

Our Ref: PCB140046

27 May 2022

The General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320



ENGINEERING
PLANNING
SURVEYING
CERTIFICATION
ABN 26 134 067 842

Attn: Brian Gibson

Response to Request for Additional Information – DA/2021/1460 - 70 Christopher Road & 799 New England Highway, Lochinvar

Reference is made to Council's correspondence dated 3 March 2022 requesting additional information for DA/2021/1460 being the proposed 2 into 307 Lot Torrens Title Subdivision including Local Park at 70 Christopher Road and 799 New England Highway, Lochinvar. BRS requested an extension of time to this letter and the outstanding items are currently due on 10 June 2022. I note that prior to our meeting on the Thursday 12 May 2022 a draft amended Subdivision Plan was submitted for your interim comments, along with a summary of our response to the request.

We now provide for your further consideration the following amended documentation for consideration for this assessment.

Table 1: Document summary

Document	Description & Date
Revised Subdivision Layout Plan	Prepared by Barker Ryan Stewart, Sheets 1 - 4; dated 25 May 2022
Revised Civil Engineering document set	Prepared by Barker Ryan Stewart, Revision B, Sheets 1 - 63; dated 27/05/2022
RFI Response letter (Civil)	Prepared by Barker Ryan Stewart, Dated 27/05/2022
Revised Concept Masterplan Landscape Plan, including amended L4 Park Plan.	Prepared by Terras Landscapes, Sheets 1 - 8; dated 27/05/2022, Park Plan Sheets 1 – 13, dated 25/05/2022.
Revised Visual Impact Assessment	Prepared by Terras Landscapes, dated 27/05/2022
Cycleway, Pedestrian Movement Network Plan	Prepared by Barker Ryan Stewart, Sheets 1 - 2; dated 26/05/2022
Bushfire Addendum	Prepared by AEP dated 26 May 2022.

Please refer to Table 3 following that provides a detailed response to each item in Council's correspondence.

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We note that while the revised documentation appears extensive, the overall changes proposed to the subdivision from the original application seeking consent are minimal and are consistent with the requirements of Council. We therefore would respectfully request that Council not delay the further assessment of the application with another exhibition period. Table 2 below includes a comparative analysis for the application to demonstrate the extent of the changes and we consider that it would unduly delay the assessment of the application were another exhibition period commenced. Further, as the description of the works has not significantly changed, nor the likely impacts on the adjoining lands or locality, Council's obligations to notify the application pursuant to the EP&A Act 1979 and Maitland DCP 2011 have previously been fulfilled in the initial notification period and we do not consider the changes to be "significant or in the public interest" as is required by the DCP. The revised plans form administrative changes and do not alter the potential for impact as previously considered by the public nor will the revised plan result in a greater environmental impact.

We therefore request that Council not undertake further exhibition of the application.

Additionally, the revised subdivision layout has been adapted to incorporate the comments issued in the NSW RFS GTA's and therefore further concurrence from the RFS is not deemed to be necessary. We note that the GTA's issued on the 25 January 2022 can be relied upon for the revised scheme and the subdivision layout does not raise any conflict with the terms of this approval. We consider that further exhibition of the revised layout with the NSW RFS will also unduly delay the application and request Council's consideration of same.

Table 2: Comparative analysis between lodged application and revised layout

Descriptor	Lodged DA	Revised Layout
Subject Site (Legal Description)	Lots 2 and 3 DP1256730, located at 799 New England Highway and 70 Christopher Road, Lochinvar	Lots 2 and 3 DP1256730, located at 799 New England Highway and 70 Christopher Road, Lochinvar
Proposed Stages	Stages 8 – 14	Stages 8 – 15, while there is additional staging included in this version, the nature of the stages remains consistent with what was previously submitted in the arrangement and sequence. Where changes have been made this has led to a more efficient release of land, particularly as it connects to the adjoining developments to the west.
Lot Yield	307 Lot Subdivision, 304 residential lots and 3 residue lots for stormwater drainage.	314 Lot Subdivision, 311 residential lots and 3 residue lots for stormwater drainage. Increased lot yield is as a result in the reduction of lot sizes as requested by Council.
Description of works	Stage 0 – Local Park Stage 0A – Super Lot Subdivision Stages 8 – 14: Residential subdivision, including Landscaping & associated civil works.	Stage 0 – Local Park Stage 0A – Super Lot Subdivision Stages 8 – 15: Residential subdivision, including landscaping & associated civil works.
Legal discharge of stormwater	Directed to the watercourse on site.	Directed to the watercourse on site.
Roadworks	Internal roadworks to connect to the surrounding road network.	Internal roadworks to connect to the surrounding road network.

We consider matters raised in Council's letter dated 3 March 2022 have now been satisfactorily addressed. We would appreciate your timely review of the submitted documentation and look forward to our next meeting on 8 June.

Should you require any further information or clarification of the above, please do not hesitate to contact the undersigned.

Kind Regards



Sarah Hartley | Senior Town Planner
Barker Ryan Stewart Pty Ltd



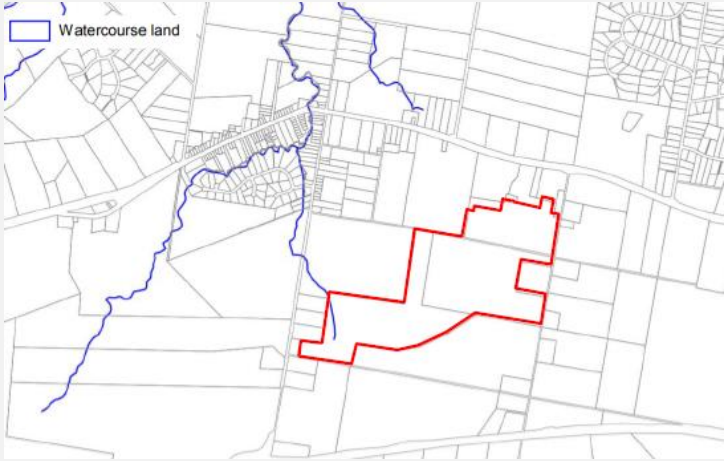
Hope O'Dea | Town Planner
Barker Ryan Stewart Pty Ltd

