

Alterations to Existing Garage to Create Farm Stay Accommodation, Introduction of Function Centre Land use and Alterations and Additions to Existing Hall to Create Function Centre Land Use

59 Hendersons Road, Tootool, NSW, 2656

Lot 4, DP 1090042 and Lot 1, DP 358434

Statement of Environmental Effects

Prepared for Simon and Jane Bonny



**Project**

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Introduction of Function Centre Land use and Alterations and Additions
to Existing Hall to Create Function Centre Land Use

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1 INTRODUCTION

1.1 OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared on behalf of Simon and Jane Bonny (the clients) to form part of a Development Application (DA) seeking Council's consideration for proposed alterations to an existing Garage to create Farm Stay Accommodation, the introduction of Function Centre Land use and alterations and additions to an Existing Hall to Create a Function Centre Land Use, on the land known as 59 Hendersons Road, Tootool, NSW (the site).

It is considered that the proposed development is routine in nature and will have no adverse impacts on the existing allotment, adjoining allotments or the locality. The proposal will not adversely alter or detract from the existing amenity of the site, or the locality and required and proposed physical building works are considered to be minor and routine works.

The proposed development is considered to be in accordance with relevant statutory and non-statutory planning provisions. The development maintains the existing amenity of the site, and surrounding locality and will not detract from the existing character of the area.

The development site comprises of two (2) allotments, being Lot 4, DP 1090042 and Lot 1, DP 358434. Lot 1 is rectangular in shape and Lot 4 is irregular in shape, with the site being located approximately 13 km's from The Rock's and 44 Km's from the Town centre of Wagga Wagga.

The broader locality is a mix of agricultural land uses.

The applicants have resided at the property, known as Toronto Estate for a number of years. Toronto Estate is an original homestead building that is located on part of a landholding that was part of the historical Toronto Station. The development application seeks to provide farm stay accommodation and limited function centre opportunities for guests who seek to experience an authentic country homestead experience on a working farm.

Located a short drive from The Rock and Wagga Wagga, if approved, the development will offer a truly a unique experience for guests. The property is a working farm, where guests can enjoy all that the estate has to offer, from farm animals to exploring the beautiful gardens and surrounding rural landscapes.

An aerial image of the site and its surrounds provided in [Figure 1](#) below.

The site is considered suitable for the development in that:

- The development is of a routine nature and will be ancillary to an existing primary approved use that being agricultural;
- The development is permissible with consent under the relevant provisions of the Lockhart Local Environmental Plan 2012 and will not affect existing approved land uses being undertaken on the existing allotment or adjoining allotments;
- The development is consistent with and compatible with adjoining and surrounding land uses; and
- The development will not result in any adverse environmental or amenity impacts.

The development application is accompanied by:

- Statement of Environmental Effects;
- Architectural Plan Set;
- Engineers Structural Report;
- Owners Consent; and

- Cost Estimate Report;

It is considered that the development is permissible with consent, subject to a merits assessment.



Figure 1 Aerial Image of the development site and surrounds (Source: Six Maps)

1.2 SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS

This Statement of Environmental Effects accompanies a development application for the proposed development. It has been prepared on behalf of the client and includes the matters referred to in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the land to which the DA relates to and the character of the surrounding area;
- Describe the proposed development;
- Define the statutory planning framework within which the DA is to be assessed and determined; and
- Assess the proposal against the relevant heads of consideration as defined by Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

2 DESCRIPTION

2.1 DEVELOPMENT SITE AND LOCALITY

The development site, 'Toronto Estate' is known as 59 Hendersons Road, Tootool, NSW, and is legally described as Lot 4, DP 1090042 and Lot 1, DP 358434,

As previously identified, Lot 1 is rectangular in shape and Lot 4 is irregular in shape, with the site being located approximately 13 km's from The Rock's and 44 Km's from the Town centre of Wagga Wagga. The broader locality is a mix of agricultural land uses.

- Lot 4 comprises = 9.47 Ha approximately
- Lot 1 comprises = 53.63 Ha approximately

Lot 4 contains the following infrastructure:

- Toronto Homestead / dwelling
- Existing Garage;
- Ancillary Farm Buildings
- Established Garden Areas.

The allotment is currently used for agricultural purposes with the abovementioned infrastructure being used ancillary to this main use. The site is zoned RU1 Primary Production under the provisions of the Lockhart Local Environmental Plan 2012 (LLEP 2012).

Lot 1 contains an existing hall building and is currently not really use for any real purposes, with the exception of agriculture.

The site, both allotments incorporate no slope. No vegetation is proposed or required to be removed under this application.

The site is not encumbered by any easements or restrictions.

The allotment is adjoined and surrounded by RU1 Primary Production zoned land to the north, east and west and SP2 Railway Infrastructure zoned land to the south.

See [Figure 2](#) base map which illustrates lot identification of the development site.

In terms of natural hazards, the site is not bushfire prone and nor is it identified as being subject to riverine or major overland stormwater flooding according to the Lockhart Local Environmental Plan 2012 and associated maps.

There are no significant site constraints that would render the site unsuitable for the development.

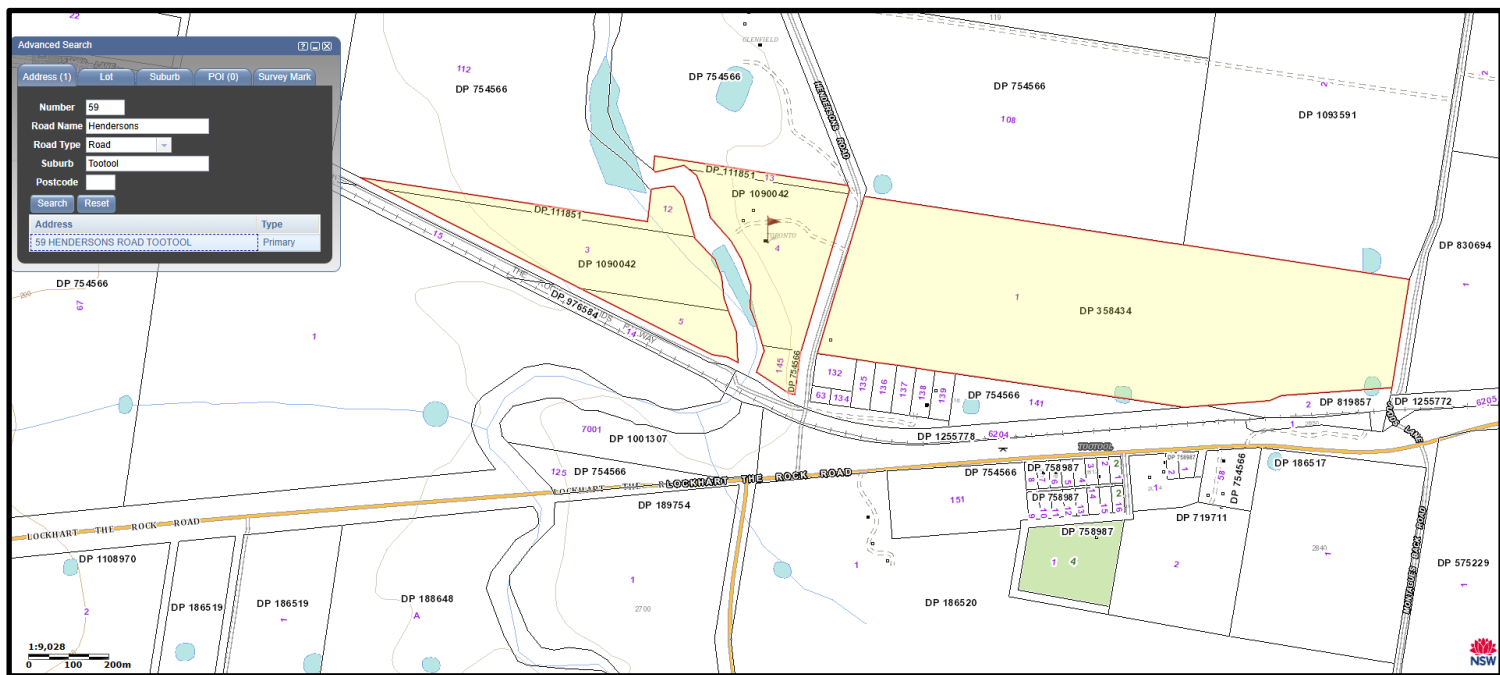


Figure 2 Site Identification and base map (Source: Six Maps)

2.2 PRESENT AND PREVIOUS USES OF THE SITE

The site is currently utilised for agricultural purposes and has been for many years.

The land will continue to be used, primarily for the purpose of agriculture if this development application is approved.

2.3 LAND HAZARDS

2.3.1 BUSHFIRE

The site is not mapped as bushfire prone land (BFPL) according to NSW Rural Fire Services Bush Fire Prone Mapping layer.

2.3.2 FLOODING

The subject site is not subject to riverine or major overland stormwater flooding according to applicable Lockhart Shire Council records and mapping.

