

COUNCIL ASSESSMENT REPORT**DA-59/2020 - INVERELL POLICE STATION REDEVELOPMENT**

Panel Reference	PPSNTH-42
DA Number	DA-59/2020
LGA	Inverell Shire Council
Proposed Development	Crown Development Application for the construction of a new Police Station building, ancillary works, associated usage and signage
Street Address	109 Otho Street, Inverell
Applicant/Owner	NSW Police
Date of DA lodgement	22 May 2020
Number of Submissions	One
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)	Crown development over \$5 million
List of all relevant s4.15(1)(a) matters	• State Environmental Planning Policy No. 55 – Remediation of Land; • State Environmental Planning Policy No. 64 – Advertising and Signage; • State Environmental Planning Policy (Infrastructure) 2007; • State Environmental Planning Policy (State and Regional Development) 2011; • Inverell Local Environmental Plan 2012; and • Inverell Development Control Plan 2013.
List all documents submitted with this report for the Panel's consideration	• DA-74/2019 Notice of Determination (Attachment 1); • Site Survey (Attachment 2); • Architectural Drawings (Attachment 3); • Landscape Concept Drawings (Attachment 4); • Water Management Drawings, Civil Drawings and Sediment and Erosion Control Plan (Attachment 5); • Flood Assessment and Stormwater Management Report (Attachment 6); • Statement of Heritage Impact (Attachment 7); and • Construction Management Plan (Attachment 8).
Report prepared by	Chris Faley, Development Services Coordinator
Report date	8 July 2020



Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report? **Yes**

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s7.24)? **Not Applicable**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report



EXECUTIVE SUMMARY

On 16 October 2019, DA-74/2019 was approved by the Northern Regional Planning Panel for the redevelopment of the Inverell Police Station at 109 Otho Street, Inverell which involved:

- Demolition of the existing NSW Police building and structures;
- Site preparation works;
- Construction and use of new Police building; and
- Ancillary works including signage.

To date, the following works have been undertaken in accordance with DA-74/2019:

- Demolition of the existing NSW Police building and structures;
- Site preparation works, including sewer main alterations; and
- Partial construction (sub-floor) of the new Police building.

A copy of the Notice of Determination for DA-74/2019 is included as **Attachment 1** of this report.

The NSW Police are now seeking development consent for a number of changes to the approved Police Station building, being:

- Amended internal design/layout for the ground floor and first floor;
- Amended elevations with repositioned windows along with an alternate window design to the Otho Street elevation and sections of the eastern elevation with a slat system and folded metal fascia;
- Amended window sizes and locations to the western elevation;
- Amended roof design and repositioned skylights with inclusion of photovoltaic panel zones;
- A new mechanical deck above the roof instead of the previous mechanical well below the roof;
- Extension of the roof, with the new slats system, over the access pathway along a section of the eastern boundary;
- New sign details;
- The fire hydrant at the front of the site facing Otho Street will be enclosed with doors rather than being exposed to the public;
- Amended fence design and materials along Campbell Street; and
- Minor change (185mm) to the maximum height of the building.

Excluding minor external works, the primary changes between the approved Police Station building (DA-74/2019) and the proposed Police Station building (DA-59/2020) are generally above the ground floor level. Accordingly, works on the Police Station building are currently being undertaken up to the ground floor level in accordance with DA-74/2019.

The NSW Police undertook their own review of the proposed changes against the previous approval and they have determined that it is not possible to modify DA-74/2019. To facilitate the proposed changes to the Inverell Police Station, on 22 May 2020, the NSW Police lodged a new Development Application (DA-59/2020) for the “construction of a new Police Station building, ancillary works, associated usage and signage”.

As the applicant has not sought a modification to DA-74/2019, this report does not assess the changes between the approved development and the proposed development. DA-59/2020 has been processed and assessed by Council as a separate and independent Development Application.

It is recommended that a condition under Section 4.17 (1) (b) of the *Environmental Planning and Assessment Act 1979* not be imposed on DA-59/2020 requiring the surrender or modification of DA-74/2019. Works have already commenced under DA-74/2019 and it is considered that development consents under both DA-59/2020 and DA-74/2019, for the same use, can co-exist. Whilst there are inconsistencies in the main Police Station building design between the two development applications this inconsistency will be naturally resolved, whereby the implementation of DA-74/2019 (original police station design) will no longer be a practical possibility due to development having been undertaken pursuant to DA-59/2020 (or vice versa).



DA-59/2020 is 'Crown Development' and has a Capital Investment Value of \$9,500,000. *Note: The nominated Capital Investment Value for DA-74/2019 was \$14,202,251.* Accordingly, the development is declared to be regionally significant development pursuant to *State Environmental Planning Policy (State and Regional Development) 2011*. The development is not Integrated Development, Designated Development or Threatened Species Development.

The site is known as Lot 7012 DP 1153744, 109 Otho Street, Inverell. It is zoned 'B2 Local Centre' pursuant to the *Inverell Local Environmental Plan 2012*. The proposed development is characterised as an 'Emergency Services Facility', which is permissible in the B2 Local Centre zone with consent.

Lot 7012 DP 1153744 is located within the Inverell CBD and contains:

- Partially constructed new Police Station building (works being undertaken in accordance with DA-74/2019);
- Inverell Court House;
- One (1) dwelling fronting Campbell Street – *Note: Two (2) dwellings previously fronted Campbell Street; however, one (1) was demolished in accordance with DA-74/2019;*
- Two (2) dwellings fronting Rivers Street; and
- Parking areas and ancillary structures.

The primary environmental considerations relating to this development are:

- Heritage

The site contains two (2) local heritage items (Court House and one (1) dwelling fronting Rivers Street) and is within the CBD Heritage Conservation Area. The development is not considered to impact these heritage items subject to appropriate management measures being implemented during construction.

A Statement of Heritage Impact has been submitted with the Development Application, which concludes that *"there are no aspects of the proposal which could be detrimental to the significance of the subject site, the Inverell CBD HCA and heritage items in the vicinity"*. The Statement of Heritage Impact recommends a:

- A temporary protection plan - The Construction Management Plan submitted with DA-59/2019 addresses construction near adjoining premises;
- Heritage interpretation strategy – As the former Police Station is not a heritage item and consistent with NSW Heritage Office guidelines, a heritage interpretation strategy is not considered necessary.

Council's Heritage Advisor has reviewed DA-59/2020 and confirmed that:

- The proposed facade, new facade detail and proposed fence plans are acceptable; and
- The above roof mechanical deck and solar panels will not be visible from Otho Street. The mechanical deck will be visible from Campbell Street, however, it is considered this is negligible.

- Electricity

DA-59/2020 was referred to Essential Energy in accordance with Section 45 of *State Environmental Planning Policy (Infrastructure) 2007*. Essential Energy have advised that *"strictly based on all documents and information submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development"*.

Essential Energy provided other general comments in relation to this development. The applicant is aware of the requirements under Essential Energy and SafeWork NSW guidelines in relation to electricity connection requirements and working near powerlines. It is not considered necessary to duplicate these requirements as conditions of development consent.



- Parking and Traffic

Due to security, the applicant has not provided detailed information in relation to staffing and traffic volumes. Based on the information available, including previous media articles, it is considered that:

- The provision of on-site parking for Police operational vehicles only is consistent with the NSW Government office design guidelines;
- The new Police Station building will provide improved facilities for existing staff. Whilst the new Police Station will likely provide for additional staff in the future, there is unlikely to be a significant increase in staff levels. Accordingly, traffic volumes and demand for on-street parking is unlikely to significantly change; and
- The existing vehicular access crossings from Campbell Street and Otho Street into the Police Station are satisfactory and the road network is not considered to be adversely impacted.

- Contamination

Demolition and site preparation works have been undertaken on the development site in accordance with DA-74/2019.

As part of the demolition and site preparation works under DA-74/2019, and in accordance with the required Demolition and Construction Management Plan, asbestos containing material and underground fuel tanks were located on the site. A remediation action plan was implemented, the potential contaminating material removed and clearance certificates issued. Accordingly, the site is not considered to be contaminated.

- Flooding

The Inverell CBD is flood prone. The site contained the previous Police Station and the co-location with the Court House supports the redevelopment of the site as a Police Station. The proposed Police Station building incorporates a raised floor level and 'drop in barriers' at the entries, to provide flood protection. A flood assessment has been submitted confirming that the development will have no significant impact on flood volumes or levels.

The application was publicly exhibited from 27 May 2020 to 10 June 2020 in accordance with the Inverell Community Participation Plan, which involved:

- Notification of adjoining and adjacent landowners;
- Publication on the Home Page and Advertised Development Applications section of Council's website; and
- A "Notice of Development" sign installed in Otho Street.

As a result of the exhibition, one (1) submission was received, which was not by way of objection. This submission was received one (1) day after the submission due date. The Inverell Community Participation Plan does not contain any specific provision relating to late submissions; however, in the context of the timing of this application in relation to COVID-19 restrictions, the late submission has been accepted by Council for consideration. The submission requests consideration of potential construction impacts on the nearby Australia Post premises.

A Construction Management Plan has been submitted with DA-59/2020 which is considered to address the potential construction impacts identified by the submission maker.

In recognition of the submission makers concerns, it is recommended that conditions of consent be imposed in relation to:

- Compliance with the Construction Management Plan; and
- Repair and restoration of adjoining land, which may be damaged as a result of construction.



DA-59/2020 has been examined having regard to the matters for consideration in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is considered to:

- Comply with the relevant State Environmental Planning Policies;
- Comply with the Inverell Local Environmental Plan 2012;
- Comply with the Inverell Development Control Plan 2013;
- Have minimal impact on the natural and built environment;
- Have minimal social or economic impact;
- Be a suitable development for the site; and
- Not be prejudicial to the public interest.

