Statement of Environmental Effects Package				
In Suppo	rt of a Development Application – Change of Use			
Proposal	To change the use of the premises from a Dwelling to a Health Service Facility – Physiotherapist (Health Consulting Rooms)			
Subject Land Address	Lot D Deposited Plan 169943			
	1 Boorowa Street, YOUNG 2594			
Applicant				
Owner				
Appn Prepared By	DA Busters – Development Assistance Services Ph: 0466 722 869 Email: <u>Craig@DAbusters.com</u>			
LGA	Hilltops Council			



1 Boorowa St Young

Assisted by:



© MAR 2025

INTRODUCTION

The subject premises has recently vacated and sold being a dwelling for quite some years. The Applicant now seeks to change its use to a Health Services Facility being a Physiotherapist business for the Owners.

The existing building comprises approximately 160 square metres of total space with the building easily adaptable for consulting rooms, waiting/reception and exercise area. The use fails under section 2.60 of SEPP (Transport & Infrastructure) 2021to be one prescribed and permitted with Consent in an MU1 zone– now being sought. A review has been conducted but save for certain technicalities, would have been complying development and readily approved via that mechanism.

Site Parking and access are existing and available in excess for the usage levels proposed. Prior approvals and original plan sourced by GIPA are in the appendices to this report.

The proposed Occupant will be the applicant, yet if any technical enquiry results from the documents prepared, Craig Filmer of DA Busters P/L is only too happy to assist via telephone on 0466 722 869 or via email on <u>Craig@DAbusters.com</u>.



Building Locality (shaded yellow) Set in a developed fringe CBD neighbourhood

A. The Site and Area

The Site

The address and lot details:

What is the present and past use of the site:

Has the site ever been occupied by a potentially contaminating activity

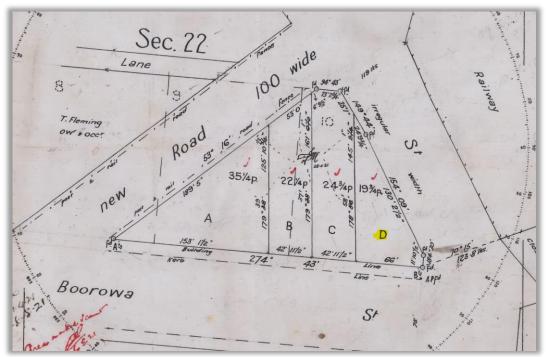
What is the area of the site (m²)?:

Lot D DP 169943, 1 Boorowa Street, YOUNG

Present/Past use = Dwelling.

No –none known.

Whole of Lot 2 = 499.5 sq.m Being 19.75 perches converted – 1918 subdivision excising lots from awkward block at end of CBD.



Extract of DP 124493

The Site Context

How would you describe the area):

The land is 432m approximately from Young PO in an Easterly direction on the Boorowa and Calabash Street's corner. It is within an established part of Young within a broader mixed pocket of dwellings, retail, professional consulting rooms and the like, not too distant from the Town CBD.



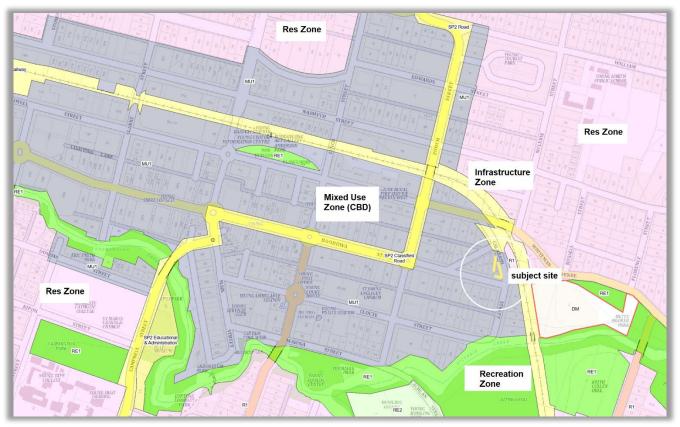
Locality Map



Immediate site locality Drone perspective (R/E Agent)



Aerial of property – Google Mapping 2024 (red pointer)



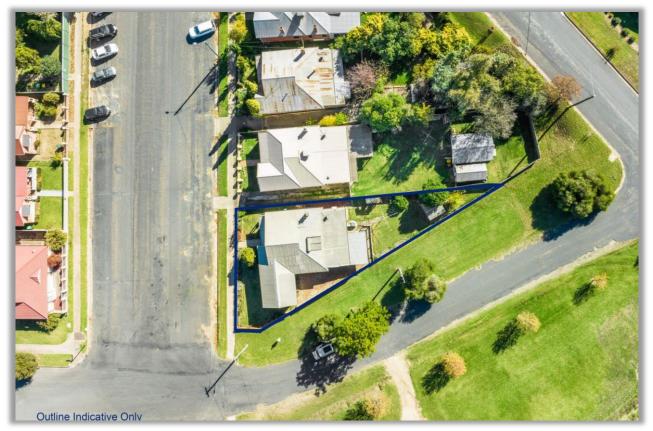
Zone proximity Darker shade is MU1 Mixed Use or CBD zone



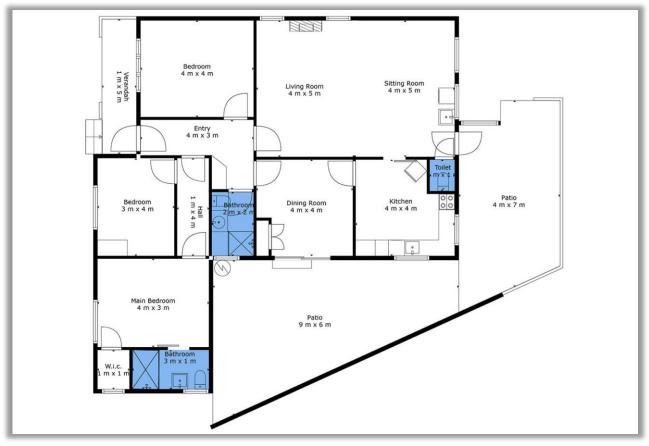




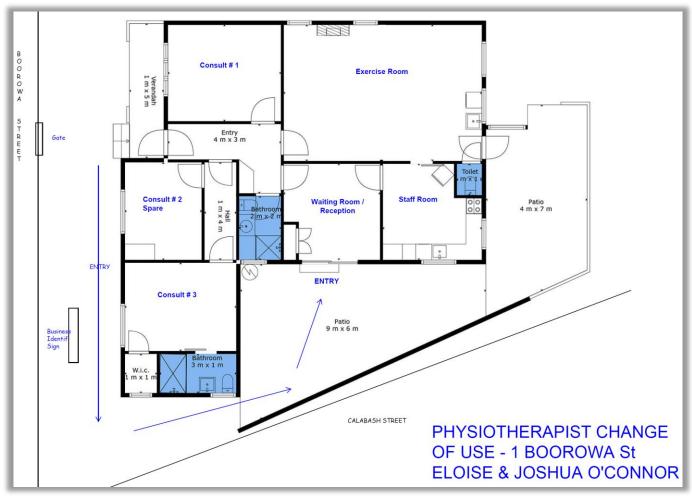
View from intersection Boorowa Street and Calabash St Note Rear Owners Caport and parking availability side street – note also path



Aerial Drone image (R/E Agent)



Existing layout



PROPOSED LAYOUT

B. The Proposed Development

The type of current use	Dwelling - 160 sq.m overall,		
The proposed operation	Health Service Facility – Professional Consulting Rooms (Physiotherapist) business)		
	2 consulting Physio's – 1 operating at any one time (mostly one or other – married couple) – 1 reception part time		
The hours of operation	Business hours on weekdays = 9am to 5pm, Saturday = 8am to 5pm. Occasional Saturdays where need be – 9am to 2pm		
Parking Needs	1 patient attended to and 1 waiting at any time – yet at least 4 available at frontage (possibly 6) on Boorowa Street		
	Staff – 1 in former dwelling carport and at least 1 adjacent this on Street – Calabash St.		
Plant machinery and production processes and noise control	Physiotherapist – occasional exercise equipment		
The size of the operation	Proposed to be one consulting physiotherapist at a time – up to both working 9am – 5pm		

Does the proposal require?

-	An Integrated De	velopn	nent ap	plicat	ion?		No	
	-	- ·				 		

-	Concurrence or referral to another state authority?	No
-	Assessment under the Threatened Species Legislation?	No

Facilities

A kitchenette and several toilets exists. No changes proposed and no legislative impediment requiring any upgrades. WC only required for staff and BCA exemption allows no upgrade as no increase in max occupancy of building and no physical construction work so no new or affected part.

BCA Considerations Category 1 Fire Safety Measures required to be assessed under section 62 of the EP&A Reg 2021.