Table 3 – Summary of Changes to Subdivision Plan

Council Note	Action / Response
<p>1. SEPP 55 (SEPP Resilience & Hazards)</p>	<p>The land has been continually used for cattle grazing between June 2017 and October 2021. This is consistent with the primary use of the land prior to June 2017. Please refer to Attachment 1 containing aerial images illustrating land use from June 2017 to October 2021. No potential contaminating activities occurred on the land between this period.</p> <p>Note works in accordance with DA17/1401 have commenced on site.</p>
<p>2. SEPP (Transport & Infrastructure) 2021</p>	<p>a. Development likely to affect an electricity transmission or distribution network.</p> <p>Noted. Please refer to the updated Concept Engineering Plans illustrating approximate location of any future substations/kiosks. Please note further detail can be provided after DA, once detailed electrical plans have been prepared in accordance with Ausgrid's requirements.</p> <p>b. Traffic generating development</p> <p>Noted. Further comment provided below.</p>
<p>3. Integrated Development</p>	<p>a. NRAR.</p> <p>Noted. At the time of writing these comments have not been received.</p> <p>b. RFS</p> <p>The revised subdivision plan has been prepared in response to the GTA issued by the RFS. No further referral is deemed necessary following the plan revisions as this does not amend the GTA's as issued. This is confirmed by the addendum prepared by AEP dated 26 May 2022 to the original Bushfire Threat Assessment Report.</p>

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<p>4. Maitland Local Environmental Plan 2011 (MLEP)</p>	<p>a. Response to clause 2.6 Subdivision, 4.1 Minimum lot size, 4.2C subdivision for certain split zone.</p> <p>The revised Overall Subdivision Masterplan and Super Lot Plan are attached in the documentation submitted. The super lot subdivision is purely a paper subdivision to facilitate the sale of land from the landowner to the developer in accordance with their contractual obligations. The updated Super Lot Plan identifies the following lots to be created to allow for the progressive sale of the land:</p> <p>Table 4 – Super Lot Summary</p> <table border="1" data-bbox="622 472 2027 1050"> <thead> <tr> <th data-bbox="622 472 893 533">Lot</th> <th data-bbox="893 472 1196 533">Area</th> <th data-bbox="1196 472 2027 533">Purpose</th> </tr> </thead> <tbody> <tr> <td data-bbox="622 533 893 724">1</td> <td data-bbox="893 533 1196 724">Total 9.902ha (two parts of land with areas 2.17ha and 7.731ha)</td> <td data-bbox="1196 533 2027 724">To facilitate the sale of land from the landowner to the developer. Note this will be the first portion of land to be purchased by the developer and has been split into two parts to allow the development of the link road in Stage 13 (note formerly Stage 14) to occur at an appropriate time as per Council's request.</td> </tr> <tr> <td data-bbox="622 724 893 820">2</td> <td data-bbox="893 724 1196 820">10.59ha</td> <td data-bbox="1196 724 2027 820">To be sold to developer to facilitate the development of Stages 12 and 14.</td> </tr> <tr> <td data-bbox="622 820 893 900">3</td> <td data-bbox="893 820 1196 900">9.084ha</td> <td data-bbox="1196 820 2027 900">To be sold to developer to facilitate the development of Stage 15.</td> </tr> <tr> <td data-bbox="622 900 893 1050">4</td> <td data-bbox="893 900 1196 1050">Total 41.44ha (three parts of land with areas 1.179ha, 6.140ha and 34.12ha)</td> <td data-bbox="1196 900 2027 1050">Residue lot to be kept by landowner. The future stages of the development will facilitate the subdivision of this site under a future separate DA.</td> </tr> </tbody> </table> <p>Lot 4 contains a portion of RU2 zoned land under the minimum lot size. Lot 4 is a split zoned allotment that is compliant under clause 4.2C of the LEP.</p> <p>Future development of the site will result in the RU2 zoned portion being subdivided under clause 4.2 of the LEP. Clause 4.2 permits the subdivision of rural land that is under the minimum lot size where no dwelling entitlement will be provided for the lot. The future subdivision will separate the RU2 zoned portion of land from the R1 land at the ultimate completion of the subdivision project for this site. The super lot subdivision is purely to facilitate the sale of land with Lot 4 being retained by the current landowner. We are therefore proposing that the rural and residential zoned land is contained within proposed Lot 4 for retention by the current landowner, which is permitted under clause 4.2C of the LEP. The developer will seek to purchase Lots 1 to 3 as part of the subject development.</p>	Lot	Area	Purpose	1	Total 9.902ha (two parts of land with areas 2.17ha and 7.731ha)	To facilitate the sale of land from the landowner to the developer. Note this will be the first portion of land to be purchased by the developer and has been split into two parts to allow the development of the link road in Stage 13 (note formerly Stage 14) to occur at an appropriate time as per Council's request.	2	10.59ha	To be sold to developer to facilitate the development of Stages 12 and 14.	3	9.084ha	To be sold to developer to facilitate the development of Stage 15.	4	Total 41.44ha (three parts of land with areas 1.179ha, 6.140ha and 34.12ha)	Residue lot to be kept by landowner. The future stages of the development will facilitate the subdivision of this site under a future separate DA.
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	<p>The current landowner (Aird) will maintain long-term ownership of the rural zoned land. Aird is also the landowner of Lot 312 DP1135580 and while the rural land will be under separate lots/DPs in practice they will be treated as a collective landholding for rural purposes by Aird. Please also refer to the discussion below in relation to a positive covenant being placed over this land as shown on the Overall Subdivision Masterplan to allow for long term protection and maintenance of proposed landscaping along the ridge of this land. Please also refer to the updated Landscape Plans provided herewith.</p> <p>The current proposal is compliant with clause 4.2C of the LEP. Future separation of the rural land from the residential land will be permissible under clause 4.2, which will be assessed as part of a future DA.</p> <p>Noting that each part of Lot 4 is provided with appropriate easements for connection to infrastructure if required. The rural portion of Lot 4 will maintain the lots existing legal access to Winders Lane. Noting this lot will not have a dwelling entitlement within the rural zoned portion. Physical access will be provided to this portion of the lot when the overall subdivision of the site occurs.</p> <p>b. Clause 5.10 Heritage conservation, Aboriginal Archaeology (provision of AHIMS records).</p> <p>Please find attached the Aboriginal Archaeological Community Collection Report prepared by RPS in November 2020. An Aboriginal Heritage Impact Permit (Number: C0005103) was issued for the subject site on 24 September 2019. A copy of the AHIP is contained within the Aboriginal Archaeological Community Collection Report. Archaeological community collection occurred during 2020 where 6 objects were salvaged. The community collection satisfied the conditions of the AHIP, and no further action was required. AHIMS sites 37-6-1825, 37-6-1826, 37-6-1827, 37-6-1828, 37-6-1831, 37-6-1832, 37-6-1834 and 37-6-2222 have been updated as destroyed on the AHIMS register. No further Aboriginal archaeological investigations are therefore required for the site. The Aboriginal Archaeological Community Collection Report indicates that works can proceed with caution and an unexpected finds procedure should be implemented if there are any unexpected finds. We are accepting of a condition of consent to this effect.</p> <p>c. Clause 6.1 State Public Infrastructure – Satisfactory Arrangements Certificate.</p> <p>Noted. We are in the process of obtaining a Satisfactory Arrangements Certificate from the NSW Department of Planning and Environment (reference SVPA2021-300).</p> <p>d. Clause 6.2 Advice regarding staging sequencing to allow Stage 14 to occur earlier than proposed.</p> <p>Stage 14 renumbered to Stage 13 in updated documents. We are accepting of a condition to allow flexibility in the delivery of Stage 13, on the provision that this not be made mandatory as it is the subject of on-going future private property negotiations.</p> <p>e. Clause 7.4 – Riparian lands & watercourses.</p>

