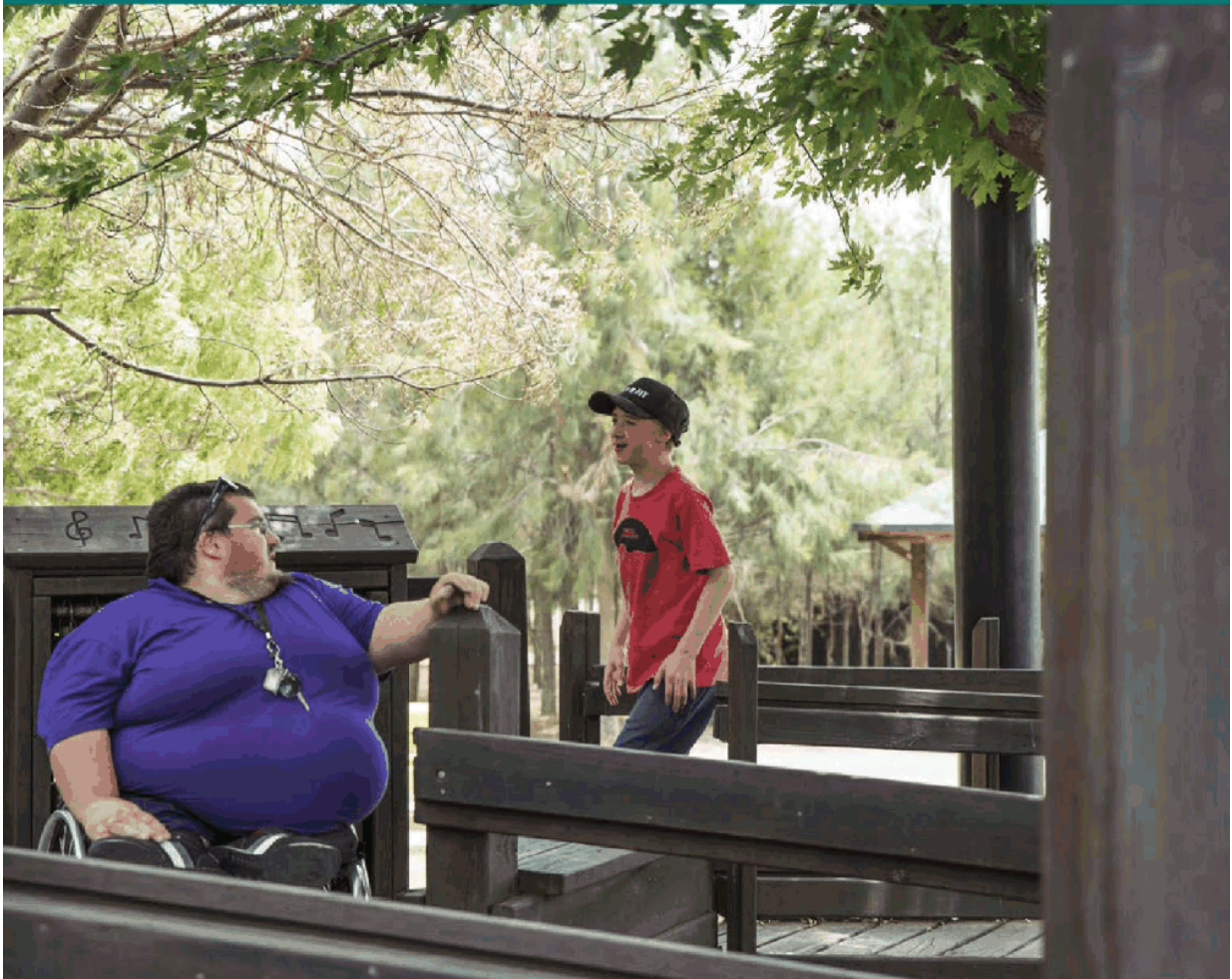




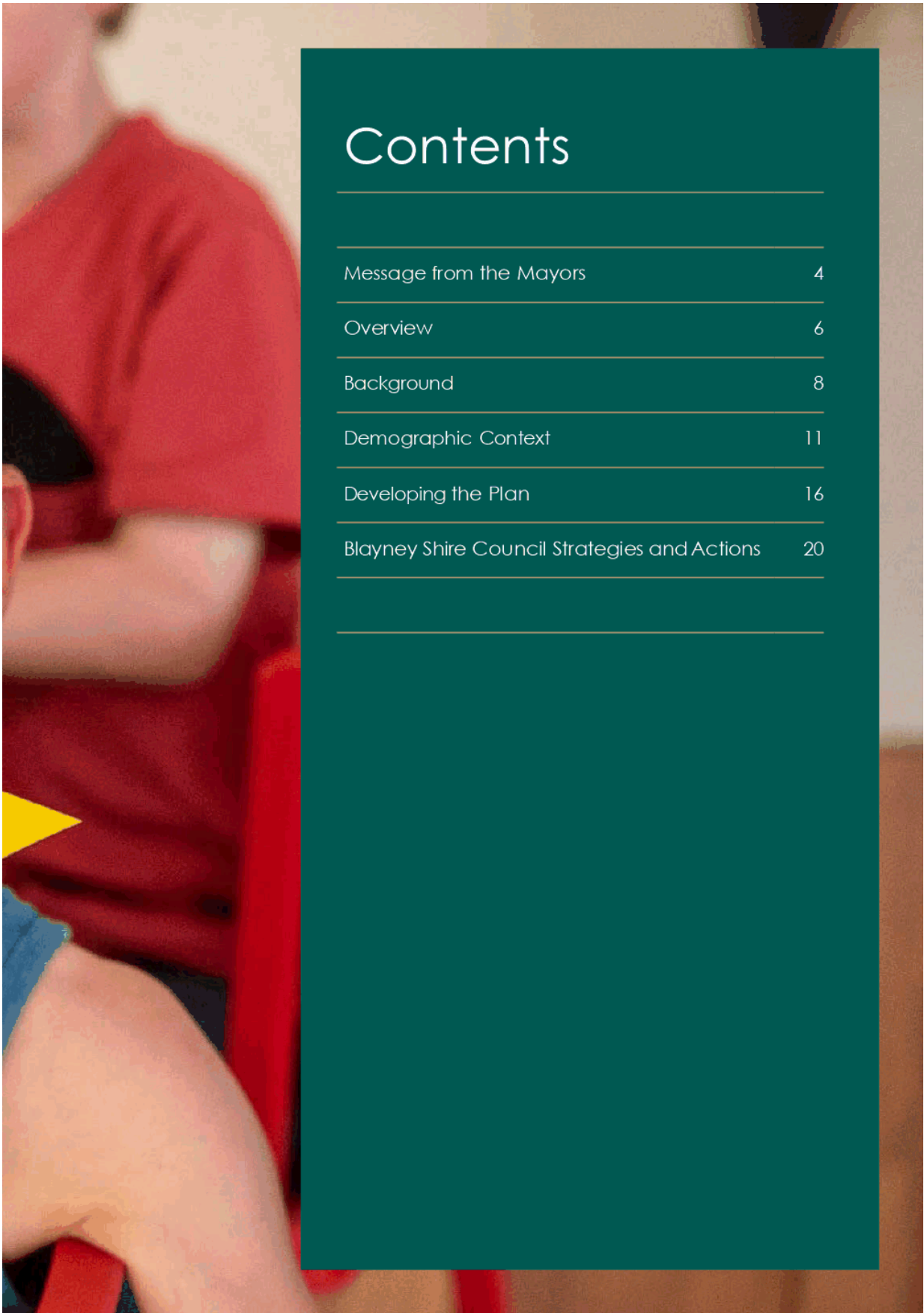
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HELD ON MONDAY 19 DECEMBER 2022**

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# Disability Inclusion Action Plan 2022-2026







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# Message from the Mayors



Cr Scott Ferguson  
Mayor  
Blayney Shire Council



Cr Kevin Beatty  
Mayor  
Cabonne Council



Cr Jason Hamling  
Mayor  
Orange City Council

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4 • Blayney, Cabonne and Orange • Disability Inclusion Action Plan • 2022-2026

Blayney, Cabonne and Orange Councils are working together to build a strong and equitable community that is accessible and inclusive of everyone.

We want our region to provide equal opportunity for people with disability so that they may access opportunities as other residents do, while enjoying the benefits of living and working in our region.

For these reasons, it is our pleasure to present the Blayney Cabonne Orange Disability Inclusion Action Plan (DIAP) 2022-2026.

The aim of the plan is to ensure that local services, facilities, and programs provided by Councils are as inclusive as they can be.

Consultations have been held across our communities, with a particular focus on identifying priorities through conversations with people with disability, their families, carers, and service providers.

We recognise that the term 'people with disability' does not refer to a readily identifiable group, but to a wider community who may need support to fully participate in our society. This support might be needed for a short time or throughout their lives.

Three individual action plans have been developed, each focusing on the needs of one local government area. These plans relate to how we:

- develop and construct our environment;
- provide information and services;
- support employment opportunities; and
- promote positive community attitudes and behaviours toward people with disability.

Planning for inclusion and access is a core component of our planning responsibilities and the DIAP will be aligned with and reported on by the Delivery and Operational Plans for each Council area.

Blayney, Cabonne, and Orange Councils are pleased to work with the New South Wales Government to improve access and inclusion for people with disability, and look forward to all members of our communities enjoying opportunities to participate in social, economic, and community life.

# 1 Overview

“to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.”

In 2014 the NSW Government enacted the Disability Inclusion Act (DIA). The DIA mandated the development of disability inclusion action planning across local councils and the development of a Disability Inclusion Action Plan (DIAP) by 1 July 2017. To meet this commitment, Blayney, Cabonne and Orange Councils agreed to a regional approach through a collaborative disability action planning process.

Collectively, the three local government areas committed to providing accessible villages, towns and a city for everyone, regardless of their abilities, then and into the future.

This is being achieved by building on the work currently undertaken by councils through:

- an ongoing dialogue with people living with a disability or people with a lived experience of disability (you may include their families and carer's)
- improved access to public services and facilities
- increased awareness and understanding of access and inclusion issues both within councils and the wider community

Expanding on the achievements of the initial DIAP, the local Councils of Blayney, Cabonne and Orange have again come together to partner in a regional approach to continue making our city, towns and villages accessible to all, irrespective of individual abilities.

The Disability Inclusion Action Plan 2022-2026 has set the framework, actions and priorities for Blayney, Cabonne and Orange Councils over the next four years.

## Structure of the Disability Inclusion Action Plan

The Disability Inclusion Action Plan documents the planning and consultation process and includes the following sections applicable to all three local government areas:

1. Background – of the process including the statutory framework
2. Demographic Context- for the three areas as well as state and national statistics
3. Developing the Plan – community engagement process undertaken

Sections 4 and 5 have been tailored for the individual councils.

4. Community Strategic Plan - overview of individual council plans identifying the broad objectives that support the Disability Inclusion Action Plan
5. Strategies and Actions – outcomes derived and tailored for each of the councils



## 2 Background

The Disability Inclusion Act 2014 defines disability as:

'The long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with others.'

The purpose of the Disability Inclusion Action Plan is to effectively identify actions that deliver on the diverse needs of people living with a disability in our community.

The rights of people living with a disability to access services and facilities is fundamental to the disability inclusion process. In 2008, the Australian Government committed to implementing the United Nations (UN) Convention on the Rights of Persons with Disabilities "to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity."

Subsequently the Commonwealth Government prepared Australia's Disability Strategy 2021–2031 which sets out a plan to change the lives of people with disability over ten years.

In 2014 the NSW Government enacted the Disability Inclusion Act (DIA). The DIA requires local councils to prepare disability inclusion action plans to deliver on the diverse needs of people living with a disability in the community as part of their Integrated Planning and Reporting Framework.

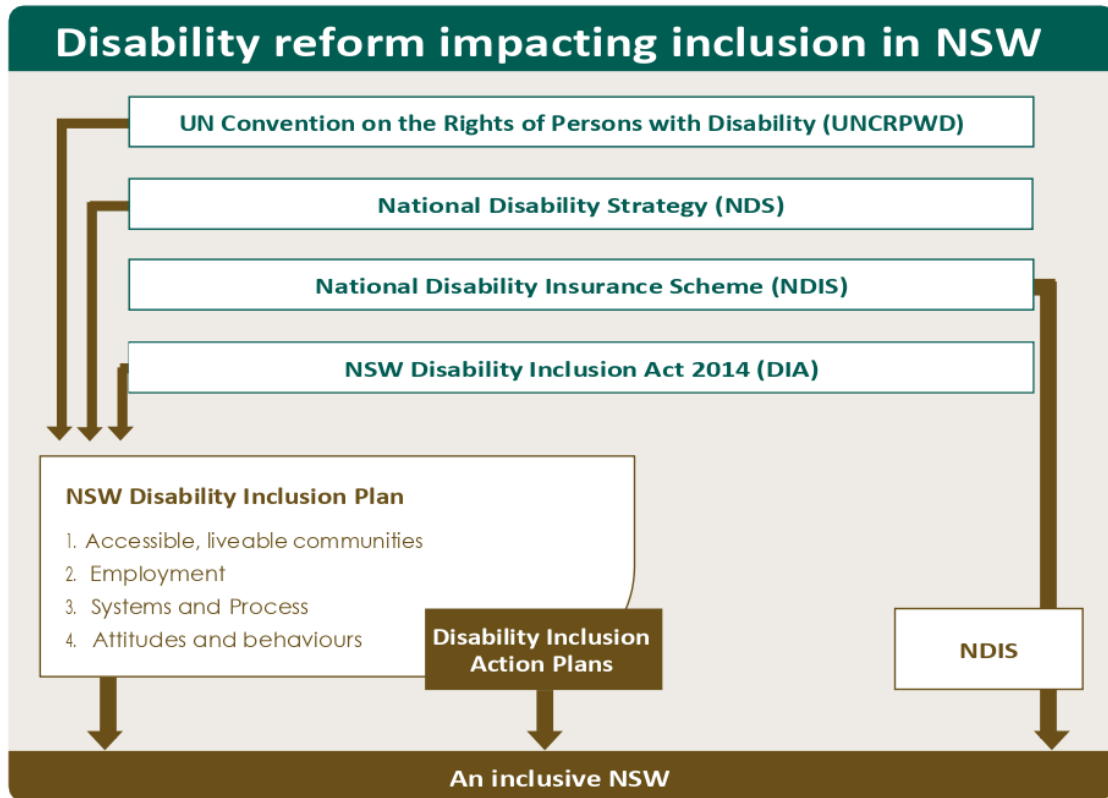


Figure 1: The relationships between the relevant policy and legislative instruments  
Source: NSW Disability Inclusion Action Planning Guidelines

## Disability Inclusion Focus Areas

The NSW Disability Inclusion Action Planning Guidelines identify four key outcome areas. These key outcome areas guided the disability inclusion action plan community consultation process and formed the structure for the Disability Inclusion Action Plan.

The four key outcome areas are:



Work (Employment)



Attitudes and Behaviours



Information and understanding  
(Systems and Processes)



Liveable Communities

The Disability Inclusion Action Plan has been prepared under the guidelines established by the division of Local Government having regard to the legislative context. The three councils worked closely to develop a consultation strategy that enabled both targeted and broader stakeholder and community engagement.

The plan sets out a series of principles, strategies and actions that will guide Council operations over the next four years. These align with the principles of the DIA, as well as the NSW Government's Disability Inclusion Plan focus areas.

## 3 Demographic Context

“Disability is a difficult concept to measure because it depends on a person’s perception of their ability to perform a range of day-to-day activities.”

This Plan seeks to address all forms of disability, both those reflecting individual limitations and the barriers that our society places which restrict life choices.

Our region, for the purposes of the Disability Inclusion Action Plan is the three local government areas of Blayney, Cabonne and Orange. The characteristics of the three areas are comparable in that

each has an ageing population. However, the number of people identifying as needing assistance with core activities does increase in each local government area alongside an increase in population size.

### Core Activity Need for Assistance

	Orange	Cabonne	Blayney
Total Population	43,512	13,766	7,497
Need for Assistance	2,701	685	423
% of Total Population	6.2%	5.0%	5.6%

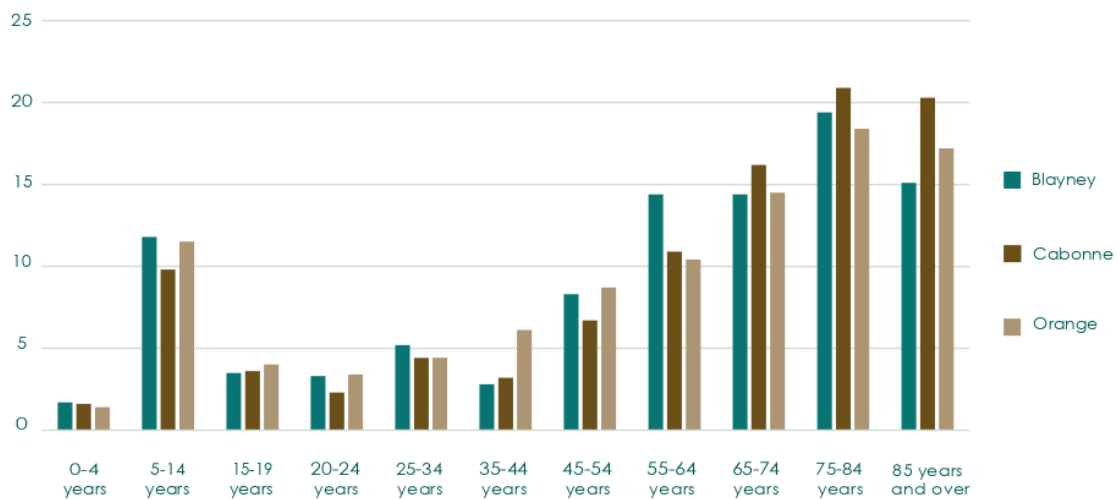
Source: AUSTRALIAN BUREAU OF STATISTICS 2021 Census of Population and Housing

Core Activity Need for Assistance  
 “records the number of people with a profound or severe core activity limitation. People with a profound or severe core activity limitation are those needing assistance in their day to day lives in one or more of the three core activity areas of self-care, mobility and communication because of:

- a long-term health condition (lasting six months or more)
- a disability (lasting six months or more)
- old age.”

The Core Activity Need for Assistance: Total Percentage By Age graph shows a generally consistent pattern across the regions for an increase in the need for assistance as we age. The graph also highlights a significant increase in the need for assistance once an individual reaches school age.

Core Activity Need for Assistance Total % by age



While these statistics help to understand the prevalence of people who need support in the community, it is acknowledged that this number does not include all people living with and caring for people with disability in the Blayney, Cabonne and Orange communities.

National figures for disability compiled by the Australian Bureau of Statistics in the 2018 Survey of Disability, Ageing and Carers, Australia states:

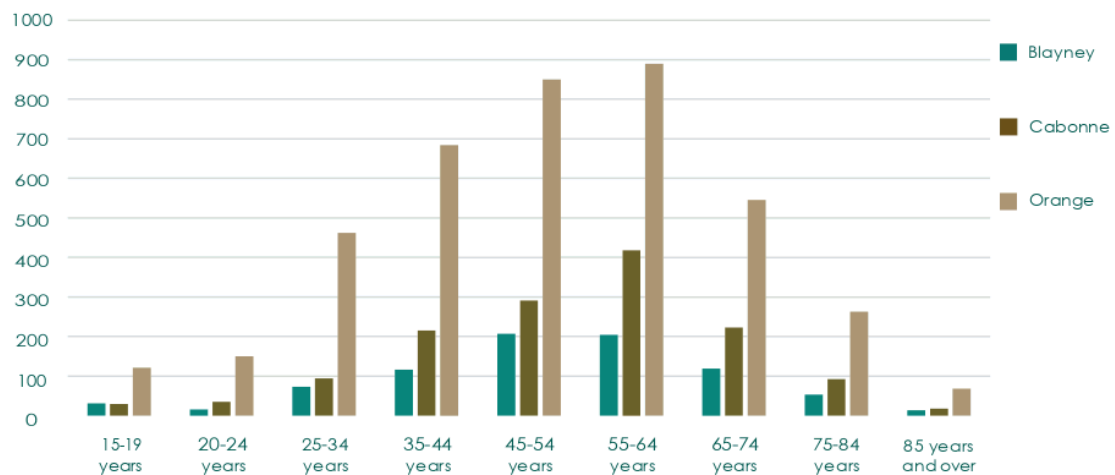
"The number of people with disability has increased. In 2018, there were 4.4 million people with disability (up from 4.3 million in 2015). Of all people with disability, 1.9 million were aged 65 years and over (up from 1.8 million in 2015):

- representing almost half (44.5%) of all people living with a disability (up from 41.9% in 2015 and 40.7% in 2012); and
- reflecting both an ageing population and increasing life expectancy of Australians."5

"In 2018, of the 4.2 million Australians with disability (living in households), three in five (59.8% or 2.5 million people) needed assistance with at least one activity of daily life."6

The Unpaid Assistance to a person with Disability graph below shows the significant number of local residents who fulfil a caring role in the Blayney, Cabonne and Orange communities

### Unpaid Assistance to a person living with a Disability






In 2018 there were 4.4 million Australians with disability.


5.7% of all Australians had a profound or severe disability.



The prevalence of disability increased with age - one in two people aged 65 years and over had disability.



Almost one-quarter (23.2%) of all people living with a disability reported a mental or behavioural disorder as their main condition.



In 2018, of the 4.4 million Australians living with a disability, over half (53.1% or 2.3 million) used aids or equipment because of their condition.




Three in five people living with a disability\* needed assistance with at least one activity of daily life.




\* living in households  
\*\* people of working age (15-64 years) who were living in households.  
Source: 2018 Disability, Ageing and Carers, Australia: Summary of Findings | Australian Bureau of Statistics

53.4% of people living with a disability\* were in the labour force, compared with 84.1% of those without disability.



The median gross personal income of people living with a disability\*\* was \$505 per week, less than half (49.7%) that of people without disability (\$1016 per week).



One in 10 (9.6%) people living with a disability\* aged 15 years and over had experienced discrimination in the previous 12 months because of their disability.



An issue for people living with a disability is discrimination in both access and employment.

"In 2018, 2.1 million people living with a disability living in households were of working age (15-64 years). Of these:

- 53.4% were in the labour force, compared with 84.1% of those without disability
- 46.6% were not in the labour force, compared with 15.9% of those without disability."

Statistics demonstrate that we are collectively living longer. It follows that this will result in an increase in the number of people with profound or severe disability who require help with core activities such as mobility, self-care and communication.

The Disability Inclusion Action Plan is not exclusively for the people who identify as living with a disability. The community survey results (discussed in Section 4) clearly demonstrate a wide range of circumstances in which people find themselves either requiring some degree of assistance or appreciating the access facilities available to them.

Breaking down the barriers to inclusion, creating liveable communities, improving access, changing behaviours and attitudes, improving processes and providing meaningful employment are the responsibility of all of us as a community and will benefit everyone.



## 4 Developing the Plan

Community and stakeholder engagement has been key in this process. The ideas and contributions of both individuals and groups were invaluable in informing the strategies and actions in the Disability Inclusion Action Plan. In developing the plan the three councils, over a twelve month period, undertook a range of collective and individual consultation activities with the community. The consultation was both targeted, engaging specific disability related groups and individuals, as well as broad, surveying the wider council communities. The engagement activities both raised awareness of the Disability Inclusion Action Plan process and addressed inclusion across all areas of the councils' operations.



#### 4.1 Community Survey Overview

The Disability, Inclusion and Accessibility survey was published on each Council's web page. The survey was also provided in a hard copy format and drew responses on a range of key areas.

A total of 28 community surveys were completed online.

A total of 29% of respondents to the online Blayney Shire Community survey identified with the statement 'I find it hard to move around'. In the same survey, 25% identified as a carer and 21% identified as an interested community member.

The community survey addressed the four focus areas and asked respondents to rank what they consider the most important issues within each of these areas. The top three issues identified in the Orange survey were:

##### **Attitudes and Behaviours**

- Train staff on access and inclusion
- Hold public events that are accessible and inclusive
- Include people living with a disability in promotions

##### **Work (Employment)**

- Provide accessible workplaces
- Provide flexible working times and places
- Modify duties for people living with a disability

##### **Information and understanding (Systems and Processes)**

- Provide accessible communication options in the workplace
- Provide information in different formats

- Provide hearing loops, touch screens, and translation services

##### **Liveable Communities**

- Provide accessible toilets in all public buildings
- Promote accessible-for-all design
- Make community programs and events accessible and inclusive

##### **Other Issues**

- In response to the question 'What worries you when accessing local shops', the top three responses were:
  - Steps with no ramps
  - Stairs with no lift available
  - Accessible parking

#### 42 Community Meetings and Stakeholder Engagement

Council took the opportunity to broaden consultation across their communities.



## Blayney Shire Council

Council undertook targeted community engagement through a number of community groups within the Blayney Shire and members of its Disability Inclusion Working Group. This engagement took a particular focus, while not exclusive, to target the 65+ year demographic found to be deficient in the online survey. The engagement was undertaken through initial discussion and distribution of manual surveys that were taken away by participants and returned to their next meeting. Groups engaged included the Blayney Mens Shed and Blayney inner Wheel View Club.

The survey addressed the four focus areas and sought respondents to rank what they consider the most important issues within each of these areas. The following top three issues were identified:

### **Attitudes and Behaviours**

- Ensuring public events are accessible
- Involving people living with a disability in developing communication campaigns regarding inclusion
- Developing public messages and campaigns that highlight inclusion and recognise the rights and contribution of people living with a disability in the community

### **Work (Employment)**

- Designing roles suitable for people living with a disability or people with a lived experience of disability
- Flexible working hours and locations
- Accessible workplaces

### **Liveable Communities**

- Providing accessible toilets in all public buildings
- Providing continuous accessible paths of travel between facilities and services in town centres and public areas

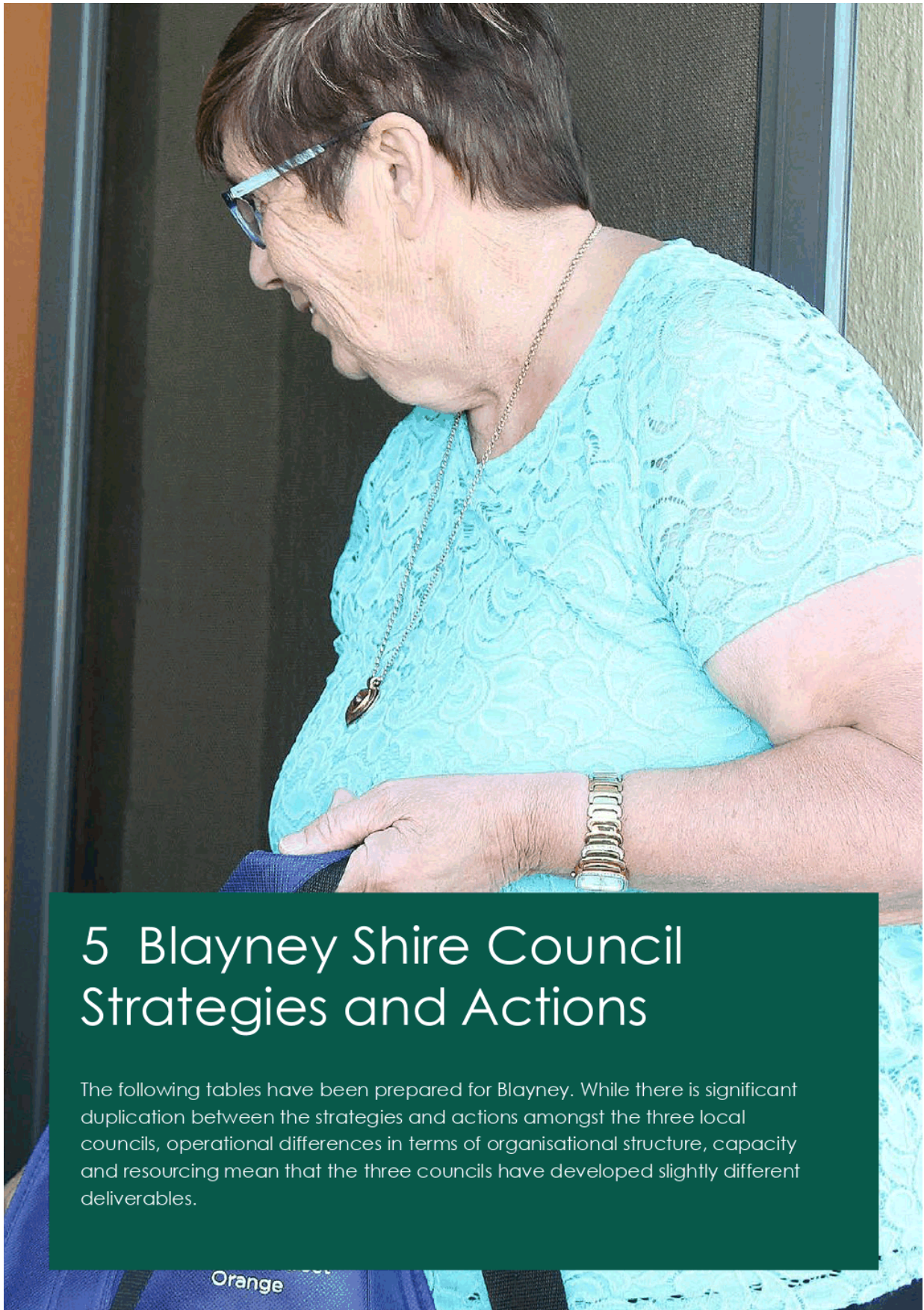
- Ensuring community programs and events are accessible through early consideration of venues, transport, toilets, parking

### **Information and understanding (Systems and Processes)**

- Ensuring all information is available in different formats for all abilities.
- Access to communication supports such as hearing loops, touch screens, and translation services
- Knowing that there are ways to provide feedback and mechanisms for inclusion and accessibility e.g. Council access advisory committees.

### **Other Issues (What worries you when accessing local shops?)**

- Trip hazards
- Sensory overload
- Accessibility – wide entry/aisles, ramps, travelators/escalators, parking



## 5 Blayney Shire Council Strategies and Actions

The following tables have been prepared for Blayney. While there is significant duplication between the strategies and actions amongst the three local councils, operational differences in terms of organisational structure, capacity and resourcing mean that the three councils have developed slightly different deliverables.

Orange

Community attitudes and behaviours					
Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
Improve community attitudes and awareness of access issues and disability inclusion.	Promote access awareness and deliver community education around disability inclusion.	ES		A minimum of two promotional items are to be circulated annually.	Annually
	Include features in Council's communications to the community about accessibility in and around the Shire.	ES		Include accessibility in at least one community newsletter/Council notices page annually.	Annually
	Funds are allocated for Council's Access Incentive Scheme to improve access to local businesses and community organisation premises.	PES		Annual funds made available in Council's annual Operational Plan.	Annually
	Promotion and administration of Council's Access Incentive Scheme to improve access to local businesses and community organisation premises with Main Street hospitality outlets prioritised.	PES		Minimum of 2 external advertisements / promotion of program. Minimum of 2 businesses and / or community facilities upgraded each year subject to receipt of applications that satisfy guidelines.	Annually  Annually
	Review, update and promote the Missed Business Brochure to local businesses	CS		Missed Business Brochure updated and promoted to businesses in the Blayney Shire.	Annually
Ensure consultation, support and assistance to local groups and organisations that support and / or advocate on behalf people with a disability.	Work with the Disability Inclusion Working Group to advocate for improved access and inclusion for people living with a disability or lived experience of disability.	CS		The Disability Inclusion Working Group meet at 2 times per annum.  Minutes of Working Group reported to Council meeting.	Annually

Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
	Council supports engagement of service providers and advocates through the Blayney Interagency.	CS		Council provides access to a meeting facility and a Council officer in attendance.	Annually

### Building Liveable Communities

Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
Plan for connected and accessible pedestrian networks in each township.	Implementation of Active Movement Strategy that leads to the provision of suitable pathways.	IS		Active Movement Strategy reviewed and implementation commenced.	Annually
Increase number of continuous accessible paths of travel in town and village centres and to key destinations per Active Movement Strategy.	Implement projects, that include footpaths, road crossings and kerb ramps, identified in the Active Movement Strategy and apply for Grant funding for any other priority accessibility projects.	IS		Delivery of scheduled priorities identified in the Active Movement Strategy.	Annually
Plan and deliver amenities to enable access for all.	Implement a program to improve our accessible public toilets.	IS		Public toilets meet Access to Premises Standards.	Ongoing
Plan for infrastructure that is accessible for all.	Encourage universal design in planning of new housing, infrastructure and buildings.	PES		Facilities and infrastructure meet Access to Premises Standards.	Ongoing
	Undertake improvement of accessible parking within Blayney Shire.	IS		2018 Blayney Shire audit of accessible car parking audit updated and improvement plan developed.	2023

Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
				Accessible options investigated including costings for car parks created in or near Gold Street Park Mandurama and within Carcoar.	2025
Increase access and inclusion to Council services and facilities.	A range of online and hard copy resources are provided at the Blayney Library to meet the diversity of needs in community.	CS (CWL)		Inclusive resources including large print books and audio books available for issue.	Ongoing
	Community Centre is available for accessible activities and events.	ES		Concessional access provided subject to compliant application with Community Financial Assistance policy.	Ongoing
	Centrepoin provides access for all.	PES (YMCA)		Concessional entry NSW Companion Card holders.	Ongoing
	Consider the particular needs of children living with a disability in the design, layout and security of parks and playgrounds.	IS		Playgrounds are safe and inclusive.	Annually
	A range of online and hard copy resources are provided at the Blayney Library to meet the diversity of needs in community.	IS		Active Movement Strategy reviewed and implementation commenced.	Annually
Increase participation of people living with a disabilities in events, festivals and activities.	Promote inclusion for events held in the Blayney Shire.	CS		Include and review information about making events accessible in responses to Event Management Applications.	Annually



Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
	Investigate potential solutions for feedback and review of events to assist event organisers to make events more accessible.	CS		Solution for feedback and review of events identified and subject to cost, implemented.	Annually

### Creating Meaningful Employment Opportunities

Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
Improve Council employment conditions and opportunities for people living with a disability.	Establish flexible work practices to encourage an inclusive working environment.	ES		Flexible work practices implemented.	Ongoing
	Provide disability awareness training to staff and Councillors.	ES		Staff and Councillors and have completed training.	Each Council term
Ensure Council recruitment process is accessible for people living with a disability.	Review and update the recruitment process to ensure it is accessible for people living with a disability.	ES		Review undertaken and improvements made to promote inclusion.	Annually
	Promotion of Council as an Equal Employment Opportunity employer with all vacancies.	ES		Council positions vacant promote Council as an Equal Employment Opportunity employer.	Ongoing
Identify opportunities to procure goods and services from businesses in the region who employ people living with a disability.	Review procurement procedure to identify options to procure goods and services from identified businesses.	CS		Procedure reviewed and list developed and used within Council.	2023

Enhancing Systems and Processes to Improve Access					
Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
Ensure Council communication and customer service is accessible to all.	Apply access and inclusion principles to Council's communication channels.	ES		Council communication is accessible.	Ongoing
	Information is provided in an easy to read and accessible format.	ES		Promotional material presented in an accessible format.	Ongoing
	Promote Council's implementation of access and inclusion principles and recognise the rights and contribution of people living with a disability in the community.	ES		Promotion of Disability Inclusion Action Plan is undertaken.	Ongoing
	Ensure website conforms to Web Content Accessibility Guidelines conformance level AA.	CS		Website to conform to Web Content Accessibility Guidelines.	2023
	Council meetings are livestreamed to provide an alternative for attendance at meetings in person.	CS		Council meetings are livestreamed.	Ongoing
Ensure a coordinated approach to disability and inclusion is adopted and maintained across all departments of Council.	Staff to be familiar with the Disability Inclusion Action Plan ensuring a coordinated approach to disability inclusion is maintained across the organisation.	CS		Disability Inclusion Action Plan is promoted on Council Intranet.	Ongoing
				Disability Inclusion Action Plan is circularised for reinforcement and status updates / outcomes.	Semi - Annual

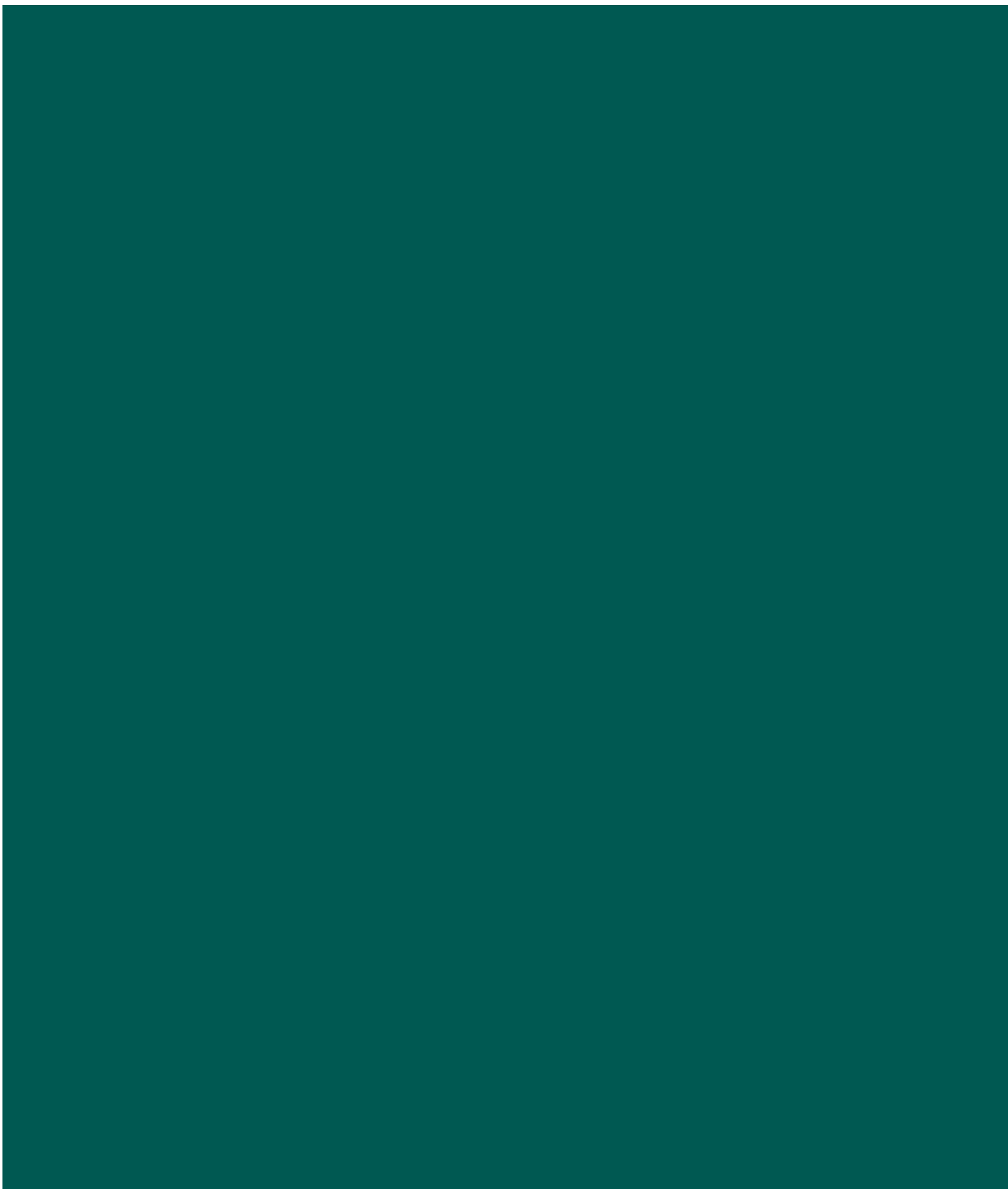
Strategy	Actions	Responsibility	Community Strategic Plan Reference	Outcome	Timeframe
Ensure recognition of the Disability Inclusion Plan in Council's IP&R documentation.	Council's Disability Inclusion Plan is acknowledged in Council's Delivery Program and Annual Operational Plan.	CS		Council's Delivery Program and Annual Operational Plan includes acknowledgement of Council's Disability Inclusion Action Plan.	Annually



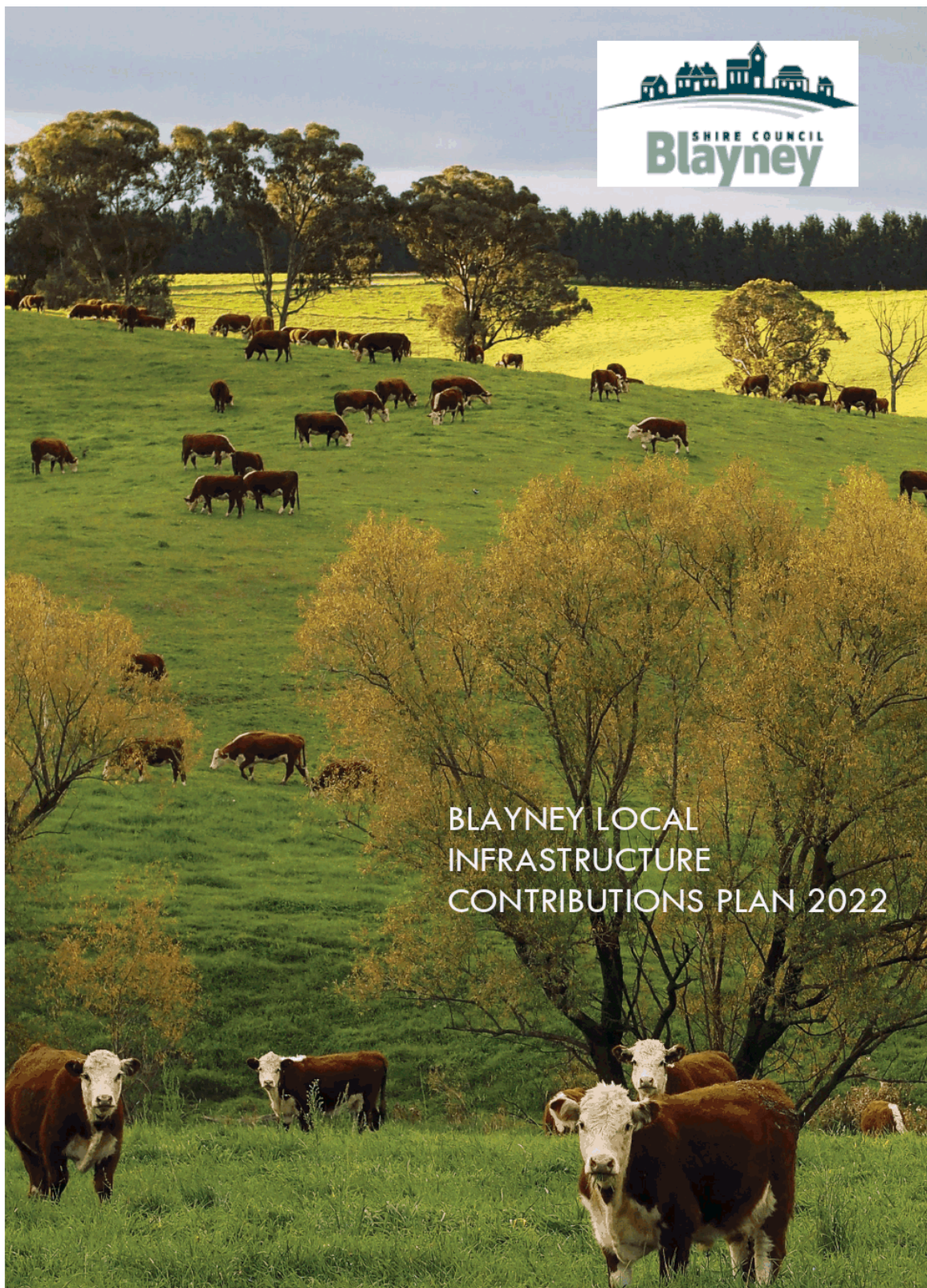
## 6 Monitoring and Reporting

Council will continue to work towards the creation of an inclusive community. It is a legislative requirement that the process of the Disability Inclusion Action Plan is included as part of the Annual Report and sent to the Minister.

A summary of achievements and highlights will be prepared and provided to the NSW Disability Council as required under the Disability Inclusion Act.



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**Prepared for**



**By**



Date of final issue: Click or tap here to enter text.  
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Project Number: 11752

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**Document History and Status**

Version	Issue To	Qty	Date	Prepared by	Reviewed by
1e	Andrew Muir	e-1	14/09/22	JON/ES	GN
2e	Andrew Muir	e-2	24/09/22	JON	JON

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## Appendices

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Appendix B: Infrastructure demand and the calculation of the contribution rates
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DRAFT



## Glossary of terms and abbreviations

Words and phrases used in this plan have the same meaning as the terms defined in the Blayney Local Environmental Plan 2012 or the Environmental Planning and Assessment Act 1979, except as provided for below.

**Bedroom** means any room or space within a dwelling capable of being used as or converted to a bedroom.

**Complying development** has the same meaning as in the [EP&A Act](#).

**Complying Development Certificate (CDC)** has the same meaning as in the [EP&A Act](#).

**Consent authority** has the same meaning as in the [EP&A Act](#) but also includes a registered certifier responsible for issuing a CDC.

**Council** means Blayney Shire Council.

**CSP** means Community Strategic Plan.

**Development** has the same meaning as in the [EP&A Act](#).

**Development application** has the same meaning as in the [EP&A Act](#).

**Development consent** has the same meaning as in the [EP&A Act](#).

**Dwelling** has the same meaning as in Blayney Local Environmental Plan 2012.

**DPE** means the Department of Planning and Environment

**EP&A Act** means the NSW Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the NSW Environmental Planning and Assessment Regulation 2021.

**ESA** means the Equivalent Standard Axles, which is a measure used to describe the life of a section of road.

**GFA** means gross floor area.

**Heavy haulage development** means any of the following developments that are defined in the Blayney Local Environmental Plan 2012:

- (a) extractive industry,
- (b) forestry,
- (c) landscaping material supplies,
- (d) industry,
- (e) mining,
- (f) rural industry,



(g) timber yards, and  
any other development that involves the movement of laden heavy vehicles

**LGA** means local government area.

**Local infrastructure** means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.

**Minister** means the Minister for Planning

**Planning agreement** has the same meaning as in [section 7.4](#) of the EP&A Act.

**Registered certifier** has the same meaning as in the [EP&A Act](#).

**Residential accommodation** has the same meaning as in Blayney Local Environmental Plan 2012.





## Plan summary

Future development in the Blayney Local Government Area (LGA) will create a need for and increase the demand for local infrastructure.

Developers of land will be required to make monetary contributions toward the provision, extension or augmentation of local infrastructure to meet those increased demands.

This will be done by contributions being imposed on developments under section 7.11 (s7.11) or section 7.12 (s7.12) of the Environmental Planning and Assessment Act 1979, in accordance with this plan.

This plan authorises a consent authority – including the Blayney Shire Council, a planning panel, or a registered certifier - to require contributions from developers of land to provide for extra local infrastructure needed by new development throughout the Blayney LGA.

Registered certifiers are responsible for calculating the contribution for complying development as shown in this plan and imposing a condition in the Complying Development Certificate (CDC). Details of the responsibilities of registered certifiers are included in section 3.5.

This plan also includes information on the following key matters:

Table 1: Key matters addressed in the plan

Matter	Section of plan
The contribution rates to be used in calculating contribution amounts	Table 2
The types of contributions that apply to different types of development	Sections 1.2 and 1.4
Development that is exempted from contributions or levies	Section 1.3
How to calculate a contribution amount for any individual development, including worked examples	Sections 2.1, 2.2, Appendix C
How contribution rates and amounts will be adjusted for inflation	Section 3.3
When contributions are to be paid	Section 4.1
The obligations and responsibilities of registered certifiers in imposing and arranging payment of contributions	Sections 3.5, 3.6
How to pay a contribution	Section 4.3
Alternative ways of settling a contributions obligation, other than by paying money	Sections 4.4, 4.5
Transitional arrangements for applications lodged but not yet determined when the plan commenced	Section 5.1



Matter	Section of plan
The infrastructure to be funded by the plan, including costs, location, staging and priority	Appendix A
How the s7.11 contribution rates were derived	Appendix B

### Summary of contribution rates

The contribution rates that apply to development are as shown below.

Table 2: Contribution rates for development types

Contribution type / Development type	Levy rate
S7.11 contributions	
Residential accommodation development resulting in additional dwellings or lots	\$9,296 per dwelling or lot
Heavy haulage development	\$0.52 per ESA per km of regional sealed road \$0.66 per ESA per km of local sealed road \$0.52 per ESA per km of local gravel road
S7.12 levies	
Where the proposed cost of carrying out the development:	
<ul style="list-style-type: none"> <li>is more than \$100,000 and up to and including \$200,000</li> </ul>	0.5% of than cost
<ul style="list-style-type: none"> <li>is more than \$200,000</li> </ul>	1.0% of that cost

Notes:

- (1) Refer to development exemptions in section 1.3
- (2) ESA means equivalent standard axles



## How to use this plan

To work out whether a development is subject to a contribution under this plan:

- Follow the steps in **Figure 2**. If the development meets the criteria for development, then the development is subject to a contribution under this plan.
- If the entire development is a type of development listed in section 1.3 then the development is exempted from contributions under this plan. If only a part of the development is a type of development listed in section 1.3 then only that part of the development is exempted contributions under this plan.

To calculate an estimated contribution for a certain development under this plan:

- Determine whether the proposed development is subject to development contributions- refer to section 1.2 of this plan.
- If the development is for residential accommodation or heavy haulage development, then calculate the s7.11 contribution by following the steps in section 2.1.
- For all other development calculate the s7.12 contribution by following the steps in section 2.2.
- If the development includes both residential accommodation and other development, then either a s7.11 or a s7.12 contribution will apply to the development. Follow the steps in section 1.4 and Figure 2 to determine the contribution that applies and the contribution amount.

If you wish to settle a contribution obligation that was imposed under this plan:

- Contact Council's customer service staff and request an adjusted (indexed) contribution amount.
- Pay the amount as per the requirements in section 4.3, or
- In the case of deferred payment, follow the requirements in section 5.5, or
- Propose an alternative settlement option as per the requirements set out in section 4.4.

To find out what infrastructure is planned to be provided using contributions collected under this plan:

- Refer to the works program and works location maps in Appendix A.





## 1 Is a contribution required?

### 1.1 Where this plan applies

This plan applies to all land in the Blayney LGA.

### 1.2 What development does this plan apply to?

Subject to section 1.3 of this plan, this plan applies to the following development types:

- (a) Residential accommodation development that will or is likely to require the provision of or increase the demand for local infrastructure within the Blayney LGA.
- (b) Heavy haulage development that will or is likely to accelerate the deterioration of the pavements on council roads.
- (c) Development that is not included in (a) or (b) above that has a proposed cost of development of more than \$100,000.

### 1.3 What development is exempted from contributions or levies?

The following development is exempt from s7.11 contributions or s7.12 levies identified in this plan:

- Residential accommodation development that either:
  - does not involve the creation of an additional developable lot or an additional dwelling, or
  - is not likely to result in a net increase in residents
- Affordable housing provided by a social housing provider
- Any development exempted by direction made by the Minister under s7.17 of the EP&A Act.

Applicants seeking an exemption should say how their development is consistent with the relevant exemption in their development application. If Council is satisfied the development is consistent with the relevant exemption, it will exclude the development from payment of a contribution. In the case of complying development, Council will need to verify any exclusions granted in writing.

### 1.4 What contribution type applies to different developments?

Residential accommodation developments identified in section 1.2(a) will be subject to condition requiring a contribution imposed under s7.11 of the EP&A Act. Refer to **Table 2** for the contribution rates that apply.

Heavy Haulage Developments identified in section 1.2(b) will be subject to condition requiring a contribution imposed under s7.11 of the EP&A Act. Refer to **Table 2** for the contribution rates that apply.

Other developments identified in section 1.2(c) will be subject to a condition requiring the payment of a levy under s7.12 of the EP&A Act. Refer to **Table 2** for the levy rates that apply.



Where a single development application comprises residential accommodation development and another type or types of developments, either a s7.11 contribution or a s7.12 levy will be imposed. The following method will be used to determine the type and amount of contribution:

- if application of a s7.12 levy to the whole development yields a higher contribution amount than application of a s7.11 contribution to the whole development, then a s7.12 levy calculated on the whole development shall be imposed; or
- if application of a s7.12 levy to the whole development yields a lower contribution amount than application of a s7.11 contribution on the whole development, then a s7.11 contribution shall be imposed.

**Figure 1** shows the process for determining if contributions apply to development under this plan, and if so, what type of contribution.

Note that any single development can only be the subject of either a section 7.11 contribution or a section 7.12 levy, not both.

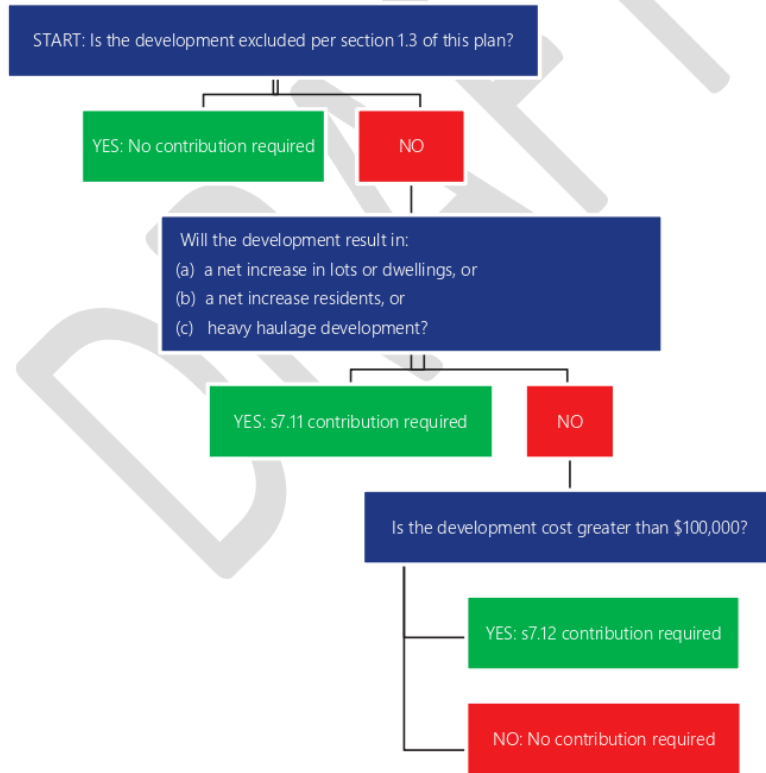
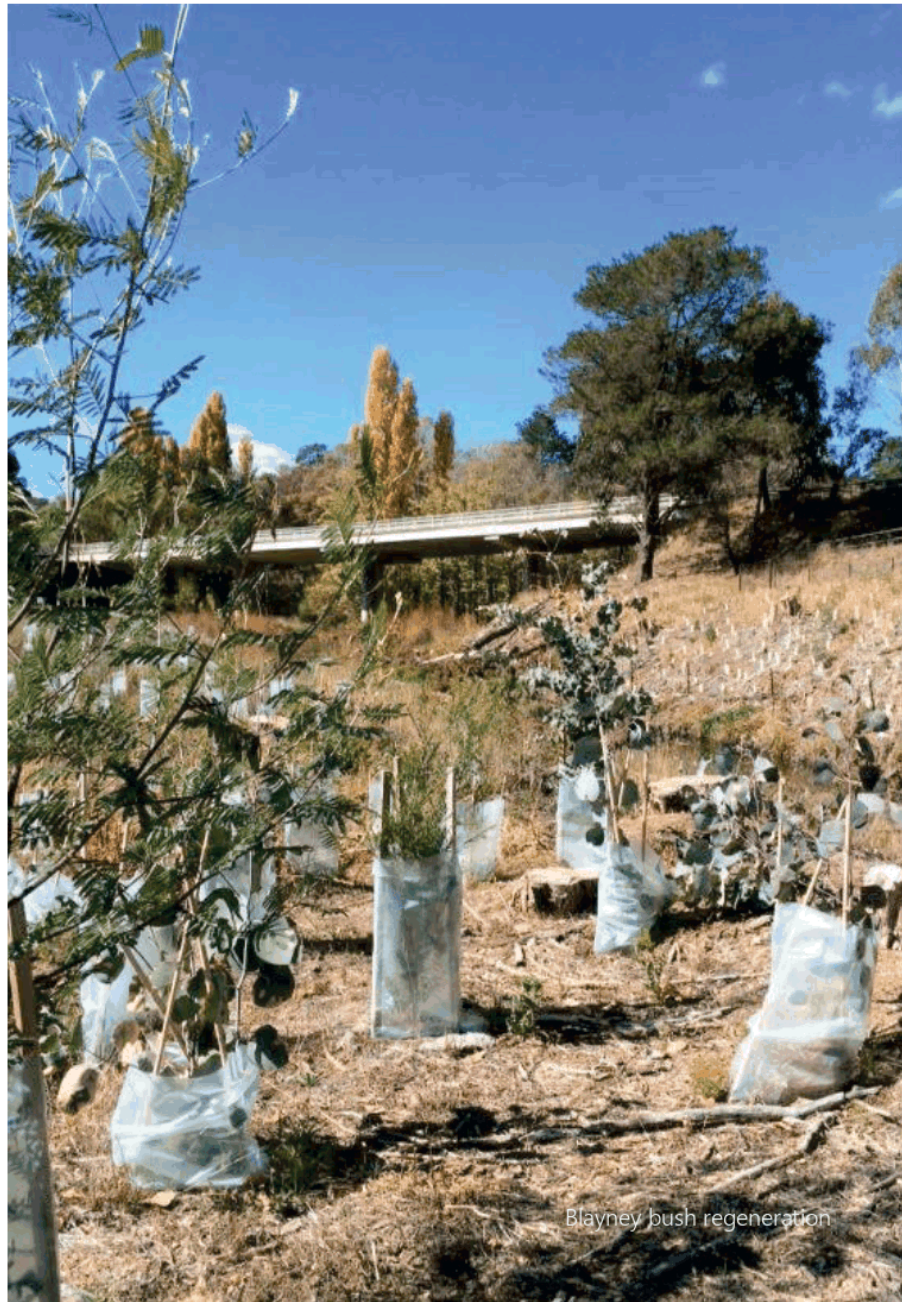


Figure 1 Process to determine when a contribution is required





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Blayney CP 2022 v2 September 2022





## 2 Calculating the contribution amount

### 2.1 Calculating a s7.11 contribution

#### Residential accommodation development

For the consent authority to impose a s7.11 contribution on residential accommodation development, the development must be likely to result in either:

- a net increase in developable lots, or
- a net increase in dwellings, or
- a net increase in the number of residents on the site.<sup>1</sup>

The determination of whether there is a net increase in the number of residents is based on the occupancy assumptions in **Table 3**.

