housing Strategy 2041), and would likely be impacted if that land was developed for urban purposes.

Refer to Sheet L060 of the updated Landscape Plans for further details (**Attachment 6**).

## 7.5. Park Benches and Viewing Platforms

Consideration of opportunities for park benches and viewing platforms along footpaths overlooking/adjoining the proposed detention basin has been undertaken, as suggested by Council.

It is noted that the layout has been amended in the southern part of the site since Council issued this comment. Rather than providing seating to overlook a basin, it is considered seating options overlooking the proposed vegetated riparian corridor would provide a more meaningful user-experience.

Sheet 070 of the updated Landscape Plans identifies potential locations for seating along interface between the shared pathway and riparian corridor. However, as no park embellishment works are proposed as part of the DA, these locations are indicative only and will be confirmed under a separate DA for park embellishment works.

## 7.6. Public Parks

Having regard to Council's concerns regarding the proposed location for Local Park (L3), the proposed layout has been amended. Council confirmed via email on 7<sup>th</sup> March 2024 that the proposed location is suitable, noting it is separated from the highway and will likely achieve a good outlook over the riparian corridor. Council advised that the design of Local Park L3 would need to consider the following issues and requirements:

1. Minimum 5,000m<sup>2</sup>;
2. Flood free;
3. Keep a safe distance at least 10m away from the street to the playing area;
4. Keep a safe distance/barrier at least 20m from the watercourse to the playing area; and
5. Provide a safe barrier around the basin.

In response to the above:

- The local park has an area of 5,102m<sup>2</sup>;
- A small portion of the local park is liable to the PMF (refer to **Figure 4** above); however, it is entirely flood free in the 1% AEP, which is considered a reasonable outcome;
- The proposed park is amply sized and configured to provide a 10m setback between the road and a playground, and a 20m setback to the watercourse. This can form part of any future brief for the design of the park. It is noted that the inclusion of the shared path along the perimeter of the park provides a passive barrier to the watercourse.
- A safe barrier can be provided around the basin. In accordance with MOES Stormwater (Section 8.8), this shall be determined based on a risk assessment. Noting the final basin details will be determined at SWC, it is suggested this forms a consent condition; however, it is considered a combination of 'wire rope' style fencing and planting would provide a suitable buffer.

Having regard to the above and the subsequent discussions after the RFI was issued, it is considered that this issue is resolved.

## 7.7. Stations of the Cross

Council has noted that the previous location and significance of the Stations of the Cross were not addressed in the SEE or Urban Design Report (**UDR**), referring to specific sections of the Lochinvar Structure Plan (**LSP**) (2007).

It is clear that when the LSP was written, some 17 years ago, the Stations of the Cross existed in a physical form. That is, a series of large white timber crosses erected across site which were visible from NEH and formed a backdrop to the Convent due to the rise in topography. It is important to note that the crosses have since been removed from the site. It is also relevant that the crosses or the broader site is not listed as having any local or State heritage significance. This was outlined in Section 3.6 of the UDR.

In reading the LSP, the importance of the Stations of the Cross site appears to be two-pronged. It is clear the Stations of the Cross site established its importance based on the series of white crosses placed on the hillside behind the Convent, described in Section 5.2.3 of the LSP as '*a local icon and **visual landmark for travellers***' (emphasis added). The second element is the site's more general significance a visually prominent location due to its topography and position at the gateway to the URA, irrespective of the presence of the crosses. Unfortunately, it seems the two become conflated throughout the LSP given that the crosses existed at the time of publication, and as a result some of the statements or commentary provided in the LSP about the Stations of the Cross has become somewhat redundant due to the removal of the crosses.

On the basis that the white crosses have been removed for some time, and they are not subject to any heritage listing, further consideration of the significance of the Stations of the Cross as a visual landmark was not considered to be warranted as part of this development application. That is, there is little to consider as the crosses and walking route no longer exist, and do not provide a landmark as they previously did. Further to this, the Stations of the Cross as a physical landmark did not hold such significance that Council or Heritage NSW felt obliged to protect it via a heritage listing.

In terms of the significance of the Stations of the Cross as a location, we disagree that this has not been considered as part of the DA. As referenced by Council, Section 5.1.2 of the 2007 LSP outlines that land to the east and north of the Convent site (which encompasses a significantly greater area than just the subject site) should be the subject of individual investigations addressing noise, potential school extensions, aged care housing developments, heritage and visual impacts. Section 5.14 outlines that although the Stations of the Cross site is visually significant, it '*requires protection **or** sensitive treatment should it be identified for future development*' based on additional urban design assessment (emphasis added).

In response to this, the Stations of the Cross site *has* been identified for future development through its zoning and inclusion in the LURA. Accordingly, the site does not require 'protection' rather the DA is underpinned by extensive assessment and design, including the provision of an urban design report, a master plan, visual impact analysis, landscape plans and various strategies to effectively mitigate visual impacts to and from the surrounding area, as described throughout the DA documentation.

In this regard, we are of the view that the significance of the Stations of Cross site in terms of it being a landmark and its location have been appropriately considered for the purposes of this development application.