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	<p>The northern watercourses within the development area are not identified as “Watercourse land” on the Maitland LEP 2011 Watercourse Map (refer to Figure 1 below). Only the watercourse mapped in the southwestern corner requires consideration against the provisions of clause 7.4, as outlined in subsection 2:</p> <p>(2) This clause applies to—</p> <ul style="list-style-type: none">(a) land identified as “Watercourse land” on the Watercourse Map, and(b) all land that is within 40 metres of the top of the bank of a watercourse identified as “Watercourse land” on the Watercourse Map. <p>The mapped watercourse is included in the subject land description; however, the land area only falls within the super lot paper subdivision. The development will retain the mapped watercourse in its current state and no works are proposed within proximity of the watercourse. Council can therefore be satisfied of a nil impact to this watercourse.</p> <p>Notwithstanding this, appropriate measures will be implemented during construction and future residential use of the site to ensure the quality of the watercourse is not adversely impacted upstream. These measures include:</p> <ul style="list-style-type: none">• Erosion and sedimentation control to be implemented during construction.• Stormwater to be directed via series of pits, pipes to water quality basins with overflow appropriately managed in accordance with the Concept Engineering plans <p>Future management of the mapped watercourse will be dealt with as part of future a development application for the subdivision of the site where works are located within proximity of the watercourse. Any impacts will be assessed in consultation with NRAR and Council.</p>  <p>Figure 1: Extract from MLEP Watercourse Mapping</p>

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<p>5. Lochinvar Contributions Plan</p>	<p>Council's comment</p> <p>The development contains items included in the s7.11 Lochinvar Contributions Plan 2014. Advice is required regarding the implementation of the park item as 'works in kind'.</p> <p>The proponent is accepting of these works to be undertaken as Works in Kind and will accept a condition to this effect. Please confirm that the determination of the application can be granted subject to condition requiring a Works in Kind Agreement in accordance with MCC's Works in Kind Policy.</p> <p>We also wish to commence the Works in Kind agreement process. It would be appreciated if Council could please provide further information in this regard to assist the facilitation of the agreement. The approximate cost of the play equipment is identified in Table 5.</p> <p>Table 5: Approximate park equipment costing</p> <table border="1" data-bbox="622 647 1839 1233"> <thead> <tr> <th>Park Location</th> <th>Item</th> <th>Cost</th> </tr> </thead> <tbody> <tr> <td rowspan="6">Central playground</td> <td>Explorer Dome- COR86300</td> <td>\$70,000.00</td> </tr> <tr> <td>Supernova - GXY916</td> <td>\$10,500.00</td> </tr> <tr> <td>Steel swing h:2.5m, shell seat 100cm- KSW92007</td> <td>\$4,000.00</td> </tr> <tr> <td>Wobble bridge- NRO810</td> <td>\$8,160.00</td> </tr> <tr> <td>Stilts- NRO806</td> <td>\$3,750.00</td> </tr> <tr> <td>Balance</td> <td>\$6,000.00</td> </tr> <tr> <td rowspan="3">Toddler Play Area</td> <td>Play panel Music- PCM000721 -</td> <td>\$2,500.00</td> </tr> <tr> <td>Talk & tumble with tunnel- PCM000521</td> <td>\$7,000.00</td> </tr> <tr> <td>Sunflower -M951</td> <td>\$2,500.00</td> </tr> <tr> <td rowspan="2">Fitness Area</td> <td>Fitness 1</td> <td>\$3,500.00</td> </tr> <tr> <td>Fitness 2</td> <td>\$10,000.00</td> </tr> </tbody> </table>	Park Location	Item	Cost	Central playground	Explorer Dome- COR86300	\$70,000.00	Supernova - GXY916	\$10,500.00	Steel swing h:2.5m, shell seat 100cm- KSW92007	\$4,000.00	Wobble bridge- NRO810	\$8,160.00	Stilts- NRO806	\$3,750.00	Balance	\$6,000.00	Toddler Play Area	Play panel Music- PCM000721 -	\$2,500.00	Talk & tumble with tunnel- PCM000521	\$7,000.00	Sunflower -M951	\$2,500.00	Fitness Area	Fitness 1	\$3,500.00	Fitness 2	\$10,000.00
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<p>6. External Road Intersections/Connections</p>	<p>Council's comment</p> <p>Noted. The subdivision layout has been amended to allow release of land to achieve flexibility with the land release on adjoining lots, particularly for Stage 13 (previously Stage 14).</p>																												

