



To Avoid Delay when
Replying or Telephoning

Please Quote:

Your Ref:

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION issued under the Environmental Planning and Assessment Act 1979 Section 4.16

Development Application No:

60/2020

Development Application:

Mr L A & Mrs K M Armstrong

Applicant Name:

11 Wood Street
GREENFELL NSW 2810

Applicant Address:

Mr L A & Mrs K M Armstrong

Owner:

Address of Land to be Developed:

LOT: 16 DP: 964560 & LOT: 1 DP: 1091878
18 George Street GREENFELL 2810

Proposed Development:

Change Of Use - Half of building from
laydown/storage to live music venue

Determination made on Date:

18/02/2021

Determination

Consent granted subject to the conditions
described below.

Consent to Operate From:

19/02/2021

Consent to Lapse on:

18/02/2026

Details of Conditions:
(Including Section 94 Conditions)

1. MANDATORY GENERAL

- (1) Development is to be in accordance with approved plans. The development is to be implemented in accordance with the plans and supporting documents stamped and approved and set out in the following table except where modified by any conditions of this consent

Plan	Prepared by/Reference	Weddin Shire Council Reference
Site Plan	-	Received 2/11/20020
Floor Plan	Applicant	Received 2/11/2020
Statement of Environmental Effects	Applicant	Received 2/11/2020
Amended Statement of Environmental Effects	Applicant	Received 23 December 2020

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

- (2) Prior to commencement of any works, a Construction Certificate is to be obtained and where Council is not the PCA, a copy is submitted to council.

Reason: Statutory requirement

- (3) Prior to the occupation or use of the building an Occupation Certificate is to be obtained and where council is not the PCA a copy is submitted to council.

Reason: Statutory requirement

- (4) Prior to the commencement of works, the applicant shall install and maintain adequate sediment and soil erosion controls.

Reason: Statutory requirement and Public interest

- (5) 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.

Reason: Statutory requirement

(6) The building works are to be inspected during construction by the Council or by an "Accredited Certifier" (as applicable) and documentary evidence of compliance with the relevant terms of the approval/standards of construction detailed in the Building Code of Australia and Council's established development standards (as listed under Advisory Conditions which form part of this consent), is to be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:-

- (i) Footings and Concrete Slabs: When the footings have been excavated and all steel reinforcement has been placed in position.
- (ii) Structural framework: When complete, all external walls and roof cladding must be in place prior to inspection. Internal plumbing should be in place and under pressure.
- (iii) Stormwater Drainage: When the stormwater and roofwater drainage system has been completed.
- (iv) Completion: Upon compliance with all conditions of approval and prior to occupation.

Note: 48 Hours notice is required prior for all inspections

Reason: To comply with the Environmental Planning & Assessment Amendment (Quality of Construction) Act 2003.

- (7) Reinforced concrete footings are to comply with Australian Standard 2870-1996.

Reason: to ensure compliance with the relevant standard.

2. NOISE

- (1) Construction or demolition work must only be carried out within the following times:

- a) Monday to Friday – 7:00 am to 7:00 pm;
- b) Saturday – 8:00 am to 1:00 pm if audible on other residential premises, otherwise 7:00 am to 5:00 pm;
- c) No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

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

Reason: Statutory requirement and Public interest

3. DEMOLITION

- (1) The demolition work is to be undertaken in accordance with the requirements of Australian Standards AS2601 – 1991 – 'The Demolition of Structures' and NSW Workcover requirements

Reason: Statutory requirement and Public interest

4. DRAINAGE - BUILDING

- (1) All roofed and paved areas are to be drained and the water from those areas and from any other drainage must be conveyed to:
- (a) The gutter in George street

Storm water disposal drains shall be connected to all roof gutter down pipes within fourteen (14) days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge roof water to the approved method of disposal.

Where kerb and gutter is constructed, an approved PVC or galvanised steel kerb adaptor (either roll over kerb adaptor or upright kerb adaptor) shall be installed in the kerb.

Note 1: Two copies of a plan showing the location of the storm water disposal system are to be submitted to Council before occupation.