3 PROPOSED DEVELOPMENT

This application seeks approval for alterations to existing garage to create farm stay accommodation, introduction of function centre land use on grounds of the Toronto homestead, and alterations and additions to existing hall to create function centre land use.

Alterations to Existing Garage to Create Farm Stay Accommodation (Lot 4, DP 1090042):

It is proposed to undertake minor alterations to an existing garage structure on the site to create a dwelling that will be used for farm stay accommodation purposes.

The alterations will result in a dwelling that will be used for farm stay accommodation purposes in conjunction with a working farm and a proposed function centre land use. The structure will contain the following rooms:

- Bedroom
- Bathroom
- Combined Kitchen and Living
- Cellar Area; and
- Undercover Outdoor Area

Note: The existing storage loft will not be used for any purposes and access to the loft will be permanently prevented/secured.

The floor areas for the proposed farmstay accommodation are:

- Living Area/Ground Floor - 96.53m²
- Undercover Outdoor Area - 62.59m²

Total area = 159.12m².

The scope of works associated with the conversion of the garage to dwelling/farm stay accommodation include:

Demolition Works =

- Remove Existing Roller Doors.
- Remove Existing Entry Hinged Door.

Proposed Alterations:

- Construct New Laundry.
- Construct Bathroom.
- Install Kitchen.
- Install New Windows (W01, W02).
- Install New Door (D01).
- Top Existing Concrete Floor with new slab and vapour membrane.
- New 900mm Fixed Awning Over New Eastern Glazing; and
- Installation of sarking to the underside of the existing roof.

With only minor internal non-structural (with the exception of a concrete slab) modifications required to be undertaken, the conversion of the garage to a dwelling for farm stay accommodation purposes will ensure the sustainable and adaptive reuse of a building.

All alterations will be undertaken in accordance with the NCC, relevant Australian Standards and Engineers detail.

Servicing

The farm stay building will continue to be serviced by existing stormwater infrastructure in the form of gutters and downpipes that will capture rainwater and convey to the existing and adjoining creek.

Electricity and Water will be supplied via the existing reticulated electricity supply/water supply/main.

In respect to sewer waste, the development will be serviced by the existing 9320 litre Aerated Waste Water Treatment System in accordance with manufacturers specifications and AS3500 requirements.

Access

The site is provided access off Henderson's Road, which is a local Council all weather access road.

A 4.0 metre wide existing all weather access road (compacted gravel) provides internal site access. No changes to existing approved access arrangements are proposed or required to facilitate this development.

2 x designated off street carparking spaces will be provided for users of the farm stay accommodation.

A designated car parking area, created on 100 mm thick compacted DG20 gravel material, will be provided for function / event guests that will provide for 12 spaces, inclusive of 2 accessible spaces and buses will park, pick up and drop off within the existing circular internal road area.

The site / function centre will be used intermittently and will result in a very low vehicular movement or any adverse traffic impact.

Operational Details

The owner seeks to operate the farm stay accommodation 24 hours a day and 7 days per week.

The 2 owners will be the only required employees associated with the operation of this component of the development.

Function events will be undertaken for only 52 days per calendar year (as per the provisions of Clause 2.8 of the LLEP 2012) and hours of operation for such events will be 8.30 am to 12.00 am on any day of the week.

The building will cater for functions and events such as engagements, weddings, christenings, birthday parties, wakes, conferences and the like. With a maximum capacity of up to 200 people.

Bump in for the events will be from 8.30 am and bump out will be 12.00 am on event days. Bump in and bump out are the set times agreed upon with the venue and client/guests for the set up and pack down of the event.

In addition to the 2 owners, it is anticipated that contract caterers and associated personal will be required at varying times, dependent on the type of function being catered for, to operate this component of the development.

There will be no more than 10 contractors, utilised at any function event held on the site.

Use of Land for Function Centre Purposes (Lot 4, DP 1090042):

The development proposes the use of an area within the existing landscaped garden outside the existing dwelling/residence and minor alterations to an existing small meat hanging shed to create a proposed outdoor kitchen and storage area.

The outdoor area, as identified on the plans / hatched red, will be used for function centre purposes and will cater for events such as engagements, weddings, christenings, birthday parties, wakes, conferences and the like.

The outdoor area will utilise temporary marque structures on occasion and as required and will be installed to manufacturers specifications and removed at the closure of an event. All such structures will be contained within the area identified on the plans / hatched red. The structures will be removed when not in use.

All events will provide for portable toilet facilities that will be provided for use by patrons and brought onto site for events. The number of facilities that will be provided in accordance with the applicable provisions of Part F4 of Volume 1 of the National Construction Code and be dictated by number of persons at any event/function held.

The maximum size of any one event/function will not exceed 200 persons.

The existing meat hanging shed will be converted to an outdoor kitchen and storage area for the

predominate use of the owners. However, it is proposed to use this area for the purpose of a bar area when functions are being held.

Function events will be undertaken for only 52 days per calendar year (as per the provisions of Clause 2.8 of the LLEP 2012) and hours of operation for such events will be 8.30 am to 12.00 am on any day of the week.

Bump in for the events will be from 8.30 am and bump out will be 12.00 am on event days. Bump in and bump out are the set times agreed upon with the venue and client/guests for the set up and pack down of the event.

In addition to the 2 owners, it is anticipated that contract caterers and associated personal will be required at varying times, dependent on the type of function being catered for, to operate this component of the development.

There will be no more than 10 contractors, utilised at any function event held on the site.

Alterations and Additions to Existing Hall to Create Function Centre (Lot 1, DP 358434):

It is proposed to undertake alterations to an existing hall building that is located on Lot 1, DP 358434) to facilitate a change of use from hall to function centre.

The works required to facilitate this change of use are:

Demolition Works:

- Remove existing sliding door.
- Remove existing non-compliant ramp.
- Remove roofing and wall on existing deck.

Proposed Works:

- Construct new compliant ramp.
- New balustrade to outdoor deck area.
- Refit Kitchen as required to ensure compliance with Food Standards Australia New Zealand (FSANZ), Safe Food Australia Standard 3.2.3 (Food Premises and Equipment, 2nd edition) and the Australian Standard TM (AS) 4674-2004 Design, construction and fit-out of food premises.
- Rehang existing main entry door to swing in direction of egress.
- Rehang existing kitchenette door to swing in the direction of egress.
- Lateral supports to be inserted to existing floor structures at various location.
- Install fire safety services in the form of exit signs and fire extinguishers.
- Civil works in the form of the creation of a 21-space carpark area for the hall site.
- Civil works in the form of the creation of a 12-space carpark area for the site, housing the existing homestead.

The existing hall structure is 293.26m² and no additional floor area is being proposed.

Servicing

The development will be serviced by existing stormwater infrastructure in the form of gutters and downpipes that will capture rainwater and direct to existing onsite disposal area.

Potable water will be supplied via the existing mains network that services the site. The site is also serviced by a reticulated electricity supply that will also service the development.

The development will be serviced, for sewerage management purposes, by an existing 5000 litre septic tank and absorption trenching in accordance with manufacturers specifications and AS3500 requirements.

Access

The site is provided with an existing access off Henderson's Road, which is a local Council all weather access road.

The existing access is 6.0-metre-wide access, located on the northern side of the existing building which has been constructed as an all-weather access standard using 100 mm thick, compacted DG20 Gravel material.

The site / function centre will be used intermittently and will result in a very low vehicular movement or traffic impact, the site has capacity to cater for 21 car park spaces and the majority of guests will access the site via bus for function events. All cars and buses will access and egress the site in a forward direction.

As mentioned, the development proposes a 21 space (inclusive of 2 accessible spaces) all weather carparking and movement area at the rear of the hall building and the carparking area will be delineated and provide for applicable traffic management signage (refer to attached plans). The carpark and vehicle movement areas will be constructed to an all-weather access standard using 100 mm thick, compacted DG20 Gravel material.

Operational Details

Function events will be undertaken for only 52 days per calendar year (as per the provisions of Clause 2.8 of the LLEP 2012) and hours of operation for such events will be 8.30 am to 12.00 am on any day of the week.

The building will cater for functions and events such as engagements, weddings, christenings, birthday parties, wakes, conferences and the like. With a maximum capacity of up to 200 people.

Bump in for the events will be from 8.30 am and bump out will be 12.00 am on event days. Bump in and bump out are the set times agreed upon with the venue and client/guests for the set up and pack down of the event.

In addition to the 2 owners, it is anticipated that contract caterers and associated personal will be required at varying times, dependent on the type of function being catered for, to operate this component of the development.

There will be no more than 10 contractors, utilised at any function event held on the site.

See [Figures 3, 4 and 5](#) below of proposed site plan, existing and proposed floor plans of the structure.

