

Ordinary Meeting of Council

24 November 2021

UNDER SEPARATE COVER ATTACHMENTS

ITEMS 9.1 to 9.7

QUEANBEYAN-PALERANG REGIONAL COUNCIL ORDINARY MEETING OF COUNCIL

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QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.1 DEVELOPMENT APPLICATION DA.2021.1441 -

CONSTRUCTION OF 6 ATTACHED DWELLINGS ON 6 TORRENS TITLE LOTS - 17-27 MAIDENHAIR TERRACE,

TRALEE

ATTACHMENT 1 DA.2021.1441 - SEC 4.15 ASSESSMENT REPORT - 17 - 27 MAIDENHAIR ROAD TRALEE

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DELEGATED REPORT - DA.2021.1441

SUMMARY

Proposal: Construction of 6 attached two storey dwelling houses

Address: 17 – 27 Maidenhair Road TRALEE NSW 2620

Property description: Lots 201 – 206 inclusive DP 1272220

Applicant: Elizabeth Densley, Eight Mile Planning

Owner: Jeracanfin Pty Ltd

Date of lodgement: 27/07/2021

Notification period: 2/09/2021 to 20/09/2021

Submissions received: Nil

Assessment officer: Katherine Adsett Estimated cost of works: \$1,661,000.00

Zoning: R2 - Low Density Residential

Heritage: N/A
Flood affected: N/A
Bushfire prone: N/A

Recommendation of officer: Construction of 6 attached two storey dwelling houses

EXECUTIVE SUMMARY

The proposal seeks approval for the construction of a 6 double storey attached dwellings with attached garages. Notification was required and no submissions received. The application is recommended for approval with suggested conditions of consent.

BACKGROUND

DA 395/2017 and modifications

DA 395/2017 forming stage 1 of the South Jerrabomberra urban release area and was approved by the Southern Regional Planning Panel on 2 August 2018. That approval allowed for the subdivision of 318 residential lots, 10 super lots (9 super lots for future residential development and 1 super lot for a future neighbourhood centre) and 6 residue lots for open space, drainage and public roads.

DA 395/2017 has subsequently been modified by Council several times under DA 395/2017.A, DA 395/2017.B and DA 395/2017.C. Construction works in relation to DA 395/2017 were completed the week of 25 October 2021.

DESCRIPTION OF THE SITE AND LOCALITY

The subject development site consists of six separate registered lots, legally described as Lots 201 - 206 DP 1272220 and are commonly known as 17 - 27 Maidenhair Road TRALEE. The site is located on the southern side of Maidenhair Road and has a collective area of 999.2 $\rm m^2$. The site has a slope of 0.05% from the front to the rear of the property (north to south). There is no existing development on the site. Vehicular access is provided to the proposed attached dwellings via Maidenhair Road at the front of the proposed dwellings, with parking for the dwellings accessed from Pituri Lane at the rear of the properties, with the exception of Lot 206 which has vehicle parking located at the front of the lot and is accessed directly off Maidenhair Road. Development within the locality will consist of dwelling houses and community facilities once complete.



Figure 1: Development Site



Figure 2: Artist's impression

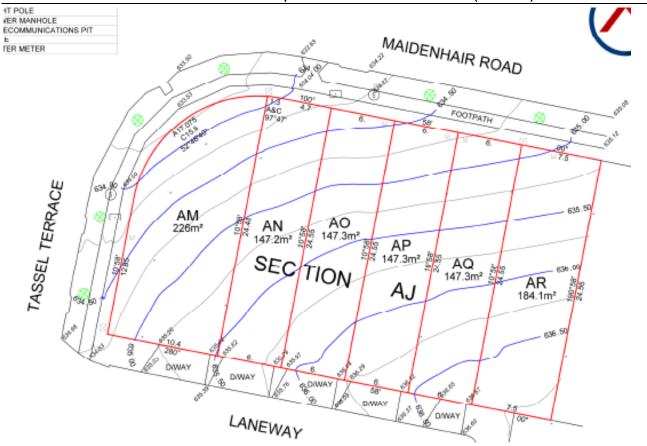


Figure 3: Subject Lots

PROPERTY BURDENS AND CONSTRAINTS

There are no burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the construction of 6 two storey attached dwelling houses. The specific elements of the proposal are:

- Each attached dwelling house is sited on its own registered Torrens Title lot;
- The individual lots are held by a single owner to facilitate development of the small-lot dwelling project.
- Construction of a two storey dwelling house and double attached garage on Lots 201 205;
- Construction of a two storey dwelling house and single attached garage with one additional exterior car space on Lot 206.

MAIDENHAIR ROAD



Figure 4: Site Plan Ground Floor

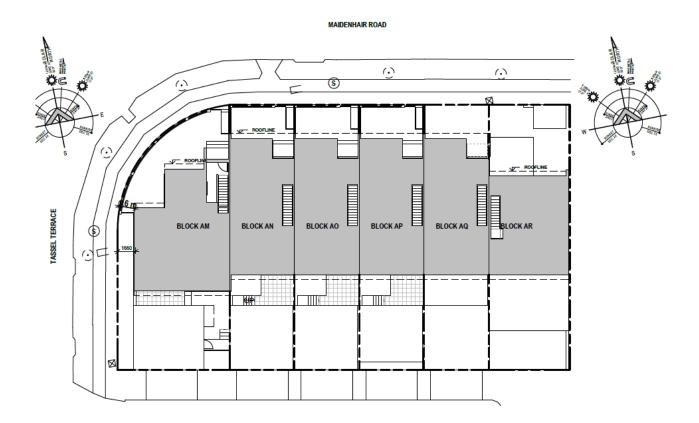


Figure 5: Site Plan First Floor

CONSENT AUTHORITY

In accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) the proposal is considered to be local development and Council is the Consent Authority.

SECTION 4.10 DESIGNATED DEVELOPMENT - EP&A Act, 1979

The proposal is not designated development.

SECTION 4.47 INTEGRATED DEVELOPMENT – EP&A Act, 1979

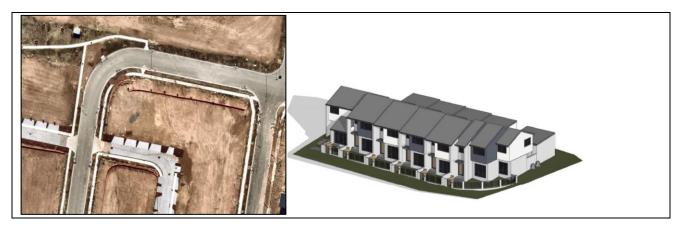
The proposal is not integrated development.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Development Engineer has commented on the proposal as follows:



Water

Lots 201 to 2016 are all serviced with a 25mm water service tie each. The location of the water tie is clearly marked on each lot. See WAE map below for its indicative location.

Sewer

Lots 201 to 2016 are all serviced with a 100mm sewer service tie each. The location of the sewer tie is clearly marked on each lot. See WAE map below for its indicative location.

Storm Water

Lots 201 to 2016 are all serviced with a 100mm stormwater service tie each. The location of the stormwater tie is clearly marked on each lot. See WAE map below for its indicative location. There is no need for on-site detention for the Torrens tile units, as the stormwater management have been designed and constructed during in the Tralee subdivision to capture pre and post development flows from these high density lots.

Inter allotment drainage might be required to capture stormwater from the buildings located furthest away from the stormwater tie in the lot.

Access and Parking

Vehicular access to the proposed units will be from Pituri Lane. Each lot has an existing VKC that was constructed during the approved subdivision works.



From the civil plans provided at DA stage, each unit is equipped with 2 car parking spaces in an enclosed garage arrangement, and with a minimum 4.8m wide opening, as required by AS2890.1.

Roads

Not applicable.

Section 64

Not applicable.

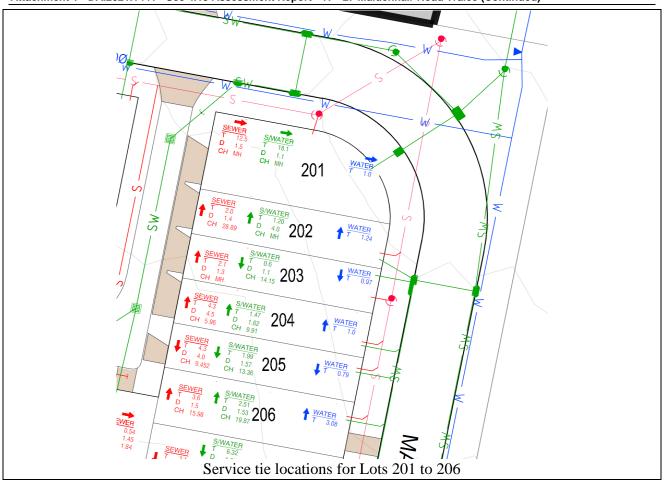
Development Contributions Section 7.11

Not applicable.

Flooding

Not applicable. The site is not located in a flood planning area.

There were no objections to the proposal, subject to the imposition of recommended conditions of consent.





CONSIDERATION OF THREATENED SPECIES

Council is required under Section 4.15 of the *Environmental Planning and Assessment Act 1979* to make an assessment of whether the proposed development will have a significant impact on any threatened species, populations, or ecological communities, or their habitats. Such threatened species in NSW may be protected under the NSW Biodiversity Conservation Act 2016 or under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The assessment process under the EPBC Act can occur outside the NSW planning system and requires input from the Federal Department of Environment. Any EPBC Act requirements associated with this proposal are discussed later in this section.

Section 7.3 of the Biodiversity Conservation Act 2016 sets out what must be considered in determining whether a proposed development will have a significant impact.

The subject site is located within an existing development site and as a result of bulk earthworks is void of any vegetation. As such, the proposal is considered unlikely to result in any significant impacts upon any threatened flora or fauna species or their habitat.

SECTION 4.14 CONSULTATION AND DEVELOPMENT CONSENT - CERTAIN BUSHFIRE PRONE LAND - EP&A ACT, 1979

Section 4.14 of the EP&A Act requires an assessment to be made of the proposal against the requirements of the Rural Fire Service document 'Planning for Bushfire Protection 2006'. The Act allows this assessment to be made by the Council or the RFS. Assessments under Section 4.14 against the PBP 2006 need to be made for most development on bushfire prone land which does not require an approval under the Rural Fires Act 1997 as integrated development.

The subject site contains no land mapped as bushfire prone land.

SECTION 4.15 CONSIDERATIONS - EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 requires residential development establishes minimum energy efficiency, water consumption and thermal comfort requirements. The subject application is accompanied by a valid Multi Dwelling BASIX Certificate for the proposed dwellings.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIATION OF LAND

SEPP 55 requires consideration to be given to the suitability of the site for the proposed use given the potentially contaminated nature of the site. The previous subdivision of the site was accompanied by a Detailed Site Investigation prepared by SMEC which identifies the site as being suitable for residential purposes subject to the implementation of a Remediation Action Plan. Suitable conditions of consent requiring the preparation of such a plan and subsequent implementation of the required works were included within DA 395/2017. As such, the subject site is considered suitable for the proposed residential use.

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN (SOUTH JERRABOMBERRA) (QLEPSJ) 2012

An assessment of the proposal against the general aims of QLEPSJ 2012 is included below:

CI. 1.2(2)	Aims	Complies
(a)	To achieve an economically, environmentally and socially sustainable urban development within South Jerrabomberra,	Yes
(b)	To facilitate the orderly growth of the South Jerrabomberra urban release area in a staged manner that promotes a high level of residential amenity and the timely provision of physical and social infrastructure, through appropriate phasing of the development of land,	Yes
(c)	To identify, protect and manage environmentally and culturally sensitive areas within South Jerrabomberra,	Yes
(d)	To provide appropriate residential densities and a range of housing opportunities consistent with the environmental capacity of the land,	Yes
(e)	To create a diverse town centre that caters for the retail, commercial, and service needs of the local community,	Yes
(f)	To ensure development has regard to the principles of ecologically sustainable development,	Yes
(g)	To ensure development does not exceed the capacity of infrastructure to service the land.	Yes

Comment: The application generally complies with the above objectives. Specifically, it facilitates the orderly growth of the new release area with a use that is suitable for the site.

Suspension of Covenants, Agreements and Instruments

Under Clause 1.9A, a Sectionaccommodate a minimum of 3 waste bins "behind the building line".

Permissibility

The subject site is zoned R2 Low Density Residential under Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012. Development for the purposes of attached dwellings such as those proposed are permissible within the R2 Low Density Residential Zone with consent and is defined under QLEPSJ 2012 as follows:

"Attached dwelling means a building containing 3 or more dwellings, where—

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling."

Zone Objectives

An assessment of the proposal against the objectives of the R2 Low Density Residential Zone is included below:

Objectives	Complies
> To provide for the housing needs of the community within a low density residential environment.	Yes
> To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes
To ensure that infrastructure can adequately service proposed residential development in the area.	Yes

Comment: The application generally complies with the above objectives. Specifically, it facilitates housing needs with a small lot development.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the QLEPSJ 2012 is provided below.

Height of building

CI.	Standard	Controls	Proposed	Complies	
4.3	Height of building	8.5m	8.1m	Yes	

Part 6: Urban Release Areas

The relevant provisions contained within Part 6 of the QLEPSJ 2012 are addressed below as part of this assessment:

6.2 Public utility infrastructure

Requires that consent no be granted to development in urban release areas unless Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made for the infrastructure to be available when required. The subject application was referred to Council's Development Engineer who advised these services will be made available. Please see engineering referral for these comments.

Part 7: Local provisions

The relevant provisions contained within Part 7 of the QLEPSJ 2012 are addressed below as part of this assessment:

7.1 Earthworks

Clause 7.1 of the QLEPSJ 2012 establishes a number of matters requiring consideration for development involving earthworks. Earthworks associated with the development are proposed and form part of this application. The proposed earthworks will not have a detrimental impact on drainage patterns and soil stability or the existing and likely amenity of adjoining properties. Further, it is recommended that the development consent include a condition to mitigate the potential impact of soil erosion and the like during construction.

7.2 Airspace operations

Clause 7.2 of the QLEPSJ 2012 makes provisions for developments penetrating the Limitations or Operations Surface of the Canberra Airport. The OLS for the subject site is 720m. Under DA 395/2017 a Controlled Activity Approval was issued under for the entirety of the Stage 1 Tralee development allowing construction up to 740m. The proposed development involves no works above either 720m or 740m and as such no further approval was required for the purposes of the subject application.

7.3 Development in areas subject to aircraft noise

Clause 7.3 of the QLEPSJ 2012 makes provisions for developments subject to aircraft noise. The subject application was accompanied by a Statement prepared by SLR Consulting (Australia) Pty Ltd giving consideration to the compatibility of the dwelling with aircraft noise likely to be experienced upon the site in accordance with AS 2021 - 2000, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction. This Statement establishes that as the subject site is located entirely outside of the ANEF 20 contour, residential development upon the site would not be adversely affected by aircraft noise and would not require any specific acoustic mitigation against aircraft noise to satisfy the provisions of Australian Standard (AS) 2021 Acoustics—Aircraft noise

9.1 Development Application DA.2021.1441 - Construction of 6 attached dwellings on 6 Torrens Title lots - 17-27 Maidenhair Terrace, Tralee

Attachment 1 - DA.2021.1441 - Sec 4.15 Assessment Report - 17 - 27 Maidenhair Road Tralee (Continued)

intrusion—Building siting and construction (AS 2021) as referenced in Clause 7.3 of the QLEPSJ 2012.

4.15(1)(a)(ii) any draft environmental planning instruments DRAFT QUEANBEYAN-PALERANG LOCAL ENVIRONMENTAL PLAN (QPLEP) 2020

The draft QPLEP recently underwent a process of public consultation and as such requires consideration for the purposes of the proposed development. The draft plan has been considered as part of this assessment and has no effect on the proposed development.

4.15(1)(a)(iii) any development control plan

Jerrabomberra Development Control Plan.

SOUTH JERRABOMBERA DEVELOPMENT CONTROL PLAN (SJDCP) 2015	
South Jerrabomberra Development Control Plan Part 3 – The Master Plan	COMPLIES (Yes/No)
Master Plan, Staging Plan, and Neighbourhood Structure Plan The Master Plan outlines general objectives and controls for Neighbourhood Structure Plans. These Plans provide for the orderly and sequential development of South Jerrabomberra by establishing a Staging Plan and the broad structure of each area of land within the context of the Master Plan.	Yes
Development is to be generally in accordance with the Master Plan, Staging Plan, and relevant Neighbourhood Structure Plan.	
Master Plan The Master Plan identifies five key development areas of South Jerrabomberra, which include: Poplars, Environa, North Tralee, South Tralee and the area of land further south of South Tralee. The subject site to which this modification relates is South Tralee.	
 South Tralee will be characterised by urban streetscapes and environmentally responsible development. High quality pathways, direct connections, attractive and safe streets will encourage walking and cycling. Housing at South Tralee will comprise of a diverse range of higher density housing, affordable housing, traditional residential lots and a vibrant mixed use and neighbourhood centre precinct within a well-connected and walkable urban environment. 	
The proposal is generally consistent with the above aims and objectives of the master plan.	
Staging Plan The proposed development is within Stage 1 South Tralee of the South Jerrabomberra Urban Release Area.	
Neighbourhood Structure Plan The proposed subject application does not create any inconsistency with the Neighbourhood Structure Plan contained within Appendix 3 of the South	

Part 7 of the SJDCP establishes a number of development controls relevant to the proposed lots smaller than 330m²;(the proposed lots range in area from 147.2 m² to 226 m²). An assessment of the proposal against provisions of Part 7 follows:

	Section	Controls	Compliance /
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Conditio					
PART 7 – Small Lots less than 330m ² , Studio Dwellings, Dual Occupancies, Multi Dwellin Housing, Residential Flat Buildings and Shop Top Housing					
7.2 Streetscape	A mix of materials are to be used including masonry, timber and glass with facades treatments addressing both frontages on corner blocks.	Yes			
	Comment: Lightweight cladding, glazing and metal roofing is proposed.	Yes			
	Front fencing to be a maximum of 1.2m in height and predominantly open in design.	103			
	Comment: Front fencing is 1.2m and is open style design.				
7.3 Streetscape Laneways	Laneways shall be limited in length and constructed with decorative elements.	Yes			
	To reduce garage dominance in residential streets and facilitate the use of attached and narrow lot housing.				
	metres and as such does not dominate the streetscape.				
7.4 Building	Dwelling design to address street and avoid blank spans.	Yes			
Form and Design	Comment: Articulation has been provided facing onto Maidenhair Road. A mixture of materials is also provided ensuring visual interest onto the street.	Yes			
7.7 Visual and Acoustic Privacy and	Windows or upper-level habitable rooms and balconies are to be designed to avoid overlooking of private open space.	Yes			
view sharing	Comment: Windows on upper level are designed to not overlook private open spaces.				
Windows of upper dwelling within 9r • be offset		Yes			
	sill windows				
dwelling v	d obscure or frosted glazing in the window above ground level of a where the sill height is less than 1.6m				
	 balconies are to have fixed obscure or frosted glazing or provide other suitable solutions. 				
	applicable to end dwelling on the eastern side which has no ed on that side. Dwellings designed to avoid overlooking of S.				
7.8 Safety and Security	Development is to be designed to maximise personal and property security for residents and visitors by ensuring siting and design of built form and open space are planned to facilitate casual surveillance to decrease the opportunity for crime; Comment: the proposed dwellings overlook the street and rear lane to provide casual surveillance; bedrooms on the upper floor of the small lot dwellings overlook the rear lane. Also, the buildings do not include large recesses or setbacks from the main building line so as to avoid areas for concealment.	Yes			
7.9 Access and	· ·	N/A			
Mobility	To provide a diversity of apartment types, which cater for different household requirements now and in the future.				

	To encourage housing designs which meet the broadest range	
	of the occupants' needs as possible.	
	 To encourage adaptive re-use. 	
	Comment: Multiple dwelling houses, Residential Flat Buildings	
	and Adaptable Housing are not proposed as part of this DA.	
7.10 Pedestrian	Objectives:	Yes
Access and	To promote developments which are well-connected to the	
Building	street and contribute to the accessibility of the public domain.	
Entries	To ensure that all users of developments, including people	
	with strollers, wheelchairs and bicycles, are able to reach and	
	enter shop, office, apartment, other use areas, and communal	
- 44 - 5 · · ·	areas via minimum grade ramps, paths, access ways or lifts.	.,
7.11 Principal	Small Lot development is to:	Yes
Private Open	Provide sufficient open space for the reasonable recreation	
Space and	needs of residents	
Landscape Design	Allow northerly aspect into the principal private open space	
Design	of new residential buildings.	
	Provide for landscaping that is low maintenance in the long	
	term without long term reliance on watering systems.	
	Landscape design shall optimize useability, privacy, assistable access and respect for neighbour's emerging a well-	
	equitable access and respect for neighbour's amenity as well as providing areas for deep soil planting.	
	• Principal private open space shall provide a pleasant outlook.	
	Comment: A landscape plan has been prepared by EnviroLink	
	Design, a tier 1 Council accredited consultant and is included with this DA.	
7.12 Car	Objectives:	Yes
Parking and	To ensure adequate provision of secure and accessible onsite	103
Garages	parking for residents and visitors.	
- an ago	To integrate adequate car parking and servicing access	
	without compromising street character, landscape or	
	pedestrian amenity and safety.	
	Provide safe and functional parking areas.	
	To integrate the location and design of car parking with the	
	design of the site and the building.	
	Ensure the house facade is dominant, with the garage a	
	recessive element in the streetscape.	
	Comment: Refer to supported variation request for further	
	comment specific to Lot 206	
7.13 Site	Dwellings to have:	Partially
Facilities	adequate provision made for site facilities including: garbage	
	areas, mail boxes, service meters etc.;	
	 site facilities that are functional, accessible and easy to 	
	maintain;	
	 site facilities thoughtfully and sensitively integrated into 	
	development so as not to be obtrusive, noisy or unsightly	
	Comment: Refer to variation request for further comment	
- 44	specific to waste management; bin location not supported.	
7.14 Studio	Please refer to Chart below for Development Controls applicable	
Dwellings and	to Small Lot Development	
Small Lots	Dulliding that the start and the transfer of the start of the	Voo
7.14 Solar Access	Buildings shall be sited and designed to maximise sunlight to north fooing windows and private area groups.	Yes
ACCESS	north facing windows and private open space.	
	PPOS shall not have sunlight reduced to less than three hours hetween 0cm and 2cm on 22 June	
	between 9am and 3pm on 22 June.	
	Living areas are to generally have a northern orientation and he directly excessible to private open space areas.	
	be directly accessible to private open space areas.	
	Windows are to be protected from direct summer sun with appropriate sheding devices such as boods, eaves or lowers.	
	appropriate shading devices such as hoods, eaves or louvers.	
	Windows to habitable rooms shall open to the sky or a verandah.	
	Comment: The majority of the dwellings meet these	

Γ		
	requirements. Refer to supported variation request for further	
- 45 E	discussion.	
7.15 Energy	Objectives:	Yes
and Natural	Improve the energy efficiency and comfort of housing by	
Ventilation	designing to make the best use of natural ventilation.	
	Reduce energy consumption throughout the South Tralee area.	
	Promote greater energy efficiency and ecologically	
	sustainable development.	
	Comment: Openings are at the front and rear of the dwellings	
	where possible. Living areas are generally open plan to promote	
	air circulation. Dwellings are orientated north-south & designed	
	to maximise solar efficiency.	
7.16 Waste	Objectives:	Partially
Management	To plan for the types, amount and disposal of waste to be	· · · · · · · · · · · · · · · · · · ·
g	generated during demolition, excavation and construction.	
	To encourage waste minimisation, including source	
	separation, reuse and recycling.	
	•	
	To ensure efficient storage and collection of waste and quality To ensure efficient storage and collection of waste and quality	
	design of facilities	
	Comment: Waste enclosures have been provided. Refer to	
	non-supported variation required to allow bins in proposed	
7.47	location for further comment.	
7.17 Water	Objective is to optimise the conservation of potable water.	Yes
Conservation	Comment: A multiple dwelling BASIX certificate detailing	
	performance standards and water management measures is	
	included with this DA.	
7.18	Managed through subdivision	N/A
Stormwater		
Management		
7.19 Soils and	Soil conservation and salinity is as per the existing approved DA	Yes
Salinity	(DA 395-2017/A) for South Jerrabomberra subdivision.	
7.20 Cut and	Excavation and fill on building sites shall be limited to a max of	Yes
Fill	1.5m.	
	The maximum height of retaining walls is to be 1.0m.	
	Comment : other controls are not applicable to the development	
7.21 Water	Managed through the subdivision process	N/A
Sensitive Urban		
Design and		
Flooding		
7.22 Bushfire	Proposed dwellings are not in a designated Bushfire Prone area	N/A
Management		
7.23 Aboriginal	Assessment undertaken	N/A
Heritage		
7.24 European		N/A
Archaeological		
Heritage		
7.25 Tree		N/A
Retention and		// .
Biodiversity		
7.26 Land		N/A
Contamination		I V / /_\
Management		
7.27 Odour		N/A
7.28 Noise		N/A
		N/A N/A
7 20		N/A
7.29	l l	
Construction		
Construction Waste		N1/A
Construction Waste 7.30 Landfill /		N/A
Construction Waste 7.30 Landfill / Earthworks		
Construction Waste 7.30 Landfill / Earthworks 7.31		Applicant has
Construction Waste 7.30 Landfill / Earthworks 7.31 Development		
Construction Waste 7.30 Landfill / Earthworks 7.31		Applicant has

Controls

7.14 SMALL LOT HOUSING DEVELOPMENT CONTROLS				
Lot Size	130<170m2 (Lots 202 – 205)	170 < 250m2 (Lots 201 & 206)	Complies	Conditioned
Lot width (min)	required – 4.5m provided – 6.0m	required - 6.0m provided - 10.4m & 7.5m	✓	Yes
Site coverage	maximum – 70% inc all ancillary buildings provided – Lot 202 = 69.8% Lots 203 – 205 = 69.95%	maximum – 70% inc all ancillary buildings provided – Lot 201 = 52.65% Lot 206 = 58%	✓	Yes
Front setback (excluding garages & carports)	required – 3.0m provided – 3.6m	required - 3.0m provided - 3.6m	✓	Yes
Side setback	required – 0.9m for two storey; (0m for zero lot line) provided – 0m	required – 0.9m for two storey; (0m for zero lot line) provided – 1.5m for Lot 201; 0m for Lot 206	✓	Yes
Zero lot line setback (max length of zero lot line wall) Note: Detached garages are not included in calculations.	required – zero lot line to both side boundaries is accepted for internal lots but must only extend 60% of the lot length for the ground floor. Extension of the zero lot line for the 2nd storey will be assessed on merit. provided – 58% Not permitted	required – 70% of the depth of the lot for single storey. 50% of the depth of the lot for 2 storeys. For lots that have a width measured at building line of at least 6m but less than 8m, the building may be built to both side boundaries. provided – 61% for Lot 201; 75% for Lot 206 wall length = 18.52m lot length = 24.55m 5% variation required Not applicable	partially 5% variation required for Lot 206 due to laneway configuration at rear	Yes
front boundary Corner Lot –	Not applicable	required – 1.5m	N/A	N/A
Secondary street setback (excluding garages and carports) Articulation of front	roquired estimation	provided – 1.5m; applicable to Lot 201 only	✓	Yes
façade	required – articulation element of 1.5m encouraged; assessed on merit provided – 1.5m	required – measured from the min setback of the lot, 1.5m encroachment for 45-50% of the dwelling width on the side where the articulation zone is proposed provided – 1.5m for Lot 201; 0m for Lot 206 because of garage in front to allow for intersection with laneway at the rear. Lot 206 is 7.5m wide which	Partially; requires variation	Yes

		anables the garage to be		
		enables the garage to be accommodated without		
		imposing >45% of the		
		frontage & set well		
		behind the front building		
		line		
Rear setback (min)	Not applicable	Not applicable		
where there is no rear			N/A	No
laneway			. 4,7 (
Rear setback (min) to	required – 0m	required – 0m		
private or public	provided – 0m	provided – Lot 201 - 0m	N/A	N/A
laneway for a garage		Lot 206 – building is		
or carport		setback 4.05m to		
Landscaped area min	Not applicable	accommodate PPOS required – 10% of lot		
(Permeable area,	Not applicable	area; 50% of the		
grasses, trees etc)	landscape plan provided	landscaped area must	✓	
g. 40000, 1. 000 010)	landscape plan provided	be located behind the		
		building line of the		
		primary road.		
		provided - complies;		
		refer to Landscape Plan		
Principal Private Open	required – 16m2	required – 24m2		
Space (PPOS)	PPOS is to be directly	PPOS is to be directly		
Minimum area	accessible from living	accessible from living	✓	
	areas, with a minimum	areas, with a minimum		
	width of 3m	width of 3m and located		
	provided – 17m2 at front and 18.6m2 at rear	behind the building line to the main street		
	nont and 10.0012 at leaf	frontage.		
		Where lots have a width		
		of at least 6m but less		
		than 10m, the PPOS can		
		be reduced to 16m2.		
		provided –		
		Lot 201 – 23m2		
		Lot 206 – 26.6m2 at rear		
Solar access to	required – private open	required – private open		
principal private open	space to be north facing	space to be north facing	partially;	Yes
space (as measured	where practical.	where practical.	requires	
between 9am and 3pm on 21 June)	Minimum 3hrs to 50% of principal open space.	Minimum 3hrs to 50% of principal open space.	variation	
on 21 June)	3hrs to adjoining living	3hrs to adjoining living		
	room windows and	room windows and		
	PPOS on neighbour's	PPOS on neighbour's		
	land.	land.		
	provided –	provided – Lot 201 –		
	Lots 202 – 205 have	not practical due to		
	north facing POS at the	orientation of the lot and		
	front adjacent to the	compliance with other		
	living rooms. Privacy	development standards		
	can be managed via	Lot 206 - POS area is		
	landscape screening and an alternative	facing north and will have more than 3 hrs of		
	alfresco area is provided	sunlight to most of the		
	at the rear which also	area.		
	has direct access from			
	living areas.			
Car parking spaces -	required – 2 per	required – 2 per		
minimum number	dwelling behind the	dwelling behind the	partially;	Yes
	building line	building line	requires	
	provided – all have	provided - Lot 201 has	variation	
	double garage (meets	double garage (meets		
	AU std min width of	AU std min width of		
	4.8m)	4.8m);		
		Lot 206 has stacked		
		parking with 2 cars		

		behind the building line		
Garage to house frontage (front façade only)	Not applicable	Not applicable	N/A	No
Earthworks	maximum – 1.5m max cut and fill provided – minimum cut and fill; no retaining walls proposed	maximum – 1.5m max cut and fill provided – minimum cut and fill; no retaining walls proposed	*	Yes
Fences and retaining walls	required – Forward of the building line – no more than 1.2m above existing ground level & be open style for at least 50% of the upper 2/3 of the area of the fence. Behind the building line – Be no more than 1.8m above existing ground level. provided – front fencing proposed to be open style, 1m railing type fence	required – Forward of the building line – no more than 1.2m above existing ground level & be open style for at least 50% of the upper 2/3 of the area of the fence. Behind the building line – Be no more than 1.8m above existing ground level. provided – front fencing proposed to be open style, 1m railing type fence	*	Yes
Clothes drying	required – open air clothes drying area screened from public street. provided – no detail provided.	required – open air clothes drying area screened from public street. provided – no detail provided.	No	Yes
Garbage area	required - located behind accommodate a minimum provided – bin enclosures are within the front buildin	of 3 waste bins s accommodate 3 bins but	requires variation; not supported	Yes; alternative conditioned

4.15(1)(a)(iiia) any planning agreement or draft planning agreement

The subject development site is captured by the South Tralee Essential Infrastructure Planning Agreement. The relevant contributions for Lots 201 – 206 were levied at the time of subdivision creating the lots; as such, no further contributions apply to the subject application.