For development sites that contain existing residential development or that have been subdivided for residential development, a credit for the existing infrastructure demand (based on the assumed existing population) will be applied to determine whether there is a net increase in population. The credit applied will be based on the rates shown in Table 3.

Table 3: Assumed occupancy rates for calculation of contributions and demand credits

Residential accommodation type	Assumed occupancy rate
Vacant allotments that have a dwelling entitlement	2.5 persons per dwelling
Attached dwellings, dual occupancies, dwelling houses, group homes, multi dwelling housing, residential flat buildings, rural workers' dwellings, secondary dwellings, semi-detached dwellings, seniors housing (independent living units), shop top housing	2.5 persons per dwelling
Boarding houses, co-living housing, hostels	1 person per bed

If there is a net increase in demand, then the monetary rate in **Table 2**, indexed in accordance with section 3.3, is used to determine the contribution amount. Council will publish the latest indexed s7.11 rates on its website.

The contribution amount is the difference between the contribution calculated for the proposed residential accommodation development and the credit contribution amount deemed to apply to any existing residential accommodation development, i.e.

$$\text{s7.11 contribution (\$)} = \$ \text{Contribution Dev} - \$ \text{Contribution Credit}$$

<sup>1</sup> Net increase in population means the number of residents on the site post development will likely be greater than the assumed existing number of residents on the development site.



Where:

**\$ Contribution Dev** is the \$ amount determined by multiplying the number of proposed dwellings or lots by the contribution rate shown in **Table 2**.

**\$ Contribution Credit** is the \$ amount determined by multiplying the number of existing dwellings or lots by the relevant contribution rate shown in **Table 2**.

The above amounts for boarding houses, co-living housing, hostels will be determined by the number of existing or proposed beds in these developments and converting the rate shown in **Table 2** from a per lot amount to a per person amount.

See worked examples in Appendix C that show how this applies in practice.

### Heavy haulage development

For a consent authority to impose a s7.11 contribution on developments that will transport materials or goods, the development must be likely to result in accelerated deterioration of the pavements that are part of the local road network.

The contribution that applies to a development is calculated using the rates shown in **Table 2**.

The formula for determining a contribution for heavy haulage development is:

$$\text{s7.11 contribution (\$)} = \frac{\$R_{life} \times ESA \times R_{length}}{R_{life}}$$

Where:

s7.11 contribution (\$) is the monetary contribution payable by the development for a period of time,

$\$R_{life}$  is the standard cost of road type per kilometre over the design life in dollars,

ESA is the number of ESAs generated by the development for a period of time (as recorded by a traffic classifier),

$R_{life}$  is the assumed design life of a road in ESA

$R_{length}$  is the length of sealed or unsealed road travelled by the development's laden heavy vehicles estimated at the time of the development application, in kilometres.

A more detailed description of the formula calculation is provided in Appendix B of this plan.

### 2.2 Calculating a s7.12 fixed development consent levy

The total levy amount imposed on any individual development is calculated by multiplying the applicable contribution levy by the proposed cost of the development.

That is:



$$s7.12 \text{ contribution } (\$) = \% \text{ Rate} \times \$\text{Cost Dev}$$

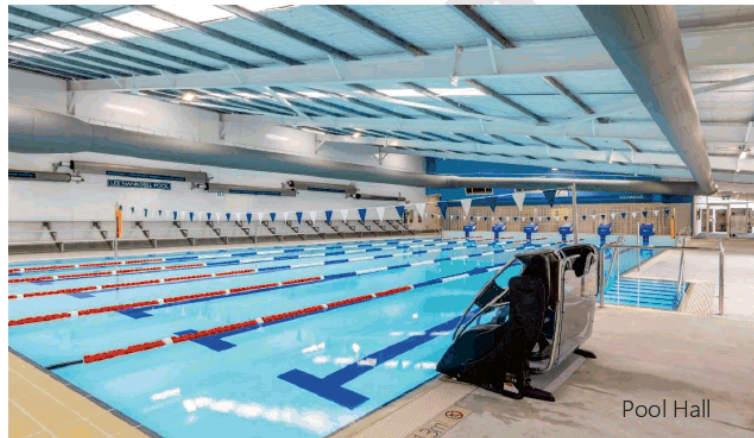
Where:

**% Rate** is the relevant rate that applies to the development as shown in **Table 2**.

**\$ Cost Dev** is the proposed cost of carrying out the development.

Section 7.12 levies are calculated as a percentage of the cost of development. Clause 208 of the EP&A Regulation sets out how the proposed cost of carrying out development is determined.

There is no allowance for assumed existing infrastructure demand (or credit) in the calculation of any s7.12 levy.





### **3 Imposing the contribution**

#### **3.1 Monetary contributions**

This plan authorises the Council or a registered certifier, when determining an application for development or an application for a complying development certificate, and subject to other provisions of this plan, to impose a condition requiring either a monetary contribution under s7.11 or a levy under s7.12 of the EP&A Act on that approval for:

- the provision, extension or augmentation of local infrastructure to be provided by Council; and
- the recoupment of the previous costs incurred by Council in providing existing local infrastructure.

The condition will specify the contribution amount payable and how the contribution amount will be adjusted over time to address the effects of inflation.

#### **3.2 Land contributions**

This plan authorises the consent authority, other than a registered certifier, when granting consent to an application to carry out development to which this plan applies, to impose a condition under s7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for the provision, extension or augmentation of local infrastructure to be provided by Council.

A consent authority may exercise this authority where the land to be dedicated is land identified in the works schedule in Appendix A.

#### **3.3 S7.11 contributions will be imposed in accordance with indexed rates**

To ensure that the value of s7.11 contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this plan authorises that contribution rates will be adjusted over time.

Council will - without the necessity of preparing a new or amending contributions plan - make changes to the s7.11 contribution rates set out in this plan to reflect quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics. The base period for the adjustment of contribution rates in line with movements in CPI is the June 2022 quarter.

Council will publish the latest indexed s7.11 rates on its website.

#### **3.4 Cost Summary Reports must be provided before imposing s7.12 levies**

Where a s7.12 levy is required to be imposed under this plan, the development application or application for a CDC is to be accompanied by a Cost Summary Report prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development.



The Cost Summary Report is to be prepared in accordance with the format included in Appendix D.

The persons approved by the Council to provide an estimate of the proposed cost of carrying out development:

- where the applicant's estimate of the proposed cost of carrying out the development is less than \$1,000,000 – any building industry professional suitably qualified; or
- where the proposed cost of carrying out the development is more than \$1,000,000 – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Council will validate all Cost Summary Reports before they are accepted using a standard costing guide or other generally accepted costing method. Should the costing as assessed by Council be considered inaccurate, Council may, at its sole discretion and at the applicant's cost, engage a suitably qualified person to review a Cost Summary Report submitted by an applicant.

### 3.5 Complying development

Registered certifiers are responsible for calculating the contribution for complying development as shown in this plan and imposing a condition in the complying development certificate requiring the contribution. Certifiers are to follow the following processes:

This plan requires that, in relation to an application made to a registered certifier for a CDC:

- the registered certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if a contribution is authorised by this plan; and
- the amount of the monetary contribution that the registered certifier must impose is the amount determined in accordance with this section and other relevant sections of this plan; and
- the terms of the condition be in accordance with this section.

#### Procedure for determining a s7.11 contribution amount

The procedure for a registered certifier to determine the amount of the s7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit under s7.11(6) of the EP&A Act ( i.e. '**\$ Contribution Credit**' that appears in the formula in section 2.1 of this plan), or an exemption of part or the whole of the development under section 1.3 of this plan, the registered certifier must:
  - (a) make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and
  - (b) in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.
2. Determine the contributions in accordance with the rates included in **Table 2** of this plan, as indexed quarterly and published on Council's website, accounting for any exempted development specified in section 1.3 and any advice issued by the Council under paragraph 1(b) above.



3. Subtract any infrastructure demand credit advised by the Council under paragraph 1(b) for any assumed local infrastructure demand relating to existing development.

**Procedure for determining the section 7.12 levy amount**

1. Complying development for development other than residential accommodation subject to a s7.11 contribution, will be subject to a s7.12 levy under this plan.
2. Determine the section 7.12 levy in accordance with the Cost Summary Report prepared by or on behalf of the applicant under section 3.4 of this plan using the rates included in **Table 2** of this plan and taking consideration any exempt development specified in section 1.3.

**Terms of a section 7.11 or 7.12 condition**

The terms of the condition requiring a section 7.11 contribution for complying developments are as follows:

Contribution

*The developer must make a monetary contribution to Blayney Shire Council in the amount of \$ [insert amount] for the purposes of the local infrastructure identified in the Blayney Shire Local Infrastructure Contributions Plan 2022.*

Indexation

*The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the provisions of Blayney Local Infrastructure Contributions Plan 2022.*

Time for payment

*The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by section 156 of the Environmental Planning and Assessment Regulation 2021. Deferred payments may be accepted in certain circumstances and will need to be secured by bank guarantee. Refer to Blayney Local Infrastructure Contributions Plan 2022 for Council's policy.*

Works in kind agreement

*This condition does not need to be complied with to the extent specified if any planning agreement or works in kind agreement is entered into between the developer and the Council.*

**3.6 Construction certificates**

It is the responsibility of a registered certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or development consent.



The registered certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where works in kind, material public benefit, dedication of land and / or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.







## **4 Paying the contribution**

### **4.1 When to pay**

A monetary contribution is to be paid at the time specified in the condition in the approval.

Generally, the condition will provide for payment as follows:

- For development where no further approvals are required – before the development consent is issued.
- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required the contribution must be paid prior to the release of the construction certificate.
- For works authorised under a CDC, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 156 of the EP&A Regulation.

### **4.2 Indexation**

A s7.11 monetary contribution amount required by a condition of development consent under this plan, will be indexed between the date of the consent and the date of payment in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Similarly, the proposed cost of carrying out development the subject of a s7.12 levy is to be indexed between the date of the consent and the date on which the contribution is paid in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

### **Modification of consents**

If Council grants consent to a modification application under s4.55 or the EP&A Act and the applicant has already paid the original contribution, Council will only index the contribution required for the modified part of the development. If the original contribution has not been paid, Council will index the contribution for the whole development (including the modification).



#### **4.3 How to pay**

When applicants are required to pay their contributions, they should contact Council.

Council will provide a receipt to confirm the payment. A copy of the receipt can then be presented to a registered certifier to obtain a construction certificate.

#### **4.4 Alternatives to monetary contributions**

Applicants may offer to dedicate land free of cost or provide works in kind in full or part payment satisfaction of a monetary contribution. Council may choose to accept any offer but is not obliged to do so.

#### **4.5 Works in kind and dedication of land**

S7.11(5) of the EP&A Act allows a s7.11 contribution obligation to partly or fully satisfied by providing a material public benefit.

Council may, at its sole discretion, accept a material public benefit to satisfy a s7.11 condition if that material public benefit is an infrastructure item identified in this plan's works schedule included in Appendix A. Such a public benefit is regarded as 'works in kind'.

If a developer wishes to provide works in kind, then the developer can do so by:

- a. Offering to enter into a planning agreement to undertake the works. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent.
- b. If the developer has already received a development consent containing a s7.11 condition requiring a monetary contribution, the developer may offer to undertake works in kind through a works in kind agreement or offer to dedicate land through a land dedication agreement.

The decision to accept settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council.

#### **4.6 Offers and agreements generally**

Any offer for works in kind should be made in writing to the Council and should be made prior to commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

Offers may be accepted by the Council under the following circumstances:

- Council will generally only accept offers of works or land that are items included in the schedule of local infrastructure in this plan.
- Council determines that the works in kind are, or the land to be dedicated is appropriate and meets a broad community need.



- Any offer for works in kind should, at a minimum, equate to the monetary value of the contribution otherwise required under this plan.

In assessing the request, Council will consider the following:

- Plans and cost estimates of the proposed works are to be prepared by suitably qualified professionals and submitted by the applicant.
- Land proposed to be transferred is to include a site contamination investigation report, remediation works if required and transfer of land fees.
- Ongoing maintenance costs.

Should an offer of works in kind or land dedication be accepted, Council will negotiate the following with the applicant:

- an acceptable standard for workmanship and materials
- frequency of progress works inspections
- the program for completion of the works or the dedication of land
- landscaping management plan
- an appropriate defects liability period.





## **5 Administrative matters**

### **5.1 Commencement and transitional arrangements**

This plan commenced on X.

This plan applies to any development application lodged or complying development certificate that was registered by Council on or after the date this plan commenced.

### **5.2 Relationship to other contributions plans**

This plan repeals the *Blayney Local Infrastructure Contributions Plan 2013*. The repeal of the plan does not affect any conditions of consent that were issued under any previous plans.

### **5.3 Modification of consents with contributions obligations**

The consent authority in its determination of any request to modify a development consent under s4.55 of the EP&A Act may, in addition to the specific modifications sought by the applicant, amend any contributions condition(s) imposed under s7.11 or s7.12 of the EP&A Act included in the development consent.

The consent authority may amend a contribution condition where the contribution calculated for the modified development under the relevant contributions plan is different from the contribution amount payable under the condition as approved in the development consent.

The relevant contributions plan is the plan under which the contributions condition was imposed, including a repealed contributions plan.

### **5.4 Use of contributions collected under this plan and repealed plans**

Council will allocate contributions to local infrastructure as provided in the works program in Appendix A. Council will pool contributions to deliver the works in an orderly and timely manner.

Council will generally use development contributions received under repealed plans for the same infrastructure purpose for which they were collected. Council may also use the contributions received under the repealed plans to fund the works program costs not apportioned to the new population between 2021 to 2036.

### **5.5 Deferred payments**

An applicant entitled to act on a development consent may apply in writing to Council to modify the condition to allow for the deferred or periodic payment of the contribution. Where Council agrees to a deferment, an applicant will be required to provide a bank guarantee from a recognised financial institution for the full amount of the contribution, or the outstanding balance.

Council is mindful of the need to stimulate housing development by the efficient creation of new housing lots in the Shire. Council will therefore consider proposals to defer the payment of part or all s7.11 contributions imposed on residential accommodation developments until the



point of sale of the residential allotments in the development. Acceptance of this type of proposal shall be subject to the following, and any other condition that may be appropriate:

- The applicant providing to Council a bank guarantee by a bank or a financial institution for the full amount of the contribution or the outstanding balance.
- Payment of contributions being made to the Council on an allotment by allotment basis within 30 days of the settlement of the first sale of each allotment.
- The contribution amount paid for each allotment shall be indexed from the date of development consent to the date of payment to reflect quarterly variations in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- Payment of the indexed, total contribution amount for all the allotments shall be made in full within 36 months of the date of release of the subdivision certificate. Where payment is not received for all the allotments within the allotted time, Council will call on the bank guarantee to recoup the total amount that has not been paid.

### 5.6 Pooling of monetary contributions

This Plan authorises monetary contributions paid for different purposes in accordance with the conditions of various Development Consents authorised by this Plan and any other contributions plan approved by the Council from time to time (whether or not such a plan is one that is repealed by this Plan) to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the works schedule to this Plan.

### 5.7 Life of this plan

This plan will operate until either Council has collected contributions for all works items in the works program, or the plan is repealed.

### 5.8 Review of the plan

Council will review this plan annually, or as required to address community needs, Council priorities and changes in relevant legislation.





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**APPENDIX A: INFRASTRUCTURE  
SCHEDULE AND LOCATION MAPS**



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## APPENDIX B: INFRASTRUCTURE DEMAND AND THE CALCULATION OF THE CONTRIBUTION RATES





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## APPENDIX C: WORKED EXAMPLES



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**APPENDIX D: COST SUMMARY  
REPORTS**



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Blayney Shire Local Infrastructure Contributions Plan 2022

Item No.	Facility	Location	Work description	Res./Source	Total Project Costs	Est. mt. funds, V.M.	Total Estimated Council Cost*	Notes	Contribution Rate (per person)	Priority / Stage
B1	Bridges	Manildra	Beraba Way over City Creek - repair	CAPEX Program	\$ 1,900,000	Y	\$ 130,000	Shire wide	\$	2022-2023
B2		Blayney	Liscombes Cr. - resurfacing	CAPEX Program	\$ 930,000	N	\$ 930,000	Shire wide	\$ 116.88	2024-2027
B11	Roads	Blayney	Sub-rural Bridges	\$ 2,085,000	\$	1,042,500	\$	Shire wide	\$ 120.485	2022-2024
B12		Blayney	Widge Rd	\$ 30,920	\$	1,034,314	\$	Shire wide	\$ 211.87	2022-2024
B13		Blayney	Widge Rd (at junction of Liscombes Creek)	CAPEX Program	\$ 200,000	N	\$ 220,000	Shire wide	\$ 27.50	2024-2027
B14		Blayney	Widge Rd	CAPEX Program	\$ 4,000,000	N	\$ 2,000,000	Shire wide	\$ 62.50	2024-2027
B15		Blayney	Widge Rd	CAPEX Program	\$ 470,000	Y	\$ 200,000	Shire wide	\$ 22.00	2022-2024
B16		Blayney	Counting Lane & Mernda at line of initial sealing	CAPEX Program	\$ 200,000	Y	\$ 30,000	Shire wide	\$ 3.75	2022-2024
B17		Lynchflat	North and South Precinct St, North Precinct St	CAPEX Program	\$ 130,000	Y	\$ 30,000	Shire wide	\$ 3.75	2022-2024
B18		Brown's Creek	Brown's Creek Rd	CAPEX Program	\$ 700,000	Y	\$ 38,500	Shire wide	\$ 46.13	2022-2024
B19		Forest Creek	Forest Creek Road	CAPEX Program	\$ 1,200,000	Y	\$ 13,804	Shire wide	\$ 16.23	2022-2024
B20		Manildra	Mernda Lane	CAPEX Program	\$ 1,400,000	Y	\$ 6,842,207	Shire wide	\$ 655.49	2022-2024
B21		Manildra	Mernda Lane	CAPEX Program	\$ 2,300,000	N	\$ 2,300,000	Shire wide	\$ 21.34	2022-2024
B22		Manildra	Mernda Lane	CAPEX Program	\$ 4,490,000	Y	\$ 4,000,000	Shire wide	\$ 290.00	2022-2024
F1	Footpaths	Blayney	Orange Rd / Whitehorse Rd - SP - Blanked St - Mernda at intersection [JMS 1]	CAPEX Program	\$ 290,644	N	\$ 308,708	Shire wide	\$ 38.29	2024-2027
F2		Blayney	Chineses St - FF - Adelaide St - Osnaburg St [JMS 8]	CAPEX Program	\$ 21,842	Y	\$ 56,236	Shire wide	\$ 7.03	2024-2027
F3		Blayney	Beraba River Walk - SP - Stage 4 - Chineses St - Heritage Park [JMS 9]	CAPEX Program	\$ 471,000	Y	\$ 45,120	Shire wide	\$ 5.89	2022-2022
F4		Blayney	Mernda St - FF - Stage 1 - Heritage Park [JMS 11]	CAPEX Program	\$ 30,442	N	\$ 35,496	Shire wide	\$ 4.19	2024-2027
F5		Blayney	Mernda St - FF - Heritage - Bernda Street [JMS 10]	CAPEX Program	\$ 18,325	N	\$ 20,082	Shire wide	\$ 2.51	2024-2027
F6		Blayney	Mernda St - FF - Heritage - Bernda Street [JMS 10]	CAPEX Program	\$ 69,693	N	\$ 70,991	Shire wide	\$ 9.50	2024-2029
F7		Blayney	Mernda St - FF - Heritage - Bernda Street [JMS 10]	CAPEX Program	\$ 23,595	N	\$ 23,452	Shire wide	\$ 3.18	2024-2029
F8		Blayney	Heritage Park - SP - Round Park - Mernda St - Adelaide St [Blayney 12]	CAPEX Program	\$ 17,026	N	\$ 18,764	Shire wide	\$ 2.53	2022-2024
F9		Blayney	Mernda St - FF - Stage 1 - 35A Palace St - Stage 2 [Blayney 13]	CAPEX Program	\$ 43,000	N	\$ 50,000	Shire wide	\$ 6.25	2022-2024
F10		Blayney	Queens St [West 50m] - FF - See Stage 1 - Stage 2 [Blayney 14]	CAPEX Program	\$ 18,326	N	\$ 20,394	Shire wide	\$ 2.53	2022-2024
F11		Blayney	Queens St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 15]	CAPEX Program	\$ 70,091	N	\$ 77,007	Shire wide	\$ 9.63	2022-2024
F12		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 16]	CAPEX Program	\$ 40,323	N	\$ 44,320	Shire wide	\$ 5.54	2022-2024
F13		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 17]	CAPEX Program	\$ 114,499	N	\$ 147,250	Shire wide	\$ 19.48	2022-2024
F14		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 18]	CAPEX Program	\$ 96,252	N	\$ 108,609	Shire wide	\$ 13.28	2022-2024
F15		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 19]	CAPEX Program	\$ 130,113	N	\$ 132,127	Shire wide	\$ 15.13	2022-2024
F16		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 20]	CAPEX Program	\$ 237,454	N	\$ 250,399	Shire wide	\$ 31.27	2022-2024
F17		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 21]	CAPEX Program	\$ 1,033,883	N	\$ 1,139,271	Shire wide	\$ 144.16	2022-2024
F18		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 22]	CAPEX Program	\$ 37,897	N	\$ 41,497	Shire wide	\$ 7.96	2022-2024
F19		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 23]	CAPEX Program	\$ 4,000,000	N	\$ 2,000,000	Shire wide	\$ 250.00	2024-2029
F20		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 24]	CAPEX Program	\$ 46,013	N	\$ 51,934	Shire wide	\$ 6.60	2022-2025
F21		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 25]	CAPEX Program	\$ 118,619	Y	\$ 11,884	Shire wide	\$ 1.49	2022-2025
F22		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 26]	CAPEX Program	\$ 26,849	N	\$ 4,644	Shire wide	\$ 0.21	2022-2025
F23		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 27]	CAPEX Program	\$ 41,500	N	\$ 64,784	Shire wide	\$ 8.09	2022-2024
F24		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 28]	CAPEX Program	\$ 183,616	N	\$ 45,491	Shire wide	\$ 5.69	2022-2024
F25		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 29]	CAPEX Program	\$ 34,800	N	\$ 27,500	Shire wide	\$ 3.44	2022-2024
F26		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 30]	CAPEX Program	\$ 118,916	Y	\$ 11,882	Shire wide	\$ 1.49	2022-2025
F27		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 31]	CAPEX Program	\$ 116,429	Y	\$ 11,633	Shire wide	\$ 2.77	2022-2025
F28		Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 32]	CAPEX Program	\$ 69,306	N	\$ 76,300	Shire wide	\$ 9.62	2022-2029
F29	Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 33]	CAPEX Program	\$ 20,394	N	\$ 22,213	Shire wide	\$ 2.78	2022-2026	
F30	Blayney	Mernda St - FF - Stage 1 - Stage 2 - See Stage 1 - Stage 2 [Blayney 34]	CAPEX Program	\$ 117,193	N	\$ 123,112	Shire wide	\$ 16.14	2022-2026	

Blayney Shire Local Infrastructure Contributions Plan 2022

Item No.	Facility	Location	Work description	Resource	Total Project Costs	Grant Funds V/N Council Cost*	Total Estimated Council Cost*	Means	Contribution Rate (per person)	Priority / Stage
P56		Windsor	Cowood St - FF - Stage 2 - 24x30x60 St - Fence St (Mimihope 98)	CAPEX Program	\$ 24,319	N	\$ 24,319	Shire wide	\$ 7.11	2022-2023
P49		Windsor	Hewitt St - FF - Cowood St - Vic Road St (Mimihope 5)	CAPEX Program	\$ 72,469	N	\$ 72,469	Shire wide	\$ 10.35	2022-2023
P41		Windsor	Woolbach St - FF - Basing - Highway Station (Mimihope 45)	CAPEX Program	\$ 13,777	N	\$ 13,777	Shire wide	\$ 1.88	2022-2023
P42		Windsor	Woolbach St / Sheepskin - FF - Basing - Cowood St (Mimihope 45B)	CAPEX Program	\$ 17,094	N	\$ 17,094	Shire wide	\$ 2.31	2022-2023
P43		Windsor	Woolbach St / Sheepskin - FF - Basing - Cowood St (Mimihope 45B)	CAPEX Program	\$ 17,094	N	\$ 17,094	Shire wide	\$ 2.31	2022-2023
P44		Windsor	Mimihope 45A - Streets after Race Project (Pymadvice's Street)	CAPEX Program	\$ 1,000,000	N	\$ 1,000,000	Shire wide	\$ 140.00	2022-2023
P46		Mimihope	Trinity St / Cowood St - Kell Overbridge - Pedestrian and Overbridge (AMS A&B)	CAPEX Program	\$ 41,796	N	\$ 41,796	Shire wide	\$ 5.77	2022-2024
P47		Mimihope	Trinity St / Cowood St - Kell Overbridge - Pedestrian and Overbridge (AMS A&B)	CAPEX Program	\$ 167,943	N	\$ 167,943	Shire wide	\$ 23.02	2022-2025
P48		Mimihope	Trinity St / Cowood St - Kell Overbridge - Pedestrian and Overbridge (AMS A&B)	CAPEX Program	\$ 49,463	N	\$ 49,463	Shire wide	\$ 6.79	2022-2027
P49		Mimihope	Cricket St / Couch St - FF - Fabric Path - Fa m (Mimihope AMS 3)	CAPEX Program	\$ 30,000	N	\$ 30,000	Shire wide	\$ 4.12	2022-2028
P50		Windsor	Bates Street	CAPEX Program	\$ 50,000	N	\$ 50,000	Shire wide	\$ 6.75	2022-2023
			Subtotal Footpaths		\$ 9,986,153	\$	\$ 9,986,153		\$ 1,136,289	
O31		Blayney	Heritage Part - Amenities Refurbishment	CAPEX Program	\$ 30,000	Y	\$ 30,000	Shire wide	\$ 6.12	2022-2023
O32		Blayney	Cringleton Part - Amenities Refurbishment	CAPEX Program	\$ 30,000	Y	\$ 30,000	Shire wide	\$ 6.12	2022-2023
O33		Blayney	Water Over Flow	CAPEX Program	\$ 10,000	Y	\$ 10,000	Shire wide	\$ 2.12	2022-2025
O34		Blayney	Heritage Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O35		Blayney	Cringleton Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O36		Blayney	Cringleton Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O37		Blayney	Cringleton Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O38		Blayney	Cringleton Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O39		Blayney	Cringleton Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O40		Blayney	Cringleton Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O41		Blayney	Cringleton Part - Amenity Refurbishment	CAPEX Program	\$ 10,000	N	\$ 10,000	Shire wide	\$ 2.12	2022-2026
O411		Windsor	Woolbach St - Community Plaza	CAPEX Program	\$ 1,000,000	Y	\$ 1,000,000	Shire wide	\$ 140.00	2022-2025
O412		Windsor	Woolbach St - Community Plaza	CAPEX Program	\$ 1,000,000	Y	\$ 1,000,000	Shire wide	\$ 140.00	2022-2025
			Subtotal Parks and Recreation		\$ 4,781,000	\$	\$ 4,781,000		\$ 576.28	
W1		Windsor	Sheppards & Binwars Street	CAPEX Program	\$ 1,111,342	\$	\$ 1,111,342	Shire wide	\$ 151.48	2022-2025
C1		Blayney	Blayney Library - Stage 2	CAPEX Program	\$ 1,000,000	N	\$ 1,000,000	Shire wide	\$ 135.00	2022-2024
					\$ 45,565,528	\$	\$ 45,565,528		\$ 3,662.36	

\* Includes 10% contingency

## **B Local infrastructure demand**

Local infrastructure contributions are imposed on developers of land in a council area. The contributions of land, money or works by developers are required by a council to meet the extra demand for council services resulting from new development.

The contributions are imposed on developments through section 7.11 or section 7.12 conditions of consent. Understanding the nexus or relationship between new development and infrastructure is critical for determining s7.11 contributions which are fair and reasonable.

This section discusses the existing and future context for development in Blayney LGA and describes the relationship between anticipated development and the future infrastructure needs in Blayney LGA.

### **B1.1 Expected development**

#### **Settlement and population**

The area is the traditional lands of the Wiradjuri people. Blayney Shire has an area of 1,524km<sup>2</sup> located in the Central Tablelands of New South Wales, approximately 250km west of Sydney.<sup>1</sup> The area is known for its temperate climate, rural landscape, historic villages and supported by mining, value add manufacturing and agricultural industries.<sup>2</sup>

Blayney LGA had an estimated resident population of 7,500 residents in 2021, with the main settlement being Blayney.<sup>3</sup> Other communities include Millthorpe, Carcoar, Mandurama, Neville, Lyndhurst, Newbridge, Hobbys Yards and Barry.

Figure 1 provides a snapshot of the land use, employment, and demographics of Blayney LGA.

Population growth in Blayney has been modest in the past decade. The Blayney Shire Settlement Strategy 2020 forecasts the growth to continue with a projected population of 8,000 people by 2036.<sup>4</sup>

The population of Blayney LGA is aging. In 2021, 39.2% of the population was aged over 50 years. A function of the changing demographic profile is a transition in housing and accommodation needs.

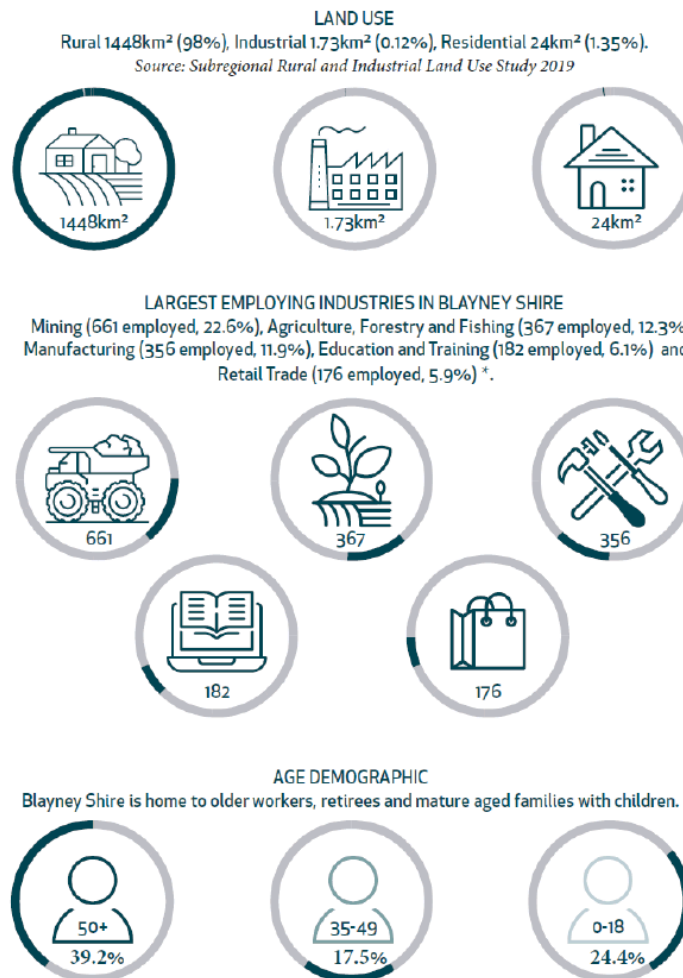
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<sup>1</sup> BSC Local Strategic Planning Statement p10

<sup>2</sup> BSC Local Strategic Planning Statement p10

<sup>3</sup> ABS Census 2021, QuickStats accessed August 2022

<sup>4</sup> Blayney Shire Settlement Strategy 2020, page v and 52 population projection is from Department of Planning 2016. Blayney Shire average annual growth between 2006-2016 was approximately 1.5%



Source: BSC Strategic Planning Statement, page 17 updated with ABC Census 2021 accessed August 2022. \*2021 Census information not available for employment industries.

Figure 1 Summary of land use, employment and demographic statistics

### **Household occupancy rates**

This plan authorises levying contributions on certain residential accommodation developments. The calculation of the contribution for such developments requires the per person rate to be converted to a per dwelling or per lot rate.

The conversion is based on an assumed occupancy rate for the dwellings to be supplied over the life of the plan. The assumed occupancy rate is the average household occupancy rate recorded for private occupied dwellings at the 2021 census – 2.5 persons per dwelling.<sup>5</sup>

### **B1.2 Demand for infrastructure**

Blayney LGA has continued to experience moderate population growth that requires future development. The development will create demand for local infrastructure provided by the Council.

Council has a long-term capital works program that will provide new and upgraded facilities designed to accommodate the needs of the existing and future population of Blayney.

The works that have been identified for delivery include:

- roads and traffic facilities
- footpaths
- parks and recreation facilities
- stormwater drainage

More detail on the types of facilities and the relationship of the infrastructure to development is described in the section below.

Further, Council will levy developments that use council roads for the haulage of materials and goods. Details on the relationship between road maintenance and haulage vehicles is described in the section B2.1.

### **B1.3 Infrastructure strategies for residential accommodation developments**

#### **Roads, bridges, footpaths and stormwater**

Council is responsible for the following transportation assets:

- regional and local roads - 786km
- bridges – 9,059m<sup>3</sup>
- kerb and gutter – 70km
- footpaths: at least 64,071m<sup>2</sup>

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<sup>5</sup> 2021 ABS Census QuickStats, accessed August 2022



Council's capital works program will focus on:

- bridge upgrades and repairs
- road upgrades and resealing
- provision of new footpaths in town centres
- upgrade or augmentation of stormwater infrastructure for public safety.

The works are driven by the total Blayney LGA population, not just new development. Therefore, the costs of these works are to be met by the total future population.

#### **Parks and recreation**

Council provides numerous parks, sportsgrounds and garden facilities including:

- parks and reserves which provide play equipment, barbeques, seating, gardens and amenities
- showgrounds at Blayney and villages
- sports grounds associated with sporting activities

Council's capital works program will focus on upgrades and refurbishment of parks and garden amenities.

The works are driven by the Blayney LGA population as a whole, not just new development. Therefore, the costs of these works are to be met by the total future population.

#### **Buildings and other structures**

Council provides a variety of community buildings including halls, centres, emergency buildings, waste centres and libraries. The works program includes the Stage 2 upgrade to the Blayney Library. The works are driven by the Blayney LGA population as a whole, not just new development. Therefore, the costs of these works are to be met by the total future population.

### **B1.4 Calculation of the contribution rate**

Section 7.11 contributions will be levied on residential accommodation developments that will result in a net increase in population. The contributions are calculated on a per person or per resident basis. The rate per person is then multiplied by the average household occupancy rate to attain a contribution rate per dwelling or lot.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person \$} = \frac{\text{\$ INF}}{P}$$

Where:

- \$INF = The estimated total \$ cost of all the Blayney LGA infrastructure items included in the works schedule, less funds received as government grants
- P = The total estimated resident population (in persons) that will demand the local infrastructure in 2036 (8,000)

The per dwelling or lot amount is determined by multiplying the per person contribution by the average occupancy rate of 2.5 persons per dwelling in section B1.1.

Worked examples for the calculation of contributions for various developments are provided in Appendix C.

### B 2.1 Heavy haulage developments

The Shire of Blayney from time to time receives applications for developments that involve the haulage of material using heavy vehicles. These heavy haulage developments can be located anywhere within the rural areas of the Shire.

Concentrated heavy vehicle movements generated by these developments are known to accelerate deterioration of road pavements that were designed to meet demands of rural rather than industrial development.

Councils are not generally able to impose additional fees, charges or rates to meet the extra costs associated with accelerated deterioration of roads caused by heavy vehicle movements from developments, except for development contributions imposed under the EP&A Act. Council therefore will require contributions from developments that generate significant heavy vehicle movements to meet the additional cost burden of providing and maintaining the affected roads.

#### Works required because of heavy haulage development

The existing LGA road network, apart from the State highways and regional roads, has been generally designed to accommodate the needs generated by rural uses. Blayney Shire Council maintains the rural road types identified in Table 1 below.

Table 1 Blayney Shire road types

Road class category	Description	Road surface
1	Main Arterial	9.0m seal width
2	Shire Arterial	8.0m seal width
3	Main Collector	7.5m seal width
4	Collector	7.0m sealed/unsealed width
5	Access	6.0m sealed width
6	Road reserve/no dwelling access	No standard

Class '1' is part of the NSW State Highway network. These roads are maintained by Council with funding from the NSW Government and are therefore not part of this Plan.

Class '2' and '3' roads are Blayney Shire's arterial/collector roads. They are sealed (hereafter referred to as 'Rs' roads). Class '4' and '5' roads are local roads. They can also be sealed or unsealed (hereafter referred to as 'Ls' and 'Lg'). Class '6' type roads include, but are not limited to, Crown or Council Road Reserves with no formed road structure. These are not maintained by Council and therefore do not form part of this plan. The existing Shire road network is shown in Figure 2 and Figure 3.

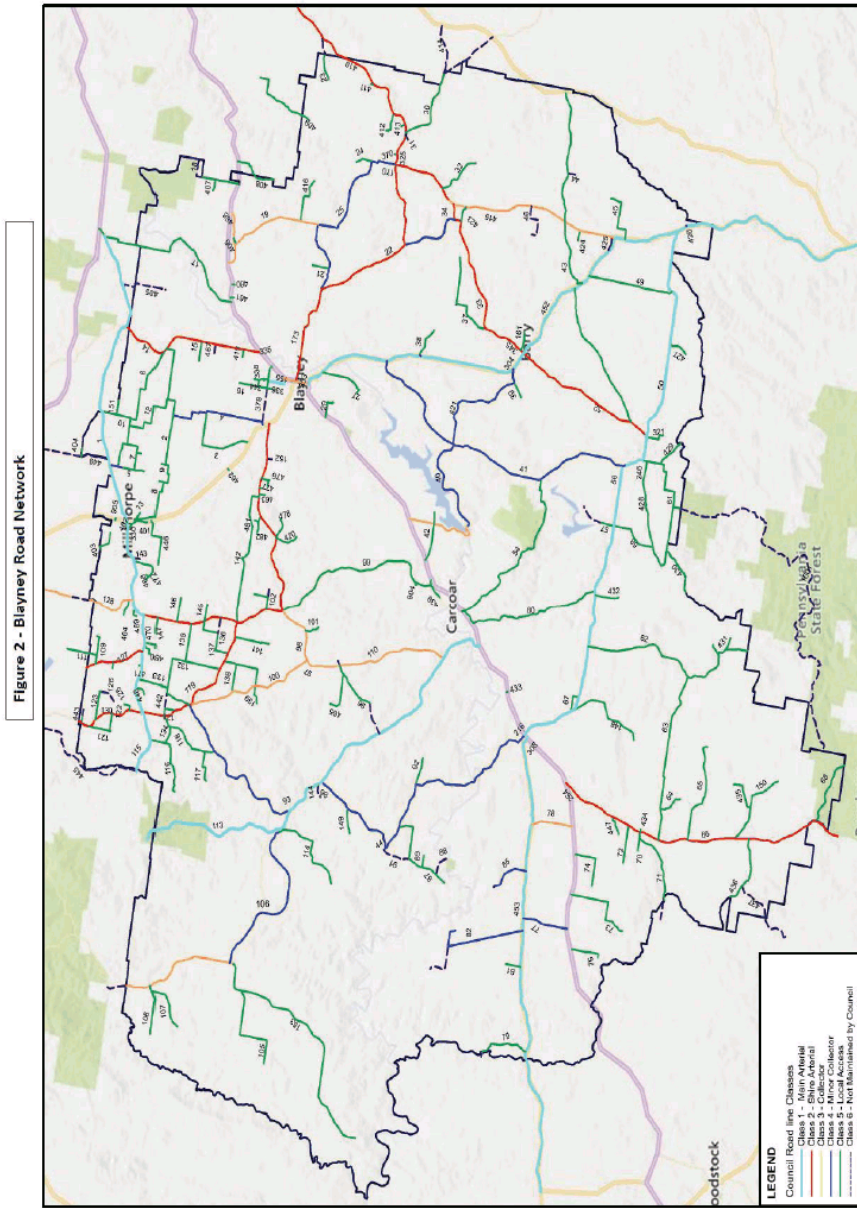
For the purposes of this Plan:

- Type R roads may be used for haulage
- Type L roads may be used for haulage.

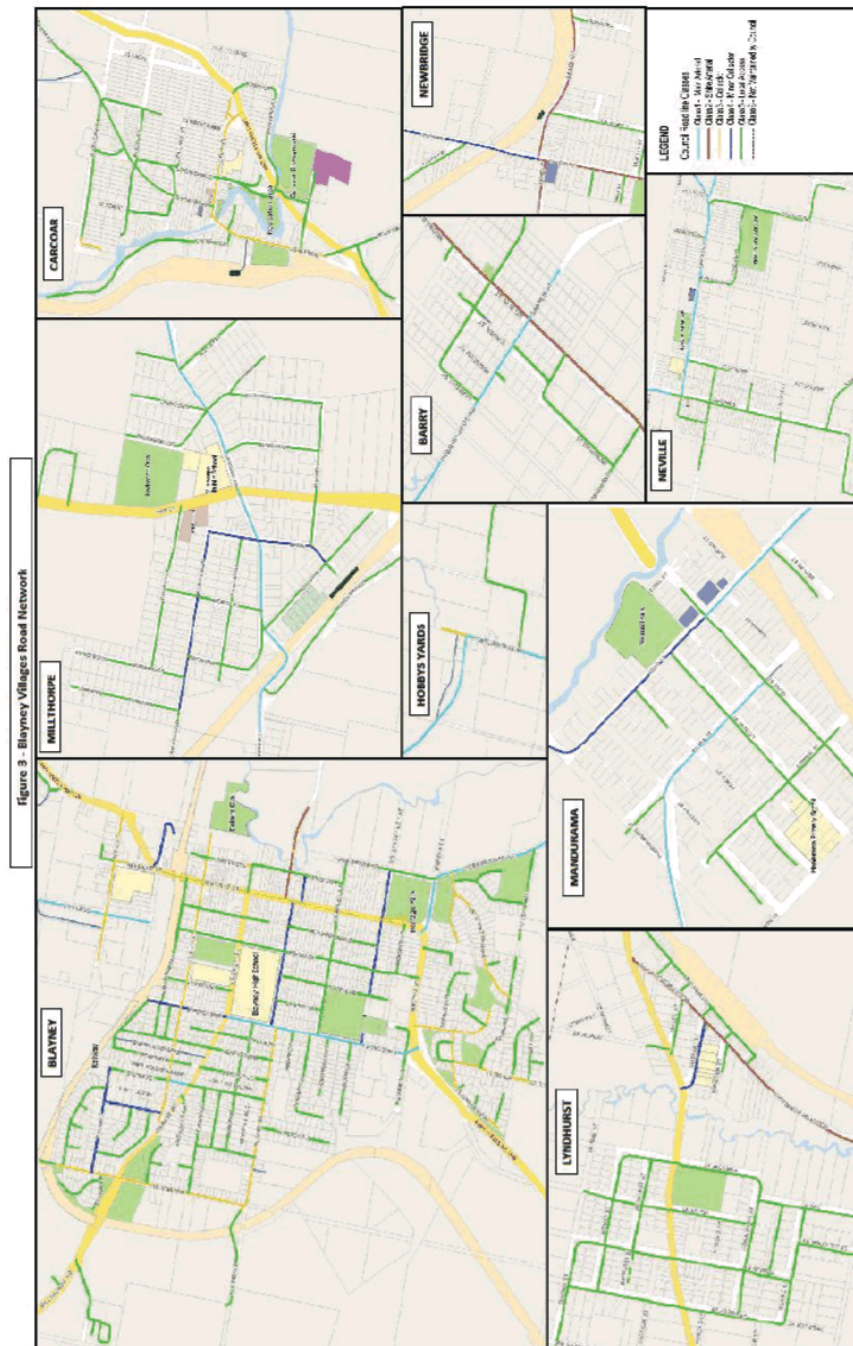
Blayney Shire may accommodate development in the future that will result in accelerated deterioration of the road network. Road surface deterioration is primarily caused by heavy vehicles. Higher numbers of heavy vehicles on roads means Council will need to find additional funds to meet the extra demands placed on the Shire's roads. These funds will be required to maintain the roads to an acceptable standard.

Council considers that it is appropriate for heavy haulage developments to make a reasonable contribution towards the maintenance of roads used for the haulage of goods and materials.





Appendix Infrastructure demand and contribution rates v3  
September 2022



Appendix Infrastructure demand and contribution rates v3  
September 2022

### **The impact of expected development on road maintenance**

Council has a responsibility to maintain the Shire's road infrastructure to an acceptable standard to ensure roads:

- are kept to an appropriate level of safety for the road user
- remain trafficable for the duration of their design life.

The Austroads publication *Guide to Pavement Technology: Part 2 Pavement Structural Design (2010)* documents that the performance of road pavements is "influenced significantly by the heavy end of the traffic spectrum". This effectively means that there is little or no requirement to account for cars or light commercial traffic as far as pavement loadings is concerned. The only effect light vehicles have on the road is in terms of capacity. The performance and subsequent failure of pavements is determinate on heavy vehicle axle passes, the axle loading and the configuration of these axles.

Consequently, any additional heavy vehicle loadings on a public road that may occur due to heavy haulage development will accelerate the deterioration of that road's pavement. The consequence of this additional heavy traffic is that additional maintenance spending will be required due to the extra heavy traffic causing damage sooner. The additional maintenance burdens the road authority with increased monetary spending to maintain the road in a serviceable condition.

This contributions plan is premised on the principle that it is reasonable to expect that additional heavy vehicle users of the road infrastructure should contribute their share of the additional upkeep.

Based on a review of contribution plans from other NSW councils there are various methodologies used to derive a reasonable monetary contribution from heavy haulage developments towards road maintenance costs. The most common methods found are for the purposes of extractive industries and derive a contribution that is based on the amount of material hauled per kilometre of haul route. This method works well for uses where the heavy vehicles have access to a weighbridge. A method based on laden heavy vehicle movements is used in this plan. This is to enable Council to capture objective data on vehicles that may not require or have access to weighbridges.

### **Design life of a standard road**

In pavement design, the damage caused by different axle groups is dependent on the axle spacing, the number of tyres/wheels per axle, the load on the group and the suspension of the vehicle).<sup>6</sup> For design purposes axle groups are broken into 4 types namely:

- single axle with single wheels
- single axle with dual wheels
- tandem axles both with dual wheels
- tri-axles all with dual wheels.

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<sup>6</sup> Austroads 1992 and 2010

For simplicity, the damage to the pavement associated with any axle load is expressed as a 'standard axle'. The standard axle is a single axle with dual wheels that carries a load of 8.2 tonnes.<sup>7</sup> Loads that cause similar damage to a pavement as a standard axle are shown in Table 2.

Table 2 Axle load configurations

Axle configuration	Load (Kilo Newton)
Single axle, single tyre	53
Single axle, dual tyre	80
Tandem axle, dual tyre	135
Tri-axle, dual tyre	181
Quad-axle, dual tyre	221

For the purposes of design, all vehicle class configurations are converted to equivalent standard axles (ESA). The design life of a road pavement can also be expressed in ESA.

Appendix E of the *Austrroads Pavement Design Guide* (2009) provides a methodology for the adoption of ESAs for axle group types in accordance with NSW conditions and road functional classes.

To use Austrroads design tables, roads are provided with a functional class<sup>8</sup>, Blayney Shire will assume a functional class 3 road that is defined as:

A road whose main function is to form an avenue of communication for movements:

- between important centres and the Class 1 and Class 2 roads and /or key towns; or
- between important centres; or
- of an arterial nature within a town in a rural area.

Council uses the Austrroads vehicle classification system<sup>9</sup> to identify heavy vehicle traffic numbers from traffic counters. From this classification system, ESAs for each vehicle class can be calculated using Table E4 in Appendix E of *Austrroads Pavement Design Guide* (1992). The resulting total vehicle ESA for each class is provided in Table 3.

Table 3 Total vehicle ESA per vehicle class

Vehicle class	Vehicle type (Austrroads classification)	ESA per vehicle
1	Car	0
2	Light vehicle with towing/ commercial van	0

<sup>7</sup> Austrroads 1992 and 2010

<sup>8</sup> Roads Hierarchy Renewal and Maintenance Policy 25G

<sup>9</sup> A copy of the vehicle classification system is available from Council.

Vehicle class	Vehicle type (Austroads classification)	ESA per vehicle
3	Two axle truck	1.2
4	Three axle truck	1.6
5	Four axle truck	2.2
6	Three axle articulated truck	1.8
7	Four axle articulated truck	2.2
8	Five axle articulated truck	2.8
9	Six axle articulated truck	2.8 (average)
10	Seven+ axle articulated truck	3.4

For clarity, the above vehicles are assumed to be loaded. If higher order vehicle classes are used by the developer, those vehicles will be assumed to be class 10.

Using the information in Table 3 it is seen that a loaded class 10 vehicle has almost three times the impact of a class 3 vehicle on a road pavement.

The conversions in Table 3 are for the purposes of road design. *Austroads Pavement Design Guide* (1992 and 2010) provide methodologies for the design of both rigid and flexible pavements. Blayney Shire sealed roads are primarily flexible pavements with a sub-base, base and wearing surface of asphalt or bitumen.<sup>10</sup> The wearing surface is generally due for replacement every 10 -15 years at current traffic use.

Austroads Pavement Design Guides contain design tables where pavement design life can be expressed in accordance with design traffic loadings. So, a standard life of pavement can be expressed as ESAs. This means that the life of a pavement can be expressed as the total number of equivalent axles that should pass over it prior to replacement.

The standard life for the haul road types in Blayney expressed as ESA are:

- Rs roads: approximately 2,000,000 ESA over 20 years
- Ls roads: approximately 1,000,000 ESA over 25 years
- Lg roads: approximately 200,000 ESA over 9 years

All laden heavy vehicles on Blayney roads contribute to the deterioration of the road pavement. From the above design methodology, it is also the case that a road pavement has a finite life in terms of ESA. Due to the geographical location of Blayney Shire, there are limited haulage vehicles on the local road at present. Growth of heavy vehicle use on the local roads is limited to growth in the transportation of goods and haulage. Significant increases of heavy vehicles on Council's road

<sup>10</sup> Blayney Shire Council sealed roads standard



network would only likely result from new or expanded heavy haulage development within or adjacent to the Blayney LGA.

Consequently, it is considered reasonable to expect heavy haulage development to contribute towards the maintenance per additional loaded vehicle on Shire roads.

### Costs of maintaining rural roads over the design life

Council's objective in the maintenance of the road network is to provide a functional and efficient network that services community expectations. Shire arterial roads are the highest order road that Council manages and form a key component of the local and wider road network. Local roads predominantly provide access to properties and supply linkages to higher order roads.

A key issue facing Council's road network is ageing infrastructure on narrow, substandard alignments that does not meet current industry or community standards, requiring progressive upgrading. This is particularly exacerbated by the requirement for these roads to carry freight that in turn deteriorates the asset further.

The local road network is predominantly unsealed pavements.<sup>11</sup> Many roads carry less than 50 vehicles per day but require maintenance to retain them in a serviceable condition. Additionally, unsealed roads in and near urban areas that carry greater traffic flows, generate dust nuisance close to residential development and therefore significant maintenance demand.

Council maintains the entire local road network and receives funding to maintain State roads. The local road network is approximately 786 kilometres.

All regional and local roads are funded by Council. Council may apply for and receive Commonwealth Government funding from time to time for upkeep of the local road network. The State highway roads (namely Mid-Western Highway and Millthorpe Road) are maintained by Council with funding from the NSW Government and are therefore exempt from this Plan.

The financial lifecycle of sealed road assets is made up of construction costs, maintenance costs and replacement of the wearing course over the period that the asset was designed to last. Similarly, the financial lifecycle of gravel / natural material road assets comprises of maintenance and gravel re-sheets over the life of the asset, with additional work required if there is significant adverse weather damage from time to time.

The anticipated costs for the various classes of roads are listed in Table 4.

Table 4 Total lifecycle costs for the Blayney road network per road type

Road type	Cost per kilometre	How often?
Arterial/regional Rs		
Rehabilitation	\$764,000	At 20 <sup>th</sup> year
Reseals	\$44,000	At 10 <sup>th</sup> year

<sup>11</sup> Blayney Shire Council Transportation Asset Management Plan 2018 page 9

Road type	Cost per kilometre	How often?
Maintenance	\$12,600	Annual for life
Local Ls		
Rehabilitation	\$432,000	At 25 <sup>th</sup> year
Reseals	\$36,000	At 15 <sup>th</sup> year
Maintenance	\$8,400	Annual for life
Local Lg		
Resheet	\$48,000	At 9 <sup>th</sup> year
Grading	\$6,200	Annual for life

Source: Blayney Shire Council 2022

From this information the total cost of local sealed roads and gravel roads over their respective design lives can be approximated.

The total cost per kilometre of a Rs road is:

$\$maintenance \times 18 \text{ yrs} + \$reseat (@ 10\text{th year}) + \$reconstruction (@20\text{th year})$

$= (\$12,600 \times 18) + \$44,000 + \$764,000$

$= \$1,034,800 \text{ per km}$

The total cost per kilometre of a Ls road is:

$\$maintenance \times 23 \text{ yrs} + \$reseat(@ 15\text{th year}) + \$reconstruction(@ 25\text{th year})$

$= (\$8,400 \times 23) + \$36,000 + \$432,000$

$= \$661,200 \text{ per km}$

The total cost per kilometre of a Lg road is:

$\$maintenance \times 8 \text{ yrs} + \$resheet \text{ gravel} (@ 9\text{th year})$

$= (\$6,200 \times 8) + \$48,000$

$= \$97,600 \text{ per km}$

#### Calculation of a reasonable contribution

This contributions plan authorises that the monetary contributions from heavy haulage developments should be made on a periodic (quarterly) basis and should be per ESA for the total

distance of sealed and gravel roads in council's road network anticipated to be travelled by the development's laden heavy vehicles.

It has been shown that the life of a road can be expressed in total ESA loads that can pass over the pavement until the pavement deteriorates to the point of needing reconstruction. As mentioned previously the life of a typical regional road in Blayney is approximately 20 years and equivalent to 2,000,000 ESA, the typical local sealed road is 30 years and 1,000,000 ESA. The life of a gravel road is 9 years and equivalent to 200,000 ESA.

The calculation of the periodic contribution relating to any heavy haulage development is as follows:

$$\begin{array}{c}
 \$C_{\text{Period}} = \frac{\$R_{\text{Life}} \times \text{ESA} \times R_{\text{Length}}}{R_{\text{Life}}} + \frac{\$L_{\text{Life}} \times \text{ESA} \times L_{\text{Length}}}{L_{\text{Life}}} + \frac{\$G_{\text{Life}} \times \text{ESA} \times G_{\text{Length}}}{G_{\text{Life}}}
 \end{array}$$

Where:

- $\$C_{\text{Period}}$  is the monetary contribution payable by the development for the preceding period (i.e. preceding quarter) in dollars
- $\$R_{\text{Life}}$  is the standard cost of regional road per kilometre over the design life in dollars, being \$1,034,800
- $\$L_{\text{Life}}$  is the standard cost of local sealed road per kilometre over the design life in dollars, being \$661,200
- $\$G_{\text{Life}}$  is the standard cost of local gravel road per kilometre over the design life in dollars, being \$97,600
- ESA is the number of ESAs generated by the development in the preceding period (as recorded by the traffic classifier at the development exit)
- $R_{\text{Life}}$  is the assumed design life of a sealed regional road, being 2,000,000 ESA
- $L_{\text{Life}}$  is the assumed design life of a local sealed road, being 1,000,000 ESA
- $G_{\text{Life}}$  is the assumed design life of a local gravel road, being 200,000 ESA
- $R_{\text{Length}}$  is the total length of regional sealed road travelled by the development's laden heavy vehicles estimated at the time of the development application, in kilometres
- $L_{\text{Length}}$  is the total length of local sealed road travelled by the development's laden heavy vehicles estimated at the time of the development application, in kilometres

$L_{\text{Length}}$  is the total length of local gravel road travelled by the development's laden heavy vehicles estimated at the time of the development application, in kilometres

### Contribution rate for each type of road surface

The contribution rate per ESA per kilometre of road used can be expressed as follows:

$$\$R_{\text{Rate}} = \frac{\$R_{\text{Life}}}{R_{\text{Life}}}$$

Where:

$\$R_{\text{Rate}}$  is the monetary contribution rate for each road type (sealed or gravel) per ESA per kilometre of road type in dollars, and rounded to the nearest cent

$\$R_{\text{Life}}$  is the standard cost of each road type (regional sealed, local sealed or gravel) road per kilometre in dollars, being \$1,034,800 for Rs, \$661,200 for Ls, and \$97,600 for Lg respectively

$R_{\text{Life}}$  is the assumed design life of the equivalent standard road in ESA, being 2,000,000 ESA for Rs, , 1,000,000 ESA for Ls and 200,000 ESA for Lg, respectively

Using the formula the contribution rate for each road type is:

$\$R_{\text{SRate}}$  \$0.52 per ESA per kilometre

$\$R_{\text{LSRate}}$  \$0.66 per ESA per kilometre

$\$R_{\text{LGRate}}$  \$0.49 per ESA per kilometre

Worked examples on the calculation of contributions for heavy haulage developments are contained in Appendix C.

