

Statement of Environmental Effects

Clarence Valley Conservatorium Upgrade



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Prepared for: DRA Architects
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UPR	Description	Issued By	Date Issued
3646-1008	First Issue - Draft	Simon Waterworth	21/11/2025
3646-1009	Second Issue – Final	Simon Waterworth	01/12/2025

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1. Introduction

1.1 Preliminary

GeoLINK has been engaged by DRA Architects to prepare a Statement of Environmental Effects (SEE) to support a Development Application (DA) for works associated with the redevelopment of the Clarence Valley Conservatorium of Music (the Proposal).

The purpose of this SEE is to satisfy the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Environmental Planning and Assessment Regulations 2021 (EP&A Regulations), and support the DA by:

- identifying the subject site and its regional context and describing the physical characteristics of the land;
- providing a detailed description of the Proposal;
- providing an assessment of the Proposal as it relates to the statutory planning framework; and
- undertaking a comprehensive environmental assessment of the Proposal.

1.2 Background of the Clarence Valley Conservatorium

The music rooms at 4-8 Villiers Street, Grafton were established in the 1930s by the Sisters of Mercy as part of the Catholic school system but also offered lessons to non-Catholic students.

Fifty years later, in 1982, under the direction of Sister Cecilia Moran, purpose-built premises were constructed, and the centre named St Cecilia's Music Academy.

The centre later became an independent, incorporated, community-based organisation, called St Cecilia's Music and Performing Arts Centre of Grafton Inc. with a newly formed Management Committee and Administrator. In 1995 the Sisters of Mercy ceased to be involved in the day-to-day operations of the centre, while retaining ownership of the buildings. For the next 2 years the centre became a campus of the Northern Rivers Conservatorium.

Later, St Cecilia's received \$15,000 from the Department of Education and Training under the Regional Conservatorium Program and was formally accepted into the NSW Regional Conservatorium Association in 1999 when recurrent funding from the Department of Education and Training commenced.

To reflect the amalgamation of several local council regions in 2003, the name changed to the Clarence Valley Conservatorium. At the same time the premises were purchased from the Sisters of Mercy, a Director was appointed alongside the Administrator and Clerical Officer and a campus opened in Maclean in premises rented from the Council.

The centre then became an independent, incorporated, community-based organisation, called St Cecilia's Music and Performing Arts Centre of Grafton Inc. with a newly formed Management Committee and Administrator.

Three years later, in 2006, the Maclean Campus closed, and the office staff structure changed with the appointment of an Administrator, Accounts Officer and Programs Coordinator. In 2008 the administration structure expanded and now consists of a Director, Finance Manager, Clerical Assistant and Programs Coordinator. The landowner is Clarence Valley Conservatorium Incorporated, registered with the Australian Charities and Non-for profits Commission (ACNC).



In recent years it has become evident that the 'house' next to the 1980s main building is not suitable for all that Clarence Valley Conservatorium needs to accomplish and continue to grow the music services offered and provided. Local architects, DRA Architects have been engaged to work with the Conservatorium to deliver a new building that can deliver first class space for residents of the Clarence Valley; a new space that would pay tribute to the 1980s building while becoming one unified space.

1.3 Planning and Environmental Approvals

The Proposal is for removal of the existing 'house' which has been used as part of the Conservatorium and the construction of a new purpose-built building as an addition to the premises constructed in 1982. The Proposal does not meet the criteria for Exempt Development in accordance with *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008*. The Proposal is not classified as Designated Development and is not classified as State Significant Development; therefore, the Clarence Valley Council (CVC) will be the determining authority.

1.4 Structure and Scope of SEE

Section 2 of this report identifies the subject site and its context, describes the physical characteristics and provides an analysis of the land. **Section 3** provides a detailed description of the Proposal. **Section 4** outlines the planning approval pathway for the Proposal and provides an assessment of the Proposal as it relates to the statutory and non-statutory planning frameworks. The environmental assessment of the Proposal is contained in **Section 5**. **Section 6** contains a conclusion to the SEE and provides justification for the Proposal.

1.5 Further Information

Should any clarification or additional information be required with regard to this report, please contact **Simon Waterworth** at simonw@geolink.net.au or **02 6651 7666**.



2. The Site and its Context

2.1 Cadastral Description

The proposed redevelopment is to occur within a site comprising the existing Clarence Valley Conservatorium. The property is described as Lot 10 DP 1047477 and has a street address of 6-8 Villiers Street, Grafton, NSW.

A locality plan is shown in **Illustration 2.1**. The site is shown in **Illustration 2.2**.

2.2 Site Context

2.2.1 Local

The site is located within a mixed-use area on the south-western fringe of the central business district (CBD) of Grafton. Villiers Street and the surrounding area comprises a mix of residential and commercial uses. The site is immediately adjacent to commercial premises to the north and sits opposite hotel accommodation to the north-east. The surrounding area to the east, south and west consists of a variety of low-density residential developments, with the exception of the site directly south which consists of an office building for a not-for-profit organisation. Rear lane access is provided to the site via Hickory Lane.

2.2.2 Regional

Grafton is a city located within the Clarence Valley, Northern NSW. It is located approximately 630 km north of Sydney and 340 km south of Brisbane. The nearest regional cities are Coffs Harbour which is 85 km south and Casino which is 100 km to the north.

2.3 Site Analysis

Illustration 2.1 shows the site as it exists at present with buildings and infrastructure, surrounding street network and adjoining land uses.

The site comprises an almost square shaped lot minus a small rectangular portion in the southern corner. The site area is approximately 1,502 m² and accommodates the existing Conservatorium buildings.

The site is relatively flat. Built form on the site consists of a weatherboard cottage in the western portion of the site. The 1980s purpose-built development occupies the northern portion of the site. There is a small open space area in the southern corner and two off street parking spaces provided central to the front of the site.

The site is located on the south-western side of Villiers Street. Immediately north of the subject site is a corner site containing a two-storey commercial premises (occupied by lighting and construction businesses) with frontages to Fitzroy Street and Villiers Street. This site has on-site parking provided along the adjoining boundary of the subject site.

Directly opposite the site, on the north-eastern side of Villiers Street, is the Quality Inn Grafton which provides hotel accommodation.

The site directly south of the subject site is another corner site, located at the intersection of Victoria Street and Villiers Street. It contains a two-storey brick building occupied by the Gurehlgam Corporation, an Aboriginal owned and run non-for profit.

The site is currently connected to services including water, sewer, stormwater, electricity and telecommunications.

The site contains minimal amounts of vegetation which is generally limited to a grassed area to the south and a modest number of ornamental garden plantings along the street frontage.

The site is not listed as a heritage listed item under the Clarence Valley Local Environmental Plan 2011 (CVLEP), however, the site falls within the general Grafton Heritage Conservation Area (refer to **Figure 2.1**).

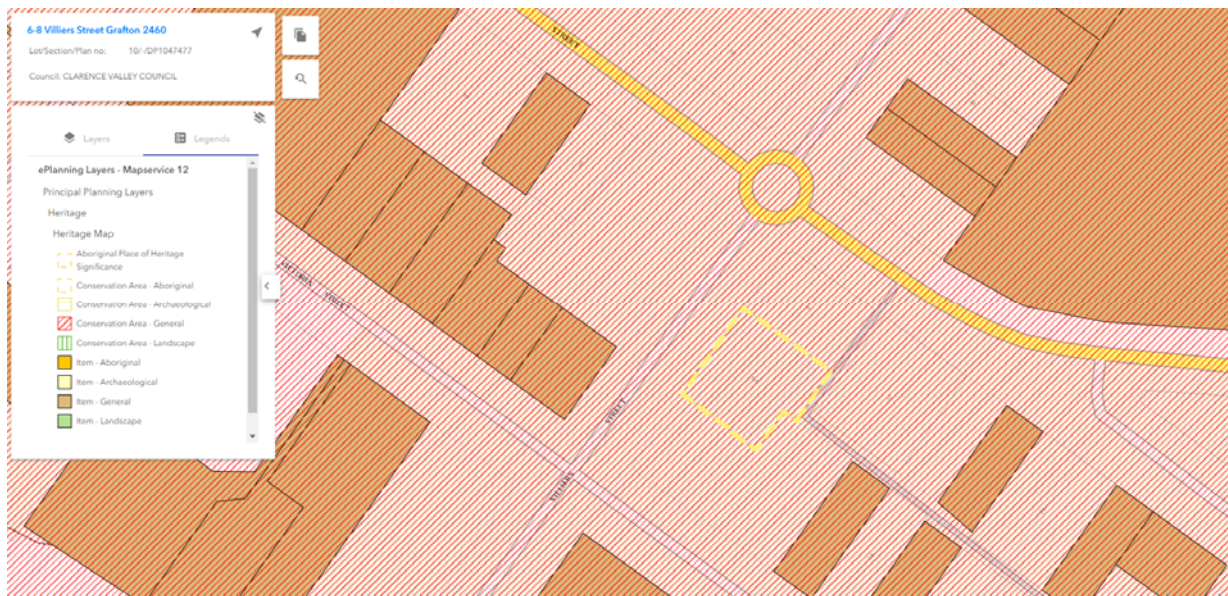


Figure 2.1 Heritage Conservation Area mapping (source: NSW Planning Portal Spatial Viewer)



Site Locality - Illustration 2.1



LEGEND

- Site boundary
- ~ Watercourse
- Cadastre

0 20 Metres

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3646-1010

The Site - Illustration 2.2

Information shown is for illustrative purposes only
 Drawn by: AB Checked by: MES Reviewed by: SJW
 Source of base data: Nearmap 30/03/2025
 Spatial Reference: GDA2020 MGA Zone 56
 Date: 17/11/2025



3. The Proposal

3.1 General Description of the Proposal

This SEE has been prepared to assess the proposed upgrade, alterations and additions to the Clarence Valley Conservatorium. The Proposal includes removal of the existing 1930s cottage and construction of a contemporary addition that connects seamlessly with the existing 1980s building. The new design contrasts with the 1980s building while maintaining a human scale along the street frontage, providing a clearly articulated entry. The redevelopment improves accessibility, operational efficiency, and user experience, supporting music lessons, performances, and cultural programs. The existing development has a gross floor area (GFA) of 307 m². The proposed GFA is 394 m².

