

WESTERN REGIONAL PLANNING PANEL COVER SHEET

Summary of s4.15 matters

Yes

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

Legislative clauses requiring consent authority satisfaction

Yes

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

e.g. Chapter 4 of Resilience and Hazards SEPP, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

No

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Special Infrastructure Contributions

No

Does the DA require Special Infrastructure Contributions conditions (S94EF)?

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Yes

Have draft conditions been provided to the applicant for comment?

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

WRPP Panel Reference	PPSWES-320
Application Number	DA 2025/28
NSW Planning Portal Number	PAN-549965
LGA	Lachlan Shire Council
Proposed Development	Erection of a 44-guest room motel and function centre
Property Address	50 Lachlan Street NSW CONDOBOLIN 2877
Lot and DP	Lot 1 DP 1306742
Applicant	Chase Property Investments Pty Ltd
Owner	Lachlan Shire Council
Date of Lodgement	10/10/2025
Number of Submissions	Nil
Assessing Officer	Donna Clarke - Consultant Planner
Recommendation	Approval
Regional Development Criteria - Schedule 6 of SEPP (Planning Systems) 2021	Council related development CIV over \$5 million
List of all matters relevant s4.15(1)(a) of EP&A Act 1979	• State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Industry and Employment) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • State Environmental Planning Policy (Transport and Infrastructure) 2022 • Lachlan Local Environment Plan 2013 • Lachlan Development Control Plan 2018
List all documents submitted with this report for the Panel's consideration	• Architectural Plan Set, prepared by Twohill and James, dated 30/07/2025 • Signage Details, prepared by Currajong, dated 8/12/25 • Materials Schedule, prepared by Twohill and James, dated 30/07/2025 • Landscape Plan, prepared by Sally Bourne Landscapes, dated 24/06/2025 • Landscape Specification, prepared by Sally Bourne Landscapes, dated 24/06/2025 • Civil Design Drawings, prepared by Calare Civil, dated 27/06/2025 • 3D Images, prepared by Twohill and James, dated 30/07/2025 • Statement of Environmental Effects, prepared by Currajong, dated 25/3/2026 • Noise Management Plan, prepared by Currajong, dated 25/3/2026

	• Crime Prevention Through Environmental Design Report, prepared by Currajong, dated 9/12/25 • Detailed Site Investigation, prepared by Enviroseer, dated 15/5/2026 • Section J Report – Buildings A, B and C, prepared by Speckel, dated 03/06/2025
Report Prepared By	Donna Clarke - Consultant Planner
Report Date	23 June 2026

EXECUTIVE SUMMARY

Regionally significant developments are outlined in Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021, specific sections in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021. Having regard to these planning instruments, the development application requires reporting to and determination by the Western Region Planning Panel as the Consent Authority, as it is:

- Council related development CIV over \$5 million (Section 3, Schedule 6 of SEPP).

A Development Application has been lodged for the Erection of a 44-guest room motel and function centre at Lot 1 DP 1306742, 50 Lachlan Street NSW CONDOBOLIN 2877.

The application has been lodged by the purchasers of the site. As the landowner being Lachlan Shire Council is also the consent authority, the application was referred to Penrith City Council to enable an independent assessment to occur.

The subject site is legally described as Lot 1 DP 1306742. The subject site is currently zoned RU5 Village under Lachlan Local Environmental Plan 2013 (LLEP 2013). The proposal is most appropriately defined as *hotel or motel accommodation* and *function centre* which is permissible within the zone.

The development application was notified by Lachlan Shire Council to surrounding properties and publicly exhibited for 14 days from 13 October 2025 to 28 October 2025. No public submissions were received in response.

Penrith Council conducted an assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken. The application was reviewed by Penrith Council's Development Engineering and Environmental Management teams. The following issues / key considerations were identified as a consequence of the assessment process:-

- Land Contamination
- Noise

The applicant has sufficiently addressed the matters identified above and the application is recommended for approval for the reasons outlined within this report.

SITE AND SURROUNDS

The subject site is located on the northern side of Lachlan Street, on the southern edge of the township of Condobolin. The site is currently vacant and was previously occupied by the bowling club.

The subject site is legally described as Lot 1 DP 1306742 and has an area of approximately 2848m² and is generally flat with a gentle slope from the north to south-west.

The site is adjoined to the east by single storey dwellings and to the north and west by vacant land and west and open space with a playground and frontage onto the Lachlan River is located opposite the site to the south. The site is surrounded more broadly by industrial and commercial buildings and land uses to the east, north and west.

