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ITEM 20 - COMMUNITY ENGAGEMENT STRATEGY

REPORT IN BRIEF

Reason For Report	For council to endorse the 2024-2029 Cabonne Community Engagement Strategy
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.2.1.1e - Monitor and review Council's policies.
Annexures	1. Cabonne 2024-2029 Community Engagement Strategy ↓
File Number	\\OFFICIAL RECORDS LIBRARY\\CORPORATE MANAGEMENT\\PLANNING\\COMMUNICATION STRATEGY - 1787122

RECOMMENDATION

THAT council:

1. Adopt the 2024-2029 Cabonne Community Engagement Strategy.
2. Make the 2024-2029 Cabonne Community Engagement Strategy available to the public on the council's website.

LEADER - COMMUNITY AND ECONOMY REPORT

NSW Councils are required to prepare a Community Engagement Strategy to support the development of all their plans, policies, programs and key activities.

This includes those relating to Integrated Planning and Reporting (IP&R), as well as strategic plans and programs required under other legislation.

Engagement activities should be incorporated into one over-arching strategy, to be endorsed by the council.

The Community Engagement Strategy is required to be reviewed within 3-months of the local government elections, and forms part of the review of the Community Strategic Plan.

This Community Engagement Strategy describes council's commitment to engage with residents, ratepayers and other community stakeholders, including business and industry, community groups, non-government organisations and State agencies.

The Strategy is designed to support Council to undertake robust community engagement to help inform the development of its plans, policies, and

programs, as well as to make decisions about prioritisation and resource allocation when council is determining its activities (other than routine administrative matters).

The Strategy supplements and aligns with council's Community Participation Plan, which has a focus on enabling our community to participate in land-use planning matters.

ITEM 21 - MOLONG URBAN FLOODING ISSUES INVESTIGATION

REPORT IN BRIEF

Reason For Report	To provide council a report on the drainage concerns of the Pillans Park drainage line in Molong.
Policy Implications	Nil
Budget Implications	Proposed budget allocation to advance project in the 2025/26 Financial Year.
IPR Linkage	2.2.3.1c - Internal drainage strategy for Molong township.
Annexures	1. Molong Urban Flooding Issue Investigation P000393 REO 001B Stage 1 Report Amended ↓
File Number	\\OFFICIAL RECORDS LIBRARY\\SEWERAGE AND DRAINAGE\\FLOOD MITIGATION\\MOLONG FLOODPLAIN - 1786967

RECOMMENDATION

THAT council:

1. Receive and note the Molong Urban Flooding Issues Investigation Report
2. Consider the prioritisation of the Pillans Park drainage line upgrade as part of the draft Molong Floodplain Risk Management Plan when brought to council for adoption
3. Seek valuations for property and easement acquisitions on the basis of the preferred options of this report to facilitate future construction of the Pillans Park drainage line upgrade project

DEPUTY GENERAL MANAGER - CABONNE INFRASTRUCTURE'S REPORT

Background

Cabonne Council through its Molong Flood Study (2024) issues with regards to the capacity of the Pillans Park Drainage Line. However, residents along the

drainage line have raised concerns over several years of ongoing issues of the capacity of the drain during intense rainfall events.

The drainage line follows a natural path from Pillans Park, running parallel with Edward Street, where it turns after Wellington Street and under the Centapak Factory and eventually Watson Street (Mitchell Highway). Figure 1 provides a map of the drainage line route.



Figure 1 – Pillans Park drainage line

Investigation

With the completion of the Molong Flood Study, Council Officers engaged consultants to undertake a review of the Pillans Park drainage line with a mind to providing concept designs to provide mitigation measures. This report utilised the hydrologic modelling within the Molong Flood Study.

The investigation report is structured in sections providing both analysis of existing and suggested upgrade options for each section. It is important to note that the cost estimates provided in the investigation report do not factor land or easement acquisition.

Section 1 – Smith Street to Norman Lane

In this section, the report indicates that the underground infrastructure has capacity to contain no greater than a 20% AEP (1 in 5 year) event. Following this, stormwater converts to overland flow through 33 Smith Street.

Option two is the suggested option, which provides a major piped system that conveys up to 1% AEP (1 in 100 year) through 675mm diameter pipes via a newly established easement within 33 Smith Street. There still would be the need to establish an overland flow path with this option, but the definition of the flow path would not be as defined as in option one. This option would require the acquisition of an easement.

The cost estimate for completion of option 2 is \$244,000 (incl. 50% contingency).



Figure 2 – Smith Street to Norman Lane, option 2

Section 2 – Norman Lane to Lee Street

Whilst this section has greater capacity than section one, the open drain does not have sufficient dimension to provide 300mm freeboard. It is suggested to formalise the drainage channel with a 5 metre wide channel with a maximum depth of 0.6 metres. This project would require the acquisition of an easement.

The cost estimate for completion of option 2 is \$45,000 (incl. 50% contingency).



Figure 3 – Norman Lane to Lee Street drainage channel upgrade

Section 3 – Lee Street to Wellington Street

Lee Street has a culvert crossing which has sufficient capacity to carry a 20% AEP (1 in 5 year) rainfall event. Similar to section two, this section has an informal drainage channel which does not have sufficient dimension to provide 300mm freeboard.

The suggested mitigation measure for this section is the formalisation of the existing open drain to 6 metres width and 0.6 metres depth. The culvert underneath Lee Street should be upgraded to a 675mm diameter pipe. This option would require the acquisition of an easement.

Costs of this solution have been estimated at \$189,000 (incl. 50% contingency).



Figure 4 – Lee Street to Wellington Street drainage upgrade

Section 4 – Wellington Street Sag

The assessment within the report suggests that the pipe capacity of the inlet line to the Wellington Street culvert needs to be upgraded, along with the drainage pits fronting 23 and 24 Wellington Street are not sufficient capacity to capture stormwater into the drainage system.

Option one of the investigation suggests increasing the inlet headwall and subsequent 9m of pipe to the next pit to 1050mm diameter. This work is also suggested to be undertaken with a replacement of the kerb inlet pits in the street to a larger capacity.

Cost estimate for this option is \$112,000 (incl. 50% contingency).



Figure51 – Wellington Street sag drainage improvement

Other options considered included a bypass drainage line along Wellington Street heading east for approximately 450 metres. The investigation report has considered this option, but does suggest that a more detailed design would need to be undertaken to determine viability given terrain constraints of the area.

Section 5 – Wellington Street Sag to Gidley Street (through Lot 1 DP 124044)

An easement exists downstream of Wellington Street sag through 23 Wellington Street. Following customer queries with regards to the drainage channel condition, council officers are undertaking detailed design on this section with a mind to replacing the retaining walls of the section of drainage line. Once finalised, it is intended to undertake this work within Council's current drainage works budget.

The drainage line meanders past this point through Lot 1 DP124044 where it connects to Gidley Street. This allotment is a substantial size, which is substantially affected by the alignment of the drainage line. Option one for section five considers downstream effects and the constraints on the ability to mitigate further flooding downstream. The suggested solution is to construct a detention basin within this site, which would regulate the discharge from the

This solution requires the purchase of the property (Lot 1 DP124044), and the construction of a 1.3 ML detention basin on the site.

From this detention basin, construction of an open drain to Gidely Street would be formalized with a 7 metre wide channel at depth of 0.6 metres. Similar to Wellington Street, the kerb inlet pits of Gidely Street will be required to be upgraded to a greater size to accommodate local street drainage.

The cost estimate of this option is \$540,000 (incl. 50% contingency).

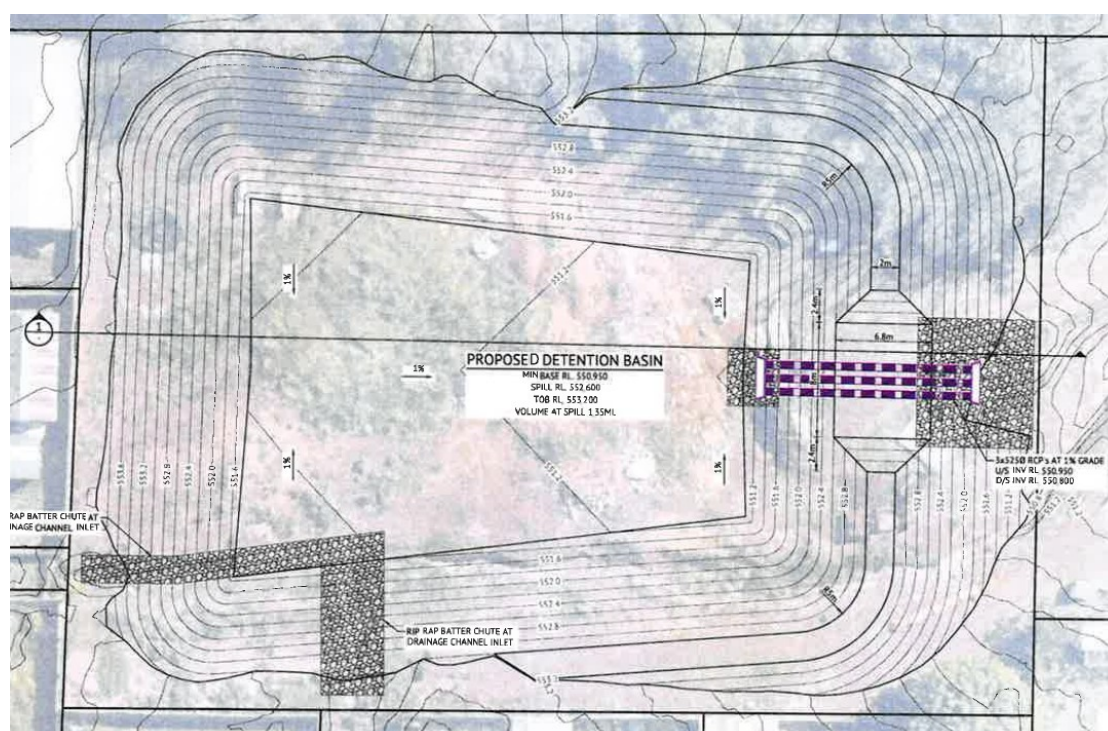


Figure 6 – Concept design proposed detention basin

Option two for this section suggests a secondary drainage line from Gidley Street heading north, and then down Molong Street. This solution would reduce peak flows past Gidley Street, having a similar effect to the detention basin. With this option, works with Lot 1 DP124044 would be required to formalise the drainage channel, which would require the acquisition of easements and property still. Comparison of potential costs for either option are considered roughly neutral.

Section 6 – Gidley to Centapak

With the preferred option in section five, substantial works for this section are not required, only formalising the drainage channel leading to the existing drainage point at Centapak. This work is estimated to cost \$58,000 (incl. 50% contingency).

Centapak has undertaken construction within Iceworks Lane a detention basin which reduces the discharge into the existing pipe under the factory. This was as a result of the November 2021 flood event.

The further options provided within the investigation report are made on the basis of no detention basin being pursued in section five. Option one is difficult to deliver given the significant pipe size and it is positioned under sheds and storage areas of the existing factory. Option two alignment would require excavation depths of nearly 7 metres, and is not feasible.

Cost Estimate – Infrastructure

The total estimated cost of delivery of the preferred options is detailed in the following table:

Section	Cost
One	\$ 244,000
Two	\$ 45,000
Three	\$ 189,000
Four	\$ 112,000
Five	\$ 540,000
Six	\$ 58,000
Total	\$ 1,188,000

This estimate aligns closely to the estimate that has been contained within the draft Molong Floodplain Risk Management Plan for addressing Pillans Park drainage line concerns.

The draft Molong Floodplain Risk Management Plan has been listed for presentation to Council at its February 2025 Ordinary Meeting. For consideration of this particular report, Council may need to consider the priority of this drainage line with the resources that will be required to deliver on the outcomes of the draft Molong Floodplain Risk Management Plan.

Easement and Property Acquisition

The investigation report indicates that for the entire length of the drainage line, only one small section contains an easement. This poses a challenge to undertake any works along the line, given that Council will need to acquire easements to facilitate the suggested solutions.

Costs of property acquisition can be hard to estimate, given the variability in considerations of land and property value. These costs have been omitted from the cost estimate as it is seen appropriate to gain professional valuations.

As a next step to the project process, it is suggested that independent valuations be sought for all affected properties indicated in the investigation report. The cost of these valuations is approximately \$14,000 and can be accommodated within existing consultancy budgets.

**ITEM 22 - MODIFICATION OF CONDITION 20 OF DA 2022/0049/2 FOR A
FUNCTION CENTRE AT 296 FAVELL ROAD, BYNG**

REPORT IN BRIEF

Reason For Report	To obtain council's determination of the modification application
Policy Implications	Nil
Budget Implications	Arising from the modification - road upgrade works to be included in future roads budget and works programs
IPR Linkage	3.1.1.1a - Receive and assess Development Applications.
Annexures	1. MODIFIED CONDITIONS OF APPROVAL DA 2022 0049 2 ↓ 2. 2022 0049 2 - Conceptual Road Upgrades ↓
File Number	\\Development Applications\\DEVELOPMENT APPLICATION\\2022\\03-2022-0049 - 1786877

RECOMMENDATION

THAT modification to amend Condition 20 of Development Application 2022/0049/2 for a function centre upon Lot 201 DP 1263131 known as 296 Favell Road, Byng, be granted consent subject to the modified conditions attached.

DEPUTY GENERAL MANAGER - CABONNE SERVICES REPORT

ADVISORY NOTES

Record of voting

In accordance with s375A of the Local Government Act 1993, a division is required to be called when a motion for a planning decision is put at a meeting of Council or a Council Committee. A division under s375A of the Act is required when determining this planning application.

Political Disclosures

In accordance with s10.4 of the Environmental Planning and Assessment Act 1979, a person making a planning application to council is required to disclose political donations and gifts made within 2 years prior to the submission of the application and concluding when the application is determined.

In accordance with s10.4 of the Environmental Planning and Assessment Act 1979, a person making a public submission to council in relation to a planning application made to council is required to disclose political donations and gifts within 2 years prior to the submission being made and concluding when the application is determined.

Political donations and gifts (if any) to be disclosed include:

- All reportable political donations made to any local councillor or council,
- All gifts made to any local councillor or employee of the council.

Nil planning application disclosures have been received.

Nil public submission disclosures have been received.

SUMMARY

The following report provides an assessment of the development application submitted for a modification to the original consent for a function centre on land described as Lot 201 DP 1263131 and known as 296 Favell Road, Byng.

As the initial development application was determined by council, the modification application is also required to be determined by council. It is recommended that the modification application be approved subject to the attached modified conditions of consent.

Applicant: James O'Keefe c/- Peter Basha Planning & Development

Owner: DD & KM O'Keefe

Proposal: Modification of development consent for a function centre

Location: Lot 201 DP 1263131 known as 296 Favell Road, Byng

Zone: RU1 Primary Production

THE DEVELOPMENT

The original application was for construction of a function centre and was approved by council on 23 August 2022.

The proposed function centre comprises:

- A large 663.7m² steel frame timber clad with metal roof, barn like building.
- Capacity for 220 patrons, including external function and catering staff; five (5) stall male and female toilet facilities, two (2) accessible toilets, a bar and separate kitchen areas; bridal party room, office, storeroom and cloak room, 4 fire exits.
- Verandahs are incorporated into the western and southern facades.
- Parking spaces for ninety-five (95) visitors, two (2) accessible car parking spaces, seven (7) staff car parking spaces and dedicated deliveries area.
- Landscaping to surround the proposed function centre and car parking facilities.

It is proposed the function centre will employ 2 full-time staff and operate between the hours of 9.00 am to 1.00 am Friday and Saturday: dependent upon bookings and seasonality. Bookings will predominately be for weddings and private functions.

The proposal details are as follows:

The property, known as "Tremearne", has an area of 103.33ha and is located on the southern side of Favell Road, 2.7km from the Mitchell Highway. There is an existing dwelling on the lot. The proposed function centre will be located in the north western corner of the property.

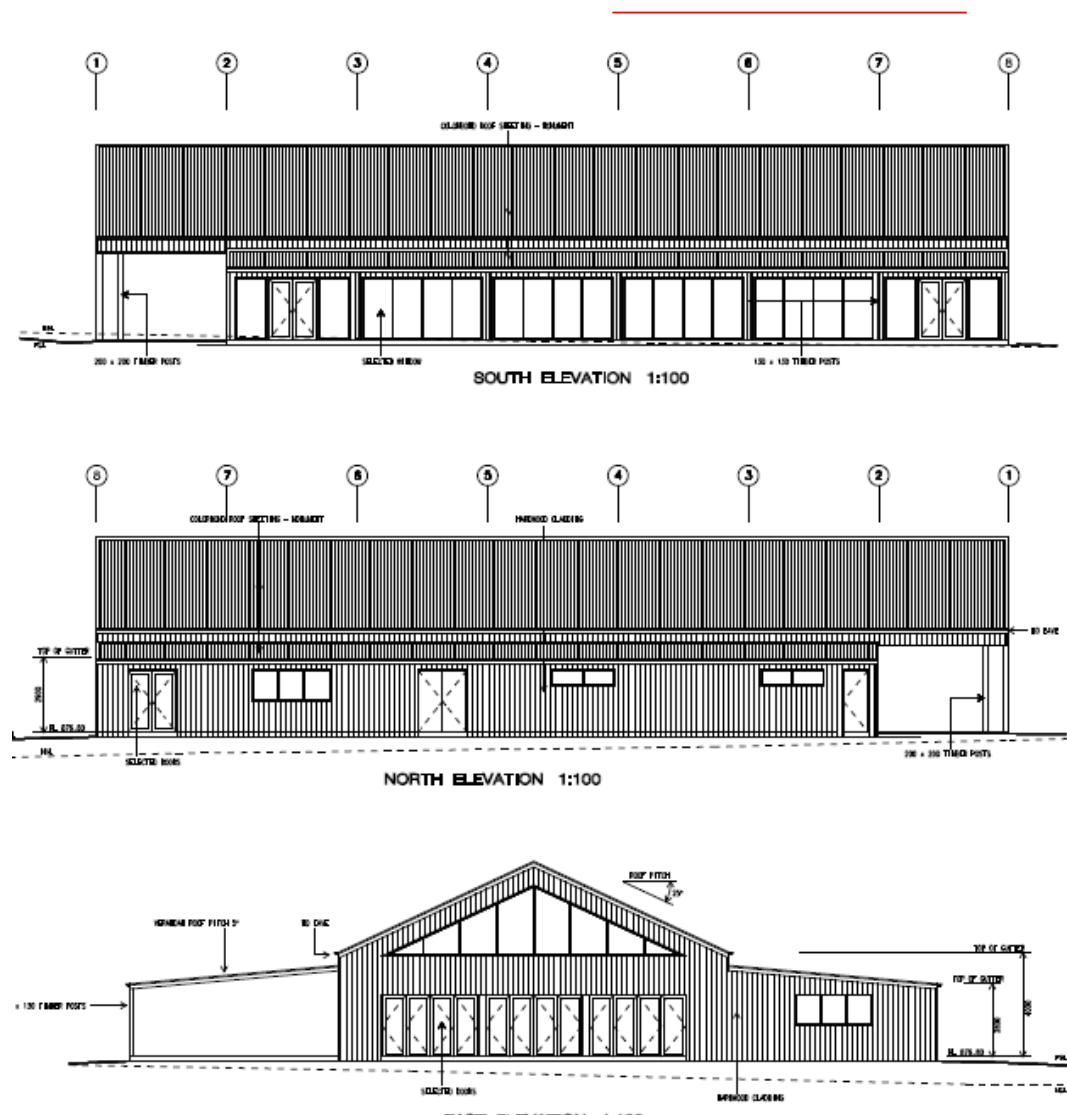


Figure 1 – elevations of approved building

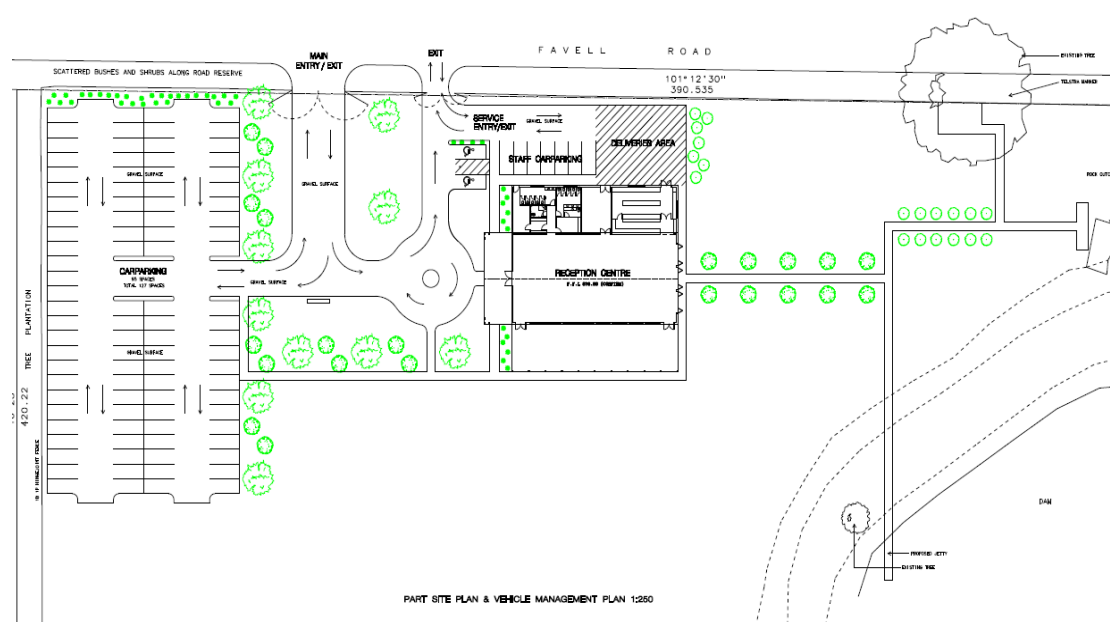


Figure 2 – site plan



Figure 3 – aerial image of site

MODIFICATION 1

A modification application was submitted in May 2023 seeking the deletion of condition 20 of the development consent. The condition reads as follows:

20. WIDENING OF FAVELL ROAD

Favell Road is required to be widened to an eight (8) metre wide standard to facilitate increased traffic flows. Extent of widening will be made from the Cabonne Council boundary through to the entirety of the development frontage (Lot 201 on DP1263131). Design of the widening will be required to be undertaken in accordance with Council's Guidelines to Engineering Works.

