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ITEM 1 - APPLICATIONS FOR LEAVE OF ABSENCE

REPORT IN BRIEF

Reason For Report	To allow tendering of apologies for Councillors not present.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.f - Code of Meeting Practice adopted and implemented.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS LEAVE OF ABSENCE - 480394

RECOMMENDATION

THAT any apologies tendered be accepted and the necessary leave of absence be granted.

GENERAL MANAGER'S REPORT

A call for apologies be made.

ITEM 2 - DECLARATIONS OF INTEREST

REPORT IN BRIEF

Reason For Report	To allow an opportunity for Councillors to declare an interest in any items to be determined at this meeting.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.f - Code of Meeting Practice adopted and implemented.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS DECLARATION OF INTEREST - 480395

RECOMMENDATION

THAT the Declarations of Interest be noted.

GENERAL MANAGER'S REPORT

A call for Declarations of Interest.

ITEM 3 - DECLARATIONS FOR POLITICAL DONATIONS

REPORT IN BRIEF

Reason For Report	To allow an opportunity for Councillors to declare any Political Donations received.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.f - Code of Meeting Practice adopted and implemented.
Annexures	Nil
File Number	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS DECLARATION OF POLITICAL DONATIONS - 480397

RECOMMENDATION

THAT any Political Donations be noted.

GENERAL MANAGER'S REPORT

A call for Declarations of any Political Donations.

ITEM 4 - DEVELOPMENT APPLICATION 2012/97 SUBDIVISION (BOUNDARY ADJUSTMENT) SEPP1 CONCURRENCE FOR LOTS 3 & 4 DP 1010730, EDINBORO LANE, CARGO

REPORT IN BRIEF

Reason For Report	To gain approval for a boundary adjustment.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.3a Provide efficient and effective development assessment

Annexures	1. Draft Conditions
File Number	\\Development Applications\DEVELOPMENT APPLICATION\2012\03-2012-0097 - 479771

RECOMMENDATION

THAT Council Development Application 2012/97 for Subdivision (Boundary Adjustment) on Lots 3 & 4 DP 1010730, Edinboro Lane, Cargo be granted consent subject to the attached conditions.

SENIOR TOWN PLANNER'S REPORT

At the May 2013 Meeting of the Environmental Services and Sustainability Committee, Item 7 (Boundary Adjustment) was endorsed to support the SEPP 1 objection to the 100ha standard on lots 3 & 4 DP 1010730, Edinboro Lane, Cargo and seek concurrence from NSW Department of Planning & Infrastructure.

Council referred the matter to the Department who has advised that Council may use their delegations in the determination of the matter.

As Council has already supported the recommendation for approval, it is recommended that Council use their delegation as given by the Department and endorse the approval for the proposed boundary adjustment subject to the draft conditions of consent.

ITEM 5 - MODIFICATION APPLICATION 2012/53 EXTENSION OF TOURIST FACILITY FOR TEMPORARY ACCOMMODATION AND BELL TOWER

REPORT IN BRIEF

Reason For Report	To gain approval for modification as original consent was determined at committee
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.3.a Provide efficient and effective development assessment
Annexures	1. Amended Conditions of Consent
File Number	\\Development Applications\DEVELOPMENT APPLICATION\2012\03-2012-0053 - 480725

RECOMMENDATION

THAT Modification Application 2012/53 on land described as lot 1 DP 982162 Convent Lane, Borenore be granted approval, pursuant to Section 96 of the Environmental Planning and Assessment Act 1979, subject to the attached conditions of consent.

SENIOR TOWN PLANNER'S REPORT

ADVISORY NOTES

Record of voting

In accordance with s375A of the Local Government Act 1993, a division is required to be called when a motion for a planning decision is put at a meeting of Council or a Council Committee. A division under s375A of the Act is required when determining this planning application.

Political Disclosures

In accordance with s147(4) of the Environmental Planning and Assessment Act 1979, a person making a planning application to Council is required to disclose political donations and gifts made within 2 years prior to the submission of the application and concluding when the application is determined.

In accordance with s147(5) of the Environmental Planning and Assessment Act 1979, a person making a public submission to Council in relation to a planning application made to Council is required to disclose political donations and gifts made within 2 years prior to the submission being made and concluding when the application is determined.

Political donations and gifts (if any) to be disclosed include:

- All reportable political donations made to any local councillor or Council,
- All gifts made to any local councillor or employee of the Council.

Nil planning application disclosures have been received.

Nil public submission disclosures have been received.