Overhead powerlines and street trees are in existence along the southern street verge. A row of trees are in existence along the eastern boundary of the site and one (1) tree is located within the south-western portion of the site.

The site is connected to services including reticulated water supply and sewerage, electricity and fixed line NBN telecommunications.

There is a sewer easement in favour of Lachlan Shire Council that traverses the site in both an east-west and north-south direction.

The figure below provides an aerial photograph of the site, with the boundaries marked in red.



Figure 1: Aerial Photograph with the Site marked in red (source: www.google.com/maps)

THE PROPOSED DEVELOPMENT

The proposed development includes the following aspects:

- Construction of a Motel over two buildings (Buildings B and C) and Function Centre (Building A).
- Single storey function centre (Building A) located towards the western end of the site, comprising a function room and conference room with kitchen and toilet facilities with a gross floor area (GFA) of 290m², adjoined by a pergola structure with a paved outdoor area that links to Memorial Park to the south.
- Two (2) storey motel (Building B) located towards the centre of the site, comprising 28 guest rooms, manager's residence, laundry, office and reception and stairwells, with a GFA of approximately 487m².
- Two (2) storey motel (Building C) located towards the eastern end of the site, comprising 16 guest rooms and stairwells, with a GFA of approximately 216m².

- All guest rooms to have the ability to be either twin or queen / king rooms, with a number of rooms able to join with an adjacent room via an interconnecting door. Buildings B and C will involve use of modular units on steel piers under a shared roofline and external hardwood walls and glazing to present as a modern contemporary style motel building
- Construction of a swimming pool, adjoining deck and connected pedestrian pathways and other ancillary works including fencing.
- Construction of two (2) small barbecue pavilion buildings, maintenance and refuse/waste store, and other ancillary works including fencing.
- Construction of 42 on-site parking spaces including one (1) disabled space, two (2) EV bays and provision for an undercover set down area located between Buildings B and C, loading bay and internal driveways and two (2) vehicle accesses onto Lachlan Street.
- Two (2) freestanding advertising signs at the Lachlan Street frontage, one at each vehicular entry comprising stainless steel letters “Condobolin Motel” affixed to a stone wall.
- Landscaping of the site, including replacement trees and landscaped swales and banks.
- Underground stormwater management infrastructure to discharge stormwater to the kerb and gutter and underground drainage system in Lachlan Street.
- Utility service connections, including the relocation of an existing power pole in the Lachlan Street footpath away from the proposed main motel entry/exit.
- Earthworks.
- External materials feature a mix of Weathertex (hardwood) clad walls with glazed windows and doors and limited use of hardwood clad window screens, galvanised corrugate roofing and steel downpipes.



Figure 2: Proposed Site Plan



Figure 3: Proposed Elevations

The operational details of the motel and function centre are as follows:

- The motel reception is to operate between the hours 7.00am to 10.00pm.
- The motel kitchen is to operate between the hours 6.00am to 10.00pm.
- Deliveries are to occur between 7.00am to 7.00pm.
- The function centre is to operate between the hours 7.00am to 12.00am, subject to all music / amplified sound after 10.00pm being located inside the function centre building, with bass noise kept at low levels, and all music and amplified sound equipment to be turned off at 11.30pm.
- The outdoor areas of the motel are to be sign-posted as a 'quiet area between 10.00pm and 7.00am'.
- The onsite manager is to be responsible for the control of noise at the motel and function centre and the keeping of a complaints register.

Background/ Application History / Previous Approvals

- On 10 October 2025, the subject application was lodged.
- On 28 November 2025, a Request for Information letter was sent to the applicant regarding noise, land contamination, crime prevention, engineering matters, tree management and identification of minor anomalies to be rectified.
- On 11 December 2025, additional information was submitted.

APPLICABLE PLANS AND POLICIES

The Environmental Planning Instruments, Precinct Plans, Development Control Plan and Strategic Policy Documents that apply to the site or the proposed development are:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Transport and Infrastructure) 2022*
- *Lachlan Local Environmental Plan 2013*
- *Lachlan Development Control Plan 2018*

ASSESSMENT CONSIDERATIONS

(i) Section 1.3 - Objects of the Environmental Planning and Assessment Act, 1979

The proposal is considered to comply with the Objectives of the Act, with specific regard to Section 1.3(c) being to promote orderly and economic use and development of land as well promoting good design and amenity of the built environment. The proposal sufficiently respond to the attributes of the site, and the surrounding context, with specific regard to the amenity of existing adjacent development and land uses.