### Roadworks may be required to be undertaken in addition to contributions required under this plan

The Blayney road network has been constructed and is maintained by Council as necessary to ensure an acceptable standard of service. These roads may or may not be able to accommodate additional heavy vehicle loading generated by heavy haulage development at their current standard. New roads, or upgrades to sections of the existing road network may be required as part of carrying out of heavy haulage development to accommodate the extra heavy vehicles.

Where any development requires capital works to be undertaken to the road network, the requirement will be by way of a condition imposed on the development consent under section 4.17(1)(f) of the EP&A Act.

Therefore, where any development is of the type that generates heavy haulage trips, the development may be subject to a condition requiring periodic payment of monetary contributions for the maintenance of both:

- the section(s) of any new or upgraded road constructed by the developer under a section 4.17(1)(f) condition, and
- for the other sections of the road network likely to be used for haulage purposes.

## Worked examples

### Worked example 1

Council has received an application to create 12 residential housing lots on the edge of Blayney. The subdivision will be on land that has an existing residential house building. As the development will create additional lots with the potential for housing, a s7.11 contribution will be required as a condition of consent.

Proposed development:					
12 new residential lots	=	12	x	\$ 9,296	= \$ 111,549
Existing development:					
1 residential lot	=	1	x	\$ 9,296	= \$ 9,295.78
Total contribution	=	\$ 111,549	less	\$ 9,296	
	=	\$ 102,254			

### Worked example 2

Council has received an application for the development of a supermarket and associated car park. The development is proposed to employ up to 30 staff and have 10,000m2 GFA. The proposed cost of development is estimated as \$5 million.

As the development is non-residential, a s7.12 contribution levy will be required as a condition of development consent.

Total s7.12 contribution	=	1% x \$5,000,000
	=	\$50,000

### Worked example 3

A proposed development in the centre of Blayney proposes a shop with a GFA of 250m2 and a residential dwelling above, on a vacant lot of land. The cost of the development is proposed as \$850,000. As the development has both residential and non-residential components, the council may decide which development contribution is applied in this case. Council officers decide that the residential dwelling will be levied.

Proposed development

1 residential dwelling	=	1	x	\$ 9,296	=	\$ 9,296
Existing development None (as vacant lot)	=	0				
<b>Total contribution</b>	=			<b>\$ 9,296</b>		

#### Worked example 4

An application is received by Council for a 2 bedroom secondary dwelling to be constructed at the rear of a dwelling in Millthorpe. As this will be an additional dwelling on the same lot, a section 7.11 contribution will be required as a condition of development consent.

Proposed development 1 residential dwelling	=	1	x	\$ 9,296	=	\$ 9,296
Existing development Primary dwelling (no credit)	=	0				
<b>Total contribution</b>	=			<b>\$ 9,296</b>		

#### Haulage development

##### Worked example for Quarry A

It is proposed to extract sandstone from a quarry located within Blayney Shire.

The development application states that the quarry will be operational for approximately 20 years.

The distance travelled on Blayney roads as shown from the quarry to the nearest State road is approximately 20km of regional sealed road (Rs), 12km of Ls road and 5km of Lg road.

A condition requiring a section 7.11 contribution per ESA exiting the site consistent with the rates shown in Table X is imposed on the development consent.

A traffic classifier has been installed at a location in the vicinity of the quarry exit. The classifier is reviewed on a quarterly basis. The first quarter results have been extracted and are shown in

Table 1.

**Table 1 Quarry A traffic classifier results for 1st quarter of operation**

	Vehicle class				
	6	7	8	9	10
Standard ESA per vehicle	1.1	2.2	2.8	2.8	3.4
Number of vehicles for the period	7	13	40	15	0

Monetary contribution required for the quarter is calculated as follows:

$$\text{\$Rs} = \frac{\text{\$1,034,800} \times ((1.1 \times 7) + (2.2 \times 13) + (2.8 \times 40) + (2.8 \times 15) + (3.4 \times 0)) \times 20\text{km}}{2,000,000}$$

$$\text{\$Ls} = \frac{\text{\$661,200} \times ((1.1 \times 7) + (2.2 \times 13) + (2.8 \times 40) + (2.8 \times 15) + (3.4 \times 0)) \times 12\text{km}}{1,000,000}$$

$$\text{\$Lg} = \frac{\text{\$97,600} \times ((1.1 \times 7) + (2.2 \times 13) + (2.8 \times 40) + (2.8 \times 15) + (3.4 \times 0)) \times 5\text{km}}{200,000}$$

$$\begin{aligned} \text{Total contribution} &= \text{\$1,969} + \text{\$1,510} + \text{\$464} \\ &= \text{\$3,943} \quad \text{for the quarter} \end{aligned}$$

**Worked example for Quarry B**

Quarry B is proposed near Shaw. The developer has advised that the extracted material is to be hauled in two directions. Half the material is to go north along local roads until it reaches the Mid Western Hwy and half is to go south-east along local roads to Neville-Trunckey Rd until it is out of the Shire.

A condition requiring a s7.11 contribution per ESA exiting the site consistent with the rates in Table X is imposed on the development consent.

A traffic classifier is again located in the vicinity of the quarry gate and shows the same result for the quarter as shown in the previous example.



There are two distinct routes to be used by the development. One north and the other south-east. The total road length and road type used to haul north and south-east are identified and the traffic is allocated on a 50% basis in each direction.

In the north direction  $L_s = 15\text{km}$  along local roads and  $L_g = 0$

$$\begin{aligned} \$\text{North} &= (\$0.66 \times 95 \times 15) + (\$0.49 \times 95 \times 0) \\ &= \mathbf{\$941} \quad \text{for the quarter} \end{aligned}$$

Note: 95 is half the total number of ESA for the quarter

A similar calculation is possible for the loads hauled south-east. The proportional calculation can be applied in any configuration that may arise.

---

**Cost Summary Report**  
(Development Cost no greater than \$500,000)

DEVELOPMENT       COMPLYING DEVELOPMENT   
APPLICATION NO.      APPLICATION NO.

CONSTRUCTION       DATE   
CERTIFICATE NO.

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT NAME:

DEVELOPMENT ADDRESS:

**ANALYSIS OF DEVELOPMENT COSTS:**

Demolition and alterations	\$	Hydraulic services	\$
Structure	\$	Mechanical services	\$
External walls, windows and doors	\$	Fire services	\$
Internal walls, screens and doors	\$	Lift services	\$
Wall finishes	\$	External works	\$
Floor finishes	\$	External services	\$
Ceiling finishes	\$	Other related work	\$
Fittings and equipment	\$	Sub-total	\$

---

Sub-total above carried forward	\$
Preliminaries and margin	\$
<b>Sub-total</b>	\$
Consultant Fees	\$
Other related development costs	\$
<b>Sub-total</b>	\$
Goods and Services Tax	\$
<b>TOTAL DEVELOPMENT COST</b>	<b>\$</b>

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate;
- calculated the development costs in accordance with the definition of development costs in section 3.4 of the Blayney Local Infrastructure Contributions Plan 2022 at current prices;
- included GST in the calculation of development cost.

Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Position & Qualifications: \_\_\_\_\_  
Date: \_\_\_\_\_

\*Acknowledgment to City of Sydney for use of the Cost Summary Report

---

**Detailed Cost Report\***

Registered\* Quantity Surveyor's Detailed Cost Report  
(development cost in excess of \$500,000)  
\*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT  COMPLYING DEVELOPMENT

APPLICATION NO. APPLICATION NO.

CONSTRUCTION  DATE

CERTIFICATE NO.

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT NAME:

DEVELOPMENT ADDRESS:

**DEVELOPMENT DETAILS:**

Gross Floor Area – Commercial	m <sup>2</sup>	Gross Floor Area – Other	m <sup>2</sup>
Gross Floor Area – Residential	m <sup>2</sup>	Total Gross Floor Area	m <sup>2</sup>
Gross Floor Area – Retail	m <sup>2</sup>	Total Site Area	m <sup>2</sup>
Gross Floor Area – Carparking	m <sup>2</sup>	<b>Total Carparking Spaces</b>	
<b>Total Development Cost</b>	<b>\$</b>		
<b>Total Construction Cost</b>	<b>\$</b>		
<b>Total GST</b>	<b>\$</b>		

**ESTIMATE DETAILS:**

<b>Professional Fees</b>	<b>\$</b>	Excavation	<b>\$</b>
% of Development Cost	%	Cost per square metre of site area	<b>\$</b> /m <sup>2</sup>
% of Construction Cost	%	Car Park	<b>\$</b>
<b>Demolition and Site Preparation</b>	<b>\$</b>	Cost per square metre of site area	<b>\$</b> /m <sup>2</sup>
Cost per square metre of site area	<b>\$</b> /m <sup>2</sup>	Cost per space	<b>\$</b> /m <sup>2</sup>
<b>Construction – Commercial</b>	<b>\$</b>	Fit-out – Commercial	<b>\$</b>
Cost per square metre of site area	<b>\$</b> /m <sup>2</sup>	Cost per square metre of commercial area	<b>\$</b> /m <sup>2</sup>
<b>Construction – Residential</b>	<b>\$</b>	Fit-out – Residential	<b>\$</b>
Cost per square metre of residential area	<b>\$</b> /m <sup>2</sup>	Cost per square metre of residential area	<b>\$</b> /m <sup>2</sup>
<b>Construction – Retail</b>	<b>\$</b>	Fit-out – retail	<b>\$</b>
Cost per square metre of retail area	<b>\$</b> /m <sup>2</sup>	Cost per square metre of retail area	<b>\$</b> /m <sup>2</sup>

---

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate;
- prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors;
- calculated the development costs in accordance with the definition of development costs in section 3.4 of the Blayney Local Infrastructure Contributions Plan 2022;
- included GST in the calculation of development cost;

Signed: \_\_\_\_\_

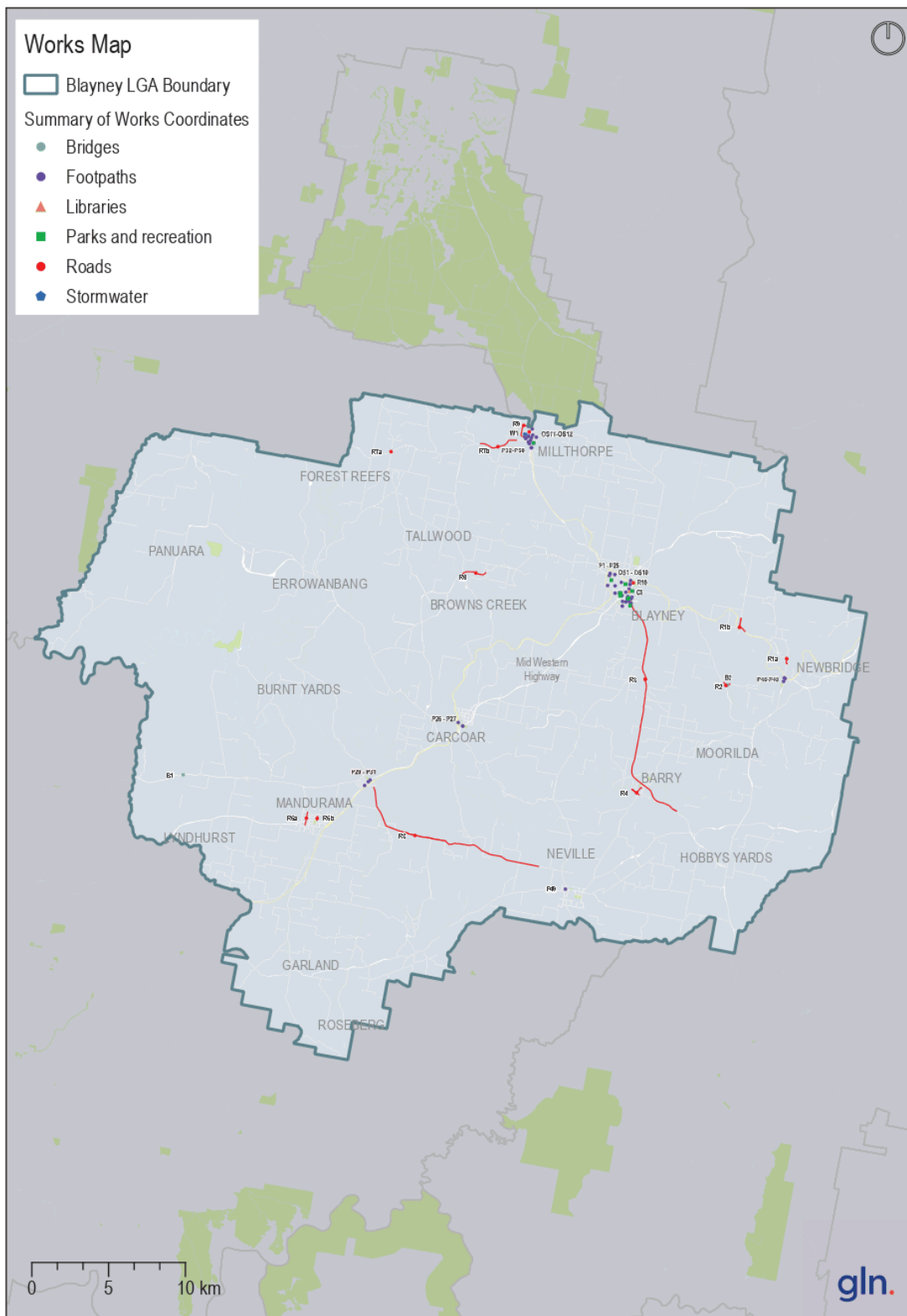
Name: \_\_\_\_\_

Position & Qualifications: \_\_\_\_\_

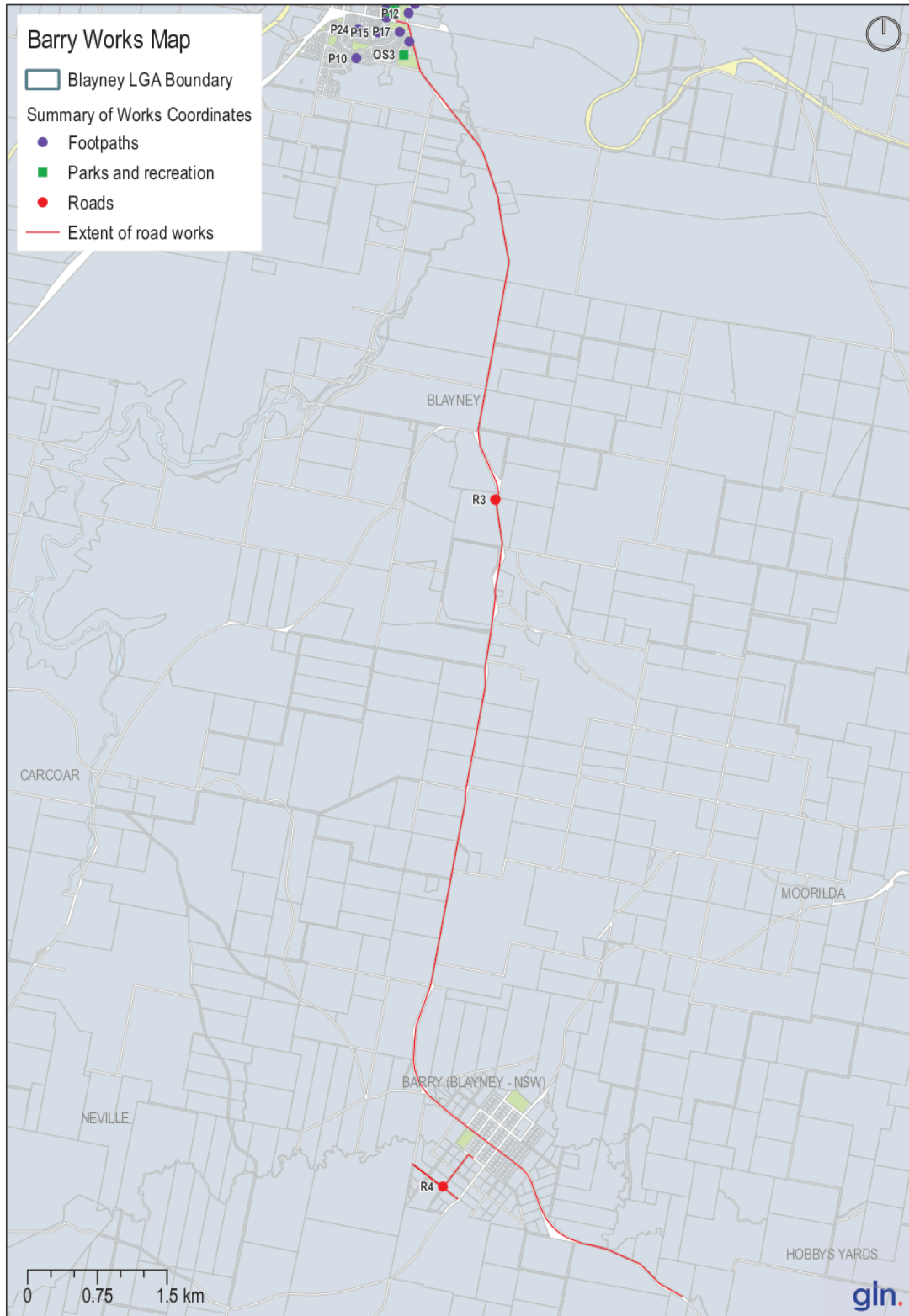
Date: \_\_\_\_\_

\*Acknowledgment to City of Sydney for use of the Detailed Cost Report

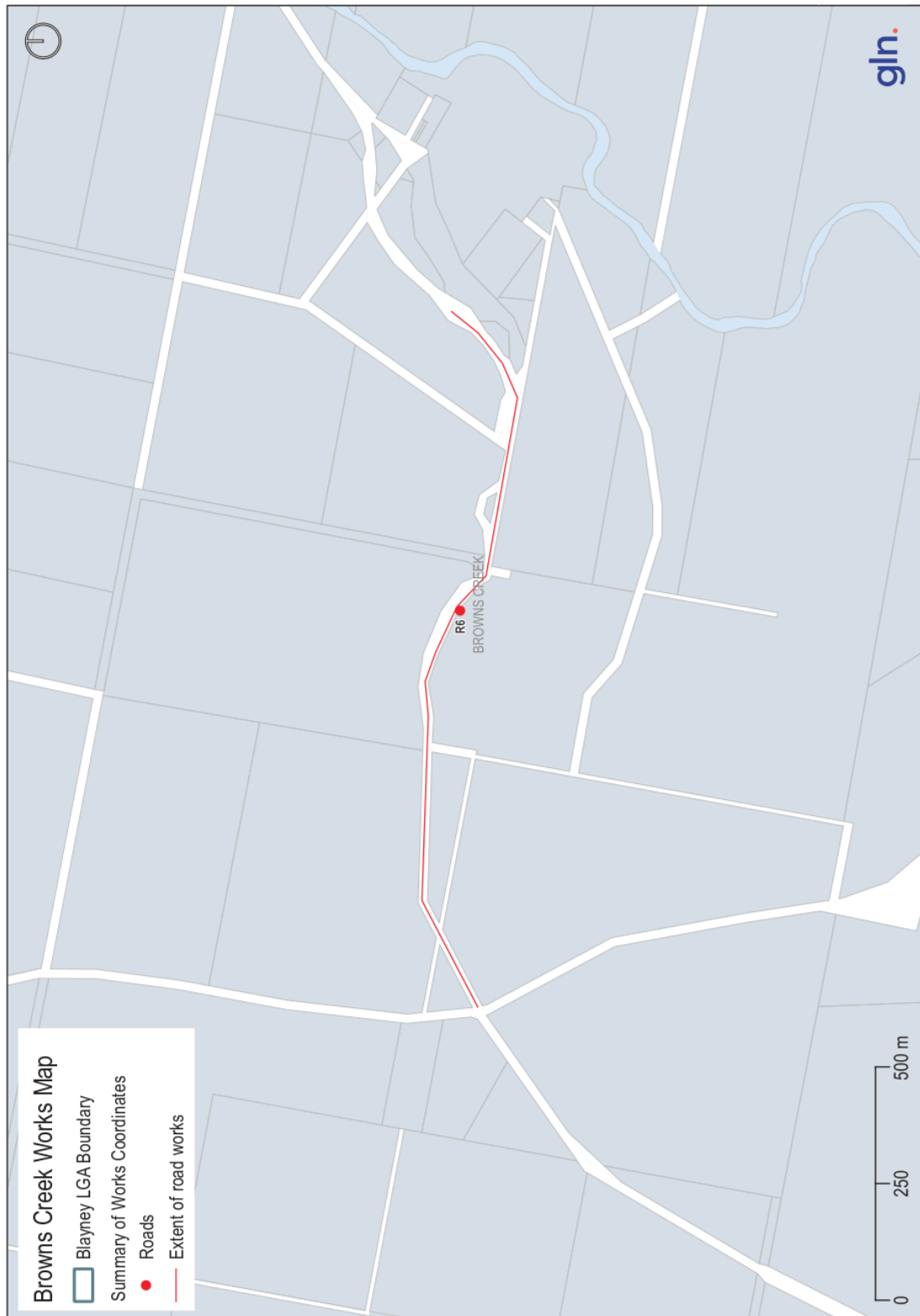


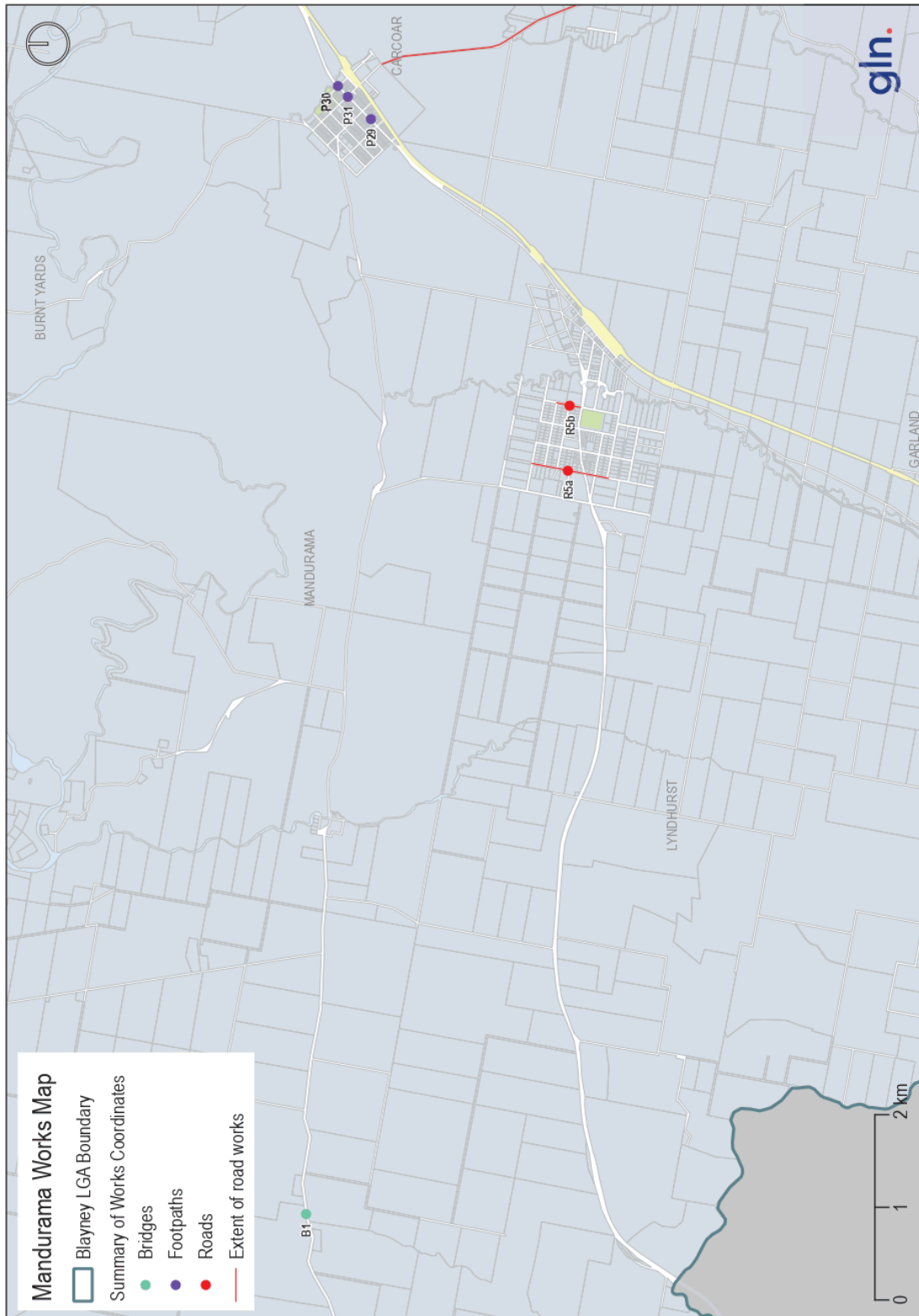


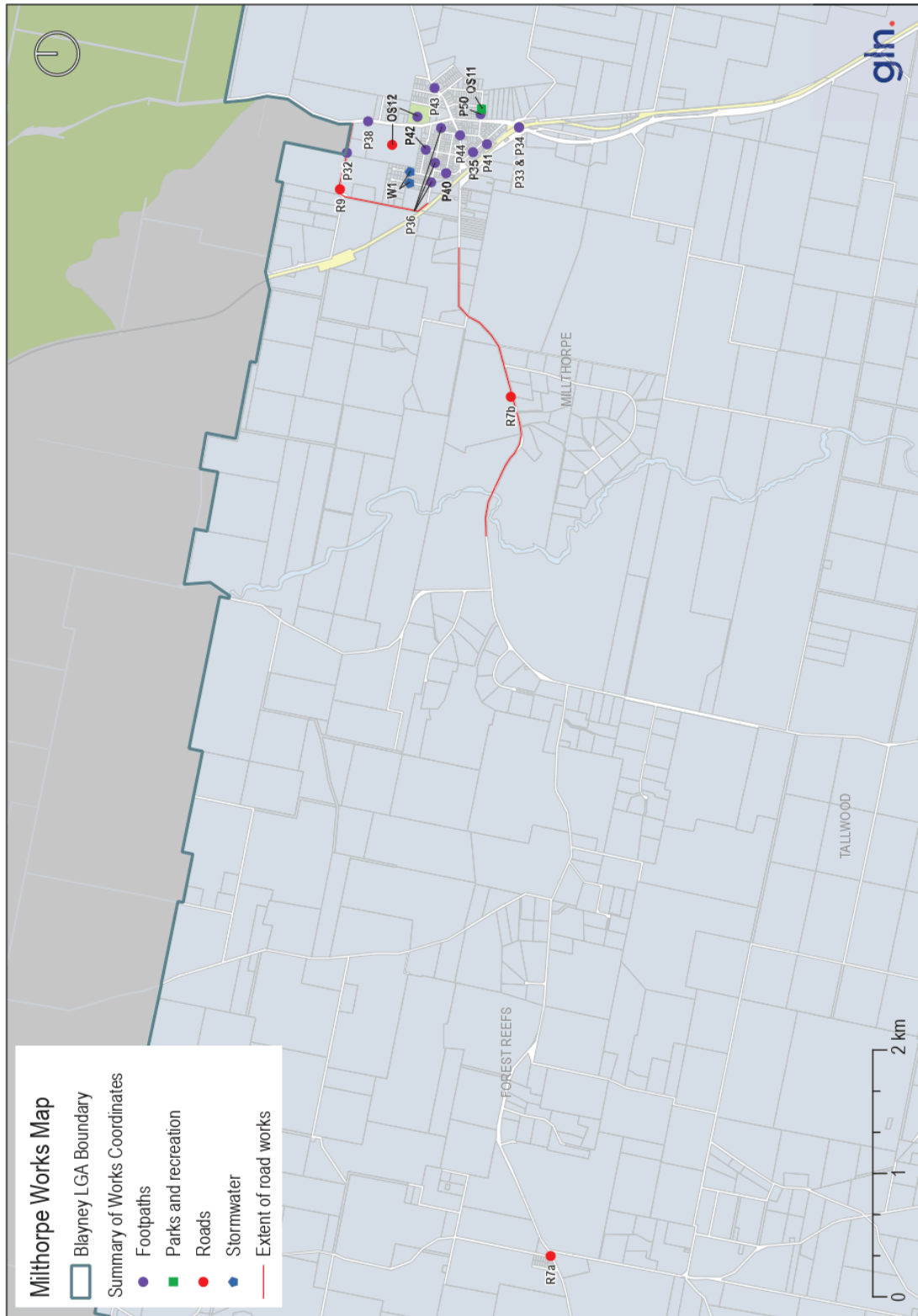


















# PLANNING PROPOSAL

**PROPOSAL:** LEP Amendment (Zoning and MLS mapping changes)

**ADDRESS:** 34 Charles Street, Blayney

September 2022





**DESCRIPTION:** Planning Proposal – Zoning/MLS Mapping Changes

**CLIENT:** Shirley Burrige

**Anthony Daintith Town Planning Pty Ltd**  
**ABN 46 121 454 153**  
**ACN 121 454 153**

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**QUALITY ASSURANCE**

This document has been prepared, checked and released in accordance with the Quality Control Standards established by Anthony Daintith Town Planning.

Version	Date	Description	By
1.0	18/8/2021	Approved	AD
2.0	12/9/2022	Revised	AD

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This document has been authorised by

Anthony Daintith (Principal)  
Date: 12/9/2022



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## 1 BACKGROUND

### 1.1 INTRODUCTION

Shirley Burrige have engaged Anthony Daintith Town Planning (ADTP) to prepare a Planning Proposal that seeks to amend the *Blayney Local Environmental Plan 2012* by seeking to rezone part of the subject land from RU2 Rural Landscape to R2 Low Density Residential and change the corresponding minimum lot size map for the part of the subject land from 100ha to 2000m<sup>2</sup>.

A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. It will be used and read by a wide audience including the general community as well as those who are responsible for deciding whether or not the proposal should proceed. As such it must be concise and accessible to its audience. It must also be technically competent - founded on an accurate assessment of the likely impacts of the proposal and supported where necessary by technical studies and investigations.

The preparation of a planning proposal is the first step in preparing a LEP. Throughout the course of preparing the proposed LEP, the planning proposal evolves. This is particularly the case for complex proposals in which the initial gateway determination will confirm the technical studies and consultation required to justify the proposal. As the studies and consultation are undertaken, relevant parts of the planning proposal will be updated, amended and embellished.

The role of a planning proposal within the overall process for preparing LEPs is explained in the publication "Planning Proposals, A guide to preparing local planning proposals" (Department of Planning & Environment, December 2018).

A planning proposal is comprised of five parts:

**Part 1** - A statement of the objectives or intended outcomes of the proposed instrument;

**Part 2** - An explanation of the provisions that are to be included in the proposed instrument;

**Part 3** - The justification for those objectives, outcomes and the process for their implementation;

**Part 4** - Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies;

**Part 5** - Details of the community consultation that is to be undertaken on the planning proposal.



Section 3.33(3) of the Act allows the Planning Secretary to issue requirements with respect to the preparation of a planning proposal. The Secretary's requirements include:

- Specific matters that must be addressed in the justification (Part 3) of the planning proposal
- A project timeline to detail the anticipated timeframe for the plan making process for each planning proposal.

The project timeline forms Part 6 of a planning proposal.

## **1.2 PROPONENT AND OWNER**

The proponent is Shirley Burrige, C/- Anthony Daintith Town Planning.

The registered owner of the subject land is Shirley Burrige.



## 2 SUBJECT LAND

### 2.1 SITE DESCRIPTION

The subject land is identified as 34 Charles Street, Blayney. Refer to **Figure 1**, which depicts the site within the locality. **Figure 2** provides an aerial photo of the site.

The area of the subject land is approximately 1.636ha.

The land title description is:

**Table 1: Land Title Details**

Lot	Section	Deposited Plan
11-18	8	758121
2		1214094

**Figure 1: Existing Lots**

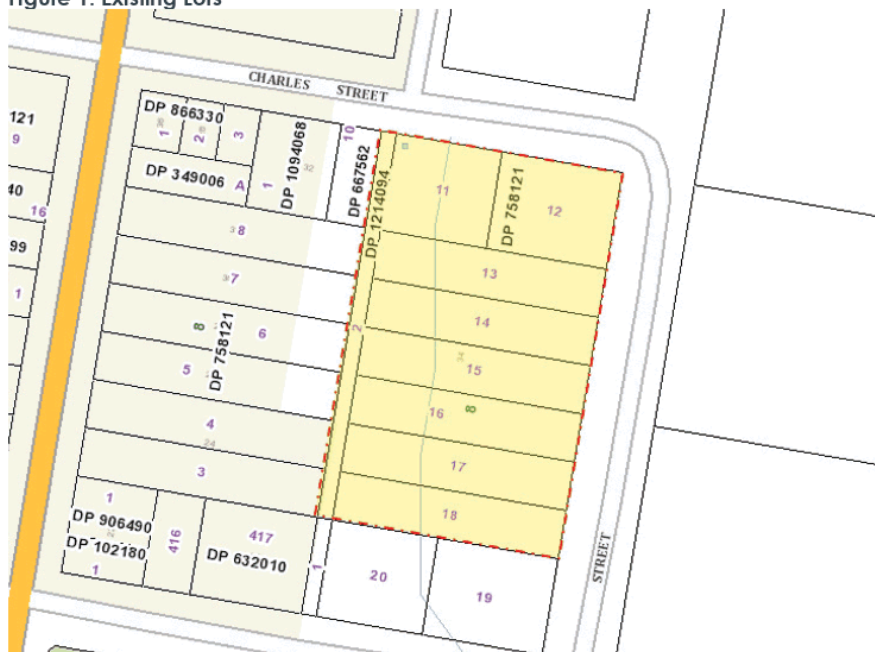




Figure 2: Locality Plan

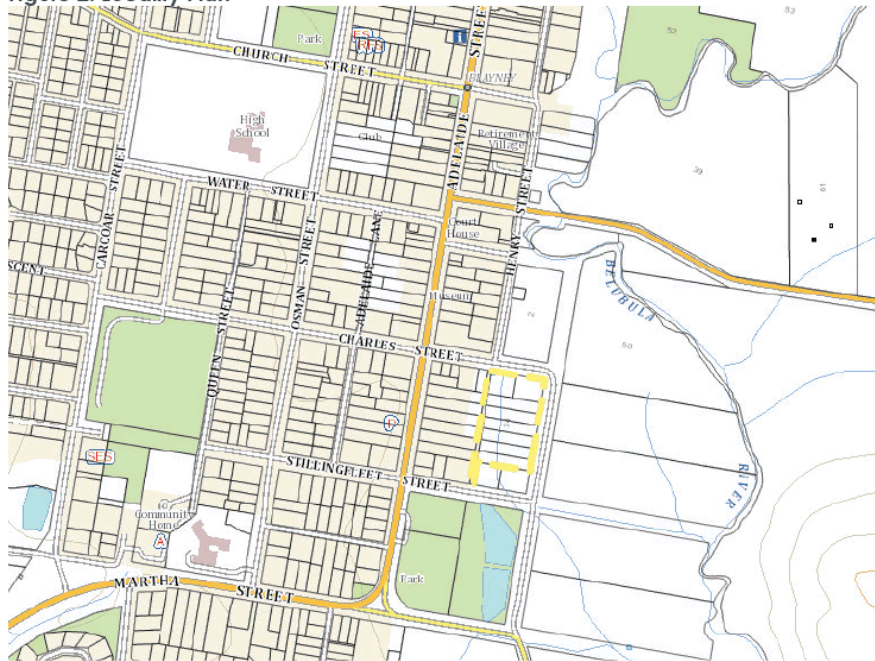




Figure 3: Aerial Photo







## 2.2 GENERAL SITE DESCRIPTION

### Topography

The land is relatively level and slopes down to the east.

### Vegetation

The site is cleared.

### Waterways

There are no watercourses traversing the site.

### Buildings

Vacant land.

**Photo 1: Lower Farm Street (looking north)**





Photo 2: Lower Farm Street (looking south)



Photo 3: Subject land (western portion)

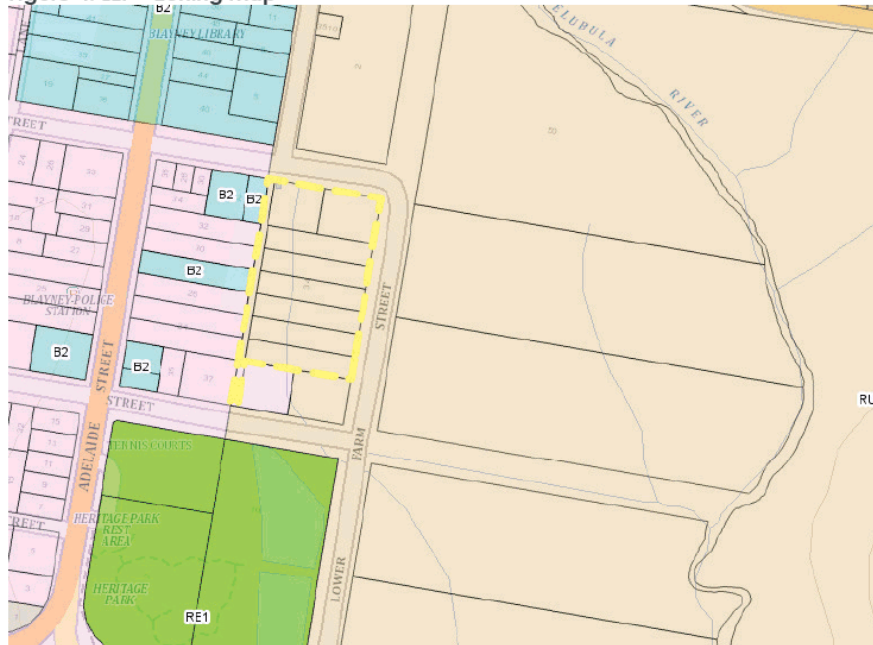




### 2.3 BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012

The subject land is currently zoned RU2 Rural Landscape under the *Blayney Local Environmental Plan 2012* (refer to **Figure 5** below).

**Figure 4: LEP - Zoning Map**



#### **Zone RU2 Rural Landscape**

##### 1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To encourage development that will not have an adverse impact on the environmental and scenic qualities of the existing landscape.

##### 2 Permitted without consent

Building identification signs; Environmental protection works; Extensive agriculture; Home occupations

##### 3 Permitted with consent

Agricultural produce industries; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Business identification signs; Cemeteries; Dual occupancies;



*Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Heliports; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Intensive plant agriculture; Jetties; Moorings; Open cut mining; Plant nurseries; Recreation areas; Research stations; Roads; Roadside stalls; Veterinary hospitals; Water recreation structures; Water supply systems*

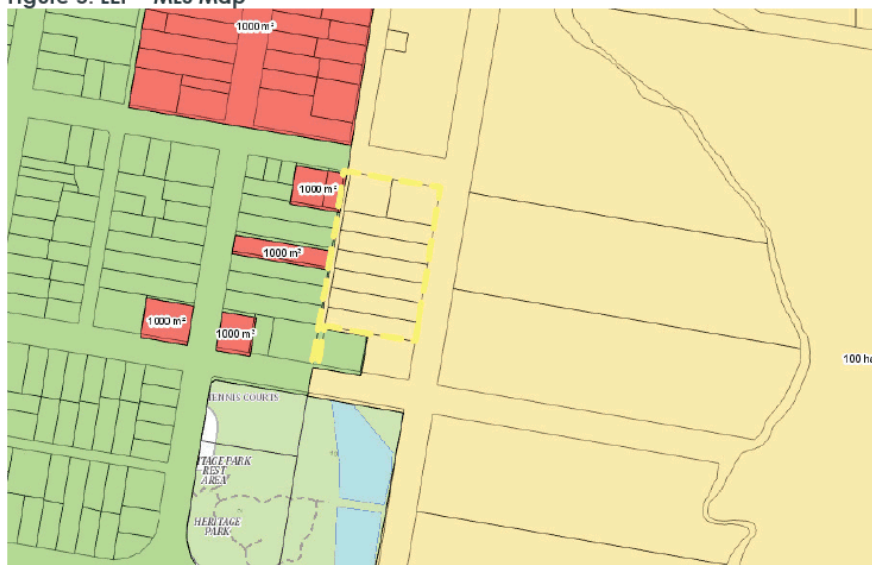
4 Prohibited

Any other development not specified in item 2 or 3

It is proposed to rezone the subject land from RU2 Rural Landscape to R2 Low Density Residential.

The minimum lot size (MLS) is 100 ha for the subject land (refer to figure below). It is proposed to amend the MLS map of the subject land to 2000m<sup>2</sup>.

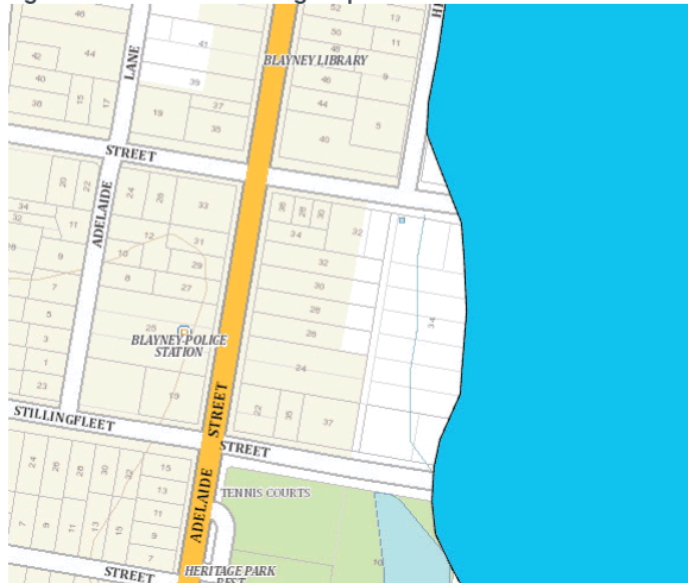
**Figure 5: LEP - MLS Map**



The eastern part of the subject land is mapped as been within the Flood Planning area under the LEP.

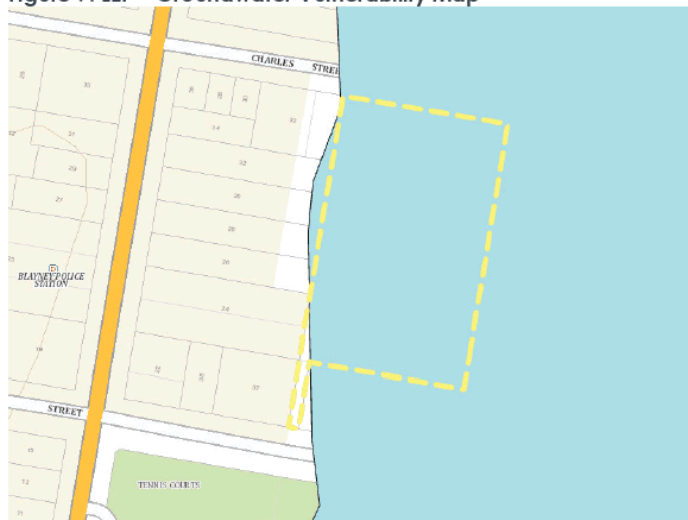


Figure 6: LEP – Flood Planning Map



The subject land is also mapped as "Groundwater Vulnerable".

Figure 7: LEP – Groundwater Vulnerability Map





## PART 1 – OBJECTIVES OR INTENDED OUTCOMES

Part 1 of the planning proposal should be a concise statement setting out the objectives or intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved. It should be written in such a way that it can be understood by the layperson.

The objective of this Planning Proposal is to amend the *Blayney Local Environmental Plan 2012* to enable the subject land to be developed for residential housing.

## PART 2 – EXPLANATION OF PROVISIONS

The explanation of provisions is an explicit statement of how the objectives or intended outcomes are to be achieved by means of new controls on development imposed via a LEP.

The proposed outcome will be achieved by:

- Amending the *Blayney Local Environmental Plan 2012* Land Zoning Map on the subject land in accordance with the proposed zoning map shown at on rezoning plans that form part of this Planning Proposal (i.e. rezoning the land to R2 Low Density Residential).
- Amending the *Blayney Local Environmental Plan 2012* Minimum Lot Size Map on the subject in accordance with the proposed MLS map shown on the MLS plans that form part of this Planning Proposal (i.e. changing the MLS map of the land to 2000m<sup>2</sup>).

## PART 3 JUSTIFICATION

The justification sets out the case for changing the zones and/or development controls on the land affected by the proposed LEP. Within the justification there are a number of specific questions that must be discussed with reasons explained.

### Section A – Need for Planning Proposal

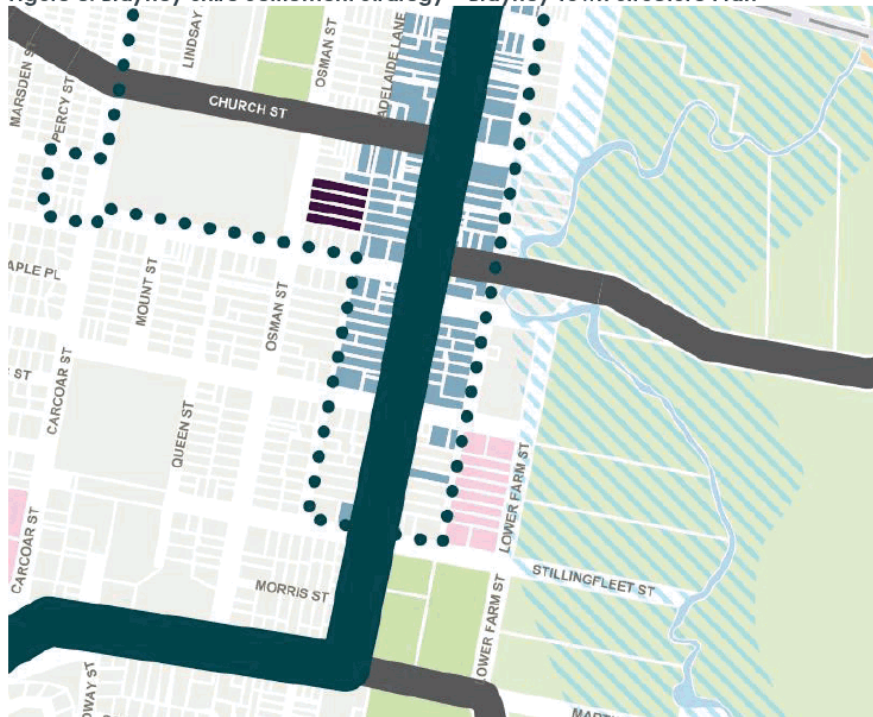
**Is the planning proposal a result of any strategic study or report?**

Yes – **Blayney Shire Settlement Strategy 2021**.

The “Blayney Town Structure Plan” identified the land as having “Development Potential (infill)” – identified in pink in the plan below.



Figure 8: Blayney Shire Settlement Strategy – Blayney Town Structure Plan



- |  |  |  |   |  |  |
|--|--|--|---|--|--|
|  | Preserve very long term by continuing to limit further fragmentation of land adjoining the existing urban area.                |  | Apply a Mixed Use zone in Hill Street to accommodate residential uses. Provide guidelines in DCP                    |  | Town Centre.                               |
|  | Identify lands as future investigation area short/medium term. Protect from fragmentation into smaller rural residential lots. |  | Consider suitability of residential uses on certain sites in the town centre in particular the former bowling club. |  | Urban area.                                |
|  | Identify land as future investigation area – long term subject to rezoning.  |  | Continue to work with landowners to release existing zoned land for residential development.                        |  | Development potential (infill).            |
|  | Protect visual amenity of key entrances to town.   |  | Proposed heavy vehicle route stage 1.   |  | Existing enterprise corridor / industrial. |
|  | Extend the Business Development zone to land along the Highway fronting Hill Street.   |  | Proposed heavy vehicle route stage 2.   |  | Heritage Conservation area.                |
|  |  |  |   |  | Flood plain.                               |
|  |  |  |   |  | Sewerage treatment plant and buffer.       |



### Blayney R1 General Residential zone

The following figure provides an overview of the constraints in the R1 General Residential zone.

**Figure 13 Blayney R1 General Residential zone opportunities and constraints**

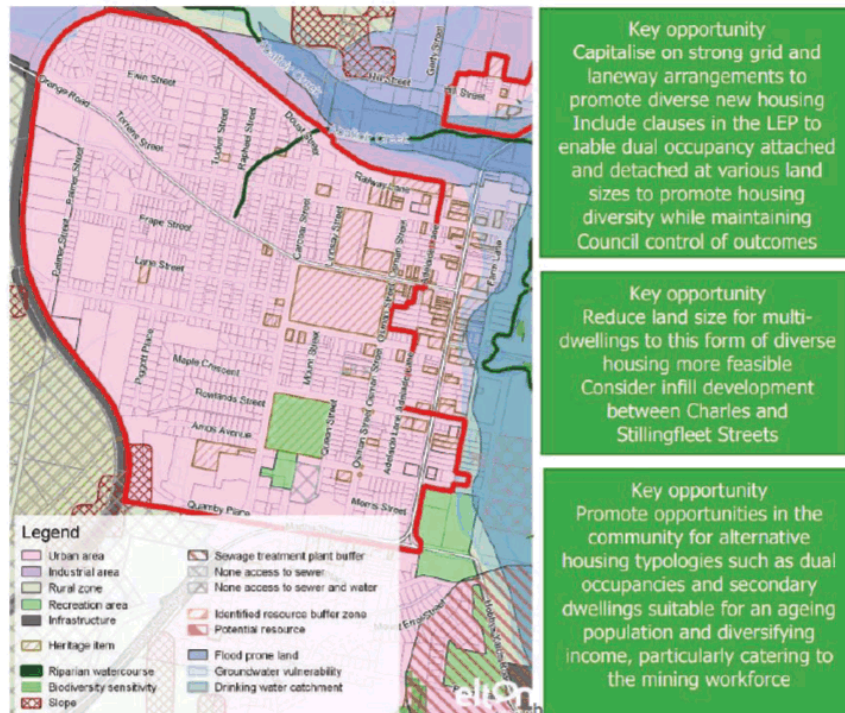


Figure 13 above identifies that the subject land for infill development between Charles and Stillingfleet Streets.

The planning proposal will provide an improved planning outcome for the subject land that has been determined in consultation with the Blayney Shire Council's Planning and Engineering Departments.





Council has indicated that the rezoning to R2 Low Density Residential to take place as part of a Planning Proposal where servicing, access and flooding can all be adequately addressed prior to rezoning. Calare Civil has been engaged to prepare a Preliminary Engineering Investigation Report which forms part of this Planning Proposal. The Engineering Report concludes:

#### **11. Conclusion**

*There are some restrictions on these allotments that may hinder development of residential dwellings and associated access and out buildings.*

*In particular the groundwater vulnerability appears extensive over the site that could impact not only the construction of buildings but also the installation of services, this does appear to be more prevalent along the lower section of the sites.*

*It is noted however that Lower Farm Street appears to act as a dam and does appear to restrict runoff from the site, this could be alleviated by introducing a better drainage system in Lower Farm Street such as additional cross road drainage culverts.*

*Flooding of the sites also present a major issue but is restricted to the lower portion of most lots.*

*Due to major flooding and groundwater it is deemed that Lot 12 is not suitable for residential development, Lot 11 has a depression that if filled would make it suitable for development & Lot 13 is limited, the remaining lots, subject to groundwater assessment, have a suitable area outside of the 1% AEP flood extents to be developable. Any future development application should be conditioned to ensure that the finished floor levels are 500mm above the designated flood level for each lot. This would also aid with sewer serviceability if any future dwelling was to extend further than the current 30m east of the potential laneway.*

*The 6m wide lots 1 & 2 DP1214094, referred to in this document as a potential laneway, is restricted in use by the existing electricity infrastructure. This may have to be relocated or additional land within lots 11-17 be used to provide suitable vehicular access. Regardless both options allow for flood free egress from the sites.*

*The existing sewerage infrastructure within Charles Street appears suitable to be able to provide a property connection for each lot via a gravity system for a distance of 30m back into each lot. Further if the floor level is raised or lots filled. This should be detailed upon development application and is deemed not to be required to be set or assessed as part of this report.*

*The existing watermain within Charles Street & Stillingfleet Street will need to be extended and ensure suitable pressure for supply & firefighting.*

*All preliminary comments and assumptions are subject to confirmation by detail design.*

The findings of the report have been considered and have guided the preparation of this Planning Proposal. A detailed design has been prepared by Calare Civil with respect to the findings of the Engineering Report and forms part of this application.



**Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The Planning Proposal is the best way of achieving the objectives and intended outcomes. There are no other feasible methods to achieve this final outcome.

**Is there a net community benefit?**

There is a minimal impact on the community. The issues associated with the planning proposal are localised and won't have any offsite impacts.

The rezoning of the land will enable infill residential development close to the centre of Blayney with scenic rural views to the east. The land can be appropriately serviced and issues relating to flooding and access have been addressed.

**Section B – Relationship to Strategic Planning Framework**

**Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?**

The relevant Regional Plan is the Central West and Orana Regional Plan 2036. The Planning Proposal relates to a matter that is considered to be of local planning significance only. A review of the proposal against the planning directions of the Regional Plan has not identified any inconsistencies. Further detail consideration of the Regional Plan would appear unnecessary in this instance.

**Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

It is considered that the Planning Proposal is not inconsistent with Councils Local Strategic Planning Statement:

- The Town Structure Map already identifies the land as residential.
- The land is outside of the Heritage Conservation Area.
- There are no significant environmental or natural features affecting the site.
- Adequate cost-effective servicing is available to the proposed future development on the site.
- There are no significant topographical features affecting the subject land.
- Negligible impact on the economy.



**Is the planning proposal consistent with applicable State Environmental Planning Policies?**

**Table 2: SEPPs**

<b>SEPP</b>	<b>COMMENTS</b>
SEPP (Housing) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	Includes the former SEPP 55 – Remediation of Land. Refer to Section 9.1 Directions
SEPP (Industry and Employment) 2021	Not applicable
SEPP (Transport and Infrastructure) 2021	Not applicable
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Building Sustainability Index: BASIX)	Not applicable.
SEPP 65—Design Quality of Residential Apartment Development	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
<b>DRAFT SEPP</b>	
Draft Design and Place SEPP 2021	The draft Design and Place SEPP is on exhibition until 28 February 2022 and is proposed to include SEPP 65 – Design Quality of Residential Apartment Development and SEPP (Building Sustainability Index: BASIX).



### Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following provides a summary of the Section 9.1 Directions issued on March 2022 in accordance with the *Environmental Planning & Assessment Act 1979*, as relevant to the planning proposal:

**Table 3: Section 9.1 Directions**

Direction No.	Provisions	Consideration
1.1 Implementation of Regional Plans	When this direction applies:  (2) This direction applies to land to which a Regional Plan has been released by the Minister for Planning	Central West Orana Regional Plan applies to the Blayney LGA. The subject of the planning proposal is of local rather than regional significance – accordingly the Regional Plan is not particular relevant to the proposal.
1.2 Development of Aboriginal Land Council land		This proposal is consistent.
1.3 Approval and Referral Requirements		This proposal is consistent.
1.4 Site Specific Provisions		This proposal is consistent.
3.1 Conservation Zones		Not applicable to this proposal.
3.2 Heritage Conservation		Not applicable to this proposal. The subject land is not affected by any Heritage Conservation Area of heritage item (including neighbouring lots).
3.3 Sydney Drinking Water Catchments		Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs		Not applicable.
3.5 Recreation Vehicle Areas		Not applicable to this proposal.
3.6 Strategic Conservation Planning		This proposal is consistent. The site does not have any high biodiversity value.
4.1 Flooding	When this direction applies  (3) This direction applies when a relevant planning authority prepares a planning	The subject land is partially mapped as being flood liable land.



	<p>proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>).</p> <p>(5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <p>(6) A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> <li>a. permit development in floodway areas,</li> <li>b. permit development that will result in significant flood impacts to other properties,</li> <li>c. permit a significant increase in the development of that land,</li> <li>d. are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</li> <li>e. permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodway's or high hazard areas), roads or exempt development.</li> </ul> <p>(7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>The subject land has been identified in Blayney Shire Settlement Strategy for development potential (infill). Council have indicated that the land can proceed to a rezoning if issues relating to servicing, flooding and access have been investigated and addressed (refer to the Calare Civil Preliminary Engineering Investigation Report and associated engineering plan).</p> <p>The land for rezoning can be adequately serviced and is outside of the flood area.</p>
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	(8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i> ) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	
4.2 Coastal Management		Not relevant.
4.3 Planning for Bushfire Protection	<p>When this direction applies</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made,</p> <p>(5) A planning proposal must:                  (a) have regard to Planning for Bushfire Protection 2006,                  (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and                  (c) ensure that bushfire hazard reduction is not prohibited within the APZ.</p> <p>(6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:                  (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:                  (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a</p>	<p>The subject is not mapped as Bushfire Prone Land.</p> <p>The planning proposal is not considered to be inconsistent with this S9.1 Direction.</p>



	<p>building line consistent with the incorporation of an APZ, within the property, and</p> <p>(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</p> <p>(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with,</p> <p>(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p>	
4.4 Remediation of Contaminated Land		<p>The potential for contamination appears minimal (the site has been used for grazing purposes). This is based upon an inspection of the site and surrounding lands and discussions with the current landowners.</p> <p>Accordingly, it is recommended that a detailed investigation is not necessary or warranted in this instance.</p>
4.5 Acid Sulfate Soils		Not applicable to this proposal.
4.6 Mine Subsidence and Unstable Land		It is understood that the land is not affected by mine subsidence or unstable land.
5.1 Integrating Land Use and Transport		Access can be provided to the subject land off Charles Street.
5.2 Reserving Land for Public Purposes	When this direction applies	Not applicable to this Planning Proposal.