4.15(1)(a)(iv) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration Australian Standard *AS2601–1991: The Demolition of Structures*, in the determination of a development application.

Having regard to the prescribed matters, the proposed development does not involve the demolition of a building for the purposes of AS 2601 – 1991: The Demolition of Structures.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

4.15(1)(a)(v) any coastal zone management plan

Council is not subject to a coastal zone management plan.

4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The subject application involves the construction of a 6 two storey attached dwellings on 6 recently approved and registered lots within an urban release area. The subject site is relatively unconstrained and the proposed development is considered to be in keeping with the desired future character for the locality as established through the relevant controls of the *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* and the *South Jerrabomberra Development Control Plan 2015*. As such, the proposed development is considered unlikely to result in any significant environmental, social or economic impacts within the locality.

4.15(1)(c) the suitability of the site for the development

The subject site is relatively unconstrained and is considered to be suitable in its current state for the purposes of the proposed development.

4.15(1)(d) any submissions made in accordance with this Act or the regulations

The subject application involving the construction of six dwellings with zero lot line walls would require public notification under Council's Community Engagement and Participation Plan. However, at its meeting of 11 November 2020, in recognition of each of the adjoining lots being concurrently developed by VBC and in recognition of the superlots' location within the centre of the South Jerrabomberra Urban Release Area, Council resolved to waive the requirement for the public notification of applications for the purposes of seed housing upon super Lots AI and AO in the South Jerrabomberra Urban Release Area subject to:

Developments being, in the opinion of staff, in keeping with the desired future scale and character of the Southern Jerrabomberra Urban Release area as established throughout the *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* and the *South Jerrabomberra Development Control Plan 2015*.

The subject application by way of satisfying the relevant provisions of the *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* and the *South Jerrabomberra Development Control Plan 2015* is considered to be in keeping with the desired future scale and character of the South Jerrabomberra Urban Release Area. As such, the subject application was not publicly notified.

4.15(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 64 CONTRIBUTIONS

Section 64 of the Local Government Act 1993 allows contributions to be levied towards the provision of water, sewerage and stormwater infrastructure.

Section 64 Contributions are not applicable to the proposed development.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the *Environmental Planning & Assessment Act 1979* permits councils to require as a condition of development consent, the reasonable dedication of land or the payment of monies, or both, for development that is likely to require the provision of, or increase the demand for public amenities and public services within the area.

Section 7.11 Contributions are not applicable to the proposed development.

A Voluntary Planning Agreement is in effect over the land. Applicable fees were assessed at the time of subdivision.

9.1 Development Application DA.2021.1441 - Construction of 6 attached dwellings on 6 Torrens Title lots - 17-27 Maidenhair Terrace, Tralee

Attachment 1 - DA.2021.1441 - Sec 4.15 Assessment Report - 17 - 27 Maidenhair Road Tralee (Continued)

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.1 DEVELOPMENT APPLICATION DA.2021.1441 -

CONSTRUCTION OF 6 ATTACHED DWELLINGS ON 6 TORRENS TITLE LOTS - 17-27 MAIDENHAIR TERRACE,

TRALEE

ATTACHMENT 2 DA.2021.1441 - ARCHITECTURAL PLANS - MAIDENHAIR ROAD TRALEE



DRAWING LIST

DA00	TITLE
DA01	SITEPLANS
DA02	GROUND FLOOR
DA03	FIRST FLOOR
DA04	ROOF PLAN
DA05	ELEVATIONS1
DA06	ELEVATIONS2
DA07	ELEVATIONS3
DA08	SECTIONS 1
DA09	SECTIONS 2
DA10	SECTIONS 3
DA11	SHADOW DIAGRAMS



20-15

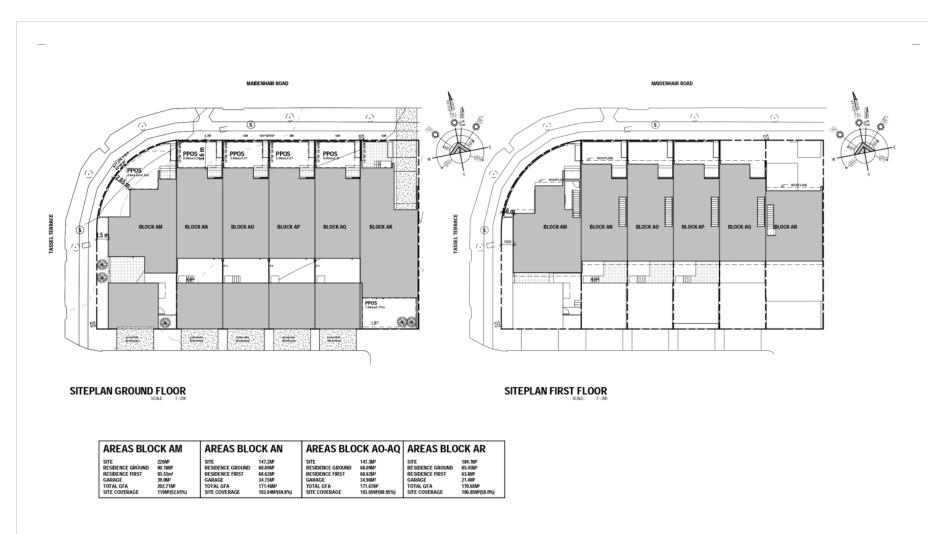
TERRACE HOUSING
PBS
Block AM-AR Section AJ
JERRABOMBERAH

AMENDNENTS
Remod by Live Decigine Code

DRJ Auth DAT 09/2 SCALE REVISION TITLE

DA00







PROJECTION

TERRACE HOUSING PS
PS
Block AM-AR Section AJ
JERRABOMBERAH

DESCRIPTION

TERRACE HOUSING PS
Block AM-AR Section AJ
JERRABOMBERAH

DESCRIPTION

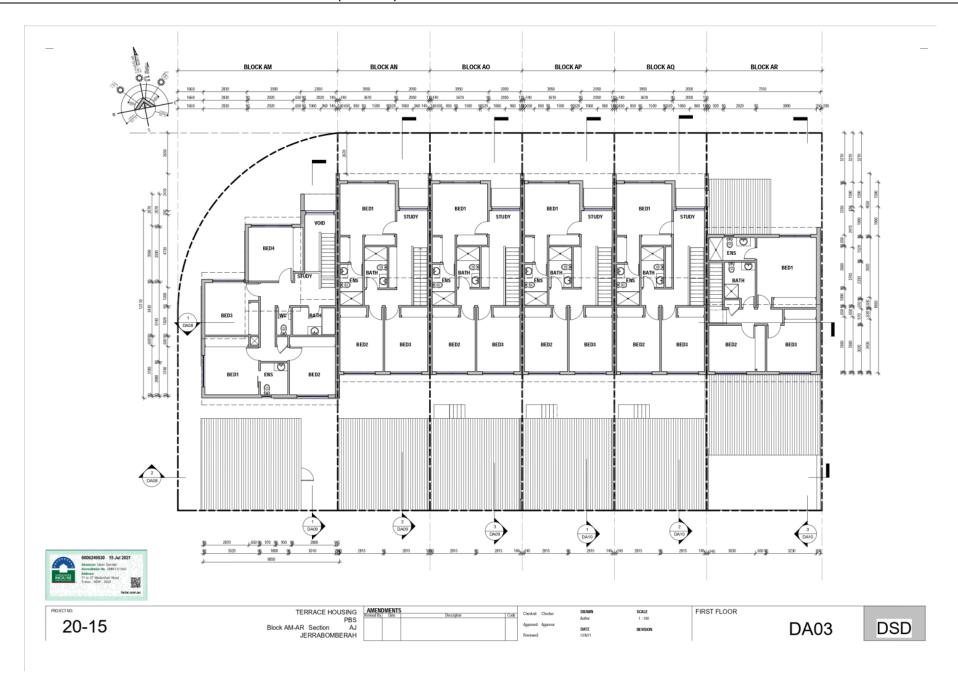
TERRACE HOUSING
PS
Block AM-AR Section AJ
JERRABOMBERAH

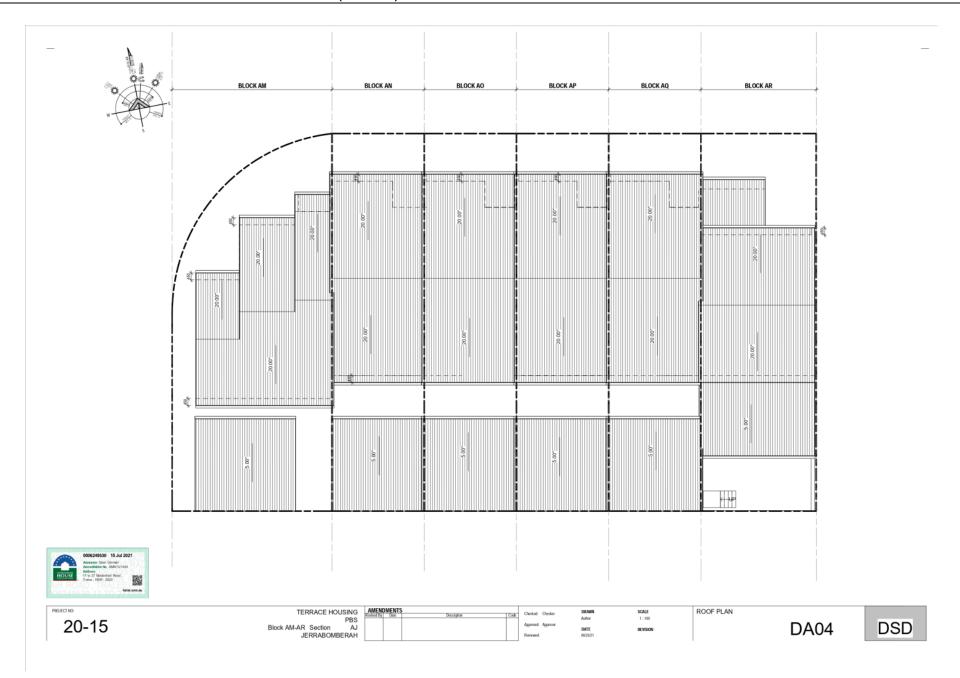
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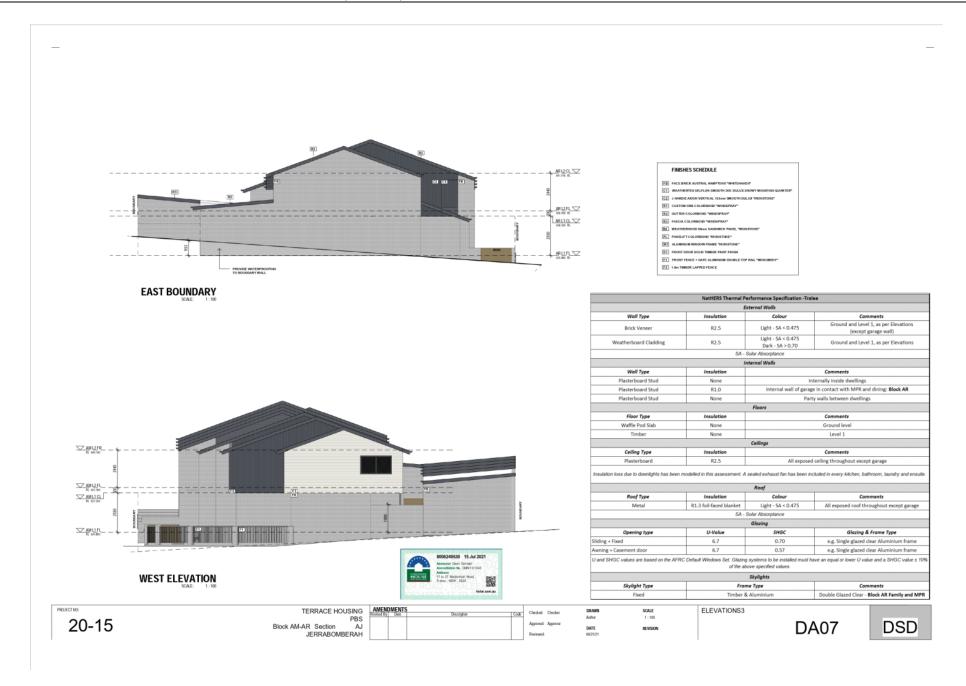




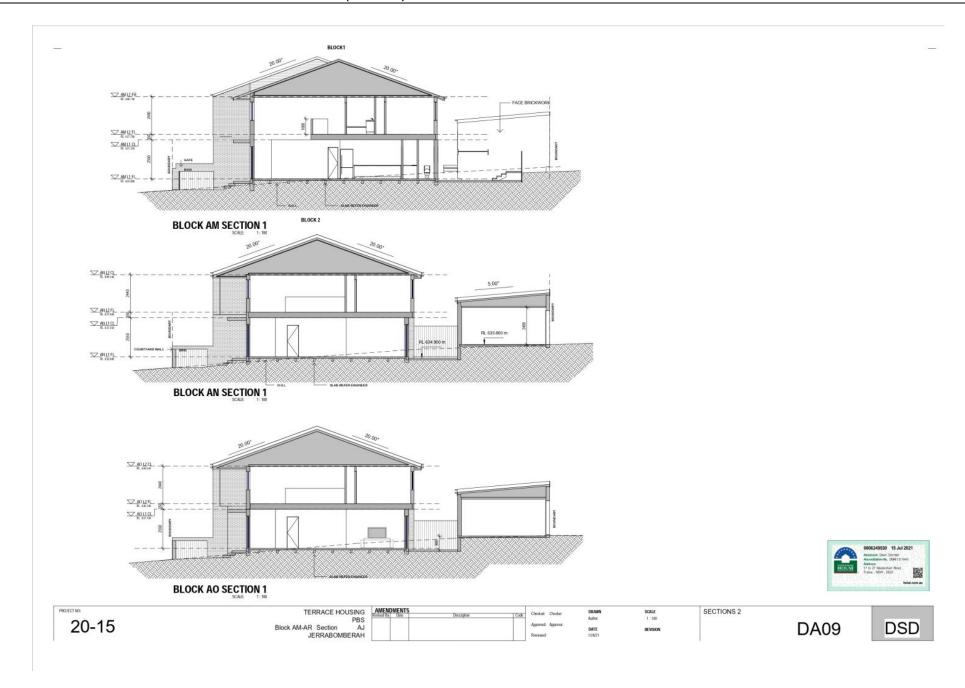


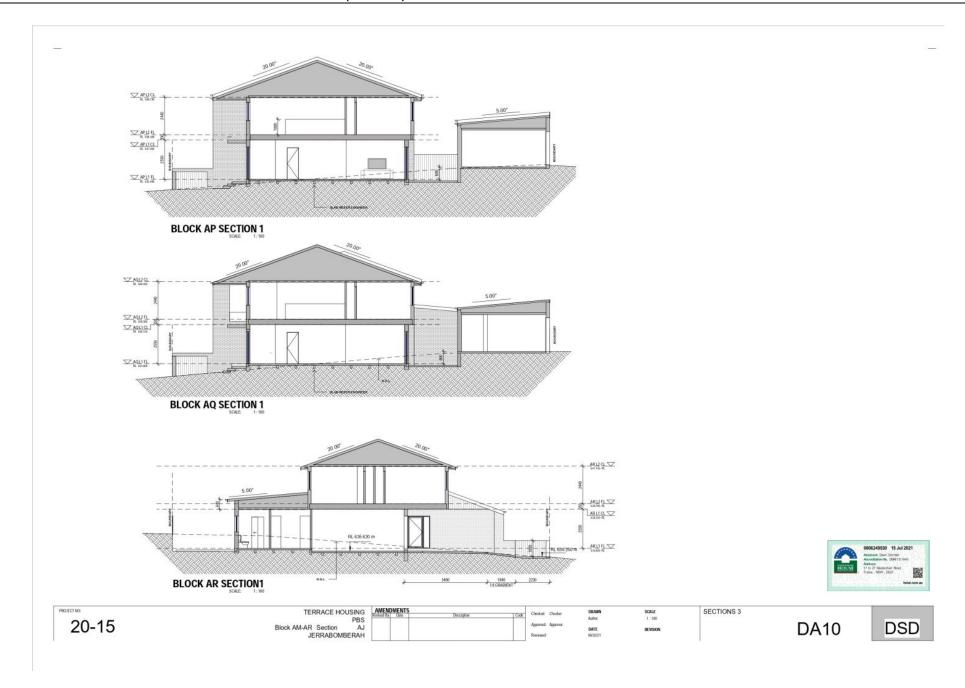


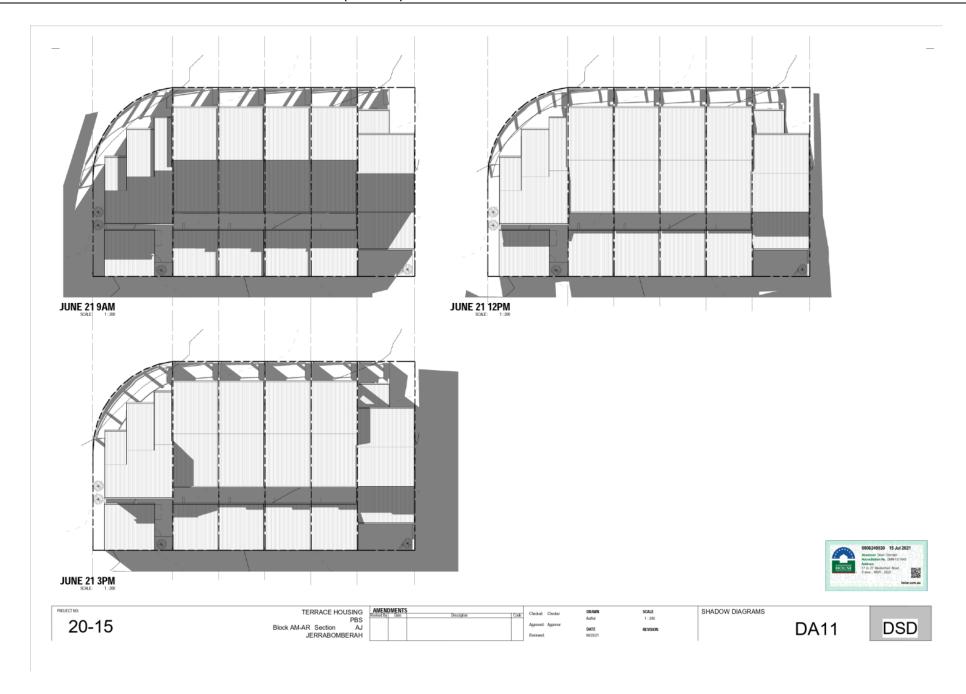












QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.1 DEVELOPMENT APPLICATION DA.2021.1441 -

CONSTRUCTION OF 6 ATTACHED DWELLINGS ON 6 TORRENS TITLE LOTS - 17-27 MAIDENHAIR TERRACE,

TRALEE

ATTACHMENT 3 DA.2021.1441 - DRAFT CONDITIONS OF CONSENT - 17-27 MAIDENHAIR RD TRALEE

CONDITIONS OF CONSENT DA.2021.1441

Approved Development and Plans

1. Plans and documents

The development referred to in the application is to be carried out in accordance with the approved plans and documents including the following:

Title / Description	Prepared by	Issue/Revision & Date
Stamped Architectural Plans DWG Nos DA00 – DA11	DSD	Project No 20-15 21/06/2021 (rec'd by Council 27/07/2021)
Landscape Works Package DWG Nos 2069-000 - 902	enviro links design	7/07/2021 (rec'd by Council 27/07/2021)

except as modified by any of the following conditions of consent.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

Special Conditions

2. Construction a concrete pad of suitable dimensions within the verge adjacent to Tassel Terrace and Lot 201, capable of accommodating the bins from the six attached dwellings for pickup. Owners of the dwellings are required to wheel their bins onto the concrete for pickup and return them to their garage or rear alfresco area (PPOS in the case of Lot 206) for storage.

Reason: To remove a potential source of odour and ensure the maximum use and enjoyment the street frontage by residents of the area and the owners' Principal Private Open Space/courtyard.

3. The garage door of Lot 206 accessed directly off Maidenhair Road be constructed of timber or treated with timber cladding.

Reason: To ensure the garage door is a positive design element in addressing the street frontage.

General Conditions

4. Obtain Construction Certificate

Obtain a construction certificate from Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier before undertaking any work. Forward a copy of any construction certificate issued by a private certifier to Queanbeyan-Palerang Regional Council at least 2 days before undertaking any work in accordance with that construction certificate.

Reason: Work is undertaken in accordance this consent & relevant construction standards.

5. Comply with the Building Code of Australia

All work is to comply with the current edition of the Building Code of Australia.

Reason: All building work is carried out in accordance with relevant construction standards.

6. Retaining Walls

All excavations, backfilling and other activities associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. Excavations or fill extending to within 1 metre of boundary must be supported by retaining wall/s.

Retaining wall/s that exceed 1 metre in height are required to be certified by a structural engineer. Reason: To ensure that excavated areas are adequately retained.

<u>Note:</u> If a retaining wall will exceed 1.5 metres in height or will be located within an easement a separate development consent must be obtained prior to construction.

7. Unauthorised Use of Public Land

No building materials are to be stored or construction activities undertaken on public or adjoining land without prior written approval from Council.

Reason: To prevent unnecessary disturbance to public land.

8. Work on Adjoining Land Is Limited

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:

- a) Installation of a temporary, stabilised construction access across the verge.
- b) Installation of services.
- c) Construction of an approved permanent verge crossing.

Reason: To minimise interference with the verge and its accessibility by pedestrians.

9. Work in Accordance with Engineering Specifications

All construction and restoration work of public infrastructure must be carried out strictly in accordance with the approved drawings and Council's *Design and Construction Specifications*.

Reason: To ensure construction and restoration work is in accordance with Council's requirements.

Conditions to be Satisfied Prior to Commencement of Works

10. Appoint PCA (Building)

Appoint a principal certifying authority before any work is undertaken. Provide details of the appointed principal certifying authority (if not Queanbeyan-Palerang Regional Council) to Queanbeyan-Palerang Regional Council at least 2 days prior to any work being undertaken.

Reason: To provide for supervision of the building works.

11. Site Identification

The subject site shall be identified by a sign sited in a visually prominent position containing the following information;

- the development application number,
- name, address and telephone number of the principal certifying authority,
- name of the principal contractor (if any) and 24 hour contact telephone number, and
- a statement that "unauthorised entry to the work site is prohibited".

Reason: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000.

12. Home Building Act Requirements

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 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.
 - (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.
 - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Reason: This is a prescribed condition under the provisions of clause 98B of the Environmental Planning and Assessment Regulation 2000.

13. Sediment and Erosion Controls

Install and maintain sediment and erosion controls, prior to and during construction activities, in accordance with the approved Erosion and Sediment Control Plan, to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles on roads, and
- (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

Conditions to be Satisfied During Building Works

14. Hours of Operation for Works

All works associated with the construction and/or demolition of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

 Weekdays:
 7.00am to 6.00pm

 Saturdays:
 8.00am to 4.00pm

Sundays and Public Holidays: NIL

Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

15. Approval Documents

Keep a copy of all stamped approved plans, specifications, and documents on site while work is being undertaken.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

16. Construction Facilities

Toilet facilities are to be provided at or in the close vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

Reason: To provide adequate facilities to the work site.

17. Unexpected Finds

The development is to proceed with caution. If any Aboriginal objects are found, works should stop and DECCW notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and NSW Office of Environment and Heritage are to be notified.

Reason: To ensure objects discovered during construction are protected and notified in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.

18. Construction Waste Management

All waste materials generated on-site during construction are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

Reason: To ensure adequate waste management practices are in place during the construction phase.

19. Protection of Adjoining Structures

If any excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on adjoining land, the person causing the excavation to be made:

- (a) must preserve and protect the building from damage, and
- (b) if necessary, must underpin and support the building in an appropriate manner, and
- (c) must, at least seven days before excavating, give notice of intention to do so to the owner of the adjoining and furnish particulars of the excavation to the owner of the building being erected or demolished, and
- (d) satisfy the requirements of SafeWork.

The owner of the adjoining land is not to be liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Reason: Excavations relating to building work do not pose a hazard to adjoining properties.

20. Temporary Vehicle Access

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

Reason: To minimise transfer of soil from the site onto the road pavement.

21. Submit Survey Plan Showing Boundary Setbacks

The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority.

Reason: To ensure building has been sited in accordance with the approved plans.

22. Excavation and Backfilling

All excavations and backfilling associated with the erection or demolition of a building must be executed in accordance with the requirements of SafeWork.

Reason: To ensure excavation does not impact on adjoining property and compliance with SafeWork requirements.

Conditions to be Satisfied for Vehicular Access

23. Driveway Requirements

The development must include the construction of a residential type driveway over Council's footway at the location shown on the approved plans. The driveway must be:

- a) Constructed by a Council approved contractor, at no cost to the Council.
- b) Constructed using plain concrete.

- c) Constructed with a 2% grade falling to the gutter.
- d) At minimum distance of one metre away from any electrical, Telstra, post box installation, other service or tree within the footway area.
- e) Constructed to the width of the existing Vehicle Kerb Crossing.
- f) On a modified layback kerb the driveway shall be a minimum of 3.0m for a single car garage or up to 6m for a double garage.
- g) In accordance with Councils Development Design Specification D13.

Reason: To ensure the construction of the driveway on public lands meets Council's requirements.

24. Driveway Application Form

A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveway across Council's footway area must be undertaken by a Council approved contractor, at no cost to the Council.

Reason: To ensure the construction of the driveway on public land meets Council's requirements.

25. Driveway Location from Water Meter

The driveway within the property must maintain a clearance not less than half a metre from the water service or the water service must be relocated by Council at no cost to Council.

Reason: To ensure such service is not damaged by vehicle movements.

Conditions to be Satisfied for Landscaping

26. Landscaping Requirements

Landscaping must be extended to include the levelling, top soiling and turfing or grass seeded hydro mulching of the footway between the property boundary and the street kerb and gutter.

Landscaping between the dwelling house and the street boundary is to be completed in accordance with the approved landscape plan.

Reason: To ensure that areas to the street frontage provide an attractive urban landscape.

Conditions to be Satisfied Prior to Issue of Occupation Certificate

27. Street Numbering

The property must be clearly identified by a street number. The property addresses are 17 - 27 Maidenhair Road, Tralee.

Reason: To ensure that buildings are clearly identified.

28. Obtain Occupation Certificate

Do not occupy or use the premises until an occupation certificate has been issued by Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier. Provide a copy of any occupation certificate, issued by a private certifier, to Queanbeyan-Palerang Regional Council no later than 2 days after the occupation certificate is issued.

Reason: Ensure that the building complies with relevant standards.

