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Statement of Environmental Effects

Project: Farm Stay Accommodation

Client: Wanda Vale Pastoral

Site Address: 772 Black Willow Road, Hargraves

25 July 2023

Our Reference: 41616-PR01_A

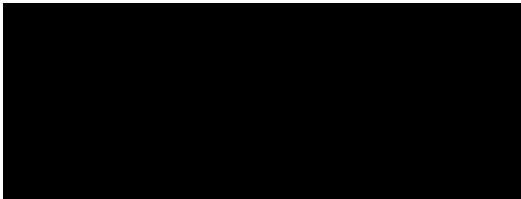
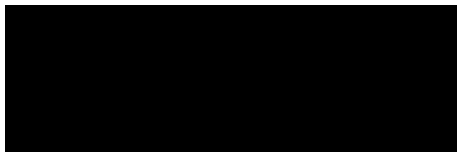
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Project Name:	Farm Stay Accommodation at 772 Black Willow Road, Hargraves
Client:	Wanda Vale Pastoral
Project Number:	41616
Report Reference:	41616-PR01_A
Date:	25 July 2023

Prepared by:	Reviewed by:
	
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1. INTRODUCTION

1.1. Background

Barnson Pty Ltd has been engaged by Wanda Vale Pastoral to prepare information in support of a Development Application (DA) for farm stay accommodation at 772 Black Willow Road, Hargraves.

The subject site is located on the northern side of Black Willow Road and has a property area of approximately 1,785 hectares. The site contains an existing dwelling and rural farm buildings.

The project will consist of the construction of a new structure to be used as farm stay accommodation associated with the agricultural use of the land.

The site is zoned RU1 Primary Production pursuant to the provisions under the *Mid-Western Regional Local Environmental Plan 2012*. The proposed development is defined as 'farm stay accommodation', which is permissible with consent in the RU1 zone.

This application consists of:

- A completed development application form; and
- PDF copy of this written statement, including plans and supporting documents.

1.2. Proponent

The proponent for the DA is Wanda Vale Pastoral.

1.3. Consultant

Barnson Pty Ltd

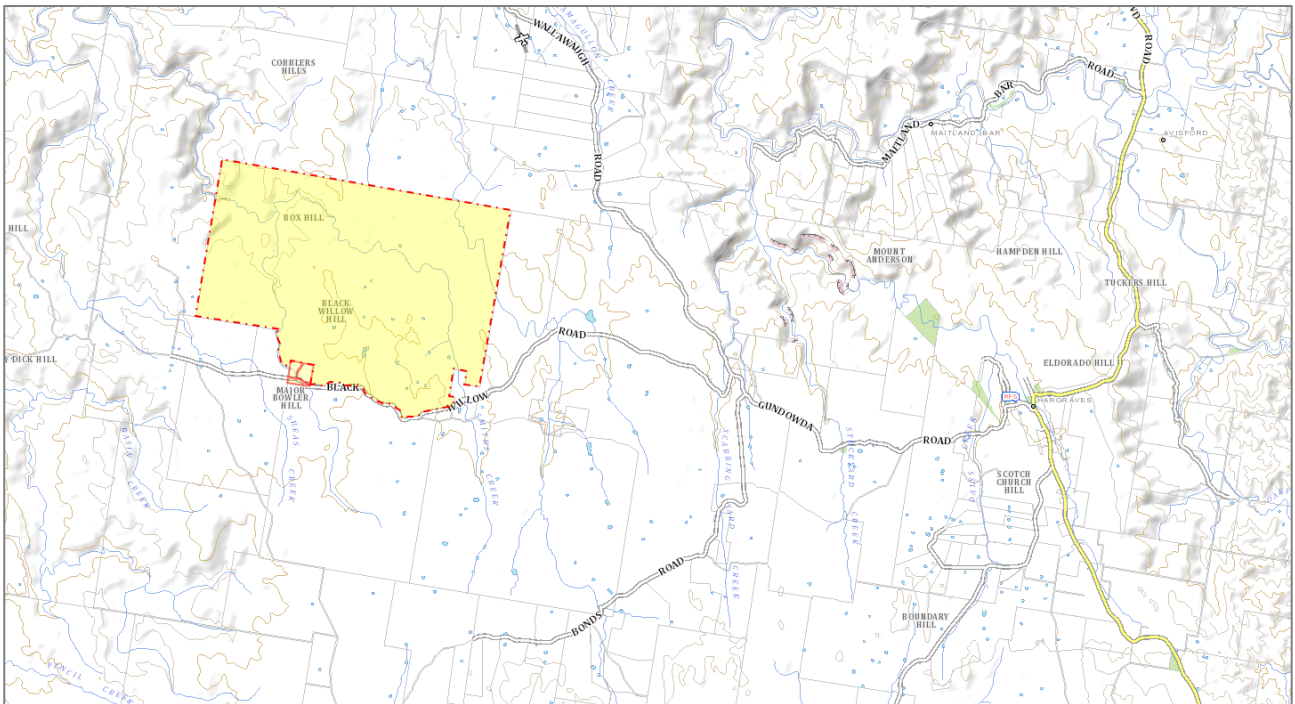
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2. EXISTING ENVIRONMENT

2.1. Location and Title

The subject site of this application is Lot 27 DP 756887, known as 772 Black Willow Road, Hargraves. The site is located on the northern side of Black Willow Road, approximately 15km west of Hargraves, as shown in Figure 1 below.



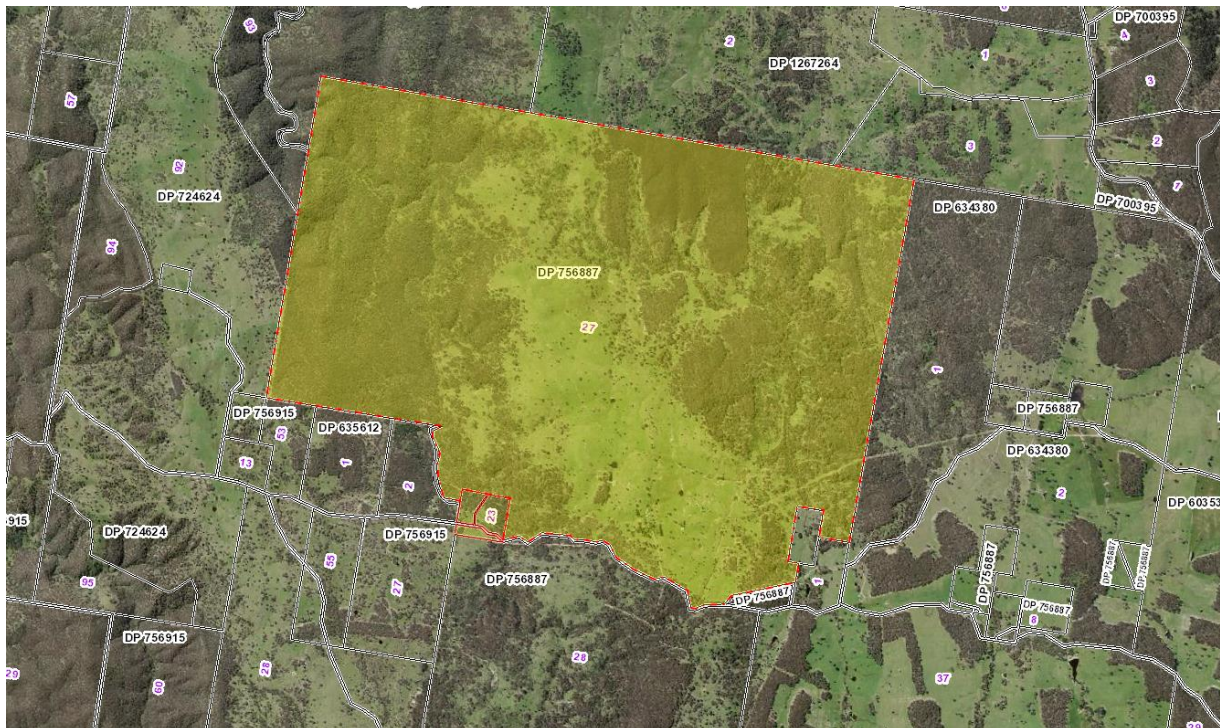
Source: (NSW Government Spatial Services, 2023)

Figure 1 – Site Location

The site has an overall area of approximately 1,785 hectares (refer to Crown Plan in Appendix A of this report) with direct frontage to Black Willow Road.

The subject site includes a combination of grasslands and dense woodland vegetation, and has multiple dams and watercourses throughout. There is an existing dwelling and rural farm buildings on the property in association with the agricultural use of the land.

Refer to Figure 2 for an aerial image of the property and Plates 1-3 for photos of the site.



Source: (NSW Government Spatial Services, 2023)

Figure 2 – Site Aerial



Plate 1 – View of the main access off Black Willow Road



Plate 2 – View of the internal access road



Plate 3 – View of the subject site

2.2. Land Use

The subject site is located in a rural locality which is characterised by rural activities, scattered residential activities, some grazing/cropping in some surrounding sites. The site is used for cattle grazing, sheep grazing, production of fine wool and fat lambs for sale. The site and general locality has high ecological and natural landscape characteristics.

2.3. Topography

The site contains varied topography throughout.

2.4. Flora and Fauna

The site contains a variety of grassland vegetation and woodland/forest vegetation. There is a variety of fauna throughout the site including Kangaroo's, deer, Koala, possum and bird species.

2.5. Noise Environment

The site is located within a rural area, characterised by scattered dwellings and agricultural activities. The largest noise influence in the locality would be from the minimal traffic experienced from Black Willow Road and agricultural used in the locality, which is consistent with normal traffic levels along local rural roadways.

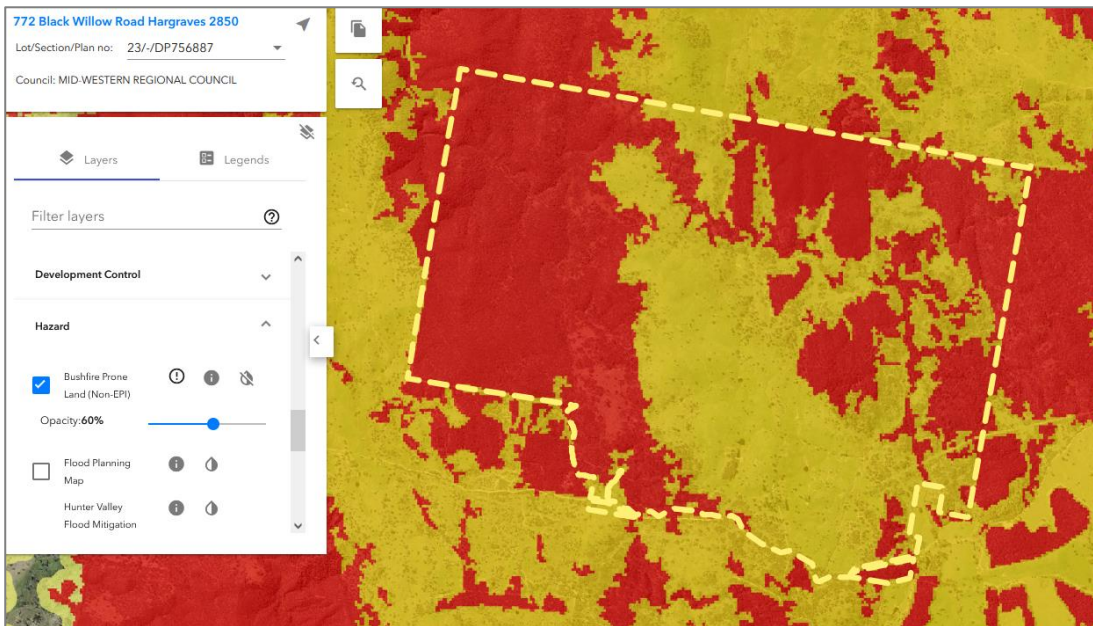
2.6. Natural Hazards

2.6.1. Flooding

The subject site is not mapped by the *Mid-Western Regional Local Environmental Plan 2012* or according to ePlanning Spatial Viewer as being within a Flood Planning Area.

2.6.2. Bush Fire

The subject site is mapped as Bush Fire Prone Land according to ePlanning Spatial Viewer.



Source: (NSW Government Spatial Services, 2023)

Figure 3 – Bushfire Mapping ePlanning Spatial Viewer

2.7. Visual Amenity

The subject land is in a rural locality with no immediate neighbours. The undulating hills and vegetation afforded to the site and locality provide effective screening for surrounding properties.

2.8. Services

There are no mains services located on the property other than electricity and telecommunications. All services that support the existing dwelling and agricultural operations are onsite services (i.e. water tanks, septic system etc).

2.9. Access and Traffic

The subject land is access off the northern side of Black Willow Road, which is an existing gravel/dirt road. There are existing internal roads that allow manoeuvrability throughout the site.

2.10. Heritage

The site is not identified as containing any heritage listed item under the NSW State Heritage Register of Schedule 5 of the *Mid-Western Regional Local Environmental Plan 2012*. The Aboriginal Information Management System (AHIMS) was undertaken for the site and its immediate surrounds, and revealed no Aboriginal sites or significance recorded on the subject site. Refer to the AHIMS report in Appendix B of this report.

3. PROPOSED DEVELOPMENT

The proposed development is for the construction of a new structure to be used as farm stay accommodation (tourist accommodation) on Lot 27 DP 756887, known as 772 Black Willow Road, Hargraves.

The proposed development provides a unique experience with rolling hills, beautiful views and a sense of remoteness, whilst enjoying the comforts of tourist accommodation elements. It is the focus of Mid-Western Regional LGA to provide a variety of compelling tourism experience and accommodation options, of which the proposed development aligns with by providing a unique accommodation experience in an area where there is minimal accommodation options.