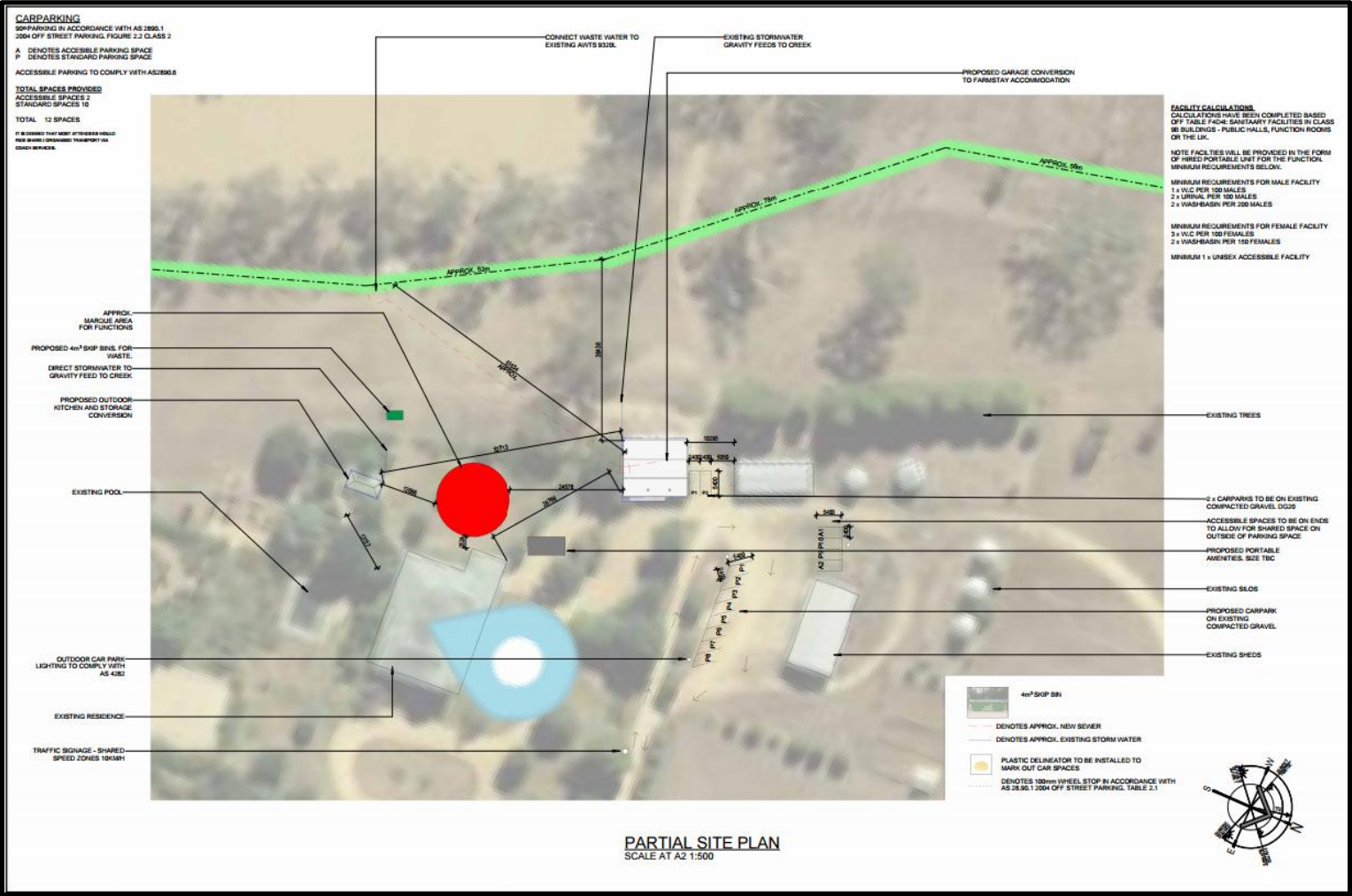


Figure 3 Existing and Proposed Site Plan for Farm Stay and Function Centre Land Use – Lot 4 (Source: Reward Character Designs)

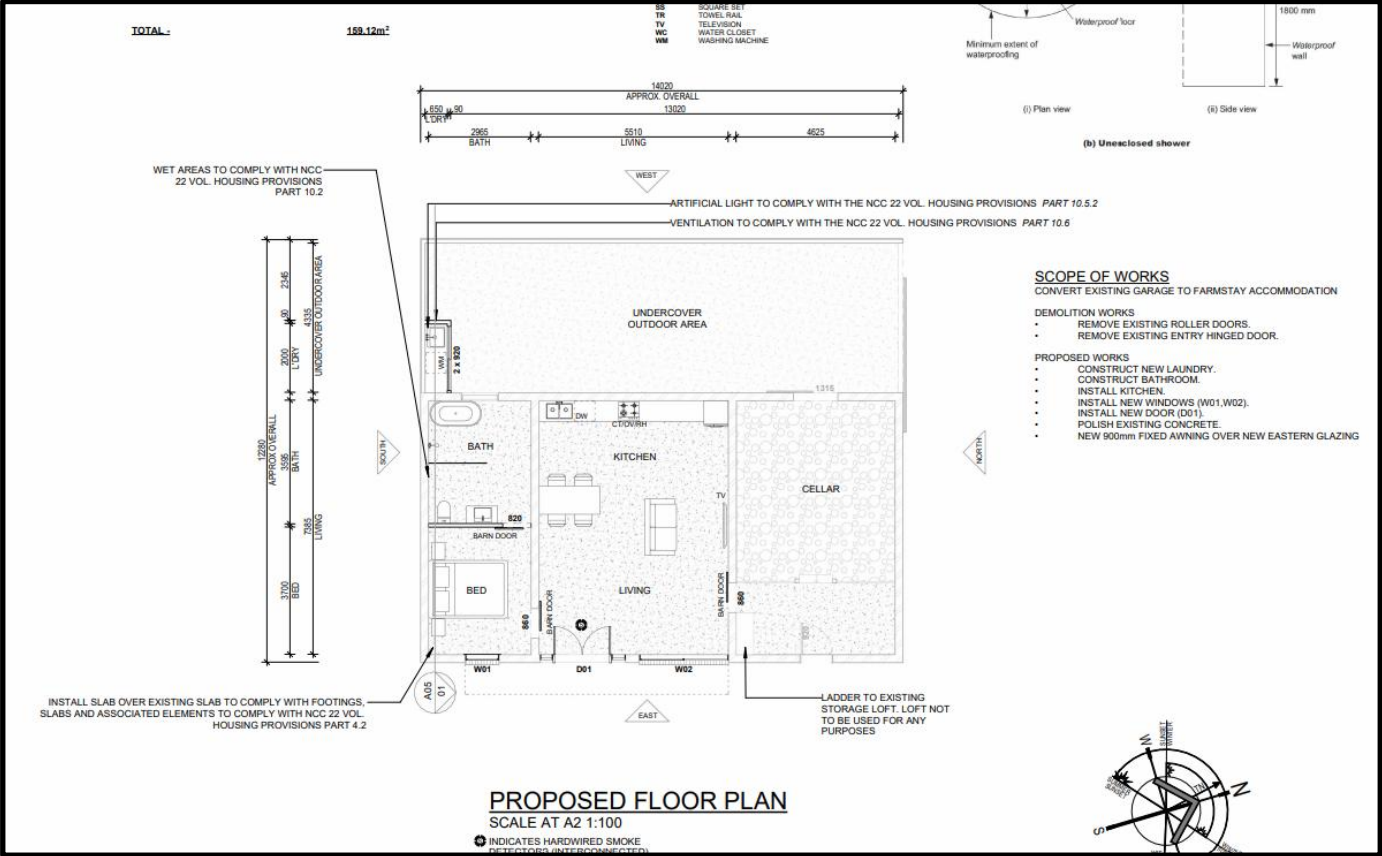


Figure 4 Proposed Floor Plan Farm Stay Building – Lot 4(Source: Reward Character Designs)