An Engineering Construction Certificate must be approved by Cabonne Council prior to any works being carried. This Engineering Construction Certificate will ensure design meets Council standards for construction.

Prior to an Occupation Certificate being issued, an Engineering Compliance Certificate must be obtained, confirming the adequacy of any works completed, and confirming construction has been undertaken in accordance with current Council standards.

(Reason: To ensure that the road is of sufficient width to accommodate increase vehicle numbers and manoeuvrability to and from the site.

This application was submitted in May 2023 and subsequently withdrawn in February 2024.

Modification 2 (and subsequently amended)

A second modification application was lodged in late March 2024, immediately following withdrawal of the first modification application, and on 4 April 2024 council was notified that legal action was to be commenced as 42 days had lapsed without a determination (based upon the 40 day deemed refusal provisions of legislation). A conciliation hearing was subsequently held in October 2024.

On the basis that the parties have reached an 'in principle' agreement regarding a resolution of this matter, the Court has adjourned these proceedings to enable council to confirm whether the amended modification application (with a condition that requires the parties to enter into a planning agreement for the Applicant to pay the agreed contribution for the roadworks) can be notified and put before the council this year. If that cannot occur, the conciliation will be terminated. The Court adjourned these proceedings at the directions hearing to 18 December 2024 (being the last directions hearing for the year) to enable the amended modification application to be considered and determined at the council meeting on 17 December 2024. In this regard, a hearing date for the Appeal has not yet been set.

The amended modification was submitted on 26 November 2024 and is the subject of this assessment report.

The section 4.55 application that is currently lodged with council seeks to modify the development consent to delete Condition 20 which relates to the upgrade of Favell Road. It is now proposed to amend the s4.55 application pursuant to Section 113 of the EPA Regulation 2021.

The amendments now sought with the modification application are rather than have Condition 20 of the consent deleted, it is proposed that Condition 20 be amended to the following effect:

“That prior to the issue of the relevant Construction Certificate, the applicant is to enter into a Voluntary Planning Agreement with council for the sum of \$28,163 as a contribution towards the upgrade of Favell Road”.

The monetary amount referred to above is based on the costing and plans prepared by Heath Consulting Engineers. A letter of offer has been submitted, for the developer to enter into a Voluntary Planning Agreement to pay Cabonne Council the sum of \$28,163 as a contribution towards the upgrade of Favell Road.

The amended modification has been formulated as part of the court conciliation discussions, and identifies those sections of Favell Road, situated within the Cabonne LGA, to be upgraded to provide a standard road width with a 6m seal, capable of accommodating the local traffic and the cumulative traffic generated by the development proceeding. Design and costings of the road works has been undertaken by the proponent and reviewed by council and its traffic consultant.

SCHEDULE OF QUANTITIES & COST ESTIMATE FOR PROPOSED UPGRADE OF FAVELL ROAD, BYNG FOR DA 2022/0049					
Client:	James O'Keefe			Date:	15-Nov-24
Item No.	Description	Quantity	Unit	Tendered Rate	Amount Tendered
1.10	Bulk excavation to subgrade level for road widening only (not including works around curve as instructed by M Christenson)	45	m3	\$ 8.00	\$ 360.00
1.20	Supply, place, spread, compact and test subbase gravel (compacted volume)	87	m3	\$ 65.00	\$ 5,655.00
1.30	Supply, place, spread compact, trim and test base course gravel to the requirements of Cabonne Shire Council (compacted volume)	87	m3	\$ 80.00	\$ 6,960.00
1.40	Supply and lay 2 Coat Bitumen seal (7/10)	516	m2	\$ 18.00	\$ 9,288.00
1.50	Supply and install culverts				
a)	Culvert 1 - Widen each end by 1.22m - 375mm class 3 concrete pipe + 2 headwalls	1	Each	\$ 2,000.00	\$ 2,000.00
b)	Culvert 2 - Widen one end by 2.44m - 375mm class 3 concrete pipe + 1 headwall	1	Each	\$ 1,500.00	\$ 1,500.00
c)	Culvert 3 - Widen one end by 2.40m - 300mm class 4 FRC pipe + 1 headwall	1	Each	\$ 1,500.00	\$ 1,500.00
1.60	Install guideposts	30	Each	\$ 30.00	\$ 900.00
Total (GST Excl.)					\$ 28,163.00
This cost estimate is preliminary only and is subject to detail survey and design. The rates used are typical contract rates for similar works.					

It is important to note that the requirement for construction is to address the “gap” between the current width of the road and the required 6m seal width. Sections of the road are currently at 6 metres in width, and as such these sections do not need to be reworked. These sections have been omitted from the consideration of contribution.

This is further highlighted in the culvert widening, which require only one pipe extension to be placed at three locations.

To facilitate the road upgrade works the proponent has indicated they will enter into a Voluntary Planning Agreement with council to partially fund the upgrade work. It is considered not unreasonable that council share in the cost of the upgrade work to improve the existing road alignment.

THE SITE

The land is currently used for grazing/farming practices. Vegetation coverage is sparse; mainly limited to the eastern side of the property and along the northern and eastern boundary fences. An existing brick dwelling is situated upon approximately 1.7 hectares of extensively landscaped land; located approximately 600 metres from the western boundary and setback approximately 60 metres from Favell Road. Two dams are located to the west of the dwelling. Various farm sheds are located to the east and south east of the dwelling.

The topography of the property has a gentle westerly slope. Emu Swamp Creek is located towards the middle of the subject property. A second watercourse is located towards the western boundary of the subject land. The closest neighbouring dwelling is located approximately 250 metres north west of the proposed development site, with other neighbouring dwellings located approximately 431 metres west; and 515 metres south west of the proposed function centre development site.

MATTERS FOR CONSIDERATION

Section 1.7 - Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994*

Section 1.7 of the EP&A Act identifies that Part 7 of the *Biodiversity Conservation Act 2016* (BC Act) and Part 7A of the *Fisheries Management Act 1994* have effect in connection with terrestrial and aquatic environments.

Consideration was given to these provisions in the original assessment, where it was considered that the proposed development was not mapped on the NSW Biodiversity Values Map, did not involve clearing of native vegetation in excess of the clearing thresholds (*Biodiversity Conservation Regulation 2017*), was unlikely to significantly affect any threatened species, and that a Biodiversity Development Assessment Report (BDAR) was not required. The proposal also was not affected by an aquatic environment and was only assessed under the BC Act. The proposal as modified does not alter this original assessment.

Section 4.55 - Modifications

Section 4.55(1A) of the EP&A Act applies to the subject modification application and states:

A consent authority may...modify the consent if:

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*

- (b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) *it has notified the application in accordance with:*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

When assessing a modification application, the consent authority has a threshold decision to make and must be satisfied that what is proposed is “substantially the same” development as the original development. This is a mixed question of fact and law, and can be guided by principles and tests established in the Courts.

In applying the relevant provisions, principles and tests, it is considered that the modification:

- Still seeks consent for a function centre and does not alter existing/approved land uses,
- Does not alter the nature, scale or intensity of the development or the locality,
- Will not significantly change the relationship to immediately adjoining properties compared to the originally approved development, and
- Potential impacts do not differ from the originally approved development, as addressed in greater detail in the following assessment and “Likely Impacts” section of this report.

It is considered that council may consider this application as a modification pursuant to Clause 4.55 of the EP&A Act as follows:

- The proposed modification will have minimal impact on the environment.
- The proposed modification is substantially the same development as the development for which the consent was original granted as discussed above.
- No other bodies need to be consulted in regard to this application.
- The modification was notified pursuant to the *Cabonne Community Participation Plan 2019*. One submission was received in regard to this application, and the submission is addressed later in this report.

Therefore, the proposed amendment to the function centre proposed development can be considered.

Pursuant to Section 4.55(3) of the EPA&A Act:

In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in Section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Matters of relevance under Section 4.15 are considered below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)

Cabonne Local Environmental Plan 2012

The original application was assessed against the relevant provisions of the Cabonne LEP 2012. The modification does not alter any of the original assessment, where the development remains consistent with the aims of the Plan, permissibility, objectives of the zone, terrestrial biodiversity, watercourses, and environmental and servicing requirements.

STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 - Remediation of Land

The modification does not alter the original assessment of the proposal pursuant to Clause 4.6 *Contamination and remediation*, where it was considered that the subject land is acceptable in its current form and further investigations regarding contamination are not necessary.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapters 3 and 4 Koala Habitat Protection 2020 and 2021

The modification does not alter the original assessment of the proposal, where it was considered it has low or no direct impact with regard to koala habitat, and that a Koala Plan of Management was not required in this instance.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)

It is noted that the Explanation of Intended Effect (EIE) for a new Cultural State Environmental Planning Policy (SEPP) is on public exhibition until 13 November 2024.

DESIGNATED DEVELOPMENT

The proposed development is not designated development.

INTEGRATED DEVELOPMENT

The proposed development is not integrated development.

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)

Development Control Plan

Development Control Plan No. 5: General Rural Zones applies to the subject land. The relevant planning outcomes were considered as part of the assessment of the original development application, and the modified proposal does not alter that original assessment, including access, setbacks, utilities, and visual amenity.

PROVISIONS OF ANY PLANNING AGREEMENT s4.15(1)(a)(iiia)

A planning agreement is to be entered into with respect to the proposal, to facilitate the upgrade of sections of Favell Road located within the Cabonne LGA and servicing the proposed development.

Section 7.4 of the Environmental Planning & Assessment Act 1979 (as amended) relates to Planning agreements

(1) A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the developer)—

(a) who has sought a change to an environmental planning instrument,
or

(b) who has made, or proposes to make, a development application or application for a complying development certificate, or

(c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies, under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.

(2) A public purpose includes (without limitation) any of the following—

(a) the provision of (or the recoupment of the cost of providing) public amenities or public services,

(b) the provision of (or the recoupment of the cost of providing) affordable housing,

(c) the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,

(d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,

(e) the monitoring of the planning impacts of development,

(f) the conservation or enhancement of the natural environment.

PROVISIONS PRESCRIBED BY THE 2021 REGULATIONS s4.15(1)(a)(iv)

The proposed development is not inconsistent with the provisions prescribed by the Regulations 2021. The original conditions of consent address all relevant matters.

BASIX Commitments (clauses 27 and 75)

A Basix certificate is not required of the modified development.

THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)

An assessment of the relevant impacts associated with the development was considered as part of the assessment of the original development application. It is considered that the potential impacts of the development as modified will remain largely unchanged from the original assessment, including context and setting, traffic, access and parking impacts, streetscape impacts, utilities, earthworks/excavations, and stormwater impacts.

Traffic / access

The council's Development Engineer has provided the following comments relating to the amended modification application:

'Condition 20 was conditioned in the consent due to a lack of width in Favell Road between the proposed development and the Cabonne Council / Orange City Council boundary. It is considered by council that Favell Road is not adequate to support the development in its current form, and that upgrading of the road is necessary.

A Modification Application has been lodged with council (DA 2022/0049/2) which seeks to modify the development consent by entering into a Voluntary Planning Agreement (VPA) with council for the sum of \$28,163 as a contribution towards the upgrade of Favell Road. Plans prepared by Heath Consulting Engineers, and a cost estimate, were submitted to support the modification application.

The width of Favell Road varies along the section of road described above, with some sections as narrow as 4.0 to 4.5m, and other sections up to 6.0m width. Council requires that sections of Favell Road not meeting the current standard be widened.

In view of the extent of work required to upgrade Favell Road to an acceptable standard to accommodate the proposed function centre development, the contribution offered under the VPA is considered a reflection of fair value for the work required.

The VPA is also considered appropriate due to the time frames required to acquire property along sections of Favell Road as part of the upgrade process.

Following assessment and perusal of the supplied documents, it is recommended that Condition 20 of the development consent be amended as follows:

20 WIDENING OF FAVELL ROAD

Prior to the issue of a Construction Certificate, the applicant is to enter into a Voluntary Planning Agreement with council for the sum of \$28,163.00 as a contribution towards the upgrade of Favell Road.

THE SUITABILITY OF THE SITE s4.15(1)(c)

Council has previously determined that the site is suitable for the proposed development. There are no aspects of the site to indicate that it would be unsuitable to accommodate the modified development.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)

The proposed modification was notified in the same manner as the initial application. One (1) submission was received in objection to this application. The submission is summarised as follows:

Submission	
Issue	Comment
Objection to the proposed development remains the same as previously made to council	Noted. The modification deals solely with the requested change to Condition 20.
The proponent does not provide a proper risk assessment of the safety impacts traffic will have on the existing road users of Favell Rd	A traffic study was provided with the initial DA. Council's infrastructure officers have provided input and assessment comments throughout the DA assessment process. The council has the services of a traffic consultant to advise council during the current modification proposal assessment and the court conciliation hearings.
The sum of money seems minimal in quantum, even for the minor upgrades proposed	The VPA offer is considered equitable
The proponent at least accepts that road upgrading is required to ensure the safety of road users	Noted
Proponent does not consult with adjacent landowners to ascertain impacts of the development upon those neighboring properties	Council has notified neighbours of each stage of the development and opportunity provided for engagement and the making of submissions
Site works were undertaken without approval	Noted. While certain site work may satisfy exempt development

	provisions, council served correspondence on the landowner in December 2021 to cease earth works on the site until such time as the DA for the function centre had been assessed and determined. Conditions of development consent subsequently applied to the development relating to requirements for and to obtain relevant approvals to commence construction works.
Given the history of delays by the submission and changes to the DA and modifications it is asked that council set aside the development consent and require a fresh DA be submitted addressing appropriate mitigation measure to identified impacts	The determination to be made by council is solely relating to the modification to Condition 20 of the issued development consent.
The ongoing nature of the development process and the uncertainty of the outcome is impacting mental health	Noted
Has Dalwhinnie Holding P/L previously been notified of this development – other than on 26 November 2024?	Neighbour notification letters were issued to this owner on 30 November 2021, 1 June 2022, 24 May 2023 and 26 November 2024

It is suggested that council accept a contribution by the developer under a VPA for the upgrade of Favell Road, as it is considered a reflection of fair value for the work required. It is not unreasonable to expect the cost of the upgrade of Favell Road to be shared by council.

The management of risk is through the appropriate application/implementation of Council's Standards and Specifications using reference documents such as a Traffic Impact Assessment.

As the proposed roadworks may require property acquisition, a contribution is considered appropriate due to the time frames involved in the acquisition process.

PUBLIC INTEREST s4.15(1)(e)

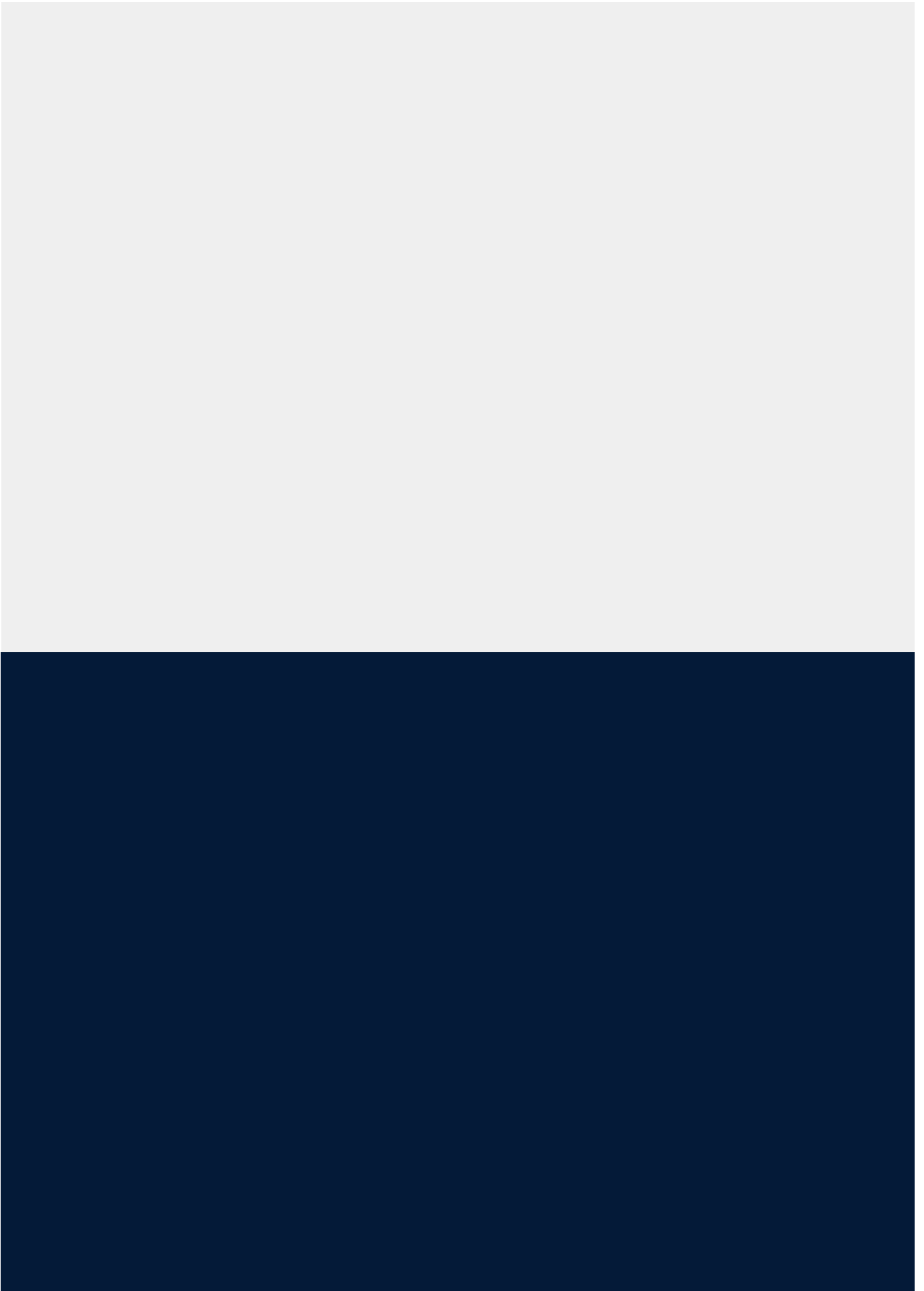
The proposed development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts. The proposal is consistent with all relevant policy statements, planning studies, and guidelines.

SUMMARY

The proposed modification is permissible with the consent of council. The proposed development as modified complies with the relevant aims, objectives and provisions of *Cabonne Local Environmental Plan 2012* and DCP 5. The modification is consistent with the provisions of section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft modified Notice of Approval outlining the original conditions of consent with modifications considered appropriate to ensure that the development proceeds in an acceptable manner.



CABONNE COUNCIL



In the spirit of reconciliation, Cabonne Council acknowledges and pays respect to the Wiradjuri people, the traditional custodians of the land referred to as Cabonne.

Cabonne Council also pays respect to the Elders, both past and present, of the Wiradjuri Nation and extend that respect of other Indigenous Australians who are present in the Cabonne area.

We recognise Aboriginal spiritual, social, and cultural connections to these lands and waters, and state our commitment to ensuring that Aboriginal rights, as enshrined in legislation, are upheld and not eroded.



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Canowindra



Foreword

Cr Kevin Beatty
Mayor

This Community Engagement Strategy describes Cabonne Council's commitment to engage with its residents, ratepayers and other community stakeholders, including business and industry, community groups, non-government organisations and State agencies.

This Strategy supports Council to undertake robust community engagement to help inform the development of its plans, policies, and programs, as well as to make decisions about prioritisation and resource allocation when Council is determining its activities (other than routine administrative matters).

The Strategy supplements and aligns with Council's Community Participation Plan, which has a focus on enabling our community to participate in land-use planning matters. Together these tools provide guidance to Council and information to our community about how we can best have conversations that result in enhanced community outcomes.