The proposed development shall be established on a property that is use for agricultural purposes. The site is used for a combination of grazing and cropping purposes, with expansive vacant lands and woodlands throughout. The current operations on the site include cattle grazing, sheep grazing, production of fine wool and fat lambs for sale. The site is a large holding, consisting of approximately 1,785 hectares. The main purpose of the proposed development is to provide an accommodation option at the rear of the site to ensure that complete remoteness is achieved and to allow tourists to explore and admire the natural landscape of the site and wider region.

The proposed development includes the following main attributes:

- Construction of a single storey structure consisting of two bedrooms, living area, kitchen, bathroom, mudroom and two verandahs;
- The structure shall be constructed on a bearer and joist flooring system with timber framing, hardwood timber cladding and galvanised corrugated roof sheeting and guttering;
- All species of timber shall be bushfire resistant timber in accordance with Appendix F and H of AS3959-2009;
- The proposed development shall be serviced by a gravity fed septic system, solar panel electricity, water tanks for collection and reuse and suitable road access;
- The development shall be fully self-contained and include all relevant essential services and facilities for tourists and visitors;
- The structure shall be regularly serviced and will be cleaned/prepared intermittently depending on the length of stay by tourist and visitors;
- The development shall be provided with linen, towels and associated necessities for accommodation purposes;
- The immediate vicinity of the buildings shall be provided with lawns and gardens that shall be managed/serviced weekly or when required; and
- All servicing shall be organised by the owner.

Refer to Development Plans provided in Appendix C of this report.

The Development Plans in Appendix C show the existing access to the subject site. This is an existing internal access road that has been established on the site for a number of years. The road provides adequate bushfire vehicle access to and from the proposed structure along with an appropriate evacuation route for visitors.

Any upgrades to the existing access tracks over internal watercourses shall be constructed in accordance with Schedule 4 Part 2 Clause 23 of the *Water Management (General) Regulation 2018* (exempt development).

4. LAND USE ZONING

The subject site is zoned part C3 Environmental Management and part RU1 Primary Production pursuant to the *Mid-Western Regional Local Environmental Plan 2012* (LEP). The proposed development is situated within the RU1 zoned portion of land on the site.

The proposed development is for a farm stay accommodation development, which is permissible with consent in the RU1 zone. The definition is as follows:

farm stay accommodation means a building or place—

(a) on a commercial farm, and

(b) ancillary to the farm, and

(c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

The site is used for a combination of grazing and cropping purposes, with expansive vacant lands and woodlands throughout. The current operations on the site include cattle grazing, sheep grazing, production of fine wool and fat lambs for sale. Therefore, the proposed development is consistent with (a) and (b) of the definition. The development encompasses the proposed use as stipulated in item (c) of the definition.

The permissibility of the proposed development is assessed in terms of the heads of consideration in Section 4.15 of the *Environmental Planning & Assessment Act 1979*, which incorporates consideration of the LEP and the objectives and permissible uses outlined in the RU1 zone, as outlined in Section 5 of this report.

5. PLANNING CONSIDERATIONS

5.1. Water Management (General) Regulation 2018

Internally within the site are a number of identified watercourses, some of which shall be traverses as a result of the existing access track to the proposed structure. Schedule 4, Part 2, Clause 23 of the Regulation provides exemptions for certain activities within rural land, as follows.

23 Activities connected with construction of fencing, crossings or tracks

Any activity carried out in connection with the construction or use of fencing, or of a vehicular crossing or an access track, that does not impound water, being an activity carried out in, on or under waterfront land—

(a) relating to a minor stream, and

(b) within a rural zone (other than a rural village) under an environmental planning instrument.

Comment: Therefore the sections of the access track that traverse over identified watercourses shall be upgrades (if required) in accordance with the above provisions of the Regulations and any associated legislation. Therefore no Controlled Activity permits are requiring in this instance.

5.2. Local Government Act 1993

5.2.1. Section 68 – Part B Water supply, sewerage and stormwater drainage work

Prior to the commencement of works, the developer shall seek an approval for the installation of On-Site Sewer Management (OSSM) systems in accordance with Section 68 of the *Local Government Act 1993*.

Details for the proposed systems and disposal areas shall be submitted as part of the Section 68 applications.

5.3. Biodiversity Conservation Act 2016

5.3.1. Is the development likely to significantly affect threatened species?

Clause 7.2 of the *Biodiversity Conservation Act 2016* (BC Act) identifies the following circumstances where a development is likely to significantly affect threatened species:

- (a) *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*

(c) *it is carried out in a declared area of outstanding biodiversity value.*

Each of these is addressed below.

Section 7.3 Test

To determine whether a development is likely to significantly affect threatened species or ecological communities, or their habitats, the following is to be taken into account in accordance with Section 7.3 of the BC Act:

- (a) *in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,*
- (b) *in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:*
 - (i) *is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
 - (ii) *is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*
- (c) *in relation to the habitat of a threatened species or ecological community:*
 - (i) *the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and*
 - (ii) *whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and*
 - (iii) *the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,*
- (d) *whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),*
- (e) *whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.*

Comment: The site is located within a rural locality, in an area dominated by agricultural activities including grazing and cropping. The site has been used for agricultural purposes for an extended period of time. The development site is located within a cleared area and would not significantly impact on any threatened flora and fauna species.

Therefore, the proposed development is not likely to significantly affect threatened species or ecological communities, or their habitats.

Section 7.4 Test

Section 7.4 of the BC Act states:

- (1) *Proposed development exceeds the biodiversity offsets scheme threshold for the purposes of this Part if it is development of an extent or kind that the regulations declare to be development that exceeds the threshold.*

- (2) In determining whether proposed development exceeds the biodiversity offsets threshold for the purposes of this Part, any part of the proposed development that involves the clearing of native vegetation on category 1-exempt land (within the meaning of Part 5A of the Local Land Services Act 2013) is to be disregarded.

Comment: As part of the proposed development, minor disturbance works are included via the establishment of the proposed structure. The existing access does not require any further upgrades to comply with bushfire requirements and the land within perpetuity of the development site is already managed as per the APZ requirements under *Planning for Bushfire Protection 2019*.

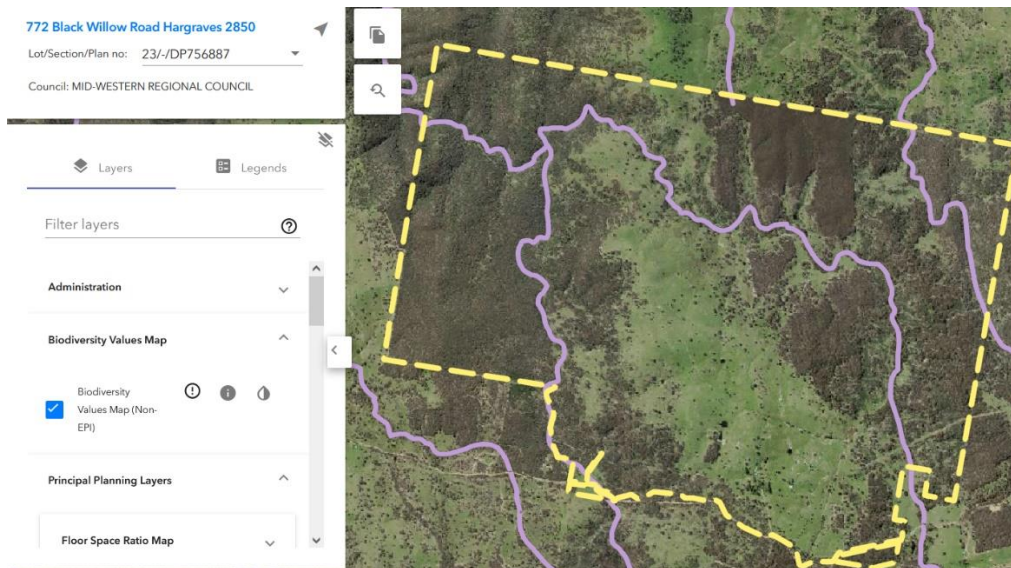
The clearing threshold applicable to the land is 2ha or 20,000m².

The proposed structure is 13.38m x 13.72 or 183.6m². For the purposes of this assessment, a 10m wide area around the structure should be adopted as disturbed land, which equates to approximately 1,125.5m² of land, which is well below the biodiversity offsets threshold for the purposes of this part.

It is important to note that the existing access is already compliant with the recommended access provisions and the recommended APZ is already managed in accordance with PBP2019, thus no further clearing is required. Therefore the proposed development does not exceed the relevant thresholds.

Declared Area of Outstanding Biodiversity Value

The site contains some mapped land on the Biodiversity Value Map (refer to Figure 4 below) as being land with a high biodiversity value as defined by the BC Act.



Source: (NSW Government, 2023)

Figure 4 – Biodiversity Value Map

The development site does not contain any of the mapped lands, however the existing access does traverse over part of the mapped lands. It is not anticipated or proposed that any works are requiring within that section mapped on the Biodiversity Value Map. As such, and considering no works are proposed, no further consideration is required in this instance.

5.3.2. Biodiversity Development Assessment Report

As outlined in Section 5.3.1, the proposed development is not likely to significantly affect threatened species as defined by Section 7.2 of the BC Act.

5.4. Fisheries Management Act 1994

5.4.1. Applicability

The Fisheries Management Act 1994 (FM Act) applies to:

- (a) *in relation to all waters that are within the limits of the State, and*
- (b) *except for purposes relating to a fishery, or a part of a fishery, that is to be managed in accordance with the law of the Commonwealth pursuant to an arrangement under Division 3 of Part 5 and except for purposes prescribed by paragraph (d)—in relation to any waters of the sea not within the limits of the State that are on the landward side of waters adjacent to the State that are within the Australian fishing zone, and*
- (c) *for purposes relating to a fishery, or a part of a fishery, that is managed in accordance with the law of the State pursuant to an arrangement under Division 3 of Part 5—in relation to any waters to which the legislative powers of the State extend with respect to that fishery, whether pursuant to section 5 of the Coastal Waters (State Powers) Act 1980 of the Commonwealth or otherwise, and*
- (d) *for purposes relating to recreational fishing activities engaged in otherwise than by use of a foreign boat (other than recreational activities prohibited or regulated under a plan of management determined under section 17 of the Commonwealth Act)—in relation to any waters to which the legislative powers of the State extend with respect to such activities.*

Comment: The Fisheries Management Act 1994 does not apply to the subject proposal.

5.4.2. Is the development likely to significantly affect threatened species, population or ecological community?

Section 221ZV of the FM Act requires the following matters to be taken into consideration to determine whether a proposed development or activity is likely to significantly affect threatened species, populations or ecological communities (unless it is carried out in critical habitat):

- (a) *in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,*
- (b) *in the case of an endangered population, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,*

- (c) *in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:*
 - (i) *is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
 - (ii) *is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*
- (d) *in relation to the habitat of a threatened species, population or ecological community:*
 - (i) *the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and*
 - (ii) *whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and*
 - (iii) *the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the threatened species, population or ecological community in the locality,*
- (e) *whether the proposed development or activity is likely to have an adverse effect on any critical habitat (either directly or indirectly),*
- (f) *whether the proposed development or activity is consistent with a Priorities Action Statement,*
- (g) *whether the proposed development constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.*

The assessment guidelines under section 220ZZA apply to the determination of whether any such proposed development or activity is likely to significantly affect threatened species.

Comment: The *Fisheries Management Act 1994* does not apply to the subject proposal.

5.5. Environmental Planning & Assessment Act 1979

5.5.1. Application of Biodiversity Conservation Act 2016 & Fisheries Management Act 1994

Section 1.7 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) identifies that Part 7 of the BC Act and Part 7A of the FM Act relate to the operation of the EP&A Act in relation to the terrestrial and aquatic environment. These Acts are addressed in Sections 5.3 and 5.4 of this report respectively.

5.5.2. Development on Bush Fire Prone Land

Section 4.14 of the EP&A Act requires that Development Consent cannot be granted for the carrying out of development (other than subdivision and SFPP development) on bush fire prone land unless the consent authority:

- (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled *Planning for Bush Fire Protection* prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed*

by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or

- (b) *has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The subject site is identified as being bush fire prone on the ePlanning Spatial Viewer. A Bush Fire Assessment Report has been prepared for the development and is provided in Appendix D. The report demonstrates the development is provided with appropriate protection from a bushfire in accordance with the RFS' *Planning for Bush Fire Protection Guidelines* (NSW Rural Fire Service, 2019).

5.5.3. Evaluation

Section 4.15 of the EP&A Act (as amended) requires the Council to consider various matters in regard to the determination of the Development Application.

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *The provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iv) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (v) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - (vi) *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- (b) *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;*
- (c) *The suitability of the site for the development,*
- (d) *Any submissions made in accordance with this act or the regulations,*
- (e) *The public interest.*

The proposed development has been designed with consideration to the following matters, as outlined below.

5.5.4. Integrated Development

Development that requires both development consent and another approval listed under Section 4.46 of the EP&A Act is 'Integrated Development'. The proposed development is Integrated Development by virtue of requiring:

- Authorisation under Section 100B of the *Rural Fires Act 1997* (RF Act) for the development of land for a special fire protection purpose. Refer to Bush Fire Assessment Report in Appendix F of this report;

As discussed in Section 5.1 of this report, upgrade works to the internal access track (if required) can be undertaken as a controlled activity exemption under Schedule 4 Part 2 Clause 23 of the *Water Management (General) Regulation 2018*. Therefore referral to Water NSW under the *Water Management Act 2000* is not required in this instance.

5.6. Environmental Planning Instruments

5.6.1. SEPP (Biodiversity and Conservation) 2021

Whilst the subject site is located within the Mid-Western Regional LGA, it is not considered to comprise potential koala habitat as defined by *State Environmental Planning Policy (Koala Habitat Protection) 2020*. The proposed development does not include significant clearing of vegetation and does not significantly impact negatively upon any local foreshore or watercourse. Therefore SEPP (Biodiversity and Conservation) 2021 does not require any further consideration.

