

JRPP No:	2011WES002
DA No:	Parkes Shire Council DA 11002
PROPOSED DEVELOPMENT:	New Police Station; Lot 1 DP 758827 35 Currajong Street Parkes and Lot 2 DP 758827 3 Court Street Parkes NSW 2870
APPLICANT:	UGL Services
REPORT BY:	Andrew Johns, Manager Development Services, Parkes Shire Council

Assessment Report and Recommendation

Executive Summary

Council has received a Development Application for the erection of a new two storey police station with basement parking and alterations to existing station (including partial demolition). Due to the capital investment value of the Crown development, the application will be determined by the Western Region, Joint Regional Planning Panel. Pursuant to Section 89(b) of the Environmental Planning and Assessment Act, the applicant has agreed to the conditions of consent imposed herein.

Background Information

The current Parkes Police Station was built circa the mid 1880s and has only had minor works and additions since. The existing police station does not meet the needs of the shire in its current state. The existing building is listed pursuant to the Parkes Local Environmental Plan 1990 (LEP) in a group with the former Post Office and adjacent Court House.

Legislative, Policy & Management Planning Implications

Legislative and policy implications are numerous and are discussed in detail herein. From a Management Planning perspective the subject application is not antipathetic to objectives of the plan and will, in fact, have a positive impact.

Budget & Financial Aspects

All fees associated with the submission of this Development Application have been paid.

Recommendation

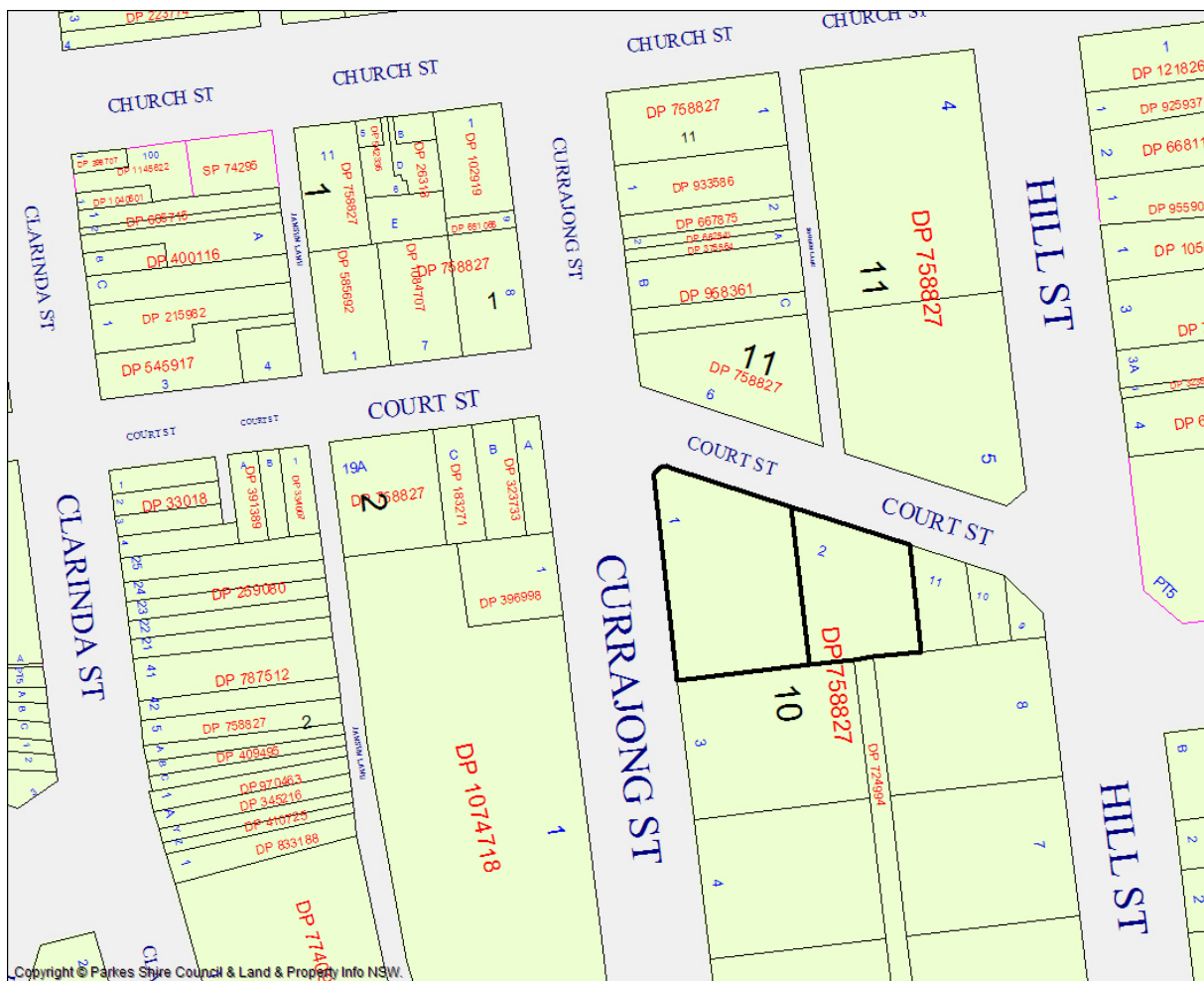
It is recommended that the application be approved subject to the conditions recommended herein.

Report

Details of Proposed Development

Council has received a Development Application for the erection of a new two storey police station with basement parking and alterations to existing station (including partial demolition). Due to the capital investment value of the Crown development, the application will be determined by the Western Region, Joint Regional Planning Panel. Pursuant to Section 89(b) of the Environmental Planning and Assessment Act, the applicant has agreed to the conditions of consent imposed herein.