	<p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).</p> <p>(5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.</p> <p>(7) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the</p>	
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	relevant reservation in accordance with the request.	
5.3 Development Near Regulated Airports and Defence Airfields		Not applicable to this proposal.
5.4 Shooting Ranges		Not applicable to this proposal.
6.1 Residential Zones	<p>When this direction applies</p> <p>(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:</p> <p>(a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),</p> <p>(b) any other zone in which significant residential development is permitted or proposed to be permitted.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	<p>It is proposed to rezone the subject land from RU2 to R2 and change the MLS from 100ha to 2000m2 (inline with the neighbouring residential zoning).</p> <p>The proposal will provide for residential development within an infill site of Blayney that is close to the CBD.</p> <p>Based on the findings of the Preliminary Engineering Investigation Report, the subject land can be adequately serviced with all town services.</p> <p>The subject land has been identified in Blayney Shire Settlement Strategy for development potential (infill). Council have indicated that the land can proceed to a rezoning if issues relating to servicing, flooding and access have been investigated and addressed.</p> <p>There is no proposal to reduce the permissible residential density of the land.</p>
6.2 Caravan Parks and Manufactured Home Estates	<p>When this direction applies</p> <p>(3) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p>	<p>Not applicable.</p> <p>The planning proposal is not considered to be inconsistent with this S9.1 Direction.</p>



	<p>(4) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p> <p>(5) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,</p> <p>(b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the <i>Community Land Development Act 1989</i> be permissible with consent.</p>	
<p>7.1 Business and Industrial Zones</p>	<p>When this Direction Applies</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p> <p>What a relevant planning authority must do if this direction applies</p> <p>A planning proposal must:</p> <p>(a) give effect to the objectives of this direction,</p> <p>(b) retain the areas and locations of existing business and industrial zones,</p> <p>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</p>	<p>Not applicable. There are no business/industrial zones affected.</p> <p>The planning proposal is not considered to be inconsistent with this s9.1 Direction.</p>



	(d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	
7.2 Reduction in non-hosted short-term rental accommodation period		Not applicable.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast		Not applicable.
8.1 Mining, Petroleum Production and Extractive Industries		Not considered applicable to this proposal.
9.1 Rural Zones	<p>What a relevant planning authority must do if this direction applies</p> <p>A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are justified by a strategy which:</p> <p>(a) gives consideration to the objectives of this direction, identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and is approved by the Director-General of the Department of Planning, or</p>	<p>It is proposed to rezone the subject land from RU2 Rural Landscape to R2 Low Density Residential.</p> <p>The subject land has been identified in Blayney Shire Settlement Strategy for development potential (infill). Council have indicated that the land can proceed to a rezoning if issues relating to servicing, flooding and access have been investigated and addressed (refer to the Calare Civil Preliminary Engineering Investigation Report and Concept Plans).</p> <p>The land for rezoning can be adequately serviced and is outside of the flood area.</p>



	<p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	
9.2 Rural Lands	<p>When this direction applies</p> <p>This direction applies when:</p> <p>(a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</p> <p>(b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.</p> <p>What a relevant planning authority must do if this direction applies:</p> <p>(4) A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p> <p>(5) A planning proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p>	<p>It is proposed to rezone the subject land from RU2 to R2 and change the MLS for the from 100ha to 450m2 (inline with the neighbouring residential zoning).</p> <p>It is noted that the land is an infill development and its rezoning was essentially deferred from inclusion in the previous LEP pending servicing and flooding investigations, which have now been undertaken and deemed that the land is suitable for rezoning (and associated change to the MLS).</p> <p>There is no significant impact on the use of rural lands across Lower Farm Street as a result of future residential development on the subject land. As per the submitted engineering plans, any future housing will need to be on the western side of the subject land, which will act as an informal buffer to land across Lower Farm Lane to the east.</p>
9.3 Oyster Aquaculture		Not considered applicable to this proposal.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast		Not applicable



### **Section C Environmental, Social & Economic Impact**

#### **Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the proposal?**

The proposal is unlikely to adversely affect critical habitat or threatened species, or ecological communities, or their habitats. The site is clear of vegetation.

Accordingly, an "Assessment of Significance" in accordance with Section 5A of the *Environmental Planning and Assessment Act 1979* is not required. No identified issues relation to the Biodiversity Conservation Act provisions.

#### **Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

The proposed planning proposal on the land is unlikely to result in adverse environmental effects.

There are no identified natural hazards (other than flooding) land slip, bushfire hazard and the like within the subject land.

The impact of flooding has been addressed in the Preliminary Engineering Investigation Report prepared by Calare Civil. The proposed area to be rezoned is outside of the 1:100 year flood area.

#### **How has the planning proposal adequately addressed any social and economic impacts?**

The planning proposal is considered unlikely to result in adverse social or economic impacts in the locality (any impacts are negligible).

There are no known items or places of European or Aboriginal cultural heritage located on the subject land that would be impacted upon by the Planning Proposal.

The proposal will enable future residential development within an infill site that can be adequately serviced with scenic views.



## Section D – State and Commonwealth Interests

### Is there adequate public infrastructure for the planning proposal?

Yes – refer to the Preliminary Engineering Investigation Report and associated plans prepared by Calare Civil that indicates that the subject land can be adequately serviced.

### What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Council has already been consulted regarding this proposal to rezone and change the MLS for part of the subject land under the Blayney LEP 2012. The Planning Proposal is considered consistent with the requirements of Council and the relevant planning legislation.

It is proposed that any issues raised by State and Commonwealth public authorities will be addressed during the LEP's public exhibition phase.

Due to the relative small scale of the proposal, there are no identified issues that would be affected any State or Commonwealth public authority.

If any issues are raised at the Gateway stage, they can be resolved at this stage.



#### 4. COMMUNITY CONSULTATION

Pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, the Director General of Planning must approve the form of the Planning Proposal under the Gateway process before community consultation is undertaken.

The Planning Proposal is considered to be low impact and would be publicly exhibited for a period and in a manner set out in the Gateway determination (it is understood that such a Planning Proposal will be publicly exhibited for a period of 28 days.)

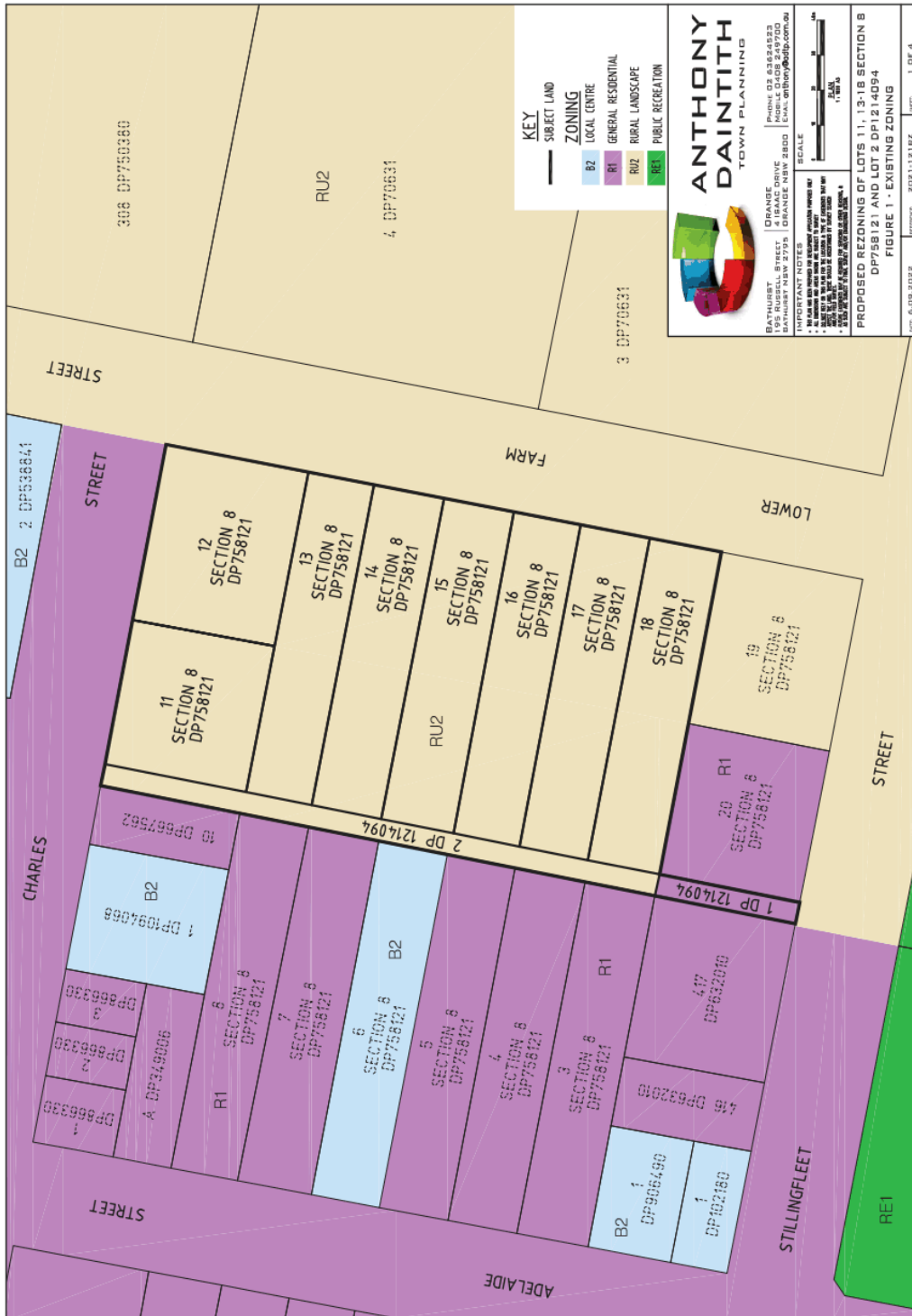
The Planning Proposal is considered to be only of minor interest to the wider public due to the relatively localised nature of potential impacts. It is believed that the potential impacts would be negligible.

It is anticipated that the LEP will be finalised within a maximum period of six (6) months.

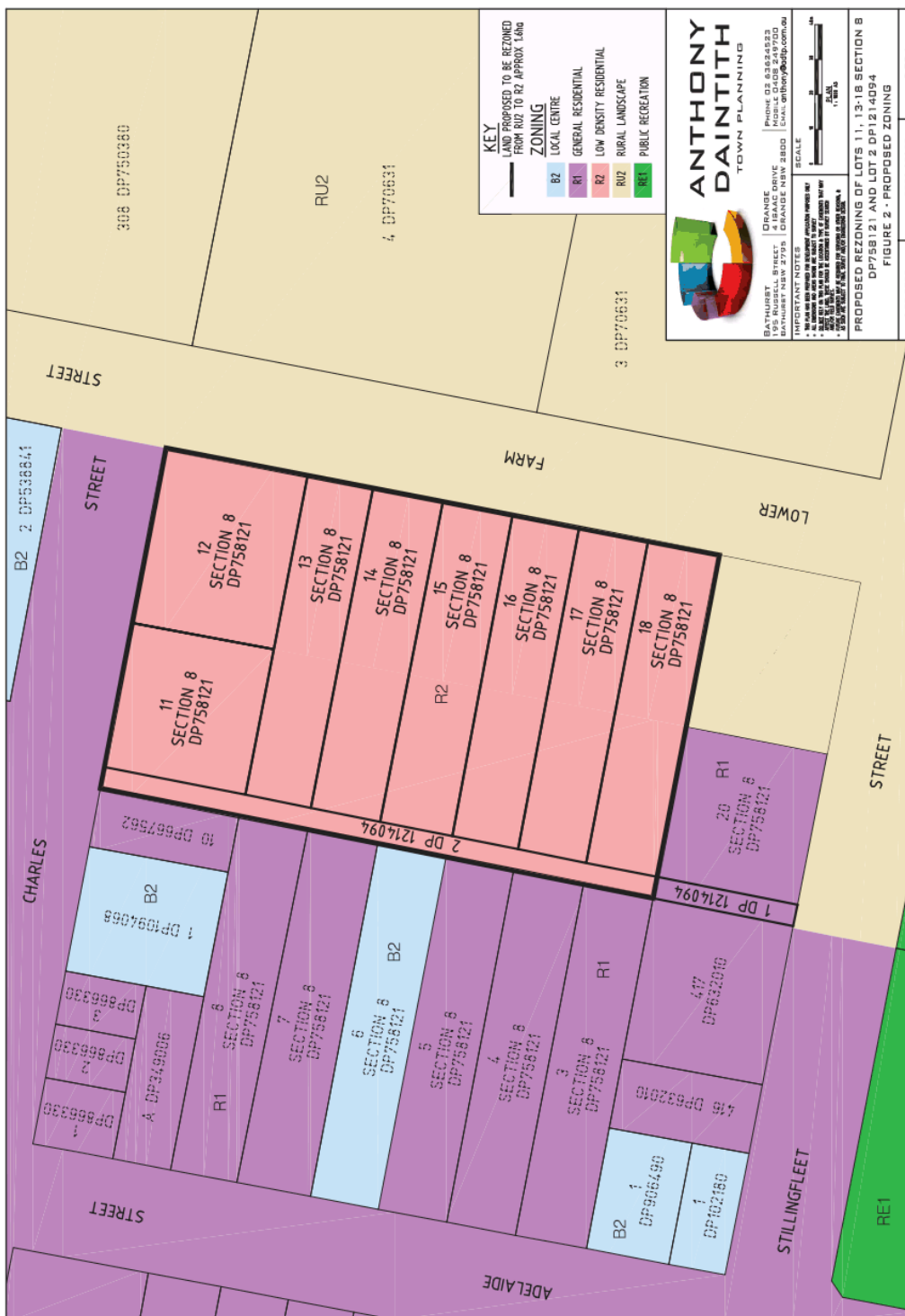
#### 5. CONCLUSIONS

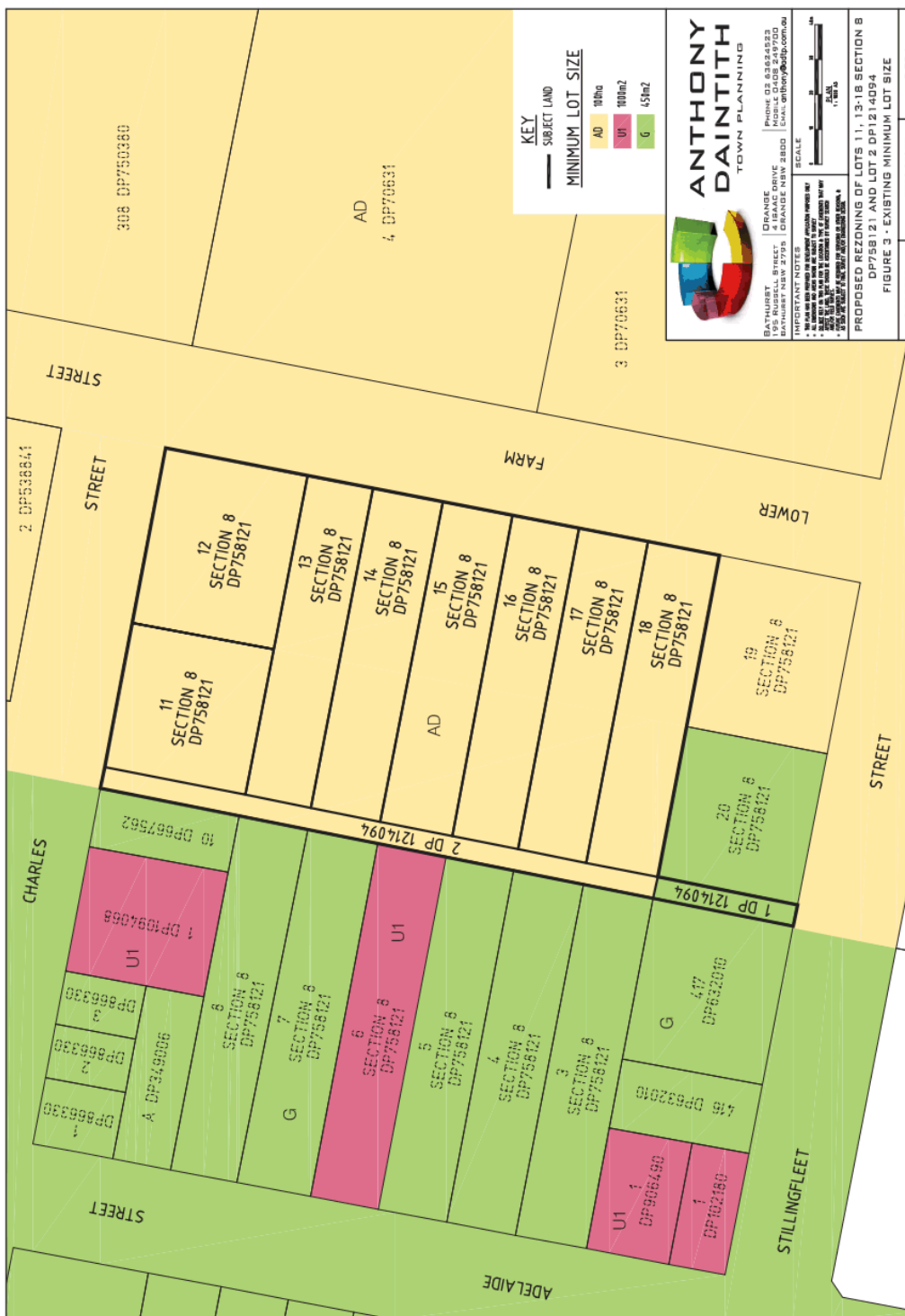
The objective of this Planning Proposal is to amend the *Blayney Local Environmental Plan 2012* by rezoning part of the subject land to enable residential development.

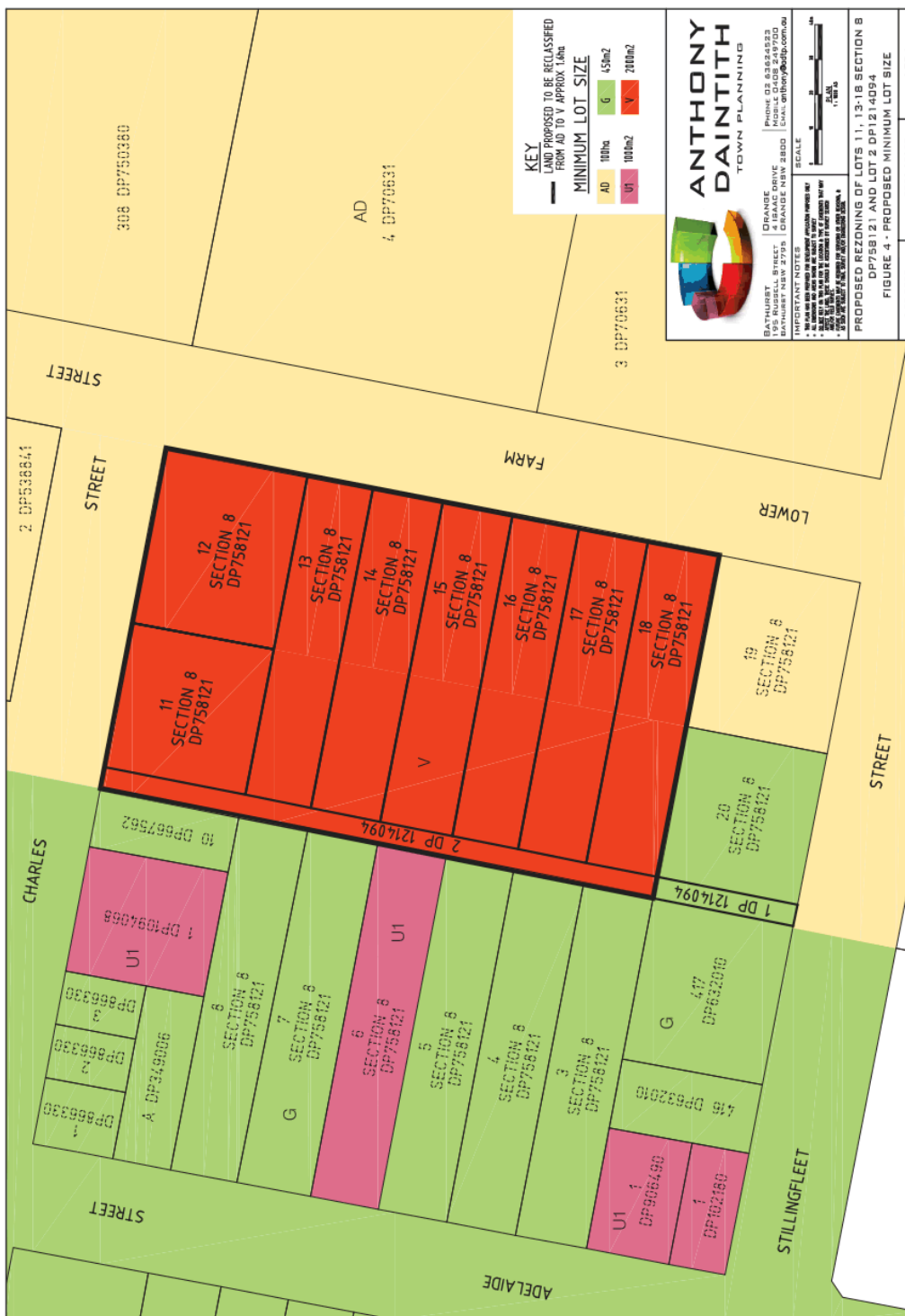
The planning proposal has been assessed against the provisions of the relevant environmental planning instruments and Section 9.1 Directions by the Minister and is considered appropriate and is recommended that it should be supported.











**LOOK UP AND LIVE**  
 OVERHEAD POWER LINES IN VICINITY OF WORKS.  
 ENSURE ALL POWER LINES ARE CLEARLY MARKED WITH ORANGE WEATHERPROOF TAPE OR RIBBON.  
 ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH THE NSW OVERHEAD POWER LINES CODE OF PRACTICE 2008.  
<http://www.mtr.com.au/overhead-power-lines-publication> with the aid of power lines publications with the new overhead power lines code of practice 2008

# PROPOSED RESIDENTIAL DEVELOPMENT 34 CHARLES STREET (LOWER FARM LANE) BLAYNEY NSW 2799

FOR  
 SHIRLEY BURRIDGE

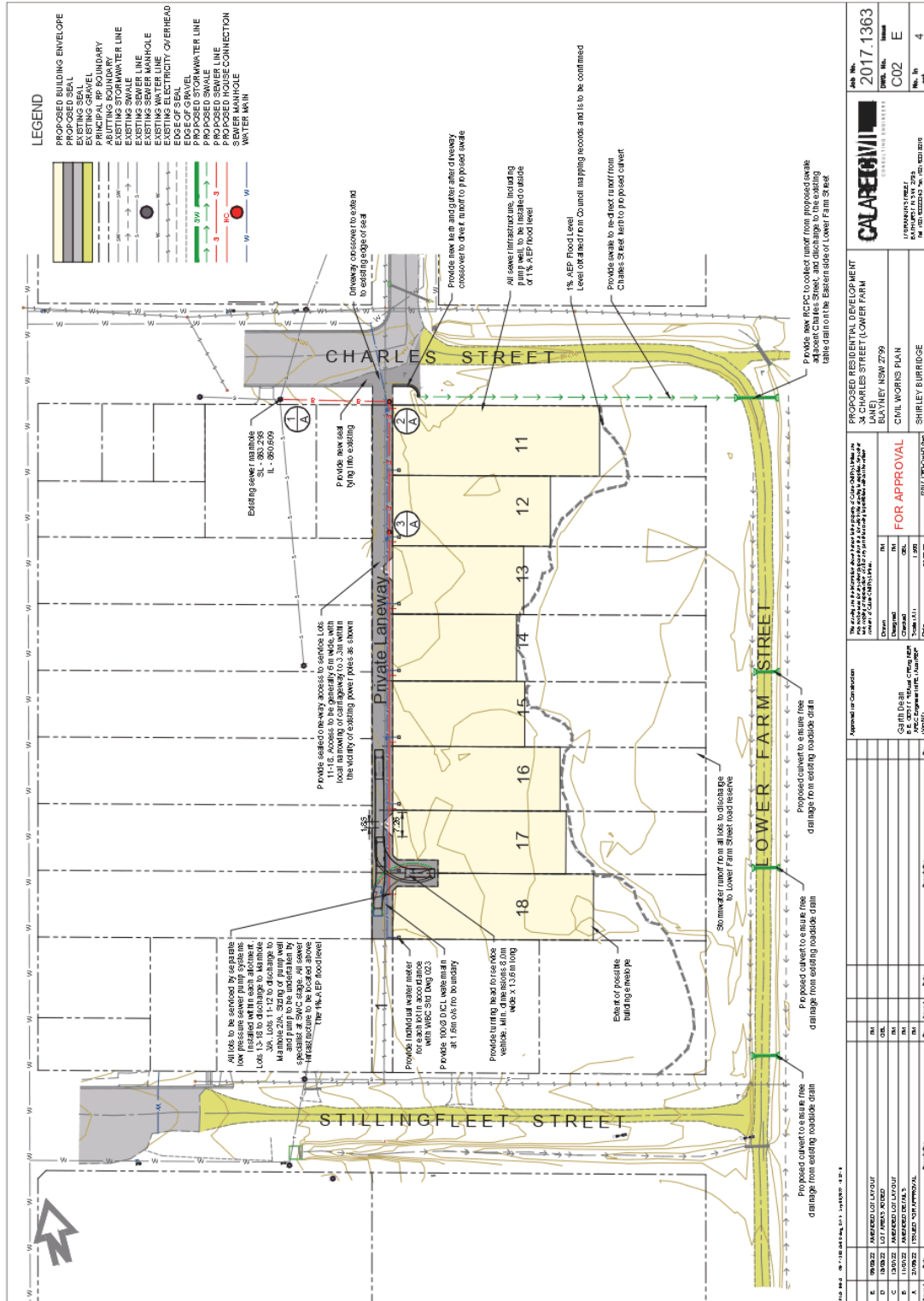


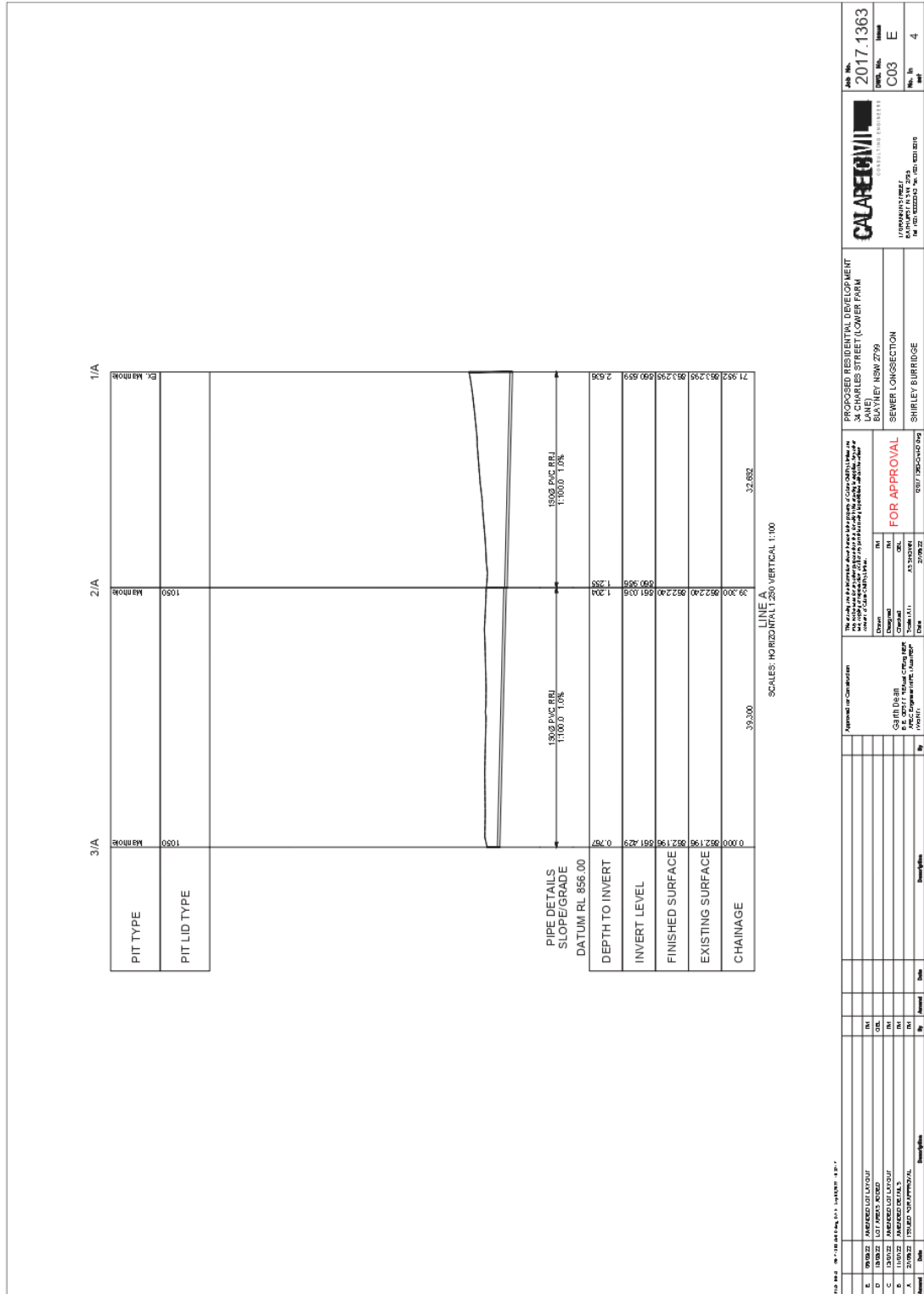
Dwg No.	Title
G01	COVER SHEET
C01	GENERAL ARRANGEMENT PLAN
C02	CIVIL WORKS PLAN
C03	SEWER LONGSECTION



<p>PROPOSED RESIDENTIAL DEVELOPMENT                  34 CHARLES STREET (LOWER FARM LANE)                  BLAYNEY NSW 2799</p>		<p>Job No. 2017.1363                  DWG. No. G01                  Issue No. E                  No. of Sheets 4</p>
<p>Approval or Construction</p> <p>Drawn: [ ]                  Checked: [ ]                  Design: [ ]                  Date: 21/09/22</p> <p>By: [ ]                  Date: 21/09/22</p>		<p>CAULFIELD CIVIL ENGINEERING                  10/100 BIRCH STREET                  BIRCHMOUNT NSW 2750                  TEL: (02) 83227410 FAX: (02) 8321 0110</p>
<p>FOR APPROVAL</p>		







1:10 HORIZ. 1:10 VERT. 1:10 HORIZ. 1:10 VERT. 1:10 APPROVED DATE: 20/12/22 BY: [Signature]		APPROVED FOR CONSTRUCTION DATE: 20/12/22 BY: [Signature]		FOR APPROVAL DATE: 20/12/22 BY: [Signature]		PROPOSED RESIDENTIAL DEVELOPMENT SHIRLEY BURRIDGE		CAAREBENI CIVIL ENGINEERING & SURVEYING 1/1000-1/10000 1/1000-1/10000		Job No. 2017.1363 DWG. No. C03 Issue No. 4	
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# Preliminary Engineering Investigation Report

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## Proposed Re-Zoning of Existing Lots

DEVELOPMENT ADDRESS

**34 Charles Street  
Blayney, NSW 2799**

LEGAL DESCRIPTION

**Lots 11-18 Section 8 DP758121  
and Lot 2 DP1214094**

FOR

**Shirley Burridge**

ORIGINAL REPORT DATE  
**JULY 2021**

AMENDMENT / DATE  
**P2 / 17-08-21**

CALARE REF:  
**2017.1363**

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## Report Details

**Client:** Shirley Burridge  
**Document Name:** Preliminary Engineering Investigation Report  
**Site Address:** Lots 11-18 Section 8 DP758121 and Lot 2 DP1214094  
34 Charles Street  
Blayney, NSW 2799  
**Job Number:** 2017.1363  
**File Name:** 20171363-ENG-P2.docx  
**Author:** Calare Civil Pty Ltd

## Document Control

Issue	Rev	Author	Approved	Signature	Date	Distributed to:	Qty.
Original	P1	GBL			06/07/21	Client	1
Original	P2	GBL			17/08/21	Client	1

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## 1. Introduction

This report has been prepared by Calare Civil Pty Ltd on behalf of our client Shirley Burrige in support of an application seeking approval for the re-zoning of 8 existing lots identified as Lots 11-18 Section 8 DP758121 and Lot 2 DP1214094 herein referred to as the principle lot or site.

The subject site is approx. 1.52ha.

This Preliminary Engineering Investigation Report summarises our various findings relating to engineering opportunities & constraints for the development.

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## 2. Site Description

### 2.1. Legal Description

Lots 11-18 Section 8 DP758121 (Principal allotments)  
Lots 1 & 2 DP1214094 (Potential laneway)

Note:

It is understood that the potential laneway noted above forms part of the ownership of 34 Charles Street, being the principal lots, it is not clear on its purpose although we note that power lines run through this section.

The potential laneway is 6m wide and may or may not be suitable for vehicular traffic depending on the location of the power lines.

### 2.2. Location and Topography

The proposed development is located on the southern side of Charles Street & the western side of Lower Farm Street in Blayney.

In its current state each allotment is vacant.

To the west of the site are existing large lot residential houses, north & east is vacant rural land. To the south is a council reserve and sporting complex.

There is an unformed potential laneway to the west of the site but appears to be used for power supply transmission, initial investigation indicates that vehicular access would be limited.

The site has falls of between 1% - 5% generally towards the south-eastern corner of the site with elevations ranging from 863.0m AHD to 867.0m AHD.

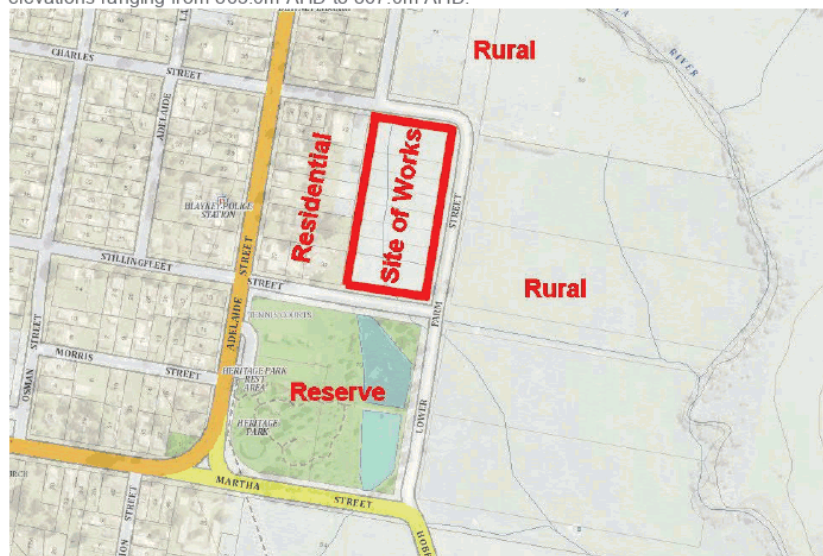


Image obtained from Six Maps

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### 2.3. Soils

A Geotechnical investigation has not been undertaken for this site to date. Visual inspection indicates the topsoil to be of a dark loam material with some organic material and appears to be relatively deep.

### 2.4. Flora & Fauna

A site inspection ascertained that there no large or protected trees on the site, the site is a tussock wetland that may sustain a micro ecosystem of fauna. This has not been further investigated by the report as it has no bearing on the proposed re-zoning.

### 2.5. Stormwater

#### 2.5.1. Drainage

The kerb on the southern side of Charles Street and west of the site drains via overland flow into the site, all of the external runoff north of the centreline of Charles Street drains to a major table drain running along the northern side of Charles Street and then south along Lower Farm Street totally bypassing the site. The catchment entering the site appears relatively small only capturing 5 residential lots and ½ a road width for approximately 100m.

There is no formal drainage system controlling runoff entering the site, conveyance through, or existing the site. The drainage system currently collecting the site runoff consists of roadside drains and culverts.

#### 2.5.2. Flowpaths

The flows from Charles Street that run into the site tend to spread across the site as a sheet flow as there appears to be no defined flowpath, and although the Charles Street catchment does not appear to be very large, there is a lot of water accumulated at the entrance to and throughout the site this appears to be due to Lower Farm Street acting as a dam with little facility for runoff to be transferred to the larger drain on the eastern side of Lower Farm Street. Refer to the **Site Photos** in **Appendix A**.

#### 2.5.3. Watercourses

Although Six Maps indicates a defined watercourse runs through the site an onsite inspection saw no evidence one exists, the ground appears undulating but generally falling to the south-east corner.

It is clear however the water does run through the site in a meandering way.

#### 2.5.4. Flooding

The site is in close proximity to the Belubula River which, in this section, is a wetland area rather than a flowing river system under normal circumstances.

During flood events the floodwaters from this river will extend into the site, the extents of which are shown on the **Flood Extent Plans** in **Appendix B**.

The northern lots of the site (Lots 11 & 12) are almost completely inundated in all storm events from the 20% AEP to the 1% AEP storm events. In regard to Lot 11 it appears to be due to a depression within that lot that retains floodwater rather than inundation due to river flooding.

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Lots 13-16 is approximately 50% inundated with the remaining lots 17-18 being approximately 30% inundated along the eastern section of the allotments.

It should be noted that the flood waters are a backwater ponding flood from the river with very little, if any, velocity attributed to it.

In a flood event egress from the site would be possible from the eastern side of the site via the potential laneway and movement to Adelaide Street would be unimpeded.

### 2.5.5. Groundwater Vulnerability

A review of the NSW e-planning spatial viewer indicates the entire site is groundwater vulnerable.

This corroborates what was witnessed onsite during an inspection on 6<sup>th</sup> July 2021.

A review of the BoM rainfall data for the two weeks beforehand indicates that 11mm fell in the week before inspection, and 24mm the week before that. The total for June 2021 was 81mm which is higher, almost double, than the median 45mm historically recorded, so may account for the additional water viewed.

But given that the last rainfall was 5 days previous indicates that there is poor drainage on and around the site and that groundwater levels are generally high.

This may be due to Lower Farm Street acting as a dam and not allowing runoff to escape the site.

Refer to **Appendix C** for Extent Map.

## 3. Stormwater Management

An initial investigation indicates that all runoff from the site and any possible future development would be directed to the existing roadside drain along Lower Farm Street and that this would be the legal point of discharge.

The inflows from the north west corner of the site would need to be redirected around the developable areas in a controlled manner, ideally along the northern boundary towards the east and discharged under Lower Farm Street into the large table drain on the eastern side.

Given the high water table it is anticipated that this drain would continuously contain water for the majority of the year. This may be alleviated by introducing a better drainage system along Lower Farm Street.

All future habitable dwellings would require a finished floor level 500mm above the designated 1% AEP flood level.

Groundwater issues would need to be addressed that may impact building and access locations, and may have an impact on construction methods implemented.

Refer Services Plan **Appendix D**.

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#### 4. Earthworks

There is no intention to include bulk earthwork as part of this rezoning exercise, but to make Lot 11 less prone to inundation and retention of water, fill may be considered as part of future development.

#### 5. Erosion & Sediment Control

As there is no intention to undertake any earthworks as part of this development there is no requirement for any erosion & sediment control measures to be implemented.

#### 6. Sewer Services

There is an existing sewer main running along Lots 3-8 Section 8 DP758121, west of the site.

It drains in a northerly direction towards Charles Street and beyond.

Councils GIS plan show that the nearest maintenance chamber suitable for connection is in Charles Street and is 1.79m deep. Giving an invert level of approximately RL 859m.

Our preliminary calculations suggest that at 1% grade over some 190m (down the potential laneway) the sewer main would be approximately 2.3m deep at the boundary of lots 17 & 18.

A branch running east along Charles Street to the road boundary of lots 11 & 12 would be 1.9m deep.

These depths could provide service to each lot for a distance of 30m back into each lot from the potential laneway by way of a gravity sewer system in the lots current state, if these lots were filled or future floor levels raised additional serviceability distance to the east could be achieved.

Serviceability of Lot 12 is borderline, it may require a private pump if it is to be developed.

Refer Services Plan **Appendix D**.

#### 7. Water Reticulation / Fire Fighting

Central Tablelands Water GIS plot shows that there is an existing reticulated service in both Charles Street & Stillingfleet Street. A pressure test should be undertaken to ensure suitability for firefighting purposes.

An extension of this line would have to be undertaken to provide servicing for each of the allotments.

Due to the possibility of groundwater the extension may have to be constructed down the potential laneway.

Refer Services Plan **Appendix D**.

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## 8. Other Services

### 8.1.1. Electricity

Overhead power lines run through the site in the area that appears to be designated a potential laneway.

Connection suitability would have to be confirmed with the service provider.

If the potential laneway is to be used for vehicle access the existing infrastructure may have to be relocated or altered to be underground.

Refer Services Plan **Appendix D**.

### 8.1.2. Telecommunications

Telecommunication services existing only to the intersection of Stillingfleet & Adelaide Street, these services would have to be extended in accordance with the service providers requirements.

Refer Services Plan **Appendix D**.

## 9. Traffic Generation & Site Access

The possible development of these lots will increase the traffic generation along both Charles Street & Stillingfleet Street.

It is deemed that the increase will not put undue pressure on the surrounding road system given the village environment currently has minor traffic volumes.

Due to the groundwater over the property in the lower reaches it is deemed that vehicular access to the site would not be practical via Lower Farm Street, the only reasonable vehicle access to each lot would be via the potential laneway to the east.

Given that there are existing power lines along this potential laneway additional land within the Lots 11-17 may be required to provide suitable access width, with areas between the power poles used as passing bays. This additional width is not determined by this report and should not restrict the change of zone application knowing that there is one current owner for all lots.

## 10. Roadworks

Given that there is little opportunity to provide site access from Lower Farm Street it is unlikely that road upgrade would be required by the change of zoning, a portion of Charles Street may require upgrade if Lots 11 & 12 are developable.

The only roadworks anticipated due to the re-zoning would be upgrading the potential laneway to be suitable for traffic access.

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## 11. Conclusion

There are some restrictions on these allotments that may hinder development of residential dwellings and associated access and out buildings.

In particular the groundwater vulnerability appears extensive over the site that could impact not only the construction of buildings but also the installation of services, this does appear to be more prevalent along the lower section of the sites.

It is noted however that Lower Farm Street appears to act as a dam and does appear to restrict runoff from the site, this could be alleviated by introducing a better drainage system in Lower Farm Street such as additional cross road drainage culverts.

Flooding of the sites also present a major issue but is restricted to the lower portion of most lots.

Due to major flooding and groundwater it is deemed that Lot 12 is not suitable for residential development, Lot 11 has a depression that if filled would make it suitable for development & Lot 13 is limited, the remaining lots, subject to groundwater assessment, have a suitable area outside of the 1% AEP flood extents to be developable. Any future development application should be conditioned to ensure that the finished floor levels are 500mm above the designated flood level for each lot. This would also aid with sewer serviceability if any future dwelling was to extend further than the current 30m east of the potential laneway.

The 6m wide lots 1 & 2 DP1214094, referred to in this document as a potential laneway, is restricted in use by the existing electricity infrastructure. This may have to be relocated or additional land within lots 11-17 be used to provide suitable vehicular access. Regardless both options allow for flood free egress from the sites.

The existing sewerage infrastructure within Charles Street appears suitable to be able to provide a property connection for each lot via a gravity system for a distance of 30m back into each lot. Further if the floor level is raised or lots filled. This should be detailed upon development application and is deemed not to be required to be set or assessed as part of this report.

The existing watermain within Charles Street & Stillingfleet Street will need to be extended and ensure suitable pressure for supply & firefighting.

All preliminary comments and assumptions are subject to confirmation by detail design.

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**Appendix A**  
**Site Photos**

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Photo 1

Photo 2

Photo 3

Photo 4

Photo 5

Photo 6

Photo 7

Photo 8

Photo 9

Photo 10

Photo 11

Photo 12

Photo 13

Approved	Date	Applicant/Client	By	Date
A	09/03/21	OPERATIONAL DRAIN		

Prepared by: GARD DE JON  
 Checked: GARD DE JON  
 Drawn: GARD DE JON  
 Scale: A1:1  
 Date: 09/03/21

Approved or Commissioned:  
 GARD DE JON  
 P. E. 02017-16-0048-0001-0001-0001  
 1/20/21

This plan is for the purpose of providing information only. It is not to be used for any other purpose without the written consent of the Council. The Council is not responsible for any loss or damage arising from the use of this plan.

PROJECT: PROPOSED REZONING 34 CHARLES STREET BLAYNEY NSW 2799  
 PHOTOS AND PHOTO INDEX PLAN  
 SHIRLEY BURBRIDGE

CALARECINI CONSULTING ENGINEERS  
 150 WINDYBROOK BLVD WINDYBROOK NSW 2799  
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Job No. 2017.1363  
 Drawn No. PH01 A  
 No. in Set 7



**Appendix B**  
**Flood Extent Plans**

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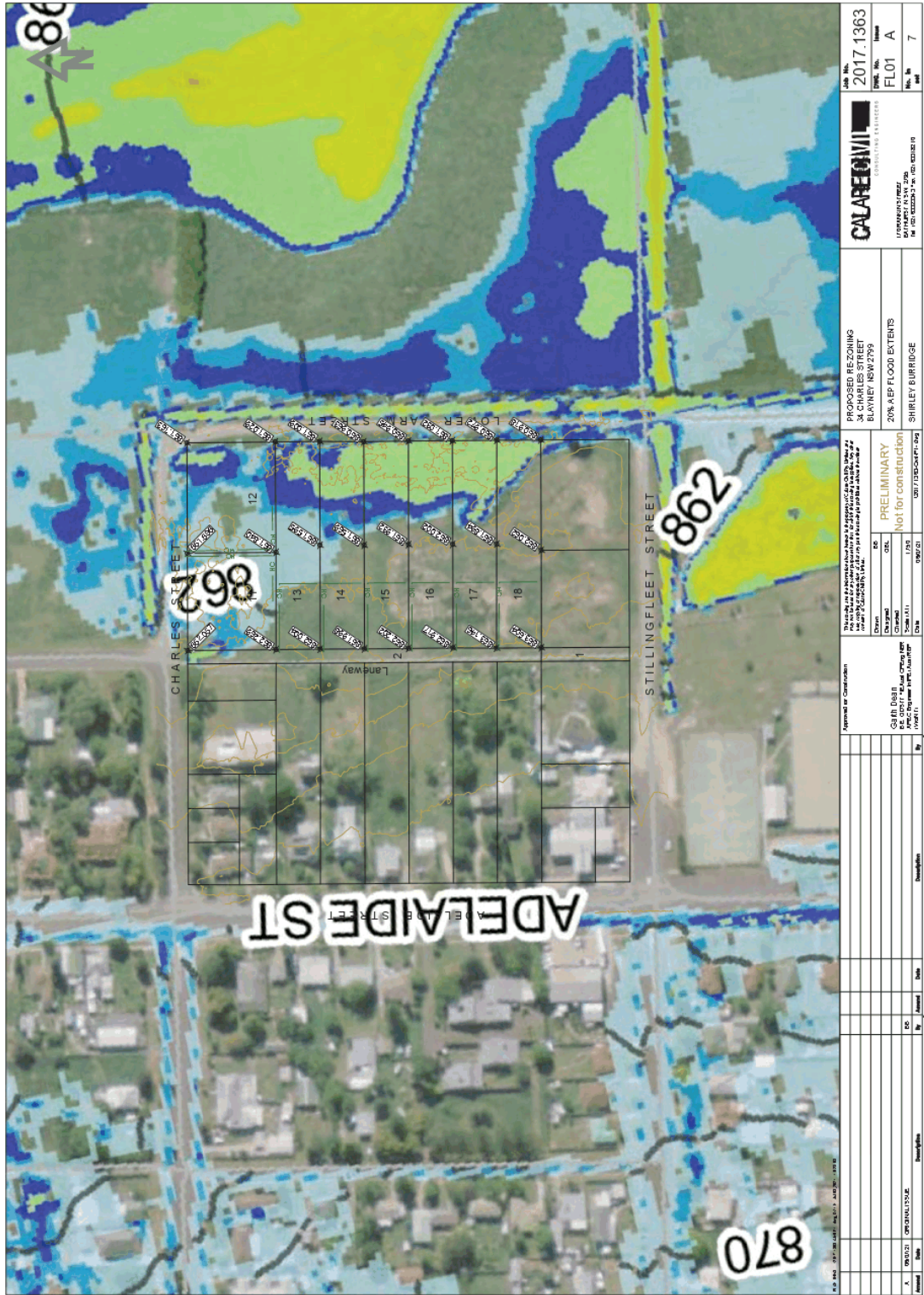
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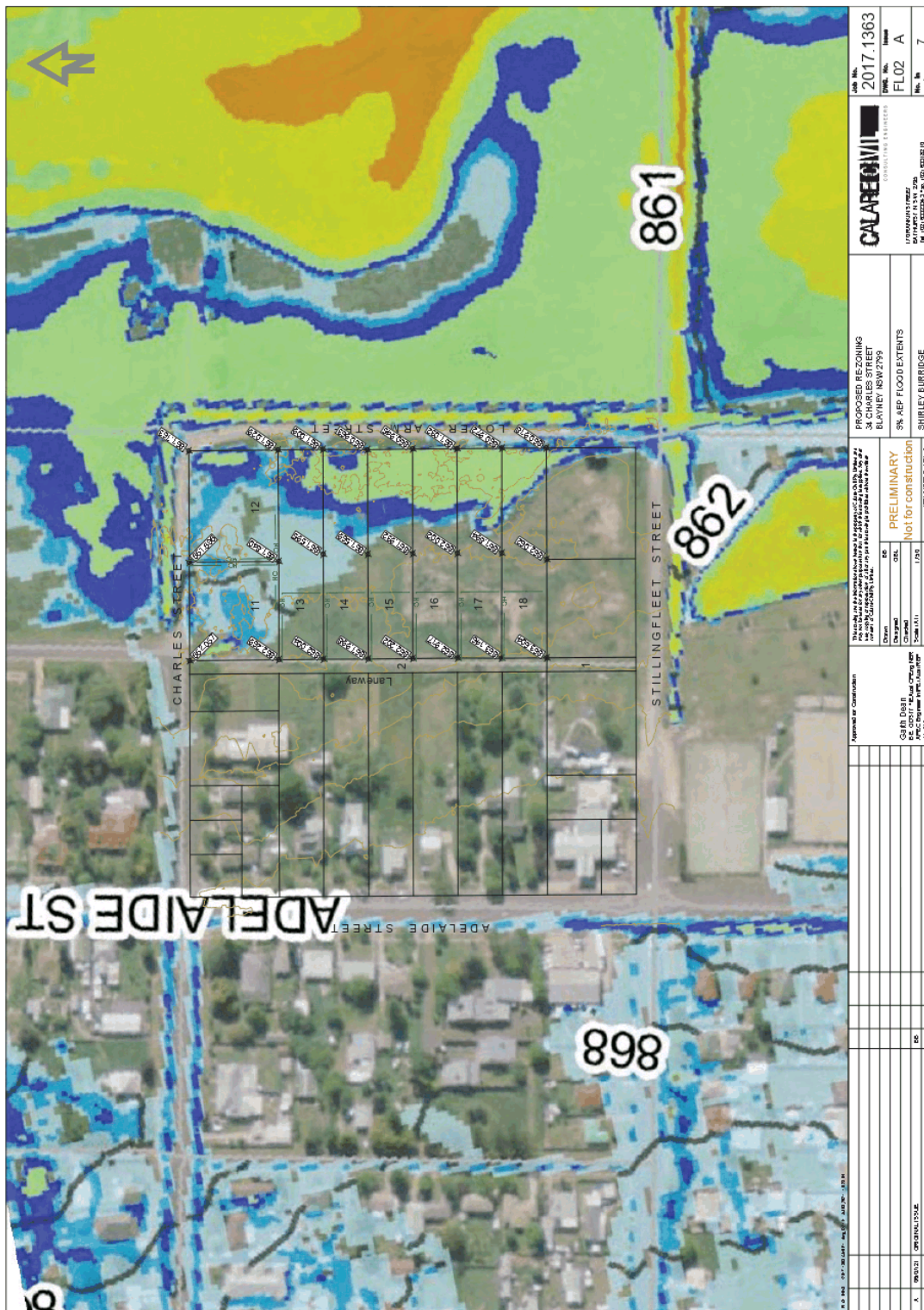
**Fax:** 02 6331 8210

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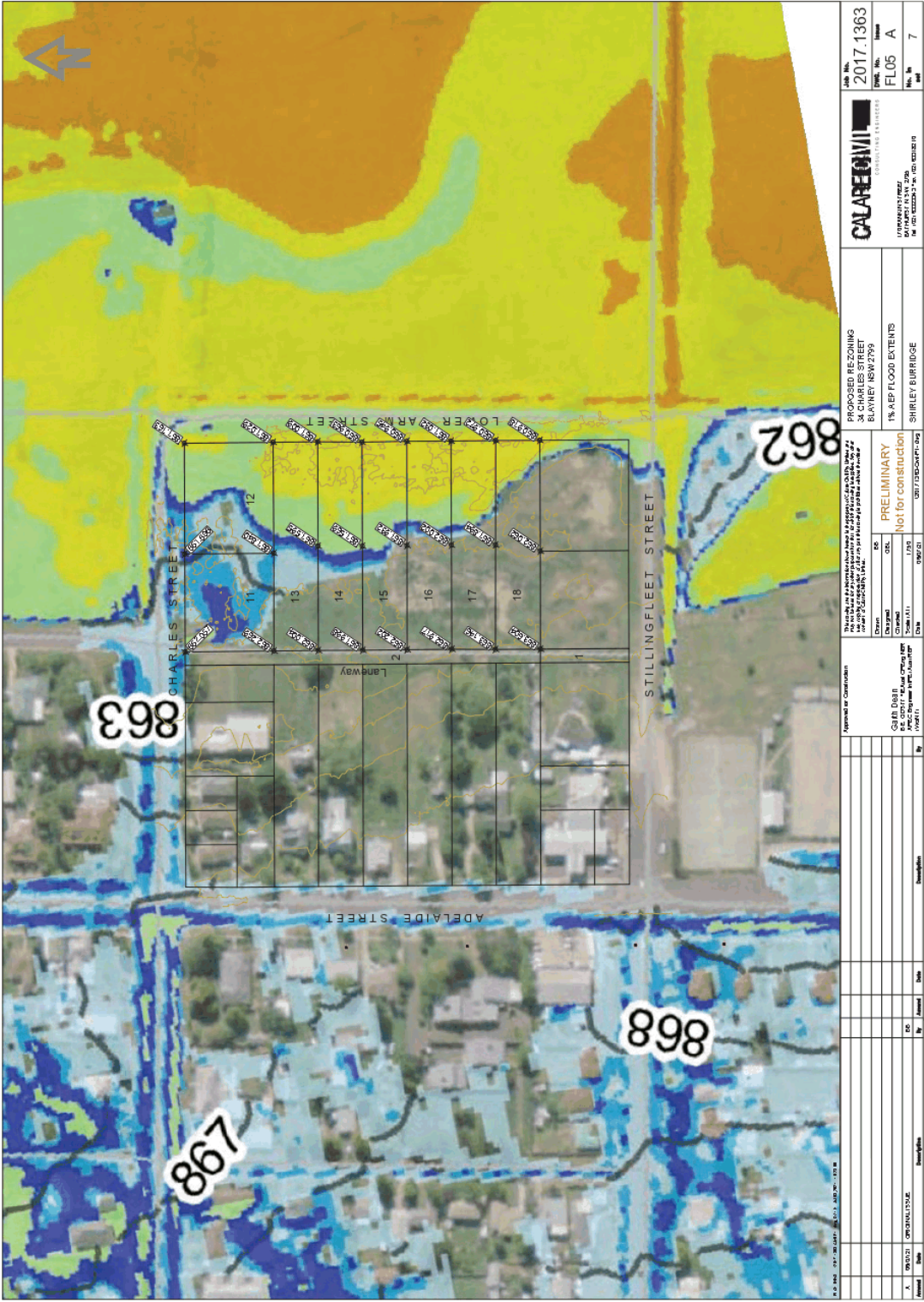
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<b>CALAREONNI</b> CONSULTING ENGINEERS 1/100 WYVERN ST WYVERN NSW 2799 TEL: (02) 63222517 FAX: (02) 63222511	
PROPOSED REZONING 38 CHARLES STREET BLAYNEY NSW 2799 20% AEP FLOOD EXTENTS SHIRLEY BURRIDGE	
PRELIMINARY Not for construction	
Approved or Committed GARY DEJIL P.E. 020277 - 16/04/2017 1/1/2017	
Description Date By Checked Date By Approved Date By	
A. 09/12/21 OFFICIAL ISSUE Date Description By Checked Date By	



JOB No. 2017.1363 DRAWING No. FLO2 A SHEET No. 7	
<b>CALAREONMI</b> CONSULTING ENGINEERS 1/15 WINDYBUSH ROAD WINDYBUSH NSW 2700 TEL: (02) 63222817 FAX: (02) 63222811	
PROPOSED REZONING 34 CHARLES STREET BLAYNEY NSW 2799 8% AEP FLOOD EXTENTS SHIRLEY BURBRIDGE	
PRELIMINARY Not for construction	
Date: 09/01/22 Drawn: GMB/DBJ Checked: GMB/DBJ Scale: A1:1 Date: 09/01/22	URBAN DESIGN UNIT 1/15 WINDYBUSH ROAD WINDYBUSH NSW 2700 TEL: (02) 63222817 FAX: (02) 63222811
Approved or Committed GMB/DBJ P.E. 02017-1363-01-001-001 1/15/2022	Description Date By Checked
A. 09/01/22 OPERATIONAL Description Date By Checked	