29. Occupation Certificate

The occupation certificate must not be issued until all conditions of consent have been satisfactorily complied with and all mandatory stage/required plumbing inspections undertaken. Plumbing and drainage must be inspected by Queanbeyan-Palerang Regional Council at the relevant stages of construction in accordance with the attached inspection schedule and a final plumbing certificate obtained prior to issue of any occupation certificate.

Reason: Development is safe & appropriate for occupation and is completed in accordance with the consent

30. Occupation Certificate

Prior to the issue of the occupation certificate the land is to be registered with NSW Land Registry.

Reason: to ensure each dwelling is on a separate title.

31. BASIX Commitments

Comply with all commitments listed on BASIX Certificate No. 1220618M, or any subsequent modifications, before occupying the premises.

Reason: To ensure compliance with the requirements of the NSW BASIX certification process.

32. Repair damaged public property

All damage caused to public property during the establishment of the development must be repaired or reinstated prior to the issue of any Occupation Certificate.

Reason: To ensure that all public property in the vicinity of the development is maintained in its predevelopment condition.

33. Submit Work-As-Executed Drainage Plan

Work-as-executed plans of all sanitary drainage must be submitted to Council prior to the issue of any Occupation Certificate.

Reason: To ensure that accurate records of sanitary drainage installations are available for future use by interested persons.

34. Installation of Water Meters

Prior to the issue of any Occupation Certificate the 20mm potable water meter issued to the property shall be installed at no cost to the Council and the completed installation inspected and approved by Council as the Water and Sewer Authority.

The meter must be located in an easily accessible position at or near the property boundary, or other accessible position approved by Council.

Reason: To ensure that an appropriate metered water supply is available for the development and to ensure that meters can be easily read and maintained by Council.

35. Fibre-Ready Facilities

Prior to the issue of any Occupation Certificate satisfactory arrangements are to be made for the provision of fibre-ready facilities to enable fibre to be readily connected to the premises.

Reason: To satisfy relevant utility authority requirements.

Note: Under the Telecommunications Act 1997 fibre-ready facilities for an individual premise includes ducting from the street pit to the proposed location at the premises of the network termination device.

36. Stormwater Disposal Requirements

All stormwater from buildings, hardstand areas and the driveway on the site must be disposed of by a connection to the existing stormwater system.

Reason: To provide a satisfactory standard of stormwater disposal.

Other Approvals

(Section 4.12(5) Environmental Planning & Assessment Act 1979 as amended):

Section 68 Local Government Act 1993

Carry out water supply, sewerage & stormwater drainage work.

Conditions to be Satisfied for Plumbing and Drainage

37. Plumbing and Drainage Installation Regulations

Plumbing and drainage work must be carried out in accordance with the requirements of the Local Government (General) Regulation 2005, the Plumbing and Drainage Act 2011 and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

Reason: This is a mandatory condition under the provisions of the Local Government (General) Regulation 2005.

38. Inspection of Plumbing and Drainage

Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

Reason: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2012 and Council's inspection schedule.

39. Floor Level to Be 150mm Above Yard Gully

The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

Reason: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system.

40. Heated Water Not To Exceed 50 Degrees C

All new heated water installations must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

Reason: To prevent accidental scalding.

41. Insulate Heated and Cold Water Service Pipes

Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:

- a) unheated roof spaces
- b) locations near windows, ventilators and external doors where cold draughts are likely to occur
- c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.

Reason: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

> TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 1 DA.2021.1240 - SECTION 4.15 ASSESSMENT REPORT - 119

WALLACE STREET, BRAIDWOOD



DA.2021.1240 - SECTION 4.15 ASSESSMENT REPORT

EXECUTIVE SUMMARY

The proposal seeks development consent for the subdivision of land to create two Torrens title allotments and the demolition of two existing sheds, including the garages on the south east boundary, located on the subject site. The subdivision creates two allotments that are $1831m^2$ and $1152m^2$ in area. The $1831m^2$ lot contains the Albion Hotel building, which is situated on the corner of Wallace and Duncan Street, and a two-storey brick building comprising of shops, offices, and dwellings. The proposed $1152m^2$ allotment has a frontage towards Duncan Street. This lot is intended for future commercial development. The subject application does not include any proposed building works on the site, except for the demolition of existing structures.

The existing hotel, shop and stables upon the subject site are listed on the NSW State Heritage Register as Heritage item 00304. Further, the subject site is located within the state listed Braidwood and its setting heritage conservation area.

The proposal was notified for a period of 14 days from the 07/06/2021 to 23/06/2021 in accordance with the Queanbeyan-Palerang Regional Council Community Engagement and Participation Plan. Four (4) submissions were received during the notification period. The submissions raised concerns with the potential impacts on built heritage from the demolition of structures, issues with stormwater and concerns around the future use of the site.

Principal issues related to the development include the retention and preservation of structures associated with heritage listed sites, and the objection of the proposal by Council's Heritage Advisor and Heritage Assessment Committee.

Despite objections from Council's Heritage Advisor, the Heritage Assessment Committee, and adjoining owner objections through notification. Heritage NSW has subsequently issued Section 60 Approval for both the proposed subdivision layout, and the demolition of existing structures that traverse both proposed lots. Pursuant to Section 4.48 of the *Environmental Planning and Assessment Act 1979*, Council is unable to refuse a Development Application for integrated development in relation to heritage matters for a State Heritage item where Heritage NSW has issued an approval.

The application is recommended for approval subject to the imposition of the recommended conditions of consent.

BACKGROUND

A summary of all relevant structures located on the site and their history is provided below:

Hotel

The existing hotel structure upon the subject site currently operates as a café, though Council records indicate that the structure has previously been utilised as a dwelling from the 1930s to 1980s and prior to that a hotel in varying forms has existed upon the site since the 1840s.

Shops

The two storey terrace shops located to the south of the site were constructed in the 1920s and contain three commercial tenancies.

Stables

The existing stable structure upon proposed Lot 11 previously operated as the offices for the Braidwood Times newspaper, however during a site inspection it was noted that the tenancy was now operating as a food and drink premise without consent.

Other

Historical records indicate that the existing level area upon proposed Lot 12 form the previous foundations of a historical indoor skating rink that was subsequently adapted into a garage structure for patrons of the hotel. This structure was subsequently demolished.

Heritage Listing

The subject site contains the following State heritage listing:

Excerpt of Heritage Listing from Heritage NSW:

Hotel (c. 1872, on at least the foundations of a c. 1855-58 former hotel)

The Historical Archaeological Assessment (HAA) prepared by GML provides details and a historical sketch of a c.1855-58 single-storey hotel, the "Cottage of Content" located on the footprint of the existing two-storey hotel. Judging by the location, form and placement of doors and fenestration along the facade of the c.1855-58 hotel, it is likely that the existing c.1872 hotel was built above, or at least on the foundations of the earlier hotel. Therefore, part of the Albion Hotel would date to c.1855-58 (Heritage Council report, 7.8.2019).

Two-storey rendered brickwork hotel with two-storey timber veranda facing Wallace Street, Braidwood's main street, and Duncan Street, a side street. The corner splay parapet is decorated in stucco with urns, volutes and 'ALBION HOTEL'. The external masonry is otherwise undecorated. The two-storied veranda appears to be a partial reconstruction. The columns and beams are stop chamfered in a traditional Victorian manner. The balustrading is also timber in an 'X' pattern. The chimney and many openings appear to be original. The interior contains original mantelpieces and timber architraves (SOHI, 2015, 1).

The ground floor has an operating cafe and lawyer's office. The first floor has three residential flats. A fourth residential flat is on the ground floor behind the street front. The hotel roof is corrugated metal (ibid, 2015, 1).

Shops (c. 1920s)

Three brick shops of two storeys face Wallace Street to the main hotel's south. These are in Federation style are linked to the hotel by a first-floor timber walkway. These shops are typical of c1920 construction. The shopfronts are original to this period. They have single-storey verandas of timber framing on concrete bases and fibre cement valences. Inside, the shops retain some pressed metal ceilings, cornices and rendered brick wall surfaces. The first floor above the shops has two residential flats (ibid, 2015, 1).

Terrace (c.1920s)

The terrace is a typical c.1920 Federation style and is linked to the hotel by a first-floor timber walkway (ibid, 2019).

Outbuildings:

There are existing outbuildings on site. Later outbuildings are present which date after 1929 (the exact date of each outbuilding is unknown). It is not clear whether any relate to the early 1846-1872 development phase of the site (ibid, 2019).

Stables (c.1855-58)

A sandstock brick stables with gabled hay loft faces the side Duncan Street boundary. It was constructed on a rubble granite base. The softer bricks have deteriorated somewhat. The windows and doors appear to be original. Windows have flat arch brickwork with bricks rubbed to fit. The roof is corrugated steel (ibid, 2015).

The stables with gabled hay loft and tin metal roof is located to the east of the main hotel. The HAA provides early town plans of the area showing that an identical size structure was located on the footprint of the extant shed by 1859. Therefore, it is highly likely that the stables were built close to or at the same time as the c.1855-58 'Cottage of Content' (ibid, 2019).

Shed:

A corrugated steel shed clad in characteristic short lengths was constructed in the rear of the hotel, possibly around the turn of the twentieth century. The door has a sculpted sandstone threshold, evidently reused from another project.

Recent DA history:

DA.2018.060 – Three lot subdivision – Refused (Heritage NSW refused to issue General Terms of Approval).

DA.2015.138 – Alterations (renovations) to existing commercial premises – Approved.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 1 DP 598830 and is commonly known as 119 Wallace Street, Braidwood. The site is located on the eastern side of Wallace Street and the southern side of Duncan Street and has an area of 2983m². The site is relatively flat. And contains minimal existing vegetation, except for two large trees on the southern side of the allotment.

Existing development on the site comprises of several structures, including the Albion Hotel building, which sits on the corner of Duncan and Wallace Street. There is a brick building facing Wallace Street that contains, shops, offices, and dwellings. There is also a single storey stone barn and an open shed structure. Vehicular access is provided to the site via an existing driveway from Duncan Street. Existing development within the locality consists of a mixture of uses. Predominantly being office, business, retail, and low-density residential premises.



Figure 1: Subject Site and Locality

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the subdivision of land to create two Torrens title allotments and the demolition of two existing sheds located on the subject site.

- Subdivision of an existing 2983m² Torrens title allotment into two Torrens title allotments:
 - One allotment 1831m² in area (fronting Wallace and Duncan Street) and comprising of the existing Albion Hotel building, and shops/offices,
 - A new allotment 1152m² in area (fronting Duncan Street) which will not contain any existing structures,
- The demolition of two existing sheds (T-Shaped sheds in the centre of the site and garage at the rear of the allotment proposed Lot 2).

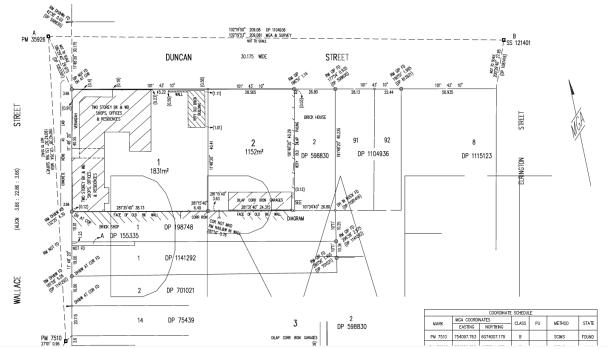


Figure 2: Proposed Subdivision Layout

The proposal retains the stables structure on the north eastern corner of what will become Lot 1. As depicted in the subdivision layout plan in Figure 2.

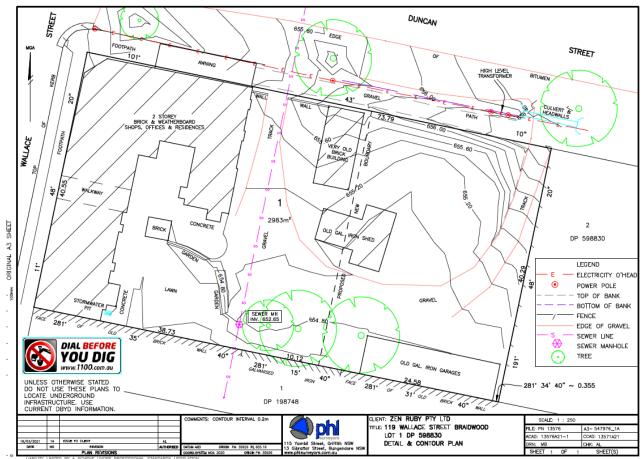


Figure 3: Existing Site Survey

CONSENT AUTHORITY

In accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) the proposal is considered local development and Council is the Consent Authority.

SECTION 4.10 DESIGNATED DEVELOPMENT - EP&A Act, 1979

The proposal is not designated development.

SECTION 4.47 INTEGRATED DEVELOPMENT – EP&A Act, 1979

The proposal was considered integrated development pursuant the *Heritage Act 1977*. The application was referred to Heritage NSW through the NSW Planning Portal. And was subsequently rejected as an IDA due to Section 60 Approval being already issued for the proposed works included in this application.

Section 60 Approval – reference: **s60/2021/102** (issue date: 24 September 2021). Included the removal of the T-Shaped sheds in the middle of the allotment to which the subdivision boundary line relates.

Section 60 Approval – reference: **s60/2020/260** (issue date: 18 November 2020). Included the subdivision layout to create two Torrens title allotments.

A copy of each Section 60 Approval issued by Heritage NSW is contained within Appendix A of this report.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Development Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Heritage Advisor

Council's Heritage Advisor opposed the proposed demolition of existing structures (T-Shaped Sheds) on the site. A detailed copy of the Heritage Advisor's comments is provided in the report to Council.

Heritage Assessment Committee

Council's Heritage Assessment Committee opposed the demolition of the existing structures (T-Shaped Sheds) located on the site. A copy of the HAC minutes are provided in the report to Council.

CONSIDERATION OF THREATENED SPECIES

Council is required under Section 4.15 of the Environmental Planning and Assessment Act 1979 to make an assessment of whether the proposed development will have a significant impact on any threatened species, populations, or ecological communities, or their habitats. Such threatened species in NSW may be protected under the NSW Biodiversity Conservation Act 2016 or under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Section 7.3 of the Biodiversity Conservation Act 2016 sets out what must be considered in determining whether a proposed development will have a significant impact. Section 7.3 requires the consideration of the following:

- any assessment guidelines applicable to the species, population, or ecological communities, or their habitats, and
- the application of the 'seven-part test' described in the Section.

The subject site is highly urbanised and contains no significant native vegetation. As such, the proposed development is considered unlikely to result in any significant or adverse impacts to any threatened flora or fauna community.

SECTION 4.14 CONSULTATION AND DEVELOPMENT CONSENT - CERTAIN BUSHFIRE PRONE LAND - EP&A ACT, 1979

The subject site is not bushfire prone.

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The subject site is located on Wallace Street, which is a classified road. Despite this, the newly created allotment is located wholly on Duncan Street, with its access also located on Duncan Street. The development does not result in any changes fronting Wallace Street and therefore was not referred to Transport for NSW under the provisions of Clause 101.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIATION OF LAND

There is no indication that the site has been used for purposes that would result in significant contamination or that the site contains any existing contamination.

STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY DRINKING WATER CATCHMENT) 2011

The subject site is located within the Sydney Drinking Water Catchment. Clause 10 of the SEPP requires that development within the catchment result in a neutral or beneficial impact upon water quality within the catchment. A NORBE assessment found the proposed development to result a neutral or beneficial impact. As such, the proposed development satisfies the requirements of the SEPP.

PALERANG LOCAL ENVIRONMENTAL PLAN (PLEP) 2014

An assessment of the proposal against the general aims of PLEP 2014 is included below:

CI. 1.2(2)	Aims	Complies
(a)	to protect and improve the economic, environmental, social and cultural resources and prospects of the Palerang community,	Yes
(b)	to encourage development that supports the long-term economic sustainability of the local community, by ensuring that development does not unreasonably increase the demand for public services or public facilities,	Yes
(c)	to retain, protect and encourage sustainable primary industry and commerce,	Yes
(d)	to ensure the orderly, innovative and appropriate use of resources in Palerang through the effective application of the principles of ecologically sustainable development,	Yes
(e)	to retain and protect wetlands, watercourses and water quality and enhance biodiversity and habitat corridors by encouraging	N/A

	the linking of fragmented core habitat areas within Palerang,	
(f)	to identify, protect and provide areas used for community health and recreational activities,	N/A
(g)	to ensure that innovative environmental design is encouraged in residential development.	N/A

Permissibility

The subject site is Zoned part B2 Local Centre zone part B4 Mixed Use zone under Palerang Local Environmental Plan 2014.

Development for the purposes of a subdivision such as is proposed is permissible with consent under Clause 2.6 of the *PLEP 2014*.

Zone Objectives

An assessment of the proposal against the objectives of the B4 Mixed Use zone is included below:

Objectives	Complies
To provide a mixture of compatible land uses.	Yes
To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transportationage and encourage walking and cycling.	
To ensure that new development has regard to the character an amenity of the locality.	d Yes
To strengthen the viability of Palerang's existing business centres a places for investment, employment and cultural activity.	s Yes
To support business development by providing parking and other civil facilities.	ic Yes

Zone Objectives

An assessment of the proposal against the objectives of the B2 Local Centre zone is included below:

Ol	pjectives	Complies
>	To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.	Yes
>	To encourage employment opportunities in accessible locations.	Yes
>	To maximise public transport patronage and encourage walking and cycling.	Yes
>	To ensure that new development has regard to the character and amenity of the locality.	Yes
>	To strengthen the viability of Palerang's existing business centres as places for investment, employment and cultural activity.	Yes
>	To support business development by providing parking and other civic facilities.	N/A

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the PLEP 2014 is provided below.

Minimum subdivision lot size

CI.	Standard	Controls	Proposed	Complies
4.1	Minimum subdivision lot size	850m²	1152m² (min)	Yes

Clause 4.6 Exceptions to Development Standards

Under Clause 4.6 of the PLEP 2014, the consent authority may consider a variation, where that variation would achieve a better outcome. In this instance, the proposal does not include any variations to development standards contained within the relevant Local Environmental Plan.

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the *PLEP 2014* are addressed below as part of this assessment:

5.10 Heritage conservation

The subject site is located within the C1- Braidwood Heritage Conservation Area and also contains an individually listed State heritage item.

Council's Heritage Advisor and Heritage Assessment Committee both stated strong opposition to the proposal, with the key issue relating to the demolition of the existing T-Shaped Sheds located in the middle of the allotment. And to which the proposed subdivision boundary traverses. It is considered that the proposed development will have an impact on the heritage value of the site. However, Heritage NSW has issued Section 60 Approval for both the subdivision layout and demolition of the T-Shaped Sheds. Pursuant to clause 4.48 of the Act, Council is unable to refuse the application of heritage grounds in this instance. A copy of the Heritage Advisor's referral and the minutes of the Heritage Assessment Committee are provided in the report to Council.

It is suggested that materials that can be salvaged from the T-Shaped sheds be reused if possible. A condition to this affect could be implemented in the consent.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the PLEP 2014 are addressed below as part of this assessment:

6.1 Earthworks

Clause 6.1 of the PLEP 2014 establishes several matters requiring consideration for development involving earthworks. The subject land is relatively flat and the proposal involves minimal earthworks.

6.4 Drinking Water Catchments

Clause 6.4 of the PLEP 2014 makes provision for developments within a drinking water catchment. A NorBE assessment was undertaken. The proposal is not anticipated to have any negative impact on the Sydney Drinking Water Catchment and will be connected to the reticulated water supply.

6.11 Essential services

Clause 6.11 of the PLEP 2014 requires satisfactory arrangements to be made for water supply, stormwater drainage, solid domestic waste, sewage, and the treatment and disposal of effluent. Along with the supply of electricity and suitable vehicle access.

LOT	Water/Sewer	Electricity	Vehicle Access
Lot 1 (Existing)	Connected to reticulated water supply	Connected to reticulated electricity supply	Existing access (Duncan Street)
Lot 2 (Proposed)	Connected to reticulated water supply	Connected to reticulated electricity supply	Existing access (Duncan Street)

4.15(1)(a)(ii) any draft environmental planning instruments

The draft comprehensive *Queanbeyan-Palerang Local Environmental Plan* is relevant to the proposed development. The draft LEP does not present any changes to permissibility or development standards that would result in any material changes to the proposal. Nor does the proposal rely on the draft instrument for permissibility.

4.15(1)(a)(iii) any development control plan

	BRAIDWOOD DEVELOPMENT CONTROL PLAN
Section	Assessment
Part Two – Section 4. Precincts	Precinct 1A – Wallace Street Commercial Area 4.1 Precinct 1a – WALLACE STREET COMMERCIAL AREA The commercial area is located in the central and northern part of Wallace Street and to a small extent on adjacent cross roads as shown below.
	Figure 2 Wallace St Commercial Area (shown hatched) The subject site is located within Precinct 1A 'Wallace Street Commercial
	Area' of Braidwood. The site is State heritage and is located within the Braidwood Heritage Conservation Area.
	Objectives (a) to preserve the historical character of the precinct's townscape and the contributory and individual significance of the individual heritage items within it; (b) to ensure development in the vicinity of buildings with historical importance is in harmony with the form and scale of those buildings; and (c) to encourage the location of retailing, office space, and other commercial enterprises which service local and regional needs.
	Land use Preferred land uses:
	community hallgalleriesother compatible commercial development
	Other possible land uses: • dwellings and multi-unit housing (whether attached or not) associated with a

preferred land use

· cottage industries associated with existing dwellings

New development

New development shall:

- be no higher than the maximum height of the adjacent building;
- not obscure significant views of adjacent buildings;
- be sympathetic to and consistent with the historic built form evident in the main street;
- not be visually dominant in the streetscape; and
- have direct access from the main street, i.e. a doorway opening onto the main street.

The proposal is for the subdivision land. The intent of the subdivision is to allow for future commercial or residential development on the site. Proposed buildings on the site in the future will be required to comply with relevant permitted uses in the PLEP 2014, and the standards for buildings contained within this section of the Braidwood DCP.

Part Four: Other Provisions

A majority of the general provisions contained within Part four Section 7 of the Braidwood DCP relate to buildings. Requirements for vehicular access are contained within the Development Engineer's referrals and will be required pursuant standard conditions of consent.

Part Eight – Heritage Listed Items

Section 8.3 - Demolition

The demolition or partial demolition of a heritage listed item is classified as Integrated Development under section 91 of the Act and will also require the consent of the NSW Heritage Council.

Guideline The demolition of heritage listed dwellings shall not be permitted except in exceptional circumstances, including where:

- the dwelling is so structurally unsound as to be beyond reasonable economic repair. The application must include a professional structural assessment in support of demolition; or
- the existing condition poses a significant health or safety risk that is beyond reasonable economic repair. The application must include a professional structural or health assessment demonstrating that conservation is not a practical option; or
- in the opinion of Council, the integrity of the built form and street elevations of an original dwelling has been extensively and irreversibly diminished by unsympathetic alterations and additions.

Except where a dwelling presents an immediate threat to public safety, the total demolition of an identified dwelling shall not be permitted unless an application for a replacement dwelling has been approved.

Where in the opinion of Council, neglect of an identified building has contributed to it becoming structurally unsound so as to necessitate total demolition, redevelopment of the site shall not exceed the gross floor area of the identified building. Additions to the replacement structure shall not be permitted within 3 years of its completion.

Note That Demolition by Neglect may also be in contravention of the NSW

Heritage Act.

The partial demolition of original external building fabric of identified dwellings shall only be permitted in the context of permitted alteration or additions.

Alteration to, or demolition of, internal building fabric of identified dwellings may be permitted provided the external building fabric of the dwelling is not adversely affected.

Heritage NSW has issued a Section 60 Approval for the demolition of the T-Shaped Sheds located in the centre of the allotment.

Part Five: Subdivisions

Control

• Subdivision shall not alter Braidwood's historic town plan, block and lot boundaries, roads, or lanes.

The proposed layout of each allotment created under this subdivision will not alter the historic town plan and grid pattern layout. It is consistent with the historic development pattern.

• New lot boundaries within the town shall be parallel with or at right angles to the historic grid.

The proposed lot layout is consistent with this requirement.

 New subdivision must not facilitate development which may block views from the town to the surrounding countryside.

The proposed lot layout is not inconsistent with this requirement. Future applications for buildings will be subject to further assessment against the relevant provisions of this DCP.

• The consent authority must be satisfied that the built forms that would be likely to arise from approval of a subdivision application will not have any detrimental impact on the town's heritage significance, or on the traditional patterns and rhythms of its streetscapes or roofscapes.

The lot layout is not likely to allow development that is inconsistent with the heritage significance of Braidwood.

 Subdivision shall not result in the creation of 'stacked battleaxes' or adjacent groups of battleaxe driveways, the building of structures across historic property boundaries or otherwise be considered likely to encourage non-traditional forms such as cluster housing

No battle axe allotment are proposed. Not applicable.

Subdivision shall comply with the setback requirements in this DCP.

Noted. No building envelope required. Future development subject to an assessment of relevant setback requirements.

• The minimum lot size as set out in the LEP is not to be taken as a standard for all lots within a subdivision. It is likely that larger lots may be necessary to meet the character provisions in this DCP.

The smallest lot exceeds the 850m² minimum lot size.

4.15(1)(a)(iiia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 of the *Environmental Planning* and Assessment Act 1979.

4.15(1)(a)(iv) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration Australian Standard *AS2601–1991: The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development does involve the demolition of a building for the purposes of *AS 2601 – 1991: The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

4.15(1)(a)(v) any coastal zone management plan

Council is not subject to a coastal zone management plan.

4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposal will have minimal environmental and social impacts. It is noted that the demolition of the existing sheds located on the centre of the allotment to allow the subdivision boundary to be established will have an impact on the heritage aspect of the site. Please refer to the comments provided by Council's Heritage Advisor. Despite this, Heritage NSW has issued Section 60 Approval for this element of the DA.

4.15(1)(c) the suitability of the site for the development

The subject site is relatively unconstrained and is considered suitable in its current state for the purposes of the proposed development.

4.15(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with the QPRC Community Engagement and Participation Plan from **07/06/2021 to 23/06/2021**, with **four (4)** submissions received, raising the concerns with the demolition of the existing T-Shaped sheds and the intended land use.

Assessing Officer's Comments: It is noted that a number of submissions raised issues with the intended demolition of the T-Shaped Sheds located within the proposed subdivision boundary line. Council's Heritage Advisor and Heritage Advisory Committee also lodged objections to the demolition of these sheds which would result from the proposed subdivision layout. Despite this Heritage NSW has issued a Section 60 Approval for the demolition of this structure and Council is unable to refuse the application on heritage grounds based on Section 4.48 of the EP&A Act 1979.

The impact to the heritage listing is acknowledged and is not considered to be an acceptable outcome. However, given the s60 approval and Council's inability to refuse the application on heritage grounds. It is recommended that the option to repurpose materials be explored.

Other issues raised included: flooding, future land use, including the provision of affordable housing. In this instance, the subject site is not mapped as flood prone pursuant the relevant LEP. Issues have been raised which appear to relate to stormwater diversion from the subject premises.

These issues are not directly related to the proposed subdivision, which will not result in any further stormwater impacts at this time. Submissions relating to affordable housing are noted. Council does not have any direct control of conditioning any relevant requirements for affordable housing to the subdivision. Future development will be required to be permitted with consent under the relevant zoning contained in the land use table of the relevant LEP.

4.15(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 64 CONTRIBUTIONS

Section 64 of the *Local Government Act 1993* allows contributions to be levied towards the provision of water, sewerage, and stormwater infrastructure.

Section 64 Contributions are applicable to the proposed development as follows:

CONTRIBUTION:

Project	Ledger	Code	Contribution	Schedule	E.T.	Amount
Braidwood	42200	WATBBS64	\$7,659	2021/22	1	\$7,659

(Adjusted for 2021/22 using CPI Sydney)

CONTRIBUTION:

Project	Ledger	Code	Contribution	Schedule	E.T.	Amount
Braidwood	42202	SEWBBS64	\$10,732	2021/22	1	\$10,732

(Adjusted for 2021/22 using CPI Sydney)

SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the *Environmental Planning & Assessment Act 1979* permits councils to require as a condition of development consent, the reasonable dedication of land or the payment of monies, or both, for development that is likely to require the provision of, or increase the demand for public amenities and public services within the area.

Section 7.11 Contributions are applicable to the proposed development as follows:

9.2 Development Application - DA.2021.1240 - Two Lot Torrens Title Subdivision and Demolition of Two Existing Sheds and Garages (Albion Hotel Site) - 119 Wallace Street, Braidwood

Attachment 1 - DA.2021.1240 - Section 4.15 Assessment Report - 119 Wallace Street, Braidwood (Continued)

CONTRIBUTION:

Base Contribution	\$2,500
Reduction (10% >10km)	\$0
Contribution per Lot/E.T. (unindexed)	\$2,500
CPI Adjustment (for 2020/21)	+50.19%
Contribution (indexed)	\$3,755
Applicable Number of Lots/E.T.	1.0
Ledger	42273
Code	TSC P3 BRVIL
Total Payment Due:	\$3,755

(Adjusted to for 2021/22, using CPI Canberra)

CONCLUSION

The application has been assessed having regard to Section 4.15 of the *Environmental Planning* and Assessment Act 1979 and is considered satisfactory for approval subject to the recommended conditions of consent.