Location Map



Consultation

Due to the nature of the Development Application Council notified nine nearby and adjoining owners. Further, the application was advertised in the Parkes Champion Post on 14 January, Monday 17 January and Wednesday 19 January 2011. The exhibition period was from 13 January 2011 to 3 February 2011.

As a result of the exhibition of the application, a total of three submissions were received by Council. A review of these submissions follows.

Submission Comment: View from 'viewing windows' on south west corner of the first floor overlooks bedrooms and bathrooms on the first floor of the adjacent Bed and Breakfast establishment.

Assessment Comment: The applicant has provided an amended plan that demonstrates that the 'viewing windows' are at 1800mm above floor level meaning that over looking is not likely.

There is also a first floor balcony (off training and meal rooms) which is open to the west and south and which has the potential to impact upon the privacy of the adjoining property. The applicant has provided an amended plan offering a privacy screen which will sit upon the brick balustrade up to a height of 1800mm. The submission maker was shown this plan and felt that overlooking from the front of the balcony to their balcony was still possible due to their building being set further forward than the police station. The applicant then lodged an additional amended plan proposing to extend the screen forward of the building by 1200mm.

While the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) does not apply to the subject development, it does contain some standards which could guide the assessment of this development. The Complying Codes SEPP states that, for two storey residential dwellings that have a habitable room that is located less than 3 metres from a side boundary and has a window that has a sill height of less than 1.5m from floor level shall be screened. The balcony off the meals and training room is 1.5 metres from the boundary and has a window with a sill height lower than 1.5 metres from floor height. Further, the screen should be a minimum of 1.5 metres high from the floor level, should have no individual opening more than 30mm wide and has a total of all openings less than 30 per cent of the surface area of the screen. It would seem that the provision of the screen is justified and that the height of the screen to 1.8 metres high (and extending 1.2 metres forward of the balcony) is an acceptable means to protect the privacy of the adjoining land owners. A condition detailing the minimum standards for the screen has been included in the recommended conditions of consent.

The submission maker, in an amendment to their initial submission, indicated that they still did not feel that this would totally reduce the chance of over looking. This second submission also raised the issue of the privacy of potentially sensitive conversations that may take place on the proposed balcony. It is outside the scope of this assessment to comment on this, suffice to say that this is an operational consideration for the police force to deal with.

However, the potential for these conversations, potentially at any hour of the day or night, to impact upon the residents and clients of the adjoining Convent Bed and Breakfast is very real and needs to be addressed. A condition has been included in the recommended conditions of consent which restricts the use of the balcony from 9pm to 7am. Relocation of this balcony, by mirror reversing the training and conference rooms was discussed with the applicant but this was rejected as a solution.

Submission Comment: Concern that light spill from security lighting may impact upon their building.

Assessment Comment: A condition requiring that no light from the premises be cast on to adjoining properties has been recommended as a condition of consent.

Submission Comment: Concern that security cameras may impact upon privacy.

Assessment Comment: A condition requiring that security cameras do not capture vision of any adjoining property has been included in the recommended conditions of consent.

Submission Comment: Consideration should be given to having some form of arched design in the façade of the building as this would be in sympathy with the existing public buildings in the nearby streetscape.

Assessment Comment: Council's Heritage advisor has reviewed this submission. The National Trust in their letter suggested the incorporation of an arched form in the elevations. It is recognised that arches are a significant architectural element on all Currajong St. Heritage items, but only on the lesser windows of the former police residence in Court St.

The design approach with the new building is to make it a neutral element set next to the heritage items. In this regard it has been set back from Currajong St. so that it does not contribute to the streetscape, an arched form on the elevation would not be able to be viewed and would be out of character with the building. To incorporate an arch form on the Court St. elevation would diminish the importance of Currajong St. as the more important 'heritage' street.

Submission comment: Consideration should be given to placing a plaque to on the new building recognising the building that is to be demolished as part of the proposal.

Assessment Comment: A condition has been included in the recommended conditions of consent requiring that a plaque, approved by Council prior to commissioning, be permanently erected on the new building on the Court Street frontage adjacent to the location of the former school building.

Submission comment: Consideration should be given to ensuring that appropriate clearways are maintained adjacent to the Fire and Rescue NSW Station such that the fire appliance is able to respond from the engine bay fronting Court Street.

Assessment Comment: No standing signs are presently located adjacent to engine bay on Court Street, this will ensure that vehicles cannot block the ingress and egress of the fire appliance from the engine bay.

Submission from Council's Heritage Advisor

As outlined above, Council referred the application to its Heritage Advisor, Mr Garry Stanley. Mr Stanley provided Council with his assessment of the proposal and made the following statements:

- The demolition of the rear extensions to the police station is considered to have minimal heritage impact on the item and adjacent items. The extensions, although having been designed to match the existing, are not original fabric and are not visible from Currajong St. The work will return the police station to its original size.
- The school buildings have not been identified as having heritage significance, and their demolition is considered to have minimal heritage impact.
- From the site inspection major views to the new work were identified to the Police Station and the Court House from Currajong St. and from viewpoints from the former police residence and St. Andrews Church in Court St.
- It is considered that the impact from Currajong St. will be minimal because of the distance of the new work back from the street, and the existing police station effectively screening this work.
- The views from the setbacks from Court St. are such that the significant views to the rear of the Court House will be preserved. Also the small scale fire station on the corner of Hill St. screens the bulk of the new work from these significant view points.

- The junction between the Court House and the Police Station is an existing steel 'cage' proposed to be replaced by a similar new facility with additional screening.
- The details of the junctions between the bay window of court house and roof of police station need to be considered. In this regard the possibility of retaining the existing facility modified to increase privacy should be considered.

In respect of the junction between the van dock and the court house, a plan was provided that shows a skillion that sits under the eave of court house which is consistent with what was discussed on site. Conditions reflecting the intent of these statements have been included in the recommended conditions of consent. The Heritage Advisor approves of the proposed development, subject to additional information being provided in respect of colour schemes and details on the junctions between the proposed enclosed carport and the bay window on the existing court house.