**Appendix C**  
**Groundwater Vulnerability Pan**

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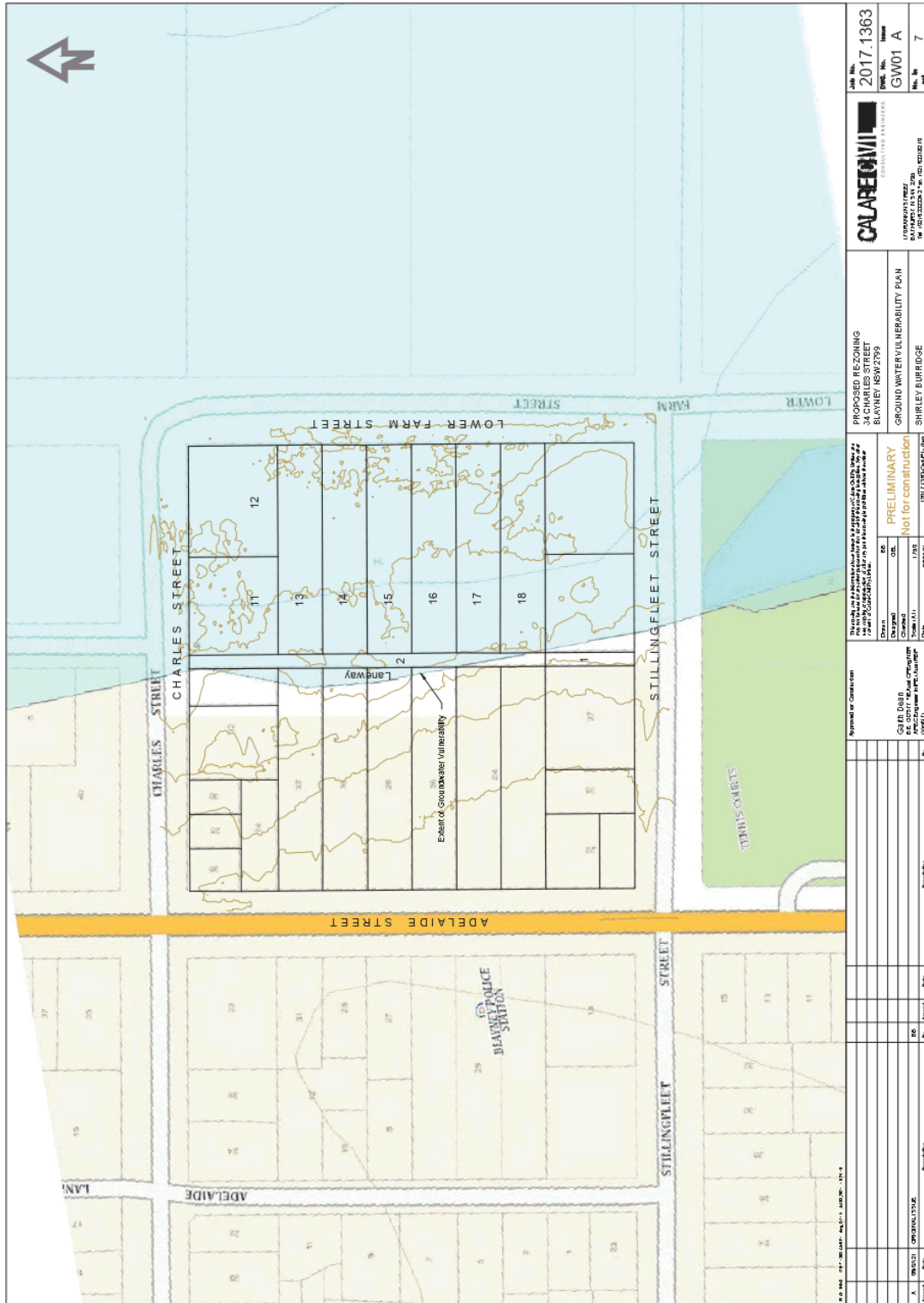
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		Job No. 2017.1363 Drawn No. GW01 A Date 7
PROPOSED REZONING 34 CHARLES STREET BLAYNEY NSW 2799		PRELIMINARY Not for construction
GROUND WATER VULNERABILITY PLAN SHIRLEY BURRIDGE		CALAREGINI CONSULTING ENGINEERS 1/15/2017 10:27 AM 14/03/2022 10:27 AM (10:10:10)
Date: 09/01/21 Drawn: GMB Scale: A1:1 Date: 09/01/21	Approved or Constructed GMB DGB P.E. 02017 - 2018 P.E. 02017 - 2018 1/10/11	Description By Date
A. 09/01/21 ORIGINAL SIZE	Description By Date	Description By Date



**Appendix D**  
**Services Plan**

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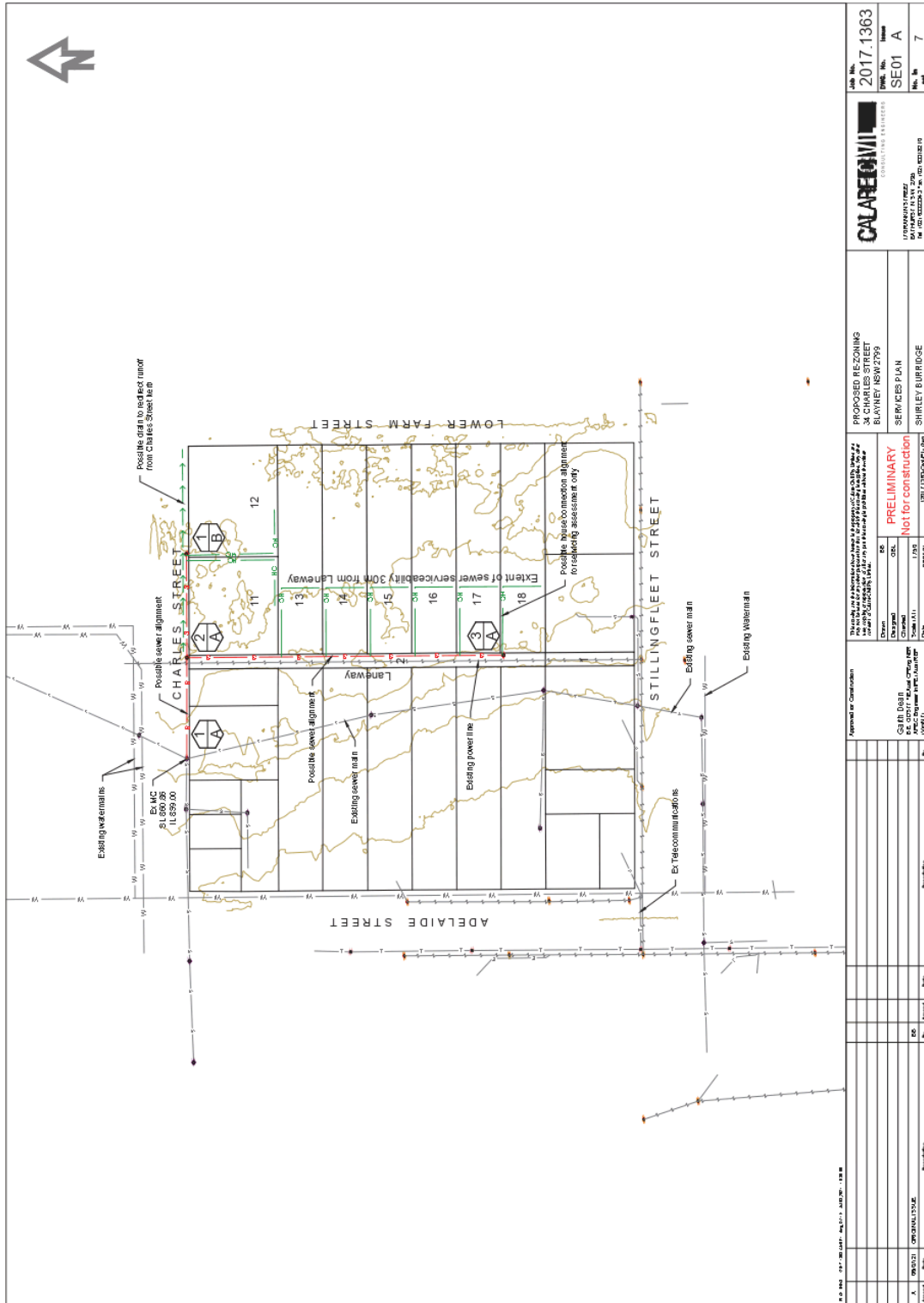
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**Fax:** 02 6331 8210

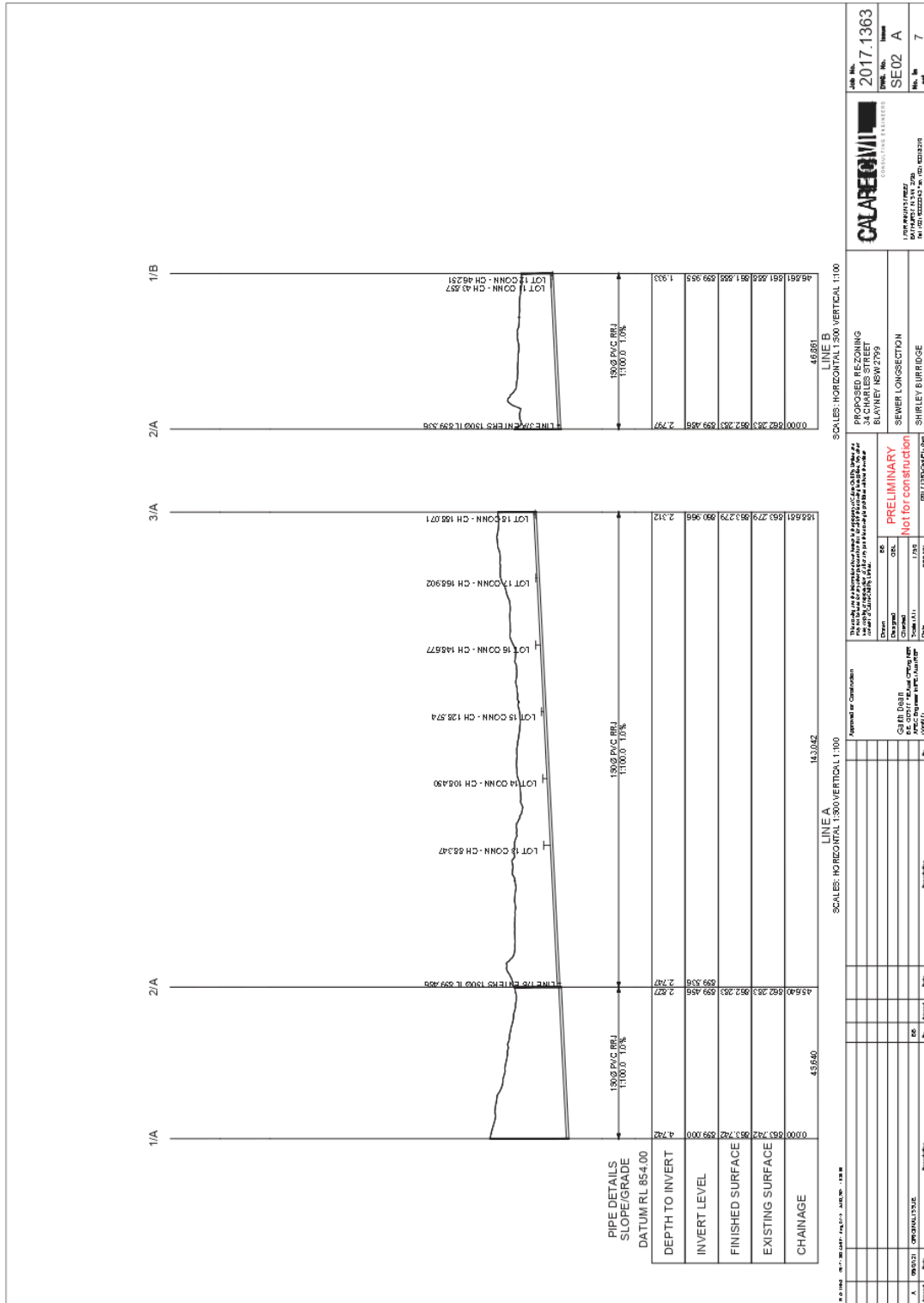
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<b>2017.1363</b> Job No. 2017.1363 Drawn No. SE01 A Scale 1:100 No. in Set 7		<b>CALABRECONI</b> CONSULTING ENGINEERS 1/11 HANCOCK STREET WYALINGA NSW 2720 TEL: (02) 93222323 FAX: (02) 93222311		PROPOSED REZONING 38 CHARLES STREET BLAYNEY NSW 2799 SERVICES PLAN SHIRLEY BURRIDGE	
Approved or Commissioned GARY DODD P.E. 010077-NSW 1/1/2017		PRELIMINARY Not for construction		Date 09/01/22	
Revised No.	Description	By	Date		
1	ORIGINAL ISSUE	GD			



# POLL HOUSE

## ALTERATIONS & ADDITIONS TO EXISTING HOUSE

### VICTORIA ST, MILLTHORPE

### LOT 116 IN DP 587508

**NOTES**

1. THE DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS APPROVED BY THE LOCAL GOVERNMENT AND THE RELEVANT AUTHORITIES. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS APPROVED BY THE LOCAL GOVERNMENT AND THE RELEVANT AUTHORITIES.

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**REVISIONS**

NO.	DATE	REVISION
1	20/12/22	ISSUED FOR DA APPROVAL

**ARCHITECTURAL**

SHEET TITLE

MILL HOUSE - 7 VICTORIA ST, MILLTHORPE

**LOCATION MAP**

FIGURE SOURCE: DEPARTMENT OF LANDS - SPATIAL INFORMATION SYSTEMS

**DRAWING SCHEDULE**

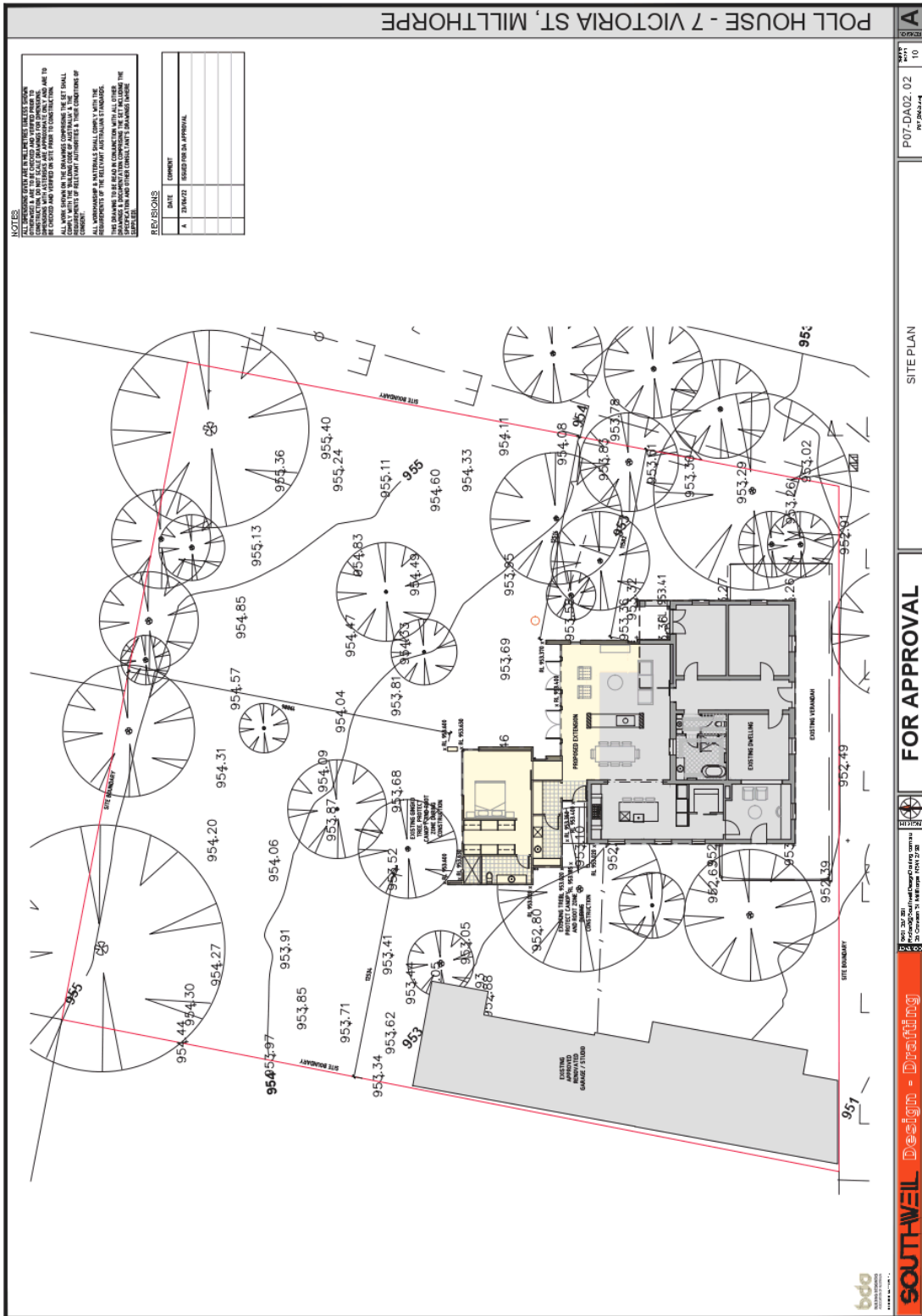
SHEET TITLE
01 MILL HOUSE - 7 VICTORIA ST, MILLTHORPE
02 ARCHITECTURAL
03 ARCHITECTURAL
04 ARCHITECTURAL
05 ARCHITECTURAL
06 ARCHITECTURAL
07 ARCHITECTURAL
08 ARCHITECTURAL
09 ARCHITECTURAL
10 ARCHITECTURAL
11 ARCHITECTURAL

**FOR APPROVAL**

TITLE: DRAWING SCHEDULE & LOCATION MAP

P07-DA02\_01

10



**POLL HOUSE - 7 VICTORIA ST, MILLTHORPE**

**NOTES**

1. ALL WORKS TO BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL CONSTRUCTION GENERAL REGULATIONS 2012. ALL WORKS TO BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL CONSTRUCTION GENERAL REGULATIONS 2012.

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8. ALL WORKS TO BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL CONSTRUCTION GENERAL REGULATIONS 2012.

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**REVISIONS**

NO.	DATE	DESCRIPTION
1	20/12/22	ISSUED FOR DA APPROVAL

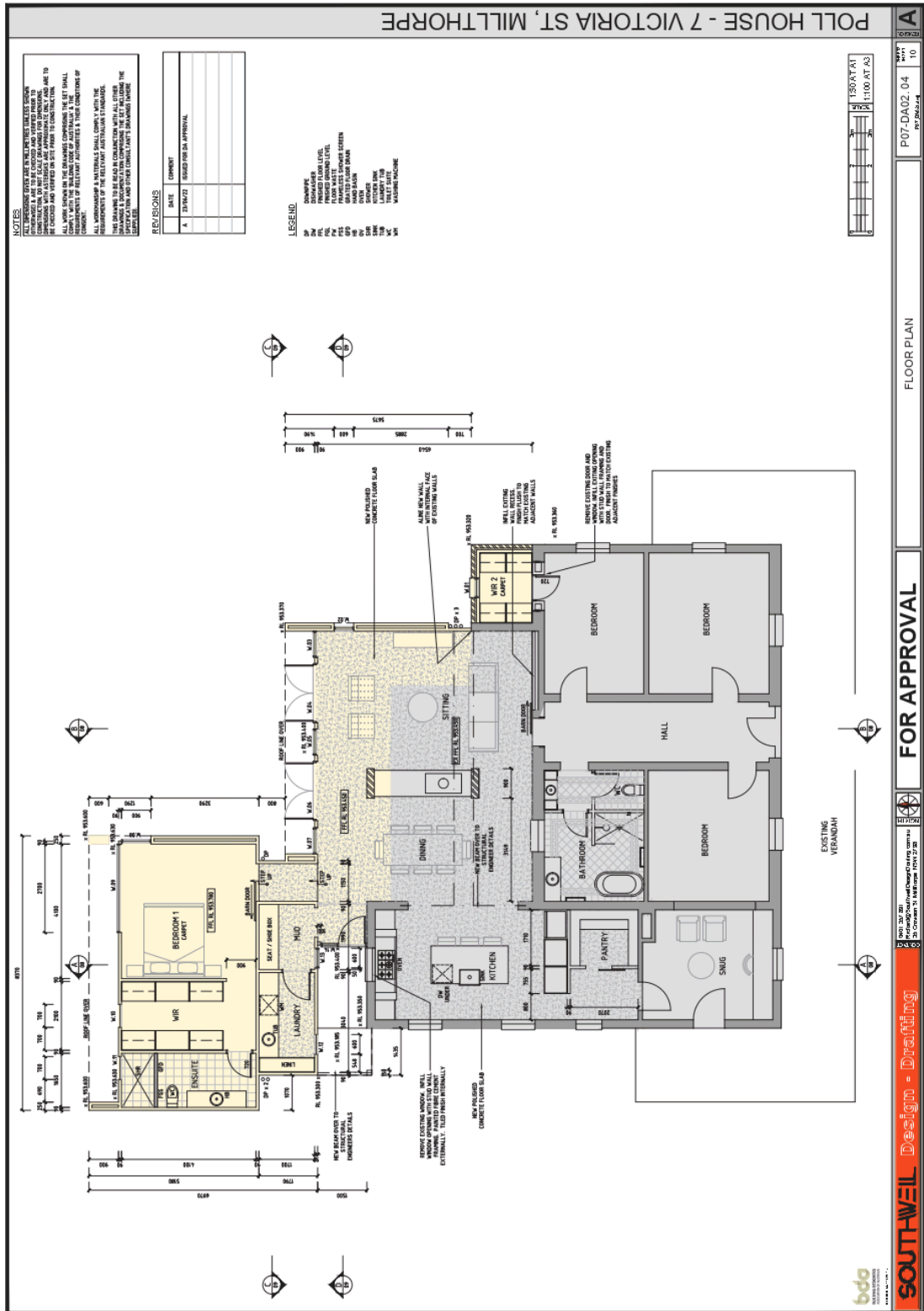
1:500 N.E. AT  
1:100 N.E. AT

P07-DA02\_03  
10  
P07-DA02\_03

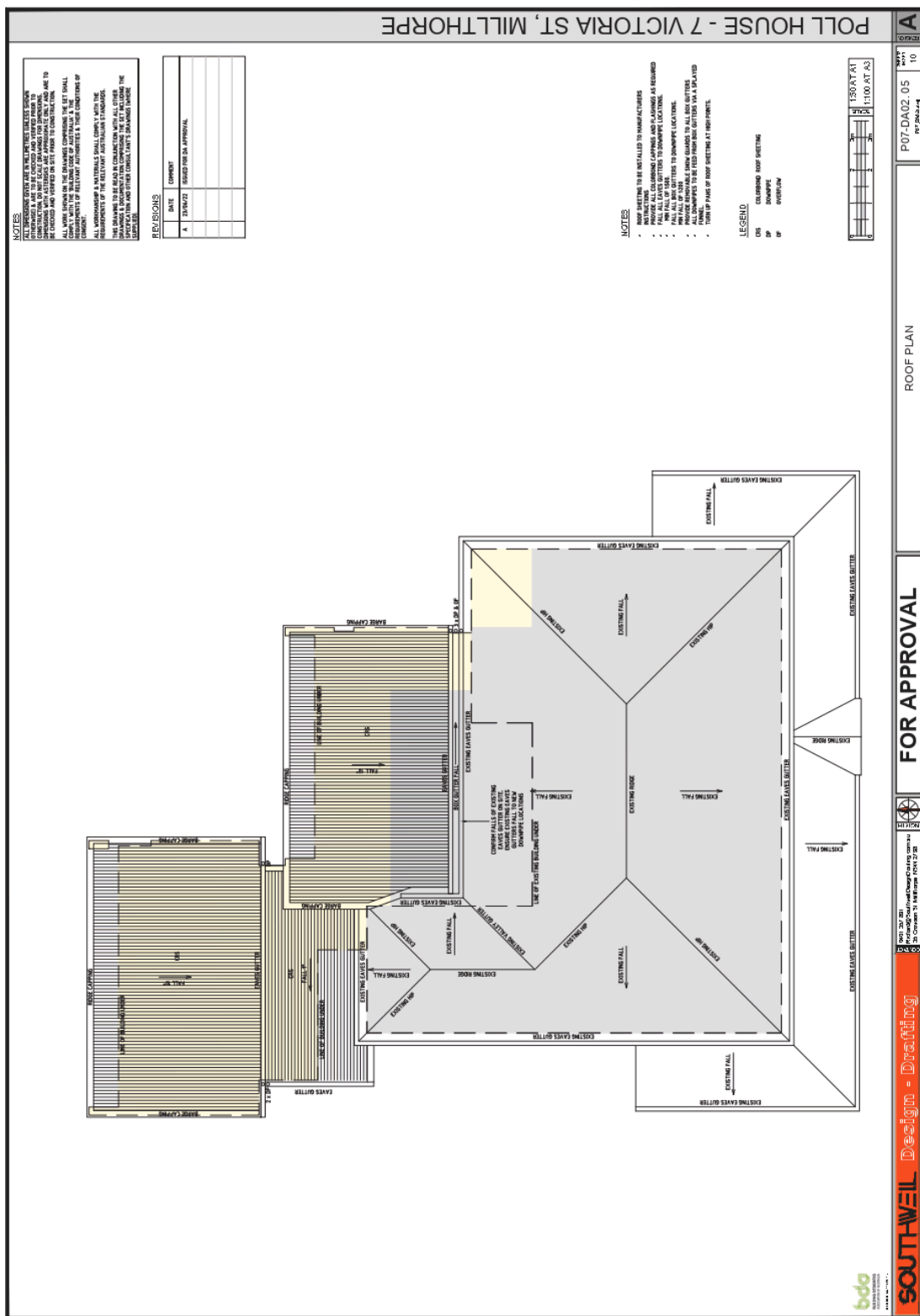
**FOR APPROVAL**

**SOUTHWEL Design - Drafting**

DEMOLITION PLAN







**NOTES**

1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE RELEVANT STANDARDS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT AND STATE AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT AND STATE AUTHORITIES.

2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE RELEVANT STANDARDS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT AND STATE AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT AND STATE AUTHORITIES.

**REVISIONS**

NO.	DATE	DESCRIPTION
1	20/10/22	ISSUED FOR APPROVAL

- NOTES**
- 1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE RELEVANT STANDARDS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT AND STATE AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT AND STATE AUTHORITIES.
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**SOUTHWEL Design - Drafting**  
 SOUTH WEL DESIGN - DRAFTING  
 1000-1001 BIRCH STREET, MILLTHORPE NSW 2885  
 PH: 08 4321 1111  
 WWW.SOUTHWELDESIGN.COM.AU

**FOR APPROVAL**

ROOF PLAN

P07-DA02\_05  
 10/10/22

**A**

**NOTES**

1. ALL WORKMANSHIP & MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS 2011 AS AMENDED AND THE BUILDING CODE OF PRACTICE 2012 AS AMENDED. ALL WORKMANSHIP & MATERIALS SHALL BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION.

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**REVISIONS**

NO.	DATE	REVISION
1	22/09/22	ISSUED FOR DA APPROVAL

**POLL HOUSE - 7 VICTORIA ST, MILLTHORPE**

**1. NORTH ELEVATION**

1. ALL EXTERIOR WALLS SHALL BE CONSTRUCTED WITH BRICKWORK. BRICKWORK SHALL BE LAYED IN A COURSE OF FULL BRICKS. BRICKWORK SHALL BE LAYED IN A COURSE OF FULL BRICKS.

**2. EAST ELEVATION**

1. ALL EXTERIOR WALLS SHALL BE CONSTRUCTED WITH BRICKWORK. BRICKWORK SHALL BE LAYED IN A COURSE OF FULL BRICKS. BRICKWORK SHALL BE LAYED IN A COURSE OF FULL BRICKS.

**LEGEND**

CE - CEILING (CLADDING) (SEE PLAN)

EW - EXTERIOR WALL (CLADDING)

FW - FULL BRICKWORK (TO MATCH EXISTING) - 1/2 BRICK

WB - WEST-FACING CLADDING (BRICKWORK)

**FINISHES**

EW - EXTERIOR WALL (CLADDING) (SEE PLAN)

FW - FULL BRICKWORK (TO MATCH EXISTING) - 1/2 BRICK

WB - WEST-FACING CLADDING (BRICKWORK)

**PHOTOGRAPHS**

1. STANDING SLANT PROFILE WITH CLADDING JOINTS

2. BRICKWORK & GIBBY WALL

**SCALE**

1:50 (HORIZONTAL)

1:20 (VERTICAL)

**FOR APPROVAL**

**SOUTHWEL Design - Drafting**

10/10/2022

**POLL HOUSE - 7 VICTORIA ST, MILLTHORPE**

**NOTES**

1. ALL WORKMANSHIP & MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS 2011 AS AMENDED AND VETTED FOR THE STATE OF NEW SOUTH WALES. ALL WORKMANSHIP & MATERIALS SHALL BE CHECKED AND VETTED ON SITE PRIOR TO CONSTRUCTION.

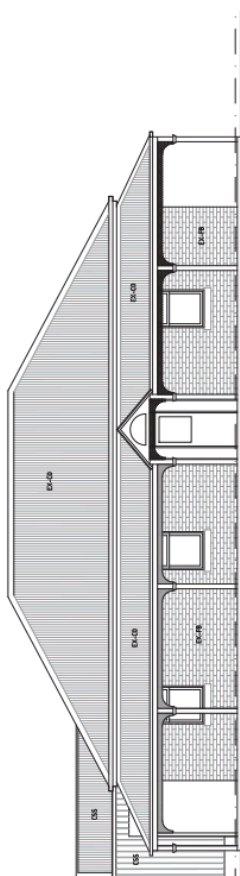
2. ALL WORKMANSHIP & MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF RELEVANT AUTHORITIES & THE CONDITIONS OF ANY LOCAL GOVERNMENT DEVELOPMENT CONSENT.

3. ALL WORKMANSHIP & MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS 2011 AS AMENDED AND VETTED FOR THE STATE OF NEW SOUTH WALES. ALL WORKMANSHIP & MATERIALS SHALL BE CHECKED AND VETTED ON SITE PRIOR TO CONSTRUCTION.


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**REVISIONS**

NO.	DATE	REVISION
1	20/01/22	ISSUED FOR DA APPROVAL



1. NORTH ELEVATION



2. EAST ELEVATION

**LEGEND**

- CLG CORRUGATED GALVANIZED STEEL GABLE ROOFING
- CLD CORRUGATED GALVANIZED STEEL CLADDING
- CLF CORRUGATED GALVANIZED STEEL CLADDING
- WB WOOD BRICK

Scale: 1:50 (VERTICAL), 1:100 (HORIZONTAL)

**FOR APPROVAL**

**SOUTHWEL Design - Drafting**

1000-200-201 Southwell Design Pty Ltd  
 1000-200-201 Southwell Design Pty Ltd  
 1000-200-201 Southwell Design Pty Ltd

ELEVATIONS - SHEET 2

P07-DA02\_07

DATE: 20/01/22

BY: P07-DA02\_07

10

**A**

### NOTES

1. ALL WORKSHOPS & MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS 2011 AS AMENDED AND VETTED UNDER THE BUILDING ACT 2016. ALL WORKSHOPS & MATERIALS SHALL BE CHECKED AND VETTED BY THE LOCAL AUTHORITY PRIOR TO COMMENCEMENT OF WORK. ALL WORKSHOPS & MATERIALS SHALL BE CHECKED AND VETTED BY THE LOCAL AUTHORITY PRIOR TO COMMENCEMENT OF WORK.

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### REVISIONS

NO.	DATE	REVISION
1	22/01/22	ISSUED FOR DA APPROVAL

## POLL HOUSE - 7 VICTORIA ST, MILLTHORPE

**SECTION A-A**

EXISTING EXISTING CONCRETE ON SITE. VERIFY EXISTING CONCRETE AS SHOWN ON EXISTING CONSTRUCTION DRAWINGS. CONSULT AS NECESSARY. CONFIRM ALL LEVELS WITH THE ARCHITECT. CONFIRM ALL LEVELS WITH THE ARCHITECT.

REMOVE EXISTING CONCRETE ON SITE. VERIFY EXISTING CONCRETE AS SHOWN ON EXISTING CONSTRUCTION DRAWINGS. CONSULT AS NECESSARY. CONFIRM ALL LEVELS WITH THE ARCHITECT. CONFIRM ALL LEVELS WITH THE ARCHITECT.

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**SECTION B-B**

REMOVE EXISTING CONCRETE ON SITE. VERIFY EXISTING CONCRETE AS SHOWN ON EXISTING CONSTRUCTION DRAWINGS. CONSULT AS NECESSARY. CONFIRM ALL LEVELS WITH THE ARCHITECT. CONFIRM ALL LEVELS WITH THE ARCHITECT.

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**LEGEND**

CSL CONCRETE SLAB (SEE PLAN & ELEVATION)

CSL CONCRETE SLAB (SEE PLAN & ELEVATION)

CSL CONCRETE SLAB (SEE PLAN & ELEVATION)

CSL CONCRETE SLAB (SEE PLAN & ELEVATION)

**SCALE**

1:50 (VERTICAL)

1:100 (HORIZONTAL)

**FOR APPROVAL**

SECTION - SHEET 1

P07-DA02\_08

10

**POLL HOUSE - 7 VICTORIA ST, MILLTHORPE**

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**REVISIONS**

NO.	DATE	REVISION
1	20/12/22	ISSUED FOR APPROVAL

**SECTION C-C**

**SECTION D-D**

**LEGEND**

CSL CEILING BASKET FLASHING (SEE PLAN) (MANUFACTURE)

CSL CEILING BASKET FLASHING (SEE PLAN) (MANUFACTURE)

CSL CEILING BASKET FLASHING (SEE PLAN) (MANUFACTURE)

CSL CEILING BASKET FLASHING (SEE PLAN) (MANUFACTURE)

**SCALE**

1:50 (VERTICAL)

1:100 (HORIZONTAL)

**SOUTHWEL Design - Drafting**

10/100/2022/01

10/100/2022/01

**FOR APPROVAL**

**SECTIONS - SHEET 1**

P07-DA02\_09

10

NOTES	
<p>THIS DRAWING IS PREPARED AND CHECKED BY THE ARCHITECT AND SHALL BE USED FOR INFORMATION ONLY. NO LIABILITY SHALL BE ACCEPTED FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED IN THIS DRAWING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE INFORMATION PROVIDED IN THIS DRAWING. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED IN THIS DRAWING. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED IN THIS DRAWING.</p>	
<p>ALL INFORMATION ON THIS DRAWING IS THE PROPERTY OF SOUTHWELL DESIGN &amp; DRAWING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE FOR WHICH IT WAS PREPARED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF SOUTHWELL DESIGN &amp; DRAWING.</p>	
<p>THIS DRAWING IS TO BE USED IN CONNECTION WITH ALL OTHER DRAWINGS AND DOCUMENTS PROVIDED BY SOUTHWELL DESIGN &amp; DRAWING. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED IN THIS DRAWING. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED IN THIS DRAWING.</p>	

NO	DATE	REVISION
1	20/01/22	ISSUED FOR APPROVAL

**REVISIONS**

**PROVISIONS**

NO	DATE	REVISION

**BASIC COMMITMENTS**

FIXTURES & FITTINGS	ELECTRIC HEAT PUMP
HEAT SOURCE	HEAT PUMP / AIR OR HEAT EXCHANGER
LIGHTING	FLUORESCENT LIGHTS
POWER	NEW OR ALTERED DOWNLIGHTS TO PROVIDE AVERAGE ILLUMINANCE OF 300 LUX MINIMUM / 300 LUX MINIMUM
CONSTRUCTION	<p>GLAZING: 4 GLAZING - 40% UGLASS - 16% UGLASS - 16% UGLASS - 16% UGLASS - 16% UGLASS</p> <p>EXTERNAL BRICK VENTER WALL - 140 MM UGLASS INCLUSIVE CONSTRUCTION</p> <p>ROOF: CEILING, PLAT ROOF - 140 MM UGLASS INCLUSIVE CONSTRUCTION</p> <p>ROOF: CEILING, PLAT ROOF - 140 MM UGLASS INCLUSIVE CONSTRUCTION</p> <p>ROOF: CEILING, PLAT ROOF - 140 MM UGLASS INCLUSIVE CONSTRUCTION</p> <p>ROOF: CEILING, PLAT ROOF - 140 MM UGLASS INCLUSIVE CONSTRUCTION</p>
GLAZING	<p>REFER TO WINDOW SPECIFICATIONS DETAILED IN THE GLAZING SCHEDULE AND TO THE WINDOW SCHEDULE</p> <p>BASIC AREA SCHEDULE</p> <p>EXISTING: 140%</p> <p>PROPOSED: 200%</p>

**POLL HOUSE - 7 VICTORIA ST, MILLTHORPE**

W.01 BEDROOM 1 ORIENTATION: NORTH AREA: 13.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.02 BEDROOM 1 ORIENTATION: EAST AREA: 15.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.03 SITTING ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.04 SITTING ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.05 SITTING ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.06 DINING ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.07 DINING ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.08 BEDROOM 1 ORIENTATION: NORTH AREA: 13.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.09 BEDROOM 1 ORIENTATION: NORTH AREA: 13.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.10 WR ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.11 ENSUITE ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.12 LAUNDRY ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.13 HID ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E	W.14 HID ORIENTATION: NORTH AREA: 12.0m <sup>2</sup> GLAZING: DOUBLE GLAZED (4) - E GLAZING: DOUBLE GLAZED (4) - E
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**SOUTHWELL Design & Drawing**

20/01/22  
140% UGLASS INCLUSIVE CONSTRUCTION  
140% UGLASS INCLUSIVE CONSTRUCTION  
140% UGLASS INCLUSIVE CONSTRUCTION  
140% UGLASS INCLUSIVE CONSTRUCTION

**FOR APPROVAL**

WINDOW SCHEDULE & BASIC COMMITMENTS

P07-DA02.10  
10  
10



## STATEMENT OF ENVIRONMENTAL EFFECTS

### LEGISLATION

In accordance with Schedule 1 of the *Environmental Planning and Assessment Act Regulation 2000*, a development application must be accompanied by a Statement of Environmental Effects (SEE).

This SEE is suitable for minor impact developments such as dwellings, subdivisions, dwelling alterations, additions and outbuildings. It may be necessary for Council to request additional information depending on the nature and impacts of a proposal.

**PLEASE NOTE: LARGER SCALE DEVELOPMENT SHOULD BE ACCOMPANIED BY A DETAILED AND SPECIFIC STATEMENT OF ENVIRONMENTAL EFFECTS PREPARED BY A SUITABLY QUALIFIED CONSULTANT**

*(Please provide additional comment if answering 'yes' to any of the questions.  
If necessary attach additional information)*

Office use: DA No. ....

### ASSISTANCE

This is a legal document & Council staff are not permitted to complete the form when blank spaces are left. Please answer every question. Where not relevant, please write N/A.  
Please refer to the Development and Building Guide for assistance in completing this form.  
Definition – LEP means Local Environmental Plan, Blayney 2012

### DETAILS

Site address 7 Victoria Street, Millthorpe .....

Development Alterations & additions to existing dwelling .....

### DEVELOPMENT STANDARDS

What is the zoning of the land? RU5 ..... (please obtain from Council staff or written Planning and Development Advice received)

Is the proposal permissible within this zone? (Please refer to the LEP link on Council's website)  Yes  No

Is the proposal consistent with the zone objectives? (Please refer to the LEP link on Council's website)  Yes  No

Please list the relevant Development Control Plans that apply to the development? A list of DCPs is available on Council's website or from Council. If you are unclear please check with Council staff.

DCP No. .... DCP No. ....

DCP No. .... DCP No. ....

DCP No. .... DCP No. ....

Is your proposal consistent with the selected Development Control Plans? If not, please indicate how the development is not consistent.

Comments: .....

*Document review March 2018*

**SITE SUITABILITY**

Is the development in an area that may be prone to natural hazards such as bushfires or floods? *(please check with Council staff)*  Yes  No

Describe the physical features of the site such as, slope, vegetation, any waterways .....  
 Existing dwelling on site. Area to be built on is relatively flat - slight fall to south. Established Ginko tree to be retained.  
 No waterways

**CURRENT AND PREVIOUS USES**

What is the current use of the site? Residential dwelling ..... Date present use commenced (if known) .....

Previous Use (if known) Pub .....

What is the present use(s) of the adjoining land? Residential dwellings .....

Is it possible that the site could be contaminated from current or previous usage?  Yes  No

Comments: .....

Is it possible that asbestos will be removed as part of this application?  Yes  No

**OPERATIONAL DETAILS (if applicable)**

For applications that involve a usage other than residential, describe how the establishment will operate.

What is the type of business you wish to operate? N/A .....

Number of staff .....

Days of operation:  Mon  Tues  Wed  Thurs  Fri  Sat  Sun

Hours of operation .....

Comments: .....

**ACCESS, TRAFFIC & UTILITIES – please refer to Council's website**

Will the development increase local traffic movements and volumes?  Yes  No  N/A

If yes, will this be significant? .....

Has vehicle manoeuvring and onsite parking been addressed in the design?  Yes  No  N/A

Will vehicles, pedestrians, bicycles and disabled persons be able to access the development?  Yes  No  N/A

Is there vehicle access to a public road?  Yes  No  N/A

Are the following utilities readily available to the site?

Water  Yes  No Telecommunications  Yes  No

Electricity  Yes  No Sewer  Yes  No

Comments: .....

*Document review March 2018*



**SOCIAL AND ECONOMIC IMPACTS** Note: Impacts can be positive or negative

Will the proposal have any social or economic consequence for the area?  Yes  No  
 Positive  Negative

Comments:  
 Employment for tradespeople - Updating heritage item

**CONTEXT AND SETTING** Note: Impacts can be positive or negative

Will the development:-

- be visually prominent in the surrounding area?  Yes  No
- be inconsistent with the existing streetscape or council setback policies?  Yes  No
- be out of character with the surrounding area?  Yes  No
- have a negligible impact  Yes  No

Is there any significant impact on neighbouring properties relating to:

Visual Privacy  YES  NO (If yes please comment)

If yes, what mitigation measures will be put in place? .....

Views  YES  NO (If yes please comment)

If yes, what mitigation measures will be put in place? .....

Overshadowing  YES  NO (If yes please comment)

If yes, what mitigation measures will be put in place? .....

**ENVIRONMENTAL IMPACTS** Note: Impacts can be positive or negative

Air and Noise

- Will any form of air pollution be created from the development?  Yes  No
- Will the development create any noise impacts?  Yes  No

If yes, what mitigation measures will be put in place? .....

Soil and Water

- Does the development have the potential to result in any form of water pollution?  Yes  No
- Will the development require any significant excavation or filling?  Yes  No
- During & after construction could the development cause erosion or sediment run-off?  Yes  No

Comments/Mitigation measures put in place?:

Erosion control during construction .....

Document review March 2018

Heritage (please check with Council staff)

- Is the development a heritage item as listed in Council's LEP or the State Heritage Register?  Yes  No
- Is the development located in a defined heritage conservation area?  Yes  No
- Will the development be adjoining a listed heritage item?  Yes  No
- Will the development have an impact on any listed heritage item or defined heritage conservation area?  Yes  No
- Will the development disturb any known Aboriginal artefacts?  Yes  No

If yes, list Aboriginal artefact .....

1. If yes to any of the above questions a *Heritage Impact Statement* **may** be required for any work to a heritage item or a building within a Heritage Conservation Area that requires consent under Council's Local Environment Plan. Where a Heritage Impact Statement is required it must be prepared by a suitably qualified heritage advisor/consultant.

The statement must address:

- Historical development of the site
- Description of the item and its setting (e.g. garden, fences, ancillary buildings, etc)
- Contribution to the streetscape: height, scale, mass, setback, fenestration, architectural style and period
- Heritage significance (use heritage manual criteria)
- Affect of proposal on the heritage significance of the building and its setting
- Design options and rationale for the preferred option
- Relevant conservation principles in accordance with ICOMOS Burra Charter

The NSW Heritage Manual, Heritage Impact Guideline and the Burra Charter can be obtained from Department of Planning - NSW Heritage Branch.

2. Alternatively, a statement of mitigation measures should be provided, and comment sought from Council's Heritage Advisor.

Sites adjoining a listed heritage item will require assessment in relation to the impact of any proposed development on the heritage item.

Comments:

.....  
.....

Flora and Fauna

Will the development:

- Result in any removal of vegetation on the site?  Yes  No
- Be likely to have an impact on threatened species, populations or ecological communities, or their habitats?  Yes  No
- Be subject to any significant landscaping treatments?  Yes  No
- Is the development in a koala habitat?  Yes  No
- Is the land a critical habitat?  Yes  No
- Is the development biodiversity compliant? (EP&A Regulation, Schedule 1, 1(2))  Yes  No

Comments:

**Landscape plan prepared and sem-implimented**

*Document review March 2018*

Waste

Will the development provide adequate waste (domestic/construction/demolition) facilities and controls? (collection, storage and disposal)

Yes  No

Comments:

Access to council weekly waste collection

Demolition waste during construction will be sorted and disposed of at Blayney Waste dept

Energy

Is the development considered to be environmentally sustainable in terms of energy consumption?

Yes  No

BASIX Certificate supplied?

Yes  No

Comments:

**DECLARATION**

I declare to the best of my knowledge and belief that all particulars herein are correct in every detail and all information required has been supplied.

Applicant Signature/s

Date 24/06/22

*Document review March 2018*

## Heritage Impact Statement

Alterations & additions to existing dwelling  
7-9 Victoria Street, Millthorpe

LOT 116  
DP 587508

prepared for  
N & B Poll

Date  
June 2022 – REV A



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## 1.0 THE SUBJECT SITE

### 1.1 Site identification

The site is LOT 116 of DP 587508. The street address is 7-9 Victoria Street, Millthorpe

### 1.2 Site zoning

The site is zoned RU5 – Village. Sites immediately adjacent to the site are also zoned RU5.

### 1.3 Site characteristics

The site is located on the intersection of Victoria and Pearce Street, adjacent to the intersection with Forest Reefs Rd and Elliott Street in central Millthorpe. The existing house addresses Victoria Street and has a side boundary on Pearce St. The site has vehicular access at the corner of Victoria St, Forest Reefs Rd and Elliot St. The site area is 1800m<sup>2</sup>. The site falls 5m from a high point in the north-eastern corner to a low point on the south-western corner. The Victoria St frontage of approximately 42m long and the Pearce Street boundary is approximately 40.2m long.

The site contains a mixture of mature and newly establish plantings being largely of exotic species. An established Ginkgo tree has been identified as a significant specimen worthy of protection.

The house was originally a double storey pub, but after a fire the building was converted into a single level dwelling.

### 1.5 Heritage

The site is located within the Millthorpe Heritage Conservation Area and is itself nominated as a heritage item.

- I300 –“Warringah”, house and garden, 7-9 Victoria Street, Lot 116 in DP 587508 with Local significance.

A heritage report of the existing building and based upon preliminary plans has been prepared by Councils heritage advisor. This report is attached.

There are also a number of heritage items located adjacent to the site

These nearby heritage items are:

- I301 –“ W & E Hayes Produce Shed (former)”, 10 Victoria Street, Lot 1, Section B in DP 1713 with Local significance.
- I299 –“Basalt kerb & guttering,” Victoria, Park & Pym Streets, with Local significance.
- I287- “Masonic Temple”, 6 Pearce Street, Lot 8 Section 2 in DP 1112 with local significance.

These heritage items are located on adjacent properties are will not be modified or affected by the proposal, nor are they in direct visual contact with the proposed works.

## 2.0 THE PROPOSAL

### 2.1 Proposal description

The proposal is for alterations and additions to an existing dwelling. The existing house contains three bedrooms. An existing lean-to addition on the northern side of the dwelling will be demolished. This existing lean-to accommodates a sitting dining area.

In its place a new addition will be built that accommodates a new sitting dining area, mudroom, laundry and back entry and a new master bedroom wing.

The proposal retains the older part of the dwelling, retaining the scale, form and bulk of the building as distinct from the new work.

Works proposed are outlined in architectural drawings P07-DA02 drawings 01-10

## 3.0 HERITAGE CONSIDERATIONS

### 3.1 Siting

The proposed works are located at the north side of the existing dwelling, the opposite site of the main dwelling frontage. There will be minimal (if any) visual modification apparent from the Victoria Street southern elevation.

The proposed alterations and additions to the existing dwelling will be set back 2.4m behind the eastern face of the existing building. This equates to 11.5 meters away from the Pearce St, Eastern boundary. The setback from the eastern elevation maintains the scale, bulk and form of the existing building and allows for an ample landscaping zone to soften the visual impact of the proposed changes as viewed from Pearce St.

The setback from the northern boundary is 19.8m and allows for the preservation of the Ginkgo tree. The closest part of the new additions to the western boundary is 12.5m

### 3.2 Scale, form & proportion

Historically, residential buildings in the area have been extended by means of a lean-to and/or out-building(s). There are multiple examples of this around the village of Millthorpe. Continuation of this concept was central to the development of the elevations of the proposed new work. Further, it was considered essential that the new work appeared subservient to the original double-brick dwelling and the form of the original bulk remained clearly visible, not being swamped or unnecessarily modified by the new work.

Therefore the mass of new work has been deliberately separated from the old and clearly definable as new work. All areas where new work meets the original double-brick cottage is connected via low pitch/flat roofs that connect under the height of the existing eaves and gutter. This provides a visual break between the new and old and preserves the original roof form largely intact. The two new 'pods' to the north are envisioned as a contemporary interpretation of the lean-to structure. This skillion roof form is common in this area, both as a lean-to behind many residential houses as well as in freestanding circumstances. The adjacent former mill site has a number of examples of this roof form on site, setting a precedent for and confirming the appropriateness of this form in the proposed additions.

A fundamental failure of many older dwellings is the lack of connection and response to their environment. This failure is intrinsically linked to the form of the buildings. Small windows and encompassing verandahs, while representing a romantic ideal, disconnect internal spaces from external space and light. When updating an older dwelling to suit contemporary lifestyles and attitudes, it is inevitable that this will be reflected to some degree in the form of the building. The use of skillion roof forms opens the new living space and master bedroom up to the north. The internal space is invited to connect visually and physically with the northern light, northern private open spaces and to make use of free solar passive heating. High northern windows allow for visual connection with the sky and established tree canopy. While the original house remains inward looking, enclosed and cosy, the new addition is open, light, and outward focused. This provides the occupants with the best of both worlds, reflecting the nature of contemporary life while retaining beneficial features of original dwelling. Additional northern light addresses another failure of older buildings by introducing passive winter solar heating to improve the energy efficiency of the dwelling.



An additional benefit of the skillion roof form is that the lower roof pitch allows the bulk and overall height of the additional elements to be minimal in scale in comparison to the bulk, scale and height of the original dwelling. The height of the proposed skillion roof forms remains well below the height of the original roof ridge and are equivalent in height to the ridge height of existing kitchen wing roof ridge height. A more traditional pitched roof would result in a significantly higher new ridge height that would threaten to compete with the original for visual dominance.



Examples of skillion / lean-to roof forms from within Millthorpe

### 3.3 Materials and colours

The proposed new work is to utilise a minimal material palette of Colorbond ‘monument’ colour standing seam metal wall cladding in combination with timber weatherboard cladding. These materials will present a clear delineation between the new work and existing brickwork without attempting to match. It will allow future generations to clearly read the story of the building, identify the visual scale bulk and form of the original building as well as differentiate between original and newer construction

Both the metal and weatherboard cladding are a contemporary interpretation of existing metal and timber clad buildings found in the village. Many metal clad buildings can be found throughout the village. Metal roofing is the predominant roofing material in Millthorpe. Metal wall cladding can also be found throughout Millthorpe in both vernacular and contemporary buildings. While the majority of this metal cladding would be custom-orb in profile, other profiles such as mini-orb and pressed tin also exist. The cladding is also regularly installed in different orientations. In addition to metal cladding and bluestone, the village contains a wide range of cladding finishes including brickwork, weatherboard, render and even slab construction. Buildings within the village were built over an extended time period, each building utilised building materials and technologies available at the time. As such it is difficult to nominate a specific Millthorpe palette. The strong vertical shadows created by the standing seam cladding will be consistent with other vertical cladding textures.

We appreciate that the colour of the cladding is likely to be a little controversial, however we feel that the ‘monument’ colour on new elements of the addition has merit worthy of consideration. The follow is our justification for the ‘monument’ colour:

- We note that within Millthorpe, in the immediate vicinity of the subject site there are precedents for the use of dark cladding. Dark monument metal cladding has been used on a contemporary addition at 12 Victoria. Black timber cladding has been used in a heritage item at 29 Victoria. In Carcoar at 2 Belubula St, within a heritage conservation area on a heritage item, monument standing seam metal cladding has been used.
- Apart from the precedents that these additions set, they also show that dark colours can work successfully in a heritage context. These additions do not appear visually intrusive or create visual conflicts with original building elements. Further they have not sparked significant community objection.
- The Burra Charter encourages a clear distinction be created between original and new building elements. This can include the use of contemporary forms, materials and colours to create this distinction between the old and new. A contemporary colour on a contemporary element would seem an appropriate interpretation of the goals or the Barr Charter to create a clear distinction

between old and new. The monument colour is not proposed to be added to any original building elements. The replication of original details on new building elements is discouraged. It would seem illogical if the same resistance to the replication of old details didn't also extend the use of traditional colours on new building elements.

- Dark colours are visually recessive. In this case, dark colours can help a contemporary addition appear less visually dominant, and in contrast, allow the original elements of the building to be highlighted – an outcome desirable in a heritage conservation area. The recessive nature of the dark cladding in conjunction with setbacks behind the street frontages of the original dwelling, and the significant space for landscaping between the addition and the street, contribute to what we believe will be an acceptable, subtle extension.
- On the contrary, we note examples around Millthorpe where more traditional colours / materials have been used and proven ultimately to be less than subtle additions to the heritage streetscape.

While not being exact replicas of existing material finishes, the selected palette is consistent with the colour, texture, scale and materiality of existing finishes found throughout the village and presents a project that will respect its historical context while being honest about its time of construction, and current building technologies.



12 Victoria St, Millthorpe

P07-HIS01a



29 Victoria St, Millthorpe



2 Belubula St, Carcoar  
Examples of additions to older building



### 3.4 Doors and windows

Doors and windows in the existing dwelling are predominantly timber framed. In order to reflect the contemporary nature of the new work and to correspond to the external cladding finishes, external windows and doors will be a mixture of timber and aluminium framed. Window located in a wall clad with Colorbond cladding will be powdercoated to match the colour of the wall cladding. Windows and door located in walls clad with timber weatherboards will be timber framed. The exception to the rule will be the ensuite and WIR windows which will be aluminium framed windows to provide a more durable material in the shower recess.

### 3.5 Adaptive re-use

The proposal includes the demolition of some of the more recent elements of the building, however the majority of the older historically significant elements are to remain intact. A more recent lean-to addition on the northern side of the dwelling which currently accommodates the sitting and dining area will be demolished. It is estimated that this building element was constructed during the 1980s.

### 3.6 Outbuildings

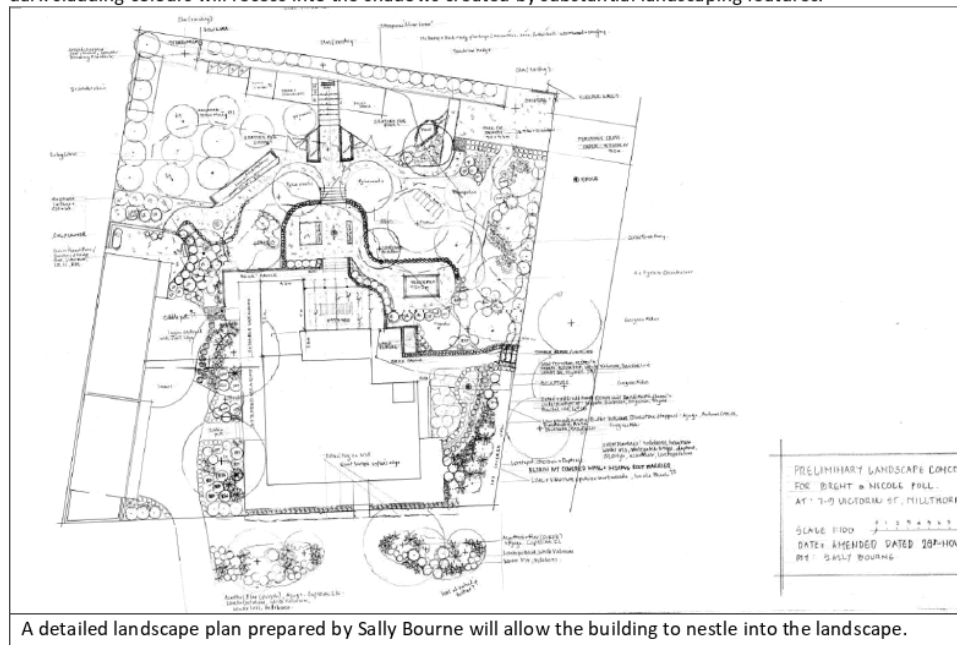
No new outbuildings are proposed, and no existing outbuilding are proposed to be demolished or modified as part of this application.

### 3.7 Fencing & gates

No additional fencing is proposed as part of the application.

### 3.8 Landscaping

A detailed landscape plan of the site has been prepared by Sally Bourne which is in the process of being implemented. The extensive landscaping plan will ensure the new work sits comfortable in the landscape. The dark cladding colours will recess into the shadows created by substantial landscaping features.