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<p>7. Utilities</p>	<p>Council's comment</p> <p>The water booster pump station has been located in accordance with Hunter Water Corporation requirements. The booster pump station is currently being assessed under Part 5 of the Environmental Planning and Assessment Act 1979 with Hunter Water Corporation in the process of reviewing the Water Booster Pump Station Electrical Drawings and Review of Environmental Factors.</p> <p>The water booster pump station is to be located on Lot 826. Please refer to the revised Overall Subdivision Masterplan and Concept Engineering Plans illustrating the location of the pump station and electrical kiosks.</p>
<p>8. Land Title</p>	<p>Council's comment</p> <p><i>The application shall address how the restrictions for Lot 3 in DP1256730 will be managed with the proposed subdivision. There is particular interest in the treatment of easement (J).</i></p> <p>The subdivision layout has been designed to ensure that easement (J) can continue to be maintained after registration of the lots. The road reserve of the main trunk road, road within stage 9 and the connection to Winders Lane have been located over the easement to provide long term access for future repairs or maintenance required to be undertaken by Hunter Water Corporation.</p> <p>Lot 31 DP1281200 (formerly Lot 3 DP1256730) is affected by a right of access and easements with Lot 1 DP1244625 having the benefit. A sunset clause has been included within the 88B Instrument meaning that this right of access will be removed upon construction of the road within Stage 8. Lot 1 will be provided with road access as well as appropriate services (electricity, water, sewer etc) during the development. Any easements required to be removed or provided for Lot 1 DP1244625 will be included on the final Deposited Plan for approval by Council as part of the Subdivision Certificate. We are accepting of a condition of consent requiring appropriate access and services to be provided to Lot 1 DP1244625.</p>
<p>9. Site Planning / Design</p>	<p>Council's comment</p> <p>a. Stage 14 delivery timing</p> <p>Stage 14 has been renumbered to Stage 13. This stage is to be delivered in accordance with the timing as defined by the staging of the works, however, is of a nature that it can be delivered earlier where the opportunity for connection to adjoining infrastructure allows for this. The applicant is accepting of a condition to allow flexibility in the delivery of lands within Stage 13 where Council accepts this, on the provision that this not be made mandatory as it is the subject of on-going future private property negotiations that cannot be determined at this time and is reliant on the construction of infrastructure with Christopher Road. A potential</p>

Council Note	Action / Response
	<p>wording of condition could be as follows,</p> <p><i>Works associated with Stage 13 of the approved subdivision can be commenced out of sequence with the subdivision masterplan where infrastructure exists within Christopher Road, to allow connection to adjoining land holdings.</i></p> <p>b. Stage 0 (park) to include surrounding roads</p> <p>Please refer to the updated Staging Plan. The perimeter roads are now included within Stage 0.</p> <p>c. Revised plans to show legal access for the super lots with an alternative considered for easements for services etc.</p> <p>Please refer to the updated Super Lot Plan. The super lot subdivision is purely a paper subdivision to facilitate the sale of land from the landowner to the developer in accordance with their contractual obligations. This arrangement was previously approved by Council as part of a modification to Stages 1 to 7 of the development (DA/2017/1401:1) and has also been approved via a boundary adjustment of the site (DA/2021/493). Physical access was not required as part of these developments with legal access provided through rights of way, easements for services and easements to drain water. Physical access and services will be provided to each of the super lots when the overall subdivision of the site occurs. No physical works are proposed as part of the super lot subdivision. Where delivery of the masterplan subdivision is discontinued for unforeseen reasons, the super lot plan provides necessary access to infrastructure and services.</p> <p>Rights of access, easements for services and easements to drain water are provided on the Super Lot Plan. The southern portion of Lot 32 DP1281200 currently only has legal access to Winders Lane. Council have previously recognised that Christopher Road is not a Council controlled road, rather it is a private road. A Primary Application is currently being assessed by NSW Land Registry Services and Aird will be the landowner of Christopher Road (identified as Lot 1 DP1280661 (unregistered)). Appropriate easements have been placed over Lot 1 DP1280661 (unregistered) on the Super Lot Plan to illustrate intention to provide these easements over the lot when registered.</p> <p>Considering the southern portion of Lot 32 only has legal access to Winders Lane, part of proposed super lot 4 will maintain its existing legal access to Winders Lane. Future development of the site will provide permanent physical and legal access to all super lots through the completion of the masterplan subdivision.</p> <p>All easements and rights of carriageway will be included on the final Deposited Plan and 88B Instrument for approval by Council at Subdivision Certificate stage.</p>