In respect of the colour scheme the applicant, on 23 February 2011 advised Council that the roof would be Woodland Grey with an orb profile, the windows of the new station would be Grey Nurse (windows of the existing station are painted Cream), the corporate blue on the Court Street frontage will consist of two highlights of blue glazed brick, the brink will be a PGH brick called Haberfield (which is a smooth faced brick) and finally the applicant was happy for the brick rendered sections to be Sandstone in colour. This appears to satisfy the Heritage Advisors concerns in this regard.

Submissions from Government Authorities

New South Wales Police Force - Crime Prevention Through Environmental Design Assessment (CPTED)

Council has a protocol with the New South Wales Police Force whereby certain applications are referred to the Force's Crime Prevention Officer (CPO) for a CPTED assessment. This application was referred to the Force pursuant to this protocol.

While the CPO has no objection to the proposal, he has made a number of recommendations in respect of surveillance, lighting, territorial re-enforcement, environmental maintenance, activity/space management and access control for the Panel's consideration. These conditions are, in the opinion of Council, justified and have been included in the recommended conditions of consent.

Engineering Assessment

Traffic Generation

The submitted assessment of traffic and parking implications indicates that the proposed development should be considered as a special circumstance as it neither fits into a neat category with in the RTA development guidelines or Council's Car Parking Code DCP. This engineering assessment agrees with this statement in part. As indicated in the report, there is a possible maximum of 55 vehicle trips per hour (vtph) at the peak shift change times, which does allow some assessment of the traffic generated by the proposed development.

As indicated in the submitted report, the proposed development has two street frontages, as well as multiple driveways, and multiple arrival and departure modes. In this respect, Council's assessment of the impact of the development reaches the same conclusion as the submitted report, that the traffic generation of the proposed development will be insignificant on both Court Street and Currajong Street.

Additionally there will be less traffic generated by police activity in Souden Lane with the relocation of some Police activities into the proposed development on the southern side of Close Street.

Parking

The submitted assessment of traffic and parking implications indicate on page 5 the various parking provisions for the proposed development. There are some clarifications required to be made in relation to these figures. The at grade space for the use of vans transporting persons in custody is already in existence, and not a new space. The basement car park only contains 17 spaces, not 19 as indicated in the submitted report.

The 4 emergency response spaces located on the Court Street frontage, said to be relocated from the northern to the southern side of the street don't seem to take into account the need for public access to the building. The submitted site plan indicated that there are only 4 spaces on the Court Street frontage, and one of these is indicated to be a dedicated accessible car space for the general public (see letter from Environdesign – Australia dated 6/12/10 provided as part of the submitted documentation). With the public enquiry counter being moved from the Currajong Street frontage to the Court Street frontage the 4 spaces including the accessible space should remain to be public car parking spaces. The Emergency response vehicles might be better located on another part of the site or at on the Currajong Street frontage.

In considering parking in Court Street the needs of the neighbouring Parkes Fire Station should also take into account the existing use. Currently part time fire fighters park their vehicles on the southern side of Court Street prior to attending to a fire call. As a result of the proposed development there will be a 9m wide driveway limiting the available space for the fire fighters to park, coupled with the imposition

The forecourt parking of the existing Police Station on Currajong Street, has the potential to store 3 or 4 vehicles although the current configuration does not allocate specific parking spaces. It should be noted that the recently submitted (17 Feb 2011) site plan, revision C, shows a possible configuration for these parking spaces. Emergency response vehicles could be located here if it suited the operational requirements of the officers that need to use them. The revised site plan also shows the proposed location of the power substation. This substation will be located on the existing southern driveway, and will reduce access to a single point for the forecourt area. Widening will be required to facilitate this single point of access to Currajong Street to a two way driveway and should comply with AS2890.

The 4 dedicated on street parking spaces on the eastern kerb of Currajong Street are proposed to remain in place; although in discussions held Wednesday 23 February it was indicated that these are proposed to be reverted back to public use.

The proposed Court Street frontage to the proposed building will require the construction of a new driveway approximately 9m wide to the basement carpark. During preliminary discussions it was identified that this driveway will have contra directional laneways, with traffic flows directed to the right side of the driveway instead of the normal left side. This will allow for better sight distance for the access and compliance with Figure 3.2 AS2890. Signage such as "Keep Right" shall be installed to facilitate the RHS in and out on the proposed centre median. A warning sign indicated the clearance height of 2.9m will also be installed over the entrance to the basement car park.

Any changes to the parking regimes, and associated signs will require a submission to be made to the Parkes Local Area Traffic Committee. This committee is a statutory committee and has the delegated authority from the RTA to recommend changes to regulatory signage. Council will undertake the works at full cost the developer.

The submitted turning paths for the various car park positions and the access ramp show that the basement car park has been suitably designed for access. While some of the locations are particularly cumbersome, for example; exiting space 7, and manoeuvring the SPSU trailer, the carpark has well utilised a reasonably tight space.

Stormwater - Major/Minor

The developers representatives have submitted stormwater management plans that show an on site dual detention/retention tank to be constructed under the Court Street frontage of the proposed building. It is proposed that all stormwater from the combined lots 1 & 2 could be drained through this tank allowing for re-use on site, with the overflow being discharged to Court Street, with a pipe running down to an appropriate invert level.

Primarily the proposed stormwater management plan will show that as a result of the proposed development, stormwater discharge from the site will not be exceeded when compared with the existing discharge from the site.

Preliminary discussions regarding the positioning of the outlet pipe acknowledge that it could be run on site, or within the road reserve, pending site construction and kerb works that may or may not occur as part of the development.

