



URALLA SHIRE COUNCIL BUSINESS PAPER

Notice is hereby given, in accordance with the provision of the Local Government Act 1993 that a **Meeting of Uralla Shire Council** will be held in the **Council Chambers, 32 Salisbury Street, Uralla**, commencing at **1:00pm**.

ORDINARY COUNCIL MEETING

Tuesday 26 APRIL 2016

George Cowan
Acting General Manager



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Nil		

1. AGENDA



- BUSINESS AGENDA - **Ordinary Meeting of Council** **26 April 2016, 1:00pm**

1. Opening & Welcome

Prayer

Acknowledgement of Country

Apologies/Requests for Leave of Absence

Disclosures & Declaration of Interests

2. Confirmation of Minutes of Previous Meeting

- Ordinary Council Meeting held 29 March 2016
- Closed Session of Ordinary Council Meeting held 29 March 2016

Announcements

3. Tabling of Reports & Petitions

4. Urgent Supplementary & Late Items of Business

5. Presentations –

Speaker 1: Ms Bron Wilson

Subject: The Proposed Four Council Merger

6. Deputations - Nil

7. Reports from Delegates – Written and Verbal

Minutes to be received and noted by Council - Nil

8. Mayoral Minute - Nil

Recommendations for Items to be Considered in Confidential Section - Nil

9. Reports from the General Manager - Nil

10. Reports from the Corporate & Community Committee

Report	Title
1.18.04.01	Cash at Bank and Investments

11. Reports from the Environment, Development & Infrastructure

Report	Title
2.18.04.01	Development Approvals and Refusals for March 2016
2.18.04.02	Multi Dwelling Housing (3 dwellings)
2.18.04.03	Planning Proposal – D & J Heagney - Part Lot 12 DP 529709 Rowan Avenue, Uralla – Division Decision
2.18.04.04	Heritage Advisors Report – April 2016
2.18.04.05	Application of Council Seal to Section 88b instrument – DA-69-2015 – Mr C & Mrs S Ritchie
2.18.04.06	Standard Instrument LEP amendments
2.18.04.07	Works Progress Report to 31 March 2016
2.18.04.08	Works Planning Report April 2016

12. Motions on Notice - Nil

13. Schedule of Actions – Council Resolutions – as at 20 April 2016

14. Confidential Business - Nil

15. Authority to Affix the Common Seal – Division Decisions

REFERENCE: 2.18.04.05

SUBJECT: Application of Council Seal to Section 88b instrument –
DA-69-2015 – Mr C & Mrs S Ritchie

16. Meeting Close

www.uralla.nsw.gov.au

2. CONFIRMATION OF MINUTES

Minutes to be confirmed at Council Meeting held on 26 April 2016

- Minutes of Ordinary Council Meeting held 29 March 2016
- Closed Session of Ordinary Council Meeting held 29 March 2016

3. TABLING OF REPORTS & PETITIONS

No reports or petitions to be tabled.

4. URGENT SUPPLEMENTARY & LATE ITEMS OF BUSINESS

No urgent supplementary or late items of business.

5. WRITTEN REPORTS FROM DELEGATES

No reports submitted prior to the Council Meeting.

6. PRESENTATIONS

ITEM NUMBER: 1

SUBJECT: Proposed Four Council Merger

SPEAKERS: ☐ 1. Ms Bron Wilson

7. DEPUTATIONS

No deputations to Council.

8. MAYORAL MINUTE

No Mayoral Minute presented.

9. REPORTS FROM THE GENERAL MANAGER

No reports presented from the General Manager.

10. REPORTS FROM THE CORPORATE & COMMUNITY COMMITTEE

Department:	Organisational Services - Finance
Submitted by:	<i>Simon Paul – Chief Financial Officer</i>
Reference/Subject:	1.18.04.01 / Cash at Bank and Investments
Attachments:	A. Council's Investments as 31 March, 2016

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	<i>Council is operating efficiently and effectively. To invest surplus funds for the best advantage of Council, within Council's</i>
Strategy:	<i>Policies and Local Government Guidelines.</i>
Action:	<i>Invest surplus funds principally in term deposits with a spread of risk.</i>

SUMMARY:

Attached is a summary of bank accounts, term deposits, cash management account and investments in structured credit instruments. The investments have been made in accordance with the Act, the Regulations and Council's actual Investment Policy.

OFFICER'S RECOMMENDATION:

That:

Council note the cash position as at 31 March, 2016 consisting of cash and overnight funds of \$1,244,960, term deposits of \$9,000,000 totalling \$10,244,960 of readily convertible funds.

BACKGROUND:

In accordance with Regulation 212 of the Local Government (General) Regulations 2005, the following report is prepared on monies not currently required for use by Council, invested in forms of investment approved by Order of the Minister.

REPORT:

Current Term Deposits of \$9,000,000 spread over the next six months will receive a range of interest from 2.95% to 3.15% with an average rate of 3.05%. Diary of maturing dates and amounts is attached.

Council's General Fund bank balances (listed in the attachments) have been reconciled to the bank statement as at 31 March, 2016.

KEY ISSUES:

The new Professionals Fund account pays interest at 15 points above the RBA cash rate. This account is providing some improvement to the total returns from Council investments. Continual assessment of excess funds has allowed additional funds to be invested at higher interest rates instead of leaving the funds in non-interest bearing accounts. However, continuing low interest rates will result in loss of investment income compared to prior years. In early March 2016 Council received an additional \$3,893.73 to compensate for the difference in deposit rates between the Everyday Business account and the Professionals Fund account.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

N/A

2. Policy and Regulation

Local Government Act 1993

Local Government (General) Regulations 2005

Order of the Minister re Investments

3. Financial (LTFP)

Current interest rates affect Council's ability to meet projected investment returns therefore reducing forecast revenue in the long term.

4. Asset Management (AMS)

N/A

5. Workforce (WMS)

N/A

6. Legal and Risk Management

Risk management involves ensuring compliance with the Minister's Orders regarding approved type of investments thus reducing risk of future losses on investments made.

7. Performance Measures

N/A

8. Project Management

N/A

Prepared by staff member: Simon Paul

TRIM Reference Number: U15/287

Approved/Reviewed by Manager: Chief Financial Officer

Department: Organisational Services - Finance

Uralla Shire Council
Investments at 31 March, 2016

Cash at Bank – Operating Accounts:

Institution	Account	Bank Statement
National Australia Bank	Main Account	-\$65,655.65
National Australia Bank	Trust Account	\$31,296.33
Community Mutual	Bundarra RTC	\$23,201.43
Total		-\$11,157.89

Business Investment (Cash Management) Account

Institution	Interest rate	Balance
National Australia Bank	0.10%	\$218.72
Professional Funds	2.15%	\$1,255,898.83
Business Cash Maximiser	1.50%	\$0.00
Total		\$1,256,117.55

Term Deposits:

Institution	Interest rate	Maturity	Balance
National Australia Bank	3.03%	14/04/2016	\$500,000.00
Westpac Banking Corporation	3.12%	24/04/2016	\$1,000,000.00
Newcastle Permanent	3.00%	26/05/2016	\$600,000.00
National Australia Bank	2.99%	29/05/2016	\$1,000,000.00
Commonwealth Bank of Australia	2.95%	8/06/2016	\$600,000.00
Westpac Banking Corporation	3.15%	17/06/2016	\$1,300,000.00
ANZ	2.99%	30/06/2016	\$500,000.00
Westpac Banking Corporation	3.15%	24/07/2016	\$600,000.00
ANZ	2.98%	23/08/2016	\$800,000.00
National Australia Bank	3.00%	26/08/2016	\$600,000.00
National Australia Bank	3.05%	7/09/2016	\$500,000.00
Westpac Banking Corporation	3.05%	30/09/2016	\$1,000,000.00
Total			\$9,000,000.00

Financial Instruments through Lehman Brothers Australia:

Structured Credit	Maturity Date	Face Value at Acquisition	Current Book Value at 30 June 2015
Parkes 1A AAA	Jun-15	\$250,000.00	\$0.00
Total		\$250,000.00	\$0.00

There is a possibility that a further dividend may be received in relation to the Parkes 1A AAA prior to 30 June 2016.

11. REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

Department:	Infrastructure & Regulation
Submitted by:	Director of Infrastructure & Regulation
Reference / Subject	2.18.04.01 / Development Approvals and Refusals for March 2016
Attachments:	Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1 An attractive environment for business, tourism and industry
Strategy:	2.1.4 Implement tools to simplify development processes and encourage quality commercial, industrial and residential development
Action:	2.1.4.1 Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing Certificates

SUMMARY:

The following details the development approvals issued by Council and by private certification for March 2016 for the entire local government area. A listing of development applications outstanding with a status as at the end of March 2016 has also been provided.

For information purposes a summary of the development values is provided from January 2006 until the end of March 2016. Similarly, a summary of the number of dwellings approved within the local government area from 1 January 2000 until the end of March 2016 is provided.

The number of applications lapsing in September 2016 is also listed for information purposes.

COMMITTEE'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for March 2016.

OFFICER'S RECOMMENDATION:

That Council receive and note the development approvals and refusals for March 2016.

REPORT:

Development Applications			
Approvals:			
Development Application Number	Applicant	Property	Development
DA-58-2015-2	Rossbuild Constructions	7B Salisbury Street, Uralla	Modification – Staged Development – Stage 1: 2 Units Dual Occupancy Stage 2: Strata Subdivision
DA-1-2016	Uralla Shire Council	106 Bridge Street, Uralla	Relocation of Visitor Information Centre
DA-13-2016	Mr K & Mrs E Leader	80 Marble Hill Road, Saumarez Ponds	4 Bay Shed
DA-14-2016	Mr P & Mrs H Young	362 Gowings Road, Camerons Creek	Dwelling Additions
DA-15-2016	Mr R Farthing	3 Barleyfields Road, Uralla	Demolition of Existing Shed & 4 Bay Shed
DA-16-2016	Mr D Jones	1184 Barraba Road, Bundarra	Creation of Private Cemetery
Monthly Estimated Value of Approvals: \$322,000.00			

Refusals: Nil**DAs Withdrawn: Nil****Comparison to March 2015:**

March 2015:	\$1,216,870.00	March 2016:	\$322,000.00
Year to date:	\$1,975,370.00	Year to date:	\$635,094.00
(Calendar Year)		(Calendar Year)	

Development Applications Outstanding				
Application Number	Applicant	Property	Development	Status
DA-3-2016	New England North West Planning Services	14 Salisbury Street, Uralla	Multi Dwelling Housing, 3 Units Stage 1, Strata Stage 2	Under Assessment
DA-8-2016	New England Surveying & Engineering	13 Stringybark Ridge Road, Invergowrie	4 Lot Staged Subdivision	Awaiting Applicant
DA-11-2016	LDJD Investments	16 Bendemeer Street, Bundarra	Alterations & Additions to Hotel	Under Assessment
DA-12-2016	Croft Surveying & Mapping	60 Rowan Avenue and 133 Bridge Street, Uralla	2 Lot Subdivision and Boundary Adjustment	Under Assessment
Application Number	Applicant	Property	Development	Status

DA-17-2016	Mr P Tutt	44 Quartz Gully Road, Uralla	Enclose Existing Deck & Construct New Deck	Under Assessment
DA-18-2016	Picton Bros Improvements	10 Rowan Avenue, Uralla	Patio Cover	Under Notification
DA-19-2016	Croft Surveying & Mapping	270 Goodes Road, Arding	Boundary Adjustment	Under Assessment
DA-20-2016	Mr P Doyle & Ms B Walsh	40 Gostwyck Street, Uralla	Dwelling	Under Notification
				Total: 8

Construction Certificates

Approved:

Application Number	Applicant	Property	Construction
CC-1-2016	Uralla Shire Council	106 Bridge Street, Uralla	Relocation of Visitor Information Centre
CC-13-2016	Mr K & Mrs E Leader	80 Marble Hill Road, Saumarez Ponds	4 Bay Shed
CC-14-2016	Mr P & Mrs H Young	362 Gowings Road, Camerons Creek	Dwelling Additions
Monthly Estimated Value of Approvals: \$322,000.00			

Refused: Nil**Issued by Private Certifier:**

Application Number	Applicant	Property	Construction
CC-71-2015	Mr D & Mrs A Shirlaw	68 Marble Hill Road, Saumarez Ponds	Carport Conversion to Secondary Dwelling
CC-9-2016	Mr V & Mrs N Froome	17 Fitzroy Street, Uralla	Garage
Monthly Estimated Value of Approvals: \$59,323.00			

Complying Development Applications**Approvals:** Nil**Refusals:** Nil**Withdrawal:** Nil**Issued by Private Certifier:**

Application Number	Applicant	Property	Development
CDC-3-2016	Mr G & Mrs C Clark	59A Maitland Street, Uralla	Internal Alterations
CDC-4-2016	Mr B Watts	35 Rowan Avenue, Uralla	Shed
CDC-5-2016	Mr A Rowley & Ms P Egghins	53 Gostwyck Street, Uralla	Garage
Monthly Estimated Value of Approvals: \$29,013.00			

Comparison to March 2015:

March 2015:	\$34,000.00	March 2016:	\$29,013.00
Year to date:	\$1,112,500.00	Year to date:	\$46,513.00
(Calendar Year)		(Calendar Year)	

Calendar Year Development Values

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2006	6,310,059	42,349	6,310,059	-
2007	7,211,361	44,515	7,211,361	-
2008	9,155,533	50,030	7,393,239	1,762,294
2009	9,290,046	72,016	5,749,162	3,540,884
2010	10,586,972	86,073	5,958,887	4,628,085
2011	6,584,483	53,101	3,449,607	3,134,876
2012	11,390,780	102,620	6,158,718	5,232,062
2013	9,259,318	91,676	4,678,720	4,580,598
2014	8,246,689	61,542	5,657,845	2,588,844
2015	9,387,065	86,917	7,230,198	2,156,867
2016	681,607	35,874	635,094	46,513

2016 to date

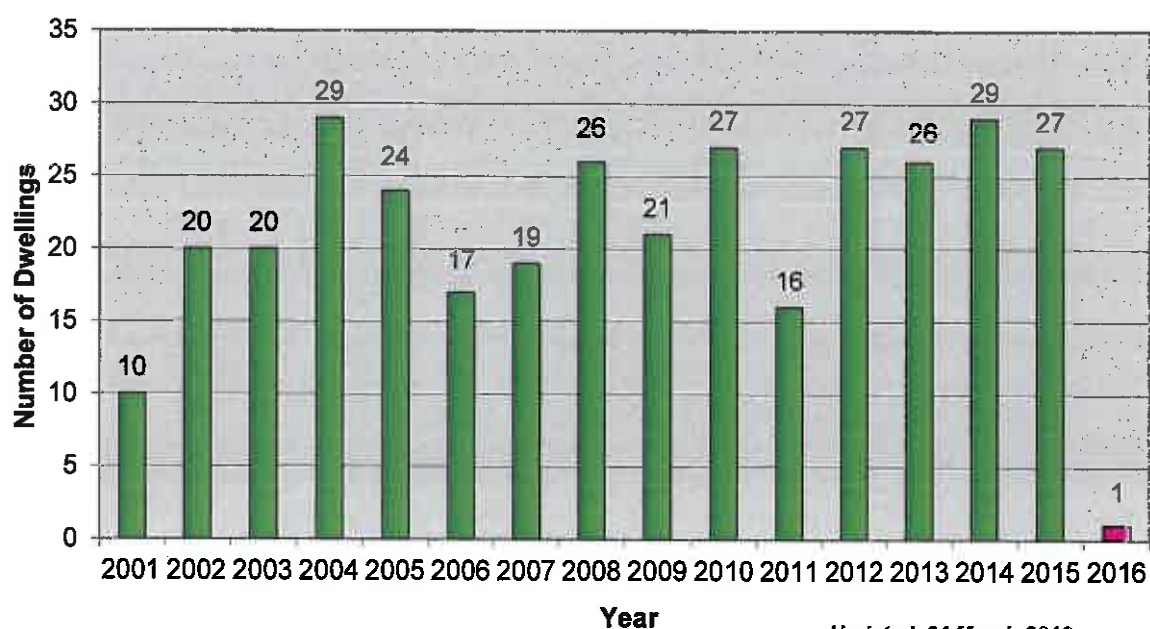
Financial Year Development Values

Year	Total Development Value \$	Average Development Value \$	Development Application Value \$	Complying Development Value \$
2005-2006	6,090,640	39,808	6,090,640	-
2006-2007	6,302,833	38,668	6,302,833	-
2007-2008	8,128,806	52,444	8,128,806	-
2008-2009	8,095,812	61,332	4,588,050	3,507,762
2009-2010	12,395,113	77,469	7,121,590	5,273,523
2010-2011	8,212,500	73,986	5,023,347	3,189,153
2011-2012	5,986,330	53,449	3,667,764	2,318,566
2012-2013	12,339,996	101,983	6,100,857	6,239,139
2013-2014	8,296,829	76,118	4,653,404	3,643,425
2014-2015	9,779,535	109,917	6,392,261	3,387,274
2015-2016	5,425,934	74,328	4,764,354	661,580

2015-2016 to date

Lapsing Applications

The review on expiring development and complying development applications has been carried out for those applications lapsing during September 2016. In September 2011 twelve (12) applications were approved, with zero (0) applications identified as possibly not commencing as at the end of March 2016.

Approved Dwellings in Uralla Shire

KEY ISSUES:

- *Development Applications approved by Council for March 2015 – 5*
- *Development Applications refused by Council for March 2015 – 0*
- *Development Applications withdrawn by Applicant for March 2015 – 0*
- *Outstanding Development Applications as at 31 March 2015 – 8*
- *Construction Certificates approved by Council for March 2015 – 3*
- *Construction Certificates refused by Council for March 2015 – 0*
- *Construction Certificates issued by private certification for March 2015 – 2*
- *Complying Development Applications approved by Council for March 2015 – 0*
- *Complying Development Applications refused by Council for March 2015 – 0*
- *Complying Development Applications issued by private certification – 3*
- *Total Development Value for 2015 as at 31 March 2015 – \$681,607*
- *Average Development Value for 2015 as at 31 March 2015 – \$35,874*
- *Development Application Value for 2015 as at 31 March 2015 – \$635,094*
- *Complying Development Application Value for 2015 as at 31 March 2015 – \$46,513*
- *Applications lapsing in April 2016 that may not have commenced – 0*
- *Approved dwellings as at 31 March 2015 – 0*

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
The Development Approvals and Refusals for March will be placed in the next available newsletter and uploaded to the Uralla Shire Council website.
2. **Policy and Regulation**
Environmental Planning & Assessment Act, 1979.
Environmental Planning & Assessment Regulations, 2000.
3. **Financial (LTFFP)**
Nil
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
Nil
7. **Performance Measures**
Nil
8. **Project Management**
Nil

Prepared by staff member:	Administration Officer
TRIM Reference Number:	U12/168
Approved/Reviewed by Manager:	Director Infrastructure & Regulation
Department:	Infrastructure & Regulation

Department:	Infrastructure & Regulation
Submitted by:	Consultant Town Planner
Reference / Subject:	2.18.04.02 / Multi Dwelling Housing (3 dwellings)
Attachments:	B. Concept dwelling plans prepared by Team Design Australia and draft Strata Plan prepared by Survey Doodson. C. Development Assessment Report D. Submissions (2)

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	2.1 An attractive environment for business, tourism and industry
Strategy:	2.1.4 Implement tools to simplify development processes and encourage quality commercial, industrial and residential development
Action:	2.1.4.1 Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing certificates

SUMMARY:

The purpose of this report is for Council to determine a Development Application for multi dwelling housing at 14 Salisbury Street Uralla. The proposal involves the construction of three single storey townhouses (villas) within a cleared, unconstrained site in close proximity to the town centre.

The reason the development is submitted for Council determination is that there were two submissions received following notification of the development.

Issues raised in submissions have been considered in the assessment and are managed with consent conditions.

COMMITTEE'S RECOMMENDATION:

That Council approve Development Application DA-03-2016 for Multi dwelling housing (3 dwellings) and Strata Subdivision on land known as No. 14 Salisbury Street, Uralla, being Lot 2 DP 1193433 subject to the following conditions:

OFFICER'S RECOMMENDATION:

That Council approve Development Application DA-03-2016 for Multi dwelling housing (3 dwellings) and Strata Subdivision on land known as No. 14 Salisbury Street, Uralla, being Lot 2 DP 1193433 subject to the following conditions:

GENERAL CONDITIONS

1. The development must take place in accordance with the approved plans (bearing the Council approval stamp) and documents submitted with the application, drawn by Team Design Australia, numbered 150501 A001/A101/A201/A301/A304/A303/A203/A103/A004 and dated 17 July 2015 (rev 4) and Draft Strata Plan prepared by Surveyor S Doodson (Surveyor's Ref: 20160314), and subject to the conditions below to ensure the development is consistent with Council's consent.
2. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulations 2000.
3. Prior to the removal of the large slab of rock, a Construction Management Plan and Sediment and Erosion Control Plan are to be submitted to Council for approval with the Construction Certificate documentation. Explosive blasting is not permitted.

4. Pre-Construction Dilapidation Report

The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties and public infrastructure (including roads, gutters, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.

5. Post-construction dilapidation report

The applicant must prepare and submit a post-construction dilapidation report. The report must clearly detail the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.

6. BASIX

All commitments listed in the BASIX Certificate lodged with the Development Application shall be complied with.

7. Inspections

The building is to be inspected at the following stages of construction:

- before the pouring of footings**
- before covering drainage (under hydrostatic test)
- before pouring any reinforced concrete structure **
- before covering the framework for any wall, roof or other building element **
- before covering waterproofing in any wet area**
- before covering any stormwater drainage connections
- when the building work is completed and all conditions of consent have been addressed**
- in the case of a swimming pool, after the construction of the swimming pool is completed and the barrier (if one is required under the Swimming Pools Act 1992) has been erected and before the pool is filled with water,

*** denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a development where a critical stage or other nominated inspection has not been carried out.*

Applicants should give at least 24 hours' notice to guarantee an inspection.

8. Engineering Requirements

- a) A Hydraulic Layout Plan for sewer, water, stormwater and land surface stormwater must be supplied to Council prior to Construction Certificate.
- b) Detailed Engineering Drawings are required for footpath, driveway and driveway kerb and the gutter crossing.
- c) All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
- d) All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
- e) Sewer is to be piped to the existing sewer manhole on Lot 1 DP 1091592 at the expense of the developer.
- f) Provision of design and construction of stormwater drainage to connect to Council's existing drainage system, including the creation of any necessary inter-allotment drainage easements at the expense of the developer.
- g) The access crossing will be in concrete and designed and constructed to a standard

approved by Council and is at the expense of the developer.

- h) The internal driveway is to be concrete, or asphaltic concrete. This is to be designed and constructed to a standard approved by Council and is at the expense of the developer.

9. Landscape Plan

A comprehensive Landscape Plan is to be submitted for approval with the Construction Certificate showing:

- a) No less than 45 m² of landscaped area per dwelling including 24 m² (with a minimum dimension of 3.5 m) of secluded private open space directly accessible off the living area for each dwelling.
 - b) Landscape treatment to screen the private open space areas of Dwelling A from Salisbury Street.
 - c) Landscaping treatment to screen courtyards of all of the dwellings.
 - d) Privacy fencing 1,800mm high.
 - e) Mailboxes located wholly within the front boundary.
 - f) Garbage Bin storage area for the development within the common/community area of the site.
 - g) Details of boundary fencing.
10. The front building setback must not be less than 4 metres from the front boundary.
11. The Construction Certification drawings must clearly show that the proposed townhouses comply with the side 900 mm setback and the rear setback of 2.4 m.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

12. The plans and specification accompanying the Construction Certificate are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the National Construction Code for a Class 1a building:
- Amended plans are to be submitted to the Principal Certifying Authority for authentication of NCC compliance and issue of a Construction Certificate.
- Should the external configuration of the building be modified as a result of achieving NCC compliance, the plans accompanying this development consent must also be modified.
13. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The Application must be approved prior to the issue of a Construction Certificate, to ensure pedestrian and vehicular safety during construction.

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

14. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with the cl 103 and 104 of the *Environmental Planning and Assessment Regulation 2000*. Such notice is given using the form enclosed with this consent.
- For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the *Environmental Planning & Assessment Act 1979*.

15. Reconfiguration of rainwater tank placement to Unit 2 for an obscure glass window installation for Natural Light and Vent to the bathroom as per the National Construction Code.

16. **Sediment and Erosion Controls**

Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- divert contaminated run-off away from disturbed areas,
- erect silt fencing along the downhill side of the property boundary,
- prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
- stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

Failure to take effective action may render the developer liable to prosecution under the NSW *Protection of the Environment Operations Act*.

