

2014/279

REPORT TO

GENERAL MANAGER

WESTERN REGION JOINT REGIONAL PLANNING PANEL

FROM

TOWN PLANNER (CRUMP)

DATE

4 MARCH 2014

ON

DEVELOPMENT APPLICATION

**PEISLEY STREET ORANGE, 151 BYNG STREET ORANGE
INFORMATION AND EDUCATION FACILITY (ORANGE REGIONAL
MUSEUM), BUSINESS IDENTIFICATION SIGNAGE AND
DEMOLITION (EXISTING BUILDING - VISITORS' INFORMATION
CENTRE)**

PR9697 - IC14/348

Application Lodged

10 January 2014

Development Application No

DA 3/2014(1)

Plan No/s

Site Survey Plans:

8194-DET(sheets 1 to 6) all issue 4 (6 sheet/s)

Architectural Drawings:

Project no. CA3089:

0000 Rev B; 0001 Rev B; 0500 Rev B;

0501 Rev B; 0502 Rev B; 0901 Rev B;

1000 Rev B; 1001 Rev B; 1010 Rev B;

2001 Rev B; (10 sheet/s)

Landscape drawings:

CS-001 Revision B; PP-501 Revision B;

FI-201 Revision B; FI – 202 Revision B;

FU801 Revision B (2 sheets);

(6 sheet/s in total)

Applicant

Orange City Council

C/- Mark Thompson, Urbis

GPO Box 5278

SYDNEY NSW 2001

Owner/s

The State of New South Wales

Land Description

Lot 8 DP 820905, Lot 1 DP 257566 – 151 Byng
Street and land in Peisley Street, Orange

Proposed Land Use

Information and Education Facility (Orange
Regional Museum), Business Identification
Signage and Demolition (existing building -
Visitors' Information Centre)

Value of Proposed Development

\$7,000,000.00

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Provisions of LEP 2011

Zone RE1 Public Recreation

Details of Advertisement of Project

The development was advertised in the central western daily on Wednesday, 22 January 2014. Exhibition concluded Wednesday, 5 February 2014.

Recommendation

Approval

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EXECUTIVE SUMMARY

Council's consent is sought for the construction of an Information and Education Facility, the display of Business Identification Signage and the demolition of the existing visitor information centre on land described as Lot 8 DP 820905 and Lot 1 DP 257566. The land is known as 151 Byng Street Orange.

The development involves demolishing the existing visitors information centre to make room for Orange Regional Museum (the museum). The museum will also comprise a new visitors information centre and an ancillary café internally within.

The new building will comprise a total footprint of 1250m² and will be broken up into the following areas:

Use / Space	m²
Museum	510
Lobby	231
Café/kitchen/store	175
Office	50
Plant/store	81
Amenities	46
Loading/BOH	111
Comms.	7
Switch	6
Circulation	33
Total	1250

The development is described as being *the final addition to the civic centre which already comprises of an award winning gallery, library, and civic theatre*. The main museum space will be split in to two areas, with one area comprising a semi-permanent exhibition space, and the other catering for travelling exhibitions on a more temporary arrangement.

The proposed building adopts a unique and interesting design featuring a sloping grassed roof form which doubles as an outdoor public recreation space, a space fully accessible via an elevator providing external access to the roof area. The roof form extends from ground level in the south eastern corner of the site and slopes up to the western edge of the building doubling as a cantilevered eave overhang above the museum's entrance and along the Byng Street frontage. The building itself is single storey, triangular shaped with vast elements of commercial style full height glazing, colour backed glass and glass balustrades. Other architectural finishes include; pre-finished metal panels and louvred screening, off-formed concrete element and paved areas.

The land the subject of this application comprises two separate lots, both of which are Crown land of which Council has the responsibility of care and control of the land. The plans show the proposed building being constructed over the boundaries and therefore has implications in terms of the Building Code of Australia which will need to be addressed at the construction certificate stage of the development or, alternatively the lots will need to be consolidated.

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Executive Summary (cont)

The applicant is seeking approval for a café as part of the museum. Restaurant or cafés are defined term in Orange Local Environmental Plan 2011 but are prohibited in the zone. It is the opinion of Council staff that the café associated with this development is ancillary being subservient or subordinate to the primary land use as an information and education facility which includes the museum and the visitors information centre. However, this would only be the case if the café is operated generally at the same times as the museum or visitor information centre. Otherwise the café could not be considered subservient or subordinate and would be considered a separate land use which would be prohibited in the zone. The proposed hours of operation of the café are well outside those indicated for the museum and visitor information centre and therefore, the café could not be considered ancillary. As such, for the café to remain ancillary a condition is attached to the notice to effect that the café may only operate generally at the same time as the museum or visitor information centre.

The submitted plans indicate that the amenities block adjacent to the library is to be demolished. The application does not relate to the land the amenities block is situated on and the applicant has not sought consent for this aspect of the development in either the application form or the state of environmental effects. To this end a condition is attached to the effect that the consent does not allow for the demolition of the amenities block.

The determining authority for this development is the Western Region Joint Regional Planning Panel (JRPP) as the development is a Council-related development that has a capital investment value over \$5 Million as provided in schedule 4A of the *Environmental Planning and Assessment Act*.

The development is consistent with Council's relevant planning provisions and is recommended for approval.

FINANCIAL IMPLICATIONS

There are no expected financial implications from adopting the recommendation in this report.

POLICY/GOVERNANCE IMPLICATIONS

There are no expected policy or governance implications from adopting the recommendation in this report.

RECOMMENDATION

That the Western Joint Regional Planning Panel grants consent to development application DA 3/2014(1) for *Information and Education Facility (Orange Regional Museum), Business Identification Signage and Demolition (existing building - Visitors' Information Centre)* at Lot 8 DP 820905 and Lot 1 DP 257566 – 151 Byng Street and land in Peisley Street, Orange pursuant to the conditions of consent in the attached Notice of Approval.

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THE APPLICATION

Council's consent is sought for the construction of a Information and Education Facility, the display of Business Identification Signage and the demolition of the existing visitor information centre on land described as Lot 8 DP 820905 and Lot 1 DP 257566. The land is known as 151 Byng Street and land in Peisley Street, Orange.

THE PROPOSAL

The proposal involves the demolition of the existing visitor's information centre and construction of the new Orange Regional Museum comprising space for two exhibitions one on a semi permanent basis and a second space catering for traveling or temporary exhibitions. The development also involves a new tourist information space and café.

The proposed building will comprise the following areas:

<i>Use / Space</i>	<i>m²</i>
Museum	510
Lobby	231
Café/kitchen/store	175
Office	50
Plant/store	81
Amenities	46
Loading/BOH	111
Comms.	7
Switch	6
Circulation	33
Total	1250

MATTERS FOR CONSIDERATION

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

Section 5A Assessment

In the administration of sections 78A, 79B, 79C, 111 and 112, the provisions of Section 5a must be taken into account for every development application, in deciding whether there is likely to be a significant effect on threatened species, populations or ecological communities or their habitats. This section includes a requirement to consider any adopted assessment guidelines, which means assessment guidelines issued and in force under section 94A of the *Threatened Species Conservation Act 1995*. Assessment guidelines are in force (see DECC-W "Threatened Species Assessment Guidelines - The Assessment of Significance") which requires consent authority to adopt the precautionary principle in its assessment.

In this instance, site inspection reveals the subject property has no biodiversity or habitat value.

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

Orange Local Environmental Plan 2011

Part 1 - Preliminary

Clause 1.2 - Aims of Plan

The broad aims of the LEP are set out under subclause 2. Those relevant to the application are as follows:

- (a) *to encourage development which complements and enhances the unique character of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle,*
- (b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,*
- (f) *to recognise and manage valued environmental heritage, landscape and scenic features of Orange.*

The application is considered to be consistent with aims (a), (b) and (f) listed above.

Clause 1.6 - Consent Authority

This clause establishes that, subject to the Act, Council remains the consent authority for applications made under the LEP. The Western Region Joint Regional Planning Panel exercises the functions of Council in the determination of this application.

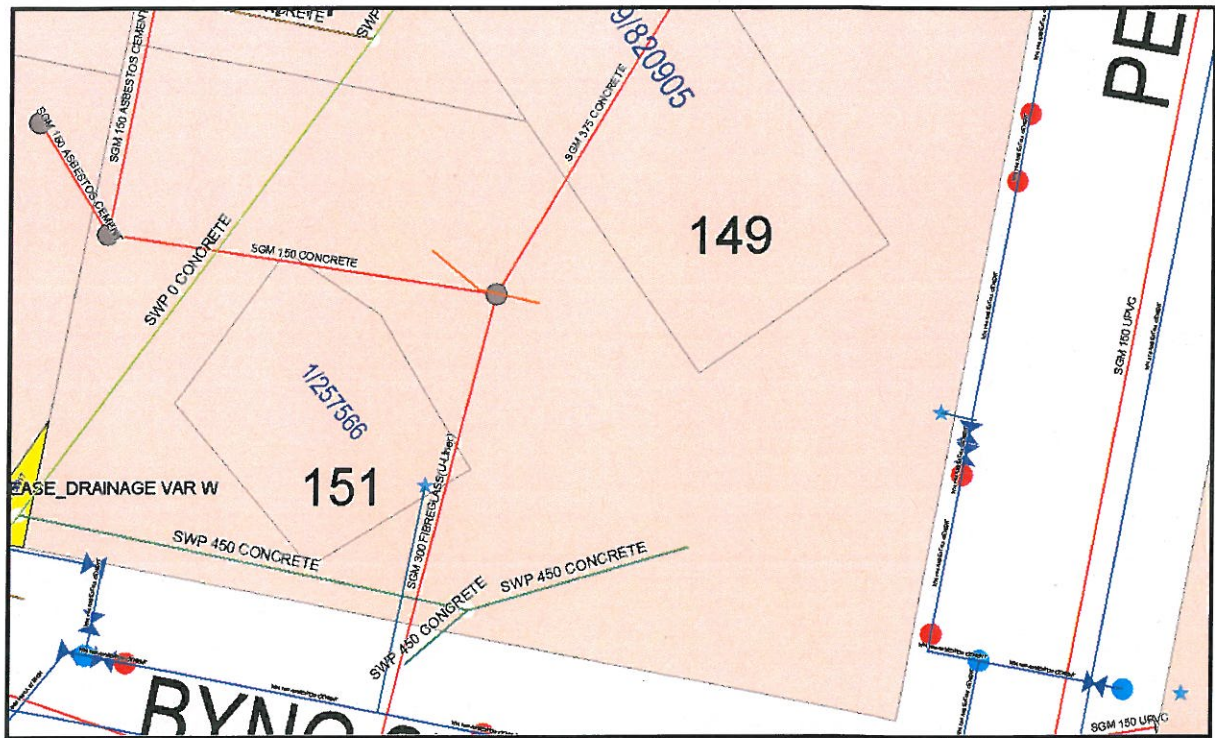
Clause 1.9A - Suspension of Covenants, Agreements and Instruments

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions.

- covenants imposed or required by Council
- prescribed instruments under Section 183A of the *Crown Lands Act 1989*
- any conservation agreement under the *National Parks and Wildlife Act 1974*
- any trust agreement under the *Nature Conservation Trust Act 2001*
- any property vegetation plan under the *Native Vegetation Act 2003*
- any biobanking agreement under Part 7A of the *Threatened Species Conservation Act 1995*
- any planning agreement under Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979*

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Clause 1.9A - Suspension of Covenants, Agreements and Instruments (cont)



A sewer line traverses the subject land at various points as identified above. A stormwater line also traverses the subject land. However, no easements exist over said infrastructure. The development will be built over the sewer lines and the stormwater lines will be redirected as part of the development. Council staff are not aware of the title of the subject property being affected by any of the above.

Mapping

The subject site is identified on the LEP maps in the following manner:

Land Zoning Map:	Land zoned RE1 Public Recreation
Lot Size Map:	No Minimum Lot Size
Heritage Map:	Not a heritage item or heritage conservation area
Height of Buildings Map:	Building height limit 12m
Floor Space Ratio Map:	No floor space limit 1.5:1
Terrestrial Biodiversity Map:	No biodiversity sensitivity on the site
Groundwater Vulnerability Map:	Ground water vulnerable
Drinking Water Catchment Map:	Not within the drinking water catchment
Watercourse Map:	Within or affecting a defined watercourse
Urban Release Area Map:	Not within an urban release area
Obstacle Limitation Surface Map:	No restriction on building siting or construction
Additional Permitted Uses Map:	No additional permitted use applies

Those matters that are of relevance are addressed in detail in the body of this report.

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Part 2 - Permitted or Prohibited Development**Land Use Zones**

The subject site is located within the RE1 Public Recreation Zone. The proposed development is defined as an information and educational facility and business identification signage under OLEP 2011. Pursuant to the dictionary contained within OLEP 2011 an information and education facility means:

a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

Business Identification signage means:

a sign:

(a) that indicates:

- (i) the name of the person or business, and*
- (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and*

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Information and Education Facilities and business identification signage are permissible in the RE1 Public Recreation zone with the consent of Council. The development also involves demolition which also requires consent pursuant to clause 2.7 of OLEP 2011 which is expanded upon below.

The development incorporates an ancillary café associated with the museum and/or visitor information centre. Cafes are prohibited in the RE1 Public Recreation zone. Notwithstanding this, Council staff are satisfied it constitutes ancillary development and is subservient or subordinate to the dominate use of the land being, the information and education facility.

The Department of Planning and Infrastructure issued a circular on the characterisation of development (PS 13-001). The circular defines ancillary uses as *a use that is subordinate or subservient to the dominate purpose. The concept is important when a development involves multiple components on the same lot.*

The circular sets out considerations for characterisation of development. Those relevant to this development are addressed below.

Is the component going to serve the dominant purpose of the development or is it independent?