- 62 Consideration of fire safety
- (1) This section applies to the determination of a development application for a change of building use for an existing building if the applicant does not seek the rebuilding or alteration of the building.
- (2) The consent authority must—
 - (a) consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use, and
 - (b) not grant consent to the change of building use unless the consent authority is satisfied that the building complies, or will, when the development is completed, comply, with the Category 1 fire safety provisions that are applicable to the building's proposed use.

See commentary later in Statement

C. Compliance with Planning Controls

The Hilltops Local Environmental Plan 2022 (HLEP) and Young Development Control Plan 2011 (YDCP) provide the key local planning controls for development within the Shire of Young. It is necessary for each application to consider the relevant controls within these documents to enable Council to complete its assessment of your application.

Young Local Environmental Plan 2010

What is the zoning of your land: R1 Residential

Does your proposal satisfy the zone objectives:

Yes

Zone MU1 Mixed Use					
1 Objectives of zone					
 To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities. 	Consistent				
 To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. 	Consistent – path to front door				
• To minimise conflict between land uses within this zone and land uses within adjoining zones.	Consistent – not adjacent zone boundary				
 To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. 	Consistent				
 To reinforce the established town centres and main streets of Boorowa, Harden, Murrumburrah and Young as the commercial centres for each town and Hilltops, including the main street role and historic character of the following streets— 	Consistent – CBD Support Business				
 (a) Marsden Street and Pudman Street, Boorowa, (b) Neill Street, Harden, (c) Albury Street, Murrumburrah, (d) Boorowa Street, Young. 	See above				
 To sustain robust and vibrant town centres and main streets capable of accommodating changing demands and expectations for retail, professional services, entertainment, hospitality, accommodation and permanent residential activities and services. 	Consistent				
 To enhance the capacity of town centres and main streets to accommodate housing options while sustaining a vibrant and active precinct and streetscape. 	Consistent				
 To create walkable, coherent and high amenity streetscapes and public spaces. 	Consistent – CBD footpath to frontage				

Is your development permissible within the zone? :

Yes – Innominate with Consent at LEP MU1 – Specifically permitted in SEPP (Transport & Infrastructure) sec 2.60.

health services facility

means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following—

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

From the Hilltops LEP 2022

3 Permitted with consent

Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Water reticulation systems; Any other development not specified in item 2 or 4

C2. HILLTOPS LOCAL ENVIRONMENTAL PLAN 2022

The Compliance Table below provides a summary of the relevant provisions within the Hilltops LEP 2022.

Clause	Complies	Comments
1.2 Aims of plan	Yes	The development is consistent with the following aims of the LEP:
		(a) to advance the environmental, economic and social goals of Hilltops
		 (b) to provide for the lifestyles sought by current and future residents of Hilltops, including by providing for the following— (i) the rural lifestyle and liveability of Hilltops communities, (ii) connected, safe and accessible communities, (iii) diverse and affordable housing options,
		(iv) timely and efficient provision of infrastructure,(v) sustainable building design and energy efficiency,
		 (c) to build and sustain healthy, diverse and empowered communities that actively participate in planning and managing their future, including by providing for the following— (i) social infrastructure that is appropriately planned and located in response to demand and demographic change, (ii) the protection and enhancement of cultural heritage values, (iii) land management practices that support sustainable outcomes, including water efficiency, (iv) the siting and arrangement of land uses for development in response to climate change, (v) the planning of development to manage emissions, (vi) planning decisions that recognise the basic needs and expectations of diverse community members,
		 (d) to facilitate a strong and diverse economy by providing a range of services and opportunities for residents and investors, including by providing for the following— (i) the protection of employment lands and rural lands from incompatible
		land uses to enhance productivity over time,
		(ii) accessibility to expand markets for economic activity,
		(iii) economic activity, value adding opportunities and job creation,

Clause	Complies	Comments	
		 (iv) long-term sustainable productivity and intensive agriculture, subject to consideration of soil types, topography and environmental impact, (v) major infrastructure projects, (vi) innovative renewable energy projects, 	
		The remainder of the aims are not relevant to this proposal, or are not impacted by the proposal.	
1.4 Definitions	N/A	The proposed development is defined as a <i>health services facility</i> – not under public health control.	
1.9A Suspension of covenants, agreements and instruments	Yes	No restrictions as to user / covenants apply to the site. The lot is connected to services without easement or constraint.	
2.2 Zoning	N/A	The site is zoned MU1 Mixed Use	
2.3 Zone objectives and land use table	Yes	The permissibility is discussed above before this table.	
2.7 Demolition	N/A	No demolition proposed.	
2.8 Temporary use of land	N/A	The application is <u>not</u> for the temporary use of land.	
4.1 Min Subdiv Lot Size	N/A	N/A – no lot size	
4.1A Dual Occupancy Lot sizes	N/A	n/a	
4.2A Dwellings in RU1, RU4 & C3	N/A	n/a	
4.6 Exceptions to development standards	N/A	Development permissible so no variation sought	
5.10 Heritage Conservation	N/A	The site is not listed as Heritage.	
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	N/A	Not subdividing	
6.1 Earthworks	N/A	None required	
6.2 Essential Services	Complies	 Development consent must not be granted to development unless the consent authority is satisfied the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, <i>existing connection</i> (b) the supply of electricity, <i>existing connection</i> (c) the disposal and management of sewage, <i>sewer connected</i> (d) stormwater drainage or on-site conservation, <i>existing connections</i> (e) suitable road access <i>exists presently from Calabash St – no change</i> 	
6.3 Terrestrial Biodiversity	N/A	Not mapped as affected	
6.4 Water - Riparian	N/A	Not mapped as affected	

Clause	Complies	Comments
6.5 Water – Groundwater Vulnerability	N/A	Not mapped as affected
6.6 Salinity	N/A	Not mapped as affected
6.7 Highly Erodible Soils	N/A	Not mapped as affected
6.8 Drinking Water Catchments	N/A	N/A
6.9 Development along Lachlan & Boorowa Rivers & Lake Wyangla	N/A	N/A
6.10 Development on Carinya Estate	N/A	N/A
6.11 DCP for Urban Release Areas	N/A	Does not exist

Flood or Bushfire

The property is not marked as being Bushfire affected.

A review of the Young Flood Risk Management Plan has revealed that as no work is required and due to location of property, no impact is expected nor are any works required.

C3. Young Development Control Plan 2011 (YDCP)

The Compliance Table below provides a summary of the relevant controls. Please refer to the <u>YDCP</u> if you require clarification of the control. Obtusely a health service facility may be considered a Commercial Development yet most controls are moreover retail related and do not strictly comply.

Compliance Table for	Compliance Table for YDCP 2011						
Clause	Control	If non-compliance state and address					
Commercial, Business and	Commercial, Business and Retail Development - These controls apply to commercial development in any zone.						
Character	 Shop fronts to reflect style of the existing building and be consistent in style and colour scheme; The character of old buildings is protected and new development is consistent with the existing bulk and scale; Appearance of development is appropriate to area; No existing windows are painted over; Building front setbacks are consistent with adjoining buildings, or if adjoining buildings have different setbacks, with the average of those setbacks; Pedestrian links between shop fronts and public parking areas to be retained or provided in convenient locations and to be well lit and safe; and 	Existing country cottage look – not out of place as exists Older building yet of little architectural merit – keeping maintained and tidy within CBD important Not inconsistent Nil Existing building per past approvals Footpath to Boorowa St existing					
	Primary access to a development from street.	Primary access from non classified Road.					
	 The re-development of parking areas should not detract from the character of the surrounding area; Maximum building height of 9 metres measured vertically from the natural ground level immediately below that part (excluding any architectural or service features); Signage is appropriate to the building and to the surrounding area; Developments to provide services and dispose of waste in accordance with the relevant authority's requirement. 	Existing and ample adjacent Existing and complies Signage – building/business identification sign only Commercial otto or skip collection no large volume					
Food Premises – Additional Provisions These controls apply to a food premises in any zone.							
	 Food preparation and storage to enable easy cleaning; Food premises should comply with the Australian Standard for Food Premises (AS 4674); Provide customer sanitary facilities as per BCA; Comply with Council's Trade waste Policy. 	No food prep reqd or proposed					