We look forward to engaging with you soon, and trust that you will take up opportunities to have your say about the future of our local government area and support us in planning and prioritising our available resources in order that we can best meet your needs.

Values & Mission

The Cabonne Local Government Area is thriving, caring, and vibrant.

Our Cabonne community recognise and acknowledge our rich culture, heritage, and history.

We strive to protect and value our environment, and the rural aspects of the region.

We recognise that we need to ensure all members of our community have access to the services and support required to be successful.

Despite being made up of a number of towns, villages and localities, we recognise that we need to work together to achieve great things for our wider Cabonne community.

Where one community succeeds - we all succeed.

We are Cabonne.



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About Community Engagement

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Why Does Council Engage?



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The Community Engagement Strategy has been developed to guide ongoing communication between Council and the community for planning for the future. An engaged and involved community is a key target outlined in Council's Community Strategic Plan.

All local councils in NSW must adhere to the Integrated Planning & Reporting framework established in the Local Government Act. This cycle of planning and reporting ensures that councils deliver services and invest in infrastructure that best meets the local community's needs and utilises the available resources effectively and efficiently.

Community engagement activities also provide an opportunity for Council to promote transparency about and be accountable for the activities it undertakes on behalf of the community.

Council actively encourages community participation in the governance and decision-making process and sees that this is an essential factor to successful decision making.

Cabonne Council is committed to having open, honest, respectful and truthful communication with the community and encourages the community to do the same. This strategy aims to increase levels of engagement in a way that the community expects.

What is community engagement?

Community Engagement can be defined as any process that involves the community in problem-solving and decision making and uses this input to make better decisions.

Community Engagement is a two-way process that seeks to inform, identify issues and seek resolution with the community using a range of techniques.

BENEFITS OF COMMUNITY ENGAGEMENT

Cabonne Council recognises that communities which are informed, consulted and empowered are successful communities. Successful community engagement will demonstrate a collaborative effort to resolve issues and plan for the future which will result in better outcomes for Council and the community. Community engagement complements the official electoral process and is a key method for participatory democracy.

DECISION MAKING IS IMPROVED	Better decisions are made when we have information and all points of view have had the opportunity to be heard. Where feasible and desirable, Council's decisions need to match the needs and aspirations of the community.
IT BUILDS TRUST	Trust and understanding grows in an environment where engagement and involvement is taken seriously.
IT BUILDS NETWORKS	When we work together we meet other people, build relationships and have the opportunity to form purposeful networks.
IT HELPS CREATE STRONGER COMMUNITIES	Trusting, confident and involved communities are stronger and able to respond to change and circumstances "together" using their combined resources on potential solutions.



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Values when engaging with our community

The following values underpin Council's approach to all community engagement activities. Cabonne Council will be:



VALUES OF ENGAGEMENT	OUR PROMISE TO THE COMMUNITY
 CARING AND FRIENDLY	Community engagement will be conducted in a way that demonstrates a genuine commitment for quality consultations with the community and a desire to hear the community's views and aspirations.
 OPEN TO NEW IDEAS	Community engagement activities will be well planned and directed towards getting a better understanding of the community's views and on issues of importance to them. Consultation activities will provide opportunities for meaningful dialogue and input from key stakeholders.
 ACTING WITH INTEGRITY AND RESPECT	Consultation objectives and the role of the community in the decision making process will be well defined from the outset. The community will be equipped with the necessary information prior to and during community engagements to ensure the effectiveness of the process and its outcomes. The information will provide objective, balanced and accessible content about the particular issue or project.
 ENGAGING AND WILLING TO WORK TOGETHER	<p>Council will seek to engage stakeholders at the earliest stage possible and continue to keep them informed and involved throughout the process. Well planned and inclusive community consultation processes are vital to the success of Council's engagement with the community.</p> <p>Council staff will provide feedback to the community about the progress of the project or plan and demonstrate how input received has contributed to the decision-making process.</p>

Objectives and guiding principles of community engagement

The following guiding principles will ensure effectiveness of Council's engagement process and outcomes:

OBJECTIVE	GUIDING PRINCIPLES
COMMUNITY ENGAGEMENT WILL BE TIMELY	Engagement activities are held at convenient times so that as many people as possible can participate. Engagement is planned so that enough time is allocated to the process so input can be considered and not rushed.
INFORMATION IS INCLUSIVE AND ACCESSIBLE	<p>Consider groups whose voice may not normally be heard in community discussions. This might include people with disabilities, Aboriginal communities, people from culturally or linguistically diverse backgrounds, young people, people in geographically isolated areas, and the elderly.</p> <p>Provide clear, concise information that is easy to read and understood by a wide range of audiences. Use a variety of methods that enable our community to get involved by using a range of channels to reduce potential barriers relating to participation.</p>
PEOPLE ARE HEARD AND NOT JUST LISTENED TO	Facilitate two-way engagement processes that seek to inform, identify issues and seek resolution with the community.
EXPECTATIONS ARE WELL MANAGED	Purpose of engagement is clearly defined from the outset and the community understands their role in the decision-making process.
FEEDBACK IS PART OF THE PROCESS	Following engagement activities, the community will be provided with feedback about the progress of the project or plan and advised on how their input will contribute to the outcome or decision.
NOT A 'ONE SIZE FITS ALL'	Stakeholders are defined for engagement activities to determine appropriate process and mediums for engagement to encourage participation.
LEARNING IS CENTRAL	Use community engagement as an opportunity to learn more about our community and their priorities. Educate internal and external stakeholders on community engagement processes and ensure staff are adequately trained to plan effective engagement

These guiding principles demonstrate regard to the Community Participation Principles as set out in Section 2.23(2) of the EP&A Act applicable throughout Cabonne Council.

Who we engage with

Council is committed to undertaking meaningful engagement with community and stakeholders and understands that effective community engagement requires an informed and representative group of participants, time for deliberation, and consensus on recommendations on the decision or project.

Council undertakes a stakeholder identification process to identify who is impacted or interested in a decision and will then select the best methods of engagement to encourage participation and effective engagement. We work hard to identify and engage directly with the most impacted, including those who face barriers to participation. Some community members fall within multiple stakeholder groups, making them particularly relevant to certain engagement processes.

OUR COMMUNITY STAKEHOLDERS

STAKEHOLDER GROUP	EXAMPLES
RESIDENTS AND RATEPAYERS	Those who live and/or pay rates in the Cabonne Local Government Area.
CABONNE COUNCILLORS AND INTERNAL AND EXTERNAL STAFF	Elected members, employees, contractors and Committees of Council.
PROGRESS ASSOCIATIONS AND OTHER COMMUNITY COMMITTEES	Progress Association groups and other community committees are established to represent individual town/village communities and ensure that residents have a direct say in the development of their communities.
SECTION 355 COMMITTEES	Committees with delegated authority to make decisions on behalf of Council. S.355 Committees can be made up of Councillors, Council Staff and community representatives.
BUSINESSES AND BUSINESS GROUPS	Individuals, associations or networks active in the business community. There are no specific Business Chambers in the Cabonne LGA.
KEY STAKEHOLDERS, SERVICE AND FACILITY USERS	Those communities who are directly or indirectly affected by a project, such as a specific town/village, individuals and/or groups who use local services or facilities such as sports grounds, halls, libraries, community centres, pools, etc.
POPULATION GROUPS	Specific groups with demographic commonalities such as age, background, ability, gender, cultural heritage.

OUR COMMUNITY STAKEHOLDERS

STAKEHOLDER GROUP	EXAMPLES
GOVERNMENT AGENCIES	Departments, agencies and authorities of state and federal government whom Council advises and seeks advice or funding for projects.
NON-GOVERNMENT AGENCIES	Community service groups and organisations that support provide community services and support such as Neighbourhood Central, Anglicare, Lifeline, Legal Aid, and the Red Cross.
PEAK INDUSTRY BODIES	Those organisations whom Council are affiliated with including the Central NSW Joint Organisation of Councils, Orange360, Regional Development Australia - Central West.
VISITORS / EVENT ATTENDEES	Individuals or groups who choose to visit Cabonne and may have an interest in events, recreational, and visitor services or facilities.
MEDIA	Commercial and community media outlets locally, regionally and nationally.



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Integrated Planning and Reporting Alignment



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Integrated Planning and Reporting (I,P&R)

Under the NSW Local Government Act 1993, councils are required to develop a hierarchy of plans known as the Integrated Planning and Reporting (IPR) Framework.

Under Council's Integrated Planning and Reporting Framework, community engagement is built into the process to ensure that the community is providing feedback, advice and direction to Council's activities. Community engagement is important not only when developing plans and strategies but also in Council's reporting to ensure our community is informed about Council's works and operations.

This framework assists councils in delivering their community's vision through long, medium- and short-term plans. The purpose of the framework is to formalise strategic and resource planning across NSW councils and ensure long term planning is based on community engagement leading to a more sustainable local government sector.

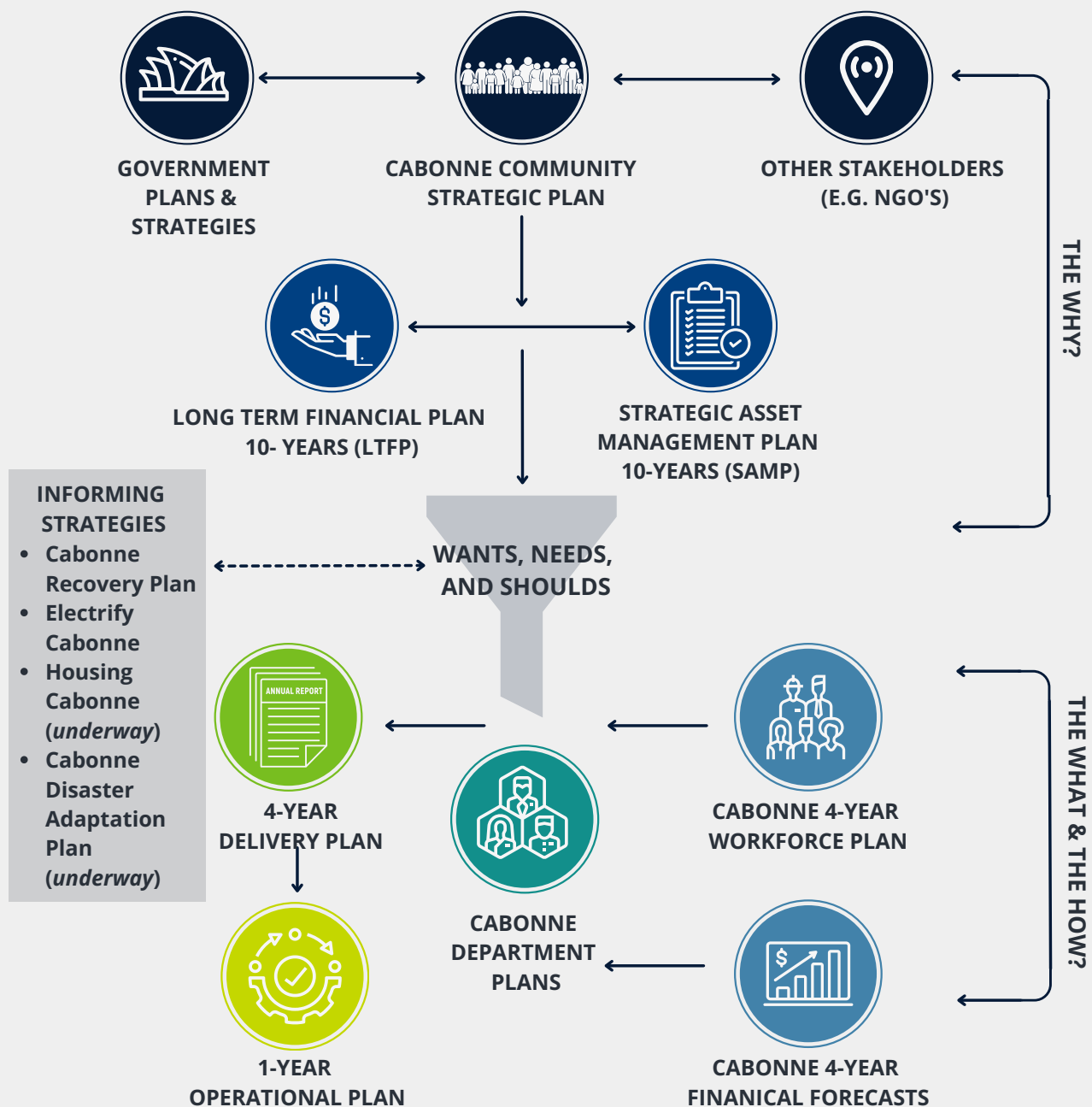
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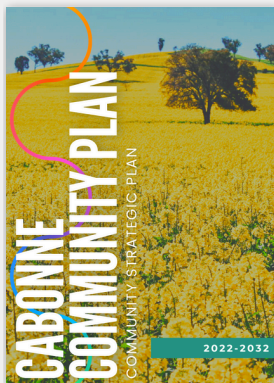
I,P&R Structure

With every new term of Council (every 4-years), Council will involve and collaborate with the community in reviewing the Community Strategic Plan (10-year plan) and priorities over the next term of Council (4-years).

The IP&R Framework is underpinned by strong community engagement. Engagement with residents as well as business, state agencies and non-government organisations is essential to creating plans that will truly represent the aspirations and needs of the local community.

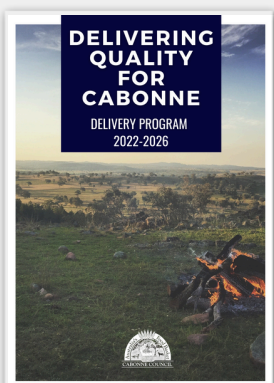


The I,P&R Suite



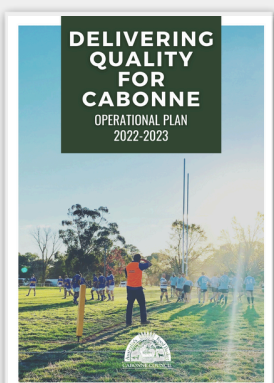
COMMUNITY STRATEGIC PLAN

The highest level of strategic planning undertaken by a council, with a ten-year plus timeframe. All other plans must support achievement of the Community Strategic Plan objectives.



DELIVERY PROGRAM

Is Council's commitment to the community about what it will deliver during its term in office to achieve the Community Strategic Plan objectives.



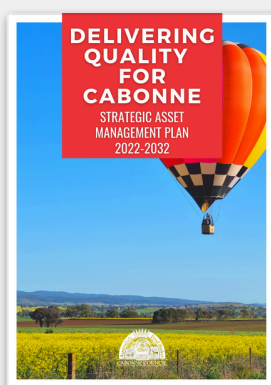
OPERATIONAL PLAN

Shows the individual projects and activities a council will undertake in a specific year. It includes the council's annual budget and Statement of Revenue Policy.



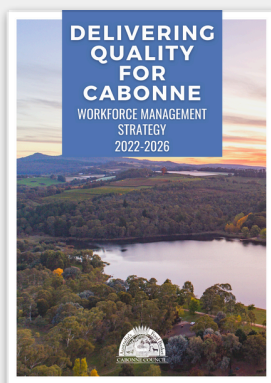
LONG-TERM FINANCIAL PLAN

Council's Long-Term Financial Plan (LTFP) forecasts the financial capacity of the organisation to meet the objectives adopted in the Community Strategic Plan. It is vital for informing both Council and our community about the long-term financial position of our organisation. Council's Long-Term Financial Plan covers a period of 10 years and will be updated annually following the adoption of each of Council's Annual Operational Plans.



STRATEGIC ASSET MANAGEMENT STRATEGY

Council's Asset Management Strategy outlines how Council will manage community assets such as roads, footpaths, recreational facilities and parks, buildings and equipment to ensure that it continues to meet the needs of the community — both short and long-term.



WORKFORCE MANAGEMENT PLAN

The Workforce Management Plan forms a critical part of Council's Resourcing Strategy and provides a framework for aligning decisions about human resources (such as recruitment, development, internal deployment, career paths etc.) with outcomes, goals and strategies in the Community Strategic Plan.



COMMUNITY ENGAGEMENT STRATEGY - 2024-2029

The Community Engagement Strategy demonstrates Council's commitment to actively engage the local community through best-practice consultation methods. It sets out clear guidance about how Council will engage with the community and outlines Council's approach to community engagement including the methodologies, tools and techniques.

When We Engage

During the Delivery Program, two main rounds of engagement across the community occur each year including 'Community Strategic Plan - Check-in' and the Annual Report.



COMMUNITY STRATEGIC PLAN - CHECK-IN

A 'Community Strategic Plan - Check-in' is undertaken each year and provides information and opportunities for community feedback and discussion on the upcoming Operational Plan and Budget.

Also included in the discussions are topical issues and a progress report on the current program of works.

ANNUAL REPORT/STATE OF THE SHIRE

Delivered each year Council will provide our community with an Annual Report.

The community will be informed on Council's works and services over the past year in the areas of Council's 5 strategic directions:

- Leadership
- Infrastructure
- Community
- Economy
- Environment



In addition to the Integrated Planning and Reporting and strategic planning engagement activities, Council is also committed to engaging the community in other Council plans and decisions. These may include but are not limited to:

- Town and village master plans which may include sporting or other precincts or areas
- Changes in Council services or programs
- Significant developments

In deciding when and how to engage about a project or issue, we consider several factors, including the impact, scale and complexity of the decision to be made, the number of people affected and the geographical area. Possible financial, environmental, legal and reputational risks will also be considered.

These variables will determine the priority Council gives engagement projects so resources can be allocated, and the most appropriate tools selected.

Council will engage with the community, where appropriate, when:

- Proposing a change in service or strategic direction
- A new project, plan or initiative is being developed
- Developing or changing a significant policy, strategy or plan
- Planning major infrastructure projects
- Making decisions that will impact our community

When We Won't Engage

There are times when Council will only inform the community of our decisions and actions.

These will occur in cases when:

- There is no scope for community input
- Public health and safety are at risk
- An immediate resolution is required
- An initiative involves confidential or commercial information
- Developing or reviewing internal procedures and protocols
- Council is responding to an emergency
- There are legal constraints

When decisions are made without engagement, the community will be informed about why the decision was made, where appropriate.



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Community Engagement Process

Community Engagement Strategy - 2024-2029

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How we engage

Clearly understanding the scope and potential impact of a decision, the type of influence they can have on a decision and being made aware of the outcomes of participating in engagement are the key drivers of participation. These three elements are also what make our engagement meaningful, transparent and accountable.

Our approach is guided by the International Association Public Participation (IAP2) Spectrum of Engagement, which describes five levels of engagement, from 'inform' through to 'empower'.

The table below describes the five levels of the spectrum, the roles of Council and the community and the types of engagement methods that could be used.

Please note, there are many other methods and tools we can use which are detailed later in this document.

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Our Goal	To provide balanced and objective information to make our community aware of something that has happened or will happen.	To listen to our community's feedback on options or a potential decision and take their input into account.	To seek input to identify issues, concerns and aspirations to inform decision making and show how that input has informed the decision.	To work with our community to develop a detailed understanding of all the issues and opportunities and identify agreed solutions at every step of the process	To build the capacity of our community to identify solutions and/or lead change.
Our promise to the community	We will keep you informed.	We will listen to and acknowledge your concerns.	We will work with you to exchange information, ideas and concerns	We will seek advice and innovation from amongst the various stakeholder groups.	We will work with you to implement agreed decisions.
The role of the community	Listen	Contribute	Participate	Partner	Partner or Lead

INCREASING LEVEL OF PUBLIC IMPACT ON THE DECISION



Levels of engagement

The level of engagement is directly related to the complexity of the information needed and the degree of impact an action could have on the community. The higher the impact, the more complex the information, the greater the potential risk and therefore the more engagement is needed.

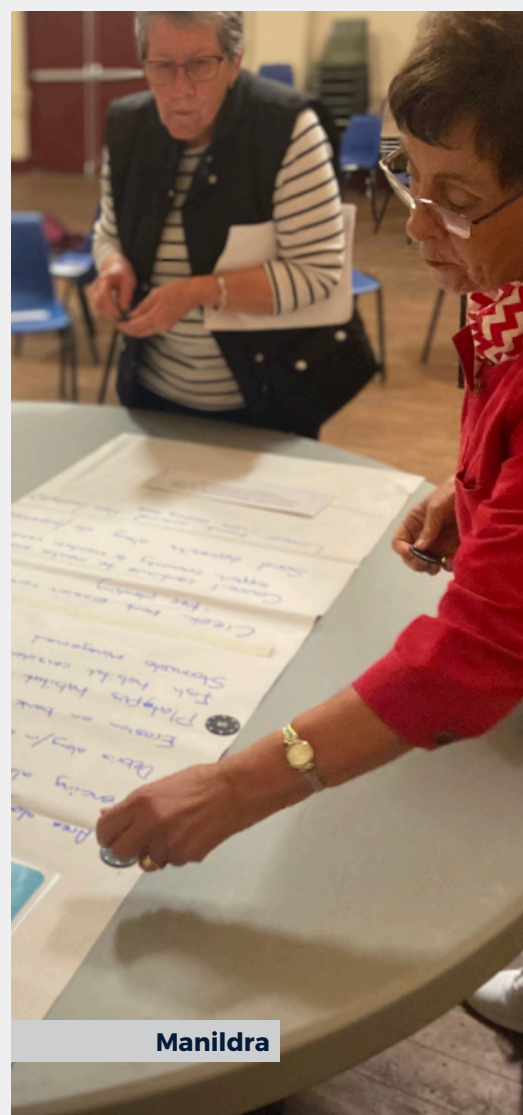
The table on the following page indicates where Council anticipates alignment of different projects or matters against the IAP2 spectrum based on the stage of planning. The selection of the level of engagement is made for each project individually in response to scope and complexity.