Council Note	Action / Response
	<p>d. Include loop roads to reduce the requirement for temporary turning heads.</p> <p>Please refer to the updated Overall Masterplan and Concept Engineering Plans. Loop roads have been provided to reduce the requirement for turning heads. Temporary turning heads are indicated on the engineering detail enclosed. The complete development will not result in any “dead end” streets.</p> <p>e. Bushfire – perimeter and non-perimeter roads to be in accordance with the GTAs issued by the RFS.</p> <p>Please refer to the updated Overall Masterplan and Concept Engineering Plans. These have been revised to reflect the GTAs issued by NSW RFS and road widths. Anderson Environment & Planning have also prepared a supporting letter / addendum to the BTA submitted with the DA. This letter confirms that the amended proposal is entirely consistent with NSW RFS requirements and GTAs.</p> <p>f. Urban Design (i) Location</p> <p>The location of the subject site within the context of the Lochinvar URA will result in redevelopment of the land that will modify the current predominant landscape character. The current landscape character is in a transition period from formerly rural landscapes to low and medium density residential development, consistent with the zoning. The subject site is located at the extremity of the URA where the transition from rural to residential will be most apparent. This is the nature of an urban release area and a consequence of the zoning of the land that doesn't allow for gradual transition between the former and new zoning. This context is critical to assessing the visual impact of the proposed application that is consistent with the objectives of the zone and the Lochinvar DCP.</p> <p>Notwithstanding this, the revised lot layout and arrangement has been designed to give due consideration to the key landscape features of this land. The ridgelines have been considered within the revised design of the subdivision. Please refer to the Visual Impact Assessment (VIA) provided herewith as amended from our previous submission that addresses this impact in detail. In addition, we provide the following comments in relation to the potential impacts of the visual character to the locality and the presentation of the proposed development.</p> <ul style="list-style-type: none"> • The contours in this location reflect the key view corridors for the site and assists with minimising the potential impacts on the surrounding landscape character. The proposed subdivision masterplan adopts levels that are in keeping with the original landform, and will preserve key view corridors by stepping the ground levels throughout the development to maintain this form. This will allow preservation of ridgelines that will act as a natural barrier to abrupt view lines of a perceived 'sea of roof tops'. • The revised subdivision layout will not be negatively impact these key view lines due to the irregularity in the layout, block sizes, the integration with the surrounding RU2 lands, and the visibility of the land from the

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	<p>external view points from the URA. Larger lots have been provided at the interface with the rural lands to offer some transition, and an increased road width at the higher points within the site to allow for enhanced street tree planting, as shown in the revised Landscape Plan.</p> <ul style="list-style-type: none"> • A vegetation buffer is proposed on the Landscape Plan within the RU2 zoned lands and along Winders Lane for lots in Stages 9 – 10. Landscaping is consistent with that approved in Stages 1 – 7 at the interface with Winders Lane. This will preserve the visual character of this location and offers a soft transition between the rural and residential lands, particularly in the visible ridgeline locations. The vegetation screen will be undertaken in a manner that is consistent with the APZ vegetation requirements of PBP 2019. • The revised subdivision layout has rearranged the local roads within the design to allow for deliberate view corridors within the development, and to the extremity of the URA. • The road design throughout the development has been amended to respond to RFS requirements and will consequently allow for increased canopy street tree planting in the subdivision. • The revised layout will allow for key view corridors (i.e. from New England Highway) to be enhanced by street tree planting, the pedestrian access to Winders Lane, the proposed Park, and drainage reserves. This in combination with the proposed RU2 vegetative screen will result in a land release softened by landscaping as demonstrated on the landscape masterplan submitted. A restriction as to user can be placed on Super Lot 4 (shown on the masterplan) to ensure that this vegetation screen is maintained in the long term. • Additionally, the proposed lots exceed the minimum lot requirements for this zone and the proponent intends to develop the land with a “high end” housing market. As part of this vision for the land, the generous allotment sizes will allow for additional landscaping and canopy tree plantings within the proposed lots and outside of the area required for a building footprint. Thus, the overall landscape character of the subdivision will minimise the impact of this land release on the visual character of the locality. <p>(ii) Views from the development</p> <p>The views towards the development lands are identified in the VIA submitted. Proposed view lines offer transitioning views from the surrounding rural landscapes to the proposed urban release area. These are also in a context of surrounding residential developments of the URA currently under construction. Refer to the VIA that identifies key view lines and impact of these view lines. The revised subdivision layout provides greater opportunity for view lines as follows:</p> <ul style="list-style-type: none"> • The local park has been located to terminate at the view of the road from New England Highway. • Introduced vegetative screen to the rural lands that runs parallel with key view lines from adjacent Lot 261 and provides a soft transition between the rural lands and the residential lots. • Increased width of the roadway to allow greater street tree planting. • Increased local roads within Stage 15 to provide opportunities for view lines towards the vegetative screen on the rural lands as well as the roads supporting street trees to soften the impact on these ridgeline