Compliance Table for	or YDCP 2011		
Clause	Control	If non-compliance state and address	
Heritage Conservation	Area Provisions These controls apply to a development in any zone affected by a heritage item	or conservation zone.	
	Any development within a conservation zone should be in accordance with the guidelines from the Heritage Office: <i>Design in Context: Guidelines for infill development in Historic Environment</i> .	Not in HCA zone and not a heritage identified property at LEP	
	Provide a heritage impact statement for development within the conservation zone, or adjacent to a heritage item.	N/A	
	Avoid painting / rendering of face brick within the heritage area.	N/A	
	Avoid visible air conditioning plant to street frontage.	N/A	
Enterprise Corridor (B6) and Business Park (B7) Zones – Additional Provisions - These controls apply to a commercial	development in (B6) and (B7) zones.	
	Not in B6 or B7 zone		
Village Development –	Zone RU5 These controls apply to a commercial development in the RU5 zone.		
	Not in RU5 zone		
Car parking and Vehicle	Access – these controls show the required parking rate for any commercial development		
Parking Rates	Business Premises – 1 space / 35m2 of gross leasable area	Per prior parking approval plus street parking is possible. Site delivery by own vehicle proposed.	
	 Car parking to be provided on the site of the development; Vehicles enter and leave the site in a forward direction; All parking spaces to be marked by lines or spaces The layout and dimensions of car parking areas are in accordance with 	Adequate for 1 or 2 health professionals – min 4 – 6 in street adjacent currently no use. Sealed road adjacent with minimal if no use presently	
	Figures 4.1 and 4.2 of this DCP;		
General Provisions for (Car Parking Areas – these controls apply to commercial premises required to provide a car park		
	 Car parking areas to comply with Australian Standard AS2890; Pedestrian access to within the car parking area to be separated from vehicular traffic; Any blind aisles to be: less than 15m in length; a minimum of 6.5 metres wide; clear of all obstructions; and provided with a manoeuvring area at the blind end of the aisle. Separation of entry and exits points; Entry to and exit from the site to be in a forward direction; 	Noted, yet see comments above. Ample public spaces adjacent – 4 required customer on one street and 2 for staff on other street, 1 on site	
	 Holding areas have a maximum grade of 5% for a minimum distance of 6 metres behind the road boundary; 		

All car parking areas to be sealed, graded and drained; The maximum acceptable grade for sloping parking (including access aisles) is 10%; The minimum clear head room for undercover parking is 2.3 metre for passenger vehicles or 4.6 metres where other vehicles will access the parking area; For required turning circle dimensions refer to Appendix F of the YDCP; Where 15 or more spaces provided at least 30% of spaces to be shaded; For driveway types and the design of access points refer to Tables 4.2, 4.3 and 4.4 in the YDCP. Where 15 or more spaces provided at least 30% of spaces to be shaded; For driveway types and the design of access points refer to Tables 4.2, 4.3 and 4.4 in the YDCP. Development Requiring Tree Removal or Lopping - These controls apply to commercial development in all zones other than RU1 and RU3. Designated trees should be protected and retained where possible. Designated trees are defined within Section 4.3.1 of the YDCP Where a designated tree is removed it should be replaced by at least 2 trees local to the area of a similar size at maturity. Work should not occur within the drip line of a retained tree unless an arborist report has been prepared. For other sources apply to commercial development in the B4, B6 or B7 zones.	Compliance Table for YDCF	Compliance Table for YDCP 2011					
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Iocal to the area of a similar size at maturity. Image: Image			No trees to be removed.				
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		more than 1000mm from the building line;					

Compliance Table for YDCP 2011					
Clause	Control	If non-compliance state and address			
Tables and Chairs	 Tables and chairs to be outside the premises to which they relate and only when that business is open; If table service is provided patrons but pay inside premises; Tables and chairs must allow minimum 2 metre clearance adjoining the building line; No barrier or table/chair is placed closer than 900mm to the kerb edge; Barriers to be included to enclose obstacles such as light posts or electricity poles (where existing); Any street bins are not obscured in any way; All Structures (tables, chairs and barriers) are temporary and portable and are removed at the close of trade; An umbrella used in conjunction with a table and chairs to have a minimum height above ground level of 2100mm; should not protrude beyond the kerb at any time; and to be stable and not able to be moved by wind. 	N/A			
Goods and Charity Bins	 Goods for display or sale to be outside the premises to which they relate and only when that business is open; 1 x Charity bin per business only; Goods or charity bins to be no more than 1 metre from the building; Displays do not exceed 1100mm in height for general goods and 1500mm for clothes racks; Goods for display or sale not be attached to any building, street sign or footpath; Display stands for goods are to be of stable construction; have no part protruding beyond the main body of the stand; and to be placed so as to prevent them being moved by wind Where food is displayed minimum height of 750mm above the footpath. 	N/A			

C4. Hilltops Draft DCP 2025 -

Section 2.5 Commercial, Business and Retail Development Commercial and retail development is carried out in such a way as to: a) protect and enhance the economic function of Hilltops Local Government Area. b) protect and enhance the character of Hilltops Local Government Area. c) Protect and respond to the environment. **Performance Criteria Acceptable Solution Comment this Application** PC1 To ensure that development is AC1.1 Shop fronts are true to the Not retail consistent with existing or future style of the existing building and the character and building heights are top and bottom floors of existing consistent with the prevailing buildings are consistent in style and heights for commercial and retail colour scheme. development within the immediate vicinity. AC1.2 The character of heritage Not HCA conservation areas is protected and new development is consistent with the bulk and scale of a rural town, containing historic buildings. AC1.3 Appearance of development is Existing cottage like adjacent appropriate to neighbouring buildings and the wider area. AC1.4 No existing windows are N/A painted over. Frosting or signage for part of the frontage is considered suitable. AC1.5 Development is to avoid fibrous Existing cottage cement, unless painted, and metal cladding of walls, unless as an architectural feature. AC1.6 Building front setbacks are Existing cottage consistent with adjoining buildings, or if adjoining buildings have different setbacks, with the average of those setbacks. PC2 To ensure that safe and AC2.1 Pedestrian linkages between Existing path in Boorowa St and on efficient passage is available shop fronts and public parking areas site between street frontages and car are retained or provided in convenient locations where possible. parking areas. These are well lit at all times, and contain no dead ends or other places possible to conceal a person. Available AC2.2 Primary access to a development is available from a street, not a rear lane. AC2.1.2 All frontages of the site is to Existing premises. Prime focus is to be provided with kerb and gutter. Boorowa St AC3.1 Parking complies with the PC3 To ensure that parking is of See comments above

safe and efficient manner.

sufficient quantity, and provided in

provisions of Sections 4.1 and 4.2 of

this DCP.

	AC3.2 The re-development of parking areas should not detract from the character of the surrounding area.	n/a
	AC3.2 Visitor parking is easily accessible and clearly designated by line-marking and signage.	n/a
	AC3.3 All parking areas and trafficable areas on-site is to be sealed with bitumen, coloured or textured concrete or pavers, to Council specifications.	See prior commentary
	AC3.4 Vehicles accessing service areas or onsite parking areas must be able to enter and leave the development in the forward direction. The 85th percentile vehicle must be able to turn on-site in no more than a two-point turn. Templates can be found within Council's Engineering Guidelines, found on Council's website.	See prior commentary
PC4 To provide shop top housing or commercial development in the upper stories of multi-storey development.	AC4.1 No part of the building is to exceed 9 m when measured vertically from the natural ground level immediately below that part. This excludes any architectural or service features such as parapets or antennae.	N/A
PC5 To ensure zone E3 Zone has a well landscaped presentation with simple centralized entrance signage.	AC5.1 Signage is appropriate to the building and to the surrounding area.	Business ID sign only to exempt rules
PC6 To ensure that new development is provided with appropriate services.	AC6.1 Developments are provided with water, sewer, power, telecommunications, and gas in accordance with the relevant authorities requirements.	Existing connections
	AC6.2 Developments dispose of waste through a trade waste agreement if necessary.	Otto bin per week only so ok
PC7 The development is to be connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant acts.	AC7.1 Council's reticulated water service is to be connected separately to each dwelling.	Existing connection
	AC7.2 Council's reticulated sewer service is to be connected separately to each of the dwellings.	Existing connection
	AC7.3 Payment of any head-works contributions for water and/or sewer. Refer to Council's Development Servicing Plans that may apply to the development.	Occasional WC & Kitchen use – less than one domestic ET which existed so n/a

	AC7.4 Payment of any Section 7.11 or Section 7.12 development contributions applicable to the development.	Nil
	AC7.5 Developments comply with Council's liquid trade waste policy.	N/A WC & Kitchen use only - physiotherapist
PC8 The development is to have appropriate stormwater drainage connected, where possible, into Council's existing stormwater infrastructure.	AC8.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing drainage system or other suitable arrangements such as easements or on site detention where no direct discharge to waters is available. Post development flow must not exceed pre-development flows.	No change existing
	AMD8.2 All roof and surface water drainage is to be designed to provide for conveyance of these flows per AS3500 per AS3500 and current Australian Rainfall and Runoff Guidelines, including factoring of Climate Change via the Climate Change Rainfall modifier, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.	No change existing
Design Suggestions and Variations		Comments
Council will consider the provision of parking, for development fronting Bo Boorowa or Neill Street in Harden or	orowa Street in Young or Marsden St in Albury Street in Murrumburrah where cess to car parking areas via arcades or	See commentary above – site adequate for use.