In response to the above, the café is located internally within the proposed building and as such there is a clear nexus between the dominate use of museum and/or visitors information centre and the supporting use of the café that will serve the dominate use. However in saying this, the hours of operation differ quite significantly between the café and museum. It is submitted the principal hours of operation to be:

- 10am – 5pm for standard museum opening hours;
- 7am – 5pm for standard café hours.

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Land Use Zones (cont)

The applicant has applied for flexibility in the hours of operation to allow for functions and events that would be held throughout the year. As such flexibility is sought through proposed hours of operation being:

- 8am – 1am for museum functions and openings;
- 6am – 1am for café functions.

Council staff raise no objections to the extended hours to allow flexibility given the separation of sensitive receivers and the proximity to the CBD and thus the commercial type character of the land.

That being said, in order for the café component of the development to be characterised as ancillary development it has to *serve the dominate purpose*. It is the contention of staff that the proposed hours of operation of the café are such that it would be perceived to operate independently of the museum or outside of the operation of the museum. Therefore the café could not be characterised as an ancillary component of the development; and would be a separate use within a mixed use development, a use which is prohibited in the zone.

In order to overcome this situation, a condition is attached to the notice to the effect that the café shall operate generally during the nominated hours of operation of the museum. Some flexibility is allowed for the preparation of the days trading and allow for clean up after close. To this end, the trading of the café should be limited to generally coincide with the opening hours of the museum.

What is the amount of land to be used for a certain component, relative to the amount of land proposed to be used for other purposes? If the amount of land is relatively small, it is more likely to be ancillary.

The café comprises 175m² equating to 14% of the overall floor area of the development, an area considered relatively small and therefore more likely to be characterised as ancillary.

Evidence of a purpose that is inconsistent with the dominate purpose is likely to undermine a claim that a component is ancillary.

There is no evidence to suggest the café is inconsistent with the dominate purpose of the museum, in actual fact it is considered to complement the museum and enhance the experience of patrons and visitors attending the museum.

If the component goes beyond what is reasonably required in the circumstances for the development to implement the dominant purpose it is likely to be an independent use (regardless of whether it has ancillary qualities)

In response to the above, it is considered the museum is not reliant on the operation of the café to occur, therefore the café can be considered ancillary.

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Land Use Zones (cont)

Physical proximity of the component to the rest of the development is likely to be evidence of an ancillary relationship, although again not necessarily determinative.

The café is located within the confines of the museum and presents clearly as an ancillary component of the museum.

With the above test used as a guide, the development can clearly be characterised as an ancillary component serving the dominant use of the land being the information and education facility, provided however, the operation of the two components coincide with each other via the attached condition of consent.

Clause 2.3 of LEP 2011 references the Objectives for each zone in LEP 2011. These objectives for land zoned RE1 Public Recreation Zone are as follows:

1 - Objectives of the RE1 Public Recreation Zone

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To ensure development is ordered in such a way as to maximise public transport patronage and encourage walking and cycling in close proximity to settlement.*
- *To ensure development along the Southern Link Road has alternative access.*

The development is considered to be consistent with the zone objectives. The design of the development is such that it provides numerous permutations of how the open space can be used, through the formal indoor museum space and informal outdoor open space with the grassed roof area, amphitheatre stairs and other gathering and meeting points providing a sense civic identity and place.

The development has reasonable access to public transport with the location of a bus stop within Byng Street.

Clause 2.7 - Demolition Requires Development Consent

The demolition of a building or work may be carried out only with development consent under clause 2.7 of OLEP 2011.

The applicant is seeking to demolish the existing visitor's information centre to make way for the new museum building which incorporates a visitor information space within lobby. Pursuant to OLEP 2011 demolish means:

in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

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Clause 2.7 - Demolition Requires Development Consent (cont)

The existing building is neither a heritage item nor is it located within a heritage conservation area however; the land is in the vicinity of the heritage item, Robinson Park. The subject building is not identified as having any heritage significance; and both Council staff and Council's Heritage Advisor raise no objection to its demolition.

The plans indicate the demolition of an amenities block on the adjoining land. As indicated above the application does not relate to this land and as such consent can not be granted to its demolition under this consent. Separate consent will need to be granted for its demolition.

Part 4 - Principal Development Standards**Clause 4.3 - Height of Buildings**

This clause limits the height of buildings (HoB) on land identified on the Height of Buildings Map. The subject land is identified on the Map as having a HoB limit of 12m. The maximum height of the proposed development is 9.72m to the top extremity of the elevator shaft being the highest point of the proposed building. The development is therefore consistent with the established height limit.

Clause 4.4 - Floor Space Ratio

This clause limits the floor space ratio (FSR) permitted on land identified on the Floor Space Ratio Map. Clause 4.5 is associated with this clause and establishes the rules for calculating the site area and FSR of any proposal. These rules exclude certain parts of a site and development such as:

- excluding any part of the site upon which the development is prohibited (ie if the site is split zoned only the zone in which the development is permissible may be considered)
- excluding community land and most public places
- lots in a strata scheme wholly or partly above other lots in the scheme do not increase the site area (ie the site area is the ground level of the scheme only)
- adjoining lots in the same ownership do not form part of the site area unless significant parts of the development are proposed on that land
- the floor area of existing buildings is to be included in the FSR calculation
- any covenant restricting floor space on the lot, due to floor space having been considered as part of the development of another lot, is to be taken into account.

The subject land is identified on the Map as having an FSR of 1.5:1. The subject land has a total site area of 12657m². The development comprises a floor area of 1058m² (excluding plant and loading area). The applicant has nominated the site area where the development is proposed to be an area 5188m² as shown below. Based on this approach the development results in an FSR of 0.20:1 which is well below the maximum 1.5:1 ration required. If the entire site was used to calculate the FSR it would equate to 0.084:1 which is significantly lower than the relevant development standard.

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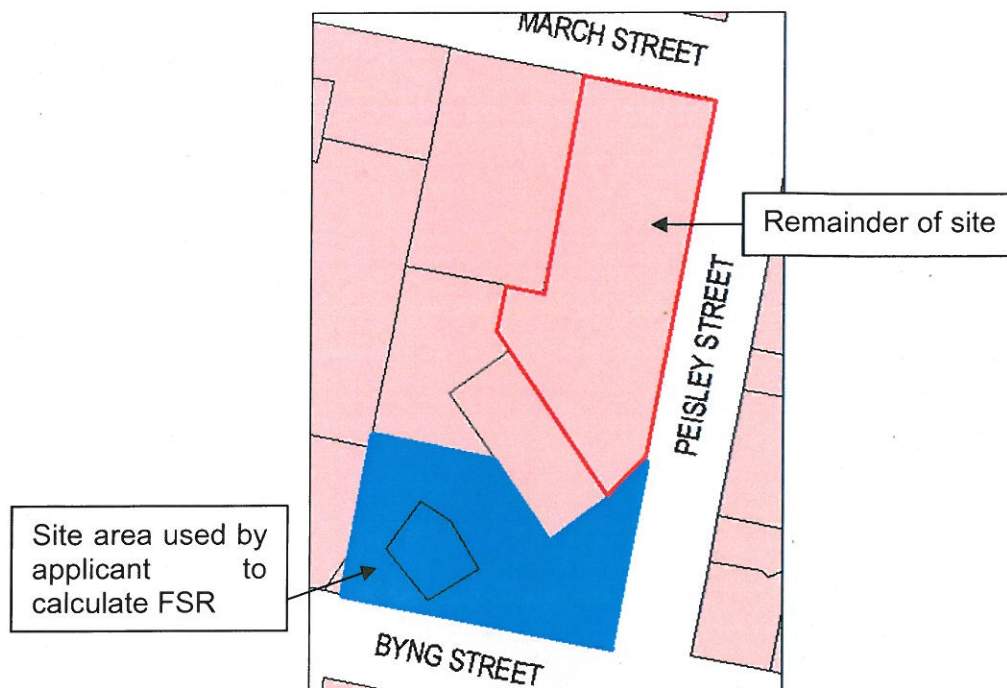
Clause 4.4 - Floor Space Ratio (cont)

Clause 4.5(7) of OLEP 2011 provides for a different approach to calculating FSR on certain public land. It states:

For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

On this basis, the FSR would relate only to the area where the development is to occur. The FSR would be 0.85:1 based on a site area equivalent to the area of the building at 1250m² and a gross floor area of 1058m².

The development is consistent with the relevant development standard.



Part 5 - Miscellaneous Provisions

5.10 - Heritage Conservation

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Orange,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

Consideration of the impact upon Heritage Items within the vicinity of the subject land are addressed below under the heading Heritage Impacts.

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Part 7 - Additional Local Provisions**7.1 - Earthworks**

This clause establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, such as:

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*
- (b) *the effect of the development on the likely future use or redevelopment of the land*
- (c) *the quality of the fill or the soil to be excavated, or both*
- (d) *the effect of the development on the existing and likely amenity of adjoining properties*
- (e) *the source of any fill material and the destination of any excavated material*
- (f) *the likelihood of disturbing relics*
- (g) *the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area*
- (h) *any measures proposed to minimise or mitigate the impacts referred to in paragraph (g).*

The earthworks proposed in the application are limited to the extent of cutting and filling required for the proposed information and education facility. The extent of disruption to the drainage of the site is considered to be minor and will not detrimentally affect adjoining properties or receiving waterways. The development will be erected over the Blackmans Swamp Creek stormwater channel which will affect earthworks in the vicinity, however floor levels have been established and have been factored into the proposed building design.

The extent of the earthworks will not materially affect the potential future use or redevelopment of the site that may occur at the end of the proposed development's lifespan.

The site is not known to be contaminated, nor is the site known to contain any Aboriginal, European or Archaeological relics. Previous known uses of the site do not suggest that any relics are likely to be uncovered. However, conditions are imposed to ensure that should site works uncover a potential relic or artefact, works will be halted to enable proper investigation by relevant authorities and the proponent required to seek relevant permits to either destroy or relocate the findings.

The earthworks will be appropriately supported onsite and the change in ground level is not substantial. Therefore the effect on the amenity of adjoining properties is considered to be minor.

The site is not in proximity to any waterway, drinking water catchment or sensitive area. Conditions may be imposed to require a sediment control plan, including silt traps and other protective measures, to ensure that loose dirt and sediment does not escape the site boundaries.

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7.2 - Flood Planning

This clause applies to land identified on the Flood Planning Map as a Flood Planning Area and requires that, before any consent is issued, Council must be satisfied that the proposal:

- (a) *is compatible with the flood hazard of the land, and*
- (b) *is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) *incorporates appropriate measures to manage risk to life from flood, and*
- (d) *is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) *is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

The subject land is identified as a flood planning area pursuant to the flood planning maps i.e. over the Blackmans Swamp stormwater channel. As such minimum floor heights have been established by Council's Technical Services Division.

In this regard the proposed development is unlikely to change flooding regimes on or off the site and would be unlikely to cause or contribute to erosion, siltation or reduce riparian vegetation, and is therefore unlikely to create a cost burden on the community or neighbours. Notwithstanding the above a suitable condition of consent may be imposed relating to finished floor levels and the location of electrical outlets as a precautionary measure.

7.3 - Stormwater Management

This clause applies to all industrial, commercial and residential zones and requires that Council be satisfied that the proposal:

- (a) *is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting onsite infiltration of water*
- (b) *includes, where practical, onsite stormwater retention for use as an alternative supply to mains water, groundwater or river water; and*
- (c) *avoids any significant impacts of stormwater runoff on adjoining downstream properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

The proposal has been designed to include permeable surfaces and includes onsite retention of stormwater through the use of rainwater tanks and an OSD tank. It is therefore considered that the post development runoff levels will not exceed the predevelopment levels.

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7.5 - Riparian Land and Watercourses

This clause seeks to preserve both water quality and riparian ecological health. The clause applies to land identified as a "Sensitive Waterway" on the Watercourse Map. The subject land contains such a waterway and therefore Council must consider whether or not the proposal:

- (a) *is likely to have any adverse impact on the following:*
 - (i) *the water quality and flows within a watercourse*
 - (ii) *aquatic and riparian species, habitats and ecosystems of the watercourse*
 - (iii) *the stability of the bed and banks of the watercourse*
 - (iv) *the free passage of fish and other aquatic organisms within or along the watercourse*
 - (v) *any future rehabilitation of the watercourse and its riparian areas, and*
- (b) *is likely to increase water extraction from the watercourse.*

Additionally Consent may not be granted until Council is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised - the development will be managed to mitigate that impact.*

The Blackmans Swamp Creek stormwater channel traverses the subject land which is a major waterway within the City. The waterway, whilst a major waterway within the City, is highly modified within the urban environment and the development is not likely to unreasonably impact further upon the quality of water within the waterway. Additionally, stormwater retention via rainwater tanks and OSD tanks may further reduce potential risk to the water course.

Overall, while there will always remain a risk to the waterway under extreme circumstances such as record storms and the like, it is considered that the risk of adverse impact can be appropriately managed to an acceptable level of risk.

7.6 - Groundwater Vulnerability

This clause seeks to protect hydrological functions of groundwater systems and protect resources from both depletion and contamination. Orange has a high water table and large areas of the LGA, including the subject site, are identified with "Groundwater Vulnerability" on the Groundwater Vulnerability Map. This requires that Council consider:

- (a) *whether or not the development (including any onsite storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or have any adverse effect on groundwater dependent ecosystems, and*
- (b) *the cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.*

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7.6 - Groundwater Vulnerability (cont)

Furthermore consent may not be granted unless Council is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact,*
- (c) *if that impact cannot be minimised - the development will be managed to mitigate that impact.*

The proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems. The proposal does not involve extraction of groundwater and will therefore not contribute to groundwater depletion. The design and siting of the proposal has sought to avoid impacts on groundwater and is therefore considered acceptable.