The Proposal includes the following key elements:

Contemporary Addition/ New Building

The proposal replaces the existing 1930s cottage with a modern, functional, and fully accessible space that connects seamlessly with the existing 1980s building, creating a single, cohesive facility.

New Entry/ Foyer

The proposal includes a clearly articulated main entry, featuring a cantilevered canopy and signage pylon, which serves as the orientation and reception area for students, visitors, and patrons.

Practice Rooms and Classrooms

The new practice and classroom spaces are located on the upper floor of the addition and are accessed via stairs or a lift, ensuring full accessibility, and are designed to accommodate music lessons, individual or group practice, and educational programs.

Improved Auditorium Access

The existing intimate auditorium is retained, with improved access and direct connection to the new addition.

Accessibility and Circulation Upgrades

The ground floor is fully connected with no level changes, ensuring all areas are accessible, while lift access, ramps, and improved internal circulation provide convenient and equitable movement throughout the building.

Support Spaces

The reception and administration areas have been upgraded to improve operational efficiency, and enhanced storage and functional spaces replace the fragmented layout of the former cottage.

Exterior/ Service Areas

The proposal includes a wheelchair-accessible car parking space at the rear, directly connected to the building, while landscaped areas are designed to maintain visibility, safety, and the character of the streetscape.

Architectural and landscape drawings of the CVCON redevelopment are provided at **Appendix A** and **Appendix B**. A design statement prepared by the project architect can be found at **Appendix C**.



Figure 3.1 3D View of the Proposed Façade (source: DRA Architects)

3.2 Need for the Project

While the 1986 building continues to serve the CVCON well, the original music rooms in the cottage are no longer fit for purpose despite the recent addition of an accessible ramp. The cottage is a labyrinth of small rooms that causes issues for accessibility, storage, acoustics and safety. Having two buildings that are completely separated is dysfunctional and disconnecting. The CVCON is striving to operate successfully under a single roof in a modern, practical, functional, acoustic and aesthetic environment. A grant for a portion of the Proposal has been obtained through the NSW Government's Creative Capital program (\$121,196).

3.3 The Proponent and Project Team

This SEE has been prepared for DRA Architects on behalf of the Clarence Valley Conservatorium (the Proponent). GeoLINK was engaged for town planning services, including preparation of the SEE. GeoLINK will also be providing landscaping services. Other consultants, including architecture, engineering and heritage, formed part of the project team.

3.4 Description of Works

The proposal involves construction of a new purpose-built facility to sit next to the existing building on site that contains the auditorium and stage. The works will involve demolition of an existing cottage on the site and part demolition of the existing building to be retained, with the proposal providing and integrated and unified development of the existing and new buildings.

3.4.1 Architectural Design and Built Form

The proposed design provides a contrasting architectural solution to the existing cottage, which is proposed to be removed or relocated. The new addition is deliberately independent in form and does not attempt to compete with the design elements of the 1980s building. Instead, select elements are

interpreted from the simpler, former school buildings located at the corner of Villiers and Victoria Streets, providing subtle historical reference within a contemporary architectural expression.

A cantilevered canopy and signage pylon articulate the entry, creating a clear sense of arrival and place. The new entry replaces the current, underwhelming access through the 1980s building, directing users into the foyer where reception, ticketing, and enrolment services are easily accessed. From the foyer, occupants can either turn left to access the Conservatorium's original auditorium or proceed straight and upstairs to practice rooms.

The scale and proportion of the Villiers Street frontage have been designed to be human in scale, respecting the domestic character of the 1980s building. Building bulk increases progressively away from Villiers Street, ensuring that the development does not appear dominant from the public domain. The ground floors of the existing and new buildings are fully integrated, with no level changes, while first-floor access is provided via stairs and a generously sized lift. The design ensures equitable, accessible, and dignified access for all users, regardless of age or ability.

Materials have been selected to provide durability, minimal maintenance, and acoustic performance. Face concrete blocks are used for the base, while first-floor cladding offers visual relief and a sense of lightness. Circular windows, referencing musical notes, are arranged playfully within the cladding and are double-glazed to provide acoustic separation, while also allowing informal visual connections between internal occupants and the surrounding streetscape.

Overall, the contemporary design reinforces the Conservatorium's identity as a regional cultural facility and establishes the CVCON as a cultural landmark within the Clarence Valley.



Figure 3.2 3D View of the Proposed Foyer space (source: DRA Architects)

3.4.2 Landscape Design

The redevelopment includes all new garden beds along the street frontage and along the northern boundary of the site. The concrete driveways on the street frontage will be replaced with a new hard surface to create an informal gathering location. Plantings would include shrubs, such as grevillea and correa. Ground covers such as gardenia, honey-myrtle and gristle fern. And strappy leafed plants such as kangaroo paw, flax lily and ginger.



3.4.3 Stormwater Design

The site occupies approximately 1,502 m² and currently consists of a double-storey conservatorium. The proposed development involves demolition, renovation, and the addition of new rooms, which will increase impervious areas including roof, driveway, and pathway surfaces.

To manage stormwater quality, the development will incorporate Water Sensitive Urban Design (WSUD) measures. Roof water will be collected in rainwater tanks for reuse, while runoff from driveways and pathways will be treated using a 31 m² bioretention basin with a 600 mm filter depth. The design follows the FAWB Guidelines for Filter Media in Biofiltration Systems, with phosphorus content in the filter media limited and plant species chosen for moderate sensitivity. The hydraulic conductivity of the filter has been considered at 300 mm/ hr, appropriate for the temperate Grafton climate. Stormwater treatment performance has been modelled using the MUSIC software.

To address stormwater quantity, the development proposes two On-Site Detention (OSD) rainwater tanks, one on the northern side and one on the southern side of the building. These tanks will temporarily store stormwater and release it at a controlled rate to ensure that post-development peak flows do not exceed pre-development levels, thereby preventing adverse impacts on downstream properties. Storage requirements have been calculated using the CVC stormwater handbook and incorporated into the MUSIC modelling.

Overall, the SWMP demonstrates that the proposed stormwater management measures meet the Clarence Valley Council's DCP requirements. Stormwater quality objectives will be achieved through the bioretention basin and rainwater reuse tanks, while quantity objectives will be satisfied via the OSD rainwater tanks. The proposed system has been thoroughly modelled and designed to ensure compliance and effective management of stormwater for the site.

A Stormwater Management Report is provided at **Appendix G**.

3.5 Demolition/ Construction Works

The Proposal involves the removal of the existing 1930s cottage, which will be carefully dismantled at the stumps and transported off-site. Prior to demolition, the building will be inspected for hazardous materials, including asbestos, in accordance with Council's asbestos and hazardous materials policy. Any identified hazardous materials will be safely managed and removed by licensed contractors, ensuring compliance with relevant Work Health and Safety legislation and environmental regulations. The removal process is therefore considered low risk, and all works will be carried out to maintain the safety of workers, occupants, and the surrounding environment.

A Construction Environmental Management Plan (CEMP) will be prepared and implemented for the duration of the construction works to ensure all aspects of the project are managed responsibly. The CEMP will address site management, environmental protection, waste minimisation, dust and noise control, erosion and sediment control, traffic and pedestrian management, and the safe handling of hazardous materials, including asbestos if encountered.

The plan will establish procedures and responsibilities for contractors and site personnel, ensuring compliance with relevant legislation, Council policies, and best practice environmental and occupational health and safety standards. The CEMP will provide a framework to minimise environmental impacts and maintain the safety, amenity, and integrity of the surrounding community throughout the construction phase.



3.6 Use and Operation

The CVCON currently operates as a community-based music and performing arts facility. Its existing uses include the provision of individual and group music lessons for students, administrative and management functions to support day-to-day operations, and the delivery of cultural programs and workshops in collaboration with schools and community groups. The facility also includes an auditorium used for performances, recitals, and community events.

The new build will provide the following additional facilities:

- Reception.
- Directors' office.
- Six additional music practise rooms.
- Foyer.
- Elevator and two additional sets of stairs.
- Meeting room.
- Staff room, common room and amenities.

A Plan of Management (PoM) is to be provided detailing hours of operation, proposed activities schedules and complaints register process.

3.7 Access and Parking

The existing CVCON does not provide on-site car parking and relies entirely on street parking for staff, students, and visitors. The proposed redevelopment does not alter this arrangement, other than the provision of a single wheelchair-accessible car parking space at the rear of the building, connected to a fully accessible entryway.

The continuation of street parking is considered acceptable for several reasons. The site is located within the Grafton town centre, where public and on-street parking is readily available and regularly used by surrounding businesses and community facilities. The redeveloped facility does not increase the main assembly area or the number of students and staff on site beyond current levels, meaning parking demand is not expected to increase significantly. Additionally, the accessible car space provides for equitable access for people with disability, meeting relevant access requirements without the need for extensive new car parking. Overall, maintaining the existing street parking arrangement is consistent with local context, minimises the need for additional hardstand areas, and ensures the redevelopment remains sympathetic to the streetscape and pedestrian environment.



Figure 3.3 3D View of the Proposed Accessible Car Park, Access Ramp and Entry at the rear
(source: DRA Architects)

3.8 Utility Connections/ Adjustments

The site is currently connected to Council's water, sewer, and stormwater infrastructure. The proposed development will be assessed in accordance with relevant Water Directorate and Council guidelines to determine whether it will increase demand on Council's water and sewer networks and whether any upgrades or modifications are required to accommodate the development.

A Mechanical Services Report can be found at **Appendix O**. A Hydraulic Services Report can be found at **Appendix P**. An Electrical Services Report can be found at **Appendix Q**.

3.9 Project Value

Aplas Quantity Surveyors have prepared an estimated development cost report. The estimated development cost is \$6,325,294 excluding GST (refer **Appendix N**).