(ii) Section 1.7 of Environmental Planning and Assessment Act, 1979 – Application of Part 7 of the Biodiversity Conservation Act 2016

The considerations outlined within the Act are not relevant to the proposal as the land is not identified as having biodiversity conservation value.

(iii) Section 4.13 of the Environmental Planning and Assessment Act, 1979 – Consultation and Concurrence

Consultation to external bodies was undertaken to Essential Energy under Section 2.48 of the Transport and Infrastructure SEPP.

(iv) Section 4.14 of the Environmental Planning and Assessment Act, 1979 – Consultation and Bushfire Prone Land

The site is not mapped as bushfire prone land.

(v) Section 4.15 of the Environmental Planning and Assessment Act, 1979 – Evaluation

An assessment of the development proposal against Section 4.15 of the *Environmental Planning and Assessment Act, 1979* has been undertaken as follows:

(vi) 4.15(1)(a)(i) – Provisions of any Environmental Planning Instrument

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The considerations outlined within the SEPP relating to Biodiversity are not relevant to the proposal as the land is not identified as having biodiversity conservation value.

With respect to water quality management, the applicant has proposed drainage to continue to the street via a proposed landscaped swale confirming that the development will have a neutral or beneficial impact in accordance with SEPP (Biodiversity and Conservation) water management requirements.

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 - Advertising and Signage

The proposal includes two (2) freestanding advertising signs at the Lachlan Street frontage, one at each vehicular entries/exits comprising stainless steel letters “Condobolin Motel” affixed to a stone wall with uplighting at ground level, and as such an assessment against *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP) including the assessment criteria specified in Schedule 5 of the Industry and Employment SEPP is required.

The proposal is acceptable with respect to Chapter 3 of the Industry and Employment SEPP which provides controls for advertising and signage. This particular chapter aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high quality. The policy applies to all signage with the exception of that which could be considered as exempt development.

The proposed signage clearly identifies the name of the premises.

The proposed signage is considered to be of a suitable design, is discreet and will provide effective communication without compromising the visual appearance of the building and has been assessed against the Schedule 5 assessment criteria, as detailed below.

Schedule 5 - Assessment Criteria

Criteria	Comments
Character of the area	The proposed signage is compatible with the existing character of the area. The proposed signage is compatible with the existing development in the area. The proposal will have a high quality and consistent appearance which will complement the overall physical appearance of the site. The site is located within a RU5 - Village zoned area, adjacent to business and residential uses and open space. The proposal is compatible with the context of the locality.
Special areas	The subject site is not in the vicinity of special areas. The signage is more discreet yet consistent with the other signage in the surrounding area. The signage is not highly visible from any existing residential areas given the signage faces south and dwellings are located to the east. The proposed signage is not highly visible to or from any natural areas, waterways or rural landscapes.

Views and vistas	The proposal does not detract, obscure or dominate important views or vistas, as it forms a part of the entry feature wall for the proposed use. The proposed signage will not obstruct sight lines for motorists. The proposed signage does not obscure any existing signage on surrounding and opposite land and therefore respects the viewing rights of existing and future advertisers.
Streetscape, setting or landscape	The proposed signage is consistent with the existing signage designs in the locality and on the site and wholly contained within the subject site. Overall, the proposal is not considered to create visual clutter which will ensure that there will be no adverse impacts on the visual quality of the surrounding area. No vegetation removal is required to accommodate the signage.
Site and building	The scale and design of the signage is in proportion relative to the size and use of the site. The proposed signage has been appropriately positioned on the front wall and proportioned to identify the principal entry points for visitors. The proposed signage is not contrary to its context in the RU5 - Village zone and will not result in any unreasonable visual impacts.
Associated devices and logos with advertisements and advertising structures	The proposed signage will be installed according to manufacturer and engineering requirements, which can be addressed by a recommended consent condition.
Illumination	The proposed signage will not be illuminated but will be up lit from the base of the stone wall to provide subtle lighting at night. The signs are not in close proximity to the adjoining dwelling to the east. Accordingly, it will not result in any unacceptable impacts.
Safety	The proposal is not considered to reduce safety for local traffic or pedestrians. The signs have been located to ensure that they will have no impact on visibility for motorists or obstruct views of pedestrians. The signage will not include any flashing or moving parts and therefore will not pose any distraction to passing motorists.

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2 - State and Regional Development

Section 2.19 - Declaration of Regionally Significant Development of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) declares development specified in Schedule 6 to be regionally significant development.

