

## COUNCIL ASSESSMENT REPORT

### NORTHERN REGIONAL PLANNING PANEL

<b>PANEL REFERENCE &amp; DA NUMBER</b>	PPSNTH-228 (PAN-346942) – DA-87/2023
<b>PROPOSAL</b>	Inverell Aquatic Centre Replacement
<b>ADDRESS</b>	Part Lot 85 DP 1151983, 69 Evans Street, Inverell
<b>APPLICANT</b>	Hines Constructions Pty Limited
<b>OWNER</b>	Inverell Shire Council
<b>DA LODGEMENT DATE</b>	6 July 2023
<b>APPLICATION TYPE</b>	Development Application
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Clause 3 of Schedule 6 – Regionally Significant Development (Council related development over \$5 Million in which Inverell Shire Council is the owner of the development) - <i>State Environmental Planning Policy (Planning Systems) 2021</i>
<b>CIV</b>	\$24,978,789 (excluding GST)
<b>CLAUSE 4.6 REQUESTS</b>	Not Applicable
<b>KEY SEPP/LEP</b>	<ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021.</i></li> <li>• <i>State Environmental Planning Policy (Industry and Employment) 2021.</i></li> <li>• <i>State Environmental Planning Policy (Planning Systems) 2021.</i></li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021.</i></li> <li>• <i>Inverell Local Environmental Plan 2012.</i></li> <li>• <i>Inverell Development Control Plan 2013.</i></li> </ul>
<b>TOTAL &amp; UNIQUE SUBMISSIONS</b>	Nil
<b>KEY ISSUES IN SUBMISSIONS</b>	Not applicable
<b>DOCUMENTS SUBMITTED FOR CONSIDERATION</b>	<ul style="list-style-type: none"> <li>• Architectural Plans (<b>Attachment B</b>)</li> <li>• Concept Stormwater and Civil Works Plans</li> <li>• Statement of Environmental Effects</li> <li>• Statement of Heritage Impact</li> <li>• Flood Effects Engineering Letter</li> <li>• Traffic and Parking Assessment Report</li> <li>• Noise Impact Assessment</li> <li>• Waste Management Plan</li> <li>• BCA Capability Report</li> </ul>

	<ul style="list-style-type: none"> <li>• Section J Report</li> <li>• Statement of Compliance – Access for People with Disability</li> <li>• Electrical Services Design Statement of Intent</li> </ul>
<b>SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)</b>	Nil
<b>RECOMMENDATION</b>	Approval
<b>DRAFT CONDITIONS TO APPLICANT</b>	Yes
<b>SCHEDULED MEETING DATE</b>	26 September 2023
<b>PLAN VERSION</b>	22 February 2022, 20 April 2023, 22 May 2023 and 23 March 2023 – Prepared by Facility Design Group, Project Name “Inverell Aquatic Centre”, Job No. W343
<b>PREPARED BY</b>	Chris Faley, Development Services Coordinator, Inverell Shire Council
<b>DATE OF REPORT</b>	25 August 2023

## EXECUTIVE SUMMARY

A Development Application (DA-87/2023) has been received for the Inverell Aquatic Centre replacement at 69 Evans Street, Inverell. The proposed development involves the construction of a new contemporary aquatic centre to serve the needs of the Inverell Community. The previous Inverell Memorial Swimming Pool was partially demolished in June 2023 under a separate development consent (DA-38/2023).

The subject site is known as Part Lot 85 DP 1151983, 69 Evans Street, Inverell (‘the site’), being located on the corner of Evans Street and Lawrence Street, Inverell. The site has an area of approximately 1.2 hectares and is located on flood prone land. The site currently contains the original Inverell Memorial Swimming Pool Entry building, war memorials and stockpiles of crushed concrete from the previous swimming pool (to be reused for the new aquatic centre).

The site is located in the RE1 Public Recreation zone pursuant to Clause 2.2 of the *Inverell Local Environmental Plan 2012*. The proposed development is characterised as both a ‘Recreation Facility (Indoor)’ and ‘Recreation Facility (Outdoor)’, which are both permissible with consent in the RE1 Public Recreation zone.

The principle planning controls relevant to the proposal include *State Environmental Planning Policy (Resilience and Hazards) 2021*, the *Inverell Local Environmental Plan 2012* and the *Inverell Development Control Plan 2013*. The proposal is consistent with these planning controls. Jurisdictional prerequisites to the grant of consent imposed by the following controls have been satisfied including:

- Section 4.9 for *State Environmental Planning Policy (Biodiversity and Conservation) 2021* for consideration of impacts on Koala habitat;
- Section 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021* for consideration of whether the land is contaminated;

- Clause 5.10 of the *Inverell Local Environmental Plan 2012* in relation to consideration of impacts on heritage significance;
- Clause 5.21 of the *Inverell Local Environmental Plan 2012* in relation to consideration of flooding;
- Clause 6.1 of the *Inverell Local Environmental Plan 2012* in relation to earthworks; and
- Clause 6.6 of the *Inverell Local Environmental Plan 2012* for the provision of essential services.

There were no concurrence requirements from agencies for the proposal and the application is not integrated development pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979*.

The application was placed on public exhibition from 13 July 2023 until 11 August 2023. No submissions were received.

The application is referred to the Northern Regional Planning Panel as the development is 'regionally significant development', pursuant to Section 2.19 (1) and Clause 3 of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*. The proposal is 'Council related development' with a Capital Investment Value over \$5 million (capital investment value is \$24,978,789 excl. GST).

The key issues associated with the proposal included:

- Heritage

The site contains two (2) local heritage items. A Statement of Heritage Impact has been submitted that considers the design and placement of the new Inverell Aquatic Centre as being appropriate and recommends approval of the proposal.

Council's Heritage Advisor has reviewed the proposal and is generally satisfied with the development; with the exception of the height of the new Aquatic Centre being higher than, and visually dominating, the original memorial pool building. To reduce this visual dominance, additional landscaping has been recommended between the new building and the heritage item.

Subject to imposition of conditions of consent in relation to additional landscaping and protection of the heritage items during construction, it is considered that the proposed development will not have a significant adverse heritage impact.

- Flooding

The development site is located on the low hazard flood fringe identified by Chapter 6 of the *Inverell Development Control Plan 2013*. The site has historically been used for public recreation and previously contained the Inverell Memorial Swimming Pool. It is considered that the redevelopment of this site for the Inverell Aquatic Centre will not result in any significant additional flood risks.

The proposed Inverell Aquatic Centre incorporates a raised floor level 500mm above the 1 in 100 year flood level and has been certified by an engineer to have no significant impact on flood volumes or levels on adjacent properties.

Following a detailed assessment of the proposal, pursuant to Section 4.16(1)(b) of the *EP&A Act*, DA-87/2023 is recommended for approval subject to the draft conditions included as **Attachment A** to this report.

## 1. THE SITE AND LOCALITY

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### 1.1 The Site

The development site is known as Part Lot 85 DP 1151983 (addressed as 69 Evans Street, Inverell) located on the corner of Evans Street and Lawrence Street. It has an approximate area of 1.2ha and is the site of the former Inverell Memorial Swimming Pool. A locality map (**Figure 1**), aerial image of the development site (**Figure 2**) and photos depicting the current site (**Photos 1 to 4**) and previous Inverell Memorial Swimming Pool (**Photos 5 and 6**) are provided below.

The former Inverell Memorial Swimming Pool was constructed in 1958 and was partially demolished in June 2023, with the only remaining components being the original entry building and several large trees. The original entry building (**Photo 1**) is single storey and contains:

- A distinctive alcove with war memorials;
- Offices and amenities; and
- A separately tenanted gymnasium.