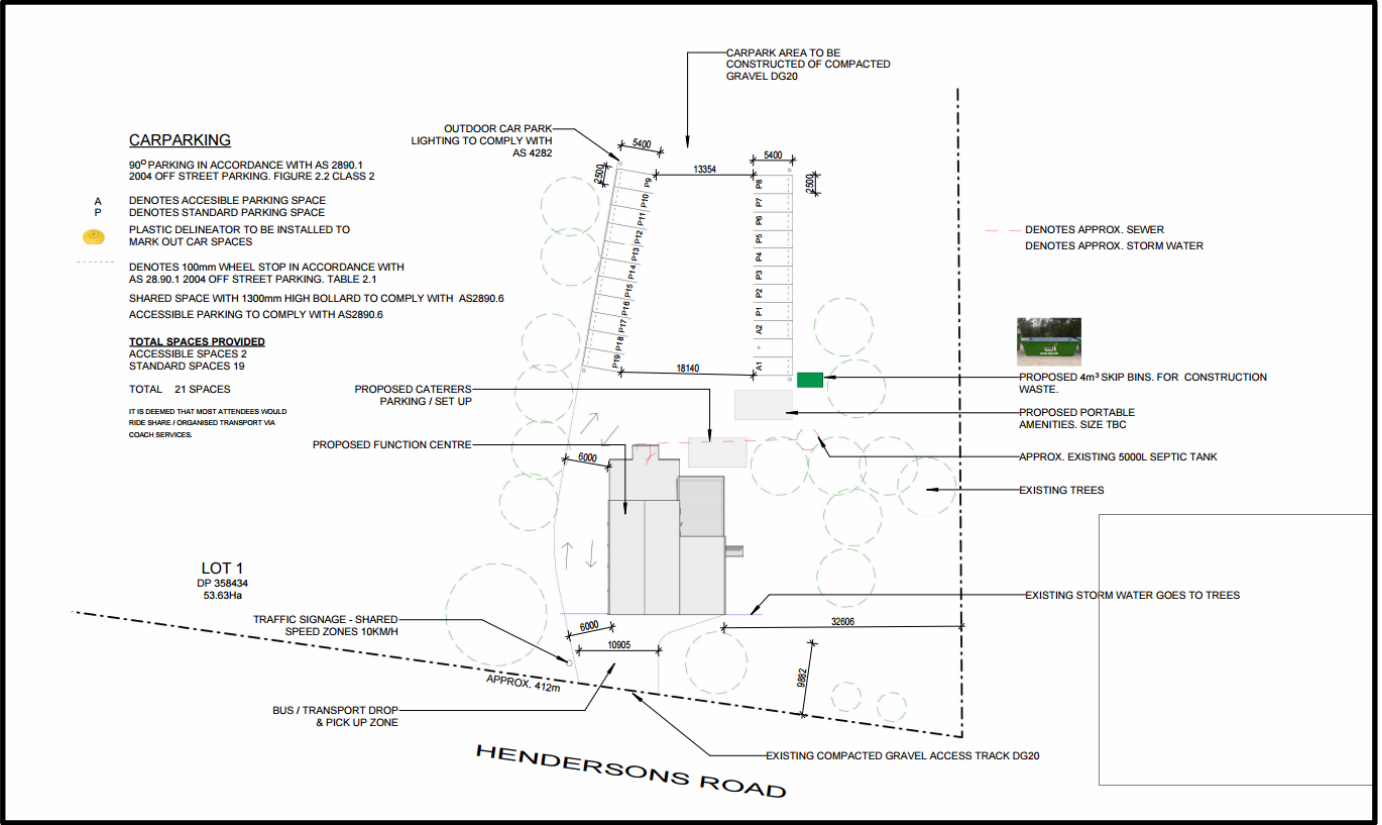


Figure 5 Proposed Site Plan Function Centre – Lot 1 (Source: Reward Character Designs)

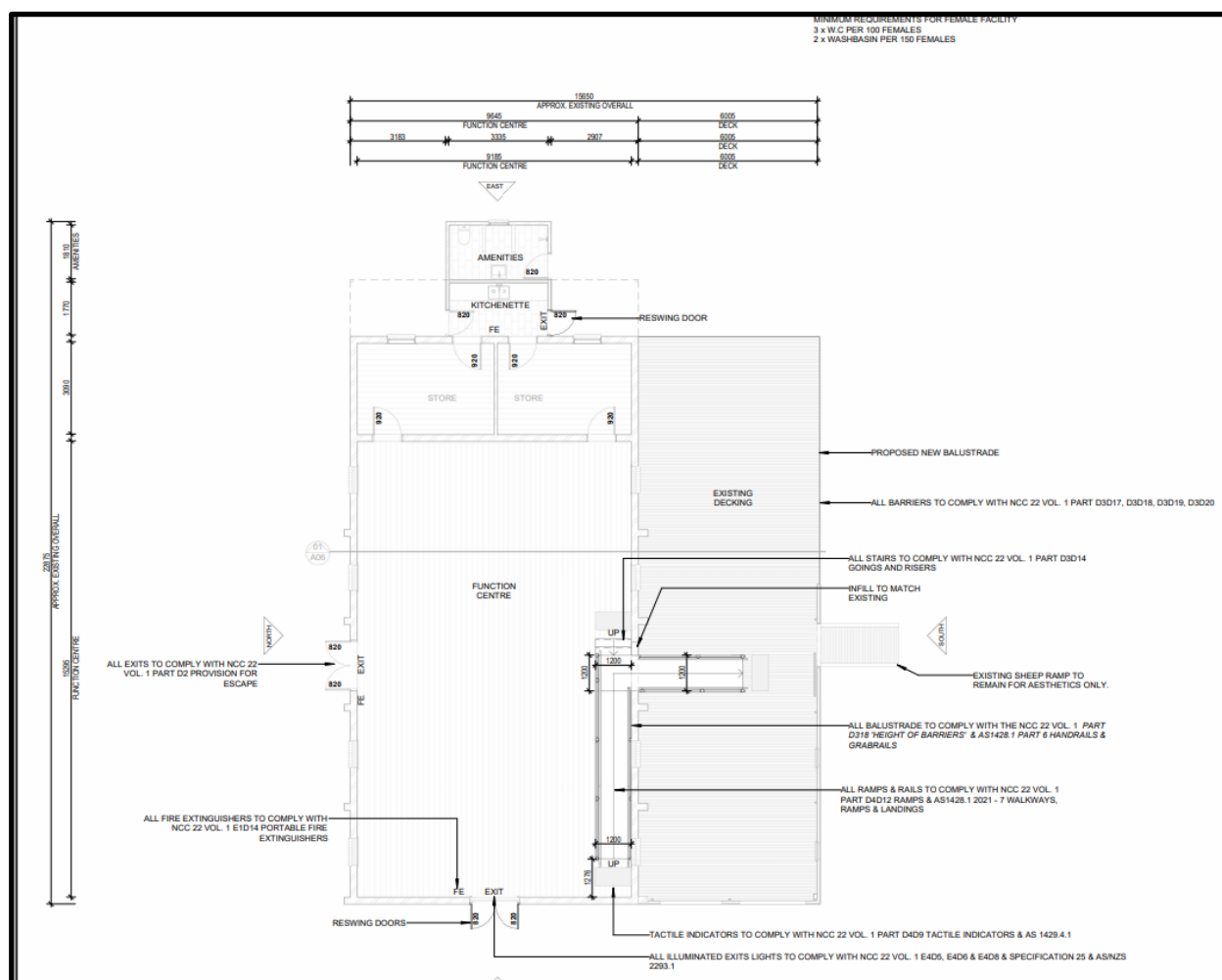


Figure 6 Proposed Floor Plan Function Centre - Lot 1 (Source: Reward Character Designs)

4 ENVIRONMENTAL IMPACTS

4.1.1 AIR QUALITY AND ODOUR

Given the nature and scale of the development, it is not anticipated to create any adverse long term air quality or odour impacts on the area. The proposed works involve minimal to no civil works and only minor alterations and additions to the proposed farm stay accommodation building on Lot 4 and the proposed function centre on Lot 1.

If any dust is generated by these minor civil and construction works, it will be managed via the use of water trucks and water spraying. Such dust / air disturbance will be short term in nature and will be mitigated against to reduce any disturbance to the amenity of any adjoining landowner.

The proposed land uses that will be undertaken from the site will be intermittent in nature and will not create adverse air quality or odour impacts on or off the site. There are no known existing air quality or odour impacts currently experienced by surrounding development and it is expected that the potential for future issues is unlikely.

4.1.2 WATER QUALITY

The area has historically been utilised for agricultural purposes and is not identified as having groundwater vulnerability issues and it is unlikely that groundwater would be encountered within the near surface.

The proposed development is not expected to have any detrimental impacts on water quality.

All stormwater will be discharged into existing onsite disposal areas in accordance with AS 3500 and Councils requirements that will ensure that post-development flows are equal to or less than pre-development flows from the site.

Any sewerage and wastewater from the development will be disposed of into existing onsite systems of sewerage management - refer to the attached plans and system specifications.

4.1.3 WASTE MANAGEMENT

The development will undoubtedly require minor earthworks, and any overburden or spoil will be managed and disposed of in accordance with the Councils and the NSW Environmental Protection Authorities requirements.

Any construction material and other waste generated by the development will be disposed of to a Council landfill facility.

Waste management for the future development would be undertaken via the location of suitability sized bins for all events, that would be collected by the owner/ or contractor and disposed of to a Council land fill.

The development will not generate any noxious waste materials.

4.1.4 FLORA AND FAUNA IMPACTS

The site has been predominately utilised for agricultural – grazing purposes, for a number of years with ancillary residential and hall land uses.

The application does not require the removal/disturbance of any vegetation.

The site is not identified on NSW Governments Biodiversity Value Map Threshold Tool, nor is any clearing proposed or required – the location of the subject development is on cleared land that has been heavily grazed.

The development will not result in any adverse impacts on any of the following:

- a native vegetation community,
- the habitat of any threatened species, population or ecological community,
- a regionally significant species of plant, animal or habitat,
- a habitat corridor,
- a wetland,
- the biodiversity values within a reserve, including a road reserve or a stock route.

It is considered that the subject development will not promote any unacceptable flora or fauna (Biodiversity) impacts on the site or within the immediate locality.