Roof and surface stormwater from paved and impervious areas is to be collected and directed to protect the site and adjoining property from the effects of flooding. Such work must be completed prior to the use and/or occupation of the premises commencing.

17. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenient. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

18. Prior to the issue of a Subdivision Certificate the applicants shall provide written advice from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of a telecommunications and electricity services.
19. Prior to the issue of a Subdivision Certificate, an Application for a Subdivision Certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.
20. Prior to the issue of a Subdivision Certificate, the applicants shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
21. Individual connections to the water main in Salisbury Street are required for Dwelling A, B and C. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current fee for the 2015/2016 year is \$930.00 per connection.
22. Connection to the sewer main is required for Dwelling A, B and C. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current fee for the 2015/2016 year is \$525.00 per connection.
23. An easement 3 metres wide is to be created for the sewer main extension at the expense of the developer.

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

24. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
25. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
26. Materials must not be burned on site. All waste generated on site must be disposed of at Council's Waste Disposal Depot or Waste Transfer Station, to protect the amenity of the area and avoid the potential of air pollution.
27. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
28. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
29. Retaining walls associated with the erection of the building or other approved methods for preventing the movement of the soil must be provided where soil conditions are inadequate, ensuring adequate provision is made for drainage.
30. A backflow prevention device suitable to the degree of hazard must be installed to the premises. The type device will be determined at the time of processing the application for a water service. All external hose taps must be fitted with a backflow prevention device in accordance with AS/NZS 3500.1:2003 before use or occupation of the building, to maintain public health.

ADVISING: For information regarding the installation and type of backflow prevention device to be fitted, please contact Council.

31. Excavations and backfilling must be executed safely and in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.

If excavations associated with the erection of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, must preserve and protect the building from damage, and if necessary, underpin and support the building in an approved manner.

Notice of intention to do so must be given to the owner of the adjoining land at least seven days before the commencement of excavation work. The owner of the adjoining allotment of land is not liable for any part of the cost of work, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

32. An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act and to ensure the health and safety of the building's occupants.

ADVISING: Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).

33. The Principle Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.
34. The property number shall be clearly and permanently displayed on or adjacent to the doorway or on the street frontage to identify the premises to the public and to essential/emergency services. Numbers shall be 100mm high x 50mm wide (minimum) and of a colour contrasting with the surface to which they are affixed.

BACKGROUND:

1. Development Application DA-3-2016 for 'Multi Dwelling Units and Strata' received by Council on 29 January 2016.
2. The development was notified to surrounding land owners in according with Chapter 13 Notification Procedures of the Uralla Development Control Plan (DCP) 2011.
3. Two submissions were received. (Redacted copies are provided at Annexure C).
4. DCP 2011 requires that:
Delegated authority will not be used to determine a development application that has received a written objection to the proposal.
5. Matters raised in submissions are discussed in the report below.

REPORT:

A Development Application was received by Council from the applicant, New England North West Planning Services, on behalf of the owner, LR & NC Brown for residential development of land at 14 Salisbury Street, Uralla. Development consent is required for Multi dwelling housing comprising:

- o One detached dwelling
- o Two attached dwellings

Multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

The subject land is described as Lot 2 DP 1193433 is rectangular in shape with an area of 1,207 m². The site is level, unconstrained, cleared land and is zoned R1 General Residential. A site aerial is shown below:



Site image - Sixmaps LPI 2016

A Development Assessment Report has been prepared in accordance with S79C of the Environmental Planning and Assessment Act and is provided as Annexure B to this report. The main elements of the proposal are discussed below.

The proposed dwellings (villas) are single storey brick with colourbond metal roofs. The proposed villas occupy less than 40 % of the site area. Concept design drawings are provided at Annexure A.

The proposal generally complies with the controls of the Uralla DCP 2011, however a variation to the front setback is required. The DCP requires a front setback of 6 m. Dwelling A is proposed to be setback 4 m.

The Development Application seeks consent for the strata subdivision of the development.

Matters raised in submissions are as follows:

1. Concern regarding the possible damage to the adjoining heritage listed dwelling located at 16 Salisbury Street during the removal of the large slab of rock.

Response:

There is a large granite boulder situated within the land and would need to be removed. It is planned that the boulder will be drilled, with an expansion agent placed inside resulting in the rock breaking up. It is not proposed to blast the rock (Statement of Environmental Effects)

Consent conditions require the submission of a Construction Management Plan and a Sediment and Erosion Control plan for approval prior to the removal of the rock and/or the release of the Construction Certificate. The condition also states that explosive blasting is not permitted.

A pre and post construction dilapidation report is required to demonstrate that the works for the rock removal have not impacted any adjoining public or private property.

2. Concern regarding stormwater drainage and sewer capacity.

Response:

Consent conditions require that detailed engineering drawings are submitted and approved prior to any construction works.

CONCLUSION:

Development Application DA-3-2016 is recommended for conditional approval for the following reasons:

- a) The proposal is consistent with the R1 General Residential zone objectives:
 - o *To provide for the housing needs of the community.*
 - o *To provide for a variety of housing types and densities.*
- b) The proposal seeks to develop a vacant, unconstrained site for the purposes of medium density housing that will contribute to the needs of the community and increase the supply of affordable housing in an appropriate location.
- c) The development of land within the existing urban footprint reduces development pressure of outlying greenfield areas.
- d) Matters raised in submissions have been considered and will be managed in accordance with the requirements of development consent conditions.

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Nil
2. **Policy and Regulation**
Uralla Local Environmental Plan 2012
Uralla Development Control Plan 2011
Environmental Planning & Assessment Act 1979
3. **Financial (LTFP)**
Nil – all costs of the development are met by the proponent.
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
Nil
7. **Performance Measures**
Nil
8. **Project Management**
Nil

Prepared by staff member: Keiley Hunter, Consultant Urban Planner
Approved/Reviewed by Manager: Director Infrastructure & Regulation
Department: Infrastructure & Regulation

Drawing List			
Sheet Number	Sheet Name	Sheet Issue Date	Current Revision Date

A001	Site Layout Plan	12/09/15	24/03/16
A002	Site Setout Plan	12/09/15	10/12/15
A003	Landscaping Plan	12/09/15	24/03/16
A004	Elevations	12/09/15	10/12/15
A101	Dwelling A - Floor Plan	12/09/15	10/12/15
A102	Dwelling A Slab Setout Plan	12/09/15	10/12/15
A103	Dwelling A - Elevations	12/09/15	10/12/16
A201	Dwelling B - Floor Plan	12/09/15	10/12/15
A202	Dwelling B Slab Setout Plan	12/09/15	10/12/15
A203	Dwelling B - Elevations	12/09/15	10/12/15
A301	Dwelling C - Floor Plan	12/09/15	24/03/16
A302	Dwelling C - Slab Setout Plan	12/09/15	10/12/15
A303	Dwelling C - Elevations	12/09/15	10/12/15
A304	Dwelling C - Sections	12/09/15	10/12/15
ASP100	BASIX & Thermal Performance Requirements	12/09/15	10/12/15
ASP101	Specifications 1	12/09/15	10/12/15
ASP102	Specification 2	12/09/15	10/12/15
ASP103	Safety Notes	12/09/15	10/12/15

Salisbury Street

Street

TOP OF KERB
ASSUMED LEVEL
RL 10.000NEW FOOTPATH CROSSING AND LAYBACK TO
URALLA SHIRE COUNCIL REQUIREMENTS
1200mm (H) x 1430mm (W) 230mm FACE
BRICKWORK WALL TO MATCH DWELLINGS WITH
POWDERCOATED MAILS SAFE MAILBOXES.

REVISION SCHEDULE 00024		
Date	Revision	Description
30/09/15	1	Issued for Coordination
10/12/15	2	For Co-ordination and approval
24/03/16	3	Dwelling landscape and outdoor nominal areas added

WATER METERS LOCATED IN FRONT
CORNER OF GARDEN AREA.1500 HIGH SELECTED
TIMBER SCREEN ON GALV.
STEEL SUPPORT FRAMENEW COLORBOND
FENCE (WOODLAND GREY)

NORTH

LOT 2
DP 1193433SITE AREA: 1207.5m²

Proposed Multi Occupancy Dwellings

- Zone R1 Lot

- Multi Dwelling Occupancy (Building Area)

Dwelling A	130.3m ²
Garage A	24.8m ²
Dwelling B	111.1m ²
Garage B	27.3m ²
Dwelling C	132.4m ²
Garage C	39.5m ²
465m ² (38.5% site cover)	

- Landscaped Areas (nominal)

Dwelling A	62m ²
Dwelling B	56m ²
Dwelling C	78m ²

- Outdoor Areas (North) (nominal)

Dwelling A	47m ²
Dwelling B	41m ²
Dwelling C	34m ²

DCP Requirements

- Site Coverage allowed	50%
- Building Height	8 metres
- Front Setback	6 metres
- Side Setbacks	1.6m - 600 o/hang
- Rear Setback	3.2m
- Landscape Area	> 45m ² (each)
- Outdoor Area (Northern)	> 24m ² (each) min 3.5m

Site Strategy Intentions

- Habitable space fronting the street.
- Remove the garages from the streetscape.
- Private secure northern outdoor living areas and landscaped areas for each dwelling.
- Use overshadowed areas for site access.

Site Statistics

1:100

NEW COLORBOND
FENCE (WOODLAND GREY)
TO BOUNDARY

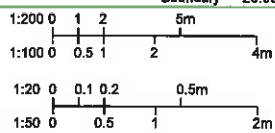
ROCK TO BE REMOVED

EXISTING
TIMBER
RESIDENCE1650 HIGH SELECTED
TIMBER SCREEN ON GALV.
STEEL SUPPORT FRAMEDRIVEWAY
(TO ENGINEER'S
DETAIL)

Dwelling C

FSL 8.600m

EXISTING SHED

EXISTING 1.5m HIGH COLORBOND
SCREEN FENCE ON BOUNDARY;
REPLACE OR REPAINT AS REQUIRED

DO NOT SCALE

Contractor must verify all dimensions on site before commencing any work or repainting shop drawings. This drawing is copyright and remains the property of TEAM DESIGN AUSTRALIA. Unauthorised reproduction is prohibited.

USE FIGURED DIMENSIONS ONLY

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Proposed 3 Townhouse
Development
14 Salisbury Street, Uralla

Site Layout Plan

Scale As indicated

Date 17/07/2015

Drawn RL

Checked RL

Approved RL

Ref
150501 **A001**Rev
3

TEAM DESIGN AUSTRALIA	New England	18b Nathaniel Pidgeon Drive PO Box 1471 Armidale NSW 2350 ph (02) 6771 4977
	North Coast	1/19 Megan Crescent PO Box 142 Lennox Head NSW 2478 ph (02) 6687 6413 m. 0402 456464 ron.lane@teamdesignaustralia.com

Development Assessment Report

DA Number: DA-3-2016

Council: Uralla Shire Council

Location: 14 Salisbury Street URALLA

Development Description: Multi Dwelling Units and Strata

Title Details: Lot: 2 DP: 1193433

Proposal Overview

Part 4 Local Development Application seeks consent for the following:

- Construction of 2 attached townhouses and 1 detached townhouse
- Single storey, brick with colourbond roof sheeting
- Strata title subdivision

The proposal involves the infill redevelopment of residential land at 14 Salisbury Street, Uralla.

The site is cleared land with an area of 1,207 m². There is an old shed to be demolished and a large rock to be removed.

Property Details/History		
	Checked	Comments
File History	Yes	Checked internally.
Title Plan	Yes	
Check Ownership	Yes	

Is there any other issue that requires notation?

No

Comment:

Application Type

Is this application an Integrated Development Application?

No

Is this application a Designated Development Application?

No

Is this application for State Significant Development?

No

Is this application submitted by/on behalf of a Public Authority?

No

Is this application a staged Development?

No

Details of Staging:

Is this application a section 96 amendment?

No

Concurrence/Referral

Section 79b – EP & A Act

Does this application require concurrence referral?

No

Does this application require courtesy comment?

No

Is there any other issue that requires notation?

No

Has this application been referred to the Development Assessment Unit?

No

Does this application require referral for decision by Council?

Yes

Local Environmental Plan

Section 79c(1)(a)(i) – EP & A Act

This land is zoned: R1 GENERAL RESIDENTIAL

<u>List the relevant clause/clauses applicable under the LEP</u>		
Clause	Compliance	Comment
Land Use Table	Yes	Complies with the zone objectives: <ul style="list-style-type: none"> To provide for the housing needs of the community. To provide for a variety of housing types and densities. Multi dwelling housing is permissible with consent.
4.1	Yes	MLS of 560 m ² does not apply to strata subdivision.
6.4	Yes	Essential services are either connected to or are available to the land.
5.10	Yes	No heritage items or conservations areas identified within the land.

Is there a draft LEP or draft LEP amendment which may affect this proposal? No

Is there any other issue/feature that requires notation? No

Do 'existing use' provisions apply to this development? No

Development Control Plan

Section 79c(1)(a)(iii) – EP & A Act

Is there a DCP which applies to this land/proposal? Yes

<u>List the relevant clause/clauses under the applicable DCP</u>	
Clause	Compliance
Chapter 3 – Residential Development Sign analysis diagram provided Density control 50% site coverage. Building height 8 m Front Setback 6 m	Yes. Site layout plan #A001. Yes. Site coverage 38.5% Yes. Approx 4.8 m to ridgeline No. Variation requested. The front setback is 4 m. Justification provided by the applicant: <ul style="list-style-type: none"> ✓ The design orientation has been to allow for the best solar access possible which is important in a climate like Uralla. ✓ It gives the units a bulk and scale which is not "box like". ✓ The proposed fencing at the front of the proposed development. To give privacy to the secluded open space dedicated to Unit A. Comment: The variation is supported for the following reasons: <ol style="list-style-type: none"> 1. The front façade of Dwelling A is at 45% to the street rather than facing the street. Only a small area of Dwelling A is within the front 6 m offset area. 2. The Salisbury Street frontage will be screened by a timber slatted fence.

	<p>3. Dwelling A presents well to the street by incorporating a variety of external finishes and a varied roofline.</p> <p>4. There is a wide road reserve and verge area mitigating the impact of the reduced front setback.</p> <p>A condition of consent will be that the front setback is not to exceed 4m. Landscape treatment to the Salisbury Street frontage is to be shown in detail on the Landscape Plan and submitted for approval with the CC documents.</p>
Side Setback – 900 m Rear Setback – 2.4 m	<p>Yes.</p> <p>Yes.</p> <p>Setbacks are not clearly shown on the drawings, therefore setbacks will have to be enforced in consent conditions.</p>
Landscaped Area – 45 m ² / dwelling Secluded POS – 24 m ² with a minimum dimension of 3.5m.	<p>Yes.</p> <p>Yes</p>
Car parking 1 space per dwelling.	Yes
A minimum of 30% of the total site shall be landscaped area	Yes
Chapter 13 – Notification of Applications	Yes. The application was notified to surrounding land owners. Two submissions were received.

Is there a draft DCP which may affect this proposal?

No

Is there any other issue that requires notation?

No

State Environmental Planning Policy

Is this proposal affected by a SEPP?

Yes

Comment:

List all relevant SEPPs		
SEPP	Compliance	Comment
55 Remediation of Land	Yes	Land is unlikely to be contaminated and is considered suitable for residential land use.

Is there any other issue that requires notation?

No

Planning Agreement

Section 93F(10) – EP & A Act

Is there a Planning Agreement in force under section 93F of the EP&A Act?

No

Planning Strategies/Local Policy

Section 79c(1)(b) – EP & A Act

Is there a Planning Strategy or Local Policy that requires notation?

No

Has the applicant submitted any supporting planning assessments?

Yes

Comment: A Statement of Environmental Effects was submitted.

Is there any other issue/feature that requires notation?

No

Subdivision

Is this application for subdivision?

Yes

The application seeks consent for a Strata Subdivision of the completed townhouse development.

Environmental Impacts

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential impact on?

	Impact	Comment
Social	Minor	Will contribute to providing for the housing needs of the area. The development will result in three modern dwellings within level walking distance of the town centre.
Economical	Minor	Additional supply of medium density dwellings will assist with maintaining an affordable housing supply.
Siting & Configuration	Yes	Prior to the removal of the large slab of rock, a Construction Management Plan and Sediment and Erosion Control Plan are to be submitted to Council with the Construction Certificate documentation. Landscape Plan required to demonstrate that landscape treatment of the development will achieve suitable private open space areas, will screen the development and will provide a suitable garbage bin storage area.
Setbacks	Yes	Reduced front setback.
Privacy	Yes	As above.
Heritage		The development adjoins a house that is listed as an item of local heritage significance. (16 Salisbury Street Item 49). There are no Aboriginal Cultural Heritage items listed on the AHIMS database within the site or up to 50 m surrounding the site.
Overshadowing	Minor	The development is low set single storey to reduce overshadowing impact.
Solar Access	No	There are no solar access constraints affecting nor created by this development.
Visual	Minor	The development is low set and will not be highly visible from the surrounding area.
Significant Views	No	No significant impact to view-lines of surrounding development.
Amenity	No	The proposal is modern, however it is low-set and will integrate well with the character of the surrounding neighbourhood. The site is within walking distance of the town centre.
Tree Loss	Yes	The site will be fully cleared for the development. There are no significant trees or vegetation located within the site.
Ecological	No	As above.

Environmental Impacts – Threatened Species

Section 79c(1)(b) – EP & A Act

- Has a Threatened Species Impact Assessment been prepared? **No**
- Are there any species/communities listed under the TSC Act? **Unlikely**
- Does the proposed development require approval under the EPBC Act? **No**
- Is a Species Impact Statement required? **No**
- Has a Species Impact Statement been prepared? **No**

Environmental Impacts – Heritage

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	No	Adjoins Item 49 – timber dwelling with local heritage significance – 16 Salisbury Street.
Aboriginal	No	No items on AHIMS Database

- Is this land classified as containing an item of environmental heritage? **No**
- Is there any other issue/feature/impact that requires notation? **No**

Flooding

Section 79c(1)(b) – EP & A Act

- Is this property flood affected? **No**

Bush Fire Prone Land

Section 79c(1)(b) – EP & A Act

- Is this property bush fire prone as per the Bush Fire Prone Map? **No**

Contaminated Land

Section 79c(1)(b) – EP & A Act

- Has this land been identified as being contaminated land by Council? **No**
- Is it a possibility this land may be contaminated? **Unlikely**
- Is this land in the close vicinity or adjoining a known contaminated site? **No**

Infrastructure

- Has an engineering assessment been completed? **Yes**
- Does this proposal have any potential impact on:

	Impact	Comment
Sewer	No	Council's reticulated sewer service will be extended to service the development at the full cost to the applicant.
Water	No	Council's reticulated water supply will be extended to service the development at the full cost to the applicant.

Drainage	Yes	Stormwater details required with the CC documentation.
Access	Yes	New access crossing required.
Kerb & Gutter	Yes	New access crossing required.
Upgrade Existing Road	No	
Road Network	No	
Existing Easements	No	
Electricity	No	Standard condition of consent.
Telecommunications	No	Standard condition of consent.
Pedestrian Access	No	
Loading & Unloading	No	
Parking	No	
Energy Conservation	No	

Does the development require any new easements? **No**

Comment: There are no easements for services shown on the draft Strata Plan. All services are located within common property.

Has an Erosion and Soil Control Plan been submitted? **No**

Was there any outstanding issues requiring attention? **Yes**

Comment: The submitted drawings did not show landscaping details, therefore a detailed Landscape Plan will be required with the CC.

Construction Assessment

Is a construction assessment required? **Yes**

Section 68 Assessment

Section 68 – LGA Act

Is a section 68 assessment required? **Yes**

Developer Contributions

Section 94 – EP & A Act

Does this proposal require any Developer Contribution? **No**

Signage

Has this application included signage? **No**

Notification

Section 79c(1)(d) – EP & A Act

Is this application an advertised development application? **No**

Was this application advertised as per the provisions of? DCP

Was this application notified as per the provisions of Council's Notification Policy? Yes

Were there any written submissions received? Yes

Two submissions were received.

Issues:

- a) Stormwater management
- b) Sewer capacity.
- c) Damage to surrounding property from rock removal.

All of the issues raised in submissions can be appropriately managed and have not resulted in any revisions or changes to the proposed development.

Consent conditions require the submission of a stormwater plan and a construction management plan.

There is adequate capacity in council's reticulated sewer system to cater for the development.

Section 88b Instrument

Does Council require a Section 88b instrument to be prepared? No

Comment: Easements are not shown on the draft Strata Plan.

Public Interest

Section 79c(1)(e) – EP & A Act

Does this proposal have any construction or safety issues? No

Comment: One submission maker raised concerns regarding the safe removal of the large rock slab and the potential for impacts to their building. A construction management plan is required and must be approved by Council prior to the removal of the rock.

Is there any public health issues? No

Are there any other public interest issues? No

The proposal meets the public interest in that the site will be developed in accordance with the zone objectives and will provide suitable housing within the existing urban footprint. Increasing densities in suitable locations meets state and regional housing objectives and reduces development demand on outlying greenfield areas.

Site Suitability

Section 79c(1)(c) – EP & A Act

Is this a suitable site for this proposal Yes

Assessing Officer General Comment

Comment: The proposal is permissible with consent and meets the R1 General Residential zone objectives. The development requires a variation to the setback requirements of the DCP. The variation is justified for several reasons detailed in this assessment.

A detailed Landscape Plan is required to be submitted with the Construction Certificate.

Recommendation

This development application be approved subject to the following conditions, including any necessary engineering or construction conditions that result from the conclusion of the engineering and construction assessment.

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

NIL

GENERAL CONDITIONS

1. The development must take place in accordance with the approved plans (bearing the Council approval stamp) and documents submitted with the application, drawn by Team Design Australia, numbered 150501 A001/A101/A201/A301/A304/A303/A203/A103/A004 and dated 17 July 2015 (rev 4) and Draft Strata Plan prepared by Surveyor S Doodson (Surveyor's Ref: 20160314), and subject to the conditions below to ensure the development is consistent with Council's consent.
2. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulations 2000.
3. Prior to the removal of the large slab of rock, a Construction Management Plan and Sediment and Erosion Control Plan are to be submitted to Council for approval with the Construction Certificate documentation. Explosive blasting is not permitted.

4. Inspections

The building is to be inspected at the following stages of construction:

- before the pouring of footings**
- before covering drainage (under hydrostatic test)
- before pouring any reinforced concrete structure **
- before covering the framework for any wall, roof or other building element **
- before covering waterproofing in any wet area**
- before covering any stormwater drainage connections
- when the building work is completed and all conditions of consent have been addressed**
- in the case of a swimming pool, after the construction of the swimming pool is completed and the barrier (if one is required under the Swimming Pools Act 1992) has been erected and before the pool is filled with water,

*** denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a development where a critical stage or other nominated inspection has not been carried out.*

Applicants should give at least 24 hours' notice to guarantee an inspection.

5. Engineering Requirements

- a) A Hydraulic Layout Plan for sewer, water, stormwater and land surface stormwater must be supplied to Council prior to Construction Certificate.
- b) Detailed Engineering Drawings are required for footpath, driveway and driveway kerb and the gutter crossing.
- c) All Engineering works to be designed by an appropriately qualified person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
- d) All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.
- e) Sewer is to be piped to the existing sewer manhole on Lot 1 DP 1091592 at the expense of the developer.
- f) Provision of design and construction of stormwater drainage to connect to Council's existing drainage system, including the creation of any necessary inter-allotment drainage easements at the expense of the developer.
- g) The access crossing will be in concrete and designed and constructed to a standard approved by Council and is at the expense of the developer.
- h) The internal driveway is to be concrete, or asphaltic concrete. This is to be designed and constructed to a standard approved by Council and is at the expense of the developer.

6. Landscape Plan

A comprehensive Landscape Plan is to be submitted for approval with the Construction Certificate

showing:

- a) No less than 45 m² of landscaped area per dwelling including 24 m² (with a minimum dimension of 3.5 m) of secluded private open space directly accessible off the living area for each dwelling.
 - b) Landscape treatment to screen the private open space areas of Dwelling A from Salisbury Street.
 - c) Landscaping treatment to screen courtyards of all of the dwellings.
 - d) Privacy fencing 1,800mm high.
 - e) Mailboxes located wholly within the front boundary.
 - f) Garbage Bin storage area for the development within the common/community area of the site.
 - g) Details of boundary fencing.
7. The front building setback must not be less than 4 metres from the front boundary.
 8. The Construction Certification drawings must clearly show that the proposed townhouses comply with the side 900 mm setback and the rear setback of 2.4 m.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

9. The plans and specification accompanying the Construction Certificate are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the National Construction Code for a Class 1a building:

Amended plans are to be submitted to the Principal Certifying Authority for authentication of NCC compliance and issue of a Construction Certificate.