5.6.2. SEPP (Resilience and Hazards) 2021

Clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards)* requires Council to consider the following before granting consent to a DA:

- it has considered whether the land is contaminated, and*
- if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Comment: There are no known historical contaminating activities or land uses that have been historically carried out on the subject site or within proximity. Therefore, no further consideration of this SEPP is required and it is assumed that the site is suitable for the proposed farm stay accommodation.

5.6.3. Mid-Western Regional Local Environmental Plan 2012

Land Use Table

The subject site where the proposed development is situated on is zoned RU1 Primary Production pursuant to *Mid-Western Regional Local Environmental Plan 2012* (LEP). The objectives of the RU1 zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To maintain the visual amenity and landscape quality of Mid-Western Regional by preserving the area's open rural landscapes and environmental and cultural heritage values.*
- *To promote the unique rural character of Mid-Western Regional and facilitate a variety of tourist land uses.*

Comment: The proposed development is defined as 'farm stay accommodation', which is considered to be consistent with the zone objectives as it provides for a tourism-related use that is compatible with agricultural uses on the site and in the vicinity. It is permissible with consent in the RU1 zone.

Controls relating to miscellaneous permissible uses

Clause 5.4 (5) of the LEP states:

(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms in buildings.

Comment: The proposed development complies with this part as 2 bedrooms have been nominated as part of the proposed development (refer to Development Plans in Appendix C of this report).

Earthworks

Clause 6.3 'Earthworks' applies to the subject application as minor earthworks are included as part of development works. The property has varied topography throughout. The proposed development shall be constructed on pier footings, resulting in minimal earthworks. There shall be no disruption or detrimental effect on existing drainage patterns, soil stability or any cultural heritage items or features surrounding the subject site. Appropriate erosion and sediment controls will be undertaken on the site during development works to prevent or reduce any soil erosion that could occur on the site.

Terrestrial Biodiversity

Clause 6.5 'Terrestrial Biodiversity' applies as the site is mapped as containing 'High Biodiversity Sensitivity'. The development site has been strategically chosen to ensure that limited vegetation is required to be removed. The only vegetation being removed would be managed grassland vegetation. The intent of the tourist accommodation is to provide accommodation in a rural setting that highlights the natural landscape. In this regard, the ecological value of the site shall be retained and protected, and it is considered that the development would not affect any ecological processes of native fauna and flora or their habitats. Rather, the development would contribute to the ecological significance of the site, providing tourist accommodation in a special rural setting.

Essential Services

Clause 6.9 'Essential services' states that:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable road access.*

Comment: In relation to (a) and (d) the proposed development shall be afforded with a rainwater tank for collection and reuse (subject to a separate Section 68 approval). All roof water shall be directed into the rainwater tank. In relation to (b) the development will be connected to a proposed solar electricity system. In relation to (c) a gravity fed onsite sewerage management system shall be established (subject to a separate Section 68 approval). In relation to (d) stormwater drainage is not considered a significant matter for this development. In relation to (e) the site has suitable road access via an existing access track.

5.7. Draft Environmental Planning Instruments

No draft Environmental Planning Instruments are applicable to the subject site or development.

5.8. Development Control Plans

The *Mid-Western Regional Council Development Control Plan 2013* (the DCP) applies to the proposed development. Relevant provisions of the DCP have been addressed in Table 1 below.

Table 1 – DCP Compliance Table

Provision	Comment
Section 5.1 – Car Parking	
Tourist and Visitor Accommodation	<p>Pursuant to the parking provisions in this part, the required amount of carparking spaces for the proposal is as follows:</p> <ul style="list-style-type: none"> - 1 space per unit, plus 2 spaces per 3 employees. <p>Parking complies with this provision.</p>
Section 5.4 – Environmental Controls	
Protection of Aboriginal Archaeological items	The Aboriginal Heritage Information Management System search provided in Appendix B shows that there are no items of Aboriginal heritage located on the site or within proximity. Nevertheless, care shall be undertaken as part of development works for the protection of any Aboriginal archaeological items. Should any items be found during construction, the developer shall immediately cease operation and contact the relevant authorities.
Bushfire Management	<p>A Bush Fire Assessment Report (BFAR) was conducted for the proposed development and attached in Appendix D of this report. It demonstrates the Bush Fire management required and proposed for the development.</p> <p>The main findings/recommendations of the BFAR are detailed in Section 8 of the report in Appendix D.</p>
Riparian drainage line environments	There are a number of watercourses mapped on the subject site. The proposed development has been strategically located away from drainage lines and watercourses to minimize any impact on the drainage lines/watercourses.
Pollution and Waste management	The proposed development shall only generate domestic waste and will not generate any hazardous waste such as trade, liquid, chemical, solid or medical. Suitable waste management bins (general and recyclable) will be provided to manage waste generated by the proposed development.
Threatened species and vegetation management	The site is located within a cleared, disturbed area that do not contain any native flora or fauna. Existing trees within proximity to the sites shall be retained.
Building in Saline environments	It is considered that the subject site and locality does not contain any high levels of saline environments.

Section 6.1 - Dwellings	
Primary Production small lots	Not Applicable
Dwellings on rural lots within the former Rylstone LGA	Not Applicable
Services	Not Applicable (not R1 or R2 zoning)
Dwellings adjacent to village zones	Not Applicable
Setbacks	<p>Pursuant to the setback provision of this part, the required setback distances for the proposed developments are as follows:</p> <p>Street frontage – 60m</p> <p>Side/Rear – 20m</p> <p>The proposed development is located to the rear of the property and in excess of 20m from the rear boundary, thereby complying with this part.</p>
Outbuildings and farm buildings	There are no proposed outbuildings or farm buildings as part of the development.
Section 6.4 – Tourist and Visitor Accommodation	
Definition	As the proposed farm stay accommodation falls under the ‘tourist & visitor accommodation’ definition under the LEP, the provisions under this part apply.
Location	<p>The proposed site contains split zoning, with a portion of the site to the west having a MLS of 400ha, and majority of the existing lot (to the east) experiences an MLS of 100ha. The development is location within the RU1 portion of the site.</p> <p>The area of the site complies with the MLS provision and ‘dwelling houses’ as well as ‘farm stay accommodation’ developments are both permissible with consent in the RU1 zone as per the LEP.</p>
Design and Layout	The property contains a variety of ecological characteristics in a rural setting. The development proposed to utilise the character of the site and locality by providing tourist accommodation in a special and visually appealing area. No significant vegetation shall be removed other than managed grassland to allow the developments to proceed.
Water Cycle Management	Not applicable - A Water Cycle Management Plan is not required in this instance.

Electricity	The proposed development shall be serviced by a solar panel system to provide electricity.
Advertising and Signage	Not applicable to proposed development

5.9. Any Planning Agreement entered into

No Planning Agreements entered into are known to exist in relation to the development or site.

5.10. Any Matters Prescribed by the Regulations

For the purposes of Section 4.15(1)(a)(iv) of the EP&A Act, Clause 92 of the *Environmental Planning and Assessment Regulations 2000* (EP&A Regulations) specifies the additional matters a consent authority must take into consideration when determining a DA. None of which apply to the proposed development.

5.11. Any Likely Impacts of the Development

5.11.1. Context & Setting

The subject site is located in a rural locality which is characterized by primary production and scattered residential activities. The property contains high ecological and natural landscape characteristics along with identified primary production lands. The proposed development is considered to be consistent with the existing area and would not impact on the context or setting in the locality.

5.11.2. Access, Transport & Traffic

Access to the site is gained via an existing entrance off the northern side of Black Willow Road. There is an existing access road through the site that allows safe passage to and from the proposed development site. No further upgrades are required to the existing access. The internal road consists of a gravel material and will be frequently upgraded/maintained to ensure that the proposed farm stay accommodation development has suitable 2WD access off Black Willow Road and to the development site.

5.11.3. Utilities

The proposed development shall be afforded with a rainwater tank for collection and reuse. All stormwater shall be directed into the rainwater tank. The proposed development will be connected to a new solar electricity system and a proposed gravity fed onsite sewerage management system shall be established (subject to a separate Section 68 applications).

5.11.4. Heritage

There are no items of heritage significance known to be located on the site or within proximity. An Aboriginal Heritage Information Management System search has been provided in Appendix B. There are no other known items of heritage significance located on the site or within proximity.

5.11.5. Air & Microclimate

The proposed construction works will generate some air pollution, primarily from the extra vehicles on the site and some dust pollution. The incidence of air pollution can be reduced by using appropriate equipment; employing good work practice and utilising a water spray, especially in conditions where dust is likely to be a nuisance.

5.11.6. Noise

The proposed construction works will generate some noise impact. The likelihood of noise becoming offensive can be minimised by adopting good work practice and adhering to normal construction hours.

5.11.7. Bush Fire

A Bush Fire Assessment Report has been prepared for the development and is provided in Appendix D. The report demonstrates the development is provided with appropriate protection from a bushfire in accordance with the RFS' *Planning for Bush Fire Protection* Guidelines

The report provides the following recommendations:

- That at the commencement of works and in perpetuity all grounds not built upon within the subject site from the proposed cabin to the northern boundary and for a minimum distance of 66 metres to the south, 94 metres to the west and 50 metres to the east shall be maintained as an Asset Protection Zone (Inner Protection Area) as detailed in the NSW Rural Fire Service's document 'Standards for Asset Protection Zones' and Appendix 4 of *Planning for Bush Fire Protection* 2019;
- New construction for cabin shall comply with sections 3 and 7 (BAL 29) Australian Standard AS3959-2018 'Construction of buildings in bush fire-prone areas' and section 7.5 of *Planning for Bush Fire Protection* 2019;
- That any new landscaping is to comply with Appendix 4 of *Planning for Bush Fire Protection* 2019;

- That a Bush Fire Emergency Management and Evacuation Plan is prepared consistent with the relevant requirements detailed in Table 6.8b of Planning for Bush Fire Protection 2019;
- That the access drive to the cabin shall comply with the following requirements for Property Access as detailed in Table 5.3b of PBP:
 - property access roads are two-wheel drive, all-weather roads;
 - minimum 4m carriageway width;
 - in forest, woodland and heath situations, rural property access roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m at the passing bay;
 - a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
 - provide a suitable turning area in accordance with Appendix 3;
 - curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
 - the minimum distance between inner and outer curves is 6m;
 - the crossfall is not more than 10 degrees;
 - maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads;

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed.

- That the proposed cabin be provided with a 10,000 litre static water supply which complies with the following requirements detailed in Table 6.8c of Planning for Bush Fire Protection 2019:
 - a connection for firefighting purposes is located within the IPA or non hazard side and away from the structure; a 65mm Storz outlet with a ball valve is fitted to the outlet;
 - ball valve and pipes are adequate for water flow and are metal;
 - supply pipes from tank to ball valve have the same bore size to ensure flow volume;
 - underground tanks have an access hole of 200mm to allow tankers to refill direct from the tank;
 - a hardened ground surface for truck access is supplied within 4m of the access hole;
 - above-ground tanks are manufactured from concrete or metal;
 - raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber (see Appendix F AS 3959);
 - unobstructed access is provided at all times;
 - tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters; and
 - underground tanks are clearly marked,

- all exposed water pipes external to the building are metal, including any fittings;
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; Any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and
- fire hose reels are constructed in accordance with AS/NZS 1221:1997 Fire hose reels, and installed in accordance with the relevant clauses of AS 2441:2005 Installation of fire hose reels.
- Any new electrical services must comply with Table 6.8c of *Planning for Bush Fire Protection 2019*, specifically:
 - where practicable, electrical transmission lines are underground.
 - where overhead electrical transmission lines are proposed:
 - lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in ISSC3 *Guideline for Management Vegetation Near Power Lines*.
- Any new gas services must comply with Table 6.8c of *Planning for Bush Fire Protection 2019*, specifically:
 - reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - *The storage and handling of LP Gas*, the requirements of relevant authorities, and metal piping is used;
 - all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
 - connections to and from gas cylinders are metal;
 - if gas cylinders need to be kept close to the building, safety valves are directed away from the building and at least 2m away from any combustible material, so they do not act as a catalyst to combustion;
 - polymer-sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used; and
 - above-ground gas service pipes external to the building are metal, including and up to any outlets.

5.11.8. Social & Economic Impacts in the Locality

The proposal will significantly contribute to the local economy by providing a new unique and affordable accommodation option in a locality where tourist accommodation is not currently prominent. It is considered that the proposed development will create a positive economic impact, increase economic activity in the area, contribute to recreation opportunities and promote improved diversity within the locality, having a positive impact on the local economy and locality.

5.11.9. Other Impacts

There are no other issues such as flooding that would significantly impact upon the development or environment.

5.12. Suitability of the Site for the Proposed Development

The suitability of the site for the proposed development has been addressed in the above sections of this report. There are no prohibitive constraints posed by adjacent developments. There does not appear to be any zoning, planning or environmental matters that should hinder the proposed development of the site. In this regard, it can be concluded that the proposal fits into the locality and the site attributes are conducive for the development.

5.13. The Public Interest

The proposed development is considered to be in the public interest as it provides a unique accommodation option, adding to the attraction of economic activity to the local area and contributes to additional recreation opportunities. The proposed development promotes improved diversity and healthy accommodation competition resulting in potential increase in other local services and facilities. As outlined throughout this report the development is not expected to have any adverse off-site impacts.

6. CONCLUSION

It is recommended that the proposed farm stay accommodation on Lot 27 DP 756887, known as 772 Black Willow Road, Hargraves be supported on the following grounds:

- The proposal is considered acceptable in terms of the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*;
- The proposal is permissible with consent and consistent with the relevant development standards and provisions of the *Mid-Western Regional Local Environmental Plan 2012*;
- The proposal complies with the relevant provisions of the *Mid-Western Regional Development Control Plan 2012*;
- The proposed development is not anticipated to generate any adverse impacts in the locality; and
- The proposed development is considered suitable for the site and its surrounds.