4. Statutory Planning Framework

4.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the primary legislation for environmental planning in NSW. It establishes the legislative framework that governs land use, development assessment and decision-making. The Environmental Planning and Assessment Regulation 2021 create the required administration and allocate roles and responsibilities for land use and assessments. This section summarises the relevant policies and plans that are required to be considered by Council under Section 4.15 of the EP&A Act.

4.2 Local Environmental Plan

Name: Clarence Valley Local Environmental Plan 2011 (CVLEP 2011)

Zone: The subject land is zoned R1 General Residential

Permissibility: The Proposal is for alterations and additions, including part demolition, to an existing use/building known as the Clarence Valley Conservatorium. As confirmed at Council's Development Management Unit (DMU) the proposed development is defined as a Community Facility, which is permissible with consent in the R1 General Residential Zone under the CVLEP.

The CVLEP 2011 defines community facility as a *building or place*:

- (a) *owned or controlled by a public authority or non-profit community organisation, and*
- (b) *used for the physical, social, cultural or intellectual development or welfare of the community,*

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

The objectives of the R1 General Residential zone are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The Proposal is consistent with the objectives of the R1 zone being a land use that provides facilities for the needs of residents, including cultural development or welfare of the community.

The following provisions of CVLEP 2011 are applicable to the consideration of the subject Proposal.

Table 4.1 Clarence Valley LEP 2011

LEP Section	Compliance
4.3 Height of Buildings	Height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The height control on the map specific to the site is nine metres. <i>Building height (or height of building) means:</i> (a) <i>in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or</i>

LEP Section	Compliance
	(b) <i>in relation to the RL of a building — the vertical distance from the Australian Height Datum to the highest point of the building,</i> <i>including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.</i> The building height measured from the existing ground level to the top of the parapet is 8.5 m. However, on the roof of the new building there will be mechanical plant and associated screening. The height of the building from the existing ground level to the top of the plant screen wall is 9.7 m, which exceeds the prescribed maximum building height by 0.7 m.
4.4 Floor Space Ratio	The CVLEP 2011 does not adopt provision regarding floor space ratio. Nonetheless, the footprint and floor area of the Proposal is acceptable within the land use context of the locality and the subject site.
4.6 Exceptions to development standards	A Section 4.6 variation is being sought for the Proposal as the building height exceeds the maximum height specified in the LEP. Section 4.6 of the LEP provides the ability for a consent authority to grant development consent even if the proposal does not comply with a development standard, such as building height, where strict compliance is considered unreasonable or unnecessary in the circumstances. The Section 4.6 variation is located at Appendix D .
5.10 Heritage conservation	The site is not listed in Schedule 5 – Heritage Items of the CVLEP 2011. It is however located within the Grafton Heritage Conservation Area and there are listed heritage properties in proximity to the site. Section 5.10(2) requires development consent to demolish or alter the exterior of a building within the Conservation Area. Sections 5.10(4)-(5) requires the effect of a proposed development on heritage significance to be considered and provision of a heritage assessment respectively. A Statement of Heritage Impact prepared for the proposed development (Appendix F) concluded that the proposed removal (relocation or demolition) of the former cottage, renovations, alterations and additions to CVCON are acceptable from a heritage point of view. This is discussed in Section 5.1. Aboriginal cultural heritage is discussed in Section 5.8.
5.21 Flood planning	The site is affected by the 1 in 100-year flood. The estimated level in the 1% AEP Flood 2090 plus Climate Change flood event is 7.6 – 7.7 m AHD. The existing and proposed ground level of the building is 6.715 m AHD. The proposed development is classified as infill development, meaning that the required Flood Planning Level of 6.4m AHD, which is below the proposed and existing floor levels. Given the susceptibility of the building to flooding, it is proposed to construct the building with flood compatible materials in the first floor area. Flooding is discussed in Section 5.2.
7.1 Acid sulfate soils	Acid Sulfate Soils (ASS) mapping identifies the whole of the subject land to be Class 4 ASS. For Class 4 ASS, a preliminary ASS Management Plan is required when more than 1 tonne of soil is disturbed at a depth of 2 metres below ground surface. It is proposed to design the proposed new building using screw piers and therefore there will not be any disturbance of more than 1 tonne of soil below 2 metres depth.



LEP Section	Compliance
7.2 Earthworks	The Proposal will require only minor earthworks to construct screw piles.
7.8 Essential services	All urban services exist at the site.

4.3 Development Control Plan

Clarence Valley Council has a number of DCPs according to land use zones. Applicable to the R1 General Residential Zone is the Residential Zones DCP 2011. The DCP supports the provisions of CVLEP 2011 and provides a set of development objectives and provisions for development within Clarence Valley LGA. The various provisions of the DCP 2011 have been considered in the design and assessment of the Proposal in this SEE.

The flood management controls and stormwater policy from the relevant parts of the DCP 2011 have been considered. Given the inner urban area and that existing built form exists on-site, the development is not expected to significantly impact flood regimes. Materials below flood level are flood compatible.

The Proposal is considered to be generally consistent with the provisions of DCP 2011, as applicable to a community facility development in the R1 General Residential Zone. The parts of the DCP applicable to the Proposal are addressed below. The architectural design report provides detail on the decisions that were made on issues such as siting, setbacks and building height, throughout the design of the project (refer to **Appendix C**).

Table 4.2 DCP 2011 Part C Assessment

Building Design Requirements	Comment/ Compliance
C5.1 Siting Building design should take advantage of the sub-tropical climate, provide for views, provide outdoor living areas and provide protection from sun and rain. For example, the positioning of living rooms, balconies, windows and outdoor living areas should respond directly to views, breezes, sunlight and privacy.	The design responds to the local sub-tropical climate and maximise comfort, functionality, and amenity. The building orientation and layout take advantage of prevailing breezes to enhance natural ventilation throughout teaching, practice, and communal spaces. Large, double-glazed windows and circular glazed openings provide visual connections to the surrounding streetscape and informal views for occupants, while maintaining acoustic performance. The new addition includes covered entry and circulation areas, providing protection from sun and rain, and creating welcoming outdoor transition spaces. The integration of landscaped areas around the site further supports passive cooling and shade, while ensuring privacy and safety for students and visitors. Overall, the design prioritises climate-responsive and user-friendly spaces in line with best practice for sub-tropical environments.
C5.2 Cut and Fill	The development does not involve cut and fill.
C5.3 Energy Efficiency	BASIX does not apply to community facilities.
C5.4 Materials and Colours	The redevelopment uses durable, low-maintenance materials and a subtle colour palette. Ground floor walls are face concrete block for strength and acoustic performance, while first-floor cladding



Building Design Requirements	Comment/ Compliance
	provides visual relief and a sense of lightness. Double-glazed windows ensure acoustic performance and visual connection, complementing the existing 1980s building and enhancing the Conservatorium's contemporary identity.
C5.5 Carports and garages	N/A
C5.6 Enclosure of subfloor area	N/A
C5.7 Privacy	N/A
C5.8 Design Quality Principles for residential flat buildings	N/A
C6 Consideration of the Resilience and Hazards SEPP and NSW Coastal Design Guidelines	Assessment against the Resilience and Hazards SEPP is provided in Section 4.4.
C19.1 requires 45% of the site to be landscaped.	While this clause requires a minimum of 45% landscaped area for development on R1 zoned land, strict application of this standard is not practical or relevant in the context of the CVCON redevelopment. The site is zoned R1; however, the use of the land is for a community facility, not residential dwellings. The existing Conservatorium is an established civic and cultural use, and the proposed alterations and additions maintain this non-residential function. The design prioritises functional, accessible, and safe educational and performance spaces, with landscaping provided in areas that enhance circulation, amenity, safety, and streetscape character. Requiring 45% landscaping would be unreasonable given the operational needs of the facility and the character of the development.
C7 Requirements where there is a potential to impact on coastal views	N/A
C8 Different Types of Residential Development	N/A
C9 Minimum site area for dwelling houses	N/A
C10 Minimum site area for dual occupancies and semi-detached dwellings in R1, R2 and R3 zones	N/A
C11 Requirements for dual occupancies in the R5 zone	N/A
C12 Minimum site area for residential flat buildings, attached dwellings, multi dwelling housing and serviced apartments	N/A
C13 Building height	As discussed in Section 4.2 the building exceeds the maximum prescribed building height of 9 m by 0.7 m. A section 4.6 request for variation to a development standard is provided in Appendix D .

Building Design Requirements	Comment/ Compliance								
C14 Shadow diagrams	Shadow diagrams are not provided in this instance. The Proposal adjoins an office block to the south, a commercial premises to the north and the blank wall of a motel at the rear.								
C15 Variation to the Maximum Height of a Building	A section 4.6 request for variation to a development standard is provided in Appendix D .								
C16 Setbacks Front: 6 m Side and rear: as set out in the table below: <table border="1"> <thead> <tr> <th>Maximum height of building (metres)</th><th>Side & rear setbacks</th></tr> </thead> <tbody> <tr> <td>Up to 6.5m</td><td>900mm</td></tr> <tr> <td>Over 6.5m and up to 9m</td><td>1.5 metres</td></tr> <tr> <td>Over 9m and up to 12m</td><td>3 metres</td></tr> </tbody> </table>	Maximum height of building (metres)	Side & rear setbacks	Up to 6.5m	900mm	Over 6.5m and up to 9m	1.5 metres	Over 9m and up to 12m	3 metres	The Proposal does not comply with these development standards. The building exceeds 9 m near the centre of the roof where the mechanical plant is located. As such, the side and rear setback should be 3 m. The proposed setback to the southern boundary is 1.580 m. The proposed setback to the eastern boundary (to the basketball court) is 0.505 m. These variations are justified on the basis that the site accommodates a non-residential, community facility use, rather than conventional residential development. The setbacks proposed are consistent with the existing building footprint and streetscape, maintaining visual alignment with adjacent structures and preserving the character of the area.
Maximum height of building (metres)	Side & rear setbacks								
Up to 6.5m	900mm								
Over 6.5m and up to 9m	1.5 metres								
Over 9m and up to 12m	3 metres								
C17 Variation to setbacks	As above								
C18 Zero setbacks	N/A								
C19 Landscaped Area requirements in R1, R2 and R3 zones All development on land in the R1 and R2 Low Density Residential zone must have a minimum of 45% of the site area as landscaped area, unless a landscaped area requirement is identified in another clause of this DCP.	The development does not comply with this requirement; however, the provision is not directly applicable to the type of development proposed.								
C22 Landscaping	Landscape plans have been prepared in accordance with the DCP (refer to Appendix B).								
C24 Provision of Essential Services	All essential services exist at the site.								
C25 Development on flood liable land	The site is flood prone land. Part D of the DCP is addressed below.								
C27 Development of land with Acid Sulfate Soils	The site contains Class 4 ASS i.e. there is risk of disturbing ASS if excavating at a depth of 2 m. The new build will be constructed on screw piers and as such, acid sulfate soils will not be disturbed.								
C29. Waste Management	Demolition, construction and operational waste will be managed as per the requirements of the DCP. Waste management is addressed in Section 5.13 of this report.								