## 7.8. Fencing

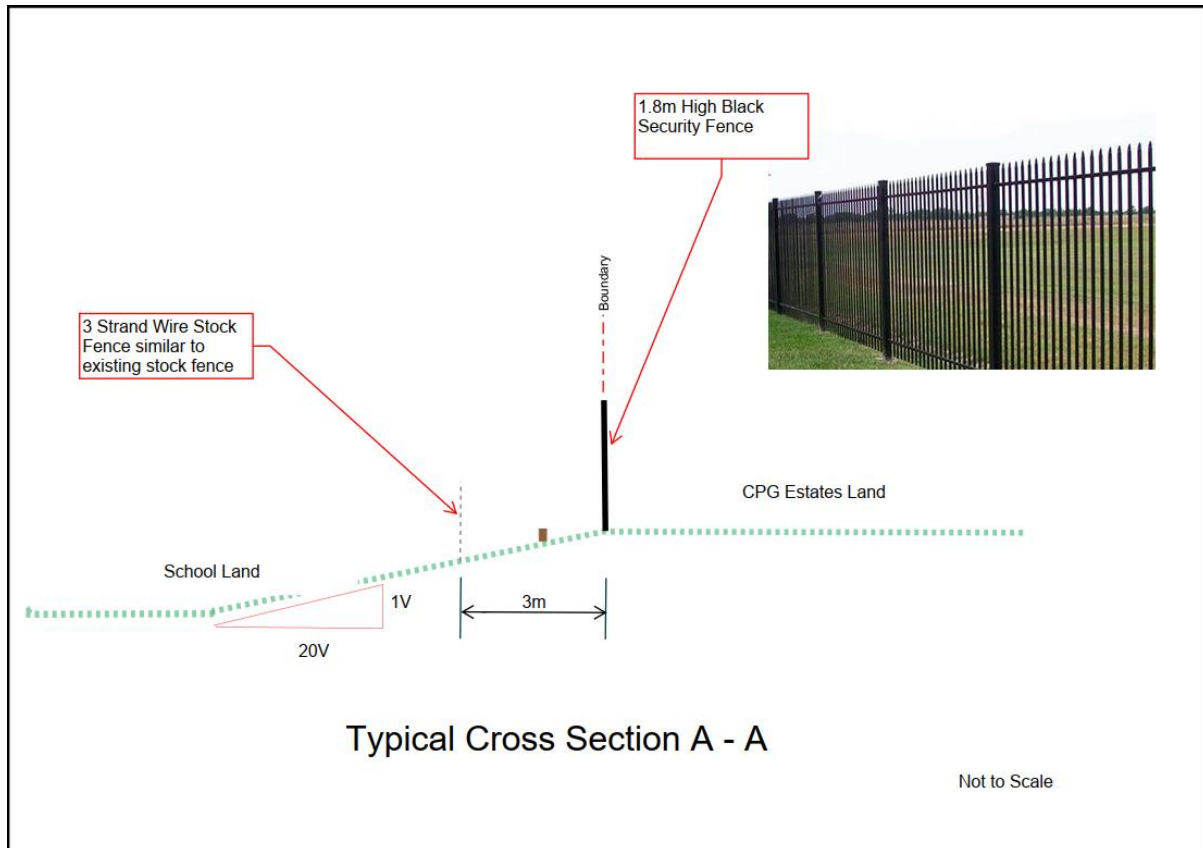
In relation to fencing in the southern parts of the site, and having regard to the amended proposal, lots are no longer proposed to share a boundary with the riparian corridor, so in this regard no boundary fencing is required between private lots and riparian lands. However, the proposal still includes rural-style fencing along the NEH frontage. This will be installed as part of the creek realignment and revegetation works, and will further enhance the aesthetics of this frontage to the public, providing a transition between rural and urban lands.

Council has requested 'rural style' fencing for the northern boundary of the RU1 land, and details of proposed fencing between the residential subdivision and the residue land to the west of the perimeter road. The requirement to provide fencing along these interfaces as part of the DA is not considered necessary on the basis that perimeter road frontage will be provided, providing a legal and physical separation between developed and undeveloped lands, and fencing arrangements should be an agreement between neighbours.

Notwithstanding, we provide the following for information purposes to Council:

- Stock fencing (three strand wire) will be installed along the northern boundary as the land is currently used for agricultural purposes, and this is a requirement of the adjoining owner and leasing conditions;
- Security fencing will be installed along the shared boundary with the school, as per a separate agreement with the adjoining owner (refer to **Figure 6** below); and
- For the portion of land to the west that does not form a boundary with the school, this is a shared road centred on the common boundary and any fencing in this location is not accepted by the adjoining owner.

Noting the above, it is considered that appropriate arrangements for boundary delineation have been made in consultation with the adjoining landowners, albeit separate to this development application.



**Figure 6: Cross Section of Fencing with adjoining School Land**

## 8. ENGINEERING

### 8.1. Road Design

#### 8.1.1. Wyndella Road Design (Items a) – c))

Significant adjustment has occurred to the Wyndella Road design in response to TfNSW and Council comments, as well as in acknowledgment of significant road upgrade works required to facilitate the Anambah URA (**AURA**). It is noted that following the issuing of the RFI, the Applicant's team sought clarification from Council on several occasions regarding the design and treatment of Wyndella Road; however, did not receive responses on all matters raised.

In this regard, the Applicant team has proposed what it believes to be a suitable outcome, balancing the impact of this development on the road network, Roche Group's intentions for Wyndella Road, Council's requirements and TfNSW requirements.

Responses to Council's Items a) – c) are provided below:

- a) The lot layout has been reconfigured such that no lots have direct access to Wyndella Road. Consistent with discussions with Council in RFI meetings, a mixture of cul-de-sac roads, battle-axe lots and dual-frontage road has been adopted with a view to avoid continuous long runs of side or rear boundary fences.
- b) Following consultation with Council, and noting no lots have direct access to Wyndella Road, there is no requirement for parking lanes on Wyndella Road. Without parking lanes, the minimum width required is 10m per Figure 60 in Part F.9 of the DCP.

Updated engineering plans provide a 10.95m wide pavement (1.95m on-road cycle lane (1.5m pavement + 0.45m gutter), 2x 3.5m through-lanes, 1.5m on-road cycle lane and 0.5m shoulder.