Under Schedule 6, Section 3 of the Planning Systems SEPP, the proposed development is Council related development that has an estimated development cost greater than \$5 million and is therefore regionally significant development and the development application must be determined by the Sydney Western City Planning Panel.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

An assessment has been undertaken of the development proposal against relevant criteria in *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) and the proposal is considered to be satisfactory.

When determining a development application for any development of land, the consent authority must consider "*whether the land is contaminated*" and "*if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out*".

The site was previously used as a Bowling Club and associated bowling greens and parking and was demolished in approx. 2019. The site has remained vacant since that time. The previous and proposed land uses are commercial in nature and had a high potential for use of herbicides and pesticides. As such, a Preliminary Site Investigation (PSI) was undertaken which triggered the need for a Detailed Site Investigation (DSI).

The PSI and DSI covered three lots, however any exceedances outside the development area of this proposal can be subject of further investigation at a later stage. In this regard, the DSI confirms that remedial works required at borehole 21 do not form part of the proposal site and require remediation as a separate project by Lachlan Shire Council as owners.

Additional investigation of boreholes 7, 8 and 12 on the subject lot within the DSI confirms no remedial works required.

The development application has satisfactorily addressed considerations under the Resilience and Hazards SEPP and no further investigations are required at this stage. Conditions of consent have been recommended highlighting the requirements that apply in the event unexpected finds are identified during construction works.

Therefore, the development application is satisfactory with respect to State Environmental Planning Policy (Resilience and Hazards) 2021 and appropriate conditions of consent have been recommended.

State Environmental Planning Policy (Sustainable Buildings) 2022

The proposal is supported by Section J Reports for Buildings A, B and C prepared by Speckel.

State Environmental Planning Policy (Transport and Infrastructure) 2022

Chapter 2 - Infrastructure

Electricity

Section 2.48 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) states:

"(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following -

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
 - (b) development carried out -
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,
 - (c) installation of a swimming pool any part of which is -
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,
 - (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.
- (2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must -
- (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
 - (b) take into consideration any response to the notice that is received within 21 days after the notice is given.
- (3) Subsection (2) does not apply to development specified in subsection (1)(b) if the development involves only one or more of the following -
- (a) internal alterations to a building,
 - (b) a change of use of an existing building,
 - (c) a change to the hours of operation specified in the development consent,
 - (d) a subdivision that does not involve construction work."

Section 2.48 of the Transport and Infrastructure SEPP requires a consent authority to notify the electricity authority of proposed works within 5m of overhead powerlines prior to a decision being made on a proposal. The application indicates:

"The proposed development includes a conference room located toward the south-west corner of the site with a pitched roof within 5m of an exposed overhead electricity powerline. It is also proposed to relocate an existing power pole to make ways for the main motel entry / exit in Lachlan Street. Referral to Essential Energy is warranted in the circumstances."

As a result, referral to Essential Energy occurred which indicated by email dated 4 June 20026 that "Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development". Essential Energy also provided general comments which have been included as a recommended condition of consent.

Traffic Generating Development

The proposal is not considered to be traffic generating development for the purposes of Section 2.122 of the Transport and Infrastructure SEPP as the requirements of Schedule 3 of the policy are not triggered.

Accordingly, the proposal is acceptable with respect to the provisions of Transport and Infrastructure SEPP.

Lachlan Local Environment Plan 2013

The proposal has been assessed against the relevant provisions within LLEP 2013 as detailed below:

Provision	Compliance
Clause 1.2 – Aims of the Plan	Complies
Clause 2.2 – Zoning of land to which Plan applies / permissibility	Complies
Clause 5.10 – Heritage Conservation	Complies
Clause 5.21 - Flooding	Complies
Clause 6.1 - Earthworks	Complies
Clause 6.3 - Stormwater Management	Complies
Clause 6.5 – Groundwater Vulnerability	Complies
Clause 6.7 - Essential Services	Complies

Clause 1.2 – Aims of the Plan

Clause 1.2(2) states that the aims of LLEP 2013 are as follows:

*“(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
(a) to protect, conserve and enhance agricultural land through the proper management, conservation and development of natural and man-made resources,
(b) to encourage the provision of a range of housing, employment and recreation facilities to meet the needs of existing and future residents of Lachlan,
(c) to promote the efficient and equitable provision of public services, infrastructure and amenities,
(d) to protect, conserve and enhance the environmental and cultural heritage of Lachlan,
(e) to encourage the sustainable growth of Lachlan,
(f) to encourage development that is matched by adequate land supply for long-term needs and that is linked with key services and infrastructure.”*

The proposed Motel and Function Centre supports the tourism of Condobolin and surrounding areas, as well as provides a facility for residents and businesses for functions. Employment will be generated during construction and on an on-going basis during operation. The site does not have special features or cultural values, and as it is vacant does not result in the loss of existing housing, employment, public services or infrastructure.