Sewer

Initial consultation with the developer's representatives identified that the proposed basement car park was to be located over an existing sewer line. This sewer line currently services approximately 33 properties. The proponent has proposed to realign the sewer main between the southern boundary of the subject land and wall of the basement car park, located 1.5m from this boundary. The realignment will require new SMH's (Sewer Maintenance Hole) to be constructed at each change in grade and/or direction of the sewer. The realignment of the sewer is to be completed at the full cost to the developer.

No liquid trade waste is permitted to be discharged to Council's sewerage network without a trade waste certificate issued by Council's trade waste officer.

Headworks Charges

The proposed police building will increase the discharge of sewerage to Council's main from Lot 2 DP758827 due to the construction of 19 toilets, 2 urinals, 4 showers, 11 basins and 3 sinks, and number of floor wastes. Although it should also be considered that the proposed building will cater for activities that are already taking place on the old site on the northern side of Court Street that will be relocated to this new building. In this case there will be a significant reduction in the discharge of sewerage from the old site. Additionally the existing police station fronting Currajong Street also had existing services that will now be replaced by the proposed development. The existing buildings on the site were also once a school, which also had a number of toilets (unquantified).

With reference to the water directorate guide to section 64 determinations of equivalent tenements, office areas are suggested to be based on floor area (m²), with a rate recommended at 0.01 for sewer ET. A correctional centre is rated at 0.75 Sewer ET per person. It is estimated that approximately 1250m² of the site is office, resulting in 12.5 ETs. It would seem there are 10 secure areas, that might be used to house detainees, although only 5 of these have toilets in them, resulting in 3.75 ETs.

In this regard it is difficult to impose a headworks charge for sewerage without a definitive consideration of the existing services. It is recommended that the Section 64 charge for sewer headworks be based on 16.25ETs with a credit of approximately 10ETs allowed for the

existing services. The developer is invited to apply for a larger reduction based on consideration of the existing services.

Water Supply

Water pressure test has been supplied to the Developers representatives, which upon receiving required the installation of a booster system to supply the building with adequate pressure to satisfy the BCA requirements for Fire Safety. The booster system and hydrant connection will need to be installed at the full cost of the developer, additionally the existing service may need to be upsized at the full cost of the developer.

Any existing water services that are no longer required as a result of the proposed demolition shall be removed and appropriately disconnected.

Headworks Charges

With reference to the water directorate guide to section 64 determinations of equivalent tenements, office areas are suggested to be based on floor area, although the rate recommended is 0.00. Alternatively considering the number of facilities proposed to be provided for the use of staff, the public and persons in custody the proposed building the sewer ETs have been estimated at 16.25 ETs. With an assumed standard discharge factor of 60%, the water ET's can be estimated to be 27ETs (16.25×1.6).

In this regard it is difficult to impose a headwork's charge for water use without a definitive consideration of the existing usage. It is recommended that the Section 64 charge for water headworks be based on 27ETs with a credit of 16.66 ETs (10×1.6) allowed for the existing services. The developer is invited to apply for a larger reduction based on consideration of the existing services.

Roads Kerb & Guttering and Footpaths

Currently the existing Currajong Street frontage is in poor state of repair. The proposed substation will render the southern driveway unusable as discussed previously. The applicant shall undertake kerb and guttering works to remove the existing layback. The existing northern layback on Currajong Street, that will now service the site as a dual direction access, and be the primary access for the van transporting persons in custody, to the van dock. The access should be made to a width of 5.5m (Section 3.2.2 AS2890.1).

Currently the existing Court Street frontage is "tired" and will require some construction as discussed previously for the access to the basement carpark. In discussions held Wednesday 23 February, the developer indicated that it is likely that Court Street frontage kerb and guttering as well as footpath will be reinstated as new due to the proposed pram ramps to be installed and other associated works proposed on this frontage. It is considered that overall this will be a good result, and provide a much more presentable finish to the entire development.

Garbage Truck

The submitted plans show the storage of garbage bins in two locations, one in the basement carpark and an additional storage area on the Court Street frontage. It is understood from discussions held on Wednesday 23 February that the bins will be presented in Court Street to be picked up as a part of the normal kerb side waste collection, in this regard a garbage truck will not need to access the site, nor the basement car park.

Environmental Assessment

79C Evaluation

79C (1)(a)(i) any environmental planning instrument

Parkes Local Environmental Plan 1990

The subject site is zoned 2(v) Urban and Village zone and is reserved as "Unreserved" by the Parkes Urban Area Development Control Plan, 1998. The objectives of the 2(v) zone are:

- (a) to provide a broad zone for the town of Parkes and to enable details to be provided by a development control plan,
- (b) to provide for the future expansion of the town of Parkes, and
- (c) to recognise existing villages and to enable future development appropriate to their function.

The proposed development is located adjacent to the existing Police Station, Court House and Fire Station and is in compliance with each of the abovementioned objectives. The proposed development is permissible with consent in the zone.

An assessment of the proposal in respect of the relevant Development Control Plans is contained later in this report.

Clause 25 Heritage Items

The current Police Station is listed as a heritage item in its own right and is part of the Courthouse Group of buildings which is listed in schedule 1 of the Parkes LEP as heritage items. As such this clause requires that Council has regard to the affect the proposed works will have on the heritage significance of the item and any stylistic or horticultural features and its setting. Council's Heritage Advisor, Mr Garry Stanley, has assessed the application. Further, the applicant's Heritage Advisor has also provided advice that the demolition of the rear extensions to the police station is considered to have minimal heritage impact on the item and adjacent items. The existing extensions, although having been designed to match the existing, are not original fabric and are not visible from Currajong St. The work will return the police station to its original size which is seen as a positive outcome.