We **DELIBERATE THE OPTIONS** for the development of long-term strategic plans, such as the Community Strategic Plan, Council's Delivery Plan, Financial Plan and Asset Management Plans. We will use deliberative engagement practices to develop these plans, working with the community at moderate to high (involve, collaborate and empower) levels of influence and engagement.

DECIDE THE CHANGE is the big picture; developing the strategies that focus and prioritise our resources. Here, we'll work with (involve) or partner with the community (collaborate) to achieve consensus and create solutions. This is when the community can expect to have a moderate to high level of influence on ideas, initiatives and decisions.

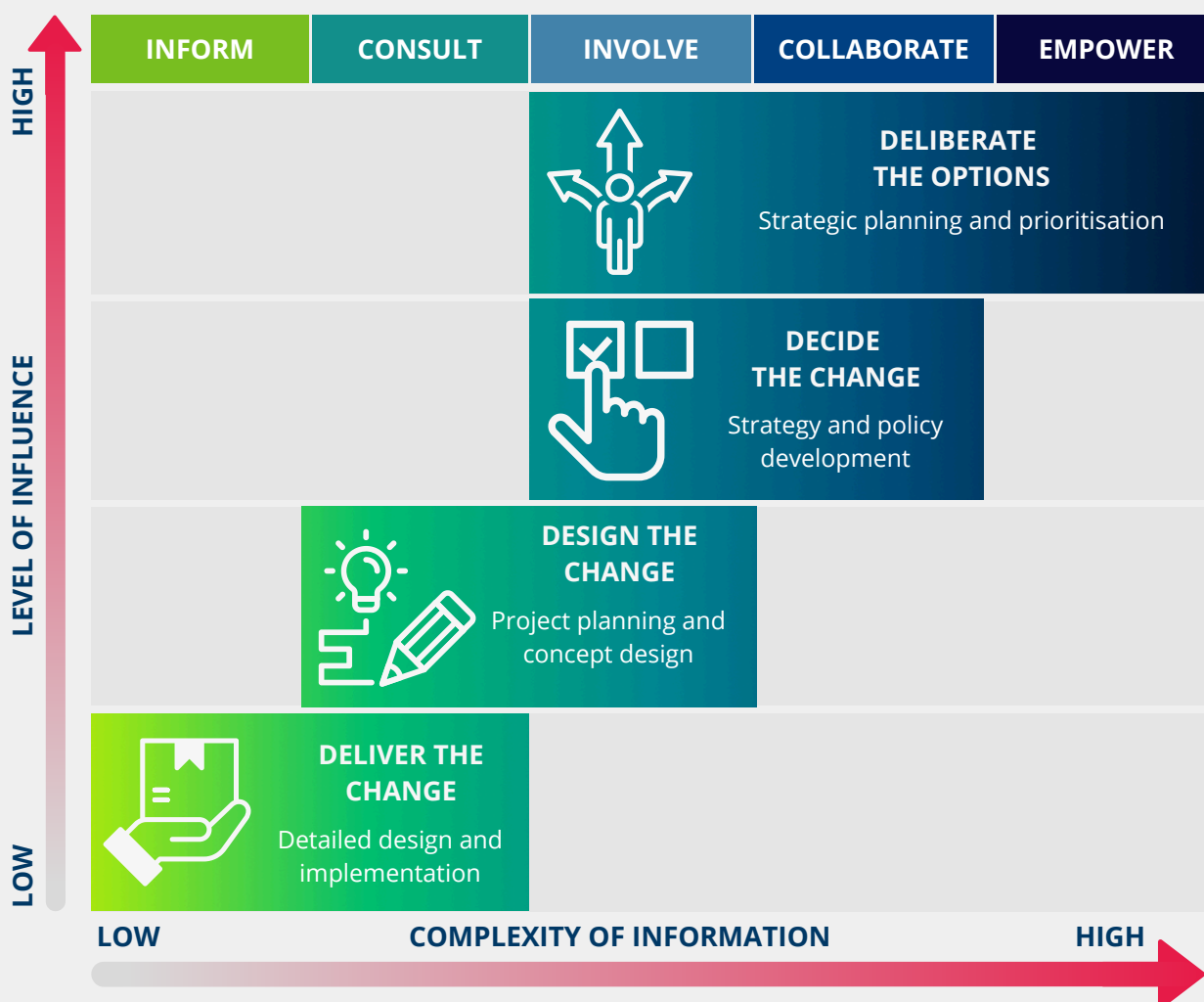
DESIGN THE CHANGE is when we begin planning what an idea or project could look like. Here, we'll seek feedback (consult) and work with people (involve) who are directly affected by the change. The community can expect to have a moderate level of influence.

When it comes time to **DELIVER THE CHANGE**, there may not be much that the community can influence, as many decisions have been made through earlier strategy, policy, or planning decisions. Engagement is mostly seeking feedback (consult) from those most affected or providing information (inform) to our community.



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STAGES OF PLANNING



Methods of engagement and selection of tools

The below table provides an overview of the standard tools and techniques used for community engagement activities.

Tools are selected to ensure we can capture relevant feedback, meet the needs of participants, and are appropriate to the level of engagement and influence. For example, if the level of engagement is 'collaborate' where participants have a high level of influence, Council may establish working groups and/or advisory committees. These types of tools would not be appropriate at an 'consult' level where participants have limited ability to influence the decision.





Within a single project, different parts of the community or specific stakeholder groups may have different levels of influence and therefore be offered specific opportunities to participate.

	IAP2	LEVEL OF INFLUENCE	EXAMPLE TOOLS AND TECHNIQUES
SPECTRUM	Inform	<ul style="list-style-type: none"> No ability to influence the decision. 	<ul style="list-style-type: none"> Direct mail Newsletter Flyer, poster Signage Social media Website Fact Sheets
	Consult	<ul style="list-style-type: none"> Low level of influence. Usually a requirement for feedback or more information by Council. 	<ul style="list-style-type: none"> Survey Submission Ideas boards Drop in / pop up sessions
	Involve	<ul style="list-style-type: none"> Moderate level of influence. Council and community benefit from an exchange in information 	<ul style="list-style-type: none"> Interviews Workshops Focus groups Community forums Site visits Key stakeholder meetings Progress Meetings
	Collaborate	<ul style="list-style-type: none"> Moderate to high level of influence, decision making still lies with Council. Greater opportunities to influence the project through a planned and longer consultation process. 	<ul style="list-style-type: none"> Enquiry by Design Advisory groups Working groups Deliberative panel
	Empower	<ul style="list-style-type: none"> High level of influence. Decision making is placed in the hands of the public. 	<ul style="list-style-type: none"> Delegated Committees Democratic voting

Communication Channels

Council uses a variety of communication methods and channels to reach the community and support, promote and inform stakeholders around engagement activities.

Council's Media and Social Media Protocols Policy provides guidelines for how Council should act in their communications with external stakeholders through these communication channels. Existing communication Channels include:

CHANNELS	ACTIVITY	FREQUENCY	AUDIENCE
 PUBLICATIONS (PRINT AND ONLINE)	Cabonne Catch-up	<ul style="list-style-type: none"> Monthly in all local newspapers 	<ul style="list-style-type: none"> Ratepayers
	E-Newsletters <ul style="list-style-type: none"> Cabonne Catch-up Business E-news 	<ul style="list-style-type: none"> Monthly Quarterly 	<ul style="list-style-type: none"> Residents Businesses in the Cabonne LGA
	Letterbox drops	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> Residents
	Council Business Paper	<ul style="list-style-type: none"> Monthly 	<ul style="list-style-type: none"> Councillors Community Staff
	Operational and financial Reports and other I,P&R reports	<ul style="list-style-type: none"> Quarterly, 6-monthly, yearly, and end of Council term 	<ul style="list-style-type: none"> Councillors Community Staff
 PRINT MEDIA AND BROADCAST	Public Notices	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> Community
	Media Releases	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> Community
	Mayoral radio spot	<ul style="list-style-type: none"> Fortnightly 	<ul style="list-style-type: none"> Community
 SOCIAL MEDIA	Project updates, events, public notices, business papers, items of community interest <ul style="list-style-type: none"> Cabonne Council - Facebook Discover Cabonne - Facebook Discover Cabonne - Instagram Cabonne Council - LinkedIn 	<ul style="list-style-type: none"> Daily 	<ul style="list-style-type: none"> Residents Ratepayers Businesses in Cabonne Investors Visitors to Cabonne
 WEBSITES	<ul style="list-style-type: none"> Key information about Council's breadth of services, strategic plans, policies, news, events, public notices, business papers, reports etc 	<ul style="list-style-type: none"> Daily As required 	<ul style="list-style-type: none"> Residents Ratepayers Businesses in Cabonne Investors Visitors to Cabonne

Planning the Engagement

Each engagement process is unique and will require a variety of methods to meet the needs of both the community and the circumstances the engagement is looking to inform.

When undertaking community engagement, Council will follow a six-step process:



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A plan will be developed for each engagement that clearly outlines the following:

- The purpose of the engagement Background of the engagement project
- The objectives of the engagement Roles and responsibilities
- The negotiables and non-negotiables of the project
- The stakeholders to be engaged
- The level of engagement
- The engagement tools to be used
- The communication channels to support the engagement
- Risk management identification
- Budget
- Evaluation, feedback and reporting
- The detail provided in an engagement plan would be relative to the level of community engagement



We deliver our engagement process by talking to the identified stakeholders about the engagement, where they can find out more information, how they can participate, timeframes and how feedback will be acted upon.

In each engagement project, consideration is given to a range of tools currently in use by Council. Different tools are used for different purposes, depending on the subject of the engagement, the community in which we are engaging, the resources available and the breadth of the engagement required.

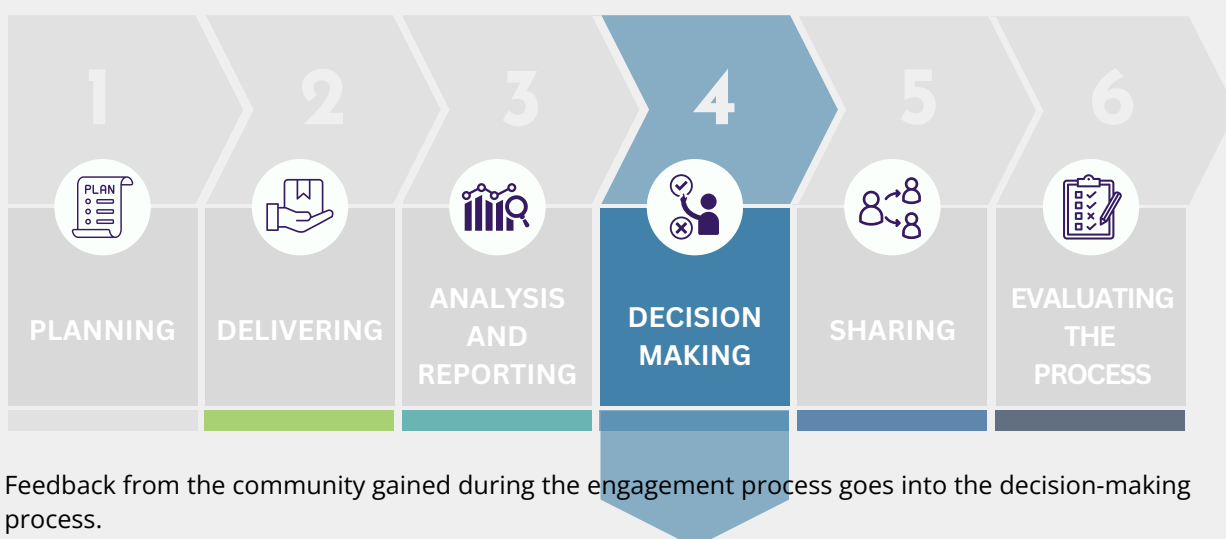
The higher the project is on the spectrum of engagement, the more information needs to be provided to the community to enable the gathering of informed and considered feedback, and tools are selected to encourage a deeper conversation. This is to ensure we gain the appropriate level of information from the community to inform the decision-making process.



All the feedback gained through the engagement activities are reviewed and analysed, and an engagement report is written summarising the feedback and presenting key themes and findings.

The level of detail provided in the report is dependent on the level of engagement determined in the prioritisation stage.

This is presented to our elected Council to inform the decision-making process.



Feedback from the community gained during the engagement process goes into the decision-making process.

Other things to be considered along with the feedback are:

- Budget impacts
- Legislation Council policies and resolutions
- Technical and professional advice
- Economic, environmental social and governance impacts



Information gained through the engagement, and how it has impacted on decision making, will be shared with both those stakeholders who took part in the engagement process and the wider community.

This will be done in a timely and accessible way, so participants understand how their involvement influenced the process and the eventual outcome or decision.



Evaluating engagement is a continuous process, so plans and activities can be adjusted should an aspect not be working well. These lessons learnt will be shared across Council and inform improvements to the process.

Evaluation considerations may include:

- Number of people involved in the process
- Quality and usefulness of the information obtained in the process
- Influence of the engagement on decision making process
- Level to which the engagement objectives were achieved

Evaluation of community engagement activities should take part before, during and after the delivery of activities to ensure they are meeting the needs of the community.

The scope of the evaluation activities will vary depending on the scale of the community engagement activity and the purpose of the evaluation.

Mandatory Engagement

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Mandatory Engagement

Community Engagement in Council's Land- Use Planning and Development Control Activities

Our community and stakeholders are engaged on land use planning and development control matters through formal exhibition periods and the development application notification process.

The EP&A Act 1979 sets out the minimum public exhibition periods for development applications.

The following tables and information set out the exhibition and notification periods for strategic planning documents and development applications, and how the community and stakeholders can make a submission to Council in relation to development application matters.

Development that meets the requirements for neighbour notification is notified to adjoining landowners for the prescribed period.

Publicly exhibited development is development that, in addition to neighbour notification requirements, is advertised in a local newspaper on at least one occasion and available on Council's website for the prescribed period.

DEVELOPMENT ASSESSMENT- MANDATORY MINIMUM EXHIBITION TIMEFRAMES

Application for development consent (other than for complying development certificate, for designated development or for State significant development)	14-days
Application for development consent for designated development	28-days
Application for development consent on land owned or managed by Council	28-days

*Exclusion of Christmas/New Year period: The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition. This is a requirement under the EP&A Act.

*Submissions with respect to a plan, application or other matter may be made during the minimum period of its public exhibition – If the plan, application or other matter is placed on public exhibition for a specified longer period, submissions may be made during that specified longer period.

COUNCIL PROVIDES INFORMATION ON DEVELOPMENT APPLICATIONS IN TWO WAYS:

1	Where notification is required Council sends written information to surrounding and potentially impacted residents and properties owners.
2	Where notification is required, Council may notify these applications on its website.

Council aims to inform residents, owners and other stakeholders of proposed developments and provide the opportunity for them to have their say through submissions, in accordance with development assessment notification requirements.

HOW ARE DEVELOPMENT APPLICATIONS EXHIBITED?

Where a Development Application or Modification Development Application is required to be publicly exhibited under this plan, the application shall be made available for inspection on the Cabonne Council website commencing from the date on which the public notice was placed in the local newspaper.

Where notification is required Council also sends written information to surrounding and potentially impacted residents and property owners.

Council aims to inform residents, owners and other stakeholders of proposed developments and provide the opportunity for them to have their say through submissions, in accordance with development assessment notification requirements.



WRITTEN NOTIFICATION

Where notification is required Council also sends written information to surrounding and potentially impacted residents and property owners.

WRITTEN NOTIFICATION*- MANDATORY MINIMUM REQUIREMENTS

- | | |
|----------|--|
| 1 | For buildings of single ownership, notification will be to the building owner |
| 2 | Where the identified parcel of land is under more than one ownership (including strata schemes), notification will be sent to all owners for whom Council holds contact information. |

*May include electronic written notification

As a minimum written notification will include:

- Identification/description of the relevant parcel of land (lot description and address).
- a description of the proposed development
- where the full application can be viewed
- name of applicant
- the registered number of the application
- the closing date for submissions
- a statement that submissions will be disclosed to any person requesting information under the *Government Information (Public Access) Act 2009*

NEIGHBOUR NOTIFICATIONS

For Development Applications requiring neighbour notification under the plan, written notification of the proposed development will be provided to the owner(s) of land immediately adjoining or adjacent to the subject land (as shown on Council's Property System at the time of notification) including land that is separated from the subject land by a watercourse, road, pathway, driveway, railway or similar thoroughfare.

The diagram below illustrates the approach:



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DEVELOPMENT APPLICATIONS THAT WILL NOT BE NEIGHBOUR NOTIFIED

Council may not notify a Development Application if the proposal is compliant with all of the legislation and controls in Cabonne Local Environmental Plan 2012, Council's Development Control Plans and Policies (where relevant) and is:

- A single storey dwelling house.
- An addition to a single storey dwelling house and minor external dwelling additions such as an open car port, pergola, or verandah.
- Private swimming pool.
- A detached garage or shed/outbuilding associated with a dwelling house that is behind the building line.
- Any building on land within Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU3 Forestry where the land has an area greater than 5 hectares and/or the building is greater than 150 metres from a boundary with a different owner.
- Subdivision creating less than 3 lots within Zones RU1 Primary Production, Zone RU2 Rural Landscape & RU3 Forestry.
- A boundary adjustment.
- Development considered to have nil or minor impacts on adjoining land owners.

The above exemptions only apply if the proposed development is on a lot that is not a heritage item or adjacent to one.

All other development not identified above will require notification in accordance with this CPP including the abovementioned development types that do not comply with Council's Development Control Plan, and the development, in the opinion of the assessing officer, may have an adverse impact on adjoining properties.

Please note: Council staff may notify an application even though it may satisfy the above requirements if, in the opinion of the assessing officer, the development could result in an adverse impact to an adjoining (or neighbouring) lot it may be notified to adjoining landowners.

AMENDED APPLICATIONS

An applicant may make an amendment to an application at any time prior to the determination of the application.

If the amended application is substantially the same and does not cause a greater impact, then the application will not be renotified.

Where an amended application is deemed to cause a greater or more serious impact it will be renotified in the same manner as the original application and to each person who made a submission to the original application.

APPLICATIONS FOR REVIEW OF A DETERMINATION

An applicant for development consent may request Council to review a determination or decision (whether by way of approval or refusal) within six months of the date of issue of the Notice of Determination under Section 8.2 of the EP&A Act 1979. These applications will be notified as per the requirements of the original development application.

SUBMISSIONS RELATING TO DEVELOPMENT APPLICATIONS OR MODIFICATIONS

Submissions in respect of a Development Application or Modification Development Application that is notified or exhibited must be received by Council within the prescribed period, or within the period as may be deemed appropriate by the Council or its delegated officers.

Public holidays are excluded from this period. The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition or notification.

A submission may be made by any person whether or not that person has been or is entitled to be given notification of the application under the plan.

Submissions must be made in writing and must clearly indicate the name and address of the person making the submission. The submission should relate directly to the application and if the submission is by way of objection, it must state the reasons for objection.

Any submissions received by Council may be:

- Referred to the applicant for consideration
- The subject of freedom of information requests under the Government Information (Public Access) Act 2009
- Included in Council Business Papers (i.e. made public)

ALL SUBMISSIONS MUST BE ADDRESSED TO:

**The General Manager
Cabonne Council
PO Box 17
MOLONG NSW 2866**

Email Council at council@cabonne.nsw.gov.au

Submissions can be dropped at any of Council's offices - Molong, Canowindra and Cudal

CONSIDERATION OF SUBMISSIONS

Where a submission is received in relation to a Development Application or Modification Development Application that has been neighbour notified or exhibited under the plan, and that submission has been received within the period allowed for the making of submissions under the plan, Council must consider that submission prior to the application being determined.

Nothing in the plan prevents Council or its delegated officers from considering a submission that is received outside of the period allowed for making submissions under this plan, provided the application has not already been determined by Council.

The content of any submission received by Council in relation to an application that has been neighbour notified under this plan will be considered in full as part of an assessment report for the application. If the issue(s) raised in the submission cannot be resolved in full as part of the assessment process, the application will be presented at a monthly meeting of the Council. The terms of any submission(s) will be summarised in the assessment report by the authorised officer. Council is not bound to adopt or support a submission when making its determination.