- c) Piped drainage from the low point in Wyndella Road has been routed through the development site (refer stormwater comments below). The drainage channel has been revised to the typical Rural Residential Road Standard per MCC Standard Drawing SD003. No widening is required to accommodate this section.

Refer to the updated Plan of Proposed Subdivision and Concept Engineering Plans for further detail (**Attachments 2 and 3**).

### **Future Upgrades to Wyndella Road (by others):**

Under LURA DCP (Figure 60), Wyndella Road is identified as a Primary Distributor Road to the northern boundary of the development site. Initially, it was intended to upgrade Wyndella Road to this standard as part of this development application. However, through further consultation with Roche Group, it became apparent that more significant upgrades are required to Wyndella Road well-beyond the northern boundary of the site to accommodate development traffic associated with AURA.

Roche Group has prepared a conceptual design for the Wyndella Road upgrade, which indicates significant cuts are necessary from the top of the crest of Wyndella Road to accommodate the road upgrades required beyond the northern boundary. This level change is in the order of 4m at the northernmost point of the development site and is unlikely to meet natural until it meets proposed Road MC03. It is understood that this cut is required in order to deliver a road design that achieves Council's required design speed. This is represented on the updated Concept Engineering Plans for context (refer to Sheets 102 and 104).

Although Roche Group is yet to lodge a DA for the proposed Wyndella Road upgrades, it is well-progressed in its concept engineering design to understand what is required to deliver the road. Our aim is to work with Roche Group and Council to ensure it can deliver this road in the future, without compromising or delaying this development application, given these extended road upgrades are not required for the proposed development or LURA.

In redesigning the Wyndella Road interface, we have accommodated the future road upgrades by adopting Roche Group's proposed finished levels between our northern boundary and Road MC03. As such, this is reflected on the updated Concept Engineering Plans. The alternative would be to adopt the existing levels; however, this was considered illogical and inefficient when all stakeholders are aware these levels will need to change significantly in the future. This logical approach permits council to have consistency among all development applications it approves now and in the future.

As parts of the development directly interfaces with this section of Wyndella Road, it is proposed to isolate these lots into a later construction stage (Stage 13). Noting Roche Group's road upgrade will be subject to a separate planning approval, the Applicant is willing to accept a consent condition that prevents the release of Stage 13 until such time that the Wyndella Road upgrades along the development's frontage north of Road MC03 have been completed. This would ensure the subdivision design and final road design ties in appropriately, particularly in relation to levels.

This approach allows time for Roche Group to obtain the necessary approvals for the ultimate road design without unreasonably delaying this development application.

It is noted that this approach was discussed with Council in April and May 2024, prior to the previous assessing officer leaving Council.

The development proposal enables the provision of Wyndella Road to a sub-arterial road type by the AURA through a verge that exceeds the minimum width of 5.5m with a provision of 5.7m. This permits the AURA to widen the bike lane from 1.5m to 1.7m in accordance with sub-arterial road requirements.

#### 8.1.2. Internal Road Widths (RFS GTAs)

Having regard to the RFS GTAs, requirements of PBP 2019 and Council's on-street parking requirements, further information is provided in relation to internal road widths.

A revised performance-based solution is proposed, as described in the updated BAR (**Attachment 7**). As requested, a plan identifying the corresponding road types has been prepared, ensuring it is clear which roads must comply with PBP 2019 requirements and those that do not (**Attachment 8**).

#### 8.1.3. Integrated Design (NEH intersection)

As a result of the amended proposal, no works are proposed in proximity to the NEH signalised intersection with the exception of road widening and a shared pathway, which has been positioned for the ultimate NEH intersection configuration required as a result of development associated with AURA (and to be upgraded by others).

To facilitate the proposed Wyndella Road cross section between the existing kerbs, narrowing of the proposed cycle lanes occurs at the NEH intersection. Cycle lane widths remain compliant with absolute minimums. Furthermore, this is an interim approach given the ultimate NEH intersection will deliver full-width cycle lanes.

In this regard, the proposal development adequately integrates with the existing and future NEH intersection configuration.

### 8.2. Traffic Report / Intersections

An updated traffic impact assessment (**TIA**) has been prepared by the project traffic engineers, SCT Consulting, responding to issues raised by Council and TfNSW. A copy is provided as **Attachment 12** of this letter, and a summary response to specific issues raised by Council is provided below.

It is noted that the responses below are consistent with advice provided to Council on 22<sup>nd</sup> April 2024 via email, when the Applicant was seeking further clarity on Council's requirements.

At the outset, the TIA confirms that the proposed development and the LURA generate relatively minor traffic volumes along Wyndella Road, which by themselves do not justify any turning bays, roundabout or higher order intersections along Wyndella Road. The main reason that higher order intersections are required is due to the expected traffic generated by AURA, and not this development or LURA.



That is, there is no nexus to the proposed development (or LURA) for any intervention beyond a basic priority intersection and it would be unreasonable to impose this upgrading requirement on the proposed development.

#### 8.2.1. MC03 / Wyndella Road Intersection Modelling

Council requested consideration of the MC03/Wyndella Road intersection based on the total expected traffic and the background growth of both LURA and AURA, and suggested this intersection will require a roundabout or similar treatment.

This modelling has been undertaken, which confirms that:

- Under the LURA-only scenario, no turning bays, roundabout or higher order intersection is required at the MC03/Wyndella Road intersection;
- Only a BAR and BAL is required for the LURA-only scenario;
- With LURA and AURA development, a BAR and CHL would be required; and
- A roundabout is not warranted under any scenario.