STATE ENVIRONMENTAL PLANNING POLICIES**State Environmental Planning Policy 55 - Remediation of Land**

State Environmental Planning Policy 55 - Remediation of Land applies to the subject development. The subject land has been used most recently as public recreation and will continue to be used as such. There is no obvious evidence of the land being contaminated. However, should the land be found to be contaminated during construction further investigation and remediation will be required pursuant to the Contaminated Land Management Act.

State Environmental Planning Policy 64 – Advertising and Signage

State Environmental Planning Policy 64 – Advertising and Signage applies to the subject land. The applicant is seeking consent for the following business identification signage panels, these are indicative only with a condition of consent requiring them to be consistent with the definition of business identification signage.

- **Byng Street Frontage signage: western edge: 1000mm(w) x 2000mm(h).**
- **Byng Street frontage: façade signage: 5000mm(w) x 1000mm(h).**
- **Western boundary signage area: 1000mm(w) x 2000mm(h).**
- **Western frontage: Café façade signage: 5000mm(w) x 2500mm(h)**

Essentially the development comprises two flush mounted signs and two totem style signs one within the Byng Street frontage and the other north west of the site adjacent to the Library.

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SEPP 64 (cont)

The two totem style signs are outside the subject land nominated on the application form and therefore Council does not have the ability to issue consent to them. Notwithstanding this, the recent changes to the State Environmental Planning Policy (exempt and complying development codes) 2008 allows for Community notice and public information signs to be exempt development. It is recommended the applicant explore what opportunity there may be to install the two totem style signs as exempt development. If the subject signage is not exempt development a separate development application will need to be sought.

The café sign is considered a large sign when considering the ancillary development characterisation and in terms of the scale of that element of the building where it is proposed. In this regard the indicative signage panel dimensions should be reduced by 30% i.e. 3500mm x 1750mm. This will result in business identification signage that is more appropriate when considering the ancillary use and the context of the development. A condition is attached to this effect.

Clauses 9 and 10 of the SEPP restricts signage in open space areas to business identification signage only. The subject land is considered to be characterised as "open space" given the public recreation zoning. The application is consistent with this requirement, no general advertising is proposed.

3 - Aims, objectives etc

(1) *This Policy aims:*

- (a) *to ensure that signage (including advertising):*
 - (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

(2) *This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

The development is consistent with the aims, objectives etc of the plan.

4 - Definitions

Pursuant to clause 4 the proposed signage is defined as business identification signage and is defined above under LEP 2011.

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SEPP 64 (cont)**6 - Signage to Which this Policy Applies**

- (1) *This Policy applies to all signage:*
- (a) *that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
 - (b) *is visible from any public place or public reserve, except as provided by this Policy.*
- (2) *This Policy does not apply to signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it, or that is exempt development under this Policy.*

The proposed signage can be displayed with development consent and will be visible from a public place, and therefore SEPP 64 applies to the application.

8 - Granting of Consent to Signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the objectives of this Policy as set out in clause 3(1)(a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

The signage is consistent with the aims, objectives, etc of the plan and a Schedule 1 assessment is undertaken below.

Character of the Area

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

The area is characterised through the existing development within the vicinity of the subject land as primarily of a civic or public nature. There are examples of commercial development nearby such as a car wash and tyre centre displaying business identification signage. There is no particular theme of outdoor advertising in the area. The development is not inconsistent with the general theme of business identification signage in the locality particularly in the Civic precinct.

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SEPP 64 (cont)**Special Areas**

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

The subject land is considered to be a special "open space area". The proposed signage will not detract from the amenity or visual quality of the open space area. The scale and design of the signage is not atypical of signage associated with similar buildings in the vicinity, such as the Civic Theatre.

Views and Vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

The two signs the subject of this consent are wall mounted and therefore will not impact upon any views or vistas within the locality.

Streetscape, Setting or Landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

The proposed signs will be appropriate within the streetscape or wider landscape. Given the design of the building the signage itself will not add much to the visual interest to the street as the main interest will obviously be from the building itself. The signage will however appropriately identify the businesses. The signage fits within the envelope of the building and will not protrude above any buildings, structures or tree canopies. The signage is wall mounted and will not require ongoing vegetation management.

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SEPP 64 (cont)**Site and Building**

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

The two wall mounted signs are appropriate in terms of scale and proportions in relation to the proposed building (with consideration of the imposed condition of the café signage). The Byng Street façade signage fits well within the envelope of the building and is contained within the eave overhang. The conditioned café signage will relate better to the scale of the overall building and be more appropriate in the context and setting of the locality. The two signs will not impact upon any important features of the building such as the clean lines of the roof form.

Associated Devices and Logos with Advertisements and Advertising Structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

The application is for indicative signage panels and is therefore unclear if logos form part of the proposed business identification. Irrespective of this, the definition of business identification signage allows a logo to be displayed.

Illumination

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

It is unclear if the proposed signage is illuminated; irrespective of this, Council staff raise no objections to the two signs if they were to be illuminated. There are no sensitive receivers within the vicinity of the subject land that would be impacted upon if the proposed signs were to be illuminated.

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SEPP 64 (cont)**Safety**

- Would the proposal reduce the safety for any public road?
- Would the proposal reduce the safety for pedestrians or bicyclists?
- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

The two signs are wall mounted and will therefore not impact upon traffic, cyclists or pedestrians.

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

Orange Local Environmental Plan 2011 currently has a Draft Amendment that has been the subject of public consultation. The amendment relates to:

- the rezoning of five areas within the LGA for additional residential opportunities
- a rezoning in relation to a small area of industrial land in Leeds Parade
- rezoning of land in the vicinity of Orange airport to facilitate the planned expansion
- changes to schedule 5 including over 200 new heritage items, a new heritage conservation area and a reduction in the Spring Hill heritage conservation area
- changes to the minimum lot size required for dual occupancies in Ploughmans Valley
- rectification of a minor mapping anomaly in Ploughmans Valley for minimum lot sizes to reduce the minimum lot size required in rural areas for intensive plant agriculture, and
- introduction of a new clause clarifying that all subdivision of land is (or will be) adequately provisioned with essential services.

This application does not relate to any of the above matters and is not situated on land intended to be rezoned under the draft Amendment to Orange Local Environmental Plan 2011

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s79C(1)(a)(iii)**Development Control Plan 2004**

Development Control Plan 2004 ("the DCP") applies to the subject land (Part 0 – LEP 2011, Part 11 – Land uses for open space and recreation, Part 14 – Advertising and Part 15 Car Parking). An assessment of the proposed development against the relevant Planning Outcomes will be undertaken below.

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Part 0 LEP 2011General Translation of Zones

Chapter 0.2 of Orange DCP provides a conversion table of old zone and the applicable new zones. The table indicates that the former Zone 6 Open Space is the equivalent of the RE1 Public Recreation Zone. As such, the relevant provisions pertaining to Part 11 of Orange DCP applies to the assessment of this development as well as other relevant parts.

Tree Preservation

Seventeen (17) large trees are required to be removed to facilitate the proposed museum including the row of large poplars adjacent to the gasometer. And whilst the removal of trees is not considered an ideal planning outcome, in this instance there is a public benefit that is achieved with the proposed development to counterbalance the removal of the trees. Moreover, the subject trees to be removed do not include any significant stands of natives. The trees were likely planted as part of the original civic precinct and it is not unreasonable to expect their removal to facilitate further development of the area. A detailed landscape plan has been submitted in support of the development. Council staff raise no objection to the removal of the trees as detailed in appendix D of the submitted application.

Chapter 13 – HeritageDevelopment In The Vicinity Of Heritage Items

- *Development conforms with recognised conservation principles.*

Heritage considerations are addressed below under the heading heritage impacts.

Chapter 14 – AdvertisementsAdvertisements

- *The location, size, colour and design of advertisement complement the character of the locality.*
- *Advertisements on buildings fit within the envelope of the building.*

This is addressed above under the heading SEPP 64.

High-Profile areas

- *Business-identification Signs complement the character of the locality.*

The DCP seeks to prohibit business identification signage within high profile locations, and whilst SEPP 64 (which the relevant planning instrument) does not specifically prohibit general advertising in this way, it does preclude general advertising in "open space areas". The application is for business identification signage and is thus consistent with the above.

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Part 15 - Car Parking

The DCP does not nominate a car parking rate for information and education facilities. In instances where this is the case Council may require a professionally prepared report. The application is supported by a traffic and parking report. The report concludes that the development should have no unacceptable traffic implications.

The development includes an ancillary café. The DCP requires parking for restaurants in the CBD at the rate of 1 space per 40m². The café comprises a floor area of 175m², resulting in a parking demand of 4.4 spaces. There is no ability to provide additional parking on the subject land. Additionally, the café is considered an ancillary component of the museum and is important to get an understanding of the likely parking demand as a factor within the overall parking assessment for the development.

The traffic and parking report indicates a worst case scenario of additional vehicular trips associated with the development to be in the order of 24 vehicular trips per peak hour. The submitted report also identifies the car parking associated with the civic square provides a vacancy of approximately 70 spaces. Furthermore, the report acknowledges the development would generate a parking demand of 25 spaces (10 for staff and 15 for visitors – to accommodate any overlap for 8 vehicles per hour at the most).

Council staff agree with the findings of the traffic and parking report. There is sufficient parking available to the development within close proximity via Tim Sullivan parking area and as such the development is not likely to generate any adverse impacts in terms of parking.

Appropriate public transport is also available within the Byng Street frontage which would further reduce the parking demand.

The traffic report suggests provision be made for bicycle parking within the site. Council staff agree with this suggestion and a relevant condition is attached.

SECTION 64 - WATER AND SEWER HEADWORKS CHARGES

Water and Sewer headworks charges are applicable to the development. Council's Technical Services Division have calculated the requirements for water and sewer for the development taking into account exiting credits associated the existing visitor information centre. Relevant conditions are attached in relation to additional requirements for section 64.

PROVISIONS PRESCRIBED BY THE REGULATIONS s79C(1)(a)(iv)**Demolition of a Building (clause 92)**

The proposal involves the demolition of the existing visitor information centre. A condition is attached requiring the demolition to be carried out in accordance with *Australian Standard AS2601 - 1991: The Demolition of Structures*.

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PROVISIONS PRESCRIBED BY THE REGULATIONS s79C(1)(a)(iv) (cont)**Fire Safety Considerations (clause 93)**

The proposal does not involve a change of building use for an existing building. However as mentioned above, the development involves building over a boundary and the requirements of the Building Code of Australia will need to be complied with as a requirement at construction certificate stage.

Buildings to be Upgraded (clause 94)

The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building.

THE LIKELY IMPACTS OF THE DEVELOPMENT s79C(1)(b)**Context and Setting**

The proposed development is appropriate in the terms of the context and setting of the locality. The development represents further development within the civic square precinct, strengthening a social, cultural and educational focal point for the City.

Traffic Impacts

The application is supported by a traffic report indicating there is a sufficient supply of parking within appropriate distances to cater for the development. The development is well serviced by public transport with a bus stop located directly within the Byng Street frontage. Turning paths of service vehicles have been submitted in support of the development which demonstrate that appropriate arrangements have been made for deliveries. The development is not likely to create any unreasonable traffic impacts within the locality.

Visual Impacts

The developments most obvious visual feature is the sloping grass roof form which appears to rise up out of the ground in the south eastern corner of the site. The design is considered fitting within the context of the civic / public space and makes an obvious reference to design philosophy of the existing buildings on adjoining land, most notably the library and gallery and the remaining area of open public spaces through the use of vast elements glazing and pavement; and landscaping elements that will complement the straight lines and hard edges of the contemporary form. The proposed sitting, scale and footprint of the development provides separation between the existing civic centre/theatre, library and gallery respecting the different built forms of those existing elements and avoiding a situation where the scale of one building may dominate the other.

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Public Domain

The development is unlikely to impact upon the public domain but rather assist in improving the social and cultural attractions within the City and strengthen the civic identity of the important precinct.

Heritage Impacts

The subject land is not identified as a heritage item, nor is it located within a heritage conservation area. The development is however within the vicinity of Robinson Park which is identified as a heritage item. The proposed development also adjoins the site of the foundations of the former gasometer which now contains a public sculpture and is considered to have historic significance. The proposed siting, design and materials demonstrates that a well considered approach has been taken to respect the significance of both the gasometer and heritage items within vicinity.

Environmental Impacts

The applicant is proposing the removal of seventeen large trees, (mostly exotic with no significant natives being removed) to facilitate the development. Whilst extensive vegetation removal is proposed the land is not considered to be of any value or significance from an environmental perspective. The four large poplars, being the largest trees to be removed are likely to have been planted when the precinct was established and it is not unreasonable to expect these trees would be removed to allow for further development of the site.

The land is a highly disturbed urban open space environment, unlikely to contain any endangered ecological communities, threatened species or their habitats. The development is therefore unlikely to result in any unreasonable environmental impacts.

Landscaping

A landscape plan has been submitted in support of the development which provides for extensive landscaping of the site. The proposed landscaping is acceptable within the context of the locality, will improve and enhance the overall space and provide integration with other features of the Civic precinct.

The submitted landscape plans show new landscaping in the location of the Banjo Paterson Statue and the Sister City Garden which are located on land separate to this application, and whilst the building itself will not impact upon these two areas and therefore not relevant to this application, it is worth noting however that the overall redevelopment of the site in terms of landscaping will require their removal. It is understood the Banjo Paterson statue will be removed and relocated to Banjo Paterson Park on Ophir Road, and the Sister Cities Garden will be removed and relocated to augment the existing garden at Centenary Park (adjacent to the homemakers centre on Bathurst Road)

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Natural Hazards

The subject land is located within the Blackmans Swamp Creek stormwater channel and is a major waterway within the urban area of the City. As such, the land is identified as being located within a flood planning area pursuant to OLEP 2011 and as such, minimum finished floor levels are required and were established during pre DA discussion with Council's Technical Services Division and implemented into the design of the building. The proposed floor levels are considered acceptable.