Table 4.3 DCP 2011 Part D Floodplain Management Controls Assessment

Building Design Requirements	Comment/Compliance
D3 What Development Controls Apply	A Flood Report has been prepared to accompany this SEE (refer Appendix K). The proposed ground floor level of the building is 6.715 m AHD which matches the floor level of the existing building on site. The proposed development will be classified as infill development in accordance with Clarence Valley Councils policy. This results in a required Flood Planning Level of 6.4 m AHD and below the proposed and existing floor levels. Clarence Valley Council has adopted the 2090 plus Climate Change (CC) considerations in setting flood planning levels for developments that are not considered infill. The 1% AEP (1:100 year) 2090 CC level at the site is shown as 7.6 to 7.7 metres AHD. It is proposed to construct the building with flood compatible in the first floor area. The building will also be designed to resist any loads and effects from the 1% AEP (1:100 year) 2090 CC flood.

Table 4.4 DCP 2011 Part F Heritage conservation Assessment

Building Design Requirements	Comment/ Compliance
F4 Development Application Information Requirements and Matters for Consideration	A Statement of Heritage Impact has been prepared (refer to Appendix F). The SOHI found that the proposed removal of the cottage, renovations, alterations and additions are considered acceptable from a heritage point of view as the primary historic association and social values of the site and use will be retained, improved and enhanced by the proposed works. Refer to Section 5.1 for further discussion on heritage impacts.
F5 Statements of Heritage Impact and Conservation Management Plans	A Statement of Heritage Impact has been prepared (refer to Appendix F).

4.4 State Environmental Planning Policies

The following State Environmental Planning Policies (SEPPs) have been considered in relation to the proposed development.

4.4.1 State Environmental Planning Policy (Planning Systems) 2021

Chapter 2 State and Regional Development

Chapter 2 State and Regional Development of the Planning Systems SEPP relates to State and Regionally Significant Development. The estimated cost of development of the development is \$6,325,294 excluding GST (refer **Appendix N**). Schedule 6 Regionally Significant Development lists Council related development over \$5 million. Pursuant to Section 4.2 of the EP&A Act, the consent functions are to be exercised by a Regional Planning Panel. This means that the Council will assess the application, however the determination will be by the relevant Regional Planning Panel.

4.4.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 4 Koala Habitat Protection 2021

Chapter 4 of the Biodiversity and Conservation SEPP aims to encourage the conservation and management of natural vegetation areas that provide habitat for Koalas, to ensure permanent free-living populations would be maintained over their present range.

Clarence Valley Council is a specified Council in schedule 2, therefore Chapter 4 is applicable. Section 4.10 of the SEPP outlines the development assessment process applying to the land specifying that a council is not prevented from granting consent to a development application for consent to carry out development on land if—

- (a) the land does not have an approved koala plan of management applying to the land, or
- (b) the council is satisfied that the land is not core koala habitat.

An approved koala plan of management does not apply to the land. The development site is less than 1 hectare and is in an established residential area of Grafton with minimal vegetation present. Apart from the rear yard behind the existing 'house' the site is fully developed. The site does not contain potential Koala habitat. No tree removal is required.

Given the location of the Proposal and the lack of Koala feed trees on the site, the Proposal would not impact on Koalas or koala habitat.

4.4.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 Coastal Management

Chapter 2 Coastal Management provides an integrated and coordinated approach to coastal land use planning. It defines the four coastal management areas through detailed mapping and specifies assessment criteria that are tailored for each coastal management area. Councils and other consent authorities must apply these criteria when assessing proposals for development that fall within one or more of the mapped areas.

The site is within the mapped as Coastal Environment Area and Coastal Use Area. There are no mapped Littoral Rainforests or Coastal Wetland located within proximity to the site.

As the development will occur within the Coastal Environment Area and Coastal Use Area, Divisions 3 and 4 of Chapter 2 apply. This Division sets out matters for consideration prior to the granting of development consent on land within that area. To determine whether the development is consistent with Chapter 2, an assessment of the development has been carried out in **Table 4.5** below.

Table 4.5 Coastal Management Matters for Consideration for Development

Matters for Consideration	Comment
Division 3 Coastal Environment Area	
(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—	Biophysical, hydrological and ecological integrity: The site is urbanised, with minimal ecological values. Stormwater and erosion controls will protect the local environment. Coastal processes and environmental values: The development will not affect shoreline stability, sediment transport, or natural coastal processes.

Matters for Consideration	Comment
(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment, (b) coastal environmental values and natural coastal processes, (c) the water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i>), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1, (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms, (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, (f) Aboriginal cultural heritage, practices and places, (g) the use of the surf zone.	Water quality: No sensitive coastal lakes or marine estate areas are affected; standard stormwater measures will be implemented. Vegetation and fauna: No marine vegetation, significant native vegetation, or fauna habitats are present, and no removal is proposed. Public access: There are no foreshore or coastal access areas on site, so public access is unaffected. Aboriginal heritage: The risk of disturbing cultural heritage is low; procedures will address any unexpected finds. Surf zone use: The development has no impact. Conclusion: The redevelopment will not adversely affect coastal environment values or processes and is consistent with the requirements of the EP&A Act.
(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	The site is inland, highly modified, and does not interface with coastal or marine environments. As such, the development inherently avoids adverse impacts on coastal processes, vegetation, water quality, public access, and the surf zone. Where minor, indirect impacts could occur, such as temporary stormwater runoff during construction, these will be minimised through standard environmental management measures, including sediment and erosion controls, and careful stormwater management. Any unexpected Aboriginal cultural heritage finds, or minor environmental issues will be managed in accordance with statutory requirements and Council procedures, ensuring appropriate mitigation measures are applied. The CVCON redevelopment is designed, sited, and will be managed to avoid, minimise, or mitigate potential impacts, consistent with the requirements of the EP&A Act.
Division 4 Coastal Use Area	
(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority — (a) has considered whether the proposed development is likely to cause an adverse impact on the following—	The CVCON redevelopment site in Grafton is inland and not located within or adjacent to the coastal use area. As such, the development will have no impact on public access to foreshores, beaches, headlands, or rock platforms, including for persons with a disability. There will be no overshadowing, wind funneling, or loss of coastal views from



Matters for Consideration	Comment
(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores, (iii) the visual amenity and scenic qualities of the coast, including coastal headlands, (iv) Aboriginal cultural heritage, practices and places, (v) cultural and built environment heritage, and	public places. Similarly, the development will not affect the visual amenity or scenic qualities of the coast, including headlands. Any Aboriginal cultural heritage on site is considered low risk and will be managed according to statutory requirements should unexpected finds occur. There are no cultural or built environment heritage constraints that would be affected by the redevelopment.
(b) is satisfied that— (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and	The proposed development will not impact on any of the items set out in subclause (1).
(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.	The proposed development has been carefully designed to respond to the surrounding built and coastal environment, with a scale, bulk, and form that is sympathetic to the existing streetscape and the character of the area.

As detailed in the above table, the proposed change of use would not adversely impact any of the relevant matters for consideration and applicable safeguards and mitigation measures will be in place to ensure any potential impact is avoided or minimised. The Proposal would not adversely affect the surrounding coastal environment or related use.

Chapter 4 Remediation of land

The objective of this Chapter is to provide for a State-wide planning approach to the remediation of contaminated land. It aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 requires that a consent authority must not consent to the carrying out of any development unless it has considered whether the land is contaminated and, if contaminated, it is satisfied that the land is suitable for development in its contaminated state or will be subject to remediation.

A search of the NSW Environmental Protection Authority (EPA) contaminated land database was undertaken for the Grafton area. No records were found in proximity to the site. The site is not declared to be 'significantly contaminated land' under part 3 of the *Contaminated Land Management Act 1997* and is not subject to a 'management order' within the meaning of the *Contaminated Land Management Act 1997*. The land is not the subject of an approved voluntary management Proposal or an 'ongoing maintenance order'.



The site is within an existing residential area and is unlikely to be contaminated from past activities. The proposal is unlikely to disturb contaminated land. Overall, the site is considered suitable for the proposed development.

4.4.4 State Environmental Planning Policy (Sustainable Buildings) 2022

The State Environmental Planning Policy (Sustainable Buildings) 2022 (SEPP) establishes sustainability standards for new and altered non-residential buildings, including requirements for energy efficiency, water efficiency, and the assessment of embodied carbon. These provisions aim to ensure that developments demonstrate best practice in environmental performance and sustainable design. The policy generally applies to developments where the estimated capital investment value meets or exceeds specified thresholds (\$5 million for new non-residential buildings and \$10 million for alterations or additions to existing non-residential buildings).

The Proposal, while involving substantial improvements to the existing facilities, falls below the \$10 million threshold for alterations and additions. As such, the SEPP's mandatory sustainability provisions would not be triggered for this project. Nevertheless, the design continues to incorporate environmentally sensitive measures, including energy-efficient lighting, acoustic glazing, durable and low-maintenance materials, and improved accessibility. While formal compliance with the SEPP is not required, the project aligns with the broader objectives of sustainable and environmentally responsible design, reflecting best practice within the scale and scope of the redevelopment.

4.5 Planning Agreements

There are no planning agreements or draft planning agreements relevant to the proposed development.