SUMMARY

The following report provides an assessment of the development application submitted for an extension to the existing Tourist Facility for temporary accommodation and a bell tower on land described as Lot 1 DP 982162, Convent Lane, Borenore.

The modification application has been referred to the Environmental Services and Sustainability Committee for determination as the original application was

determined at Environmental Services and Sustainability Committee Meeting December 2011.

It is recommended that the application be approved subject to conditions of consent.

Applicant: JB & JE Chapman

Owner: JB & JE Chapman

Proposal: Modification of proposed extension of tourist facility (temporary accommodation and bell tower)

Location: Lot 1 DP 982162 Convent Lane, Borenore

Zone: 7(c) Environmental Protection – Water Catchments

THE PROPOSAL

Council is in receipt of a modification application to amend DA 2012/53 for extensions to an existing tourist facility located upon Lot 1 DP 982162, Convent Lane, Borenore, known as the Old Convent.

The applicant seeks to amend the design of a proposed tourist accommodation cottage.

The Development Application was referred to the Environmental Services and Sustainability Committee December 2011 for determination as the proposal was inconsistent with Section 3.3.3 *Setbacks*, under DCP No. 5 General Rural Zones. The committee resolved to approve the development subject to a condition of 'deferred commencement' requesting amended plans that comply with DCP No. 5.

Modification of development consent for variation of Council's setback policy was referred to the Environmental Services and Sustainability Committee May 2012 for determination. Approval was subject to a condition of 'deferred commencement', requiring revised plans to reflect a minimum 10m boundary setback for the accommodation facility (relocated cottage).

A further modification application has now been lodged seeking modification of the cottage which is proposed to be relocated to the site. It is proposed to retain an additional two rooms on the western side of the cottage. The amended plans indicate the cottage will have two bedrooms, two bathrooms as well as a kitchen, dining and living area. The carport on the southern side of the cottage has been omitted from the amended site plans.

Condition 1 'Deferred Commencement' is to be deleted from the conditions of consent as the amended plans comply with Council's requirements for boundary setbacks.

Site Map

The proposed development site is located on the southern side of Convent Lane, Borenore. The subject land has an area of approximately 8094m² and is used for a B&B and refreshment room. The site was formerly part of the Catholic Church with Amaroo Road, Orange Broken Hill Railway Line and Borenore Creek to the west, Curtin Road to the north-east and adjoins rural properties to the north, south and east. The site contains an existing residence, café, event space, self contained guest accommodation for four (4) persons, and off street parking. The site is zoned 7(c) *Environmental Protection-Water Catchments* under the provisions of the Cabonne Local Environmental Plan 1991.

Development Site – Lot 1 DP 982162 Convent Lane, Borenore



MATTERS FOR CONSIDERATION

Section 79C of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s79C(1)(a)(i)

Cabonne Local Environmental Plan 1991 (Amended)

Clause 9

The subject land is zoned 7(c) *Environmental Protection – Water Catchment* by the Cabonne Local Environmental Plan 1991. The existing land use for the site is best defined as a Refreshment Room and Tourist Facility as identified in *Environmental Planning and Assessment Model Provisions*. The proposal for an extension of the existing Tourist Facility on land zoned 7(c) *Environmental Protection - Water Catchment* is considered to be permissible with consent from Council under the provisions of Clause 9 of the Cabonne LEP 1991.

Objectives of the 7(c) zone

The objective of the zone is:-

“to protect and conserve the catchments of the Molong and Borenore Dams so that water quality is maintained and enhanced in order that the water is fit for human consumption; to maintain the scenic quality of the Towac Valley; and to promote the proper management and utilisation of agricultural resources”.

The proposal is for the relocation of a cottage for a tourist facility (temporary accommodation) to a parcel of land zoned 7(c) Environmental Protection-Water Catchments. The proposed structure is not considered to impact on the water quality in either of the Molong or Borenore Catchments. Development is not considered to compromise the agricultural production potential of the land as the site only has an approximate area of 0.8 hectares. The purpose of this proposal is to strengthen the accommodation facilities of the existing B&B and restaurant.

The proposed modification is consistent with the provisions of the LEP1991 and the objectives of the 7(c) zone.

Clause 27 – Heritage Items:

The subject site is not identified as a heritage item under Schedule 1 of the Cabonne LEP 1991. Whilst the site and its buildings have not been identified as Heritage Items; the Borenore Convent, cottage and church have been identified in the Cabonne Heritage Study 2003 (#1270067) as items of local significance pertaining to religion and settlement. The Development Application has been referred to Council's Heritage Advisor for comment. There is no change from previous assessment of impact to heritage significance and modification complies with clause 27 *Heritage Items*.