C5. BCA & Category 1 Fire Safety Measures

Per section 62 of the Environmental Planning & Assessment Regulation, 2021, the following is offered.

Existing domestic premises for consulting room, low occupancy rate (less than 10), the following assessment is made;

Category 1 fire safety provision means the following provisions of the Building Code of Australia-

- (a) Volume 1, E1P3, E1P4, E1P6, E2P1, E2P2 and E3P2,
- (b) Volume 2, H3P2.

E1P3 Fire hydrants	
A fire hydrant system must be provided to the degr brigade appropriate to—	ee necessary to facilitate the needs of the fire
(a) fire-fighting operations; and	Hydrant adjacent and building less than 500 sq.m
(b) the floor area of the building; and	compartment so n/a. regardless. Still within 90m
(c) the fire hazard.	(20/60/10) from street hydrant.
en recentaria de la constante	PRAR OF BUILDING
E1P4 Automatic fire suppression systems	HYDRANT
E1P4 Automatic fire suppression systems An automatic fire suppression system must be insta development and spread of fire appropriate to—	
An automatic fire suppression system must be inst	alled to the degree necessary to control the Building size and class does not need
An automatic fire suppression system must be insta development and spread of fire appropriate to—	alled to the degree necessary to control the Building size and class does not need sprinklers
An automatic fire suppression system must be insta development and spread of fire appropriate to— (a) the size of the fire compartment; and	alled to the degree necessary to control the Building size and class does not need sprinklers N/A
An automatic fire suppression system must be insta development and spread of fire appropriate to— (a) the size of the fire compartment; and (b) the function or use of the building; and	alled to the degree necessary to control the Building size and class does not need sprinklers

Note: NSW has requirements for fire sprinkler systems in Department of Planning and Environment website www.	
E1P6 Fire control centres	
Suitable facilities must be provided to the degree necess brigade intervention during an emergency appropriate to	
a) the function or use of the building; and Building class, rise and type does NOT	
(b) the floor area of the building; and	require an EWIS or BOWS
(c) the height of the building.	
E2P1 Automatic warning for sleeping occupants	
In a building providing sleeping accommodation, occupa the detection of smoke so they may evacuate in the even	
Application:	
EP2.1 only applies to a Class 2, 3, 9a or 9c building or Class 4 part of a building	Will no longer have sleeping occupants, nonetheless a hard wired smoke detector system may be a worthwhile early warning system nonetheless.
E2P2 Safe evacuation routes	
	All exits are less than 20m from farthest
(a) In the event of a fire in a building the conditions in any evacuation route must be maintained for the period of time occupants take to evacuate the part of the building so that—	point on floor. No issue on safe evacuation.
(i) the temperature will not endanger human life; and	
 the level of visibility will enable the evacuation route to be determined; and 	
(iii) the level of toxicity will not endanger human life.	
(b) The period of time occupants take to	
evacuate referred to in (a) must be appropriate to-	
(i) the number, mobility and other characteristics of the occupants; and	
(ii) the function or use of the building; and	
(iii) the travel distance and other characteristics of the building; and	
(iv) the fire load; and	
(v) the potential fire intensity; and	
(vi) the fire hazard; and	
(vii) any active fire safety systems installed in the building; and	
(viii) fire brigade intervention.	

Limitation: EP2.2 does not apply to an open-deck carpark or open spectator stand.	
E3P2 Emergency lifts	
One or more passenger lifts fitted as emergency lifts to must be installed to facilitate the activities of the fire brig	
Application:	
EP3.2 only applies to—	Whole of structure at ground level. No lifts
 a building with an effective height of more than 25 m; and 	so N/A
2. a Class 9a building in which patient care areas are located at a level that does not have direct access to a road or open space.	
P2.3.2 Automatic warning for occupants	
In a Class 1 building, occupants must be provided with automatic warning on the detection of smoke so that they may evacuate in the event of a fire to a place of safety.	Will no longer have sleeping occupants, nonetheless a hard wired smoke detector system may be a worthwhile early warning system nonetheless.

<u>Summary</u>

Building no longer for sleeping.

Building max occupancy 10

Building evacuation/egress max 20m to outside

No emergency lighting/exit signs required as occupancy less than 300 sq.m

Fire Hydrants required commensurate for purpose. Fire Service drawing attached to application.

Hard wired smoke detectors inter-alarmed is a reasonable Cat 1 Fire Safety measure offset.

D. Assessment of Likely Impacts of Development

Noise

Will the proposal result in additional noise levels which would impact upon any residential, neighbouring land use?

No - Internal operation and low key

Odour

Will the proposal result in any odour which would impact upon any neighbouring land use?

No odours

General Accessibility

Will the proposal adequately provide easy access and useable areas for everyone in accordance with the Commonwealth Disability Discrimination Act 1991?

Exemption afforded per Part 2 Disability (Access to Premises - Buildings) Standards 2010 – no CC and Building Work (new or affected parts) per Standard.1

Economic and Social Impacts

Will your proposal result in any social and economic impacts within the locality?

Only positive as it affords a new business opportunity and a new occupancy.

Building Classification & Sec 93 Reg

Are there any physical changes required to the building ?

Class 5 Office Professional – no BCA red flags, merely **Fire Safety Schedule for Portable Fire Extinguishers** & Hard Wired Smoke Detectors

No Construction certificate is envisaged for the change of use.

This application is commended for Council's consideration and approval.

APPENDIX #1

Title & Deposited Plan



REGISTRY Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: D/169943

LAND

SERVICES

SEARCH DATE	TIME	EDITION NO	DATE
26/3/2025	7:37 AM	5	1/8/2024

LAND

----LOT D IN DEPOSITED PLAN 169943 LOCAL GOVERNMENT AREA HILLTOPS PARISH OF YOUNG COUNTY OF MONTEAGLE TITLE DIAGRAM DP169943

FIRST SCHEDULE

ELISE LOUISE O'CONNOR JOSHUA ADAM O'CONNOR AS JOINT TENANTS

(T AU296949)

SECOND SCHEDULE (2 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

2 AU296950 MORTGAGE TO WESTPAC BANKING CORPORATION

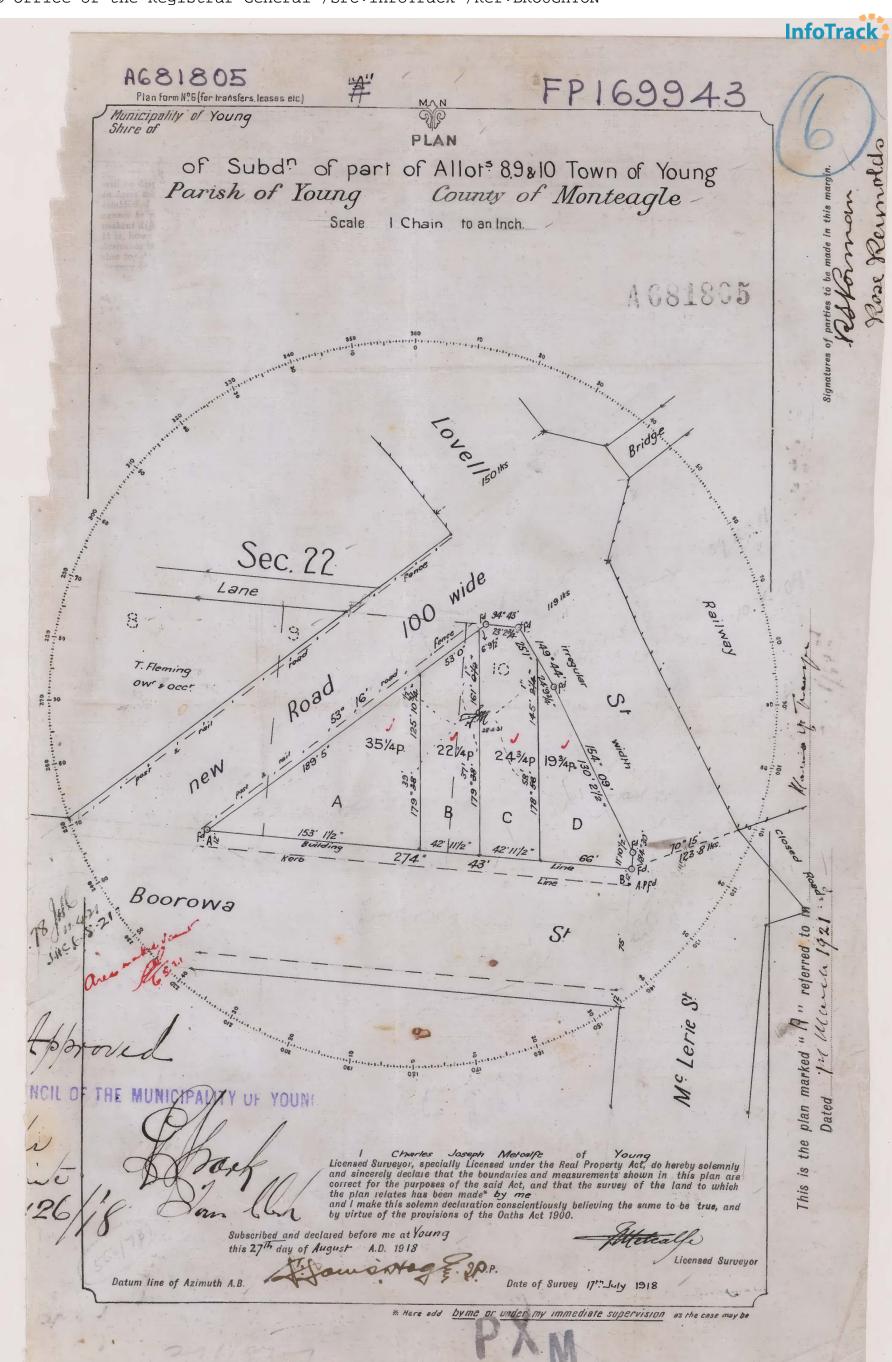
NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