The site contains two (2) Items of Environmental Heritage under the *Inverell Local Environmental Plan 2012* being:

- Item I107 – Inverell Memorial Pool; and
- Item I108 – War Memorial (Cenotaph) located on the corner of Evans and Lawrence Street) – **Photo 1**;

As per Chapter 6 of the *Inverell Development Control Plan 2013*, the site is located within a 'Low Hazard Flood Fringe', being affected by the 1991 flood which occurred on 7 February 1991. In terms of flood levels, the 1991 flood closely approximates a 1 in 100 ARI (average recurrent interval) flood event. The 1991 flood did not enter the original pool building (FFL approximately 100mm above recorded flood level) or the actual pool (previous concourse 70-130mm above the recorded flood level).

Evans Street (approximate 20 metres wide) and Lawrence Street (approximate 10 metres wide) fronting the development site are bitumen sealed urban streets with kerb and gutter. Rear-to-kerb angled parking (including 1 disabled space in front of the original pool entry building) is provided in Evans Street (**Photo 7**) and parallel parking is available in Lawrence Street (**Photo 8**). The Varley Oval Car Park on the opposite side of Lawrence Street (**Photo 9**) was also used by patrons of the Inverell Memorial Swimming Pool.

The former Inverell Memorial Swimming Pool was connected to town water, sewer, electricity, telecommunications and stormwater infrastructure. These utility services remain available for the proposed development.

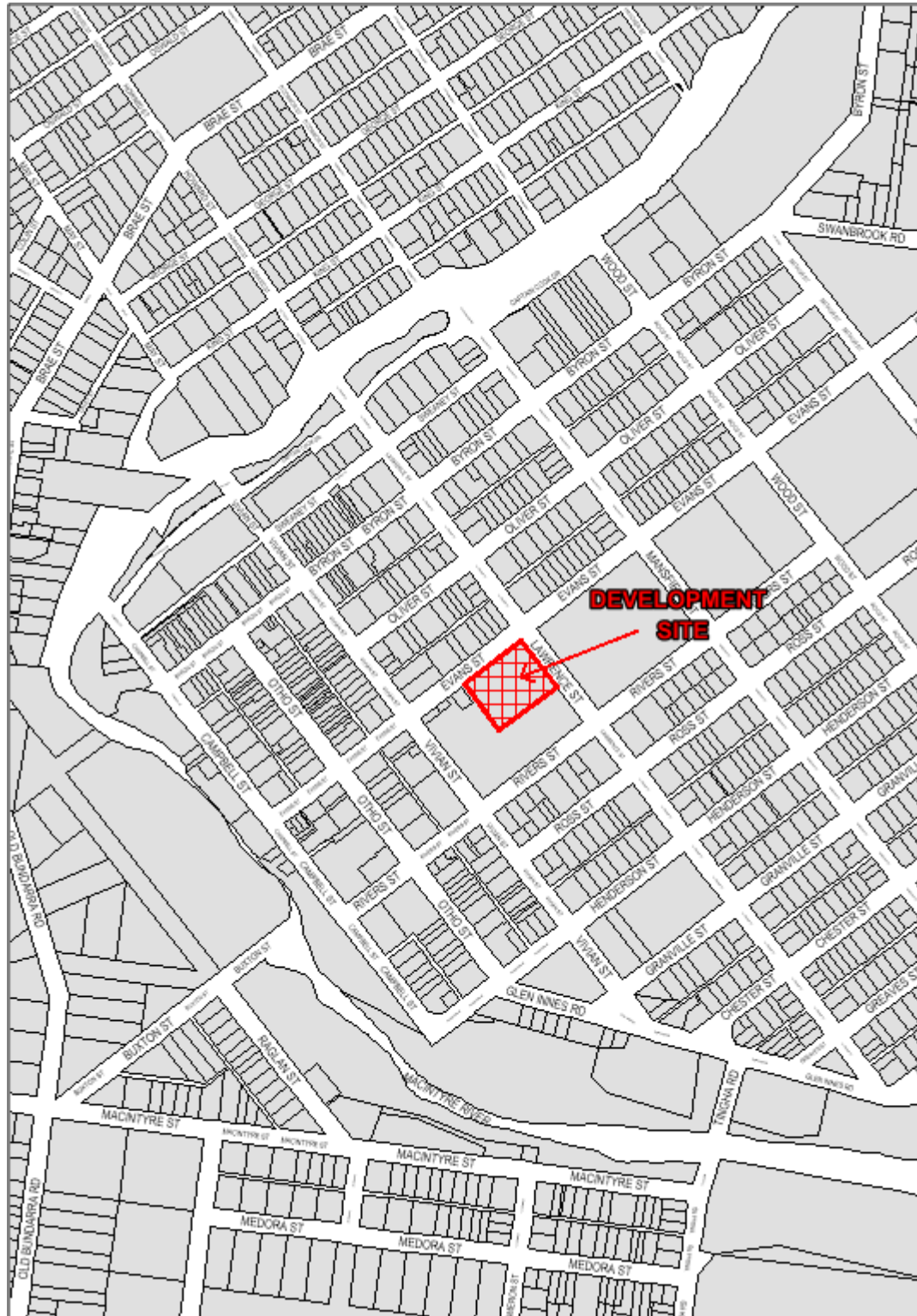
### 1.2 The Locality

The surrounding area is depicted in **Figure 3** and is characterised by a mixture of land uses. Notably:

- Public open space – Victoria Park and Varley Oval and Inverell Tennis Courts;
- Commercial uses along Evans Street, including Inverell RSM Club, Motel and Harvey Norman;
- Churches in Ross Street;
- Inverell Fire Brigade Station in Evans Street; and

- Residential accommodation - Along Evans Street (opposite Varley Oval) and Ross Street.

The built form in the locality is varied, with both single and two storey buildings and a range of building materials (refer **Photo 8** of Evans Street).