REGIONAL ENVIRONMENTAL PLANS

There are no Regional Environmental Plans that apply to the subject land.

STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy No.44 (Koala Habitat Protection) applies to the land Cabonne Council is identified within the SEPP 44 schedule as having koala habitat. The applicant has not addressed the SEPP; however, the subject land is generally cleared and the proposed development will not impact upon any existing vegetation. There are no known sightings of koalas in the locality, or sources of koala habitat.

State Environmental Planning Policy (Rural Lands) 2008

Clause 7 The proposal is not considered to be unsympathetic with the principles listed in Part 2 of the SEPP.

Clause 10

- a. Existing landuse in the vicinity of the development is primarily agriculture (grazing). Whilst the land is zoned 7(c) Environmental Protection-Water Catchments the proposed cottage (tourist accommodation) will not alter the current relationship with the surrounding landuse;
- b. development is unlikely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development namely agricultural;
- c. the existing uses and likely uses of the land following the construction of the proposed dwelling will remain compatible and essentially the same.
- d. N/A
- e. No measures are proposed by the Applicant to avoid or minimise any incompatibility referred to in point (c) or (d).

The proposed development complies with State Environmental Planning Policy (Rural Lands) 2008.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION s79C(1)(a)(ii)

The Cabonne Local Environmental Plan 2012 was not in effect on the date the Development Application was submitted to Council (14th September 2011).

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s79C(1)(a)(iii)

Development Control Plan No 5 – General Rural Zones applies to this development. The applicant applied to Council for modification of the conditions of consent due to non-compliance with the setback requirements under Section 3.3.3 of DCP No. 5. The DCP generally requires setbacks of a minimum 20m from the boundary. The applicant submitted justification for non-compliance with the boundary setbacks and Council, at the Environmental Services and Sustainability Committee resolved to allow a setback of 10m between the cottage and the lot boundary.

The second modification seeks an extension of two rooms on the relocated cottage. The proposed cottage will be setback 10m from the southern boundary and approximately 15m from the western boundary of Lot 1. The proposed modification is within the parameters of the original consent issued 12th December 2011. Condition 1 'Deferred Commencement' has been deleted from the modified conditions of consent and all other conditions remain effective. With the exception of Section 3.3.3 *Setbacks* the proposed modification complies with DCP No 5 General Rural Zones.

PROVISIONS PRESCRIBED BY THE REGULATIONS s79C(1)(a)(iv)

The proposal does not contravene the relevant provisions of the regulations.

THE LIKELY IMPACTS OF THE DEVELOPMENT s79C(1)(b)

Context and Setting

The proposed modification will have no adverse impact upon the site or adjoining land.

Visual Amenity

The proposed modified cottage is slightly larger than the initial approved development. There is minimal impact to visual amenity and no change from previous assessment of impact to visual amenity. The proposed cottage is required to be setback at least 10m from the lot boundary and the modified building complies with the requirements for setbacks.

Access, Transport and Traffic

The modified floor plan has no impact upon traffic or access arrangements. However, the amended plans indicate there is no carport attached to the proposed structure.

Heritage:

No change from previous assessment.

Flooding:

According to Council records there is no recorded level of flooding by the Borenore Creek to the subject land. Previous assessment of the application raised concern about the proximity of the proposed dwelling to the creek (approximately 100 metres) and the low lying location of the proposed building on the site. Further investigation was undertaken by Council's Development Engineer. Modification will have minor increase in the area of the proposed structure. As such, there is minimal impact to flooding and subsequently no change from previous assessment.

Natural Hazards

No change from previous assessment.

THE SUITABILITY OF THE SITE s79C(1)(c)

The subject site is located within the Borenore area on land zoned 7(c) Water Catchments and development complies with the Cabonne LEP 1991. Adequate arrangements can be made for access and essential services. The proposed modification will have minimal impact upon adjoining properties, views and vistas. There is no change from previous assessment of site suitability.

DEVELOPMENT CONTRIBUTIONS

No contributions apply to the modified development.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s79C(1)(d)

The proposed modification is not advertised development

PUBLIC INTEREST s79C(1)(e)

The proposed modified development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts.

THE SUITABILITY OF THE SITE s79C(1)(c)

Physical Attributes and Hazards

There are no known technological or natural hazards that would affect the proposed development.

PUBLIC INTEREST s79C(1)(e)

The proposed development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts.

CONCLUSION

The proposed application for modification relates to the establishment of extensions to the existing tourist facility (temporary accommodation and bell tower). In accordance with Section 96(1A) of the Environmental Planning and Assessment Act 1979 the proposed modification is of minimal environmental impact and is substantially the same development for which consent was granted. The proposed development is permissible within the zone and complies with relevant provisions of the Cabonne LEP 1991.