APPENDIX A - Section 60 Approval Issued by Heritage NSW



Our ref: DOC21/149578

Justin Sinfield 58 Lagoon Street NARRABEEN NSW 2102

By email: etalkj@yahoo.com.au

Dear Mr Sinfield

Application under section 60 of the *Heritage Act* 1977 Albion Hotel, 3 adjoining shops & stables State Heritage Register No. 00304

Address: 119 Wallace Street, Braidwood, NSW, 2622

Proposal: Works to stables building involving a self-levelling cement compound over

existing concrete floor, replace roof with like for like material, repair of brickwork, installation of plumbing into stable for sink connection, installation of bathroom and extension to approved roof and seating area to west of stables. Removal of T-shaped sheds, removal of sheds on south boundary line. Construct awning to shed at the rear of Albion Hotel.

s60 application no: s60/2021/102, received 15 March 2021, following discussions and request for additional information, completed application received 25 June

2021.

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above Section 60 application. Pursuant to section 63 of the *Heritage Act 1977*, approval is granted subject to the following conditions:

APPROVED DEVELOPMENT

1. All work shall comply with the information contained within:

 a) Drawings originally prepared by Blue Sky Homes and marked up by the applicant to demonstrate proposed works, as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Alterations and Additions			
2 of 7	Floor Plan Renovation	Submitted to HNSW on 18 June 2021	N/A
4 of 7	Elevations	Submitted to HNSW on 2 March 2021	N/A
6 of 7	Elevations	Submitted to HNSW on 2 March 2021	N/A

- b) Drawing of Albion Hotel Stables showing the proposed stables floorplan, provided by email 13 July 2021.
- c) Site Survey titled, 11 Wallace Street, Braidwood, prepared by PHL Surveyors, dated 18 March 2021.
- d) Report titled, Albion Hotel Complex: 119 Wallace Street, Braidwood, prepared by Touring the Past and Justin Sinfield, dated February 2021.
- e) Conservation Management Plan titled, Albion Hotel complex: 119 Wallace Street, Braidwood, prepared by Touring the Past, dated April 2020

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

- Report titled, 119 Wallace Street Baseline Historical Archaeological Assessment, prepared by FML Heritage, dated August 2018.
- g) Letter titled, Austech Cement Concrete Repairs Quote, which identifies the description of works to stables exterior, undated.

EXCEPT AS AMENDED by the conditions of this approval:

WORKS TO STABLES BUILDING

- The new self-levelling cement compound must be installed without impacting on the base and sandstock brick walls of the Stables building.
- The bathroom fitout must not impact significant fabric and services should reuse existing service points.

Reason: To protect significant fabric and prevent unnecessary removal of fabric.

The extension to the deck is approved but must be a timber structure and not concrete.

Reason: To retain consistency with previous section 60 determination for the deck, application no. 15/s60/03, approved 28 October 2014.

HERITAGE CONSULTANT

5. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SPECIALIST TRADESPERSONS

 All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

 Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

8. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

ABORIGINAL OBJECTS

9. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and the Department of Planning, Industry and Environment is to be informed in accordance with the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal objects on the site must not continue until the Department of Planning, Industry and Environment has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

 If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

DURATION OF APPROVAL

 This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

Reason: To ensure the timely completion of works.

Advice

Section 148 of the *Heritage Act* 1977 (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination appeal may be made to the Minister under section 70 of the Act.



Our ref: DOC20/729278

Justin Sinfield 58 Lagoon Street NARRABEEN, NSW, 2101

By email: etalkj@yahoo.com.au

Dear Dr Sinfield

Application under section 60 of the Heritage Act 1977 Albion Hotel, 3 adjoining shops and stable State Heritage Register No. 00304

Address: 119 Wallace Street, Braidwood, NSW, 2622
Proposal: Subdivision of existing site into two lots

Section 60 application no: s60/2020/260, received 9 October 2020 Additional information requested: Yes, received 12 November 2020

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above Section 60 application. Pursuant to section 63 of the *Heritage Act 1977*, approval is granted subject to the following conditions:

APPROVED DEVELOPMENT

- All work shall comply with the information contained within:
 - Survey drawing with mark-up identifying new Lot 12, titled Subdivision of Lot 1 in DP 598830, prepared by Robert Richards, dated 19 December 2017
 - b) Heritage Impact Statement report titled, Proposed Subdivision Albion Hotel Complex: 119 Wallace Street, Braidwood, prepared by Touring the Past, dated June 2020.
 - c) Conservation Management Plan titled, Albion Hotel Complex: 119 Wallace Street, Braidwood, prepared by Touring the Past, dated June 2020.
 - d) Baseline Historical Archaeological Assessment titled, 119 Wallace Street, Braidwood, prepared by GML Heritage, dated August 2018.

EXCEPT AS AMENDED by the conditions of this approval:

EFFECT OF SUBDIVISON

This approval for subdivision of Lot 1, DP598830 to create a new allotment 12 does not:

- a) include any physical works to the site.
- b) Alter or reduce the gazetted curtilage of SHR item 00304.

HERITAGE CONSULTANT

2. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SITE PROTECTION

Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

4. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works. The site is located within the Town of 'Braidwood and Its Setting', an early colonial town in NSW which is listed on the State Heritage Register. It may contain unexpected archaeological deposits to those anticipated by the supporting archaeological assessment. In this circumstance this condition provides guidance on these requirements under the Heritage Act 1977.

ABORIGINAL OBJECTS

5. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and the Department of Planning, Industry and Environment is to be informed in accordance with the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal objects on the site must not continue until the Department of Planning, Industry and Environment has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

 If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

DURATION OF APPROVAL

 This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

Reason: To ensure the timely completion of works

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination appeal may be made to the Minister under section 70 of the Act.

It should be noted that an approval under the Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.

If you have any questions about this correspondence, please contact please contact Caitlin Stevens, Senior Heritage Assessment Officer, at Heritage NSW, on 9895 6582 or Caitlin.Stevens@environment.nsw.gov.au.

Yours sincerely

Steven Meredith

Regional Manager, Heritage Operations

South

Heritage NSW

Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW

18 November 2020

cc: Queanbeyan-Palerang Regional Council, council@qprc.nsw.gov.au

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

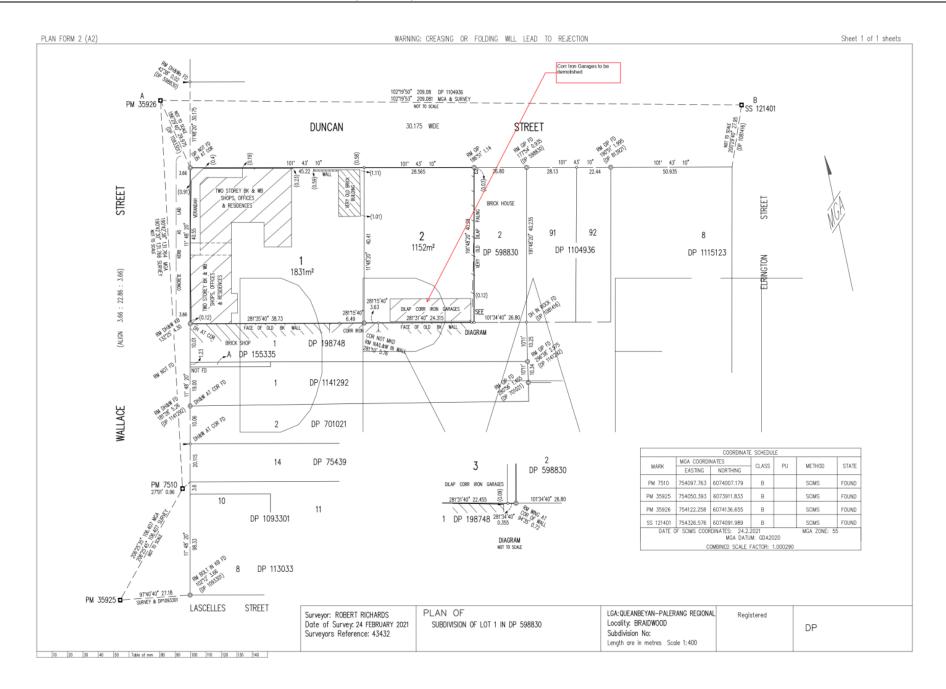
24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

> TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 2 DA.2021.1240 - SUBDIVISION PLAN - 119 WALLACE STREET, **BRAIDWOOD**



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

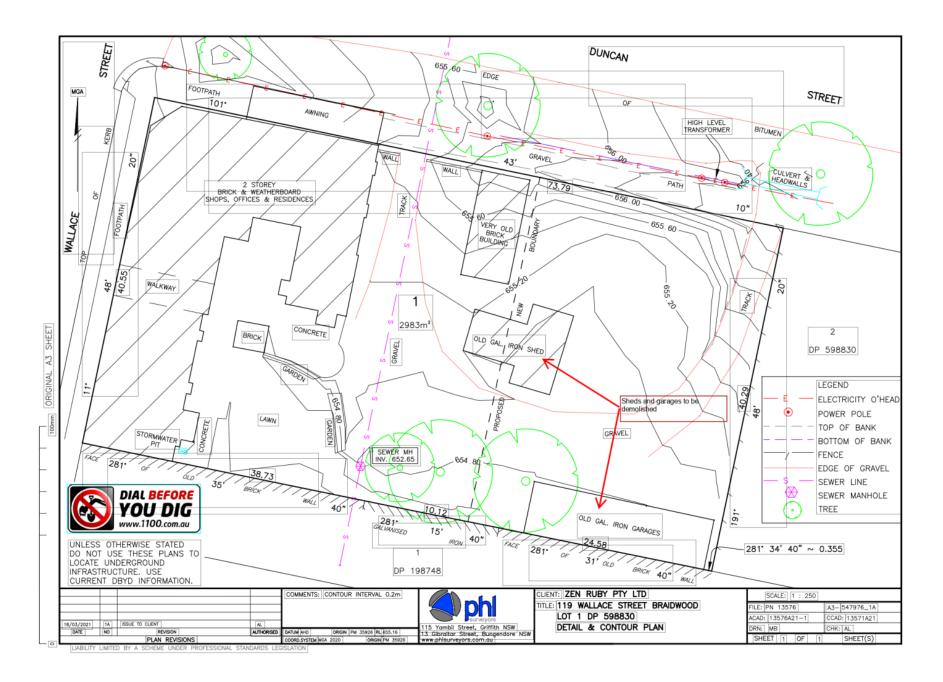
24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 3 DA.2021.1240 - SITE SURVEY - 119 WALLACE STREET, BRAIDWOOD



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

> TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 4 DA.2021.1240 - SUBMISSIONS - 119 WALLACE STREET, **BRAIDWOOD**

Make a submission on a Development Application



Submission date: 22 June 2021, 3:48PM

Receipt number: 448
Related form version: 14

Development Application Number DA 2021.1240

Your full name

Email address

Contact number

Submission

Braidwood is in serious trouble with affordable living. As the applicant for this subdivision proposal states in his submission that he is looking at keeping the lot and submitting plans for affordable living, we request that Council include a condition of approval requiring that any development proposal for the newly created lot include more than one affordable accommodation unit.

Attach your submission

Attach your Political Donations and Gifts Disclosure Statement

Political_Donations_and_Gifts_Disclosure_Statement_For m_01032018.pdf

Submission for DA.2021.1240

The Council Queanbeyan Palerang Heritage Council

Submission DA.2021.1240 is for a 2 lot subdivision for the Albion Building and Outbuildings.

Documentation

The proposed boundary for the documentation appears to be based on a boundary recommendation in the *Conservation Management Plan*, (Touring the Past, April 2020) prepared for a previous Integrated Development Application for a 3 lot subdivision which did not proceed. It is not clear from the submission that the s60 approval relates to the current DA for a 2 lot subdivision boundary.

Heritage significance

The proposed subdivision divides the Albion Hotel complex into 2 lots, the boundary of the proposed eastern portion being 1m from the Stables building and passing through the pair of conjoined sheds identified in the Conservation Management Plan as other components (CMP 3.5, p 47).

Additional elements across the subject land to the rear of the Albion Hotel, which lies moderately below the level of Duncan Street, include:

Sheds—a conjoined (T-shaped) pair of single-storey timber-framed and gable roofed buildings, clad in short-length corrugated metal sheeting (rusted in parts) are situated immediately south of the Stables. Three single-leaf timber doors. Utilitarian character, used as storage. Likely early 20th century in origin. [SEF]

The CMP fails to note the evidence of a skillion at the rear of the Stables that demonstrates the building's connection to these two conjoined sheds.



View across the rear of the site with the metal sheds centre image, behind the stables. SEP

The Albion Hotel is individually listed on the NSW State Heritage List and is also included in the NSW State Heritage List for Braidwood and its Setting.

The sheds are identified as part of the site's significant fabric in the Palerang LEP 2014 Item 126 as *The Albion & Outbuildings*. The listing includes the following statement of significance:

Historic aesthetic and social value. Prominent location, streetscape value, good condition, some modifications. Also includes brick barn, corrugated iron shed and stables.

The CMP has a revised Statement of Significance (4.1) and Significance gradings (p 51) which find that the sheds have

'Little significance (yellow)—areas or elements of limited, if any, value that may have been substantially altered or are associated with later, non-significant development phase'.

It is not clear why the significance of the sheds has been revised to not have historic heritage significance at a local level, given their connection to the Albion Hotel complex and their clearly demonstrated relationship to the stables. Like the stables building, the sheds' visual and spatial relationship to the hotel complex remains interpretable. This revised CMP Statement of Heritage Significance should be amended to include that the sheds have historic heritage significance.

There is shared community concern for the removal of fine grained heritage features including sheds and night cart lanes in the Braidwood township which were characteristic of country towns and to a large extent have already been lost. These features have the potential to yield information that will contribute to an understanding of NSW's cultural history and should be conserved by the State Heritage Listing for Braidwood and its Setting.

Conclusion

The DA should be amended to ensure that the eastern subdivision boundary is located 1 m east of the two sheds to conserve their heritage significance.

Yours sincerely

From:

Sent: Tuesday, 22 June 2021 3:13 PM

 To:
 Council Mail

 Subject:
 DA.2021.1240

Categories:



[EXTERNAL] This email originated from outside of the organisation. Please do not click links or open attachments unless you recognise the sender and know that the content is safe.

dear sir/madam

We wish express our objection to the DA lodged by Zen Ruby PTY Ltd for the subdivision within the Albion complex in Braidwood

We feel until the problems that we have experienced with this party are addressed we cannot accept his proposal

We have lived at the storage sheds and a home for 25 years We bought it as a wreck and restored it to a shop, workshop storage sheds and a home

We have over the years had problems with the landlords of the Albion over drainage . Each time we approach the council or owners we are fobbed off

We had a particularly bad flood in 2020 in which our downstairs amenity was completely flooded. We contacted council immediately and sent pictures the flood and requested an inspection of the damage. After much insistence someone did come and have a look but washed his hands of the whole issue saying it had gone on for too lon

We have a business and our livelihood is affected by the continual prospect of flood We can no longer use one shed and have to rent one else where.

The previous landlord diverted the drainage to our property as they had problems with drainage to the basements of their Wallace st shops. We objected to this and per usual were ignored

Then they planted trees which are now fully grown. The roots of these trees have grown under our sheds and have dislodged the paving. Once again this was brushed off by the council and it was left to us to install a drainage system and new paving

The current landlord of the Albion is completely unapproachable on these subjects and in fact has tried to blame us when we were obliged to dig a trench on his side of the fence to try to allay the flooding

We request that the council send a drainage engineer to investigate this problem and require the Albion landlord to correct the situation before he be allowed to subdivide the property

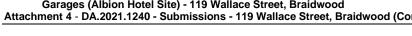
This absentee landlord is a notoriously difficult and rapacious presence in town and is not interested doing the right thing with this heritage listed site

yours sincerely

Below is a picture of flooding from the rains into our shed

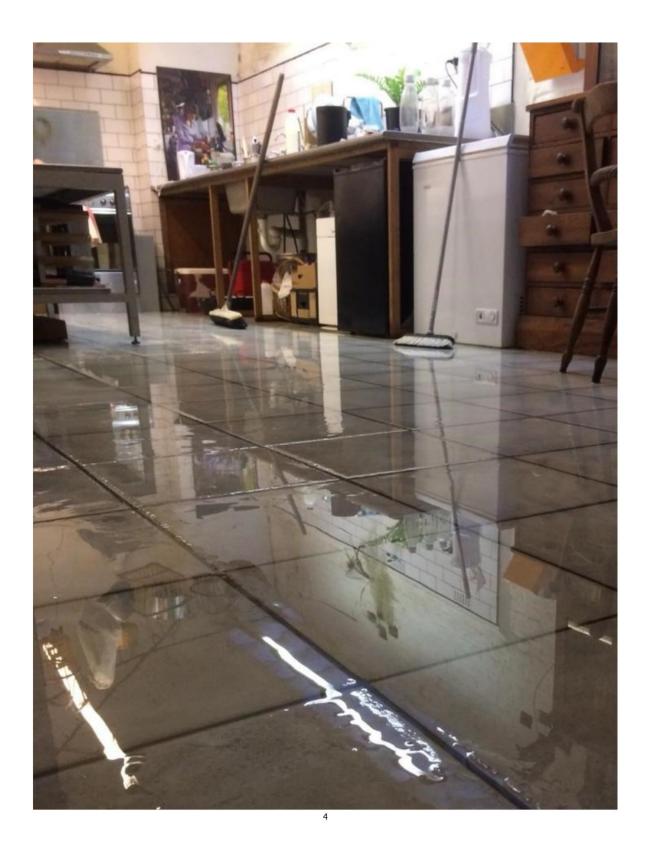


Water pooling against our shed (picture taken from Albion grounds)





downs stairs space after sweeping aways at least 5 kms of rain water



Submission for DA .2021.1240

DA 2021.1240 is for a 2 lot Torrens title subdivision and demolition of two existing sheds at 119 Wallace St Braidwood 2622. Lot 1 DP 598830

Thank you for the opportunity to comment on the proposed subdivision of Lot 1 DP 598830 into two lots.

I do not oppose the subdivision of this site in principle, but there are unresolved heritage issues which need to be examined and resolved before the DA proceeds.

I have several questions which I hope QPRC will consider when assessing the DA.

1. Section 60 Approval

The site is located within the curtilage of the State Heritage Listing for Braidwood and its Setting. The Albion building, 3 adjacent shops and the stables are also individually listed on the SHR (Item 00304). This listing includes a curtilage, which is not defined in the DA documents, as far as I can tell.

It is implied in the application that the proposed boundary between the two new lots coincides with the original boundary between 2 lots purchased by Henry farmer in 1846. The applicant states that "In essence it is replacing an original boundary and lots." (Heritage Impact Statement - Introduction written by owner and applicant

The application claims that the proposed subdivision has received Section 60 approval from the NSW Heritage Council, through delegation to Heritage NSW. This approval (DOC20/729728) signed by Steven Meredith on 18 Nov 2020, states that "All work shall comply with the information contained within a) Survey drawing with mark-up identifying new Lot 12, titled Subdivision of Lot 1 in DP 598830, prepared by Robert Richards dated 19 December 2017.

The survey drawing in the application by Robert Richards is dated 24 February 2021.

Is this plan the same as the one cited in the Section 60 approval? If not, would the new proposal need to go back to Heritage NSW for approval?

The Section 60 approval also states that the approval does not

- a) Include any physical works to the site
- b) Alter or reduce the gazetted curtilage of SHR item 00304.

Does the gazetted curtilage coincide with the proposed new boundary?

2. Existing sheds

The DA includes the demolition of two sheds, which are located on the boundary line of the proposed subdivision.

The sheds are identified as part of the site's significant fabric in the Palerang LEP 2014 Item 126 as *The Albion & Outbuildings*. The listing includes the following statement of significance:

Statement of significance:

Historic aesthetic and social value. Prominent location, streetscape value, good condition, some modifications. Also includes brick barn, corrugated iron shed and stables.

Does this listing prevent the demolition of the two sheds?

The applicant claims in the (undated and unsigned) Statement of Environmental Effects that "Given the heritage council proposed the boundary through the middle of the sheds, it will be proposed the sheds be removed."

As the sheds have Local Heritage Listing in the Palerang LEP 2014, there appears to be a conflict between the State and Local Heritage positions on the sheds. I wonder if the State Heritage Council was aware of the sheds' existence when they apparently gave permission for a boundary right through the middle? The sheds are a part of the historical fabric of the site and should not be demolished.

3. Future use of the site

I note that the applicant has said he is looking at keeping the new lot and submitting plans for a small office/shop space and affordable living .

This would be very welcome, if he intends to do that. Braidwood is desperately in need of more affordable housing. Given the location, any future development on the new lot will need to be compatible with the adjacent heritage listed buildings, and with the residential area of Duncan St.

Is it possible for the Conditions of Consent to include a requirement for this type of use, rather than a commercial enterprise?

I trust that these unresolved heritage issues are considered by Council before the DA is approved.

Yours sincerely

23 June 2021

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 5 DA.2021.1240 - DRAFT CONDIITONS OF CONSENT

DRAFT CONDITIONS OF CONSENT DA.2021.1240

APPROVED DEVELOPMENT AND PLANS

1. Approved Development and Plans

The development referred to in the application is to be carried out in accordance with the approved plans and documents including the following:

Title / Description	Prepared by		Date received by Council
Subdivision Plan	Robert Richards	24 February 2021	06 May 2021

Except as modified by any of the following conditions of consent.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

GENERAL CONDITIONS

2. Copy to Owner

A copy of this consent is to be provided to the owner.

Reason: To ensure the owner is aware of the requirements imposed under the consent.

3. Unauthorised Use of Public Land

No building materials are to be stored or construction activities undertaken on public or adjoining land without prior written approval from Council.

Reason: To prevent unnecessary disturbance to public land.

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS

4. Site Identification

The site where building work, subdivision work, or demolition work are proposed to be carried out shall be identified by a sign sited in a visually prominent position containing the following information:

- · the development application number,
- name, address, and telephone number of the principal certifying authority,
- name of the principal contractor (if any) and 24-hour contact telephone number,
- a statement that "unauthorised entry to the work site is prohibited".

Reason: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000.

Section 138 Consent

Prior to undertaking any works within a public road reserve or affecting the road reserve, a traffic management plan is to be submitted to and approved by Queanbeyan-Palerang Regional Council under Section 138 of the *Roads Act 1993*.

Reason: To ensure that works carried out comply with the Roads Act.

6. Sediment and Erosion Control

A Sediment and Erosion Control Plan (S&ECP) for all site works, including road works and access, is to be approved by the principal certifying authority prior to work commencing. The plan is to cover all measures to control erosion and sediment transport in accordance with the NSW Landcom publication *Managing Urban Stormwater - Soils and Construction (4th Edition 2004 - "Blue Book")*.

Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles on roads, and
- (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

7. Submit Asbestos Inspection Report

Prior to demolition works commencing an asbestos inspection report must be undertaken and submitted to Council.

Reason: To satisfy the requirements of the Work Health and Safety Act 2011 and to protect public health.

8. Asbestos Removal and Disposal

Asbestos material found on the site must be removed and disposed of in accordance with the Work Health and Safety Act 2011, and the NSW WorkCover Guidelines.

Asbestos material must be disposed of to a lawful landfill site approved for that purpose by the Environmental Protection Authority of NSW or equivalent authority in the ACT. Written evidence that the material has been disposed of to the approved landfill must be submitted to the Principal Certifying Authority.

Reason: To ensure the proper disposal of asbestos material.

9. Retain and Protect Trees within Site and on Adjoining Land

Trees nominated to be retained on the approved plans must be protected in accordance with 'AS4970-2009 Tree Protection on Development Sites' and the following measures:

 a) During construction/demolition works, ensure retained trees on the site or adjoining land (if impacted) are protected by cyclone/chain mesh fencing.

The fencing must:

- 1) extend around the drip line of the tree:
- 2) be a minimum of 1.8 metres high
- 3) consist of a minimum of 4 panels
- 4) be erected prior to commencement of any work; and
- 5) remain in place until an all site works have been completed.

Reason: To ensure that tree(s) are protected from damage during construction.

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND/OR BUILDING WORKS

10. Hours of Operation for Works

All works associated with the construction and/or demolition of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays: 7.00am to 6.00pm Saturdays: 8.00am to 4.00pm

Sundays and Public Holidays: NIL

Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

11. Approval Documents

Keep a copy of all stamped approved plans, specifications, and documents on site while work is being undertaken.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

12. Unexpected Finds

The development is to proceed with caution. If any Aboriginal objects are found, works should stop and DECCW notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and NSW Office of Environment and Heritage are to be notified.

Reason: To ensure objects discovered during construction are protected and notified in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.

13. All Works to Be Confined to the Site

All demolition, excavation, backfilling, construction, and other activities associated with the development must:

- a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
- b) Comply with the requirements of AS 2601-2001 The demolition of structures.
- c) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.
- d) Be kept clear of stormwater, sewer manholes and service easements on the site.
- e) Any gates must be installed so they do not open onto any footpath or adjoining land.

Reason: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired.

14. Demolition Works

The demolition of the existing building must be carried out in accordance with the:

- a) requirements of the SafeWork Authority of New South Wales,
- b) NSW Work Health and Safety Act 2011, and
- c) Australian Standard AS 2601-2001: The Demolition of Structures.

Reason: To ensure compliance with SafeWork and occupational health and safety requirements.

15. Construction Waste Management

All waste materials generated on-site during construction are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

Reason: To ensure adequate waste management practices are in place during the construction phase.

16. Works Sites to Be Fenced

A fence be erected between the development site and public places before commencement of any other work.

Reason: To ensure that an effective barrier is provided to preserve the safety of people and property in public places.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE

17. Contributions to Be Paid

Prior to the lodgement of a Subdivision Certificate, the contributions specified in Schedule 1 of this consent must be paid to Council under the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979*, Section 64 of the *Local Government Act 1993* and Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000*.

Reason: To provide for the funding of augmentation and provision of services and community facilities.

18. Stormwater Disposal Requirements

All stormwater from the site must be captured and piped to the street swale/stormwater pit/interallotment or other via an on-site detention system to limit the discharge from the site to the pre-development rate in accordance with Council's Development Design Specification D5.

Reason: To provide satisfactory stormwater disposal.

19. Driveway Application Form

A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveway across Council's footway area must be undertaken by a Council approved contractor, at no cost to the Council.

Reason: To ensure the construction of the driveway on public land meets Council's requirements.

20. Driveway Location from Water Meter

The driveway within the property must maintain a clearance not less than half a metre from the water service or the water service must be relocated by Council at no cost to Council.

Reason: To ensure such service is not damaged by vehicle movements.

21. Repair Damaged Public and Private Property

All damage caused to public and private property during the establishment of the development must be repaired or reinstated prior to the issue of the Subdivision Certificate.

Reason: To ensure that all public and private property in the vicinity of the development is maintained in its pre-development condition.

22. Heritage Entrance Crossover - Braidwood

Construct/retain existing entrances and to maintain appropriate historical aesthetics with the proposed development and pursuant to QPRC D13 Design Specification/Braidwood DCP 2006 the driveway cross-over shall be finished in either brick, clay pavers, stone flagging, crushed rock, cobbles or similar.

Reason: Safe entry and exit to lots from the road.

23. Application and Final Survey

An application to obtain a Subdivision Certificate must be made to Council. This must be accompanied by the following documentation:

- a) A final survey plan of subdivision,
- b) Any Section 88B instruments required by these conditions of consent,
- A letter outlining how compliance with each condition of this development consent has been achieved, and
- d) Engineering Construction Certificate Report in accordance with specifications.

Reason: To enable registration of the subdivision and to ensure compliance with conditions of consent. To provide sufficient signed copies of the subdivision plan for Council, the applicant and the NSW Land and Property Information.

24. Electricity Supply

Prior to Council issuing a subdivision certificate, a Notice of Arrangement (NOA) shall be requested from the electricity authority which states that satisfactory supply arrangements have been made for the provision of electricity to the proposed development.

Reason: Ensures that satisfactory supply arrangements have been made and that all of the lots in the subdivision are suitably serviced.

25. Separate Connections & Services

A separate sewer connection, stormwater drainage connection, water service, electricity supply and communication service must be provided to each allotment within the subdivision at the Subdivider's expense.

Note: The Subdivider may, at their own expense, provide a gas connection to such allotment within the subdivision subject to its availability.

Note: The Subdivider is responsible for all public utilities and services in the area of work and as such must notify all relevant Authorities and bear all costs associated with any repairs and/or adjustments as those Authorities deem necessary.

Reason: To provide access to services for each allotment.

26. Submission from Service Authority

Prior to the issue of any Subdivision Certificate written evidence from the relevant service authority or a suitably accredited person that satisfactory arrangements have been made for the supply of reticulated electricity, telephone services and natural gas to each lot must be submitted to Council.

Reason: To satisfy relevant utility authority requirements.

27. Street Numbering

In accordance with Clause 60(c) of the Surveying and Spatial Information Regulation a schedule of recorded street addresses on Plan Form 6A shall be submitted to Council prior to the release of the Subdivision Certificate.

Advice: Convey with Queanbeyan-Palerang Regional Council to determine the street numbering for newly created allotments in accordance with Council's requirements.

Reason: To ensure compliance with the Surveying and Spatial Information Regulation.