Decisions on publicly exhibited plans and applications will not to be made until after the exhibition period. If a particular matter has different exhibition or notification periods, the longer period will apply.

EXHIBITION TIMEFRAMES

Section 2.21(2) of the EP&A Act details the types of proposals that must be considered in the CPP and Schedule 1 sets a minimum exhibition timeframe for most of these proposals. We will always exhibit a proposal for this minimum timeframe and will consider an extended timeframe for exhibition based on the scale and nature of the proposal.

The only requirements in this plan that are mandatory are those set out in the table below and these are the same as the mandatory minimum timeframes in Schedule 1 of the EP&A Act:

STRATEGIC DOCUMENTS/PLANS	
DOCUMENT	EXHIBITION REQUIREMENT
Planning Proposal to Amend Local Environmental Plan	28 days, or so determined by the Department of Planning and Environment in the Gateway determination. Due to the minor nature of the Planning Proposal, the Department of Planning and Environment may only require a reduced 14 day notification.
Draft or Amending a Development Control Plan	28 days
Draft Local Strategic Planning Statements	28 days
Community Participation Plans	28 days
Development Contributions Plans	28 days



DEVELOPMENT ASSESSMENT NOTIFICATION REQUIREMENTS

DEVELOPMENT TYPE	EXHIBITION REQUIREMENT
Development Application	<p>The following development applications will not be notified:</p> <ul style="list-style-type: none"> Development outlined in section <i>Development Applications that will not be neighbour notified</i> (P. Development that in the opinion of the assessing officer, is minor in nature and will not have an adverse impact on adjoining properties. <p>All other development applications will be notified to adjoining landowners for a minimum of 14 days.</p> <p>Major development applications may be advertised in local newspapers at the discretion of Council staff.</p>
Modification of a Development Application 4.55(2)	All 4.55(2) modification will be notified in accordance with the previous development application (if the application was initially notified). Any persons who objected to the development will be notified.
Section 8.2 Review of a Development Application	An application to review the determination of a development application will be notified in accordance with the initial development application.
Designated Development	28 days
Environmental Impact Statement under Division 5.1 of EP&A Act	28 days

- Council is not required to make available for public inspection any part of an application whose publication would, in the opinion of the public authority, be contrary to the public interest because of its confidential nature or for any other reason.
- Timeframes are in calendar days and include weekends.
- If the exhibition period is due to close on a weekend or a public holiday we may extend the exhibition to finish on the first available work day.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.
- The above timeframes are a minimum requirement and may be extended at the discretion of Council officers.

APPLICATIONS FOR MODIFICATION OF DEVELOPMENT CONSENT

Some of Council's planning functions do not have minimum exhibition timeframes. As a matter of course in line with our community participation objectives, we may exhibit documents related to the exercise of these functions and proposals for the timeframes described in the table below

NON-MANDATORY EXHIBITION TIMEFRAMES		
SECTION	TYPE OF MODIFICATION	NOTIFICATION
Section 4.55 (1) OR equivalent Section 4.56 application	Modifications involving minor error, misdescription or miscalculation	No notification
Section 4.55 (1A) OR equivalent Section 4.56 application	Modifications involving minimal environmental impact - Where the proposal is for internal alterations and does not alter or modify the height or external configuration of the building OR Where modifications generate appreciable impacts to surrounding development	4.55 (1A) applications will only be notified if in the opinion of the assessing officer the proposed changes are likely to have additional impact on adjoining properties. If the application is notified, any persons who objected to the initial development will be notified.
Re-exhibition of an amended development application	Where an application is amended prior to determination	It may be re-notified at the discretion of Council staff depending on the scope of the amendments.
Draft Strategic Planning Documents	The notification of local strategic planning documents will depend on the nature of the documents.	All draft strategic planning documents will be notified for a minimum of 14 days, with larger documents being exhibited for up to 28 days.

There may be other proposals not subject to the mandatory exhibition timeframes for which Council have the option to exhibit for at least 28 days and engage with the community in line with our community participation objectives. Additionally, there may be some occasions where a Council priority or administrative requirement demands immediate action on proposals that prevents the implementation of our usual community participation process.

Measuring and Reporting



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Community Engagement Roles

Community engagement is about ensuring the community has an opportunity to participate in the decisions made by Council.



2024-2029 Cabonne Councillors

COUNCILLORS	COMMUNITY	COUNCIL STAFF	COMMUNITY AND ECONOMY TEAM
A Councillor's role in community engagement is to participate as an elected member, listen to the views of the community and consider these views when making decisions at Council.	Community engagement provides valuable opportunities for Councillors to hear and understand the voice of the community and ensure that this voice is properly represented when Council meet and make resolutions which impact the future of our community.	<p>A Council staff member's role in community engagement is to organise and facilitate the discussion, record, provide feedback, evaluate the engagement and consider the community's views when making recommendations to Council.</p> <p>Both Councillors and Council staff are encouraged not to dominate or direct community discussions, nor is it to dismiss the community's input. Instead, Councillors and staff should allow discussions to move forward in an open, respectful and inclusive way.</p>	<p>Council's Community and Economy Team work with and advise other skilled staff across the organisation to plan, deliver and evaluate community engagement activities.</p> <p>Council's Governance and Corporate Strategy team works with the Community and Economy Team to deliver Councils Integrated Planning and Reporting Framework and requirements.</p>

Reporting

Just as we intend to close the loop with our community on how their input has influenced decision making, we will also keep the community informed about the implementation of this strategy and action plan.

We will use a range of channels but the best way to stay up to date with engagement activities is visit www.cabonne.nsw.gov.au/Council/Public-Notices to be kept up to date with current consultations.

We will also ensure that we are meeting the requirements of legislation and our obligations under the Local Government Act 1993 for reporting to our community which includes:

REPORTING TIMEFRAMES	
Monthly/Quarterly	<ul style="list-style-type: none"> Councillors provide reports to individual community Progress Meetings on delivery of key projects, issues, and Council actions.
Each quarter	<ul style="list-style-type: none"> Through Council, the quarterly budget review will be tabled. Through Council, the progress of the Operational Plan and Delivery Program will be provided.
Annually	<ul style="list-style-type: none"> The Annual Report will be placed on public display, tabled, and promoted as well as forwarded to the Office of Local Government. Through Council, and following public display, a new Operational Plan and Budget will be adopted.
Mid-Term Reporting	<ul style="list-style-type: none"> Throughout the community, presentations and workshops will be held to report on progress and reconfirm priorities as part of the State of the Shire and Community Strategic Plan engagements.
End of Term Reporting	<ul style="list-style-type: none"> Throughout the community as part of the Checking Issues, the work of the past 4 years of the current term of Council will be presented. Facilitated workshops will review the Community Strategic Plan and the priorities of the Delivery Program so the incoming Council will have an understanding of the Community's preferred future and what it needs to do to help deliver it. The Community Strategic Plan will also be updated with the vision for the Shire spanning at least a 10-year time frame.

Continuous review is an important aspect of this community engagement strategy to ensure the methods being used to communicate with stakeholders are effective, and if not, to apply improvement measures to the future engagement activities.

Measuring Success

Part of a successful engagement plan includes using robust measures to evaluate engagement activities and identify opportunities to improve processes and outcomes.

We measure the success of our engagement activities using a range of quantitative and qualitative metrics, depending on the scope and type of engagement.

Council also regularly monitors and measures how we're tracking as an organisation to engage our community using tools such as feedback forms, community surveys, online analytics to measure elements such as the reach of passive and active stakeholders, the demographic profile of active stakeholders and how data collected during engagement is used to inform decisions.



Nashdale





CABONNE COUNCIL

Molong Urban Flooding Issues Investigation

STAGE 1 REPORT

Report No: P000393_REO_001B

Rev: B

15 May 2024



Premise

CREATING  GREATERCABONNE COUNCIL
MOLONG URBAN FLOODING ISSUES INVESTIGATION
STAGE 1 REPORT

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Draft A	12/04/24	Draft Issue			
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Prepared By		Reviewed By		Authorised By	
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CABONNE COUNCIL
MOLONG URBAN FLOODING ISSUES INVESTIGATION
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1. INTRODUCTION

Cabonne Council has been experiencing issues with the Pillans Park drainage path from Park Street to the Mitchell Highway, Molong. Concerns have been raised by residents within this area, highlighting that during periods of moderate to heavy rainfall the existing stormwater infrastructure is insufficient to accommodate the stormwater flows.

Premise has been appointed by Cabonne Council to undertake a drainage assessment of the existing stormwater infrastructure and drainage paths between Park Street and the Mitchell Highway, along the drainage path as shown below in **Figure 1**. The assessment is to quantify stormwater flows at select locations and propose concept drainage upgrades to mitigate localised flooding.

Premise has previously completed a Drainage Inspection Report for the top half of the catchment from Park Street to Wellington Street, Report ref. 220193_REO_001A, dated 11/12/2019. This report identified several issues within the existing stormwater network and recommended a hydraulic analysis of the area be completed to further assess the existing network.



Figure 1 – Pillans Park Drainage Line between Park Street and the Mitchell Highway

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MOLONG URBAN FLOODING ISSUES INVESTIGATION
STAGE 1 REPORT

2. SCOPE OF REPORT

This report presents the results of a conceptual hydraulic analysis of the drainage path between Park Street and the Mitchell Highway in Molong to enable council to carry out high level cost estimates to guide them in the next stage of design. The scope of this report is to:

- > Conduct a site walkover to investigate and document the existing stormwater infrastructure along the drainage path.
- > Obtain property titles to confirm land ownership and the existence of easements over the drainage path.
- > Review existing data and reports completed for this area.
- > Construct a hydraulic model for analysis using DRAINS of the existing drainage path and stormwater infrastructure.
- > Perform a hydraulic analysis using DRAINS, modelling a range of potential upgrade options to assess their suitability to reduce localised flooding and/or peak flows.
- > Outline proposed potential drainage upgrade options and their hydraulic results for the following sections:
 - Section 1 – Smith Street to Norman Lane
 - Section 2 – Norman Lane to Lee Street
 - Section 3 – Lee Street to Wellington Street
 - Section 4 – Wellington Street Sag
 - Section 5 – Lot 1 in DP 124044 Detention Basin and Gidley Street crossing
 - Section 6 – Iceworks Lane & Centa-Pak
- > Recommendations for further study and conclusion.



3. EXISTING CATCHMENT OVERVIEW

3.1 Data Used Within This Assessment

The following data has been used within this assessment:

- > Lyall and Associates draft Molong Flood Study (November 2023).
- > Premise detail survey of Davimac Lane, Iceworks Lane & Partial Centa-Pak site (**Appendix B**)
- > Data obtained through site walkover completed for this assessment and completed as part of the previously completed report.
- > Surface Elevation Data (LIDAR), obtained from Geoscience Australia.
- > Nearmap (2024) satellite imagery.
- > Design Rainfall Data (2016) and Temporal Patterns, obtained from Bureau of Meteorology.

3.2 Existing Flowpath and Stormwater Assets

Based on the above data, the following existing stormwater drainage path has been identified. This drainage path comprises a combination of overland flow channels and underground stormwater pipes.

The Existing flow path assessed within this report starts at the intersection of Park Street and Edward Street and finishes at the Mitchell Highway. Between these points the existing drainage path is shown in Drawing **P000393_02A_C001** in **Appendix C** and flows,

- > From south to north through Pillans Park,
- > Through the Edward Place and Smith Street intersection via 450mm diameter pipe that connects the Pillans Park inlet headwall and intersection sag kerb inlet pit to an outlet headwall on the northern side of Smith Street,
- > From south to north, adjacent to the western boundary of 33 Smith Street to Norman Lane. A shallow concrete pit captures stormwater at the south western corner of the lot and outlets via 2 150dia PVC pipes. The pit and pipes were fully blocked at the time of inspection and there was no defined stormwater overland flow path through the lot to convey stormwater flows once the pipes have exceeded capacity,
- > From south to north within the eastern ends of 108 and 106 Edward Street to Lee Street. The drainage path within these two lots is defined but of not great depth,
- > Across the Lee Street sag via 600mm diameter pipe with the inlet on the southern side and outlet on the northern side of Lee Street,
- > From south to north along the defined drainage path within the western ends of 31 Lee Street and 26 Wellington Street,
- > Across the Wellington Street sag a 750mm diameter pipe inlets on the southern side of Wellington Street within the 26 Wellington Street property and discharges on the northern side. The outlet into the 23 Wellington Street drainage easement is via twin 825dia pipes, which are connected by a 1050dia



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STAGE 1 REPORT

pipe that's joins the two junction pits on the southern side of wellington street. A 375dia and 300dia pipe connect the northern and southern junction pits from the northern and southern sag kerb inlet pits respectively. A 600x400 box culvert links flows to the piped system from the Wellington and Edward Street intersection to the south western junction pit,

- > From south to north along the defined drainage easement within 23 Wellington Street for flows from the twin pipe outlet. Overland flows from the Wellington Street sag appear to spill through 19, 21 & 23 Wellington street due to the sag not being aligned with the drainage reserve and the flatter incoming road longitudinal grade on the eastern side of the road sag,
- > From west to east through the lots south of 24A Molong Street, though a defined drainage path to Gidley Street,
- > Across Gidley Street though 2 900x450 box culverts, and then west to east along Davimac Lane to Ice Works Lane cutting though the north eastern corner of Lot 2 in DP61334,
- > Under the Centa-Pak site though a 1200dia pipe,
- > Then under the Mitchell Highway though twin 1050dia pipes to a headwall outlet east of the Highway.



3.3 Land Ownership and Existing Easements

Property titles have been obtained of the following lots to confirm land ownership and the existence of easements over the existing drainage path, the findings are summarised below in flow direction down the subject catchment.

Table 1 – Land Ownership Summary

Address	Lot and DP	Landowner	Stormwater Easement details
33 Smith Street	50 in DP584099		None
108 Edward Street	1 in DP313106		None
106 Edward Street	21 in DP573109		None
31 Lee Street	5 of Section 64 in DP758693		None
26 Wellington Street	4 of Section 64 in DP758693		None
23 Wellington Street	1 in DP811579		Easement to drain water 5 wide along western boundary
1 Edward Street	1 in DP124044		None
Edward Street	1 in DP405053		None
Gidley Street	1 in DP14693		None
68 Gidley Street	1 in DP613434		None
11 Wellington Street	2 in DP613434		None
1 Wellington Street	70 in DP747005		None

The above property searches identified that the only property which the drainage line traverses that has an existing drainage easement is 23 Wellington Street, in which the existing easement is 5m wide over the existing drainage path. The land type that the drainage path crosses and presence of a drainage easement is also summarised in **Figure 2** below.





Figure 2 – Land Ownership

4. HYDRAULIC ASSESSMENT OF EXISTING INFRASTRUCTURE

4.1 Outline of Hydraulic Model

The performance of the existing and proposed stormwater network was assessed using the DRAINS stormwater modelling package.

This model is able to:

- > Model spatial and temporal variations in storm rainfall across the catchment.
- > Model variations in catchment characteristics.
- > Model storage routing effects in drainage lines and detention basins, and
- > Calculate discharge hydrographs (included peak discharge rates) at any required location in the catchment.

The analytical technique used in DRAINS involves the division of the catchment into a number of sub-catchments. Sub-catchment outlets are located at the junction of drainage lines, at the site of dams or retarding basins, at points corresponding to significant changes in catchment characteristics, or at any other point of interest.

Data is required on the area and connection sequence of the sub-catchments, together with average catchment slopes, the impervious percentage, and the rainfall data for the design storm being modelled. Additional data is required to model rainfall losses and channel or pipe flow. This information is entered in several different forms depending on the data availability and the degree of refinement desired for the analysis.

4.2 Existing Catchment Definition

The total catchment extents and sub-catchment boundaries were determined by use of a 1m resolution aerial DEM data downloaded from the ELVIS database that is supplied by NSW Spatial Services, Nearmap imagery, existing survey data and a site inspection. The layout of the sub-catchments is shown in Drawing **P000393_02A_C002** in **Appendix C**, with the calculated total contributing area to the outfall of the catchment being 23.4 ha.

The catchment was split up into 23 sub-catchments and using aerial imagery the percent impervious of each catchment was also calculated. A summary of the sub catchment name, areas and percent impervious is provided below in **Table 2**.



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MOLONG URBAN FLOODING ISSUES INVESTIGATION
STAGE 1 REPORT

Table 2 – Sub Catchment Summary

Catchment ID	Sub-Catchment Area (ha)	Percent Impervious (%)
C SOUTH STREET	0.85	40
C PARK STREET	1.07	40
C SMITH STREET	2.13	40
C PILLANS PARK	0.66	5
C SMITH STREET NORTH	0.28	40
C NORMAN LANE	1.37	40
C LEE STREET	1.56	40
C LANEWAY	1.72	40
C WELLINGTON ST SOUTH	0.76	40
C EDWARD VERGE	0.08	5
C SCHOOL WEST	2.19	20
C SCHOOL NORTH	1.77	25
C GIDLEY SOUTH WEST	0.62	30
C WELLINGTON ST NORTH	0.21	75
C EDWARD ST WEST	2.40	40
C EDWARD ST EAST	1.21	30
C GIDLEY ST US	1.23	30
C GIDLEY ST WEST	0.32	60
C GIDLEY ST EAST	0.26	60
C ICEWORKS LANE	1.68	40
C CENTA-PAK	0.61	100
C MITCHELL HWY EAST	0.33	90
C MITCHELL HWY WEST	0.11	100



4.3 DRAINS Model Parameters

The following DRAINS model parameters for rainfall losses were used in the ILSAX model:

- > Paved Area Depression Storage 1.0 mm
- > Grassed Area Depression Storage 5.0 mm
- > Antecedent Moisture Condition (AMC) 3.5
- > Soil Type 3.5

4.4 Design Storms

The drainage path was modelled for the 20%, 10%, 5%, 2% and 1% AEP storm events. Design rainfall intensity/frequency/duration (IFD) data and an ensemble of 10 temporal patterns were derived using the procedures set out in Australia Rainfall and Runoff 2019 (ARR19).

Design storm durations from 5 minutes to 6 hours were modelled to determine the critical storm duration. (i.e., the storm that produced the highest peak flow) for both existing and upgrade cases.

4.5 Results

4.5.1 PEAK FLOWS

Following the construction of the DRAINS model using the survey data from Council and the previously defined hydrological data, a simulation was run using the design storms to give hydraulic results for the array of AEP's. A summary of the peak flows at critical locations for the analysed AEP's is presented below in **Table 3**. The corresponding locations for the points of interest can be found in **Figure 3** below.

Table 3 – Existing Scenario Peak Flow Summary

Location Identifier	Location	AEP (%)	Peak Flow (m3/s)	Critical Storm Duration (minutes)	Critical Temporal Pattern
Q1	Smith Street	20%	0.43	10	2
		10%	0.55	10	3
		5%	0.67	10	3
		2%	0.81	10	10
		1%	0.94	10	10
Q2	Norman Lane	20%	0.59	10	7
		10%	0.75	10	3
		5%	0.92	10	9



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Location Identifier	Location	AEP (%)	Peak Flow (m3/s)	Critical Storm Duration (minutes)	Critical Temporal Pattern
Q2	Norman Lane	2%	1.11	15	5
		1%	1.28	10	10
Q3	Lee Street	20%	0.73	15	7
		10%	0.92	10	3
		5%	1.15	10	3
		2%	1.40	15	5
		1%	1.61	15	5
Q4	Wellington Street	20%	1.12	20	7
		10%	1.37	10	3
		5%	1.63	10	3
		2%	2.02	15	5
		1%	2.30	15	5
Q5	Gidley Street	20%	1.77	15	7
		10%	2.22	10	9
		5%	2.65	15	8
		2%	3.35	15	4
		1%	3.85	15	4
Q6	Iceworks Lane	20%	1.98	15	7
		10%	2.45	15	8
		5%	2.93	15	8
		2%	3.68	15	8
		1%	4.25	15	8
Q7	Mitchell Highway Outlet	20%	2.11	15	7
		10%	2.62	15	8
		5%	3.03	15	8
		2%	3.34	15	9
		1%	3.53	15	9



It is noted in **Table 3** that peak flows at location Q6 Gidley Street are higher than Q7 Mitchell Highway Outlet for the 2% and 1% AEP's. This is due to flows bypassing through the Centa-Pak site and flowing north down the Mitchell Highway and not into the outlet channel east of the Mitchell Highway.



Figure 3 – Peak Flow Location Identifiers

4.5.2 CAPACITY OF EXISTING INFRASTRUCTURE

A summary of the existing stormwater infrastructure at key locations is below.