It is recommended that DA-59/2020 be approved subject to conditions.



SUBJECT SITE AND LOCALITY

The site is known as Lot 7012 DP 1153744, 109 Otho Street, Inverell. It is located within the Inverell Central Business District (CBD) and has frontage to Otho Street, Campbell Street, Rivers Street and an unnamed lane on its north-western side. **Figure 1 – Page 8** shows the site within the locality. An aerial image of the site is provided as **Figure 2 – Page 9**.

The site has an area of 7693m² and contains:

- The partially constructed new Inverell Police Station building – The former police station building was demolished, and construction of the new police building commenced in accordance with DA-74/2019. Pre-demolition and post-demolition photos of the site are provided below (**Photo 1 – Page 10** and **Photo 2 – Page 10** respectively);
- Inverell Court House - a single storey Italianate building, with a prominent clock tower (**Photo 3 – Page 11**);
- One (1) dwelling fronting Campbell Street – Two (2) dwellings previously fronted Campbell Street; however, one (1) was demolished in accordance with DA-74/2019. Pre-demolition and post-demolition photos of the site from Campbell Street are provided below (**Photo 4 - Page 11** and **Photo 5 – Page 12**);
- Two (2) dwellings fronting Rivers Street (**Photo 6 – Page 12**); and
- Parking areas and ancillary structures.

The site is generally flat (refer Site Survey included as **Attachment 2** of this report) and contains limited vegetation, which will not be impacted by the development.

Access to the site is available from Otho Street (refer **Photo 7 – Page 13**) and Campbell Street (refer **Photo 8 – Page 13**). Both streets are bitumen sealed with kerb and gutter. Otho Street forms part of the Gwydir Highway network, whilst Campbell Street is a heavy vehicle bypass around the CBD. No access is taken from the unnamed lane, which is located on north-western side of the site. The street network is shown in **Photos 9 to 12 (Pages 14 and 15)**.

The site is located on the periphery of the core Inverell CBD, which is centered around Otho Street and Byron Street. The area immediately surrounding the site comprises major community facilities, offices and professional services (**Figure 3 – Page 16**). Notable buildings and facilities include:

- Two (2) storey Government Office building (**Photo 13 – Page 17**);
- Two (2) storey building (former Rural Bank) north-west of the development site (**Photo 14 – Page 17**);
- Inverell Post Office (**Photo 15 – Page 18**);
- Town Hall on the corner of Evans Street and Otho Street (**Photo 16 – Page 18**);
- Inverell Shire Council Administration Centre (**Photo 17 – Page 19**); and
- Two (2) storey commercial buildings in Otho Street opposite the Post Office (**Photo 18 – Page 19**).

The site is located within the Inverell CBD Heritage Conservation Area. Lot 7012 DP 1153744 contains two (2) local heritage items being the Court House and the dwelling at 4 Rivers Street. The adjoining former Rural Bank building (107 Otho Street) is a local heritage item, whilst the Inverell Post Office is a state listed heritage item.

As per Chapter 6 of the *Inverell Development Control Plan 2013*, the site is located within a 'High 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 levels were approximately 750mm above the existing ground level and 200mm below the floor level of the previous Police Station building.

All utility services (water, sewer, electricity and telephone) are connected to the site. Council's sewer main traverses the site, under the former (and proposed) Police Station (**Figure 4 –**



Page 20). Overhead electricity lines are located in Campbell Street adjacent to the site, with an aerial service line crossing the northern side of the site. Stormwater from the site is discharged to the kerb and gutter in Campbell and Otho Streets.