4.1.5 ABORIGINAL CULTURAL HERITAGE

The site not identified as containing any Aboriginal Cultural Heritage significance and an AHIMS search was undertaken on the 9th of February 2025, for both allotments and identified that there are no known sites within a 1km radius to the site.

A copy of the AHIMS Searches results are provided below.



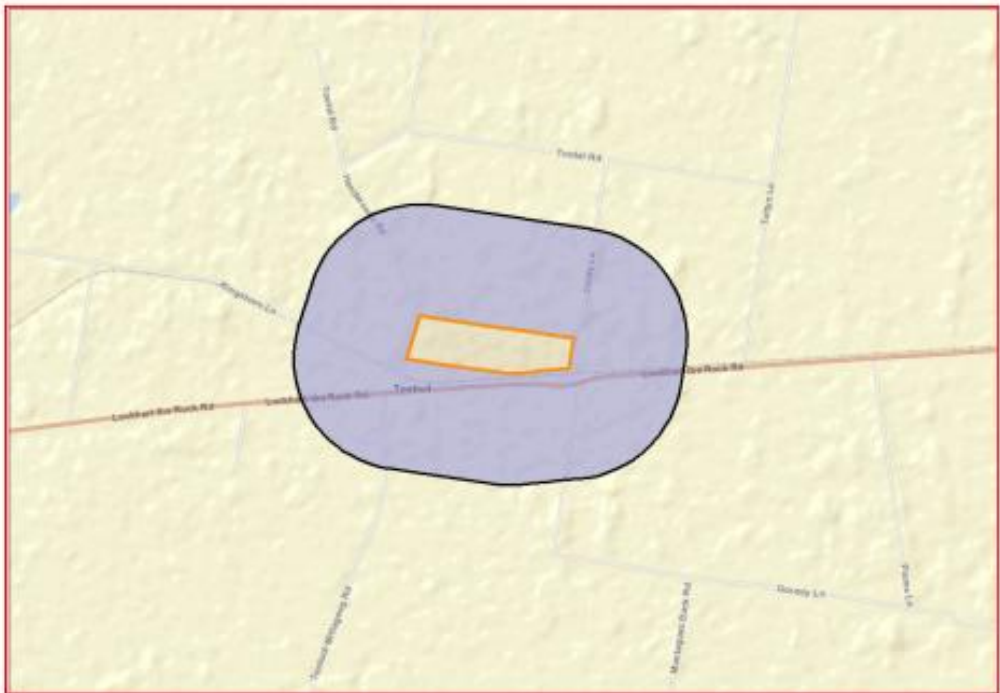
AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Tootool 1
Client Service ID : 973387
Date: 09 February 2025

Colby Farmer
55 Cowabbie Street
Coolamon New South Wales 2701
Attention: Colby Farmer
Email: cfarmer@coolamon.nsw.gov.au
Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 1, DP:DP358434, Section : - with a Buffer of 1000 meters, conducted by Colby Farmer on 09 February 2025.


The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 7 AHIMS Search Results Lot 1



AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Tootool 2
Client Service ID : 973388

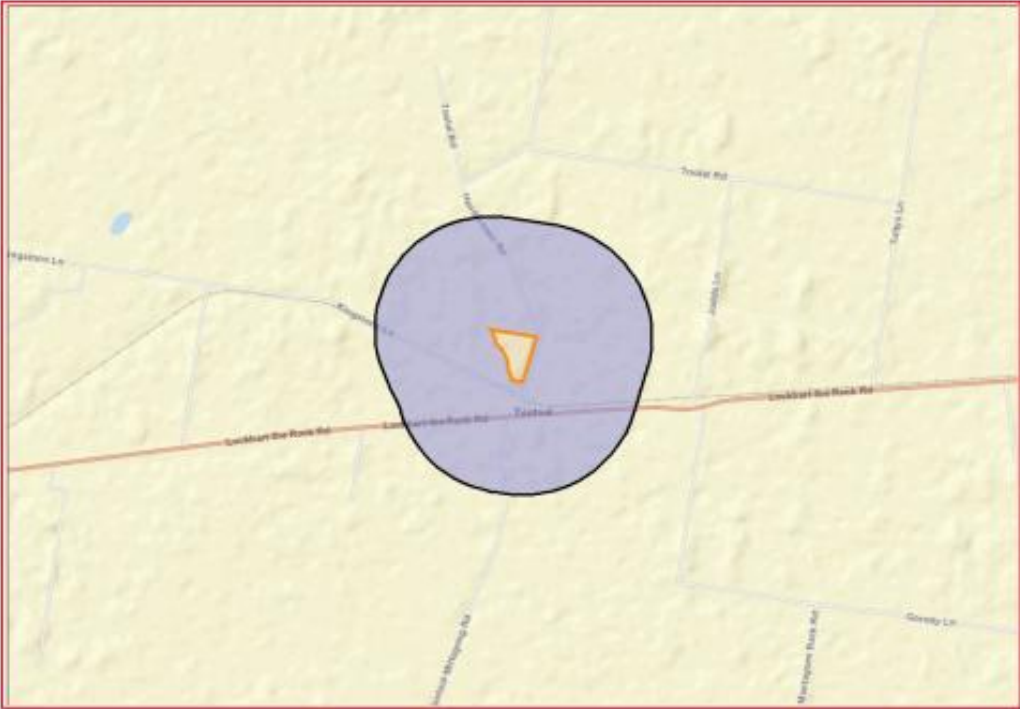
Colby Farmer
55 Cowabbie Street
Coolamon New South Wales 2701
Attention: Colby Farmer
Email: cfarmer@coolamon.nsw.gov.au

Date: 09 February 2025

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 4, DP:DP1090042, Section : - with a Buffer of 1000 meters, conducted by Colby Farmer on 09 February 2025.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 8 AHIMS Search Results Lot 4

4.1.6 EUROPEAN HERITAGE

The site is not located within a heritage conservation area and according to Schedule 5 of the LLEP 2012 the site is not identified as containing any items of environmental heritage significance.

It should be noted that the development site originally formed part of Toronto Station, with the residence being constructed on Lot 4 being known as Toronto Homestead.

The residence was erected in 1903, designed by W.J. Monks and erected by Charles Hardy.

The residence is an early 20th Century, late Victorian styled, double storey, double brick homestead. Verandas are provided to 3 sides on upper and lower floors, front bayed windows with hipped and gabled roofs.

The homestead is in good condition and well maintained and no works are required or proposed to this building under this development application.

5 INFRASTRUCTURE AND SERVICING REQUIREMENTS

5.1.1 ACCESS ARRANGEMENTS AND TRAFFIC IMPACTS

Lot 4 =

The site is provided access off Henderson's Road, which is a local Council all weather access road.

A 4.0 metre wide existing all weather access road (compacted gravel) provides internal site access. No changes to existing approved access arrangements are proposed or required to facilitate this development.

2 x designated off street carparking spaces will be provided for users of the farm stay accommodation.

A designated car parking area, created on 100 mm thick compacted DG20 gravel material, will be provided for function / event guests that will provide for 12 spaces and buses will park, pick up and drop off within the existing circular internal road area

The site / function centre will be used intermittently and will result in a very low vehicular movement or traffic impact.

There will be no unacceptable vehicle movements / traffic generated by the development and ample off-street parking is available on the site.

Lot 1 =

The site is provided access off Henderson's Road, which is a local Council all weather access road.

The access is 6.0-metre-wide access, located on the northern side of the existing building and has been constructed to an all-weather access standard using 100 mm thick, compacted DG20 Gravel material.

The site / function centre will be used intermittently and will result in a very low vehicular movement or traffic impact, the site has capacity to cater for 21 car park spaces (inclusive of 2 x accessible spaces) and the majority of guests will access the site via bus for function events. All cars and buses will access and egress the site in a forward direction.

5.1.2 UTILITIES AND INFRASTRUCTURE SERVICING ARRANGEMENTS

The proposed development will be serviced by potable water via rainwater tanks, on site sewerage system via existing systems as described elsewhere within this report, telecommunications and will be serviced by reticulated power and water.

The development is considered to be able to be adequately serviced with utility infrastructure, which will be able to be efficiently and cost-effectively provided.