Clause 26 Development in the vicinity of heritage items

This clause requires Council to have regard to the impact the proposal will have on the heritage significance of the item and its setting. Council's Heritage Advisor has made an assessment of the potential impact, as has the applicant's Heritage Consultant. Each conclude that the proposed development will not have a detrimental impact upon the heritage significance of the adjacent and adjoining heritage items. The proposed development has sympathetic elements and colourations and significant efforts have been made to ensure that view lines are maintained.

Clause 27 Heritage advertisements and notifications

Relative to this proposal, this clause requires Council to notify the Heritage Council should an applicant propose to demolish a building or work. Council has not notified the Heritage Council as the applicant has proposed to only demolish the 1960s additions to the police station. These additions do not represent the original fabric of the item. The proposed works, in fact, incorporate the original police station and ensure that they continue to be used for the purpose for which they were built for well over 100 years ago.

Clause 29 Conservation Incentives

This Clause allows Council to make certain concessions relating to car parking provision. It should be noted that the applicant has provided Council with its policy that only operational vehicles are provided with car parking. It is accepted that there will be a significant shortfall of car parking associated with this site and that this is has been an historical issue with this particular site. It is understood that no additional cars will visit this site and that the development simply centralises policing operations at this location and provides additional office space for existing policing services.

State Environmental Planning Policies (SEPP/s)

State Environmental Planning Policy (Infrastructure) 2007

The subject SEPP applies to the proposed development. Clause 74 of the SEPP defines the proposed development as a Public Administration Building. The development is proposed in Council's 2(v) Urban and Village Zone which permits such developments as previously mentioned.

The crown has sought development consent for the proposed works pursuant to Clause 76 of the SEPP.

State Environmental Planning Policy No. 64 - Advertising and Signage

The applicant has proposed to erect business identification signage. The application has been assessed against the aims and objectives of this zone, and against the Assessment Criteria provided in Schedule 1 of this SEPP and the signage as proposed meets the requirements of this SEPP. The signage is simple and in scale with the proposed development, is compatible with existing signage at the locale and is compatible with the desired amenity and visual character of the area.

S79C(1)(a) (iii) any development control plan (DCP)

Parkes Urban Area, Development Control Plan 1998

The subject development site is classified as "unreserved" pursuant to this DCP. The objectives of this reservation are to:

- Accommodate expansion of other land use categories and uses which do not need a specific land use category.
- Accommodate large scale medium density residential developments and motel developments in order that residential areas may be kept free of higher density developments.
- Keep options open for changes in land use preferences for land.

The proposed development is not antipathetic to these objectives. This reservation is a broad reservation that allows any number of commercial and residential developments. Further, the use exists, and has continued to exist, on the current site for over one hundred and thirty years.

The DCP also allows for a merit based assessment of development applications provided that commercial developments be designed and constructed having regard to local transport and drainage networks. This assessment report constitutes the merit based assessment of the proposal and an assessment of the proposal's potential impact upon local traffic and drainage networks can be found in the Engineering assessment contained in this report.

Parkes Shire Council, Car Parking Code Development Control Plan, 1998

Pursuant to this Development Control Plan the proposed development could be defined as an office in that it has public reception area and office areas that are closed to the public. Office car parks are apportioned at a rate of 1 space per 40 square metres of office. The applicant has only proposed to provide 17 car parking spaces (including one disabled car park) which falls well short of the number required by the DCP. Council is in receipt of a letter from the General Manager of the New South Wales Police Force Property Group stating:

"Please be advised that it is New South Wales Police Force standard Practice to provide car parking for operational vehicles only. This applies to all stations."

Given that the Act requires the applicant in respect of Crown Development to review conditions of consent it would not seem prudent to require the appropriate number of car parking spaces, nor to impose a Section 94 contribution for car parking. It is accepted that this is standard procedure for the Force and it is acknowledged that this has occurred at other new stations in nearby regional centres.

Parkes Shire Council, Outdoor Advertising Code, Development Control Plan, 1998

The applicant has sought consent for the erection of business identification signage only. The signage is appropriate in scale and design and as such can be approved. An assessment of the proposed signage in respect of State Environmental Planning Policy No. 64 - Advertising and Signage is contained later in this report.

S79C(1)(a) (iia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

It is not necessary for the applicant to enter into any form of planning agreement.

S79C(1)(a) (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

Nothing in the regulation prevents assessment and approval of the subject application.

S79C(1)(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Environmental Impact on the natural and built environments

The subject development is an intensification of an existing use. There is no proposal to expand the range of services currently located by the Force at this location nor is it anticipated that any additional significant number of staff will be employed as a result of the proposed development. It is located in an area that has traditionally housed state government emergency services, namely police and fire, and is adjacent to the existing Parkes Court House. The proposed use is permissible with consent in the zone and generally complies with the requirements of the Parkes LEP and the relevant Development Control Plans. From a built form perspective the proposed development will be much larger than buildings that are intended to remain (existing police station, court house and Fire station) but it is felt that complimentary design and colourations mean that the proposed development will not have a negative impact on the streetscape at this location. Views from key locations to the heritage items have been included in the design.

Overshadowing

The proposed additions to the police station are set back north east from only residential neighbour. It is felt that in the winter months of the year solar access will be impacted upon in the morning, however, ample solar access will still be available to this property.

It should be noted that no objections on the grounds of over shadowing have been received by Council.

Impact on the natural environment will be negligible.

Social impacts

It is anticipated that the proposed development will have a positive social impact. The new development will allow police services to be more efficiently delivered to the people of the Parkes Shire. The CPTED assessment of the proposed development does not raise any issues of a negative social impact of the proposed development.

Operational Impacts

This assessment accepts that police vehicles will often leave this site urgently and that beacons and sirens will often be on at these times. As mentioned numerous other times in this report, the development site has been the site of the Parkes police station for many years and it is not anticipated that there will be an increase in this type of activity as a result of the development. In fact, it could be argued that as vehicles will now predominantly be leaving from the Court Street frontage that the residential receptor that is the Convent bed and Breakfast will be shield from much of this noise by the new building itself. The Court Street frontage does not have any residential receptors.