7. REFERENCES

- NSW Government. (2017, September 1). *Biodiversity Value Map*. Retrieved from <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap>
- NSW Government Spatial Services. (2017, January 18). *Six Maps*. Retrieved from <http://maps.six.nsw.gov.au/>
- NSW Rural Fire Service. (2006). *Planning for Bush Fire Protection: A Guide for Council's, Planners, Fire Authorities and Developers*. Sydney: NSW RFS.

APPENDIX A

Title and Deposited Plan



LAND
REGISTRY
SERVICES

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 27/756887

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
23/6/2023	10:43 AM	4	3/12/2014

LAND

LOT 27 IN DEPOSITED PLAN 756887
LOCAL GOVERNMENT AREA MID-WESTERN REGIONAL
PARISH OF KERR COUNTY OF WELLINGTON
(FORMERLY KNOWN AS PORTION 27)
TITLE DIAGRAM CROWN PLAN 5595.2091

FIRST SCHEDULE

JACQUELINE COATES (T AJ85688)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS (S.171 CROWN LANDS ACT 1989)
- 2 RESTRICTION ON USE (PREVENTION OF SUBDIVISION), SEE SECTION 77B
CROWN LANDS ACT 1989 SEE AH363935
- 3 AS TO BOUNDARIES TO RIVERS/LAKES - SEE SECTION 172 CROWN LANDS
ACT 1989
- 4 LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Barnson Pty Ltd (Mudgee)

PRINTED ON 23/6/2023

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title.
Warning: the information appearing under notations has not been formally recorded in the Register.

DYE & DURHAM TERRAIN PTY LTD - hereby certifies that the information contained in this document has been
provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act
1900.

Note: Information contained in this document is provided by DYE & DURHAM TERRAIN PTY LTD (ABN 35 164 894 517),
<https://dyedurhamterrain.com/> an approved NSW Information Broker

© Office of the Registrar-General 2023

MAGUARIE SHIRE

Cancels W 3610.2091 R.

Within Burpandong Catchment Area, Notified 5th October, 1945,
under the Soil Conservation Act, 1938

Papers... *L.B. 27. 1790.*

PLAN OF PORTION 27

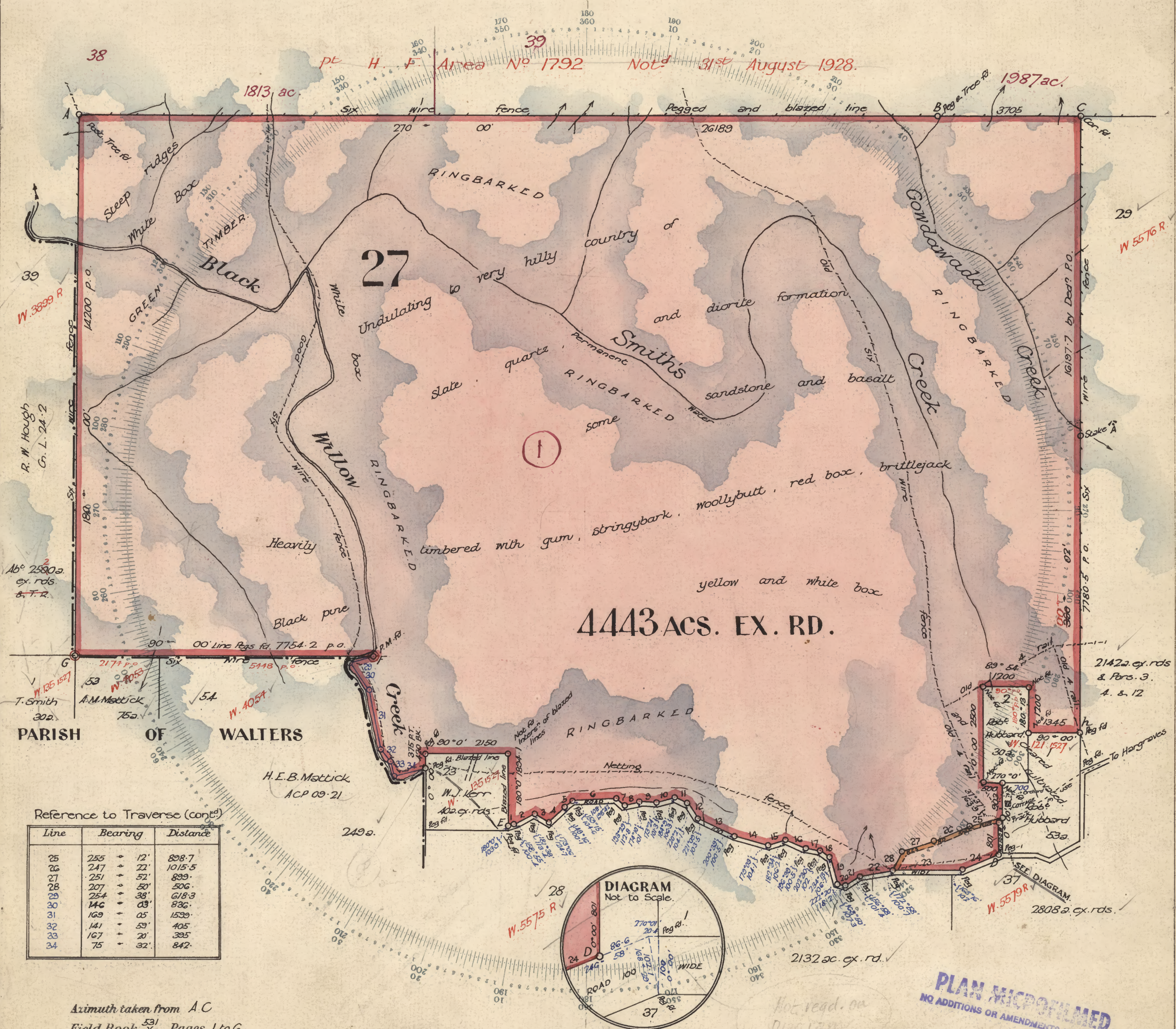
County of Wellington Parish of Kerr

LAND DISTRICT OF WELLINGTON LAND BOARD DISTRICT OF ORANGE

Occupation License N° Holding Eastern Division.

Applied for under the 123rd Section of the Crown Lands Consolidation Act 1913 by Walter Ernest Mattick

① H.S. 27.2 - November 30th (Conversion of I.L. 441) now Hom. Grant 27.2 Rural Bank of New South Wales, S. 51-5390.
Within the Wellington Gold Field. Procd^d 17th March 1884.



Line	Bearing	Distance
25	255°	12'
26	247°	22'
27	251°	52'
28	207°	50'
29	254°	38'
30	140°	03'
31	163°	05'
32	141°	53'
33	167°	20'
34	75°	32'

Azimuth taken from A C
Field Book...⁵³¹... Pages 1 to 6

Corner	Bearing	From	Links	N ^o on Tree
A	115 ° 13'	Gum	41.2	27
B	134 ° 32'	Woollybutt	18.3	
C	342 ° 31'	Red Box	41.9	27.28
D	223 ° 25'	Apple	85.4	27
E	145 ° 41'	Dead Gum	29.3	27
F	64 ° 05'	Gum	53.8	27
G	315 ° 40'	Gum	22.	1.53.27
P.M.	270 ° 00'	F	20.	p.o. W.3610. K
P.M.	90 ° 00'	G	9.	p.o. W.3610. K

Improvements..Fencing..£ 239-16-0.

Reference to Traverse			
Line	Bearing		Distance
1	74°	20'	161.6
2	63°	30° 30'	538.8
3	119°	46'	438
4	46°	24'	573.8
5	52°	08'	259.8
6	86°	03'	1148.6
7	131°	25'	285.5
8	95°	56'	381.3
9	92°	25'	438.4
10	74°	23'	425.4
11	113°	55'	364.1
12	146°	09°	407.4
13	116°	00°	1058
14	105°	10'	300.5
15	73°	57'	471
16	112°	58'	565.5
17	101°	08'	370
18	123°	53'	290.6
19	164°	34'	742.3
20	100°	07'	189.
21	57°	34'	429.4
22	57°	21'	876.8
23	66°	35'	1824.5
24	66°	38'	1023.3

I hereby certify that I in person made and on the 27th March 1922, completed the survey represented on this plan on which are written the bearings and the lengths of the lines measured by me and I declare that the Survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands

Alfred Stephen Licensed Surveyor
Transmitted to the District Surveyor with my letter of 9th April N^o 29/3

Voucher No 23/9. Passed £ 50 19 10 *W.A.*
 Calculation Book No C.24 Folios 76 & 77.
 Checked and Chartered *J.C. A. Standen* 29.4.29
 Examined *W. Brown* 30/4/1929

Plan approved 1st May 1929

STANDARD TRACING
ELECTRODE

Scale 20 Chains to an Inch

Lithographed & Printed at the Department of Lands, Sydney, N.S.W., 1920.

N^o of Lich. 20. 1067. 0.
Cat. N^o *W* 5595. 2091

5595-2091

N^o of Lich. 20. 1067. 0.
Cat. N^o *W* 5595. 2091

APPENDIX B
AHIMS Search

Barnson

Date: 23 June 2023

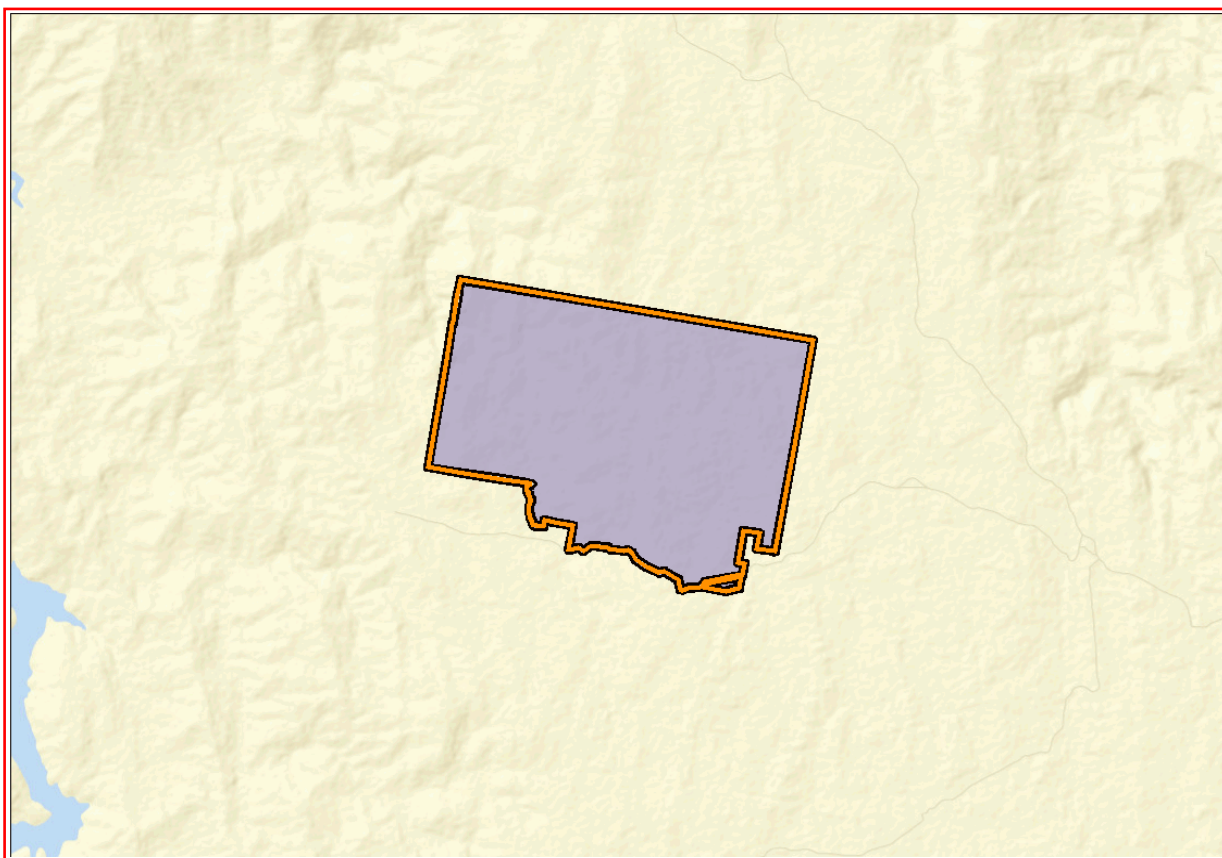
Attention: Jack Massey

Email: [REDACTED]

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 27, DP:DP756887, Section : - with a Buffer of 50 meters, conducted by Jack Massey on 23 June 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(https://www.legislation.nsw.gov.au/gazette\)](https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

APPENDIX C

Development Plans

DRAWING SCHEDULE.

A 00	COVER SHEET	REV C	DATED 26.06.2023
A 01	SAFE DESIGN OF STRUCTURES	REV C	DATED 26.06.2023
A 02	OVERALL SITE PLAN	REV C	DATED 26.06.2023
A 03	PART SITE PLAN	REV C	DATED 26.06.2023
A 04	FLOOR PLAN	REV C	DATED 26.06.2023
A 05	ELEVATIONS	REV C	DATED 26.06.2023
A 06	SECTION	REV C	DATED 26.06.2023

PROJECT DESCRIPTION.