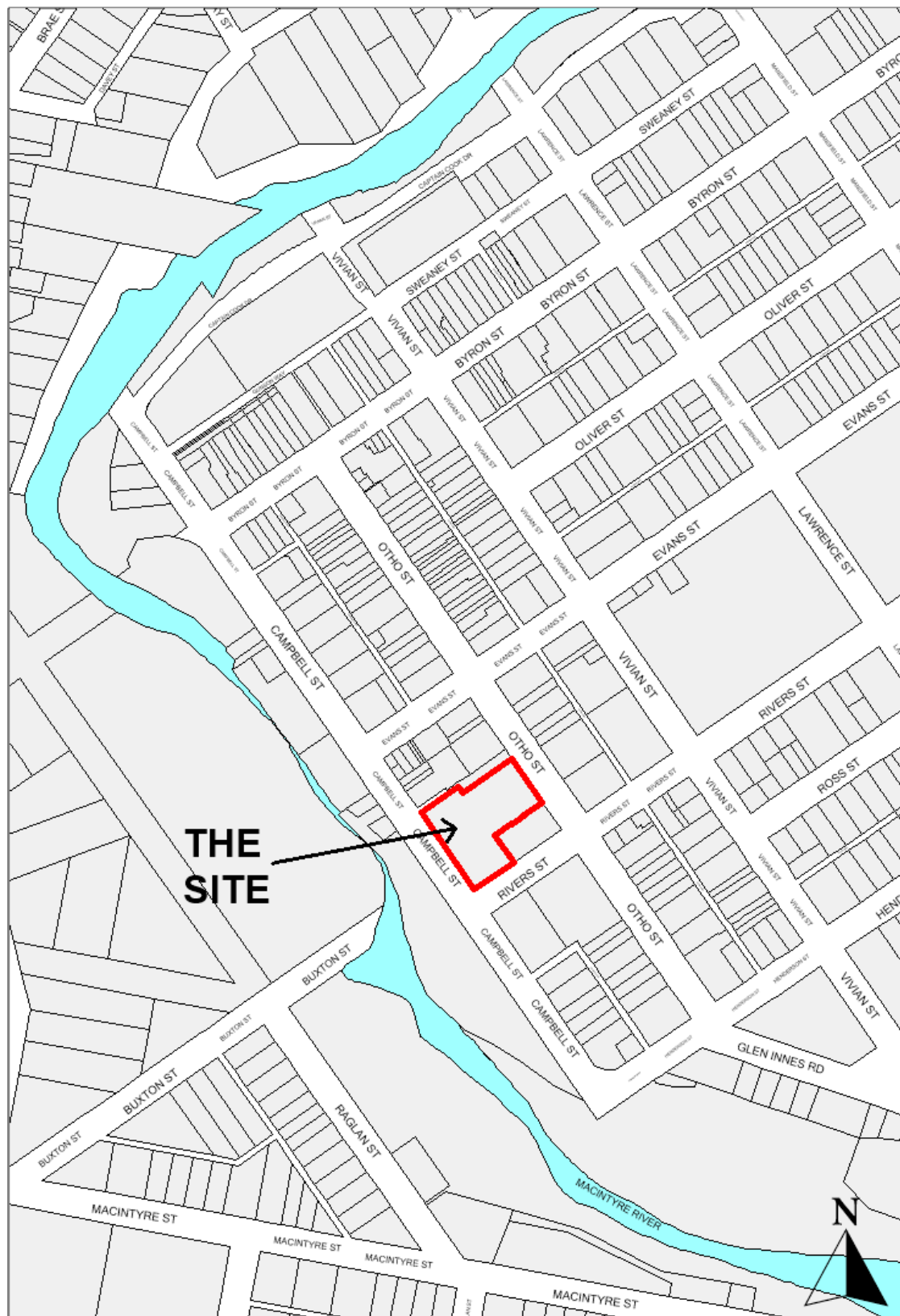


Figure 1 – Locality Plan



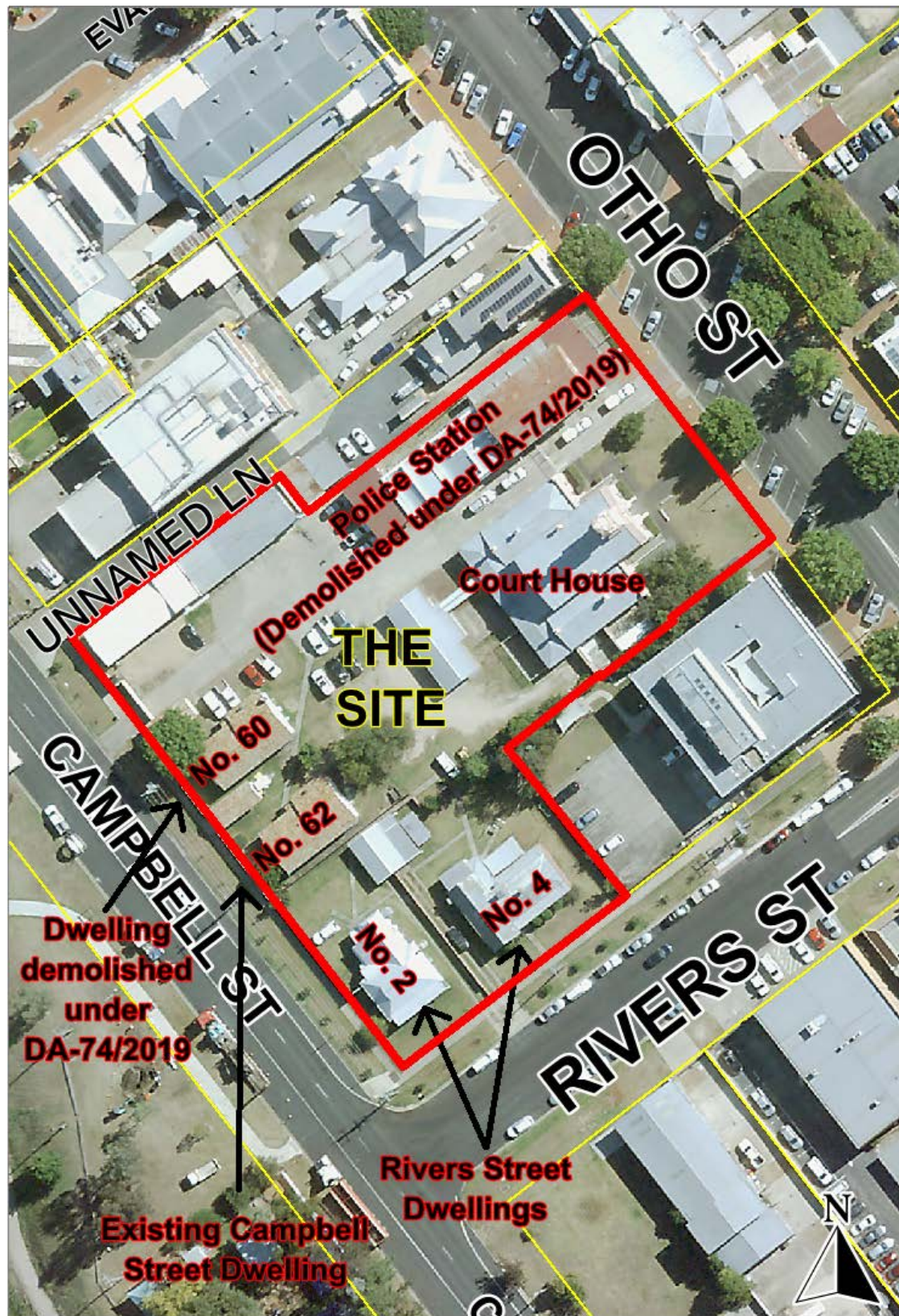


Figure 2 – Aerial Image of Site





Photo 1 – 2019 (Pre-demolition) Inverell Police Station Site from Otho Street



Photo 2 – 2020 (Post-demolition) Inverell Police Station Site from Otho Street



Photo 3 – Inverell Courthouse from Otho Street



Photo 4 – 2019 (Pre-demolition) two (2) Dwellings fronting Campbell Street



Photo 5 – 2020 (Post-demolition) of one (1) Dwelling (No. 62) in Campbell Street



Photo 6 – Two (2) Dwellings fronting Rivers Street





Photo 7 – Otho Street vehicle access



Photo 8 – Campbell Street vehicle access





Photo 9 – Otho Street road formation (viewed from pedestrian crossing between Council Chambers and Government Offices)



Photo 10 – Campbell Street road formation (viewed from Rivers Street intersection)





Photo 11 – Rivers Street road formation (viewed from Otho Street intersection)



Photo 12 – Unnamed Lane off Campbell Street



Figure 3 – Location of Notable Buildings around the Development Site



Photo 13 – Two (2) storey Government Office building



Photo 14 – Two (2) storey building (former Rural Bank) north-west of the development site





Photo 15 – Inverell Post Office



Photo 16 – Town Hall on the corner of Evans Street and Otho Street





Photo 17 – Inverell Shire Council Administration Centre



Photo 18 – Two (2) storey commercial buildings in Otho Street opposite the Post Office

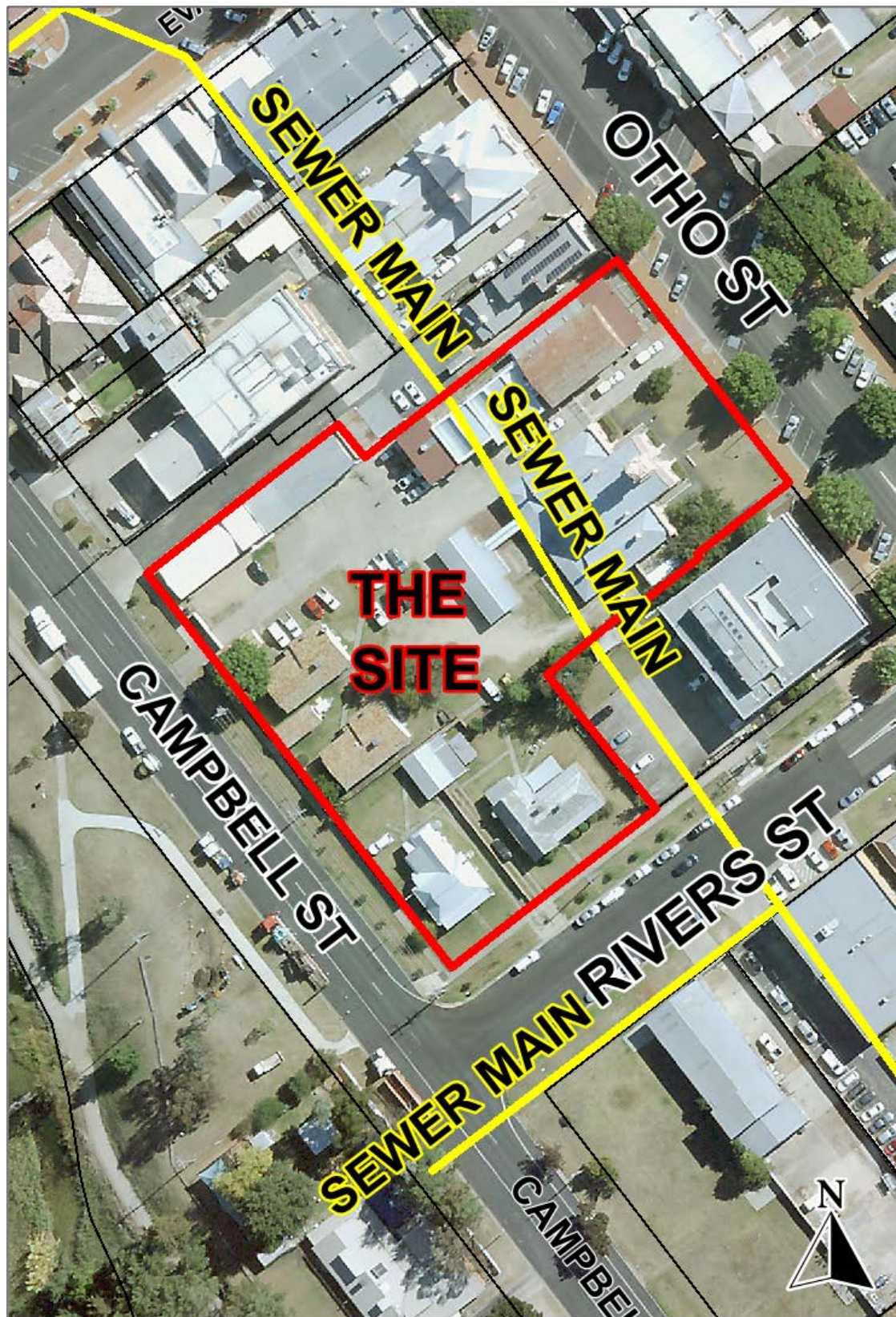


Figure 4 – Approximate Location of Sewer Main in relation to the Site

PROPOSED DEVELOPMENT

The Development Application (DA-59/2020) seeks consent for the construction of a new Police Station building, ancillary works, associated usage and signage.

More specifically, DA-59/2020 seeks approval for the following:

- Construction of a new two (2) storey Police Station, with a concrete frame and panel construction, featuring:
 - Vertical windows and aluminium louvres (timber appearance) on the Otho Street (front) façade and part of the eastern façade;
 - Public entry from Otho Street with a large eave overhang;
 - A roof overhang on the eastern side of the building, providing cover for an access pathway;
 - Van dock and access ramp connecting to the Inverell Court House;
 - A mechanical deck above the first-floor ceiling towards the rear of the Police Station; and
 - A skillion roof with the identification of photovoltaic zones for future solar panel installations (*Note: The installation of solar panels would be subject to a separate approval process*).
- Construction of a concrete car park at the rear of the Police Station, accessed from Campbell Street and containing 18 parking spaces and a wash bay;
- Construction of three (3) new awnings within the car park;
- Stormwater drainage to the kerbs in Otho Street and Campbell Street;
- Widening of the existing access crossing in Campbell Street;
- Earthworks;
- Landscaping at the rear and front of the Police Station, with the notable inclusion of a red maple (*Acer rubrum* – bowhall) at the front of the building with a mature size of ten (10) metres x five (5) metres;
- 2400mm high aluminium fencing (timber look) along Campbell Street;
- 2400mm high concrete wall along the north-western boundary;
- 2400mm high palisade fence along the delineation between NSW Police and Court House parts of Lot 7012 DP 1153744;
- New pylon sign at the front of the Police Station and aluminium lettering above the Otho Street public entry;
- Services, including new fire hydrants at the front of the Police Station;
- Designation of 'Police Parking Only Zones' on Campbell Street and Otho Street, adjoining the Police Station grounds; and
- Operation of the Police Station twenty-four (24) hours a day, seven (7) days a week.

Despite consent being granted previously under DA-74/2019, being a new Development Application, this assessment report has considered the entirety of the development listed above.

INFORMATION SUBMITTED WITH THE DEVELOPMENT APPLICATION

The following information and plans were submitted with the Development Application and considered as part of the assessment of DA-59/2020:

- Statement of Environmental Effects;
- Site Survey (included as **Attachment 2** of this report);
- Architectural drawings (included as **Attachment 3** of this report);



- Landscape Concept Drawings (included as **Attachment 4** of this report);
- Water Management Drawings, Civil Drawings and Sediment and Erosion Control Plan (included as **Attachment 5** of this report);
- Cost of Development Letter;
- Flood Assessment and Stormwater Management Report (included as **Attachment 6** of this report);
- Design Statement;
- Statement of Heritage Impact (included as **Attachment 7** of this report);
- Construction Management Plan (included as **Attachment 8** of this report);
- Waste Management Plan;
- Lighting Statement;
- DCP Table;
- Sewer Manhole Approval Statement;
- Traffic and Parking Statement; and
- BCA Statement.