4.6 Developer Contributions Plan

The EP&A Act sets the statutory framework under which a Council can obtain contributions from new developments to be put towards funding the cost of additional infrastructure required.

Council's typically levy under Section 7.11 of the EP&A Act (formerly Section 94) for a variety of developments including:

- Residential development (including subdivision, medium density & secondary dwellings).
- Rural and rural residential development.
- Non-residential development (i.e. commercial, retail, industrial buildings).

The *Clarence Valley Council Contributions Plan 2011* is applicable in this case.

4.7 Other NSW Legislation

4.7.1 Protection of the Environment Operations Act 1997

No Protection of the Environment Policies (PEPs) are relevant to the development. No licenses would be required pursuant to the *Protection of the Environment Operations Act 1997*. Council and/ or contractors working on behalf of the Council are required to notify EPA when a 'pollution incident' occurs that is likely to impact upon the environment.



4.7.2 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 84 and 90 of the NPW Act provide statutory protection for any physical/ material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community. The key principles of the Act in relation to Aboriginal heritage are the prevention of unnecessary or unwarranted destruction of Aboriginal objects, and the active protection and conservation of objects which are of high cultural significance. It is an offence to knowingly disturb an Aboriginal object, irrespective of its nature or significance, without the prior consent of the Director-General of NSW Heritage.

An AHIMS search did not return any results for items of Aboriginal Heritage located within or proximal to the subject site. Given the urbanised context of the site and extent of existing disturbance, as well as the nature and footprint of the Proposal, the development is unlikely to result in the disturbance or harm to Aboriginal Heritage. Notwithstanding this, safeguards would be in place in the event of the unexpected discovery of any Aboriginal objects during construction (refer **Section 5.8**).

4.7.3 Heritage Act 1977

The *Heritage Act 1977* provides for the conservation of items of environmental heritage in NSW. The Act defines heritage as items or places that are of State and/ or local heritage significance and include: places, buildings, works, relics, moveable objects and precincts.

No part of the subject site is listed as an item of State or local significance on the NSW State Heritage Register. Accordingly, development proposals for this site do not require heritage approval under the *NSW Heritage Act 1977*.

4.7.4 Biodiversity Conservation Act 2016

Section 1.7 of the EP&A Act, relevant to the application of Part 7 of the *Biodiversity Conservation Act 2016* (BC Act), sets out a range of matters to be considered in deciding whether development will have a significant effect on threatened species, populations, ecological communities or their habitat.

The Proposal would not significantly impact on any threatened species, communities, or their habitats.

4.8 Commonwealth Legislation

4.8.1 Environmental Protection and Biodiversity Conservation Act 1999

Under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action that has, or is likely to have, a significant impact on matters of national environmental significance or other aspects of the environment, such as on commonwealth land, may progress only with approval of the Commonwealth Minister for the Environment. The results of a EPBC Act Protected Matters Report obtained on 14 November 2025 is provided at **Appendix L**. As outlined in **Table 4.6**, there are no matters of national environmental significance or Commonwealth land that would likely be significantly affected by the proposed Development and therefore no Commonwealth referral or approval is necessary.

Table 4.6 Assessment of MNES

Matter	Potential impact
<i>Any impact on a World Heritage property?</i>	
No World Heritage properties occur within 1 km of the site.	Nil
<i>Any impact on a National Heritage place?</i>	
No National Heritage places occur within 1 km of the site.	Nil
<i>Any impact on a Wetland of International Importance?</i>	
No wetlands of international importance (Ramsar sites) occur within 1 km of the site.	Nil
<i>Any impact on nationally threatened species and ecological communities?</i>	
Habitat for 4 EPBC listed threatened ecological communities (TECs), 62 threatened flora and fauna species was identified within 1 kms of the site. No threatened flora species were recorded onsite. No TECs, occur at the site. No listed threatened fauna species were recorded at the site. Given the context of the site and the nature of the Proposal, the Proposal would be not result in the removal of habitat important to any threatened fauna species in a local context and would not contribute significantly to any listed key threatening processes.	Negligible
<i>Any impact on Migratory species?</i>	
Habitat for 32 migratory species is identified within a 1 km radius of the site. Given the context of the site and the scope of the Proposal, migratory species are unlikely to be significantly affected by the Proposal.	Negligible
<i>Any impact on a Commonwealth marine area?</i>	
No Commonwealth marine areas occur within 1 km of the site.	Nil
<i>Any impact on the Great Barrier Reef Marine Park?</i>	
The Great Barrier Reef Marine Park is distant from the site.	Nil
<i>Does the Proposal involve a nuclear action (including uranium mining)?</i>	
The Proposal does not involve a nuclear action.	Nil
<i>Any impact on a water resource, in relation to coal seam gas development and large coal mining development?</i>	
The Proposal does not involve any impact on a water resource, in relation to coal seam gas development and large mining development.	Nil

4.9 Public Interest

It is in the public interest to provide quality and accessible musical and community services for the community. The Proposal would help facilitate this and is in the public interest. The development will not result in any significant or unacceptable impacts on the surrounding community.



5. Environmental Assessment

5.1 Non-Aboriginal (Historic) Heritage

5.1.1 Background and Heritage Context

Perumal Murphy Alessi Heritage Consultants were engaged by the Clarence Valley Conservatorium Inc to prepare a Statement of Heritage Impact (SoHI) to assess the potential heritage impacts of the proposed alterations and additions to the existing main building and site of the proposal. The SOHI is attached as **Appendix F**.

The site at Nos. 6-8 Villiers Street, Grafton, has historical significance as the location of a music school since 1939. Originally a residential property, it was purchased by the Sisters of Mercy, who established a music school that later evolved into the Clarence Valley Conservatorium (CVCON). The site has been used for music tuition, practice, and performances for nearly a century.

While the site is not individually listed as a heritage item, it is located within the Grafton Heritage Conservation Area. This area is recognised for its historical and aesthetic values, including early residential subdivisions and significant street trees that contribute to the character of the neighbourhood. The existing buildings on the site include a 1980s main building and an early 20th-century timber cottage, which has undergone various modifications over the years.

The existing conservatorium facilities no longer meet the functional needs of the organisation, prompting the need for alterations and additions. The proposed development has been designed to balance modern requirements with sensitivity to the heritage character of the surrounding area.

5.1.2 Proposed Development

The project involves renovations, alterations, and new additions to improve the functionality of the site while maintaining its role as a cultural and educational facility. Key aspects of the Proposal include:

- Retention and modification of the main 1980s building with internal upgrades and the removal of non-essential rear structures.
- Demolition or relocation of the existing timber cottage as its adaptation is not practical or viable for the conservatorium's current needs. If relocation is not feasible, some building materials will be salvaged.
- Construction of a new two-storey addition which will provide:
 - A more visible and identifiable main entrance with a covered forecourt.
 - New reception, office spaces, and staff rooms.
 - Additional practice rooms and amenities, including accessible facilities.
 - A new connection between the existing auditorium and the new spaces.
- Landscaping and site improvements, including the retention of street trees, new garden beds, and better pedestrian access.

The architectural design incorporates materials and colours that are compatible with the existing buildings and surrounding streetscape. The proposed new structures are set back from the street to reduce visual impact and maintain the character of the area.



5.1.3 Heritage Impact and Considerations

The proposed works have been assessed against the Clarence Valley Local Environmental Plan 2011 (CVLEP) and the Development Control Plan (DCP) to ensure they do not adversely impact the heritage significance of the area.

5.1.3.1 Streetscape and Visual Impact

The new additions will be in keeping with the existing mixed character of Villiers Street. The scale and setbacks of the new structures have been carefully planned to minimise their visual impact while improving the street presence of the conservatorium.

5.1.3.2 Impact on Heritage Conservation Area

The removal of the existing cottage is not expected to negatively impact the overall significance of the conservation area. The cottage has lost much of its original residential context due to surrounding developments, and similar buildings in the area remain protected under heritage listings.

5.1.3.3 Views and Landscaping

The development retains the existing mature street trees and open setbacks, ensuring that key visual elements of the conservation area remain intact. Landscaping improvements will further enhance the site's integration with its surroundings.

5.1.3.4 Cultural and Social Value

The ongoing use of the site as a music education facility is a positive aspect of the Proposal. The improved facilities will support the conservatorium's long-term operations and its role in the local community.

5.1.4 Summary Analysis and Assessment

The SOHI concludes that the proposed development will not have an adverse impact on the heritage significance of the site or the broader Grafton Heritage Conservation Area. The project has been designed to:

- Retain key historical elements of the site, including the 1980s building and significant landscaping.
- Respect the scale and character of the surrounding streetscape, with a carefully considered design that integrates well with existing heritage features.
- Improve functionality and accessibility for staff, students, and visitors, ensuring the long-term viability of the conservatorium.
- Mitigate any potential negative heritage impacts by using materials and colours in harmony with the existing built environment and ensuring that any demolition or relocation is handled with sensitivity.

The SoHI and design aligns with the Burra Charter (2013) principles by retaining cultural significance, following a cautious approach to change, and ensuring that heritage values are not compromised. It also follows the Design in Context guidelines, ensuring that the new development fits seamlessly into the existing heritage streetscape.

Overall, the assessment supports the proposed development as a positive contribution to the site and the wider conservation area, ensuring that the Clarence Valley Conservatorium of Music can continue to operate and serve the community while respecting its historical context.



5.1.5 Conclusion and Recommendations

The proposed development at the Clarence Valley Conservatorium of Music is considered appropriate from a heritage and planning perspective. The alterations and additions will provide much-needed improvements while respecting the character of the Grafton Heritage Conservation Area.

The key positive outcomes of the project include:

- Retention and enhancement of the site's cultural and educational significance.
- Improved functionality and accessibility for staff, students, and visitors.
- Sensitive architectural design that integrates with the existing streetscape.
- Landscaping and streetscape improvements that maintain the heritage character of Villiers Street.

Given these considerations, the proposed development should be supported by Clarence Valley Council as it aligns with heritage conservation principles while ensuring the continued operation and growth of the conservatorium.