4.0 PHOTOS



4.1 Existing house, looking from south (Victoria St)



4.2 Existing house, looking from east (Pearce St.)



4.3 View of subject site, looking from north-east

**1. Draft Conditions of Consent**

**Approved Plans**

**1. Development In Accordance with Approved Plans & Documentation**

Development is to take place in accordance with:

Plan / Doc No.	Plan / Doc Title	Prepared by	Issue	Date
220022/SEE	Statement of Environmental Effects, including: Appendix A Project Drawings Appendix B DCP Compliance Table Appendix C Exempt Works Authorisation	Premise	003D	14.09.2022
A001	Title, Site Locality and Schedule of Drawings	Premise	C	17.06.2022
A002	Existing Site Plan	Premise	C	17.06.2022
A003	Proposed Lower Ground Floor Plan	Premise	C	17.06.2022
A004	Proposed Ground Floor Plan	Premise	C	17.06.2022
A005	Existing and Proposed Elevations	Premise	C	17.06.2022
A006	3D Views and Materials Selections	Premise	C	17.06.2022
220022_LET_009B	Letter - Response to Additional Information Request	Premise		06.12.2022

as amended in accordance with any conditions of this consent.

*NOTE: Any modifications to the proposal shall be the subject of an application under Section 4.55 of the Environmental Planning and Assessment Act, 1979.*

**Prescribed Conditions**

**2. Building Code of Australia**

The building work must be carried out in accordance with the requirements of the Building Code of Australia. A reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**3. Identification of Site**

The developer is to provide a clearly visible sign to the site stating:

- a) Unauthorised entry to the worksite is prohibited.
- b) Street number or lot number.
- c) Principal contractor's name and licence number; or owner builders permit number.
- d) Principal contractor's contact telephone number/after-hours number.



e) Identification of Principal Certifier, together with name, address & telephone number.

*Note: Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.*

**4. Excavation Work**

Where any excavation work on the site extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- a) Protect and support the adjoining premises from possible damage from the excavation, and
- b) Where necessary, underpin the adjoining premises to prevent any such damage.

<b>Prior to Issue of a Construction Certificate</b>
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**5. Access**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier an Access Consultant's Report to address compliance with the Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards) which requires that disabled access complying with the current standards be provided from the principal pedestrian entrance to, and within the building. Please note that due to the age of the building and the difficulty in complying with current standards, it will be likely that a Performance Solution addressing Clauses DP1, DP2 and FP2.1 of the Building Code of Australia (Volume 1) will be required. Also, as the ceiling heights of the lower ground floor are less than 2.4 metres, the Report must also address Clause FP3.1.

**6. Structural Engineering**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a structural engineer's report/certificate on the adequacy of the existing roof structure in regard to compliance with Australian Standard AS1170.3: Snow and Ice Actions.

**7. Fire Safety**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a Hydraulic engineer's design and certification for the proposed fire hydrant/s and fire rose reels to show compliance with Australian Standards AS2419.1 & AS2441 respectively.

**8. Energy Efficiency**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a Section J energy efficiency report from a suitably qualified and experienced consultant.

**9. Soil & Water Management Plan**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a Soil and Water Management Plan for the site in accordance with *WBC Guidelines for Engineering Work*.

*Note 1: No building, engineering, or excavation work, or topsoil stripping or vegetation removal, is to be carried out in relation to this development until such time as the plan has been approved by Council and the measures detailed in the plan are in place prior to works commencing.*

*Note 2: The measures detailed in the plan are to remain in place until all landscaping is completed.*

**10. Electrical and telecommunication authorities – building**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier evidence that arrangements have been made for the provision of electrical power, and telephone lines, OR underground electrical power and telephone lines respectively, to fully service the development to the satisfaction of the relevant electrical and telecommunications authorities.

**11. Contributions**

Prior to the issue of the Construction Certificate, the applicant is to make payment of Development Contributions to Blayney Shire Council in accordance with the Blayney Shire Council Local Infrastructure Contributions Plan 2022.

*Note 1 The contributions to be paid are currently 1% of the cost of development.*

*Note 2 The amount payable would be recalculated on the basis of the contribution rates that are applicable at the time of payment.*

*Note 3 Evidence of payment of the contributions is to be provided to the Principal Certifier prior to the issue of the Construction Certificate.*

*Note 4 A copy of the Blayney Shire Council Local Infrastructure Contributions Plans can be downloaded from Blayney Shire Council's website.*

**12. Food Safety**

Prior to the issue of the Construction Certificate, the applicant shall submit plans to the Principal Certifier for all food preparation, storage and service areas demonstrating compliance with:

- Australian Standard AS 4674:2004 – Design, construction and Fit-out of food premises
- Food Standards Code (Australia) and Food Safety Standard 3.2.3 – Food Premises and Equipment
- Food Act 2003 and Food Regulation 2015.

**13. Plan of Management**

Prior to the issue of the Construction Certificate, the applicant is to submit a Plan of Management to the Principal Certifier which addresses the following objectives:

- Ensuring the premises are managed to an acceptable standard and to ensure the facility meets the needs of guests, owners, stake holders, neighbours and the community in general.
- Ensuring operation of the site meets demands of the clientele while minimising impacts of local community.
- Ensuring the operational guidelines meet requirements for use of public areas that reduce impacts on other guests and the local community.
- Ensuring written records of management practices, standards and procedures are available for to all relevant parties.
- Providing a system by which standards, procedures and systems can be monitored and improved to ensure satisfaction of all stakeholders.
- Ensuring all areas of safety meet the standards as set by Government; and

- Ensuring the behaviours of both guests and those in the vicinity of the site are in keeping with standards as set down by those in the local community.

The Plan of Management must include a methodology to demonstrate how the following matters will be addressed to ensure that the facility is operated within acceptable limits:

- Maximum capacity of the premises.
- Online booking system which can be accessed via the general public via the internet.
- Register identifying the purpose of each tenant overnight stay.
- Operations and activities.
- Management responsibilities.
- Staffing.
- Security.
- Guest rules.
- Smoking (including littering of cigarette butts).
- Car parking.
- Noise minimisation.
- Stakeholder liaison.
- Complaints and complaints book, and
- Contact details for the on-site manager.

In addition, the Plan of Management must include:

- details to confirm that the operator will establish telephone complaints hot line for the purpose of receiving complaints from members of the public in relation to activities conducted on-site or by vehicles associated with the site.
- details of the complaints hotline are to be provided to adjoining owners and any property within 50m of the property boundary prior to the commencement of any works.
- details to confirm that the operator will prepare annual reports. Each annual report must provide a detailed overview of the operation of the facility for the previous 12 months, including details outlining how each requirement of the Plan of Management has been met.
- Requirements for the preparation of a report for submission to Blayney Shire Council on an annual basis (commencing from first use of the facility). As a minimum the annual report must detail
  - a. If a requirement of the Plan of Management was not met,
  - b. A record of any complaints received, including the time / date; the manner in which the complaint was addressed and whether or not the complaint was resolved.

#### **Prior to Works Commencing**

#### **14. Construction Certificate – Building Works**

Prior to the commencement of any works, the applicant is to obtain a Construction Certificate from either Blayney Shire Council or an Accredited Certifying Authority for the proposed motel building. Where Blayney Shire Council is not the Principal Certifier, a copy of the Construction Certificate is to be submitted to Council prior to the commencement of works.

**15. Commencement of Work and Appointment of PCA**

The applicant is to submit to Council, at least two (2) days prior to the commencement of any works, a notice of commencement of building or subdivision works and Appointment of Principal Certifier.

<b>During Construction</b>
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**16. Critical Stage Inspections**

The applicant must arrange for the building works to be inspected by Council at the times specified below:

- a) After excavation for, and prior to the placement of, any footings.
- b) In the case of a swimming pool, as soon as practicable after the barrier (if one is required under the Swimming Pools Act 1992) has been erected.
- c) Prior to pouring any in-situ reinforced concrete building element.
- d) Prior to covering of the framework for any floor, wall, roof or other building element.
- e) Prior to covering waterproofing in any wet areas.
- f) Prior to covering any stormwater drainage connections, and
- g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

Where Blayney Shire Council is required to carry out inspections the principal contractor for the building site, or owner builder, must notify Council at least 48 hours before each required inspection needs to be carried out. Failure to obtain an inspection of the works at the times specified above may prevent an Occupation Certificate being issued for the development.

**17. Naturally Occurring Asbestos**

If Naturally Occurring Asbestos is identified, and it is likely to be affected by the proposed works, Clause 432 of the *Work Health and Safety Regulations 2017* (as amended) requires that a site-specific Asbestos Management Plan must be prepared in accordance with the regulations and the *Model Asbestos Policy for NSW Councils (2015)* (as amended). If Naturally Occurring Asbestos is identified, no further works may be undertaken until an Asbestos Management Plan is prepared to the satisfaction of the Blayney Shire Council Department of Planning and Environmental Services.

**18. Hours for Construction or Demolition**

Construction or demolition only be carried out between 7.00 am and 6.00 pm on Monday to Friday, and 8am to 5pm on Saturdays. No construction or demolition is to be carried out at any time on a Sunday or a public holiday.

*Note: The principal contractor shall be responsible to instruct and control their sub-contractors regarding the hours of work.*

**19. Rubbish and Debris**

All rubbish and debris associated with the development, including that which can be windblown, must be contained on site in a suitable container at all times. The container shall be erected on the development site prior to work commencing. Materials, sheds or machinery to be used in

association with the development must be stored and stacked wholly within the worksite unless otherwise approved by Council.

*Note 1: No rubbish or debris associated with the development will be placed or permitted to be placed on any adjoining public reserve, footway or road.*

*Note 2: Offenders are liable for prosecution without further warning.*

**20. Toilet Facilities**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet, plus one additional toilet for every 20 persons employed at the site. Each toilet must:

- i. be a standard flushing toilet connected to a public sewer, or
- ii. have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- iii. be a temporary chemical closet approved under the *Local Government Act 1993*.

**21. Excavations and Backfilling**

All excavation and backfilling associated with the erection/demolition of the building must be:

- a) executed safely and in accordance with appropriate professional standards, and
- b) properly guarded and protected to prevent them from being dangerous to life or property.

**22. Demolition**

Demolition work shall be carried out in accordance with Australian Standard AS2601-1991: The Demolition of Structures, and NSW SafeWork requirements.

**23. Erosion and Sediment Control**

Erosion and sediment control measures are to be established prior to commencement of construction and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's *WBC Guidelines for Engineering Works* (see Council's website), and the Dept Housing – *Soil and Water Management for Urban Development (The Blue Book)*.

*Note 1: All erosion and sediment control measures must be in place prior to earthworks commencing.*

*Note 2: Copies of the above Policy are available from Council's Environmental Planning and Building Services Department.*

**24. Outdoor lighting**

All outdoor lighting must be installed in accordance with Australian Standard 4282:2019 Control of the obtrusive effects of outdoor lighting. Upon installation, certification of the manufacturer must be submitted to the Principal Certifier to confirm that all outdoor lighting complies with AS4282:2019.

**25. Engineering Inspections**

The applicant is to arrange an inspection of the development works by Council's Engineering Department, at the following (relevant) specified stages of the development. This condition applies notwithstanding any private certification of the engineering works.

A	Drainage	* After laying of pipes and prior to backfill. * Pits after rendering openings and installation of step irons.
B	Sewerage	* After laying of pipes and prior to backfill. * Main - air pressure testing. * Manhole - water test for infiltration, exfiltration.
C	Concrete Footway Crossings	* After placing of formwork and reinforcement, and prior to concrete placement;
D	Erosion and Sediment Control	* Prior to the installation of erosion measures.
E	All Development	* Practical completion.

**26. Site Management**

The site shall be managed so that:

- (a) No additional filling shall be placed on the land which may impede the flow of flood waters.
- (b) Any clearing or drainage activities shall not alter the drainage patterns across the site.
- (c) No landscaping or similar type structures shall be installed which will inhibit the flow of flood waters.
- (d) Any plant or goods stored upon the site shall be stored in a manner which will not allow pollution of the flood waters.
- (e) All actions shall be taken upon the site which will minimise the effect of the property upon the flood waters.

**27. Drainage**

Plumbing work is to be carried out so that the building has a separate drainage service connected to Council's sewer main within the boundaries of the site, in accordance with the Local Government (Approvals) Regulation 1999.

<b>Section 68 Requirements</b>
--------------------------------

**28. Licensed Plumber (During Construction)**

All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the Plumbing Code of Australia.

**29. Notice of Plumbing Work (Prior to the commencement of works)**

Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a "Notice of Works" under the Plumbing and Drainage Act 2011.

**30. Inspections**

Forty – eight (48) hours notice shall be given to Council for inspection of the following:

- a) Internal and external drainage lines, prior to backfilling. The licensed plumber/drainage shall be on site at the time of the inspection, and the drainage lines shall be charged.
- b) Hot and cold water at rough-in; and
- c) Completion.

<b>Prior to Issue of Occupation Certificate</b>
---

**31. Sewer Service Diagram**

Prior to the issue of an Occupation Certificate, the licensed plumber shall submit to Council a Sewer Service Diagram and a Certificate of Compliance in accordance with the requirements of NSW Fair Trading.

**32. Plan of Consolidation**

Prior to the issue of the Occupation Certificate, the applicant is to provide evidence to the Principal Certifier that a plan of consolidation of Lots 11, 12, 13 and 14 Section 13 DP 758121, Lot 1 DP 162646, Lot 8 DP 505215, Lot 20 DP 569741, Lot 10 DP 1114679 has been registered with NSW Land Registry Services. The final plan should also detail appropriate easements over existing and proposed service locations to the satisfaction of the relevant service authority.

**33. Liquid Trade Waste**

Prior to the occupation or use of the building, the developer is to obtain a liquid trade waste agreement from council under Section 68 of the Local Government Act.

**34. Occupation Certificate**

Prior to the occupation or use of the building an Occupation Certificate is to be obtained from the Principal Certifier, and where Council is not the PCA, a copy is to be submitted to Council. In this regard, an interim or final fire safety certificate for the fire safety measures installed in the building must be submitted with the application for an Occupation Certificate.

<b>Ongoing Matters</b>
------------------------

**35. Approved Use**

The approved building must not be used for any other purpose other than the approved use (i.e. a restaurant, bar, lounge and guest recreation area). Any proposed change of use shall only be permitted with the consent of Council.

**36. Plan of Management**

The requirements of the approved Plan of Management must be adhered to at all times.

**37. Clearance from Power Lines**

Clearance from power lines is to be provided during and after construction. Minimum distances from power lines are to be maintained in accordance with the requirements of the relevant service authority.

**38. Annual Fire Safety Certificate**

For every 12-month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.

Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW. A

further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

**39. Premises in a clean and tidy state**

The premises shall be maintained in a clean and tidy state at all times.

**40. Garbage storage**

All domestic garbage generated by the use of the proposed use must be disposed of immediately to the approved garbage storage and collection area.

**41. Car parking areas not to be used for another purpose**

All car parking spaces, loading and unloading areas, vehicle manoeuvring, and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use, at all times.

**42. Ingress/Egress**

All vehicles entering or leaving the subject property shall be driven in a forward direction.

<b>Advisory Notes</b>
-----------------------

**43. Compliance with the Building Code of Australia**

The following is required to ensure that the building complies with the Building Code of Australia (Volume 1):

- a) the fire hazard properties of linings, materials and assemblies in the building must comply with Specification C1.10, with certification to be submitted to the Principal Certifier prior to the issue of an occupation certificate.
- b) The building's lift installation must comply with Part E3 with certification to be submitted to the Principal Certifier prior to the issue of an occupation certificate.
- c) The stairs, handrails & balustrades must comply with Part D2 & D3 with non-slip treads/nosings being provided to the stairs;
- d) The exit doors must be fitted with lever type latches or panic bars in accordance with Clause D2.21;
- e) Emergency lighting and illuminated exit signs must be provided in the building in accordance with Part E4; and
- f) Portable fire extinguishers and fire blankets must be provided in the building in accordance with Clause E1.6.

**44. Inspection Schedule**

The Principal Certifier is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Blayney Shire Council during construction of the work.

The Principal Certifier must be contacted to undertake inspections of the various stages of construction as follows:

- a. slab inspection prior to pouring concrete
- b. Frame inspection prior to the fixing of internal linings
- c. stormwater drainage pipes prior to covering
- d. Final inspection at time of completion of all works.



**45. Notice of Commencement**

Notice of commencement of building works must be lodged on the NSW Planning Portal at least 2 days before any work commences on the site.

**46. Aboriginal Objects**

If, during work, an Aboriginal object is uncovered then work is to cease immediately, and the Office of Environment and Heritage is to be contacted urgently. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 60 of the National Parks and Wildlife Regulation 2019.

Southwell Design & Drafting  
35 Crowson St,  
Millthorpe NSW, 2798  
ABN 38 276 098 048

Blayney Shire Council  
Attention Claire Johnstone  
PO Box 62  
Blayney NSW, 2799  
[council@blayney.nsw.gov.au](mailto:council@blayney.nsw.gov.au)  
02 63682104

September 23, 2022

### **Objections to DA94/2022**

#### **Proposed alterations & additions to existing dwelling – 7 Victoria St, Millthorpe**

Thank you, Claire, for forwarding objections regarding DA94/2022 In addition to the previously provided justification for the selection of standing seam cladding in Monument colour, we offer the following additional feedback.

- In recent years, two significant projects that include the use of black cladding have been approved in Millthorpe and Carcoar on Heritage Items in close proximity to the main streets.
  - 29 Victoria St, Millthorpe
  - 2 Belubula St, Carcoar.
- 29 Victoria St includes the use of black painted Weathertex, charred timber cladding and monument coloured Colorbond metal roofing.
- 2 Belubula St, Millthorpe includes the use the of monument standing seam metal cladding – exactly the same as proposed for this development.
- We note that the single objection received commented on the way additions at 29 Victoria St 12 Victoria Street were “cleverly out the back and not visible from the street”. The additions at 29 & 12 Victoria Street are indeed hidden behind the original historical building element – but from Victoria St, this proposed addition to 7 Victoria Street is equally hidden and recessed behind the front of the building. If these other projects are considered ‘clever, then the proposed works at 7 Victoria St should be considered equally clever.

- Both the proposed additions at 7 Victoria St and those at 29 Victoria St are both on corner blocks. The additions at 29 Victoria St are not at all hidden or recessed back from the side street elevation on Montgomery St. The primary bulk of this addition is setback only 1m behind the fence line. In comparison the proposed additions at 7 Victoria St will be set back 11.5m (at the closest point) from the side boundary on Pearce St.
- Similarly, the additions at 2 Belublula St Carcoar are on a corner block, hidden from view in Belubula St but very visible from Icelly and Naylor streets.
- The proposed new black clad building elements are of a far smaller scale than those found to be acceptable at 29 Victoria St. See image below with approximate scale of the black clad additions at 29 Victoria Street, overlaid the proposed black clad additions at 7 Victoria Street.

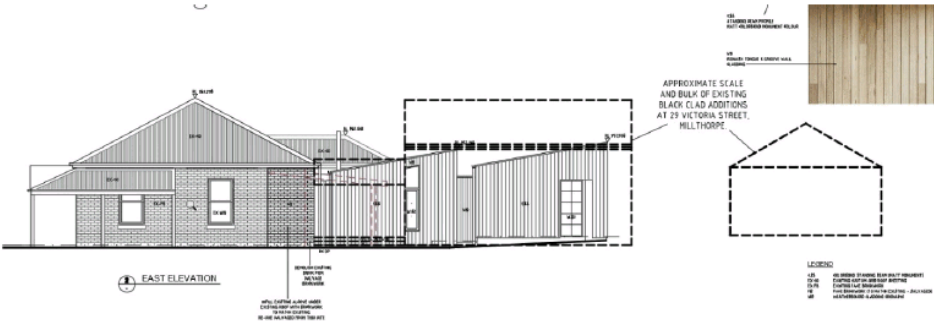


Image 01  
Image showing the comparative scale / bulk of the proposed additions at 7 Victoria St compared to the existing approved additions at 29 Victoria St. (Keeping in mind that the larger scale and bulk of the building at 29 Victoria St is only set back 1m off the street boundary compared to the 11.5m min setback proposed at 7 Victoria St.)

- As well as being closer the boundary and larger in scale and bulk, the additions at 29 Victoria St are in a far more visually prominent location, being visible from Victoria St, Pym St, Montgomery St and Pilcher St. The proposed additions at 7 Victoria St will only be visible from Pearce St and for a small distance further east up Victoria St.



Image 01

Taken from Pearce St looking towards the site of the proposed additions. From this angle, both black cladding and Victorian ash cladding will break up the visual bulk of the addition and the extent of black cladding.

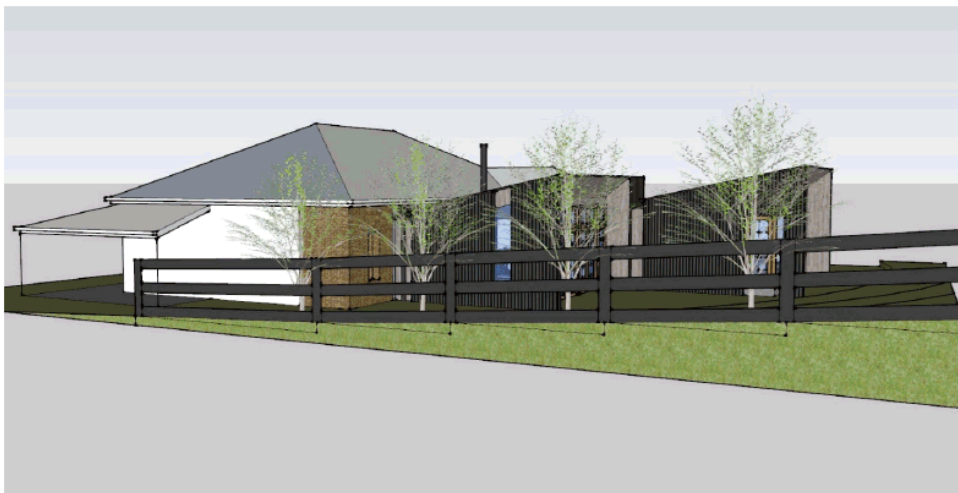


Image 02

3d view of proposed additions from Pearce St. Hedge (already planted) removed for clarity. The true view of the proposed building elements will be broken up by variation in building elements, and material pallet. Setbacks will allow for significate vegetation screening and opportunity to settle the new work into the landscape. In reality when viewed in 3 dimensions, the additions will not appear as blunt as two simple black boxes.



Image 03

3d view of proposed additions from Pearce St with establish landscaping as designed by Sally Bourne. Image show a hedge at 2m high.



Image 04

Taken from Victoria St. The additions will not be visible from this direction – fully concealed behind the existing building elements



Image 05

**SOUTHWELL DESIGN & DRAFTING**

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Taken from Victoria St – outside 13 / 14 Victoria Street. The proposed additions will be fully concealed behind neighbouring landscaping.



Image 06

Taken from the intersection of Victoria and Pearce St. Only the eastern black clad wall of the sitting room will be visible from this angle.



Image 07

3d view of proposed additions from the intersection of Pearce and Victoria St. Only the eastern wall of the sitting room will be visible due the significate boundary setback dimensions.

- The comparison with 29 Victoria St is not intended to be at all critical of the new additions there. Rather we hope to provide some reference to a similar project that has been found to be an acceptable solution and show how the proposed works at 7 Victoria Street will compare with a smaller scale, bulk and increased setbacks to also create an acceptable, even more subtle outcome.
- A detailed landscape plan has been prepared by Landscape architect Sally Bourne. Some of the landscaping plan has already been planted but obviously much of the landscaping plan (included in the DA application SoEE) has not been planted yet as it would be affected by proposed building works. The 11.5m building setback will provide significant opportunity for softening and screening of the proposed new building elements. The effectiveness of the landscaping to settle the new building elements into the landscape should be judged on the basis of the proposed landscape plan, not only the extent of existing landscape work.
- Planting between the Pearce St boundary and the proposed new work includes trees and hedging. The combination of landscaping and topography of the site will significantly screen the proposed work. The enclosed yards space to the north and the east of the proposed work is private open space. It is not the street address, nor is it designed to be an additional house frontage. As such the landscaping should and does aim to provide privacy for the private open space which will in turn will create a signficante visual screen between the proposed work and Pearce Street.
- Planting along the eastern boundary includes 4 Chanticleer Pear trees that will grow quickly to a width of 6 meters and a height of 11m. Height of these trees will exceed the height of the proposed building elements and the 6 meter width will provide a continuous canopy. These trees have already been planted.
- Planting along the eastern boundary also includes a hedge of Forest Pansy each plant growing to 5 meters high by 5 meters wide. The landscape plan indicates this hedge should be trimmed to a height of 3m, well above the eyeline of pedestrians on Pearce. Again, these plants have already been planted.
- Further, a magnolia tree to 4m high or 10 years has already been planted between the Pearce Street boundary and the proposed location of the eastern wall of the sitting room.
- We draw you attention to the selection of Monument Colorbond with a matt finish to reduce shininess of the finish.



- As a compromise we would be willing offer the following concession.
  - The addition of a timber framed pergola to the north and east of the main living area pod for softening of the building elements, to support additional greenery, and to reflect the form of a verandah – similar to the original house.



Image 08

3d view of proposed additions showing a potential timber pergola wrapping around the north and east side of the sitting room.

Given the above reasoning, the precedents set by previously approved black clad additions in the village, the extensive implemented landscape plan and the inclusion of a timber pergola we argue that the proposed works with black cladding should be considered an acceptable outcome.

If you have any questions, please don't hesitate to contact me.

Regards

Richard Southwell

**SOUTHWELL DESIGN & DRAFTING**

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FOR APPROVAL

# 62 OSMAN STREET BLAYNEY NSW

## ROVEST HOLDINGS PTY LTD

### PROPOSED BLAYNEY MOTEL DEVELOPMENT

PROPOSED ALTERATIONS TO EXISTING BUILDING - DEVELOPMENT APPLICATION

SCHEDULE OF DRAWINGS

DRAWING	TITLE	REVISION	DATE
AR1	FINAL ARCHITECTURAL DEVELOPMENT DRAWINGS	C	14.12.22
AR2	CONCEPT PLAN	C	14.12.22
AR3	PROPOSED EXISTING BUILDING FOOTPRINT	C	14.12.22
AR4	PROPOSED EXISTING FOOTPRINT	C	14.12.22
AR5	EXISTING ARCHITECTURAL DEVELOPMENTS	C	14.12.22
AR6	3D RENDERING EXISTING ARCHITECTURAL DEVELOPMENTS	C	14.12.22



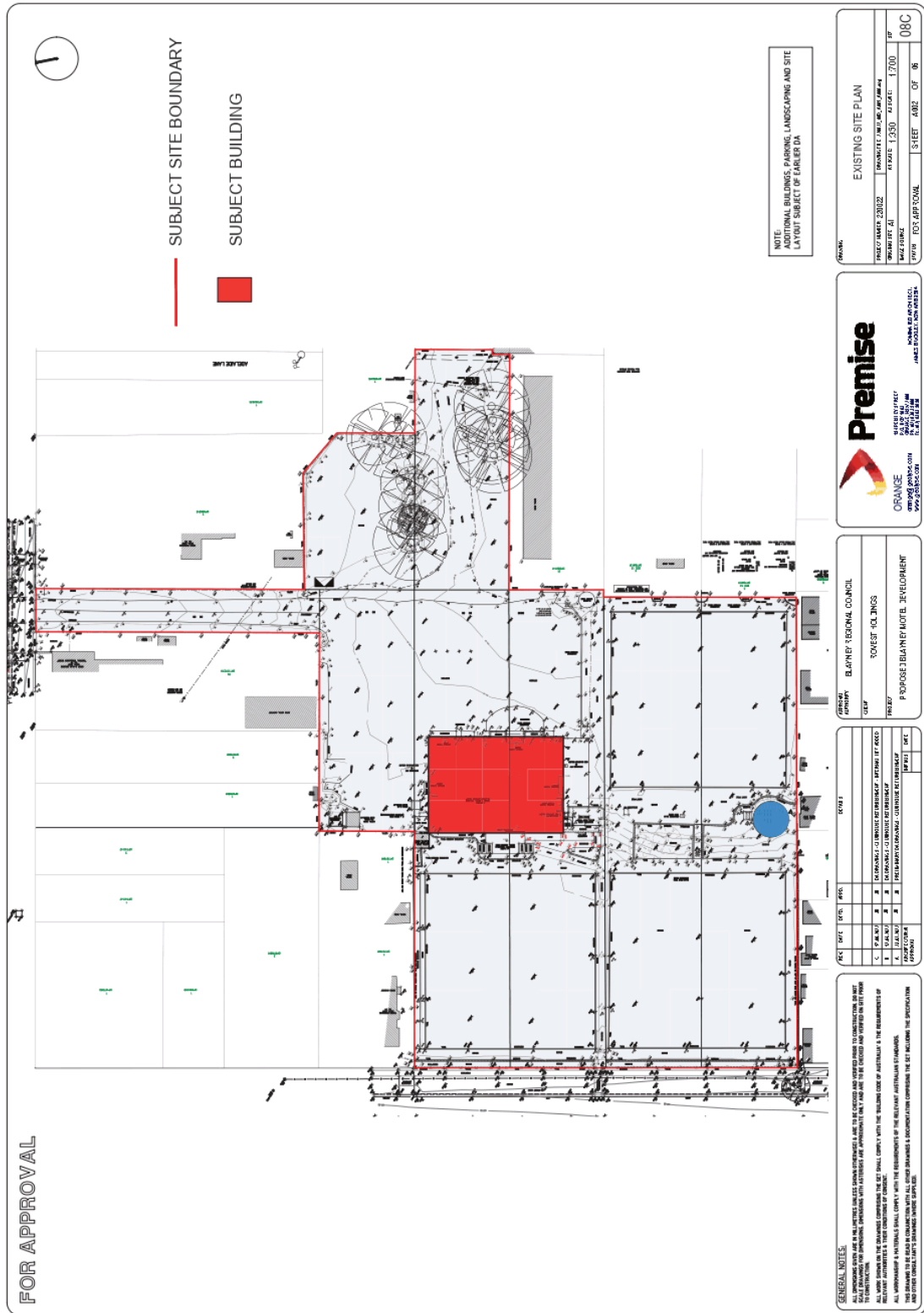
SITE LOCALITY  
NOT TO SCALE

**GENERAL NOTICE:**  
 THESE DRAWINGS AND ANY INFORMATION CONTAINED HEREIN ARE TO BE USED ONLY FOR THE PURPOSES AND IN ACCORDANCE WITH THE CONDITIONS OF THE DEVELOPMENT APPLICATION. THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES. THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES. THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES.

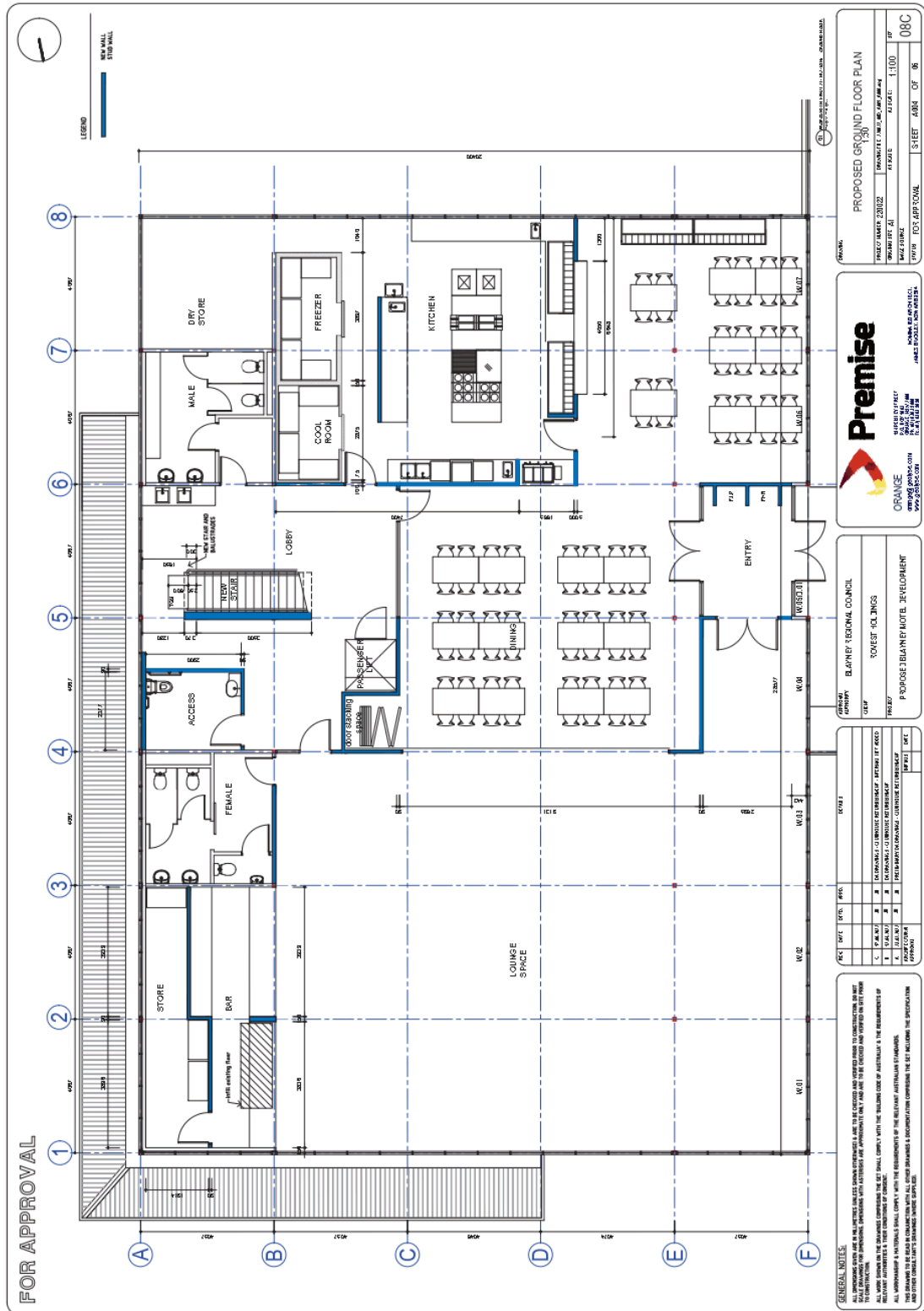
REV	DATE	BY	REASON
1	14/12/22	AR	ISSUE FOR APPROVAL

ORANGE REGIONAL COUNCIL  
 ROVEST HOLDINGS  
 PROPOSED BLAYNEY MOTEL DEVELOPMENT

DATE: 14/12/22  
 DRAWING NO: 2022-082  
 DRAWING TITLE: PROPOSED BLAYNEY MOTEL DEVELOPMENT  
 SHEET NO: 1 OF 3  
 SHEET TOTAL: 3 OF 3







FOR APPROVAL

EXISTING & PROPOSED ELEVATIONS

PROJECT NAME: 230322 - BLAYNEY REGIONAL COUNCIL

DATE: 12/01/2022

SCALE: 1:100

DATE: 12/01/2022

PROJECT NO: 230322

DATE: 12/01/2022

SCALE: 1:100

DATE: 12/01/2022

SHEET: 00C

NO: 1 - ARCHITECTURALS

ITEM NO: 20

FOR APPROVAL

PROPOSED VIEW FROM NORTH WEST

PROPOSED VIEW FROM NORTH EAST

PROPOSED VIEW FROM SOUTH WEST

PROPOSED VIEW FROM SOUTH EAST

**PRIMARY MATERIALS LEGEND**

- ① BRICKS (COMMONWEALTH PATENT RED)
- ② CORE CLADDING
- ③ CLADDING (ONE CLADDING) - STAINLESS
- ④ COLOURBOND BRICKS (ONE LONG-DOME) - WHITE CLADDING
- ⑤ COLOURBOND BRICKS (ONE ROLLER DOORS)
- ⑥ SPANISH ALUMINIUM JOINT

**GENERAL NOTES**

ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.

**3D VIEWS & MATERIALS SELECTIONS**

PROJECT NAME: 20032    DRAWN BY: JAMES DOUGLAS    DATE: 12/09/2021

SCALE: 1:100    SHEET NO: 003

**Premise**

ORANGE    ARCHITECTS    PLANNERS    ENGINEERS    INTERIORS    LANDSCAPE ARCHITECTS

100 WINDMILL STREET    4300 ORANGE    NSW 2888

PH: (07) 4383 2344    EMAIL: info@premise.com.au    WEB: www.premise.com.au

**PROJECT INFORMATION**

PROJECT: BLAYNEY REGIONAL COUNCIL

CLIENT: TOMEST COLLEGE

PROJECT: PROPOSED BLAYNEY MOTEL DEVELOPMENT

NO	REV	DATE	DESCRIPTION
1			ISSUED FOR APPROVAL
2			
3			
4			
5			

DRAWN BY: JAMES DOUGLAS

CHECKED BY: JAMES DOUGLAS

DATE: 12/09/2021



**Premise**

ROVEST HOLDINGS PTY LTD

## **Statement of Environmental Effects**

IN SUPPORT OF A DEVELOPMENT APPLICATION

Report No: 220022/SEE

Rev: 003D

14 September 2022






ROVEST HOLDINGS PTY LTD  
STATEMENT OF ENVIRONMENTAL EFFECTS  
IN SUPPORT OF A DEVELOPMENT APPLICATION



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DOCUMENT AUTHORISATION					
Revision	Revision Date	Report Details			
A	18/05/22	Draft for client review			
B	22/06/22	Updated draft			
C	06/07/22	For issue			
D	14/09/22	Update to project description			
Prepared By		Reviewed By		Authorised By	
Mark Raikhman		David Walker		David Walker	

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## APPENDICES

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APPENDIX B DCP COMPLIANCE TABLE
APPENDIX C EXEMPT WORKS AUTHORISATION

## 1. INTRODUCTION

Premise has been commissioned by Rovest Holdings Pty Ltd to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) relating to the former Blayney Bowling Club building at 62 Osman Street, Blayney. The site is located within the Blayney Shire Council (BSC) Local Government Area (LGA) and currently comprises eight allotments (refer to **Table 1**) with a total area of 11,585m<sup>2</sup>. A project is underway to consolidate the eight allotments into a single allotment.

The DA seeks development consent for the proposed alterations and additions to the building formerly used as a registered club and fit out as a restaurant, bar, lounge and guest recreation space. All activities carried out within the premises are ancillary to the approved motel on site. As set out in **Section 1.1**, the staged approval for the use of the site for motel purposes provides for up to 118 motel rooms on site.

**Table 1 – Allotments forming site**

Lot:	Section:	DP:
1	-	162646
8	-	505215
20	-	569741
11	13	758121
12	13	758121
13	13	758121
14	13	758121
10	-	1114679

This SEE has been prepared pursuant to the relevant provisions of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation). It is provided in the following format.

- **Section 2** of this report provides a description of the subject site and its locality.
- **Section 3** outlines the proposed development.
- **Section 4** provides an assessment of the proposed development against planning framework applicable to the subject site and proposed development.
- **Section 5** provides a conclusion to the SEE.

### 1.1 DA History

The following DA history is relevant to the site:

- DA 2021/0004, approved 10 October 2021: Consolidation and re-subdivision of the site to create two lots, minor fit-out of the existing main building and erection of motel accommodation and signage in the eastern portion of the site accommodating 98 motel rooms at Stage 1 and 81 rooms at Stage 2 (refer to **Section 2.2**).
- DA 2021/0004/1: Modify Condition 102 – approved 10 May 2022.
- DA 2021/0004/2: Remove subdivision component – approved 10 May 2022.

- DA 2022/0006: Erection of motel accommodation and associated signage in the western portion of the site accommodating 20 motel rooms – approved 2 September 2022.

## 2. THE SITE & ITS LOCALITY

### 2.1 The Locality

As shown in **Figure 1**, the site occupies a large, western portion of the street block formed by Adelaide Street (east), Church Street (north), Osman Street (west) and Water Street (south). Adelaide Street forms part of the Mid-Western Highway which connects to Bathurst to the north and Cowra to the south. It also forms Blayney's main road with most of its retail, commercial and administrative services. Land to the west of Adelaide Street transitions along Church Street (connecting to Orange via Millthorpe) and Water Street to predominantly residential uses. The Blayney High School is located on the western side of Osman Street.

### 2.2 The Site and Approved Development

The site has an irregular shape with an area of 11,585m<sup>2</sup> with a frontage of 81.45 metres to Osman Street. Vehicular access to the provided via a driveway from Church Street within the 9.195 metre-wide Lot 1 DP162646 located. Under existing conditions, the driveway leads to paved parking area at the rear of lawn bowls club which is positioned centrally within the site. A total of three bowling greens are located to the west and south of the bowling club. No vehicular access to the site is currently available from Osman Street, however this frontage traditionally featured a pedestrian access, masonry fence and decorative planting of pencil pines.

As shown in **Figure 2** and **Figure 3** and **Figure 4**, approved DA 2021/0004 enables the transformation of the site from a lawn bowls club to hotel and motel accommodation with:

- In the eastern portion of the site (9,748m<sup>2</sup>):
  - Vehicular access from Church Street via a reformed driveway within the 9.195 Lot 1 DP162646, leading to a formalised parking area with parking for 80 parking spaces at Stage 1, to be increased to 100 spaces at Stage 2;
  - Office and laundry in the retained bowling club building on the western side of car park; and
  - 26 moveable buildings connected by a series of pedestrian pathways comprising 98 rooms at Stage 1, to be reduced to 23 moveable buildings comprising 81 rooms at Stage 2.
- Undeveloped area in the western portion of the site (total area of 1,837m<sup>2</sup>) adjoining Osman Street .

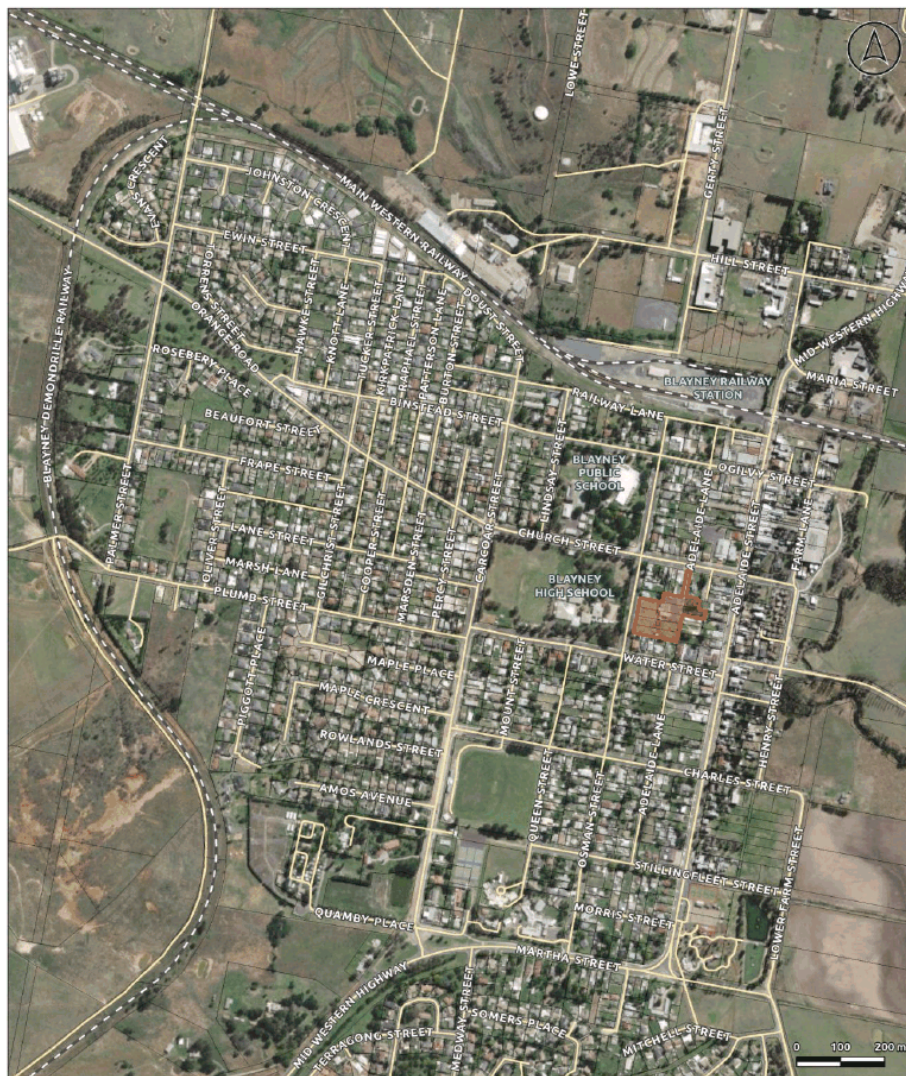
As shown in **Figure 5**, approved DA 2022/0006 enables the development of a further 20 rooms in the undeveloped area in the western portion of the site adjoining Osman Street.

The applicant is currently in the process of arranging consolidation of the subject lots into a single allotment that will accommodate all stages of the project.

ROVEST HOLDINGS PTY LTD  
 STATEMENT OF ENVIRONMENTAL EFFECTS  
 IN SUPPORT OF A DEVELOPMENT APPLICATION



Figure 1 – The site locality



Source: © State of NSW, Department of Customer Services, Spatial Services 2021  
 CDB2020 (ICA, Zone 55) File: 220202\_04.aprx. Prepared By: adam.davis Date: 01/12/2021

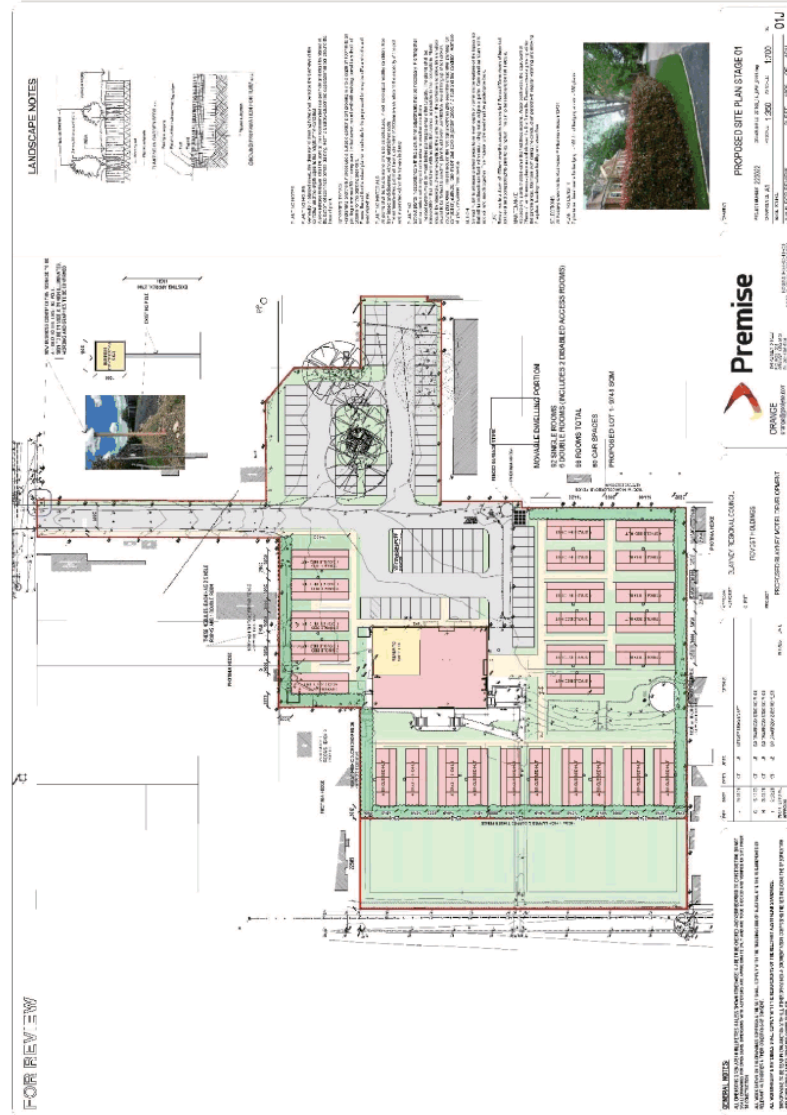
- Legend**
- Subject Site
  - Cadastre
  - Road
  - Railway



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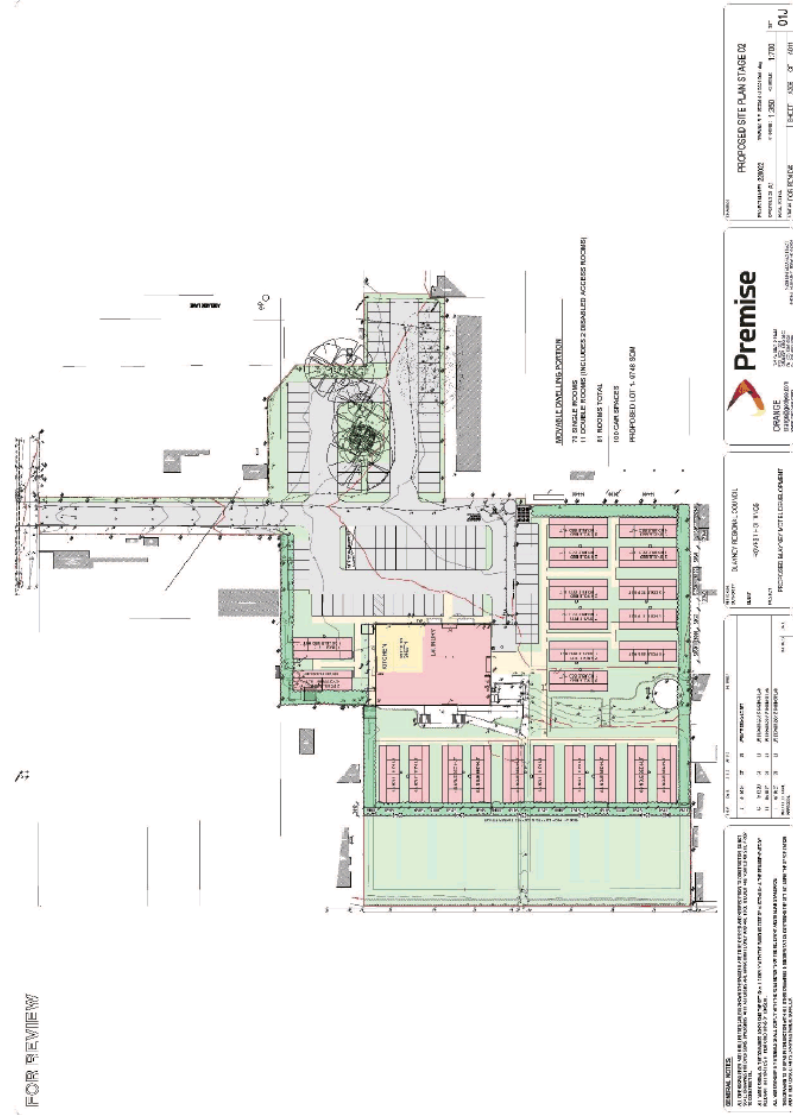
Figure 2 – Approved development stage 1



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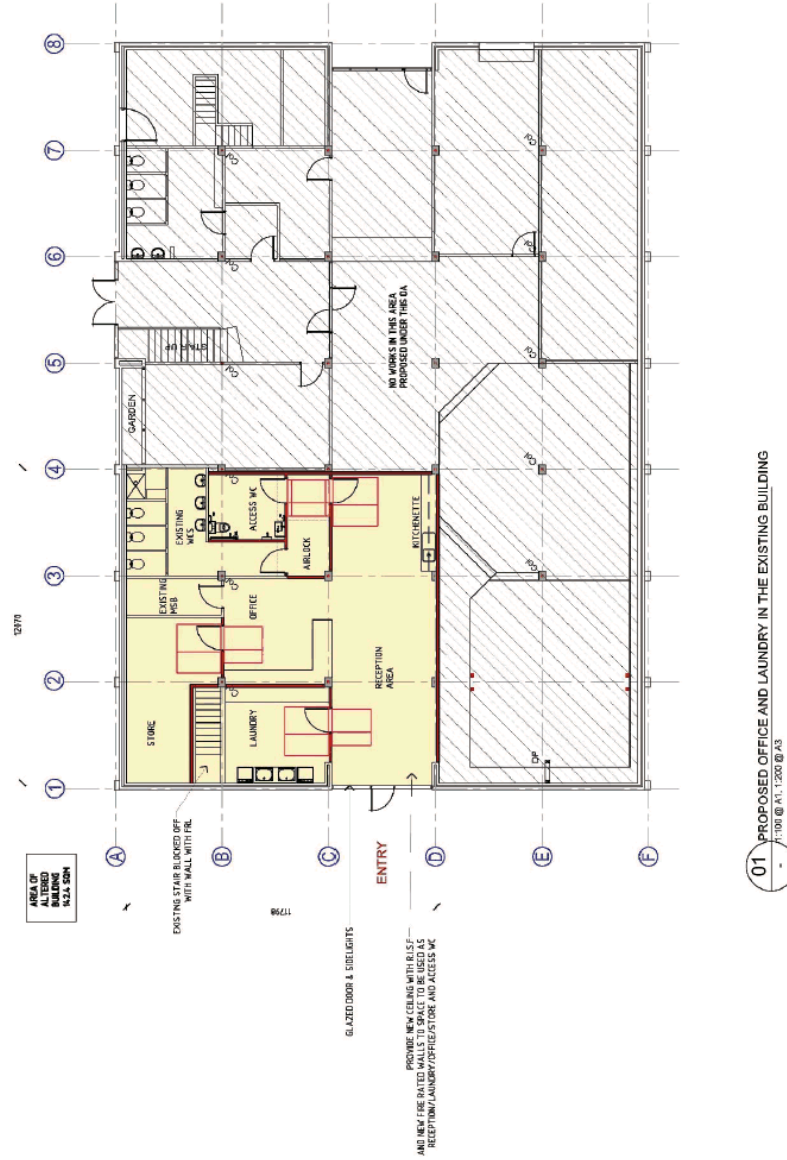
Figure 3 – Approved development stage 2





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Figure 4 – Approved works within the main building

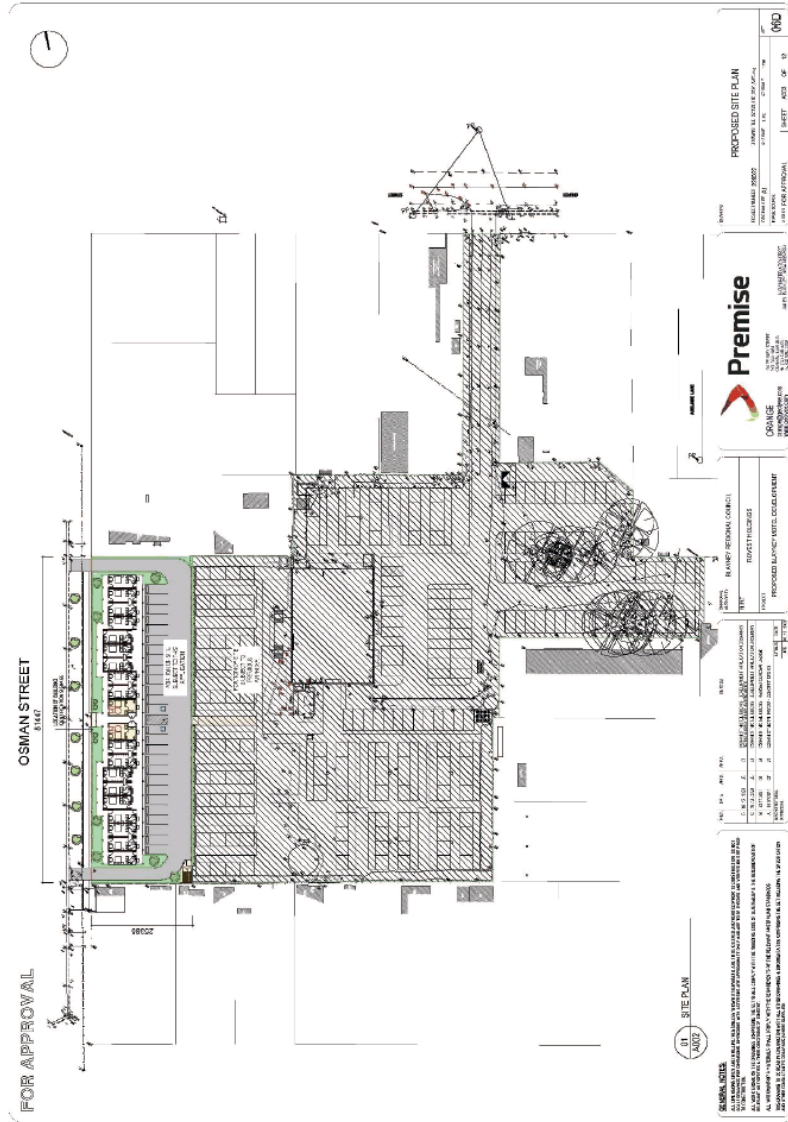




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IN SUPPORT OF A DEVELOPMENT APPLICATION



Figure 5 – Approved development stage 3



### 3. THE DEVELOPMENT

As shown in the Project Drawings attached at **Appendix A**, this development application seeks consent for alterations and additions to the main building, formerly used as a registered club and fit out as a restaurant, bar, lounge and guest recreation space. All activities carried out within the premises are ancillary to the approved motel. A detailed description of the works associated with the alterations and additions is provided in the following sections.

#### 3.1 Ground Floor

At ground floor, the proposed works include:

- External to the building, a new entry setback from the external wall with a new portico;
- Reconstruction of the existing stairway and installation of a passenger lift in building lobby;
- In the area approved for fit-out in the north-eastern corner under DA 2021/0004, installation of new fire rated and stud walls to provide laundry, kitchenette, female and accessible bathrooms, storage room and a reception and waiting area;
- In the south-eastern corner of the building, replace an existing conventional door entry to the building with a roller door, remove an existing stairway to the first floor and installation of a bar; and
- In the south-western corner, installation of a new stud wall to provide two separate storage rooms.