In this regard, no change is required to the proposed treatment of MC03 / Wyndella Road as part of this development application.

#### 8.2.2. NEH Traffic Signal Size

Council has requested the development plans depict the required traffic signal size, and advised these shall be compliant to TfNSW requirements for the final layout, given the expected future traffic on Wyndella Road.

At the outset, we confirm that no changes are required to the NEH traffic signals as a result of the proposed development, and the only upgrading works in the vicinity of the intersection relate to the extension of the shared pathway (which is positioned in the ultimate location).

Concept drawings for the ultimate NEH intersection have been obtained from Roche Group, which we understand has been endorsed by TfNSW. A sketch plan has been prepared depicting the required traffic signal size, and appropriate land allowances have been made by our proposal to accommodate future road widening necessary for upgrades of Roche Group. Refer to **Attachment 17**.

These boundaries have been adopted on the proposed subdivision plans.

#### 8.2.3. MC03 / Wyndella Road Intersection Alignment

It was agreed in the RFI meeting with Council that because Lots 225 and 226 are zoned RU2 and there were no plans for a future road on this boundary, realignment of the MC03 /Wyndella Road intersection was not warranted.

It is noted that a DA for a manufactured home estate (**MHE**) has since been lodged on Lot 225, proposing a private access road off Wyndella Road. Although the status of this DA is not known, it is noted that the land sits outside of LURA and is not zoned for urban purposes. MC03 is located entirely consistent with Council's LURA mapping, which has the road positioned central to the boundaries of Lot 225 and 226. In this regard, access to these lots for their intensification for urban purposes is not a matter for this DA to resolve.

#### 8.2.4. Intersection Layouts

Noting additional modelling was required which might have affected the outcomes for the three proposed intersections along Wyndella Road, Council requested updated intersection layouts be provided. Council requested the updated layouts have regard to the updated modelling and provided its assumptions of the likely treatment for each.

As outlined above, the revised modelling has been undertaken, and we provide the following response to each intersection:

- i. **MC01 (previously MC04)/Wyndella Road:** traffic modelling confirms that the proposed development does not require left-in-left-out treatment at this intersection. There is sufficient footprint in land dedicated for the future NEH/Wyndella intersection to accommodate a median should future development trigger requirements for access control. No further change is required to this intersection.
- ii. **MC05/Wyndella Road:** traffic modelling confirms that there is no requirement for access control at this intersection. A left/right out and left-in configuration could be accommodated with signage and line marking should future development trigger requirements for access control. No further change is required to this intersection.
- iii. **MC03/Wyndella Road:** traffic modelling confirms that there is no requirement for a roundabout at this intersection for either LURA or AURA.

The required treatments for the total expected traffic is provided within **Attachment 17** Intersections treatments required to support the proposed development are contained in the updated Concept Engineering Plans (**Attachment 3**).

Although it has been demonstrated that a roundabout is not required at MC03/Wyndella Road, should Council disagree and require a roundabout in this location for AURA in the future, it should confirm this requirement for AURA now so that land can be set aside for road widening and appropriate compensation arranged for the landowner. Such a request will need to be provided in writing.

#### 8.2.5. Revised Traffic Modelling

As requested by Council, the revised traffic modelling has been undertaken to incorporate updated traffic counts.

In relation to the expected traffic generation growth rate, it is noted that further consultation between the Applicant, Council and TfNSW has occurred since the issuing of the RFI. The traffic generation rates are consistent with the rates agreed via email with TfNSW and Council on 5<sup>th</sup> April 2024.

The updated TIA is provided as **Attachment 12**.

### 8.3. Stormwater Management

#### 8.3.1. Temporary Bioretention Basin

As described in the Stormwater Management Plan, the basin proposed on Lot 925 (now identified as Lot 805) is intended as an interim stormwater measure only; hence being shown on the civil plans but not the final subdivision plans as part of the original submission.

The temporary bioretention basin is proposed as it anticipated that downstream development would provide a stormwater management facility catering for the subject catchment. Lot 925 (now 805) would be held as a stormwater basin by the applicant until such a time that the catchment is catered for and the basin could be extinguished. After that, Lot 805 can be used for residential purposes. Additional notations have been added to the plans to reflect this temporal arrangement.

Consideration was given to a permanent bioretention basin in this location; however, noting it is highly likely downstream development (by others) will occur, having multiple permanent stormwater assets dedicated to Council seemed inefficient and would result in added ongoing maintenance burden. For the avoidance of doubt, we confirm that this basin is for bioretention purposes only and all detention is catered for within Basin 1.

#### 8.3.2. Basin Batters

The concept engineering plans have been updated to provide 1:5 batters for the basins.

#### 8.3.3. Wyndella Road Stormwater Culverts

The revised site layout and concept engineering facilitates Council's suggested "Option ii)" for managing flows, being via the road/overland flow path through the site. A low point is provided in Wyndella Road. The verge is inverted at the low point to direct overflows into the parallel internal road MC09.

Modelling has confirmed the existing culverts in Wyndella Road are undersized. New cross-drainage is proposed which will connect the existing low point (east of Wyndella Road) into the site's piped drainage network. No additional runoff is directed southwards along Wyndella Road.

#### 8.3.4. Piping of 1% AEP Event

As outlined above, the revised site layout and concept engineering facilitates Council's "Option ii)" managing flows via the road/overland flow path through the site. A low point is provided in Wyndella Road. The verge is inverted at the low point to direct overflows into the parallel internal road MC09. There is no longer any requirement to convey the 1% AEP peak flow within the piped drainage network. The piped drainage network will instead be sized such that 1% AEP bypass is catered for by the overland flow paths.