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	<p>corridors. The road layout in Stage 15 has been designed to run parallel to this ridgeline to allow for a 'treed' pattern across these view corridors.</p> <p>(iii) Urban structure</p> <p>Lot Size</p> <p>The revised subdivision layout includes a wider diversity of lot sizes as illustrated in Table 6 below. Stage 13 and 14 are located near the future town centre. Lots with sizes ranging from 450 m² to 1406m² have been provided within these stages. These lots are suitable for future medium density development.</p> <p>Block Size</p> <p>Block size and lengths have been mostly reduced to maximum 220m in the revised subdivision design, where practicable. The breaking up of Stage 9 into smaller block lengths was considered as part of the revised design however it has been retained as there are potential conflicts with the intersection at Lot 926, with 40m required between the centreline of the intersection. It is therefore difficult to provide an additional road between Lots 926 and 925. The Walkability Plan demonstrates that the lots in Stage 9 have convenient access to the local park and bus stops. Additionally, the pedestrian/cycleway to the east of this stage provides immediate connection to Winders Lane for external pedestrian and cyclist movements.</p> <p>Table 6: Stage Lot Configuration</p> <table border="1" data-bbox="622 927 1787 1394"> <thead> <tr> <th data-bbox="622 927 846 999">Stage</th> <th data-bbox="846 927 1240 999">Number of Lots</th> <th data-bbox="1240 927 1787 999">Variation in lot size</th> </tr> </thead> <tbody> <tr> <td data-bbox="622 999 846 1078">8</td> <td data-bbox="846 999 1240 1078">34</td> <td data-bbox="1240 999 1787 1078">450m² - 800m²</td> </tr> <tr> <td data-bbox="622 1078 846 1150">9</td> <td data-bbox="846 1078 1240 1150">29</td> <td data-bbox="1240 1078 1787 1150">640m² - 896m²</td> </tr> <tr> <td data-bbox="622 1150 846 1222">10</td> <td data-bbox="846 1150 1240 1222">49</td> <td data-bbox="1240 1150 1787 1222">634m² - 1027m²</td> </tr> <tr> <td data-bbox="622 1222 846 1326">11A</td> <td data-bbox="846 1222 1240 1326">22 (includes drainage reserve)</td> <td data-bbox="1240 1222 1787 1326">645m² - 770m²</td> </tr> <tr> <td data-bbox="622 1326 846 1394">11B</td> <td data-bbox="846 1326 1240 1394">5</td> <td data-bbox="1240 1326 1787 1394">640m² - 760m²</td> </tr> </tbody> </table>	Stage	Number of Lots	Variation in lot size	8	34	450m ² - 800m ²	9	29	640m ² - 896m ²	10	49	634m ² - 1027m ²	11A	22 (includes drainage reserve)	645m ² - 770m ²	11B	5	640m ² - 760m ²
Stage	Number of Lots	Variation in lot size																	
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11A	22 (includes drainage reserve)	645m ² - 770m ²																	
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Council Note	Action / Response		
	12	50 (includes drainage reserve)	585m ² - 896m ²
	13	22	657m ² - 1039m ²
	14	33	623m ² - 793m ²
	15	70	583m ² - 1406m ²
	<p>The subject lot arrangement provides a greater lot mix and variety in the lot sizes compared with the previous submission.</p> <p>Proposed Cycleway</p> <p>A Walkability Plan has been submitted in accordance with Council's request illustrating both a shared path and on road commuter path. The road design has been amended to allow sufficient space for the shared pathway and the pathways no longer cross the road as per the previous design.</p> <p>Footpaths and Shared Paths</p> <p>A separate footpath and shared pathway sheet are provided to demonstrate compliance with the URA DCP. The footpaths provide connection through the major movement networks within the subdivision layout, community infrastructure points such as the local parks, and public transport access. The plans offer additional connection to surrounding developments to the north west and western extremities also.</p> <p>Addressing and overlooking the street</p> <p>The revised subdivision plan has sought to remove extensive side fencing where practicable. Noting that lots closer to the future local centre are capable of supporting medium density development and are likely to be designed to address the road frontages where a site is a corner allotment. The revised layout allows for passive surveillance to all public spaces and allotments with an immediate interface with these spaces. The revised layout has sought to improve passive surveillance through the amended road design and reorientation of lots, however where the layout has not changed this has sought to ensure that the residential allotment can be suitably developed for privacy as well as minimising irregular allotments of land that would result in an orderly use of the land.</p> <p>Off Road Shared Path</p> <p>Details of the pedestrian access link to Winders Lane are now provided on the Landscape Plan submitted and</p>		

Council Note	Action / Response
	<p>civil details. The design of this pedestrian access link promotes visibility in the space and limits concealment opportunities. This has been achieved through the following design outcomes;</p> <ul style="list-style-type: none"> ○ The width of the space and its alignment within the road network. ○ The use of lighting. ○ Plantings proposed are low height plantings to allow for visibility and passive surveillance and minimise opportunities for concealment. <p>Lot configuration.</p> <p>Lots 922, 923, 924 have been revised in Stage 10 and will be provided with a direct frontage to the local road and are more regular allotments so will more readily achieve the dwelling house standards of the DCP.</p> <p>Lots 1021, 1142, 1418 have also been revised under the subdivision layout and are more regular shaped allotments able to support a dwelling envelope.</p> <p>Lots 1227, 1432, 1314 have been identified as irregular lots and as such a building envelope has been shown to demonstrate that these allotments have the special arrangement and dimension to accommodate a dwelling house meeting the objectives of the DCP.</p> <p>Recreation & Open Space Facilities.</p> <p><i>Analysis is required demonstrating all lots are within 400m/5 minutes walk of a park having regard to the approved parks L5, L13, L6 and L15. Placement of the L11 park within the future staging of the development is to also be identified under the masterplan.</i></p> <p><i>Note, it is recognised L13 has been located different to the placement in the LCP. It is requested the analysis have regard to the placement under both the LCP and as approved.</i></p> <p>A Walkability Plan has been submitted in accordance with Council's requirements. The concept location of L11 is indicated on the revised subdivision plan submitted and demonstrates compliance with the 400m/5 min standard.</p> <p>An overlay of the park locations as proposed and approved are shown on the walkability document set.</p> <p>Location of the L11 Park is indicated to be included in the next DA to be submitted, however has been shown on the revised subdivision plan set as an indicative layout, in accordance with the 400m/5min requirement.</p> <p>Neighbourhood Park Design</p>