6 PLANNING PROVISIONS

6.1 STATE ENVIRONMENTAL PLANNING POLICIES

Table 1 Relevant State Environmental Planning Policy Requirements

SEPP	COMMENTS
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	<p>This SEPP applies and a consent authority must not grant consent for a development on land unless it has considered whether the land is contaminated and if so, that it is suitable in its contaminated state (or will be after remediation) for the purposes of the development.</p> <p>The site, nor any adjoining sites are included in the EPA's Contaminated Land Register as 'significantly contaminated' or 'remediated land'. The site, nor any adjoining sites are not included in the EPA's Contaminated Land Register as 'potentially contaminated land'.</p> <p>The site history reveals that the land has been used for agricultural and ancillary residential and public hall purposes for many years and over this time there has been no evidence of any activities within the proposal area which may have contaminated the site or adjoining sites.</p> <p>Given the above information, along with the current zoning, permissible land uses, and available property records and mapping, it is considered that the proposed development, which does not seek to introduce any additional land use, is highly unlikely to increase the potential risk of exposure to contamination in respect to both human health and the environment.</p>
<i>State Environmental Planning Policy (Primary Production) 2021</i>	<p>This SEPP applies.</p> <p>The aims of this SEPP are as follows—</p> <p>(a) to facilitate the orderly economic use and development of land for primary production,</p> <p>(b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</p> <p>(c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</p> <p>(d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</p> <p>(e) to encourage sustainable agriculture, including sustainable aquaculture,</p> <p>(f) require consideration of the effects of all proposed development in the State on oyster aquaculture,</p> <p>(g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</p> <p>The land is not identified as being, state significant agricultural land and the use of the land for farm stay and function purposes is not inconsistent with the aims and objectives of this SEPP – the development will provide an off-farm income stream that will contribute to the sustainability of a working farm.</p>

<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	<p>This SEPP applies.</p> <p>The aims of this Policy are as follows—</p> <ul style="list-style-type: none">(a) to encourage the design and delivery of sustainable buildings,(b) to ensure consistent assessment of the sustainability of buildings,(c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored,(d) to monitor the embodied emissions of materials used in construction of buildings,(e) to minimise the consumption of energy,(f) to reduce greenhouse gas emissions,(g) to minimise the consumption of mains-supplied potable water,(h) to ensure good thermal performance of buildings. <p>A Basix Certificate has been provided to support this development and the change of use from a garage to a dwelling for farm stay accommodation purposes.</p>
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6.2 LOCKHART LOCAL ENVIRONMENTAL PLAN 2012

The subject site is zoned a RU1 Primary Production under the provisions of the Lockhart Local Environmental Plan 20102 (LLEP 2012).

Figure 9 below identifies the zoning of the land.

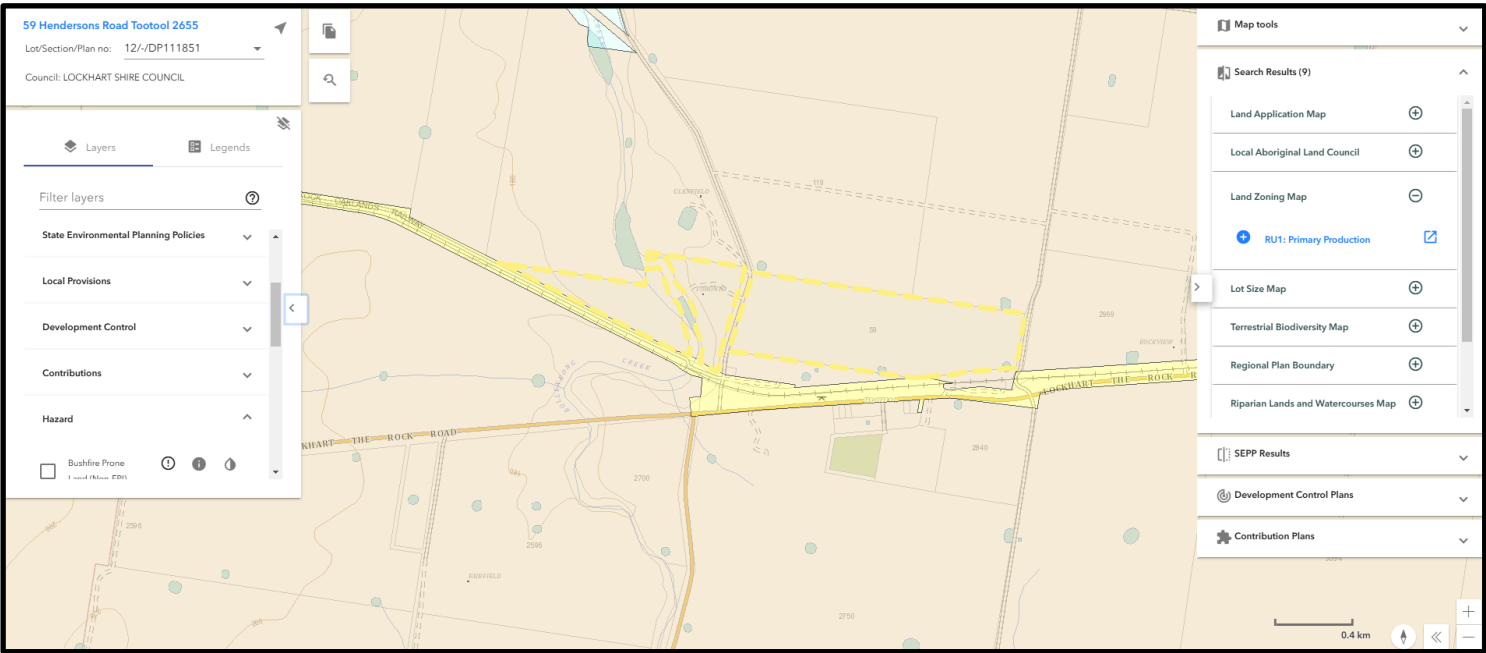


Figure 9 LLEP 2012 Zoning Map (Source: e Planning Spatial Viewer)

The proposed development is best characterised as farm stay accommodation and function centre land uses.

The LLEP 2012 defines farmstay accommodation to mean:

farm stay accommodation means a building or place—

(a) on a commercial farm, and

(b) ancillary to the farm, and

(c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

Note—

Farm stay accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

A function centre is defined under the LLEP 2012 as:

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

Farmstay accommodation is permissible with consent in the RU1 land use table.

A function centre is prohibited in the RU1 Primary Production land use table, and accordingly, consent is sought under Clause 2.8 of the LLEP 2012, which provides:

2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.*
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.*
- (3) Development consent must not be granted unless the consent authority is satisfied that—*
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and*
 - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and*
 - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and*
 - (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.*
- (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.*
- (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).*

The objectives of the RU1 Primary Production Zone are outlined in the below table.

Table 2 Objectives of the RU1 Primary Production Zone

ZONE OBJECTIVES	COMMENTS
<i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i>	<p>The development is not inconsistent with this objective as the development will not significantly alter the lands' ability to undertake sustainable primary industry production. The site will still retain its potential to be used for agricultural purposes and be predominantly used for such purposes.</p> <p>The development will have no adverse effects on primary industry production and not negatively affect the natural resource base.</p>
<i>To encourage diversity in primary industry enterprises and systems appropriate for the area.</i>	<p>The objective is achieved as the proposal will still ensure that the land can be used for a variety of primary industry enterprises and systems appropriate to the area and appropriate to the size of the allotment. As previously mentioned above, the development is considered complementary and essential to the sustainability of the agricultural land use and provides a low impact development that provides for a viable off-farm income to assist in the sustainability of the predominant agricultural land use.</p>
<i>To minimise the fragmentation and alienation of resource lands.</i>	<p>The objective is achieved as the proposal is not for subdivision and does not involve nor will it result in the fragmentation and alienation of resource lands.</p>
<i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>	<p>The objective is achieved, and the development will not create any land use conflicts.</p> <p>Ample buffer zones exist between uses/adjoining landowners, and there is a low-density population in the locality.</p> <p>There is no history of land use conflict arising from this site and the site. The development is buffered by significant setbacks to adjoining boundaries and will not involve any noxious activities.</p>

Table 3 below considers the clauses of the LLEP 2012 applicable to the subject development.

Table 3 LLEP 2012 clauses applicable to the subject development

PART 2: PERMITTED OR PROHIBITED DEVELOPMENT			
CLAUSE		COMMENTS	APPLICABLE
2.4	<i>Unzoned Land</i>	Not applicable.	N/A
2.5	<i>Additional permitted uses for particular land</i>	Not applicable.	N/A
2.6	<i>Subdivision – consent requirements</i>		N/A
2.7	<i>Demolition requires development consent</i>	Not applicable.	N/A

2.8	<i>Temporary use of land</i>	<p>This clause applies as the application seeks consent for, the proposed function centre land use under this clause.</p> <p>The clause provides:</p> <ol style="list-style-type: none"> 1) <i>The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.</i> 2) <i>Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.</i> 3) <i>Development consent must not be granted unless the consent authority is satisfied that—</i> <ol style="list-style-type: none"> a. <i>the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument; and</i> b. <i>the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood; and</i> c. <i>the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land; and</i> d. <i>at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.</i> 4) <i>Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.</i> 5) <i>(5) Subclause (3) (d) does not apply to the temporary use of a</i> 	✓
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		<p><i>dwelling as a sales office mentioned in subclause (4).</i></p> <p>The proposed function centre is consistent with the provisions of this clause and will not create any detrimental economic, social, amenity or environmental effects on the land or within the locality.</p> <p>Ample buffer zones exist between uses/adjoining landowners, and there is a low-density population in the locality.</p> <p>There is no history of land use conflict arising from this site and the site. The development is buffered by significant setbacks to adjoining boundaries and will not involve any noxious activities.</p>	
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PART 3: EXEMPT AND COMPLYING DEVELOPMENT