5.2 Flooding

The proposed development is classified as infill development under Clarence Valley Council policy, resulting in a required Flood Planning Level (FPL) of 6.4 m AHD, which is below both the existing and proposed floor levels. For developments not classified as infill, Council applies 2090 climate change projections, with the 1% AEP (1 in 100 year) 2090 Climate Change flood level at the site estimated at 7.6 - 7.7 m AHD.

The building is proposed to include flood-compatible design for the first-floor area and will be engineered to withstand loads and effects associated with the 1% AEP 2090 Climate Change flood, ensuring resilience and safety in the event of a major flood. A Flooding and Acid Sulphate Report has been prepared (see **Appendix K**).

5.3 Stormwater Management

The site occupies approximately 1,502 m² and currently consists of a double-storey conservatorium. The proposed development involves demolition, renovation, and the addition of new rooms, which will increase impervious areas including roof, driveway, and pathway surfaces.

To manage stormwater quality, the development will incorporate Water Sensitive Urban Design (WSUD) measures. Roof water will be collected in rainwater tanks for reuse, while runoff from driveways and pathways will be treated using a 31 m² bioretention basin with a 600 mm filter depth. The design follows the FAWB Guidelines for Filter Media in Biofiltration Systems, with phosphorus content in the filter media limited and plant species chosen for moderate sensitivity. The hydraulic conductivity of the filter has been considered at 300 mm/ hr, appropriate for the temperate Grafton climate. Stormwater treatment performance has been modelled using the MUSIC software.

To address stormwater quantity, the development proposes two On-Site Detention (OSD) rainwater tanks, one on the northern side and one on the southern side of the building. These tanks will temporarily store stormwater and release it at a controlled rate to ensure that post-development peak flows do not exceed pre-development levels, thereby preventing adverse impacts on downstream properties. Storage requirements have been calculated using the CVC stormwater handbook and incorporated into the MUSIC modelling.

Overall, the SWMP demonstrates that the proposed stormwater management measures meet the Clarence Valley Council's DCP requirements. Stormwater quality objectives will be achieved through the bioretention basin and rainwater reuse tanks, while quantity objectives will be satisfied via the



OSD rainwater tanks. The proposed system has been thoroughly modelled and designed to ensure compliance and effective management of stormwater for the site.

A Stormwater Management Report is provided at **Appendix G**.

5.4 Soils

5.4.1 Acid Sulphate Soils

The site is classified as Class 4 for Acid Sulphate Soils (ASS). For Class 4 ASS, a preliminary ASS Management Plan is required when more than 1 tonne of soil is disturbed at a depth of 2 metres below ground surface. It is proposed to design the proposed new building using screw piers and therefore there will not be any disturbance of more than 1 tonne of soil below 2 metres depth.

5.4.2 Erosion & Sediment Control

An Erosion and Sediment Control Plan would be prepared and implemented in accordance with *Landcom/ Department of Housing Managing Urban Stormwater: Soils and Construction Guidelines* [the Blue Book] as part of the CEMP for the project. As assessed in this section practical and effective measures are available and would be used on-site to safeguard the environment from potential adverse impacts.

5.4.3 Contamination

The risk of contamination at the CVCON site is considered low due to its historical and current use as a community and cultural facility, with no known activities likely to have resulted in soil or groundwater contamination. Site inspections and available records indicate no evidence of hazardous materials or prior land uses that would pose a contamination risk. Given these factors, no further site contamination assessment is required, and the development is unlikely to be affected by contamination-related issues. Overall, the site is considered suitable for the proposed development.

5.5 Hazardous Materials

The Proposal involves the removal of the existing 1930's cottage and demolition of some rooms at the rear of the 1980's building. Prior to any demolition works, the building will be inspected for hazardous materials, including asbestos, in accordance with Council's asbestos and hazardous materials policy. Any identified hazardous materials will be safely managed and removed by licensed contractors, ensuring compliance with relevant Work Health and Safety legislation and environmental regulations. The removal process is therefore considered low risk, and all works will be carried out to maintain the safety of workers, occupants, and the surrounding environment. A Construction Environmental Management Plan (CEMP) will be prepared and implemented for the duration of the construction works to ensure all aspects of the project are managed responsibly.

5.6 Traffic and Parking

5.6.1 Existing Environment

Access to the site is primarily from the primary frontage, Villiers Street. There are currently two on-site carparks available on site and street parking is available along Villiers Street. The rear boundary of the site is adjacent to Hickory Lane, a one-way laneway that is accessed from Clarence Street (which runs parallel to Villiers Street) and exits traffic onto Fitzroy Street.



The site is situated within a typical urban environment, within the context of a regional centre. Traffic in the area is typical of such urban and residential contexts in regional centres.

5.6.2 Construction

In terms of the construction phase, traffic would be generated by the Proposal through:

- construction employees entering and leaving the site;
- truck deliveries to the site for construction purposes;
- equipment and plant being delivered to the site for construction purposes; and
- periodic deliveries to the site for construction materials.

Standard construction measures can effectively manage traffic during the construction period.

5.6.3 Operation

The proposal involves the upgrade of the Clarence Valley Conservatorium (CVCON), which is defined as a Community Facility under the CVLEP. The Clarence Valley DCP prescribes parking rates for various land uses, including community facilities, at one space per 10 seats or one space per 15 m² of main assembly area, whichever yields the greater requirement. For the CVCON, the existing auditorium used for performances constitutes the main assembly area, with a floor area of approximately 110 m².

As the Proposal does not increase the size of the auditorium, the applicable DCP parking requirement remains unchanged. The existing development has no on-site parking, with users historically relying on street parking in the surrounding road network. This arrangement is proposed to continue.

The redevelopment does, however, provide a meaningful improvement to site accessibility through the introduction of one accessible parking space at the rear of the building, accessed via Hickory Lane. The proposed building upgrades include a compliant accessible entry that connects directly to this space, ensuring improved access for persons with disabilities.

The Proposal does not include the construction of on-site parking for general users of the Conservatorium, and the existing street parking pattern will remain the primary means of accommodating parking demand associated with the use.

5.7 Biodiversity

5.7.1 Existing Environment

The site contains the existing conservatorium and weatherboard house. Vegetation onsite consists of existing landscaping and lawn areas.

The site does not contain any mapped Biodiversity Values Land, Koala Habitat or significant trees. There is no tree removal required as part of the Proposal.

5.7.2 Potential Impacts

An EPBC Act Protected Matters Report was undertaken on 14 November 2025 to identify records of threatened species recorded within a 1 km x 1 km search area centred on the site (refer to **Appendix L**). Results indicate 32 migratory species, and 62 threatened species have been recorded within the search area and potential habitat occurs for 4 threatened ecological communities. However, the site does not support important habitat nor would the proposal likely significantly affect threatened species.

Minor removal of vegetation would be required in the established garden areas only. There will be no loss of habitat. Due to the nature and scope of the proposed works, the Proposal would have negligible impacts on biodiversity. The Proposal is unlikely to have a significant impact on any threatened species or communities listed under the *BC Act*, *EPBC Act* or *FM Act*.

5.8 Aboriginal Heritage

The Traditional land-owners for the Grafton region are the Gumbaynggirr people. The Proposal is located within the Grafton-Ngerrie Local Aboriginal Land Council (LALC) area.

The site has been extensively modified and disturbed. Given that few natural features remain, it is unlikely that there is a high risk of disturbing Aboriginal items or objects. An AHIMS search did not identify any registered item or object of Aboriginal cultural heritage within 200 m of the development site (**Appendix E**).

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* provides an assessment process to determine if the proposal may harm Aboriginal objects, as required under Part 6 of the *National Parks and Wildlife Act 1974* and to determine whether an Aboriginal Heritage Impact Permit (AHIP) is required.

Table 5.1 Due Diligence Code of Practice for the Protection of Aboriginal Objects

Step	Comment	
1	Will the activity disturb the ground surface? Disturbed land is defined under the code as: <i>Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable.</i> <i>Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.</i>	Any earthworks required as a result of the Proposal would be minor associated with the demolition of the existing house and construction of screw piers. The site is within an existing suburban area and has been developed for residential and civic purposes and is therefore considered to be consistent with the definition of disturbed land.
2a	AHIMS database	The AHIMS did not identify any known Aboriginal cultural heritage items within 1 km of the activity area.
2b	Is the activity: - Within 200 m of waters - Located within a sand dune system - Located on a ridge top, ridge line or headland - Located within 200 m below, or above a cliff face - Within 20 m of, or in a cave, rock shelter or a cave mouth - On land that is not disturbed land. If, after completing steps 2a and 2b, it is reasonable to conclude that there are no known	The site is within 200 m of waters (the Clarence River). However, it is within part of an established urban area and is therefore consistent with the definition of disturbed land. The site is assessed as having a low probability of objects occurring in the Activity area. As such, further assessment and an AHIP is not required.



Step	Comment	
	Aboriginal objects or a low probability of objects occurring in the area of the proposed activity, you can proceed with caution without applying for an AHIP.	
3	Can you avoid harm to the object or disturbance of the landscape feature	The development site is not in the vicinity of any identified objects. An unexpected finds protocol would be a suitable precautionary measure.
4	Desktop assessment and visual inspection	The results of the AHIMS are discussed above. The development will not affect an existing area of disturbed and is unlikely to affect Aboriginal objects.
5	Further investigations and impact assessment	Only applies if the Activity is on land that is not disturbed land or contains known Aboriginal objects.

Given the above, it is reasonable to conclude that there are no known Aboriginal objects on the site, and it is very unlikely that objects would occur at the site. The generic due diligence process indicates the proposed Development can proceed without further investigation or applying for an AHIP. Standard safeguards for unexpected finds would be implemented.

5.8.1 Safeguards and Mitigation Measures

The following measures will be implemented in order to prevent adverse impacts to heritage:

- If Aboriginal objects or cultural material is identified on-site or uncovered during the works, a Stop Work Procedure will be followed, which includes:
 - Works will cease immediately.
 - A temporary exclusion zone established.
 - Local Aboriginal Land Council contacted immediately.
 - Heritage NSW contacted immediately.
- Should skeletal material be exposed during ground disturbance, work will cease immediately, and contact made with NSW Police.
- Notifying NSW Heritage – it is a legislative requirement that cultural heritage materials uncovered as a result of the Proposal are registered as Aboriginal sites with Heritage NSW on the AHIMS database within the required timeframe.