28. Covenant on the Land

Apply covenants under section 88B of the *Conveyancing Act 1919* to the new lots incorporating the restrictions listed below. Queanbeyan-Palerang Regional Council shall be nominated as the sole party with the power to vary or remove the required covenants.

- All easements specified below and contained in the subdivision must benefit Council as well as particular lots:
 - i. easements to drain sewer,
 - ii. easements which Council may require to provide or maintain other services, and
- b) Nominating Council as the name of the person/authority empowered to release, vary or modify restriction or positive covenant numbered in the plan.

Reason: To ensure public utility services, access and restrictions are legalised over the land.

29. Work in Accordance with Engineering Specifications

All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's Design and Construction Specifications.

Reason: To ensure construction and restoration work is in accordance with Council's requirements.

CONDITIONS TO BE SATISFIED DURING THE ONGOING USE OF THE PREMISES

30. Surface Water

Do not re-direct surface water onto adjoining private land. Alterations to the surface contours must not impede or divert natural surface water run-off, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

Reason: Stormwater disposal does not impact on the building or neighbouring properties.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

> TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 6 DA.2021.1240 - HERITAGE IMPACT STATEMENT - 119 WALLACE STREET, BRAIDWOOD

HERITAGE IMPACT STATEMENT

Proposed Subdivision



Albion Hotel complex: 119 Wallace Street, Braidwood

Prepared for Dr Justin Sinfield June 2020

Acknowledgement of Country

We acknowledge the First Australian peoples whose ancestral Country we live and work upon and we pay our respects to their continued connection to land, sea, and culture.

Primary and secondary materials utilised in the preparation of this report are acknowledged and referenced in captions or footnotes.

The copyright of this report remains with the author, Touring the Past.

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- 1.2 METHODOLOGY
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- 2.0 SITE OUTLINE
- 3.0 THE PROPOSAL
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- 5.1 HERITAGE POLICY 5.2 REVIEW OF HERITAGE IMPACT
- 5.0 CONCLUSION

1.0 INTRODUCTION

. 1.1 Background – written by owner and applicant Justin Sinfield

The application is for a 2 lot subdivision to create an eastern and western lot which was Historically the situation with Mr Farmers Eastern and Western lots. The Western lot will contain the heritage items. The Eastern Lot will be vacant. In essence it is replacing an original boundary and lots.

This Heritage Impact Statement (HIS) has been prepared to accompany a Section 60 Application for a 2 lot subdivision (the proposal) at the Albion Hotel complex—119 Wallace Street, Braidwood, which is an item of State heritage significance. A *Conservation Management Plan: Albion Hotel Complex* (CMP), previously prepared by Touring the Past (2020), is also included as required by Heritage Council determination. As this CMP furnishes a comprehensive analysis of the place, repeated reference to it is made.

N.B.—for the reasons discussed in the CMP (Section 1.2), the name 'Albion Hotel complex' is adopted by this report when referring to the subject place as a whole. The designations 'Albion Hotel', 'Stables', and 'Mixed-use row' are employed when referring to the three main buildings that comprise the heritage significance of the site.

This first proposal was inconclusively reviewed as an Integrated Development Assessment (IDA) by the joint consent authorities, the Heritage Division and Queanbeyan-Palerang Regional Council (QPRC), at that stage the proposal was a 3 lot sub division. Denial of application was in part due to Heritage Division's incorrect reading of the GML archaeological report, where reason for refusal was listed as "The applicant did not follow their own Archaeological report." Conversation with Heritage Division acknowledged error was on their part, not the applicant.

A meeting was then requested by the owner with Heritage Division prior to lodgement of a Section 60 application for the same 3 lot sub division and attended at the Heritage Office.

On receiving the application, it was advised that the application was unable to be determined by Heritage Division and was to be held before Heritage Council for a definitive decision.

The Approvals Committee of the Heritage Council, in August 2019, supported the excision of the back lot as per this application, and the applicant, Mr Justin Sinfield, was instructed to commission a CMP before the issue of a subdivision certificate.¹

The owner believed this was the final definitive result as Heritage Division referred this to Heritage Council for a definitive decision and a definitive decision was made subject only to a CMP prior to issue of a sub division certificate. However it has been advised that for expediency a new application be lodged which should be a formality given Heritage division should not be over ruling a definitive decision of Heritage Council that they referred to Heritage Council.

Justin Sinfield

The following part of the document is taken from a Heritage impact Statement prepared by Patrick Wilson of Touring the Past in relation to reapplication for the subdivision of the Stable (Lot 11) that at the time was not supported by Heritage Council. The modifications made to Patrick Wilson's HIS has been to remove the parts referring to the Stable (Lot 11) – not part of this application, while still remaining relevant to this application.

. 1.2 Methodology

The author of this report is an experienced heritage consultant and professional historian, and the assessment offered is made pursuant to the Expert Witness Code of Conduct in Schedule 7 of the *Uniform Civil Procedure Rules* 2005 (NSW). Terminology, principles, and methodology utilised by this HIS are consistent with contemporary conservation approaches and best-practice general principles for new work in the historic environment, namely as expressed by *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter* (rev. 2013) and the publication: *Better Placed: Design Guide for Heritage*. The policy statement, *Subdivision and NSW State Heritage Register Items* (Heritage Council of NSW, December 2019), is also referenced. Both the CMP and HIS have benefited from formal and informal guidance offered by the Heritage Council of NSW and NSW Heritage Office staff. A two-day site visit undertaken in late 2019 also informs this report.

. 1.3 Location

The Albion Hotel complex is situated on the south-east corner of Wallace and Duncan streets in Braidwood, a small Southern Tablelands centre in the Parish of Braidwood, County of St Vincent. Its large rectangular allotment is described as one parcel (Lot 1, DP 598830) and hosts several buildings and small open spaces, including the three items that largely compose its heritage value: the Albion Hotel, Stables, and Mixed-use row (refer to Figure 1 and 4).

1-Heritage Council of NSW, Approvals Committee Minutes, 7 August 2019, Hordern Boardroom, Rydges World Square, available online

2-NSW Heritage Office: Assessing Heritage Significance (rev. 2001), Statement of Heritage Impact (rev. 2002) and Altering Heritage Assets (1996); NSW Heritage Office and the Royal Australian Institute of Architects, Design in Context: Guidelines for Infill Development in the Historic Environment, 2005, available online; and Heritage Council of NSW and Government Architect of New South Wales, January 2019, available online. N.B.—as of July 2019, the NSW Office of Environment and Heritage Office was dissolved and the functions of the agency assumed by Heritage NSW, a branch of the Community Engagement Group in the Department of Premier and Cabinet.



Figure 1. Aerial photograph of the Albion Hotel complex .North is top of frame. (Source: EagleView, October 2019)

1.4 Heritage management framework

The subject place is listed on the State Heritage Register (SHR), described as the 'Albion Hotel, 3 adjoining shops & stables (no. 00304). It is also included as an item of environmental heritage under Schedule 5 of the *Palerang Local Environmental Plan 2014* (PLEP), identified as 'The Albion and outbuildings' (I126). In both listings, the extent of the curtilage is the same and includes the entire property known as 119 Wallace Street, Braidwood.

In addition, the subject place is situated within the curtilage of 'Braidwood and its Setting'—a heritage conservation area (HCA) included on the SHR (no. 01749, gazetted 3 April 2006). Herein, this listing is referred to as the 'Braidwood HCA' for brevity.

Located in the immediate vicinity of the Albion Hotel complex are several items of Local significance.



Figure 2. Extract from Heritage Map HER_004BB with the subject site outlined in orange (N.B. partly cut off, for northern edge and context see below). Tan shading indicates heritage items, while red hatching is the Braidwood HCA. (Source: PLEP)



Figure 3. Extract from Heritage Map HER_004BA with the subject site outlined in purple. Tan shading indicates heritage items, while red hatching is the Braidwood HCA. (Source: PLEP)

Due to its heritage status, the Albion Hotel complex is subject to the requirements of the *NSW Heritage Act 1977* (the Act). The *Braidwood Development Control Plan 2006* (BDCP),³ which operates under the Act, determines whether or not new work in the Braidwood HCA requires approval from the Heritage Council. The basis for the BDCP's discernment on this front is Section 57(1) of the Act, specifically (e). As the intended development is a subdivision of land at a State listed place, its potential heritage impact must be assessed by the Heritage Council.

Non-statutory listing

The subject place is not individually classified by the National Trust (NSW), although the wider

townscape was listed as the 'Braidwood Township Urban Conservation Area' on the Register of the National Trust in 1976. The town was also included on the Register of the National Estate (repealed) as 'Braidwood Township' in 1980 (Place ID 1157).⁴

1.5 Identified heritage significance

The State Heritage Inventory includes two 'citations' for the subject place. Of these, only the 'Local' entry includes a Statement of Significance. It reads:

Historic aesthetic and social value. Prominent location, streetscape value, good condition, some modifications. Also includes brick barn, corrugated iron shed and stables. Place is listed on State Heritage Register.

This citation is attached at Appendix B of the CMP.

The 'State' entry indicates that the Albion Hotel, 'Shops/Terrace' (collectively referred to by this HIS and the CMP as the 'Mixed-use row'), and Stables are considered to embody heritage value at the place (refer to Appendix C of the CMP).

The CMP recommended that a more in-depth Statement of Significance for the Albion Hotel complex be adopted (see Section 4.2 of the CMP), it follows:

Revised Statement of Significance

The Albion Hotel complex is of historical (criteria A) and aesthetic (criteria C) significance to the state of New South Wales.

It is a large corner property near the geographic centre of the Southern Tableland's town of Braidwood, of which the following components are significant: the Albion Hotel, Stables, and Mixed-use row. As the Albion Hotel and Stables have lost their original/early uses, the descriptor 'former' is apt. All three buildings make a positive contribution to the picturesque townscape of Braidwood, a designated heritage conservation area of State heritage significance. The spatial/visual relationship of the Albion Hotel with other buildings at the property, specifically the Stables and Mixed-use row, and likewise, supports a 'reading' of the place as a distinctive complex.

Other structures and landscape elements at the place, namely the pair of corrugated metal sheds, garages, small brick outbuilding, well cap, gravel driveway, and plantings are not significant from a heritage perspective.

Former Albion Hotel

The Albion Hotel is a commanding two-storey building prominently situated at the south-east corner of Wallace and Duncan streets, the former of which is the town's principal thoroughfare. The double-verandahed frontage of the hotel addresses both. This siting, in combination with the building's considerable scale, splayed corner, ornamented pediment, and ordered fenestration, endow it with a landmark status within the locale. Such elements are also reflective of the architectural status and social prestige afforded country-based hotels over the late 19th century. It was constructed in 1872/73—in the still-thriving aftermath of Braidwood's heady gold-fuelled consolidation—for the Prussian immigrant, Karl Kartzman, the first of several proprietors, by the local contractor, Roderick McDonald and

Sons; either in place of or incorporating a pre-existing late 1850s

public house known as 'The Cottage of Content' and later the 'Rainbow Tavern'. The new establishment's reputation as a commodious country hotel eroded gradually, and its license was surrendered in 1933, after which the building has accommodated ongoing commercial and residential uses.

3-The BDCP was repealed in the wake of the Palerang Development Control Plan 2015; however, while no longer a DCP for the purpose of Division 6 of the *Environmental Planning and Assessment Act 1979*, it continues to operate under the *Heritage Act 1977* in the 'Braidwood and its setting' HCA. The Register of 4-The National Estate, established under the *Australian Heritage Commission Act 1975* (Cth), ceased functioning as a statutory register in February 2012. It remains available as a public heritage resource.

The former hotel is a handsome example of its type, with a relatively restrained, domestic expression that was indicative of rural 'pubs' across the colony of New South Wales over the 1860s and '70s. Despite modifications and fabric replacement (particularly to the verandah), the Albion's authentically as a mid/late Victorian-period hotel remains highly legible. Since its inception, the Albion Hotel has performed important and varied roles for Braidwood, including as a hub of economic activity, lodging, and sociability—all aspects that endure to an extent.

Stables

The modest, vernacular, generally intact mid-Victorian period Stables building addresses Duncan Street, approximately 10 metres to the east of the Albion Hotel's northern wing. It is almost certainly the earliest surviving structure at the property, likely having been built in the late 1850s as a stable for the horses of those staying at The Cottage of Content/Rainbow Tavern. This role continued with the genesis of the Albion Hotel, although the building also appears to have been utilised by various coaching business that operated out of Braidwood. Such uses ceased following the closure of the Albion Hotel. After being used for different commercial/storage purposes or left derelict, it was adapted into a café from 2018.

The Stables key physical characteristics—its gabled roof (clad initially in timber shingles), soft brick construction (likely sandstock), granite rubble base course, loft window and other original openings (eastern elevation only), including timber frames, and internal timber truss—are important. The double doors to the 'façade' are a later addition. The Stables presence on the same visual plane of the Albion Hotel, that is their materialisation as proximate large and small built elements separated by a nondescript driveway, is also integral to interpreting their historical relationship.

Mixed-use row

The largely intact two-storey building (now 'Albion Shops') was erected in 1920 to the south-west of the property, facing Wallace Street, on the instructions of the then proprietor of the Albion Hotel, Harry Cockerill. It replaced an earlier group of shops destroyed by accidental fire the previous year. This early

inter-war period included three small retail premises to the ground floor, still in use, above of which were situated additional rooms for the hotel, now adapted into a pair of flats. These rooms were linked to the Albion by an enclosed first-floor passageway, that was unsympathetically modified in the early 1980s.

The brick constructed Mixed-use row, with a smooth-rendered façade, are expressive of the Interwar Free Classical style. Such compositions, pervasive across commercial and civic designs in the wake of the First World War, were characterised by a pared-down classicism; articulated at this building by its symmetrical arrangement into three bays, corbelled pilasters, mouldings, and arranged fenestration. The original footpath spanning verandah was less standard for the idiom (at least in metropolitan contexts) responds well to its setting. Other notable elements include its predominantly intact shopfronts and, internally to both floors, pressed metal ceilings.

The development of the Mixed-use row illustrates the continued commercial operations and indeed the growth of the corner site and Braidwood more broadly in the early 20th century—a phase routinely overlooked in the appreciation and understanding of the town.

At Section 4.3, the CMP provides a 'Significance gradings' and 'Schedule of internal elements'. Section 4.4 of the CMP also discusses the curtilage of the subject place ('lot boundary' in type).

A previously submitted 'Baseline Historical Archaeological Assessment' prepared in August 2018 by GML provided the following 'Statement of Historical Archaeological Significance':

The western allotment [historically Lot 11, that is the section directly associated with the hotel] is likely to have archaeological significance at a local level. While only of low to moderate archaeological potential, the historical archaeological evidence of unrecorded structures associated with the occupation and development of the site by Henry Farmer, such as housing, evidence of the inn or other mid-nineteenth century outbuildings, would be of local significance for its historical, social and research values. Evidence of later use of the site as the Albion Hotel may be of local significance, especially if evidence could be attributed to specific site occupants or site uses or demonstrates the evolution of the site over time. Archaeological evidence relating to the later twentieth century repurposing of the building and additional yard development is unlikely to reach the threshold for significance.

Evidence associated with the eastern allotment usage is likely to be ephemeral, isolated and disturbed, and would therefore likely not meet the threshold for local significance. If physical remains of the skating rink did remain, these may be of local significance due to possible social significance and research potential.

Overall, evidence associated with the site would be likely to be of local significance for historical, research and social values, as well as possibly of aesthetic value.

The State Heritage Inventory includes a Statement of Significance for the Braidwood HCA:

Braidwood and its setting are of stage significance as an excellent surviving example of a Georgian period town plan, dating from the late 1830s. The plan, which retains high integrity, reflects colonial administration as applied to the outer reaches of the Nineteen Counties from the 1820s, following earliest European settlement in the area. The surviving historic elements in the surrounding landscape strengthen the town's significance.

The town buildings reflect key phases of development, commencing with the initial construction period in the 1840s, and consolidation in the later half the century following the gold boom. The integrity of Wallace Street as a fine collection of 19th century buildings makes it particularly significant. The high proportion of 19th century buildings throughout the town contributes further to its heritage value and creates fine streetscapes often with delightful views to the pastoral surrounds.

The abrupt transition at the town boundary between built and pastoral landscapes highlights significant historical settlement patterns, specifically the large land grants on the north, east and south sides of the town obtained by McKellar, Wilson and Coghill, and passed on to the Maddrells and eventually others. The juxtaposition of a cohesive town set within an historic pastoral landscape on the north, east and south sides is also significant. The closer settlement on the western side reflects the subdivision of the former Church and School Estate.

In NSW, colonial towns that retain significant historic form and fabric to the extent that Braidwood does, are rare.

Some 20th century elements in the town reflect later phases of development. Construction circa 1936 is significant for its association with the emergence from the Great Depression and amalgamation of the Municipality of Braidwood with the Tallaganda Shire.

Development in the 1950s, particularly to the west of town is significant for its association with post WWII population growth and the mid 1950s wool boom. 20th century development is reflected in most towns in NSW and, in the context of Braidwood, is considered to be of local significance only.

Updated: 15 March 2005

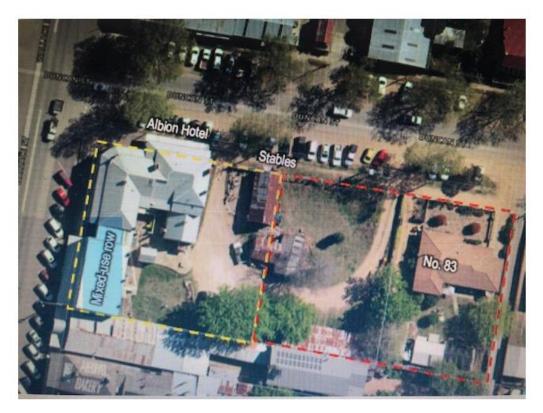
2.0 SITE OUTLINE

The contextual and place-specific historical development of the subject site is outlined in the Section 2.0 of the CMP.

As an understanding of Albion Hotel complex's subdivision history is germane to this HIS, a brief history of the subject land follows.

Initially, the subject place was formed by two allotments—10 (eastern) and 11 (western)—from Section 9 of the 1839 gazetted gridiron plan for Braidwood. This pair of lots were acquired by Henry Farmer in 1846. The Stables (late 1850s), Albion Hotel (1872/73), and Mixed-use row (1920) were all erected on to the western lot. Other uses, most prominently that of a skating rink (its large gabled shed survived between 1889 and 1913), utilised the eastern lot.

In 1978, the eastern lot was re-subdivided—creating 83 Wallace Street—and a new Certificate of Title was issued for the remainder of the subject place, being consolidated as Lot 1, DP 598830. The Albion Hotel complex, along with its context, is analysed in Section 3.0 of the CMP



Detail aerial of the subject place with key items labelled. The yellow dashed line equates approximately with the historic extent of Lot 11 (western), while the red indicates Lot 10 (eastern)—both acquired by Henry Farmer in 1846. The property at no. 83 was created through subdivision in 1978. (Source: EagleView, October 2019)

3.0 THE PROPOSAL

The proposal is outlined in a plan prepared by M & M Surveys, undated, which details a three-lot subdivision of Lot 1, DP 598830—the Albion Hotel complex. The 3 lot subdivision was denied by Heritage Council and instead approved a 2 lot subdivision specifying the subdivision line be 1 metre East of the stable. A new plan was drawn up reflecting this for stamping by Heritage.

Lot 10 (to the west) would be parcel for the Albion Hotel with a frontage to Wallace Street and frontage to Duncan Street. Including Shops Hotel and Stable. Proposed boundary 1 metre to the East of the stable running North to South.

Lot 12, which was supported by Heritage Council subject to a CMP prior to issue of a subdivision certificate, would form a parcel to the east of the site with a boundary line 1 metre to the East of the stable.

The proposal does not include any new built form. Section 5.3 of the CMP speaks to the rationale behind the proposal.

4.0 ASSESSMENT OF HERITAGE IMPACT

. 4.1 Heritage Policy

The following section examines the potential impact of the proposed work on the heritage significance of the Albion Hotel complex and the Braidwood HCA. The coverage of the latter is considered to deal adequately with the issue of potential 'in the vicinity' impact. While adopting a performance-based model, the subdivision policy and pertinent heritage objectives of the PLEP, BDCP, and Heritage Council are acknowledged.

4.2 Review of Heritage Impact

I note that the initial extent of the land associated with the Albion Hotel, Stables, and Mixed-use row was previously subdivided in 1978 (leading to the creation of 83 Duncan Street). More recently, the Heritage Council supported the excising of Lot 12. The opportunity to retain the original historic property of the Albion Hotel complex—if found to be contributive to the significance of the place—unaltered has already passed.

Previous significance assessments of the Albion Hotel complex (refer to appendices B and C attached to the CMP) have only ascribed primary heritage significance to the Albion Hotel, Stables, and Mixed-use row. Namely, that of their historic fabric, external presentation, and visual/spatial relationship to each other and the immediate townscape. Little has been made of the subdivision pattern to the heritage value of the subject place; however, this is a key element of the encompassing Braidwood HCA. While more detailed, the revised Statement of Significance, in substance, endorses the previous heritage assessment of the place.

In regard to subdivision, the BDCP states:

that the 'residential subdivision pattern of Braidwood has retained its Georgian characteristics of large lots aligned to the rectangular street grid. Lots were deep but relatively narrow, a pattern that has survived ...

While some lots have been subdivided, this has tended to occur along their depth rather than width (particularly in the commercial part of Wallace Street) and consequently the original 1839 lot pattern can usually be discerned ...

The evidence of the town's early subdivision pattern is considered to be an important part of Braidwood's heritage significance and one which should remain legible in spite of future subdivision and amalgamation pressure.

Objective

To retain evidence of Braidwood's historic subdivision pattern and ensure that new subdivision and subsequent development enabled by subsequent development enabled by a subdivision is sympathetic to the heritage significance of Braidwood, including its historic plan, streetscapes.

The actual change generated by the creation of lots 10 and 12 at the place is slight. In the first instance, the existing presentation of the Duncan Street frontage of the Albion Hotel complex would remain wholly unchanged, albeit moderately truncated to the east by the supported establishment of Lot 12. Although no new built form is proposed as part of this application, it is recognised that subdivision often precedes (or accompanies) such a scheme—which could be unsympathetic to the significance of the site. However, as set out below, this outcome is unlikely in this case and would require separate approval to occur.

Any impact on the 'rhythm' of the underlying subdivision patterns in the immediate or wider townscape is, in my opinion, minor. I note that the frontages of properties along Duncan Street—to the east of Wallace Street (proximate to the place)—are more diverse in width to elsewhere in the town (such as Duncan Street west of Wallace). This situation is an outcome of the historic reserve (always varied to this section of Duncan Street) and a relatively greater degree of infill development, ranging from the inter-war period to the more recent past. Consequently, the varied streetscape of the subject place's context meaningfully diminishes any potential disruptive effect.

By virtue of the Albion Hotel complex's siting, near the centre of Braidwood, the proposal would not affect the notable sharp delineation between the town and its pastoral hinterland.

Broadly, the proposal satisfies the subdivision objective for the Braidwood HCA.

The policy and discussion concerning subdivision outlined by the CMP at Section 6.13, which the proposal is considered to be in line with, follows:

Subdivision

Policy: As a large property, there exists some scope for subdivision at the Albion Hotel complex. Such a course of action, however, should be approached with care and be closely informed by an assessment of heritage impact, the wider subdivision context, and proactive consideration of issues of the long-term management of items proposed for different titles.

Discussion

On-site interpretation can also be used as a balancing action and offers a viable means of conveying aspects of the place's history and evolution, in this case, the complex as a whole, to users and the public.

Regarding short and long-term management, should all or part of the Albion Hotel complex be sold then the recognition and implementation of this CMP should form part of the condition of sale. New owners should actively be made aware of their statutory conservation obligations arising from their acquisition.

The CMP discusses the option of removing the approved Lot 12 from the curtilage of the Albion Hotel complex; a recognition of the diminished contribution this likely to be developed parcel of land would make to the significance of the subject place. The heritage/archaeological protection allowed by the Braidwood HCA is sufficient for its future management.

5.0 CONCLUSION

The creation of lots 10 and 12 at the Albion Hotel complex would not compromise its heritage significance nor that of the Braidwood HCA. The capacity of all three items of primary significance at the place to be understood, interpreted, and appreciated by observers and users would not be prejudiced by the application's approval.

To all intents and purposes, the proposed subdivision would retain the existing presentation of the place, particularly the important visual and spatial relationship.

The motivation behind the proposal is sound and reasonable. The subdivision of the site would generate funds for the owner to channel back into Albion Hotel and Mixed-use row. The CMP proffers several achievable conservation policies that ward off the risk of incremental detrimental change if adopted by future ownership parties.

Overall, the impact of the proposal on the significance of the Albion Hotel complex is negligible,

and therefore, supportable from a heritage perspective.

Should the Section 60 application be permitted, I recommend that the following conditions of approval be required to minimise the assessed impact of the proposal.

. The CMP, including its revised Statement of Significance, should be reviewed by NSW Heritage—if necessary, amended in collaboration with the instructing party and author and recognised by the Heritage Council.

PATRICK WILSON

Heritage Consultant & Historian

Touring the Past

Conclusion and additional information by applicant Dr Justin Sinfield

- . The Heritage Council was engaged at the direction of Heritage Division in order to make a decision they felt were not qualified to to make. The Heritage Council gave a definitive answer supporting the subdivision of Lot 12 dependent only upon a CMP prior to a subdivision certificate being issued. Given Heritage Council has made a decision and direction, it would be unreasonable for Heritage Division to over rule the decisions they requested from a higher authority. It is understood a new application is only required as due process.
- . The Archaeological study by GML , HIS and CMP by Patrick Wilson show that the Albion Complex was originally 2 lots , an Eastern Lot and Western Lot. The proposed subdivision line seeks to reinstate this eastern and western original lots. The Heritage Council have stipulated the boundary line is to be at lease 1 metre from the eastern side of the stable which has been complied with by new drawings under as requested by Heritage Division in telephone conversations this year.
- . The heritage items are all named as physical buildings as opposed to a precinct. These physical buildings are all contained on the proposed Western Lot. The Eastern Lot is vacant land. The archaeological report by GML shows there is very low to no potential of anything even underground on the proposed Eastern Lot. As such the proposed vacant lot has no Heritage items , very low to no archaeological items. As such excision of the rear vacant lot would have no impact of the Hotel , Shops and

Stable. As stated in Patrick Wilson's HIS above, in 1978a subdivision already occurred so the "boat has been missed in maintaining the Original Farmer Holdings of 2 lots.

. To conclude. Heritage Division stated that a decision must be made by Heritage Council and thus referred this sub division before a Council meeting. Heritage Council gave a definitive answer of support to Lot 12 dependent ONLY upon a boundary at least 1 metre from the eastern side of the stable and a CMP being done prior to issue of a certificate. It did not say for Heritage Division to review, second guess or undermine the decision of the higher authority of Heritage Council that Heritage Division deferred the decision to. My conversation was such that this was a new application only due to time elapsed and expediency of process.

To accompany this HIS are the following

- 1) The GML archaeological report that Heritage already has
- 2) The CMP already sent to Damian Tybussek
- 3) A new plan already sent Damian Tybussek
- 4) A checklist for the CMP by Patrick sent to Damian Tybussek

Dr Justin Sinfield

For Zen Ruby Pty Ltd atf Zen Ruby Trust

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 7 DA.2021.1240 - HERITAGE ADVISOR'S COMMENTS

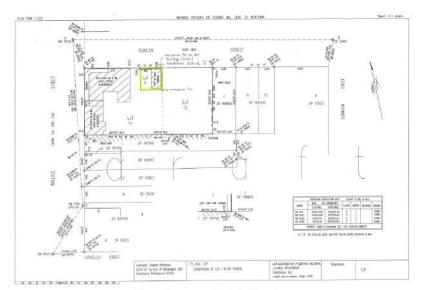
Attachment 7 - DA.2021.1240 - Heritage Advisor's Comments (Continued)

Queanbeyan-Palerang Regional Council - Heritage Advisory Service

1

Place	Albion Hotel Braidwood	
Issue	Issue Proposed 2 lot subdivision	

The following comments relate to the proposed subdivision of the Albion allotment into two portions (Lots 10 and 12) as shown in the plan below. The proposed subdivision boundary, shown dotted, would be located one meter east of the stables (shaded yellow as Lot 11). Not shown in this plan is a pair of corrugated iron buildings located just south of the stables through which the subdivision boundary would pass. This would most likely lead to the demolition of the sheds and is not acceptable from a heritage perspective.



Current proposed subdivision plan



The aerial photo shows the brick stables facing Duncan Street and the corrugated iron sheds to the south, with the proposed subdivision boundary passing through the centre of the corrugated iron sheds.

The sheds are identified as part of the site's significant fabric in the Palerang LEP 2014 Item 126 which is identified as *The Albion & <u>Outbuildings</u>*, and includes the following statement of significance:

Statement of significance:

Historic aesthetic and social value. Prominent location, streetscape value, good condition, some modifications. Also includes brick barn, <u>corrugated iron shed</u> and stables. Place is listed on State Heritage Register. [underlined by author]

There are in fact two corrugated iron sheds that are joined and read as 'one', as illustrated in the images below.