Noise from air conditioning condensers should not cause amenity issues as they are in a plant room located within the roof space of the building. An amenity condition has been included in the recommended conditions of consent to ensure that this does not become a problem.

Streetscape Impact

An assessment of the impact that the development will have on the streetscape concludes that the building design, external colours and finishes together with landscaping of the site are suitable for the development at the locale. The applicant proposes a development of a commercial scale within the existing 'justice precinct'. The design and siting of the development has incorporated the existing streetscape and it is considered that the development will not have an adverse impact on the existing streetscape.

S79C(1)(c) the suitability of the site for the development,

The subject site is suitable for the proposed development given that the site is the location of the existing Parkes Police Station. The site itself is of a size that allows room for operational car parking and manoeuvrability of vehicles thereon.

Water, sewer and other utilities are available for the development and are appropriate for the intended use. It also appears that the site can be also be adequately drained to Council's stormwater infrastructure.

S79C(1)(d) any submissions made in accordance with this Act or the regulations,

All submissions received by Council in respect of this application have been considered and are addressed in the consultation section of this report.

S79C(1)(e) the public interest

The proposed development intends to consolidate existing remote police buildings that constitute the Lachlan Area Command and Parkes Police Station into the one, purpose built facility. The proposed development, once constructed, will improve the efficiency of police services in the shire and will provide a building that will meet the needs of the Parkes Shire for years to come. The development has incorporated the existing heritage listed police station, ensuring that its historical use is maintained. The proposed development is overwhelmingly in the public interest.

Conclusion

The proposed development is a positive addition to government services in the Parkes Shire and will compliment the existing police and court house group of buildings. The development is permissible with consent in the zone and compliance with the recommended conditions of consent will mean that the development will not have a negative impact on the amenity currently enjoyed at the locale.

Conditions

Approved Plans and Documentation

1. Development shall take place in accordance with the Parkes Shire Council stamped plan(s) and supporting documentation lodged in respect of Development Application No: DA11004 except where varied by the following conditions.

Limitations on Consent

2. All work must be wholly contained within the subject allotment.
3. All exterior lighting associated with the development shall be designed and installed so that no light will be cast onto any adjoining property.
4. No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever.
5. The premises shall be maintained in a clean and tidy condition at all times and to the satisfaction of Parkes Shire Council.
6. This consent is not granted for the erection of any outdoor advertising signage (other than business identification signage) on the site. Outdoor signage is required to comply with Parkes Shire Council's Outdoor Advertising Code 1998 and State Environmental Planning Policy No 64 Advertising and Signage prior to its display on the site.
7. This consent shall not extend to and shall not affect the rights of Parkes Shire Council in respect of any matter or thing in or arising out of the approval which is not in conformity with the Environmental Planning and Assessment Act 1979.
8. Close Circuit Television Cameras associated with the development shall not be directed at any adjoining residential property.
9. The applicant is to provide to Council an Archival Report of the building (the former Holy Family School Infants School and 1960s additions to police station) to be demolished. The applicant shall receive written confirmation that the report is acceptable before demolition is permitted to commence. The Report shall be prepared in Accordance with Council's Guideline for Photographic Recording of Sites (attached).
10. An alternate design is to be submitted to Council in regard to relocating the balcony to the centre of the western perimeter of the building. The balcony in its current location is not approved.
11. The applicant shall combine Lot 2 Sec 10 DP758827 and Lot 1 Sec 10 DP758827 to the one title. The final survey plan shall show an easement in the favour of Parkes Shire Council over the re-located sewer main.
12. All works shall be undertaken at the expense of the Applicant. No cost shall be incurred by Parkes Shire Council.
13. All references to standards, codes or guidelines are to the version current when detailed designs pertaining to this Development Approval are submitted to Parkes Shire Council.

Heritage Conditions

14. In respect of the final colour scheme and finishing of the building, the following shall be observed:
 - The walls should be brick with smooth texture to match the existing police station.
 - Roof profile shall be corrugated or similar close ribbed steel profile.
 - Colour of brickwork to harmonise with those of the courthouse, former police station and fire station.
 - Colour of roof of main building to be grey, similar to that of the court house.
 - Colour of former police station roof to be retained.
 - Colour of render to be similar to that of the sandstone base of the court house.
 - Use of corporate blue to Court St. be kept to a minimum.
 - Colour of windows and doors to be different to that of the police station.
15. It is recommended that details of restoration of police station be submitted to Council. Exterior details such as lights under eaves and police sign should possibly be removed. Traditional colours for all windows, doors should be shown. All original interior details, windows, doors and fireplaces are to be retained. Possibility of removing plasterboard from ceiling to reveal original ceiling lining boards be considered (this is a detail of construction used in both the court house and the former police residence).
16. The possibility of a picket fence to Currajong St. and replacement of side fence to adjacent property to south should be considered. Should the painted picket fence be proposed, details should be provided to Council.

Picket gates to electrical substation shall to be different from the fence, possibly horizontal stained battens to match brickwork.
17. The Applicant is required to provide a permanent plaque depicting the former Holy Family Infants School building proposed to be demolished. The plaque is to be located on the front of the police building fronting Court Street adjacent to the location of the former school building. In this regard the Applicant is required to submit full details of the plaque for approval by Parkes Shire Council's Director Planning and Environment.

Right of Access

18. The Applicant shall permit access onto the land to officers of Parkes Shire Council or any other government department or public authority at reasonable times for the purposes of inspecting the operation and carrying out such control tests or readings as they consider necessary to ensure compliance with the conditions of this consent.