ITEM 6 - BUSINESS PAPER ITEMS FOR NOTING

REPORT IN BRIEF

Reason For Report	Provides an opportunity for Councillors to call items for noting for discussion and recommends remainder to be noted.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.f - Code of Meeting Practice adopted and implemented.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\PROCEDURES - 480398

RECOMMENDATION

THAT:

1. Councillors call any items they wish to further consider.
2. The balance of the items be noted.

GENERAL MANAGER'S REPORT

In the second part of the Committee Business Paper are items included for the Committee's information.

In accordance with Council's format for its Business Paper, Councillors wishing to discuss any item are requested to call that item.

DRAFT CONDITIONS OF CONSENT DA 2012/97

1. DEVELOPMENT IN ACCORDANCE WITH PLANS

Objective

To ensure the development proceeds in the manner assessed by Council.

Performance

Development is to take place in accordance with the attached stamped plans (Ref No. 12081DA Sheets 1-3 dated 4/12/2012) and documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent. NOTE: Any alterations to the approved development application plans must be clearly identified WITH THE APPLICATION FOR A CONSTRUCTION CERTIFICATE.

The Principal Certifying Authority for the project may request an application for modification of this consent or a new application in the event that changes to the approved plans are subsequently made. An application to modify the development consent under s96 of the Environmental Planning and Assessment Act, 1979, as amended and will be subject to a separate fee.

2. APPLICATION FOR CERTIFICATION

Objective

To satisfy the post-consent requirements of this Development Consent, and to comply with S.109 of the Environmental Planning and Assessment Act 1979, as amended.

Performance

The person having the benefit of this consent is required to apply for a:

SUBDIVISION CERTIFICATE

3. REGISTRATION OF PLAN OF SUBDIVISION

Objective

To ensure compliance with Section 109C(1)(d) of the Environmental Planning and Assessment Act 1979, as amended.

Performance

An application for a Subdivision Certificate is to include five (5) copies of an original Plan of Subdivision prepared by a Registered Surveyor to be lodged at the Land Titles Office.

4. STOCK PROOF FENCING

Objective

To ensure agricultural activities are re not impacted upon.

Performance

The boundary between proposed Lots 100 & 101 must be provided with stock proof fencing PRIOR to the release of the SUBDIVISION CERTIFICATE.

5. EXISTING COVENANTS

Objective

To ensure existing covenants are shown on the newly created lots.

Performance

The existing covenants shown in the way of a Section 88b instrument are to be shown on the newly created Linen Plan and 88b Instrument.

6. COMPLIANCE WITH CONDITIONS OF CONSENT

Objective

To ensure the development proceeds in the manner as determined by Council.

Performance

All conditions of this consent are to be complied with to the standards PRIOR to the registration of the land.

DRAFT CONDITIONS OF CONSENT

1. DELETED

2. SITE PLAN- SETBACKS (AMENDED)

Objective

To ensure that the approved development has an appropriate building setback for the site.

Performance

The Applicant is to comply with the approved 10 metre building setback from each boundary for the Temporary Accommodation (Relocatable Cottage) (ESS Committee Meeting 7 May 2012 Minute ESS 18/12).

3. DEVELOPMENT IN ACCORDANCE WITH PLANS

Objective

To ensure the development proceeds in the manner assessed by Council.

Performance

Development is to take place in accordance with the attached stamped plans (Ref: Modification of development consent 2012/53 Pages 1-11 (inclusive) dated May 2013 and plans 1-8 (inclusive) and Bell Tower plan 1 undated) and documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent.

NOTE: Any alterations to the approved development application plans must be clearly identified **WITH THE APPLICATION FOR A CONSTRUCTION CERTIFICATE**.

The Principal Certifying Authority for the project may request an application for modification of this consent or a new application in the event that changes to the approved plans are subsequently made. An application to modify the development consent under s96 of the Environmental Planning and Assessment Act, 1979, as amended and subject to a separate fee.

4. BUILDING CODE OF AUSTRALIA 2011 – AUSTRALIAN STANDARDS

Objective

To satisfy the Building Code of Australia 2011 and relevant Australian Standards.

Performance

The approved building must meet the relevant Australian Standards and the performance requirements of the Building Code of Australia 2011 Compliance with the Performance Requirements can only be achieved by:-

- a) complying with the Deemed to Satisfy Provisions; or
- b) formulating an Alternative Solution which:-
 - i) complies with the Performance Requirements; or
 - ii) is shown to be at least equivalent to the Deemed to Satisfy Provisions; or
 - iii) a combination of both a) and b).

5. APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY

Objective

To ensure compliance with s81A of the Environmental Planning and Assessment Act 1979 as amended.

Performance

The person having the benefit of this consent must appoint a Principal Certifying Authority for the development, pursuant to Section 81A of the *Environmental Planning and Assessment Act 1979*, as amended and advise Council in writing of that appointment **BEFORE WORKS COMMENCE**.

That Certifying Authority may be the Council, or an Accredited Certifier appointed under the Act. The required written notice to Council may be satisfied by supplying a copy of the Application for a construction Certificate (Form 11) under the *Environmental Planning and Assessment Regulation 1994*, as amended and must include the name, contact address, telephone and accreditation numbers of the selected Certifying Authority.

The Principal Certifying Authority and any other Certifiers appointed by that Authority will be responsible for the post-consent certification of the development. Copies of all certification is to be submitted to Cabonne Shire Council referenced by the Development Application Number.

6. APPLICATION FOR CERTIFICATION

Objective

To satisfy the post-consent requirements of this Development Consent, and to comply with S.109 of the Environmental Planning and Assessment Act 1979, as amended.

Performance

The person having the benefit of this consent is required to apply for a: CONSTRUCTION CERTIFICATE NB prior to the issue of a Construction Certificate a \$5,000.00 bond or bank guarantee will be lodged with Council for the relocation of a secondhand dwelling in accordance with Councils DCP 5 Clause 3.3.9.

7. BASIX CERTIFICATE

Objective

To ensure the dwelling is constructed in the approved manner.

Performance

All the required commitments shown on the Basix Certificate (No: 391232S dated 16 August 2011) and approved plans are to be completed PRIOR to a Final Occupation Certificate being issued.

8. SCALE (GENERAL)

Objective

To ensure the scale of the activity does not increase beyond the scope of this approval without the further assessment of possible impact.

Performance

This approval enables the applicant to operate at a scale as submitted in the proposal. Any increase in the scale of the activity as submitted, will require the further approval of Council.

9. BUILDING USE

Objective

To ensure that the use of the building is for its intended purpose.

Performance

The use of the building is to be for the purposes of temporary accommodation and relates to the use of the site as a B&B.

10. ON SITE WASTE WATER MANAGEMENT

Objective

To ensure that an accredited sewage management facility is designed, constructed and installed.

Performance

The Onsite Wastewater Management System is to be designed following a site specific examination of the site by a suitably qualified person, details of the proposed system along with an application to install an onsite wastewater management system are to be provided to Council prior to the issue of a Construction Certificate.

11. WATER SUPPLY

Objective

To ensure provision is made for adequate rural water supply.

Performance

In rural areas (where town water is not available)

- a) Storage facilities for at least 90,000 litres of water for domestic purposes are to be provided, 10,000 litres of which are to be retained **at all times** for fire fighting purposes; or
- b) The 90,000 litres storage facilities may be reduced to 45,000 litres where an alternative acceptable potable water supply source is available, capable of delivering at least 1,300 litres per hour. Separate application is to be made to the Consent Authority – Cabonne Council.
- c) The water supply tanks are required to have, for bush fire fighting requirements, openings in the top of the storage for drafting water or an approved suitable outlet and access to the storage for conventional fire fighting suction hose.

The take off point for the domestic supply is to be located in such manner to ensure that the 10,000 litres of water is retained **at all times** for bushfire fighting purposes.

1. The outlet for fire fighting purposes shall be fitted with 65 mm STORZ fitting and 65mm gate valve.
2. The outlet for (1) above shall be located so that access for fire fighting units is provided, ie directly where there is vehicle access to the outlet or via plumbing where such direct access is not possible.
- d) Tank should be of an aesthetically pleasing colour that does not contrast greatly with the surrounding environment.

12. DRAINAGE

Objective

To ensure satisfactory disposal of roof stormwater run-off.

Performance

All roofwater shall be collected through guttering and downpiping, connected to a 100mm or 90mm PVC pipeline and shall be disposed of via rainwater storage tank with over flow to discharge away from all structures so not cause impact on development or adjoining land.

13. SOIL EROSION

Objective

To prevent soil erosion during the course of development.

Performance

Measures are to be taken during the course of development to ensure satisfactory stabilisation of exposed areas to prevent soil erosion.

14. IDENTIFICATION OF SITE

Objective

To clearly identify the site.