Council Note	Action / Response
	<p>Attached is a revised local park plan that has been developed following our meeting with Council's Community Recreation Team, and in addition to the comments separately received. We consider that the park has been designed in accordance with Council's requirements and provide the following summarised changes for your assistance:</p> <ul style="list-style-type: none"> ○ Removal of the main entry pathway and location of the proposed shelter in accordance with Council's requirements. ○ Introduction of additional seating throughout the park. Seating with back support provided. ○ Introduction of concrete under the fitness equipment, reduction in fitness equipment, and increased mulch areas in the main playground. ○ Details of the main playground, including inclusive play equipment. ○ Increased canopy plantings, including evergreen specimens. ○ Modification to the barriers surrounding the toddler play areas. ○ Reduction in height of the entry point feature wall to a maximum 900mm height. <p>We consider that this amendment responds to the Council Recreation Planners comments regarding materials, on-going maintenance cost concerns, accessibility, and overall design comments as previously raised. We further reiterate as per our previous submission on this matter, that the design is consistent with other recreation spaces previously approved by Council.</p> <p>We would therefore request that any further concerns regarding the concept park design be addressed via condition, and at the time of the detailed design.</p> <p>Landscaping</p> <p>The revised Landscape Masterplan for the subject application has been updated to include additional detail regarding street trees, Winders Lane screen planting, boundary fencing, and the detention basins. We further advise that the BEP submitted identifies that all trees will be removed from the site and proposes no retention of the trees on site.</p> <p>Street trees</p> <p>Stages 1 – 7 Landscape Masterplan as approved is enclosed for your consideration as requested.</p> <p>The revised Landscape Masterplan for the subject application has been updated to include the typical cross sections for street tree placement and the treatment of the detention basins as requested. At this submission, the detention basins are proposed for detention as a primary use, however, have been incorporated into the overall landscape concept for the development. The future application for the L11 park will provide more detail</p>

Council Note	Action / Response
	<p>for how this connection is fostered by the design of this park at that stage. At this stage, the detention basins have been designed to ensure safety of the residents in accordance with the applicable Australian Standard.</p> <p>We consider that the entire development site will provide good connection between open space areas, including the future open space areas as proposed under L11 and L16. This is demonstrated in the Walkability Plan.</p>
<p>10. Engineering</p>	<p>Council's comment</p> <p>Earthworks</p> <p>The plans have been revised to reflect Council's comments in this regard, no fill is proposed to be brought to site. Notwithstanding this, the proponent is accepting of a condition that requires the provisions of a CEMP in accordance with the waste classification regulations.</p> <p>The road design plans have been revised to be consistent with the Hereford Hill DA consent.</p> <p>The Bulk Earthworks Plan has been amended to correct errors previously shown.</p> <p>Road design, transport and traffic</p> <p>A Primary Application has been lodged with LRS for part of Christopher Road (PA.83675). The land is identified as Lot 1 DP1280661 (unregistered). The portion of this land that is to be developed for the purpose of road will be dedicated to Council upon registration and creation of the public road and registration of the lots. As Christopher Road will be converted to Lot 1 DP1280661 (currently with LRS for registration). The plans have been revised to respond to the comments raised by Council's Development Engineering team. Please refer to detailed comments prepared in BRS Engineering Report for each item raised regarding stormwater management.</p> <p>The revised engineering design indicates discharge of all water via the proposed detention basins to the existing watercourses on site. See Figure 2 below for the position of the watercourse at the property boundaries. These watercourses are in their natural state on site at present and provide a legal point of discharge for the subject development.</p> <ul style="list-style-type: none"> • <u>Watercourse 1</u> is located within land identified on the site survey (Lot 1/SP1280661) as being unregistered which is part of Christopher Road. This parcel of land is the subject of a Primary Application currently being considered by LRS to be transferred into the ownership of the subject site. Therefore the current landowner, at the completion of the primary application, will be granted ownership of this land and the legal point of discharge will continue across this land area.

Council Note	Action / Response
	<p>Road works that form part of the construction of Christopher Road will include the likely piping of this watercourse for connection to downstream properties. Dedication of this road can occur as part of the subdivision works certificate program. However, the timing release of the subdivision works will occur in stages to allow for the road works to be undertaken consistently when the land is released at both the subject site at Stages 11B and 13, and the adjoining development at 19 Silo Street. Until this time water will be discharged to the watercourse via the detention basins that will be constructed on site to service the development as it is released.</p> <p>These works are subject to NRAR approval across multiple applications. As we understand, NRAR comments for the subject development application are still outstanding.</p> <ul style="list-style-type: none">• <u>Watercourse 2</u> represents the primary discharge point for the subject development, refer to the concept engineering plans enclosed.  <p>The image is an aerial photograph of a rural landscape with green fields and brown patches. A red line traces an irregular boundary across the fields. Two white boxes with black numbers are overlaid on the image: box '1' is located in the upper-middle part of the red boundary, and box '2' is located in the lower-left part of the red boundary. Light blue lines represent watercourses or hydrolines, some of which cross the red boundary.</p> <p>Figure 2: Extract from Hydroline mapping (NSW DPE 2022) with approximate boundary line shown</p>