For the purpose of the Building Code of Australia, Vol. 1, 2022, the development may be described as follows:

classification - NCC 'part A6'
The building has been classified as a 'Class 3' building - boarding house, lodging house

rise in stories - NCC 'part C2D3'
The building has a rise in stories of one.

effective height - NCC 'schedule 1 definitions'
The building has an effective height of zero, ie less than 25.0m.

type of construction required - NCC 'part A6, part C2D2 - table C2D2'
not applicable

climate zone - NCC 'schedule 1 definitions'
The building is located within climate zone 6

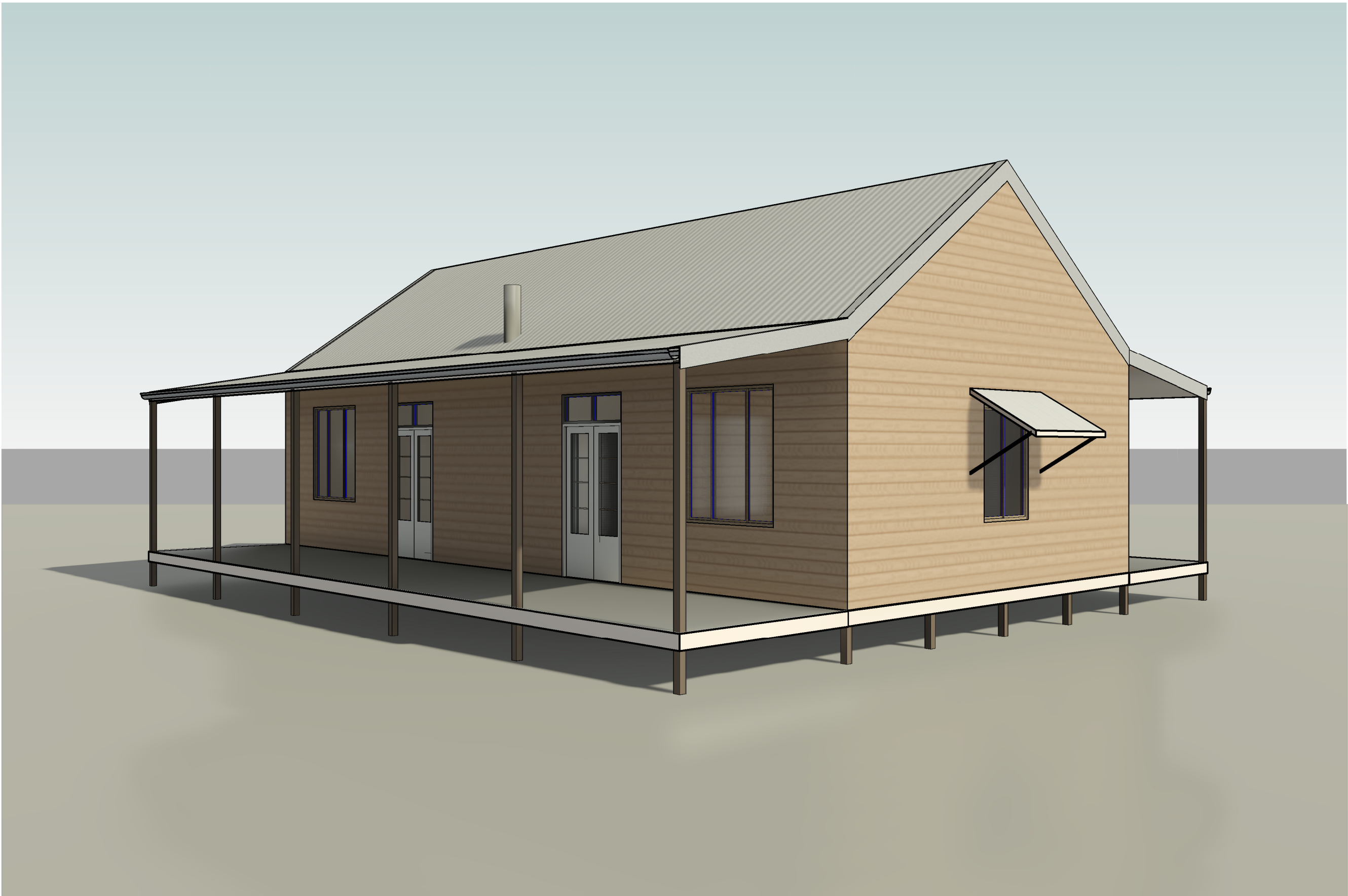
GENERAL NOTES.

In addition to the National Construction Code series, Building Code of Australia Vol. 1, 2022, the Plumbing Code of Australia, 2022 & the building regulations applicable to the state of New South Wales, the following applicable Australian Standards & codes of practice are to be adhered to through the documentation & construction works;

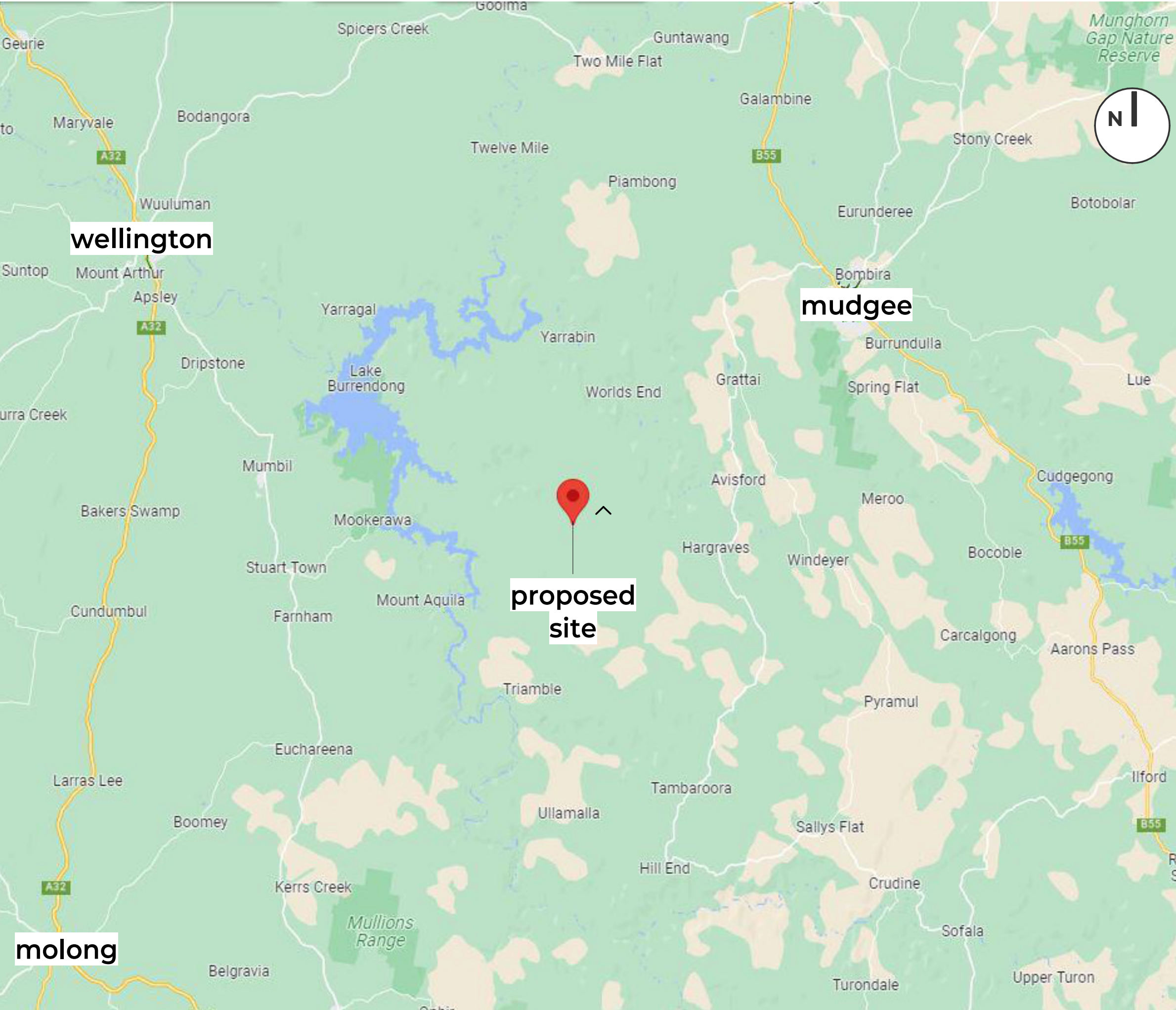
- AS1668 – Mechanical ventilation & air conditioning in Buildings
- AS3000 – Electrical installations; buildings, structures & premises (known as the saa wiring rules)
- AS1428.1 – General requirements for access – buildings
- AS2890.6 – Off-street parking; mandatory requirements
- AS1680.0 – Interior lighting - safe movement

These drawings shall be read in conjunction with all architectural & other consultants drawings & specifications & with such other written instructions as may be issued during the course of the contract. All discrepancies shall be referred to 'Barnson Pty Ltd' for a decision before proceeding with the work.

All dimensions are in millimetres unless stated otherwise & levels are expressed in metres. Figured dimensions are to be taken in preference to scaled dimensions unless otherwise stated. All dimensions are nominal, and those relevant to setting out & off-site work shall be verified by the contractor before construction & fabrication.



LOCALITY PLAN.



772 BLACK WILLOW ROAD,
HARGRAVES NSW 2850

lots 23&27 , dp756887

PROPOSED TOURIST ACCOMODATION

772 BLACK WILLOW ROAD, HARGRAVES NSW 2850

SAFE DESIGN OF STRUCTURES NOTES.

For the purpose of building, the following safety guidelines are set out henceforth in accordance with the work health & safety act 2011, work health & safety regulation 2011 & the safe design of structures code of practice 2012.

The guidelines contain work health & safety information & may include some of your obligations under the various legislation's that workcover nsw administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

FALLS, SLIPS & TRIPS

working at heights

- During construction
 - Wherever possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres. However, construction of this building will require workers to be working at heights where a fall in excess of two metres is possible & injury is likely to result from such a fall. Temporary work platforms are to be erected & maintained by the principal contractor as required throughout construction wherever a person is required to work in a situation where falling more than two metres is a possibility. The erection of all platforms, hoardings, outriggers & scaffolding shall be constructed in accordance with the requirements of the relevant authorities & the applicable Australian standards.
 - During operation or maintenance
 - Where an anchorage & fall arrest system is to be installed, the anchorage & fall arrest system & all associated harnesses & accessories must be maintained throughout the lifecycle of the building & inspected on a regular basis at least once in every 6 months.
- slippery or uneven surfaces**
- Floor finishes specified
 - If finishes have been specified by designer, these have been selected to minimise the risk of floors & paved areas becoming slippery when wet or when walked on with wet shoes/feet. Any changes to the specified finish should be made in consultation with the designer or, if this is not practical, surfaces with an equivalent or better slip resistance should be chosen.
 - Floor finishes by owner
 - If designer has not been involved in the selection of surface finishes, the owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building. Surfaces should be selected in accordance with as HB 197:1999 & AS/NZ 4586:2004.
 - Building owners & occupiers should monitor the pedestrian access ways & in particular access to areas where maintenance is routinely carried out to ensure that surfaces have not moved or cracked so that they become uneven & present a trip hazard. Spills, loose material, stray objects or any other matter that may cause a slip or trip hazard should be cleaned or removed from access ways.
 - Contractors should be required to maintain a tidy work site during construction, maintenance or demolition to reduce the risk of trips & falls in the workplace. Materials for construction or maintenance should be stored in designated areas away from access ways & work areas.
 - Although during specification care has been taken to ensure the use of materials that are characteristically deemed as 'non-slip', the designer is unable to confirm nor certify the slip resistance of existing materials used throughout the existing building. It is recommended that slip resistance testing be undertaken on the existing materials in accordance with Australian standards to ensure compliance with Building Code of Australia.
 - Although the roof has been designed in accordance with the Building Code of Australia & all relevant standards, the client is to be aware that the roof materials has potential fragility & slip resistance issues that may arise throughout construction & the lifecycle of the building when work is undertaken on the roof, especially during inclement weather.

FALLING OBJECTS

loose materials or small objects

Construction, maintenance or demolition work on or around this building is likely to involve persons working above ground level or above floor levels. Where this occurs one or more of the following measures should be taken to avoid objects falling from the area where the work is being carried out onto persons below.

- Prevent or restrict access to areas below where the work is being carried out.
- Provide toeboards to scaffolding or work platforms.
- Provide protective structure below the work area.
- Ensure that all persons below the work area have personal protective equipment (ppe).

building components

During construction, renovation or demolition of this building, parts of the structure including fabricated steelwork, heavy panels & many other components will remain standing prior to or after supporting parts are in place. Contractors should ensure that temporary bracing or other required support is in place at all times when collapse which may injure persons in the area is a possibility.

Mechanical lifting of materials & components during construction, maintenance or demolition presents a risk of falling objects. Contractors should ensure that appropriate lifting devices are used, that loads are properly secured & that access to areas below the load is prevented or restricted.

FIRE & EMERGENCIES

It is the responsibility of the client to ensure all personnel & visiting clientele are aware of all fire safety procedures, with emergency routes & exits displayed throughout the building & maintained throughout the lifecycle of the building. No combustible material & rubbish will be left on site as to cause a fire hazard.

TRAFFIC MANAGEMENT

for building on a major road, narrow road or steeply sloping road

Parking of vehicles or loading/unloading of vehicles on this roadway may cause a traffic hazard. During construction, no combustible material & rubbish will be left on site as to cause a fire hazard. Management personnel should be responsible for the supervision of these areas.

for building where on-site loading/unloading is restricted

Construction of this building will require loading & unloading of materials on the roadway. Deliveries should be well planned to avoid congestion of loading areas & trained traffic management personnel should be used to supervise loading/unloading areas.

for all buildings

Busy construction & demolition sites present a risk of collision where deliveries & other traffic are moving within the site. A traffic management plan supervised by trained traffic management personnel should be adopted for the work site.