REFERRALS UNDERTAKEN

Internal Referrals

Heritage Referral

Reviewed a new DA for the proposed Police Station.

The proposal is to:

- *Construct a two storey Police Station including a ramp and connection existing Courthouse;*
- *Construct 3 new canopy structures at the rear of the site;*
- *Construct a fence along the Campbell Street boundary of the site; and*
- *Installation of parking signage along Otho and Campbell Streets and new signage along the primary façade of the new Police Station.*

Following approval of DA-74/2019 for the redevelopment of the Police Station the applicant made some changes to some design elements of the façade. Review and advice was provided in relation to the façade and rear fence on 29 April 2020. The applicant has subsequently lodged a new DA to cover the development from floor level up (DA-59/2020).

The comments previously provided appear to have been incorporated in the new DA and still stand.

The only noted changes appear to be to the roof where part of the roof area has been changed from a mechanical well (a void in the first floor) to a mechanical deck (protruding out of the roof) towards the rear of the building and the introduction of solar panels laying flat on the skillion roof.

It would appear that neither the mechanical deck or solar panels will be visible from Otho Street. The mechanical deck will be visible from Campbell Street, however, it is considered this is negligible.

Development Services Coordinator Comment

The advice provided by Council's Heritage Advisor on 29 April 2020 was:

I have reviewed the proposed facade, new facade detail and proposed fence plans that you forwarded. The proposals, as submitted, are acceptable.



Building Referral

The application was referred to Council's **Building Surveyor**. The following comments were received on 30 June 2020:

Based on a preliminary review of the project documentation provided, the design of the proposed new Inverell Police Station Redevelopment is capable of complying with the requirements of the relevant sections of the EP&A Act, EP&A Regulations and the BCA 2019.

Furthermore, the proposed redevelopment will be subject to a Crown Certificate approval process through section 6.28 of the EP&A Act to ensure all aspects of the design will comply with the BCA 2019 including any performance-based determinations.

Development Services Coordinator Comment

The comments from Council's Building Surveyor are noted. No specific actions or conditions are required in relation to building matters.

Engineering Referral

The application was referred to Council's **Manager Civil Engineering**. The comments are provided below and where applicable commented on by the Development Services Coordinator:

Site Access

All vehicles entering and leaving the site are to be in a forward direction. The adjustment to vehicle access crossings in Campbell Street and Otho Street are subject to application and approval by Council, prior to commencement of construction.

Development Services Coordinator Comment

The car park and accesses have been designed for vehicles to enter and exit in a forward direction. No specific action or condition is required in relation to this matter.

In relation to the application and approval for the access adjustments in Campbell Street, Schedule 2, Clause 5 (1) of the *Roads Act 1993* does not require a Public Authority to obtain approval under Section 138 of the *Roads Act 1993*.

Parking

Police vehicle parking will be on site through security gates, with no private vehicle parking on site, which is in line with standard police security practices.

Proposed regulated kerbside parking signage along the frontages to Otho Street and Campbell Street to accommodate police activities is in accordance with the NSW Police state wide requirements.

Drainage

The current site is predominantly impervious with roof and stormwater drainage directed to the kerb and gutter in Otho Street and Campbell Street. The redeveloped site will have a similar impervious area and the proposed discharge to the kerb and gutter in both streets is satisfactory. There is no Council underground stormwater drainage in close proximity to the site.

Wash Bay – Trade Waste Disposal

The submitted Stormwater Management Plan notes that the existing police station site shows no stormwater treatment measures in place. A physical walkover of the site indicated no separation between hard standing area and the police equipment wash bay with polluted water drained directly into the existing Council stormwater system. The management plan states that to improve the quality of stormwater discharged from the site, it is proposed to introduce a clear separation of the police equipment wash bay from the rainwater drainage system.

The vehicle / equipment wash bay is proposed to discharge to sewer, which will require the lodgement of a Trade Waste application and approval by Council.



Development Services Coordinator Comment

Section 69 of the *Local Government Act 1993* does not require the Crown to obtain the approval (e.g. Trade Waste Approval) off a Council to do anything that is incidental to the erection or demolition of a building. However, it is not unreasonable for a condition of consent to require the pre-treatment for the wash bay to be designed in consultation with Council.

Water Supply

The site has a long term existing water use and therefore does not require any water contributions under Council's Development Servicing Plan No 1.

Any upgrading work required to the existing water service including fire fighting would be subject to an application to Council. Works by Council would be subject to quotation.

Sewer

The site has a long term existing sewer use and therefore does not require any sewer contributions under Council DSP No 1.

A 150mm diameter gravity sewer main runs from Rivers Street along the rear of the Inverell Court House under the Police Station through to Evans Street.

In accordance with DA-74/2019, the approved police station has been designed to accommodate the sewer main in terms of foundation loading on the sewer main and relocation of a sewer manhole clear of the new building footprint. To this end:

- The design of the sewer man hole relocation was approved by Council on 5 March 2020;*
- A Deed of Agreement was entered into between the NSW Police and the owners of the adjoining 107 Otho Street for the relocation of the sewer man hole (copy provided to Council on 2 April 2020);*
- The works associated with the sewer manhole relocation has been constructed and is complete as of 1 May 2020;*
- The design of the footings were approved by Council on 18 May 2020; and*
- Due to the presence of rock adjacent the sewer, some of the screw piers pulled up short of the approved design level in the vicinity of the Council sewer main, which was not expected or desirable. To ensure the long term integrity of the sewer main through the Police Station site the main will need to be subject to CCTV inspection and condition assessment towards the conclusion of the project (with piers under full design loads,) prior to the contractor demobilising. Any remediation works will be at the applicant's expense.*

Development Services Coordinator Comment

Discussions have been undertaken with the applicant regarding the design of the footings and CCTV inspection at the conclusion of the project. The applicant has agreed to the CCTV requirement being imposed as condition of consent on DA-59/2020.

Closed Circuit Television Conduit

The Police Station is linked into the Inverell CBD Closed Circuit Television (CCT) system operated by Inverell Shire Council. A conduit runs underground across Otho Street from the rear of the Council office to the north east corner of the police station site. The CCT connection will need to be catered for in the design of the new police station including the proposed location of a new fire hydrant assembly in the same location.

Development Services Coordinator Comment

It is considered the builder will undertake suitable due diligence to locate underground services prior to construction. It is considered appropriate to include a condition requiring repair of any Council infrastructure damaged as a result of demolition and/or construction.



External Referrals

Essential Energy

DA-59/2020 was referred to Essential Energy via the NSW Planning Portal in accordance with Section 45 of *State Environmental Planning Policy (Infrastructure) 2007*. The following comments were received:

We refer to the above matter and correspondence seeking comment from Essential Energy in relation to the proposed development.

Strictly based on all documents and information submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

- 1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.*
- 2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.*
- 3. Essential Energy has existing overhead powerlines located on the property. The existing police station buildings / improvements do not comply nor meet the requirements of the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure or the required easement widths as per AS/NZS7000:2016 (Appendix CC). The Applicant has provided further information indicating a proposal to rectify this non-compliance and remove the existing overhead powerlines located on the property via Essential Energy Contestable Works project # 120474. All removal works / new works required will be at the Applicant's expense and will be as per Essential Energy's requirements. For further guidance, the Applicant or their Accredited Service Provider should make contact with contestableworks@essentialenergy.com.au.*
- 4. Satisfactory arrangements must be made with Essential Energy for the provision of power with respect to the proposed development. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the development, which may include the payment of fees and contributions. Despite Essential Energy not having any safety concerns, there may be issues with respect to the layout, which will require Essential Energy's approval.*
- 5. In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity to the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.*
- 6. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).*
- 7. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.*

Development Services Coordinator Comment

There are no encumbrances in favour of Essential Energy noted on the title. The applicant is aware of the requirements under Essential Energy (electricity connection) and SafeWork NSW guidelines (working near powerlines). It is not considered necessary to duplicate these requirements as conditions of development consent.



SECTION 4.15 (1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Pursuant to Section 4.15 (1) of the *Environmental Planning and Assessment Act 1979*, the following matters are of relevance to the consideration of this Development Application:

- State Environmental Planning Policies:
 - State Environmental Planning Policy No. 55 – Remediation of Land;
 - State Environmental Planning Policy No. 64 – Advertising and Signage;
 - State Environmental Planning Policy (Infrastructure) 2007; and
 - State Environmental Planning Policy (State and Regional Development) 2011.
- Inverell Local Environmental Plan 2012;
- Inverell Development Control Plan 2013;
- The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with this Act or the regulations; and
- The public interest.

No planning agreements or draft planning instruments apply to this development.

State Environmental Planning Policies

State Environmental Planning Policy No. 55 – Remediation of Land

Clause	Title	Comment and Assessment
7	Contamination and remediation to be considered in determining development application	Pursuant of subclause (1), a consent authority must not consent to the carrying out of any development on land unless: <i>(a) it has considered whether the land is contaminated, and</i> <i>(b) 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, and</i> <i>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i> As part of the demolition and site preparation works under DA-74/2019, asbestos containing material and underground fuel tanks were located on the site. A remediation action plan was implemented for this potential contaminating material and clearance certificates issued. The site is not considered to be contaminated.