Safety Security and Crime Prevention

Council referred the development to NSW Police who raised no objections to the development. Part of the site will be visible from the Byng Street and partly from Peisley Street allowing for passive surveillance of the site. Further natural surveillance opportunities would be generated by the attraction of people to the other Civic Buildings, enhancing the safety, security and crime prevention of the development. Adequate lighting will be required to prevent instances of anti-social behaviour. A condition to this effect is attached.

Accessibility

The development was referred to the Access committee for comment. The committee did not have a quorum and no formal action was taken by the committee. The committee members attending the meeting raised no objections to the development. The development will need to comply with Building Code of Australia which sets out requirements for accessibility. Equitable access is provided to the grassed roof area through the provision of the external elevator.

Socio Economic Impacts

The development has the potential to result in positive socio economic impacts by strengthening the sense of place and gathering points for people within the Civic precinct as well as providing enhanced social, cultural and educational facilities within the City. The development will generate jobs during both construction and then the ongoing operation of the facility, including the operation of the café. The development should be viewed as an important step in the social and cultural progression of the City.

Economic Impacts

The development represents an opportunity to present Orange as an attractive place to live and visit by adding to, and enhancing the cultural and social diversity of the City and wider Region, stimulating employment and tourism opportunities and benefiting the economy both directly and indirectly.

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Site Design and Internal Design

The site has been designed to allow pedestrian flow without impediment and will not impact upon pedestrian links to the other civic buildings within the precinct. A considered approach has been taken to allow the space to be used in a number of different ways, through the formal indoor space as well as informal outdoor gathering and meeting places, whilst respecting important existing aspects of the precinct.

The design allows for delivery vehicles to enter and leave the site in a forward direction.

Cumulative Impacts

Time Crowded Effects, Space Crowded, Nibbling and Synergistic Effects

Likely time and spaced crowded, nibbling and synergistic effects would be localised to the site and any associated impacts would be within reasonable limits. There may be exceptional circumstances where groups of people may leave an event or open night of an exhibition for instance at the one time, however these would be infrequent, for short periods of time and the development is well separated from any sensitive receivers such that any cumulative impacts would be within reasonable limits.

The development is considered to be acceptable in terms of parking and would not create unreasonable cumulative impacts where competition for parking spaces would occur from people using the other civic buildings within precinct. The civic buildings complement each other and visitors may use the civic centre / theatre, library, art gallery and museum in the one visit, thus spreading the parking demand across other land uses rather than attributing the demand to just one use.

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

The site is considered suitable for the proposed development. As mentioned above the proposed development complements the existing civic buildings on adjoining land and will assist in strengthening the civic identity of the precinct. The development is identified as a flood planning area and as such minimum floors levels have been established and factored into the design of the building. Council staff are not aware of any other hazards associated with the site that may constrain the development.

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

The proposed development is not defined as advertised development under the provisions of the LEP. However the development was advertised due to the perceived public interest in the development and, as such, was exhibited for 14 days. However, at the end of the exhibition period no submissions were been received in relation to this application.

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PUBLIC INTEREST s79C(1)(e)

The proposed development is considered to be of significant interest to the wider public due to the public nature of the building. Many members of the public have been quite active advocating the need for such a facility. The proposal is not inconsistent with any relevant policy statements, planning studies, guidelines, etc that have not been considered in this assessment.

SUMMARY

The proposed development is permissible with the consent of the Western Region Joint Regional Planning Panel as the determining authority. The proposed development complies with the relevant aims, objectives and provisions of the LEP. A section 79C assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

COMMENTS

The requirements of the Environmental Health and Building Surveyor and the Engineering Development Section are included in the attached Notice of Approval.

Andrew Crump
TOWN PLANNER
enc

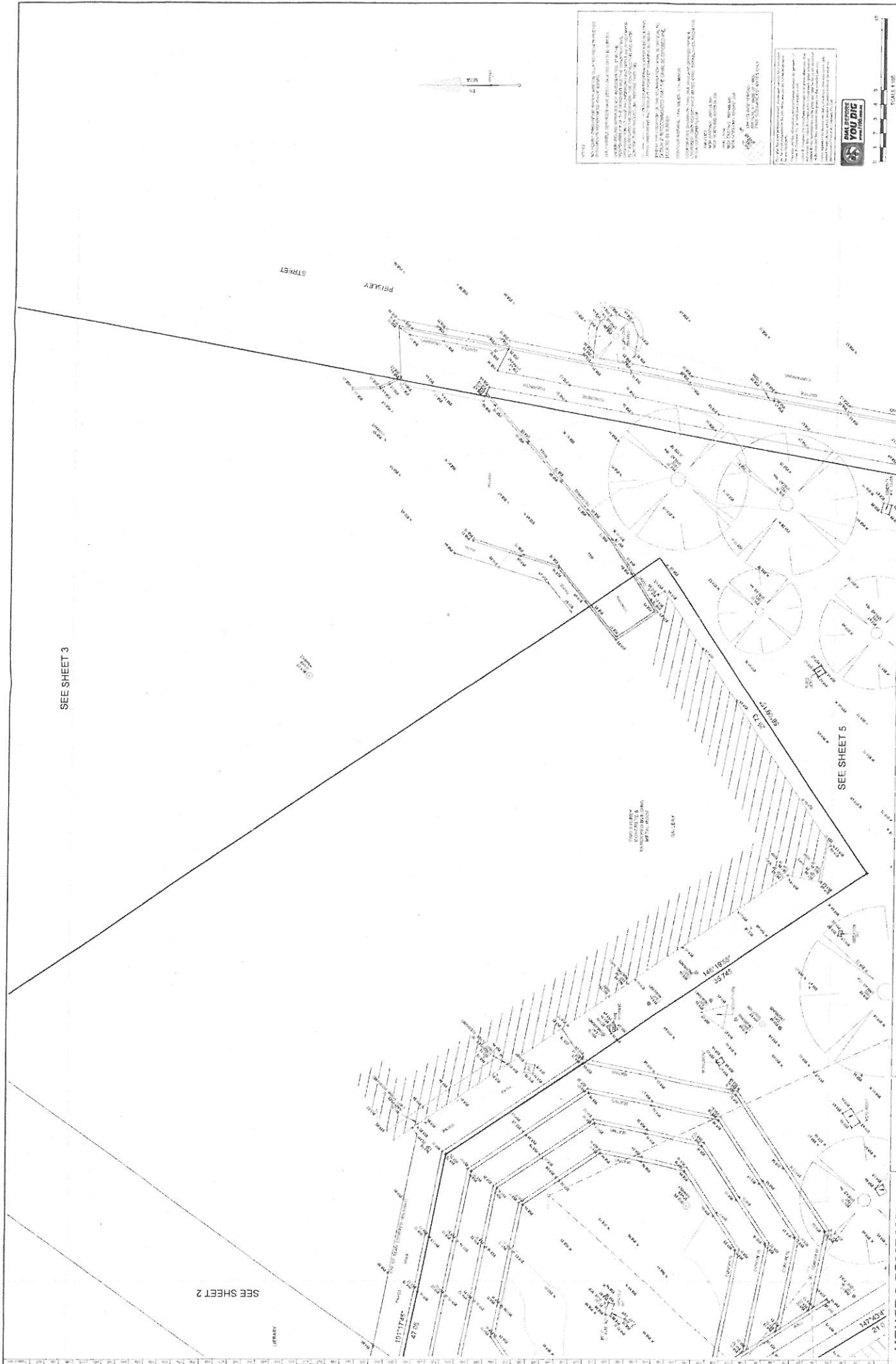
NOTES:

1. THESE PLANS WERE PREPARED FOR THE CITY OF ORANGE AND ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF USHER & COMPANY.
2. THESE PLANS WERE PREPARED FOR THE CITY OF ORANGE AND ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF USHER & COMPANY.
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USHER & COMPANY 1000 N. TULSA AVE. SUITE 100 ORANGE, CA 92668 (714) 961-1111 FAX (714) 961-1112 WWW.USHER-CA.COM		ORANGE CITY COUNCIL 8194-DET SHEET 2 OF 6	
PROJECT INFORMATION		DATE	
PROJECT NAME	PROJECT NO.	DATE	DATE
PROJECT DESCRIPTION	PROJECT NO.	DATE	DATE
PROJECT LOCATION	PROJECT NO.	DATE	DATE
PROJECT OWNER	PROJECT NO.	DATE	DATE
PROJECT DESIGNER	PROJECT NO.	DATE	DATE
PROJECT CONTRACTOR	PROJECT NO.	DATE	DATE
PROJECT ARCHITECT	PROJECT NO.	DATE	DATE
PROJECT ENGINEER	PROJECT NO.	DATE	DATE
PROJECT LANDSCAPE ARCHITECT	PROJECT NO.	DATE	DATE
PROJECT CIVIL ENGINEER	PROJECT NO.	DATE	DATE
PROJECT ELECTRICAL ENGINEER	PROJECT NO.	DATE	DATE
PROJECT MECHANICAL ENGINEER	PROJECT NO.	DATE	DATE
PROJECT PLUMBING ENGINEER	PROJECT NO.	DATE	DATE
PROJECT STRUCTURAL ENGINEER	PROJECT NO.	DATE	DATE
PROJECT GEOTECHNICAL ENGINEER	PROJECT NO.	DATE	DATE
PROJECT ENVIRONMENTAL ENGINEER	PROJECT NO.	DATE	DATE
PROJECT HISTORIC PRESERVATION	PROJECT NO.	DATE	DATE
PROJECT TRANSPORTATION ENGINEER	PROJECT NO.	DATE	DATE
PROJECT WATER RESOURCES ENGINEER	PROJECT NO.	DATE	DATE
PROJECT AIR QUALITY ENGINEER	PROJECT NO.	DATE	DATE
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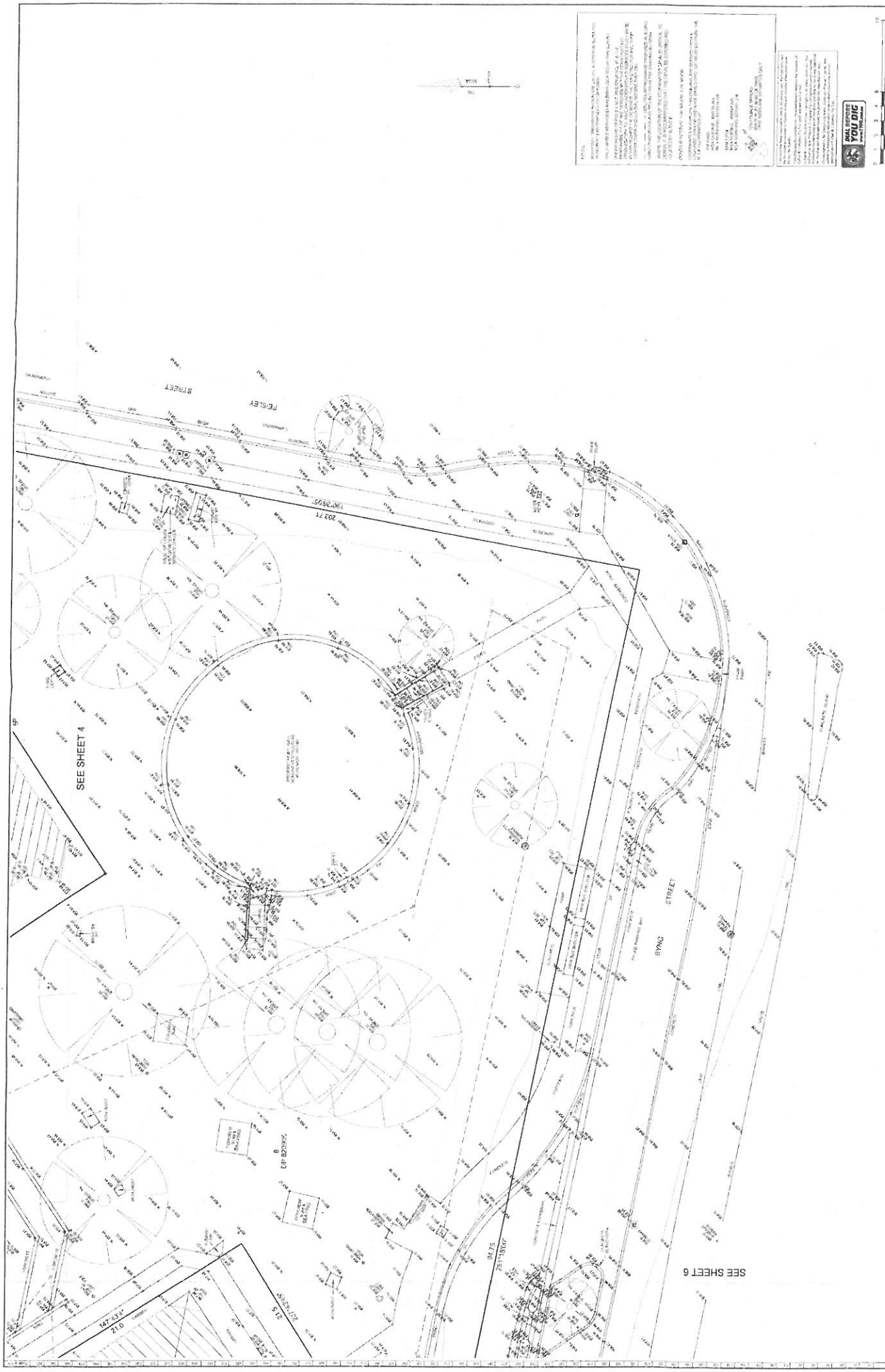


NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2. ALL LOT CORNERS ARE TO BE MARKED WITH IRON PIPES OR STEEL PIPES.
 3. ALL LOT CORNERS ARE TO BE MARKED WITH IRON PIPES OR STEEL PIPES.
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PREPARED BY:
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NOTES:

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. THE SHOWN LOT LINES ARE BASED ON THE 1985 SURVEY.
3. THE SHOWN LOT LINES ARE BASED ON THE 1985 SURVEY.
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LEGEND:

- 1. LOT LINES
- 2. LOT AREA
- 3. LOT DIMENSIONS
- 4. LOT CORNER MARKERS
- 5. LOT CENTER POINTS
- 6. LOT AREA CALCULATIONS
- 7. LOT DIMENSION CALCULATIONS
- 8. LOT CORNER MARKER CALCULATIONS
- 9. LOT CENTER POINT CALCULATIONS
- 10. LOT AREA CALCULATIONS



ORANGE CITY COUNCIL

B1

8194-DET

SHEET 1 OF 6

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	LOT 1	1	SQ. M.	1.156	1.156
2	LOT 2	1	SQ. M.	1.156	1.156
3	LOT 3	1	SQ. M.	1.156	1.156
4	LOT 4	1	SQ. M.	1.156	1.156
5	LOT 5	1	SQ. M.	1.156	1.156
6	LOT 6	1	SQ. M.	1.156	1.156
7	LOT 7	1	SQ. M.	1.156	1.156
8	LOT 8	1	SQ. M.	1.156	1.156
9	LOT 9	1	SQ. M.	1.156	1.156
10	LOT 10	1	SQ. M.	1.156	1.156

COMPANIE

ORANGE

8194-DET

CLASS 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

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2	LOT 2	1	SQ. M.	1.156	1.156
3	LOT 3	1	SQ. M.	1.156	1.156
4	LOT 4	1	SQ. M.	1.156	1.156
5	LOT 5	1	SQ. M.	1.156	1.156
6	LOT 6	1	SQ. M.	1.156	1.156
7	LOT 7	1	SQ. M.	1.156	1.156
8	LOT 8	1	SQ. M.	1.156	1.156
9	LOT 9	1	SQ. M.	1.156	1.156
10	LOT 10	1	SQ. M.	1.156	1.156

USHER & COMPANY

11100 80th Street, Orange, NY 12000

TEL: (518) 537-1423

FAX: (518) 537-1423

www.usherandcompany.com

ORANGE REGIONAL MUSEUM

CNR OF BYNG & PEISLEY STREET
ORANGE NSW 2800 LOT 8 DP820905

Project no.
CA 3089

Date:
16/12/13

cronepartners
Cronerpartners
Level 2, 364 Kent Street,
Sydney, NSW 2000, Australia
Ph: +61 2 8295 5300
Fax: +61 2 8295 5301

DEVELOPMENT APPLICATION

SITE SURVEY

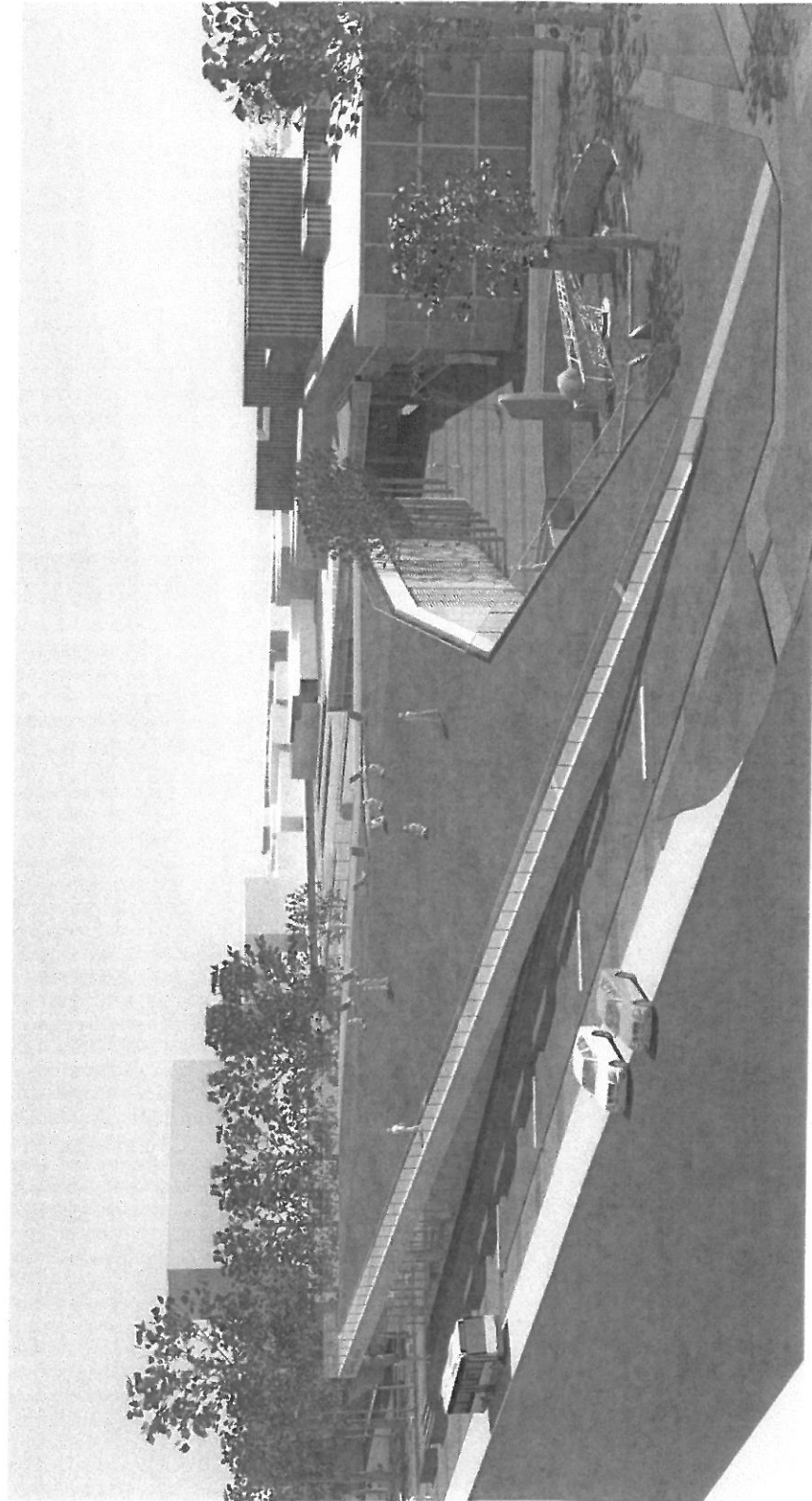
8194-DET(1) 4 SITE SURVEY (BY OTHERS)
 8194-DET(2) 4 SITE SURVEY (BY OTHERS)
 8194-DET(3) 4 SITE SURVEY (BY OTHERS)
 8194-DET(4) 4 SITE SURVEY (BY OTHERS)
 8194-DET(5) 4 SITE SURVEY (BY OTHERS)
 8194-DET(6) 4 SITE SURVEY (BY OTHERS)

ARCHITECTURAL DRAWINGS

0000 B COVER PAGE
 0001 B DRAWING LIST/AREAS
 0500 B BYNG STREET PERSPECTIVE
 0501 B WESTERN ENTRY PERSPECTIVE
 0502 B PEISLEY ST PERSPECTIVE
 0801 B SHADOW ANALYSIS
 1000 B SITE PLAN
 1001 B GROUND PLAN
 1010 B ROOF PLAN
 2001 B ELEVATIONS & SECTIONS


LANDSCAPE DRAWINGS

LP01 A LANDSCAPE PLAN (BY OTHERS)



PROGRAM	m ²
Museum	510
Lobby	231
Café/kitchen/store	175
Office	50
Plant/Store/	81
Amenities	46
Loading/BOH	111
Comms	7
Switch	6
Circulation	33
TOTAL	1,250

architect:
cronepartners
 level 2, 264 kent street,
 sydney, nsw 2000, australia
 ph: +61 2 8295 5300

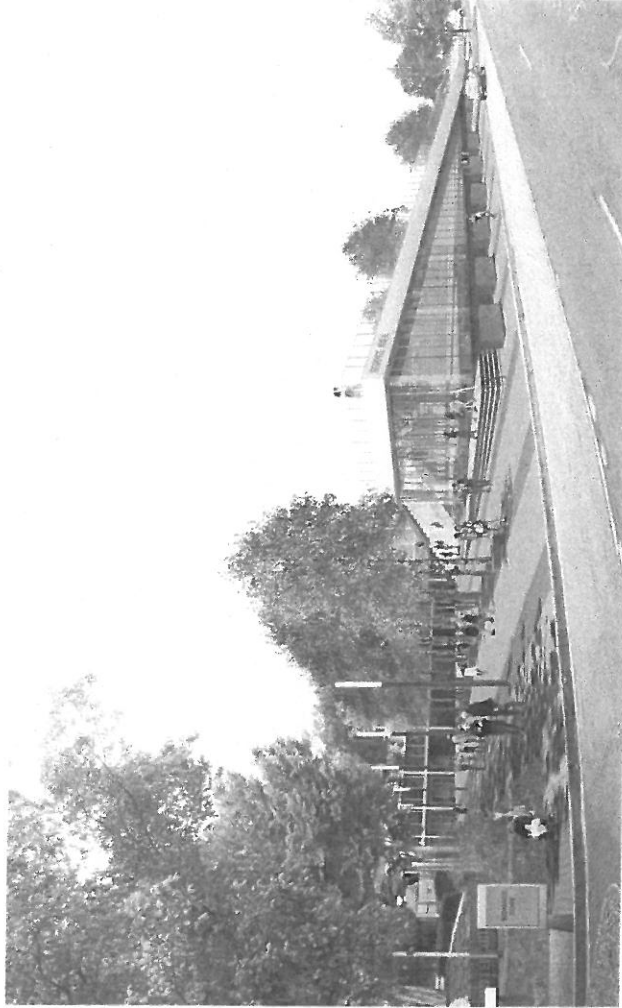
client:

 135-137 Byng Street
 ORANGE, Orange NSW 2800

sub-consultants:
 Structural Engineer: Taylor Thomson Whitting
 Civil Engineer: Taylor Thomson Whitting
 Landscape: Site Design Studio
 Service Engineers: Mott MacDonald

DEVELOPMENT APPLICATION
 DRAWING LIST/AREAS Rev: B
 ORANGE REGIONAL MUSEUM CA 3089
 CNR OF BYNG & PEISLEY STREET
 ORANGE NSW 2800 LOT 8 DP820905
 10/12/13
DA0001



EXISTING BYNG STREET PERSPECTIVE



PROPOSED BYNG STREET PERSPECTIVE

architect:
cronepartners
level 2, 214 kent street,
sydney, nsw 2000, australia
ph: +61 2 9295 5300

client:

135-137 Byng Street
Orange NSW 2800

sub-consultants:
Structural Engineer: Taylor Thomson Whitting
Civil Engineer: Taylor Thomson Whitting
Landscape: Site Design Studio
Service Engineers: Mott MacDonald

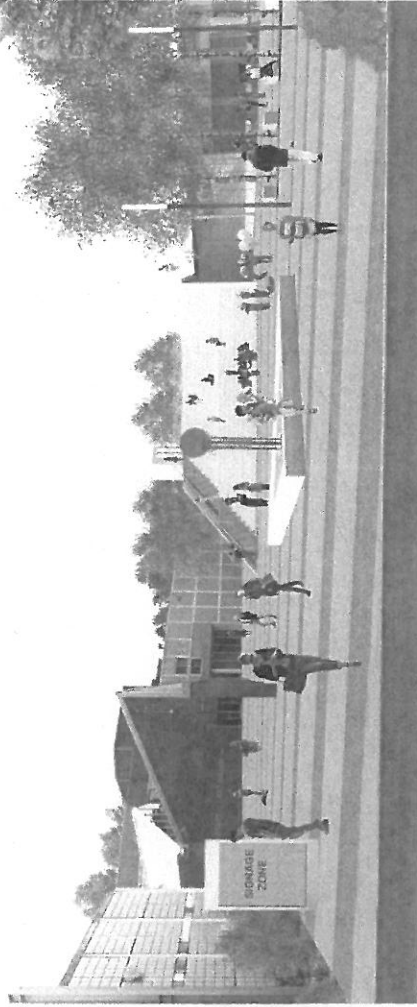


scale 1:1 @A1

DEVELOPMENT APPLICATION
BYNG STREET PERSPECTIVE Rev: B
ORANGE REGIONAL MUSEUM CA 3088
CNR OF BYNG & PEISLEY STREET
ORANGE NSW 2800 LOT 8 DP820505
16/12/13 **DA0500**



EXISTING WESTERN ENTRY VIEW



PROPOSED WESTERN ENTRY VIEW

architect:
cronpartners

level 2, 364 kent street,
sydney, nsw 2000, australia
ph: +61 2 8295 5300

client:



135-137 Byng Street
Orange NSW 2800

sub-consultants:

Structural Engineer: Taylor Thomson Whiting
Civil Engineer: Taylor Thomson Whiting
Landscape: Site Design Studio
Service Engineers: Mott MacDonald