- > Smith Street to Norman Lane:
 - The twin 150dia PVC pipes at 33 Smith Street bypasses in the 20% AEP and any less frequent events. Due to the combination of small pipe size and lack of depth of the inlet pipe the structure only has around a 70L/s capacity (with no blockages). In the 20% AEP the peak bypass overland flow at this structure is five times larger than the peak pipe flow. There is no defined overland flow path over the stormwater structure to contain these bypass flows within the allotment.
 - The 1% AEP peak flow bypassing through 33 Smith Street is approximately 0.9m³/s.
- > Norman Lane to Lee Street:
 - The drainage line from Norman Lane to Lee Street is unable to convey the 1% AEP flows with 300mm freeboard for its entire length within the existing drainage profile.
- > Lee Street to Wellington Street:
 - The 600dia culvert under Lee Street bypasses in the 20% AEP and any less frequent events. The sag in Lee Street concentrates bypass flows over the stormwater pipe in the existing sag location.
 - The drainage line from Lee Street to Wellington Street is unable to convey the 1% AEP flows with 300mm freeboard for its entire length within the existing drainage profile.
- > Wellington Street Sag:
 - The southern sag kerb inlet pit in the Wellington Street sag ponds and spills across the road to the north in the 20% AEP due to small size and resulting inlet capacity constraints of the pit. The bypass flows from the pit are only from the directly contributing catchment to these pits in the 20% AEP.
 - The 750dia headwall inlet on the south side of Wellington Street is at capacity in the 10% AEP and has a minimal bypass. The structure can receive approximately 1.1m³/s at its point of bypassing, and any additional flows from events less frequent than the 10% AEP bypass onto Wellington Street.
 - The 1% AEP peak flow spilling from Wellington Street to the north appears to flow through 19, 21 & 23 Wellington Street due to the offset sag to the drainage reserve at an approximate rate of 0.9m³/s.
- > Gidley Street:
 - The drainage line from Wellington Street to Gidley Street is unable to convey the 1% AEP flows with 300mm freeboard for its entire length within the existing drainage profile.
 - The sag kerb inlet pits in the Gidley Street sag pond and spill in the 10% AEP due to inlet capacity constraint of the pits. The bypass flows from the pits are only from the directly contributing catchments to these pits in the 10% AEP.
 - The twin 900x450 box culvert headwall exceeds capacity in the 5% AEP and bypasses onto Gidley Street. The structure can convey approximately 2.5m³/s at its point of bypassing.



- The 1% AEP peak flow spilling across Gidley Street is approximately 1.1m³/s which may flow through 62, 64 & 66 Gidley Street due the flat longitudinal levels of the road at this location and lack of defined overland flow path from the Gidley Street Sag into Davimac Lane.
- > Iceworks Lane & Cent-Pak Site:
 - The drainage line from Gidley Street box culverts outlets to Iceworks Lane pipe inlet is unable to convey the 1% AEP flows with 300mm freeboard for its entire length within the existing drainage profile.
 - The 1200dia pipe inlet under the Centa-Pak site is at capacity in the 5% AEP and then bypasses through the Centa-Pak site in less frequent events. The structure can convey approximately 2.8m³/s at its point of bypassing.
 - The 1% AEP peak flow bypassing through the Centa-Pak site is approximately 1.2m³/s.

5. PROPOSED POTENTIAL STORMWATER UPGRADE OPTIONS

5.1 Section 1 – Smith Street to Norman Lane

5.1.1 OPTION 1.1 – 2 METRE WIDE EASEMENT WITH UNDERGROUD STORMWATER INFRASTRUCUTRE AND OVERLAND FLOW PATH

Option 1 for Section 1 is proposed to be a minor/major stormwater system comprising of a minor stormwater pipe and major overland flowpath. A 2m wide drainage easement is proposed to contain the infrastructure and to allow sufficient space for the stormwater pipe construction and proposed overland flowpath width.

Shown in **Figure 4** below, it is proposed to run a single 525dia stormwater pipe through the 33 Smith Street allotment and twin 525dia pipes under the laneway. This stormwater system layout can convey the 20% AEP minor flows whilst the overland flow path conveys the additional flows up to the 1% AEP. One overland flow path option (overland flow paths not shown in the figure for clarity) is a 2m grassed channel with 1:3 sides, a 1m wide flat base and depth of 0.15m. The second being a kerbed 2m wide concrete channel with a 1.7m wide base and a depth of 0.1m. Due to the grade, existing scour and easier maintenance with no loss of profile over time due to silt and wear the concrete drain is the preferred option. The overland flow paths with these dimensions do not have any freeboard, if freeboard is desired the flow path sections would need to increase.

Regrading of the road verge and a combination of an earthen bund/retaining wall and raising the driveway will need to be assessed at detail design in conjunction with detailed survey to ensure all flows are directed to the overland flowpath and do not flow under the house as currently happening.



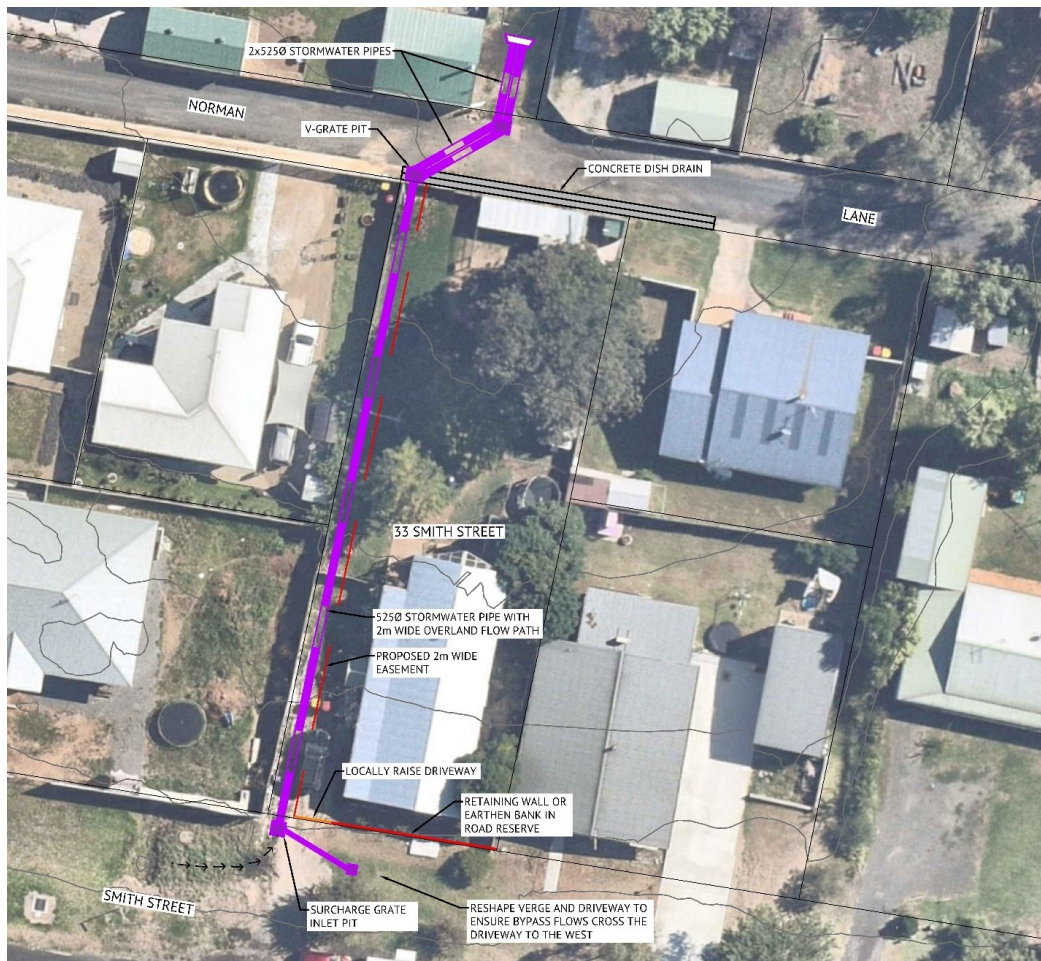
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Figure 4 – Section 1, Option 1.1 Layout



5.1.2 OPTION 1.2 – 2 METRE WIDE EASEMENT WITH UNDERGROUND STORMWATER INFRASTRUCTURE ONLY

Option 2 is a major piped stormwater system that conveys up to the 1% AEP. A headwall inlet is likely required to get the overland flow into the pipe system, as a sumped surcharge pit would need to be of significant size to have adequate inlet capacity to ensure all arriving flow is captured. The stormwater infrastructure would consist of a 675dia pipe through 33 Smith Street and twin 600dia pipes under Norman Lane as shown below in **Figure 5**.

The same considerations would need to be given in the road verge and frontage of 33 Smith Street as Option 1 to ensure all flows are directed to the headwall inlet and do not bypass down the driveway or under the house.

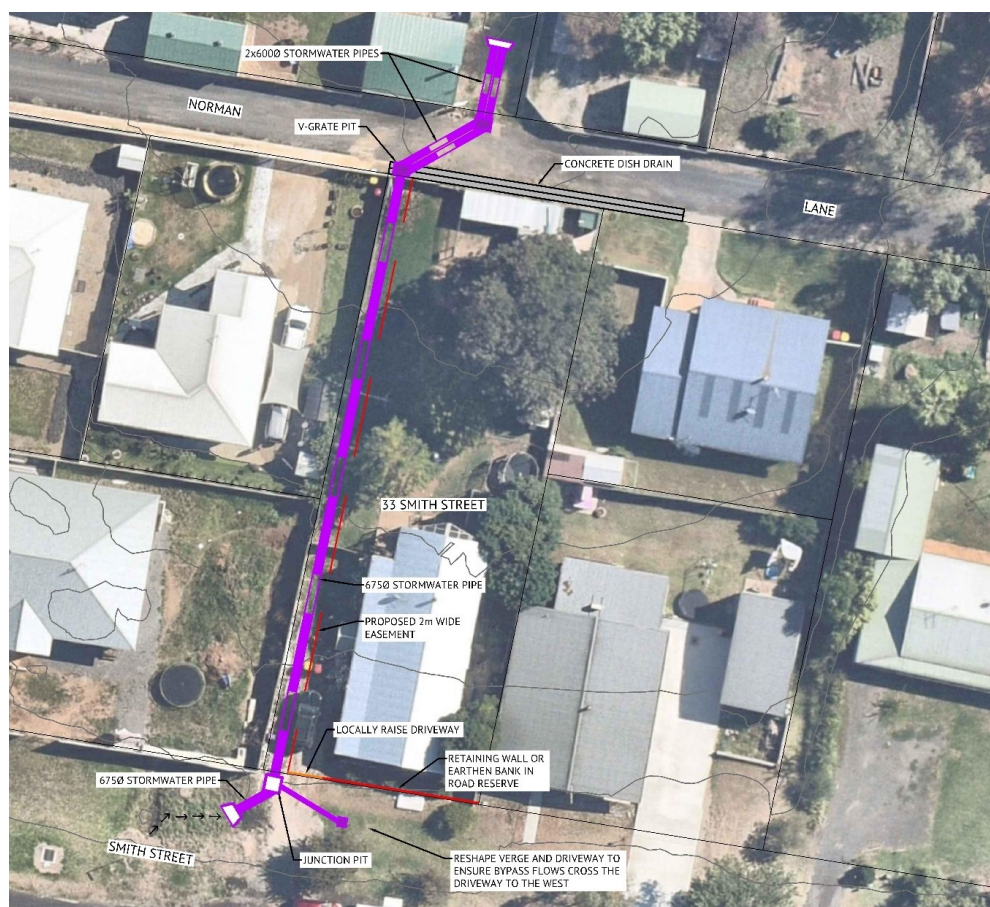


Figure 5 – Section 1, Option 1.2 Layout

5.2 Section 2 – Norman Lane to Lee Street

5.2.1 OPTION 2 – 5 METRE WIDE EASEMENT WITH OVERLAND FLOW PATH

It is recommended that a 5m wide drainage easement be created over the existing fenced off informal drainage flow path along the back boundaries of 106 and 108 Edward Street. Section 2 between Norman Lane and Lee Street does not have a consistent definition and particularly at the shared boundary between 106 and 108 Edward Street, the drainage path has little to no depth.

A cut drain with sufficient depth is suggested to convey flows and allow 0.3m freeboard to the boundaries and easement above the 1% AEP peak water depth. A 5m wide channel with a 1.5m base, 1:3 sides and 0.6m depth can convey the estimated 1% AEP flows with a 0.3m maximum flooded depth with 0.3m freeboard within the channel. The drainage reserve and drain alignment is shown below in **Figure 6**. To direct flows into the drainage reserve from Norman Lane upgrade works within the Lane are likely required and have not been assessed as part of this report.



Figure 6 – Section 2, Option 2 Layout

5.3 Section 3 – Lee Street to Wellington Street

5.3.1 OPTION 3 – 6 METRE WIDE EASEMENT WITH OVERLAND FLOW PATH

It is recommended that a 6m wide drainage easement be created over the existing informal drainage flow path along the western side boundaries of 31 Lee Street and 26 Wellington Street. Section 3 between Lee Street and Wellington Street appears to have depth and definition at the start and end of the section but in the centre section around the Lane the drainage path depth reduces.

A cut drain is suggested to convey flows with sufficient depth to allow 0.3m freeboard to the boundaries and drainage easement above the 1% AEP peak water depth. A 6m wide channel with a 2m base, 1:3 sides and 0.6m depth can convey the estimated 1% AEP flows with a 0.3m maximum flooded depth with 0.3m freeboard within the channel. The drainage reserve and drain alignment is shown below in **Figure 7**. To contain the drainage profile within the proposed drainage reserve the drainage path will need to be realigned past the downstream outlet of the Lee Street culvert to the proposed drain alignment. Scour protection is likely needed at this realignment and filling works will be needed in 31 Lee Street to be able to contain the drain profile within the proposed 6m wide drainage reserve.

The 600dia culvert under Lee Street bypasses in the 20% AEP and any less frequent events. Should the 20% AEP flows need to be conveyed through the culvert without bypassing the structure would need to be updated to a 675dia pipe.





Figure 7 – Section 3, Option 3 Layout

5.4 Section 4 – Wellington Street Sag

5.4.1 OPTION 4.1 – UPGRADE WELLINGTON STREET SAG STORMWATER INFRASTRUCTURE

The hydraulic assessment of the existing pipe system showed that the bypass flows spilling across the Wellington Street Sag to the north are due to bypassing flows from the headwall height/system capacity restriction of the inlet headwall in 26 Wellington Street as well the inlet capacity of the two sag kerb inlet pits within Wellington Street.



The pipe system under Wellington Street in the existing scenario has capacity in the 1% AEP with freeboard in the junction pits ranging from 0.9-1.1m. Option 1 has assessed the required upgrades to the system to allow stormwater to enter the existing pipe system without bypassing to the north of Wellington Street and utilise the remaining pipe capacity without any flows spilling from the Wellington Street road reserve.

The proposed stormwater infrastructure upgrades for Option 1 is shown below in **Figure 8**. The upgrades consist of upgrading the headwall inlet pipe to a 1050dia pipe in 26 Wellington Street to allow the pipe system to fully capture the incoming flows in the 1% AEP and to not have any flows bypassing onto Wellington Street. A MassBloc or similar retaining wall may be required around the inlet headwall and incoming channel due to the required depth to suit the new headwall and to support the batters in the space available. The sag kerb inlet pits are also proposed to be upgraded to 3.0m lintel kerb inlet pits, and the southern outlet pipe to a 450dia pipe. This arrangement allows the pits to capture their directly contributing catchments without bypassing to the north from Wellington Street.



Figure 8 – Section 4, Option 4.1 Layout

5.4.2 OPTION 4.2 - ADDITIONAL PIPE DOWN WELLINGTON STREET

Option 2 to reduce localised flooding in the Wellington Street Sag is the construction of an independent pipe system to the existing stormwater infrastructure. The proposed pipe system pulls out flows from the existing catchment and drainage system to reduce the load on the existing stormwater infrastructure. The pipe system starts with an inlet headwall parallel to the existing headwall on the southern side of Wellington Street and then traverses east and across the Mitchell Highway at its outlet. This option would also benefit the catchment downstream as peak flows would be reduced within catchment from this point on, redirecting up to $1\text{m}^3/\text{s}$ out of the downstream drainage line. Whilst there is a reduction in downstream flows, Gidley Street and the Centa-Pak site both still experience surcharging in a 1% AEP. A concept alignment is shown below in **Figure 9**. The proposed pipe system has a diameter of 750mm with an approximate length of 450m. This configuration enables full capture of incoming flows in the 1% AEP with no bypass north onto Wellington Street.

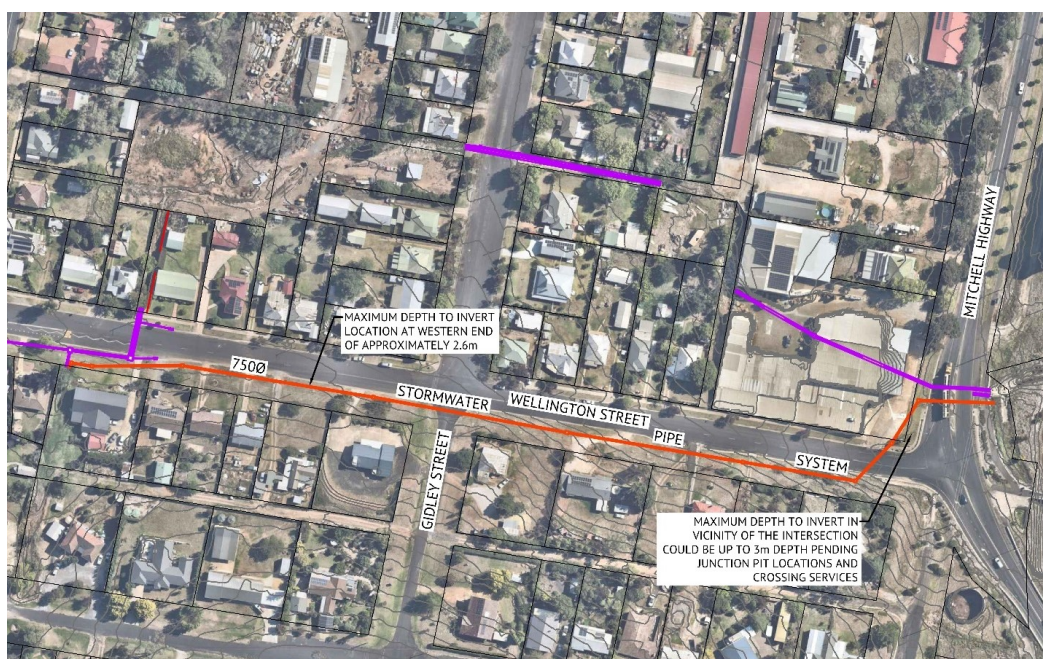


Figure 9 – Section 4, Option 4.2 Layout

The is Option does not address the undersized sag kerb inlet pits on Wellington Street which still bypass around $0.2\text{m}^3/\text{s}$ to the north of Wellington Street from the directly contributing catchments to these two stormwater pits. The alignment of the proposed pipe system has only briefly been reviewed and is subject to detailed design, with the pipe systems hydraulic performance being the key performance criteria analysed within this report.

5.4.3 OPTION 4.3 - RAISE VERGE ALONG LOT FRONTAGES AND CREATE SPILLWAY

Option 3 includes the raising of existing footpath levels along the frontages of 19, 21 & 23 Wellington Street in conjunction with cutting in a spillway from the kerb invert into the existing drainage reserve within 23 Wellington Street to stop inundation of the above mentioned properties. The existing footpath crest level between 17 & 19 Wellington Street would be carried west until the cut in spillway in front of the drainage reserve as shown in **Figure 10** below.

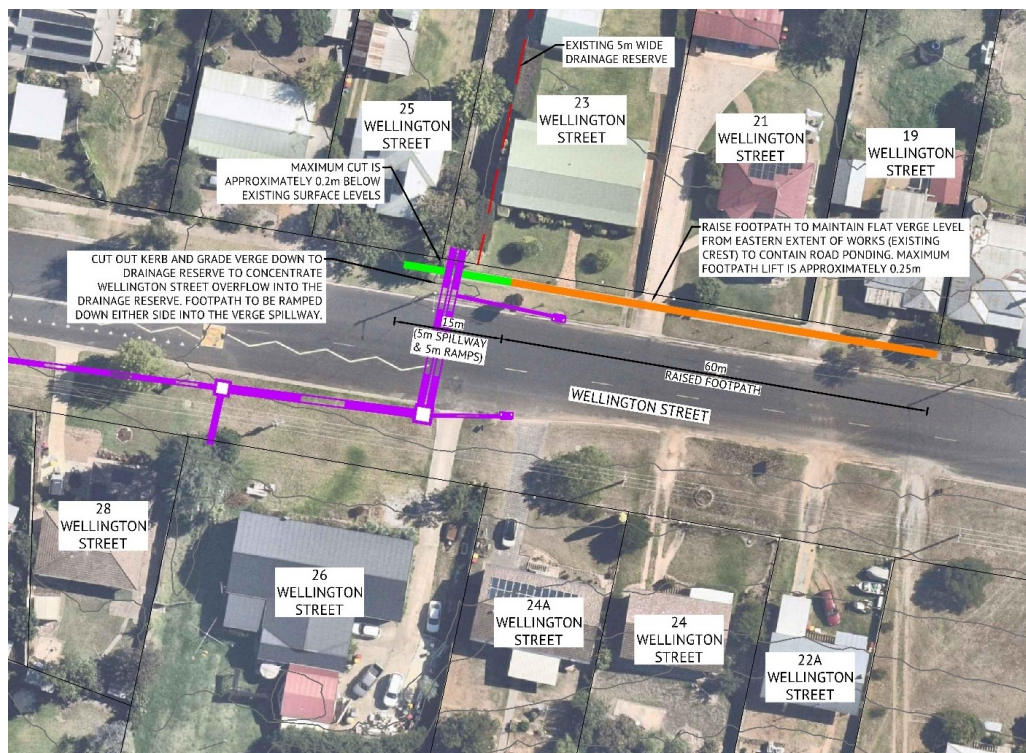


Figure 10 – Section 4, Option 4.3 Layout

The spill level of the proposed spillway is approximately at the same level as the existing verge along the frontages of 21 & 23 Wellington Street, raising the footpath/verge levels along the frontages allows ponding to accumulate and discharge out the spillway without spilling into the properties on the northern side of the Street. The spillway conveys approximately $0.9\text{m}^3/\text{s}$ in the 1% AEP event which equates to a spill depth less than 0.1m deep.