Req:R016402 /Doc:DP 0169943 P /Rev:06-Mar-2019 /NSW LRS /Prt:26-Mar-2025 07:38 /Seq:1 of 2 © Office of the Registrar-General /Src:InfoTrack /Ref:BROUGHTON



Req:R016402 /Doc:DP 0169943 P /Rev:06-Mar-2019 /NSW LRS /Prt:26-Mar-2025 07:38 /Seq:2 of 2 © Office of the Registrar-General /Src:InfoTrack /Ref:BROUGHTON

APPENDIX # 2

Planning Portal Report



Property Report

1 BOOROWA STREET YOUNG 2594



Property Details

Address: Lot/Section /Plan No: 1 BOOROWA STREET YOUNG 2594 D/-/DP169943

Council:

HILLTOPS COUNCIL

Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Hilltops Local Environmental Plan 2022 (pub. 23-12-2022)
Land Zoning	MU1 - Mixed Use: (pub. 23-12-2022)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	700 m²
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA

Detailed planning information

State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



Property Report

1 BOOROWA STREET YOUNG 2594

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Allowable Clearing Area (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2 -12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)

Other matters affecting the property

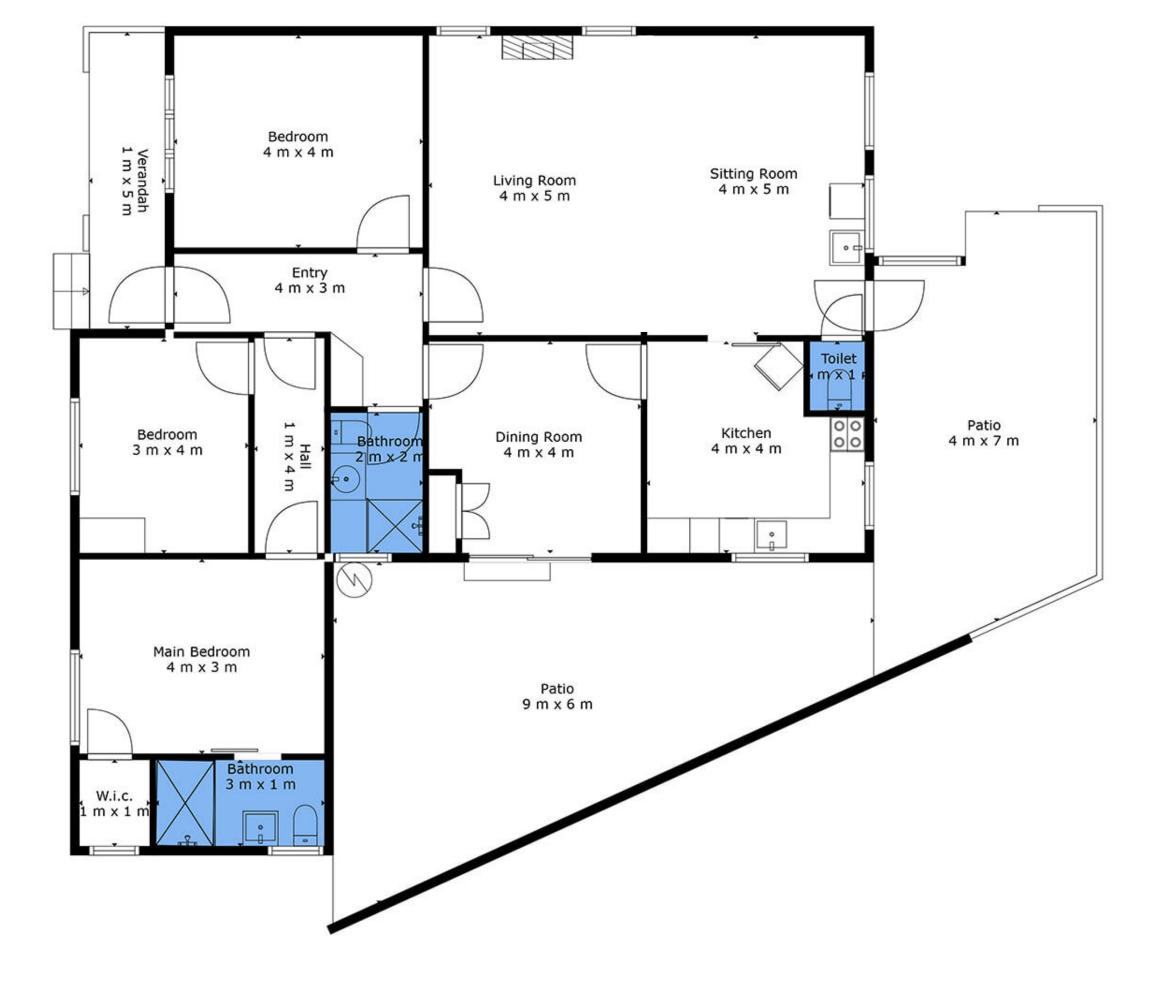
Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

Land near Electrical Infrastructure	This property may be located near electrical infrastructure and could be subject to requirements listed under Transport and Infrastructure SEPP 2021 Clause 2.48. Please contact Essential Energy for more information.
Local Aboriginal Land Council	YOUNG
Regional Plan Boundary	South East and Tablelands

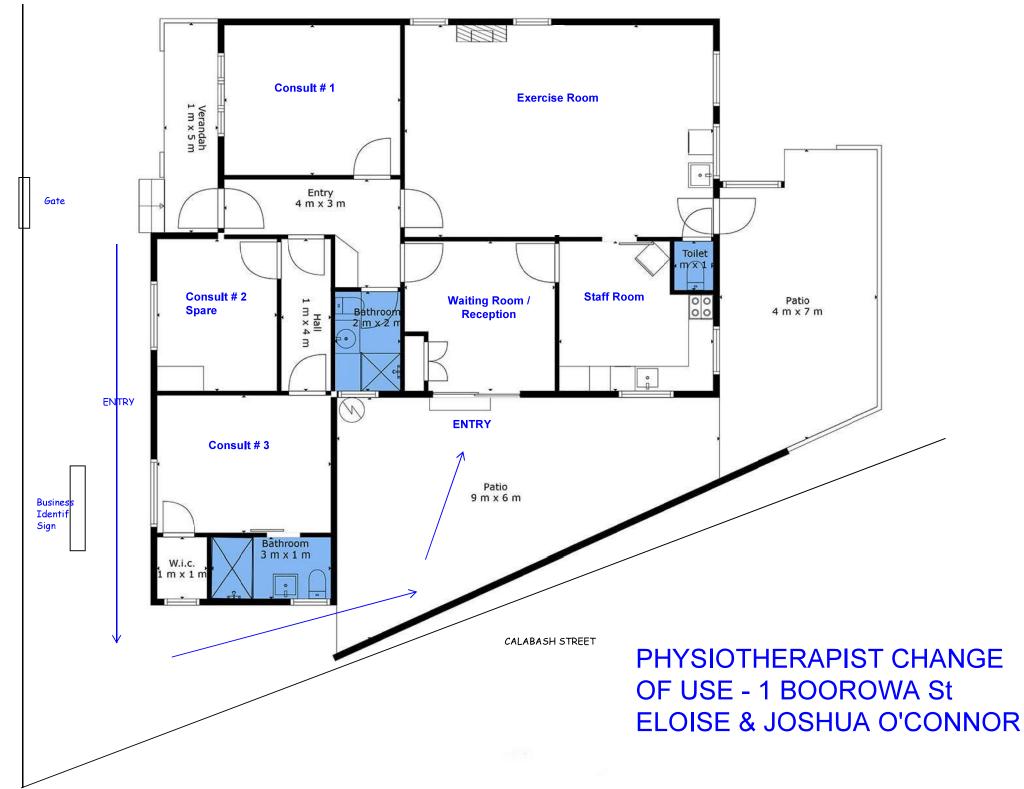
This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