View from Duncan Street with brick 'stables' on right and shed at left rear. Note consistency of roof forms and pitch



The shed is in fact two buildings joined in a 'T' shaped plan



View from south west showing south elevation of stables with bricks removed where former skillion was attached



Space between the shed and stables was previously occupied by the skillion. A gate hinge is still evident on post (circled)



Interior of eastern shed with flooring constructed from 150 x 25 butt jointed Australian hardwood



Western shed showing connection into the eastern shed. The wall and gutter of the eastern shed is visible, suggesting it was built first.

Both the CMP that was prepared for the site, and the subsequent Statement of Heritage Impact prepared for the proposed two lot subdivision (this proposal) assesses the sheds as below the threshold for listing. However that assessment fails to appreciate their heritage values.

Although the history in the CMP did not uncover the date of construction or specific purpose of the sheds, it is presumed they were from the early 20th century and provided ancillary storage for the hotel.

3

Thus they had a similar role to what we call the 'stables' but were constructed from different materials and from a later period. Incidentally, the brick 'stables' does not appear to be the sort of structure that would have stabled horses. The western elevation is more domestic in appearance and the door-opening facing Duncan Street may not be original. Further research is required for this building.

From 1859 through to the 1990s the 'stables' had a weatherboard skillion structure on its southern elevation (see Ardill's plan of Braidwood 1859) that at a later stage and to some extent appears to have informally connected the brick and the iron buildings. A surviving post on the corner of the extant iron shed retains a strap hinge for a door in an outer wall between the shed and former weatherboard structure. It appears therefore that over the years the collection of outbuildings had developed some form of connected or integrated use. Their function and significance is linked to one another and to the Albion Hotel. Not very much is known about these buildings, even though they are on a State listed item in a State listed town. The corrugated iron sheds therefore have the potential to yield information that will contribute to an understanding of NSW's cultural history and their future should not be put in jeopardy by allowing a property subdivision line through their middle as per the owner's current proposal.



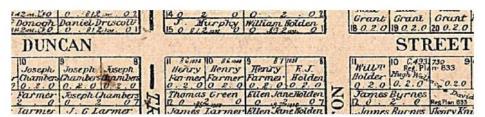
West elevation of the stables showing weatherboard skillion at rear and one of the corrugated iron sheds behind - early 1980's. Source *The Albion CMP*, p38

Interestingly, although the CMP dismisses the iron clad sheds as below the threshold for heritage listing, the same document uses the buildings to define the shape and size of the previously proposed third lot (around the stables) namely Lot 11 (Albion Hotel Complex CMP p60). It is not clear why proposed Lot 11 has since been reduced in size to delete the sheds, but from a heritage perspective it is without a doubt the wrong decision as it implies the corrugated iron sheds have no heritage value and may as well be demolished.

One of the significant features of Braidwood's built environment, and one that many dwellers in the town feel strongly about, are the sheds that occur on so many of the allotments. Some were constructed of brick, others of split timber slab and some are timber framed and clad with timber weatherboard or corrugated galvanised iron. Many were fine structures built by tradesmen while others were patched together using second hand or found materials in the Australian spirit of 'making do'. Many of them still survive and almost all continue to be used as adjunct structures to the primary building, whether commercial, civic or residential. Some are large and some small. Mostly they have a gabled roof with a steep pitch and they provide much of the 'fine grain' evident in Braidwood's townscape. To dismiss this rich layer of the built environment indicates a lack of understanding of the way in which life operated in a country town up to the middle of the 20th century. Many of the town's artists, craftspeople and small businesses now use the same sheds for their new uses.

One of the challenges in managing Braidwood's development is the issue of conflicting values when endeavouring to protect one set of values leads to the erosion of another. That is the issue with this proposal: is the re-establishment of Larmer's town plan more important than the loss of two historic sheds. If the sheds were constructed from 19th century brick or from split timber slab, it is likely the buildings would prevail. Their construction from corrugated iron may make their demolition slightly easier for some people to accept. But this should not be the case as they are part of Braidwood's story, however inconvenient.

It is desirable to retain the definition of Braidwood's Georgian town plan where doing so would not result in demolition of heritage fabric, but it is not appropriate where loss of fabric would result. There have already been many departures from the town plan that cannot be undone and inappropriately forcing this issue would be a falsity that distorts Braidwood's evolution.



Braidwood town map showing Henry Farmer's Lots 10 and 11

In the case of Henry Farmer's Lot 10 shown on the historic Braidwood town map, the boundaries have already been compromised on the eastern edge to allow for a laneway and dwelling and it would seem acceptable to allow for a revision of the former western boundary to allow the corrugated iron sheds to survive. The proposed boundary shown in the CMP (see below yellow rectangular block of 860sq m) makes sense and is an acceptable compromise as it saves heritage fabric while retaining a rectilinear boundary that is only a few metres different from Larmer's 1839 town plan.



Initial subdivision plan proposed in the CMP with proposed Lot 11 including the two corrugated iron sheds. The boundary between proposed Lot 12 and proposed lots 11 and 10 should be 900mm east of the wall of the corrugated iron shed.

Should Heritage NSW support the proposal that results in a boundary through the midst of the sheds, which by extension would inevitably lead to the demolition of one or both sheds and/or their cadastral and physical separation from the Albion Hotel, there will be a dilemma for Queanbeyan Palerang Regional Council who are obliged to consider the heritage significance of the outbuildings and the feelings that their community have for them.

9.2 Development Application - DA.2021.1240 - Two Lot Torrens Title Subdivision and Demolition of Two Existing Sheds and Garages (Albion Hotel Site) - 119 Wallace Street, Braidwood
 Attachment 7 - DA.2021.1240 - Heritage Advisor's Comments (Continued)

5

It is strongly recommended that a resolution that respects heritage fabric and Braidwood's historic built environment be found so that both Heritage NSW and QPRC are seen to be on the same page.

Pip Giovanelli Heritage Adviser, Queanbeyan-Palerang Regional Council 22 November 2020

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 8 DA.2021.1240 - S60 APPROVAL - DEMOLITION OF SHEDS - 119 WALLACE STREET, BRAIDWOOD



Our ref: DOC21/149578

Justin Sinfield 58 Lagoon Street NARRABEEN NSW 2102

By email: etalkj@yahoo.com.au

Dear Mr Sinfield

Application under section 60 of the *Heritage Act* 1977 Albion Hotel, 3 adjoining shops & stables State Heritage Register No. 00304

Address: 119 Wallace Street, Braidwood, NSW, 2622

Proposal: Works to stables building involving a self-levelling cement compound over

existing concrete floor, replace roof with like for like material, repair of brickwork, installation of plumbing into stable for sink connection, installation of bathroom and extension to approved roof and seating area to west of stables. Removal of T-shaped sheds, removal of sheds on south boundary line. Construct awning

to shed at the rear of Albion Hotel.

s60 application no: s60/2021/102, received 15 March 2021, following discussions and

request for additional information, completed application received 25 June

2021.

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above Section 60 application. Pursuant to section 63 of the *Heritage Act 1977*, approval is granted subject to the following conditions:

APPROVED DEVELOPMENT

1. All work shall comply with the information contained within:

a) Drawings originally prepared by Blue Sky Homes and marked up by the applicant to demonstrate proposed works, as listed below:

Dwg No	Dwg Title	Date					
Project Name: Alterations and Additions							
2 of 7	Floor Plan Renovation	Submitted to HNSW on 18 June 2021	N/A				
4 of 7	Elevations	Submitted to HNSW on 2 March 2021	N/A				
6 of 7	Elevations	Submitted to HNSW on 2 March 2021	N/A				

- b) Drawing of Albion Hotel Stables showing the proposed stables floorplan, provided by email 13 July 2021.
- c) Site Survey titled, 11 Wallace Street, Braidwood, prepared by PHL Surveyors, dated 18 March 2021.
- d) Report titled, Albion Hotel Complex: 119 Wallace Street, Braidwood, prepared by Touring the Past and Justin Sinfield, dated February 2021.
- e) Conservation Management Plan titled, Albion Hotel complex: 119 Wallace Street, Braidwood, prepared by Touring the Past, dated April 2020

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124 P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

- Report titled, 119 Wallace Street Baseline Historical Archaeological Assessment, prepared by FML Heritage, dated August 2018.
- g) Letter titled, Austech Cement Concrete Repairs Quote, which identifies the description of works to stables exterior, undated.

EXCEPT AS AMENDED by the conditions of this approval:

WORKS TO STABLES BUILDING

- The new self-levelling cement compound must be installed without impacting on the base and sandstock brick walls of the Stables building.
- The bathroom fitout must not impact significant fabric and services should reuse existing service points.

Reason: To protect significant fabric and prevent unnecessary removal of fabric.

4. The extension to the deck is approved but must be a timber structure and not concrete.

Reason: To retain consistency with previous section 60 determination for the deck, application no. 15/s60/03, approved 28 October 2014.

HERITAGE CONSULTANT

5. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SPECIALIST TRADESPERSONS

 All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

 Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

8. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

ABORIGINAL OBJECTS

9. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and the Department of Planning, Industry and Environment is to be informed in accordance with the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal objects on the site must not continue until the Department of Planning, Industry and Environment has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

 If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

DURATION OF APPROVAL

 This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

Reason: To ensure the timely completion of works.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination appeal may be made to the Minister under section 70 of the Act.

It should be noted that an approval under the Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.

If you have any questions about this correspondence, please contact please contact Caitlin Stevens, Senior Heritage Assessment Officer, at Heritage NSW, on 9895 6582 or Caitlin.Stevens@environment.nsw.gov.au.

Yours sincerely

Rajeev Maini

Senior Team Leader South Assessments Heritage NSW Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW

24 September 2021

cc: Queanbeyan Palerang Regional Council,

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.2 DEVELOPMENT APPLICATION - DA.2021.1240 - TWO LOT

TORRENS TITLE SUBDIVISION AND DEMOLITION OF TWO EXISTING SHEDS AND GARAGES (ALBION HOTEL

SITE) - 119 WALLACE STREET, BRAIDWOOD

ATTACHMENT 9 DA.2021.1240 - S60 APPROVAL - SUBDIVISION LAYOUT - 119

WALLACE STREET, BRAIDWOOD



Our ref: DOC20/729278

Justin Sinfield 58 Lagoon Street NARRABEEN, NSW, 2101

By email: etalkj@yahoo.com.au

Dear Dr Sinfield

Application under section 60 of the Heritage Act 1977
Albion Hotel, 3 adjoining shops and stable
State Heritage Register No. 00304

Address: 119 Wallace Street, Braidwood, NSW, 2622 Proposal: Subdivision of existing site into two lots

Section 60 application no: s60/2020/260, received 9 October 2020 Additional information requested: Yes, received 12 November 2020

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above Section 60 application. Pursuant to section 63 of the *Heritage Act 1977*, approval is granted subject to the following conditions:

APPROVED DEVELOPMENT

- 1. All work shall comply with the information contained within:
 - a) Survey drawing with mark-up identifying new Lot 12, titled Subdivision of Lot 1 in DP 598830, prepared by Robert Richards, dated 19 December 2017
 - b) Heritage Impact Statement report titled, Proposed Subdivision Albion Hotel Complex: 119 Wallace Street, Braidwood, prepared by Touring the Past, dated June 2020.
 - c) Conservation Management Plan titled, Albion Hotel Complex: 119 Wallace Street, Braidwood, prepared by Touring the Past, dated June 2020.
 - d) Baseline Historical Archaeological Assessment titled, 119 Wallace Street, Braidwood, prepared by GML Heritage, dated August 2018.

EXCEPT AS AMENDED by the conditions of this approval:

EFFECT OF SUBDIVISON

This approval for subdivision of Lot 1, DP598830 to create a new allotment 12 does not:

- a) include any physical works to the site.
- b) Alter or reduce the gazetted curtilage of SHR item 00304.

HERITAGE CONSULTANT

2. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124 P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SITE PROTECTION

 Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

4. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works. The site is located within the Town of 'Braidwood and Its Setting', an early colonial town in NSW which is listed on the State Heritage Register. It may contain unexpected archaeological deposits to those anticipated by the supporting archaeological assessment. In this circumstance this condition provides guidance on these requirements under the Heritage Act 1977.

ABORIGINAL OBJECTS

5. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and the Department of Planning, Industry and Environment is to be informed in accordance with the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal objects on the site must not continue until the Department of Planning, Industry and Environment has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

 If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

DURATION OF APPROVAL

 This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

Reason: To ensure the timely completion of works

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination appeal may be made to the Minister under section 70 of the Act.

It should be noted that an approval under the Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.

If you have any questions about this correspondence, please contact please contact Caitlin Stevens, Senior Heritage Assessment Officer, at Heritage NSW, on 9895 6582 or Caitlin.Stevens@environment.nsw.gov.au.

Yours sincerely

Steven Meredith

Regional Manager, Heritage Operations

South

Heritage NSW

Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW

18 November 2020

cc: Queanbeyan-Palerang Regional Council, council@qprc.nsw.gov.au

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

TEM 9.4 DRAFT IPART SUBMISSION - ESSENTIAL WORKS - DEVELOPMENT CONTRIBUTIONS

ATTACHMENT 1 INFRASTRUCTURE CONTRIBUTIONS REFORM EXHIBITION PACK

Infrastructure Contributions Reform Exhibition

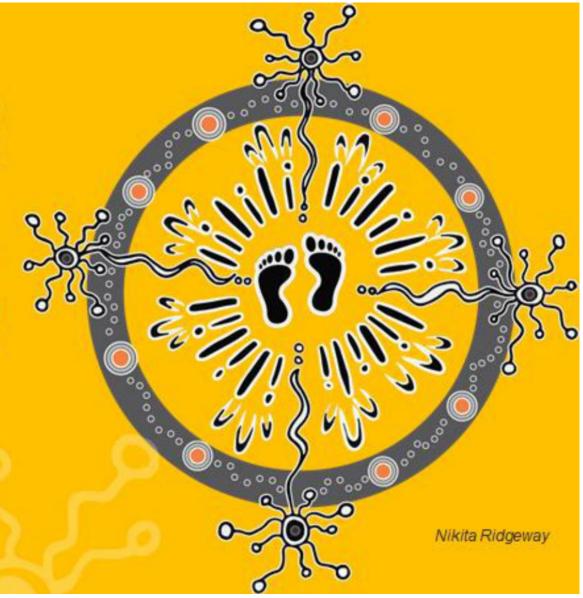
Webinar Series



Acknowledgement of Country

We acknowledge that today we meet on many Aboriginal lands

We acknowledge the traditional custodians of the lands and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work

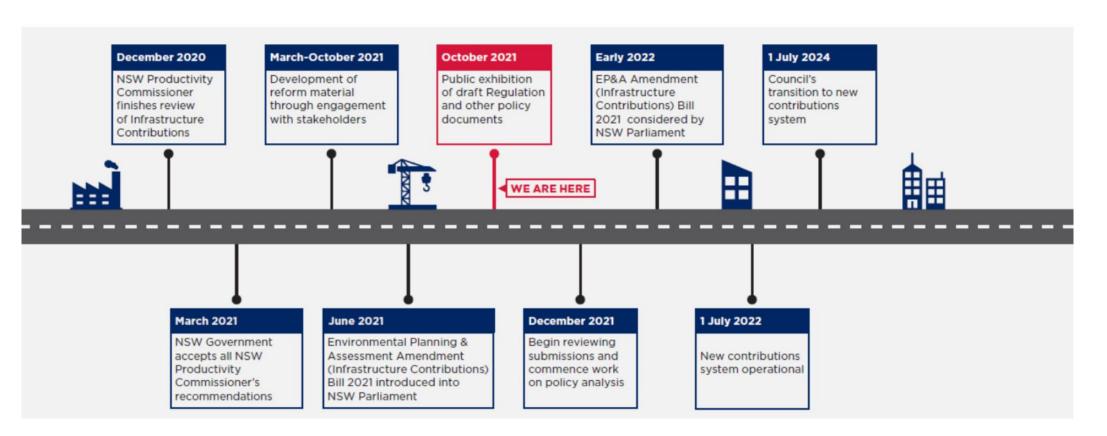




Context and Timeline \square

INFRASTRUCTURE CONTRIBUTIONS

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3

Key Anticipated Benefits and Outcomes 💆



INFRASTRUCTURE CONTRIBUTIONS

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Unlock up to \$12 billion in productivity benefits in next 20 years

Increased spending on infrastructure and more housing supply will stimulate productivity benefits of \$600 million per year over 20 years.



Reformed Rate Peg

The reformed rate peg will allow councils rate revenue to grow as their population grows.



Boost housing supply

Improved funding will mean more infrastructure, which opens up more land for housing sooner.



Supporting 2,600 jobs in NSW

The productivity benefits will grow the NSW economy by 2,600 jobs per year over 20 years.



Improved investment in high growth regions

Councils and communities in the Illawarra/Shoalhaven, Central Coast and Lower Hunter will benefit from improved investment following the introduction of regional infrastructure contributions.



Early delivery of land for local infrastructure

A new mechanism for councils to collect contributions for land and allow early delivery of infrastructure.



8x more investment into regional infrastructure

\$900 million per year will be collected to invest in regional infrastructure for growing communities.



Increased transparency and simplicity

Councils will publicly report all contributions collected and spent through the new online digital tool.



Communities will know what infrastructure is being delivered and when

Better strategic planning and an easy to use digital tool will help everyone know what infrastructure is being delivered and when.

Summary of exhibition package



INFRASTRUCTURE CONTRIBUTIONS

Local contributions

- Draft regulations and explanatory paper
- Land value contribution paper and case studies
- Practice note policy paper and modules:
 - Principles of infrastructure contributions
 - Selecting the most appropriate local contribution mechanism
 - What can be funded through section 7.11 and 7.12 local infrastructure contributions
 - Making a section 7.11 contributions plan
 - Making a section 7.12 contributions plan
 - Exhibition
 - Borrowing and forward funding
 - Infrastructure contributions for mining and energy developments

Contributions and land use planning

- Ministerial Directions:
 - Local infrastructure contributions planning proposal
 - Dual and shared use of open space and public facilities
- Draft practice note:
 - Contributions plans and planning proposals

Regional contributions

- **Regional Infrastructure Contribution** Discussion paper
- **Regional Infrastructure Contribution Explanation of Intended Effect**
- Regional Infrastructure Contribution Governance and Prioritisation guidelines
- Regional Infrastructure Contribution Infrastructure Delivery Agreements guidelines
- State Planning Agreements guidelines
- Feasibility Analysis

5

How We've Listened



INFRASTRUCTURE CONTRIBUTIONS

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From **1 July to 31 October 2021** we have engaged and worked with stakeholders on how to best implement the recommendations:

- √ 76 formal stakeholder meetings were held:
 - √ 46 involved LGNSW and councils
 - √ 33 involved peaks and industry
- 1111 interactions with stakeholders occurred through meetings and roundtables
- √ 149 engagements with stakeholders were undertaken across 14 technical working group meetings
- 56,846 stakeholders updated through Newsletters, Outlooks and Bulletins (tailored communications for different stakeholder groups).

Changes to section 7.11 contributions plans

We will keep the current essential works list settings unchanged for 3 years

Changes to section 7.12 rates – development, and alterations & additions

We will apply the rates to development instead of additional development to allow for knock down/rebuilds to be levied. Rates will also apply to alterations and additions

Changes to section 7.12 rates by area

We will apply differential rates based on geographical boundaries:

- Eastern Harbour City
- Central River City
- Western Parkland City
- Regional NSW

Section 7.12 levies for solar and wind farms

We have included a rate of \$2,000 per megawatt of generating capacity for solar and wind farm developments with an increased cap of \$450,000

Different section 7.12 charging units for some residential development

Levies for residential development types such as boarding houses, student housing, motels, caravan parks and manufactured home estates will be calculated using a different charging unit than "per dwelling"

Changes to regional contributions outside of Sydney

Regional infrastructure contributions rates for regions outside of Greater Sydney have been adjusted.

- \$8,000/dwelling (houses)
- \$6,000/dwelling (all other residential).

All regional infrastructure contributions will be phased in over 3 years

Local contributions



INFRASTRUCTURE CONTRIBUTIONS

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Implementation of Recommendations



What have we done with:

Section 7.11

We are ensuring section 7.11 contributions are cost reflective and based on efficient costs including through benchmarked costs for infrastructure (IPART) and the introduction of a land value contribution mechanism.

Section 7.12

We are encouraging the use of section 7.12 levies with a higher maximum rate for residential development, moving away from the uncertainty of construction costs, with variations in rates to address different development profiles in different areas.

Planning agreements

We are improving transparency by requiring draft planning agreements to be exhibited for 28 days and made available on the NSW Planning Portal.

Contributions and land use planning

We are ensuring contribution plans will be prepared upfront. Planning proposals that increase the demand for infrastructure will be jointly exhibited with contributions plans. Planning proposals must also demonstrate the efficient use of land for public open space, drainage or public facilities.

Practice note review

We are modernising and simplifying the practice notes to reflect up-to-date policy settings and integrate them with the digital tool.

Section 7.11 – IPART's reviews



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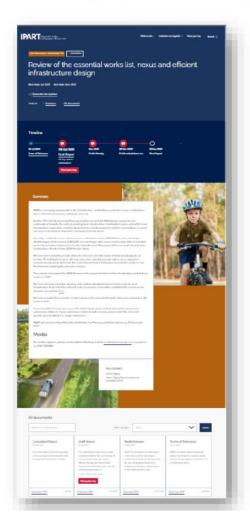
IPART review

- Benchmark costs for local infrastructure
- Essential works list, nexus and efficient infrastructure design

IPART's exhibition pack includes

- Draft Report sets out IPART's draft recommendations for its reviews of the essential works list, nexus, efficient design and benchmark costs for local infrastructure.
- Consultant Report outlines the method the consultant is using to prepare its advice on the benchmark scopes and cost information
- Benchmark costs and typical scopes will be released on 12 November 2021
- www.ipart.nsw.gov.au/Home/Industries/Local-Government





Section 7.11 - Land Value Contribution 🗐



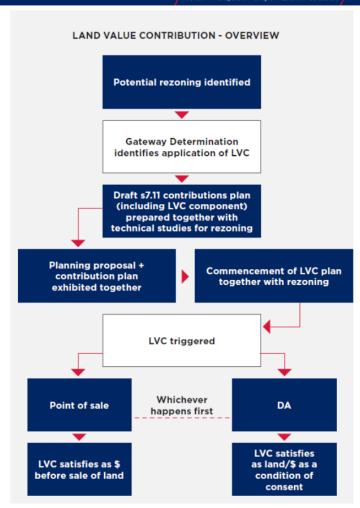
INFRASTRUCTURE CONTRIBUTIONS Transparent Simple / Efficient Consis

Land Value Contribution

- Shares the costs with everyone who benefits
- Provides an alternative approach to collecting contributions for land
- Incentivises the dedication of land to local government

The exhibition pack includes

- Draft regulations that describe the way in which a land value contribution must be calculated, how the value of land must be determined and the maximum land value contribution percentage of 20%.
- Practice Note Module that outlines the detailed requirements for a land value contribution, including the methodology for calculating the contribution for a greenfield urban release area and for individual lots.
- Two case studies at Menangle Park and Schofields that demonstrate how the methodology works. They establish a theoretical land value contribution of 13.57% and 20% respectively.



10

7.12 Rates – Residential, commercial, retail and industrial



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- Different section 7.12 (local levy condition) rates for named development types by geographic area (Eastern Harbour City, Central River City, Western Parkland City and Regional NSW)
- Apply the levy to 'development' rather than 'net additional development':
 - Residential development levied per dwelling
 - o Industrial, commercial and retail levied per square metre
- Alterations:
 - o For residential the levy is applied to additional bedrooms
 - o For commercial, industrial and retail the levy is discounted by 50%

	House	Other residential	Additional bedroom	Commercial	Retall	Industrial
	per dwelling	per dwelling (dual occupancies, etc)	per room for additions	per m² new and additions*	per m ² new and additions*	per m² new and additions*
Greater Sydney - East	\$15,000	\$15,000	\$6,000	\$50/\$25	\$35/\$17.50	\$35/\$17.50
Greater Sydney - Central	\$12,000	\$12,000	\$5,000	\$40/\$20	\$35/\$17.50	\$25/\$12.50
Greater Sydney - West	\$10,000	\$8,000	\$4,000	\$25/\$12.50	\$35/\$17.50	\$13/\$6.50
Regional NSW	\$10,000	\$8,000	\$4,000	\$25/\$12.50	\$35/\$17.50	\$13/\$6.50

Further details in the s7.12 Review of Charging Methodology by Atlas Urban Economics 2021 currently on exhibition

 Set alternative charging units for solar and wind farms, and some residential development that does not lend itself to a 'per dwelling' basis, such as boarding houses



Transitional arrangements – local contributions



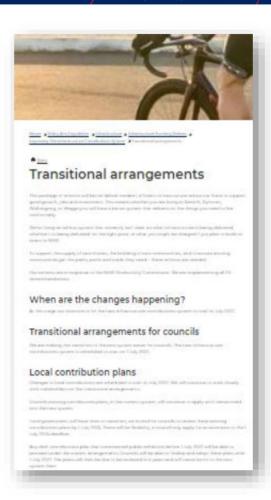
INFRASTRUCTURE CONTRIBUTIONS Certain Transparent Simple Efficient Consiste

Local contributions plans

- On 1 July 2022, the new contributions system is scheduled to commence
- Existing contributions plans adopted or exhibited prior to 1 July 2022 will continue to apply until 1 July 2024
- Council to review existing contributions plans by 1 July 2024
- Councils can apply for an extension to the 1 July 2024 deadline

Essential works list

- · No change to the current application to section 7.11 plans for 3 years
- · Section 7.11 plans exceeding the monetary thresholds - \$20,000 per lot or dwelling, or \$30,000 per lot or dwelling in greenfield areas:
 - May only contain infrastructure on the essential works list
 - May only levy a higher rate after review by IPART and DPIE advice



12

Land Use Planning -Concurrent Contributions Planning and Rezoning



INFRASTRUCTURE CONTRIBUTIONS Certain Transparent Simple Efficient Consiste

4.1 Upfront Contribution Planning 6.7 Efficient Use of Land Prepared with a rezoning proposal Consider possibility of dual use or shared use of land for open space and community Adopted prior to development being facilities determined How? How? Ministerial 9.1 Direction **EP&A Regulation amendment** Ministerial 9.1 Direction Practice Note Why? To ensure infrastructure needs are considered early in the planning process



Practice note review



Certain Transparent Simple Efficient Consistent

Draft practice notes

- Principles of infrastructure contributions
- Selecting the most appropriate local contribution mechanism
- What can be funded through section 7.11 and 7.12 local infrastructure contributions
- Making a section 7.11 contributions plan
- Making a section 7.12 contributions plan
- Exhibition
- Borrowing and forward funding
- Infrastructure contributions for mining and energy developments



14

Regional contributions



INFRASTRUCTURE CONTRIBUTIONS

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Implementation of Recommendations

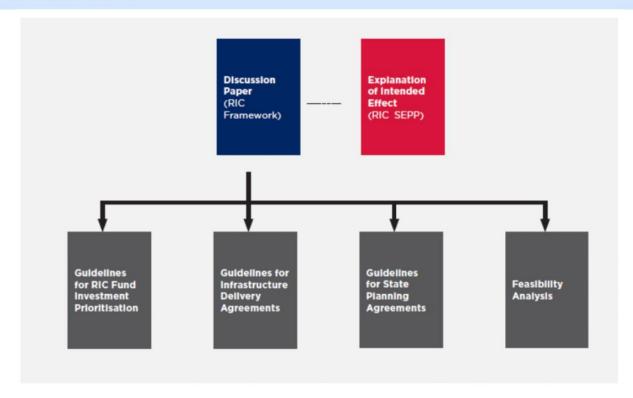


INFRASTRUCTURE CONTRIBUTIONS

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Regional Infrastructure Contributions – A more consistent and reliable funding base to accelerate the delivery of priority growth infrastructure. The Base Contribution, Strategic Biodiversity Component and Transport Project Component, are explained in the exhibition pack.