Note 2: 'Pump-out' storm water drainage systems are not acceptable.

Reason: Statutory requirement and Public interest

5. POEO

- (1) The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

Reason: to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area:

- (2) In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background (LA90), 15 min noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq, 15 min and adjusted in accordance with the NSW Environmental Protection Authority's Industrial Noise Policy 2000 and Environmental Noise Control Manual (sleep disturbance).

Reason: to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area.

6. PLANNING GENERAL

- (1) The loading and unloading of all vehicles must be done entirely within the property and not upon the road reserve or footpath.

Reason: Public interest

- (2) The development shall only be conducted maximum twice monthly on Wednesday to Sunday only between 12pm and 12 midnight.

Reason: Statutory requirement and Public interest

7. AMENITY

- (1) Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

Reason: Public Amenity

8. PARKING & MANOEUVERING

- (1) All parking and/or loading bays shall be permanently marked out on the pavement surface with loading bays and visitor parking facilities being clearly indicated by means of appropriate signs to facilitate the orderly and efficient use of on-site parking and loading/unloading facilities.

Note: If other hard standing, dust free and weather proof surfaces are proposed other than concrete, written approval is to be obtained from Council that the proposed alternative is acceptable.

Reason: Statutory requirement

- (2) That a minimum of one (1) spaces separately delineated and individually marked be provided for persons whom are access impaired. The car parking spaces together with continuous paths of travel to the main entry of the premises, or reasonable equivalent is to be constructed in accordance with AS 1428.

Advisory Note

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810443.

Other Approvals:

Listed local government act 1993
Approvals granted under Sec. 78A(5)

NIL

General terms of other approvals:

NIL
Integrated as part of the consent (list approvals)

If you are dissatisfied with this decision sections 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice or request Review of Determination pursuant to Sections 82, 8.3, 8.4 and 8.5 of the Environmental Planning & Assessment Act 1979.

*Section 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.



GLENN CARROLL
GENERAL MANAGER

19/02/2021

WEDDIN SHIRE COUNCIL
 DEVELOPMENT CONSENT
 This is the plan referred to in consent
 60/2020
 18/02/2021