APPENDIX # 3

Plans of Proposal







APPENDIX #4

AHIMS, BMAT AND SEARCHES



Date: 26 March 2025

Kenneth Filmer

18 Pineview Cct 91 Boorowa Street Young Young New South Wales 2594

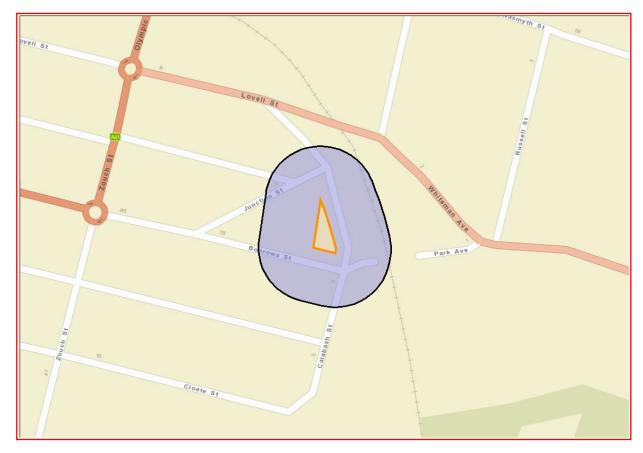
Attention: Kenneth Filmer

Email: craig@dabusters.com

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : D, DP:DP169943, Section : - with a Buffer of 50 meters, conducted by Kenneth Filmer on 26 March 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. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



Department of Planning and Environment

Biodiversity Values Map and Threshold Report

This report is generated using the Biodiversity Values Map and Threshold (BMAT) tool. The BMAT tool is used by proponents to supply evidence to your local council to determine whether or not a Biodiversity Development Assessment Report (BDAR) is required under the Biodiversity Conservation Regulation 2017 (Cl. 7.2 & 7.3).

The report provides results for the proposed development footprint area identified by the user and displayed within the blue boundary on the map.

There are two pathways for determining whether a BDAR is required for the proposed development:

- 1. Is there Biodiversity Values Mapping?
- 2. Is the 'clearing of native vegetation area threshold' exceeded?

Biodiversity Values Map and Threshold Report

Date of Report Generation

26/03/2025 7:43 AM

1. Biodiversity Values (BV) Map - Results Summary (Biodiversity Conservation Regulation Section 7.3)				
1.1	Does the development Footprint intersect with BV mapping?	no		
1.2	Was <u>ALL</u> BV Mapping within the development footprinted added in the last 90 days? (dark purple mapping only, no light purple mapping present)	no		
1.3	Date of expiry of dark purple 90 day mapping	N/A		
1.4	Is the Biodiversity Values Map threshold exceeded?	no		
2. Aı	rea Clearing Threshold - Results Summary (Biodiversity Conservation Regulation Section	on 7.2)		
2.1	Size of the development or clearing footprint	05.6	sqm	
2.2	Native Vegetation Area Clearing Estimate (NVACE) (within development/clearing footprint)	0.0	sqm	
2.3	Method for determining Minimum Lot Size	LEP		
2.4	Minimum Lot Size (10,000sqm = 1ha)	700	sqm	
2.5	Area Clearing Threshold (10,000sqm = 1ha)	2,500	sqm	
2.6	Does the estimate exceed the Area Clearing Threshold? (NVACE results are an estimate and can be reviewed using the <u>Guidance</u>)	no		
pro	ORT RESULT: Is the Biodiversity Offset Scheme (BOS) Threshold exceeded for the posed development footprint area? Ir local council will determine if a BDAR is required)	no		



Department of Planning and Environment

What do I do with this report?

• If the result above indicates the BOS Threshold has been exceeded, your local council may require a Biodiversity Development Assessment Report with your development application. Seek further advice from Council. An accredited assessor can apply the Biodiversity Assessment Method and prepare a BDAR for you. For a list of accredited assessors go to: https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor.

• If the result above indicates the BOS Threshold <u>has not been exceeded</u>, you may not require a Biodiversity Development Assessment Report. This BMAT report can be provided to Council to support your development application. Council can advise how the area clearing threshold results should be considered. Council will review these results and make a determination if a BDAR is required. Council may ask you to review the area clearing threshold results. You may also be required to assess whether the development is "likely to significantly affect threatened species" as determined under the test in Section 7.3 of the *Biodiversity Conservation Act 2016*.

• If a BDAR is not required by Council, you may still require a permit to clear vegetation from your local council.

• If all Biodiversity Values mapping within your development footprint was less than 90 days old, i.e. areas are displayed as dark purple on the BV map, a BDAR may not be required if your Development Application is submitted within that 90 day period. Any BV mapping less than 90 days old on this report will expire on the date provided in Line item 1.3 above.

For more detailed advice about actions required, refer to the Interpreting the evaluation report section of the <u>Biodiversity Values Map Threshold Tool User Guide</u>.

Review Options:

• If you believe the Biodiversity Values mapping is incorrect please refer to our <u>BV Map Review webpage</u> for further information.

• If you or Council disagree with the area clearing threshold estimate results from the NVACE in Line Item 2.6 above (i.e. area of Native Vegetation within the Development footprint proposed to be cleared), review the results using the <u>Guide for reviewing area clearing threshold results from the BMAT Tool</u>.

Acknowledgement

I, as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.

Signature: ___

Date:

(Typing your name in the signature field will be considered as your signature for the purposes of this form)

26/03/2025 07:43 AM



Department of Planning and Environment

Biodiversity Values Map and Threshold Tool

The Biodiversity Values (BV) Map and Threshold Tool identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing.

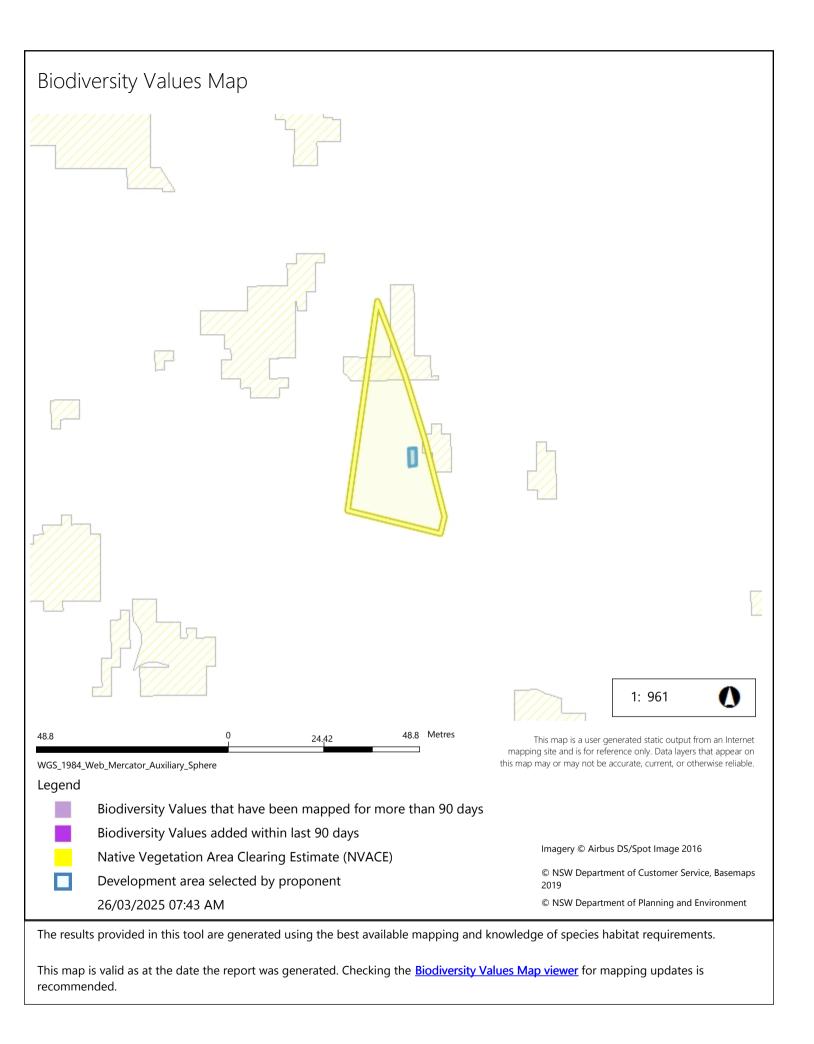
The BV map forms part of the Biodiversity Offsets Scheme threshold, which is one of the factors for determining whether the Scheme applies to a clearing or development proposal. You have used the Threshold Tool in the map viewer to generate this BV Threshold Report for your nominated area. This report calculates results for your proposed development footprint and indicates whether Council may require you to engage an accredited assessor to prepare a Biodiversity Development Assessment Report (BDAR) for your development.