16

Where it applies

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0	Lower Hunter	Cessnock City, Lake Macquarie City, Maitland City, Newcastle City and Port Stephens
2	Central Coast	Central Coast
3	Greater Sydney	Bayside, City of Blacktown, City of Blue Mountains, Burwood, Camden, City of Campbelltown, Canada Bay, Canterbury-Bankstown, Cumberland, City of Fairfield, Georges River, City of Hawkesbury, Hornsby, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, City of Liverpool, Mosman, North Sydney, Northern Beaches, City of Parramatta, City of Penrith, City of Randwick, City of Ryde, Strathfield, Sutherland Shire, City of Sydney, The Hills Shire, Waverley, City of Willoughby, Wollondilly and Woollahra.
4	Illawarra- Shoalhaven	Kiama, Shellharbour City, Shoalhaven City and Wollongong City

Components of the contribution



INFRASTRUCTURE CONTRIBUTIONS Certain Transparent Simple Efficient Consiste

Component What is it Development this applies to What it funds Regional State and regional infrastructure within RIC region Infrastructure Standard broad-All new development as defined in the Environmental Contribution based charge in RIC regions Planning and Assessment Act (Base Contribution) 1979 (section 7.23) Variable charge Only new development in Strategic Conservation measures rate for biodiversity biodiversity certified areas **Biodiversity** approved under State and in RIC region, replaces site offsets in relation Commonwealth legislation Component specific offsetting under to certified areas the NSW Biodiversity Offsets Scheme Variable charge Only new development in **Transport** Cost recovery for specific for developments defined service catchments **Project** major transport project that benefit from of major transport projects in a RIC region Component Government in RIC regions investment in major transport projects



The Rates



INFRASTRUCTURE CONTRIBUTIONS Certain Transparent Simple Efficient Consister



Greater Sydney Region

Land use Contribution rate \$12,000 per dwelling Houses (detached, \$12,000 per lot for semi-detached and greenfield residential townhouses) subdivision All other residential accommodation \$10,000 per dwelling (residential flat buildings and units) Industrial \$15 per m2 of new GFA Commercial \$30 per m2 of new GFA \$30 per m2 of new GFA Retail

Illawarra, Shoalhaven, Central Coast and Lower Hunter Regions





(CPCP area)



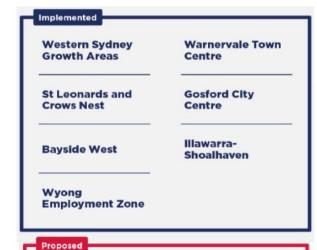
Transitional Arrangements

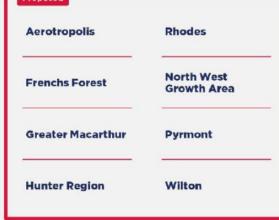


INFRASTRUCTURE CONTRIBUTIONS

Certain Transparent Simple Efficient Consister

- Transitioning all SICs over time
- Key principles:
 - ✓ minimise impact on existing infrastructure commitments
 - ✓ manage the transfer of existing credits
 - ✓ minimise impact on development feasibility and stakeholder expectations.
- No new SICs after July 2022
- RIC will not apply to areas where SIC applies
- No 'double dipping' executed State Planning and Works-in-Kind Agreements to remain in effect and recognised under the RIC.
- Accrued surplus offset credits to be recognised.





Transitional arrangements

The successful implementation of the DC Framework for developers, apencies, munclis, and the funding commitments and existing obligations. It is important to ensure there is a smooth trans

The BIC will not apply where there is a current Special Infrastructure Contributions (SIC) framework place. However, when the RIC Framework comes into effect, it is proposed that all implemented Special infrastructure Contributions (SICs) will be transitioned into the new system over time and no

transitional arrangements are to:

- manage the transfer of existing credits

Existing arrangements such as SIC works-in-kind agreements and state planning agreeme executed prior to 1 July 2022 will continue to operate as per the entitlements granted under the

The RIC SEPP is proposed to commence on 1 July 2002. To minimise the potential for adverse impact on current development supply, and in light of ongoing impacts of the COVID-19 pandemic, we propose to phase-in the RIC to allow industry stakeholders, councils and concent authorities to adapt

A discount to the base contribution rate will be available for payments made in the first two years.



Have your say

it applies, applicable development types, charge rates and how it will be spent. To view the exhibite

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State Planning and Infrastructure Delivery Agreements



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Future State Planning Agreements and Infrastructure Delivery Agreements

- Satisfactory Arrangements clauses 'turned off' in RIC regions and draft SICs not continuing will lead to a significant reduction in State Planning Agreements.
- Planning Agreements, to secure infrastructure for major rezonings, and Infrastructure Delivery Agreements (formerly WIKs) will remain as contribution options.

State Planning Agreements



Guidelines for State Planning Agreements

This document explains how State Planning Agreements will operate in the Regional Infrastructure Contributions Framework as part of infrastructure contributions reform.

Purpose of this document

This document outlines

- . the use and benefits of State Planning Agreements (S. . the role of SPAs within the Regional Infrastructure Co Framework)
- . draft principles and criteria for SPAs within the RIC Fra
- . the difference between Infrastructure Delivery Agreen
- . the operation of existing SPAs within the RIC regions . the use of SPAs outside of RIC regions.
- · next steps in refining the application and assessment

Read these draft guidelines in conjunction with the associate

- RIC discussion paper
- · RIC SEPP explanation of intended effects · guidelines for State Planning Agreements
- · guidelines for prioritising RIC Fund investment

About State Planning Agreements

SPAs are a legal agreement that a developer and a state plan Planning and Public Spaces) enter into under the Environme 1979. They support development through the prevision of pub works, land, or monesary contributions.

SPAs provide flexibility in the delivery and funding of infrastru including growth that a change in an environmental planning in flexibility ensures that growth opportunities are supported with intrastructure when these are not identified through the RIC Fu possible under Infrastructure Delivery Agreements.

The benefits of State Planning Agreen SPAs allow a developer to plan for and commit to the delivery

where the proposed development is out of sequence with go delivers benefits including:

Infrastructure Delivery Agreements



Guidelines for Infrastructure Delivery Agreements

This document explains how infrastructure Delivery Agreements will operate in the Regional Infrastructure Contributions Framework as part of infrestructure contributions reform.

Purpose of this document

This document outlines the:

- . use and benefit of Infrastructure Delivery Agreements (IDAs).
- · overarching principles and criteria for the assessment of proposed IDAs
- . scope of the policy to be developed in support of the process for IDAs
- difference between State Planning Agreements and IDAs. Read these draft guidelines in contunction with the associated

RIC discussion paper

- . RIC SEPP explanation of intended effects
- guidelines for State Planning Agreements
- guidelines for prioritising RIC Fund investment

About Infrastructure Delivery Agreements

Under the Regional infrastructure Contributions Framework (RIC Framework), developers will make fraended committee to the cost of providing new or upgraded state or regional infrastructure required to service new developments.

Developers can also cook to partner with the NSW Covernment on the delivery of state or regional infrastructure to support new development. Like existing works-in-hind for state infrast ucture (WRAs) IDAs allow developers to provide infrastructure or land instead of making a payment under the RIC. IDAs are the method by which a developer and the Minister for Planning and Public Spaces will confirm the arrangements, obligations, and entitlements in these situations.

The benefits of Infrastructure Delivery Agreements

IDAs allow developers to offset all or part of their monetary contributions by providing works or declarating land that would otherwise have been delivered or acquired by the government. This is particularly useful in situations where a development proposal relies on planned state or regional inhantational being prought broad.

Agreements that facilitate the direct dedication of infrastructure assets by landowners and developers play a significant role in providing state and regional infrastructure. For example, during the period 2011 to 2021 approximately 50 Special Infrastructure Centribution (SIC) WIKAs and Panning Agreements in SIC areas declarate land and delayered intrastructure to the value of \$437.6 million. This is in addition to SIC cash contributions which fund infrastructure grant

The RIC Fund Investment and Prioritisation Guidelines 🕟



INFRASTRUCTURE CONTRIBUTIONS

- Allocation of RIC funding will be subject to prioritisation, strong governance, oversight, and project assurance requirements
- The prioritisation process has been designed to ensure allocation to development and growth infrastructure and is supported by the NSW Government's capital planning and State budget processes
- The process for prioritising and allocating RIC funding to State agencies and local councils involves three stages

RIC Fund - Governance and Oversight

Program oversight and strategic direction, program/project strategy Monitor program/project delivery and performance (budget/schedule/benefits)

Stage 1

Growth Infrastructure Needs Assessment

- Growth infrastructure needs assessment undertaken to determine regional infrastructure investment required to enable and respond to new development and support forecast housing and employment growth over the next 10 years.
- DPIE work with State agencies and local councils to confirm infrastructure service needs in high growth areas aligned with relevant strategic plans under the EP&A Act 1979 and INSW Act 2011.
- Informed by Common Planning Assumptions and engagement with development industry and community.

Stage 2 Capital Planning Integration

- State agencies to incorporate priority growth infrastructure projects into the capital planning process, including an agency's strategic asset management plans (SAMPs), asset management plans (AMPs) & capital investment plans (CIPs).
- · Local councils formally nominate priority growth infrastructure projects for RIC funding.
- · State agencies and local councils prepare business cases for projects and meet INSW Infrastructure Investor Assurance Framework (IIAF) requirements.
- · Projects requesting RIC funding submitted to NSW Treasury for evaluation.

Stage 3 Project Evaluation and Approvals

- Investment recommendation prepared by RIC Steering Committee
- Treasury consider recommendations in preparation of the Budget
- Projects seeking RIC funding evaluated according to NSW Government business case and cost benefit analysis guidelines.
- RIC funding released to successful agencies through the State Budget Process
- Funding deeds will be executed with local councils and RIC funding released as a grant.

22

How to have your say



INFRASTRUCTURE CONTRIBUTIONS

Certain Transparent Simple Efficient Consistent

What We Want From You 🖳



INFRASTRUCTURE CONTRIBUTIONS

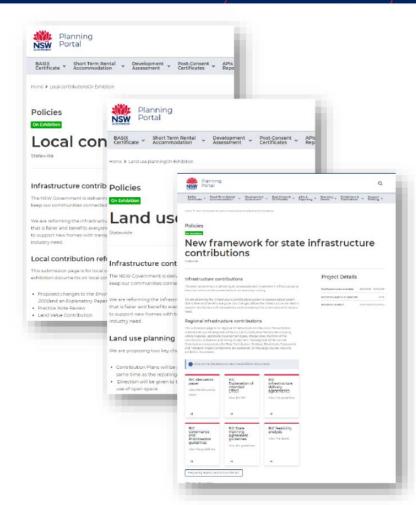
We now are seeking your feedback on key aspects of the reformed system to:

- help us refine requirements and policy settings
- inform implementation and transitional arrangements
- understand what support the department will need to provide as we transition to the new system.

We will continue to consult with key stakeholders through the exhibition period. This webinar focuses on explaining the exhibition material. At around week 4 of the exhibition, we will host additional 'question and answer' style webinar sessions to support councils in preparing their submissions.

To ensure council staff have the best possible opportunity to contribute and participate, within caretaker guidelines, there will be two stages of feedback and advice that can be submitted:

- 1. Technical submissions must be made during the exhibition period, which closes on 10 December 2021.
- 2. Council endorsed submissions due one week after the first meeting of the new councils in early 2022 (approximately early March 2022).



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.4 DRAFT IPART SUBMISSION - ESSENTIAL WORKS - DEVELOPMENT CONTRIBUTIONS

ATTACHMENT 2 DRAFT IPART SUBMISSION - ESSENTIAL WORKS - DEVELOPMENT CONTRIBUTIONS

ECM 1467407

?? November 2021

Independent Pricing and Regulatory Tribunal PO Box K35 Haymarket Post Shop NSW 1240

Dear Sir/Madam

DRAFT REPORT - REVIEW OF THE ESSENTIAL WORKS LIST, NEXUS AND EFFICIENT INFRASTRUCTURE DESIGN

Thank you for providing Queanbeyan-Palerang Regional Council (QPRC) with the opportunity to comment on the recent draft report prepared by the Independent Pricing and Regulatory Tribunal (IPART) into the review of the essential works list, nexus and efficient infrastructure design. Council agrees to this submission being made publicly available or published if requested.

Council acknowledges IPART's review has been limited to those matters directed by the Minister for Planning when requesting the review. However, where QPRC is of the view certain matters are important to the broader administration and collection of developer contributions it has also raised these issues in this submission for further consideration by the State Government.

As IPART would be aware, the Department of Planning, Industry and Environment (DPIE) is also currently consulting on a range of matters relevant to the broader development contributions system. From QPRC's perspective it would have been much less confusing had the State consulted with local councils on a single package of proposed changes, and that any policies or documents that fundamentally inform these changes (such as the proposed 'Place SEPP') are also available for consideration.

The consultation approach on the changes at this time also appears somewhat disjointed. For example, it is understood there will now be a Public Hearing (with no details being initially provided) into the draft report with submissions also being extended to 10 December 2021 and councils being notified of these changes well into the exhibition period. As such, Council will have little opportunity to consider any elements of the public hearing and probably no opportunity to consider its findings at the time that it is required to make a submission. On the whole, this is a less than ideal approach to communication around the proposed changes and creates confusion and uncertainty at a local government level.

Regardless, Council has reviewed the draft documentation provided by IPART and provides the following comments as feedback.

Value of Contributions

QPRC is of the view any analysis of the arrangements for collecting Section 7.11 developer contributions needs to be informed by an accurate and objective assessment of the current system. At this time, there is no discussion in IPART's review as to how the real value of developer contributions throughout the State has changed over time, and, to what effect that has impacted on the delivery of infrastructure in different communities.

It appears one of the overt objectives for the review of contributions by the State Government in this instance is to address a concern from the development industry that contributions are excessively high. It is one of the key features of the current contribution system in NSW that the real value of section 7.11 contributions have continued for fall significantly since the Minister initially introduced the direction capping developer contributions to \$20,000 per lot (or \$30,000 per lot in greenfield areas). In reality, the value of developer contributions is significantly lower today as a percentage of the overall costs of a new home than was the case when the caps were introduced given the changes in relative property prices over the last decade. In reality, restricting developer contributions has also had little impact on housing affordability.

In addition, there is also no analysis as to how communities expectations about the level of local infrastructure provision have evolved during that time, particularly given the State's expressed focus on promoting high quality urban environments that provide for the services and facilities residents require. It appears the review is primarily driven by how costs can be reduced as opposed to what facilities are actually needed and expected by residents, and how is that delivered in a certain and cost-effective manner. It is disappointing that a number of elements of the review are tied to DPIE's proposed 'Place SEPP' (such as standards for open space and embellishment), however this document is not available for consideration when commenting on IPART's specific review in this instance.

Essential Works List

In theory, QPRC supports the development of an essential works list (EWL) to guide what infrastructure is included in local contribution plans. This will help create greater certainty for planners, the community and development industry when preparing and reviewing contribution plans. The principles-based approach to the EWL set out in the review are generally reasonable.

However, Council remains fundamentally opposed to any proposal to not allow for the collection of contributions to fund community facilities. It is not logical that the need for land for community facilities is recognised by the EWL but the subsequent facility on that land is not. That is not to suggest that local councils should be able to collect for any types of facilities, but rather core facilities such as community centres should be able to be collected. QPRC's experience in land release areas (such as Jerrabomberra and Googong) is that such facilities provide an important and much used space for various community events and meetings (crisis support, counselling, alcoholics anonymous, elderly services, social events and health services). It seems an option of still allowing for the collection of community facilities where a plan does not exceed the cap has not been considered, however would be a reasonable

approach to ensuring contributions for such facilities are not excessive in individual plans. Alternatively, a provision that sets a maximum value percentage that community facilities may contribute to a contributions plan, for example, that the costs for such facilities may never exceed 10% of all costs in a plan, would have been another option.

It is unclear how the State sees such facilities being funded in the future if they are not funded by local developer contributions. There is no capacity to provide such facilities from rates, and none of the potential changes to rate pegging are likely to change this.

QPRC generally supports borrowing costs for infrastructure being included in new contribution plans as this may encourage councils to have a greater role in funding local infrastructure upfront where there is identified growth that will fund that work.

In respect of other facilities (such as embellishment of open space) it is noted one of the expressed objectives is to ensure only the most basic infrastructure is delivered under a contribution plan. These seems likely to ensure new communities do not have quality facilities and infrastructure available when developed. Again, this seems to be inconsistent with the State's expressed desire to create high quality living environments for its residents.

QPRC also supports the concept of having a fixed percentage cost to cover the future administration and preparation of the plans. However, one matter that needs further consideration by the State is that the additional reporting requirements, reviews and nexus requirements will fundamentally increase the workload on local councils. QPRC would argue 1.5% covers a council's current preparation, implementation and preparation costs for a plan. These additional requirements will likely require QPRC to have to engage private consultancies with associated costs well above the 1.5% value of a contribution plan.

This also raises the issue of the proposed transitional period. Given the lack of suitably trained staff (as acknowledged in the Productivity Commission's original review), the lack of resources in local government to attract qualified staff, and the time it will take to train new planning staff if available, it is suggested the transitional period should be extended to at least 1 July 2025.

Council has identified two types of infrastructure for which it currently collects contributions that are not included on the proposed EWL. These are road maintenance for extractive industry developments, and, bushfire infrastructure.

For example, QPRC currently has a Section 7.11 Contribution Plan for Extractive Industries that requires the Holcim Quarry south of Queanbeyan to make contributions towards a number of local roads it uses. The State Significant development approval for the site requires the quarry to make to Council under this contribution plan. This use clearly creates additional infrastructure costs for Council and community. The principle of seeking a payment of contributions for road maintenance was initially established by case law. In the Land and Environment Court case of Collin C Donges & Associates Pty Ltd -v- Baulkham Hills Shire Council (1989) it was established that council's may levy S94 (no s7.11) contributions towards the "cost of maintenance, repair and reconstruction of classified main roads under the *Roads Act, 1986.*" make

contributions to local road improvements. It cannot be assumed councils will enter into local planning agreements and the like to cover these costs.

QPRC also collects for bushfire infrastructure in the former Tallaganda Shire LGA. New rural and rural residential developments create an additional need for new rural fire sheds and accompanying infrastructure. It is appropriate these communities contribute to this infrastructure and those costs are not subsidised by the broader community, particularly those in urban areas who do not necessarily benefit from that infrastructure.

Benchmark Costs

In theory, Council is supportive of the concept of benchmark costs. These have to potential to significantly reduce the complexity in producing costs for contribution plans and represent an efficiency for local government when preparing contribution plans.

However, benchmarks costs need to be reasonable and based on likely actual costs. IPART has previously published benchmark costs for contribution plans, however it is generally recognised those costs lacked accuracy and were outdated within a short period of being published.

It is noted the proposed benchmark costs for the EWL have only been made available as of 12 November 202. As such, Council staff have had not had the opportunity to review the suitability of these proposed costs at this time. Council has been advised by DPIE that it is unclear if the benchmark costs will be implemented in the next three years given the deferral in introducing the proposed EWL.

Again, benchmark costs potentially have some value for smaller and less well-resourced councils. However, given Council has not had the time to review these costs it cannot commit to the proposed benchmark costs at this time.

Proposed Contingency, Land Valuation Guidelines and Benchmark Borrowing Costs

A standard contingency fee is considered reasonable however it should be made clear how previous and future contributions are to be rationalised in the event a contingency becomes either unnecessary or lower that escalated costs after a review.

Council supports land valuation guidelines from Valuer-General and the proposed standardisation of land valuation indices in contribution plans.

Benchmark borrowing costs are also supported however should be regularly reviewed to ensure they remain current.

Financial

Internal modelling was undertaken on two scenarios:

1. A s7.12 contribution compared to the QPRC existing Plan, levying 3% of the construction cost for residential development (inclusive of knock-down and rebuilds, alterations and additions) and 1% for commercial, retail and

- industrial development (inclusive of refurbishments, alterations and additions that increase the demand).
- 2. A s7.12 contribution compared to the existing Plan, levying a maximum payable contribution of \$10k for residential development (inclusive of knock-down and rebuilds, alterations and additions*), commercial, retail and industrial development (inclusive of refurbishments, alterations and additions that increase the demand); and \$6,000 for residential alterations and additions that add a bedroom (or other floorspace, which in the opinion of council would be capable of being used as a bedroom)

Scenario 1 produced improved contribution returns and presented as a simpler, transparent system to administer and understand for developers and the community.

The potential scenarios should be considered in the refresh of the council financial plans as the combination of debt, grants and s7.11 contributions remain the primary funders of capital works, with the prospect of rates and s7.12 contributions assisting the servicing of debt and renewal of infrastructure.

Review Periods

Council agrees plans should be reviewed on occasion, however, would argue that the concept of every plan being reviewed every 4 years is excessive and will create significant and potentially unnecessary work for local councils. It is an ongoing concern of the Council that the Department does not provide due weight to the cost and resourcing implications for local government when it proposes such significant changes.

Council understands that if a plan is using cost estimates rather than benchmark costs then a plan should be reviewed to test the accuracy of those costs. However, if a plan only contains items on an EWL, is using benchmark costs, and, is below the relative cap, there should be no requirement to review the plan.

Where plans do require a review, Council would suggest every 5 years is a more logical review period.

The draft report is also silent as to how contributions are to be rationalised when a plan is reviewed in a manner that results in contribution rates being either increased or decreased as an outcome of that review. If costs decrease, do previous contributions have to be remitted? Conversely if costs are shown to escalate, to those that have already paid have to pay more again? It seems some of these aspects of reviewing plans have not necessarily been considered.

Workload Impacts

Council notes there is little discussion or consideration of the potential workload implications on local councils associated with the Department making such significant changes. In reality, the proposed changes significantly increase the workloads around reporting and reviewing of plans. It is an ongoing concern of the Council that little weight is given by the State Government to the cost and resourcing implications for local government when it proposes such significant changes.

The State Government should be aware that where scarce local planning resources are required to be allocated to additional reporting and review requirements, they will be distracted from undertaking strategic planning to facilitate new development. It is suggested the costs to prepare, review and administer the plans should be borne by the infrastructure contributions held.

Again, thank you for the opportunity to make a submission. If you have any enquiries in respect of this letter, please contact Martin Brown in the first instance on 6285 6277.

Yours sincerely

David Carswell
Service Manager
Land Use Planning
Queanbeyan-Palerang Regional Council

QUEANBEYAN-PALERANG REGIONAL COUNCIL

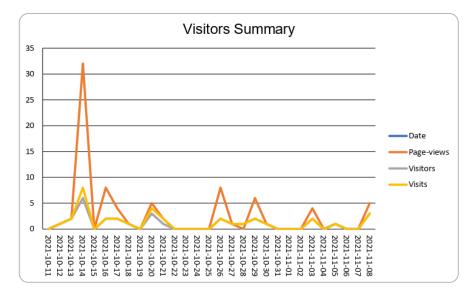
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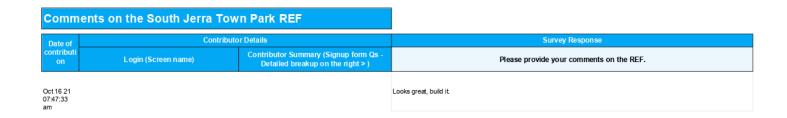
ITEM 9.5 SOUTH JERRABOMBERRA TOWN PARK REVIEW OF ENVIRONMENTAL FACTORS

ATTACHMENT 1 COMMUNITY ENGAGEMENT REPORT - REF SOUTH JERRABOMBERRA PARK

Project Report:	South Jerrabomberra Town Park Review of Environmental Factors	04-Oct-2021	to	08-Nov-2021
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Project Highlights	
Total Visits	35
New Registrations	
Video views	0
Photo Views	0
Document Downloads	18



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.5 SOUTH JERRABOMBERRA TOWN PARK REVIEW OF ENVIRONMENTAL FACTORS

ATTACHMENT 2 SOUTH JERRABOMBERRA TOWN PARK REF - (APPENDIX NOT INCLUDED IN ATTACHMENT DUE TO SIZE OF FILE)



Review of Environmental Factors

South Jerrabomberra Town Park

Client: Village Building Company **Date:** 08 September 2021

Contact:

Liz Densley lizdensley@8mileplanning.com.au 02 9272 5347

Eight Mile Planning ABN 83 610 542 725

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Document Status

Date Issued	Revision	Author	Status
11/8/2021	V1 Preliminary Draft	Liz Densley	Client Review and Review by Council Staff
8/9/2021	V1.1 Final	Liz Densley	For Submission

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APPENDICES

Site Plans and Drawings

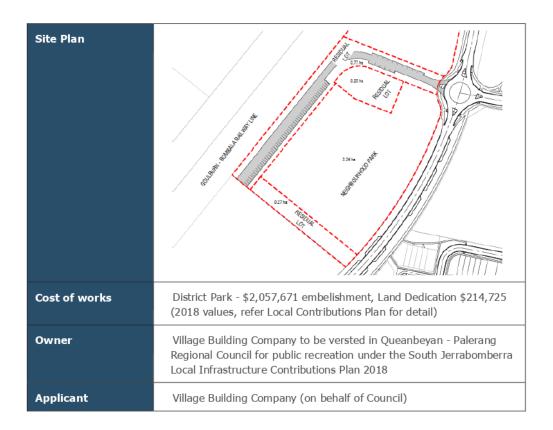
1. Introduction

This Review of Environmental Factors (REF) has been prepared to support the delivery of the South Jerrabomberra Town Park.

The REF has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg). This REF provides a detailed description of the proposal and the statutory planning context. The potential impacts of the proposal have been considered against the matters listed in Clause 228 EP&A Reg. This REF details the measures that will need to be implemented to avoid any potential environmental impacts of the development.

REF details

Proposed development	Landscaping Installation of Infrastructure	
	BBQ and Toilets	
Development without consent	The works are characterised as development without consent under Division 12 Parks and other public reserves Clause 65(3) of State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) which includes:	
	(i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,	
	(iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,	
	(v) landscaping, including landscape structures or features (such as art work) and irrigation systems,	
	(vi) amenities for people using the reserve, including toilets and change rooms,	
	(vii) food preparation and related facilities for people using the reserve.	
	Individual elements also satisfy the provision of State Environmental Planning Policy (Exempt and Complying Development Codes) 2006 (Codes SEPP). These include:	
	Playground equipment	
	Landscaping structures	
	Pathways and paving	
	BBQs	
Site Address	460 Environa Drive Environa	
Property description	Lot 189 DP1272220 (proposed Neighbourhood Park Lot D2021.057 Subdivision)	
Site Area	Proposed area approximately 2.24 ha subject to final survey	



1.1 Planning approval pathway

The proposed works are an activity for the purpose of section 5.1 of the EP & A Act. The works are being undertaken by Village Building Company on behalf of Council to satisfy the terms of the South Jerrabomberra Local Infrastructure Contributions Plan 2018. QPRC is the determining authority. Part 5 of the EP&A Act requires that the determining authority examine and take into account all matters affecting or likely to affect the environment by reason of the proposed activity.

Under Part 5 a determining authority is defined as: "...a Minister or public authority and, in relation to any activity, the Minister or public authority by or on whose behalf the activity is or is to be carried out or any Minister or public authority whose approval is required in order to enable the activity to be carried out..."

Section 5.5 of the EP&A Act requires the determining authority to 'examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity'.

This REF has therefore been prepared to assess the environmental impacts of the proposal and to determine if it is likely to have a significant impact on the environment. Factors that need to be taken into account when considering the likely impact of an activity on the environment are outlined in Clause 228 of the EP&A Act Reg and summarised in **Section 4.7.**

If the determining authority (in this case Council) decides the proposal would likely significantly affect the environment an environmental impact statement (EIS) must be prepared.

1.2 Consultation

The approval for the works in the Town Park was initially included in DA2021.1057 (subdivision). However, following initial review of the proposal by Council planning, engineers and parks staff, the application was amended to separate the land subdivision from the works proposed to be delivered in the Town Park itself. This approach was confirmed in correspondence to Council (Luke Perkins) dated 16 June 2021.

Village Building Company (Village) has worked closely with Council in the design for the Town Park and will continue to engage with Councils Open Space and Recreation team to deliver the asset to Council in a manner that is acceptable for the benefit of both new residents in the estate and the wider community.

2. Description of the proposal

A description of the proposal, design principles and approach has been prepared by Spiire and is outlined below.

The REF deals with the construction of a Town Park that will deliver public open space, a playground, Learn To Ride facility, fitness and well-being spaces and BBQ/picnic spaces.

Accompanying documentation:

The following plans have been prepared by Spiire to support the proposal (Appendix).

- » Town Park Concept Plan
- » Town Park General Arrangements Detail Plan
- » Community Centre DA Plan (Landscape)
- » BBQ Shelter and toilet facility (Landscape and Structural)

Bulk earthworks and civil works including site management will be provided to Council for consideration prior to commencement of works.

Figure 1 Town Park Concept Plan



Source: Spiire, 2021





Source: Spiire, 2021 (Refer Appendicies)

General Open Space and Landscaping

The landscape concept for the Development is based on creating a shaded green heart for South Jerrabomberra that is arranges a sequence of community activities in a formal geometric style around a 'village green' including play spaces, a learn to ride facility, a water splash pad, fitness equipment, grass seating terraces and complementary gardens and seating areas.

The park will provide open space amenity to the new estate residents and visitors alike and enhance connections along the buffer zone and the Community Centre.

The design intent is to provide a range of activities and community opportunities, throughout the year, to as wide a range of users as possible and capture the local identity of the area through materials and unique design language.

Construction activities

Site preparation will commence from September 2021 and due for completion Mid 2022. The following sequence of construction is anticipated.

Approvals Sept-Oct 2021 – includes finalisation of design and approvals from Council's Parks and Recreation team.

Construction – to commence late 2021 and be completed through 2022. The construction and installation of the elements of the park will be staged in a sequence negotiated with Council and will include the construction and landscaping associated with the Community Centre (separate DA).

Construction impacts

The installation and construction activities have the potential to generate the following impacts:

Review of Environmental Factors

- » Noise
- » Dust
- » Traffic
- » Drainage and run-off

These operational impacts and proposed mitigation measures have been considered in **Section 4** of this RFF.

Operational impacts

The impact of the end use on the environment is minimal.

The Town Park will be dedicated to Council under the terms of the Local Infrastructure Development Contributions Plan. The park will be managed in a manner similar to that of any other public space or public domain, consistent with Council's obligations under the *Local Government Act, 1993* as it relates to Community Land.

The delivery of the Town Park is a key element of the South Jerrabomberra neighbourhood and will provide a positive public benefit, increasing the area of accessible public open space and providing a focal and meeting point for the future residents.