#### 8.3.5. Freeboard Requirements for Drainage Swales

The previously proposed southwest swale has been removed by way of revised lot layout. Freeboard is reported above 500mm for all proposed lots in the updated stormwater management plan. Refer to Table 11 within the updated Stormwater Management Plan (**Attachment 13**).

### 8.3.6. Stormwater Detention

Stormwater detention has been revised to consider the site in isolation. Basin 01 has been modified accordingly to provide stormwater detention. Modelling demonstrates the basin has sufficient volume to address Council's stormwater detention objectives. A 5% AEP basin water depth of 1.11 m has been achieved.

Refer to Section 5 of the Stormwater Management Plan (**Attachment 13**).

### 8.3.7. Application of ARR 1987

Modelling has been updated to adopt ARR 2019 IFD and procedures, as requested by Council.

### 8.3.8. Legal Points of Discharge

Council identified two potential legal point of discharge issues. These have been resolved as follows:

- **Concentration of flows along northern boundary**

A stormwater pit has been introduced to connect the northern catch drain to the subdivision drainage network, to avoid discharging into an unformed road with no drainage infrastructure. Refer to the updated Concept Engineering Plans.

- **Easement for DP 1219648**

To address Council's concern that Easement (A) on DP 1219648 only benefits Lot 12, and the concept engineering depicted water from Lot and Lot 9 DP 747391 discharging here. The piped outlet has been repositioned to discharge water from the proposed public road and within the proposed subject site being Lot 2 DP818314 that forms part of this application. A level spreader will be provided to disperse flows.

### 8.3.9. South Western Flow Path

The south western flow path has been removed following revised lot layout. This issue no longer applies.

## 8.4. Geotech and Earthworks

### 8.4.1. Proposed Filling

As requested by Council, geotechnical advice has been obtained to address how the consolidation/settlement of fill will be achieved within tolerable limits. Refer to **Attachment 18**.

### 8.4.2. Owners Consent for works on Unnamed Road Reserve

The works footprint has been revised to demonstrate no works on the unnamed road. As such, owners consent is not required.

## 8.5. Utilities (Existing Sewer Pipeline)

Details showing how the existing sewer rising main would be accommodated in the verge with other services was provided in the previous and revised submission detailed on the concept engineering plans with reference 240332-CENG-907. Council advised in a meeting following the issue of the RFI that the information provided sufficiently addresses this item.

## 9. ECOLOGY

A Streamlined Biodiversity Development Assessment Report (**SBDAR**) has been prepared and provided as **Attachment 19** to this correspondence. The SBDAR has been prepared to support the revised development layout.

Responses to the specific matters raising by Council are detailed below.

### 9.1. Extent of PCT 1728

AEP has undertaken further review of the mapping and assessment of PCT 1728. This low-lying area has been extended and re-assessed as PCT 4044, as detailed in the SBDAR.

### 9.2. Recording of *Cynodon* spp.

Further consultation was undertaken with Council regarding the identification of native *Cynodon dactylon* and exotic *Cynodon* spp across the site, and how it was factored into the determination of the exotic and cleared areas in March 2024.

In its advice dated 6<sup>th</sup> February 2024, AEP explains in detail the rationale for identifying the species as a non-native, particularly in the eastern division of NSW. The species is known to dominate grazing lands, invade endemic PCTs (leading to a reduction in biodiversity) and is a species that is commonly cultivated for turfed lawns. Although a copy of this advice was provided to Council on 12<sup>th</sup> February 2024, it is provided again for reference (**Attachment 20**).

It is understood that Council is still forming an opinion of this species as part of a broader review in the LGA. It is understood that until such time as Council forms its view, and despite the above, assessments for the species should be undertaken as a planted native. As such, the SBDAR has been prepared on this basis.

### 9.3. Riparian Assessment

The RAR prepared by AEP has been updated, and provided as **Attachment 4** to this letter. Responses to the specific issues raised by Council are provided below.

#### 9.3.1. Clarification on PCT 1728

AEP has advised that the low-lying area in the south of the site has since been incorporated into the BMP to be rehabilitated subject to current on-site conditions. Overland flow is discharged from a culvert under the New England Highway resulting in a hydrological dispersion area. Management actions proposed in the BMP have considered the resulting increased quantity of water.

### 9.3.2. Consideration of Drainage System to the South

AEP has advised that the overland flow referred to by Council is discharged from a culvert under the NEH, and flows within a swale along Wyndella Road. No watercourse features were observed in this location and it is not waterfront land, as defined under the *Water Management Act 2000*. Refer to **Figures 7** and **8** below.



**Figure 7: Existing Swale along Eastern Boundary of the Site  
(Photograph taken facing South)**



**Figure 8: Existing Swale along Eastern Boundary of the Site  
(Photograph taken facing North)**

### 9.3.3. Boundaries of Watercourse

AEP has advised that the “braid” area indicated in Council’s RFI is a disconnected floodplain channel that holds water temporarily after flooding. The riparian assessment has been amended to show the location of the watercourse top of bank.

### 9.3.4. Details of Riparian Zone in Landscape Documentation

The applicable VRZ width is 10m. The BMP area includes the entirety of the stream realignment and hydrological dispersion area resulting from discharge under the NEH in the southern low-lying area. The BMP incorporates an area significantly larger than the 10m VRZ required NSW DCCEE guidelines. Refer to **Attachment 5**.

It is noted that the landscape documentation does not provide detailed information for the works in the riparian corridor, as these are dealt with under the BMP.

### 9.3.5. Draft Vegetation Management Plan

A draft Biodiversity Management Plan (**BMP**) is provided as **Attachment 5**.