Clause 2.2 - Zoning of land to which Plan applies / Permissibility

The subject site is mapped under LLEP 2013 as being within the RU5 Village.

The objective of the RU5 Village is:

- *“To provide for a range of land uses, services and facilities that are associated with a rural village”.*

The site is located on the southern edge of the township of Condobolin, surrounded by a variety of land uses including dwellings, open space with a playground and frontage onto the Lachlan River and more broadly by industrial and commercial buildings. There is no clear rural village feel to the site or the surrounding area. It is however considered that a Motel and Function centre are facilities which are much needed in the area and will not adversely impact upon the rural village.

The proposed land uses are defined as outlined below.

Motel:

hotel or motel accommodation means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that—

(a) comprises rooms or self-contained suites, and

(b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note.

Hotel or motel accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

(a) backpackers' accommodation,

(b) bed and breakfast accommodation,

(c) farm stay accommodation,

(d) hotel or motel accommodation,

(e) serviced apartments,

but does not include—

(f) camping grounds, or

(g) caravan parks, or

(h) eco-tourist facilities.

Function Centre:

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

A review of the architectural plans indicates that the proposed development meets the above definitions.

Clause 5.10 - Heritage Conservation

The subject site is not situated within a Heritage Conservation area and is not identified as a heritage item. The area of open space located opposite the site to the south is mapped as a local heritage item.

Whilst a Heritage Impact Assessment did not accompany the application, consideration has been given to the impact of the proposal on the heritage listed open space located opposite the site.

The visual relationship between the subject development and the heritage item is diminished by the presence of a road reserves, as well as other buildings and structures and vegetation within the open space including amenities block and playground. The proposed built form in a landscaped setting is in keeping with surrounding area and suitably separated and screened from the heritage item.

As such, the requirements of Clause 5.10 as satisfied as the environmental and built heritage significance of Lachlan Shire is being upheld.

Clause 5.21 - Flooding

The subject site is partly identified as being flood prone on the Flood Planning Map in the LLEP 2013 (Sheet FLD_010A).

The SEE provides the following commentary regarding flooding:

“Chase Property Investments and Currajong have held a number of discussions with Lachlan Shire Council regarding the nature and extent of flooding of the Lachlan River on the Lot 1 DP 1306742, and the resultant design requirements for the proposed motel and function centre.

Council provided a copy of the survey of the site prepared by Arndell Surveying in relation to their subdivision of the Condobolin Bowling Club site, as well as the latest version of the Lachlan River (Condobolin) Floodplain Risk Management Study and Plan. Advice was given that the flood imagery recorded in the NSW Flood Imagery Viewer on 22 November 2022 is regarded as the highest recorded flood in Condobolin and characteristic of the flood behaviour in and around the site in flood events. The location of the flood gauge at the nearby Condobolin Bridge (Gauge 412006) was also highlighted, with the peak height of the November 2022 flood being 7.58m on the gauge.

An extract of Figure 2.5 of the Condobolin Floodplain Risk Management Study and Plan is provided in Figure 3, which shows potential for minor flooding on the site in the extreme flood event. An image taken from the NSW Flood Imagery Viewer of the site on 22 November 2022 is provided in Figure 3 which shows the extent of flood waters is largely contained within the Lachlan Street road reserve, with only a small part of Lot 1 DP 1306742 adjoining Lachlan Street being inundated by flood waters in the November 2022 flood.

In response to the known flood risk and behaviour, the proposed motel and function centre has been carefully designed to incorporate landscaped drainage swales and banks as well as an underground drainage system that minimises potential flood damage to buildings / structures and allows for stormwater and sewerage to be discharged from the development in all storm / flood event situations. A design flood level of 190.15m AHD has been adopted as the 1% flood planning level (as advised by Council) with the finished floor levels of proposed Buildings A, B and C being located 500mm above the flood planning level.

No changes / impacts are assessed to occur on flood behaviour or nearby flood affected properties as a result of these minor precautionary drainage works. No safety risks are assessed to apply to any occupants staying at the motel and function centre development. Evacuation from the proposed motel and function centre is not envisaged as being necessary, however could be easily achieved by existing through the rear (north) carpark and vacant adjoining blocks.”