It is suggested that the base of the spillway be lined with concrete and bollards constructed at the entrance of the spillway to stop vehicular access into the spillway. The existing telecommunications pit would need to be lowered approximately 0.2m below its existing level, which is in the vicinity of the existing cabling

within the pit. Additional scour protection above the pipe outlets in 23 Wellington Street may be required as well as works to the existing front boundary wall along the frontage of 25 Wellington Street.

5.5 Section 5 – Lot 1 in DP 124044 Detention Basin and Gidley Street Crossing

5.5.1 OPTION 5.1 – DETENTION BASIN IN LOT 1 IN DP 124044

Option 1 investigates the feasibility of a detention basin within Lot 1 in DP 124044 and its performance in reducing peak flows. The criteria for the basin performance were a reduction in peak flows in all events and attempt to stop surcharge flows across Gidley Street and also into the Centa-Pak site.

The detention basin was modelled in 12d Model with the footprint and depth of the detention basin maximised without having any works required outside of the lot. The resulting detention basin has a maximum depth of 1.65m to the spillway with a capacity of 1.35ML at spill. The outlet structure was sized to reduce peak flows in the more frequent events whilst not detaining too much stormwater to allow storage within the basin for rarer events. The proposed concept detention basin plans are attached in **Appendix C** and show the proposed earthworks, outlet structure, hydraulic results and bulk earthworks volumes.

The hydraulic results are also shown in **Table 4** below. The concept basin only spills in the 1% AEP with peak flow reductions ranging from 22% in the 20% AEP up to 35% in the 1% AEP. These same percentage reductions are also generally experienced at the Gidley Street crossing and stormwater pipe entrance at the Centa-Pak site. This results in no surcharging of the existing stormwater infrastructure across Gidley Street or into the Centa-Pak site in a 1% AEP event with this detention basin design.

Table 4 – Detention Basin Results

AEP (%)	Peak Basin Inflow (m3/s)	Peak Total Basin Outflow (m3/s)	Peak Basin Piped Outflow (m3/s)	Peak Basin Spill (m3/s)	Peak Basin Top Water Level (RL)	Peak Water Depth (m)
20	1.57	1.22	1.22	0	551.70	0.75
10	1.96	1.41	1.41	0	551.89	0.94
5	2.33	1.60	1.60	0	552.11	1.16
2	3.00	1.87	1.87	0	552.44	1.49
1	3.43	2.28	2.04	0.24	552.66	1.71

Whilst this option stops surcharging of the box culvert at its entrance to Gidley Street the sag kerb inlet pits still experience ponding and spill across Gidley Street from the individual pits directly contributing catchments. The culvert system under the roadway has available hydraulic capacity but the sag kerb inlet kits do not have sufficient inlet capacity to get the arriving flows into the underground stormwater system



and thus pond and spill across Gidley Street. It is recommended that these two kerb inlets be upgraded to 3m long lintel kerb inlet pits which would stop the ponding spilling across and out of the roadway and reduces the ponding depths experienced within the street.

To convey the 1% AEP flows between the proposed detention basin outlet and Gidley Street culvert inlet it is recommended to reprofile the existing drainage line. The recommended profile with 0.3m freeboard within the channel profile is a 7m wide channel with a 2m wide base, 1:3 sides and 0.6m depth. A drainage easement is recommended to be created over the reprofiled drain. Should the drainage line be realigned to be contained within the Davimac Lane road reserve it is likely that either steeper batters with scour protection or a MassBloc walls or similar will be required to contain the drain within the existing 6m road reserve.

5.5.2 OPTION 5.2 – ADDITIONAL PIPE DOWN GIDLEY STREET

Option 2 to reduce bypass flows across the Gidley Street sag is the construction of an independent pipe system to the existing stormwater infrastructure. The proposed pipe system pulls out flows from the existing catchment and drainage system to reduce the load on the existing stormwater infrastructure. The pipe system starts with an inlet headwall at the same level as the existing inlet headwall on the western side of Gidley Street and then traverses north along Gidley Street until the Molong Street intersection. It then traverses east along Molong Street and across the Mitchell Highway to its outlet. This option would also benefit the catchment downstream as peak flows would be reduced within catchment from this point on, redirecting up to 1.2m³/s out of the downstream drainage line. Whilst there is a reduction in downstream flows, the Centa-Pak site still experiences surcharging in a 1% AEP, though the bypass flows reduce from approximately 1.2m³/s though the site down to 0.4m³/s. A concept alignment is shown below in **Figure 11**. The proposed pipe system has a diameter of 750mm with an approximate length of 380m. This configuration enables full capture of incoming flows in the 1% AEP with no bypass east onto Gidley Street. Due to the existing culvert inlet being close the south eastern boundary corner of 69 Gidley Street the proposed pipe system inlet would need to cut the corner of the lot due to not having sufficient space within the existing lane road reserve adjacent to the existing culvert inlet.

To convey the 1% AEP flows from within Lot 1 in DP124044 to the Gidley Street culvert inlet it is recommended to reprofile the existing drainage line. The recommended profile with 0.3m freeboard within the channel profile is a 8.5m wide channel with a 3m wide base, 1:3 sides and 0.65m depth. A drainage easement is recommended to be created over the reprofiled drain. The recommended drain profile for Option 5.1 is smaller than detailed in Option 5.2 due to the detention basin reducing peak flows in this drainage link. Should the drainage line be realigned to be contained within the Davimac Lane road reserve it is likely that either steeper batters with scour protection or a MassBloc walls or similar will be required to contain the drain within the existing 6m road reserve.



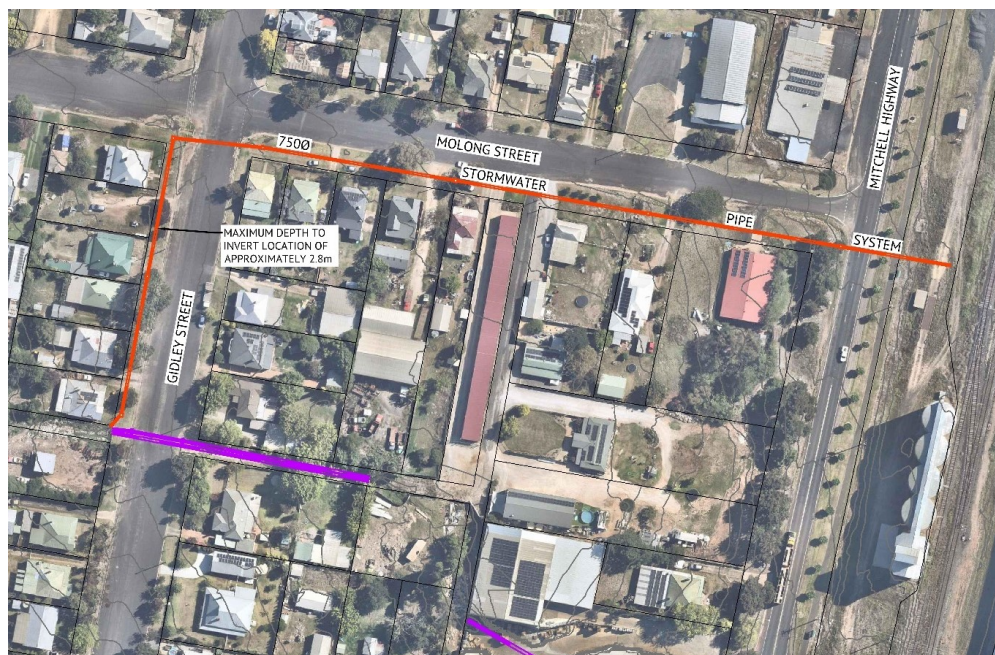


Figure 11 – Section 5, Option 5.2 Layout

As detailed in Section 5, Option 1 if the localised ponding and spill across Gidley Street is wanting to be reduced the existing kerb inlet pits will need to be upgraded as part of this option.

5.6 Section 6 – Iceworks Lane & Centa-Pak Site

To realign the drain linking the Gidley Street culverts to the Centa-Pak inlet within the Davimac and Iceworks lane requires a cut up to 2m deep adjacent the Centa-Pak northern western shed to achieve minimum longitudinal grade along the drain. Due to the constraint of the existing shed further assessment of the realignment of this drain has not been undertaken as part of this investigation.

To convey the 1% AEP flows between the Gidley Street box culverts outlet and Iceworks lane culvert inlet it is recommended to reprofile the existing drainage line. The recommended profile with 0.3m freeboard within the channel profile is a 9m wide channel with a 3m wide base, 1:3 sides and 0.7m depth. A drainage easement is recommended to be created over the reprofiled drain.

As outlined in Section 5, Option 5.1 the proposed detention basin option has potential to reduce peak flows through Section 6 to the point of the existing pipe system being able to convey the 1% AEP flows through the Centa-Pak site without bypassing.



5.6.1 OPTION 6.1 – ADDITIONAL STORMWATER PIPE THROUGH THE CENTA-PAK SITE

Option 1 to stop bypass flows from entering the Centa-Pak site is to run a new parallel pipe system to increase the piped flow capacity. An additional 1050dia pipe is required to be able to pipe the entire 1% AEP flows through the site with the existing 1200dia pipe and proposed 1050dia pipe conveying approximately 2.4m³/s and 2m³/s respectively. The proposed pipe system is approximately 140m long and is suggested to be routed across the Mitchell highway independent of the existing pipe system as shown in **Figure 12**.



Figure 12 – Section 6, Option 6.1 Layout

Assessment of the proposed alignment and visual checks of the existing structures by proofing on site has not been undertaken as part of the report.

5.6.2 OPTION 6.2 – ADDITIONAL STORMWATER PIPE UP ICEWORKS LANE

Option 2 follows the same concept as Option 1 but with the pipe system alignment traversing Iceworks Lane and west along Wellington Street before crossing the Mitchel Highway. The same 1050dia pipe size is required with the junction pit at the intersection of Iceworks Lane and Wellington Street being approximately 7m deep due to the pipe grading against the existing fall of the land. This pipe system in conjunction with the existing pipe is also able to convey the 1% AEP flows. The pipe system is approximately 210m long.



Figure 13 – Section 6, Option 6.2 Layout

6. RECOMMENDATIONS

It is recommended that general maintenance be undertaken to remove debris from kerb and culvert inlets within the catchment to allow the existing stormwater network to operate at its maximum capacity.

Preliminary cost assessments of Council's preferred options should be undertaken to determine the financial viability of the chosen upgrade options. Following confirmation it is recommended that detailed survey and detailed design of the proposed options be undertaken to allow confirmation of the concept hydraulic models and to facilitate a detailed cost estimate and construction of the selected upgrade options.

7. CONCLUSION

A site inspection, hydraulic capacity and concept upgrade options have been presented for the Pillans Park drainage line from Smith Street to the Mitchell Highway. The proposed upgrade options along the drainage line have been presented to assist Council in conducting high level feasibility, option assessment and cost options for the upgrades and to assist in providing information to landowners effected by the flooding issues. This report will assist Council in moving to the next stage of design for the project which may result in further concept options analysis or detailed design of selected proposed upgrade options presented.



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APPENDIX A

Premise Park Street to Wellington Street Drainage Inspection Report

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APPENDIX B

Premise Detail Survey

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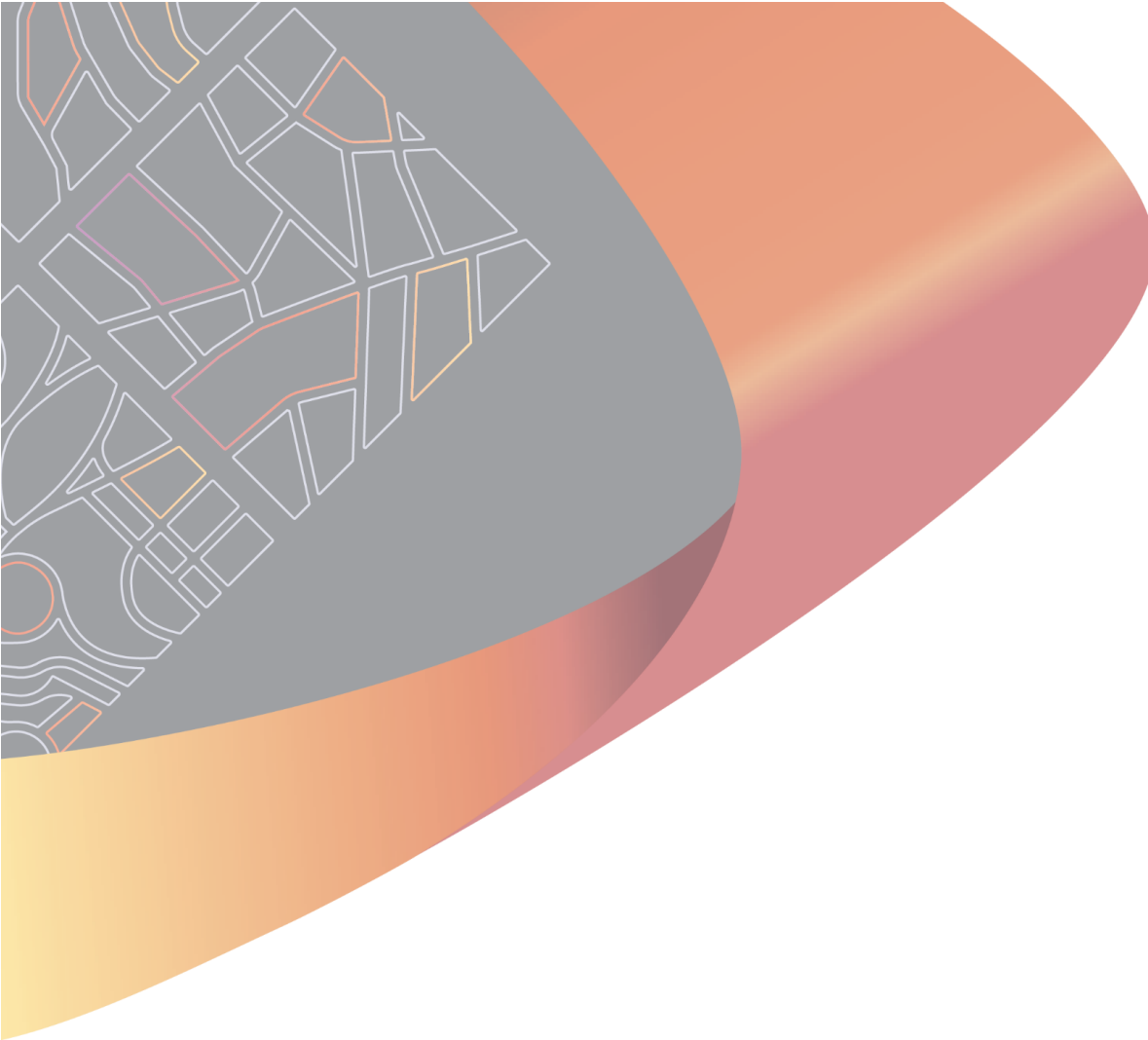
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APPENDIX C

Drawings

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<p style="text-align: center;">MODIFIED CONDITIONS OF APPROVAL</p>

ADMINISTRATIVE CONDITIONS

1. Approved plans and supporting documents (modified by 2022/0049/2)

The development shall be carried out in accordance with the approved stamped and signed plans and/or documentation listed below **except where modified by any following conditions**. Where the plans relate to alteration or additions only those works shown in colour or highlighted/shaded are approved.

Reference/Dwg No	Title/Description	Prepared By	Date/s
20108 01 C 1 sheet	Site Plan	McKinnon Design	March 2021
20108 02 C 1 sheet	Part site plan	McKinnon Design	March 2021
20108 03 C 1 sheet	Floor plan and elevations	McKinnon Design	March 2021
20108 VMP C 1 sheet	Vehicle Management Plan	McKinnon Design	March 2021
unreferenced	Statement of Environmental Effects (amended)	Saunders & Staniforth	11 May 2022
R13469e	On site effluent management study	Envirowest Consulting	29 Nov 2021
2203.03.Report.1	Noise Impact Assessment	Acoustik	31 May 2022
2200810 1B-220503	Traffic assessment	MLA Transport Planning	3 May 2022
unreferenced	VPA letter of offer	JD O'Keefe	25 November 2024
unreferenced	Cost estimate road widening	unsigned	15 November 2024
23008-C01 and C02 Two sheets	Conceptual road upgrades and longitudinal section	Heath Consulting Engineers	October 2024

Note 1: Modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 4.55 of the Environmental Planning and Assessment Act.

Note 2: A warning to all Accredited Certifiers. You should always insist on sighting the original Council stamped approved plans/documentation and not rely solely upon the plan reference numbers in this condition. Should the applicant not be able to provide you with original copies,

Council will provide you with access to its files so you that may review our original copies of approved documentation.

Note 3: *The approved plans and supporting documentation may be subject to conditions imposed under section 4.17 of the Act modifying or amending the development (refer to conditions of consent which must be satisfied prior to the issue of any Construction Certificate).*

(Reason: To confirm and clarify the terms of consent)

2. IMPORTED FILL

All fill imported onto the site shall be validated to ensure it is suitable for the proposed land use.

To ensure that fill material is suitable for the proposed use, only material classified as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) is permitted to be imported onsite.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority or Cabonne Council upon request.

(Reason: To ensure that imported fill is of an acceptable standard for environmental protection purposes)

3. HOURS OF OPERATION

The approved hours of operation of the function centre are as follows:

- Friday and Saturday 9am to 11pm

(Reason: To ensure the development does not adversely impact the amenity of the surrounding area).

4. ON SITE SEWAGE MANAGEMENT (OSSM)

All drainage and sanitary plumbing work is to comply with the National Plumbing and Drainage Code (AS3500) and the NSW Code of Practice.

A Section 68 application shall be applied for PRIOR to the issue of the Construction Certificate.

For any Aerated waste water treatment system the owner/occupier is to enter into a service agreement with an approved service contractor. Such agreement is to provide for regular service of the AWTS in accordance with the accreditation from NSW Health for the system approved. Copies of such service reports are to be provided to Council as soon as practical after each service.

(Reason: statutory requirements)

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

5. OBTAINING A CONSTRUCTION CERTIFICATE

This Development Consent does not constitute approval to carry out construction work. Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifying Authority (PCA), and lodgement of Notice of Commencement. Please note that if demolition works forms part of the extent of works approved in the same application, then demolition must not commence prior to the issue of a Construction Certificate.

(Reason: Information)

6. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY

No work shall commence in connection with this Development Consent until:

- (a) A construction certificate for the building work has been issued by:
 - (i) the consent authority; or
 - (ii) an accredited certifier; and
- (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner builder, if that is the case, and
- (b1) the principal certifying authority has, no later than 2 days before the building work commences:
 - a. notified the Council of his or her appointment, and
 - b. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (b2) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (ii) notified the principal certifying authority of such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (c) the person having the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirements)

7. COMPLIANCE WITH BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Note: Applicants who have lodged an objection and who have been granted exemption under clause 187(6) & 188(4) of the Environmental Planning and Assessment Regulation 2000, must comply with the Building Code of Australia in all other respects.

(Reason: Prescribed statutory control)

8. STORMWATER, SEWERAGE AND WATER WORK APPROVALS

Prior to the issue of a Construction Certificate, the applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from the relevant water supply authority and comply with any conditions of those approvals.

(Reason: Statutory)

9. RETAINING WALLS AND EARTHWORKS

Where the retaining wall exceeds 600mm in height, plans and specifications of the retaining wall shall be submitted to Council or a nominated Accredited Certifier and approved before the issue of the Construction Certificate. Where the height exceeds 1 metre in height, a certificate prepared by a suitably qualified Structural Engineer shall be submitted with the plans and specifications.