5.9 Noise and Vibration

5.9.1 Introduction

ADP Consulting were engaged by DRA Architects to prepare an acoustic assessment report for the proposed redevelopment of the Clarence Valley Conservatorium of Music. The report is attached at **Appendix M**. The acoustic assessment report assesses potential noise impacts associated with the proposed development and recommends measures to ensure compliance with environmental noise standards.



5.9.2 Study Area and Existing Noise Environment

The study area includes the conservatorium site and its surroundings, which comprise both residential and commercial properties. The nearest noise-sensitive receivers include:

- Residential properties such as private dwellings and nearby motels.
- Commercial premises including retail shops and office buildings adjacent to the site.

A detailed noise measurement survey was conducted to establish the current noise environment. Measurements included:

- Attended noise monitoring to record existing traffic and environmental noise levels.
- Unattended noise logging over eight days to capture variations in background noise.

Findings from these assessments indicate that the primary sources of environmental noise in the area include road traffic from Fitzroy Street and Villiers Street, with minor contributions from local commercial activities. There are no significant industrial noise sources in the vicinity.

5.9.3 Proposed Development and Noise Considerations

The proposed expansion of the conservatorium includes:

- Demolition of the existing southern building.
- A new two-storey extension with additional music practice rooms, reception, offices, meeting spaces, staff amenities, and improved accessibility.
- Upgraded mechanical plant and services to support the new spaces.

The acoustic assessment focuses on three key noise considerations:

1. Noise emissions from music practice rooms: Ensuring sound containment and minimising disturbance to neighbours.
2. Mechanical plant noise: Assessing potential impact from air-conditioning and ventilation systems.
3. External noise intrusion: Ensuring appropriate sound insulation to maintain a suitable learning environment within the conservatorium.

5.9.4 Acoustic Assessment and Key Findings

5.9.4.1 Music Practice Rooms

The conservatorium's practice rooms generate significant sound levels, with predicted internal noise levels of up to 100 dB(A) for certain frequencies. Without proper sound insulation, this could impact nearby residential properties, particularly the Grafton Central Motel, which is just 10 metres from Practice Room 8.

The assessment determined that:

- A minimum wall insulation rating of Rw 45 is required to effectively reduce external noise emissions.
- Glazing must achieve a minimum rating of Rw 34, which can be achieved with double glazing (6/12/6 mm) or 12 mm monolithic glass.
- If these measures are implemented, noise levels at nearby properties will remain within acceptable environmental limits.



5.9.4.2 Mechanical Plant Noise

At the time of the assessment, final mechanical plant and equipment selection was not complete. However, the report outlines recommended noise control measures to ensure compliance, including:

- Vibration isolation for mechanical equipment to reduce noise transmission through building structures.
- Acoustic lining for air-conditioning ducts and ventilation systems.
- Selection of low-noise equipment and proper siting of outdoor units to minimise impact on neighbours.

5.9.4.3 External Noise Intrusion

The conservatorium is impacted by road traffic noise, particularly from Fitzroy Street, which carries two lanes of traffic. To ensure a quiet learning environment, the report recommends:

- Minimum external wall rating of Rw 45 to prevent noise penetration.
- High-performance glazing for façades facing main roads.
- Sealed doors and windows to prevent sound leakage.

5.9.5 Recommended Noise Mitigation Measures

The assessment concludes that with the following noise control strategies, the development will comply with environmental noise criteria and minimise impacts on the surrounding community:

- Acoustic Insulation for Practice Rooms
 - Walls: Minimum Rw 45 (e.g., brickwork with internal plasterboard).
 - Glazing: Minimum Rw 34 (double-glazed or thick monolithic glass).
 - Acoustic doors with seals to prevent noise leakage.
- Mechanical Plant Noise Management
 - Use of vibration isolators to prevent structure-borne noise.
 - Placement of noise barriers and acoustic screens where necessary.
 - Compliance with Environmental Protection (Noise) Policy 2019 criteria.
- External Noise Control for Learning Environments
 - Double-glazed windows to block road noise.
 - Solid walls and soundproof partitions for key learning areas.
 - Roof and ceiling insulation to improve overall noise control.
- Operational Noise Management
 - Scheduling loud music sessions during the day to reduce impact on neighbours.
 - Implementing a complaints management process to address potential noise concerns.

5.9.6 Conclusion and Compliance with Noise Assessment Requirements

The acoustic assessment confirms that the proposed development will not have an unacceptable noise impact, provided recommended noise control measures are implemented. The design aligns with:

- *Protection of the Environment Operations Act 1997* (NSW).
- Australian Standards for environmental noise measurement and control.

- Clarence Valley Council's planning and development guidelines for managing noise impacts.

The Clarence Valley Conservatorium of Music plays an important role in the community, and the proposed upgrades will enhance its long-term viability while maintaining good relationships with surrounding properties. The recommended noise mitigation measures ensure that the facility can continue to operate effectively without causing undue disruption. Based on these findings, it is recommended that Clarence Valley Council support the proposed development, subject to the implementation of the acoustic design strategies outlined in the acoustic assessment report (refer **Appendix M**).

5.10 Visual Impact and Amenity

5.10.1 Existing Environment

The Clarence Valley Conservatorium (CVCON) has been located at 4–8 Villiers Street, Grafton, since the 1930s. The site originally comprised music rooms established by the Sisters of Mercy, with purpose-built premises constructed in 1982 and completed in 1986. Over time, the site has evolved into a community-based music and performing arts facility, incorporating both the 1980s building and an older cottage from the 1930s.

The site is located within a conservation area and sits between a 1960s building and the 1980s building, giving it a distinctive historic and cultural context. The streetscape along Villiers Street is characterised by a modest, human-scale, low-rise built form, reflecting the domestic and educational character of surrounding properties. The existing cottage is small, fragmented, and physically disconnected from the 1980s building, which limits its functionality, accessibility, and visual cohesion.

5.10.2 Potential Impacts

The proposed alterations and additions have been designed to respond sensitively to the existing streetscape and context. The design contrasts with, rather than competes with, the 1980s building, drawing subtle inspiration from nearby school buildings while maintaining a human scale along Villiers Street. Bulk is restrained at the street frontage and only increases further from public view, minimising any perception of heaviness or visual dominance.

The contemporary addition provides a clearly articulated entry through a cantilevered canopy and signage pylon, enhancing legibility and sense of arrival. Material selections, including face concrete blocks at ground level and lightweight cladding at the first floor, provide visual relief, durability, and a contemporary aesthetic. Circular windows referencing musical notes offer subtle visual interest and connections between internal and external spaces without creating privacy or visual amenity impacts.

The Proposal also integrates fully accessible design without compromising streetscape character. Overall, the development is expected to enhance the visual amenity of the site, maintain the human scale along Villiers Street, respect the heritage context, and contribute positively to the cultural identity of the Clarence Valley, without introducing adverse visual impacts.

5.11 Crime Prevention Through Environmental Design

Ensuring a safe environment for users and nearby residents has been a critical objective in the design of the Proposal. new building. The design has been carried out in accordance with Crime Prevention Through Environmental Design Principles (CPTED). In terms of assessing the Proposal's security and crime prevention measures, the most appropriate document is the Department of Planning's guideline titled *Crime Prevention and the Assessment of Development Applications (2001)*. The design of the Proposal has taken into consideration the principles of CPTED, which are outlined in the

aforementioned guideline. CPTED principles that need to be considered when designing to minimise crime:

- Surveillance
- Access control
- Territorial reinforcement
- Space management.

Table 5.2 below provides an assessment against the four principles of CPTED with regard to the proposed redevelopment.

Table 5.2 CPTED Assessment

CPTED Principles	Comment
Surveillance Effective natural and technical surveillance reduces the attractiveness of crime targets by increasing visibility and deterring offending. People feel safer in places where they can clearly see and interact with others. Good design supports this by providing clear sightlines, appropriate lighting, and landscaping that maintains visibility without creating hiding places.	The design promotes passive surveillance through a high level of visibility between internal and external areas, achieved primarily via substantial glazing. The building layout, orientation and siting further support natural lines of sight. Low-level landscaping and appropriately designed aesthetic and security lighting also enhance visibility and minimise concealment opportunities. Together, these measures contribute to a safer environment by increasing the likelihood that inappropriate behaviour will be observed.
Access Control Access control uses physical and symbolic barriers to guide, restrict or channel movement, reducing opportunities for crime and increasing the effort required to offend. Clear boundaries make it obvious where people are allowed to be, while confusing or poorly defined spaces can enable offenders to justify being in restricted areas. Barriers should be effective without appearing hostile. Access control can be supported through pedestrian-guiding landscapes, welcoming public spaces, and restricted access to internal or high-risk areas using appropriate physical measures.	Access control measures are proposed in the detailed design, including card readers and electric door strikes. These features will allow the CVCON to regulate, monitor and understand user movements throughout the facility. By limiting access to authorised users and directing visitors along clear, controlled entry points, the risk of unauthorised access and associated security issues is reduced.
Territorial Enforcement Community ownership of public spaces encourages use, care, and social interaction, reducing opportunities for crime and increasing the risk to offenders. People who feel ownership are more likely to gather and respond to incidents. Territorial reinforcement can be achieved through designs that promote gathering, clearly define public and private areas, and provide cues about appropriate use, while avoiding over-restrictive barriers that privatise public spaces.	The CVCON has been established on this site since the 1930s, creating a long-standing sense of ownership over the surrounding public spaces. Territorial reinforcement is strengthened by the strong connections that students, educators, musicians, performers and spectators have with the venue, its buildings and adjacent open spaces. These relationships help communicate appropriate activities and clearly define where people should and should not be, thereby reducing opportunities for crime and anti-social behaviour.
Space Management Well-managed public spaces are attractive, maintained, and actively used, supporting territorial reinforcement. Effective space management includes coordinating activities, maintaining cleanliness, promptly repairing	Effective management of the facility will be supported by a central reception area that serves as the primary point of contact for all visitors. The reception has clear sightlines to the main entry and will monitor people entering and leaving the building. This active presence supports orderly use of the space, discourages inappropriate



CPTED Principles	Comment
vandalism and damaged infrastructure, and replacing failed lighting or decayed elements.	behaviour and contributes to an overall safer environment.