The applicant also indicated that Lachlan Shire Council confirmed the 1% Design Flood at Gauge 412006 (Condobolin Bridge) is 190.15m AHD and a Flood Planning Level of 190.65m AHD is assumed for the proposed motel and function centre development. Lachlan Shire Council has confirmed that flooding levels were provided by Council to applicant and have been adopted in the plans and appropriate conditions of consent have been recommended by Council's Engineer.

Consideration was given to the above comments with respect to the requirements of Clause 5.21 and found to be satisfactory. An appropriate condition of consent has been recommended for preparation of a Flood Evacuation Plan prior to occupation of the motel and function centre.

As such, the requirements of Clause 5.21 have been assessed as being satisfied.

Clause 6.1 - Earthworks

The objective of this Clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Given there is no heritage significance on the subject site, conditions of consent are recommended to ensure appropriate sediment control measures are in place during construction and other works, ensure proper function and drainage amongst other aspects.

As such, the requirements of Clause 6.1 have been assessed as being satisfied.

Clause 6.3 - Stormwater Management

The application was accompanied by Civil Design Drawings which show stormwater discharge points to the Lachlan Street drainage system. The Landscape Plan prepared by Sally Bourne Landscapes also shows provision of a landscape swale and bank that also aims to manage overland flows in large storm / flood events.

As such, the requirements of Clause 6.3 have been assessed as being satisfied.

Clause 6.5 - Groundwater Vulnerability

The LLEP 2013 identifies land which may be subject to groundwater vulnerability and establishes the controls to maintain the hydrological functions of key groundwater systems and protect vulnerable groundwater resources from depletion and contamination.

The SEE provides the following commentary regarding groundwater:

- “▪ The proposed development does not include the storage of any hazardous waste or materials.*
- The development does not include any groundwater extraction.*
- All stormwater from the proposed development will be conveyed to the public drainage system in Lachlan Street, limiting potential for any cumulative impacts on groundwater dependant ecosystems.*
- The proposed development has been designed to provide designated waste storage areas, which are adequately separated from stormwater drainage systems.*
- Any trade waste would be directed to the reticulated sewerage system in accordance with Council trade waste requirements.”*

On the basis of the proposal as outlined in the application, the requirements of Clause 6.5 have been assessed as being satisfied.

Clause 6.7 - Essential Services

The existing site is serviced given its previous use as a bowling club. The proposal includes the extension of the potable water supply main and sewerage to connect to the proposed development will be provided.

Stormwater from hardstand car parking areas will be directed to table/swale drains and natural drainage lines before being directed to Lachlan River.

Electricity and telecommunication arrangements will be extended from the existing network to the proposed building.

With respect to building over the existing sewer on the site, the SEE indicates:

“Part of proposed Building B and some carparking and driveway areas are to be located over an existing sewer main. The in-situ sewer main is an asset owned by Lachlan Shire Council and there is an easement in favour of Council aimed at ensuring access to the sewer main for maintenance purposes. Chase Property Investments have held a number of discussions with Lachlan Shire Council regarding building over the sewer main. It has been agreed that Part of Building B may be built over the sewer on the basis of modular buildings being installed on steel pier footings that are properly engineered to comply with Lachlan Shire Council Engineering Standards. Council has also flagged that subject to final engineering design, relining of the sewer may be necessary. It has also been agreed that minor works, such as parking, kerbs, driveways and site landscaping may be carried within the sewer easement.”

Council’s Engineers have considered the proposed development and have indicated that the local sewerage treatment plan has sufficient capacity to service the proposed development and recommended conditions of consent regarding building in proximity to the existing sewer main.

As such, the requirements of Clause 6.7 have been assessed as being satisfied, subject to imposition of appropriate conditions of consent.

(vii) 4.15(1)(a)(ii) – Provisions of a Draft Environmental Planning Instrument

There are no draft environmental planning instruments that apply to the proposal or the site.

(viii) 4.15(1)(a)(iii) – Provisions of a Development Control Plan

Lachlan Development Control Plan 2018 (LDCP 2018) applies to development within the Lachlan Local Government Area. The provisions of the DCP relevant to the proposed development are outlined below:

Provision	Compliance
3. Development	Complies

An assessment against LDCP 2014 has been undertaken as outlined below:

Development Control(s)	Proposed	Compliance
3.2 Land uses in the settlements of Condobolin, Lake Cargelligo and Tottenham		
3.2.1 - Application	Applies given the zoning of the land as RU5 Village.	Yes

