

DATE OF DETERMINATION	16 October 2019
PANEL MEMBERS	Garry West (Chair), Stephen Gow, John Griffin, Di Baker and Brett McInnes
APOLOGIES	Pam Westing
DECLARATIONS OF INTEREST	None

Public meeting held at Inverell Shire Council on 16 October 2019, opened at 10.30am and closed at 11.14am.

MATTER DETERMINED

PPSNTH-2 – Inverell Shire Council – DA -74/2019 at 109 Otho St, INVERELL – redevelopment of Inverell Police Station (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The site already contains the Inverell Police Station and is considered suitable for the redevelopment as a Police Station, given its co-location with the Court House, existing utility infrastructure and access.
- Whilst the site is located on flood prone land it is considered the potential impacts have been addressed in the design of the development.
- Given the presence of decommissioned underground fuel tanks and the potential for asbestos to be found in the current building during demolition, the conditions of consent were amended to require consultation with Inverell Council and the Environment Protection Authority and for the Demolition and Construction Management Plan to be provided to and approved by Council.


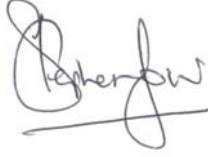


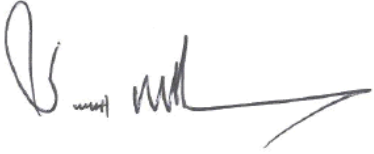
CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments.

- Condition 2 was amended to require the Demolition and Construction Management Plan to be provided to and approved by Council.
- Condition 2 was also amended to require any fuel or asbestos contamination to be managed under appropriate protocols following consultation with Inverell Council and the Environment Protection Authority.
- New Condition 9 was added to require a copy of a legally binding agreement between the NSW Police and the owners of a neighbouring property to be provided to Council regarding the construction of two sewer manholes and associated works.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised. However, a Panel Member requested consideration of the inclusion of solar panels.

PANEL MEMBERS	
 Garry West (Chair)	 Stephen Gow
 John Griffin	 Di Baker
 Brett McInnes	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-2 – Inverell Shire Council – DA -74/2019
2	PROPOSED DEVELOPMENT	Demolition of the existing NSW Police building and structures, site preparation works, construction and use of new Police building; and ancillary works including signage
3	STREET ADDRESS	109 Otho St, INVERELL
4	APPLICANT/OWNER	NSW Police
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy No 65 – Advertising and Signage State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (State and Regional Development) 2011 Inverell Local Environmental Plan 2012 Australian Standard 2601: The Demolition of Structures Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Inverell Development Control Plan 2013 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 2 October 2019 Written submissions during public exhibition: nil Verbal submissions at the public meeting: <ul style="list-style-type: none"> In support – NIL In objection – NIL Council assessment officer – Chris Faley On behalf of the applicant – Nick Mitchell and Richard Chalmers
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection & Final Briefing meeting: 16 October 2019 at 9.30am <ul style="list-style-type: none"> <u>Panel members</u>: Garry West (Chair), Stephen Gow, John Griffin, Di Baker and Brett McInnes <u>Council assessment staff</u>: Chris Faley & Anthony Alliston (Manager Development Services)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	As amended & Attached as Schedule 2

SCHEDULE 2

UPDATED CONDITIONS OF CONSENT

1. **Approved Plans/Documents.**

Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Architectural Plans prepared by Richmond and Ross		
Locality Plan	24/07/2019	DA001 C
Site Plan	24/07/2019	DA002 C
Survey Plan	8/07/2019	DA003 A
Site Analysis Plan	24/07/2019	DA004 C
Demolition Plan	24/07/2019	DA100 B
Ground Floor Plan	8/07/2019	DA101 A
Ground Floor Carpark	24/07/2019	DA102 C
Level 1 Floor Plan	19/07/2019	DA103 B
Roof Plan – Car park	19/07/2019	DA104 B
Roof Plan – Main Building	8/07/2019	DA105 A
External Work Plan	24/07/2019	DA106 C
Proposed Signage Plan	19/07/2019	DA107 B
Fence Details	19/07/2019	DA108 B
Streetscape elevations	19/07/2019	DA200 B
Elevations & Façade Palette	19/07/2019	DA201 B
Elevations Sheet 2	19/07/2019	DA202 B
Sections	19/07/2019	DA301 B
Sections Carpark	19/07/2019	DA302 B
Winter Solstice Day Shadow Diagrams	19/07/2019	DA401 B
3D View 01	19/07/2019	DA501 B
3D View 02	19/07/2019	DA502 B
Landscape Plan prepared by Phillips Marler		
Landscape Concept Plan	11/07/2019	L01A
Landscape Detail Plan 1	11/07/2019	L02A
Landscape Detail Plan 2	11/07/2019	L03A
Indicative Plant Schedule	11/07/2019	L04A
Civil Engineering Plans prepared by Richmond and Ross		
Stormwater Plan Sheet 1 of 2	24/07/2019	C-100 C
Stormwater Plan Sheet 2 of 2	8/07/2019	C-101 A
Stormwater Schedules and Details	8/07/2019	C-110 A
Sediment and Erosion Control	24/07/2019	C-120 C
Sediment and Erosion Control Details	8/07/2019	C-121 A
Technical Reports		
Higgins Planning: Statement of Environmental Effects	July 2019	2019.0011
Phillips Marler: Statement of Heritage Impact	11/07/2019	
Richmond and Ross: Construction Management Plan	11/07/2019	190077
Richmond and Ross: Stormwater Management Plan and Flood Assessment	July 2019	190077C
Richmond and Ross: Waste Management Plan	July 2019	190077A
Richmond and Ross: Parking and Traffic Statement	25/07/2019	190077A
Arrow Consulting Engineers: External Lighting	13/07/2019	-