Construction Works

19. Building work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00am and 8.00pm on weekdays and 8.00am and 8.00pm on weekends and public holidays.
20. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on any adjoining public reserve, footpath or road.

Plumbing and Drainage

21. All plumbing and drainage work shall be carried out by a licensed plumber and drainer

and to the requirements of Australian Standard 3500, 'National Plumbing and Drainage and the New South Wales Code of Practice; Plumbing and Drainage' and/or other relevant plumbing and drainage regulations and Codes as prescribed by the NSW Department of Fair Trading.

22. All roofed and paved areas shall be drained so that water from those areas is conveyed to the street gutter in accordance with Australian Standard 3500, 'National Plumbing and Drainage' and the approved stormwater management plan. Storm water disposal drains shall be connected to all roof gutter down pipes within fourteen (14) days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge roof water to the approved method of disposal.

Soil Erosion and Sediment Control

23. Prior to construction works commencing on the site the Applicant/operator shall submit to Parkes Shire Council for approval, a site plan that details the site specific and practical measures that will be employed on the site to properly manage the potential for soil erosion and movement of sediment off the site. All necessary soil erosion and sediment control measures are to be maintained throughout the course of the entire construction period. All disturbed surfaces on the site shall be restored by turfing, paving or revegetation prior to the occupation of the premises.

Waste Management

24. All building rubbish and debris, including that which can be wind blown, shall be contained on site in a suitable container for disposal at an approved Council Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project.

Note 1: No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road.

Note 2: The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

25. No contaminated waste water or liquid waste is to be discharged into Parkes Shire Council's stormwater system or sewerage without the prior submission of a trade waste application to Parkes Shire Council and a Trade Waste Agreement being entered into with Parkes Shire Council and the Applicant.

Damage to Council Assets

26. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction.

Note 1: A photograph(s) indicating the current state of the footpath adjoining the development shall be submitted to Council prior to the commencement of work on the site.

Note 2: The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

27. Prior to the commencement of work on site, the Applicant shall enter into a Memorandum of Understanding in respect of the protection of kerb and gutter and other Council owned utility services.

Utility Services

28. The water service is to be of adequate size and of a design adequate to serve the development in accordance with the requirements of Parkes Shire Council's Residential Code 1998. Any necessary upgrading of the existing service is to be at full cost to the Applicant.
29. The applicant shall re-locate the existing Council sewer main that is currently within Lots 1 & 2 Sec 10 DP758827 to ensure that it does not conflict with the proposed excavation for the proposed building. The construction of the new main shall be with SN8 uPVC grade pipe and is to be undertaken at no cost to Council. New SMH's shall be located for all change in directions and grades. Plans and details of the works required for construction are required to be submitted for approval to the Director of Operations prior to commencing any construction works on the sewermain.
30. The design and construction of the relocated sewerage main for the proposed development shall be completed in accordance with AUS-SPEC#1/Parkes Shire Council and WSA-02 Sewerage Code of Australia.
31. Any damage caused to sewer infrastructure and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to the issue of occupation certificate.

Note 1: Sewer is to be replaced with SN8 uPVC grade pipe.

Note 2: The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

32. All previously connected services are to be appropriately disconnected as part of the demolition works. The Applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
33. Water and sewerage services shall be disconnected by a licensed plumber and drainer, and the work inspected and approved by Parkes Shire Council's Director of Operations.
34. Advise Country Energy of the development prior to its commencement and provide Council with written evidence that suitable arrangements have been made for the provision of an adequate electricity supply for the development, including provision for any additional street lighting required for security purposes.
35. Advise the relevant telecommunications authority of the development prior to the commencement of work and provide Council with written evidence that suitable arrangements have been made for the provision of adequate lines to serve the development.

Stormwater

36. The Applicant shall submit a detailed Stormwater management plan to address both stormwater runoff and sediment control from the site. Stormwater infrastructure shall cater for a 1 in10 year ARI storm event, designed to ensure surcharge from the system is directed to council's stormwater system. On-site retention/detention may need to be provided to achieve a zero net increase discharge from the developed site for a 1 in 10 year ARI storm event compared to the discharge from the undeveloped site. The Storm water management plan shall detail overland storm water paths for a 1 in 100 year ARI

storm event. Details of the proposed and existing stormwater infrastructure are to be provided and approved prior to release of the Construction Certificate.

Access, Parking and Loading

37. Provide on-site parking for a minimum of 17 (including 1 disabled) car parking spaces in accordance with the submitted parking layout approved by Parkes Shire Council under the Development Application.
38. Pave/seal and line mark all access ways, parking, pedestrian, loading and manoeuvring areas in accordance with Council's Car Parking Code 1998 and AUS-SPEC#1/Parkes Shire Council.
39. All loading and unloading of delivery vehicles is to take place off-street and must not inhibit the free flow of vehicles accessing the site or other premises in the area.
40. The applicant is to remove all disused laybacks and driveway access and renew kerb and gutter to maintain existing kerb invert levels. The works shall be completed in accordance with AUS-SPEC#1/Parkes Shire Council.
41. The applicant shall upgrade Court Street footpath, Kerb and Gutter for the frontage of the development. Plans and details of the works are required to be submitted for approval to the Director of Operations prior to commencing any construction works on Court Street.
42. The applicant shall install two Keep Right R2-3 signs on the centre median of the Court Street access to the Basement carpark, facing both entering and existing traffic.
43. The applicant shall install a Low Clearance R6-16 sign on above the entrance to the Court Street access to the Basement carpark in accordance with AS290.1 Clause 4.3.4.
44. The applicant shall upgrade the Currajong Street access driveway. Plans and details of the works are required to be submitted for approval to the Director of Operations prior to commencing any construction works on Court Street.
45. Details of the vehicular access points are required to be submitted for approval by the Director of Operations prior to the release of a construction certificate. Sections, both long and cross, should be included in the details for consideration, along with swept path turning movements. Vehicular accesses shall comply with AS/NZS 2890.1:2004 (Figure 3.1). All accesses and associated laybacks are to be constructed at full cost to the developer.
46. All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.
47. The applicant is to submit for approval by the Director of Operations a traffic management plan to be implemented during demolition and construction for access to the development. The submitted plan will address the neighbouring fire station and school bus peak times in relation to haulage vehicles removing material for the construction of the basement car park.