This report may be used as evidence for development applications submitted to councils. You may also use this report when considering native vegetation clearing under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 vegetation in non-rural areas.

What's new? For more information about the latest updates to the Biodiversity Values Map and Threshold Tool go to the updates section on the <u>Biodiversity Values Map webpage</u>.

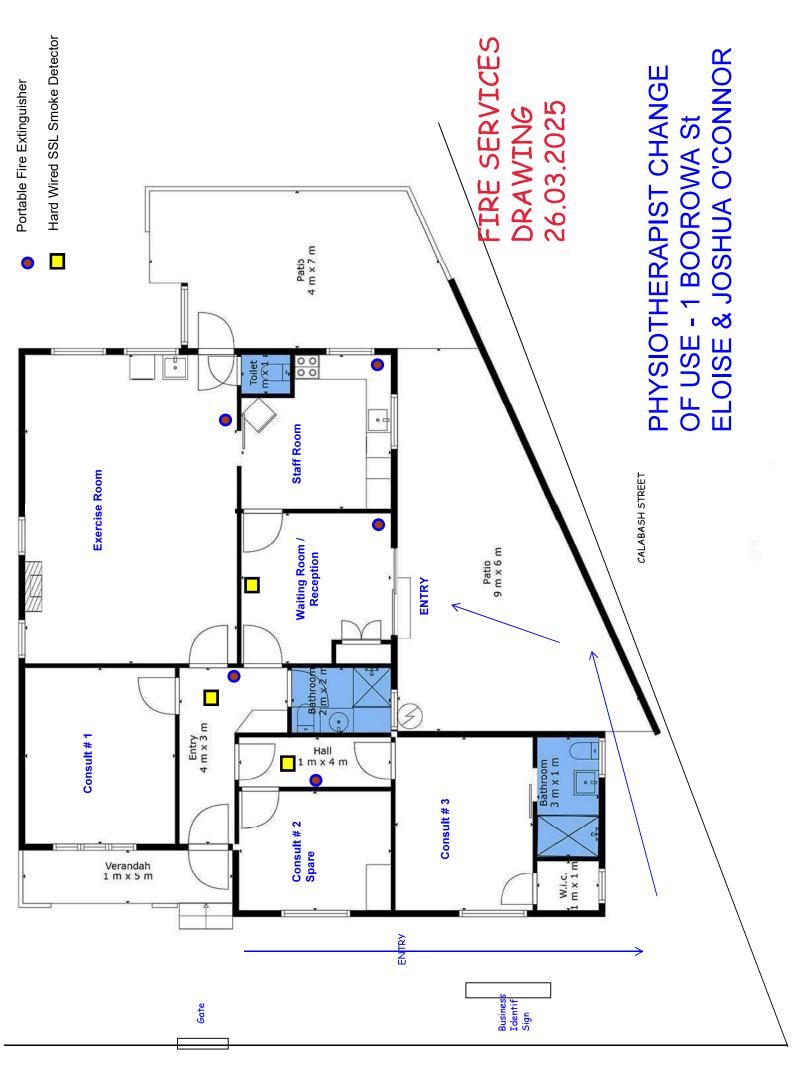
Map Review: Landholders can request a review of the BV Map where they consider there is an error in the mapping on their property. For more information about the map review process and an application form for a review go to the <u>Biodiversity Values Map Review webpage</u>.

If you need help using this map tool see our <u>Biodiversity Values Map and Threshold Tool User Guide</u> or contact the Map Review Team at <u>map.review@environment.nsw.gov.au</u> or on 1800 001 490.



APPENDIX # 5

FIRE SERVICES AS PROPOSED





Hilltops	Important Notice! This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose		Projection:	GDA94 / MGA zone 55	
Hilltops Council Locked Bag 5 Young NSW 2594	(whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Hillops Council nor the LPI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damage (including indirect consequential damage) and costs which you might		Date:	26/03/2025	Map Scale: 1:800 at A4
Telephone: 1300 445 586 Email: mail@hilltops.nsw.gov.au	expenses, rosses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason. © The State of New South Wales (Land and Property Information), © Hilltops Council.	s-	Drawn By:	anonymous	

APPENDIX # 5

CURRENT GIPA SEARCHED APPROVALS

SHIRE OF YOUNG

BUILDING PERMIT

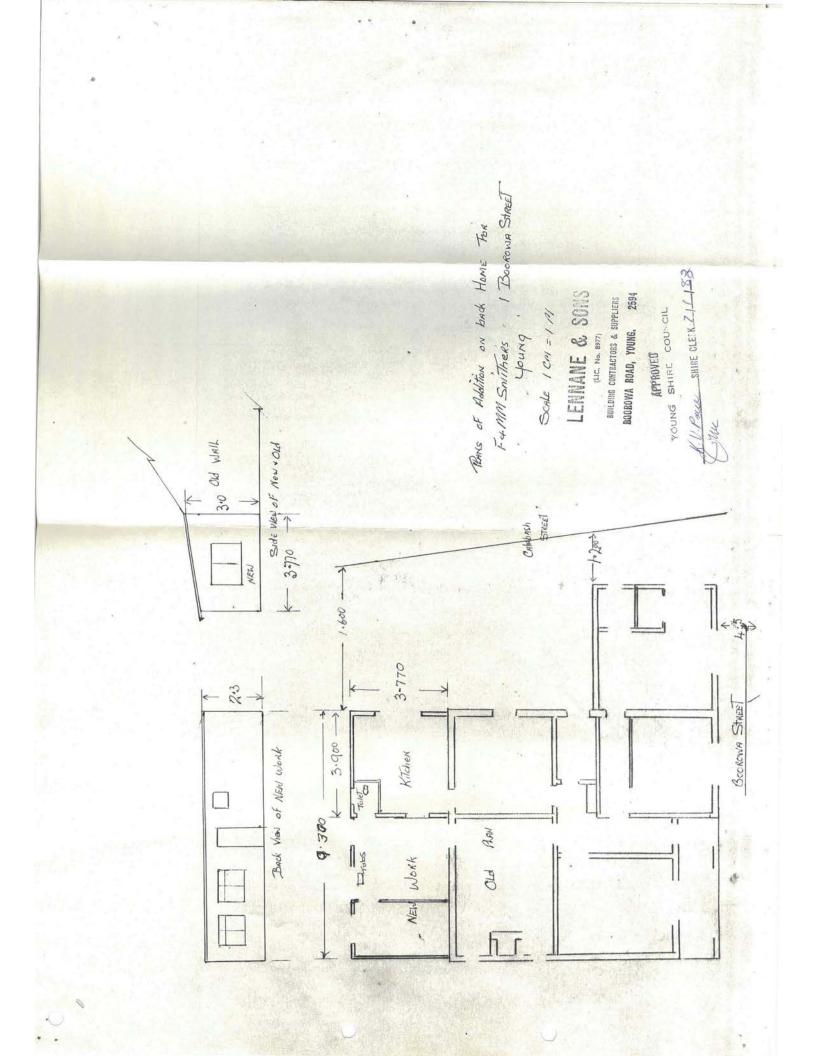
	BOLLOTING THEFT
	This is to certify that Building Application No. 213/1982 renovation
	on land situated at
	NAME OF OWNER:
	ADDRESS OF OWNER: 1 Boorowa Street, Young
	NAME OF BUILDER: F. Lennane
	ADDRESS OF BUILDER: Boorowa Road, Young
	has been approved by Council subject to the following conditions: IT IS A CONDITION OF APPROVAL THAT COUNCIL BE NOTIFIED DURING VARIOUS STAGES
	OF CONSTRUCTION SO THAT INSPECTIONS MAY BE CARRIED OUT.
	NOTIFICATION FOR INSPECTION OF FOOTINGS MUST BE GIVEN PRIOR TO ANY OTHER WORKS COMMENCING.
1	••••••••••••••••••••••••••••••
b	

DATE: 1983

TO THE HEALTH & BUILDING SURVEYOR.

The building being erected at for
is ready for inspection of
(Cross out if not applicable) - FOOTINGS: CONCRETE RAFT SLAB: CONCRETE
FLOOR: COMPLETED FRAMING: STORNWATER DRAINS (if not by plumber)
COMPLETION TO PERMIT OCCUPATION.