3.2.3 Commercial development in zone RU5 Village	The proposal meets the requirements as follows: • 2 storeys, being below the 3 storey limit. • Parking is proposed in excess of that generated at the ratio of one space per 100m² office floor space • Proposed Motel will not impede the capacity to provide conveniently located short-stay parking • Driveways, access ways and car parking areas will be sealed.	Yes
3.7 - Development of flood prone land		
3.7.1 Generally & 3.7.2 All development	The proposal meets the requirements as follows: • Proposal does not involve substantial cut and fill. • Floor levels will be a minimum 500mm above the flood planning level. • Proposal includes a landscaped bank along the Lachlan Street to minimise flood water impacts on the development. • No changes are likely to occur on flood behaviour or nearby flood affected properties. • No safety risks are likely to any occupants staying at the motel and function centre. • No solid fences are proposed. No flood emergency plans submitted, however an appropriate condition of consent has been recommended for preparation prior to occupation of the motel.	Yes

(ix) 4.15(1)(a)(iia) – Provisions of any Planning Agreement

There are no planning agreements that apply to the proposal or the site.

(x) 4.15(1)(a)(iv) – The provisions of the Regulations

The requirements of the Regulations have been considered in the assessment of the application, with applicable conditions of consent being recommended including complying with the requirements of the Building Code of Australia. Notification has been carried out in accordance with the Regulations.

Part 3 Division 1 - Making Development Applications

The application was made in accordance with the requirements of Part 3 Division 1 of the Regulations.

Part 3 Division 1 Section 30B - Making Development Applications - Council-Related Development Applications

Council-related development applications must be accompanied by:

- a. A statement specifying how the Council will manage conflicts of interest that may arise in connection with the application because the Council is the consent authority (a management strategy), or
- b. A statement that the Council has no management strategy for the application.

In relation to this requirement, reference is made to the discussion below regarding Council's Managing Conflict of Interest for Council Related Development Policy.

Part 3 Section 10 - Written consent of owner of land

A signed letter from the land owners consenting to the applicant acting on their behalf for the lodgement of the subject development application has been submitted.

Advertising and Public Notification

The development application was advertised and publicly notified in accordance with the provisions of the Regulations.

Part 4 Division 1 Section 66A - Determination of Development Applications - Council-Related Development Applications

Council-related development applications must not be determined by the consent authority unless:

- a. The Council has adopted a conflict of interest policy, and
- b. The Council considers the policy in determining the application.

Council's Managing Conflict of Interest for Council Related Development Policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for Council-related development and meet the legislative requirements of Section 66A of the Environmental Planning and Assessment Regulation 2021.

Management Strategy Statement

In accordance with the policy requirements, the proposal has been identified as representing the following risk rating:

- Low Risk
- Moderate Risk

- High Risk

As the proposal has been identified as representing a 'moderate risk', the proposal has been assessed by Penrith City Council's Development Assessment Officer within the Development Services Department, which has outlined that the nature of the assessment and resulting recommendation is appropriate and supported. This is in accordance with the adopted Policy.

As a result of the above, the assessment of the application has been undertaken in accordance with the requirements of the EP&A Regulations 2021, Part 4, Division 1, Section 66A - Determination of Development Applications - Council-Related Development Applications.

Prescribed Conditions

Relevant prescribed conditions of the Regulations, such as the requirement for compliance with the Building Code of Australia and in relation to shoring and adequacy of adjoining properties, have been included within the recommended conditions.

(xi) 4.15(1)(b) – The Likely Impacts of the Development

Refer to assessment detail with respect to SEPP, LEP and DCP considerations and resulting likely impacts of the development.

Context

The proposed Motel and Function Centre is compatible with the existing context of the area.

Traffic and Parking

Appropriate on-site parking is proposed to accommodate the proposed Motel and Function Centre and the road network is capable of withstanding the traffic generation.

Stormwater

The proposal was accompanied by Civil Design Drawings including Overland Flow Path Plan / Stormwater Management Plans with discharge points to the Lachlan Street drainage system and a Landscape Plan which indicates provision of a landscape swale and bank that aims to manage overland flows in large storm and flood events.

Erosion and Sediment Control

Appropriate conditions have been recommended requiring the implementation of sediment and erosion control measures prior to and during construction works.

Visual

The site is visible from the surrounding area, including adjoining dwelling to the east, vacant sites to the north and west and the open space to the south.

During the assessment, concerns were raised regarding bulky features shown on the elevation plans and it was confirmed that the proposed structures over the BBQ Areas have no function and are an architectural feature and that the structures indicated on the East Elevation are Artwork near the pool and are to be a design feature incorporated throughout the broader precinct, with no signage to be put on them. A condition of consent has been recommended to prevent the artwork structures having signage.