Should the external configuration of the building be modified as a result of achieving NCC compliance, the plans accompanying this development consent must also be modified.
10. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The Application must be approved prior to the issue of a Construction Certificate, to ensure pedestrian and vehicular safety during construction.
11. A Dilapidation Report on neighbouring property 16 Salisbury Street Uralla must be supplied to Council prior to Construction Certificate.

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

12. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with the cl 103 and 104 of the *Environmental Planning and Assessment Regulation 2000*. Such notice is given using the form enclosed with this consent.

For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the *Environmental Planning & Assessment Act 1979*.
13. Prior to the removal of the large slab rock, a Construction Management Plan (Dilapidation Report) and Sediment Erosion Control Plan are to be submitted to Council for approval with the Construction Certificate Documentation. Explosive blasting is not permitted.
14. Reconfiguration of rainwater tank placement to Unit 2 for an obscure glass window installation for Natural Light and Vent to the bathroom as per the National Construction Code.

15. Sediment and Erosion Controls

Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- divert contaminated run-off away from disturbed areas,
- erect silt fencing along the downhill side of the property boundary,
- prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
- stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

Failure to take effective action may render the developer liable to prosecution under the *NSW Protection of the Environment Operations Act*.

Roof and surface stormwater from paved and impervious areas is to be collected and directed to protect the site and adjoining property from the effects of flooding. Such work must be completed prior to the use and/or occupation of the premises commencing.

16. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenient. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

17. Prior to the issue of a Subdivision Certificate the applicants shall provide written advice from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of a telecommunications and electricity services.
18. Prior to the issue of a Subdivision Certificate, an Application for a Subdivision Certificate is to be submitted to Council with three (3) copies of the Title Plan and appropriate fees. The applicant is to ensure that a summary of compliance with all conditions of consent is completed and lodged with the application.
19. Prior to the issue of a Subdivision Certificate, the applicants shall provide evidence to the effect that all utility services, i.e water, sewer, electricity, telecommunications, connected to or used in each of the buildings within the development site is wholly contained within each of the proposed allotments. That is, no internal servicing of the sites is permitted to be wholly or partially on the adjoining allotment.
20. Individual connections to the water main in Salisbury Street are required for Dwelling A, B and C. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current fee for the 2015/2016 year is \$930.00 per connection.
21. Connection to the sewer main is required for Dwelling A, B and C. This fee is set out in Councils Operational Plan and is adjusted every financial year. The current fee for the 2015/2016 year is \$525.00 per connection.
22. An easement 3 metres wide is to be created for the sewer main extension at the expense of the developer.

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

23. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.

24. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
25. Materials must not be burned on site. All waste generated on site must be disposed of at Council's Waste Disposal Depot or Waste Transfer Station, to protect the amenity of the area and avoid the potential of air pollution.
26. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
27. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
28. Retaining walls associated with the erection of the building or other approved methods for preventing the movement of the soil must be provided where soil conditions are inadequate, ensuring adequate provision is made for drainage.
29. A backflow prevention device suitable to the degree of hazard must be installed to the premises. The type device will be determined at the time of processing the application for a water service. All external hose taps must be fitted with a backflow prevention device in accordance with AS/NZS 3500.1:2003 before use or occupation of the building, to maintain public health.

ADVISING: For information regarding the installation and type of backflow prevention device to be fitted, please contact Council.

30. Excavations and backfilling must be executed safely and in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.

If excavations associated with the erection of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, must preserve and protect the building from damage, and if necessary, underpin and support the building in an approved manner.

Notice of intention to do so must be given to the owner of the adjoining land at least seven days before the commencement of excavation work. The owner of the adjoining allotment of land is not liable for any part of the cost of work, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

31. An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act and to ensure the health and safety of the building's occupants.
ADVISING: Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).
32. The Principle Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.
33. The property number shall be clearly and permanently displayed on or adjacent to the doorway or on the street frontage to identify the premises to the public and to essential/emergency services. Numbers shall be 100mm high x 50mm wide (minimum) and of a colour contrasting with the surface to which they are affixed.

COUNCIL ADVICE ONLY

1. **Compliance with the National Construction Code:** All building work must be carried out in the following manner to ensure compliance with the National Construction Code (Volume 2: Housing Provisions):-.
2. **Drainage of surface water surrounding the building:** Finished ground or paving level must be at least 150mm below the level of any floor. Such finished ground level is measured not more than one (1) metre from external walls with the ground surface graded to allow effective drainage of surface water away from the building (in accordance with AS 2870 – 1996).
3. **Tempering valves:** Hot water units are to deliver hot water at the outlet of the closest sanitary fixture at a maximum temperature of 50 degrees Celsius (Part 4, National Plumbing and Drainage Code AS 3500), to restrict the temperature of the hot water supply to sanitary fixtures such as baths, showers and hand basins to limit the potential risk of scalding to the occupants of the building.
4. A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display/erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under State Environmental Planning Policy (Codes SEPP) 2008 for exempt development).

Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached:

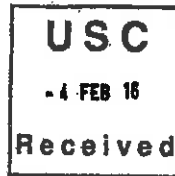
No

Signed:



Keiley Hunter

Date: 6 April 2016



16 Elizabeth Ave 200037
WRAC 4/2/16.

Attention Mr D. JOHNS.

SIR - Concerning the Multi Dwelling Housing & Strata.

at 14 Salisbury St WRAC D.A-3-2016.

We, Marie W. Rinon & Malcolm P. Rinon are concerned about water drainage & sewerage of the development.

1/ Will the drainage of all water be directed from all three units to outlet in Salisbury St.

Will the drainage from the drive ways be directed out there also. —

There has been quite a lot of water enter our area after heavy rain in past years.

2/ We are concerned about the sewerage from the three extra dwellings going back through our area. It is a small pipe already taking waste from 4 residences & having seen the open pipe area in the inspection pit in our block makes us feel that problems may well arise. —

Could the sewerage from dwellings A & B be diverted North West across one allotment to Elizabeth Ave sewerage pipe. We feel would be better.

3/ The drainage off the drive ways be directed back to Salisbury St. —

We thank you for your consideration as we feel it would be better for the Council & us

Thank You

Marie & Malcolm P. Rinon.

00038

2/3/2016

Letter re Salisbury St .htm

33 Queen St
Uralla
NSW 2358

General Manager
Uralla Shire Council
NSW 2358



February 3rd, 2016

Dear Mr Connor

Re: DA Application for 18 Salisbury St

As the owners of 16 Salisbury St we would like to safeguard the historic house from possible damage due to the partial or total removal of a rock on 18 Salisbury St. We request that dilapidation reports be prepared both before and after the work on the rock, and that the owners of 18 Salisbury St undertake to repair any damage due to the work on the rock.

Yours sincerely

A handwritten signature in cursive script that reads 'Felicity Forrest'.

[Felicity and Peter Forrest]

Department:	Infrastructure & Regulation
Submitted by:	Contract Town Planner
Reference / Subject:	2.18.04.03 / Planning Proposal – D & J Heagney - Part Lot 12 DP 529709 – Rowan Avenue, Uralla
Attachments:	Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.2	Growing and diversified employment, education and tourism opportunities
Strategy:	2.2.1	Provide land use planning that facilitates employment creation
Action:	2.2.1.1	Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents
	2.2.2.1	Assess and maintain a sufficient supply of residential, lifestyle, agricultural, commercial and industrial zoned land

SUMMARY:

The purpose of this report is to advise Council of an update on the Planning Proposal progress.

This Planning Proposal applies to part of Lot 12 DP 529709, Rowan Avenue Uralla. The Planning Proposal seeks to amend the Zoning and Minimum Lot Size maps applicable to the land:

- from Zone RU1 Primary Production and RU2 Rural Landscape to RU4 Primary Production Small Lots; and
- to reduce the current minimum lot size of 400 ha and 200 ha to 40 ha.

COMMITTEE'S RECOMMENDATION:

That the following be received and noted in regards to the Planning Proposal affecting land known as Part Lot 12 DP 529709, Rowan Avenue, Uralla:

1. Public Exhibition has been finalised.
2. A section 59 report is currently being drafted for NSW Planning approval.

OFFICER'S RECOMMENDATION:

That the following be received and noted in regards to the Planning Proposal affecting land known as Part Lot 12 DP 529709, Rowan Avenue, Uralla:

1. Public Exhibition has been finalised.
2. A section 59 report is currently being drafted for NSW Planning approval.

BACKGROUND:

Lot 12 DP 529709 has an area of 81.16 hectares. The land is split zoned RU1 Primary Production, RU2 Rural Landscape and IN2 Light Industrial with a minimum lot size of 400 ha over the RU1 zoned land and 200 ha over the RU2 zoned land.

It is intended to subdivide 76 ha of rural zoned land from the industrial zoned land (approximately 5 ha) to enable an industrial subdivision under a future development proposal. The industrial zoned land will be purchased by Council for the purpose of ensuring there is suitable land available to meet opportunistic industrial needs that arise in Uralla.

The subdivision will result in a residual rural zoned lot of approximately 76 ha. The most logical use of the land is as a rural small holding with a dwelling to allow for the effective onsite management of the land. The present RU1 and RU1 zoning and the minimum lot sizes of 200 and 400 ha need to be amended to achieve this outcome.

Council has advised the NSW Department of Planning & Environment that it does not wish to have delegated authority to make the amendment due to possible conflict of interest due to Council purchasing the residue Part Lot 12 DP 529709 encompassing the IN2 Light Industrial zoning.

REPORT:

A Gateway Determination was given by the NSW Planning on 15 July 2015. The Gateway Determination was that the planning proposal proceed subject to conditions. The conditions are:

1. *Community consultation is required under section 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:*
 - (a) *the planning proposal must be made publicly available for 28 days; and*
 - (b) *the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.2.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).*
2. *Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.*
3. *A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or reclassifying land).*
4. *The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.*

The planning proposal was placed on public exhibition for 28 days (Friday, 24 July 2015 to Monday, 24 August 2015).

Consultation has been undertaken with the NSW Rural Fire Service who provided a no objection response to the proposed planning proposal.

Delegation was not issued for this proposal. Council's plan making delegations can only be used under the terms of NSW Planning when a written authorisation to exercise delegation is granted for each proposal. Therefore if delegation is not granted the Gateway determination remains silent.

A section 59 report is currently being drafted for review by NSW Planning, and if they are comfortable with the report, they will forward onto Parliamentary Counsel for the legal drafting and formal approval by the Director General. It is expected that the final report will be with NSW Planning the week ending 15 April and that it will take a further 4 – 6 weeks for finalisation by the Department.

KEY ISSUES (Optional):

- *The Planning Proposal seeks to amend the URALLA LEP 2012 by amending the Zoning and Minimum Lot Size maps applicable to Part Lot 12 DP 529709 Rowan Avenue, Uralla.*
- *The Gateway Determination has been issued.*
- *Public Exhibition was carried out from 24 July 2015 until 24 August 2015.*
- *Delegation was not issued to Council to make the amendment.*
- *Section 59 report currently being finalised.*

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
The Planning Proposal was placed on Public Exhibition as per the Gateway Determination.
2. **Policy and Regulation**
Environmental Planning & Assessment Act, 1979.
Environmental Planning & Assessment Regulations, 2000.
3. **Financial (LTFP)**
Nil
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
Possible conflict interest due to Council purchase of the residue Part Lot 12 DP 529709 encompassing the IN2 Light Industrial zoning.
7. **Performance Measures**
Nil
8. **Project Management**
Nil

Prepared by staff member:	Libby Cumming, Contract Town Planner
Approved/Reviewed by Manager:	Acting Director of Infrastructure & Regulation
Department:	Infrastructure & Regulation

Department:	Infrastructure & Regulation
Submitted by:	Acting Director Infrastructure & Regulation
Reference / Subject:	2.18.04.04 / Heritage Advisors Report – April 2016
Attachments:	E. Heritage Advisors Report dated 5 April 2016

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	3.1	To preserve, protect and renew our beautiful natural environment
Strategy:	3.1.3	Protect the shires historic buildings and sites, recognising their value to the community
Action:	3.1.3.1	Administer a Heritage Advisory Service and Local Heritage Assistance Fund

SUMMARY:

This is a report from Council's Heritage Advisor, Mr Mitch McKay in regards to his monthly visit undertaken for April on 5 April 2016. His next visit will be 3 May 2016.

COMMITTEE'S RECOMMENDATION:

That the Heritage Advisor's report dated 5 April 2016 be received and noted by Council.

OFFICER'S RECOMMENDATION:

That the Heritage Advisor's report dated 5 April 2016 be received and noted by Council.

BACKGROUND:

The Heritage Advisor's Report is put to Council for information purposes each month.

REPORT:

The Heritage Advisor's April 2016 report is attached.

KEY ISSUES:

Nil

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Nil
2. **Policy and Regulation**
Nil
3. **Financial (LTFP)**
Nil
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
Nil

7. Performance Measures

Nil

8. Project Management

Nil

Prepared by staff member:	Regulatory Services Office Manager
TRIM Reference Number:	U12/6769
Approved/Reviewed by Manager:	Acting Director Infrastructure & Regulation
Department:	Infrastructure & Regulation



Heritage

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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 1: 144 Bridge Street, Uralla

Met with Barry McDonald owner as a follow-up to telephone conversation with him on 18 March 2016.

Mr McDonald is wishing to:

- replace the short sheet length roof sheets of the front of the building and on the bullnose verandah with long sheet lengths, and
- repaint the exterior of the building.

The property, while not yet listed as an item of heritage in Council's LEP 2012, has been identified for inclusion as a heritage item (SHI 2540243).

The Statement of Significance for 144 Bridge Street, as described in the Uralla Heritage Inventory sheet from Stage 2 of the Community Based Heritage Study, reads:

The Victorian style house with semi-detached rear secondary wing circa 1880s and 1890s retains its form and elements. It is contributory in the streetscape along a main historic entry route into Uralla. The house and land is historically associated with Uralla names including William Low, O'Dell, Yates, Ryan, Monkton, Burton and Carter. Social significance arises from its continued use as a domestic residence. The building could become part of an architectural survey of the town to identify the diversity of domestic architecture in Uralla. The house is representative of the Victorian style era.

Mr McDonald has indicated that the house was actually constructed in 1899.

While the building is not in a conservation area or in the LEP it still has significance as it *retains its form and elements and contributes in the streetscape along a main historic entry route into Uralla*. Features of significance should be conserved or reinstated.

Therefore:

- the replacement of all metal roof sheeting should be in short sheet lengths to match existing, and unpainted.

In regards to repainting the exterior the external colour scheme as follows, which is proposed by the owner, is supported:

Walls	Stepney (Dulux)
Verandah posts	Raku (Dulux)
Barges and other timber	Indian Red

The chamfers of the verandah posts could also be picked out.

Guttering and downpipes should be in metal and unpainted - ogee style guttering and round downpipes.



M. McKay



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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 2: McCrossin's Mill + chaff shed, 29 Salisbury Street, Uralla

Met with Sue Singleton representing the McCrossin's Mill Museum.

The Museum is wishing to re-roof the mill building and chaff shed using insulated long sheet length metal roofing.

The reasons given by the museum for re-roofing are:

- that the museum requires climate control to protect its exhibits, artefacts and objects from the variable climatic conditions Uralla experience, and
- without the climate control the museum is unable to attract travelling exhibitions.

The reason given for using long sheet lengths is that the product does not come in short sheet lengths.

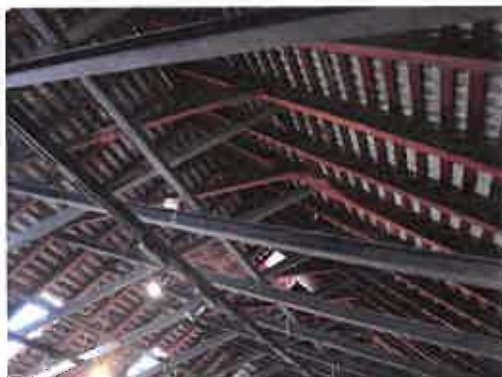
The property, is listed in Uralla LEP 2012 as an item of State significance and is within the Uralla CBD Conservation Area.

I advised that a Development Application would be required and that Council would need to refer the application to the Heritage Division of the Office of Environment and Heritage (OEH) as it is an item on the NSW State Heritage Register.





Internal roofing space – mill building



Internal roof space – chaff shed



The buildings generally have a high degree of intactness and are significant both as an individual heritage item in their own right and for their high level of contribution to the character of the area. These buildings are also landmarks within the conservation area.

Uralla DCP 2011 states the significance of buildings, such as these, should not be compromised.

The acceptable solution as stated in the DCP is to maintain the heritage characteristics and all significant fabric and streetscape intactness.

Insensitive application of new materials or finishes to an old building may ruin its appearance and it is noted that five buildings that either adjoin or are in the vicinity of the buildings that are the subject of this report all have roofs of short sheet lengths.

The use of the building has changed from when it was constructed as a mill where no consideration for climate control would have been required to a museum where climate control is essential.

I advised that any development application submitted to Council should be accompanied by any exemptions the museum may receive from the Heritage Division of OEH. Such exemptions may include the use of the long length sheets.

00048

M. McKay



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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 3: 25 Gostwyck Street, Uralla

Met with Phil Steadman owner who is seeking advice for recladding the building. Mr. Steadman was considering recladding in a timber board imitation such as aluminium.

The property, while not yet listed as an item of heritage in Council's LEP 2012, has been identified for inclusion as a heritage item (SHI 2540433) and included in the proposed conservation area.

The Statement of Significance for 25 Gostwyck Street, as described in the Uralla Heritage Inventory sheet from Stage 2 of the Community Based Heritage Study, reads, in part:

The cottage is contributory in the streetscape and tells the story about the evolution of Uralla during the late 19th and early 20th centuries following the arrival of the railway and separated from town by the Showground. It is a good representative example of its type and use of materials.

There were damaged and missing weatherboards on the south elevation – the bathroom. I advised that I would not support recladding in a timber board imitation but would support timber hardwood weatherboards of the same profile.

I noted that there was sub floor vents on the north and south elevation but none on the west elevation and suggested that sub floor vents be installed on the west to assist with air circulation below the floor level. Mr. Steadman has been removing planting that was up against the west and south elevations and digging trenches to assist with drainage and dampness.

The question of the aluminium window to the bathroom and the lack of privacy it provides was asked. I suggested that the aluminium window could be replaced with a timber window and opaque glass installed. However, a more simple method would be to remove the existing glass and replace this with opaque glass.

Mr. Steadman also enquired whether Council could provide any financial assistance. I advised that Council did not have a Heritage Assistance Fund at present and that he should contact Melody Styles, Council's Regulatory Services Office Manager to ascertain when/if Council may re-establish a fund.



m. McKay



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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 4: 30 Bridge Street, Uralla

I left two messages for Violet Atkinson on her voicemail to contact me so that we could discuss her proposal to convert part of her house to a business, install a ramp and associated signage.

m. mckay



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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 5: former Station Master's House, 3 Hill Street, Uralla

I left a message for Claire Flynn on her voicemail, prospective purchaser, to contact me so that we could discuss repainting of the former Station Master's house.

The property forms part of the Uralla Railway Station Group which is listed in Uralla LEP 2012 as an item of State significance.

It was also identified on the inventory sheet of the Uralla Community Based Heritage Study Stage 2 as a heritage item (SHI 2540018).

M. McKay



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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 6: Munsie Bridge, over Salisbury Waters, Gostwyck

Visited the site with Owen Johns, Council's Acting Director of Infrastructure Regulation.

Council has sought funding to remove the timber components of the bridge and make the bridge capable of taking modern day loads.

The bridge, which was opened in April 1938, has been identified on the inventory sheet of the Uralla Community Based Heritage Study Stage 2 as a heritage item (SHI 2540326).

The Statement of Significance from the inventory sheet for the Munsie bridge reads:

Munsie Bridge rural presentation and simple fence is critical in visual relationships with the Gostwyck scenic and cultural landscape in this location, and in particular as a smaller element as a back drop to the Gostwyck Elm avenue and the nearby park-like setting of the Gostwyck Chapel. The bridge itself has a very rural evocativeness as does the road approach from the chapel side, all of which adds to the incredible visual and rural aesthetic about this peaceful location. Construction of the bridge provides the opportunity to research time bridges in the area. Construction of this bridge is representative of rural bridges of this era built in the Gostwyck Shire period using assistance from the State government under the program called the Spooner Scheme. Spooner was the Minister for Local Government.

The Gostwyck Memorial Chapel and Precinct is an item of local significance under Uralla LEP 2012 (I10).

The same precinct has also been identified on the inventory sheet of the Uralla Based Community Study Stage 2 as a heritage item (SHI 2540054).

The Statement of Significance from the inventory sheet for the Gostwyck Memorial Chapel and precinct reads, in part:

An incredibly evocative and peaceful place with heighten aural, sensory and visual aesthetics. The Memorial Chapel, Avenues of Elm and precinct generally at 'Gostwyck Station' has landmark, historical association, aesthetic, social, research, rarity and representative significance as a State Heritage Item, and includes Munsie Bridge at the edge of one Elm Avenue.

Council has gradually been removing its timber bridges and replacing them with concrete bridges capable of taking modern day loads. Only two timber bridges remain the Mi Hi bridge and this one.

I believe Council should have prepared, if it hasn't already, a structural analysis report to determine the structural stability of the bridge in order to justify whether or not it needs to be replaced and what other options have been considered and why they have been discounted.

A Development Application is required for the proposal.

Should approval to carry out the work be given then I recommend, as part of the conditions of consent, that:

- a photographic archival recording of the bridge be prepared,
- interpretive signage panels outlining the history of the bridge should be installed between in the vicinity of the western approach to the bridge between the bridge and Gostwyck Chapel, and
- the timber approach rails from the Gostwyck Chapel remain.



M. McKay



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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

**ITEM 7: Replacement of signage:
Thunderbolt Inn - 31 Bridge Street and TJ's Cellars - 100 Bridge Street,
Uralla.**

Council has received a request to replace alcohol related advertising signage to the above properties. Both properties are located within the Uralla CBD Conservation Area.

The signage to be replaced advertises Tooheys New and the proposed signage would advertise XXXX Gold.

There is no indication whether the proposed signs are illuminated or not.

Uralla DCP 2011 states that the only permissible signs for heritage areas are the following:

- Business identification signs;
- Building identification signs; and
- Replacement of the above signs.

None of the proposed signs advertise the business solely but rather the business and a product eg. XXXX Gold Thunderbolt Inn and XXXX Gold TJ'S Cellars – the most prominent wording being XXXX Gold.

Thunderbolt Inn - 1 under awning sign + 2 projecting signs from the awning over the footpath

It is unclear where the 2 projecting signs from the awning over the footpath Uralla DCP 2011 are defined in the DCP.

Council's consultant planner may be able to provide this advice and whether what is proposed is permissible.

As for the proposed under awning sign this appears to meet the requirements of the DCP.

TJ'S Cellars - 1 projecting wall sign above awning.

Uralla DCP 2011 states in part that these types of signs:

- will not generally be permitted unless they can be demonstrated to be of an architectural style which is particularly suited to that building and to the design of that and adjoining buildings.

- shall not be located above the awning of a building.

The proposed sign does not comply with the DCP.

A Development Application is required for the signage proposed for both buildings.

M. McKay



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HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 8: 5 Bendemeer Street, Bundarra

I spoke to the owner regarding re-roofing of the building as a result of hail damage it incurred some time ago.

The property, while not yet listed as an item of heritage in Uralla LEP 2012, has been identified for inclusion as a heritage item (SHI 2540127).

However, the property is within the conservation area of the Uralla LEP 2012.

The owner advised that as a result of the hail storm several buildings such as the hotel, agricultural store and post office have replaced their roofs with long sheets as opposed to the short sheets that they would have previously had.

Council staff indicated that were not aware that these buildings had replaced their roofs.

The Statement of Significance for 5 Bendemeer Street, as described in the Uralla Heritage Inventory sheet from Stage 2 of the Community Based Heritage Study, reads, in part:

The building has landmark, historical, social, rarity and representativeness. An early building in Bundarra that demonstrates an era of prosperity in the town. It is rare because it is linear in design and setback from the street. It is contributory to Bundarra and its streetscape significance arises from the architectural detail and the building materials used in its construction.

Uralla DCP 2011 states that features of significance should be conserved or reinstated.

I have had discussion with Council's Consultant Planner Libby Cumming and the replacement of the existing metal roof sheeting should be in short sheet lengths to match existing – in other words like for like.