### 9.3.6. Dedication of Riparian Corridor to Council

In its RFI, Council advised it did not have a policy on the acceptance/dedication of riparian corridors at the time of writing, and it would provide further advice regarding its response to the offer under this DA.

Council has not issued any further advice on this matter since issuing its RFI in November 2023. It is our understanding that it is common practice throughout the LGA for Council to accept dedication of riparian lands, and in lieu of any update in policy, it is reasonable that this approach continues to apply to this DA.

## 10. DEVELOPMENT CONTROL PLAN

It is noted that the development application was prepared in accordance with the previous version of the Maitland DCP, which was current at the time of uploading the DA to the Planning Portal on 16<sup>th</sup> May 2023. It is noted that updates to the relevant chapters of the DCP occurred on 18<sup>th</sup> May 2023 and 31<sup>st</sup> May 2023, which introduced new or amended controls in relation the LURA and subdivision more broadly.

### 10.1. C10 – Subdivision

#### 10.1.1. Encroachment of APZ onto Lot 2 DP 818314

We confirm that the APZ proposed on Lot 2 DP 818314 (now Lot 2 DP 1299958) will be captured entirely within the Road Reserve of MC01. Refer to **Attachment 8** which shows the proposed APZs, as per the updated BAR.

#### 10.1.2. Building Envelopes for APZ Lots

As a result of the redesign, all APZs are contained within the perimeter roads and do not encroach residential lots. This is confirmed by the update BAR and APZ mapping provided as **Attachments 7** and **8**. As such, there is no need to provide building envelopes for the purposes of APZs.

#### 10.1.3. Chord Frontage of Lots 319 – 321, and 1006 – 1010

As a result of the redesign, the issue relating to chord frontages for Lots 319 – 321 and Lots 1006 – 1010 is no longer applicable.

We confirm that Lots 1306 and 1307, which are located on the curve of the cul-de-sac in Stage 13 achieve the 10m chord frontage required by DC.1.13.

#### 10.1.4. Lot Width Table

A lot width table has been prepared and provided as **Attachment 21**. For the most part, no more than 40% of the lot frontages within each street block have the same width type. Although there are some exceedances of 40% for some lot width categories in several blocks, these do not exceed 8% and are therefore considered minor.

Noting that the overall subdivision achieves a variety of lots, with no width type exceeding 40%, it is considered that the proposed subdivision meets the overall objective of the control.



#### 10.1.5. Embellishment of Public Parks

As acknowledged by Council, embellishment of the proposed local parks is not proposed under this development application. As such, landscape details are not provided for the proposed local parks. It is understood the land to be dedicated as a public park must be 'fit for purpose' upon dedication.

Landscape plans have been prepared for the remaining reserve areas.

Due to the layout amendments, there are significantly less lots sharing a common boundary with areas of proposed public reserve. These areas are limited to Lots 707 and 415 which adjoin the proposed local park in Stage 4. Open style/pool fencing will be provided along the common boundary, using darker colours/tones. Noting that the future dwellings will orient towards the park itself, there is no need for additional planting for privacy purposes along this interface.

#### 10.1.6. Proposed Cul-de-sac MC08

Due to layout amendments, this matter has been resolved, as the southern cul-de-sac is no longer proposed.

#### 10.1.7. Anticipated Import/Export of Fill

Cut and fill estimates are provided on the updated Concept Engineering Plans (refer to Sheet 501 of **Attachment 3**), indicating that the necessary cut/fill is generally balanced although some exportation (in the order of 30,000m<sup>3</sup>) may be required. A bulk earthworks and soil and water management plan would be prepared at the SWC stage which revises earthworks estimates and identifies how surplus material will be addressed.

#### 10.1.8. Configuration of Lots 205 and 206

Due to layout amendments, Lots 205 and 206 no longer exist in their previous form. This matter has been resolved.

#### 10.1.9. Proposed South-Eastern Park (Minimum Area and Embellishment)

Due to layout amendments, the south-east park is no longer proposed. This matter is no longer relevant.

We confirm that the revised southern park location achieves the minimum area and embellishment will be dealt with under a separate application.

#### 10.1.10. Battle Axe Lots 209, 517 and 518 (Integrated Outcome)

Council noted that battle axe Lots 209, 517 and 518 did not include an integrated outcome as per DC.1.11. Due to layout amendments, these lots are no longer proposed as battle-axe allotments and therefore this comment is no longer relevant.

It is noted that under the proposed layout, one battle-axe lot is proposed that does not have a public frontage, being Lot 1307 in Stage 13. DC1.11 states that battle-axe lots without public frontage (i.e. road, park, reserve) are **discouraged** unless part of an integrated approval.

It is considered that an integrated outcome in this instance is not warranted in this instance on the basis that:

- The site is regular in shape, in excess of the minimum lot size (534m<sup>2</sup> excluding the access handle) and provides generous dimensions to readily accommodate a dwelling and Council's recommended building envelope of 10x15m (approximately 18.7m x 28.6m);
- It does not contain any constraints that would cause complicate its future development for a dwelling (such as APZs or significant slope);
- The control is considered to be more relevant to infill subdivision, where there is greater potential to impact existing neighbours or built form than a Greenfield subdivision.

It is considered that amending the application to include the construction of one detaching dwelling as part of a 258-lot subdivision is not warranted, particularly when the proposal achieves the objectives of DC.1 of providing new lots that have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.

#### 10.1.11. Lot 1010 Building Envelope

Due to layout amendments, Lot 1010 in its previous form is no longer proposed. This matter is no longer relevant.

#### 10.1.12. Unauthorised Access to Fire Trail

Council has requested details on how private vehicles will be prevented from using the south-eastern fire trail connection whilst at the same time enabling bushfire vehicles to access without gates or bollards.