Overall, the proposed design demonstrates a strong alignment with the four CPTED principles. Territorial reinforcement is well established through long-standing community connections to the site; natural surveillance is effectively supported by glazing, layout and lighting; access control measures ensure secure and managed entry; and active space management is achieved through a well-located reception. Together, these elements create a safe, legible and well-managed environment, confirming that the development satisfactorily addresses CPTED considerations.

5.12 Infrastructure and Services

5.12.1 Water Supply

As a functioning community facility, the CVCON would be connected to reticulated water supply for toilets, sinks, drinking water, and any mechanical systems requiring water. The renovations, including accessibility upgrades and additional facilities, would continue to be served by the existing water connection.

5.12.2 Sewer

The building would be connected to reticulated sewerage for wastewater from toilets, sinks, and any kitchenette or cleaning facilities.

5.12.3 Electrical

The building will require reticulated electrical services to power lighting, mechanical services (HVAC), lifts, lifts, security systems, and audio-visual equipment for music and performance spaces.

5.12.4 Communications

The building is provided with integrated communications and IT infrastructure, supporting administration, reception, security systems, and modern audio-visual and performance equipment throughout the facility, including data, telecommunications, and Wi-Fi connectivity.

5.13 Waste

5.13.1 Construction Waste

Demolition and construction activities will generate a limited amount of waste, primarily comprising materials from the removal or relocation of the existing 1930s cottage, packaging, offcuts, and surplus building materials from the construction of the new addition. All waste generated will be managed in accordance with the Waste Minimisation and Management requirements of the EP&A Act, relevant Council DCP provisions, and best practice environmental management principles.

Waste will be segregated on-site where possible into recyclable, reusable, and general waste streams to minimise disposal to landfill. Licensed waste contractors will be engaged for the removal and lawful disposal of demolition and construction waste. The construction methodology has been designed to minimise off-site impacts, maintain safe site access, and ensure that waste storage and handling areas are located away from public view and pedestrian thoroughfares.



Overall, the redevelopment seeks to reduce, reuse, and recycle materials wherever feasible, ensuring that demolition and construction waste is responsibly managed throughout the project.

5.13.2 Operational Waste

The proposed alterations and additions consolidate the previously separate buildings into a single, fully connected and accessible facility. This provides an opportunity to implement a centralised and functional waste management system. The development is expected to accommodate standard waste collection for office, administrative, and auditorium functions, consistent with the scale of the existing use. Waste storage and collection areas will be located discreetly and integrated into the rear or service areas of the building, ensuring they are visually screened from the public domain and do not impact streetscape or accessibility.

The proposal does not introduce any new uses that would substantially increase waste generation beyond the existing facility. However, the consolidation of buildings allows for more efficient collection, storage, and management of waste, improving hygiene, safety, and operational functionality for staff, students, and visitors.

5.14 Building Code of Australia

McCarthy Consulting Group have conducted a compliance review of the architectural drawings provided at **Appendix A**. The assessment has been undertaken against the requirements of the Deemed-to-Satisfy provisions of the Building Code of Australia 2022. The review identifies matters relating to compliance with the BCA 2022 and any aspects of the design that may require further updating/ alterations as design develops prior to application for construction certificate (refer to **Appendix I**). The report finds that the building will be able to satisfy the requirements of the code and further review will be undertaken when construction certificate drawings are prepared.

5.15 Accessibility

iAccess Consultants have undertaken a review of the architectural documentation to determine the compliance status with the provisions of the Disability (Access to Premises) Standard 2010, the applicable National Construction Code 2022 as well as the provisions of the relevant Australian Standards. The accessibility assessment review is attached as **Appendix J**.

The review found that there is generally a high level of compliance throughout the project, however there are several items where additional information will need to be provided as part of the detailed documentation to be prepared for this project. It is expected that the additional information required would be supplied at detailed design/ construction certificate stage.

5.16 Socio-economic Impacts

The proposed renovation of the CVCON is expected to generate positive socio-economic outcomes for the local community. By upgrading the facilities, the development will support increased participation in cultural, educational, and community activities, attracting a wider range of users, including students, performers, and visitors. This increased activity is likely to boost local spending in nearby businesses, support employment opportunities, and strengthen the cultural vibrancy of the area. Furthermore, the improved venue will enhance the reputation of the Clarence Valley as a destination for arts, entertainment, and community events, contributing to long-term economic and social benefits for residents and visitors alike.



5.17 Development and Cumulative Impacts

Section 4.15 of the EP&A Act requires consideration of the potential impacts of the development. The potential impacts of the development are identified and discussed throughout **Section 5** of this report. This report concludes that the proposed development will not result in any significant environmental or amenity related impacts.

The proposed CVCON redevelopment in Grafton has been assessed for potential environmental, heritage, and socio-economic impacts and is not expected to result in any significant adverse effects. The site is within the urban area of Grafton, highly modified, and not environmentally sensitive, with minimal removal required. Short-term construction impacts, including noise, stormwater, and soil management, can be effectively controlled through standard management measures.

The development respects the character of the surrounding streetscape, with no adverse heritage impacts anticipated. The likelihood of disturbing archaeological or Aboriginal items is low, with procedures in place to manage any unexpected finds.

The building design provides high-quality internal amenity, energy efficiency, and contributes positively to the streetscape. Socio-economic benefits include supporting cultural and community activities and enhancing the local township. Minor cumulative impacts, such as temporary construction noise or resource use, are typical and manageable. With proposed mitigation measures and conditions of consent, the development will not result in any unreasonable cumulative environmental impacts.

5.18 Ecologically Sustainable Development

The Proposal has also been assessed against the Ecologically Sustainable Development (ESD) principles outlined in Schedule 2 of the EP&A Regulation 2021 which is summarised below.

5.18.1 Precautionary Principle

Section 193 of the EP&A Regulation 2021 states that *“the precautionary principle is that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.”*

In the application of the precautionary principle, public and private decisions should be guided by:

- (a) *“careful evaluation to avoid, wherever practicable, serious, or irreversible damage to the environment; and,*
- (b) *an assessment of the risk-weighted consequences of various options”.*

In the case of the Proposal, the precautionary principle has been applied in the assessment and this SEE. Potential environmental impacts of the Proposal would be minimised through the safeguards outlined within this SEE.

5.18.2 Intergenerational Equity

Section 193 of the EP&A Regulation 2021 defines inter-generational equity as *‘the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations’.*

The Proposal would not significantly affect the viability of local or threatened species, or any EEC's or other environmental resources including water, soil and air. Therefore, local environmental values would not be substantially adversely affected by the Proposal and would be maintained for future



generations. Overall, the socio-economic, safety and environmental benefits of the Proposal would occur with minimal potential environmental expense.

5.18.3 Conservation of Biological Diversity and Ecological Integrity

Section 193 of the EP&A Regulation 2021 requires *the 'conservation of biological diversity and ecological integrity'*, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration.

The impacts to ecological integrity and conservation of biological diversity at the site have been thoroughly assessed as part of this SEE. No threatened species, endangered populations or EECs are likely to be significantly affected by the Proposal. No populations of native species are likely to be made locally rare or unviable as a result of the Proposal. Consequently, the ecological integrity and biological diversity would be maintained at the site.

5.18.4 Improved Valuation, Pricing and Incentive Mechanisms

This SEE has undertaken an assessment of potential impacts and consequently has developed a set of mitigation measures and safeguards to ensure sound environmental practices and outcomes. The Proposal would be undertaken in a manner to ensure reasonable environmental outcomes.



6. Conclusion

The proposed development is permissible with consent under Clarence Valley Local Environmental Plan 2011. It is consistent with the development standards applicable within the Clarence Valley Local Government Area, including relevant State Environmental Planning Policies and the objectives and provisions of the Development Control Plan. The Proposal exceeds the prescribed maximum building height, solely at the location of the mechanical plant and associated screening, which is centrally located on the roof and set well back from all boundaries. A Clause 4.6 request to vary a development standard was prepared, finding that the impact of the variation would be very minor.

The Proposal represents orderly infill development and the provision of upgraded and valued cultural services/ facilities for the community in a suitable location and as part of an existing community facility in the form of the Conservatorium of Music.

The development is considered to be compatible in the local context and adequately sympathetic to the heritage values of the site and conservation area.

The assessment has identified and determined the Proposal can be accommodated and would not result in significant adverse environmental or amenity impacts. The design response has taken into account the context, including heritage values and residential amenity, and has achieved an acceptable balance and outcome.

The proposed works would be undertaken in accordance with standard construction management measures and any conditions of consent to avoid and minimise impacts during construction.

Overall, the site is well suited to support the proposed Clarence Valley Conservatorium redevelopment, and this would further the community benefit and cultural offering. It is therefore considered that the subject application deserves favourable consideration.



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Topographic information presented on the drawings is suitable only for the purpose of the document as stated above. No reliance should be placed upon topographic information contained in this report for any purpose other than that stated above.



Appendix A

Architectural Drawings



Appendix B

Landscape Plan



Appendix C

Architectural Design Statement



Appendix D

Section 4.6 Building Height Variation



Appendix E

AHIMS Search



Appendix F

Statement of Heritage Impact



Appendix G

Stormwater Management Report



Appendix H

Site Waste Minimisation Plan



Appendix I

BCA Compliance Report



Appendix J

Access Report



Appendix K

Flooding and Acid Sulphate Report



Appendix L

EPBC Act Protected Matters Report



Appendix M

Acoustic Report



Appendix N

Estimated Development Cost Report



Appendix O

Mechanical Services Report



Appendix P

Hydraulic Services Report



Appendix Q

Electrical Services Report