In regards to another question from the owner about replacing an existing door with glass to allow more light to enter I have asked Council staff to include a visit of the property on my program for my visit 3 May, 2016.

m. mckay



Heritage

research | interpretation | education | tours | project management

HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 9: Highland Living - 68 Bridge Street, Uralla

Spoke to Owen Johns, Council's Acting Director of Infrastructure Regulation, about the unauthorised external painting to the shopfront of this property.

I expressed my concerns that these unauthorised works undermine the intent of Uralla DCP 2011 and the Uralla Main Street Study (R.J. Ratcliffe, 1997) and has the potential to encourage others to follow suit if left unattended.

I have requested Melody Styles provide the Director with my reports of my visits on 1 December 2015 and 12 January 2016.

M. McKay



Heritage

research | interpretation | education | tours | project management

HERITAGE ADVISORY MEMO

No. 38

date: 5 April 2016

ITEM 10: Next Heritage Advisor visit

It is proposed that the Heritage Advisor's next visit will be 3 May 2016.

M. McKay

Department:	Infrastructure & Regulation
Submitted by:	Manager of Town Planning & Regulation (Relief)
Reference / Subject:	2.18.04.06 / Standard Instrument LEP amendments
Attachments:	F. Local Environmental Plan (Regional LEPs Consequential Amendments)2016
	G. NSW Planning and Environment Media Release 12 March 2016
	H. LEP Land Use Matrix

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	2.2	Growing and diversified employment, education and tourism opportunities
Strategy:	2.2.1	Provide land use planning that facilitates employment creation
Action:	2.2.1.1	Monitor and review Council's Local Environment Plan and other strategic and supporting planning documents

SUMMARY:

This is an advisory report of amendments already made by NSW Department of Planning and Environment to the statewide standard instrument LEP template that came into effect on 11 March 2016. The Regional LEPs Consequential Amendments 2016 has been attached as Annexure A. The NSW Planning and Environment (NSW P&E) Media Release of 12 March 2016 is attached as Annexure B.

The amendments are part of an ongoing approach by NSW P&E to simplify the planning system. The LEP amendments are:

- Ensure hardware and building supplies and garden centres are allowed in General Industrial, Light Industrial and Business Park zones across NSW;
- Allow livestock processors to do business with suppliers from beyond their surrounding districts, by removing the phrase "derived principally from surrounding districts";
- Ensure places of public worship are allowed in General Industrial and Light Industrial zones across NSW; and
- Amend the definition of building height to provide the option for councils to also measure from a consistent reference point.

These amendments are made by NSW P&E. All NSW Standard Instrument LEPs will be automatically updated to reflect the changes.

It is necessary for Council to update Council's website to reflect the changes. This will involve creating a new link to the Uralla LEP 2012 published on the NSW Legislation Website and amending the LEP Land Use Matrix that is found on Council's website. A copy of the amended Land Use Matrix is provided as Annexure C.

It is necessary to amend the Uralla Development Control Plan 2011 to reflect the amended building height definition.

COMMITTEE'S RECOMMENDATION:

1. That the NSW Planning and Environment Media Release and information provided in this report be received and noted.

2. That Council's website is updated to link to the Uralla LEP 2012 as published on the NSW Legislation website and that an amended LEP Land Use Matrix is uploaded to the website.
3. That Council endorse a minor amendment to the Uralla Development Control Plan (DCP) 2011 to ensure consistency with the Uralla LEP 2012 as part of the next advertised amendment to the DCP.

OFFICER'S RECOMMENDATION:

1. That the NSW Planning and Environment Media Release and information provided in this report be received and noted.
2. That Council's website is updated to link to the Uralla LEP 2012 as published on the NSW Legislation website and that an amended LEP Land Use Matrix is uploaded to the website.
3. That Council endorse a minor amendment to the Uralla Development Control Plan (DCP) 2011 to ensure consistency with the Uralla LEP 2012 as part of the next advertised amendment to the DCP.

BACKGROUND:

The Uralla Local Environmental Plan (LEP) 2012 came into force on 23 March 2012 and has been amended several times since that date.

REPORT:

The Uralla LEP 2012 has been amended automatically by NSW P&E and is published on the NSW Legislation website. The LEP amendments were made as follows:

- *Ensure hardware and building supplies and garden centres are allowed in General Industrial, Light Industrial and Business Park zones across NSW*

'Hardware and building supplies' are already permissible with consent in the IN1 General Industrial and IN2 Light Industrial zones, therefore no change to LEP.

'Garden centres' have been added as permissible with consent in the IN1 and IN2 zones.

There is no B7 Business Park zone in the Uralla LEP.

- Allow livestock processors to do business with suppliers from beyond their surrounding districts, by removing the phrase "derived principally from surrounding districts"

Previously the definition of livestock processing industry read:

A building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally from surrounding districts, and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

Now the definition reads:

A building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

- Ensure places of public worship are allowed in General Industrial and Light Industrial zones across NSW; and

‘Places of public worship have been added as permissible with consent in the IN1 and IN2 zones.

- Amend the definition of building height to provide the option for councils to also measure from a consistent reference point.

Previously the building height definition read:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Now the definition reads:

building height (or height of building) means:

(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

It is necessary to amend the building height definition on page 17 of the Uralla Development Control Plan 2011 for consistency with the LEP definition.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

NSW Planning and Environment publically exhibited the LEP amendments from October to November 2015. There is no requirement for further exhibition of the LEP amendments at a local level.

2. Policy and Regulation

Environmental Planning & Assessment Act, 1979.

Environmental Planning & Assessment Regulations, 2000.

3. Financial (LTFP)

Nil

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

7. Performance Measures

Nil

8. Project Management

Nil

Prepared by staff member:

Keiley Hunter

Contract Town Planner

TRIM Reference Number:

Approved/Reviewed by Manager:

Acting Director Infrastructure & Regulation

Department:

Infrastructure & Regulation



New South Wales

Local Environmental Plan (Regional LEPs Consequential Amendments) 2016

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

ALISON FRAME

As delegate for the Minister for Planning

Local Environmental Plan (Regional LEPs Consequential Amendments) 2016

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Local Environmental Plan (Regional LEPs Consequential Amendments) 2016*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to any land in Zone IN1 General Industrial or Zone IN2 Light Industrial under the following local environmental plans:

- (a) *Armidale Dumaresq Local Environmental Plan 2012,*
- (b) *Bega Valley Local Environmental Plan 2013,*
- (c) *Bellingen Local Environmental Plan 2010,*
- (d) *Bland Local Environmental Plan 2011,*
- (e) *Blayney Local Environmental Plan 2012,*
- (f) *Bogan Local Environmental Plan 2011,*
- (g) *Bombala Local Environmental Plan 2012,*
- (h) *Bourke Local Environmental Plan 2012,*
- (i) *Broken Hill Local Environmental Plan 2013,*
- (j) *Byron Local Environmental Plan 2014,*
- (k) *Cabonne Local Environmental Plan 2012,*
- (l) *Central Darling Local Environmental Plan 2012,*
- (m) *Cessnock Local Environmental Plan 2011,*
- (n) *Cobar Local Environmental Plan 2012,*
- (o) *Cootamundra Local Environmental Plan 2013,*
- (p) *Corowa Local Environmental Plan 2012,*
- (q) *Deniliquin Local Environmental Plan 2013,*
- (r) *Forbes Local Environmental Plan 2013,*
- (s) *Gilgandra Local Environmental Plan 2011,*
- (t) *Glen Innes Severn Local Environmental Plan 2012,*
- (u) *Griffith Local Environmental Plan 2014,*
- (v) *Gundagai Local Environmental Plan 2011,*
- (w) *Gunnedah Local Environmental Plan 2012,*

-
- (x) *Guyra Local Environmental Plan 2012,*
 - (y) *Gwydir Local Environmental Plan 2013,*
 - (z) *Harden Local Environmental Plan 2011,*
 - (aa) *Inverell Local Environmental Plan 2012,*
 - (ab) *Jerilderie Local Environmental Plan 2012,*
 - (ac) *Kiama Local Environmental Plan 2011,*
 - (ad) *Kyogle Local Environmental Plan 2012,*
 - (ae) *Lake Macquarie Local Environmental Plan 2014,*
 - (af) *Liverpool Plains Local Environmental Plan 2011,*
 - (ag) *Maitland Local Environmental Plan 2011,*
 - (ah) *Mid-Western Regional Local Environmental Plan 2012,*
 - (ai) *Moree Plains Local Environmental Plan 2011,*
 - (aj) *Murrumbidgee Local Environmental Plan 2013,*
 - (ak) *Narrabri Local Environmental Plan 2012,*
 - (al) *Narrandera Local Environmental Plan 2013,*
 - (am) *Narromine Local Environmental Plan 2011,*
 - (an) *Oberon Local Environmental Plan 2013,*
 - (ao) *Orange Local Environmental Plan 2011,*
 - (ap) *Parkes Local Environmental Plan 2012,*
 - (aq) *Port Macquarie-Hastings Local Environmental Plan 2011,*
 - (ar) *Richmond Valley Local Environmental Plan 2012,*
 - (as) *Shellharbour Local Environmental Plan 2013,*
 - (at) *Shoalhaven Local Environmental Plan 2014,*
 - (au) *Tamworth Regional Local Environmental Plan 2010,*
 - (av) *Tumbarumba Local Environmental Plan 2010,*
 - (aw) *Tumut Local Environmental Plan 2012,*
 - (ax) *Upper Lachlan Local Environmental Plan 2010,*
 - (ay) *Uralla Local Environmental Plan 2012,*
 - (az) *Wagga Wagga Local Environmental Plan 2010,*
 - (ba) *Wakool Local Environmental Plan 2013,*
 - (bb) *Walcha Local Environmental Plan 2012,*
 - (bc) *Walgett Local Environmental Plan 2013,*
 - (bd) *Warren Local Environmental Plan 2012,*
 - (be) *Warrumbungle Local Environmental Plan 2013,*
 - (bf) *Weddin Local Environmental Plan 2011,*
 - (bg) *Wellington Local Environmental Plan 2012,*
 - (bh) *Wentworth Local Environmental Plan 2011.*

Schedule 1 Amendment of local environmental plans

[1] Land Use Table

Omit “Garden centres;” from item 4 of the matter relating to Zone IN1 General Industrial wherever occurring in the following local environmental plans:

Byron Local Environmental Plan 2014

Gundagai Local Environmental Plan 2011

[2] Land Use Table, Zone IN1 General Industrial

Omit “Places of public worship;” from item 4 wherever occurring in the following local environmental plans:

Armidale Dumaresq Local Environmental Plan 2012

Bellingen Local Environmental Plan 2010

Bland Local Environmental Plan 2011

Blayney Local Environmental Plan 2012

Bogan Local Environmental Plan 2011

Bombala Local Environmental Plan 2012

Bourke Local Environmental Plan 2012

Broken Hill Local Environmental Plan 2013

Byron Local Environmental Plan 2014

Cabonne Local Environmental Plan 2012

Central Darling Local Environmental Plan 2012

Cessnock Local Environmental Plan 2011

Cobar Local Environmental Plan 2012

Cootamundra Local Environmental Plan 2013

Corowa Local Environmental Plan 2012

Deniliquin Local Environmental Plan 2013

Forbes Local Environmental Plan 2013

Gilgandra Local Environmental Plan 2011

Glen Innes Severn Local Environmental Plan 2012

Gundagai Local Environmental Plan 2011

Gunnedah Local Environmental Plan 2012

Guyra Local Environmental Plan 2012

Gwydir Local Environmental Plan 2013

Harden Local Environmental Plan 2011

Inverell Local Environmental Plan 2012

Jerilderie Local Environmental Plan 2012

Kyogle Local Environmental Plan 2012

Lake Macquarie Local Environmental Plan 2014

Liverpool Plains Local Environmental Plan 2011

Maitland Local Environmental Plan 2011

Moree Plains Local Environmental Plan 2011

Murrumbidgee Local Environmental Plan 2013

Local Environmental Plan (Regional LEPs Consequential Amendments) 2016 [NSW]
Schedule 1 Amendment of local environmental plans

Narrabri Local Environmental Plan 2012
Narrandera Local Environmental Plan 2013
Narromine Local Environmental Plan 2011
Orange Local Environmental Plan 2011
Parkes Local Environmental Plan 2012
Port Macquarie-Hastings Local Environmental Plan 2011
Richmond Valley Local Environmental Plan 2012
Shellharbour Local Environmental Plan 2013
Shoalhaven Local Environmental Plan 2014
Tamworth Regional Local Environmental Plan 2010
Uralla Local Environmental Plan 2012
Wagga Wagga Local Environmental Plan 2010
Wakool Local Environmental Plan 2013
Walcha Local Environmental Plan 2012
Walgett Local Environmental Plan 2013
Warren Local Environmental Plan 2012
Warrumbungle Local Environmental Plan 2013
Weddin Local Environmental Plan 2011
Wellington Local Environmental Plan 2012
Wentworth Local Environmental Plan 2011

[3] Land Use Table, Zone IN1 General Industrial

Omit "Place of public worship;" from item 4 in *Griffith Local Environmental Plan 2014*.

[4] Land Use Table, Zone IN2 Light Industrial

Omit "Garden centres;" from item 4 wherever occurring in the following local environmental plans:

Bega Valley Local Environmental Plan 2013
Tumbarumba Local Environmental Plan 2010

[5] Land Use Table, Zone IN2 Light Industrial

Omit "Places of public worship;" from item 4 wherever occurring in the following local environmental plans:

Armidale Dumaresq Local Environmental Plan 2012
Bland Local Environmental Plan 2011
Bombala Local Environmental Plan 2012
Bourke Local Environmental Plan 2012
Broken Hill Local Environmental Plan 2013
Central Darling Local Environmental Plan 2012
Cootamundra Local Environmental Plan 2013
Forbes Local Environmental Plan 2013
Guyra Local Environmental Plan 2012
Harden Local Environmental Plan 2011

Local Environmental Plan (Regional LEPs Consequential Amendments) 2016 [NSW]
Schedule 1 Amendment of local environmental plans

Kiama Local Environmental Plan 2011
Liverpool Plains Local Environmental Plan 2011
Mid-Western Regional Local Environmental Plan 2012
Narrabri Local Environmental Plan 2012
Narrandera Local Environmental Plan 2013
Oberon Local Environmental Plan 2013
Orange Local Environmental Plan 2011
Port Macquarie-Hastings Local Environmental Plan 2011
Shellharbour Local Environmental Plan 2013
Shoalhaven Local Environmental Plan 2014
Tumut Local Environmental Plan 2012
Upper Lachlan Local Environmental Plan 2010
Uralla Local Environmental Plan 2012
Wagga Wagga Local Environmental Plan 2010
Wentworth Local Environmental Plan 2011

Media release



Planning &
Environment

Saturday, 12 March 2016

Changes to make the planning system easier for businesses in NSW

The NSW Department of Planning and Environment today announced an amendment order to the Standard Instrument for Local Environment Plans (SILEPs) and two State Environmental Planning Policies (SEPPs), which will provide a more consistent approach state-wide and help increase local economic activity, create jobs and encourage investment.

The amendments are part of an ongoing approach by the Department to simplify the planning system and cut red tape to give councils, local businesses and the community greater consistency and certainty. The SILEP amendments:

- Ensure hardware and building supplies and garden centres are allowed in General Industrial, Light Industrial and Business Park zones across NSW
- Allow livestock processors to do business with suppliers from beyond their surrounding districts, by removing the phrase “derived principally from surrounding districts.”
- Ensure places of public worship are allowed in General Industrial and Light Industrial zones across NSW; and
- Amend the definition of building height to provide the option for councils to also measure from a consistent reference point

In response to submissions received on planning for retail development, the Government has also decided to establish a Retail Flexibility Ministerial Advisory Committee. This committee will inquire into and make recommendations on how retail flexibility, and the competing considerations of different retail models, can be provided for in the NSW planning system.

The revised definition of ‘livestock processing industry’ helps processors to do business with suppliers from beyond their surrounding districts and enables more specialised processors to trade with a broader base of customers.

The addition of places of public worship allows the broader community to make greater use of general and light industrial zones outside the peak days and hours of when most businesses operate in these areas.

The building height definition has been revised to clarify that it can be measured from ground level or from a consistent reference point, to the highest point of the building.

Draft amendments were publically exhibited from October to November 2015 with 37 submissions made, mainly from local councils, developers and peak industry bodies.

To view the changes to the policy please visit
<http://www.planning.nsw.gov.au/standardinstrument/>

Department of Planning and Environment media contact: (02) 9228 6128

Land Use Matrix [DoP version 3.0]

Legend

Legend

- o** permitted without consent [mandated under the SI].
- o** permitted without consent.
- c** permitted with consent [mandated under the SI].
- c** permitted with consent.
- x** prohibited [mandated under the SI].
- x** prohibited.
- A** permitted under SEPP (Affordable Rental Housing) 2009.
- I** permitted under SEPP (Infrastructure) 2007.

fill colours in **green** or **red** mandated under the SI.
fill colours in **purple** public infrastructure permitted under a SEPP.

Is the zone used? [please select Y/N for each zone]

[illegible]

Uralla Shire Local Environmental Plan
2011

Land Use Matrix [DoP version 3.0]

Legend

- o permitted without consent [mandated under the SI];
- o permitted without consent.
- c permitted with consent [mandated under the SI];
- c permitted with consent.
- x prohibited [mandated under the SI];
- x prohibited.
- A permitted under SEPP (Affordable Rental Housing) 2009.
- I permitted under SEPP (Infrastructure) 2007.
- fill colours in green or red mandated under the SI.
- fill colour in purple public infrastructure permitted under a SEPP.

Is the zone used? (please select Y/N for each zone)

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Note 1. Zone B8 Metropolitan Centre is not included in the matrix given this zone may only be used in two nominated LGAs. Zone E1 National Parks and Nature Reserves is not included given there is no need to add any additional uses to the zone. Zones SP1 Special Activities and SP2 Infrastructure are not included given the primary uses in these zones should be annotated on the Land Zoning Map.

Note 2. A type of development referred to in the matrix is a reference to that type of development only to the extent it is not regulated by an applicable State Environmental Planning Policy (SEPP). The following SEPPs in particular may be relevant to development on land covered by this Plan:

- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Rural Lands) 2008
- SEPP (Affordable Rental Housing) 2009
- SEPP No 33—Hazardous and Offensive Development
- SEPP No 60—Canal Estate Development
- SEPP No 62—Sustainable Aquaculture
- SEPP No 64—Advertising and Signage

Important note

This information does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary.

Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agencies and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

Department:	Infrastructure & Regulation
Submitted by:	Interim Director Infrastructure & Regulation
Reference / Subject	2.18.04.07 / Works Progress Report to 31 March 2016
Attachments:	Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.3 A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycleways that are adequate, interconnected and maintained
Strategy:	2.3.1 Provide an effective road network that balances asset conditions with available resources and asset utilisation
Action:	2.3.1.1 Undertake bitumen maintenance program in line with established service levels and intervention points 2.3.1.5 Undertake maintenance grading program in line with established service levels and intervention points

SUMMARY:

The purpose of this report is to inform Council of the works that have been completed or progressed for the previous month.

COMMITTEE'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during March 2016.

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works completed or progressed during March 2016.

BACKGROUND:

Council is kept informed on the progress of maintenance and construction works within the Shire.

REPORT:

1. **Main Road Maintenance**

MR73 Thunderbolts Way North and South	Patching, Guide posts, Shoulder Mowing
MR124 Bundarra Road	Patching, Guide posts, Shoulder Mowing
MR132 Barraba Road	Maintenance
2. **Sealed Roads Maintenance**

Uralla Streets	Patching
Bundarra Town Area	Patching
Invergowrie Area	Patching, Shoulder Mowing
Kentucky/Wollun Area	Patching, Shoulder Mowing
Sealed Rural Roads	Patching, Shoulder Mowing
3. **Unsealed Roads Maintenance**

Grading	
Old Kingstown Road	Graded
Barraba Road	Graded
Georges Creek Road	Grading
Harriet Gully Road	Graded and regravell
Mihi Road	Grade and gravel repairs

	Lindon Road	Graded
	Athol Road	Graded
	Bingara Road	Graded
4.	Construction Crew MR73 Thunderbolts Way Bergen Road	Abington Creek Bridge. Bridge construction completed. Continue reconstruction 3.1km to 5.1km
5.	Bridge / Sign Crew Uralla	King Street Cycleway, completed construction Maitland Street to railway bridge. Walcha Council timber bridge maintenance.
6.	Town Area Uralla	General maintenance

KEY ISSUES:

- Maintenance grading and construction works are being severely restricted due to the drought conditions and water not being available for road works in many areas.

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Nil
2. **Policy and Regulation**
Nil
3. **Financial (LTFFP)**
In accordance with budget
4. **Asset Management (AMS)**
In accordance with asset management plan
5. **Workforce (WMS)**
Council staff and contractors
6. **Legal and Risk Management**
Maintaining Council assets to minimise legal and risk exposure.
7. **Performance Measures**
Works completed to appropriate standards
8. **Project Management**
Manager Infrastructure and Works and Overseer

Prepared by staff member:

Manager Infrastructure & Works

Approved/Reviewed by Manager:

Interim Director Infrastructure & Regulation

Department:

Infrastructure & Regulation

Department:	Infrastructure & Regulation
Submitted by:	Interim Director Infrastructure & Regulation
Reference / Subject:	2.18.04.08 / Works Planning Report April 2016
Attachments:	Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.3 A safe and efficient network of arterial roads and supporting infrastructure; and town streets, footpaths and cycleways that are adequate, interconnected and maintained
Strategy:	2.3.1 Provide an effective road network that balances asset conditions with available resources and asset utilisation
Action:	2.3.1.1 Undertake bitumen maintenance program in line with established service levels and intervention points 2.3.1.5 Undertake maintenance grading program in line with established service levels and intervention points

SUMMARY:

The following works are proposed to be carried out or continued in the next month.

COMMITTEE'S RECOMMENDATION:

That the report be received and noted for the works planned for April 2016.

OFFICER'S RECOMMENDATION:

That the report be received and noted for the works planned for April 2016.

BACKGROUND:

Council is informed of the planned maintenance and construction works within the Shire.

REPORT:

1. **Main Road Maintenance**
 - Resealing
 - Bitumen patching
 - Guide posting
 - Sign maintenance
2. **Sealed Roads Maintenance**
 - Resealing
 - Bitumen patching
 - Guide posting
3. **Unsealed Roads Maintenance**

Bundarra Area	Grade
Uralla Area	Grade
Kentucky Area	Grade
Arding Area	Grade

- | | |
|---|---|
| 4. Bridge/Sign Crew
Walcha Council
Woodlands Road | Bridge maintenance
Install pipe culvert |
| 5. Construction
Bergen Road
MR73 Thunderbolts Way | Complete reconstruction 3.1km to 5.1km
Abington Creek bridge, commence construction of approaches. |
| 6. Town Works
Routine maintenance | |

KEY ISSUES:

- Maintenance grading and construction works are being severely restricted due to the drought conditions and water not being available for road works in many areas.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Nil
- 2. Policy and Regulation**
Nil
- 3. Financial (LTFP)**
In accordance with budget
- 4. Asset Management (AMS)**
In accordance with asset management plan
- 5. Workforce (WMS)**
Council staff and contractors
- 6. Legal and Risk Management**
Maintaining Council assets to minimise legal and risk exposure.
- 7. Performance Measures**
Works completed to appropriate standards
- 8. Project Management**
Manager Infrastructure and Works and Overseer

Prepared by staff member:

Manager Infrastructure & Works

Approved/Reviewed by Manager:

Interim Director Infrastructure & Regulation

Department:

Infrastructure & Regulation

12. MOTIONS ON NOTICE

There are no Motions on Notice.

13. SCHEDULE OF COUNCIL RESOLUTIONS

ATTACHMENT:

- I. Schedule of Actions as at 20 April 2016.

As at 20 April 2016.