SERVICES

Rupture of services during excavation or other activity creates a variety of risks including release of hazardous material. Existing services are located on or around this site. Where known, these are identified on the plans but the exact location & extent of services may vary from that indicated. Services should be located using an appropriate service (such as dial before you dig), appropriate excavation practice should be used &, where necessary, specialist contractors should be used.

location with underground power

Underground power lines may be located in or around this site, all underground power lines must be disconnected or carefully located & adequate warning signs used prior to any construction, maintenance or demolition commencing.

locations with overhead powerlines

Overhead powerlines may be near or on this site. These pose a risk of electrocution if struck or approached by lifting devices or other plant & persons working above ground level. Where there is a danger of this occurring, powerlines should be, where practical, disconnected or relocated. Where this is not practical adequate warning in the form of bright coloured tape or signage should be used or a protective barrier provided.

STRUCTURAL SAFETY

All protection works to any adjoining building (as required) will be in place before demolition works.

Demolition & removal of the building shall be undertaken in a careful & proper manner & with a minimum disturbance to the adjoining buildings & to the public & the occupants.

All practicable precautions shall be taken to avoid danger from collapse of a building when any part of a framed member is removed.

No new or existing wall or other structure shall be left free standing & unattended without temporary bracing or supports in such a condition that it may collapse due to wind or vibration.

EARTHWORKS

It is the responsibility of the principal contractor to establish the location & the level of all existing services prior to the commencement of any work. Any discrepancies shall be reported to the superintendent. Clearances shall be obtained from the relevant service authority.

To enable the placement of new stormwater services, trench excavations will occur on site. It is to be the responsibility of the principal contractor to ensure that all safety risks associated with trench excavation are identified, addressed & adhered to throughout construction.

MANUAL TASKS

Components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device. Where this is not practical, suppliers or fabricators should be required to limit the component mass.

All material packaging, building & maintenance components should clearly show the total mass of packages & where practical all items should be stored on site in a way which minimises bending before lifting. Advice should be provided on safe lifting methods in all areas where lifting may occur. Construction, maintenance & demolition of this building will require the use of portable tools & equipment. These should be specifications & not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag. All safety guards or devices should be regularly checked & personal protective equipment should be used in accordance with manufacturer's specification.

CONFINED SPACES

excavation

Construction of this building & some maintenance on the building will require excavation & installation should be carried out using methods which do not require workers to enter the excavation. Where this is not practical, adequate support for the excavated area should be provided to prevent collapse. Warning signs & barriers to prevent accidental or unauthorised access to all excavations should be provided.

enclosed spaces

For buildings with enclosed spaces where maintenance or other access may be required. Enclosed spaces within this building may present a risk to persons entering for construction, maintenance, or any other purpose. The design documentation calls for warning signs & barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter enclosed spaces, air testing equipment & personal protective equipment should be provided.

small spaces

Some small spaces within this building will require access by construction or maintenance workers. The design documentation calls for warning signs & barriers to unauthorised access. These should be maintained throughout the life of the building, where workers are required to enter small spaces they should be scheduled so that access is for short periods. Manual lifting & other manual activity should be restricted in small spaces.

HAZARDOUS SUBSTANCES

Although during specification care has been taken to ensure the use of non hazardous materials the possibilities of exposure still exist & as such all precautions should be made during use in accordance with manufacturers specifications.

asbestos

If this existing building was constructed prior to:
1990 - it therefore is likely to contain asbestos.
1986 - it therefore may contain asbestos either in cladding material or in fire retardant insulation material. In either case, the builder should check &, if necessary, take appropriate action before demolishing, cutting, sanding, drilling or otherwise disturbing the existing structure.

powdered materials

Many materials used in the construction of this building can cause harm if inhaled in powdered form. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation & wear personal protective equipment including protection against inhalation while using powdered material or when sanding, drilling, cutting or otherwise disturbing or creating powdered material.

treated timber

The design of this building may include provision for the inclusion of treated timber within the structure. Dust or fumes from this material can be harmful. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation & wear personal protective equipment including protection against inhalation of harmful material when sanding, drilling, cutting or using treated timber in any way that may cause harmful material to be released do not burn treated timber.

volatile organic compounds

Many types of glue, solvents, spray packs, paints, varnishes & some cleaning materials & disinfectants have dangerous emissions. Areas where these are used should be kept well ventilated while the material is being used & for a period after installation. Personal protective equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.

synthetic mineral fibre

Fiberglass, rockwool, ceramic and other material used for thermal or sound insulation may contain synthetic mineral fibre which may be harmful if inhaled or if it comes in contact with the skin, eyes or other sensitive parts of the body. Personal protective equipment including protection against inhalation of harmful material should be used when installing, removing or working near bulk insulation material.

timber floors

This building may contain timber floors which have an applied finish. Areas where finishes are applied should be kept well ventilated during sanding & application & for a period after installation. Protective equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.

Throughout the construction period storage & use of hazardous materials for the associated build is to be the responsibility of the principal contractor. Although during specification care has been taken to ensure the use of non hazardous materials the possibilities of exposure still exist & as such all precautions should be made during use in accordance with manufacturers specifications.

PUBLIC ACCESS

Public access to construction & demolition sites & to areas under maintenance causes risk to workers & public. Warning signs & secure barriers to unauthorised access should be provided. Where electrical installations, excavations, paint or loose materials are present they should be secured when not fully supervised.

MOVEMENT OF PEOPLE & MATERIALS

Throughout construction & the lifecycle of the building safe access & egress, including for those with a disability is to be maintained throughout the building & site. The existing front entrance to the building is deemed to be the accessible route in & out of the building, & as such should be maintained clear & free of construction materials during the construction phase.

Traffic management during the construction & lifecycle of the building is to be the responsibility of the client.

Exclusion zones are to be set in place by essential energy during construction, & as such movement within these areas are to be prohibited except by written permission of the client.

Site security during construction is to be shared by the principal contractor & client. Security fencing shall be provided around the perimeter of the construction site & any additional precautionary measures taken, as may be necessary to prevent unauthorised entry to the site at all times during the construction period.

OTHER HIGH RISK ACTIVITY

All electrical work should be carried out in accordance with code of practice: managing electrical risks at the workplace, as/nz 3012 & all licensing requirements.

All work using plant should be carried out in accordance with code of practice: managing risks of plant at the workplace. All work should be carried out in accordance with code of practice: managing noise & preventing hearing loss at work. Due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction & concrete placement. All the above applies.

These notes do not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

Information on the latest laws can be checked by visiting the nsw legislation website (www.legislation.nsw.gov.au).

ISSUE FOR DA

BARNSON PTY LTD

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Rev.	Date.	Amendment.
A	30.05.2023	PRELIMINARY ISSUE TO CONSULTANTS
B	21.06.2023	REVISED FLOOR PLAN
C	26.06.2023	REVISE WINDOWS, FINISHES AND SETBACK

Project.
PROPOSED TOURIST ACCOMODATION
Site Address.
772 BLACK WILLOW ROAD, HARGRAVES NSW 2850
Client.
MR NATHAN COATES

Drawing Title.
SAFE DESIGN OF STRUCTURES
Scale.
1 : 1 @ A1
Sheet.
02 of 07
Project No.
41616

Drawn.

Checked.

Revision.

Drawing No.

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CR

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SITE NOTES.

GENERAL

This plan is prepared by aerial image only for the purpose of designing new constructions on the land & should not be used for any other purpose. The title boundaries as shown hereon were not marked at the time of survey & have been determined by plan dimensions only & not by field survey.

Services shown hereon have been located where possible by field survey. If not able to be so located services have been plotted from the records of relevant authorities where available & have been noted accordingly on this plan. Where such records either do not exist or are inadequate a notation has been made hereon.

Contractors must verify all dimensions & existing levels on site prior to commencement of work.

Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services & detailed locations of all services, including;

- notify a.G.L.
- obtain telstra's "duty of care" document regarding working in the vicinity of telstra plant.
- verify co-axial/optic fibre cable location

Subsequent registered or other surveys in this area may affect the boundary definition shown on this plan. Any differences so caused to the boundary definition shown on this plan are beyond the control of Barnson Pty Ltd who can accept no responsibility for such differences.

All work to be undertaken in accordance with the details shown on the drawings, the specifications & the directions of the superintendent. Contractors must verify all dimensions & existing levels on site prior to commencement of work.

Where new works about existing the contractor shall ensure that a smooth even profile free from abrupt changes is obtained.

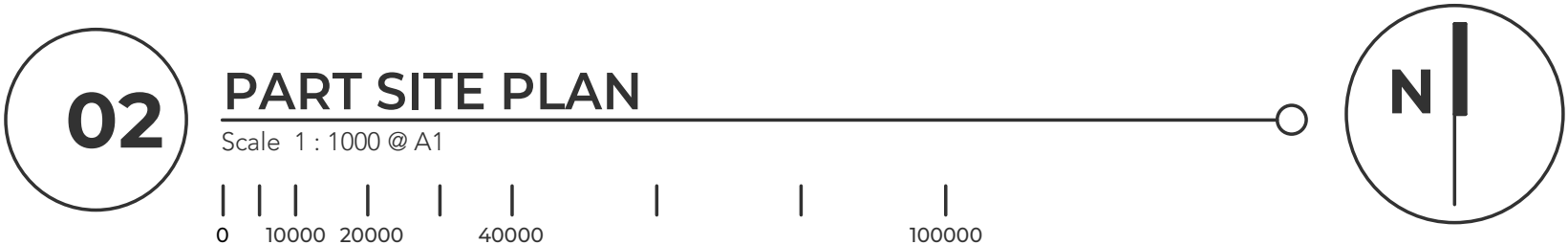
The contractor shall arrange all survey setout to be carried out by a registered surveyor.

DRAINAGE

Stormwater shall be prevented from entering doorways & other openings in buildings. Where these are lower than adjacent ground surfaces, grated drains shall be designed & placed across ramps or entrances to intercept any flow, which would otherwise drain into the building in accordance with AS/NZS 3500.3, P5.3.1.4 - Stormwater drainage

Site drainage is to be constructed according to AS/NZS 3500.3 - Stormwater drainage.

The contractor shall provide all temporary diversion drains & mounds to ensure that at all time exposed surfaces are free draining & where necessary excavate sumps & provide pumping equipment to drain exposed areas.



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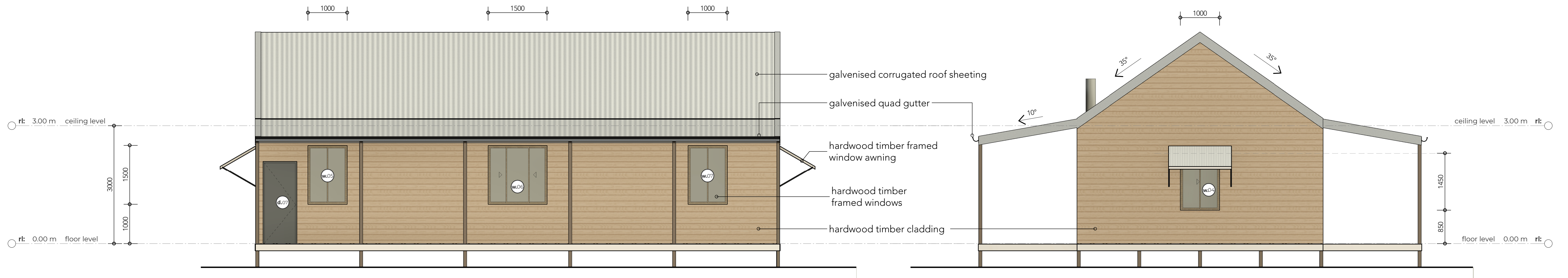
Project.
PROPOSED TOURIST ACCOMMODATION
Site Address.
772 BLACK WILLOW ROAD, HARGRAVES NSW 2850
Client.
MR NATHAN COATES

Drawing Title.	Scale.	As indicated @ A1	Drawn.	LO
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Project No.	41616	Revision.	C	

Drawing No.

**41616-
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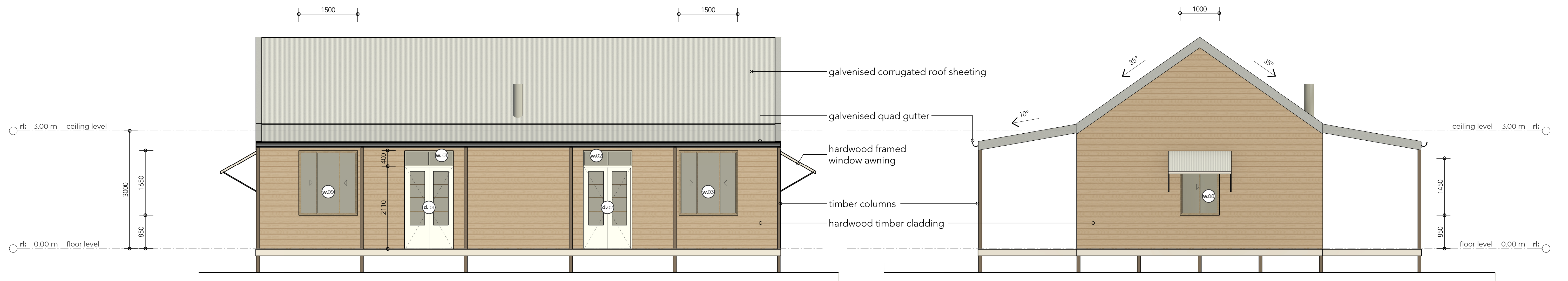
NORTH EAST FACADE

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SOUTH EAST FACADE

Scale 1 : 50 @ A1



06

SOUTH WEST FACADE

Scale 1 : 50 @ A1

07

NORTH WEST FACADE

Scale 1 : 50 @ A1

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Project.
**PROPOSED TOURIST
ACCOMMODATION**
Site Address.
772 BLACK WILLOW ROAD, HARGRAVES NSW 2850

Client.
MR NATHAN COATES

Drawing Title.
ELEVATIONS

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Sheet. **06 of 07**

Project No. **41616**

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Checked.

Revision.