	CLAUSE	COMMENTS	APPLICABLE
3.1	<i>Exempt development</i>	Not applicable.	N/A
3.2	<i>Complying development</i>	Not applicable.	N/A
3.3	<i>Environmentally sensitive land</i>	Not applicable.	N/A

PART 4: PRINCIPAL DEVELOPMENT STANDARDS

	CLAUSE	COMMENTS	APPLICABLE
4.1	<i>Minimum subdivision lot size</i>	Not applicable.	N/A
4.1AA	<i>Minimum subdivision lot size for community title schemes</i>	Not applicable.	N/A
4.1A	<i>4.1A Subdivision of land in Zone R5 using average lot sizes</i>	Not applicable.	N/A
4.2	<i>Rural subdivision</i>	Not applicable.	N/A
4.2A	<i>Minimum subdivision lot size for strata plan schemes in certain rural and residential zones</i>	Not applicable.	N/A
4.2B	<i>Erection of dual occupancies or dwelling houses on land in Zone RU</i>	Not applicable.	N/A
4.2C	<i>Erection of rural workers' dwellings in Zone RU</i>	Not applicable.	N/A
4.3	<i>Height of buildings</i>	Not applicable.	N/A
4.4	<i>Floor space ratio</i>	Not applicable.	N/A
4.5	<i>Calculation of floor space ratio and site area</i>	Not applicable.	N/A
4.6	<i>Exceptions to development standards</i>	Not applicable.	N/A

PART 5: MISCELLANEOUS PROVISIONS

CLAUSE		COMMENTS	APPLICABLE
5.1	<i>Relevant acquisition authority</i>	Not applicable.	N/A
5.2	<i>Classification and reclassification of public land</i>	Not applicable.	N/A
5.3	<i>Development near zone boundaries</i>	Not applicable.	N/A
5.4	<i>Controls relating to miscellaneous permissible uses</i>	Not applicable.	N/A
5.5	<i>Controls relating to secondary dwellings on land in a rural zone</i>	Not applicable.	N/A
5.6	<i>Architectural roof features</i>	Not applicable.	N/A
5.7	<i>Development below mean high water mark</i>	Not applicable.	N/A
5.8	<i>Conversion of fire alarms</i>	Not applicable.	N/A
5.9	<i>Dwelling house or secondary dwelling affected by natural disaster</i>	Not applicable.	
5.10	<i>Heritage conservation</i>	Not applicable.	N/A
5.11	<i>Bush fire hazard reduction</i>	Not applicable.	N/A
5.12	<i>Infrastructure development and use of existing buildings of the crown</i>	Not applicable.	N/A
5.13	<i>Eco-tourist facilities</i>	Not applicable.	N/A
5.14	<i>Siding Spring Observatory – maintaining dark sky</i>	Not applicable.	N/A
5.15	<i>Defence communications facility</i>	Not applicable.	N/A
5.16	<i>Subdivision of, or dwellings on, land in certain rural, residential or conservation zones</i>	Not applicable.	N/A
5.17	<i>Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations</i>	Not applicable.	N/A
5.18	<i>Intensive livestock agriculture</i>	Not applicable.	N/A
5.19	<i>Pond-based, tank-based and oyster aquaculture</i>	Not applicable.	N/A
5.20	<i>Standards that cannot be used to refuse consent—playing and performing music</i>	Not applicable.	N/A
5.21	<i>Flood planning</i>	Not applicable.	N/A
5.22	<i>Special flood considerations</i>	Not applicable.	N/A
PART 6: ADDITIONAL LOCAL PROVISIONS			
CLAUSE		COMMENTS	APPLICABLE

6.2	<i>Terrestrial Biodiversity</i>	<p>The site is mapped as terrestrial biodiversity.</p> <p>This clause is applicable.</p> <p>The development will create no impact on:</p> <ul style="list-style-type: none"> (i) a native vegetation community, (ii) the habitat of any threatened species, population or ecological community, (iii) a regionally significant species of plant, animal or habitat, (iv) a habitat corridor, (v) a wetland, (vi) the biodiversity values within a reserve, including a road reserve or a stock route. <p>The development does not propose or require the removal of any vegetation.</p>	✓
6.3	<i>Riparian land and watercourses</i>	<p>This clause is applicable as it is mapped by this LEP layer.</p> <p>The development does not propose or require the removal of any vegetation from the riparian corridor located on the river.</p> <p>The development site is located on a high bank, over 400 metres from the bank of the river. There will be no adverse impact on any water course.</p> <p>The development will have no adverse impact on:</p> <ul style="list-style-type: none"> • water quality within watercourses, • the stability of the bed and banks of watercourses, • aquatic and riparian habitats, ecological processes within watercourses and riparian areas. 	✓
6.4	<i>Wetlands</i>	Not applicable.	N/A
6.5	<i>Essential services</i>	The development has access to and will provide all required services as described elsewhere within this report.	✓

6.3 LOCKHART DEVELOPMENT CONTROL PLAN 2016

The Lockhart Development Control Plan 2016 (LDCP2016) following provisions have been identified as relevant to the proposed development and are discussed in the below table.

There are no specific land use controls contained within the DCP for Farm Stay Accommodation and Function Centres. The DCP assessment assesses against similar development types, noting that there are no such legislative requirements to do so.

Table 4 Relevant LDCP 2016 Clauses and Controls

SECTION C: DEVELOPMENT CONTROLS		
CLAUSE/CONTROLS	COMMENTS	COMPLIES
<i>Bushfire Prone Land</i>	The site is not identified as being bushfire prone.	N/A
<i>Commercial Development</i>	<p>Aesthetics, streetscape, building design and materials</p> <p>There is no building works proposed that would have any impact on streetscape or aesthetics.</p> <p>Commercial regulated premises</p> <p>Not applicable.</p> <p>Restriction on use in central business districts</p> <p>Not applicable.</p> <p>Nuisance</p> <p>The development will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products or grit, oil or otherwise.</p> <p>The proposal does not introduce, nor it is applying for consent to create a noxious activity, it is anticipated that applicable conditions of consent will be imposed in relation to use of amplified acoustic equipment.</p> <p>Storage of material/goods/rubbish</p> <p>All operational waste will be stored within the curtilage of the building at all times.</p> <p>Disabled access to commercial premises</p> <p>Disabled access will be provided to the hall building in accordance with AS 1428.1.</p>	✓
<i>Engineering Standards</i>	<p>The land / site is serviced by approved vehicle access.</p> <p>Lot 4 =</p> <p>The site is provided access off Henderson's Road, which is a local Council all weather access road.</p> <p>A 4.0 metre wide existing all weather access road (compacted gravel) provides internal site access. No changes to existing approved access arrangements are proposed or required to facilitate this development.</p> <p>2 x designated off street carparking spaces will be provided for users of the farm stay accommodation.</p>	✓

		<p>A designated car parking area, created on 100 mm thick compacted DG20 gravel material, will be provided for function / event guests that will provide for 12 spaces and buses will park, pick up and drop off within the existing circular internal road area</p> <p>The site / function centre will be used intermittently and will result in a very low vehicular movement or traffic impact.</p> <p>There will be no unacceptable vehicle movements / traffic generated by the development and ample off-street parking is available on the site.</p> <p>Lot 1 =</p> <p>The site is provided access off Henderson's Road, which is a local Council all weather access road.</p> <p>The access is 6.0-metre-wide access, located on the northern side of the existing building and has been constructed to an all-weather access standard using 100 mm thick, compacted DG20 Gravel material.</p> <p>The site / function centre will be used intermittently and will result in a very low vehicular movement or traffic impact, the site has capacity to cater for 21 car park spaces (inclusive of 2 x accessible spaces) and the majority of guests will access the site via bus for function events. All cars and buses will access and egress the site in a forward direction.</p> <p>Electricity, water and telecommunications are available and will service the development.</p>	
	<i>Sewerage Management</i>	<p>The development will be serviced by existing onsite systems of sewerage management, as described elsewhere within this report.</p> <p>The development will comply with applicable controls listed in this part.</p>	✓

7 STATEMENT OF ENVIRONMENTAL EFFECTS

The likely impacts of the development are considered in the below table.