Performance

Provide a clearly visible sign to the site stating:

- a) Unauthorised entry is prohibited;
- b) Builders name and licence number; or owner builders permit number;
- c) Street number or lot number;
- d) Contact telephone number/after hours number;
- e) Identification of Principal Certifying Authority.

15. WALL/ROOF CLADDING

Objective

To reduce the visual reflective impact on adjoining properties.

Performance

Non-reflective finish materials to be used on the wall/roof cladding.

16. DISABLED ACCESS ADVISORY CONDITION

Objective

Advisory only.

Performance

Applicants are advised that provisions should be made to enable people with disabilities, as far as reasonable, safe equitable and dignified access to and within the building. This application does not imply nor confer compliance with the Commonwealth Disability Discrimination Act 1992. Applicants should satisfy themselves and make their own enquiries to the Human Rights and Equal Opportunity Commission.

17. PLUMBING AND DRAINAGE WORKS

Objective

To ensure compliance with the requirements of the relevant legislation.

Performance

All plumbing and drainage work shall be carried out by a licensed plumber and drainer to the requirements of the National Plumbing and Drainage Code AS3500.

18. STANDARD OF WORKS

Objective

To ensure the septic tank is installed in an approved manner.

Performance

The onsite wastewater system is to be installed in accordance with a site specific On-Site Effluent Management Study Report to be provided to Council prior to issue of the Construction Certificate.

19. FOOTINGS CONSTRUCTION

Objective

To ensure structural stability of the building.

Performance

Footings shall be taken through any filled ground to a good even bearing material or natural ground.

20. TERMITE PROTECTION

Objective

To prevent damage due to termite invasion.

Performance

In accordance with the Building Code of Australia, all structural members, consisting entirely of, or a combination of, any of the following materials are considered not to be subject to termite attack:

- a. steel
- b. concrete
- c. masonry
- d. fibre-reinforced cement

- e. timber - naturally termite resistant in accordance with Appendix A of AS 3660.1 - 2000
- f. timber – preservative treated in accordance with Appendix B of AS 3660.1 -2000

However, should this not be the case, the structural members must be protected from attack by subterranean termites in accordance with the Australian Standard 3660.1 – 1995: Protection of Buildings from subterranean termites.

On completion of the installation of the barrier, Council shall be furnished with a certificate from the person responsible, stating that the barrier complies with AS 3660.1 – 2000.

A durable notice shall be permanently fixed to the inside of the electrical meter box indicating:

- i) the method of protection
- ii) the date of installation of the system
- iii) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
- iv) the need to maintain and inspect the system on a regular basis.

It is important to realise that subterranean termites may damage timber and timber products or any material containing cellulose – their principal food and this could include the buildings contents such as furniture, printed materials, fabric, clothing, footwear, packing cases and tools.

For this reason, Council recommends that the entire house is protected in accordance with AS3660.1 – 2000.

In the unfortunate event that a termite invasion may occur, the builder or owner builder may be held liable for damages.

21. SMOKE DETECTORS

Objective

To comply with the Building Code of Australia.

Performance

Smoke detectors and alarms are to be provided in the following positions: Ceiling of Hallway outside the Bedroom or ceiling of the bedroom.

So as to comply with AS3786 – 1993. Such alarms must be connected to the mains power and are to be provided with a standby power source.

22. OCCUPATION CERTIFICATE

Objective

To ensure compliance with the Environmental Planning & Assessment Act 1979.

Performance

All buildings will require an Occupation Certificate PRIOR to occupation/use of the building.

23. COMPLIANCE WITH CONDITIONS OF CONSENT

Objective

To ensure the development proceeds in the manner as determined by Council.

Performance

All conditions of this consent are to be complied with to the standards specified **prior** to any occupation.

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ITEM 1 HERITAGE ADVISOR'S REPORT - JUNE 20131

ANNEXURE ITEMS

ANNEXURE 1.1 HERITAGE ADVISOR'S REPORT2

ITEM 1 - HERITAGE ADVISOR'S REPORT - JUNE 2013

REPORT IN BRIEF

Reason For Report	Providing Councillors with a copy of the Heritage Advisor's report for June 2013.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.3 - Beautiful towns and villages with historic assets cared for and preserved.
Annexures	1. Heritage Advisor's Report
File Number	\OFFICIAL RECORDS LIBRARY\DEVELOPMENT AND BUILDING CONTROLS\REPORTS\HERITAGE - 480702

DIRECTOR OF ENVIRONMENTAL SERVICES' REPORT

A copy of the Heritage Advisor's Report for June 2013 is attached for the information of the committee.