Attachment I

00081

SCHEDULE OF ACTIONS – COUNCIL MEETINGS										
Key A: Action Required B: Being Processed C: Completed										
Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	12.05/15	<p>Visitor Information Centre</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council adopt the strategic approach towards visitor services of strengthened Regional collaboration, increased digital presence and less reliance on a physical Visitor Information Centre (VIC) as the connection point with visitors; 2. A Uralla Information Hub be developed using a range of digital tools; 3. The Visitor Information services be relocated to the Library building with refurbishments completed to incorporate information services into the current Library; and 4. Council investigate future options for the VIC building. 	Executive Manager Community & Culture	Yes	No	NA	February	<p>A quantity surveyor will be engaged to determine value of proposed build and plans</p> <p>Continued partnership with New England High Country with development of touring campaigns.</p>	B C	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
22JUNE15	15.06/15	<p>Amend Uralla Local Environmental Plan - Uralla Flood Planning Map</p> <p>That:</p> <ol style="list-style-type: none"> 1. The Uralla Local Environmental Plan 2012 be amended to include an additional Flood Planning Map in the Uralla Local Environmental Plan 2012 that identifies land within a "flood planning area" derived from the Rocky and Uralla Creeks Flood Study. 2. Council forwards the amendment to the Uralla Local Environmental Plan 2012 to Parliamentary Counsel Office to: <ol style="list-style-type: none"> a) Make arrangements for drafting of the necessary instrument under section 59(1) of the Environmental Planning & Assessment Act 1979, and b) Obtain an Opinion from which the plan can be made. 3. The General Manager be given delegated authority to: <ol style="list-style-type: none"> a) Make any minor alterations requested by Parliamentary Counsel, and b) To exercise Council's delegation to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning & Assessment Act 1979 as per the instrument of delegation dated 14 October 2012. 	MP/DIR					<p>20/7/2015</p> <p>Draft LEP Maps being prepared prior to PC Opinion request being drafted.</p> <p>16/12/2015</p> <p>Opinion recorded</p> <p>January</p> <p>Sent to NSW Planning for Gazettal</p>	<p>C</p> <p>C</p> <p>B</p>	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	16.06/15	<p>Amend Uralla Local Environmental Plan - Boundary Adjustment Clause and Rural Detached Dual Occupancy Dwellings</p> <p>1. The Uralla Local Environmental Plan 2012 be amended:</p> <p>a) To include the 'standard' LEP rural and environmental boundary adjustment clause.</p> <p>b) To expand permissible uses within rural and environmental zones to include detached dual occupancies with certain restrictions within the RU1, RU2, E3 and E4 Zones while ensuring that they remain in close proximity to the primary dwelling, share the same access and remain on the same title.</p> <p>2. Forward this amendment to the Uralla Local Environmental Plan 2012 to the Parliamentary Counsel Office to:</p> <p>a) Make arrangements for drafting of the necessary instrument under section 59(1) of the Environmental Planning & Assessment Act 1979, and</p> <p>b) Obtain an Opinion from which the plan can be made.</p> <p>3. The General Manager be given delegated authority to:</p> <p>a) Make any minor alterations requested by Parliamentary Counsel, and</p> <p>b) To exercise Council's delegation to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning & Assessment Act 1979 as per the instrument of delegation dated 14 October 2012.</p>	MP/DIR				16/12/2015	PC Opinion received	C	
							January	GM signed	C	
							January	Sent to NSW Planning for Gazettal	B	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	26.06/15	<p>Uralla Local Traffic Committee</p> <p>That:</p> <p>(i) Traffic calming in Uralla's CBD- Council staff prepare a report for the next Traffic Committee</p> <p>(ii) Plane Avenue – Speed review – That Council staff place a traffic classifier at the 50/100 signage to determine 85th percentile speed and AADT; note that does not meet warrant for extension of 50km/hr zone; and erect Pedestrian warning signs at either end of Plane Avenue</p> <p>(iii) Request for automatic speed board at Kentucky- That Council place a traffic classifier near 40km/hr school sign& erect 4 x 50km/hr advance warning signs for Kentucky Village.</p> <p>(iv) Bundarra Central School – that Council arranges signage for bus zones and "no parking" zone.</p> <p>(v) Kingstown Road – that Council reviews the size of the Cemetery warning sign and investigates additional parking in Quartz Gully Road</p> <p>(vi) Corner of Bridge Street/ East Street- relocate "no stopping" sign to south of access to 158 Bridge Street.</p>	DIR						<p>B</p> <p>C</p> <p>C</p> <p>C</p> <p>B</p> <p>C</p>	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	23.07/15	Disused former Service Station site, Bridge Street, Uralla That a report be provided to Council detailing available options, with costings, for action which can be taken by Council.	DIR					Property will be part of land sold for unpaid rates. Process is currently under way and will be reported to Council as part of the normal procedure for this type of disposal.	B	
24 AUGUST 2015	6.08/15	Bridge Naming: New Bridges Over The Gwydir River and Abington Creek That Council, after considering the content and views of the public submissions: 1. Names the new bridge over the Gwydir River as "The Emu Crossing Bridge." 2. Names the bridge, under construction over the Abington Creek, as the "Abington Bridge". 3. Places a plaque/s to honour the work of Nurse May Yarrowyck at a location to be determined.	DIR						B	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	12.09/15	<p>Proposed Ward Boundaries Alteration – 2016 Local Government Election</p> <p>1. Council endorses the revised ward boundaries as outlined in the report and the attached map plans; and</p> <p>2. The plans be placed on public exhibition for a period of 28 days with submissions to be received for a period of 42 days; and</p> <p>3. Any submissions received along with the finalised proposal be presented to the November Ordinary Council meeting for final adoption and subsequent notification of the NSW Electoral Commission.</p>	GM	Yes. As per legislative requirements	No. Local paper ran article plus USC newsletter	N/A	29 September	Plans placed on public exhibition. Awaiting completion of period before reporting back to Council in November.	B	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS											
Key A: Action Required B: Being Processed C: Completed											
Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM	
	29.09/15	<p>Planning Proposal – D & J Heagney - Part Lot 12 DP 529709 – Rowan Avenue, Uralla – Exhibition Completion</p> <p>That Council:</p> <p>1. Amend the Uralla Local Environmental Plan 2012 by amending the Zoning and Minimum Lot Size maps applicable to Part Lot 2 DP 529709:</p> <p>a) from Zone RU1 Primary Production and RU2 Rural Landscape to RU4 Primary Production Small Lots; and</p> <p>b) to reduce the current minimum lot size of 400 ha and 200 ha to 40 ha.</p> <p>2. Forward planning proposal to NSW Department of Planning & Environment under section 58(2) of the Environmental Planning & Assessment Act 1979, to determine whether any further consultation is required or if a new Gateway Determination is required to be issued.</p> <p>3. If no further consultation or a New Gateway Determination is not required to be issued, Council requests the NSW Department of Planning & Environment to amend the Uralla Local Environmental Plan 2012 in that:</p> <p>a) a draft Local Environmental Plan be prepared under section 59(1) of the Environmental Planning & Assessment Act 1979,</p> <p>b) Consultation be undertaken with the Director General on the content of the draft Local Environmental Plan,</p> <p>c) Obtain an Opinion from Parliamentary Counsel that the plan can be made, and</p>	DIR				October 2015	NSW Planning happy	C	B	
							December 2015	Request made to NSW Planning	B		

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
		<p>d) Request the Minister to make the plan under section 59(2) and (3) of the Environmental Planning & Assessment Act 1979.</p> <p>4. The General Manager be given delegated authority to make any minor alterations requested by the NSW Department of Planning & Environment or Parliamentary Counsel.</p> <p>5. The Committee note the content of the addendum report in regards to the late submission by NSW Department of Transport Roads and Maritime Services, and</p> <p>6. If the planning proposal is to proceed, the access be relocated to Rowan Avenue as a requirement of the Planning Proposal.</p>								
	17.10/15	<p>Uralla Development Control Plan 2011 Amendment No 3</p> <p>That Council:</p> <p>2. Publicly exhibits the amended DCP for a period of 28 days; and</p> <p>3. Gives the General Manager delegated authority to adopt the Uralla Development Control Plan 2011 as amended, if no submissions are received.</p>	DIR					<p>Exhibition Completed</p> <p>Will be finalised when Planning Proposal is gazetted.</p>	<p>C</p> <p>B</p>	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key / A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	22.10/15	Uralla and Bundarra Secure Yield Assessment That the report be received and noted and placed on exhibition for public comment for a period of 28 days.	DIR						B	
23 NOV 15	12.11/15	Adoption of New Ward Boundaries – 2016 Local Government Election 1. That Council adopt the revised ward boundaries as outlined in the report and the attached map plans; and 2. The NSW Electoral Commission be notified of the final adoption of such.	GM							
22 Feb 2016	09.02/16	2015/16 – 2nd Quarter Budget Review Statements RECOMMENDATION: 1. That the second quarter budget review summary for the 2015/16 financial year be received and noted; and 2. That the adjustments to budget allocations, including transfers to and from reserves, be adopted. 3. That Council agree to the recommendations outlined in the Statement by the Responsible Accounting Officer, specifically: a. A review of capital expenditure is undertaken to determine what projects or acquisitions can be postponed without affecting the overall delivery of council outcomes for the community;	CFO							

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
		b. A review of operating costs across the whole council is undertaken to identify savings that can be implemented prior to 30 June 2016 and that will deliver savings to the budgeted financial result.								
	15.02/16	Half Yearly Report – Operational Plan Progress That Council receive and note progress to date with actions from Council's Operational Plan 2015/2016 in delivering on Council's 2017 Delivery Program, and further that numbering and grammatical errors to be corrected.	GM					There are no numbering errors in the Delivery Program – the councillor who requested this did not understand the system used. Not sure what grammatical errors were indicated? (Desley).		
	21.02/16	Sale of Land for Recoupment of Outstanding Rates The General Manager be delegated the authority to commence the process to put to auction nine assessments (as tabled), totalling \$76,576.80 in unpaid rates, charges and interest which are now at the stage of processing recovery by sale of the property.	GM CFO							
	32.02/16	Roads to Recovery Funding Priorities That Council receive and note the Report on Roads to Recovery Funding Priorities and request additional information on the structural integrity outcomes and State Government funding for the two bridges (Mihi and Munsies Bridges), along with a detailed priority list for the expenditure of Roads to Recovery funding over the next four years.	DIR							

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
	36.02/16	Fire Sprinkler Tenders – Residential Aged Care Facilities The preferred Tenderer Dominico Blue Building be engaged to install the Sprinkler System within the stated timeframe.	EM/CC					Sprinkler system commenced 31/3/16	B	
	37.02/16	Uralla Sporting Complex That the report be received and noted, and further that: (i) The capital budget be reviewed to include all projected costs and that additional grant funding be sought to complete the construction of the Uralla Sporting Complex and that the building be delayed until adequate funding is sourced; and further that (ii) Consultation be undertaken with the Open Space and Recreation Panel on other suitable options if additional grant funding is unable to be sourced.	DIR					Build delayed.	B	
29 March 2016	06.03/16	General Manager – Appointment and Delegations of Authority 1. That Council endorse the appointment of Mr George Cowan to the position of Acting General Manager for the period of 21 March 2016 until 19 August 2016; 2. That in accordance with Section 377 of the Local Government Act 1993 Council Delegate the Functions of	MHS						C	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
		Council identified in Attachment A to the Acting General Manager, Mr George Cowan, on and from 21 March 2016.								
	15.03/16	Draft Management Plan for Wooldridge Fossicking Reserve That the report be received and noted and that the Draft Management Plan be approved for public exhibition for 28 days.	DIR							
	17.03/16	Roads to Recovery Funding Priorities That Council adopt the following priority list for the expenditure of Roads to Recovery funding over the next four years:- Project R2R Budget 1 Bergen Road - completion of unsealed section. Realignment and bitumen seal (under construction) \$600,000 2 Mihi Bridge - based on 50% State funding- (ie \$ 520,000 total cost) 26.2 metres x 8 metres wide \$260,000 3 Munsies Bridge - based on 100% State funding- (ie \$800,000 total cost) 65.5 metres X 4 metres wide \$800,000 4 Bingara Road - continue gravel and bitumen sealing program -2 kms \$420,000 5 Jacksons Road - 640 metres	DIR							

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
		gravel and bitumen seal-single lane \$150,000								
	6	Saumarez War Service Road - 350 metres - gravel and bitumen seal \$150,000								
	7	Tulong Road - 1.15 kms gravel and bitumen seal \$200,000								
	8	Eastern Avenue from causeway to Glenroy Road 2.1 kms - rehabilitation - single lane, very weak material, may need extra pavement \$320,000								
	9	Burtons Lane 1.39 kms rehabilitation-single lane \$250,000								
	10	Gilmore Place, Uralla - rehabilitation-AC overlay \$40,000								
	11	Park Street, Uralla, from Queen Street towards Uralla Street - rehabilitation-100metresx 10.2 metres \$50,000								
	12	John Street, Uralla, from Bridge Street to Queen Street - rehabilitation 205 metres x 13.7 metres \$100,000								
	13	Leece Road - west of Wilkins Street - realign and rehabilitate-350 metres \$120,000								
19.03/16		Allocation of Administration Overheads to Capital Projects The Chief Financial Officer prepare a report to Council on the rationale for the change of accounting treatment of administrative overhead expense as a period cost to a component of capital	CFO							

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key: A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
		expense for own constructed assets, using the construction of Emu Crossing Bridge as an example.								
	22.03/16	Acquired Brain Injury Unit That Council write to show its support of the concept as presented in the feasibility study of the Acquired Brain Injury (ABI) Unit possibility being located in the Uralla Shire and note that whilst supportive that Council will not be committing any funds to the project.	EMCC					Letter written in support -	C	
	28.03/16	Grace Munro Lease Motion to lay item regarding the Grace Munro Aged Care Centre lease on the table, awaiting a further report following the meeting with Bundarra Grace Munro Centre, on 4 April 2016.	EMCC					Meeting rescheduled for 27 April 2016.	B	

SCHEDULE OF ACTIONS – COUNCIL MEETINGS

Key A: Action Required B: Being Processed C: Completed

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
23 MAR	26.03/15	Land Disposal - Karava Place, Uralla That Council: 1. Notify all affected landowners of the completion to Amendment 2 of the Uralla Local Environmental Plan 2012; 2. Offer Option 5 to all affected landowners being purchaser payment consisting of a peppercorn payment of \$1.00, conveyancing costs and a percentage of the surveying relating to the area of land being purchased; 3. Give the General Manager delegation to negotiate payment options; and 4. Endorse the fixing of the Council Seal on any necessary documentation relating to the subdivision and sale.	MTPR/DIR				23/3/15 2/6/15 2/6/15 27/5/15 2/6/15 2/6/15 2/6/15 2/6/15 2/6/15 2/6/15 20/7/15 5/8/15	Letter sent Offer sent with contract of sale for consideration by affected parties Negotiations between all parties not yet completed. Plan of Subdivision Contract of Sale – Herbert Contract of Sale – O’Halloran Contract of Sale – Chapman Contract of Sale – Hudson Contract of Sale – Carter Contract of Sale – Ackling Titles have been received and forward to solicitors. Title transfers signed and forwarded to solicitors.	C C B C B B B B B B B B	

Meeting Date	Business Minute Item No.	Report Title and Council Resolution	Responsible Officer	Community Engagement Assessment Completed	Media Release Required	Budget Variation Completed	Action Date	Comments	Status	Minute No. TRIM
27 APR 2015	23.04/15	<p>Grace Munro Lease Arrangement</p> <p>That:</p> <ol style="list-style-type: none"> 1. A formal lease agreement for Grace Munro be arranged to cover Council's annual maintenance and renewal expenses of \$35,000; 2. A robust Memorandum of Understanding (MOU) with Hunter New England (HNE) Health be developed clearly stipulating each party's responsibility; and 3. A budget allocation for the installation of a Sprinkler System be incorporated into the 2016-17 year of the draft Long Term Financial Plan (LTFP). 	EM-C&C	NA	NA	NA	Sept	<p>Lease signed for \$35,000 per year backdate to October 2015. Monthly payments commencing. March meeting authority to execute seal.</p> <p>MOU has lapsed due to lease in place no need to update MOU</p> <p>Sprinkler system tender extension granted until August 2016 for Grace Munro. Meeting with GM board 4 April to review strategy for continued operation</p>	C	
23 NOV 15	24.11/15	<p>Bergen Road Land Acquisition and Exchange For Road Works</p> <p>That the Council approve for the exchange of land associated with the reconstruction of Bergen Road and authorise the General Manager to complete all documentation.</p>	DIR / GM							

14. CONFIDENTIAL BUSINESS

There is no Confidential Business.

15. AUTHORITY TO AFFIX THE COMMON SEAL

Department:	Infrastructure & Regulation – Division Decision
Submitted by:	Acting Director of Infrastructure & Regulation
Reference / Subject:	2.18.04.05 / DA-69-2015 – Mr C & Mrs S Ritchie
Attachments:	Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.1 An attractive environment for business, tourism and industry.
Strategy:	2.1.4 Implement tools to simplify development processes and encourage quality commercial, industrial and residential development.
Action:	2.1.4.1 Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing Certificates.

SUMMARY:

A Section 88b Instrument needs to be prepared as per the requirements of the *Conveyancing Act 1919* to finalise the subdivision certificate and it will require the Council Seal.

OFFICER'S RECOMMENDATION:

That Council endorse the affixing of the Council Seal on the Section 88b Instrument relating to Development Application DA 69/2015 on land known 41 Rock Abbey Road Uralla, being Lot 1 DP 1192269.

BACKGROUND:

Council has placed development approval conditions on the subdivision to enforce the conditions issued in relation to the Environmental Management Zone E3 and an easement to be created over an existing water main, for access provision and maintenance.

REPORT:

As part of a subdivision for Mr C & Mrs S Ritchie on land known as 41 Rock Abbey Road Uralla, being Lot 1 DP 1192269, Council has placed development approval conditions on the subdivision in relation to the Environmental Management Zone E3 and an easement to be created over an existing water main, for access provision and maintenance.

The conditions read:

5. The remnant vegetation area contained within the area zoned E3 is to be fenced off to control stock grazing, trampling and compaction. This is to be ensured in perpetuity by way of section 88b instrument under the Conveyancing Act 1919.
6. All exotic weeds are to be removed from the E3 zoned land. All exotic biomass are to be disposed of offsite. This is to be ensured in perpetuity by way of section 88b instrument under the Conveyancing Act 1919.

7. All fallen timber and other potential habitat features are to be retained within the E3 zoned land. This is to be ensured in perpetuity by way of section 88b instrument under the Conveyancing Act 1919.
8. All mature canopied trees with a diameter at breast height (DBH) of greater than 200mm are to be retained. This is to be ensured in perpetuity by way of section 88b instrument under the Conveyancing Act 1919.
13. An easement is to be created over the existing water main through Lot 11 benefiting Lot 10. This easement is to be a minimum of 3 metres wide.
14. An easement over the existing water main is to be created over Lot 102 DP 1178852 creating linkage to the water easement from the reservoir to the easements within the proposed development.

Council's Seal needs to be fixed to the Section 88b instrument to allow registration with the Land Titles Office. The *Local Government Act 1993* requires a resolution of Council to allow the seal to be affixed.

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
Nil
2. **Policy and Regulation**
Conveyancing Act 1919
Uralla Local Environmental Plan 2012
Uralla Development Control Plan 2011
Local Government Act 1993
Environmental Planning & Assessment Act 1979
3. **Financial (LTFP)**
Nil
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
Nil
7. **Performance Measures**
Nil
8. **Project Management**
Nil

Prepared by staff member:	Administration Officer
TRIM Reference Number:	DA-69-2015
Approved/Reviewed by Manager:	Acting Director – Infrastructure & Regulation
Department:	Infrastructure & Regulation



LATE REPORT TO COUNCIL

26 April 2016

4. Late Report to Council

LATE REPORTS TO COUNCIL

LATE REPORTS TO COUNCIL

26 April 2016

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LATE REPORTS TO COUNCIL

Department:	General Manager's Office
Reference:	Item 1
Subject:	National General Assembly of Local Government
Submitted by:	George Cowan - Acting General Manager
Attachment:	Nil

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	4.1 A strong accountable and representative Council.
Strategy:	4.1.4 Provide strong representation for the community at the regional, state and federal levels
Action:	4.1.4.1 Advocate the needs of the shire to State and Federal Governments.

SUMMARY:

The 2016 National General Assembly of Local Government (NGA) is to be held 19th-22nd June 2016. The ALGA is calling for motions from Councils for the NGA and following direction from Council at the March meeting the following draft motions are submitted for consideration and endorsement

OFFICER'S RECOMMENDATION:

That: The Acting General Manager's report be received and noted and further that Council endorse the three motions for lodgement with the ALGA.

BACKGROUND:

The theme for the NGA is 'Partners in an Innovative & Prosperous Australia.' This theme reflects current issues being debated nationally and priority issues facing local government.

REPORT:S

The ALGA Board is calling for motions.

To be eligible for inclusion motions need to meet a number of preconditions:

1. be relevant to the work of local government nationally
2. be consistent with the themes of the Assembly
3. complement or build on the policy objectives of your state or territory local government association
4. propose a clear action and outcome, and
5. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

This is Page 2 of the Report referred to in the Minutes of the Ordinary Meeting held on 26 April 2016

LATE REPORT TO COUNCIL

Once submitted, motions will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the sub-committee considers the importance and relevance of the issue to local government. It is noted that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the Business Papers.

To assist in facilitating an efficient and effective debate, motions that cover similar matters will appear grouped together in the Business Papers and the matter will be debated only once with the lead or strategic motion being the one debated.

Motions that are agreed to at the NGA become Resolutions of the NGA. These Resolutions are then considered by the ALGA Board when setting national local government policy, when the Board is making representations to the Federal Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any Resolution passed at the NGA.

The following three motions have been developed for consideration and endorsement by Council:

Draft Motions to the 2016 National general Assembly of Local Government

Motion 1:

That the NGA call upon the Federal Government to restore the level of Financial Assistance grants to local government to at least 1% of Commonwealth tax revenue and to reintroduce full indexation on this amount for the future.

Objective:

To see grant levels restored to pre 2014/2015 budget levels and to bring an end to the stagnation of this grant before the full effects of the freeze permanently damage local government's capacity to meet its objectives.

Argument:

In 1995/96 Financial assistance Grants to local governments stood at approximately 1% of Commonwealth tax revenues a significant reduction from the levels of grants when FAGS was first introduced. As part of the austerity budget in 2014/2015 the Financial Assistance Grants had been allowed to fall to just .67% of Commonwealth tax revenue and a freeze was applied to the indexation of the grants which will see the level fall to as low as .60% next financial year. This is coming at a time when councils generally are being asked to improve efficiencies and lift the level of own source revenue.

Unfortunately the effect of the freeze is to permanently reduce the amounts paid to local government because the longer it goes on the less likely it becomes that a future government would restore funding to the level that it would otherwise have been. Any further reduction in real terms of these most significant of all grants will damage the local council's ability to meet community expectation and capacity to implement the objectives of both State and Federal Governments.

LATE REPORT TO COUNCIL

Motion 2:

That the NGA calls upon the Federal Government to significantly increase the Roads to Recovery Funding program and to index the level of the grant in future years.

Objective:

To equip Councils to manage the local roads system that now makes up 75% of the national roads system and to meet the national interest

Argument:

The local roads system in Australia is the level of road that most impacts on the capacity of rural residents to engage in community activities, access services and to transport goods and products to markets. In many local government areas these roads are often relatively poor quality bitumen or gravel roads. Councils are responsible for the maintenance and upkeep of this part of the road system and at the same time have the least capacity to raise funds to meet those costs. As the pressure mounts on local councils to provide more and more services to residents particularly services on behalf of other levels of government the impact on funding of the local roads system can easily be seen. The Roads to Recovery program plays such a vital role in supporting councils in funding the upgrade of this infrastructure it should be recognised and made a permanent feature of the Commonwealth budget.

Motion 3:

That this National General Assembly calls upon the Commonwealth Government to hold a referendum to decide the financial recognition of local government in the Australian constitution and further that the NGA seek bi-partisan support for the proposal.

Objective:

To protect the future flow of commonwealth funding to local government and to have the importance of local government recognised in the system of federation

Argument:

Local government has long been recognised as the system of government closest to the people yet it continues to be dependent upon the other levels of government for its very existence. Financial support for services delivered by local councils is provided by the Commonwealth and it is important that the flow of funds to councils be recognised and protected.

Financial recognition of local government in the constitution would protect this most important flow of funds from further challenge.

LATE REPORT TO COUNCIL

KEY ISSUES:

As described within the report.

CONCLUSION:

The National General Assembly provides Council with the opportunity to raise policy issues in regards to the national agenda.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Nil

2. Policy and Regulation

Endorsement of the resolutions will assist Council in meeting its obligations under the strategic planning instruments of council

3. Financial (LTFP)

The Grants referred to in the motions are the most significant received by rural councils and their increase and indexation would be of great benefit to this council.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

7. Performance Measures

Nil

8. Project Management

Nil

Prepared by staff member:

Acting General Manager

LATE REPORT TO COUNCIL

Department:	Infrastructure & Regulation
Submitted by:	Consultant Town Planner
Reference:	Item 2
Subject:	Development Application 11/2016 – Commercial Hotel, 16 Bendemeer Street, Bundarra – Alterations & Additions
Attachments:	A. Development Assessment Report B. Plans C. Heritage Advisory Report D. Disability Access Report E. Review on Disability Access Report

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	2.1	An attractive environment for business, tourism and industry
Strategy:	2.1.4	Implement tools to simplify development processes and encourage quality commercial, industrial and residential development
Action:	2.1.4.1	Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing certificates

SUMMARY:

The purpose of this report is for Council to determine a Development Application.