2.2 Site Description

The Town Park is approximately $22,413 \text{ m}^2$ in area, excluding the Community Centre DA boundary, at the corner of Environa Drive and Oxalis Crescent, South Jerrabomberra Estate.

The site has excellent access to public transport and pedestrian pathway networks and is located within a buffer zone that includes the Community Centre, an amenities block and commercial and medium density residential land uses. The site also has excellent vehicle connectivity located on Environa Drive, which is the primary sub-arterial road through South Jerrabomberra.

The area currently does not have any parks or open space and offers a unique opportunity to service the area with new open space provision and improving the community's health and well-being.

2.3 Landscape Approach

The landscape intent is to create an attractive and high quality landscape for the amenity of local residents and visitors alike. The landscape design aims to create a contemporary, functional and aesthetically pleasing landscape that seamlessly blends in with the South Jerrabomberra Estate and references its former rural landuse. More broadly the landscape design focuses on mitigating climate change through the provision of grand shade trees and creating a geometric design that references the circular forms of Canberra's city planning and the wheels of sprint cars from the nearby former Tralee/Fraser Park Speedway.

The following general principles for the landscape approach to the site:

- » Use of high quality landscape design to integrate the proposed development with its broader urban and rural context and the proposed estate streetscapes;
- » Design spaces that will become highly activated and vital to the community;
- » Ensure that communal open spaces have access to sunlight whilst also providing adequate shelter and wind protection;
- » Maximise opportunities for social interaction, as well as surveillance, through arrangement of seating, terraces and views;

Review of Environmental Factors

- » Contribute to local biodiversity by increasing the biomass and diversity of plant species included in the landscape;
- » Enhance local cultural and heritage values by incorporating the Cooks House stone chimney elements into the BBQ shelter and amenity block area;
- » Provide sufficient soil depths to enable trees and large shrubs to be grown to their maximum height and spread;
- » Create visual harmony with the surrounding area;
- » Create a robust landscape made from simple materials, proven planting and bold forms that can be managed and maintained by Council;
- » Provide a range of play opportunities including nature play, intergenerational play and challenge play:
- » Provide art and sculptures to give the site personality and reference local flora and fauna;
- » Integrate the architectural design of the community centre and Cooks House BBQ amenity block node by using complimentary materials and finishes;
- » Provide clear and integrated access, as well as security/perimeter fencing to Oxalis Crescent;
- » Make boundaries and interfaces green, verdant and alive; and
- » Consider the landscape as a composition to be viewed down upon from future residential apartments and adjoining road networks.

2.4 Planting Design

The planting scheme for South Jerrabomberra Town Park uses a palette of predominantly exotic trees and a mix of exotic and native shrubs and groundcovers chosen for their sculptural characteristics with deciduous exotic feature trees chosen to provide shade in summer and solar access in winter.

Planting is intended to:

- » Establish the various park spaces, internal park pathways and external streetscape as a series of diverse 'soft' and 'hard' landscape spaces;
- » Incorporate soil volume and mulched gardens within the constraints of the site;
- » Use landscape elegantly to create identity and maximise amenity as a 'premier' town park for Queanbeyan Palerang Regional Council; and
- » Be robust, suited to the available aspect, work with ambient wind levels and minimise water use.

2.5 Maintenance

The maintenance needs of any landscape are absolutely tied to the resolution of the design at planning level. This proposal attempts to negotiate the desire for a verdant planted areas with the need to ensure that these plantings have longevity within a low-maintenance environment.

The proposal includes:

- » A strong palette of proven performing plants which provide maximum shade and form, are tolerant of low-water conditions and create micro climates; and,
- » Highly resilient plants proposed around the play space and learn to ride facility;
- » A planting palette that utilises several species for each application ensuring seasonal change as well a consistent level of amenity should one of the species under perform.

2.6 Proposed Landscape Features

Community Centre

The Community Centre is being considered under a separate DA. The site has been integrated via proximity to the Town Park. The landscape will propose a simple composition of street trees to the carparking, shrub planting to help guide pedestrians and soften the carparking and building interface and climbing plants to pergolas at the front and rear of the centre. A small grass courtyard in front of the community centre will allow a high degree of visibility to the community centre as well as framing vistas back to the park. The Community Centre will integrate seamlessly with the Learn To Ride facility and small fitness outdoor gym to its sides.

Learn to Ride Facility

The Learn To Ride facility will be a focal community asset that flows directly from the Community Centre through to the Play Space. The learn to ride facility will be adaptive in its use so it will be part of the park open space system but also able to be used by private groups such as School's for education and learn to ride initiatives. The Learn To Ride facility will be framed and punctuated by shade trees but provide grass or low groundcovers to the ground plane to maximise surveillance and supervision. The Facility will include key facilities and activities including the primary bike track loop, a small gathering area for education, bike rack and stationary bikes, complementary picnic shelter and seating, a bike repair station and a toddler's area for younger children or children with disabilities to participate.

Play Space

The play space will be segmented into 2 halves that relate to younger and older age groups and between nature play opportunities and challenge play focussed around larger exciting equipment. The play space is designed to maximise the play opportunities for the Town Park and broader community throughout the year and during both day and night time use. The nature play will seek to engage kids with nature encouraging them to learn to balance on logs and steppers, play with sand and natural materials such as branches and integrated planter beds. Placement of key play features is designed to avoid conflict between users or activities and will be orientated to reduce heat from direct sunlight and maximise surveillance. The play space will be designed using robust elements and high quality durable equipment with consideration that wearing or moving parts can be readily available and easily replaceable and conforms to local and Australian Standards compliance.

Cooks House BBQ picnic area and amenity block

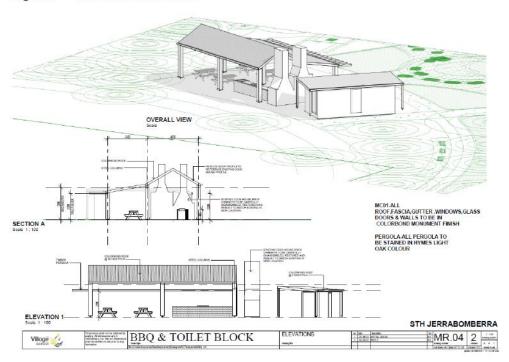
The BBQ area will integrate with the architectural design to provide a centralised area for community gathering as well as added supervision of the adjoining play space. Materials and finishes will complement the architecture and Cooks House stone materials and pergolas with climbing vines will further soften the scale and bulk of the development.

Figure 3 Playground, Toilet and BBQ Shelter



Source: Spiire, 2021.

Figure 4 Toilet and BBQ Shelter



Park Entry, grass terraces and open space

The open space of the park complements the primary play space and learn to ride facilities by providing a more passive landscape of grass, entry gardens and large shade trees. The grass terraces provide a multi-use element that can be used for larger event gathering or intimate seating areas overlooking the central kick about 'village green' area. The design of the terraces continues the geometric design language of the park, which circles around from the community centre back to the park entry. The entry statement will consist of a park entry sign integrated with planter beds and feature trees and a framed vista leading into the park and 'village green' from the surrounding streetscapes.

3. Statutory planning context

The development has been considered development without consent being an activity undertaken on behalf of a public authority (Council) under the *State Environmental Planning Policy (Infrastructure)* 2007 (ISEPP). As individual elements, most of the work proposed, including landscaping, pathways and playground equipment would ordinarily be exempt development *under State Environmental Planning Policy (Exempt and Complying Development Code)* 2008 (Codes SEPP).

3.1 State Environmental Planning Policy

State Environmental Planning Policy (Infrastructure) 2007

The aim of the ISEPP is to facilitate the timely and efficient delivery of infrastructure by public authorities throughout NSW. It does this by making certain infrastructure permissible with or without development consent.

Division 12 of the Infrastructure SEPP provides that recreation areas, when delivered by or on behalf of Council and on land controlled by Council, development without consent.

- (3) Any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council—
- (a) development for any of the following purposes-
- (i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,
- (ii) recreation areas and recreation facilities (outdoor), but not including grandstands,
- (iii) visitor information centres, information boards and other information facilities,
- (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,
- (v) landscaping, including landscape structures or features (such as art work) and irrigation systems,
- (vi) amenities for people using the reserve, including toilets and change rooms,
- (vii) food preparation and related facilities for people using the reserve,
- (viii) maintenance depots,
- (ix) portable lifeguard towers,
- (b) environmental management works,
- (c) demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).

This provision relates to the construction of the toilet facility. The landscaping, pathways and equipment fall under exempt development tin the Codes SEPP (see below).

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The Codes SEPP makes provisions for a range of land uses as Exempt Development. These include the following:

169

Subdivision 15 Earthworks, retaining walls and structural support

Subdivision 24 Landscaping structures

Subdivision 28 Pathways and paving

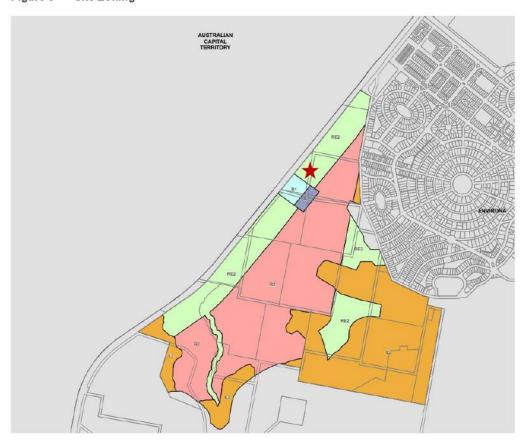
Subdivision 29 Playground equipment

Despite the exemption, all of these elements have been considered holistically in the REF package.

3.2 Local Environmental Plan

The land is within the Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012 (SJLEP) and is zoned RE2 Private Recreation.

Figure 5 Site Zoning



Source: Planning Portal

Permissibility

A recreation area is defined in the LEP as follows:

recreation area means a place used for outdoor recreation that is normally open to the public, and includes—

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

Review of Environmental Factors

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

As outlined above, the Infrastructure SEPP, Codes SEPP and SJLEP operate in unison to authorise the proposed land use as development without consent.

3.3 Neighbourhood Structure Plan

The Town Park is a feature of the Neighbourhood Structure Plan approved under the South Jerrabomberra Development Control Plan (refer Figure 6).

Neighbourhood Structure Plan

Map 1C: South Tralee and Forrest Morrison Landscape Plan

Source: SJDCP Appendix 3.

3.4 Development Contributions Plan

The South Jerrabomberra Local Infrastructure Contribution Plan was adopted by Council in 2018. The plan includes the Town Park embellishment and land dedication in the schedule of works as follows:

District Park 1 – 2ha (district park) – Land to be dedicated upon completion of embellishment works. Value of Land Dedication \$214,725 (CPI adjusted 2018 \$).

Embellishment - \$2,057,671 (2018).

Village proposes to undertake the work as an offset against the development contribution under section 2.5 of the Contribution Plan:

2.5 Alternatives to monetary contributions

Applicants can offer to provide an alternative to a monetary contribution under this plan. Specifically, applicants can offer to dedicate land free of cost, provide works in kind or provide another material public benefit, or any combination of these, to be used for or applied towards a public purpose in full or partial satisfaction of a monetary contribution under this plan.

Council may choose to accept any such offer but is not obliged to do so. Applicants considering alternatives to monetary contributions should discuss this with Council as early as possible, and before lodging a development application.

As part of this process, Village will be preparing an offer to the Council to carry out works is full satisfaction of a local infrastructure contribution and offset against future contributions across other contributions categories.

4. Impacts and mitigation

4.1 General

The potential for impact is greatest during the construction phase of the project and include:

- » Noise and vibration
- » Waste
- » Traffic
- » Water quality and drainage
- » Rehabilitation of disturbed areas, including areas used for stockpiling and material storage during construction.

These matters will generally be considered in a Construction Environmental Management Plan. The CEMP should incorporate the mitigation measures and requirements of this REF as outlined in this section and meet the requirements of Council.

Construction Site Management Plan

Following endorsement of the proposal by Council it is recommended that prior to construction commencing, a Construction Site Management Plan will be prepared to ensure that appropriate environmental protocols are adhered to during the construction period.

The plan will include specific details pertaining to the following matters to the extent they are relevant to the proposal:

- » location and materials for protective fencing and hoardings to the perimeter on the site
- » provisions for public safety
- » pedestrian and vehicular site access points and construction activity zones
- » details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- » details of any bulk earthworks to be carried out
- » location of site storage areas
- » equipment used to carry out all works
- » a garbage container with a tight-fitting lid
- » dust, noise and vibration control measures
- » location of temporary toilets.

Mitigation

The proponent will prepare a Construction Site Management Plan prior to the commencement of any activities on the site. The plan should include, but not be limited to the matters identified above and include the relevant control measures proposed. The plan will be the primary mitigation tool used by Council in ensuring that any potential impacts area identified and addressed.

4.2 Noise and Vibration

There will be temporary construction noise and vibration from heavy equipment and general construction activity during this phase. Noise can be managed through the implementation of reasonable hours of operation limited noise generating activities from 7am to 7pm. It is acknowledged that, from time to time it may be necessary to outside of the core hours, for example to limit disruption to traffic in peak periods.

Mitigation

Construction Site Management Plan

4.3 Traffic

The proposal is likely to generate additional light and heavy vehicle traffic for the duration of construction.

Mitigation

Traffic impacts should be addressed in the Construction Site Management Plan and include the number and type of vehicles and plant proposed.

4.4 Water quality and drainage

It is anticipated that temporary arrangements will need to be in place to mange drainage on the site for the duration of the construction phase and prior to the final drainage plan implementation. The details of management of water on site pre and post construction will need to be included in the final plans.

Mitigation

The Construction Site Management Plan will include water and drainage for the construction phase and proposal.

4.5 Site disturbance

Plans include the area of the site subject to disturbance, stockpiling of materials and temporary work areas will be contained to this area. The disturbed area will need to be reinstated as part of the landscaped area on completion.

Interim measures, including erosion and sedimentation control will be undertaken the manage site disturbance.

Mitigation

Preparation of erosion and sediment control plan. Disturbed area to be included on bulk earthworks plan.

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4.6 Safety and Security

The proposal has been designed consistent with the Crime Prevention Through Environmental Design (CPTED) principles to improve the safety and security of the Town Park, Community Centre and immediately surrounding area.

The NSW Crime Prevention and Assessment of Development Applications (2001) guideline identifies four principle that need to be used in the assessment of a proposal or activity to minimise the opportunity form crime:

- » Surveillance
- » Access control
- » Territorial reinforcement
- » Space management

Mitigation

The proposed park will offer an increased level of safety for users and the wider community by considering the functional relationship between the open space and its planned use of areas by:

- » Offer clear sightlines with no visual obstructions from landscape features such as low limbed trees, shrubs and hedges, walls or level changes;
- » Encourage parents and carers to participate in the play space and learn to ride facility, especially near play equipment catering for younger ages (toddlers and junior children);
- » Encourage interaction between and parents and carers;
- » Avoid planting medium to large shrubs and focus on trees and grass where appropriate;
- » Create nearby accessible pathways and connected to other areas, free from hazardous trip points and be easily maintained;
- » Consider the CPTED recommendations of crime risk assessment;
- » Encourage walking and cycling which overlooks the recreational facilities of the park;
- » Clear and visible signage and appropriate lighting for safety and way-finding; and,
- » Adequate clearances and setbacks of landscape elements from adjoining infrastructure.

4.7 Summary of Impact

Clause 228 of the EP&A Regulation lists the factors that an authority must take into account when assessing the impact of the proposed activity on the environment. These factors and summarises the findings of the REF are identified in the table below.

EP&A Reg	Comment
(a) any environmental impact on a community,	Minor impacts during the construction phase of the proposal with potential noise, dust, access and traffic issues to be managed through the CSMP.
	Construction to occur ahead of residents moving into the area.
	The design of the park incorporates CPTED principles to discourage criminal activity and improve safety and security
(b) any transformation of a locality,	Positive improvement in general aesthetic and activation of the public domain

EP&A Reg	Comment
	Result in delivery of outcomes identified in the Neighbourhood Structure Plan.
(c) any environmental impact on the ecosystems of the locality,	Existing disturbed built environment, no impact
(d) any reduction of the aesthetic, recreational, scientific or other environmental quality or	Objective of the proposal is to improve the recreational outcomes of the community.
value of a locality,	Includes the delivery of the Town Park and will result in an improvement in the aesthetic presentation of the immediate area
(e) any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations,	No. Not applicable.
(f) any impact on the habitat of protected animals (within the meaning of the Biodiversity Conservation Act 2016),	No. Not applicable
(g) any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air,	No. No applicable
(h) any long-term effects on the environment,	The proposal is unlikely to have any long-term impact on the environment
(i) any degradation of the quality of the environment,	The proposal is unlikely to lead to the degradation of the environment
(j) any risk to the safety of the environment,	Low risk, managed through CSMP
(k) any reduction in the range of beneficial uses of the environment,	No/Not applicable.
(I) any pollution of the environment,	Risk of pollution during construction managed through the CSMP. Short term and manageable
(m) any environmental problems associated with the disposal of waste,	Construction waste can be managed through the construction and operational phase of the activity
(n) any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply,	Not applicable
(o) any cumulative environmental effect with other existing or likely future activities,	The proposal is unlikely to have any cumulative effects
(p) any impact on coastal processes and coastal hazards, including those under projected climate change conditions	Not applicable

5. Conclusion

This REF has sought to identify the potential environmental impacts of the proposed Town Park.

The works are to be undertaken on behalf of Council consistent with the requirements to deliver open space facilitates under the South Jerrabomberra Local Infrastructure Contributions Plan. The Infrastructure SEPP allows the work to be undertaken on behalf of Council without the need to obtain development consent. However, the project is required to be assessed under Part 5 of the EP&A Act which requires Council to examine all matters likely to affect the environment as a result of the activity.

This REF concludes there will be relatively minor and temporary impacts associated with the construction phase of the delivery of the Town Park and that this would have no impact on residents as the area is yet to be developed. Proceeding with the construction of the Town Park ahead of the population will significantly minimise disruption that would otherwise be inevitable once people have started to move into the area.

The construction impacts will, therefore, be minimal but include noise, waste management, site disturbance and traffic during construction. It is a recommendation of this REF that a Construction Site Management Plan be prepared prior to construction commencing and incorporate the mitigation measures and requirements to manage these impacts.

The REF has considered the short- and long-term environmental impacts of the activity and identified mitigation measures to minimise potential impacts. The REF provides a summary of the matters that are required to be considered in clause 228 of the EPA Reg. Based on the supporting information and provided the mitigation measures identified in the REF are satisfactorily implemented, the proposed scheme is unlikely to have a significant environmental impact.

Accordingly, the preparation of an EIS is not considered necessary in this instance.

Appendices A. Plans and Drawings

EIGHT MILE PLANNING

A. Plans and Drawings

QUEANBEYAN-PALERANG REGIONAL COUNCIL

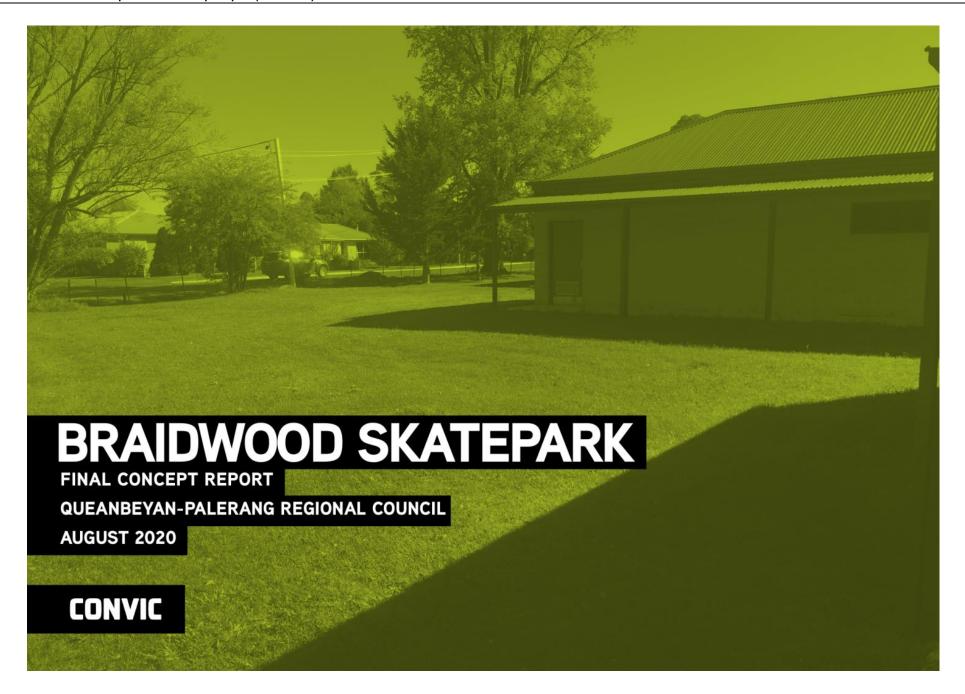
Council Meeting Attachment

24 NOVEMBER 2021

ITEM 9.6 SELECTION OF PREFERRED TENDERER FOR

CONSTRUCTION OF NEW SKATEPARK - BRAIDWOOD

ATTACHMENT 1 BRAIDWOOD SKATEPARK FINAL CONCEPT REPORT



PREPARED BY







QUALITY INFORMATION

PROJECT NAME BRAIDWOOD SKATEPARK

PROJECT NO. 19005
PREPARED BY Angus Ianni
REVIEWED BY Chris Middap

ACKNOWLEDGEMENTS

Convic Pty Ltd. Acknowledge the contributions of all those who participated in the consultation phase of the Braidwood Skatepark, including Queanbeyan-Palerang Regional Council staff, residents, community groups and other stakeholders who responded to the various opportunities for input and/or who provided advice and information where required.

REVISION HISTORY

REVISION	REVISION DATE	DETAILS	AUTHORISED	
			NAME / POSITION	SIGNATURE
А	25.08.2020	FINAL CONCEPT REPORT	JULIUS TURANYIK / CEO	2 AUR

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INTRODUCTION

INTRODUCTION

This report outlines the development of the conceptual design for the proposed Braidwood Skatepark at the Braidwood Recreation Ground. The conceptual design has been used as a tool to determine a site for the proposed facility and collect further community feedback, ensuring the design is in line with council and community expectations.

The following report explains the approach and principles utilised to create a comprehensive design response. It outlines the development of the design process and how it responds to council and community feedback. This builds a project vision resulting in a well informed conceptual design.

The design explore opportunities and possibilities for the holistic integration of an active youth recreation precinct with landscape amenity, increased youth activation and supporting infrastructure.



VISION | THE BRAIDWOOD SKATEPARK WILL PROVIDE A MULTI- DISCIPLINE LOW LEVEL TRANSITION STYLE FACILITY WITH SOME FUNDAMENTAL STREET STYLE OBSTACLES. IT WILL CATER PREDOMINANTLY TO BEGINNER AND INTERMEDIATE SKILL LEVELS. THE SKATE SPACE WILL BE INVITING, FAMILY FRIENDLY AND CELEBRATE THE BEAUTY OF THE AREAS NATURAL SURROUNDINGS.

INTRODUCTION





CONSULTATION SUMMARY

The pre-design consultation outcomes have been summarised to inform a community driven design brief for the Braidwood Skatepark. The information collected from the design workshop have informed this brief. These are all outlined thematically and will be used as the foundation for the development of the concept design.

TARGET USER GROUP

The community workshop feedback has highlighted skateboarders as the majority of users. It will however, cater to all user groups including those participating in BMXing, scooter, roller skating and all other active wheeled sport disciplines, as well as those non active participants looking to spectate.

SKILL LEVEL PROVISION

The majority of participants listed themselves as beginner riders, however several participants listed themselves as intermediate and advanced riders. The skatepark design will consider obstacles for majority beginner to intermediate skill levels however will ensure it provides opportunities for skills progression for those looking to progress on to an advanced level of riding.

SKATE TYPOLOGY

A clear preference for transition style elements was indicated by the majority of participants at the design workshop. However, there were also requests for fundamental street style obstacles. Although there is not many skatepark's nearby, research into Bateman's Bay and Canberra's skatepark's will be carried out to deliver unique obstacles to the region.

SKATE VISION

Standout features favoured by community members were low level transition elements such as mini ramps, volcanos, blends and roll overs. An interest in future competitions and skateboarding workshops was also highlighted as desirable, the space must consider provision and connecting elements suitable for such events.

ICONIC ELEMENTS

To celebrate Braidwood and give the park its own identity the design should reflect the surrounding natural materials and heritage of the area. For example, the local round rocks and gold mining were mentioned by several community members. The aesthetic of the facility should provide local riders with a sense of ownership.

USER + SPECTATOR AMENITIES

To ensure a central community space that can be used by a variety of different user groups, the facility must tie into several other social opportunities within it's surrounds. The provision for areas of refuge and shade throughout the day is to be considered, whether purpose built or looking to utilise natural shade. Many highlighted the need for breakout spaces to allow for social hangout zones and spectating areas, this will be considered when developing the concept design.

DESIGN INSPIRATION

CONCEPTUAL THEMING

Braidwood is known as a former gold mining town, with many buildings of that period still erect today. It takes great pride in its history as well as it's present. With an ever-growing diverse community whom appreciate and are inspired by the surrounding farm and grasslands, a rooted connection between town and landscape is evident.

The rich history and landscape will shape the theming of the facility, providing the community a skatepark which is unique and a true reflection of Braidwood, this in turn generates a greater sense of ownership.

Local granite boulders can be seen scattered amongst the landscape, this feature is teased out in the design with the use of light and dark grey colours which reflect the granite. The addition of yellow which represents 'gold veins' embedded within the granite.

COLOUR PALETTE







GOLD

BRAIDWOOD GRANITE











CONCEPTUAL DEVELOPMENT

CONCEPTUAL DEVELOPMENT

The facility has been broken down into two main skate zones in order to maximise capacity and cater toward both street and transitional style riders. Spectating zones are provided at the main starting points, leading into the 'street area' and 'transition area'. These areas can be ridden in isolation but still have some overlap to allow the zones to be used as one during less busy periods.

The transition area has been designed to work with sites topography as well allow free movement of flood water throughout the skatepark.

To celebrate Braidwood the park is given it's own identity through the integration of local large granite rocks around the facility. The spectator zones are defined through the use of yellow coloured concrete, representing 'gold veins' found in the local rocks. These gold veins are embedded within the dark grey and light grey concrete which represent the mottled colour of the local granite.

LEGEND

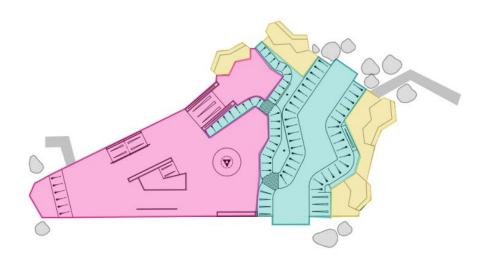
LOCAL

LOCAL GRANITE BOULDERS

SEATING/SPECTATOR ZONE

SKATE ZONE 1 'STREET AREA'

SKATE ZONE 2 'TRANSITION AREA'



CONCEPTFACILITY OVERVIEW



Out Ledge

Mellow Bank

1200H Mini Ramp

1350H 4.5ft Flat Bank

1800H 6ft Extension

900-1200H 3-4ft Quarter Pipe Island

500H Quarterpipe with Kerb

LEGEND

SKATE OBSTACLES

- Long Mellow Ledges
- A-Frame Kerb
- 3 A-Frame Rail
- 4 900H 3ft Quarter Pipe
- Flat Bar
- 6 Ledge
- Manual Pad
- Mogul

ANCILLARY ITEMS

- 1 Seating
- 2 Shade Shelter By Others
- 3 Drinking Fountain By Others
- Rubbish Bin By Others
- Access Pathway and Stairs By Others

CONCEPT PLAN

BRAIDWOOD SKATEPARK | FINAL CONCEPT REPORT



1:200 @ A3

CONCEPT

VIEW 01 - MINI RAMP



CONCEPT VIEW 02 - STREET AREA



CONCEPT

SKATE FEATURE PALETTE

Skate obstacles have been designed to create a unique rider experience with features that are multifunctional and can be used a variety of ways.

- 1. Flat Ledge
- 2. Mogul
- 3. Mellow Down Ledge with transition
- 4. A-Frame Rail + Kerb
- 5. Mini Ramp
- 6. Quarter with Kerb











NEXT STEPS

NEXT STEPS

Upon Queanbeyan-Palerang Regional Council's approval of the final concept design and reporting, Convic will produce construction documentation for the facility.

Key considerations of this phase of work include:

- Incorporating any further comments from council into the design where possible.
- Design development of the skate obstacles to ensure functionality.
- Undertaking a 'Design Risk Assessment' ensuring any safety risks are minimised to a sufficient level throughout the design process.
- Recommendations for council to undertake Geotechnical engineering to ensure ground conditions are suitable for the proposed skatepark.
- Structural engineering
- Estimate of construction costs.
- Construction documentation and technical specifications for the project works.

CONSTRUCTION

The construction of this project must be carried out by a skatepark specialist contractor to ensure the integrity and functionality of the design is retained and a safe, functional and high quality facility is delivered.

The engagement of a suitably experienced contractor will provide the Queanbeyan-Palerang Regional Council and community with a space that is fit for purpose, has longevity and is built using the correct construction methodologies.