#### 3.2 First Floor

At first floor, the proposed works include installation of new stud walls to provide a dining area, kitchen, male and female and accessible bathrooms, a bar, storage and guest recreation space (games room, pool table, table tennis table, reading area etc).

#### 3.3 Elevations

The appearance of the building partially retains existing finishes completed as exempt development (by reference to BSC authorisation attached at **Appendix C**) whilst also incorporating new materials and finishes to modernise its appearance. Proposed works beyond the exempt works include:

- Cleaning of visible retained brickwork at the ground floor;
- A combination of CSR Barestone Cladding and Colorbond Ironstone Longline Parapet Cladding at the first floor, separated by Surfmeister Aluminium Joinery; and
- Colorbond Ironstone Roller Doors where roller doors are retained or proposed at the ground floor.

### 4. STATUTORY PLANNING FRAMEWORK

#### 4.1 Section 1.7

Section 1.7 of the EP&A Act provides that it is subject to the provisions of Part 7 of the *Biodiversity Conservation Act 2016* (the BC Act) and Part 7A of the *Fisheries Management Act 1994*. Part 7 of the BC Act relates to biodiversity assessment and approvals under the EP&A Act. Part 7 of the BC Act relates to biodiversity assessment and approvals under the EP&A Act. Under section 7.2(1) in Part 7 of the BC Act, a development or

activities is “likely to significantly affect threatened species” if it meets or exceeds one of three triggers. The proposed development is not “likely to significantly affect threatened species” as demonstrated in **Table 2**.

**Table 2 – Section 1.7**

development or an activity is <i>likely to significantly affect threatened species</i> if—		Comment:
(a)	it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	The proposed development does not require the removal of any existing vegetation.
(b)	the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	Section 7.4 of the BC Act provides that development exceeds the biodiversity offsets scheme threshold if it is of an extent or kind that the <i>Biodiversity Conservation Regulation 2017</i> (the BC Regulation) declare to be development that exceeds the threshold. Clause 7.1(1) of the BC Regulation provides that development exceeds the biodiversity offsets scheme threshold for the purposes of Section 7.4 of the BC Act if is or involves the clearing of native vegetation: <ul style="list-style-type: none"> <li>(a) Of an area declared by clause 7.2 of the BC Regulation as exceeding the threshold, being 0.25 hectares or more where the applicable minimum lot size is one hectare or less; or</li> <li>(b) On land included on the Biodiversity Values Map.</li> </ul> The proposed development does not require the removal of any existing vegetation.
(c)	it is carried out in a declared area of outstanding biodiversity value.	The site is not located within a declared area of outstanding biodiversity value under Part 3 of the BC Regulation.

## 4.2 Subordinate Legislation

The EP&A Act facilitates the preparation of subordinate legislation, consisting of:

- Environmental Planning Instruments (EPIs) (including State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP), and deemed EPIs; and
- Development Control Plans (DCP).

In relation to the proposed development, the relevant subordinate legislation includes:

- *Blayney Local Environmental Plan 2012* (the BLEP 2012);
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the Biodiversity SEPP);
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (the Hazards SEPP);
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the Infrastructure SEPP); and
- *Blayney Development Control Plan 2018* (the BDCP 2018).

The requirements of these are discussed in **Section 4.4** of this Statement.

### 4.3 Integrated Development

Section 4.46 of the EP&A Act lists the types of development or activities which require approvals under a separate act and are therefore integrated development for the purposes of the EP&A Act. The proposed development does not require approval under any of the listed acts in Section 4.46 and therefore is not integrated development.

### 4.4 Planning Instruments

#### 4.4.1 BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012

##### 4.4.1.1 Mapping

A review mapping via the NSW Planning Portal identifies the following applicable mapped constraints:

**Table 3 – BLEP 2012 maps**

Constraint	Applicability	Section addressed
Land Application Map	Applies	N/A
Land Zoning Map	B2 Local Centre	<b>Section 4.4.1.2</b>
Lot Size Map	U1 – 1,000m <sup>2</sup>	N/A – No subdivision proposed
Heritage Map	C1 – Blayney Heritage Conservation Area	<b>Section 4.4.1.3</b>

##### 4.4.1.2 Land Use Zoning

The site is mapped as being within the B2 Local Centre under the BLEP 2012. The proposed alterations and additions and fit out as a restaurant, bar, lounge and guest recreation space are permitted with consent by way of being ancillary to the approved motel. The works are also consistent with the objectives of the zone as demonstrated in **Table 4**.

**Table 4 – Objectives of the B2 Local Centre zone**

Objectives of Zone:	Comment:	
<ul style="list-style-type: none"> <li>To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</li> </ul>	The proposed alterations and additions primarily meet the needs of people who frequent the motel although the opportunity exists for members of the public to use the facility.	✓
<ul style="list-style-type: none"> <li>To encourage employment opportunities in accessible locations.</li> </ul>	The proposed alterations and additions and fit out provide employment opportunities in a central location within Blayney.	✓
<ul style="list-style-type: none"> <li>To maximise public transport patronage and encourage walking and cycling.</li> </ul>	Existing footpaths along both of the site's frontages (Osman Street and Church Street) encourage walking to the site.	✓
<ul style="list-style-type: none"> <li>To preserve Adelaide Street as the retail and commercial centre of the Town of Blayney to support the needs of Blayney.</li> </ul>	The proposed activities will augment and support the viability of the approved motel, which will in turn draw visitors to Blayney, encouraging increased patronage	✓

Objectives of Zone:	Comment:	
	of its retail and commercial centre, and for the region generally.	

#### 4.4.1.3 Heritage Conservation

Under clause 5.10(2) of the BLEP 2012, development consent is required for alterations and additions to a building on land that is within a heritage conservation area. Where consent is required, the consent authority must in accordance with clause 5.10(4), consider the effect of the proposed development on the heritage significance of the item or area concerned.

The proposed development requires development consent under clause 5.10(2) on the basis that it proposed to perform alterations and additions to a building on land within the Blayney Heritage Conservation Area (C1). Additionally, the site is located:

- On a street block accommodating a number of heritage items including the Royal Hotel (I19), Club House Hotel (C22), National Australia Bank (former CBC Bank and stables) (I23), St James' Catholic Church (former Town Hall) (I24), St Paul's Presbyterian Church and house (I26), Surgery and residence (I28), Shop (Starlight Café) (I30), House (I51), House (I53), Two storey house and cottage (I55) and Residence (former Railway Institute of the Arts) (I109);
- Adjoining Street trees (I88) on Osman Street; and
- Opposite I105 Old growth Elm Trees and Hoop Pine trees (Blayney High School).

The proposed alterations and additions are acceptable on the following grounds:

- The existing building does not have heritage value;
- The proposed alterations and additions propose a mix of materials and finishes to the existing building that are sympathetic to the visual appearance of the broader heritage conservation area;
- Works to the site and building have been designed in consultation with Council's heritage advisor and do not detract from the heritage values of nearby buildings; and
- The visibility of the building from nearby heritage-listed properties and the public domain is limited due to the screening provided by the approved (DA 2021/0004 and DA 2022/0006) motel buildings.

#### 4.4.1.4 Stormwater Management

Clause 6.2(2) of the BLEP 2012 provides that the clause applies to all land in residential, business and industrial zones. Under clause 6.2(3), Council cannot grant development consent relating to land to which the clause applies unless it is satisfied that the development is designed to maximise the use of water permeable surfaces, includes on-site stormwater retention for re-use (if practicable) and avoids any adverse impacts of stormwater runoff.

The clause applies as the site is located within a commercial zone. The proposed development does not reduce water permeable surfaces within the site. The site is not located near native bushland or receiving waters. Once operational, surface stormwater would be managed on site via detention in the car park area and control discharged via Lot 1 DP718479 to the south of the site (also in the ownership of the applicant) for onward connection to Council's stormwater management network in accordance with the applicable engineering guidelines. There is sufficient room in the site to manage the extent of stormwater expected to be generated.

No change to permeable or impermeable surfaces would occur as a result of the proposal, on the basis that the building is existing.

#### 4.4.1.5 Essential Services

Under clause 6.8 of the BLEP 2012, Council cannot grant development consent unless it is satisfied that essential services are available or that adequate arrangements have been made to make them available when required. Essential services include the supply of water and electricity, disposal and management of sewerage, stormwater drainage or on-site conservation and suitable vehicular access.

The site is:

- Connected to the town reticulated water network, and these connections would be augmented to ensure sufficient supply of water to the development. This is further discussed in **Section 4.5.9.3**.
- Connected to the reticulated electricity network. The site has historically accommodated loads associated with the bowling club development, and these would be augmented as required to supply the proposed development. There is adequate room on site to accommodate any necessary infrastructure.
- Connected to the sewer reticulated water network, and these connections would be augmented to ensure sufficient supply of water to the development. This is further discussed in **Section 4.5.9.3**.
- Accessible via an existing driveway from Church Street.

#### 4.4.2 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 2 of the Biodiversity SEPP relates to vegetation in "non-rural areas of the State", defined in clause 2.3 as land with any non-rural zoning. This includes the B2 Local Centre zone applying to the site under the BLEP 2012. Under clause 2.6 of the SEPP, a person must not clear native vegetation in a non-rural area of the State:

1. To which Part 3 (understood to actually be a reference to Part 2.3) of the Biodiversity SEPP applies without the authority conferred by a permit granted by Council under that Part; or
2. That exceeds the biodiversity offsets scheme threshold without the authority conferred by an approval granted by the Native Vegetation Panel under Part 2.4.

With respect to the first item, clause 2.9 of the SEPP provides that Part 2.3 applies to any vegetation in a non-rural area of the State that is declared by a development control plan by reference to the species, size or location of vegetation or the presence of vegetation in an ecological community or in the habitat of a threatened species. A review of the BDCP 2018 reveals no specific controls applying with respect to tree removal. Furthermore, the proposed development does not require the removal of any vegetation. As such, the Biodiversity SEPP is not considered to apply to the development.

With respect to the second item, refer to **Section 4.1**.

#### 4.4.3 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 of the Hazards SEPP relates to remediation of land. Clause 4.6 of the SEPP states that a consent authority must not consent to the carrying of development unless it has considered, among other things, whether the land is contaminated.

The site has a low likelihood of potential contamination due to continuous use for the purposes of a lawn bowls club since the 1930s and lack of sites identified within the BSC LGA under the EPA list of sites reported to the EPA as at 26 of November 2021 and the EPA contaminated land register.

The site has been used as a bowling club for many years and has been approved for use as a motel. The alterations and additions to the main building and fit out as a restaurant, bar, lounge and guest recreation space does not introduce a more sensitive use from a contamination perspective. The suitability of the site for a motel reflects the suitability for the ancillary activities proposed under this application.

Accordingly, the development is considered to satisfy the requirements of Clause 4.6 of the Hazards SEPP.

#### **4.4.4 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021**

Clause 2.118(2) of the Infrastructure SEPP provides that, inter alia, a consent authority must not grant development consent to development with frontage to a classified road unless, where practicable and safe, vehicular access to the land is provided by a road other than the classified road, the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development and the development is of a type that is not sensitive to traffic noise or vehicle emissions.

Clause 2.121(4) of the Infrastructure SEPP provides that a consent authority must not grant development consent to a development of a size or capacity described under Schedule 3 of the Infrastructure SEPP unless it has given written notice of the application to TfNSW within seven days and take into consideration any submission provided by RMS within 21 days, as well as the accessibility of the site and any potential traffic safety, road congestion or parking implications of the development.

The proposed development does not include any new vehicular access points to or from Church Street, nor does it propose additional parking spaces accessible from Church Street. Accordingly, impacts on Church Street are expected to be minimal.

#### **4.4.5 BLAYNEY DEVELOPMENT CONTROL PLAN 2018**

The *Blayney Development Controls Plan 2018* (the BDCP 2018) provides more detailed controls for development in addition to those set out in the BLEP 2012. Parts D, E, G and H of the DCP are applicable to the proposed development. Relevant controls of the BDCP 2018 are addressed in **Appendix A**.

### **4.5 Impacts, Site Suitability & The Public Interest**

Pursuant to clause 24 of the EP&A Regulation, this section of the report outlines the environmental impacts of the proposed development and any measures required to protect the environment or lessen the harm to the environment.

The impacts have been identified through an assessment of the proposed development against the provisions of Section 4.15(1)(b) of the EP&A Act and the *Application Requirements* (Department of Planning and Environment 2022).

This section also addresses the consideration at Section 4.15(c) and Section 4.15(e) of the Act that relate to the suitability of the site for the development and the public interest.

The assessment is constrained to the proposed development, i.e. that which is described in **Section 3** of this report. Impacts associated with the approved development are not required to be considered as part of this report.

#### **4.5.1 NON-INDIGENOUS HERITAGE / CONTEXT AND SETTING**

Non-Indigenous heritage and context and setting are inextricably linked on the site owing to it being:

- Within the Blayney Heritage Conservation Area (C1);
- On a street block accommodating a number of heritage items including the Royal Hotel (I19), Club House Hotel (C22), National Australia Bank (former CBC Bank and stables) (I23), St James' Catholic Church (former Town Hall) (I24), St Paul's Presbyterian Church and house (I26), Surgery and residence (I28), Shop (Starlight

Café (I30), House (I51), House (I53), Two storey house and cottage (I55) and Residence (former Railway Institute of the Arts) (I109);

- Adjoining Street trees (I88) on Osman Street; and
- Opposite I105 Old growth Elm Trees and Hoop Pine trees (Blayney High School).

The proposed development seeks alterations and additions to the existing bowling club building and fit out as a restaurant, bar, lounge and guest recreation space. Proposed alterations and additions are predominantly internal, with the exception of minor updates to the external appearance of the dwelling. The proposed works improve the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context.

#### 4.5.2 AMENITY

##### 4.5.2.1 Construction

Construction impacts would be short-lived and manageable through the implementation of the following standard construction management measures:

- Standard construction hours (7 am to 6 pm Monday to Friday and 8 am to 1 pm Saturday and at no times on Public holidays) would be implemented;
- Avoiding dust generating activities during windy and dry conditions; and
- Maintaining all equipment in good working condition such that the construction contractor and site manager ensure the prevention of the release of smoke by construction equipment, which would be in contravention of Section 124 of the *Protection of the Environment Operations Act 1997* and Clause 16 of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

##### 4.5.2.2 Operation

Once operational, the proposed development will not result in any additional bulk and scale, overshadowing or visual and acoustic privacy impacts as it does not result in any change in the location, height, size or shape of the building or propose new windows.

The proposed development will generate increased noise from activities within the building and people coming to and from the site. This is an acceptable outcome on the grounds that:

- The building was previously used for, among other things, restaurant activities, as part of the Blayney Bowling Club;
- Dining activities occur entirely indoors (no balconies, decks, terraces or outdoor areas proposed); and
- Patrons are encouraged to minimise noise when walking to and from the building.

The operation of the site is already subject to an approved plan of management in conjunction with the approved motel use, and this would be extended to address the proposed activities within the existing building.

On the basis of the above, and in consideration of the commercial zoning of the site, it is considered that the minor impacts associated with the proposal are acceptable in the context of the locality, particularly the approved and proposed surrounding motel development.



#### 4.5.3 ACCESS, TRANSPORT AND TRAFFIC

Under approved DA 2021/0004, 80 parking spaces are to be provided at Stage 1, to be increased to 100 spaces at Stage 2. A further 26 parking spaces are approved under DA 2022/0006, resulting in a total of 106 spaces at Stage 1 and 126 spaces at Stage 2.

The BDCP requires parking as follows for restaurants:

*1 space per 6.5m<sup>2</sup> of customer service area (including outdoor dining areas)*

In the absence of specific parking standards for all components of the proposal, and noting that external guests would be expected to use the spaces in the same fashion as for a restaurant, it is proposed to adopt this standard for all of the space. The proposed works result in a building with 575m<sup>2</sup> requiring a minimum of 89 parking spaces.

Based on the above, the proposed development generates a requirement for 89 spaces. Whilst no additional on-site spaces are proposed, this is an acceptable outcome on the grounds that:

- Demand for parking is unlikely to reach 89 space as:
  - A rate of 1 space per 6.5m<sup>2</sup> assumes attendance beyond the capacity of the building and staffing levels, and is inconsistent with the rate specified in nearby LGAs:
    - Orange City Council LGA: 1 additional space per for every 3 seats in the restaurant.
    - Bathurst Regional Council LGA: 1 space per 10m<sup>2</sup> or 1 space per 3 seats whichever is greater for restaurants outside the CBD or 1 space per 35m<sup>2</sup> for restaurants inside the CBD.
  - An anticipated high proportion of patrons of the restaurant will be patrons of the motel accommodation approved under DA 2021/0004 and DA 2022/0006, and thus will not generate parking demand; and
  - Those patrons who are not also patrons of the motel (i.e. residents of Blayney and surrounds) will be encouraged by the nature of the proposed use to carpool (e.g. families), use taxis or walk to and from the site.
- In the unlikely event that additional parking is required, there is adequate capacity for this:
  - Along Osman Street (patrons will be able to walk from Osman Street to the restaurant via a footpath approved under DA 2022/0006); and
  - In the BSC car park on the northern side of Church Street which is generally unused in the evenings and on weekends when dining activities are most likely to attract external users are predominantly held.
- The proposal is consistent with the exemptions set out in D4.8(3) and (4) of the BDCP 2018.

#### 4.5.4 STORMWATER

Erosion and sediment controls will be installed during construction in accordance with the NSW Governments Managing urban stormwater: soils and construction, Volume 1, commonly referred to as "The Blue Book".

Once operational, surface stormwater would be managed on site via detention in the car park area and control discharged via Lot 1 DP718479 to the south of the site (also in the ownership of the applicant) for onward connection to Council's stormwater management network in accordance with the applicable engineering guidelines, as set out and approved by DA 2021/0004. The proposed change of use is not expected to result in any change to impervious areas or to stormwater management.

#### 4.5.5 SAFETY, SECURITY AND CRIME PREVENTION

The guidelines prepared by the NSW Department of Urban Affairs and Planning (DUAP 2001) identify four (4) Crime Prevention Through Environmental Design (CPTED) principles to be considered in DAs to ensure developments do not create or exacerbate crime risk. The four key principles of the guidelines include surveillance, access control, territorial reinforcement, and space management. Each is considered in the context of this application as follows:

Surveillance is achieved through:

- Increased pedestrian activity in the area generated by the proposed development;
- Staff presence throughout staffed hours and contracted security patrols with back-to-base alarm systems outside of staffed hours;
- Lack of blank walls, blind corners or concealed areas in the development;
- CCTV directed at high traffic areas, particularly driveways, car park and pedestrian entry; and
- Lighting of common areas in compliance with AS4282-1997, including sensor lighting.

Access control is achieved through:

- Fencing along the property boundaries, ensuring that access to the site is limited to designated and signed pedestrian and vehicular entry points which are overlooked by CCTV;
- Signage indicated designated entries; and
- Secure doors to the building.

Territorial reinforcement is achieved through:

- Fencing denoting the boundary between public and private land;
- Landscape buffers to property boundaries approved under DA 2021/0004 under DA 2022/0006; and
- Signage indicating the use of the site as approved under DA 2021/0004 under DA 2022/0006.

Space management is achieved through:

- Staff presence throughout staffed hours and contracted security patrols with back-to-base alarm systems outside of staffed hours; and
- Ongoing cleaning and maintenance of the site including buildings, spaces between buildings and landscaping.

#### 4.5.6 WASTE

During the construction phase, solid waste is to be disposed of at an appropriate waste facility.

Once the development is operational, waste is to be transferred from the building to the screened garbage enclosure approved under DA 2021/0004 where it will be stored pending weekly/fortnightly collection by waste vehicles. At that time, bins would then be wheeled to the approved car park in the eastern portion of the site for collection by waste vehicles. Waste will be collected from the approved car park in the eastern portion of the site at mid-morning when the motel is expected to be at its least busy.

An increase in the type and number of vehicles using the approved car park in the eastern portion of the site to accommodate increased demand generated by the development is not required.

#### 4.5.7 SOCIAL IMPACT

As defined by the NSW Government Office on Social Policy, social impacts are significant events experienced by people as changes in one or more of the following are experienced:

- peoples' way of life (how they live, work or play and interact with one another on a day-to-day basis);
- their culture (shared beliefs, customs and values); or
- their community (its cohesion, stability, character, services and facilities).

Social impacts can be either or both:

- Positive or negative;
- Tangible or intangible;
- Direct, indirect or cumulative;
- Quantifiable or qualitative.

Depending on the perspective of the person or group that is impacted, impacts can be experienced very differently. For example, the owner of a local business may see improved trade and increased patronage as a result of a development change, whereas a direct neighbour to the development may experience increased noise or dust impacts. These different perspectives both represent a social impact, one welcome and positive, and the other unwelcome and negative. The capacity and ability to mitigate negative impacts is a factor together with the high level consideration of the benefit conferred by the project, both at a micro and macro level.

The development subject of this application will have a positive social impact as it:

- Improves the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context;
- Will not result in any additional bulk and scale, overshadowing or visual and acoustic privacy impacts and acoustic impacts are anticipated to minimal and capable of being managed through the measures noted in **Section 4.5.2**; and
- Attracts visitors who may stay in the motel as approved under DA 2021/0004 and DA 2022/0006 or nearby motels, as well as visit other businesses in Blayney.

#### 4.5.8 ECONOMIC IMPACT

The proposed development is not anticipated to generate adverse economic impacts. As outlined in the preceding section, the proposal is considered likely to lead to positive economic impacts.

A cost benefit analysis was provided as part of the original development application, concluding that the project will provide for a 15% increase in jobs in the visitor economy and will provide a benefit cost ratio of 1.69, meaning that for every \$1 spent, the project will contribute \$1.69 to the local economy. Over a nominated 20 year life of the project, the development has the potential to provide a Net Present Value of \$10,123,204.00.

#### 4.5.9 SUITABILITY OF THE SITE

The following sections provide an assessment of the suitability of the site for the proposed development, i.e. that which is described in **Section 3** of this report. The suitability of the site for the approved development is not required considered as part of this report.

#### 4.5.9.1 Aboriginal Heritage

An online search on 9 September 2020 of the NSW Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS) with a buffer of 200 metres confirms that there are no sites of Aboriginal heritage located in, on or near the site.

The site is a highly disturbed area and is not located close to any landscape features where sites of Aboriginal significance would be expected to be found. The works primarily occur within an existing building footprint.

On the basis of the above, the requirements of the due diligence have been satisfied and the development may proceed with caution.

Should any objects or other heritage features be identified during the course of construction, work in that area should cease immediately and be cordoned off and the Office of Environment and Heritage and/or a suitably qualified heritage specialist be contacted to discuss how to proceed.

#### 4.5.9.2 Soils

Whilst the site is located in a highly disturbed, urban location, naturally occurring asbestos may occur. The likelihood of disturbing soils containing naturally occurring asbestos is reduced for the following reasons:

- The development subject of this application is in the part of the site that is furthest from the mapped naturally occurring asbestos; and
- Earthworks as part of the proposed development are expected to be minor due to occurring predominantly within the building footprint of an existing building.

Notwithstanding the above, if naturally occurring asbestos is found on the site, work would immediately cease in accordance with an Asbestos Management Plan prepared in accordance with the Code of Practise for the Management and Control of Asbestos in Workplaces [NOHSC: 2018 (2005)].

#### 4.5.9.3 Servicing

The site was used for the purposes of the Blayney Bowling Club since the 1930s. By reference to site survey and architectural measure and draw, the former bowling club building has the following areas:

- 150 square metres of pub/bar area upstairs;
- 300 square metres of restaurant/eating;
- 230.5 square metres of pub/bar area downstairs.

It is understood that all services are available on the site and can be augmented to facilitate the development if required.

#### 4.5.9.4 Natural Hazards

The site is not mapped as bushfire or flood prone land and does not contain any acid sulfate soils.

#### 4.5.9.5 Flora and Fauna

There is no significant vegetation present in the area surrounding the existing building.

#### 4.5.10 THE PUBLIC INTEREST

The proposed development is in the public interest on the grounds that it:

- Is consistent with the objectives of and permitted with consent in the B2 Local Centre zone under the BLEP 2012, as well as compliant with all relevant provisions under the BLEP 2012;
- Is compliant with all relevant controls under the BDCP 2018;
- Improves the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context;
- Will not result in any additional bulk and scale, overshadowing or visual and acoustic privacy impacts and acoustic impacts are anticipated to minimal and capable of being managed through the measures noted in **Section 4.5.2**; and
- Attracts visitors who may stay in the motel as approved under DA 2021/0004 and DA 2022/0006 or nearby motels, as well as visit other businesses in Blayney.

## 5. CONCLUSION

This Statement of Environmental Effects has been prepared by Premise Australia to support a development application for alterations and additions to the existing building formerly used as a registered club and fit out as a restaurant, bar, lounge and guest recreation space at 62 Osman Street, Blayney. All activities carried out within the premises are ancillary to the approved motel

The development is supported on the grounds that:

- It is consistent with the objectives of and permitted with consent in the B2 Local Centre zone under the BLEP 2012, as well as compliant with all relevant provisions under the BLEP 2012;
- It is compliant with all relevant controls under the BDCP 2018;
- It improves the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context;
- It will not result in any additional bulk and scale, overshadowing or visual and acoustic privacy impacts and acoustic impacts are anticipated to minimal and capable of being managed through the measures noted in this report;
- The site for the development on the grounds that it is unlikely to contain or disturb items of Aboriginal heritage significance or naturally occurring asbestos, can be serviced, not mapped as containing flood or bushfire prone land and does not require the removal of any vegetation; and
- It is in the public interest for the reasons outlined above, as well as on the grounds that it attracts visitors who may stay in the motel as approved under DA 2021/0004 and DA 2022/0006 or nearby motels, as well as visit other businesses in Blayney.

For the reasons set out above, the proposed development is recommended for approval subject to Council's standard conditions of consent.



# **APPENDIX A**

## **PROJECT DRAWINGS**

FOR APPROVAL

# 62 OSMAN STREET BLAYNEY NSW

## ROVEST HOLDINGS PTY LTD

### PROPOSED BLAYNEY MOTEL DEVELOPMENT

PROPOSED ALTERATIONS TO EXISTING BUILDING - DEVELOPMENT APPLICATION

SCHEDULE OF DRAWINGS

DRAWING	TITLE	REVISION	DATE
REV1	FINAL DEVELOPMENT/CONCEPT DRAWINGS	C	14/11/22
REV2	CONCEPT PLAN	C	14/11/22
REV3	PROPOSED EXISTING/PROPOSED PLAN	C	14/11/22
REV4	PROPOSED EXISTING FLOOR PLAN	C	14/11/22
REV5	EXISTING/PROPOSED ELEVATIONS	C	14/11/22
REV6	3D RENDERING EXTERNAL MATERIALS/1/1E	C	14/11/22



SITE LOCALITY  
NOT TO SCALE

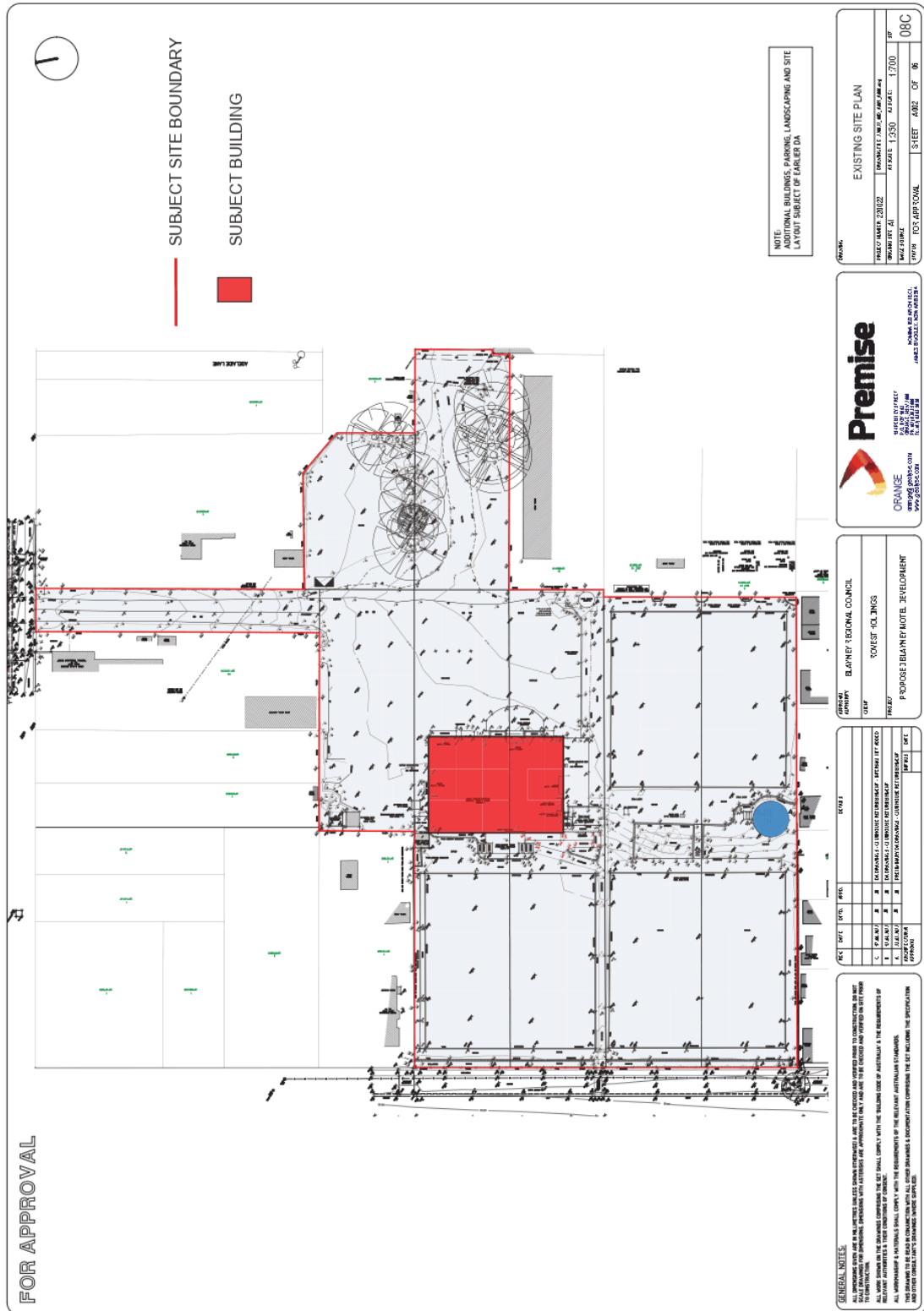
**GENERAL NOTICE:**  
 THE DRAWINGS AND ALL INFORMATION CONTAINED THEREIN ARE TO BE USED ONLY FOR THE PURPOSES AND IN ACCORDANCE WITH THE TERMS OF THE DEVELOPMENT APPLICATION. THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES. THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES. THE DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES.

REV	DATE	BY	REASON
1	14/11/22	JR	PROPOSED EXISTING/PROPOSED PLAN
2	14/11/22	JR	EXISTING/PROPOSED ELEVATIONS
3	14/11/22	JR	3D RENDERING EXTERNAL MATERIALS/1/1E

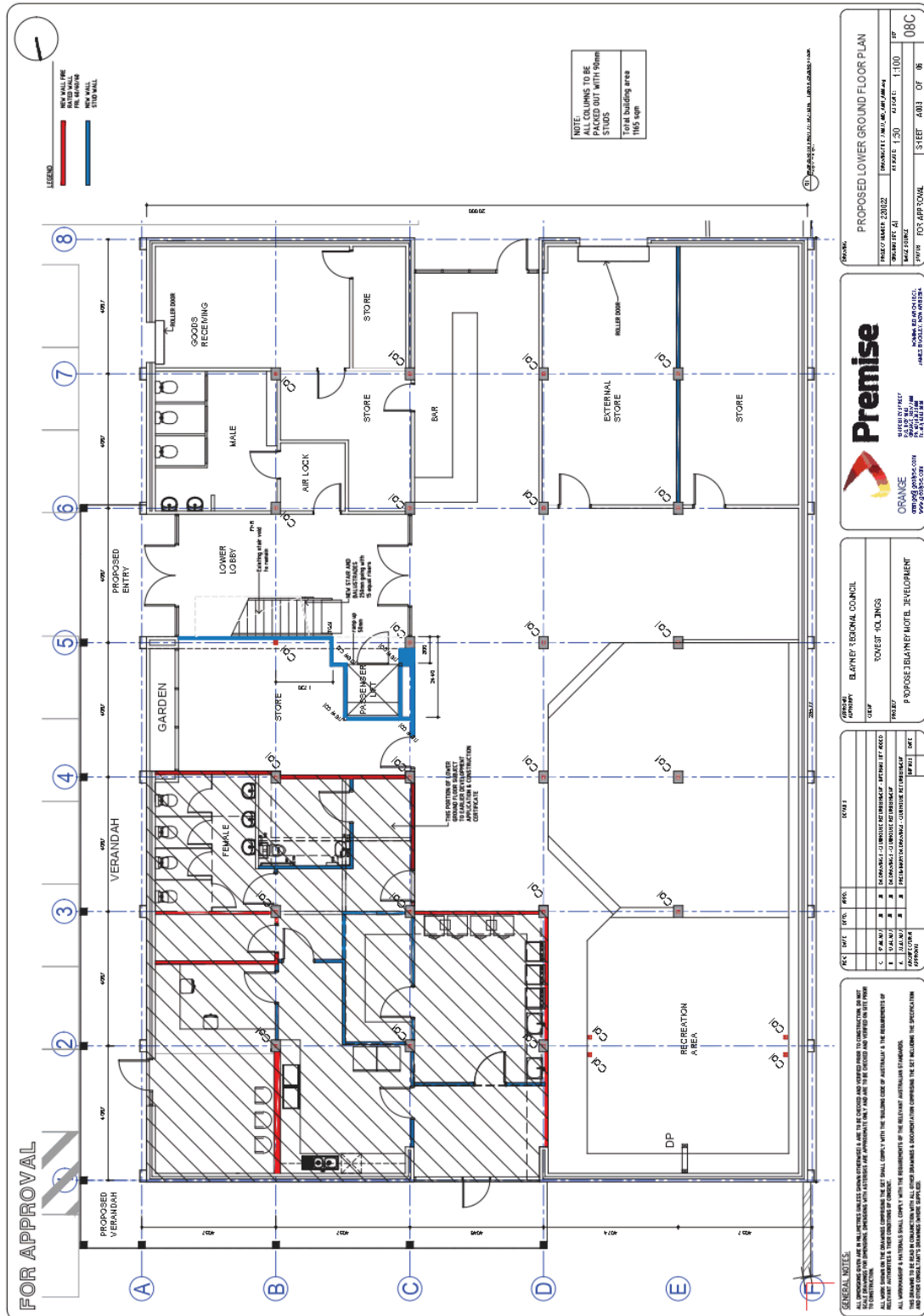
ORANGE REGIONAL COUNCIL  
 PROPOSED BLAYNEY MOTEL DEVELOPMENT

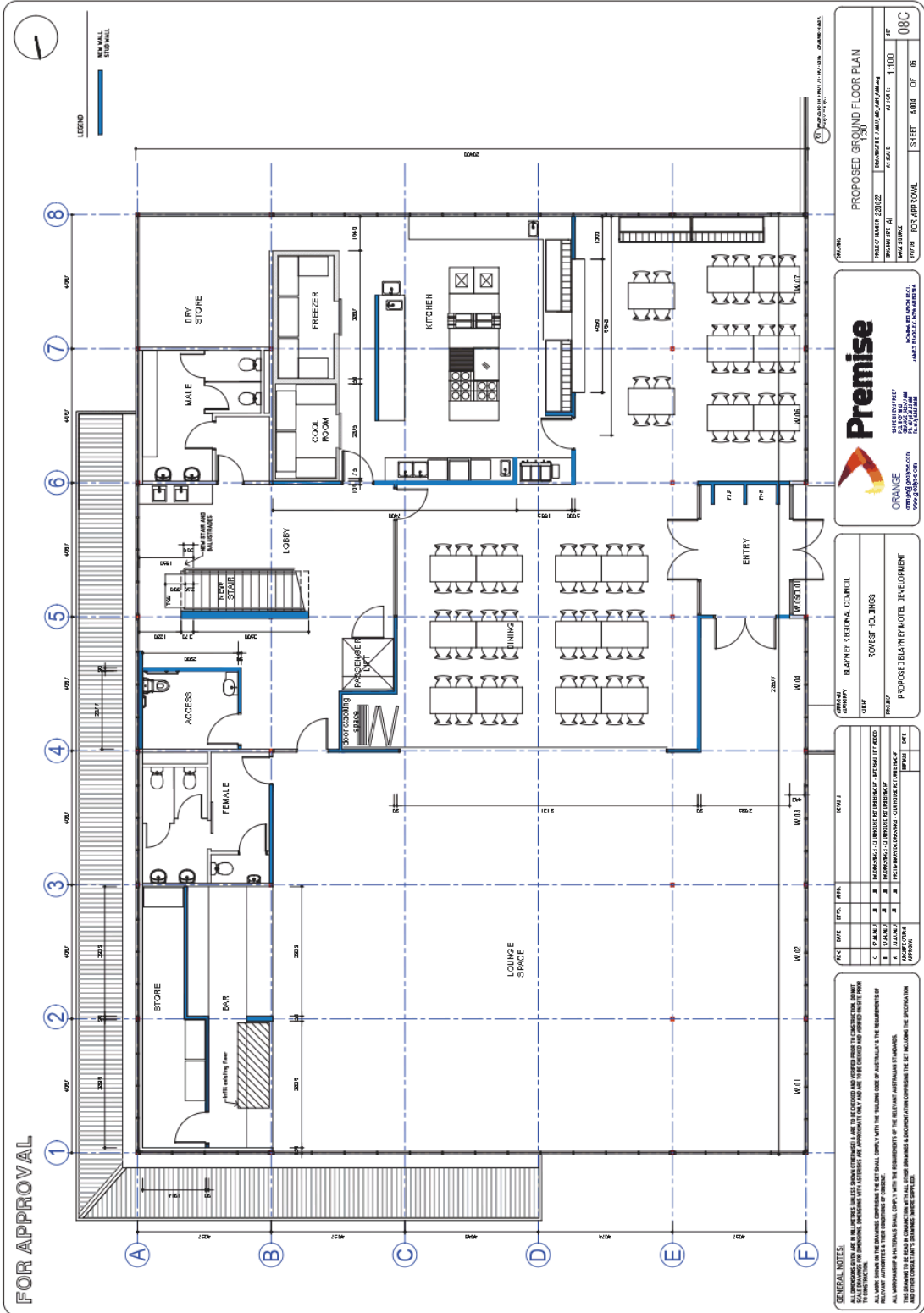


TILESHEET & SITE LOCALITY  
 3 SHEET - 08C



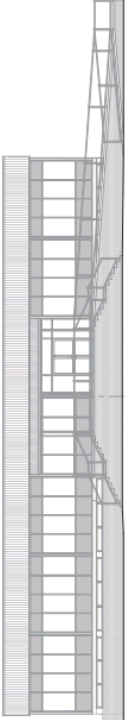




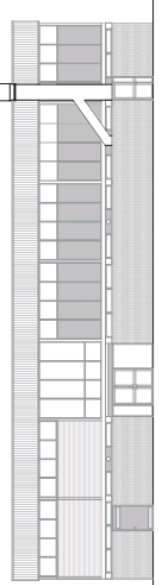


FOR APPROVAL

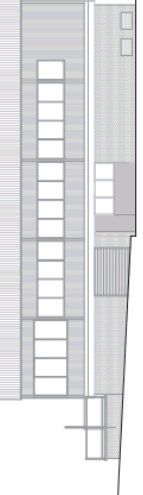
EXISTING WESTERN ELEVATION



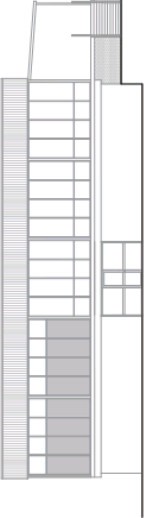
EXISTING EASTERN ELEVATION



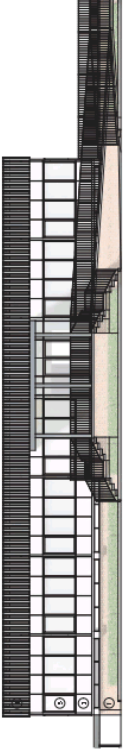
EXISTING SOUTHERN ELEVATION



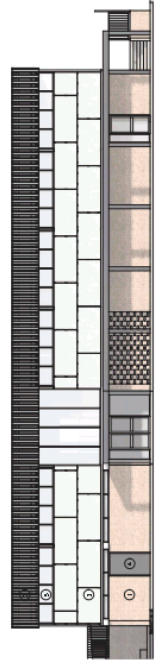
EXISTING WESTERN ELEVATION



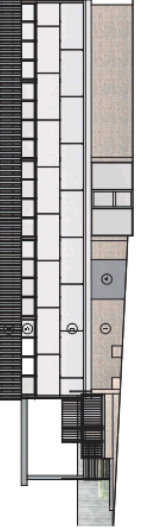
PROPOSED WESTERN ELEVATION



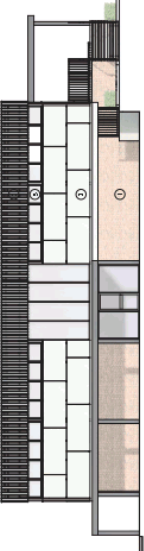
PROPOSED EASTERN ELEVATION



PROPOSED WESTERN ELEVATION



PROPOSED WESTERN ELEVATION



**PRIMARY MATERIALS LEGEND**

- ① EXISTING CLINALFA FACE BRICKWORK - 1.0M CLEARANCE
- ② GEOMETRIC CLINALFA CARBONIC SLABS
- ③ POLYMER CONCRETE SLABS
- ④ POLYMER CONCRETE WITH POLYMER FLOORING
- ⑤ POLYMER CONCRETE WITH POLYMER FLOORING
- ⑥ 300MM METAL FINISH PANELS


**GENERAL NOTES:**

THESE DRAWINGS ARE THE PROPERTY OF PREMISE ARCHITECTURE AND DESIGN. ALL INFORMATION IS TO BE USED BY THE CLIENT AND NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF PREMISE ARCHITECTURE AND DESIGN. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE RELEVANT AUTHORITIES. ALL INFORMATION IS TO BE USED BY THE CLIENT AND NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF PREMISE ARCHITECTURE AND DESIGN.

REV	DATE	BY	CHKD BY	DESCRIPTION


PROJECT: BLAYNEY REGIONAL COUNCIL		DRAWN: [ ]	
CLIENT: TOMWEST HOLDINGS		DATE: [ ]	
PROJECT: PROPOSED BILBAINER MOTEL DEVELOPMENT		SCALE: [ ]	
DRAWN BY: [ ]		CHECKED BY: [ ]	
DATE: [ ]		PROJECT NO: [ ]	

PROJECT NAME: 230322	DRAWN BY: JAMES BROWN	DATE: 1/10/2022	DRAWN AT: 1:200
DRAWN BY: JAMES BROWN	CHECKED BY: [ ]	DATE: [ ]	SCALE: [ ]
3 SHEET OF 06			



**Premise**  
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ORANGE NSW 2890  
PH: (02) 6862 2200  
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FOR APPROVAL



PROPOSED VIEW FROM NORTH WEST



PROPOSED VIEW FROM SOUTH WEST



PROPOSED VIEW FROM NORTH EAST



PROPOSED VIEW FROM SOUTH EAST

**PRIMARY MATERIALS LEGEND**

- ① EXTERIOR WALLS: FACE BRICKWORK, TOBE CLANAB
- ② CERAMIC TILE CLADDING: STALAB
- ③ COLOURED BRICKS: ONE LONG-DOME, PAPERBARK CLADDING
- ④ COLOURED BRICKS: ONE ROLLER DOORS
- ⑤ SPANISH ALUMINIUM JOINTS

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

REV	DATE	BY	CHKD	NO	DESCRIPTION

**PROJECT INFORMATION**

PROJECT NAME: 3D VIEWS & MATERIALS SELECTIONS

PROJECT NO: 23022

DATE: 11/10/22

SCALE: 1:100

DATE: 1/2020

BY: MZP

CHKD: MZP

DATE: 1/2020

BY: MZP

CHKD: MZP

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**3D VIEWS & MATERIALS SELECTIONS**

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CHKD: MZP

DATE: 1/2020

**3D VIEWS & MATERIALS SELECTIONS**

PROJECT NAME: 23022

PROJECT NO: 23022

DATE: 11/10/22

SCALE: 1:100

DATE: 1/2020

BY: MZP

CHKD: MZP

DATE: 1/2020



# **APPENDIX B**

## **DCP COMPLIANCE TABLE**



Table 5 – Assessment against the relevant controls in BDCP

Controls:	Comment:	
<b>Part D - Commercial, Community &amp; Industrial Development</b>		
<b>D2.2 General Building Setbacks</b>		
1) Road Frontages: Setbacks to road frontages (other than rear lanes) should:		
a) Reinforce the desired built form pattern, street character and function and not dominate the street whilst allowing variability where it can be justified;	<p>The proposed works:</p> <ul style="list-style-type: none"> <li>Do not result in any change in the height or bulk and scale of the existing building;</li> <li>Are to a building located centrally within the site, substantially separated from the street;</li> <li>Are to a building which will be screened by motel accommodation approved under DA 2021/0004 and proposed under DA 2022/0006; and</li> <li>Improve the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context.</li> </ul>	✓
b) Respond to the level of pedestrian activity required for any proposed retail frontage(s);	The proposed development does not include retail frontages.	N/A
c) Respond to adjacent development and adjacent building setbacks;	Refer to response to 1(a) above.	✓
d) Minimise impacts on adjacent lots;	Refer to <b>Section 4.5.2</b> .	✓
e) Provide areas to service these uses whilst minimising the impact of large parking, utility, or storage areas on street character/activity;	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. No new parking, utility or storage areas are proposed.	N/A



Controls:	Comment:	
f) Accommodate (where appropriate) outdoor dining areas, disabled access and landscaped setbacks; and	Disabled access is provided. Outdoor dining does not form part of the proposed development. Landscaped setbacks are provided as part of the motel accommodation approved under DA 2021/0004 and DA 2022/0006.	✓
g) Provide adequate sight distances for vehicle and pedestrian safety, particularly on corner lots	The proposed works are to a building located centrally within the site, substantially separate from the street. The works will not impact vehicular and pedestrian safety.	N/A
2) Rear Lanes: If a lot has frontage to a rear lane then setbacks from the rear lane should consider adjacent building setbacks/impact and encourage access for service and delivery vehicles and parking at the rear of the site by accommodating potential vehicle turning circles on-site, and sight-lines.	The site does not have a rear lane frontage.	N/A
3) Side & Rear Setbacks: Side and rear setbacks must meet the National Construction Code (NCC) requirements and may depend on the fire rating of the building materials chosen and the adjacent development and the need for access to the rear part of the lot.	The setbacks of the existing building meet NCC requirements.	✓
<b>D2.3 Setbacks – Zone B2 Local Centre</b>		
1) Primary Street Setbacks:		
a) New commercial and community buildings fronting Adelaide Street should generally have zero or limited street setbacks at ground level in the core business district between Railway Lane and Charles Street to reinforce active street frontage and allow for continuous footpath awnings weather protection.	The site does not have frontage to Adelaide Street.	N/A
b) Possible exceptions to zero setbacks may be justified if a new commercial or community building is adjacent to:		
i) A heritage item that has a greater setback to Adelaide Street and sight-lines are maintained to this item (subject to heritage advice); or		



Controls:		Comment:	
	ii) An adjacent building is setback from the street and the proposal would seek to create a setback the average of the adjacent setbacks.		
	c) Front setbacks are not to be used for the provision of on-site car parking unless it is adaptive re-use of an existing building and Council approves traffic access directly to Adelaide Street.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. No new parking is proposed.	N/A
	d) Upper level setbacks from Adelaide Street (generally two storeys or more) may be required where adjacent buildings have a consistent street frontage height and it is required to reduce the visual impact of the proposed building.	The site does not have frontage to Adelaide Street.	N/A
2)	Side Setbacks: New buildings fronting Adelaide Street (particularly between Railway Lane and Church Street or if adjacent to a zero-setback building between Church Street and Charles Street) should have zero side setbacks to the adjacent lots to reinforce a continuous retail precinct.	The site does not have frontage to Adelaide Street.	N/A
3)	Rear Setbacks: Rear setbacks should consider servicing and off-street parking requirements with access from Farm Lane, Henry Street and Adelaide Lane and the provision of some landscaping to reduce the visual impact of large parking and service areas.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. No new parking is proposed.	N/A
<b>D2.6 Building Height &amp; Bulk</b>			
The applicant must demonstrate how the proposed building height and bulk will:			
1)	Minimise visual impacts of larger buildings;	The proposed works: <ul style="list-style-type: none"> <li>Do not result in any change in the height or bulk and scale of the existing building;</li> <li>Are to a building located centrally within the site, substantially separated from the street;</li> <li>Are to a building which will be screened by motel accommodation approved under DA 2021/0004 and DA 2022/0006; and</li> </ul>	✓





<b>Controls:</b>	<b>Comment:</b>	
	<ul style="list-style-type: none"> <li>Improve the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context.</li> </ul>	✓
2)	Integrate with the existing/desired scale and street character for the relevant land use zone and location with consistent street frontage heights (including parapets/roof lines);	✓
3)	Be sympathetic to heritage buildings and conservation areas (where applicable);	✓
4)	Be sympathetic to and, if necessary, provide a transition in height to adjacent buildings;	✓
5)	Minimise overshadowing of the living spaces and private open spaces of adjacent dwellings and any community facilities (e.g. school yards, churches etc.);	✓
6)	Use building height and massing to reinforce key corner sites and 'gateways' to the town;	N/A
7)	Maintain the dominant building façade/heights to main streets and setback additional height behind this street frontage height.	✓
<b>D2.7 Building Design</b>		
1)	Variation: Building elevations (especially for larger buildings or those facing public spaces or vacant land) should provide variations ('articulation') in building or wall setbacks (including projections or recesses), roof lines, openings (doors and windows), and building materials and colours to	✓



Controls:	Comment:
provide visual interest and reduce the perceived bulk and scale of the building.	
2) Blank Walls: Large expansive blank walls are not preferred unless the applicant can demonstrate the majority of the wall would not be visible from a public space (e.g. it abuts the wall of an adjacent building with limited or no openings) and it meets the requirements of the National Construction Code.	Blank walls are not proposed. ✓
3) Activation/Safety: Activation of main streets and pedestrian safety is to be encouraged through:	The proposed works do not result in direction activation of the street as they are to a building located centrally within the site, substantially separated from the street. Nevertheless, the proposed use of the building will generate some minor increased pedestrian activity in surrounding streets as, by its nature, it will encourage patrons to walk to and from the site (in relation to non-motel patrons).
a) Consistent street setbacks and encouragement of awnings in key pedestrian areas;	
b) Windows/glazing areas to the street being able to encourage casual surveillance and active retail frontages with well-lit views into the shop-fronts;	
c) Well-defined and lit entrances with good sight-lines for safety and security.	✓
4) Security Grilles: Security grilles must be see-through and not solid type structures, discreet, and not dominate the shopfront without compromising security.	Security grilles are not proposed. N/A
5) Safety by Design: For larger developments (>2000m2 site area) or where there is a higher potential risk of crime or impacts on pedestrian safety, Council may require the applicant to address NSW Guidelines for Crime Prevention Through Environmental Design (CPTED) or Safer by Design (see the NSW Police website). CPTED is based on four (4) principles:	Refer to <b>Section 4.5.5</b> . ✓
a) Surveillance;	
b) Access control;	
c) Territorial reinforcement;	



Controls:		Comment:
d)	Space/activity management and maintenance.	
	Note: Please discuss your proposal with Council prior to lodging the Development Application so they can offer guidance on some suitable solutions to meet the above principles.	
6)	Servicing Areas: Vehicle parking and servicing areas and fire exits/service cupboards etc. should be located to the side or rear of developments (where possible) to minimise impacts on active street frontages.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. The proposed works do not include new parking, servicing areas, fire exits or service cupboards. ✓
7)	Corner Sites: New commercial or retail development on corner sites with limited setbacks must incorporate splays, curves, building entries and/or other architectural elements to reinforce the corner as a landmark feature of the street and activate both street frontages, whilst maintaining sight-lines for safety.	The site is not located at a corner. N/A
8)	Utilities: The visual impact of all external infrastructure/services (including air conditioning units, plant rooms, ducting, solar panels etc.) must be minimised when viewed from a public place or road and integrated into the roof design.	Air conditioning units, plant rooms, ducting and solar panels are not proposed. N/A
<b>D4 Access &amp; Parking</b>		
<b>D4.2 Vehicle Access</b>		
1)	Public Safety: The applicant must demonstrate that any proposed site access location and design has considered public safety including, but not limited to:	
a)	The type of road the access will front onto and its design;	The proposed works do not result in any change in existing access arrangements from Church Street, including: ✓
b)	Sight distances and vehicle speeds;	• Type of road from which the site has access; ✓
c)	Proximity to intersections and pedestrian crossings;	• Sight distances and vehicle speeds; ✓



Controls:	Comment:	
d) Existing and proposed landscaping design;	<ul style="list-style-type: none"> <li>Proximity to intersections and pedestrian crossings;</li> <li>Existing and proposed landscaping design; and</li> <li>Ingress/egress direction.</li> </ul>	✓
e) Potential conflicts with vehicles and pedestrians.		✓
f) Ingress/egress in a forward direction.	<p>The proposed works will result in a minor increase in the potential for conflict between vehicles and pedestrians by virtue of attracting additional vehicular and pedestrian traffic to the site. This is an acceptable outcome on the grounds that:</p> <ul style="list-style-type: none"> <li>Externally to the site:                             <ul style="list-style-type: none"> <li>Church Street has a low speed limit of 50km/hour which allows for easy deceleration to enter the site and acceleration to exit the site;</li> <li>The southern shoulder of Church Street provides adequate deceleration and waiting area for vehicles turning left-in to the site when waiting for pedestrians crossing or entering the driveway; and</li> <li>The number of additional movements from Church Street is not such that would significantly impact the current level of service when vehicles turning right-in to the site are waiting for pedestrians crossing or entering the driveway.</li> </ul> </li> <li>At the access point from Church Street, motorists exiting the site have good sightlines due to fence on the eastern side being a chain-link fence and hedges on the western side being low level;</li> <li>Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006; and</li> <li>Generally, the number of movements is mitigated by:                             <ul style="list-style-type: none"> <li>An anticipated high proportion of patrons of the building will also be patrons of the motel accommodation approved under DA 2021/0004 and DA 2022/0006; and</li> </ul> </li> </ul>	✓



Controls:	Comment:
	<ul style="list-style-type: none"> <li>Those patrons who are not also patrons of the motel (i.e. residents of Blayney and surrounding area) will be encouraged by the nature of the proposed use to carpool, use taxis or walk to and from in their use of the building. The central location makes accessibility from surrounding residential areas and the CBD highly effective.</li> </ul>
2)	
Access: Vehicle access must be located to:	
a)	Avoid direct access to a classified road unless there is no suitable alternative;
b)	Provide suitable separation from intersections and sight lines;
c)	Provide clear separation between customer and vehicle traffic.
3)	
Design: Vehicle access must be designed to:	
a)	Meet the requirements of Council's Guidelines for Engineering Works including, but not limited to Section 2.3.7 – Driveway Construction;
b)	Cross the footpath or footway at right angles to the centreline of the road;
c)	Be clear of obstructions, which may prevent drivers having a timely view of pedestrians;
d)	Be properly signposted, where there are separate access and exit points;
e)	Take into consideration any requirements in the former RTA (2002) Guidelines for Traffic Generating Development (as amended or replaced) – Section 6.2 Access requirements.