**Figure 1 - Locality Plan**





Figure 2 – Aerial Image of Site

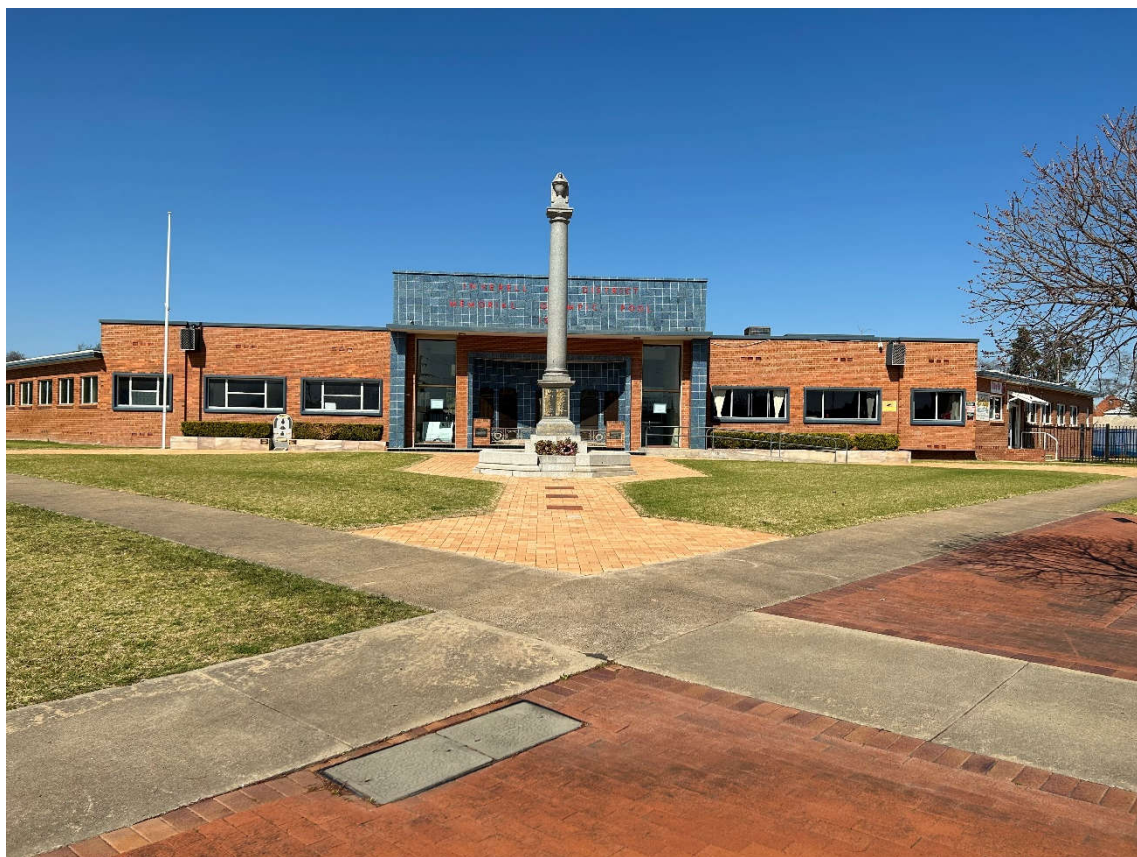


Photo 1 – Site (original pool entry building) viewed from corner of Evans Street and Lawrence Street





**Photo 2 – Site viewed from Lawrence Street**



**Photo 3 – Site viewed from Evans Street**





**Photo 4 – Site viewed from Victoria Park**



**Photo 5 – Pre-Demolition (2010) Site viewed from Lawrence Street.  
Source: Google Street View**





**Photo 6 – Pre-Demolition (2010) Site viewed from Evans Street.  
Source: Google Street View**



**Photo 7 – Evans Street**





**Photo 8 – Lawrence Street**



**Photo 9 – Varley Oval Car Park**





**Figure 3 – Adjoining Land Uses**



## 2. THE PROPOSAL AND BACKGROUND

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### 2.1 The Proposal

It is proposed to construct a new aquatic centre comprising:

- Main pool indoor / outdoor measuring 50 metre x 20 metre (8 lane x 2.5 metre wide) with an access ramp to the northern end. The main pool will be winterised by way of:
  - A permanent roof over the shallow end;
  - A hinged swim wall and enclosing wall at the 25 metre mark to enable the pool to be enclosed during winter months;
  - A two-zone filtration and pool water heating system to enable the southern 25 metre outdoor pool to be closed off when the northern 25 metre pool is operating indoors in winter mode; and
  - A one zone pool hall heating system for the northern 25 metre pool hall when in winter mode.

The pool has been designed to be compliant with Federation Internationale de Natation (FINA) criteria for 50 metre and 25 metre (short course) competitions.

- Integrated 20m x 10m warm water, indoor program pool, with a spiral lift, moveable floor (fully moveable to same depth), as well as articulating floor, with three integrated depth zones, meeting all pool access safety transition requirements. Access to this pool will be by way of moveable stair with isolated concourse platform lift. The warm water program pool will be located in its own pool hall.
- Indoor zero depth water play equipment and splashpad with adjacent toddler's pool. This facility will be located adjacent to the northern end of the 25 metre indoor pool and will be enclosed all year round.
- New foyer, front of house, shared reception/café, and moveable display retail areas. The café will be supported by wet lounge (adjacent to water play/ splash pad) and dry lounge (located off foyer) areas.
- Administration and office areas.
- Range of change rooms, shower and amenity areas, servicing different wet and dry zones.
- Multipurpose activity room with capacity to be divided into two separate activity spaces.
- Wellness/consulting rooms.
- Associated plant and building services/infrastructure necessary to operate the facility.
- Landscaping.

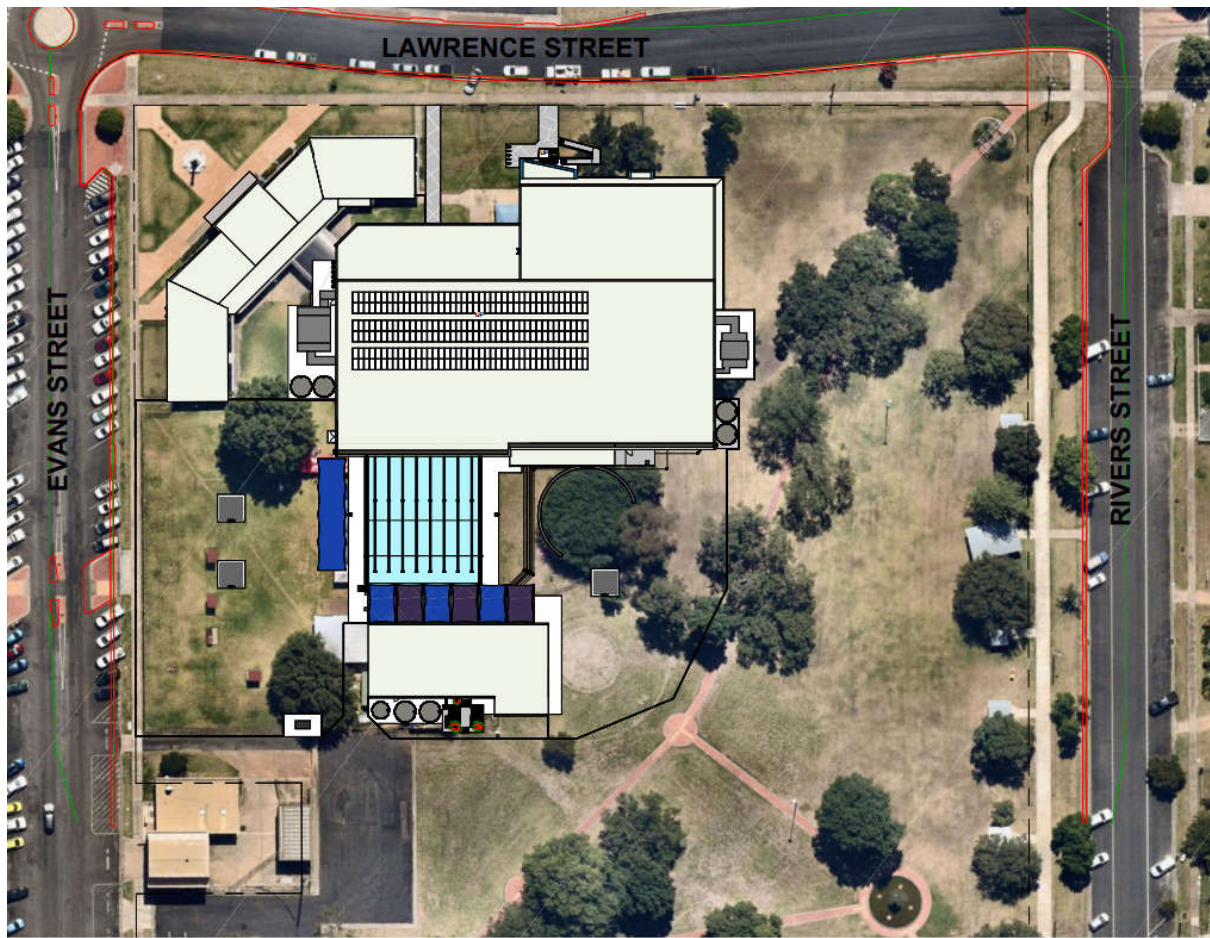
**Figures 4, 5 and 6** below depict the site layout and perspectives of the proposed Aquatic Centre. The full Architectural Drawings are included as **Attachment B** to this report. **Table 1** below provides additional 'Development Data'.