State Environmental Planning Policy No. 64 – Advertising and Signage

Clause	Title	Comment and Assessment
3	Aims, objectives etc	A new pylon sign is proposed at the front of the Police Station and aluminium lettering is proposed above the Otho Street public entry. These signs are shown on Sheet DA107 of the Architectural Drawings included as Attachment 3 of this report. The proposed signs are considered to be compatible with



		the desired amenity and visual character of the area. The sign provides effective communication and is consistent with the aims and objectives of this policy.
8	Granting of consent to signage	The clause requires consideration of the objectives and assessment criteria of this policy. The objectives of this policy have been considered above and the assessment criteria of Schedule 1 are discussed below.
Schedule 1 Assessment Criteria		
1	Character of area	The signs are compatible with the surrounding CBD.
2	Special areas	The proposed lettering above the entry and a single pylon sign at the front of the site will not detract from the CBD heritage conservation area.
3	Views and vistas	The signs do not: • Obscure any important views; • Protrude into that skyline or reduce quality vistas; or • Interrupt viewing rights of other advertisers.
4	Streetscape, setting or landscape	The signs are minor in the context of the proposed police station building and surrounding buildings. The scale and form is appropriate for the area and provides a minor contribution to the visual interest of the streetscape. The signs are not considered to result in any clutter or unsightliness. The signs do not protrude above buildings, structures or canopies in the area. Ongoing vegetation management is not required for the signs.
5	Site and building	The signs are not prominent on the site and are compatible with the scale and proportion of the Police Station building.
6	Associated devices and logos with advertisements and advertising structures	No devices, platforms or logos have been proposed for the signs.
7	Illumination	The applicant has submitted a Lighting Statement committing to compliance with <i>Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting</i> , which would apply to the illumination of the signs.
8	Safety	The signs are considered to be of sufficient size and design to easily identify the Police Station without distracting motorists or pedestrians. It is not considered to have an adverse safety impact.

State Environmental Planning Policy (Infrastructure) 2007

Clause	Title	Comment and Assessment
Part 3, Division 5, Subdivision 2, Development likely to affect an electricity transmission or distribution network		
45	Determination of development applications – other	The development is in close proximity to electrical infrastructure. Accordingly, written notice was given to Essential Energy in accordance with the requirements of this



	development	clause. The comments provided Essential Energy have been considered in 'External Referrals' section of this report.
Part 3, Division 6, Emergency services facilities and bush fire hazard reduction		
47	Development permitted with consent	(2) <i>Development for the purpose of an emergency services facility may be carried out with consent by or on behalf of a public authority (other than the NSW Rural Fire Service) on any land.</i>
Part 3, Division 17, Subdivision 2, Development in or adjacent to road corridors and road reservations		
101	Development with frontage to a classified road	Otho Street forms part of the Gwydir Highway, which is a Classified Road. The development site has an access crossing in Otho Street, which will be retained for the new Police Station building, to be used as an exit only from the proposed van dock. The primary vehicle entry and exit for the proposed Police Station will be via Campbell Street. In response to the matters for consideration in this clause: • The design of the vehicular access caters for forward entry and exit of the site; • The development is not considered to generate smoke or dust; • The redevelopment of the Police Station is not considered to result in a significant increase or change in the nature, volume or frequency of vehicles using Otho Street; and • The Police Station is not considered a development, which is sensitive to traffic noise or vehicle emissions.
104	Traffic generating development	The development is not of the relevant size or capacity to be Traffic Generating Development as per Schedule 3 of this policy.

State Environmental Planning Policy (State and Regional Development) 2011

Clause	Title	Comment and Assessment
20	Declaration of regionally significant development: section 4.5 (b)	The development is being carried out by the Crown, as defined by Division 4.6 of the <i>Environmental Planning and Assessment Act 1979</i>. Pursuant to Schedule 7 of this policy, Crown Development with a Capital Investment Value exceeding \$5 million is regionally significant development.

Inverell Local Environmental Plan 2012

Clause	Title	Comment and Assessment
1.2	Aims of Plan	The aims of the <i>Inverell Local Environmental Plan 2012</i> are: (a) <i>to encourage sustainable economic growth and development;</i> (b) <i>to protect and retain productive agricultural land;</i> (c) <i>to protect, conserve and enhance natural assets;</i> (d) <i>to protect built and cultural heritage assets;</i>



		(e) to provide opportunities for growth. The redevelopment of the Inverell Police Station promotes growth and development of the Inverell township and the broader Inverell Shire, through provision of better police resources. The development has been designed to protect the heritage assets of the site and the Inverell CBD. The development is considered to be consistent with the aims of the LEP.
2.3	Zone Objectives and Land Use Table	The site is zoned B2 Local Centre. The development can be characterised as both an “emergency services facility” and a “public administration building”, which are both permissible within the B2 Local Centre zone. emergency services facility means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation. public administration building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station. For the purpose of this assessment, the applicant has sought consent for an “emergency services facility”. The police station is considered a community use, which is appropriate within the zone. The location has good pedestrian access and public transport availability. The development is consistent with the aims of the B2 Local Centre zone.
5.10	Heritage Conservation	As per Schedule 5 of the <i>Inverell Local Environmental Plan 2012</i>, Lot 7012 DP 1153744 is located within the CBD Heritage Conservation Area and contains two (2) items of environmental heritage, being: • I160 – Court house; and • I163 – Police Residence (4 Rivers Street). Pursuant to sub-clause (4), <i>the consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i> The proposed development has been designed to minimise the impacts on the heritage items and heritage conservation area, through: • An eight (8) metre front boundary (Otho Street) setback, located between the Court House (15 metre setback) and the built-to-boundary former Rural Bank building (107 Otho Street); • The vertical windows and louvres within the proposed Police Station building provide continuity with the adjoining Court House and former Rural



		Bank building (107 Otho Street); • A maximum height of approximately nine (9) metres, which is below the main roof of the Court House and consistent with two (2) storey buildings within the CBD; • The mechanical plant deck located above the first floor ceiling is located at the rear of the building and will not be visible from Otho Street; and • Provision of landscaping. Council's Heritage Advisor has reviewed the proposal and is satisfied with the height, setback, form, façade, fencing and materials of the proposed Police Station building. A Statement of Heritage Impact has also been submitted with the Development Application, which concludes that <i>"there are no aspects of the proposed which could be detrimental to the significance of the subject site, the Inverell CBD HCA and heritage items in the vicinity"</i>. The Statement of Heritage Impact provides the following recommendations: • A temporary protection plan is to be developed – A Construction Management Plan has been submitted with DA-59/2020, which addresses construction activities within the vicinity of heritage items. This plan is considered satisfactory and specific heritage protection plan is not warranted; • A Heritage Interpretation Strategy – In accordance with the <i>Interpreting Heritage Places and Items Guidelines</i> published by the NSW Heritage Office, access for interpretation is not always necessary or appropriate for reasons of security, safety, and privacy, or because of the meanings of the item to people. For example, if the use of a building is well known and part of its significance, and that use is continuing, then it may not need other interpretation to communicate its significance. It is considered that a heritage interpretation strategy for the Inverell Police Station is not warranted given the former Police Station was not a heritage item and the operational nature of a Police Station is not conducive to regular public access.
6.1	Earthworks	The site is generally flat as shown on the Site Survey included as Attachment 2 of this report. The development will require minor earthworks for the construction of the access, parking, awnings and services. Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider a number of matters. In this regard: • It is considered that drainage patterns and soil stability in the locality will not be adversely affected; • The earthworks are to facilitate the redevelopment of the land and unlikely to impact any future uses; • The adjoining properties are not considered sensitive land uses, and the earthworks associated



		with the development are not considered to adversely affect amenity; • Whilst the source of fill material has not been nominated; it is considered that the provisions of the <i>Protection of Environmental Operations Act 1997</i> will apply to the classification of any sourced material and its use in the development; • Excavated topsoil will be reused onsite for landscaping (as appropriate) with remaining excavated material disposed at a suitably licensed landfill; • The site has been historically disturbed and is highly unlikely to contain any relics; • The Macintyre River is located approximately 60 metres to the south-west of the development and is separated from the development by Campbell Street. Erosion and sediment control measures are proposed to mitigate sediment entering the Macintyre River via the stormwater system; and • Erosion and sediment control measures have been proposed with the plan included as Appendix E to the Statement of Environmental Effects (copy included as Attachment 5 of this report).
6.2	Flood Planning	The site was 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. Accordingly, the land is below the 'flood planning level' and development consent must not be granted unless the consent authority is satisfied in relation to a number of matters. In this regard: • The consent authority must have consideration of whether a development is compatible with the flood hazard of the land. In this regard, the development site is within a High Hazard Flood Fringe as per Chapter 6 of the <i>Inverell Development Control Plan 2013</i>. The site previously contained the Inverell Police Station (demolished under DA-74/2019) and it is considered that relocation of the Police Station to a flood-free site or 'Low Hazard Flood Fringe' site is not desirable as this would separate the Police Station from the Court House. • A flood assessment has been submitted (Attachment 6 of this report), which states: <i>"the proposed re-development works can be constructed at the proposed levels and will have no significant impact on current flood volumes or top water levels. Localised changes in top water levels will be minimal and will not increase risk to surrounding properties.</i> <i>In summary, post-development flows at the critical sections do not result in increase of the flood hazard or risk to other properties."</i> • The development incorporates a raised floor level and flood shutters over openings to provide flood



		protection for the new Police Station building. - The development site is approximately 60 metres from the Macintyre River and is not considered to adversely impact the river channel, river banks or the environment. - The development is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding. Further assessment of flood heights, floor height requirements and other flood development controls has been undertaken against Chapter 6 of the <i>Inverell Development Control Plan 2013</i>.
6.6	Essential Services	Development consent must not be granted to development unless the consent authority is satisfied that water, sewage, electricity, stormwater infrastructure and access are available for the development All services were provided to the former Police Station and will be re-used for the proposed Police Station.