The fire trail originally proposed has been deleted due to layout amendments.

A temporary emergency access will be provided between Stage 2 and Wyndella Road, to provide meet Council's requirement that a secondary access is consistently available until such time a second permanent access is constructed (Stage 7). This will be constructed as a 2.5m wide shared path, with crushed gravel either side to create a 4m width. The crushed gravel will be removed following the release of Stage 7, leaving the 2.5m wide shared pathway connection only.

It is noted that this secondary temporary access is only proposed due to Council's interpretation of GTA 5 which states '*subdivisions of three or more allotments have more than one access in and out of the development*'. It is our view that this requirement relates to the ultimate subdivision layout, or potentially for staged subdivisions that are in a high-risk location which we are not. This is supported by our bushfire consultant, who is not reliant on the secondary access and proposes to remove the requirement (GTA 8) for the secondary access in any case.

Whilst we are of the opinion removeable lockable bollards would be appropriate at this location to prevent unauthorised access, if Council does not support this arrangement, the access will be signposted advising motorists the temporary emergency access is for pedestrians, cyclists and emergency use only.

Once the temporary emergency access is no longer required (upon release of Stage 7), the crushed gravel will be removed and signage will be updated to advise the 2.5m pathway is for pedestrians and cyclists only.

#### 10.1.13. Wyndella Entry Feature

The entry feature is no longer proposed.

### 10.2. F9 – Lochinvar Urban Release Area

#### 10.2.1. Masterplan

A Masterplan has been prepared to address the matters raised by Council, specifically covering:

- 120m Performance-based Development Area;
- Visually Sensitive Area;
- Proposed Road Network and Intersections;
- Road Widening;
- Riparian Areas/Watercourses;
- Off-Road Shared Path and On-Road Commuter Path.

The Masterplan is informed by the extensive site assessment undertaken as part of this DA, and has been developed considering the sites constraints and opportunities. It essentially summarises the findings in relation to the items identified by Council above. A copy of the Masterplan is provided as **Attachment 1**.

#### 10.2.2. Trunk Road Connections to Development Lands to the West

Council notes that the development precinct to the west is likely to have access restricted to Wyndella Road due to heritage constraints impacting proposed road widening under the LURA, and on this basis, Council requires the staging of this development '*be revised to assist with trunk road connections to the adjoining land to enable its development in a timely manner*'.

The Developer does not seek to preclude or unreasonably delay development of the lands to the west; however, the proposed staging strategy has been developed having considered multiple factors including bulk earthworks program, utility servicing, development costs, market forces, stormwater management (erosion and sediment control, minimising impacts to downstream environments), early activation of key landscape outcomes, early delivery of local parklands and bushfire hazard mitigation.

The provision of access to the adjoining lands is an existing issue, and not caused by this development. If this DA had not been lodged, the adjoining landowners would be in the same position, in that they would need to wait for this landowner to develop their land before gaining access to Wyndella Road to support intensified development of the land. The very fact that this DA has been lodged, and the trunk road connection will be delivered, is highly beneficial in itself to the adjoining landowner.

In this regard, it is not reasonable to require that this Developer bring forward significant infrastructure delivery, simply to enable an adjoining landowner to develop its land sooner.

Notwithstanding, it is noted that under the revised staging strategy, local road connections to the adjoining land (Lot 11 DP 1219648) will become available in Stage 5 of the development. That is, less than halfway through the development program. By Stage 8 (168 lots), the primary distributor road MC03 will be constructed, providing access to Lot 2 DP 1299958. In addition to this, once this DA is approved, arrangements could be made between the landowners whereby the adjoining landowner could deliver the trunk road connection if it wanted connection to Wyndella Road earlier than the proposed development program.

### 10.2.3. LURA Sequencing

Council notes the development site is located in Stage 3 of the LURA and that *'non compliance with the stage sequencing relies on satisfactory arrangements from Hunter Water to support the development, however, the information submitted has not demonstrated that only a minor upgrade to existing water and wastewater infrastructure is required.'*

Updated requirements have been obtained from Hunter Water for the provision of water and wastewater infrastructure.

Approval was granted on 30<sup>th</sup> April 2024 by Hunter Water for the Wyndella Road Wastewater Servicing Strategy Addendum (2022-1185), which provides in-principle approval for the construction of a wastewater pump station (**WWPS**) at the northern end of Cantwell Road.

Approval was granted on 25<sup>th</sup> August 2023 by Hunter Water for the Wyndella Road Lochinvar Water Servicing Strategy (2022-1185) which outlines that:

- The majority of the development will be serviced adequately through connection to the existing DN300 watermain within NEH;
- A new water pump station (**WPS**) will be constructed within the development site for a small number of lots above 52m elevation, located in the north eastern part of the site.

A copy of the approved servicing strategies and Hunter Water approval email are provided as **Attachments 14** and **15** for reference. It is noted that these infrastructure works will be subject to environmental assessment under Part 5 of the Act, with Hunter Water being the determining authority.

Although the proposed development will require new infrastructure for wastewater services, the new works are relatively minor and have been endorsed by Hunter Water. It will be the responsibility of the Developer to deliver the infrastructure which, in the case of the WWPS, has capacity to service up to 2,300 lots, and therefore satisfies DC.7.

Noting the above, it is considered that deviation from the staging plan shown in Figure 58 is justified and acceptable.

### 10.2.4. Detailed Servicing Strategy

The approved servicing strategies are provided as **Attachments 14** and **15**, as outlined above.