2. Prior to the commencement of any **demolition or** construction works (including earthworks), a Demolition and Construction Management Plan (DCMP) ~~must be~~ prepared by a suitably qualified person must be ~~provided~~ **submitted to and approved by** Council.

The DCMP must address as a minimum, the following matters (in no particular order):

- Pre works dilapidation assessment of all adjacent buildings;
- Risk Matrix for the proposed works in particular with respect to heritage protection;
- Remedial action plan in event of any issues with heritage items;
- Demolition process for existing Police station/ site features;
- Dust and vibration protection/ management of the adjacent heritage buildings, Court House and former Rural Bank;
- Crane locations and lift paths to minimise lifting;
- Site storage and access;
- Temporary servicing and service relocations;
- Erosion and sediment controls;
- Public safety in the use of roads and footpaths adjoining the development;
- Continued pedestrian and vehicle access for adjoining premises;
- Noise, including work hours;
- Sanitary amenities and ablutions proposed; and
- Unexpected finds protocol, including contaminating material, **to include consultation with the Inverell Shire Council and NSW Environment Protection Authority.**

Any environmental site management measures must remain in place and be maintained throughout the period of demolition and construction. A copy of the DCMP must be kept on-site from the commencement of works and for the duration of the proposed works.

3. Prior to demolition of the dwelling at 60 Campbell Street, a photographic record of the interior and exterior of the dwelling must be undertaken, in accordance with the guidelines *How to Prepare Archival Records of Heritage Items* published by the NSW Heritage Office. A copy of the record must be provided to Council.

4. The design of the sewer main and the footing design for the New Police Station building is to comply with *Building in the Vicinity of Sewer & Trunk Water Mains Guidelines (Part 2)*, NSW Water Directorate, February 2019.

The final design of the sewer main is to be approved by Council's engineer prior to construction, with works as executed drawing provided to Council upon completion.

5. The wash bay is to be connected to Council's sewer and incorporate a suitable method of pre-treating the wastewater prior to discharge to the sewer. This pre-treatment method is to be designed in consultation with Council.
6. All sewer connections to the building(s) are to be fitted with reflux valves to prevent backflow of sewage in a flood event.
7. All precautions must be taken to prevent damage to any nearby properties. Owner's property rights must be observed at all times. Should any damage occur to a nearby property as a result of demolition or construction, all necessary repairs or suitable agreement for the repairs are to be completed by the proponent in consultation with, and with the consent of, the affected property owner(s).
8. Any road, footpath, public reserve and/or infrastructure that is damaged by the development is to be repaired/restored at no cost to Council.
9. **Prior to commencement of any demolition or construction works (including earthworks), a legally binding agreement is to be obtained between the NSW Police and the owners of Lot 13 Section 79 DP 758536 (107 Otho Street, Inverell) for the construction of two (2) sewer manholes and associated works over the**

existing sewer main which traverses Lot 13 Section 79 DP 758536 in accordance with the approved plans and conditions of this development consent.

The legally binding agreement required by this condition must bind any future successors or purchasers of Lot 13 Section 79 DP 758536.

Reasons for Conditions:

The above conditions have been imposed:

1. To ensure compliance with the terms of the applicable environmental planning instruments.
2. Having regard to Council's duties of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, as well as Section 4.17 which authorizes the imposing of the consent conditions.
3. Having regard to the circumstances of the case and the public interest.