DEVELOPMENT APPLICATION

WESTERN ENTRY PERSPECTIVE

Rev: B

ORANGE REGIONAL MUSEUM CA 3089

31/01/13 10/12/13

ORANGE NSW 2800 LOT 6 DP825955

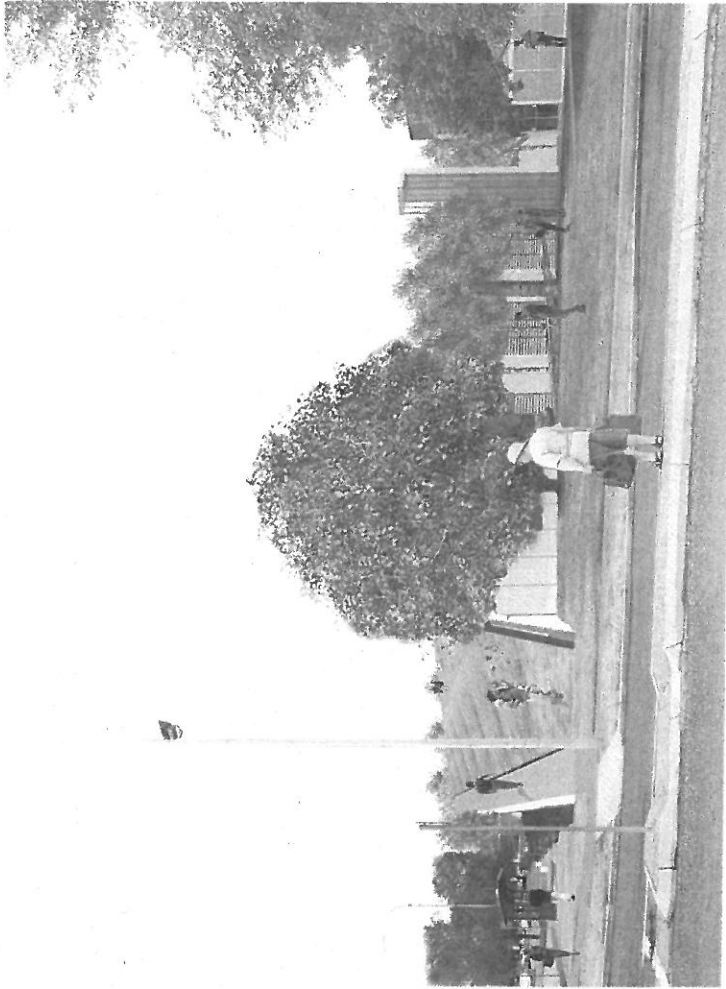


scale 1:1 @A1

DA0501



EXISTING PEISELY STREET PERSPECTIVE



PROPOSED PEISELY STREET PERSPECTIVE

architect:
cronepartners
level 2, 364 kent street,
sydney, nsw 2000, australia
ph: +61 2 9295 5300

client:

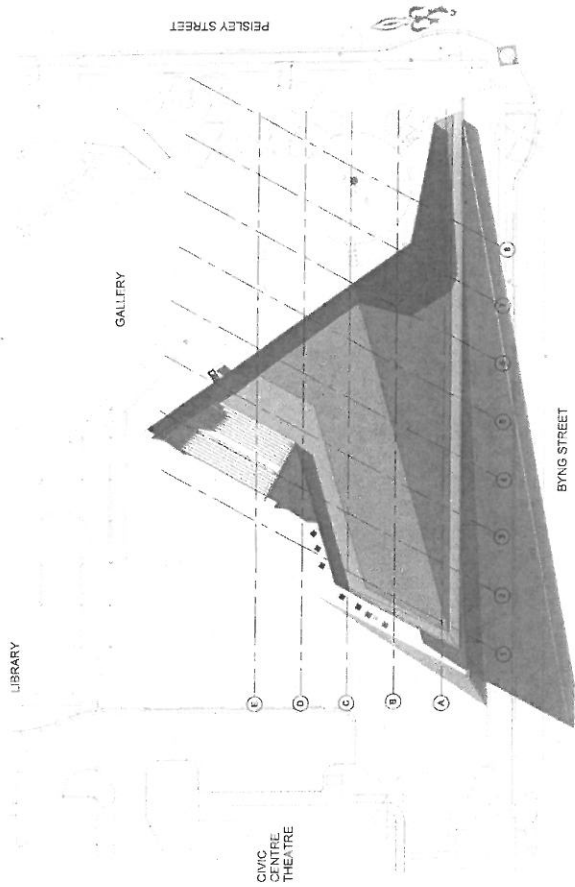
135-137 Byng Street
Orange NSW 2800

sub-consultants:
Structural Engineer: Taylor Thomson Whiting
Civil Engineer: Taylor Thomson Whiting
Landscape: Site Design Studio
Service Engineers: Mott Macdonald

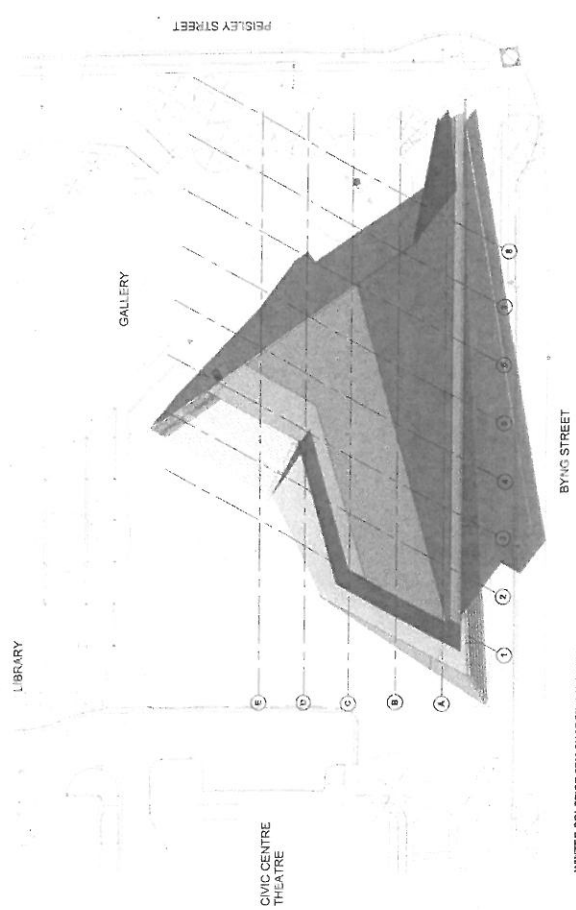
DEVELOPMENT APPLICATION
PEISLEY ST PERSPECTIVE

Rev: B
ORANGE REGIONAL MUSEUM
CA 3089
CNR OF BYNG & PEISELY STREET
ORANGE NSW 2800 LOT 8 DP820905
15/7/13
DA0502

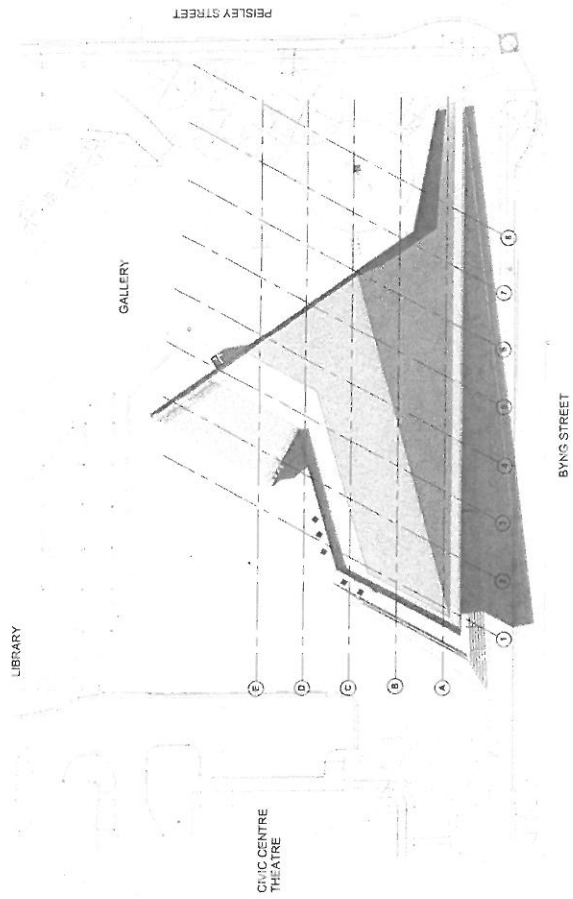




WINTER SOLSTICE 9AM SHADOW DIAGRAM



WINTER SOLSTICE 3PM SHADOW DIAGRAM



WINTER SOLSTICE 12PM SHADOW DIAGRAM


DEVELOPMENT APPLICATION

SHADOW ANALYSIS Rev: B
 ORANGE REGIONAL MUSEUM CA 3089
 CNR OF BYNG & PEISLEY STREET
 ORANGE NSW 2800 LOT 8 DP820905
 18/12/13



scale: 1:500 G.M.

sub-consultants:
 Structural Engineer: Taylor Thomson Whitting
 Civil Engineer: Taylor Thomson Whitting
 Landscape: Site Design Studio
 Service Engineers: Mott Macdonald

client:

 135-137 Byng Street
 ORANGE NSW 2800

architect:
cronepartners
 level 2, 36-4 Kent Street,
 Sydney, NSW 2000, Australia
 ph: +61 2 8295 5300

DA0901

MARCH STREET



1 SITE PLAN
2001 SCALE 1:1000

DEVELOPMENT APPLICATION

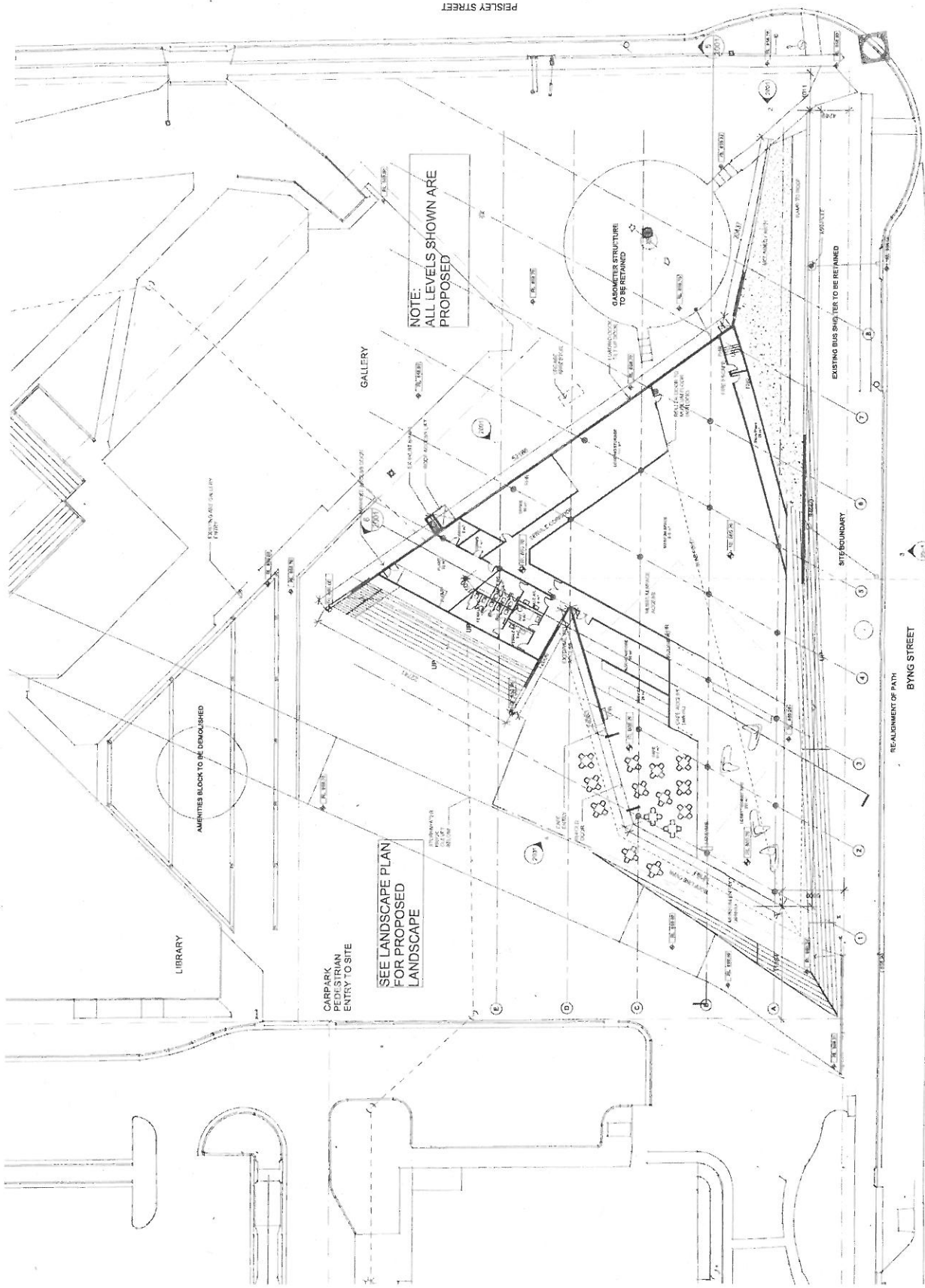
SITE PLAN Rev: B
ORANGE REGIONAL MUSEUM CA 3089
CNR OF BYNG & PEISLEY STREET
ORANGE NSW 2800 LOT 8 DP 825905
18/12/13



sub-consultants:
Structural Engineer: Taylor Thomson Whitting
Civil Engineer: Taylor Thomson Whitting
Landscape: Site Design Studio
Service Engineers: Mott MacDonald

client:
ORANGE
135-137 Byng Street
Orange NSW 2800

architect:
cronepartners
level 2, 304 Kent Street,
Sydney, NSW 2000, Australia
ph: +61 2 8295 5300



DEVELOPMENT APPLICATION

GROUND PLAN Rev: B
ORANGE REGIONAL MUSEUM CA3089
CNR OF BYNG & PEISLEY STREET
ORANGE NSW 2800 LOT 8 DP202595
10/12/13 DA1001



scale 1:200@A1

sub-consultants:

Structural Engineer: Taylor Thomson Whitting
Civil Engineer: Taylor Thomson Whitting
Landscape: Site Design Studio
Service Engineers: Mott MacDonald

client:

ORANGE
135-137 Byng Street
Orange NSW 2800

architect:

cronepartners
level 2, 364 keni street,
sydney, nsw 2000, australia
ph: +61 2 8235 5300