ASSESSMENT NO CADID ROAD PROPERTY NAME LOTS WITHIN STREET

KRISTY A LIKE AINSBROOK CORDON MOTORWAY TURNS 11 AND 14/17

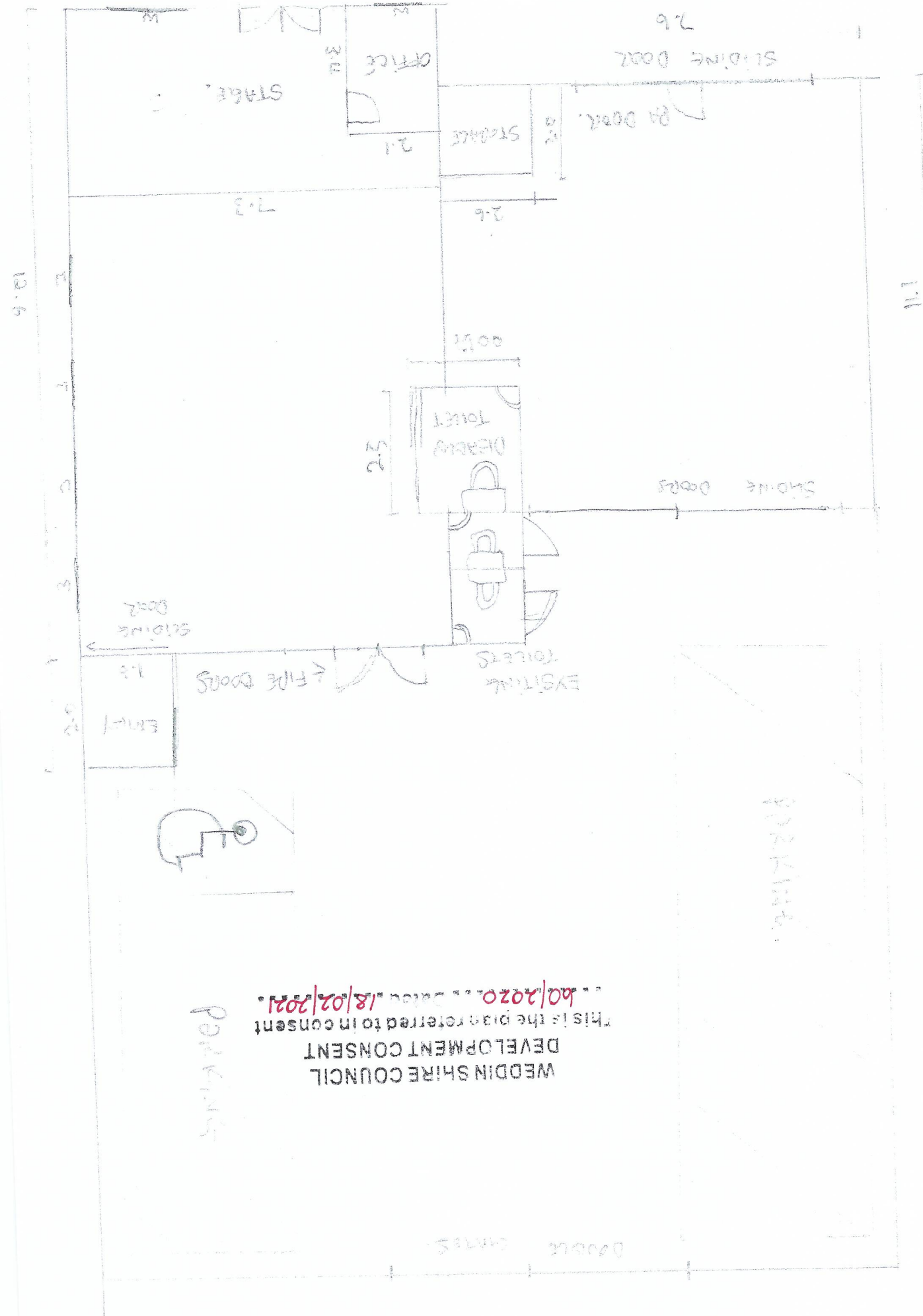


GEORGE



Water NRW	PROPERTY
Groundwater NRW	parcel
Flood FLD	assessment
Heritage Conservation	parcel title
Heritage Item HES	property name
High Biodiversity	property address
Moderate Biodiversity	locality
Lot Size LSZ	owners
Land Zoning LZN	address line 1
	address line 2
	address line 3

6450256 2571016



STATEMENT OF ENVIRONMENTAL EFFECTS

APPLICANTS NAME: Kristie & Luke Armstrong

POSTAL ADDRESS: 11 Wood Street

GREENFELL NSW 2810
(K) 0417 006 267
(L) 0408 438 352

LOCATION OF LAND: 'The Cordial Factory'

18 George Street
GREENFELL NSW 2810

Lots 16 & 1
DP/SP: 964560 & 1091878
Assessment No: 21394

Change of Use – 'The Cordial Factory' is currently a lay down / storage area for all materials and tools associated with Luke Armstrong Painting Services. The proposed development is to bring one half of the building up to Council-approved disabled access and fire safety standards and establish a fully operational and dedicated live music venue and secondly a creative hub available to the community for performance and arts related activities.

PROPOSED DEVELOPMENT:

SITE CONSTRAINTS:

N/A - nil identified.

POTENTIAL IMPACTS:

1) Traffic generation including impacts on surrounding parking; and
2) Noise.

'THE CORDIAL FACTORY' OPERATIONAL DETAILS:

Wednesday to Sunday, 12PM TO 12AM

OPERATING HOURS:

Approximately 2 to 7 positions on a casual basis

STAFF NUMBERS:

PLANT OR MACHINERY:

N/A – nil identified

WEDDIN SHIRE COUNCIL
DEVELOPMENT CONSENT
This is the plan referred to in s
of 60/2020 Date 18/02/2021

IMPACT IDENTIFICATION: Private functions have been held in the building which have allowed us to identify the various elements of the environment that may be impacted by our proposed development.