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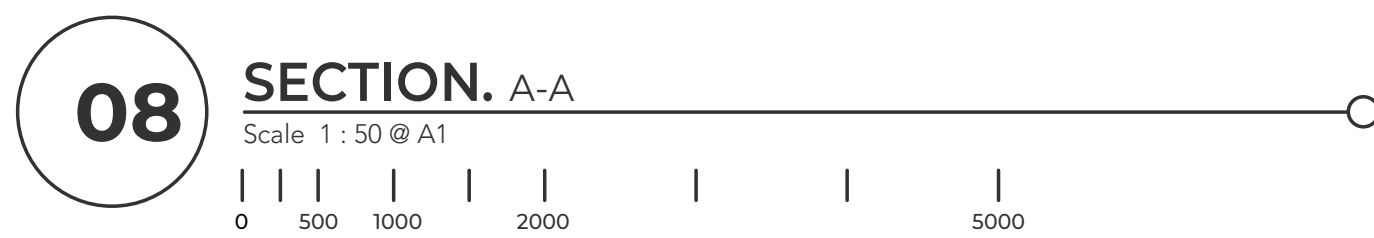
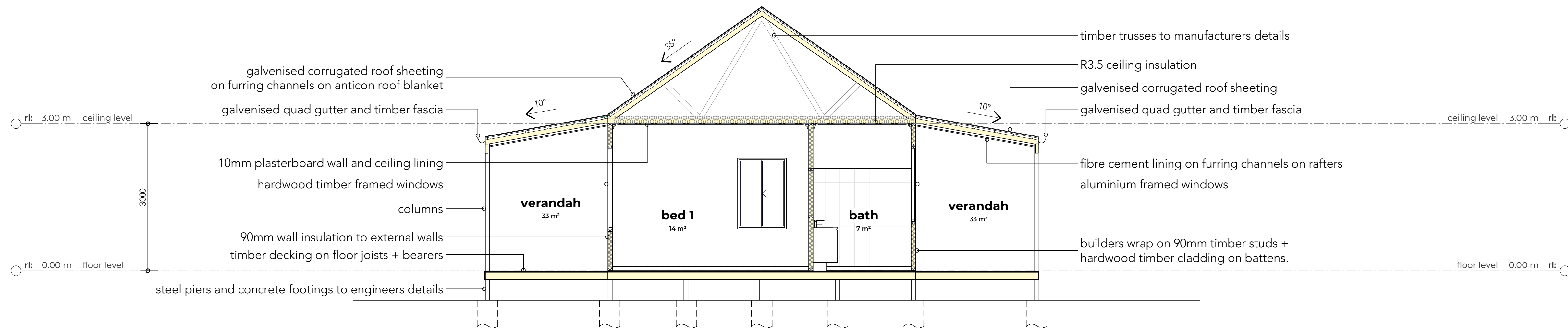
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A05**

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Drawing Title. SECTION			
Scale.	1 : 50 @ A1	Drawn.	LO
Sheet.	07 of 07	Checked.	CR
Project No.	41616	Revision.	C

Drawing No.

**41616-
A06**

APPENDIX D

Bush Fire Assessment Report

Bushfire Assessment Report

Proposed:
Farm Stay

At:
**772 Black Willow Road,
Hargraves**

Reference Number: 231101

20 July 2023



Prepared By:
**Building Code & Bushfire
Hazard Solutions Pty Limited**

Tel: (02) 9457 6530

PO Box 124
Berowra NSW 2081
ABN 19 057 337 774

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Association Australia



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Legal status:

This report has been prepared as a submission document in support of a development application to Council and in instances may rely upon information provided by a number of external sources including Councils, State Government Agencies and it is assumed that the information provided was accurate at the time. This report cannot be relied upon for commencement of works or construction until such time as it has been endorsed or otherwise included within the consent conditions issued by Council as part of the DA determination.

S4.14 applications (under the Environmental Planning and Assessment Act 1979) and all infill development applications *may be* referred by Council to the NSW Rural Fire Service for review and concurrence during the DA process. S100B applications under the Rural Fires Act 1997 (subdivisions and Special Fire Protection Purpose Developments), Flame Zone determinations and Alternate Solutions *must be* referred by Council to the NSW Rural Fire Service for review and receipt of a Bushfire Safety Authority (BSA) or other such recommended conditions from the NSW Rural Fire Service before the consent can be granted.

The onus is on the applicant to cross reference this document with any conditions of consent issued by Council or any requirements supplied by the NSW Rural Fire Service following development approval. BCBHS can review and cross reference these documents however the onus is on the applicant to provide them to us and request this review – Building Code and Bushfire Hazard Solutions Pty. Ltd. is not in a position to track every DA through Council and we rely upon the applicant to undertake this role as project co-ordinator.

Where any discrepancy between this document and the development approval or the NSW Rural Fire Service requirements is found, the conditions of consent always take precedence until such time as an application to review, amend or vary these conditions is approved.

Disclaimer:

This report has been prepared with due care and diligence by Building Code and Bushfire Hazard Solutions Pty. Ltd and the statements and opinions contained in this report are given in good faith and in the belief on reasonable grounds that such statements and opinions are correct and not misleading bearing in mind the necessary limitations noted in previous paragraphs.

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Version Control				
Version	Date	Author	Review	Details
1	06/07/2023	Andrew Muirhead	Stuart McMonnies	Final Report
2	20/07/2023	Andrew Muirhead		Client Comments and Access Update

List of Abbreviations:

APZ	Asset Protection Zone
AS3959	Australian Standard 3959 'Construction of buildings in bushfire-prone areas – 2018
BAL	Bushfire Attack Level
BCA	Building Code of Australia
BPMs	Bushfire Protection Measures
BPLM	Bushfire Prone Land Map
Council	Mid-Western Regional Council
DA	Development Application
ELVIS	Elevation and Depth Foundation Spatial Data
EP&A Act	<i>Environmental Planning and Assessment Act - 1979</i>
FRNSW	Fire and Rescue NSW
IPA	Inner Protection Area
NCC	National Construction Code
NP	National Park
NSP	Neighbourhood Safer Places
OPA	Outer Protection Area
PBP	<i>Planning for Bush Fire Protection – 2019</i>
ROW	Right of Way
RF Act	<i>Rural Fires Act - 1997</i>
RFS	NSW Rural Fire Service
SEPP	State Environmental Planning Policy
SFPP	Special Fire Protection Purpose
SWS	Static Water Supply

Executive Summary

Building Code and Bushfire Hazard Solution P/L has been commissioned by Wanda Vale Pastoral to prepare an independent Bushfire Assessment Report for the proposed development at 772 Black Willow Road, Hargraves (Lot 23 & 27 DP 756887).

The development proposal relates to the construction of a Farmstay cabin within the subject site. The existing dwelling will be retained as part of this application.

The subject site is an existing rural allotment (zoned RU1: Primary Production & C3: Environmental Management) located within Mid-Western Regional Council's local government area.

In this instance the subject site is depicted on Mid-Western Regional Council's Bushfire Prone Land Map (BPLM) as containing designated Category 1 and 3 Vegetation and buffer zone. The subject site is therefore considered 'bushfire prone'.

Tourist accommodation is a listed Special Fire Protection Purpose (SFPP) under section 100b of the Rural Fires Act 1997.

As the subject site is considered 'bushfire prone' and involves a listed SFPP (tourist accommodation) the proposal is considered integrated development under section 4.46 of the *Environmental Planning and Assessment Act 1979* and requires a Bushfire Safety Authority from the NSW Rural Fire Service.

In accordance with the submission requirements for a Bush Fire Safety Authority detailed in clause 45 of the *Rural Fires Regulation 2022* an assessment of the extent to which the proposed development conforms with or deviates from *Planning for Bush Fire Protection* (PBP) is required.

Asset Protection Zones for new SFPP development are determined from the prescriptive tables in PBP (table A1.12.1) or bushfire design modelling achieving a radiant heat impact of no more than 10kW/m² at the closest point of the available building footprint.

Planning for Bush Fire Protection identifies that particular SFPP developments demonstrate different characteristics which attract different levels of protection.

In this regard Farmstay accommodation is assumed to have a manager onsite who is aware of the bushfire risk and appropriate emergency response to a bushfire event. Due to the lower occupancy rates, when compared to conventional tourist accommodation, the time required to implement an effective emergency response is also reduced.

In acknowledging these characteristics the setbacks and construction requirements of BAL 29 can be applied to Farmstay accommodation in accordance with section 6.3.1 'Specific tourist uses' of PBP.

The vegetation identified as being the potential bushfire hazard is located to the north, east, south and west of the proposed building footprints.

The highest Bushfire Attack Level to the proposed cabin was determined from Table A1.12.6 of PBP to be 'BAL 19'.

The proposed cabin will be constructed to section 3 and section 7 (BAL 29) under AS 3959 'Construction of buildings in bushfire-prone areas' 2018 and section 7.5 of *Planning for Bush Fire Protection* 2019 to provide increased confidence for it to afford occupants protection from a bushfire.

It is our opinion the proposal can satisfy all relevant specifications and requirements of *Planning for Bush Fire Protection* 2019.

1.0 Introduction

Building Code and Bushfire Hazard Solution P/L has been commissioned by Wanda Vale Pastoral to prepare an independent Bushfire Assessment Report for the proposed development at 772 Black Willow Road, Hargraves (Lot 23 & 27 DP 756887).

The development proposal relates to the construction of a Farmstay cabin within the subject site. The existing dwelling will be retained as part of this application.

The site has street frontage to Black Willow Road to the south and abuts neighbouring private rural allotments to all aspects.

In this instance the subject site is depicted on Mid-Western Regional Council's Bushfire Prone Land Map (BPLM) as containing designated Category 1 and 2 Vegetation. The subject site is therefore considered 'bushfire prone'.

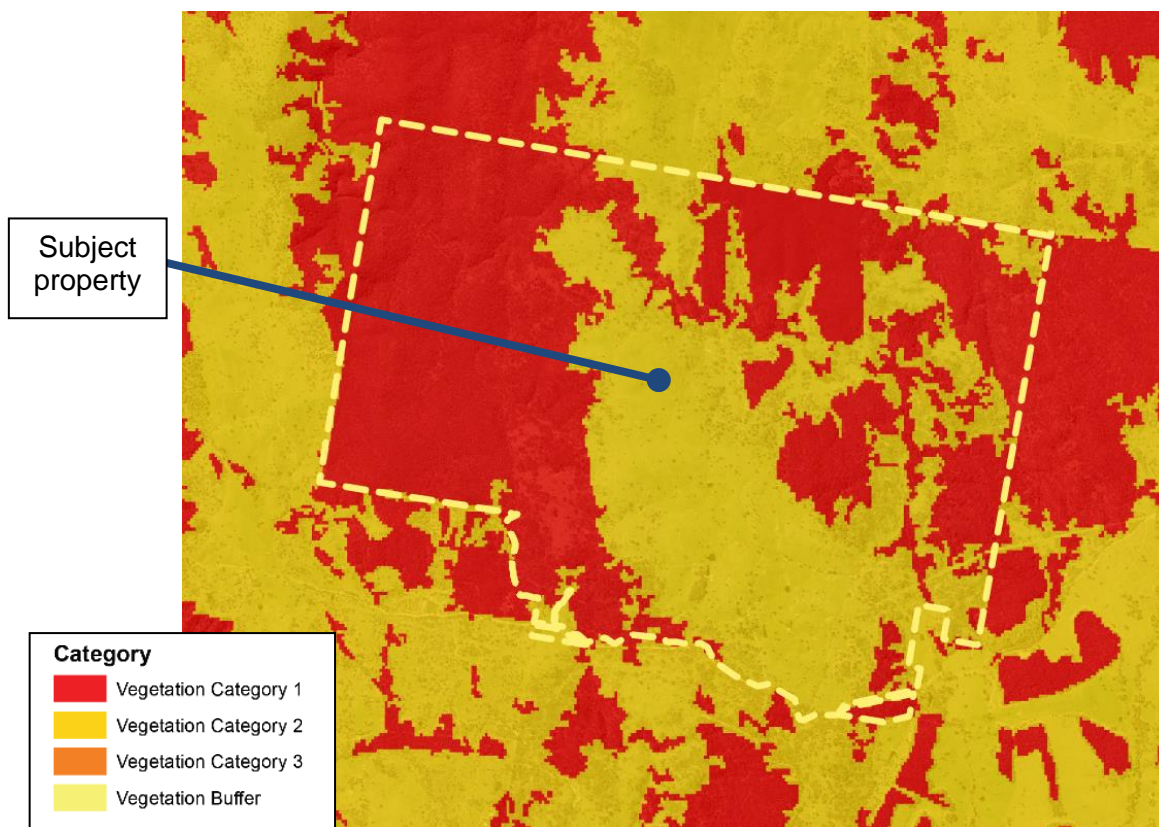


Figure 01: Extract from Mid-Western Regional Council's Bushfire Prone Land Map

2.0 Purpose of Report

The purpose of this Bushfire Assessment Report is to provide Wanda Vale Pastoral, Council and the NSW Rural Fire Service with an independent bushfire assessment together with appropriate recommendations for both new building construction and bushfire mitigation measures considered necessary having regard to construction within a designated 'bushfire prone' area.

The recommendations contained within this report may assist in forming the basis of any specific construction conditions and/or bushfire mitigation measures that Council and/or the NSW Rural Fire Service may elect to place within any consent conditions issued for the subject Development Application.

3.0 Scope of this Report

The scope of this report is limited to providing a bushfire assessment and recommendations for the subject property. Where reference has been made to the surrounding lands, this report does not purport to directly assess those lands; rather it may discuss bushfire impact and/or progression through those lands and possible bushfire impact to the subject property.

4.0 Compliance Tables & Notes

The following table sets out the projects compliance with *Planning for Bush Fire Protection – 2019*.