No works are proposed to the original Inverell Memorial Swimming Pool building or associated war memorials. A separate Development Application will be lodged at a later date for the redevelopment and/or change of use of this building, following an Expression of Interest by Council.

**Table 1: Development Data**

<b>Control</b>	<b>Proposal</b>
Site area	Part Lot 85 DP 1151983 – Approximate 1.2ha
GFA	3462.06m <sup>2</sup>
FSR (retail/residential)	N/A
Clause 4.6 Requests	N/A
No of apartments	N/A
Max Height	7.5 metres
Landscaped area	Proposed at front entry (Lawrence Street)
Car Parking spaces	None proposed
Setbacks	Lawrence Street Setback – 7.065 metres Separation from Original Entry Building – 3.466 metres



**Figure 4 – Site Layout Extracted from Architectural Plans**



**Figure 5 – Perspective Extracted from Architectural Plans**





**Figure 6 – Perspective Extracted from Architectural Plans**

## 2.2 Background

A Functional and Technical Design Brief, inclusive of town planning advice was prepared by Otium Planning Group on behalf of Council. Formal pre-lodgement advice from Council included:

- Heritage advice from Council’s Heritage Advisor on 20 October 2021 – This advice was provided to Otium Planning Group for inclusion within the Functional and Technical Design Brief. A Statement of Heritage Impact has been submitted with DA-87/2021 consistent with the heritage advice; and
- Council’s Development Services Coordinator undertook a pre-lodgement site inspection with the consulting flood engineer for the purpose of determining the 1991 flood level for the site.

The Development Application was lodged on **6 July 2023**. A chronology of the Development Application since lodgement is outlined in **Table 2** below including the Panel’s (if any) involvement (briefings, deferrals etc) with the application:

**Table 2: Chronology of the DA**

Date	Event
<b>6 July 2023</b>	DA-87/2023 lodged
<b>13 July 2023</b>	Exhibition of the application (29 days)

## 2.3 Site History

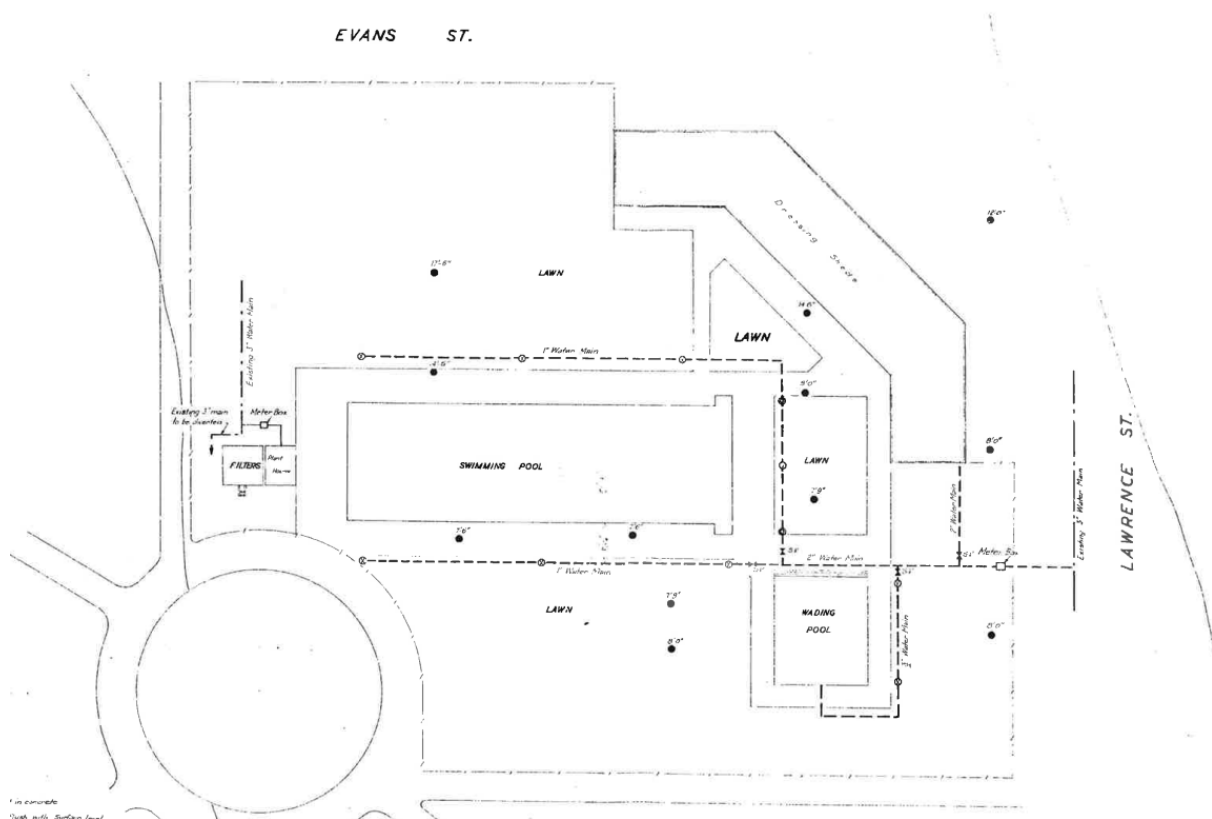
The Inverell Memorial Swimming Pool was constructed in 1958 and comprised:

- The main entry building, which is a single storey brick building with a distinctive tiled entry and alcove containing a number of honour rolls, including the Inverell District Great Wall Honour Roll (**Photo 1**);
- Main competition pool – A concrete, tiled pool;
- Toddlers pool – A concrete tiled pool; and
- Pump room – brick outbuilding.

A copy of the “as constructed” 1958 site layout of the Inverell Memorial Swimming Pool is included as **Figure 7**.

A number of improvements were undertaken over the subsequent decades, including clubhouse, learn-to-swim pool and facilities (shelters, BBQ, etc.). In 1999/2000, a significant addition of a domed roof and boom was undertaken to winterise the shallow 25 metre end of the pool.

On 16 March 2023, DA-38/2023 was lodged by Inverell Shire Council for the partial demolition of the Inverell Memorial Swimming Pool and associated preliminary earthworks. This application was subject to public exhibition and no submissions were received. DA-38/2023 was approved subject to conditions on 3 April 2023 and the partial demolition of the Inverell Memorial Swimming Pool was undertaken in June 2023.



**Figure 7 – 1958 “As Constructed” 1958 Site Layout of Inverell Memorial Swimming Pool**



### 3. STATUTORY CONSIDERATIONS

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When determining a Development Application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). The matters which are of relevance to the assessment of this development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
  - (i) *any environmental planning instrument, and*
  - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - (iii) *any development control plan, and*
  - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (b) *that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

It is noted that the proposal is not considered to be:

- Integrated Development (s4.46);
- Designated Development (s4.10);
- Requiring concurrence/referral (s4.13); or
- Crown DA (s4.33) - written agreement from the Crown to the proposed conditions of consent must be provided.

#### 3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the *Environmental Planning and Assessment Regulation 2021* are considered below.