OFFICER'S RECOMMENDATION:

That Council approve Development Application DA-11-2016 for alterations and addition on land known as 16 Bendemeer Street, Bundarra, being Lot 1 DP 307206 subject to the following conditions:

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

Erection of signs

Please Note: *This does not apply in relation to:*

- building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or*
- Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*
- a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that*

LATE REPORT TO COUNCIL

date.

1. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the site is prohibited.
2. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Please Note: *Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).*

Notification of *Home Building Act 1989* requirements

Please Note: *This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*

3. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the relevant owner-builder permit.
4. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Maximum capacity signage

Please Note: *The words and expressions used in this condition have the same meanings as they have in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.*

5. From 26 January 2010, a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent (including an existing development consent), that are permitted in the building for

LATE REPORT TO COUNCIL

buildings being used as:

- a) entertainment venue,
- b) function centre,
- c) pub,
- d) registered club,
- e) restaurant.

GENERAL CONDITIONS

6. A photographic history is to be provided of the changes to the rear of the hotel, ie photographs are to be provided to Council showing the building before the building works are commenced.
7. The cement columns are not to be circular, they are to be either square or rectangle and painted to be of a similar context to suit the heritage styled nature of the building.
8. The edge of the concrete deck is to be painted in a heritage colour to compliment the heritage styled nature of the building. It is not to left as raw concrete.
9. All modifications to the kitchen are to comply with the relevant requirements of the NSW Food Authority and the relevant Australian Standard. An inspection is to be undertaken by Council prior to the operation of the kitchen.
10. All requirements of the NSW Office of Liquor & Gaming are to be met in regards to any changes in licence requirements resulting from the proposed alterations and additions.
11. The development must take place in accordance with the approved documents submitted with the application and subject to the conditions below to ensure the development is consistent with Council's consent.
12. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulations 2000.
13. *The **Structure** is to be inspected at the following stages of construction:
 - before the pouring of footings**
 - before covering drainage (under hydrostatic test)
 - before pouring any reinforced concrete structure **
 - before covering the framework for any wall, roof or other building element **
 - before covering any stormwater drainage connections
 - when the building work is completed and all conditions of consent have been addressed**

*** denotes a critical stage inspection (a mandatory inspection under Section 109C of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a development where a critical stage or other nominated inspection has not been carried out.*

Applicants should give at least 24 hours notice to guarantee an inspection.

** All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer*

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

LATE REPORT TO COUNCIL

14. Balustrading is to be provided to the deck area. It is to be styled (including colours) to be similar to the existing balustrading and it is to suit the heritage styled nature of the building. Detail is to be provided to Council for approval prior to the release of the construction certificate.
15. As per the Disability Access Report provided by G.Gordon Fuller dated 15 March 2016, a disabled unisex toilet is to be provided in the room immediately east of the dry store. Full detail is to be provided as part of the construction certificate and is to be approved by the relevant certifying authority.
16. The plans and specification accompanying the Construction Certificate are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the National Construction Code for a Class 6 building:

Amended plans are to be submitted to the Principal Certifying Authority for authentication of National Construction Code compliance and issue of a Construction Certificate.

Should the external configuration of the building be modified as a result of achieving National Construction Code compliance, the plans accompanying this development consent must also be modified.
17. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The Application must be approved prior to the issue of a Construction Certificate, to ensure pedestrian and vehicular safety during construction.
18. The boundary adjoining Lot A DP 348713 is to be surveyed by registered Land Surveyor and confirmed by pegs prior to commencement of construction on the alteration and additions.

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

19. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with the cl 103 and 104 of the Environmental Planning and Assessment Regulation 2000. Such notice is given using the form enclosed with this consent.

For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the Environmental Planning & Assessment Act 1979.
20. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
 - divert contaminated run-off away from disturbed areas,
 - erect silt fencing along the downhill side of the property boundary,
 - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
 - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

Failure to take effective action may render the developer liable to prosecution under the

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NSW Protection of the Environment Operations Act.

21. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenient. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

22. Any building work must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
23. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
24. Materials must not be burned on site. All waste generated on site must be disposed of at Council's Waste Disposal Depot or Waste Transfer Station, to protect the amenity of the area and avoid the potential of air pollution.
25. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
26. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
27. Excavations and backfilling must be executed safely and in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.

If excavations associated with the erection of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, must preserve and protect the building from damage, and if necessary, underpin and support the building in an approved manner.

Notice of intention to do so must be given to the owner of the adjoining land at least seven days before the commencement of excavation work. The owner of the adjoining allotment of land is not liable for any part of the cost of work, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

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28. *An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act and to ensure the health and safety of the building's occupants.*

ADVISING: *Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).*

29. Approval must be obtained from the Council as the Local Water Supply and Sewer Authority for any potable water supply, sewerage or on-site waste water system serving the site, pursuant to Chapter 7 of the Local Government Act 1993 with all relevant work completed in accordance with such approval.
30. *The Principle Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.*
31. Roof and surface stormwater from paved and impervious areas is to be collected and directed to protect the site and adjoining property from the effects of flooding. Such work must be completed prior to the use and/or occupation of the premises commencing.

CONDITIONS RELATING TO ONGOING OPERATIONS

32. A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display/erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under State Environmental Planning Policy (Codes SEPP) 2008 for exempt development.

COUNCIL ADVICE ONLY

33. **Compliance with the National Construction Code:**

All building work must be carried out in the following manner to ensure compliance with the National Construction Code (Volume 1: Class 2 to 9 Buildings):

34. **Drainage of surface water surrounding the building:** Finished ground or paving level must be at least 150mm below the level of any floor. Such finished ground level is measured not more than one (1) metre from external walls with the ground surface graded to allow effective drainage of surface water away from the building (in accordance with AS 2870 – 1996).
35. **Tempering valves:** Hot water units are to deliver hot water at the outlet of the closest sanitary fixture at a maximum temperature of 50 degrees Celsius (Part 4, National Plumbing and Drainage Code AS 3500), to restrict the temperature of the hot water supply to sanitary fixtures such as baths, showers and hand basins to limit the potential risk of scalding to the occupants of the building.
36. **Covenant/s:** The applicant/owner has the responsibility of being aware of any covenant which may affect the proposal.
37. **Greywater Disposal:** Greywater disposal must be carried out below surface level (i.e. porous piping – not sprinklers) and must not impact on adjoining properties.

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38. **Sewer & Sanitary Water Supply Work:** a separate approval must be obtained from the Council as the Local Water Supply and Sewer Authority pursuant to Chapter 7 of the Local Government Act 1993 for any activity associated with water supply, sewer or on-site waste water systems serving the site.
39. **Rainwater Tanks:** Council requires rainwater tanks to be installed in accordance with the State Environmental Planning Policy No 4. Direct connection between the rainwater tank and reticulated potable water supply will not be permitted; however, the reticulated potable supply may be used to top up the tank via a physical air gap. Maintenance of the tank or tanks should be in accordance with the guidelines from the New South Wales Department of Health for the use and maintenance of rainwater tanks.
40. **Dial Before You Dig:** Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
41. **Telecommunications Act 1997 (Commonwealth):** Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

BACKGROUND:

A development application has been submitted for the Commercial Hotel for alterations and additions. A Disability Access report has been provided to support compliance with the Premises Access Code and the heritage Advisor has been requested to comment on the proposal due to the building being in a Conservation Zone and Council having resolved to make the building an item of environmental heritage under the Local Environmental plan at some stage in the future.

This report is for Council to consider the advice within the heritage advisory report and the alternative solution proposed within that report, that was considered by the planning assessment, but was not taken up within the proposed conditions of development consent.

REPORT:

A development application has been submitted for the Commercial Hotel for alterations and additions. The proposal is to remove the existing coolroom and clutter of stairs and replace with a concrete deck and new stairs. This would provide an undercover outdoor area. The kitchen is to be extended and updated with a setback of 150 mm from the side boundary. A copy of the plans are attached to this report, along with the development assessment report.

LATE REPORT TO COUNCIL

Due to the alterations and additions, the Premises Access Code is now also required for compliance. A Disability Access report has been submitted by G. Gordon Fuller, Architect and is attached along with a review on this report by New England Building Consultants, who fully support the report prepared by Mr Fuller.

As a result of this report, a unisex disabled toilet is required as part of the development being in an unused boiler room located on the ground floor in the most eastern section of the building.

The property is not listed as an item of environmental heritage under the Local Environmental Plan, but it is listed as being in a conservation zone. Council has resolved that this property should be an item of environmental heritage and is part of a planning proposal being prepared.

As such Council's Heritage Advisor has considered the application and has made the following recommendation:

What is being proposed is the demolition of original fabric associated with the kitchen and the verandah on the northern side of the dry store and cool room so that an open concrete deck of more than 160 sqm over an outdoor area, an undercover concrete stairway, an external stairway and a skillion roof linking the concrete deck to the proposed external stairs near the kitchen can be provided – the concrete elements being painted to complement heritage colour scheme. The open deck would be used in conjunction with the relocated laundry for the drying of laundry.

I do not support the proposal as submitted and believe the proposed open concrete deck with concrete columns and solid infill balustrade, in particular, will visually dominate the heritage item. I recommend that Council require a Statement of Heritage Impact (SOHI), prepared by a recognised Heritage Consultant, to convey:

- what impact or impacts the proposed works will have on the heritage significance of the hotel*
- what measures are proposed to mitigate negative impacts, and*
- why more sympathetic solutions are not viable.*

The SOHI should be based on the guidelines prepared by the NSW Heritage Office and Department of Urban Affairs and Planning revised 2002 which can be found at <http://www.nsw.gov.au/Heritage/publications/>.

An alternative to the proposal of the open concrete deck could be a separate single storey roofed building, one that is only attached to the hotel by covered walkways, with an extended laundry at the lower level thereby retaining the existing external stairs to the upper level. This would also allow for the retention of the verandah posts and repairs to the existing verandah.

A copy of the heritage advisory report is attached.

As part of any development assessment, not only is the structural adequacy, and compliance with the relevant standards required, but also heritage value and social value are considered. In this instance the social value is considered to be a higher need to the community in comparison to the loss of the heritage significance at the rear of the property. The identified significance lost is:

- 1. the proposed open concrete deck with concrete columns and solid infill balustrade, in particular, will visually dominate the heritage item.*

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Comment: It is agreed that the new deck will visually dominate the heritage item at the rear of the building. It will not be visible from either Bendemeer or Court Streets, and in the current heritage conservation zoning, the facade has a greater impact on the streetscape than an addition at the rear of the building.

It is proposed to condition the development to help lessen the visual impact with the following conditions:

- A photographic history is to be provided of the changes to the rear of the hotel, ie photographs are to be provided to Council showing the building before the building works are commenced.
- The cement columns are not to be circular, they are to be either square or rectangle and painted to be of a similar context to suit the heritage styled nature of the building.
- The edge of the concrete deck is to be painted in a heritage colour to compliment the heritage styled nature of the building. It is not to left as raw concrete.
- Balustrading is to be provided to the deck area. It is to be styled (including colours) to be similar to the existing balustrading and it is to suit the heritage styled nature of the building. Detail is to be provided to Council for approval prior to the release of the construction certificate.

2. the demolition of original fabric associated with the kitchen

Comment: The kitchen area currently is only just compliant with the relevant NSW Food Authority and Australian Standards. The original fabric of the kitchen will be lost, but by having a photographic record of the building before the renovations will help to keep and tell the story of how the building evolved.

Social Value Comment: Bundarra is a declining rural village having one of the states lowest socio economic populations. As such, this must be considered when the major social meeting venue is redeveloped.

The “Bundarra Pub” is in a central location, and is the major central venue within the village of Bundarra other than the village hall. The hall is not an open venue where the “Bundarra pub” is open 7 days a week and offers meals and accommodation.

The building has seen been many years without having any maintenance and has fallen into disrepair. Recently the building has been sold, and the current owner is willing to invest in the building. This type of investment is also considered to be an investment within the Bundarra Community itself. An upgraded venue will attract more outside visitors which is an economic boost, and the upgraded venue for the community and particularly families to make use of will provide a stronger and more inviting place to congregate.

Currently the outside area of the “Bundarra Pub” is a clutter of coolrooms, stairs and makeshift shelters. The proposed development will open up the rear of the building, providing a large open undercover area where outside functions can be held. The extension of the kitchen will mean that more meals can be served, and will cater better to the existing function rooms and outside area

By not having development such as this will mean the “Bundarra Pub” will fall further into disrepair. Previously the “Bundarra Pub” has not exactly been a welcoming or well maintained venue, but with the proposed development, it will become such. It will also reinforce the “Bundarra Pub” as the central meeting venue within the community.

LATE REPORT TO COUNCIL

CONCLUSION:

Development Application DA-11-2016 is recommended for conditional approval based on the fact that the heritage significance loss is regrettable, but is outweighed by the social benefit of the investment to the community.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Nil

2. Policy and Regulation

Uralla Local Environmental Plan 2012

Uralla Development Control Plan 2011

Environmental Planning & Assessment Act 1979

3. Financial (LTFP)

Nil – all costs of the development are met by the proponent.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

7. Performance Measures

Nil

8. Project Management

Nil

Prepared by staff member:

Libby Cumming, Consultant Planner

Approved/Reviewed by Manager:

Director Infrastructure & Regulation

Department:

Infrastructure & Regulation

Development Assessment Report

DA Number: DA-11-2016

Council: Uralla Shire Council

Location: 16 Bendemeer Street BUNDARRA

Development Description: Alterations & Additions to Hotel

Title Details: Lot: 1 DP: 307206

Proposal Overview

The proposal is to remove the existing coolroom and clutter of stairs and replace with a deck and new stairs. This would provide an undercover outdoor area. The kitchen is to be extended and updated with a setback of 150 mm.

Property Details/History

	Checked	Comments
File History	Yes	
Title Plan	Yes	
Check Ownership	Yes	

Is there any other issue that requires notation?

No

Application Type

Is this application an Integrated Development Application?

No

Is this application a Designated Development Application?

No

Is this application for State Significant Development?

No

Is this application submitted by/on behalf of a Public Authority?

No

Is this application a staged Development?

No

Is this application a section 96 amendment?

No

Concurrence/Referral

Section 79b - EP & A Act

Does this application require concurrence referral?

No

Does this application require courtesy comment?

No

Is there any other issue that requires notation?

No

Does this application require referral to the Environment, Development & Infrastructure Committee?

No

Does this application require referral for decision by Council?

No

Local Environmental Plan

Section 79c(1)(a)(i) - EP & A Act

This land is zoned: RU5 Village

List the relevant clause/clauses applicable under the LEP		
Clause	Compliance	Comment
Land Use Table	Yes	Alterations to an existing hotel which is a permissible use.

Is there a draft LEP or draft LEP amendment which may affect this proposal?

No

Is there any other issue/feature that requires notation?

No

Development Control Plan

Section 79c(1)(a)(iii) – EP & A Act

Does Uralla DCP 2011 apply to this land/proposal?

Yes No

List the relevant chapter/clause under the Uralla DCP			
Chapter	Clause	Compliance	Comment
9	Significant Features	Yes & No	The building has been assessed by Council's Heritage Advisor as having advised that it had a high degree of intactness and has a significant high level of contribution to the character of the area. He does not support the proposal as submitted. The proposed changes will have an effect on the rear of the property, both negative and positive, but don't believe it will affect the heritage value that can be seen from the streetscape. A photographic history would assist in telling the story of the property.
	Material & External Appearance	Yes	The external section of the building that faces Bendemeer and Courts Streets will not be altered. It has recently been repainted and new colourbond roof installed and new signage placed around the fascia.
	Streetscape	Yes	The proposed changes will not be seen from the streetscape.

Is there a draft DCP which may affect this proposal?

No

Regional Environmental Plan

There is no REP applicable to this area.

State Environmental Planning Policy

Is this proposal affected by a SEPP?

No

Planning Agreement

Section 93F (10) – EP & A Act

Is there a Planning Agreement in force under section 93F of the EP&A Act?

No

Has a Planning Agreement been offered under this development?

No

Planning Strategies/Local Policy

Section 79c(1)(b) – EP & A Act

Is there a Planning Strategy or Local Policy that requires notation?

No

Has the applicant submitted any supporting planning assessments?

Yes

Subdivision

Is this application for subdivision?

No

Environmental Impacts

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential impact on?

	Impact	Comment
Social	Yes	The hotel is a central focus and meeting place for the declining village of Bundarra. The proposed changes can be considered an upgrading of the rear of the hotel and will give a better social meeting/gathering area for patrons and community members.
Economical	No	
Siting & Configuration	No	
Setbacks	Yes	The side setback for the kitchen will move from 2.4 metres to 150mm. The wall will be masonry and will meet the required fire rating as per the NCC.
Privacy	No	
Overshadowing	No	
Solar Access	No	
Visual	No	
Significant Views	No	
Amenity	No	
Water	No	
Air	No	
Noise	No	
Land Degradation	No	
Tree Loss	No	
Flora	No	
Fauna	No	

Environmental Impacts – Threatened Species

Section 79c(1)(b) – EP & A Act

Has a Threatened Species Impact Assessment been prepared?

No

Environmental Impacts – Heritage

Section 79c(1)(b) – EP & A Act

Does this proposal have any potential impact on?

Heritage	Impact	Comment
European	Yes	Impact on heritage building that has a significant impact on the streetscape, but the impact is at the rear of the building and is not visible from the street.
Aboriginal	No	

Is this land classified as containing an item of environmental heritage?

No

Is there an impact on and adjoining or in close vicinity to an item of environmental heritage?

Yes

Is this proposal in a heritage conservation Zone?

Yes

Is this proposal in an adjoining or in close vicinity to a conservation zone?

Yes

Has a Heritage Impact Statement been prepared for this proposal?

No

Has an Archaeological Survey been prepared for this proposal?

No

Is there any other issue/feature/impact that requires notation?

Yes

Flooding

Section 79c(1)(b) – EP & A Act

Is this property flood affected?

No

Bush Fire Prone Land

Section 79c(1)(b) – EP & A Act

Is this property bush fire prone as per the Bush Fire Prone Map?

No

Contaminated Land

Section 79c(1)(b) – EP & A Act

Has this land been identified as being contaminated land by Council?

No

Is it a possibility this land may be contaminated?

No

Has a Contaminated Land Site Investigation been completed?

No

Is this land in the close vicinity or adjoining a known contaminated site?

No

Infrastructure

Has an engineering assessment been completed?

No

Does this proposal have any potential Impact on:

	Impact	Comment
Sewer	No	
Water	No	
Drainage	No	
Access	No	
Kerb & Gutter	No	
Upgrade Existing Road	No	
Road Network	No	
Existing Easements	No	
Electricity	No	
Telecommunications	No	
Pedestrian Access	No	
Loading & Unloading	No	
Parking	No	
Energy Conservation	No	

Does the development require any new easements?

No

Has an Erosion and Soil Control Plan been submitted?

No

Was there any outstanding issues requiring attention?

No

Construction Assessment

Is a construction assessment required?

Yes

Has a construction assessment been completed?

Yes

Is there any other issue/feature/impact that requires notation from the assessment?

No

Was a construction certificate application submitted with this application?

No

Is a Construction Certificate Required?

No

Section 68 Assessment

Section 68 – LGA Act

Is a section 68 assessment required?

No

Developer Contributions

Section 24 – EP & A Act

Does this proposal require any Developer Contribution?

No

Signage

Does this proposal require signage?

No

Notification

Section 79c(1)(d) – EP & A Act

Is this application an advertised development application?

Yes

Was this application advertised as per the provisions of?

DCP

Was this application notified as per the provisions of Council's Notification Policy?

Yes

Were there any written submissions received?

No

Section 88b Instrument

Does Council require a Section 88b instrument to be prepared?

No

Public Interest

Section 79c(1)(e) – EP & A Act

Does this proposal have any construction or safety issues?

No

Site Suitability

Section 79c(1)(c) – EP & A Act

Is this a suitable site for this proposal

Yes

Assessing Officer General Comment

Comment: There will be a loss to the heritage significance of the rear of the building, but seeing that the alteration and additions are not visible from the street and that the building has already been modified, I consider the loss regrettable but unavoidable. To further place this into perspective, the hotel is a central meeting place in a declining rural village. For many years there has been a upgrading to the building and it has fallen into a major state of repair. The current owner is willing to spend money and not only repair, but also upgrade the hotel. The proposed upgraded building will contribute greatly to create a stronger central meeting place and focus to Bundarra which would assist the declining village greatly. To refuse the application would result in a further decline of the village, therefore based on the major positive social and community impact, I believe the negative heritage impact on the rear of the building is counteracted by the positive contribution to a place of community focus.

Recommendation

This development application be approved subject to the following conditions, including any necessary engineering or construction conditions that result from the conclusion of the engineering and construction assessment.

PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)

Erection of signs

Please Note: *This does not apply in relation to:*

- a) *building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or*
- b) *Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws*
- c) *a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.*

1. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the site is prohibited.
2. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Please Note: *Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).*

Notification of Home Building Act 1989 requirements

Please Note: *This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws*

3. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the relevant owner-builder permit.
4. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Maximum capacity signage

Please Note: The words and expressions used in this condition have the same meanings as they have in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.

5. From 26 January 2010, a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent (including an existing development consent), that are permitted in the building for buildings being used as:
- a) entertainment venue,
 - b) function centre,
 - c) pub,
 - d) registered club,
 - e) restaurant.

GENERAL CONDITIONS

6. A photographic history is to be provided of the changes to the rear of the hotel, ie photographs are to be provided to Council showing the building before the building works are commenced.
7. The cement columns are not to be circular, they are to be either square or rectangle and painted to be of a similar context to suit the heritage styled nature of the building.
8. The edge of the concrete deck is to be painted in a heritage colour to compliment the heritage styled nature of the building. It is not to left as raw concrete.
9. All modifications to the kitchen are to comply with the relevant requirements of the NSW Food Authority and the relevant Australian Standard. An inspection is to be undertaken by Council prior to the operation of the kitchen.
10. All requirements of the NSW Office of Liquor & Gaming are to be met in regards to any changes in licence requirements resulting from the proposed alterations and additions.

CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

11. Balustrading is to be provided to the deck area. It is to be styled (including colours) to be similar to the existing balustrading and it is to suit the heritage styled nature of the building. Detail is to be provided to Council for approval prior to the release of the construction certificate.
12. As per the Disability Access Report provided by G.Gordon Fuller dated 15 March 2016, a disabled unisex toilet is to be provided in the room immediately east of the dry store. Full detail is to be provided as part of the construction certificate and is to be approved by the relevant certifying authority.