1) Traffic generation including impacts on surrounding parking
Parking, included disabled access, will be provided at the rear of the building which will reduce any pressure on surrounding building and business parking.

2) Noise
The Cordial Factory will operate within acceptable hours for a business of this type and by dispersing patrons quickly and quietly on nights of operation.

Hours are similar to that of the Railway Hotel which The Cordial Factory is located directly behind. Of the private functions we have hosted, we have never received a noise complaint yet – from residents or the Railway Hotel.

WEDDIN SHIRE COUNCIL
DEVELOPMENT CONSENT
This is the plan referred to in consent
O... .. 60/2020... .. Date: 18/02/2021

Kristie and Luke Armstrong
11 Wood Street
GRENFELL NSW 2810

15 January 2021

Ms. A Robinson
PO Box 117
TAHMOOR NSW 2573

WEDDIN SHIRE COUNCIL
DEVELOPMENT CONSENT
This is the plan referred to in consent
...60/2020... Dated 18/02/2021

Dear Ms. Robinson

**RE: SUBMISSION REGARDING DA 60/2020 -
CHANGE OF USE (18 GEORGE STREET FROM LAYDOWN / STORAGE TO LIVE MUSIC VENUE)**

In response to your submission to the Weddin Shire Council dated 14 December 2020, Luke and I would firstly like to thank you for your feedback regarding The Cordial Factory (TCF). We wholeheartedly agree and look forward to seeing the positive impact and the many opportunities such a venue will provide to all ages of our community and beyond.

Regarding your concerns and suggestion of reducing the proposed hours from Wednesday to Sunday to Friday and Saturday nights, we feel that our explanation of the operating hours may not have been understood as intended.

At most, we plan on hosting artists twice a month, typically on a Friday or Saturday night. However, gaining prior approval from Council for the Wednesday to Sunday operating hours allows us flexibility in meeting the artists' schedule (please note we also hope to hold a regular Open Mic Afternoon / Night but this would most likely be on a Saturday or Sunday).

For example, when artists are touring metro centres it usually takes them from Sydney through to Canberra then Melbourne in which they are usually most agreeable to performing a side show in a smaller regional area. If they are to perform in Canberra on a Friday night, they might agree to stop by Grenfell on the Thursday night prior (as was the case when we hosted a private gig – Little Georgia in 2019). Being flexible allows us every opportunity possible to bring these acts to town – an opportunity we would miss out on if our hours were reduced.

With regards to your concerns regarding noise, we do apologise if you have been kept up by amplified music and drums. Luke's band do get together approximately two to three times a month to practise music and while the corrugated iron does amplify the sound, we are planning (as funds allow) to sound-proof the side of the building closest to your property as well as planting some screening hedges along both fence lines to hopefully reduce the noise from music and patrons within TCF premises.

Regarding the noise created by car doors slamming and vehicles driving up and down the lane to get to the venue – as we have only hosted three private events at TCF over the last two years, we are wondering if the current vehicle activity you described can be attributed to the Railway Hotel as they own the vacant block beside TCF and it is used by its patrons on a daily basis?

From TCF's point of view, we will endeavour to advise patrons to park on the main street and make their way over to the venue by foot due to the limited parking available when we promote our events.

In closing, I hope we have adequately addressed your concerns. If you could please advise Alan Lindsey, Acting Director Environmental Services at Weddin Shire Council on 02 6343 1212 of your decision regarding withdrawing or keeping your submission active, it would be greatly appreciated.

We are more than happy to work with you to come to an amicable agreement in not only getting TCF up and running but for any future concerns you may have when we are fully operational.

Please feel free to call Luke (0408 438 352) or myself (0417 006 267) if there is anything else you would like to discuss or if you would like to meet in person and please keep our numbers on file for your future reference.

Yours in music,

Kristie and Luke Armstrong

**CC: Alan Lindsey
Acting Director Environmental Services
Weddin Shire Council
PO Box 125
GRENFELL NSW 2810**

**Ms. A Robinson
22 Young Street
GRENFELL NSW 2810**