In response to the issues raised by Council, it confirms that

- (i) Confirms lots above 52m AHD will be serviced through a WPS;
- (ii) A new WWPS will be constructed at the northern end of Cantwell Road;
- (iii) The position of the two existing sewer rising mains is shown on Sheet 907 of the Concept Engineering Plans (**Attachment 3**) and has been positioned as per Hunter Water's preference and acceptance as asset owner. The location is therefore considered appropriate;
- (iv) The exact location of electrical kiosks is yet to be determined, and will be determined in consultation with Ausgrid as the relevant service provider. This detailed design matter is carried out as part of the SWC process, and kiosks will be nominated at that time, as per standard practice. Ausgrid has also provided comment on the DA. It has raised no issues and outlines that the design of electrical connections shall be resolved before each stages commences.

The above information confirms that appropriate arrangements have been, or will be, made to service the proposed development.

#### 10.2.5. NEH/Dwelling Interface

As a result of design amendments that remove all residential lots from the NEH interface, this matter is no longer relevant.

#### 10.2.6. NEH Landscaped Earth Mound

The landscaped earth mound is no longer proposed or required due to design amendments. A landscape buffer will continue to be provided and this is detailed in the updated landscape plans (**Attachment 6**) and BMP (**Attachment 5**).

#### 10.2.7. Avenue of Tree Planting along NEH

Substantial additional planting is proposed along NEH, achieving a landscaped gateway into the Lochinvar township. Refer to the updated Landscape Plans (**Attachment 6**) and the BMP (**Attachment 5**).

#### 10.2.8. Visual Impact Analysis

As requested by Council, the visual impact analysis has been updated to show the likely visual impacts the development when viewed from the specified vantage points along NEH. It is noted that the revised development proposal incorporates significantly more planting and no development at the NEH interface, providing a substantial visual buffer from NEH. Refer to Sheets L110 – L150 of the updated Landscape Plans which demonstrate a high level of screening along this interface (**Attachment 6**).

## 11. PUBLIC SUBMISSIONS

Four public submissions were received during the notification period. The submitters raised concerns or sought clarification on specific issues including flooding, stormwater, traffic impacts and road design matters. Many of the issues raised have been addressed by virtue of addressing Council's comments above, or further consultation.

Notably, there has been significant progress made in the context of issues raised in relation to Wyndella Road and NEH upgrades and widening, as a result of collaboration with Roche Group Pty Ltd, Council and TfNSW.

It is further noted that the public submissions are heavily redacted, except for one detailed submission made by Roche Group Pty Ltd. In this regard, we have responded to the best of our ability in lieu of the availability of specific site details.

A table summarising the issues raised, and the Applicant's response, is provided as **Attachment 22**.

## 12. CONCLUSION

We trust that the revised proposal and additional information provided resolves the issues raised by Council and other authorities, and will enable Council to progress its assessment of the application. We acknowledge that there has been a change in the assessing officer, and we would welcome the opportunity to brief you on the proposal and amendments in further detail, to help expedite your assessment.

Should you have any questions or require clarification on any of the matters above, please do not hesitate to contact the undersigned.

Yours faithfully,



**Jessica Bayley**  
**Senior Town Planner**  
**ADW JOHNSON**

### Attachments:

1. Wyndella Road Master Plan (ADW Johnson, Dwg. 240332-PSK-29-B, 25<sup>th</sup> July 2024)
2. Proposed Subdivision Plans (ADW Johnson, Dwg. 240332-MP-005-R, 17<sup>th</sup> June 2024)
3. Concept Civil Engineering Plans (ADW Johnson, Dwg. 240322-CENG-001-F, Rev F, 19<sup>th</sup> July 2024)
4. Riparian Assessment Report (AEP, Rev 01, 19<sup>th</sup> July 2024)
5. Draft Biodiversity Management Plan (AEP, Rev 01, July 2024)
6. Landscape Documentation (Terras, Rev K, 4<sup>th</sup> July 2024)
7. Bushfire Assessment Report (Building Code & Bushfire Hazard Solutions, 25<sup>th</sup> July 2024)
8. Bushfire Planning – Full Development (ADW Johnson, Dwg. 240332-ESK-023-C, 18<sup>th</sup> July 2024)
9. Bushfire Planning – Stages 01 – 07 ( ADW Johnson, Dwg. 240332-ESK-024 – 30-B, 3<sup>rd</sup> July 2024)
10. Aboriginal Cultural Heritage Assessment Report (McCardle Cultural Heritage, 22<sup>nd</sup> April 2024)
11. Aquatic Ecology Assessment (AEP, Rev 01, 19<sup>th</sup> July 2024)
12. Traffic Impact Assessment (SCT Consulting, Version 6.0, 21<sup>st</sup> June 2024)
13. Stormwater Management Plan (ADW Johnson, Rev D, 5<sup>th</sup> July 2024)
14. Wyndella Road Wastewater Servicing Strategy Addendum (ADW Johnson, no date, 2022-1185)
15. Wyndella Road Lochinvar Water Servicing Strategy (ADW Johnson, 25<sup>th</sup> September 2023, Rev C, 2022-1185)
16. Offer to Provide Design Related Services (Ausgrid, 6<sup>th</sup> July 2023)
17. AURA Intersection Overlay (ADW Johnson, Dwg. 240332-031-A, 24<sup>th</sup> June 2024)
18. Geotechnical Addendum Report (Qualitest, 4<sup>th</sup> July 2024)
19. Streamlined Biodiversity Development Assessment Report (AEP, 25<sup>th</sup> July 2024)
20. Ecological Advice – Cynodon dactylon (AEP, 6<sup>th</sup> February 2024)
21. Lot Width Table (ADW Johnson, 18<sup>th</sup> June 2024)
22. Response to Submissions (ADW Johnson, 26<sup>th</sup> July 2024)