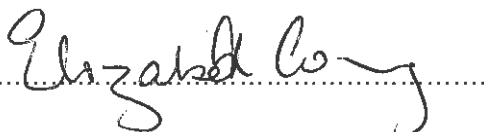
I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

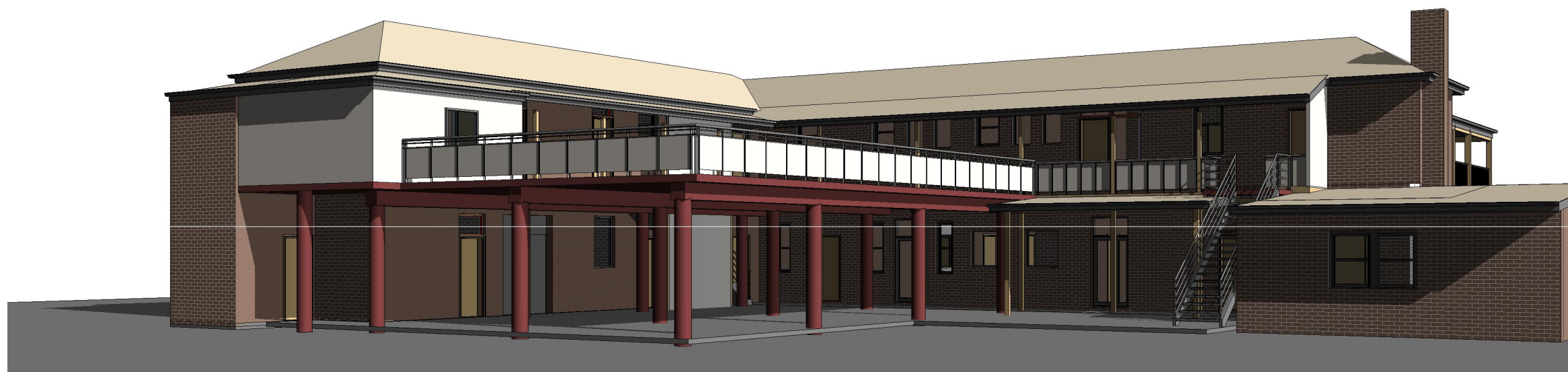
Additional Notes Attached:

No

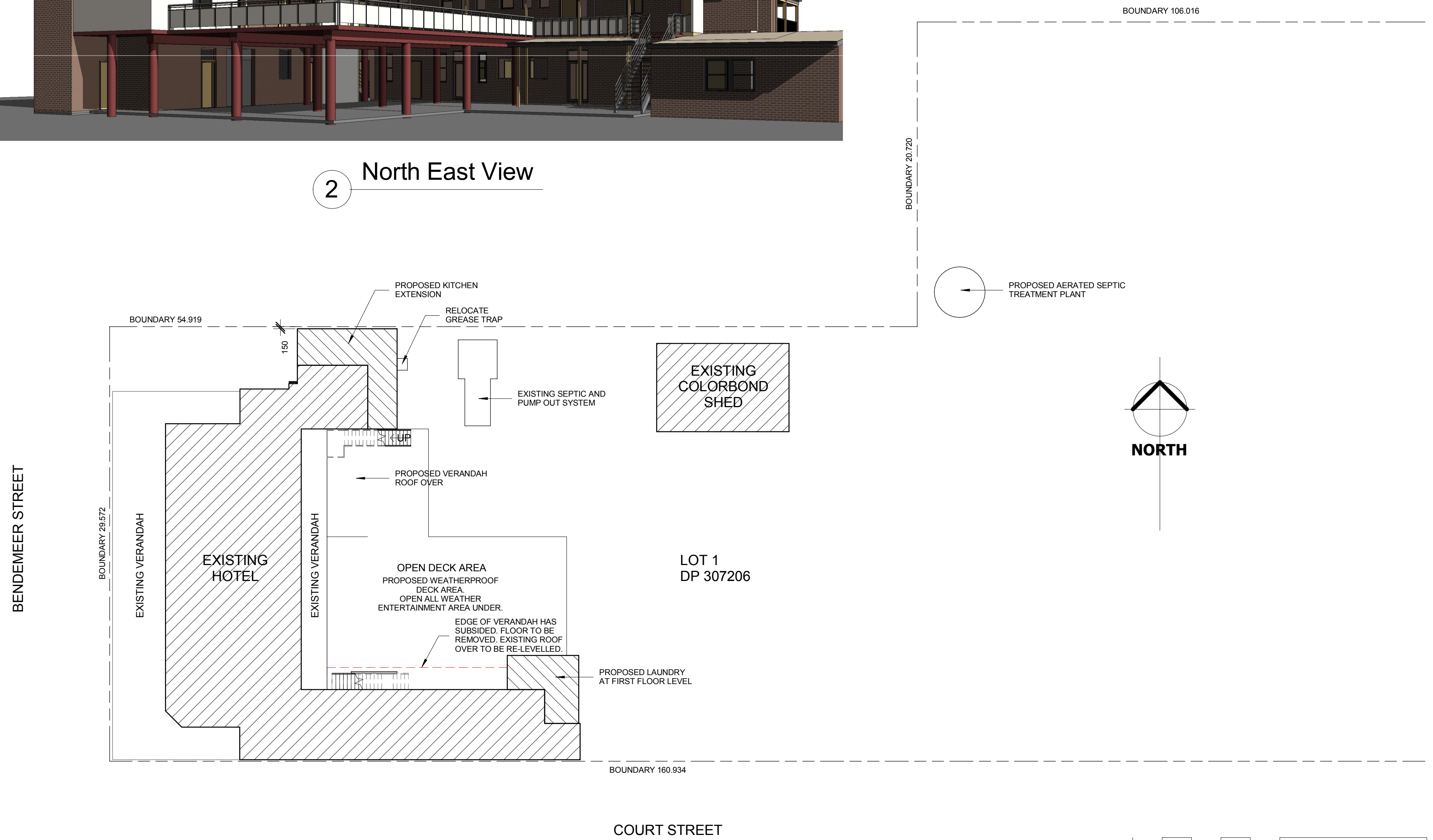
Signed:



Date: 14 April 2016



2 North East View



1 Site Layout Plan
1 : 200

2	Second Access Stair Added	AEV	23/02/16
1	Issued for DA	AEV	12/01/16
No.	AMENDMENT	AUTH	DATE

LG

ES

LOCAL GOVERNMENT
ENGINEERING SERVICES

Pty Ltd

ABN 64 055 099 557

Web: www.legs.com.au

Port Macquarie

69 Lord St, Port Macquarie NSW 2444

Ph: 02-65843888 Fax: 02-65843988

Email: john@legs.com.au

Inverell

162 Otho Street, Inverell NSW 2360

Ph: 02-67225110 Fax: 02-67223918

Email: andrew@legs.com.au

CLIENT

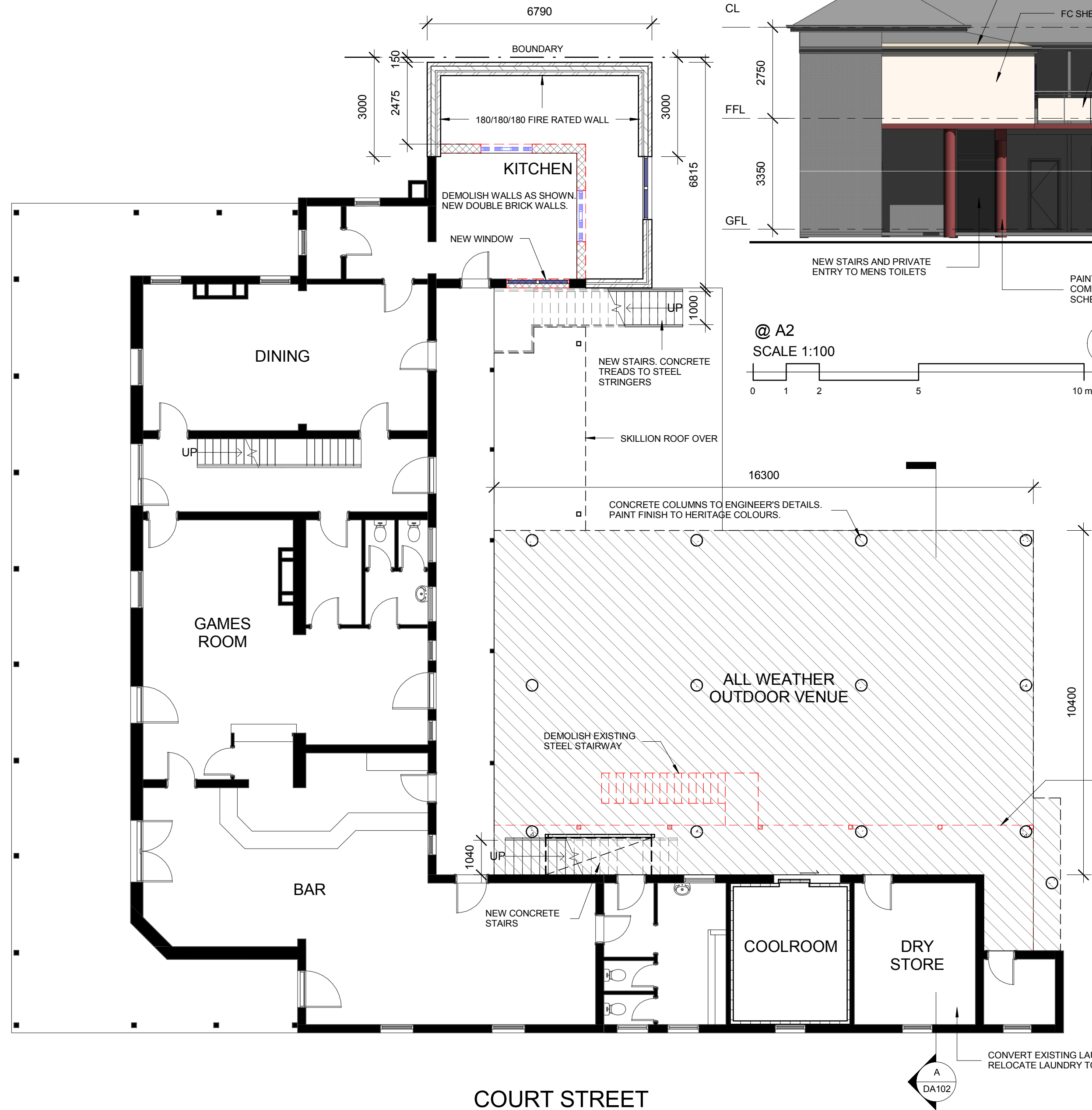
LD & JD INVESTMENTS PTY LTD

PROJECT

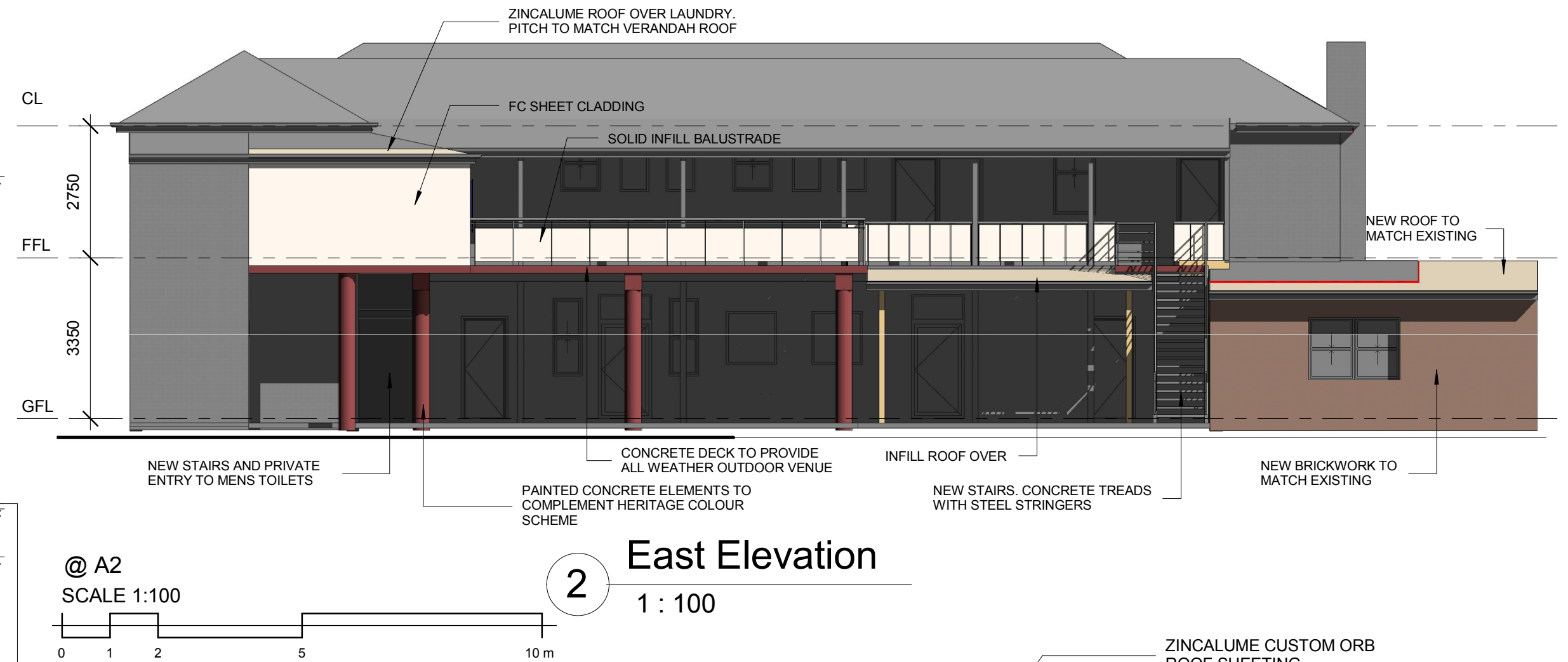
Proposed Alterations & Additions
Commercial Hotel, 16 Bendemeer
Street, Bundarra

SCALE	AS SHOWN	A2 ORIGINAL
DESIGNED:	A. VICKERY	SHEET No: DA100
DRAWN:	A. VICKERY	FILE No.: IV2438
APPROVED:		
FIRST ISSUED:	12/01/2016	

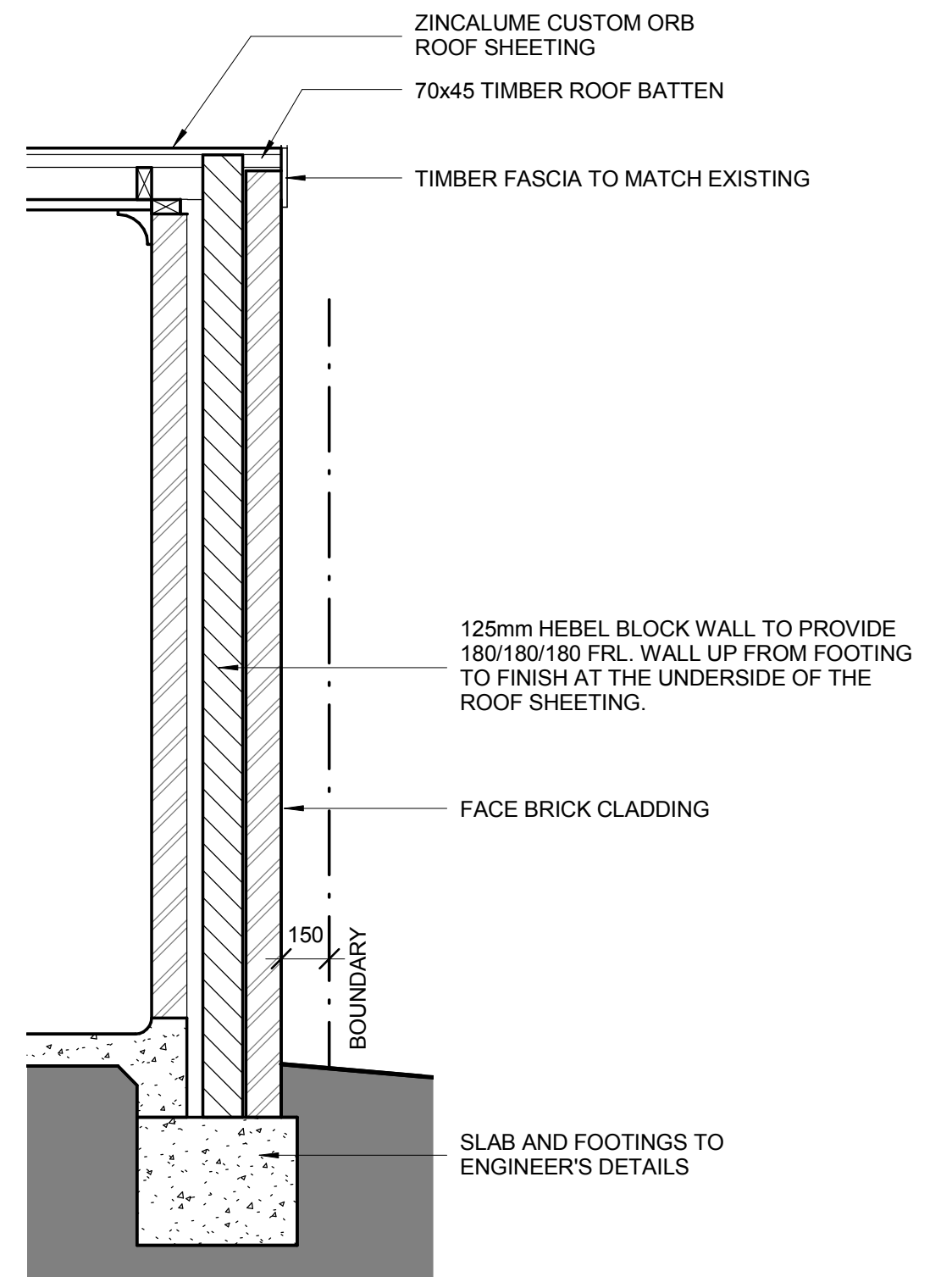
BENDEMEER STREET



1 Ground Floor
1 : 100



2 East Elevation
1 : 100



3 Fire Wall Detail
1 : 20

COURT STREET

No.	AMENDMENT	AUTH	DATE
3	Second Access Stair Added	AEV	23/02/16
2	Fire wall detail added	AEV	04/02/16
1	Issued for DA	AEV	12/01/16

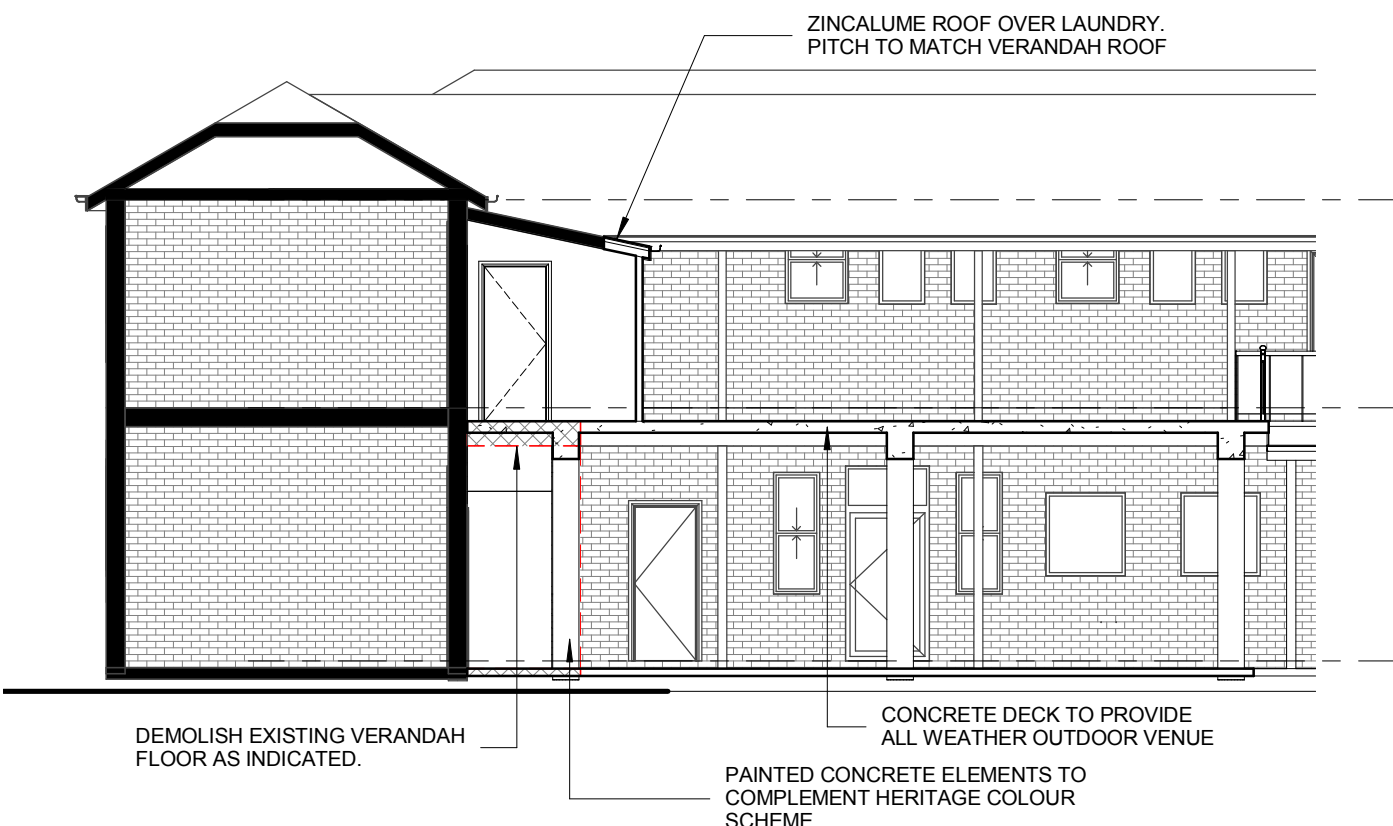
LG ES LOCAL GOVERNMENT ENGINEERING SERVICES

Pty Ltd ABN 64 055 099 557
Web: www.legs.com.au

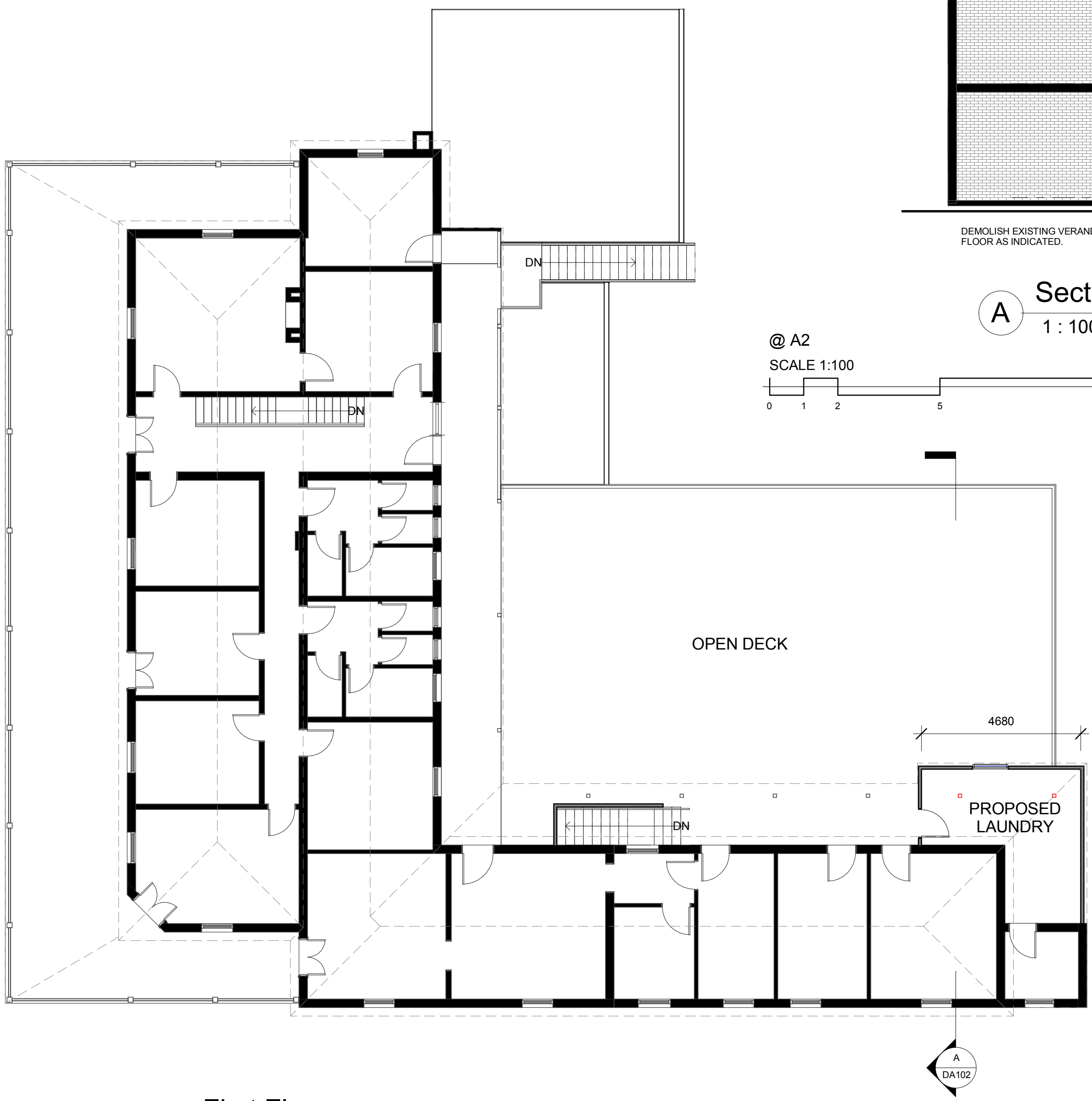
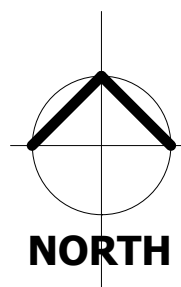
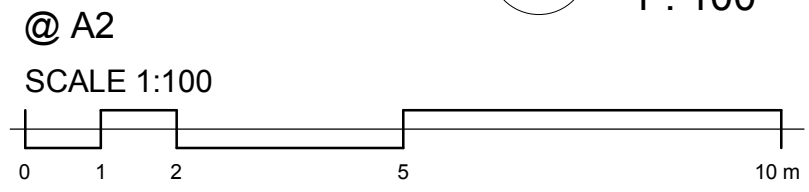
Port Macquarie 69 Lord St, Port Macquarie NSW 2444
Ph: 02-65843888 Fax: 02-65843988
Email: john@legs.com.au

Inverell 162 Otho Street, Inverell NSW 2360
Ph: 02-67225110 Fax: 02-67223918
Email: andrew@legs.com.au

CLIENT		SCALE	AS SHOWN	A2 ORIGINAL
LD & JD INVESTMENTS PTY LTD		DESIGNED:	A. VICKERY	SHEET No:
PROJECT		DRAWN:	A. VICKERY	DA101
Proposed Alterations & Additions		APPROVED:		FILE No.:
Commercial Hotel, 16 Bendemeer		FIRST ISSUED:	12/01/2016	IV2438
Street, Bundarra				



Section A
1 : 100



1 First Floor
1 : 100

2	Second Access Stair Added	AEV	23/02/16
1	Issued for DA	AEV	12/01/16
No.	AMENDMENT	AUTH	DATE

LGES

LOCAL GOVERNMENT
ENGINEERING SERVICES

69 Lord St, Port Macquarie NSW 2444

Ph: 02-65843888 Fax: 02-65843988

Email: john@legs.com.au

162 Otho Street, Inverell NSW 2360

Ph: 02-67225110 Fax: 02-67223918

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Pty Ltd ABN 64 055 099 557

Web: www.legs.com.au

Port Macquarie

Inverell

CLIENT	LD & JD INVESTMENTS PTY LTD	SCALE	AS SHOWN	A2 ORIGINAL
PROJECT	Proposed Alterations & Additions Commercial Hotel, 16 Bendemeer Street, Bundarra	DESIGNED:	A. VICKERY	SHEET No: DA102
		DRAWN:	A. VICKERY	FILE No.: IV2438
		APPROVED:		
		FIRST ISSUED:	12/01/2016	



research | interpretation | education | tours | project management

ITEM 3: Commercial Hotel, 16 Bendemeer Street, Bundarra (DA-11-2016)

I had previously visited the site on 2 November, 2015 and met with Adrian Vickery of Local Government Engineering Services (LGES) and the owner.