##### (a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*
- *State Environmental Planning Policy (Industry and Employment) 2021;*
- *State Environmental Planning Policy (Planning Systems) 2021;*

- *State Environmental Planning Policy (Resilience and Hazards) 2021; and*
- *Inverell Local Environmental Plan 2012.*

A summary of the key matters for consideration arising from these Environmental Planning Instruments are outlined in **Table 3** and considered in more detail below.

**Table 3: Summary of Applicable Environmental Planning Instruments**

*Note: Prerequisite considerations have been shown **Bold***

<b>EPI</b>	<b>Matters for Consideration</b>	<b>Comply (Y/N)</b>
State Environmental Planning Policy (Biodiversity & Conservation) 2021	Chapter 4: Koala Habitat Protection 2021 <ul style="list-style-type: none"> <li>• <b>Section 4.9 - As the site exceeds 1ha in area consideration of koala habitat is required. This has been undertaken below.</b></li> </ul>	Y
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3: Advertising and Signage <ul style="list-style-type: none"> <li>• Section 3.6 – granting consent to signage</li> </ul>	Y
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development <ul style="list-style-type: none"> <li>• Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 3 of Schedule 6 as it comprises 'Council related development' with a Capital Investment Value over \$5 million (capital investment value is \$24,978,789).</li> </ul>	Y
SEPP (Resilience & Hazards)	<b>Chapter 4: Remediation of Land</b> <ul style="list-style-type: none"> <li>• <b>Section 4.6 – Consideration of contamination is a prerequisite of granting development consent.</b></li> </ul>	Y
Proposed Instruments	No compliance issues identified.	Y
LEP	<ul style="list-style-type: none"> <li>• Clause 2.3 – Permissibility and zone objectives</li> <li>• <b>Clause 5.10 – Heritage Conservation</b></li> <li>• <b>Clause 5.21 – Flood Planning</b></li> <li>• <b>Clause 6.1 – Earthworks</b></li> <li>• <b>Clause 6.6 – Essential Services</b></li> </ul>	Y

## **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

### Chapter 4 – Koala Habitat Protection 2021

As the development site has an area greater than 1 hectare and there is no approved koala plan of management applying to the land, Clause 4.9 (2) states that “before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat”.

Given the historic use of the land for public recreation and the lack of food tree spaces in the area, the development is considered to have no impact on koalas or koala habitat. A koala assessment report is not required and the granting of consent is not precluded by this SEPP.

The proposal is consistent with this SEPP.



## **State Environmental Planning Policy (Industry and Employment) 2021**

### Chapter 3: Advertising and Signage

The development proposes a single “building identification sign” on the front fascia of the main entry building.

The building identification sign is consistent with the aims set out in section 3.1 (1) (a) of this SEPP, being compatible with the visual character of the area and providing effective communication.

In consideration of the “Assessment Criteria” specified within Schedule 5 of this SEPP, the building identification sign is compatible with the character of the area, streetscape, site and building. It is not considered to have an adverse heritage impact and will not adversely impact safety. No devices, logos or illumination is proposed.

The proposal is consistent with this SEPP.

## **State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)**

### Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19 (1) as it satisfies the criteria in Clause 3 of Schedule 6 of the Planning Systems SEPP as the proposal is “Council related development over \$5 million” (capital investment value is \$24,978,789). Accordingly, the Northern Regional Planning Panel is the consent authority for the application.

The proposal is consistent with this SEPP.

## **State Environmental Planning Policy (Resilience and Hazards) 2021**

### Chapter 4: Remediation of Land

Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The land has been historically used for public recreation including the previous Inverell Memorial Swimming Pool. As no change of use is occurring, the requirement of section 4.6 (2) of the Resilience and Hazards SEPP to provide a preliminary investigation report is not triggered.

Despite the above, during the partial demolition of the former Inverell Memorial Swimming Pool under DA-38/2023, asbestos water pipes were discovered and removed from the site. As part of DA-38/2003, asbestos clearance certificates have been provided to Council for the removal of these pipes and they are enclosed as **Attachment C**. Given the discovery of asbestos water pipes as part of the demolition works, there is potential for other asbestos water pipes to be discovered during construction activities (e.g. footings, service lines, etc.) and consideration should be given to potential contamination caused by damage to these pipes.

To address this potential contamination risk, it is recommended that conditions of consent be imposed requiring that an “Unexpected Finds Protocol” inclusive of an ‘Asbestos Handling and Disposal Procedure’ be prepared and implemented on-site.

Subject to the recommended conditions, the proposal is consistent with this SEPP.

## **Inverell Local Environmental Plan 2012**

The relevant local environmental plan applying to the site is the *Inverell Local Environmental Plan 2012* (‘the LEP’). The aims of the LEP are:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to encourage sustainable economic growth and development,*
- (b) to protect and retain productive agricultural land,*
- (c) to protect, conserve and enhance natural assets,*
- (d) to protect built and cultural heritage assets,*
- (e) to provide opportunities for growth.*

The proposal is consistent with these aims as it will provide a modern recreation facility supporting the growth of Inverell and is not considered to have a significant adverse impact on the existing heritage items on the site.

### Zoning and Permissibility (Part 2)

The site is located within the RE1 Public Recreation zone pursuant to Clause 2.2 of the LEP (**Figure 8**).

According to the definitions in Clause 4 (contained in the Dictionary), the proposal satisfies the definition of both a “recreation facility (indoor)” and “recreation facility (outdoor)”, which are both permissible uses with consent in the Land Use Table in Clause 2.3.

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

- *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.*

The proposal is considered to be consistent with these zone objectives for the following reasons:

- The land will be used for recreational purposes; and
- The development is not considered to have a significant adverse impact on the natural environment.





**Figure 8 – Extract of ILEP 2012 Zoning Map. Source: NSW Planning Portal Digital EPI Viewer**

#### General Controls and Development Standards (Part 2, 4, 5 and 6)

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

**Table 4: Consideration of the LEP Controls**

Control	Requirement	Proposal	Comply
Heritage (CI 5.10)	The consent authority must consider the effect of the proposed development on the heritage significance of the heritage items.	<p>The applicant has submitted a Statement of Heritage Impact for the development.</p> <p>Council's Heritage Advisor has reviewed the development and has no issues subject to the provision of additional landscaping.</p> <p>Heritage is discussed further in <b>Section 5 – Key Issues</b> of this report.</p>	Yes
Flood planning (CI 5.21)	The consent authority must consider the flood impacts on the development site, riparian systems, other properties and persons.	<p>The site has historically been used for public recreation, including the previous Inverell memorial Swimming Pool. The development is considered appropriate for the 'low hazard flood fringe'.</p> <p>The Inverell Aquatic Centre building will have a finished</p>	Yes

		<p>floor level above the 1 in 100 year flood and has been certified by an engineer in relation to flood impacts.</p> <p>Flooding is discussed further in <b>Section 5 – Key Issues</b> of this report.</p>	
Earthworks (CI 6.1)	Before granting development consent for earthworks, the consent authority must consider the impact of works on the site and surrounding environment.	<p>The site is generally flat with approximately 200mm of fill proposed for a finished floor level above the 1 in 100 year flood level. This fill will be wholly contained within the development site.</p> <p>The proposed earthworks are not considered to adversely impact soil stability, drainage patterns, local amenity or any redevelopment potential of adjoining land.</p> <p>A sediment and erosion control plan has been included as part of the civil drawings submitted with the application.</p>	Yes
Essential Services (CI 6.6)	Before granting development consent, the consent authority must be satisfied that essential services are available to the development.	<p>The previous Inverell Memorial Swimming Pool was connected to town water, town sewer, electricity and underground stormwater drainage infrastructure. These service connections remain available for the proposed Inverell Aquatic Centre.</p> <p>The site has frontage to both Evans Street and Lawrence Street, which are considered “suitable vehicular access” for the development.</p>	Yes

The proposal is considered to be generally consistent with the LEP.