Consideration has also been given to the visual impact of the absence of landscaping proposed along the northern and western boundaries where the carpark and building hard are located on boundary. The applicant explained the context of the site and two adjoining sites owned by Council was outlined, explaining the aim for redevelopment of an "eyesore" within the town centre in a Masterplanned manner and for connection between this site and the other adjoining sites and further north into town, with features of this development including the village square and artwork to be extended over the other sites providing connection and continuity. In this regard, potential concerns regarding the relationship to the adjoining vacant land to the west and north are resolved as part of the larger scheme for this part of the town centre.

Noise and Vibration

With respect to noise, the applicant was requested to provide an acoustic assessment and a Noise Management Plan prepared by Currajong and dated 25 March 2026 was submitted. Council's Environmental Management Officer reviewed the assessment and indicated that it is reasonable and includes letters of support for the development from the nearest residential receivers.

Construction operations only to be carried out between 7.00am to 6.00pm Monday to Saturday, with no work undertaken on Sundays or Public Holidays. These hours are appropriate for construction and management of potential noise impacts.

During the assessment of the application, consideration was given to ensuring excessive noise is not generated by the Function Centre and operational matters. The applicant has indicated the hours of operation and management of noise to be as follows:

- The motel reception is to operate between the hours 7.00am to 10.00pm.
- The motel kitchen is to operate between the hours 6.00am to 10.00pm.
- Deliveries are to occur between 7.00am to 7.00pm.
- The function centre is to operate between the hours 7.00am to 12.00am, subject to all music / amplified sound after 10.00pm being located inside the function centre building, with bass noise kept at low levels, and all music and amplified sound equipment to be turned off at 11.30pm.
- The outdoor areas of the motel are to be sign-posted as a 'quiet area between 10.00pm and 7.00am'.
- The onsite manager is to be responsible for the control of noise at the motel and function centre and the keeping of a complaints register.

A Plan of Management for the function centre has been recommended prior to issue of an Occupation Certificate via a condition of consent which will satisfactorily addresses management of potential acoustic impacts. In addition, a Condobolin Function Centre Venue Hire Agreement will also be developed, to govern the hire of the premises by third parties.

As such, the proposed noise impacts of the development are considered to be satisfactory.

Food Premises & Waste Management

The proposal includes a waste area on the eastern boundary which is appropriately sized and located.

Appropriate conditions have been recommended regarding construction, fit out and finishes of the kitchen and food areas to the requirements of the Food Safety Standard 3.2.3 of the Australian and New Zealand Food Standards Code, and AS4674-2004 Design, Construction and Fitout of Food Premises.

Biodiversity

The proposal will have no biodiversity impacts.

(xii) 4.15(1)(c) – The suitability of the site for the development

The site is suitable for the scale and design arrangement of the proposed development as outlined earlier within this report.

(xiii) 4.15(1)(d) Any Submissions

Community Consultation

The development application was notified by Lachlan Shire Council to surrounding properties and publicly exhibited for 14 days from 13 October 2025 to 28 October 2025. No public submissions were received in response.

Internal Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

<i>Referral Body</i>	<i>Comments Received</i>
Lachlan Shire Council - Building Surveyor	No Objections – subject to conditions
Lachlan Shire Council - Infrastructure	No Objections – subject to conditions
Penrith City Council - Development Engineer	No Objections – subject to conditions
Penrith City Council - Environmental – Environmental Management	No Objections – subject to conditions
Essential Energy	No Objections – subject to conditions

(xiv) 4.15(1)(e) – The Public Interest

Given the discussion regarding the assessment of the application throughout this report, the proposed development will not generate any significant or adverse public interest issues.

(xv) Section 7.11 or 7.12 of the Environmental Planning and Assessment Act, 1979 – Developer Contributions

Section 7.12 Contributions area applicable to the subject application.

Section 64 Contributions will be payable for development.

CONCLUSION

In assessing this proposal against the relevant environmental planning policies, including Lachlan Local Environmental Plan 2013, Lachlan Development Control Plan 2018 and relevant State Environmental Planning Policies, the proposal is considered to satisfy the aims, objectives and provisions of these policies. The site is suitable for the proposed development; the proposal is in the public interest and there is unlikely to be negative impacts arising from the proposed development. Therefore, the application is worthy of support subject to recommended conditions.

RECOMMENDATIONS

That DA2025/28 for the construction of Motel and Function Centre at Lot 1 DP 1306742, 50 Lachlan Street NSW CONDOBOLIN 2877, be approved subject to the following conditions.

CONDITIONS / REASONS FOR REFUSAL

Refer to separate document