Disabled Access

48. Disabled access is to be provided in accordance with the requirements of the Building Code of Australia.
49. Provide disabled toilet facilities inside the premises in accordance with the Building Code of Australia.

Note: The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act.

Pedestrian Safety and Amenity

50. Provision shall be made for unrestricted pedestrian access within the footpath area across the frontage of the development during construction. Suitable temporary hoarding or barriers, approved by Council's Director of Infrastructure, shall be erected to maintain safe pedestrian access during the construction phase.

Landscaping

51. Provide and maintain site landscaping in accordance with the approved landscape plan submitted with the Development Application.
52. Floodlighting is to be focused away from adjoining roads so as not to cause nuisance to passing traffic.

Crime Prevention Through Environmental Design Conditions

53. Consideration should be given to utilisation of Close Circuit Television (CCTV) in and around the external/internal sections of the business especially general public areas, access points and high risk areas. CCTV should have the ability to clearly identify and record faces, shapes and colours.
54. Should the old police station be used as a point of ingress/egress, this area should be covered by appropriate security to ensure safety of staff.
55. Suitable low level shrubs should be used in landscaping.
56. A landscaping maintenance plan should be implemented to ensure that good site lines of external areas of the building are maintained.
57. Lighting should be designed to the Australian and New Zealand Lighting Standards with particular attention to AS/NZ 1680 'Interior and Workplace Lighting' and AS/NZS 1680 'lighting necessary to alleviate panic and to permit safe evacuation of the building'.
58. Consideration should be given to adopting a Business Lighting Maintenance plan.
59. As the main public entrance to the police station has been historically from the Currajong street frontage, appropriate signage directing the general public to the foyer section in Court Street should be erected.
60. Signage restricting the access of the general public from restricted areas shall be installed.

61. The practice of keeping an official visitors register shall be maintained.
62. Non-staff members shall be supervised in non-public areas of the police station.
63. A graffiti management plan needs to be incorporated into the maintenance plan for the development.
64. A security gate that allows egress (but not ingress) from the southern side of the old police station building shall be installed.
65. Security gates to restrict unauthorised access to rear and side areas of buildings should be installed.

Inspections

66. The Applicant should obtain a Compliance Certificate from Parkes Shire Council or an Accredited Certifying Authority, certifying that all road-works, including drainage infrastructure, has been constructed and completed in accordance with AUS-SPEC#1/Parkes Shire Council. For the purposes of obtaining the Compliance Certificate, the roadworks must be inspected by Council or an Accredited Certifying Authority at the times specified below:
 - (a) **Earthworks:** Prior to any road works and when all sediment controls have been placed in position.
 - (b) **Road Drainage:** When all drainage work and structures are installed and prior to backfilling.
 - (c) **Kerb and Gutter:** When the road-base is properly formed and levels for the top of the kerb are in place and prior to pouring of concrete.
 - (d) **Road Pavement:** When the road-base is properly formed and compacted and prior to sealing.
 - (e) **Completion:** When all roadworks are completed, including sealing, directional signage, street lighting and street furniture.

Note 1: The above Compliance Certificate(s) are required irrespective of whether the work has been inspected by a structural engineer, a lending authority or any other person.

Note 2: Any additional Council inspection that is needed to verify the compliance of any work and that is beyond the scope of any Compliance Certificate package listed above will be charged at the individual inspection rate nominated in Parkes Shire Council's Fees and Charges Schedule.
67. The Applicant should obtain a Compliance Certificate from Parkes Shire Council, certifying that all works, fees and charges required in connection with the provision of water supply to the development have been undertaken and complied with in full. The Certificate of Compliance shall include all relevant works verified by appropriate Compliance Certificates, fees and charges that are currently being applied at the time of the release of the final survey plan by Parkes Shire Council.

Note 1: All monetary contributions in relation to the connection to the reticulated water supply must be paid in full before Parkes Shire Council will issue a Certificate of Compliance.

Note 2: A scaled "works as executed plan" showing the layout of water reticulation works that have been carried out in relation to the development is required to be submitted to Parkes Shire Council for approval by Council's Director of Operations prior to the issue of a Certificate of Compliance.

Prescribed conditions under the Environmental Planning and Assessment Regulation 2000

Compliance with Building Code of Australia and insurance requirements under the [Home Building Act 1989](#)

68. A development consent for development that involves any building work must be issued subject to the following conditions:

- (a) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*, in force on the date of the application.
- (b) in the case of residential building work for which the [Home Building Act 1989](#) requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

Note: This condition does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.

Note: This condition does not apply:

- (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), of the Environmental Planning and Assessment Regulation 2000, or
- (b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.

Note: In this condition, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

Erection of signs

69. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Note: This condition does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building.

Note: This condition does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

- Note: This condition applies to a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.
- Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

Notification of [Home Building Act 1989](#) requirements

70. Residential building work within the meaning of the [Home Building Act 1989](#) must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
71. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under condition 74 above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.
72. Conditions 4 and 5 do not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

Fulfilment of BASIX commitments

73. The commitments listed in each relevant BASIX certificate for the development must be fulfilled, for any BASIX affected development, or any BASIX optional development in relation to which a person has made an application for a complying development certificate that has been accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A of Schedule 1 for it to be so accompanied), .

Condition relating to shoring and adequacy of adjoining property

74. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
- (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- Note: This condition does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Attachments

Nil.