**(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments**

There are no proposed instruments which have been the subject of public consultation under the EP&A Act, that are relevant to the proposal.



**(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan**

The following Development Control Plan is relevant to this application:

- *Inverell Development Control Plan 2013 (IDCP).*

No contributions plans are considered relevant to the development pursuant to Section 7.18 of the EP&A Act.

A summary of the relevant chapters of the IDCP 2013 has been provided below and a detailed Table of Compliance for the IDCP 2013 is provided as **Attachment D**.

IDCP – Chapter 4 Commercial and Industrial Development

Whilst the development is not specifically for commercial purposes, a “recreation facility (indoor)” is a land use listed as applicable to this policy. In consideration of the controls of this chapter, the development is considered to be a suitable use in the location, consistent with the streetscape, and be suitably designed in relation to setbacks, amenity, earthworks and stormwater drainage.

The development is considered to be consistent with the controls of this chapter.

IDCP – Chapter 5 Parking and Traffic

This chapter of the IDCP provides parking rates for specific types of recreation facilities (e.g. bowling alleys, gyms). No parking rate is specified for this type of development.

Where a development type does not have a parking rate, the IDCP allows the parking provision to be determined in consideration of the individual circumstances of a proposal, supporting evidence (e.g. traffic impact study, parking survey etc) and other best practice guidelines.

In this instance, the proposed Inverell Aquatic Centre is the replacement of the previous Inverell Memorial Swimming Pool demolished in June 2023. The applicant has submitted a Traffic and Parking Assessment Report that demonstrates that the existing public parking in the locality is sufficient to cater for the Inverell Aquatic Centre. Council’s Manager Civil Engineering has reviewed this Traffic and Parking Assessment Report and supports this conclusion.

The development is considered to be consistent with the controls of this chapter.

IDCP – Chapter 6 Flooding

The proposed development will have a finished floor level of 585.15 metres AHD, which equates to 500mm above the 1991 (1 in 100 year) floor level. This floor level complies with the IDCP and is sufficient to not require any additional flood protection measures.

The Inverell Aquatic Centre will be constructed from flood compatible materials and flood certification from an engineer has been submitted for the development. Conditions of consent are proposed in relation to other general building matters (e.g. sewer reflux, location of air conditioning, etc.).

The development is considered to be consistent with the controls of this chapter.

*Note: Flooding is discussed further in **Section 5 – Key Issues** of this report.*

## IDCP - Chapter 7 Heritage

The proposed aquatic centre generally complies with the controls of this chapter, being sited behind the heritage items (original building and war memorials) and being of contemporary design to provide distinction between old and new.

The development is inconsistent with the Clause 7.4.7 Form & Massing given the new building is higher than the existing building and is considered to dominate the site. Council's Heritage Advisor has reviewed this matter and considers that this dominance can be reduced with the inclusion of additional landscaping.

Subject to conditions of consent consistent with the Heritage Advisor's advice, it is considered that the inconsistency with Clause 7.4.7 can be resolved and the development is not inconsistent with the controls of this chapter.

*Note: Heritage is discussed further in **Section 5 – Key Issues** of this report.*

### **(d) Section 4.15(1)(a)(iiia) – Planning agreements under Section 7.4 of the EP&A Act**

No planning agreements have been entered into under Section 7.4 of the EP&A Act.

### **(e) Section 4.15(1)(a)(iv) - Provisions of Regulations**

Section 61 of the 2021 EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application. No matters are considered relevant to the proposal, noting that no further demolition works are proposed (completed under DA-38/2023).

Section 62 (consideration of fire safety) and Section 64 (consent authority may require upgrade of buildings) of the 2021 EP&A Regulation are not relevant to the proposal, as no works (i.e. alterations, rebuilding) or change of use is proposed to existing Memorial Pool building.

## **3.2 Section 4.15(1)(b) - Likely Impacts of Development**

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments includes the following:

- Context and setting – The site has historically been used for public recreation and the Inverell Aquatic Centre will replace the previous Inverell Memorial Swimming Pool demolished in June 2023.

The bulk and scale of the proposed Aquatic Centre building is considered compatible with the locality, in particular the large buildings in Evans Street (RSM Club, Motel).

Overall, the development is not considered to have a significant adverse impact on the context and setting of the locality.



- Access and traffic – The Traffic and Parking Assessment Report submitted with DA-87/2023 concludes that there is sufficient availability of parking within the Varley Oval and surrounding street network to accommodate the proposed facility. Council's Manager Civil Engineering has reviewed this assessment report and concurs with this assessment.

The Traffic and Parking Assessment Report identifies that in time of sporting fixtures at the Varley Oval, some persons may be required to walk further than 200 metres. This is considered to be a rare occurrence given peak Varley oval usage (winter sports – NRL, AFL) do not coincide with peak Aquatic Centre usage (summer). Furthermore, there is good pedestrian linkages (concrete footpaths) in the surrounding street network and through Victoria Park.

In relation to public transport, the site is within convenient walking distance of several bus stops and there is sufficient capacity in Lawrence Street for weekday layover of school buses.

In conclusion, the proposed Inverell Aquatic Centre will replace the previous Inverell Memorial Swimming Pool. The purpose of the development is to provide a modern swimming pool facility to service the community. The Inverell Aquatic Centre is not considered to significantly intensify or alter the previous traffic and parking conditions associated with the previous Inverell Memorial Swimming Pool.

- Public Domain – The Inverell Aquatic Centre is a recreation use compatible with the adjacent Victoria Park.
- Utilities – All utility infrastructure is available to the site, which previously contained the Inverell Memorial Swimming Pool. A condition of consent will require evidence of service provider requirements to the Principal Certifier prior to issue of a Construction Certificate. The development is not considered to significantly burden utility infrastructure.
- Heritage – The development site contains two heritage items, being the original memorial pool building (including war memorials) and the Inverell War Memorial (Cenotaph) on the corner of Evans and Lawrence Streets (**Photo 1**).

The proposed development involves no alterations/additions to the original memorial pool building and no works on the corner of Evan and Lawrence Streets, which would impact the War Memorial (cenotaph).

A Statement of Heritage Impact has been submitted with DA-87/2023 and reviewed by Council's Heritage Advisor. Subject to provision of additional landscaping to reduce the dominance of the new building (condition of consent), the development is not considered to have an adverse impact on the significance of the heritage items.

To protect the heritage items during construction activities, it is recommended that conditions of consent be imposed requiring Dilapidation Reporting and a Construction Management Plan inclusive of provisions for protection and remediation (if necessary) of the heritage items.

- Other land resources – Given the location of the site within the Inverell urban area, the development is not considered to impact other land resources such as agricultural, mining or water catchments.