Council Note	Action / Response
	<p>Civil Drawings / Plans</p> <p>The plans have been revised to reflect the updated version of the subdivision plans noting the items raised by Council.</p>
<p>11. Public submission</p>	<p>We provide the following comments in response to the public submission.</p> <ul style="list-style-type: none"> ○ Traffic impacts on safety of the Winders Lane intersection <p>The development has been submitted to Transport for NSW for concurrence and the connection to Winders Lane was not identified as a concern for the overall development. TfNSW provide support for the proposal subject to condition. Notwithstanding, the subject proposal relies on the integrated road network within the URA that will ultimately provide major network points to both New England Highway, Station Lane via Christopher Road, and the future connection proposed to the adjoining development to the west at Wyndella Road (south) which is the identified signalised intersection for connection to the New England Highway. These proposed connection points and infrastructure upgrades are consistent with those identified in the Maitland DCP Part F – Lochinvar Urban Release Area. The Traffic Impact Assessment Report submitted in support of the application addresses the potential impacts of the development on the surrounding movement networks. This impact is deemed to be within acceptable limits.</p> <p>The remainder of traffic related comments appear to fall outside the potential impact of the subject development and relate to the traffic conditions at Winders Lane.</p> <ul style="list-style-type: none"> ○ The development should be integrated across infrastructure services, including Winders Lane, to ensure connection and the development does not relegate Winders Lane residents to ‘an anachronism from the past’. <p>The development forms part of the Lochinvar URA and infrastructure and services are to be provided in accordance with the s94 Contribution Plan and the DCP Part F – Lochinvar Urban Release Area. This will see the progressive implementation of community infrastructure and facilities in accordance with these documents, and the release of the land. It is outside of the purview of the application to incorporate infrastructure to accommodate the residents of Winders Lane, as this has been directed by the Strategic Planning documents for this area. Notwithstanding this, we consider that the subject application has addressed the Winders Lane streetscape and provides community infrastructure as follows;</p> <ul style="list-style-type: none"> ○ The Landscape Masterplan as revised indicates the treatment of the Winders Lane frontage for the lots that have presentation to this street. This includes a landscape screen that will soften the transition between the rural zoned properties to the east of Winders Lane, and the emerging residential lots to the west.

Council Note	Action / Response
	<ul style="list-style-type: none">○ A post and rail timber fence is proposed to the eastern URA boundaries as indicated on the masterplan to ensure that the Winders Lane visual character is not dominated by emerging residential development and is consistent with the rural zone.○ A pedestrian access pathway is included to provides connection to Winders Lane through the proposed residential development to allow use of the proposed movement networks and community spaces. This will afford residents of Winders Lane access to the proposed community open space areas, as well as improving accessibility to public transport and the like.○ Further screen planting is proposed within the RU2 zoned land retained on the subject site to support the transition between the rural character of Winders Lane and the future residential development. Notwithstanding this, from a visual character perspective, the proposed residential lots will be >130m from Winders Lane at the southern extremity of the land.○ The proposed residential subdivision will not burden the existing infrastructure in Winders Lane as all water and sewer will be directed to the infrastructure proposed as part of the redevelopment of the URA as indicated on the documentation submitted.

Attachment 1

Aerial Images of Site illustrating Land Use from 2017 to 2021

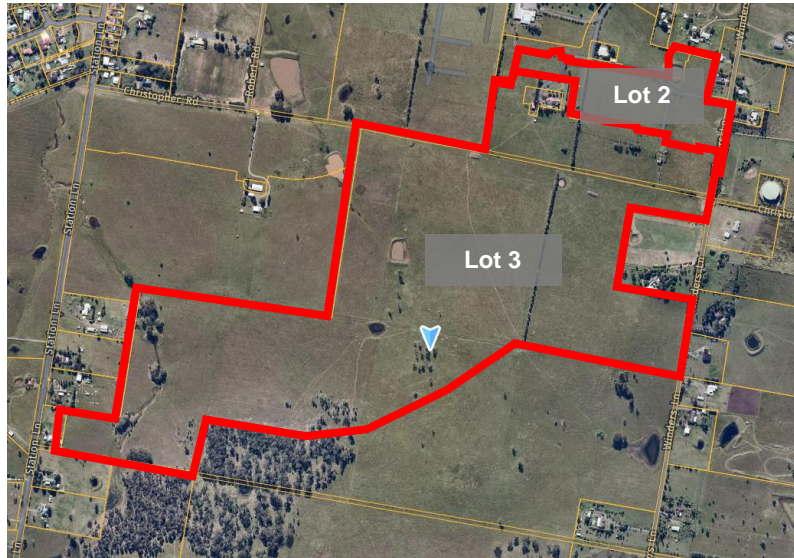


Figure 3: Aerial Photo of Site (Source: Nearmap; 30.05.2021)

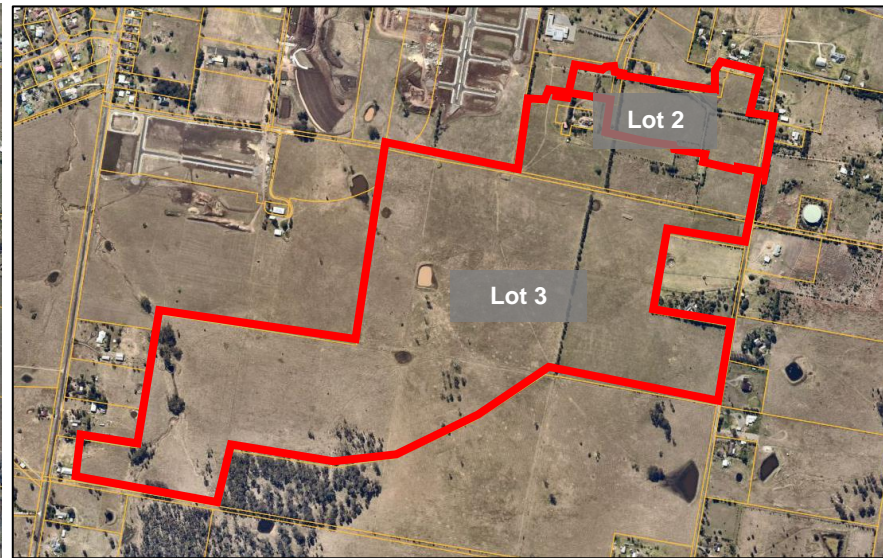


Figure 4: Aerial Photo of Site (Source: Nearmap; 06.08.2021)

Attachment 2 | Aboriginal Archaeological Community Collection Report previously completed