PEISLEY STREET

GALLERY

ADJUTANT'S BLOCK TO BE DEMOLISHED

LIBRARY

CAR PARK

SEE LANDSCAPE PLAN
FOR PROPOSED
LANDSCAPE

CIVIC CENTRE
THEATRE

FLAT PAVED SURFACE

FLAT GRASS ROOF

SLOPED GRASS ROOF

RAMPED PAVED SURFACE

GAS METER STRUCTURE
TO BE RETAINED

EXISTING BUS SHED, WATER TO BE RETAINED

RE ALIGNMENT OF PATH

1 ROOF PLAN
2/5/1 SCALE 1:1200

architect:
cronepartners
level 2, 364 kent street,
sydney, nsw 2000, australia
ph: +61 2 8295 5330

client:
ORA
135-137 Byng Street
Orange NSW 2800

sub-consultants:
Structural Engineer: Taylor Thomson Whitting
Civil Engineer: Taylor Thomson Whitting
Landscape: Site Design Studio
Service Engineers: Mott MacDonald

BYNG STREET

DEVELOPMENT APPLICATION

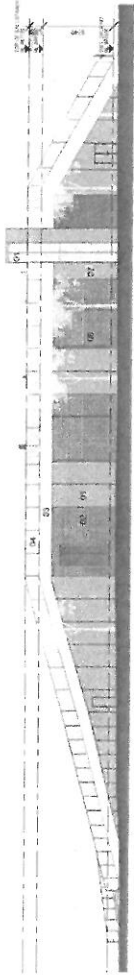
ROOF PLAN : REV.B
ORANGE REGIONAL MUSEUM CA 3089
CNR OF BYNG & PEISLEY STREET
ORANGE NSW 2800 LOT 8 D7820305
18/12/13
DA1010

1
Scale 1:200/041

ANNOTATION LEGEND

EXTERNAL FINISHES

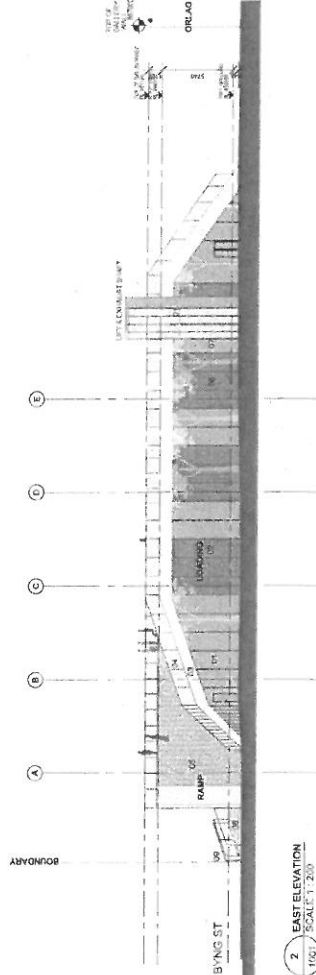
- 01. PRE-FINISHED METAL PANEL
- 02. PRE-FINISHED LOUVRED
- 03. SCREEN (SILVER)
- 04. OFF-FORM CONCRETE
- 05. SEMI-FRAMLESS STEEL
- 06. BALUSTRADE WITH GLASS
- 07. GLASS ROOF
- 08. GLAZING BEYOND LOUVRED
- 09. SCREEN
- 10. GLASS LIFT SHAFT
- 11. PAVED STEPS
- 12. STAINLESS STEEL
- 13. BALUSTRADE
- 14. SILOP FRONT TYPE GLAZING
- 15. COLOUR BACK GLASS
- 16. BI-FOLD GLASS DOORS



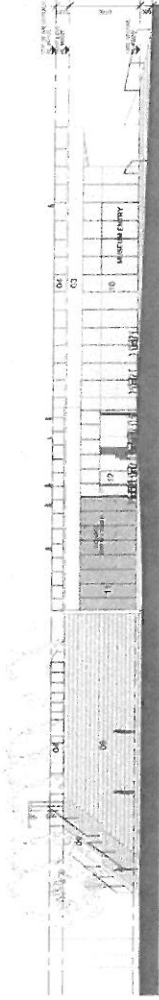
1 NORTH ELEVATION
SCALE 1:200



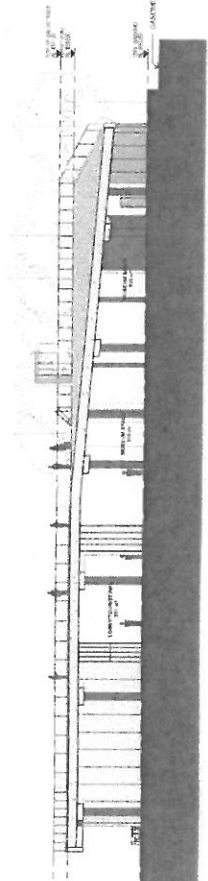
3 SOUTH ELEVATION
SCALE 1:200



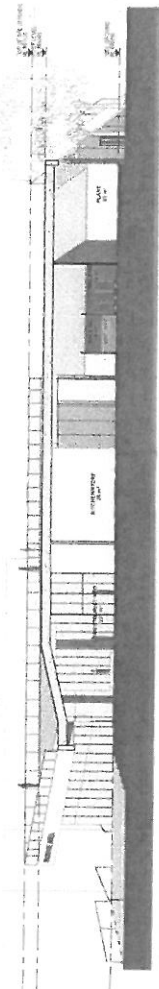
2 EAST ELEVATION
SCALE 1:200



4 WEST ELEVATION
SCALE 1:200



5 EAST-WEST SECTION
SCALE 1:200



6 NORTH-SOUTH SECTION
SCALE 1:200

architect:

cronepartners

level 2, 364 kent street,
sydney, nsw 2000, australia
ph: +61 2 8255 5300

client:



135-137 Byng Street
ORANGE NSW 2800

sub-consultants:

Structural Engineer: Taylor Thomson Whiting
Civil Engineer: Taylor Thomson Whiting
Landscape: Site Design Studio
Service Engineers: Mott MacDonald

DEVELOPMENT APPLICATION

ELEVATIONS & SECTIONS

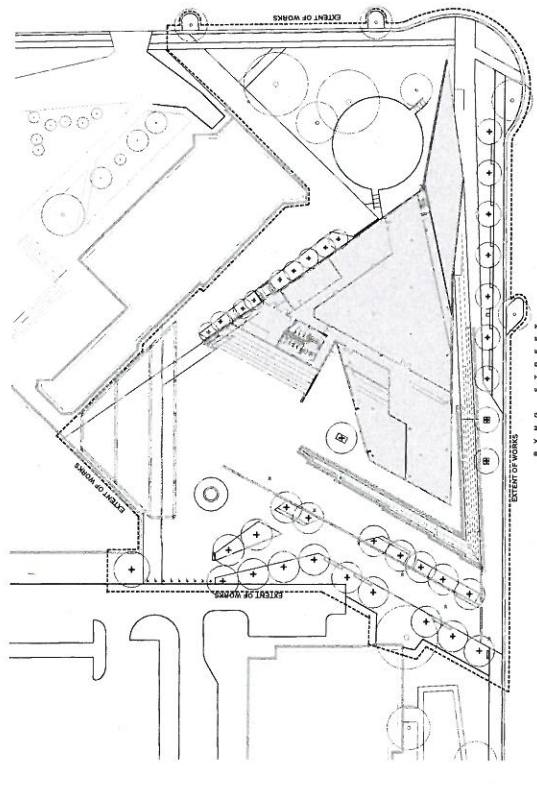
Rev: B

ORANGE REGIONAL MUSEUM
135-137 BYNG STREET
ORANGE NSW 2800 LOT 8 DP 1000000

DA2001

Scale 1:200/1:100

ORANGE REGIONAL MUSEUM
LANDSCAPE PACKAGE



SCALE: 1:500@A1

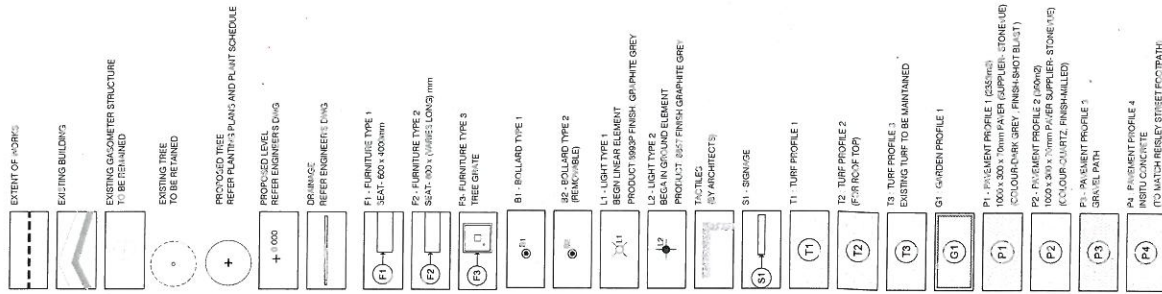
LIST OF DRAWINGS

- | | |
|--------|-----------------------|
| CS-001 | LANDSCAPE COVER SHEET |
| FI-201 | LANDSCAPE GROUND PLAN |
| FI-202 | LANDSCAPE ROOF PLAN |
| PP-501 | PLANTING PLAN |

GENERAL NOTES

1. REFINERIZED AND HIGH-REFERENCED MATTER AND ARTIFICIAL LAND EXTRACTS. THE PRESENCE OF
2. OVERALL OF THE INFORMATION NOTED WITHIN THE DRAWINGS, AND LANDSCAPE ARCHITECTURE
3. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
4. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
5. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
6. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
7. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
8. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
9. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
10. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
11. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE
12. WORKS, BEFORE ALL CONTRACTED WORKS, IDENTIFIED WITHIN THE CREATION OF LANDSCAPE

GENERAL LEGEND



INDICATIVE PLANT SCHEDULE

PLANT CODE	BOTANICAL NAME	COMMON NAME	DENSITY PLANT PER M ²	CITY
TREES				
ACE rub	<i>Acacia robusta</i>	Red maple	As Shown	22
BET pen	<i>Betula pendula</i> 'Pendula'	Qu. Lunt Birch	As Shown	9
ULM par	<i>Ulmus parvifolia</i>	Chinese Elm or Landmark Elm	As Shown	9
			SUBTOTAL	40
UNDERSHORY PLANTS (TO BE DESIGNED BY ORANGE CITY COUNCIL)				
	<i>Correa villosa</i>	Native Fuchsia		
	<i>Grevillea sp. prostrata</i> 'vires	Spider Flower		
	<i>Unopogon nuscari</i>	Big Blue		
	<i>Lomandra longifolia</i> 'Tanika	Tanika Mai Rush		
	<i>Ph. obovata</i> 'magnifolia'	Native Daphne or Lombard Wax Flower		
	<i>Pod. latifolia</i> 'obovata'	Turkey Grass		
	<i>West. sp. fusca</i>	Coastal Pennywort		
SCREENING PLANTS (TO BE DESIGNED BY ORANGE CITY COUNCIL)				
	<i>Pricklypear multifida</i>	Onionleafed Mai Rush		

NOTES

ALL TREES AND SHRUBS ARE TO BE COUNTED WITH MATRICES • SPECIFIC TREES • A GUIDE TO ASSESSMENT OF TREE QUALITY • SECOND EDITION 2003 • BY ROSS CARR

PARTIAL DESTROYED SAMPLING AS OUTLINED IN NATSPEC • SPECIFIC TREES • A GUIDE TO ASSESSMENT OF TREE QUALITY • IS LIKELY TO BE CARRIED OUT FOR SOME TREES AND PLANTS

THE FOOT LOCKS AND CHAINS OF ALL PLANTS ARE TO BE BLANKED AND THE TREES/TWIGS DIFFERENTIALLY DEVELOPED • THAT THE PLANTS ITAL UPON WITHOUT THE NEED OF A SUBSTANTIAL

- THE ROOT BALL AND CANOPY OF ALL PLANTS ARE TO BE BALANCED AND THE STEM / TRUNK SUFFICIENTLY DEVELOPED SO THAT THE PLANTS STAY UPRIGHT WITHOUT THE NEED TO BE STAKED

INSITU CONCRETE
TO MATCH REISLEY STREET FOOTPATH

CHIEF, CUSTOMER SERVICE
BRASSerie CLOTHING AUSTRALIA
TEL +617 367 7670
FAX +617 367 7071
WWW.BRASSerie.COM.AU

urbis

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Atlanta, GA 30316
Tel: 404/525-1100 Fax: 404/525-1101
E-mail: info@urbis.com
Web: <http://www.urbis.com>

CLIENT
ORANGE CITY COUNCIL

3	01	FOR INFORMATION
A	01	FOR INFORMATION

PROJECT ORANGE REGIONAL MUSEUM

DRAWING TITLE

PROJECT NO.