- Water/air/soil impacts – The pool filtration system will be located in a fully enclosed building with adjacent bunded loading dock, which will prevent leakage of chemicals into soil or drainage systems.
- Flora and fauna impacts – The site does not contain any significant flora and is not considered a habitat for protected fauna. The site is not included on the “Biodiversity Values Map” and is not considered “likely to significantly affect threatened species”. Further assessment under the *Biodiversity Conservation Act 2016* is not required.
- Natural environment – No significant excavation is required with the proposed main pool utilising the same space as the demolished pool. The majority of fill will be contained within the building footprint and will not significantly alter the natural contours of the area. Subject to the imposition of appropriate conditions, the development is not considered to have a significant adverse impact on the natural environment.
- Noise and vibration:

#### *Construction*

The proposed hours of construction are:

- 7.00am till 5.00pm Monday to Friday;
- 8.00am to 1.00pm Saturdays;
- 8.00am to 4.00pm on Saturdays if work is internal and inaudible (no power tools permitted); and
- No work on Sundays or public holidays.

#### *Operation*

The site has historically been used for public recreation including previous Inverell memorial Swimming Pool. The proposed new Aquatic Centre is not considered to significantly intensify or alter noise sources associated with the recreation use of the site.

An acoustic assessment has been submitted with DA-87/2023 for the proposed mechanical plant and heat pump. This acoustic assessment concludes that the development will be compliant with NSW Noise Policy for Industry subject to:

- The cumulative sound power level of proposed mechanical plant not exceeding 78dB;
- The mechanical plant being well maintained to ensure that fan balance and/or faulty bearings (or similar) do not lead to long term increase in noise levels;
- Signs should be placed on, or near to, the car parking areas advising users to minimise noise when arriving at and/or leaving the centre, particularly in the hours 5.30am to 7.00am; and
- A Community relations program should be implemented.

In response to the above recommendations within the acoustic assessment:

- A condition of consent is proposed that prior to issue of an Occupation Certificate, certification be provided to Council that cumulative sound power level of the mechanical plant does not exceed 78db;
- A condition of consent is proposed that all mechanical plant is to be maintained;



- A condition of consent is proposed that a community relations program is prepared and maintained for the Inverell Aquatic Centre; and
- As the parking areas are open to the general public and not restricted to the sole use of the Aquatic Centre, the recommended signs are not considered necessary.

Lastly, as an added precautionary measure for noise impacts it is recommended that a condition of consent be imposed that the noise generated by the post construction operation of the development must not exceed 5dB(A) above background noise levels.

- Natural hazards – The site is identified as flood prone land and the development has been assessed against the *Inverell Local Environmental Plan 2012* and *Inverell Development Control Plan 2013*. The development is not considered to be significantly impacted by and will not adversely impact on flood behaviour.

Council records do not indicate the site as affected by other hazards, including bush fire, landslip or acid sulphate soils.

- Safety, security and crime prevention – In consideration of the Crime Prevention through Environmental Design Principles:
  - Access into the facility will be controlled through a single-point of public entry/exit off Lawrence Street;
  - The Statement of Environmental Effects nominates the inclusion of suitable lighting and CCTV within the facility; and
  - The development's design and internal layout has considered potential safety problems such as locations for entrapment and hiding.
- Social impact – The new Inverell Aquatic Centre is considered to have a positive social impact for Inverell and the broader region.
- Economic impact – The development may have a minor economic benefit during construction through the possible employment of local trades and services.
- Site design and internal design – The design of the development is considered appropriate for the site. Subject to conditions identified throughout this report, the design of the development is not considered to have a significant adverse impact on the surrounding area.
- Construction – It is considered that potential construction impacts can be mitigated with appropriate conditions of consent, including the requirement to prepare a Construction Management Plan addressing (at minimum):
  - Risk Matrix for the proposed works in particular with respect to heritage protection;
  - Erosion control measures in accordance with 'NSW Managing Urban Stormwater - Soils and Construction (Blue Book)';
  - Remedial action plan in event of any issues with heritage items;
  - Dust and vibration protection/ management of the adjacent war memorials;
  - Crane locations and lift paths to minimise lifting;
  - Site storage and stockpile locations;
  - Protection of trees to be retained on-site;
  - Temporary servicing and service relocations;

- Public safety in the use of roads and footpaths adjoining the development;
  - Construction traffic and vehicles;
  - Dust control;
  - Continued pedestrian and vehicle access for adjoining premises;
  - Waste management;
  - Noise and vibration; and
  - Sanitary amenities and ablutions.
- **Cumulative impacts** – The site previously contained the Inverell Memorial Swimming Pool. Whilst the development results in a larger building footprint, the operation is considered to be similar to previous, with the new Aquatic Centre providing better facilities for the community. Overall, it is considered that the cumulative impact will be minimal.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

### **3.3 Section 4.15(1)(c) - Suitability of the site**

The site previously contained the Inverell Memorial Swimming Pool and the proposed Inverell Aquatic Centre is considered appropriate for the locality. The site has suitable utility infrastructure and the public parking in the locality has sufficient capacity for the development.

The Inverell Aquatic Centre is located on flood prone land and within proximity of two Items of Environmental Heritage. It is considered that these matters can (and have) been addressed in the design of the development. These matters do not affect the suitability of the site.

### **3.4 Section 4.15(1)(d) - Public Submissions**

Refer **Section 4 – Referrals and Submissions** of this report.

### **3.5 Section 4.15(1)(e) - Public interest**

The proposed development complies with the relevant legislation and will provide modern Aquatic facilities for the community. The development is consistent with the *Inverell Local Strategic Planning Statement 2036*, in particular Priority No. 5 to promote lifestyle opportunities.

The development of the new Inverell Aquatic Centre on the site of former Inverell Memorial Swimming Pool is considered to be in the public interest and is consistent with the following objects of the *Environmental Planning and Assessment Act 1979*:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *to promote the orderly and economic use and development of land,*
- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *to promote good design and amenity of the built environment,*
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*

## 4. REFERRALS AND SUBMISSIONS

### 4.1 Agency Referrals and Concurrence

The Development Application was not required to be referred to other agencies for comment/concurrence/referral as required by the EP&A Act.

### 4.2 Council Officer Referrals

The Development Application has been referred to various Council officers for technical review as outlined **Table 5**.

**Table 5: Consideration of Council Referrals**

Officer	Comments	Resolved
Manager Civil Engineering	<p><u>Parking</u></p> <p>Council's Manager Civil Engineering supports the conclusion of the Traffic and Parking Assessment Report that <i>"the availability of on-street unrestricted parking on the surrounding road network and within Varley Oval is expected to accommodate peak demands of the expanded centre combined with existing demands"</i>.</p> <p>The Traffic and Parking Assessment Report recommends five (5) additional access parking spaces in Evans Street. It is recommended that these spaces be spread across the available parking for the Aquatic Centre, being Evans Street, Lawrence Street and Varley Oval car park.</p> <p><u>Traffic</u></p> <p>The Traffic and Parking Assessment Report provides minimal analysis of traffic volumes associated with the development. Council's Manager Civil Engineering has undertaken a separate assessment of potential traffic impact associated with the development and is satisfied that the impact on the street network and traffic flows is minimal.</p> <p><u>Stormwater</u></p> <p>The civil concept plans for stormwater are satisfactory with stormwater discharging to the existing infrastructure.</p> <p><u>Construction Matters</u></p> <p>It is recommended that conditions of consent be imposed in relation construction, traffic and pedestrian management plans.</p>	Y (conditions)
Manager Water Services	<p>Council's Manager Water Services has confirmed that the capacity of Council's water and sewer infrastructure is capable of servicing the proposed development.</p>	Y (conditions)