David Scobie Architects

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Heritage

Cabonne Shire Council
Via email
Attn: Ms. Heather Nicholls &
Amanda Rasmussen

REPORT: June 2013

Visit: 04/06/2013

1.0 Information provided to the Heritage Advisor

- 1.1 Heritage Committee Meeting:
 - 1.1.1 Current issues: Items addressed below
- 1.2 Heritage Advisor appointments –
 - Each of the Tuesday visits is listed below
 - July 2nd
 - August 6th
 - September 4th
 - October 15th

2.0 Follow Up required

- ❖ Bank Street western stores and awning
- ❖ Molong Bakery – verandah reinstatement
- ❖ Canowindra Club - landscape
- ❖ Canowindra Main Street – crossings
- ❖ Canowindra – Main Street Study
- ❖ Sale of Boree Nyranng Homestead
- ❖ Ophir Trust

***The following notes apply to site visits and requests for advice
The intention is that the notes are passed to the Property Owner/Enquirer/DA
Applicant:***

3.0 Canowindra & District Historical Society – Plaques Project

The current plan is have the initial plaque fabricated for the former Bank – now gallery, and use that to get the other property owners on board.

4.0 Council web site

Attention: Amanda, Sophie and Dale

Currently the information on Heritage issues relates to the Community based Heritage study and the list of Heritage items from the Draft LEP.

The LEP was gazetted in 2012. The notes are therefore due for updating.

In addition, the Heritage Branch indicates that the web site should provide a general range of advice to the owners and tenants of heritage buildings and places within Conservation areas.

The following are therefore a Draft for review. The text is designed to provide information for tenants, property owners and potential purchasers of heritage listed buildings and places within the Canowindra and Molong Conservation areas.

Heritage Conservation

The Cabonne Local Environmental Plan 2012 identifies 243 items across the Shire and Heritage Conservation Areas in Canowindra and Molong.

Any development work in these areas or on a Lot containing or in proximity to a heritage item may need to address the heritage objectives and controls.

Council provides free advice through the services of a Consultant heritage Advisor who is available for on-site appointments on the first Tuesday of the month. The advice may be technical such as salt damp, aesthetic such as colour schemes and compliance such appropriate alterations and additions. For an appointment, Contact a Planning officer at Council via the telephone or email details supplied.

Conservation Areas in Molong and Canowindra

Maps of the Gaskill Street Conservation Area and the Bank Street Conservation Area are provided below. Further clarification of the mapping and the buildings is available from the Planning Officers at Council.

Conservation Areas have been recognised as having historic, aesthetic and social value for the community. Many aspects and elements of the streetscape and the architecture also considered to be rare.

Tenants and property owners are responsible for ensuring that any works proposed will be undertaken in a manner that is sympathetic to the conservation and protection of the significance of these distinctive places.

Works to Heritage Items and Buildings in Conservation areas

Proponents will need to consult with Council Planning and Building Officers to find out whether or not approval is required. It is also advisable to enquire whether the works would be eligible for financial assistance under the Heritage assistance Scheme.

In the interests of assisting with the design of the works and ensuring that the Consent process is efficient, free advice is available.

The advice and consultations with Council Officers will cover the following scope of works:

- *Demolition*
- *Subdivision*
- *Excavation*
- *Extensions*
- *Advertising signs and business identification*
- *Provision of access, and*
- *Changes to the exteriors including painting, rendering and decoration.*

For other works including internal changes, including structural alterations and works affecting significant original elements, contact is recommended with Planning and Building Officers.

Conserving rare shopfronts and facades

- **Shopfront framing**
 - *Brass clad frames use an alloy of copper and zinc and are highly durable and attractive. They should be cleaned regularly using household ammonia followed by lemon juice. Washing these solutions down, the shine can be produced through polishing with Brasso or an essential oil on a soft cloth. Previously painted frames should be stripped using proprietary products but never abrasive pads.*