DATE: OWNER/BUILDER:



SHIRE OF YOUNG

APPLICATION FOR THE ERECTION OF A BUILDING - PERMIT NO. 2/3//982

PARTICULARS OF BUILDING

	TYPE AND PROPOSED USE (dwelling, garage, etc; alterations, additions, private, commercial)
	Repage FIBRO SAIR with BJUSAR
9.0	MATERIALS: Outer Walls - Brick B/Veneer Fibro Timber Roof - Tile
202	Metal Tibro I Floor - Timber I Concrete I TOTAL FLOOR AREA (m ²)
-	DRAINAGE (Separate application required): Sewer
	PROPOSED FENCING (material, height, position): On plan . In specification
	STORMWATER DISPÓSÁL TO BE TO STREET GUTTER UNLESS OTHERWISE AUTHORISED.
	LAND ON WHICH BUILDING WILL BE ERECTED
	House No Lot/Portion No Parish
	Street Bookow A. Road
	Frontage Depth Area

<u>OWNER - BUILDER</u> <u>Name of Owner</u> <u>A Societation Address</u> <u>Address</u> <u>Bookows</u> <u>Address</u> <u>Bookows</u> <u>Address</u> <u>Bookows</u> <u>Address</u> <u>Bookows</u> <u>Address</u> <u>Bookows</u> <u>Address</u> <u>Address</u> <u>Bookows</u> <u>Bookows</u> <u>Address</u> <u>Bookows</u> <u>Bookow</u>

PLEASE NOTE -

- a) Two copies of metric scale plans are required, showing floor plan, all elevations and block plan.
- b) The land on which the building is to be erected is to be properly and adequately described to enable easy identification.
- c) Applicants should ensure that all services are available and that proposed buildings are sited to enable such services to be connected.
- d) Within the former Municipality, the Young Planning Scheme Ordinance applies, in some instances a separate Development Application must be lodged.
- e) The following typed notes are available: Notes on Building Requirements and Procedures; Medium Density Housing Code; Commercial, Industrial and Domestic Shed Code; Code for Installation and Use of Swimming Pools; Parking Code.

FOR COUNCIL USE ONLY 05 20 .. DATE 2. 82 BUILDING FEE RECEIPT NO. .. BUILDERS' LICENSING ACT INSURANCE RECEIPT NO. DATE OWNER/BUILDER PERMIT NO.

SHIRE OF YOUNG

BUILDING PERMIT

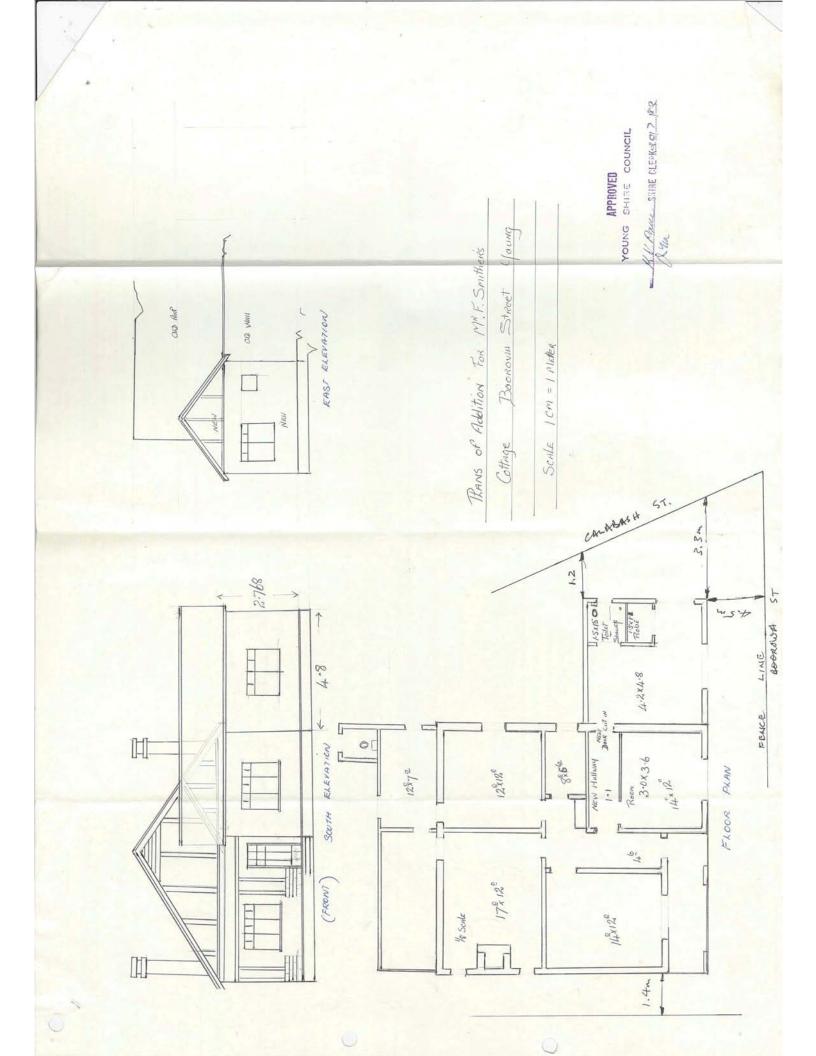
This is to certify that Building Application No
to dwelling
on land situated at .1 Boorowa Street, Young
NAME OF OWNER: . F.A. & M.M. Smithers
ADDRESS OF OWNER:
NAME OF BUILDER: Lennane & Sons
ADDRESS OF BUILDER: Boorowa Road, Young
has been approved by Council subject to the following conditions:

- * A copy of a check survey certificate indicating the location of <u>external</u> walls in relation to all boundaries is to be <u>provided to</u> Council. This condition may be fulfilled by <u>engaging a survey</u>or to set out the building on the site <u>or having the siting checked</u> by survey when position of external walls is established.
- * Notification shall be given to Council on the forms provided to enable the following inspections during construction:
 - 1. Footings and/or concrete slabs or floors prior to pour.
 - 2. Timber frames upon completion.
 - 3. At any other stages as requested by the Building Surveyor.
 - 4. Upon completion prior to occupation.

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DATE: 20th July, 1982

K.V. PRICE, SHIRE CLERK.



<u>SHIRE OF YOUNG</u>
APPLICATION FOR THE ERECTION OF A BUILDING - PERMIT NO. 99/1982
PARTICULARS OF BUILDING
TYPE AND PROPOSED USE (dwelling, garage, etc; alterations, additions, private, commercial)
MATERIALS: Outer Walls - Brick B/Veneer Fibro Timber Roof - Tile
Metal I Fibro Floor - Timber Concrete TOTAL FLOOR AREA (m ²) 20
DRAINAGE (separate application required): Sewer Septic Tank
PROPOSED FENCING (material, height, position): On plan In specification
STORMWATER DISPOSAL TO BE TO STREET GUFTER UNLESS OTHERWISE AUTHORISED.
LAND ON WHICH BUILDING WILL BE ERECTED
House No. 1. Lot/Portion No. P. in the A681805. Parish Young.
street Bookewa. Frontage 66 teet Depth 145'1" → 11' 10.5' Area 1934 p.C.
TIONSAR
OWNER / BUILDER
Name of Owner F.A.+ M.M. Smithers Address I. BOOROWA Street young. Name of Builder AENNANE + Sons Address RIVE TO BOOROWA NOAD YOUNG
Name of Applicant FAT MM Smithers Address / Boorows Street Gourney
tal Cost of Building (include all labour and mater BADBONNA. ROAD, YOUNG. 2594 4.995
Date
PLEASE NOTE -
a) Two copies of metric scale plans are required, showing floor plan, all elevations and block plan.
b) The land on which the building is to be erected is to be properly and adequately described to enable easy identification.
c) Applicants should ensure that all services are available and that proposed buildings are sited to enable such services to be connected.
d) Within the former Municipality, the Young Planning Scheme Ordinance applies, in some instances a separate Development Application must be lodged.
e) The following typed notes are available: Notes on Building Requirements and Procedures; Medium Density Housing Code; Commercial, Industrial and Domestic Shed Code; Code for Installation and Use of Swimming Pools; Parking Code.
FOR COUNCIL USE ONLY
BUILDING FEE 25.00 RECEIPT NO. 622 DATE 11/6/80 BUILDERS' LICENSING ACT INSURANCE 30.00 RECEIPT NO. 622 DATE 11/6/80
BUILDERS' LICENSING ACT INSURANCE RECEIPT NO. 6.2 DATE
OWNER BUILDER PERMIT NO

REPORTS

14.10.22 Shall Poster - DRAMAR IN - NO · Instruction PROR - SHE LETTER TO Romber 16.11.82 construction completed proposed further additions at rear, application required check location of house drains. 6.683 Conflated _____ _____