Table 5 Likely Impacts of the Development

PRIMARY MATTER	COMMENTS	IMPACT
<i>CONTEXT AND SETTING</i>	<p>The development is consistent with the expected outcomes for the site, locality and approved land use being undertaken on the site.</p> <p>The development is considered complementary and essential to the sustainability of the agricultural land use and provides a low impact development that provides for a viable off-farm income to assist in the sustainability of the predominant agricultural land use.</p> <p>The development, function centre component, has benefits to all sectors of the community and provides function centre infrastructure for use by the community for events.</p>	Acceptable

	The development is not expected to have any adverse impact on the setting and agricultural purposes in the rural area.	
<i>STREETSCAPE</i>	No external physical works are proposed to the building are proposed. There is no adverse streetscape impacts created as a result of this proposal.	Acceptable
<i>TRAFFIC, ACCESS, AND PARKING</i>	There will be no unacceptable vehicle movements / traffic generated by the development and the site and the local road network is more than capable of catering for any traffic movements associated with this development.	Acceptable
<i>PUBLIC DOMAIN</i>	The development will not result in any adverse impacts to the public domain.	Acceptable
<i>UTILITIES</i>	The development will be serviced by all required utilities as described elsewhere within this report.	Acceptable
<i>HERITAGE</i>	There are no likely impacts to heritage matters resulting from this proposal.	Not applicable
<i>OTHER LAND RESOURCES</i>	The development will have no impact on other land resources.	Acceptable
<i>WATER QUALITY AND STORMWATER</i>	The development is not anticipated to have a long-term impact on water quality. Stormwater will be adequately managed via existing stormwater infrastructure and in accordance with AS 3500 as detailed elsewhere in this report.	Acceptable
<i>SOILS, SOIL EROSION</i>	Erosion control will be in accordance with LSC requirements and as required.	Not applicable.
<i>AIR AND MICROCLIMATE</i>	The development is not anticipated to have ambient air quality and microclimate impacts.	Acceptable
<i>FLORA AND FAUNA</i>	The property is developed and highly modified, and no vegetation will be disturbed under this proposal. There is not anticipated to be any adverse impacts upon the flora and fauna in the locality.	Acceptable
<i>WASTE</i>	The development will undoubtedly require minor earthworks for proposed carpark areas, and any overburden or spoil will be managed and disposed of in accordance with the Councils and the NSW Environmental Protection Authorities requirements. Any construction material and other waste generated by the development will be disposed of to a landfill facility. Waste management for the future development would be undertaken via the location of suitability sized bins for events and that would be collected by the owner and disposed of to a Council landfill. The development will not generate any noxious waste materials.	Acceptable
<i>NOISE AND VIBRATION</i>	The proposal will not result in any impacts in regard to noise. Conditions of consent will regulate the use of any amplified music or microphones.	Acceptable
<i>HOURS OF OPERATION</i>	This has been discussed elsewhere within this report.	Acceptable
<i>NATURAL HAZARDS (FLOOD AND BUSHFIRE)</i>	This has been discussed elsewhere within this report.	Not applicable
<i>TECHNOLOGICAL HAZARDS</i>	The development is unlikely to create any technological hazards.	Acceptable
<i>SAFETY, SECURITY AND CRIME PREVENTION</i>	No adverse safety and security impacts are anticipated as a result of the proposal.	Acceptable

<p><i>SOCIO-ECONOMIC IMPACT IN THE LOCALITY</i></p>	<p>Farmstay accommodation and function centre developments offer various social and economic benefits to both local communities and broader regions.</p> <p>Economic Benefits:</p> <ol style="list-style-type: none"> 1. Job Creation: <ul style="list-style-type: none"> ○ Direct Employment: Farmstay accommodations and function centres require a range of staff, thus creating direct employment opportunities. ○ Indirect Employment: These businesses also create indirect employment in sectors such as transportation, agriculture, and local trades, supporting further job creation 2. Tourism Revenue: <ul style="list-style-type: none"> ○ Increased Tourism: Farmstays and function centres attract tourists seeking unique, rural experiences, which increases revenue through accommodation, food, activities, and special events. ○ Off-season Income: As farmstays and function centres often offer year-round services, they help stabilize income for rural areas that may otherwise be highly seasonal (e.g., only busy during harvest times). 3. Local Business Boost: <ul style="list-style-type: none"> ○ Guests at farmstays often engage with surrounding businesses, buying local products such as food, crafts, or souvenirs, and using services like local tour guides or transport. This supports the local economy. ○ It encourages investment in infrastructure, including roads, signage, and public facilities, benefiting the entire region. 4. Agriculture Diversification: <ul style="list-style-type: none"> ○ Farmstay accommodation allows farmers to diversify their income streams. Instead of relying solely on traditional agriculture, farm owners can generate additional revenue through tourism and events. ○ It promotes agricultural products by offering farm tours, tasting experiences, and selling produce directly to customers. 5. Rural Development: <ul style="list-style-type: none"> ○ Farmstays and function centres contribute to the economic development of rural or remote areas, which can help combat rural depopulation and promote long-term sustainability for communities. ○ Investments in infrastructure and utilities can help uplift these areas, benefiting all residents. <p>Social Benefits:</p> <ol style="list-style-type: none"> 1. Cultural Exchange & Education: <ul style="list-style-type: none"> ○ Farmstay experiences often offer guests the opportunity to learn about farming practices, sustainability, and local traditions, fostering a connection to nature and agricultural lifestyles. 	<p>Acceptable</p>
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	<ul style="list-style-type: none"> ○ Visitors can immerse themselves in the community's culture, traditions, and culinary experiences, leading to greater cultural exchange and mutual understanding between urban visitors and rural communities. <p>2. Community Engagement:</p> <ul style="list-style-type: none"> ○ Farmstays and function centres often host local events, such as festivals, weddings, agricultural fairs, and corporate retreats, which strengthen community ties and provide a platform for local talents and businesses. ○ Rural populations benefit from the influx of visitors, as it can lead to better amenities, local activities, and improvements in social infrastructure (such as better roads and communication networks). <p>3. Preservation of Rural Heritage:</p> <ul style="list-style-type: none"> ○ Through farmstay operations, landowners and operators often take steps to preserve and maintain the natural environment, heritage buildings, and traditional farming practices. ○ Visitors' awareness of farming traditions can lead to increased appreciation and respect for rural ways of life, helping to protect and maintain cultural heritage. <p>4. Improved Mental and Physical Health:</p> <ul style="list-style-type: none"> ○ Guests staying at farmstays may experience a reduction in stress due to the peaceful, rural environment. Exposure to nature, outdoor activities, and fresh air can enhance mental and physical well-being. ○ These experiences also promote healthier lifestyles, as many farmstays offer farm-to-table dining or activities that encourage outdoor engagement and physical exercise. <p>5. Strengthening Rural Communities:</p> <ul style="list-style-type: none"> ○ The development of farmstays can promote a sense of pride among locals, as the community gets involved in the service and hospitality industries and sees their area become more widely recognized. ○ Rural communities gain confidence from showcasing their region's beauty, products, and traditions to a wider audience. <p>6. Environmental Benefits (Indirect):</p> <p>1. Sustainable Practices:</p> <ul style="list-style-type: none"> ○ Many farmstays emphasize sustainable farming practices, which can have a positive impact on local ecosystems by promoting organic farming, waste reduction, and conservation efforts. ○ Eco-friendly farmstays often attract eco-conscious travelers, who may be more willing to support environmentally friendly practices in tourism. <p>2. Conservation of Land:</p> <ul style="list-style-type: none"> ○ Farmstay developments often require the preservation of farmland and natural habitats to remain viable. This contributes to land conservation and the protection of local wildlife, reducing urban sprawl. 	
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<i>SITE DESIGN AND INTERNAL DESIGN</i>	Internal and site design is considered compatible with the intended use and the expected design outcomes for the area. The development is existing and is a significant distance away from any residential receptors.	Acceptable
<i>OVERLOOKING AND OVERSHADOWING</i>	Nil impacts expected. The development is existing and will not result in adverse overshadowing of neighbouring properties.	Acceptable
<i>LANDSCAPING</i>	Existing landscaping will remain on the site.	Acceptable
<i>CONSTRUCTION</i>	All work will be carried out to relevant BCA and Australian Standards. Work will be carried out during approved construction hours only.	Acceptable
<i>CUMULATIVE IMPACTS</i>	The development, when considered simultaneously with other developments on the site, adjoining, in the locality, or in the local area generally, is considered to have marginal and acceptable cumulative impacts.	Acceptable
<i>DISABLED ACCESS</i>	The proposal will make provision for disability access and will construct an access ramp and accessible facilities.	Acceptable
<i>SIGNAGE</i>	Not applicable. No signage is proposed.	Not applicable
<i>SETBACKS AND BUILDING ENVELOPES</i>	The setbacks are existing and are compatible with the rural context, Council and BCA requirements.	Acceptable

8 CONCLUSION

This SEE report has been prepared to support a Development Application for proposed alterations to an existing Garage to create Farm Stay Accommodation, the introduction of Function Centre Land use and alterations and additions to an Existing Hall to Create a Function Centre Land Use, on the land known as 59 Hendersons Road, Tootool, NSW.

The proposal has been described and discussed in previous sections of this report and has been considered in respect of the relevant planning framework that is applicable to this proposed development.

The proposal is considered to be permissible for the following reasons:

- The proposal is permissible under the provisions of the Lockhart Local Environmental Plan 2012 and meets the objectives of the applicable RU1 Primary Production Zone;
- The proposal complies with the applicable controls of the Lockhart Development Control Plan 2016; and
- The proposal would not have any significant adverse environmental consequences, nor would it have an adverse effect on the area or surrounding residents.

As demonstrated throughout this report, the development is permissible with consent, subject to a merit's assessment.