Inverell Development Control Plan 2013

Inverell Development Control Plan 2013 – Chapter 4 Commercial & Industrial Development

Section	Title	Comment and Assessment
4.3	Location	The development is located within and compatible with the Town Centre Core Area, which is defined as: <i>“The preferred location for shopfront retail activity, including major new stores (excluding bulky goods), and is also the main pedestrian area within the town centre. This core includes a periphery of major community facilities, office and professional services.”</i>
4.4	Streetscape	The proposed Police Station is considered to provide visual interest through the use of different materials and colours. It will make a positive contribution to the streetscape.
4.5	Setbacks	<u>Front</u> Generally, buildings are to be constructed to the front boundary (Otho Street) in the Town Centre Core Area, similar to the former Rural Bank building (107 Otho Street) adjoining the development site. In recognition of the heritage listed Court House, which has a fifteen (15) metre front setback, the new Police Station has been setback eight (8) metres from the front boundary. The eight (8) metre setback is considered to be a suitable compromise between the Court House and the former Rural Bank building (107 Otho Street). <u>Side and Rear</u> No minimum side or rear setbacks are specified within this chapter. The proposed side and rear setbacks of the development are: - The main Police Station building being setback two (2) metres from north-western (nearest) side boundary and forty (40) metres from the Campbell Street (rear) boundary; - A new awning on the north-western side of the



		development, being constructed to the boundary; and The wash bay being setback three (3) metres from the Campbell Street boundary. The above side and rear setbacks are consistent with the surrounding area and not considered to adversely impact the amenity of adjoining properties. The new Police Station building is generally separated six (6) metres from the Court House, with the exception of the new Van Dock, which provides an operational connection between the Police Station and Court House. This separation and the Construction Management Plan (Attachment 8 of this report) which address potential construction impacts, minimises impacts on the Court House.
4.6	Parking and Traffic	The development is considered to have suitable access and parking arrangements, which is discussed in further detail below against Chapter 5 of the <i>Inverell Development Plan 2013</i> .
4.7	Advertising Signs	The proposed signs are considered satisfactory, being of modest size in the context of the building and the site.
4.8	Amenity	Potential amenity impacts from the twenty-four (24) hour Police Station are considered to be primarily noise and lighting. <u>Noise</u> The nearest sensitive receptors are the dwellings in Rivers and Campbell Streets; however, these are directly associated with the Police Station. Other adjacent properties are offices/businesses, which are not as sensitive to noise. The primary noise sources from the proposed Police Station will be vehicles (including sirens) and mechanical equipment. Potential vehicle noise from the proposed Police Station is not considered to be significantly increased in comparison to the previous Police Station operation. Sirens are infrequently used for emergencies and are considered to have minimal impact. The location of cooling and heating units for the Police Station on the mechanical deck at the rear of the building is not considered to generate significant noise in the context of the surrounding CBD. <u>Lighting</u> The applicant has submitted a Lighting Statement committing to compliance with Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.
4.9	Earthworks & Stormwater Drainage	The site is generally flat and minimal earthworks are required for the development. Stormwater is proposed to be discharged to the street, consistent with Council requirements.
4.10	Landscaping	A landscaping plan has been submitted and the proposed method of landscaping is suitable for the CBD. The landscaping concept drawings are included as Attachment 4 of this report.



Inverell Development Control Plan 2013 – Chapter 5 Parking & Traffic

Section	Title	Comment and Assessment
5.3 & 5.4	Parking Space Requirements & Provision of Car Parking	A specific rate of on-site car parking spaces is not nominated for an 'emergency services facility' or Police Station. Where a development does not have a nominated parking rate, the required parking provision will be determined by Council 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 best practice guidelines for this development are contained in the <i>NSW Government Fitout Design Principles (Office Workplace Accommodation)</i>. The car parking requirements specified for government development is: <i>"Spaces will only be provided for official government vehicles, unless approved by the Secretary of the relevant agency".</i> The redevelopment of the Inverell Police Station provides on-site parking for Police operational vehicles only consistent with the NSW Government policy.
5.5	Design	The existing access crossings in Otho Street (Photo 7 – Page 17) and Campbell Street (Photo 8 – Page 12) will be retained for the development. The proposed access and car parking design is considered to: • Comply with the relevant Australian Standards; • Allow vehicles to enter and exit in a forward direction; • Facilitate any loading and unloading within the site boundaries; and • Be of suitable construction (concrete), which is able to be maintained in perpetuity.
5.6	Stormwater	Stormwater is proposed to be discharged to the street, consistent with Council requirements.
5.7	Landscaping	A landscaping plan has been submitted and the proposed method of landscaping is suitable for the CBD. The landscaping concept drawings are included as Attachment 4 of this report.
5.8	Access and Frontage to Laneways	No access is proposed from the unnamed laneway on the western side of the site (refer Photo 12 – Page 14).

Inverell Development Control Plan 2013 – Chapter 6 Flood Prone Land

Section	Title	Comment and Assessment
6.5	Flood Fringe – Low & High Hazard (Inverell)	The site is located within a 'High 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. Whilst high risk developments (such as an emergency centre) are not encouraged on flood prone land, the Police



		Station should be co-located with the Court House and not relocated to flood-free land. The nearest officially recorded 1991 flood heights available for this development are: • Flood Mark No. 64 – Campbell Street (behind Police Station) – 586.52 AHD; and • Flood Mark No. 67 – Otho Street (in front of 107 Otho Street – 585.96 AHD. The applicant has also provided anecdotal evidence that the 1991 flood height at the front of the Police Station was 586.50 AHD. As the anecdotal flood height is consistent with Flood Mark No. 64 (Campbell Street) and is higher than the official recorded level for Otho Street; conservatively, 586.50 AHD has been adopted as the flood level for this development. 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. There are no nearby records for 1976 flood; however, being a lesser flood event, the levels would be lower than the 1991 flood. The proposed finished ground floor level of Police Station is 586.69 AHD which is 190mm above the adopted 1991 flood levels. It is also proposed to provide flood protection to 587.00 AHD. This equates 500mm above the adopted flood level and 310mm above the finished ground floor level. This protection will take the form of drop in plastic barriers at each entry. A flood assessment has been submitted (Attachment 6 of this report), which confirms: <i>“the proposed re-development works can be constructed at the proposed levels and will have no significant impact on current flood volumes or top water levels. Localised changes in top water levels will be minimal and will not increase risk to surrounding properties.</i> <i>In summary, post-development flows at the critical sections do not result in increase of the flood hazard or risk to other properties.”</i> In relation to other flood controls: • All fill is contained to the footprint of the building; • The external walls of the building are concrete frame and panel, which is considered to be flood compatible; • 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, outlets, etc. will also be above flood level;
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		• Air conditioning, heating, etc. will be located on the mechanical deck; and • A sewer reflux valve will be required on all new sewer connection/s to the building. It is recommended that this be imposed as a condition of consent. Overall, it is considered that the proposed development has been suitably designed in response to the impacts of flooding and the development will not adversely impact flood levels or velocities for surrounding properties.
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Inverell Development Control Plan 2013 – Chapter 7 Heritage

Section	Title	Comment and Assessment
7.4	New Development and Buildings	
7.4.12	New Commercial Buildings in Heritage Conservation Areas	<u>Building Heights and Setbacks</u> <i>Building Heights</i> The proposed Police Station is two (2) storeys, being approximately nine (9) metres above ground level on the eastern (higher) side. Two (2) storey buildings are predominant in the area (refer Photos 11 to 16 – Pages 15 to 17) and the height of the proposed Police Station is: • Below the height main roof of the Court House; • Significantly lower than the prominent clock tower off the Court House; and • Is consistent with the height of the former Rural Bank building (107 Otho Street). These heights are shown on Sheet DA201 of the Architectural Plans. <i>Setbacks</i> The former Police Station building was setback approximately 4 metres from the front boundary, with the Court House having a front setback of approximately fifteen (15) metres and the former Rural Bank building (107 Otho Street) constructed on the front boundary. The proposed Police Station building will be setback eight (8) metres from the front boundary. Generally, new buildings within the CBD should be constructed on the street alignment without setbacks. In this instance, construction on the street alignment is not desirable in recognition of the large setback (approximately fifteen (15) metres) of the Court House. Furthermore, a fifteen (15) metre front setback would significantly reduce the area available for the Police Station redevelopment. Accordingly, the proposed eight (8) metre front boundary setback, located between the Court House and former Rural Bank building (107 Otho Street), is considered to be an appropriate design response. <u>Services</u> Power will be underground and air conditioning units will be located on the mechanical deck at the rear of the building



		and not visible, when viewed from Otho Street. The only services visible are the proposed fire hydrants on Otho Street, which are considered minor and will be screened by doors. There is potential for the Police Station to include telecommunication infrastructure (e.g. aerials, dishes, etc.), which may be visible. These types of installations are not uncommon in the area and <i>State Environmental Planning Policy (Infrastructure) 2007</i> makes provision for the telecommunications as Exempt Development. <u>On-site Loading and Unloading</u> All loading and unloading will take place within the car park or inside the van dock, screened from view. <u>Design of Car Parking Areas</u> The car parking is accessed via Campbell Street and not visible from Otho Street. The access crossing in Otho Street, from the van dock, is an existing arrangement and will be retained. <u>Car Park Structures</u> Proposed car park structures are accessed from Campbell Street, have an open form and are screened from view. <u>Roof Form, Parapet and Silhouettes</u> The single pitch roof form has been designed to contrast the roof forms of the Courthouse and former Rural Bank building (107 Otho Street). The roof form will also support the future installation of solar panels, with the identification of photovoltaic zones. The parapet height and awning has been designed to match the heights of these adjoining buildings. The parapet will be masonry construction consistent with materials used in the CBD. The eaves and fascia will be consistent the scale and character of adjacent buildings.
7.5	New Development in the Vicinity of Heritage Items	
7.5.1	General	The design of the new Police Station building, including height, setbacks, mechanical well, and choice of materials (concrete panel walls, vertical windows and aluminium 'timber coloured' louvres), are such that it is capable of co-existing in harmony with the surrounding heritage items. When the new Police Station design is considered in conjunction with the proposed landscaping and existing street plantings, it is considered that the development will not adversely impact the streetscape or the appearance and views of the adjacent heritage items.
7.6	Signs and Advertising	
7.6.1	General	The proposed signs of simple design and will not impact on views of the adjoining heritage items or streetscape. The proposed signs are considered to be consistent with the controls of this Section.