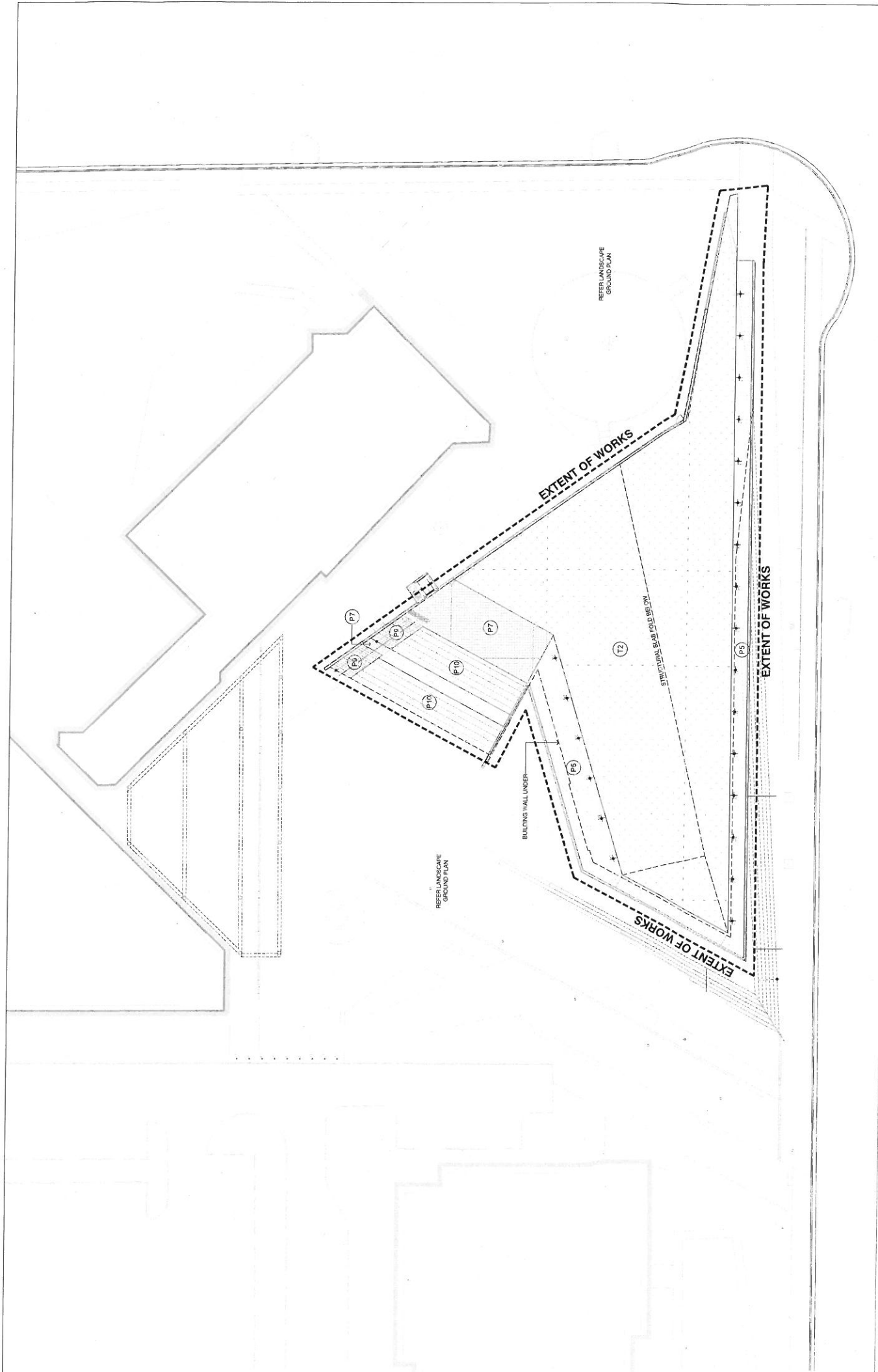
NOT FOR CONSTRUCTION SD1164

SCALE 1:200 @ A1 1:400 @ A3

0 2 4 6 8 10(m)

REVISION NO. 001

001



CLIENT
ORANGE CITY COUNCIL

PROJECT
ORANGE REGIONAL MUSEUM

ISSUE
NOT FOR CONSTRUCTION SD1164

SCALE
1:200 (A1) 1:400 (A2) 1:600 (A3)

OVERALLS NO.
FI-202

REVISION
B

FINISHING TITLE
ROOF FINISHES PLAN

NO.	DATE	DESCRIPTION
1	10/01/14	ISSUE INFORMATION
2	10/01/14	ISSUE INFORMATION

PROJECT DIRECTOR M.K.

urbs

URBS ARCHITECTS
100/101 STATION STREET
SYDNEY NSW 2000
TEL: 02 9550 1234
WWW.URBSARCHITECTS.COM.AU

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ORANGE CITY COUNCIL

Development Application No **DA 3/2014(1)**

NA14/135

Container PR9697

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

issued under the *Environmental Planning and Assessment Act 1979*
Section 81(1)

Development Application

Applicant Name: Orange City Council
Applicant Address: C/- Mark Thompson, Urbis
GPO Box 5278
SYDNEY NSW 2001
Owner's Name: The State of New South Wales
Land to Be Developed: Lot 1 DP 257566 and Lot 8 DP 820905 - 151 Byng Street and land in Peisley Street, Orange
Proposed Development: Information and Education Facility (Orange Regional Museum), Business Identification Signage and Demolition (existing building - Visitors' Information Centre)

Building Code of Australia building classification:

As determined by Certifier

Determination

Made On: 18 March 2014

Determination: **CONSENT GRANTED SUBJECT TO CONDITIONS DESCRIBED BELOW:**

Consent to Operate From: 19 March 2014

Consent to Lapse On: 19 March 2019

Terms of Approval

The reasons for the imposition of conditions are:

- (1) To ensure a quality urban design for the development which complements the surrounding environment.
- (2) To maintain neighbourhood amenity and character.
- (3) To ensure compliance with relevant statutory requirements.
- (4) To provide adequate public health and safety measures.
- (5) Because the development will require the provision of, or increase the demand for, public amenities and services.
- (6) To ensure the utility services are available to the site and adequate for the development.
- (7) To prevent the proposed development having a detrimental effect on adjoining land uses.
- (8) To minimise the impact of development on the environment.

Conditions

- (1) The development must be carried out in accordance with:

(a) Plan/s numbered:

Site Survey Plans: 8194-DET(sheets 1 to 6) all issue 4 (6 sheet/s)

Architectural Drawings: Project no. CA3089:

0000 Rev B; 0001 Rev B; 0500 Rev B; 0501 Rev B; 0502 Rev B; 0901 Rev B; 1000 Rev B; 1001 Rev B; 1010 Rev B; 2001 Rev B; (10 sheet/s)

Landscape drawings: CS-001 Revision B; PP-501 Revision B; FI-201 Revision B; FI – 202 Revision B; FU801 Revision B (2 sheets); (6 sheet/s in total)

- (b) statements of environmental effects or other similar associated documents that form part of the approval

as amended in accordance with any conditions of this consent.

PRESCRIBED CONDITIONS

- (2) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (3) A sign is to 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.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- (4) The demolition of the amenities block within land described as Lot 9 DP 820905 and the two totem signs proposed on adjoining land are not approved under this consent.
- (5) The signage panel associated with the café shall be reduced in size to 3500mm(w) by 1750mm(h).
- (6) A Construction Certificate application is required to be submitted to, and issued by, Council/Accredited Certifier prior to any excavation or building works being carried out on site.
- (7) An approval under Section 68 of the Local Government Act is to be sought from Orange City Council, as the Water and Sewer Authority, for water, sewer and stormwater connection. No plumbing and drainage is to commence until approval is granted.
- (8) An approval under Section 68 of the Local Government Act is to be sought from Orange City Council for a Construction Zone/Hoarding. Details concerning the size and position of the area are to be provided. A traffic/pedestrian management plan is to accompany the application.

Conditions (cont)

Prior to the issue of a construction certificate (cont)

- (9) A Fire Safety Schedule specifying the fire-safety measures (both current and/or proposed) to be implemented in the building is to be submitted with the Construction Certificate application, in accordance with Part 9 Clause 168 of the *Environmental Planning and Assessment Regulation 2000*.
- (10) The applicant is to submit a waste management plan that describes the nature of wastes to be removed, the wastes to be recycled, the destination of all wastes and the route to be taken by vehicles transporting wastes to disposal sites. All wastes from the demolition and construction phases of this project are to be deposited at a licensed or approved waste disposal site.
- (11) Engineering plans providing complete details of the proposed driveway and vehicle manoeuvring areas are to be submitted to Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6) upon application for a Construction Certificate. These plans are to provide details of levels, cross falls of all pavements, proposed sealing materials and proposed drainage works and are to be in accordance with Orange City Council Development and Subdivision Code.
- (12) The existing sewer manhole is to be modified to enable its location within the proposed building. Orange City Council, prior to issuing a Construction Certificate, is to approve engineering plans for this sewerage system.
- (13) A Liquid Trade Waste Application is to be submitted to Orange City Council prior to the issuing of a Construction Certificate. The application is to be in accordance with Orange City Council's Liquid Trade Waste Policy. Engineering plans submitted as part of the application are to show details of all proposed liquid trade waste pre-treatment systems and their connection to sewer.

Where applicable, the applicant is to enter into a Liquid Trade Waste Service Agreement with Orange City Council in accordance with the Orange City Council Liquid Trade Waste Policy.

- (14) **Payment of contributions for water, sewer and drainage works** is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 1.4 ETs for water supply headworks and 1.4 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, will be issued upon payment of the contributions.

This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issuing of a Construction Certificate.

- (15) A water and soil erosion control plan is to be submitted to Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6) for approval prior to the issuing of a Construction Certificate. The control plan is to be in accordance with the Orange City Council Development and Subdivision Code and the Landcom, Managing Urban Stormwater; Soils and Construction Handbook.

PRIOR TO WORKS COMMENCING

- (16) The disconnection of the water supply and sewer connections at their respective mains is to be carried out by Orange City Council. Please note that a fee (described in Orange City Council Management Plan) is required to be paid prior to the disconnection being carried out.
- (17) A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.
- (18) The location and depth of the sewer junction/connection to Council's sewerage system is to be determined to ensure adequate fall to the sewer is available.

Conditions (cont)

Prior to works commencing (cont)

- (19) A registered demolition contractor must carry out demolition. Documentary evidence of registration must be submitted to Council.
- (20) Soil erosion control measures shall be implemented on the site.

DURING CONSTRUCTION/SITWORKS

- (21) All construction/demolition work on the site is to be carried out between the hours of 7.00 am and 6.00 pm Monday to Friday inclusive, 7.00 am to 5.00 pm Saturdays and 8.00 am to 5.00 pm on Sundays and Public Holidays. Written approval must be obtained from the General Manager of Orange City Council to vary these hours.
- (22) If Aboriginal objects, relics, or other historical items or the like are located during development works, all works in the area of the identified object, relic or item shall cease, and the NSW OEH and representatives from the Orange LALC shall be notified. Where required, further archaeological investigation shall be undertaken. Development works in the area of the find(s) may recommence if and when outlined by the management strategy, developed in consultation with and approved by the OEH.
- (23) Building demolition is to be carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the requirements of the NSW WorkCover Authority.
- (24) The fit-out of the food preparation and storage areas are to be installed in accordance with the requirements of Food Safety Standard 3.2.3 "Food Premises and Equipment" of the Australian New Zealand Food Standards Code and Australian Standard 4674-2004 "Design and construction and fit-out of food premises".
- (25) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
- (26) The provisions and requirements of the Orange City Council Development and Subdivision Code are to be applied to this application and all work constructed within the development is to be in accordance with that Code.

The developer is to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing the development from Council's existing infrastructure. The developer is to be responsible for gaining access over adjoining land for services where necessary and easements are to be created about all water, sewer and drainage mains within and outside the lots they serve.
- (27) All driveway and parking areas are to be sealed with bitumen, hot mix or concrete and are to be designed for all expected loading conditions (provided however that the minimum pavement depth for gravel and flush seal roadways is 200mm) and be in accordance with the Orange City Council Development and Subdivision Code.
- (28) The existing 150mm diameter sewer main that crosses the site is to be accurately located. Where the main is positioned under any proposed building work, measures are to be taken in accordance with Orange City Council Policy - Building over and/or adjacent to sewers ST009.
- (29) The water and sewerage services to the existing building, where they are not proposed to be used as part of this development, are to be sealed off at their respective Council mains.

Conditions (cont)

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE
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- (30) Landscaping shall be installed in accordance with the approved plans and shall be permanently maintained to the satisfaction of Council's Manager Development Assessments.
- (31) Provision of at least 10 bicycle parking spaces are to be appropriately provided within the subject land prior to the issue of a final occupation certificate to the satisfaction of the Manager Development Assessments.
- (32) Adequate external lighting shall be provide to the site to prevent or avoid accident, injury or criminal activity in accordance with AS1158:2010 – Lighting for roads and public spaces.
- (33) No person is to use or occupy the building or alteration that is the subject of this approval without the prior issuing of an Occupation Certificate.
- (34) The owner of the building/s must cause the Council to be given a Final Fire Safety Certificate on completion of the building in relation to essential fire or other safety measures included in the schedule attached to this approval.
- (35) Certification from Orange City Council, stating that liquid trade waste measures implemented comply with Orange City Council's Liquid Trade Waste approval, is to be submitted to the Principal Certifying Authority prior to the issuing of an Occupation Certificate.
- (36) Where Orange City Council is not the Principal Certifying Authority, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a Final Notice of Inspection issued, prior to the issue of either an interim or a final Occupation Certificate.
- (37) Certification from Orange City Council is required to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate stating that all works relating to connection of the development to Council assets, works on Public Land, stormwater, sewer and water reticulation mains and footpaths have been carried out in accordance with the Orange City Council Development and Subdivision Code and the foregoing conditions.
- (38) All of the foregoing conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All work required by the foregoing conditions is to be completed prior to the issuing of an Occupation Certificate, unless stated otherwise.

MATTERS FOR THE ONGOING PERFORMANCE AND OPERATION OF THE DEVELOPMENT

- (39) The ancillary café shall operate generally within the same hours of operation of the museum and/or visitor information area.
- (40) The owner is required to provide to Council and to the NSW Fire Commissioner an Annual Fire Safety Statement in respect of the fire-safety measures, as required by Clause 177 of the *Environmental Planning and Assessment Regulation 2000*.

Other Approvals

- (1) *Local Government Act 1993* approvals granted under section 68.
Nil
- (2) General terms of other approvals integrated as part of this consent.
Nil

Right of Appeal

If you are dissatisfied with this decision, section 97 of *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

* Section 97 of the *Environmental Planning and Assessment Act 1979* does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.

Disability Discrimination Act 1992:

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 and 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act* currently available in Australia.

Disclaimer - S88B Restrictions on the Use of Land:

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Signed:

On behalf of the consent authority **ORANGE CITY COUNCIL**

Signature:

Name:

ALLAN RENIKE - MANAGER DEVELOPMENT ASSESSMENTS

Date:

19 March 2014