	<p>Prior to issue of a Construction certificate:</p> <ul style="list-style-type: none"> <li>Detailed water and sewer hydraulic plans will need to be approved by Council prior to issue of Construction Certificate, which addresses water service requirements, fire-fighting and disposal of waste to Council sewer; and</li> <li>Approval under Section 68 of the <i>Local Government Act 1993</i> will need to be obtained for the disposal of back wash (subject to appropriate discharge rate) and food preparation areas (grease trap required).</li> </ul>	
Building Surveyor	Council's Building Surveyor has reviewed the application and is satisfied that the design of the proposed Inverell Aquatic Centre Replacement is capable of complying with the requirements of the relevant sections of the <i>Environmental Planning and Assessment Act 1979</i> , <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the Building Code of Australia (BCA) 2022.	Y
Health and Building Surveyor	A review of environmental and public health has been undertaken by Council's Health and Building Surveyor. No issues have been identified subject to conditions of consent being imposed in relation to food preparation, chemical storage and erosion control.	Y (conditions)
Heritage	<p>Council's Heritage Advisor reviewed the submitted Statement of Heritage Impact and subject to provision of additional landscaping to reduce the visual dominance of the new building, is satisfied that the development will not have a significant adverse heritage impact.</p> <p>Heritage is discussed further in <b>Section 5 – Key Issues</b> of this report.</p>	Yes (conditions)

### 4.3 Community Consultation

The proposal was notified in accordance with the Council's *Community Participation Plan* and *Council Policy - Conflict of Interest Policy - Council-related Development Applications* from 13 July 2023 until 11 August 2023. The notification included the following:

- An advertisement in the local newspaper (Inverell Times) on 13 July 2023;
- Signs placed on the development site;
- Exhibition on the NSW Planning Portal;
- Notification letters sent to adjoining and adjacent properties (30 letters sent); and
- Notification on the Council's website.

No submissions were received.

## 5. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

### 5.1 Heritage

The site contains two (2) Items of Environmental Heritage under the *Inverell Local Environmental Plan 2012* being:

- Item I107 – Inverell Memorial Pool; and
- Item I108 – War Memorial (Cenotaph) located on the corner of Evans and Lawrence Street.

A Statement of Heritage Impact has been submitted with DA-87/2023, which has been reviewed by Council's Heritage Advisor. A copy of the Heritage Advisory Memo is included as **Attachment E**. The key comments from Council's Heritage Advisor are:

- *It is my opinion that the new Aquatic Centre does visually dominate the heritage item when viewed from Lawrence Street. However, this dominance could be reduced by increasing the landscaping (shrub and tree planting) between the new building and heritage item;*
- *The Statement of Heritage Impact (SOHI) that accompanies the Development Application states:*

*“The form and proportion of the new aquatic facility is to be long/narrow with the front façade location setback and behind the original main pool/baths memorial building, that has been designed with ‘contemporary’ Lawrence Street elevation to assist in the separation/distinction between the old and new buildings”.*

*I concur with this comment.*

- *From the documentation reviewed no service utility will be visible from the main street (Lawrence Street) elevation*

Subject to conditions being imposed requiring the provisions of additional landscaping, it is considered that the location and design of the Inverell Aquatic Centre will not have a significant adverse impact on the significance of the heritage items.

Whilst no works are proposed to the original entry building or within the vicinity of the war memorials, there is potential for indirect impacts (e.g. vibration, dust) associated construction activities. It is recommended that precautionary conditions of consent be imposed requiring Dilapidation Reports and preparation of a Construction Management Plan inclusive of appropriate measures to protect (and restore if necessary) the heritage items.

### 5.2 Flooding

The site is located within a 'Low Hazard Flood Fringe', being affected by the 1991 flood which occurred on 7 February 1991. In terms of flood levels, the 1991 flood closely approximates a 1 in 100 ARI (average recurrent interval) flood event.

In accordance with the Chapter 6 of the *Inverell Development Control Plan 2013* (IDCP 2013), the minimum standard flood level requirements for this development are:

- Floor level equal to the 1976 flood level (approx. 1 in 50 year flood) plus 300mm; and
- Flood protection equal to 1991 flood level (approx. 1 in 100 year flood) plus 500mm.

The nearest officially recorded 1991 flood height available for this development is Flood Mark No. 75 located at the Cenotaph on the corner of Evans and Lawrence Street, which records the 1991 flood as **584.48 metres AHD**. The flood report submitted with DA-87/2023 has determined that:

- Flood Mark No. 75 is “artificially low, because it is in the flood shadow of the existing pool building, which was constructed well before the 1991 flood”; and
- “at the south-west limit of the 50 metre pool (upstream from a flooding perspective), the 1991 Flood Level was 584.65 metres AHD, assessed by interpolation of points 56 and 57 in Rivers St and points 73 and 74 in Evans St”.

A map showing the above Flood Marks is included as **Figure 9** below and it is considered that **584.65 metres AHD** is the relevant 1991 flood level for this development. There are no nearby records for 1976 flood; however, being a lesser flood event, the levels would be lower than the 1991 flood.



**Figure 9 – Recorded 1991 Flood Marks**

The proposed finished floor level of the Inverell Aquatic Centre is **585.15 metres AHD**, which is **500mm** above the adopted 1991 flood level. This finished floor level is sufficient to meet the flood protection requirements of the IDCP 2013 and no additional measures are considered necessary.



The flood certificate submitted with DA-87/2023 recommends that “*no hydraulic objection be raised against the proposed Aquatic Centre on the basis that the impact on flood levels and water velocities in the vicinity or elsewhere, will be unlikely to:*

- (1) Significantly alter the designated flood levels,*
- (2) Significantly alter peak flood flow velocities on adjacent properties during the designated flood, which I estimate will be less than 1.5 metres per second.*

A condition of consent will require that prior to issue of a Construction Certificate, certification is to be provided that the Inverell Aquatic Centre can withstand the conditions which would be experienced during the 1991 flood, as noted by the consulting flood engineer.

In relation other flood controls:

- The majority of filling is contained to the footprint of the building;
- The new boundary fencing will replace existing and is considered to have negligible impact on flooding;
- As the floor level is above the 1991 flood, associated electrical wiring, air conditioning, etc. will also be above flood level; and
- A sewer reflux valve will be required on the sewer connection/s to the building, which can be imposed as a condition of consent.

## 6. CONCLUSION

DA-87/2023 has been lodged for the Inverell Aquatic Centre Replacement at Part Lot 85 DP 1151983, 69 Evans Street, Inverell.

The site is zoned ‘RE1 Public Recreation’ pursuant to the *Inverell Local Environmental Plan 2012*. The proposed development is characterised as both a ‘Recreation Facility (Indoor)’ and ‘Recreation Facility (Outdoor)’, which are both permissible with consent.

The development has been assessed in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and considered to be consistent with the relevant *State Environmental Planning Policies*, *Inverell Local Environmental Plan 2012* and *Inverell Development Control Plan 2013*. The development is considered to have minimal impact on the natural and built environment and no adverse social or economic impacts. The site is has historically been used for public recreation, including the previous Inverell memorial Swimming Pool. The site is suitable for redevelopment and the development is compatible with the surrounding locality.

As a result of public exhibition of DA-87/2023, no submissions were received.

It is considered that the key issues as outlined in **Section 5** have been resolved satisfactorily in the design of the development and in the recommended draft conditions at **Attachment A**.

In summary, this development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls and the key issues identified in this report, it is considered that the application can be supported.

## 7. RECOMMENDATION

That the Development Application (DA-87/2023) for the Inverell Aquatic Centre Replacement at 69 Evans Street, Inverell be **APPROVED** pursuant to Section 4.16 (1) (a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Attachment A.

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: Architectural Plans
- Attachment C: Asbestos Clearance Certificates
- Attachment D: IDCP 2013 Tables of Compliance
- Attachment E: Heritage Advisory Memo