At the time I viewed a ground floor plan File No: IV2438 Sheet No: A101 dated 29/10/15 prepared by LGES - the owner proposing to undertake alterations and additions to the rear of the hotel comprising:

- Demolition of ground floor posts and first floor verandah floor as required for a new suspended concrete deck 16.3m x 10.4m on concrete columns
- Retention of first floor posts and verandah roof over
- Conversion of an existing store room in to a cool room and relocate the existing external cool room into the space. This would require removal of an existing door, demolition of brickwork, installing a sliding cool room door, removing existing timber flooring and skirting and installing a concrete slab
- Conversion of the existing laundry in to a dry store
- Relocation of the existing laundry to the first floor deck
- Removal of the existing clothes lines
- Demolition of the existing steel stairway and construct a new stairway with the concrete deck
- Demolition of the existing covered bbq area, and
- Extending a skillion roof over from the kitchen

Elevations were not provided at the time of that meeting and I requested these.

Council has now received a DA consisting of the following plans prepared by LGES:

- ground floor plan and east elevation File No: IV2438 Sheet No: DA101 dated 12/01/16
- site layout plan and north east view File No: IV2438 Sheet No: DA101 dated 12/01/16
- first floor plan and section A File No: IV2438 Sheet No: DA101 dated 12/01/16

In my report of 3 November 2015 I wrote that the Uralla DCP 2011 stated that:

Insensitive application of new materials or finishes to an old building may ruin its appearance.

I mentioned that it also stated, for landmark buildings, that:

These buildings generally have a high degree of intactness and are significant both as an individual heritage item in their own right and for their high level of contribution to the character of the area. These buildings are often landmarks within the conservation area. The significance of these buildings should not be compromised.

And that it further stated, in part, that the acceptable solution is to:

Maintain heritage characteristics and all significant fabric.

My report also stated:

I believe the proposal as presented, except for the intention to address the slope of the verandah floor on the upper level, will compromise the significance of the building.

The introduction of a large suspended concrete slab and other new materials as proposed will be insensitive to the building and ruin its appearance.

Furthermore, the proposal as shown to relocate the staircase would probably not meet National Construction Code compliance for access and egress to the building. I recommend that discussion on the matter of access and egress be held with Mr. Merv Prendergast (Uralla Shire Council consultant).

and went on to say that:

While I can appreciate that the owners wish to provide a covered area for their customers, remove some of the existing visible intrusive elements such as the cool room and covered bbq area, and make spaces more usable for staff, I believe the owners need to rethink how this can best be achieved.

It would appear from the plans accompanying the DA that LGES have disregarded the advice previously given.

It is also noted that LGES also now wish to demolish external walls and extend the kitchen northward to within 150mm of the boundary as well as eastward which I can't recall seeing on when I first viewed plans in November 2015.

What is being proposed is the demolition of original fabric associated with the kitchen and the verandah on the northern side of the dry store and cool room so that an open concrete deck of more than 160 sqm over an outdoor area, an undercover concrete stairway, an external stairway and a skillion roof linking the concrete deck to the proposed external stairs near the kitchen can be provided – *the concrete elements being painted to complement heritage colour scheme*. The open deck would be used in conjunction with the relocated laundry for the drying of laundry.

I do not support the proposal as submitted and believe the proposed open concrete deck with concrete columns and solid infill balustrade, in particular, will visually dominate the heritage item. I recommend that Council **require a Statement of Heritage Impact** (SOHI), prepared by a recognised Heritage Consultant, to convey:

- what impact or impacts the proposed works will have on the heritage significance of the hotel
- what measures are proposed to mitigate negative impacts, and
- why more sympathetic solutions are not viable.

The SOHI should be based on the guidelines prepared by the NSW Heritage Office and Department of Urban Affairs and Planning revised 2002 which can be found at <http://www.nsw.gov.au/Heritage/publications/>

An alternative to the proposal of the open concrete deck could be a separate single storey roofed building, one that is only attached to the hotel by covered walkways, with an extended laundry at the lower level thereby retaining the existing external stairs to the upper level. This would also allow for the retention of the verandah posts and repairs to the existing verandah.

A handwritten signature in green ink that reads "m. mckay". The signature is written in a cursive, lowercase style. The "m" is the first letter, followed by a period, then another "m", and finally "ckay". The ink is a vibrant green color, and the background is a light grey, textured surface.

G. GORDON FULLER

ARCHITECT (Retired)

M. Arch. F.R.A.I.A. Reg. No. 1096

DISABILITY ACCESS CONSULTANT

Certificate No. 05190

'WOODLANDS'

PO Box 234 Thornleigh NSW 2120

e. gordonfuller80@gmail.com

m. 0408 240 446

15th March 2016

DISABILITY ACCESS REPORT

BUNDARRA COMMERCIAL HOTEL NSW

Proposed Alterations to Ground Floor

for

Mr. and Mrs. G. Leakes

Design and Documentation

Adrian Vickery

LG Engineering Services

Commercial/Residential Design Manager

162 Otho Street Inverell NSW 2360

2.

• **STATUTORY REQUIREMENTS**

- **Disability (Access to premises-Buildings) Amendment Standards 2010 No. 1**
- **AS 1428 – Parts 1, 2 and 4 and 5 – Design for Access and Mobility.**
- **AS 2890.6 – Off Street Parking facilities.**
- **Uralla Council LEP 2013**
- **Disability Discrimination Act 1992 (as amended)**
- **NCC 2014 Part D – Access and Egress.**

• **REFERENCE DRAWINGS**

The following drawings, dated 23.02.2016, are used for reference in this report, all marked amendment 2. DA 100, DA 101 and DA 102.

• **THE SITE**

Lot 1 DP 307206

Area approx. 6863 sq. metres

16 Bendemeer St. Bundarra 2359

The property is quite flat with access to the rear carpark from Court Street. The building is 'L' shaped with a front verandah to Bendemeer St. facing West and returning to the North and South. The rear outdoor Courtyard faces East with a septic system on the Northern side. It is approx. 16m square with an approx. rectangular area of 252 sq metres.

The building, built in 1861, is Heritage listed, and the site is in a Commercial Heritage Conservation area.

• **HERITAGE SIGNIFICANCE**

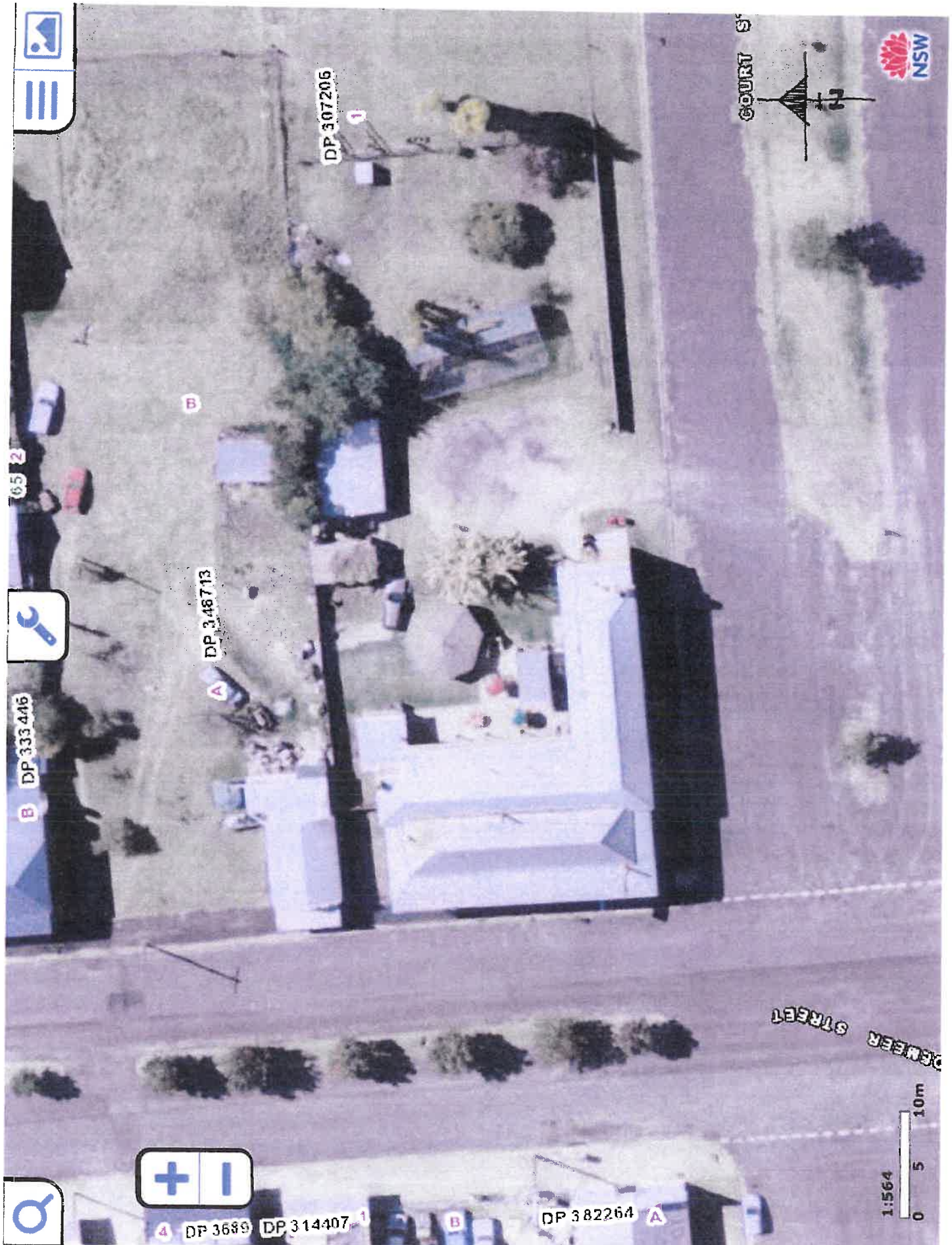
The 'Disability (Access to Premises-Buildings) Standards 2010, Part 4 allows for certain exemptions and concessions due to "Unjustifiable Hardship". This particularly applies to heritage listed buildings.

Clause 4.1 (k) and (l) states:

(k) "if detriment reasonably likely to be suffered by the building developer, building certifier or building manager, or people with a disability or other building users, including in relation to means of access, comfort and convenience, if compliance with these Standards is required and

(l) if detriment under paragraph (k) involves loss of Heritage significance – the extent to which the heritage features of the building are essential, or merely incidental, to the Heritage significance of the building.

Then compliance is required to the maximum extent not involving unjustifiable hardship. There would however need to be a very strong case to not increase door widths (as an example) which would cause discrimination in access to public facilities



BUNDARRA HOTEL

3.

- **ACCESSIBLE ENTRY**

There is currently no wheelchair access to the front verandah due to a large step along the front of the main entry. The site inspection on Tuesday 8th March indicated that an open area at the Northern end of the verandah is level with the verandah. This area is currently grassed and is accessible from the street. The width is approx. 4.725m clear and 9.0m deep from the front boundary. This area if concreted would be very suitable for a side or rear opening wheelchair compliant vehicle. (refer Appendix 1 – standard dimensions.) and to photographs (Appendix 3) This area is recommended by me, conforming to AS 2890.6 figure 2.3.

It will be necessary to provide a kerb crossing accommodating the street camber to Bendemeer Street similar to the crossing to the rear carpark accessed off Court Street.

- **MAIN ENTRY**

The Main Entry door off the verandah has a clear opening of over 850mm and a terrazzo threshold step of 35mm. It is suggested that a rubber portable threshold (step) ramp be provided 280mm wide by the width of the opening with a gradient of 1:8. This ramp could also be used for wheelchair access to the Bar Area off the front verandah, however there are two leaves to this door, requiring them to be both opened. A Heritage concession could be made to not change these doors. A single door to the Bar is available from the Southern verandah return.

- **INTERNAL ACCESS**

From the Main Entry door there is direct access past the enquiry desk through a similar wide door to the rear Courtyard. There will be no threshold at this door as the new 'All Weather Outdoor venue' surface will be level with the Ground Floor, draining away from the door. Internal access to the Bar and Dining Room is a problem as these two doors do not comply with a clear width of 850mm to give access for a manual or powered wheelchair. Consideration should be made to widen these openings to comply with AS 1428.1 and 2.

- **PROVISION FOR NEW UNISEX ACCESSIBLE TOILET.**

This is a very difficult exercise to resolve with a Heritage Classified Building. To reasonably avoid discrimination a Unisex Accessible Toilet should preferably be located near existing toilets, however this would reduce valuable public space and usually effect the heritage décor and atmosphere of interior spaces. Direct and easy access to the outdoor covered venue is desirable so two alternative locations were considered.

4.

1. The Southern side of the existing Kitchen under the new open stairs to the First Floor. This was found to be impracticable as the new opening to the existing Southern wall of the Kitchen is to be used as a servery for Functions associated with the "All Weather Venue".
2. An existing unused old 'boiler room' is located East of the existing Dry Goods Store. With the proposed new First Floor Laundry, new plumbing and sewer drainage is required to connect to the existing Septic Tank system. On inspection, once the boiler room is cleared of all tanks and pipework, the North wall can be removed and extended with a new 850mm clear door to provide an undercover compliant Unisex Toilet (refer Appendix 2).

- **DINING ROOM ACCESS**

At least one door to the Dining Room should be wheelchair accessible. It is recommended this be the East door from the 'All Weather' area. The existing door has a glazed sidelight and low brick panel and can easily be rebuilt to make it compliant.

- **FLOOR COVERINGS.**

The existing carpet whilst not compliant with AS 1428.1 2009 clause 7.4.1 has obviously been down and compacted over the years, allowing reasonable tracking for a wheelchair. Any new carpet in accessible areas must comply with the above standard.

- **SIGNAGE, TACTILE INDICATORS AND LUMINANCE**

New signage in accordance with AS 1428.1 clause 8.1 must be provided, essentially to provide the international symbol for disability to the dedicated carpark, directions to disabled entry and the Unisex toilet and a Unisex toilet sign. These signs should include raised braille for the visually impaired. Tactile indicators should be placed at the base of each staircase, being a public area. Lighting levels should be capable of achieving a minimum 200 lux in all areas.

- **SUMMARY AND RECOMMENDATIONS**

Providing the above recommendations and suggestions are incorporated into the building construction documents I am of the opinion that the new work will comply with all the Access Codes for Disability, including an accessible path of travel to all public areas. Compliance only relates to the Public Areas on the Ground Floor as no provision is made for disabled accommodation on the First Floor.

G. Gordon Fuller

APPENDIX 1

AS/NZS 2890.6:2009



APPENDIX 2.

Details for dimensions of Unisex Toilet. Image to be reversed.

AS 1428

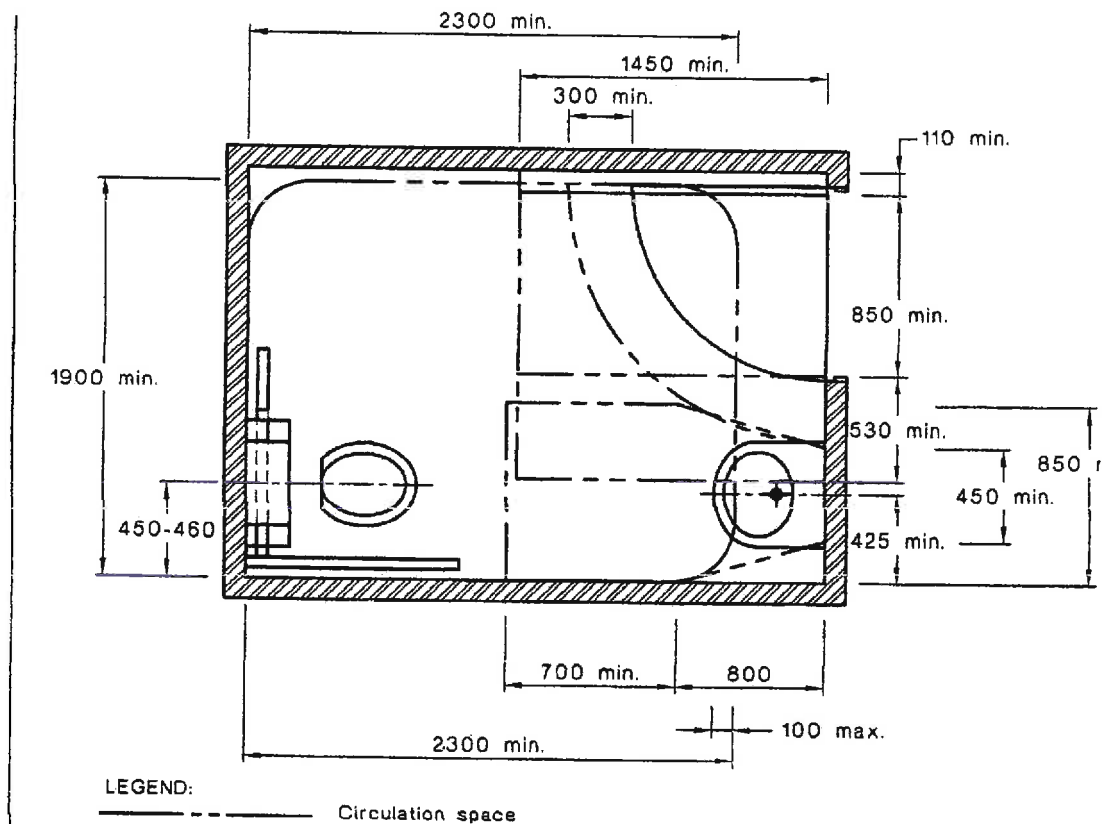


FIGURE 52 EXAMPLE OF OVERLAPPING CIRCULATION SPACES IN A SANITARY COMPARTMENT

7.

APPENDIX 3

Photographs



MAIN ENTRY DOOR.
35 MM THRESHOLD OFF
FRONT VERANDAH



DINING ROOM DOOR TO
BE WIDENED.



PROPOSED DISABLED PARKING
NEW CONCRETE LEVEL WITH VERANDAH



KERB CROSSING REQUIRED



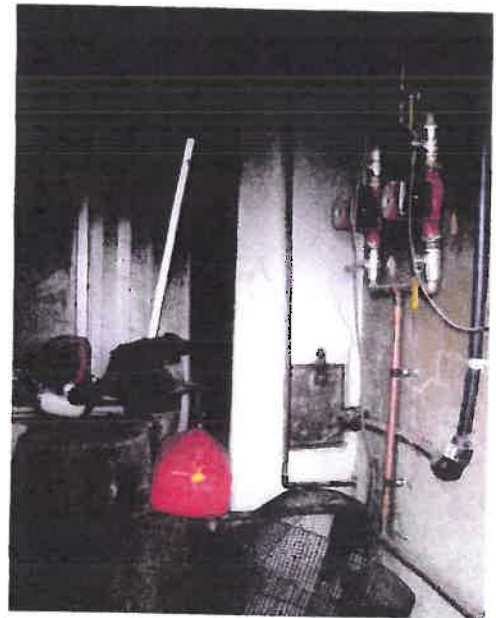
SUITABLE CROSSING TO EXISTING
CAR PARK.



WALL TO BE EXTENDED TO GAS
BOTTLE ENCLOSURE & NEW
DOOR TO PROPOSED UNISEX TOILET
ON NORTH SIDE.



BOILER ROOM TO BE
EXTENDED UNDER PROPOSED
LAUNDRY ABOVE TO FORM
UNISEX TOILET.



INTERIOR OF BOILER HOUSE
TO BE CLEANED OUT, WALLS
& FLOOR TILED.

Mr Adrian Vickery

Local Government Engineering Services

162 Otho Street, Inverell. NSW 2360

UNCLASSIFIED	
F/N	
R/N	
A/P	

COPY

Dear Sir,

Re : *Review and comment on Disability Access Report produced by - G.Gordon Fuller*

dated 15th March, 2016 for the Bundarra Commercial Hotel.

Premises @ 16 Bendemeer Street, Bundarra. NSW 2359

With regards to the above I would make comment as follows;

STATUTORY REQUIREMENTS

Comment: agree with report but would add a reference to NCC 2016 Part F notably F2.4 "Accessible Sanitary Facilities".

REFERENCE DRAWINGS

Comment : agree .

THE SITE

Comment : Good description - building is in a Heritage Conservation Area.

HERITAGE SIGNIFICANCE

Comment : I agree that the potential for loss of Heritage significance can be mitigated by good design based on sound reasoning . The intent to provide adequate accessible facilities appears to be supported throughout the report.

ACCESSIBLE ENTRY

Comment: I agree with the recommendation - a good result with no apparent impacts on the building's frontage.

MAIN ENTRY

Comment: By providing a portable threshold ramp (max width allowed 280mm) I believe this is a good outcome obviating the need to change the existing doors, noting that a single door to the bar area is available from the Southern verandah return.

INTERNAL ACCESS

Comment: The internal access to the Bar and Dining Room via existing non-compliant doorways should be modified to ensure there is a clear width of 850mm as per AS1428.1. This work would not compromise the heritage significance of the building in my opinion. I agree with the recommendation in the report.

PROVISION FOR A NEW UNISEX TOILET

Comment: I firmly believe that proposal 2 utilizing the old boiler room for a new unisex accessible toilet is acceptable and practical for persons using the facility, particularly the outdoor covered venue. I agree with the points put forward in the report particularly noting the potential impact on internal areas which are already quite small.

DINING ROOM ACCESS

Comment: I agree with the recommendation in the report.

FLOOR COVERINGS

Comment: I agree with the recommendation but would add that any carpets (linings / coverings) also comply with NCC 2016 Specification C1.10 "Fire Hazard Properties" Clause 3: Table 2 "Critical Radiant Flux of floor materials and floor linings".


SIGNAGE TACTILE INDICATORS AND LUMINANCE

Comment: Agree that new signage and tactile indicators to be installed in accordance with AS 1428 and NCC 2016 D3.8 and Lighting levels to be changed as required to achieve 200 lux in all areas.

SUMMARY

The access / facilities provided in the report produced by Mr G. Fuller achieve the best possible outcome for this building giving due consideration to the age and heritage significance. By undertaking the works as detailed the building (ground floor) will achieve satisfactory compliance with all the Access Codes for people with disabilities.

I commend the findings and conclusions presented in the report for the proposed upgrade works at the Bundarra Commercial Hotel.

 11th March, 2016.
Warren Sellings (BPB 1980)

New England Building Consultants

6 King Street, Uralla. NSW 2358.

02 67 785 042 or 0402 518 235.