- *Bronze frames use an alloy of copper and tin and while generally dark brown, they weather to light green patina which is an attractive and protective coating not to be removed.*
- *When damaged, these materials are currently available in a variety of shaped forms for re-cladding the frames..*
- **Ceramic tiles**
 - *Regular cleaning with warm soapy water will remove dust and grime. Abrasives must be avoided as scratches are not repairable. Suppliers of obsolete tiles are able to supply matching or similar tiles to a wide range of colours and formats including imperial dimensions. Where tiles are damaged beyond repair, replacement strategies including infill with render and paint or the use of a contrasting coloured tile in the matching size.*
- **Leadlight**
 - *Leadlight panels can be washed gently with warm soapy water. Old lead comes joining the glass is often fragile with panels prone to belly out after the lead comes stretch. Repairs by experienced leadlighters will repair and strengthen the panels.*
- **Timber flooring**
 - *Wood should not be soaked with water but only require regular damp mopping. Stains caused by oil and grease will often come away with a paste of fullers earth, soap and water applied for 2-3 days to draw out the stain. Another general alternative is mild salicylic acid available under various proprietary names for bleaching.*
 - *Where timber floors are generally sound they should not automatically be sanded as this removes the surface hardening and patina of age. Nail punching, stopping and minor sanding may suffice followed by an appropriate tung oil finish.*
- **Signs**
 - *Traditional signs are often bold and striking with greater visibility than contemporary advertising. Note in many early photographs the power of light coloured traditional fonts against dark backgrounds.*
 - *Well designed decal signs applied to shopfront glazing will often capture attention similar to traditional painted window panes. Experienced signwriters will also work in colorback glass, mirror panes, gold and silver outlining and sandblast effects*
- **Entrances**
 - *Terrazzo work is a mix of marble chips in white or coloured cement. Avoid abrasive materials and alkaline cleaners which dry into crystals and use standard soap with smooth cloth.*
 - *For stone floors, use washing soda or detergent and always protect annually with a proprietary sealer.*
 - *Slate can be cleaned with detergent followed by lemon oil to provide a lustrous finish. Cleaning and washing with milk provides a low sheen.*
 - *Marble should be cleaned with hot water and mild detergent. Organic stains such as tea, coffee and ink should be removed with ammonia. Stubborn stains should be treated with powdered whiting in a paste applied for 1-3 hours. Oil based stains should be treated with a solvent consisting of equal parts of acetone and amyl acetate. Mix with whiting and apply as a paste until it dries, following up with the standard organic treatment.*
 - *For rust, use a proprietary reducing agent following up with the organic treatment.*
- **Awnings**
 - *Regularly check downpipes which are often concealed behind walls and panels. Regularly check gutters for leaf litter and thrown objects. Suspended awnings will usually have rods fitted to wall plates on the building and fixtures on the awning frame – all exposed to rusting. Check annually, repair and paint with an Engineer to inspect every five years or as events dictate.*
 - *Do not apply sign panels over the face of awning fascias as these conceal possible decay. Remove elements not originally intended for the structure including air-conditioning units and signs.*
 - *Awnings should retain their integrity and should not be falsely supported on timber or steel posts as vehicle damage may shunt the structure into the main facade causing considerable damage.*
- **Verandahs**

- *Traditional verandahs utilise nominal 150mm cypress chamfered edge timber posts and associated beams and valence panels and joinery. The bases of posts should not be concealed in concrete but supported on stirrups to prevent rotting due to rising damp*
- *Roof flashings should be plain galvanised iron in rolled forms with spear points, ogee or smooth unperforated quad gutters and matching galvanised steel circular downpipes.*

5.0 The Cobley's Building, Gaskill Street, Canowindra

The practice has made contact with the two painters in relation to obtaining quotes for completing the current works, which have remained only partially finished, after two painters left the works. The scheme is nominally 75% complete.

The project has been the subject of a heritage colour scheme and a local grant under the heritage assistance scheme.

The Advisor will remain in contact to follow progress and assist where possible.

6.0 Cabonne Shire Council – Proposed Grants Applications 2013 - 2015

Kate has submitted the Grant submissions to the NSW Heritage Branch.

7.0 Heritage Assistance Grants programme for local projects

Advertising will be placed shortly through Dale and will include notification through local community groups and their newsletters.

8.0 Annual Heritage Strategy checklist

1	Heritage Committee	Advice to Council	1	1
		Consultant Directory		
		Services & trades Directory		
2	Heritage Study	Aboriginal Study		
		Statements of significance		
3	Heritage Advice	Site visits	1	1
		Heritage advice	1	1
		Urban design advice		
		Pre-DA advice		
		Advice on DA's		
4	Pro-active Management	Heritage DCP		
		Urban design DCP		
		DA fee relief		
		Flexible Planning & building		
5	Local Heritage Fund	Funded projects	1	1
		Project value		
		Heritage fund value		
		Owner contribution		
		Tourism projects		
6	Main Street	Committee		
		Study		
		Implementation		

		Expanded main street		
7	Education & promotion	Brochures, web, plaques, panels	1	1
		Events		
		Tourism strategy		
		Trails		
		Training		
8	Council assets	Asset management plans		
		CMP and CMS		
		Works budgets		
9	Sustainability	Adaptive re-use		
		Restoration		
		Reinstatement		
		Landscape		
		Water		

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