The likely impacts of that development

Matters	Consideration
Context & Setting	The development site previously contained a Police Station and forms part of an office / government precinct within the Inverell CBD. The continued use of the site as a Police Station is considered to be compatible with the surrounding area. In relation to height, bulk and scale, the proposed Police Station is not inconsistent with the surrounding buildings, notably the height of the court house, height of the former Rural Bank building (107 Otho Street and the bulk and scale of the Government Offices (refer Photos 13 and 14 – Page 16). The vertical windows and louvres provide continuity with the vertical elements present in the Court House and former Rural Bank building (107 Otho Street).
Access, Transport & Traffic	The development site has frontage to Otho Street (part of the Gwydir Highway), Campbell Street, Rivers Street and a unnamed laneway (refer Figure 2 – Page 8 and Photos 9 to 12 – Pages 13 and 14). The development site has existing access crossings in Campbell Street and Otho Street (refer Photos 7 and 8 – Page 12), which will be retained as part of the development, with minor widening to improve ingress and egress. The primary access will be Campbell Street, which has a large formation (fifteen (15) metres between kerbs), with sufficient sight distance in both directions. The proposed on-site parking, for NSW Police operational vehicles only, is consistent with the <i>NSW Government Fitout Design Principles (Office Workplace Accommodation)</i>. Despite this, consideration still needs to be given to the impacts associated with traffic volumes and staff parking on the broader road network. Whilst operational details have not been provided by the applicant (for security reasons), it is considered that: • As per Inverell Times articles on 20 April 2018 and 17 June 2019, the existing Police Station is undersized for current staffing levels. The new Police Station is larger and will provide better facilities for these existing staff. It is reasonable to expect the new Police building will accommodate for future increase in staff numbers; however, this increase is unlikely to be significant; • Based on the above point, as staffing levels are not considered to significantly increase, the number of traffic movements (police vehicles) and the demand for on-street staff parking will not significantly alter; and • There is a large amount of on-street parking available in Campbell Street for staff parking. Historic photos, aerial images and site inspections during this assessment, confirm that the on-street parking in Campbell Street is rarely used (except during periods of construction in the locality). In relation to the proposed 'Police Only Parking Zone' on the streets adjoining the Police Station, given the availability of general public parking in the area, this is not considered to have a significant impact.
Utilities	All utilities are connected to the site, with water, telecommunication and electricity infrastructure located in the streets immediately adjoining the site. Council's sewer main is located under the Police Station (refer Figure 4 – Page 19) and the developer has relocated a sewer manhole and constructed piers adjacent to the sewer main in accordance with DA-74/2019.



	DA-59/2020 was referred to Council's Manager Civil Engineering, which has advised that <i>"due to the presence of rock adjacent the sewer, some of the screw piers pulled up short of the approved design level in the vicinity of the Council sewer main, which was not expected or desirable. To ensure the long term integrity of the sewer main through the Police Station site the main will need to be subject to CCTV inspection and condition assessment towards the conclusion of the project (with piers under full design loads)".</i> It is recommended that the requirement for a CCTV inspection be imposed as a condition of consent. The application was referred to Essential Energy under Section 45 of <i>State Environmental Planning Policy (Infrastructure) 2007</i>. Essential Energy have advised that <i>"strictly based on all documents and information submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development"</i>. The site is currently a Police Station and it is considered the redevelopment will not significantly burden the capacity of utility infrastructure.
Heritage	The site is located in the CBD Heritage Conservation Area and contains two (2) items of local heritage significance, being the Court House and a Police Residence (4 Rivers Street). As assessed against the <i>Inverell Local Environmental Plan 2012</i> and <i>Inverell Development Control Plan 2013</i>, the development is not considered to have an adverse impact on the heritage significance of the listed items of environmental heritage or the CBD Heritage Conservation Area.
Public Domain	The public domain surrounding the development site is comprised of the footpath, on-street parking and street carriageways. The potential impact on these areas is through damage from construction activities. Accordingly, it is considered appropriate to impose conditions in relation to restoration / rehabilitation of public land damaged during construction.
Water	Waterways in the area are comprised of the Macintyre River 60 metres to the south-west of the site and Council's stormwater drainage system, comprised of kerb and gutter in the streets adjoining the development site. No underground stormwater infrastructure is present in the immediate vicinity of the site. The development is not considered to directly impact the Macintyre River and suitable erosion control measures are proposed during construction to mitigate indirect impacts through Council's stormwater system. Stormwater drainage plans have been submitted for the development (Attachment 5 of this report). All stormwater will be directed to the kerb, which is consistent with Council requirements.
Soils	The site is generally flat with the development requiring minor earthworks for the construction of footings and services. Erosion and sediment control measures are proposed during construction.
Air Quality	The Construction Management Plan submitted with DA-59/2020 includes mitigation measures for potential air quality construction impacts, including dust particles and emissions from hazardous substances. The development is not considered to generate any significant dust, odour or smoke, during operation, which would adversely impact the area.
Flora & Fauna	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 <i>Biodiversity Conservation Act 2016</i> is not required.
Waste	A waste management plan has been submitted with the Development Application. This plan is satisfactory and the development is not considered to have a significant waste impact.
Noise & Vibration	<u>Construction</u> It is considered that noise and vibration have been suitably addressed within the Construction Management Plan (Attachment 8) submitted with DA-59/2020. <u>Operational</u> The Police Station will operate twenty-four (24) hours a day, seven (7) days a week. Primary noise sources will be traffic, sirens and mechanical plant. The potential noise impacts are not considered significant in consideration of: • The closest sensitive receivers (Police dwellings) are directly associated with the use of the site; • Traffic volumes are not dissimilar to the existing use of the site; • Sirens will be used intermittently for emergencies only, not dissimilar to the existing Police Station operation; and • Mechanical plant will be screened within a mechanical well.
Lighting	The applicant has submitted a Lighting Statement committing to compliance with <i>Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting</i> .
Natural Hazards	The site is identified as flood prone land and the development has been assessed against the <i>Inverell Local Environmental Plan 2012</i> and <i>Inverell Development Control Plan 2013</i>. The development is not considered to be significantly impacted by or impact on flood matters. Council records do not indicate the site as affected by other hazards, including bush fire, landslip or acid sulphate soils.
Safety, Security & Crime Prevention	The proposed Police Station is considered to improve safety, security and crime prevention for the site (improved access, fencing) and the broader region (better Police resources). The Closed Circuit Television (CCT) installed within the CBD is connected to the Police Station. During construction of the new Police Station, the CCT will remain connected to and available from Council's Administration Centre.
Social Impacts in the Locality	A new Police Station is considered to have a positive social impact for Inverell and the broader region.
Economic Impact in the Locality	The development may have a minor economic benefit during construction through the possible employment of local trades and services.
Construction	A Construction Management Plan has been submitted with DA-59/2020 and has been included as Attachment 8 of this report. Amongst other matters, the Construction Management Plan addresses: • Pedestrian management; • Traffic management, including loading and unloading;



	• Hours of construction, noise mitigation and vibration; • Work, Health and Safety; • Heritage protection; • Erosion and sediment control; • Air quality; and • Unexpected finds protocol, including contaminating material. It is considered that the implementation of the Construction Management Plan will mitigate impacts on adjoining properties and public land. It is also recommended that ongoing implementation of the Construction Management Plan be enforced as a condition of consent.
Cumulative Impacts	The site has been historically used as a Police Station. Whilst the development results in a larger building footprint, the operation is considered to be similar to previous Police Station, with the new building providing better facilities and offices for Police operations. Overall, it is considered that the cumulative impact will be minimal.

Suitability of the Site

The site has historically contained the Inverell Police Station and is considered suitable for the redevelopment as a Police Station, given co-location with the Court House, existing utility infrastructure and access.

The Police Station is located on flood prone land, is within a Heritage Conservation Area and within proximity of a number of Items of Environmental Heritage. It is considered that these matters can (and have) be addressed in the design of the development. These matters do not affect the suitability of the site.

Submissions

The application was publicly exhibited from 27 May 2020 to 10 June 2020, which involved:

- Notification of adjoining and adjacent landowners;
- Publication on the Home Page and Advertised Development Applications section of Council's website; and
- "Notice of Development" sign installed in Otho Street.

As a result of the exhibition, one (1) submission was received, which was not by way of objection. This submission was received one (1) day after the submission due date. The Inverell Community Participation Plan does not contain any specific provision relating to late submissions; however, in the context of the timing of this application in relation to COVID-19 restrictions, the late submission has been accepted by Council for consideration.

The submission maker does not have any objection to the development progressing, but has made the following requests in relation to potential construction impacts on the nearby Australia Post premises and operation:

- ***Request for a dilapidation report that the Australia Post building will not be damaged by the development.***

Development Services Coordinator Comment

The Australia Post building does not adjoin the development site, with a separation distance of approximately twenty (20) metres between the development site and the Australia Post building. The former rural bank building (107 Otho Street) is also located between the development site and Australia Post building (refer **Figure 3 – Page 15**). In relation to indirect vibration impacts, the Construction Management Plan submitted with DA-59/2020 addresses potential vibration impacts associated with the development.