(Reason: Statutory)

10. COMPLIANCE WITH DISABILITY DISCRIMINATION ACT

This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the Disability Discrimination

Act 1992, and the applicant/owner is therefore advised to investigate their liability under this Act. Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To inform of relevant access requirements for persons with a disability)

11. APPLICATION FOR A CONSTRUCTION CERTIFICATE

The applicant must apply to Council or an Accredited Certifier for a Construction Certificate to carry out the relevant building works that are approved by this consent. The details to be included in the application for a Construction Certificate are:

- (a) Architectural plans and specifications complying with the Building Code of Australia (BCA), relevant Australian Standards, and the development consent and conditions.
- (b) If Council issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab, first floor joist layout, roof trusses, steel beams and the like. The details must be prepared by a practising consulting structural engineer. Also, a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements. Note: The engineer/s undertaking certification must be listed on the National Professional Engineers Register under the appropriate category.
- (c) If an alternative solution to the “deemed to satisfy” provisions of BCA is proposed, the following details must be lodged:
 - Performance requirements that the alternative solution intends to meet.
 - Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
 - A statement about the person who prepared the alternate solution, indicating qualifications, experience insurance details, and membership of an approved accreditation body.

Note: The performance-based application may be required to be reviewed by a suitably qualified independent body at the applicant's expense. Any fees relating to any review are required to be paid prior to the issue of the Construction Certificate.

(Reason: Statutory requirement)

12. EROSION & SEDIMENT CONTROL

A water and soil erosion control plan is to be submitted to the Principal Certifying Authority for approval prior to the issuing of a Construction Certificate. The control

plan is to be in accordance with the Managing Urban Stormwater - Soils and Construction produced by Landcom (Blue Book).

Erosion and sedimentation controls shall be in place prior to the commencement of site works; and maintained throughout construction activities until the site is landscaped and/or suitably revegetated.

A copy of the Erosion and Sediment Control Plan must be kept on site at all times during construction and made available to Council officers on request.

(Reason: Environmental protection)

13. LONG SERVICE LEVY PAYMENTS

The payment of a long service levy as required under part 5 of the Building and Construction Industry Long Service Payments Act 1986, in respect to this building work, and in this regard, proof that the levy has been paid, is to be submitted to Council prior to the issue of a Construction Certificate. Council acts as an agent for the Long Services Payment Corporation and the levy may be paid at Council's Office.

(Reason: Statutory)

14. FIRE SAFETY SCHEDULE

Prior to the issue of a Construction Certificate, pursuant to Part 9, Division 2 of the Environmental Planning and Assessment Regulation 2000 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must:

- Deal with the whole of the building,
- Include fire safety measures proposed or required to be implemented in the building,
- Distinguish between the fire safety measures proposed or required to be implemented in the building premises, and
- Identify each measure that is a critical fire safety measure and the intervals (being intervals of less than 12 months) at which supplementary fire safety statements must be given to Council in respect of each such measure, and
- Specify the minimum standard of performance for each fire safety measure included in the schedule.

(Reason: Fire Safety)

15. SECTION J REPORT

Prior to the issue of a Construction Certificate, a Section J Report demonstrating the buildings compliance with Section J of the National Construction Code (NCC) is to be submitted to the Principal Certifying Authority.

(Reason: Statutory)

16. TRAFFIC & PEDESTRIAN MANAGEMENT PLAN

Prior to the issue of a Construction Certificate, the applicant is to prepare and implement a Traffic Management Plan that provides necessary direction to traffic or pedestrian movement through or past the work site. The Traffic Management Plan is to be prepared by a suitably qualified person in accordance with the provisions of the relevant Australian Standards and is to be submitted to Council for approval PRIOR to its implementation.

(Reason: Safety, amenity and protection of public infrastructure and the environment)

17. CAR PARKING

One hundred and four (104) car parking spaces, delineated by line marking, each to be of minimum dimensions 5.5 x 2.5 metres. shall be provided on site as per the approved plans and must be of the minimum standard specified by:

- AS 2890.2:2018 - Parking facilities, Part 2: Off-street commercial vehicle facilities
- AS/NZS 2890.1:2004 AMDT 1 - Parking facilities - Off-street car parking

The following traffic control measures shall be implemented on site:

- (a) Internal driveway and delineated vehicle manoeuvring areas are to be constructed to accommodate adequate travel paths and turning circles,
- (b) Be constructed of all weather material that would avoid the potential of dust arising,
- (c) At no time shall any vehicle used in connection with the use of the premises be parked in the road reserve

(Reason: Parking and access)

18. ACCESS FOR PEOPLE WITH DISABILITIES

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

Plans and details of the disabled toilet/s complying with the relevant Australian Standards, the Building Code of Australia, and with regard to the Disability Discrimination Act 1992. Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

The plans must be approved by the Accredited Certifier prior to issue of a Construction Certificate.

(Reason: To inform of relevant access requirements for persons with a disability)

19. LIGHTING

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with relevant standards.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external sign associated with the development.

All outdoor lighting (including illuminated signage) must be in accordance with the Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting.

(Reason: Protect amenity of surrounding area)

20. WIDENING OF FAVELL ROAD (MODIFIED DA 2022/0049/2)

Prior to the issue of a Construction Certificate, the applicant is to enter into a Voluntary Planning Agreement with council for the sum of \$28,163.00 as a contribution towards the upgrade of Favell Road.

(Reason: To ensure that the road is of sufficient width to accommodate increase vehicle numbers and manoeuvrability to and from the site.)

21. PROVISION OF PRIVATE ACCESS

Driveway accesses to the site from Favell Road must be constructed in accordance with Council's Provision of Private Access Specification.

An Access Construction Certificate must be approved by Cabonne Council prior to any works being carried out. Details of the works and contractors to undertake the work are required to gain an approved Access Construction Certificate.

Prior to an Occupation Certificate being issued, an Access Compliance Certificate must be obtained, confirming the adequacy of the driveway and confirming construction has been undertaken in accordance with current Council standards.

(Reason: To ensure that safe and practical access is provided to the subject land.)

22. NOISE ABATEMENT

According to the findings contained within the Noise Impact Assessment – Event Venue – 296 Favell Road (Acoustick, 31 May 2022), the following noise control measures will be provided prior to the issuance of Occupation Certificate.

- Ceiling over the reception centre, the bar, and the corridor leading to the toilets must be 13 mm plasterboard or thicker with a minimum 70 mm gap to the underside of the Colorbond roof sheeting (minimum 0.76 mm thickness sheeting), there must be minimum R2.0 rated acoustic insulation in the ceiling cavity. No gaps or penetrations in the plasterboard are permitted. Flush mounted lighting or lighting suspended from the ceiling is permitted. Any penetrations for services must be caulked and sealed.
- The ceiling over the utility zones except for the toilets and bridal ensuite and office room must be 10 mm plasterboard or thicker with a minimum 70 mm gap to the underside of the Colorbond roof sheeting (minimum 0.76 mm thickness sheeting), there must be minimum R2.0 rated acoustic insulation in the ceiling cavity.
- Any gaps between the ceiling over the reception hall and the ceiling over the utility rooms must continue the 13 mm plasterboard to wall between the reception hall and the utility rooms.
- Walls of the reception centre will have 15 mm thick external timber cladding and be internally lined with sheet metal or corrugated iron sheeting, the wall cavity will contain minimum R2.0 rating insulation.
- The western end of the southern facing veranda will have a solid wall to control noise emissions from patrons on the veranda.
- The western facing veranda adjacent to the guest drop off and pickup area must be enclosed with a solid wall.
- A fence is to be constructed along the Northern edge of the outdoor entertainment area and will return to the northern corner of the reception building near the deliveries area. The fence must be at least 2.4 m high. A lapped timber fence minimum 15 mm thick palings overlapping by 25 mm is preferred.
- Erection of signage to advising residents to leave the premises quietly and consider neighbouring residents.

Plans shall be updated to reflect the recommendation noise insulation in walls and ceilings, and to include the type and location of acoustic fencing.

(Reason: Protection of rural amenity through the abatement of noise pollution.)

23. STORMWATER MANAGEMENT

Ensure that stormwater is not discharged to adjacent and downstream properties in a manner that differs significantly from pre-existing conditions and neither cause scour and erosion nor discharge rates exceed pre-existing conditions.

Detail plans of the stormwater control measures are to be submitted to the Council prior to the commencement of the works.

(Reason: Statutory requirement)

24. SOIL EROSION AND SEDIMENT CONTROL

Provide and maintain a silt intercept fence along the lower boundary of the site or as otherwise directed by the Council to ensure that silt does not enter the stormwater system/catchment and ensure satisfactory stabilisation of exposed areas to prevent soil erosion.

Detail plans of the soil erosion and sediment control measures are to be submitted to the Council prior to the commencement of the works.

(Reason: To prevent soil erosion and watercourse contamination during and subsequent to the course of the development)

25. WATER AND SEWER WORKS

Prior to the issue of a Construction Certificate, the applicant is to obtain all relevant approvals to carry out sewer and water works and comply with any conditions of those approvals.

All plumbing and drainage work shall be undertaken either by Council or authorised / licensed Contractor to the requirements of the National Plumbing and Drainage Code AS3500.

(Reason: Statutory requirement)

26. RETAINING OF EXCAVATED/FILLED AREAS

All excavated and/or filled areas are required to be either battered in accordance with Part 3.1.1 Earthworks of the Building Code of Australia or retained by a retaining wall designed by a structural engineer with suitable provisions made for any associated drainage. All works are to be completed prior to any Final Occupation Certificate is issued for the works.

Reason: To ensure all excavated and filled areas are stabilized to prevent against erosion and scouring out of land.

27. TRAFFIC AND PEDESTRIAN MANAGEMENT PLAN

The applicant is to prepare and implement a Traffic Management Plan that provides necessary direction to traffic or pedestrian movement through or past the work site.

The Traffic Management Plan is to be prepared and implemented by a suitably qualified person in accordance with the provisions of the relevant Australian Standards and is to be submitted to Council for approval PRIOR to issue of Construction Commencement Certificate.

(Reason: Statutory requirement)

28. LANDSCAPING PLAN

A landscape plan prepared by a qualified landscape architect or landscape consultant to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent is to be submitted to the satisfaction of the Accredited Certifier with the Construction Certificate application. The plan must include the following information:

- location of all existing and proposed landscape features including materials to be used.
- delineate and identify all trees to be retained, removed, or transplanted.
- existing and proposed finished ground levels.
- top and bottom wall levels for both existing and proposed retaining and free-standing walls and
- detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity. Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access, and privacy for neighbouring development.

All landscaping is to be completed prior to issue of an Occupation Certificate.

(Reason: amenity)

29. FOOD PREMISES

The construction and operation of the food premises shall comply with all applicable legislation/regulation and standards, including:

- The Food Act 2003
- Food Regulation 2015
- Food Standards Australia and New Zealand - Food Standards Code
- The cooking appliances require an approved air handling system designed in accordance with AS1668.1-1998 and AS1668.2-1991 or alternative solution satisfying the performance objectives of the Building Code of Australia. No approval is granted for the burning of wood fired fuel.
- The construction, fit out and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - Design, Construction and Fit out of Food Premises

(Reason: Compliance legislation and standards)

PRIOR TO THE COMMENCEMENT OF WORKS

30. NOTICE OF COMMENCEMENT

No work shall commence until you submit a notice of commencement (form will be attached with issue of a Construction Certificate or available from our website) giving Council:

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent.
- (b) Details of the appointment of a Principal Certifying Authority (either Cabonne Council or another Accredited Certifier)
- (c) Details of the name, address, and licence details of the Builder.

(Reason: Statutory Requirement)

31. SITE SAFETY FENCING

Erect site fencing to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site throughout the demolition. The fencing must be erected before the commencement of any demolition work and maintained.

The site shall be maintained in a clean and orderly condition during demolition works.

Hoardings If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

- payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and
- provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory Requirement and health and safety)

32. EROSION & SEDIMENT CONTROL

Erosion and sedimentation controls shall be in place prior to the commencement of site works; and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater - Soils and Construction produced by Landcom (Blue Book).

A copy of the Erosion and Sediment Control Plan must always be kept on site during construction and made available to Council officers on request.

Erosion and sediment control measures as detailed in the submitted Erosion and Sediment Control Plan must be installed and operating prior to and during all

construction works and left in place until the area of excavation is suitably revegetated.

(Reason: Environmental protection)

33. PRINCIPAL CERTIFYING AUTHORITY SIGN

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- The Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the work is being carried out but must be removed when the work has been completed.

(Reason: Statutory Requirement)

34. TOILET AMENITIES ON CONSTRUCTION SITES

Prior to commencement of any building works, toilet facilities for employees must be provided in accordance with WorkCover NSW requirements. Where female workers are present on site, appropriate measures for sanitary item disposal should be made, such as a disposal unit provided in the portable toilet or sewer connected toilet closet.

(Reason: Statutory Requirement - Health and amenity)

REQUIREMENTS DURING WORKS

35. HERITAGE

During construction, the development is to proceed with caution. If any Aboriginal objects are found, works should stop, and the NSW Office of Environment and Heritage contacted. If an Aboriginal relic is uncovered, work must cease immediately, and the NSW Office of Environment and Heritage must be contacted. All workers on the site are to be made aware of this condition.

(Reason: Heritage)

36. CONSTRUCTION HOURS

Construction work may only be undertaken during the following hours.

DAY	HOURS
Monday to Friday	7:00 am to 6:00 pm

Saturday	8 am to 1:00 pm
Sunday & Public Holidays	No work

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: Safety and amenity)

37. PREVENTION OF NUISANCES

All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.

(Reason: Health and amenity)

38. PLUMBING & DRAINAGE WORKS

All plumbing and drainage work shall be carried out by a licensed plumber and drainer to the requirements of the National Plumbing and Drainage Code AS3500.

(Reason: Statutory requirement)

39. STORMWATER DISCHARGE

During construction, the stormwater design approved as per condition 17 is to be constructed and implemented on site.

(Reason: Adequate Stormwater Disposal)

40. DAMAGE TO ADJOINING PROPERTIES

All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights must always be observed. Where damage occurs to adjoining property all necessary repair or suitable agreement for necessary repairs are to be undertaken by the applicant in consultation with, and with the consent of, the affected property owner.

(Reason: Structural safety)

41. ADJUSTMENT TO UTILITY SERVICES

Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.

(Reason: Information)

42. CONTAMINATED LANDS – UNEXPECTED FINDS

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Council's Development Services Department.

Note: Council may also request that an NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with Statutory Requirements)

43. OBSTRUCTION OF ROAD & FOOTPATH

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste bins or any other matter is not permitted unless the written approval is obtained from Cabonne Council. A Penalty Infringement Notice may be issued for any offence.

(Reason: Protection of infrastructure, safety & information)

44. CRITICAL STAGE INSPECTIONS

Critical stage inspections must be called for by the Principal Contractor or Owner Builder as required by the Principal Certifying Authority (PCA), any PCA Service Agreement, the Act and the Regulation.

Work must not proceed beyond each critical stage until the PCA is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. 'Critical Stage Inspections' means the inspections prescribed by the Regulations for the purposes of section 6.5 of the Act or as required by the PCA and any PCA Service Agreement.

Note 1: The PCA may require additional inspections beyond mandatory critical stage inspections in order that the PCA be satisfied that work is proceeding in accordance with this consent.

Note 2: The PCA may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2.2 of the BCA in relation to any matter relevant to the development.

(Reason: Statutory requirement)

45. INSPECTION RECORDS & COMPLIANCE CERTIFICATES

The PCA or accredited certifier undertaking each of the inspections must make a record of each inspection in accordance with Clause 162B of the Environmental Planning and Assessment Regulations 2000 and, if the person is not the PCA, forward a copy to the PCA.

A copy of any compliance certificates issued in respect of the building work and any documents referred to in the certificate must be provided to Council within two (2) days of the certificate being issued.

(Reason: Statutory)

46. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- (a) A single entrance is permitted to service the site for construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- (b) No blasting is to be carried out at any time during construction of the building.
- (c) Care must be taken during excavation/ building/ construction to prevent any damage to adjoining buildings.
- (d) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- (e) Any demolition and excess construction materials are to be recycled wherever practicable.
- (f) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- (g) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- (h) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- (i) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- (j) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.

- (k) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- (l) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- (m) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

47. PROTECTION OF PUBLIC PLACES

If the work involved in the demolition or construction of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the closure of a public place, a hoarding or fence shall be erected. Hoardings shall be erected to comply with the requirements of SafeWork and the Principal Certifying Authority.

(Reason: Safety)

48. VEHICLE MOVEMENT AREAS

All vehicle movement areas from the site access to the proposed building are to be adequately constructed to an all-weather standard to ensure the site is accessible at all times and to mitigate dust impacts.

(Reason: Amenity)

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

49. OCCUPATION CERTIFICATE (Section 6.9 of the Act)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 6.10 of the Act) unless an Occupation Certificate has been issued in relation to the building or part. The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- Any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement)

50. DAMAGE TO PUBLIC ASSETS

Any damage caused to footpaths, roadways, utility installations, trees and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration / repairs of property or services damaged during the works shall be met by the Applicant.

(Reason: Safety & Amenity)

51. DRAINAGE RECORDS

To provide an accurate record of drainage works. The below listed records are to be submitted to Council prior to the release of the final Plumbing and Drainage Certificate. **ANY OCCUPATION CERTIFICATE MUST NOT BE ISSUED** until the final Plumbing and Drainage certificate has been issued by council. (Templates can be found on council's website www.cabonnecouncil.nsw.gov.au).

- Notice of Works,
- Certificate of Compliance, and
- Sewer Service Diagram drawn to the scale of 1 in 200 of drainage.

(Reason: Statutory requirement)

52. ACCESS COMPLIANCE CERTIFICATE

Council prior to any Occupation Certificate being issued for the function centre must issue an Access Compliance Certificate for the access.

(Reason: To ensure that safe and practical access is provided to the subject land)

53. FIRE SAFETY CERTIFICATE

A final Fire Safety Certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment (Amendment) Regulation 2000, **prior to the issue of the Final Occupation Certificate** for the building.

A copy of the Fire Safety Certificate and fire safety schedule shall be: -

1. Forwarded to Cabonne Council.
2. Forwarded to the Commissioner of the New South Wales Fire Brigade; and
3. Prominently displayed in the building.

(Reason: Fire safety)

54. WATER SUPPLY

Objective

Statutory requirement and Public Interest.

Performance

Details of Private Water Supply in accordance with the NSW Health Guidelines are to be provided to Council PRIOR to the release of the OCCUPATION CERTIFICATE

55. SIGNAGE OF ENTRANCE / EXIT POINTS**Objective**

To ensure on-site traffic flows in the manner assessed by Council.

Performance

Entrance / exit points are to be clearly signposted and visible from both the street and the site at all times.

56. COMPLIANCE WITH CONDITIONS OF CONSENT

All relevant conditions of this consent are to be complied with to the standards specified prior to any occupation.

(Reason: Statutory requirement)

OPERATIONAL CONDITIONS

57. VEHICLE ACCESS & MOVEMENTS

All driveways and parking areas shall be unobstructed at all times. All vehicles entering or leaving the subject property shall be driven in a forward direction.

(Reason: Safety and Traffic Control)

58. ANNUAL FIRE SAFETY STATEMENT

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall furnish Council with an Annual Fire Safety Statement from a competent person so as to certify the essential fire safety measures in the building. The Annual Fire Safety Statement shall be within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Fire Safety Statement obtained, and Fire Safety Schedule shall also be: -

1. Forwarded to the Commissioner of the New South Wales Fire Brigade,

2. Forwarded to Cabonne Council, and
3. Prominently displayed in the building

(Reason: Fire safety)

59. CONTROL OF LITTER

The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or public area adjacent to the premises is maintained in a clean and tidy condition.

Where a litter problem arises and the offending material is found to usually include wrappers, containers or the like, and remains of goods or items which it might reasonably be assumed were purchased at the subject premises, the shopkeeper must comply with any direction of Cabonne Council with regard to the regular sweeping, collection and disposal of rubbish.

(Reason: Environmental health)

60. NOISE

No external amplification of sound and/or music from the external dining areas is permitted.

Reason: To ensure there are no adverse impacts to the amenity of the surrounding area.

61. BUSINESS PREMISE AMENITY

The business shall be conducted, and patrons controlled at all times so that no interference occurs to the amenity of the area, adjoining occupations and residential premises.

(Reason: Amenity)

62. COMPLAINTS MANAGEMENT PROCEDURE

A system for managing complaints is to be implemented and promoted and shall include a contact person available during events.

(Reason: Amenity)

PREScribed CONDITIONS OF CONSENT

63. COMPLIANCE WITH BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the provisions of the Building Code of Australia. Note: Applicants who have lodged an objection and who have been granted exemption under clause 187(6) & 188(4) of the

Environmental Planning and Assessment Regulation 2000, must comply with the Building Code of Australia in all other respects.

(Reason: Prescribed statutory control)

64. ERECTION OF SIGNS

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out—

- (a) showing the name, address and telephone number of the principal certifier for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Act, to comply with the technical provisions of the State's building laws.

Note: Principal certifiers and principal contractors must also ensure that signs required by this clause are erected and maintained (clause 227A currently imposes a maximum penalty of \$1,100 for non-compliance with this requirement).

ADVISORY NOTE

65. BUSINESS IDENTIFICATION ADVERTISING SIGNAGE

Separate approval may be required for the erection of any business identification advertising sign, unless such signage satisfies criteria as exempt development.