Controls:	Comment:	
4) Gates: Access or security gates must:		
a) Be set back from the public roadway a sufficient distance to allow a vehicle and trailer to stand without hindering vehicular or pedestrian traffic on the public road whilst the gate is being opened and closed.	The proposed development does not include access or security gates.	N/A
b) Not open outwards onto any public space.	The proposed development does not include access or security gates.	N/A
<b>D4.3 Circulation &amp; Loading/Unloading</b>		
1) Safety: The design of all internal vehicle manoeuvring areas should demonstrate consideration of the safety and access for all users (vehicle, pedestrian and bicycle) and minimise potential conflicts.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006.	✓
2) Pavement: All vehicle manoeuvring areas on-site must be sealed. Gravel will not be permissible except in rural areas where there are no conflicts (noise and dust) with adjacent lots and suitable drainage is provided.	Within the site, pedestrians and vehicles will use sealed circulation areas approved under DA 2021/0004 and DA 2022/0006.	✓
3) Direction of Travel:		
a) For all developments there should be sufficient manoeuvring areas to enable all vehicles (regardless of size) to enter and leave the site in a forward direction.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006 which ensure that all movements are in a forward direction.	✓
b) Reversing of vehicles onto public roads will not be permitted unless there are exceptional circumstances, for e.g. emergency vehicles.	Refer above.	N/A
4) Vehicle Sizes: Internal vehicle manoeuvring areas should be designed to accommodate the turning radii and the pavement loading of the largest vehicle that will potentially utilise the manoeuvring area.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006 which provide sufficient room on site to accommodate the turning paths of the largest vehicle expected to access the site, being a standard 8.8 metre delivery/waste collection vehicle..	✓
5) Loading / Unloading Facilities:		
a) All new development (except a change of use or commercial or community use in Zone B2 Local Centre in the Town of Blayney) should	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006 which provide	✓



<b>Controls:</b>	<b>Comment:</b>	
provide sufficient numbers and size of spaces on-site for delivery vehicles based on the expected frequency of deliveries and the likely vehicle size/type of delivery vehicle (see Section 5 of the former RTA (2002) Guidelines for Traffic Generating Development (as amended or replaced) relating to courier, delivery and service vehicles);	adequate space for the type and number of loading vehicles anticipated to access the site.	
b) Deliveries and unloading from the street frontage will not be acceptable (except in Zone B2 Local Centre in the Town of Blayney or Zone RU5 Village in each other settlement) unless there are site constraints that would prevent off-street deliveries from occurring.	Delivery and unloading from the street is not required.	✓
6) Loading / Unloading Design: Loading and unloading areas must be located and designed so they:		
a) Can be accessed in a safe and efficient manner;	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. New loading and unloading areas are not proposed.	✓
b) Do not extend over public roads or footpaths during loading and unloading operations;	Loading and unloading will not occur over public roads or footpaths.	✓
c) Do not utilise or crossover vehicle circulation or parking spaces unless all loading/unloading occurs outside the normal business hours of the premises;	Whilst not anticipated, any loading from vehicles which cannot be accommodated within the marked spaces in the approved car park will occur across spaces outside of the motel's busiest periods.	✓
d) Are suitably screened from public spaces where there may be on-site storage of goods.	New loading and unloading areas are not proposed.	N/A
<b>D4.4 Parking</b>		
1) Parking Location:		
a) Minimising visual impact of off-street parking areas on street character, the amenity of the development and adjacent sites and providing screening that can minimise this impact (where appropriate);	New off-street parking is not proposed.	N/A

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STATEMENT OF ENVIRONMENTAL EFFECTS  
IN SUPPORT OF A DEVELOPMENT APPLICATION



Controls:	Comment:	
b) Proximity of customer parking to customer entrances and proximity of staff parking to staff entrances including accessible parking and access;	The proposed works are to a building which is located in the with easy access to the car park approved under DA 2021/0004.	✓
c) Minimising impacts on any neighbouring dwellings/residential areas;	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. New off-street parking is not proposed.	N/A
d) Addressing site conditions such as slope and drainage;	The site is generally level.	✓
e) Ease of access to and from the street in a forward direction;	The proposed works do not result in any change in access arrangements, including access and egress direction.	✓
f) Separation of customer parking from courier and service delivery vehicle parking and/or loading and unloading facilities for safety and accessibility.	Customer and loading parking is adequately separated.	✓
2) Operation Hours: Free and uninterrupted access to car parking areas should be maintained at all times during the hours of operation of the proposed development.	Council may impose a suitable condition of consent.	✓
3) Stacked Parking: Generally stacked parking will not be acceptable unless there were special site considerations and parking management arrangements made to justify stacked parking.	Stacked parking is not proposed.	✓
4) Circulation: Larger car parking areas must provide rational circulation patterns and minimise the use of dead-end aisles.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. New off-street parking is not proposed.	N/A
<b>D4.5 Pedestrian Access and Mobility</b>		
1) Standards: New buildings, substantial alterations and additions, parking and access must comply with the Disability (Access to Premises – Building) Standards 2010 (as amended and replaced) under the Disability Discrimination Act 1992 and the National Construction Code and Australian Standards.	Council may impose a suitable condition of consent.	✓





<b>Controls:</b>	<b>Comment:</b>	
2) Separation: Pedestrian and vehicle access to sites must be separated and clearly marked.	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. No new parking is proposed.	✓
3) Access ramps: Access ramps must be integrated into building design and located outside the road reserve/public footpath (unless otherwise agreed with Council).	Access ramps within the road reserve/public footpath are not proposed.	✓
<b>D4.6 Parking and Safety</b>		
1) Parking Navigation: Signage should take into consideration the following:		
a) Parking areas should be well sign-posted to indicate the location of off-street parking and exit and entry points, visible from both the street and the circulation spaces on the site, with directional signposting from the building entrance/exit (where necessary);	Within the site, pedestrians and vehicles will use circulation areas approved under DA 2021/0004 and DA 2022/0006. No new parking is proposed.	✓
b) Pavement arrows should clearly indicate the direction of traffic circulation (if one-way);	As above.	✓
c) Parking areas shall be clearly delineated as well as parking spaces for specific users (e.g. disabled spaces/staff/visitors).	As above.	✓
2) Pedestrian Connections: The parking design should take into account the following for pedestrians:		
a) Footpaths should be designed to enhance access to and within the development;	As above.	✓
b) Footpath gradients should be minimised and cater for shopping trolleys, prams, mobility scooters etc. (where applicable).	As above.	✓
3) Safety Principles: Development proposals involving large car parking areas or night-time parking areas should be assessed against general principles of Crime Prevention through Environmental Design (CPTED) / Safety by Design.	Refer to <b>Section 4.5.5.</b>	✓



Controls:	Comment:
4) Lighting: The use of lighting should be considered where night use of parking areas is involved and where existing street lighting is inadequate subject to avoiding impacts on adjacent residential uses and classified roads (see Part D5.6 External Lighting).	Lighting would be installed to ensure a safe environment for site users. Lighting would comply with AS 4282-1997 <i>Control of the obtrusive effects of outdoor lighting</i> . ✓
<b>D4.7 Off Street Car Parking</b>	
1) Each development must provide the number of off-street car parking spaces set out in the Table of Car Parking Requirements (below) plus any additional parking requirements in the Section on Mobility/below - unless the proposed development meets the exemptions in accordance with Clause D4.8 (See clause 4.9).	Refer to <b>Section 4.5.3</b> . The proposed development meets the exemptions in D4.8(3) and (4) as described below. ✓
2) Stacked/ tandem parking will not be acceptable (particularly for customer parking) unless there are special site considerations and parking management arrangements made to justify stacked parking.	Stacked or tandem parking is not proposed. N/A
<b>D4.8 Exemptions to Off Street Car Parking Requirements</b>	
Off-street parking will generally be required for most new developments and some adaptive re-use of existing buildings in accordance with the clause below. However, it may not be required for:	
1) Change of Use: The proposed development is for a 'change of use' where there is no additional space for on-site car parking and the impacts on on-street parking would be minimal;	An exemption on the basis of 'change of use' is not applicable. N/A
2) Heritage Item: The proposed development involves the restoration and/or conservation of a listed heritage item in BLEP2012. This is an incentive and will only be applied where the applicant can demonstrate that the conservation of the item depends upon the use of this clause;	An exemption of the basis of 'heritage item' is not applicable. N/A
3) Existing Building: The proposed development involves alterations and additions to an existing building, and the alterations and additions have a gross floor area of less than 25m <sup>2</sup> and do not encroach on existing off-street parking areas;	The proposed alterations and additions do not result in any change in the gross floor area of the building, nor do they encroach on existing off-street parking areas. ✓

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Controls:	Comment:
4) Alternative Parking: The applicant can demonstrate that there is alternative parking on another public or private site (not the proposed development site) that is in close proximity to the development and can accommodate the parking requirements without affecting other users;	Alternative parking is available: <ul style="list-style-type: none"> <li>Along Osman Street (patrons will be able to walk from Osman Street to the building via a footpath proposed under DA 2022/0006); and</li> <li>In the BSC car park on the northern side of Church Street which is generally unused in the evenings and on weekends when external users are most likely to frequent the facility.</li> </ul>
5) Site Constraints: It is not physically possible to comply with the off-street parking requirements. The applicant will need to provide a Traffic and Parking Report that addresses the following matters:	An exemption of the basis of 'site constraints' is not applicable.
a) A description of the proposal and the expected hours of operation;	
b) An assessment of the traffic generation and expected vehicle parking demand (customer, staff and service vehicles);	N/A
c) Reasons why the lot(s) used for the proposed development cannot accommodate the off-street parking requirements	
d) An assessment of the impacts of on-street parking on the public road system and adjacent lots and their existing or potential land uses.	
6) Contributions: A parking contribution is paid in lieu in accordance with an adopted Council Policy or a Voluntary Planning Agreement (VPA)	An exemption of the basis of 'contributions' is not applicable.
<b>D5 Ancillary Development</b>	
<b>D5.1 Open Storage, Utility &amp; Service Areas</b>	
1) Location & Screening: Storage areas should be located behind the building or another part of the site that cannot be seen from the street, unless suitably screened from public view.	New storage areas are not proposed.



Controls:	Comment:
2) Dust: Open storage areas must seek to minimise dust impacts on neighbouring properties with ground surface treatment to minimise dust emissions from vehicle movements (see Part G2.4 Odour & Dust).	New storage areas are not proposed. N/A
3) Fencing: Screen fences should be a maximum of 2.4 metres in height and goods should not be stacked higher than the actual fence.	Fencing exceeding 2.4 metres in height is not proposed. N/A
4) Landscaping: Landscaping is generally not an acceptable method of screening, unless it is well established or the applicant can demonstrate that the storage area will be effectively screened using advanced plantings in conjunction with fencing, and other screening devices.	Landscaping is not proposed as a screening measure. N/A
5) Hazardous Materials: The storage of hazardous goods, materials or wastes will not be permitted in areas that adjoin residential or other sensitive land-uses, unless screened from view and there are suitable protections to avoid impacts on adjoining sites.	Hazardous material storage is not proposed. N/A
6) Materials: Full details of the materials likely to be stored on the site are to be provided to Council for assessment as part of the development application.	New storage areas are not proposed. N/A
7) Loading/Unloading: Sufficient space should be provided on-site for the safe loading and unloading of wastes. This activity is not to be undertaken on any public place.	New loading and unloading areas are not proposed. N/A
<b>D5.2 Solid Waste Management</b>	
1) Waste Management Plan: Any application that would generate significant volumes of waste during the demolition, construction and/or operation of the development should provide a Waste Management Plan in accordance with Council's Development and Building Guide that demonstrates how waste (general waste, recycling, and green waste) will be stored on-site and disposed of whilst minimising impacts on the natural environment and neighbouring land uses.	Solid waste generated during the construction period would be disposed of at an appropriate waste facility in accordance with the specific measures outlined in <b>Section 4.5.5</b> . Internal waste collection is provided at source with integrated waste collection at the activity points within the facility. This includes appropriate sanitary waste collection of activity waste at the sinks within the facility. External Waste and recycling collection will be by commercial waste collection services. ✓



Controls:	Comment:
	A dedicated and secure waste bin storage area would be located onsite for bins associated with the collection of waste and garbage, which would be arranged with a commercial waste and recycling operator.
2) Loading Areas: Sufficient space must be provided on-site for the storage, loading and unloading of wastes based on standard waste generation rates, standard waste vehicle sizes and access/turning requirements, for the relevant business or industry.	There is sufficient room on site to accommodate the turning paths of the largest vehicle expected to access the site (standard light vehicle). New loading and unloading areas are not proposed. ✓
3) Screening: Waste storage areas should be screened from public spaces in accordance with the controls in D.5.1 Open Storage, Utility & Service Areas.	New storage areas are not proposed. N/A
<b>D5.3 Landscaping</b>	
1) Application requirements: All new proposals for industrial development should be accompanied by a Landscaping Plan. Please refer to Council's Development and Building Guide available on Council's website <a href="http://www.blayney.nsw.gov.au">www.blayney.nsw.gov.au</a> .	The proposed development is for alterations and additions to and fit out of an existing building. N/A
2) Front setback for Industrial uses: A 2 metre landscaping strip must be located at the front boundary of the site.	As above. N/A
3) Setbacks: Front and side setbacks are to be landscaping to soften the appearance of buildings, storage, service and parking areas.	The proposed works are to a building located centrally within the site. Landscaped setbacks are provided under approved DA 2021/0004 and DA 2022/0006. ✓
4) Parking Areas for Commercial uses: Except where space is extremely limited, all new off-street parking areas for commercial uses and most community uses should incorporate landscaping plantings that address the objectives of this control.	Landscaping is incorporated in car parking approved under DA 2021/0004 and DA 2022/0006. ✓
<b>D5.4 Fencing</b>	
1) Zone B2 Local Centre: Fencing of commercial or retail properties in Zone B2 Local Centre (Blayney) will generally not be permitted in front of the building line facing any street unless:	New fencing is not proposed. N/A

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Controls:		Comment:
a)	The building is setback from the street; and	
b)	The fence is justified for security reasons; and	
c)	The fence utilises transparent materials or apertures of minimum width 25mm; and	
d)	The fence does not exceed 1.8m in height; or	
e)	It is adaptive re-use of an existing dwelling/heritage item with an existing fence.	
3)	Security Fencing: Fencing shall not be an electric fence or incorporate barbed wire due to the visual appearance and safety issues of these fence types.	N/A
4)	Sight Distances: Fencing should preserve safe sight distances for all vehicle entry and exit locations, including those on adjoining properties, especially on corner lots.	N/A
5)	Visual Impact: Fencing should incorporate the use of landscaping to reduce visual impact, particularly on large sites that have long street frontages.	N/A
<b>D5.6 External Lighting</b>		
1)	Adjoining Properties: Any external lighting of buildings or the site must avoid any significant impacts (e.g. light spill) onto adjoining properties including sensitive residential uses and vehicle and pedestrian safety in adjacent road reserves.	Lighting would be installed to ensure a safe environment for site users. Lighting would comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.
2)	Other Controls: External lighting that could impact on adjoining properties must demonstrate compliance with:	✓
a)	AS/NZS 11583.1 Pedestrian Area (Category P) Lighting;	
b)	AS4282 Control of Obtrusive Effects of Outdoor Lighting;	



Controls:	Comment:
c) If on a classified road, any Roads & Maritime Services (RMS) Guidelines.	
3) Limited Hours: External lighting may need to be designed to turn off outside the approved operating hours of the business or use (or in accordance with hours approved by Council) if any light spills onto adjoining properties and avoid movement sensitive lighting unless absolutely necessary.	
<b>D6 Site Planning, Earthworks &amp; Utilities</b>	
<b>D6.1 Site Planning</b>	
1) To ensure that the design of any significant new development is based on a site analysis of any relevant opportunities and constraints of the site and (taking into account any other relevant controls in BLEP2012 and this DCP):	
a) Considers and responds to the topography, climate and natural environment;	The site is generally level. ✓
b) Avoids, or if it cannot avoid, minimises or mitigates against natural hazards and land use conflicts;	Refer to <b>Section 4.5.2</b> . ✓
c) Protects and enhances any heritage items or heritage conservation areas;	The proposed works improve the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context. ✓
d) Integrates with the surrounding built form and landscape/streetscape character; and	As above. ✓
e) Maintains reasonable residential amenity (for the site and adjacent dwellings)	Refer to <b>Section 4.5.2</b> . ✓
2) Site (Analysis) Plan: A Site (Analysis) Plan must be lodged in accordance with Council's Development and Building Guide and any issues addressed adequately in the Statement of Environmental Effects (Planning Report).	Refer to <b>Appendix A</b> . ✓



Controls:	Comment:
<b>D6.2 Earthworks</b>	
1) Site Planning: To minimise cut and/or fill and potential erosion and sediment entering stormwater systems or watercourses by appropriate site planning, building orientation and design, taking into account the slope of the site, proximity to watercourses, and access and drainage requirements;	Earthworks associated with the proposal are minor. The site is generally flat and suitable for the proposed development. No more than minimum fill is expected to be required. Any excess cut would be disposed of off-site at an appropriately approved waste management facility. ✓
2) Impacts: To ensure that earthworks (for which development consent is required) will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items, or features of the surrounding land.	Due to the minor nature of required earthworks, detrimental impacts are not anticipated. ✓
3) Contamination: To ensure that fill that is brought onto or leaves any site is uncontaminated and will not increase the risk or spread of contamination. Council may require a Soil Analysis Report and/or Contamination Review / Site History to ensure that only clean fill or virgin excavated natural material (VENM) is utilised on site or taken to another site. Note: If the site is within a flood prone area then there may be additional earthworks controls in Part G – Environmental Management & Hazards.	Refer to <b>Section 4.5.9.2</b> . ✓
<b>D6.3 Building near Utilities</b>	
1) Building over Easement: Permanent buildings or structures must not be located over or in the vicinity of an easement without express written authorisation from the responsible utility authority.	Construction of permanent buildings over or in the vicinity of easement is not proposed. N/A
2) Setbacks from Utilities: Where an easement does not exist, the structure must be located a minimum distance equivalent to the invert depth of the pipeline plus one (1) metre from the known utility location, and in accordance with the relevant utility authority requirements.	This is achieved by reference to the site survey. ✓
<b>D6.4 Connection to Utilities</b>	
1) Address the requirements of Clause 6.8 - Essential Services in BLEP2012.	Refer to <b>Section 4.5.9.3</b> . ✓





<b>Controls:</b>	<b>Comment:</b>
2) All utilities must be installed and/or connected in accordance with Council's Guidelines for Engineering Works or the requirements of the relevant utility provider.	This is capable of being complied with. Council may impose a suitable condition of consent. ✓
3) Where reticulated services are available, any new buildings must connect to those reticulated services unless the applicant can demonstrate why that connection would not be appropriate and/or propose an alternative system that is acceptable to Council.	This is capable of being complied with. Council may impose a suitable condition of consent. ✓
<b>D6.5 Siting &amp; Visibility of Utilities</b>	
1) Underground: Utilities should be located underground (particularly in heritage conservation areas or main streets) or utilise existing poles (at the discretion of Council) unless other constraints make this unsuitable.	This is capable of being complied with. Council may impose a suitable condition of consent. ✓
2) Screening: Utility boxes and cabinets (e.g. electricity substations, meter boxes etc.) on private land are integrated into the development and screened (where appropriate).	This is capable of being complied with. Council may impose a suitable condition of consent. ✓
<b>D6.8 Water &amp; Energy Efficiency</b>	
1) Energy Efficiency: Where applicable, buildings may need to be compliant with the National Construction Code – Section J relating to energy efficiency. All new commercial buildings (or the commercial part of mixed-use development) are required to have a compliance report completed, generally at construction certificate stage, to demonstrate they comply with Section J. This may include: a) Building Fabric b) External Glazing c) Building Sealing d) Air Movement e) Air-Conditioning and Ventilation Systems f) Artificial Lighting and Power	With respect to Section J, Council may impose a suitable condition of consent. There is an opportunity for a future application seeking consent for solar panel and hot water systems to reduce the development's reliance on mains power. ✓

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Controls:	Comment:	
g) Hot Water Supply h) Access for Maintenance		
2) Water Efficiency: Council encourages non-residential development to review ways to consume less water, install water-saving devices and look at ways of capturing and retaining rainwater for re-use for non-potable and irrigation requirements.	Opportunities for on-site stormwater retention for use as an alternative supply to mains water are being investigated.	✓
<b>Part E – Other Land Uses</b>		
<b>E.2 Advertising and Signage</b>		
	Neither advertising or signage is proposed.	N/A
<b>E.6 Restaurants, Functions Centres in Rural Zones</b>		
	The site is not located in a rural zone. Accordingly, this section of the BDCP 2018 does not apply.	N/A
<b>Part F – Subdivision &amp; Roads</b>		
	The proposed development does not include subdivision or new roads.	N/A
<b>Part G – Environmental Management &amp; Hazards</b>		
<b>G2 Buffers to Sensitive Land Uses</b>		
	There are no higher impact uses in the immediate locality which require a buffer.	N/A
<b>G3 Stormwater &amp; Drainage</b>		
1) If a Soil and Water Management Plan is required by Council's Development and Building Guide then it must demonstrate / address the matters set out below (where relevant).	A soil and water management plan would be prepared prior to works commencing on site. Minimal earthworks are required due to the generally flat nature of the site.	✓
2) For all areas (both urban and rural) development must ensure stormwater management:	As above.	✓



Controls:		Comment:
a)	Is in accordance with Council's Guidelines for Engineering Works (as amended);	
b)	Does not result in any concentration of flows to adjoining properties;	
c)	Is designed to optimise the interception, retention and removal of water-borne pollutants and sediment prior to their discharge to receiving waters.	
3)	For urban areas (Zone R1, RU5, B2, B5, B6, IN1 & IN2 and Zone R5 Large Lot Residential attached to towns/villages where lots < 1 ha in area) development must ensure stormwater management:	As above.
a)	Is designed to flow to Council's stormwater system, inter-allotment drainage easement, or other legal point of discharge;	
b)	Where there is likely to be significant site coverage by buildings and hardstand areas, that the post-development run-off from the development site:	✓
	i) will not exceed the run-off from the site during its pre-developed state;	
	ii) Does not significantly alter pre-development stormwater patterns and flow regimes or cause unacceptable environmental damage in existing watercourses or receiving waters;	
<b>G6 Land Contamination</b>		
		Refer <b>Section 4.5.9.2.</b>
<b>G9.3 Naturally occurring asbestos</b>		
1)	If your land is identified on a NSW Government map as having low, medium, or high potential for naturally-occurring asbestos (NOA) then Council may require that a suitably qualified geo-technical consultant conducts a site visit and sampling to confirm whether there is (likely to be) any NOA on or near	It is possible that a portion of the site may encroach into an area mapped containing medium likelihood of NOA (north-eastern section of the site) – refer to <b>Section 4.5.9.2.</b>



<b>Controls:</b>	<b>Comment:</b>
<p>the area where development works are proposed. This must review whether the proposed development will result in any substantial earthworks or disturbance of soil or rock in the affected areas which must be shown on a Site Plan, Earthworks Plan, or a Soil and Water Management Plan.</p>	<p>Substantial earthworks are not proposed. Management measures, such as preparation of an Asbestos Management Plan, would be implemented in the event NOA is encountered during site works, noting this is considered unlikely on the basis that the majority of works are internal to the existing building.</p>
<p>2) Chapter 8 of the Work Health and Safety Regulations 2017 (as amended) addresses Asbestos. If NOA is identified, and it is likely to be affected by the proposed works, then Clause 432 of that Regulation requires that a site-specific Asbestos Management Plan is prepared in accordance with the regulations and the Model Asbestos Policy for NSW Councils (2015) (as amended).</p>	
<p><b>G9.4 Erosion &amp; Sedimentation</b></p>	
<p>1) Council will assess the relative risk of certain developments causing erosion and sedimentation in accordance with the requirements of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction) by Landcom, Fourth Edition (2004) (as amended) including, but not limited to: assessment of site constraints and opportunities; management of soils/earthworks; vegetation retention and enhancement; management of water; sediment and waste control; and site access, stabilisation and maintenance.</p>	<p>A soil and water management plan would be prepared prior to works commencing on site. Minimal earthworks are required due to the generally flat nature of the site.</p>
<p>2) Council may place conditions of consent on development to comply with the requirements of the 'Blue Book' and Council's Development and Building Guide in accordance with the risk of erosion and/or sediment leaving the site in the following order of risk (low to high):</p>	<p>✓</p>
<p>a) Implement sediment &amp; erosion control measures during construction;</p>	
<p>b) Lodge with Council (for approval) an Erosion &amp; Sediment Control Plan;</p>	
<p>c) Lodge with Council (for approval) a more detailed Soil &amp; Water Management Plan.</p>	
<p><b>Part H – Heritage Conservation</b></p>	



Controls:	Comment:
<p><b>H2.4 Archaeological Sites (Non-Indigenous)</b></p> <p>1) All known and potential archaeological relics in NSW are protected under the NSW Heritage Act 1977 (as amended). When intending to disturb or excavate land where archaeological relics have been identified or are considered likely to occur, it is the responsibility of the property owner to seek relevant approvals.</p> <p>2) Before granting consent to any development on land on which an archaeological site is identified, Council must notify the NSW Heritage Council of its intention to grant consent and take into consideration any response from the NSW Heritage Council.</p>	<p>Given the highly disturbed nature of the site and limited excavation required as part of the development, the likelihood of encountering non-Indigenous relics is considered low.</p> <p>N/A</p>
<p><b>H2.5 Aboriginal Places of Heritage Significance</b></p>	
<p>1) Consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place; and</p>	<p>Given the highly disturbed nature of the site and limited excavation required as part of the development, the likelihood of encountering Indigenous relics is considered low.</p> <p>N/A</p>
<p>2) Notify the local Aboriginal communities (in such a way as Council thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.</p>	
<p><b>H2.6 State Heritage Items</b></p>	
<p>1) Any works to a State Heritage item (including demolition) requires approval or exemption under the Heritage Act 1977.</p>	<p>The site is not identified as a State heritage item.</p>
<p>2) When a Development Application is lodged with Council for demolition or development of any type for a State Heritage Register listed item, the integrated development application process commences and Council will, as part of that process, refer the application to the Heritage Council for concurrence.</p>	<p>N/A</p>
<p><b>H4 Development in the Vicinity of Heritage Items</b></p>	
<p><b>H4.1 Siting, Scale and Proportion</b></p>	



Controls:	Comment:	
1) The setbacks of new development from any street should generally be equal to or greater than that of the heritage item and the streetscape.	The proposed works do not result in any change in the setbacks of the existing building.	✓
2) Development should not be of such bulk or height that it visually dominates the heritage item or streetscape.	The proposed works do not result in any change in the height or bulk and scale of the existing building.	✓
3) Important views to or from a heritage item should not be unreasonably obscured by new development.	The proposed works do not result in any change in the height or bulk and scale of the existing building and hence do not obscure views to heritage items.	✓
4) Where a heritage item is part of a streetscape of buildings of consistent style, form and materials, development in the vicinity of the heritage items should incorporate elements of the dominant style, form and materials in the streetscape.	The works are to a building located centrally within the site, not part of a streetscape of building of consistent style, form and materials.	N/A
5) Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:		
a) Providing an adequate curtilage to the heritage item to allow its interpretation.	The proposed works are to an existing building. They will not impact the curtilage of nearby heritage items.	✓
b) Retaining original or significant landscaping associated with the heritage item, if the landscaping is listed on the Heritage Inventory Sheet.	The site is not identified as a heritage item.	N/A
c) Protecting and allowing the interpretation of archaeological features associated with the heritage item	As above.	N/A
<b>H4.2 Materials and Colours</b>		
1) Materials and colours for development in the vicinity of a heritage item shall be selected to avoid stark contrast with the adjacent development where this would result in the visual importance of the heritage item being reduced.	The proposed works improve the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context.	✓
<b>H5 Development within Heritage Conservation Areas</b>		



<b>Controls:</b>		<b>Comment:</b>
<b>H5.1 Scale and Form</b>		
1)	The scale of new development within a conservation area should relate to the scale of the adjacent or nearest heritage building and streetscape.	The proposed works do not result in any change in the height or bulk and scale of the existing building. ✓
2)	Development of a larger scale is allowable only if it can be demonstrated that the new development will not adversely impact on the character and views of the conservation area.	The development is not of a larger scale. N/A
3)	New development that obscures important views within a heritage conservation area should not be permitted.	The proposed works do not result in any change in the height or bulk and scale of the existing building and hence do not obscure views to heritage items. ✓
4)	The roof forms of new development in a conservation area are to complement the original roof forms of existing nearby buildings that contribute to the conservation area and streetscape.	The proposed works do not result in any change in the roof form of the existing building. ✓
5)	Additions and alterations to existing buildings that contribute to the character of a conservation area should not detract from the original form of the existing building as viewed within the streetscape.	The proposed works improve the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context. ✓
6)	The treatment of the street façade of new development in a conservation area should relate to existing nearby buildings that contribute to the conservation area	Refer to response to 1) above. ✓
<b>H5.2 Siting</b>		
1)	The front setbacks of new development (including alterations and additions) in conservation areas should be an average of adjacent or nearby development or consistent within the streetscape.	The proposed works do not result in any change in the setbacks of the existing building. ✓
2)	No new structures should be built forward of the established main street building line.	No structures are proposed forward of the established main street building line. ✓
<b>H5.3 Materials and Colours</b>		



<b>Controls:</b>	<b>Comment:</b>	
1) Original materials of existing heritage buildings in conservation areas should not be replaced with different materials or with materials of different colours unless justified, and approved by Council.	The existing building is not a heritage building.	N/A
2) Non – original materials of existing heritage buildings in conservation area that are being replaced should be replaced with materials that complement the original material as closely as possible.	As above.	N/A
3) Materials for new development in HCAs should not contrast with the original materials of the dominant contributory buildings in the conservation area.	The proposed works improve the visual appearance of the building through cleaning of visible retained brickwork (including breeze brick feature wall) at the ground floor and provision of light and dark cladding that is both contemporary in appearance and sympathetic to the heritage context.	✓
4) Colour schemes for existing and new development in conservation areas should have a relationship with traditional colour schemes for the dominant style of development found in the conservation area in consultation with Council.	As above.	✓
5) The use of fluorescent paint and primary colours on buildings in conservation areas is not permitted.	The use of fluorescent paint and primary colours is not proposed.	✓
<b>H5.4 Doors and Windows</b>		
1) Original door and window openings visible from the streetscape on existing heritage buildings should not be altered, unless justified.	The existing building is not a heritage building.	N/A
2) Original door and window joinery visible from the streetscape on existing heritage buildings should not be altered, unless justified.	The existing building is not a heritage building.	N/A
3) New door and window openings on existing heritage buildings that are visible from the streetscape should be of proportions and details that relate to existing door and window openings.	The existing building is not a heritage building.	N/A
<b>H5.6 Fencing</b>		
	New fencing is not proposed.	N/A



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Controls:	Comment:	
<b>H5.7 Advertising and Signage</b>	Neither advertising or signage is proposed.	N/A





# **APPENDIX C**

## **EXEMPT WORKS AUTHORISATION**

## David Walker

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**From:** Daniel Drum <DDrum@blayney.nsw.gov.au>  
**Sent:** Thursday, 3 March 2022 1:20 PM  
**To:** David Walker  
**Cc:** Planning  
**Subject:** RE: Blayney Motel building upgrade works - Clause 5.10(3) exemption 220022  
**Attachments:** 220022\_01K\_DA12\_DA13.pdf

Hi Dave,

I note that the proposed works have been reviewed (attached).

It is considered that the proposed works are of a minor nature and would not adversely affect the heritage significance of the heritage conservation area, including any nearby heritage item.

The works may be undertaken under Clause 5.10(3) of the Blayney Local Environmental Plan 2012, subject to the following requirements:

### **Building Code of Australia**

The building work must be carried out in accordance with the requirements of the Building Code of Australia.

### **Toilet facilities**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet, plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- i. be a standard flushing toilet connected to a public sewer, or
- ii. have an on-site effluent disposal system approved under the Local Government Act 1993, or
- iii. be a temporary chemical closet approved under the Local Government Act 1993.

### **Hours for Construction and Demolition**

Construction or demolition only be carried out between 7.00 am and 6.00 pm on Monday to Friday, and 8am to 1pm on Saturdays. No construction or demolition is to be carried out at any time on a Sunday or a public holiday.

Note: The principal contractor shall be responsible to instruct and control their sub-contractors regarding the hours of work.

### **Rubbish and Debris**

All rubbish and debris associated with the development, including that which can be windblown, must be contained on site in a suitable container at all times. The container shall be erected on the development site prior to work commencing.

Materials, sheds or machinery to be used in association with the development must be stored and stacked wholly within the worksite unless otherwise approved by Council.

Note 1: No rubbish or debris associated with the development will be placed or permitted to be placed on any adjoining public reserve, footway or road.

Note 2: Offenders are liable for prosecution without further warning.

### **East elevation**

Replace existing glazing/flushed and clad over with Horizontal Fibre-cement Sheet such as Cemintel Barestone with expressed vertical joints at the nominal 1800mm centres, so as to provide a grid similar to the former glazing (drawing 01K East Elevation (01 and 03))

### **North elevation**

Where considerable damage has been done to the various cladding and window systems, the damaged material be removed and the whole North elevation mid-section be over-clad with Weathertex natural or the Cementel Barestone

**West elevation**

Remove all existing external signs on parapet cladding and make good.

**Other**

Remove the redundant AC plant units on the roof and make good.

Paint the structural elements which are currently White in Dulux Paperbark so as to reduce the level of contrast on these elements.

Please let me know if you would like to discuss.

Regards,

Dan

Daniel Drum  
**Manager Planning**  
**Blayney Shire Council**

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**From:** David Walker [mailto:David.Walker@premise.com.au]  
**Sent:** Thursday, 18 November 2021 10:03 AM  
**To:** Planning <Planning@blayney.nsw.gov.au>  
**Cc:** Daniel Drum <DDrum@blayney.nsw.gov.au>  
**Subject:** Blayney Motel building upgrade works - Clause 5.10(3) exemption 220022

Hi Dan

As discussed on site during our recent meeting, please find attached plans outlining proposed changes to the external appearance of the existing bowling club building.

It is proposed to carry out these works pursuant to clause 5.10(3) of the LEP, subject to Council acceptance.

Note, we would appreciate the advice of Council's heritage advisor on the colour selection for materials.

Please let me know if you have any comments on these or would like to discuss.

Kind regards,



**DAVID WALKER**  
**Town Planning Discipline Lead**

T 02 6393 5000 | M 0437 621 057  
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A 154 Peisley St, Orange NSW 2800



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Our Ref: 220022\_LET\_009B

6 December 2022

Claire Johnstone  
Blayney Shire Council  
PO Box 62  
BLAYNEY NSW 2799

Via email: [Planning@blayney.nsw.gov.au](mailto:Planning@blayney.nsw.gov.au)

Dear Claire

**DA 99/2022 – ALTERATIONS AND ADDITIONS TO A BUILDING FORMERLY USED AS A REGISTERED CLUB AND FIT OUT AS A RESTAURANT, BAR, LOUNGE AND GUEST RECREATION SPACE**

Thank you for your letter dated 10 November 2022 with respect to the above matter. Please accept this letter as our response, structured in accordance with matters raised in Council's letter.

**1. Hours of Operation**

The hours of operation are expected to fluctuate season to season and day to day and depending on uptake of breakfast, lunch, dinner and event services. Allowing for staff set-up and clean-up time at either end of the day in the most conservative scenario (during the peak summer season, with demonstrated demand for all meal services and evening events), the hours of operation are expected to be between 5am and 2am, seven days per week. The hours of operation will likely be less outside of the peak period and if uptake of certain meal services is inadequate (e.g. breakfast or lunch).

**2. Sharing of On-Site Car Parking/Cumulative Impact**

DA 2021/0004 enables the development of motel accommodation in the eastern portion of the site accommodating 98 rooms and 80 parking spaces at Stage 1. At Stage 2, the number of rooms is to be reduced to 81 whilst the number of parking spaces is to be increased to 100. As shown in **Table 1**, this results in a shortfall of 21 spaces at Stage 1 and a surplus of six spaces at Stage 2.

DA 2022/0006 enables the development of motel accommodation in the western portion of the site accommodating 20 rooms and 26 parking spaces. As shown in **Table 1**, this results in a reduced shortfall of 15 spaces across the site at Stage 1 and an increased surplus of 12 spaces across the site at Stage 2 (assuming works approved under DA 2022/0006 are delivered simultaneously with Stage 1 of DA 2021/0004).

DA 2022/0099 (this DA) adopts the BDCP 2018 parking requirement for restaurants for the entirety of the buildings (575m<sup>2</sup>). As shown in **Table 1**, this results in an increased shortfall of 104 spaces at Stage 1 and 77 spaces at Stage 2 (assuming DA 2022/0099 is delivered simultaneously with DA 2022/0006 and Stage 1 of DA 2021/0004). However, sharing of on-site car parking is anticipated on the basis that 80 to 90% of guests attending the new facility will be residents of the motel. As shown in **Table 1**, this results in an adjusted cumulative shortfall of 33 spaces at Stage 1 and a surplus of two spaces at Stage 2.



As discussed in **Section 3**, it is considered that there is adequate space in Osman Street to accommodate the maximum shortfall of 33 spaces at Stage 1, given this is of limited duration, and noting the surplus of two spaces at Stage 2.

**Table 1 – Parking Demand Analysis**

	DA 2021/0004	DA 2022/0006	Running Total:	DA 2022/0099 (This DA)	Overall Total:
<b>Stage 1</b>	<b>Motel Rooms:</b>	98	20	0	<b>118</b>
	<b>Restaurant (m<sup>2</sup>)</b>	0	0	575	<b>575</b>
	<b>Parking Demand:</b>	101	20	89	<b>210</b>
	<b>Proposed Parking:</b>	80	26	0	<b>106</b>
	<b>Difference:</b>	-21	+6	-89	<b>-104</b>
	<b>Adjusted Difference:</b>	-21	+6	-18	<b>-33</b>
<b>Stage 2</b>	<b>Motel Rooms:</b>	81	20	0	<b>101</b>
	<b>Restaurant (m<sup>2</sup>)</b>	0	0	575	<b>575</b>
	<b>Parking Demand:</b>	86	20	89	<b>195</b>
	<b>Proposed Parking:</b>	100	26	0	<b>126</b>
	<b>Difference:</b>	+14	+6	-89	<b>-69</b>
	<b>Adjusted Difference:</b>	+14	+6	-18	<b>2</b>

**3. Alternative Public Parking Opportunities**

The site has a street frontage of approximately 81.5 metres to Osman Street, of which approximately nine metres is to be occupied by the two driveways associated with approved DA 2022/0006. Based on a 2.9 metre-wide on-street parking space per Table 3.3 of AS2890.5:2020 *Parking facilities – Part 5: On-street parking* (refer to **Figure 1**) for 60° angled parking for medium class vehicles (per Table 3.2, *generally more than 2 hour parking but less than a full day, e.g. town centre, sports facility, airport visitor parking*), there is space for up to 25 vehicles between the two approved driveways.

The 25 parking spaces between the two approved driveways caters for the majority of the shortfall of 33 spaces at Stage 1 of the development as discussed in **Section 2**. The remaining spaces could be accommodated elsewhere in Osman Street or the local street network and would have minimal amenity impacts to neighbouring properties due to their limited number (eight spaces).

The loss of up to 33 parking spaces in Osman Street during Stage 1 is acceptable as demand for on-street parking since the closure of the bowling club is very low. The five dwellings and Blayney High School that have access from Osman Street all have on-site parking. The pedestrian pathway from Osman Street forming part of the approved motel under DA 2022/0006 will enable an easy connection for guests of the facility subject of this application to and from Osman Street.





It is also noted that parking on the site is likely to be in reduced demand on the basis that 10 to 20% of overall guests that aren't also guests of the motel are likely to be residents of Blayney and surrounding areas. This, combined with the nature of the use, will encourage future guests to carpool (e.g. families), use the local taxi or walk to and from the site. As such, the works subject of this DA are unlikely to generate significant traffic beyond that which is already contemplated under the various motel approvals.

All of the above is predicated on the assumption of 100% occupancy at all times and that all motel users will travel in a single vehicle per motel room.

Many motel operators would recognise assumed 100% occupancy on all days is an unreasonable expectation. Industry best practise targets average occupancy of 70-80%.

In addition, we know that at stage 1, a significant proportion of users will be visiting construction workers who will not travel in their own vehicle, potentially flying into Orange and being transferred to and from work sites by bus (in line with the assumptions outlined in the traffic study that accompanied DA2021/0004).

Thus, given a conservative assessment assumes 100% occupancy, and the ability to demonstrate no significant impacts associated with the minor parking deficiency at Stage 1, it follows that at times of less than 100% occupancy, this shortfall is reduced to an acceptable level. At stage 2, a surplus of two spaces is provided.

Figure 1 – AS2890.5:2020, Table 3.3 and Table 3.2

**Table 3.2 — Classification of on-street angle parking facilities**

Class	Typical uses
Low	Generally all-day parking, e.g. commuter parking
Medium	Generally more than 2 h parking but less than a full day, e.g. town centre, sports facility, airport visitor parking
High	Generally short-term parking, including areas where children and goods are frequently loaded into vehicles, e.g. at shopping centres
Accessible	Parking spaces for people with disabilities (see also <a href="#">Clause 4.5</a> )



**Table 3.3 — Parking space dimensions for angle parking on roads with speed limit 50 km/h or less and less than 200 vehicles/hour**

Use classification (see Table 3.2)	30° angle parking			45° angle parking				60° angle parking				90° angle parking			
	Low	Med	High	Low	Med	High	Acc	Low	Med	High	Acc	Low	Med	High	Acc
Required width	4.2	4.6	5.0	3.4	3.5	3.7	3.4	2.8	2.9	3.0	2.8	2.4	2.5	2.6	2.4
Required length (see Note 1)															
L1 = park to wall or high kerb (>150 mm), no overhang	7.5	7.4	7.3	9.1	8.9	8.7	8.7	10.6	10.3	10.0	10.0	11.6	11.2	10.8	10.8
L2 = park to low kerb (not >150 mm), 600 mm overhang	7.2	7.1	7.0	8.7	8.5	8.3	8.3	10.0	9.7	9.4	9.4	11.0	10.6	10.2	10.2
L3 = park to wheel stops at right angles to parking direction	7.6	7.7	7.8	9.4	9.3	9.2	9.2	10.8	10.6	10.3	10.3	11.6	11.2	10.8	10.8
NOTE 1 Either (a) the distance from kerb line to opposite side of road for <200 vehicles/hour in any given hour in both directions, or (b) the distance from kerb line to dividing line for other traffic volumes. Both (a) and (b) include manoeuvre space.															
NOTE 2 For further details on dimensions and additional shared area for accessible parking see <a href="#">Clause 4.5</a> .															

**4. Uses and Activities within the Building**

It is undesirable to prevent guests of the facility that aren't also guests of the approved motel from accessing certain rooms within the building as suggested in Council's letter due to the difficulty in enforcing such measures. Moreover, it would not result in a significant reduction in parking demand because the proportion of guests of the facility that aren't also guests of the approved motel are expected to be in the order of 10 to 20% of overall guests, i.e. the majority of guests of the facility are expected to be guests of the motel.

We trust that the above adequately responds to the matters raised such that Council is able to positively determine the application, subject to its standard conditions of consent. If you would like to discuss the contents of this letter in greater detail, please do not hesitate to contact the undersigned via email at [david.walker@premise.com.au](mailto:david.walker@premise.com.au).

Yours sincerely

**DAVID WALKER**  
General Manager – Central NSW

**1. Draft Conditions of Consent**

**Approved Plans**

**1. Development In Accordance with Approved Plans & Documentation**

Development is to take place in accordance with:

Plan / Doc No.	Plan / Doc Title	Prepared by	Issue	Date
220022/SEE	Statement of Environmental Effects, including: Appendix A Project Drawings Appendix B DCP Compliance Table Appendix C Exempt Works Authorisation	Premise	003D	14.09.2022
A001	Title, Site Locality and Schedule of Drawings	Premise	C	17.06.2022
A002	Existing Site Plan	Premise	C	17.06.2022
A003	Proposed Lower Ground Floor Plan	Premise	C	17.06.2022
A004	Proposed Ground Floor Plan	Premise	C	17.06.2022
A005	Existing and Proposed Elevations	Premise	C	17.06.2022
A006	3D Views and Materials Selections	Premise	C	17.06.2022
220022_LET_009B	Letter - Response to Additional Information Request	Premise		06.12.2022

as amended in accordance with any conditions of this consent.

*NOTE: Any modifications to the proposal shall be the subject of an application under Section 4.55 of the Environmental Planning and Assessment Act, 1979.*

**Prescribed Conditions**

**2. Building Code of Australia**

The building work must be carried out in accordance with the requirements of the Building Code of Australia. A reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**3. Identification of Site**

The developer is to provide a clearly visible sign to the site stating:

- a) Unauthorised entry to the worksite is prohibited.
- b) Street number or lot number.
- c) Principal contractor's name and licence number; or owner builders permit number.
- d) Principal contractor's contact telephone number/after-hours number.

e) Identification of Principal Certifier, together with name, address & telephone number.

*Note: Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.*

**4. Excavation Work**

Where any excavation work on the site extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- a) Protect and support the adjoining premises from possible damage from the excavation, and
- b) Where necessary, underpin the adjoining premises to prevent any such damage.

<b>Prior to Issue of a Construction Certificate</b>
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**5. Access**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier an Access Consultant's Report to address compliance with the Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards) which requires that disabled access complying with the current standards be provided from the principal pedestrian entrance to, and within the building. Please note that due to the age of the building and the difficulty in complying with current standards, it will be likely that a Performance Solution addressing Clauses DP1, DP2 and FP2.1 of the Building Code of Australia (Volume 1) will be required. Also, as the ceiling heights of the lower ground floor are less than 2.4 metres, the Report must also address Clause FP3.1.

**6. Structural Engineering**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a structural engineer's report/certificate on the adequacy of the existing roof structure in regard to compliance with Australian Standard AS1170.3: Snow and Ice Actions.

**7. Fire Safety**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a Hydraulic engineer's design and certification for the proposed fire hydrant/s and fire rose reels to show compliance with Australian Standards AS2419.1 & AS2441 respectively.

**8. Energy Efficiency**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a Section J energy efficiency report from a suitably qualified and experienced consultant.

**9. Soil & Water Management Plan**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier a Soil and Water Management Plan for the site in accordance with *WBC Guidelines for Engineering Work*.

*Note 1: No building, engineering, or excavation work, or topsoil stripping or vegetation removal, is to be carried out in relation to this development until such time as the plan has been approved by Council and the measures detailed in the plan are in place prior to works commencing.*

*Note 2: The measures detailed in the plan are to remain in place until all landscaping is completed.*

**10. Electrical and telecommunication authorities – building**

Prior to the issue of a Construction Certificate, the applicant is to submit to the Principal Certifier evidence that arrangements have been made for the provision of electrical power, and telephone lines, OR underground electrical power and telephone lines respectively, to fully service the development to the satisfaction of the relevant electrical and telecommunications authorities.

**11. Contributions**

Prior to the issue of the Construction Certificate, the applicant is to make payment of Development Contributions to Blayney Shire Council in accordance with the Blayney Shire Council Local Infrastructure Contributions Plan 2013.

*Note 1 The contributions to be paid are currently 1% of the cost of development.*

*Note 2 The amount payable would be recalculated on the basis of the contribution rates that are applicable at the time of payment.*

*Note 3 Evidence of payment of the contributions is to be provided to the Principal Certifier prior to the issue of the Construction Certificate.*

*Note 4 A copy of the Blayney Shire Council Local Infrastructure Contributions Plans can be downloaded from Blayney Shire Council's website.*

**12. Food Safety**

Prior to the issue of the Construction Certificate, the applicant shall submit plans to the Principal Certifier for all food preparation, storage and service areas demonstrating compliance with:

- Australian Standard AS 4674:2004 – Design, construction and Fit-out of food premises
- Food Standards Code (Australia) and Food Safety Standard 3.2.3 – Food Premises and Equipment
- Food Act 2003 and Food Regulation 2015.

**13. Plan of Management**

Prior to the issue of the Construction Certificate, the applicant is to submit a Plan of Management to the Principal Certifier which addresses the following objectives:

- Ensuring the premises are managed to an acceptable standard and to ensure the facility meets the needs of guests, owners, stake holders, neighbours and the community in general.
- Ensuring operation of the site meets demands of the clientele while minimising impacts of local community.
- Ensuring the operational guidelines meet requirements for use of public areas that reduce impacts on other guests and the local community.
- Ensuring written records of management practices, standards and procedures are available for to all relevant parties.
- Providing a system by which standards, procedures and systems can be monitored and improved to ensure satisfaction of all stakeholders.
- Ensuring all areas of safety meet the standards as set by Government; and

- Ensuring the behaviours of both guests and those in the vicinity of the site are in keeping with standards as set down by those in the local community.

The Plan of Management must include a methodology to demonstrate how the following matters will be addressed to ensure that the facility is operated within acceptable limits:

- Maximum capacity of the premises.
- Online booking system which can be accessed via the general public via the internet.
- Register identifying the purpose of each tenant overnight stay.
- Operations and activities.
- Management responsibilities.
- Staffing.
- Security.
- Guest rules.
- Smoking (including littering of cigarette butts).
- Car parking.
- Noise minimisation.
- Stakeholder liaison.
- Complaints and complaints book, and
- Contact details for the on-site manager.

In addition, the Plan of Management must include:

- details to confirm that the operator will establish telephone complaints hot line for the purpose of receiving complaints from members of the public in relation to activities conducted on-site or by vehicles associated with the site.
- details of the complaints hotline are to be provided to adjoining owners and any property within 50m of the property boundary prior to the commencement of any works.
- details to confirm that the operator will prepare annual reports. Each annual report must provide a detailed overview of the operation of the facility for the previous 12 months, including details outlining how each requirement of the Plan of Management has been met.
- Requirements for the preparation of a report for submission to Blayney Shire Council on an annual basis (commencing from first use of the facility). As a minimum the annual report must detail
  - a. If a requirement of the Plan of Management was not met,
  - b. A record of any complaints received, including the time / date; the manner in which the complaint was addressed and whether or not the complaint was resolved.

#### **Prior to Works Commencing**

#### **14. Construction Certificate – Building Works**

Prior to the commencement of any works, the applicant is to obtain a Construction Certificate from either Blayney Shire Council or an Accredited Certifying Authority for the proposed motel building. Where Blayney Shire Council is not the Principal Certifier, a copy of the Construction Certificate is to be submitted to Council prior to the commencement of works.

**15. Commencement of Work and Appointment of PCA**

The applicant is to submit to Council, at least two (2) days prior to the commencement of any works, a notice of commencement of building or subdivision works and Appointment of Principal Certifier.

<b>During Construction</b>
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**16. Critical Stage Inspections**

The applicant must arrange for the building works to be inspected by Council at the times specified below:

- a) After excavation for, and prior to the placement of, any footings.
- b) In the case of a swimming pool, as soon as practicable after the barrier (if one is required under the Swimming Pools Act 1992) has been erected.
- c) Prior to pouring any in-situ reinforced concrete building element.
- d) Prior to covering of the framework for any floor, wall, roof or other building element.
- e) Prior to covering waterproofing in any wet areas.
- f) Prior to covering any stormwater drainage connections, and
- g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

Where Blayney Shire Council is required to carry out inspections the principal contractor for the building site, or owner builder, must notify Council at least 48 hours before each required inspection needs to be carried out. Failure to obtain an inspection of the works at the times specified above may prevent an Occupation Certificate being issued for the development.

**17. Naturally Occurring Asbestos**

If Naturally Occurring Asbestos is identified, and it is likely to be affected by the proposed works, Clause 432 of the *Work Health and Safety Regulations 2017* (as amended) requires that a site-specific Asbestos Management Plan must be prepared in accordance with the regulations and the *Model Asbestos Policy for NSW Councils (2015)* (as amended). If Naturally Occurring Asbestos is identified, no further works may be undertaken until an Asbestos Management Plan is prepared to the satisfaction of the Blayney Shire Council Department of Planning and Environmental Services.

**18. Hours for Construction or Demolition**

Construction or demolition only be carried out between 7.00 am and 6.00 pm on Monday to Friday, and 8am to 5pm on Saturdays. No construction or demolition is to be carried out at any time on a Sunday or a public holiday.

*Note: The principal contractor shall be responsible to instruct and control their sub-contractors regarding the hours of work.*

**19. Rubbish and Debris**

All rubbish and debris associated with the development, including that which can be windblown, must be contained on site in a suitable container at all times. The container shall be erected on the development site prior to work commencing. Materials, sheds or machinery to be used in

association with the development must be stored and stacked wholly within the worksite unless otherwise approved by Council.

*Note 1: No rubbish or debris associated with the development will be placed or permitted to be placed on any adjoining public reserve, footway or road.*

*Note 2: Offenders are liable for prosecution without further warning.*

**20. Toilet Facilities**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet, plus one additional toilet for every 20 persons employed at the site. Each toilet must:

- i. be a standard flushing toilet connected to a public sewer, or
- ii. have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- iii. be a temporary chemical closet approved under the *Local Government Act 1993*.

**21. Excavations and Backfilling**

All excavation and backfilling associated with the erection/demolition of the building must be:

- a) executed safely and in accordance with appropriate professional standards, and
- b) properly guarded and protected to prevent them from being dangerous to life or property.

**22. Demolition**

Demolition work shall be carried out in accordance with Australian Standard AS2601-1991: The Demolition of Structures, and NSW SafeWork requirements.

**23. Erosion and Sediment Control**

Erosion and sediment control measures are to be established prior to commencement of construction and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's *WBC Guidelines for Engineering Works* (see Council's website), and the Dept Housing – *Soil and Water Management for Urban Development (The Blue Book)*.

*Note 1: All erosion and sediment control measures must be in place prior to earthworks commencing.*

*Note 2: Copies of the above Policy are available from Council's Environmental Planning and Building Services Department.*

**24. Outdoor lighting**

All outdoor lighting must be installed in accordance with Australian Standard 4282:2019 Control of the obtrusive effects of outdoor lighting. Upon installation, certification of the manufacturer must be submitted to the Principal Certifier to confirm that all outdoor lighting complies with AS4282:2019.

**25. Engineering Inspections**

The applicant is to arrange an inspection of the development works by Council's Engineering Department, at the following (relevant) specified stages of the development. This condition applies notwithstanding any private certification of the engineering works.



A	Drainage	* After laying of pipes and prior to backfill. * Pits after rendering openings and installation of step irons.
B	Sewerage	* After laying of pipes and prior to backfill. * Main - air pressure testing. * Manhole - water test for infiltration, exfiltration.
C	Concrete Footway Crossings	* After placing of formwork and reinforcement, and prior to concrete placement;
D	Erosion and Sediment Control	* Prior to the installation of erosion measures.
E	All Development	* Practical completion.

**26. Site Management**

The site shall be managed so that:

- (a) No additional filling shall be placed on the land which may impede the flow of flood waters.
- (b) Any clearing or drainage activities shall not alter the drainage patterns across the site.
- (c) No landscaping or similar type structures shall be installed which will inhibit the flow of flood waters.
- (d) Any plant or goods stored upon the site shall be stored in a manner which will not allow pollution of the flood waters.
- (e) All actions shall be taken upon the site which will minimise the effect of the property upon the flood waters.

**27. Drainage**

Plumbing work is to be carried out so that the building has a separate drainage service connected to Council's sewer main within the boundaries of the site, in accordance with the Local Government (Approvals) Regulation 1999.

<b>Section 68 Requirements</b>
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**28. Licensed Plumber (During Construction)**

All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the Plumbing Code of Australia.

**29. Notice of Plumbing Work (Prior to the commencement of works)**

Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a "Notice of Works" under the Plumbing and Drainage Act 2011.

**30. Inspections**

Forty – eight (48) hours notice shall be given to Council for inspection of the following:

- a) Internal and external drainage lines, prior to backfilling. The licensed plumber/drainer shall be on site at the time of the inspection, and the drainage lines shall be charged.
- b) Hot and cold water at rough-in; and
- c) Completion.

**Prior to Issue of Occupation Certificate**

**31. Sewer Service Diagram**

Prior to the issue of an Occupation Certificate, the licensed plumber shall submit to Council a Sewer Service Diagram and a Certificate of Compliance in accordance with the requirements of NSW Fair Trading.

**32. Plan of Consolidation**

Prior to the issue of the Occupation Certificate, the applicant is to provide evidence to the Principal Certifier that a plan of consolidation of Lots 11, 12, 13 and 14 Section 13 DP 758121, Lot 1 DP 162646, Lot 8 DP 505215, Lot 20 DP 569741, Lot 10 DP 1114679 has been registered with NSW Land Registry Services. The final plan should also detail appropriate easements over existing and proposed service locations to the satisfaction of the relevant service authority.

**33. Liquid Trade Waste**

Prior to the occupation or use of the building, the developer is to obtain a liquid trade waste agreement from council under Section 68 of the Local Government Act.

**34. Occupation Certificate**

Prior to the occupation or use of the building an Occupation Certificate is to be obtained from the Principal Certifier, and where Council is not the PCA, a copy is to be submitted to Council. In this regard, an interim or final fire safety certificate for the fire safety measures installed in the building must be submitted with the application for an Occupation Certificate.

**Ongoing Matters**

**35. Approved Use**

The approved building must not be used for any other purpose other than the approved use (i.e. a restaurant, bar, lounge and guest recreation area). Any proposed change of use shall only be permitted with the consent of Council.

**36. Plan of Management**

The requirements of the approved Plan of Management must be adhered to at all times.

**37. Clearance from Power Lines**

Clearance from power lines is to be provided during and after construction. Minimum distances from power lines are to be maintained in accordance with the requirements of the relevant service authority.

**38. Annual Fire Safety Certificate**

For every 12-month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.

Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

**39. Premises in a clean and tidy state**

The premises shall be maintained in a clean and tidy state at all times.

**40. Garbage storage**

All domestic garbage generated by the use of the proposed use must be disposed of immediately to the approved garbage storage and collection area.

**41. Car parking areas not to be used for another purpose**

All car parking spaces, loading and unloading areas, vehicle manoeuvring, and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use, at all times.

**42. Ingress/Egress**

All vehicles entering or leaving the subject property shall be driven in a forward direction.

<b>Advisory Notes</b>
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**43. Compliance with the Building Code of Australia**

The following is required to ensure that the building complies with the Building Code of Australia (Volume 1):

- a) the fire hazard properties of linings, materials and assemblies in the building must comply with Specification C1.10, with certification to be submitted to the Principal Certifier prior to the issue of an occupation certificate.
- b) The building's lift installation must comply with Part E3 with certification to be submitted to the Principal Certifier prior to the issue of an occupation certificate.
- c) The stairs, handrails & balustrades must comply with Part D2 & D3 with non-slip treads/nosings being provided to the stairs;
- d) The exit doors must be fitted with lever type latches or panic bars in accordance with Clause D2.21;
- e) Emergency lighting and illuminated exit signs must be provided in the building in accordance with Part E4; and
- f) Portable fire extinguishers and fire blankets must be provided in the building in accordance with Clause E1.6.

**44. Inspection Schedule**

The Principal Certifier is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Blayney Shire Council during construction of the work.

The Principal Certifier must be contacted to undertake inspections of the various stages of construction as follows:

- a. slab inspection prior to pouring concrete
- b. Frame inspection prior to the fixing of internal linings

- c. stormwater drainage pipes prior to covering
- d. Final inspection at time of completion of all works.

**45. Notice of Commencement**

Notice of commencement of building works must be lodged on the NSW Planning Portal at least 2 days before any work commences on the site.

**46. Aboriginal Objects**

If, during work, an Aboriginal object is uncovered then work is to cease immediately, and the Office of Environment and Heritage is to be contacted urgently. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 60 of the National Parks and Wildlife Regulation 2019.