As the Australia Post building is not an adjoining property to the development, it is not considered necessary to require a specific dilapidation report to be prepared for this site (105



Otho Street). Rather it is recommended that the following precautionary condition of consent be imposed in relation to this matter:

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).

- ***Request for a Traffic Management Plan to be prepared to ensure access is maintained for Australia Post.***

Development Services Coordinator Comment

The Australia Post premises currently take access from Otho Street (**Figure 15 – Page 17**), approximately twenty (20) metres north of the development, and the unnamed lane (via an informal access arrangement) which is located on north-western side of the development site.

A traffic management plan is included within the Construction Management Plan submitted with DA-59/2020. This Traffic Management Plan nominates construction access points on Campbell Street and Otho Street, with suitable warning signage. No access is proposed from the unnamed lane.

The construction of the Police Station is not considered to result in any significant traffic congestion, which would impact Australia Post access at any time.

- ***Request for all noise to be maintained at acceptable levels or be completed outside of Monday to Saturday 8am to 5.30pm.***

Development Services Coordinator Comment

It is not reasonable to require construction activities to be undertaken outside the requested hours. The proposed hours for construction have been nominated as 7.00am to 8.00pm Monday to Saturday. Noise management measures have been included within the Construction Management Plan submitted with DA-59/2020, which will ensure that construction noise will be maintained at acceptable levels as requested.

- ***Request that no visible dust particles or hazardous fumes occupy the airspace around the Australia Post premises.***

Development Services Coordinator Comment

The Construction Management Plan submitted with DA-59/2020 includes mitigation measures for potential air quality impacts, including dust particles and emissions from hazardous substances.

Conclusion

Overall, it is considered that the Construction Management Plan submitted with DA-59/2020 addresses the potential impacts raised by the submission maker in relation to the nearby Australia Post premises. It is considered that further site specific studies or plans, focused on the Australia Post premises, are not warranted.

Public Interest

North West Regional Plan 2036

Direction 16 of the *North West Regional Plan 2036* identifies that urban growth must be directed to areas with infrastructure capacity. Infrastructure and utility service providers need to identify appropriate sites and capacity to provide for water security, wastewater service capacity, electricity supply, emergency service facilities, cemeteries and crematoria.

Action 16.2 states:

Maximise the cost-effective and efficient use of infrastructure by focusing development on existing infrastructure or promoting co-location of new infrastructure.

The proposed Police Station redevelopment:

- Is a cost-effective and efficient use of the former Police Station site; and



- Provides a significant emergency service facility, which supports the continued growth of Inverell as a Strategic Centre of the North West region of NSW.

Inverell Community Strategic Plan 2009-2029

The vision of the *Inverell Community Strategic Plan 2009-2029* is “A Community for Everyone”. One of the requirements to achieve this vision is that residents and visitors feel safe in harmonious communities that provide opportunities for families, youth and children. It is considered that the Police Station redevelopment will support the vision of the *Inverell Community Strategic Plan 2009-2029*, and is consistent with the following strategies:

- R.05 Access to services in the Shire is equivalent to, or better than other major regional centres;
- C.03 Inverell Shire promotes an ordered and safe community; and
- C.08 Reduce the risk to the community arising from emergency events.

Objects to the *Environmental Planning and Assessment Act 1979*

The Police Station redevelopment is considered to promote:

- The orderly and economic use and development of land;
- The sustainable management of built and cultural heritage (including Aboriginal cultural heritage);
- Good design and amenity of the built environment;
- The proper construction and maintenance of buildings, including the protection of the health and safety of their occupants; and
- The sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.

According, the development is considered to be consistent with the objects of the *Environmental Planning and Assessment Act 1979*.

CONCLUSION

On 16 October 2019, DA-74/2019 was approved by the Northern Regional Planning Panel for the redevelopment of the Inverell Police Station at 109 Otho Street, Inverell

Commencement of the redevelopment commenced under DA-74/2019; however, the NSW Police have proposed a number of changes to the design of the proposed Police Station. To facilitate these design changes, the NSW Police lodged DA-59/2020 for the “construction of a new Police Station building, ancillary works, associated usage and signage”.

As the applicant has not sought a modification to DA-74/2019, this report does not assess the changes between the approved development and the proposed development. DA-59/2020 has been processed and assessed by Council as a separate and independent Development Application.

The site is zoned ‘B2 Local Centre’ pursuant to the *Inverell Local Environmental Plan 2012*. The proposed development is characterised as an ‘Emergency Services Facility’, which is 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 significant adverse social or economic impacts. The site has been historically used a Police Station and is suitable for redevelopment.

As a result of public exhibition of DA-59/2020, one (1) submission was received. This submission requested consideration of potential impacts on the nearby Australia Post premises. It is considered that the Construction Management Plan submitted with DA-59/2020 addresses the concerns raised by the submission maker and further construction studies are not warranted.



In recognition of the submission makers concerns, it is recommended that conditions of consent be imposed in relation to:

- Compliance with the Construction Management Plan; and
- Repair and restoration of adjoining land, which may be damaged as a result of construction.

The primary environmental considerations relating to this development are heritage, traffic and parking, contamination, flooding and electricity infrastructure. These matters have been assessed in detail and it is considered that:

- The development will not significantly impact the heritage significance of heritage items or the heritage conservation area;
- The access and parking arrangements for the development are satisfactory. The road network and on-street parking are not considered to be adversely impacted;
- Contaminating material was discovered on the site as part of the demolition and site preparation works undertake in accordance with DA-74/2019. This potential contaminating material has been received and site clearance certificates issued under DA-74/2019. It is considered that 109 Otho Street is not contaminated land;
- The new Police Station building has been designed with suitable flood protection. It will not be adversely impacted by or impact on flood matters; and
- The application was referred to Essential Energy under Section 45 of *State Environmental Planning Policy (Infrastructure) 2007*. Essential Energy have advised that "strictly based on all documents and information submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development". The applicant is aware of the requirements under Essential Energy and SafeWork NSW guidelines in relation to electricity connection requirements and working near powerlines. It is not considered necessary to duplicate these requirements as conditions of development consent.

The development is consistent with the strategic planning for the area and region; and is not prejudicial to the public interest. Following an assessment in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*, it is recommended that DA-59/2020 be approved subject to conditions.

RECOMMENDATION

That Development Application 59/2020 is approved subject to the following conditions:

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	29/04/2020	DA001 00
Site Plan	29/04/2020	DA002 00
Survey Plan	29/04/2020	DA003 00
Site Analysis Plan	03/06/2020	DA004 01
Demolition Plan	03/06/2020	DA100 01
Ground Floor Plan	29/04/2020	DA101 00
Ground Floor Carpark	29/04/2020	DA102 00
Level 1 Floor Plan	29/04/2020	DA103 00
Roof Plan – Car park	29/04/2020	DA104 00
Roof Plan – Main Building	29/04/2020	DA105 00
External Work Plan	29/04/2020	DA106 00
Proposed Signage Plan	29/04/2020	DA107 00
Fence Details	29/04/2020	DA108 00
Streetscape elevations	29/04/2020	DA200 00
Elevations & Façade Palette	29/04/2020	DA201 00
Elevations Sheet 2	29/04/2020	DA202 00



Sections	29/04/2020	DA301 00
Sections Carpark	29/04/2020	DA302 00
Winter Solstice Day Shadow Diagrams	29/04/2020	DA401 00
3D View 01	29/04/2020	DA501 00
3D View 02	29/04/2020	DA502 00
Landscape Plan prepared by Site Image		
Landscape Coversheet	29/04/2020	000 B
Landscape Plan	29/04/2020	101 B
Landscape Plan	29/04/2020	101 B
Landscape Details	29/04/2020	501 B
Civil Engineering Plans prepared by Richmond and Ross		
Bulk Earthworks Plan	29/04/2020	C010 00
Stormwater Plan Sheet 1 of 2	29/04/2020	C100 00
Stormwater Plan Sheet 2 of 2	29/04/2020	C101 00
Stormwater Schedules and Details	29/04/2020	C110 00
Erosion and Sediment Control Plan	29/04/2020	C120 00
Sediment and Erosion Control Details	29/04/2020	C121 00
Pavement Plan and Details	28/04/2020	C130 00
Line Markings and Signage Plan	29/04/2020	C140 00
Technical Reports		
Higgins Planning: Statement of Environmental Effects	May 2020	2019.0045
Heritage 21: Statement of Heritage Impact	07/05/2020	Issue 2
Hutchinson Builders: Construction Management Plan	22/04/2020	PLN-HB-001 D
Richmond and Ross: Stormwater Management Plan and Flood Assessment	29/04/2020	190077 00
Richmond and Ross: Waste Management Plan	July 2019	190077A
Richmond and Ross: Parking and Traffic Statement	01/05/2020	190077 B
Arrow Consulting Engineers: External Lighting	13/07/2019	-

2. All construction activities must be undertaken in accordance with the approved Construction Management Plan, titled *Project Demolition & Construction Management Plan*, prepared by Hutchinsons Builders dated 22 April 2020 (Revision D) or any subsequent revisions, which are approved by Council.

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

3. 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.

To ensure the long-term integrity of the sewer main through the Police Station site, a CCTV inspection and condition assessment of the sewer main project (with piers under full design loads) must be undertaken at the conclusion of construction and prior to occupation of the Police Station building. Any damage to the sewer main must be repaired by the proponent.

4. 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.
5. All sewer connections to the building(s) are to be fitted with reflux valves to prevent backflow of sewage in a flood event.
6. 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).



7. Any road, footpath, public reserve and/or infrastructure that is damaged by the development is to be repaired/restored at no cost to Council.

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.