	North	East	South	West
Vegetation Structure	Forest	Grassland	Forest	Forest
Slope	5 – 10 degrees down	5 - 10 degrees down	15 - 20 degrees	15 - 20 degrees
Required Asset Protection Zone*	31 metres	12 metres	48 metres	48 metres
Proposed Asset Protection Zone	100 metres	50 metres	>66 metres	>94 metres
Threatened Species	APZ Existing	APZ Existing	APZ Existing	APZ Existing
Aboriginal Relics	APZ Existing	APZ Existing	APZ Existing	APZ Existing
Bushfire Attack Level	BAL Low	BAL Low	BAL 19	BAL 12.5
Proposed Construction Level	BAL 29	BAL 29	BAL 29	BAL 29

* In accordance with section 6.3.1 'Specific tourist uses' of PBP minimum setback requirements of BAL 29 have been applied to the proposed Farmstay cabins.

Compliance Summary of Bushfire Protection Measures Assessed			
Bushfire Protection Measure	Acceptable Solution	Performance Solution	Report Section
Asset Protection Zones & Landscaping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.03
Construction Standard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.03
Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.03
Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.03
Emergency Management Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.03

5.0 Aerial view of the subject allotment

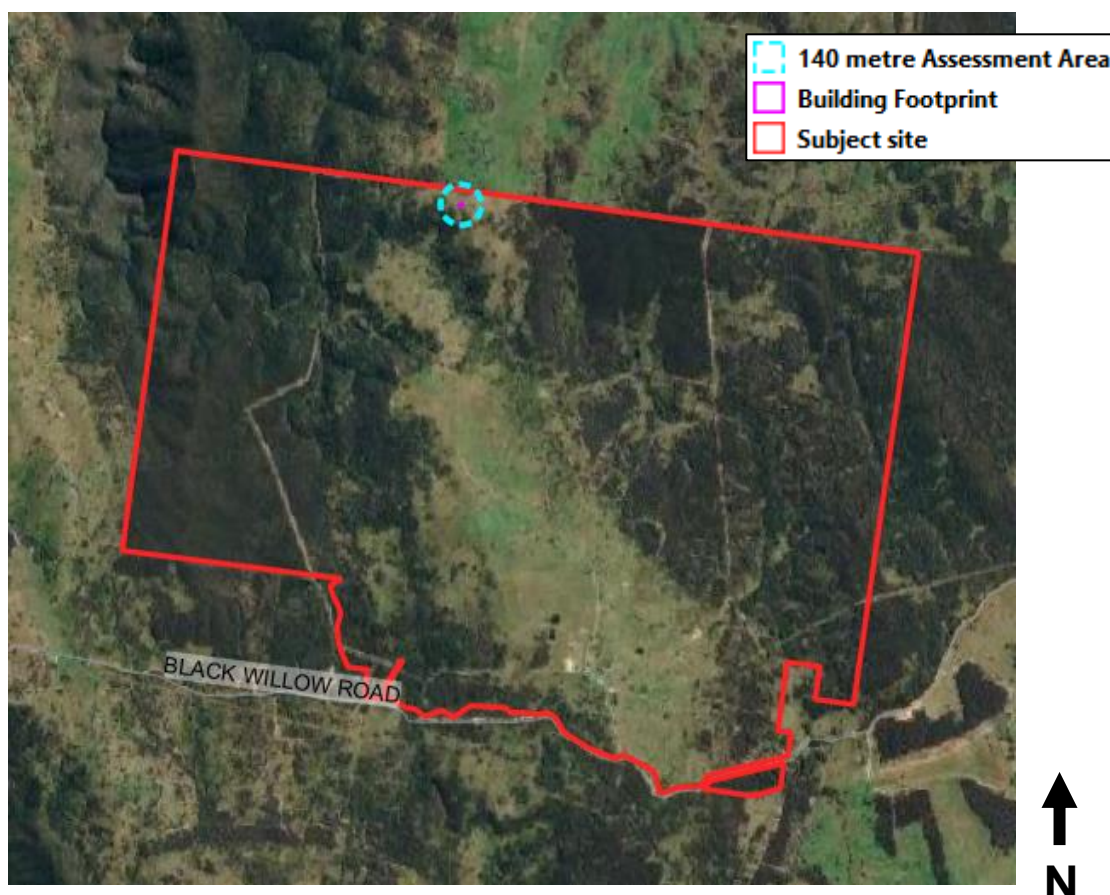


Figure 02: Aerial view of the subject site



Figure 03: Aerial view of the works

6.0 Site Assessment

6.01 Location

The subject site comprises of an existing rural allotment known as 772 Black Willow Road, Hargraves (Lot 23 & 27 DP 756887).

The subject site is located within Mid-Western Regional Council's local government area and zoned 'RU1: Primary Production' & 'C3: Environmental Management'.

The site has street frontage to Black Willow Road to the south and abuts neighbouring private rural allotments to all aspects.



Photograph 01: View east from Black Willow Road toward the subject site



Photograph 02: View across the proposed cabin location

6.02 Vegetation

The grounds within the subject site were largely found to comprise of grazed lands and bushland.

In accordance with Appendix 1 'Site Assessment Methodology' of PBP we have undertaken an assessment of all vegetation formations within 140 metres of the development site for each aspect as per Keith (2004).

The vegetation identified as being the potential hazard is located to the north, east, south and west from the proposed building footprint.

The vegetation posing a hazard south and west was found to consist of trees 10-20 metres in height having a 30-70% canopy foliage cover and an understorey of grasses and a few emerging trees. The vegetation posing a hazard north was found to consist of scattered trees 10-20 metres in height and an understorey of grasses. This vegetation was found to be mapped (Vegetation NSW) as Central Tableland Dry Slopes Stringybark-Box Forest.

For the purpose of assessment under PBP while the vegetation presents as a Grassy Woodland the hazard to the north, south and west has been conservatively determined to be Forest.

The vegetation in all directions consists of tall grasses and is currently actively grazed. The vegetation has been conservatively determined to be Grassland.



Figure 04: Aerial view of the subject area overlaid with vegetation assessment



Photograph 03: View of the hazard to the southwest



Photograph 04: View of the vegetation to the southeast



Photograph 04: View of the vegetation to the north



Photograph 05: View south of the grassland and active Cattle on site.

6.03 Slope and Topography

The slope of the land under the classified vegetation has a direct influence on the forward rate of spread, fire intensity and radiant heat exposure. The effective slope is considered to be the slope under the classified vegetation which will most significantly influence bushfire behaviour toward the development site.

In accordance with A1.4 'Determine slope' of PBP the slope assessment is to be derived from the most detailed contour data available.

The slope that would **most significantly** influence bushfire behaviour was determined from topographic imagery (1 metre contours sourced from ELVIS - Geoscience Australia) in conjunction with site observations to be:

- 5 - 10 degrees down slope within the hazard to the north and east
- 15 – 20 degrees down slope within the hazard to the south and west

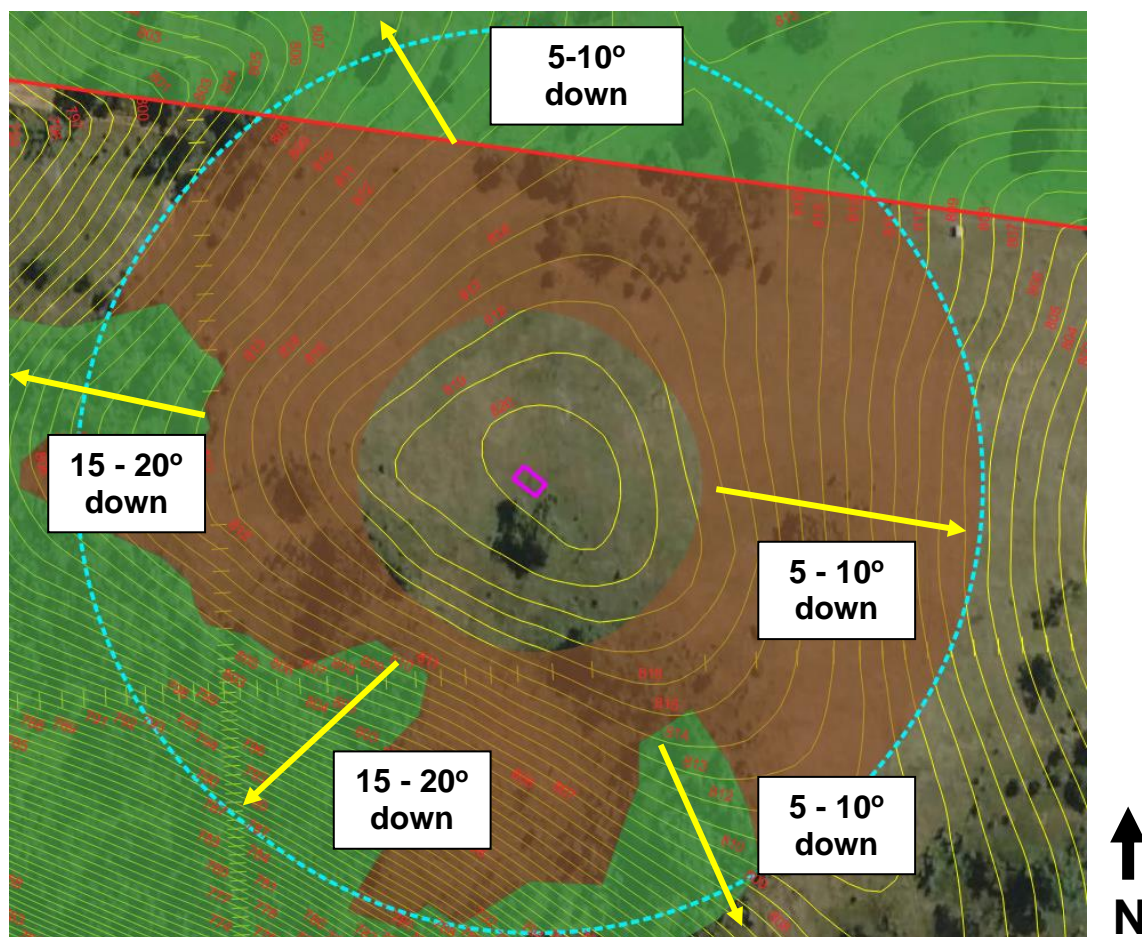


Figure 04: Extract from ELVIS – Geoscience Australia 1m contours

6.04 Fire Weather

All development which attracts an Asset Protection Zone under PBP requires the identification of the relevant Forest Fire Danger Index (FFDI). The FFDI required to be used for development assessment purposes is based on the local government boundaries, being Mid-Western Regional Council in this instance.

In accordance with the NSW Rural Fire Service publication 'NSW Local Government Areas FDI' (2017) Mid-Western Regional Council forms part of the Central Ranges Fire Weather District and attracts an FFDI of 80.

As there are identified grassland hazards, Table 5.1.4a of PBP was used to determine a Grassland Fire Danger Index (GFDI) of 110.

7.0 Bushfire Assessment

7.01 Planning for Bush Fire Protection - 2019

Properties considered to be affected by possible bushfire impact are determined from the local Bushfire Prone Land Map as prepared by Council and or the Rural Fire Service.

In this instance the subject site is depicted on Mid-Western Regional Council's Bushfire Prone Land Map as containing designated Category 1 and 3 Vegetation and Vegetation Buffer. The subject site is therefore considered 'bushfire prone'.

The subject development includes the establishment of new Special Fire Protection Purpose development (tourist accommodation) on bushfire prone land and is therefore classified as integrated development under section 4.46 of the *Environmental Planning and Assessment Act* 1979. The development is captured under section 100B of the *Rural Fires Act* 1997 and must obtain a Bush Fire Safety Authority from the Commissioner of the NSW Rural Fire Service.

In accordance with the submission requirements for a Bush Fire Safety Authority detailed in clause 45 of the *Rural Fires Regulation* 2022 an assessment of the extent to which the proposed development conforms with or deviates from *Planning for Bush Fire Protection* (PBP) is required.

The application of PBP requires satisfactory demonstration of the aim and objectives and the specific objectives and bushfire protection measures relevant to the type of development.

In this instance the proposed cabins must satisfy the aim and objectives detailed in Chapter 1 'Introduction' and specific objectives and bushfire protection measures detailed in Chapter 6 'Special Fire Protection Purpose Developments' of PBP.

PBP identifies that particular SFPP developments demonstrate different characteristics which attract different levels of protection.

In this regard Farmstay accommodation is assumed to have a manager onsite who is aware of the bushfire risk and appropriate emergency response to a bushfire event. Due to the lower occupancy rates, when compared to conventional tourist accommodation, the time required to implement an effective emergency response is also reduced.

In acknowledging these characteristics the setbacks and construction requirements of BAL 29 can be applied to Farmstay accommodation in accordance with section 6.3.1 'Specific tourist uses' of PBP.

7.02 Specific Objectives

The following table lists the specific objectives for Special Fire Protection Purpose development in accordance with section 6.2 of PBP applicable to the proposal and our comments on compliance or otherwise.

Specific Objective	Comment
<i>minimise levels of radiant heat, localised smoke and ember attack through increased APZ, building design and siting;</i>	The proposal exceeds the minimum required Asset Protection Zones for Farmstay accommodation.

Specific Objective	Comment
<i>provide an appropriate operational environment for emergency service personnel during firefighting and emergency management;</i>	Black Willow Road provides direct access to the subject site, with the internal trails allowing access to the identified bushfire hazard and proposed cabins for attending fire services. The proposal also provides compliant APZs and good operational space around the proposed cabin.
<i>ensure the capacity of existing infrastructure (such as roads and utilities) can accommodate the increase in demand during emergencies as a result of the development; and</i>	The modest population increase proposed by this application will not result in a significant increase in demand for the local road system. The proposal will include static water supplies for the replenishment of attending fire services.
<i>ensure emergency evacuation procedures and management which provides for the special characteristics and needs of occupants.</i>	This assessment includes a recommendation that a Bushfire Emergency Management Plan be prepared.

7.03 Bushfire Protection Measures

Section 6.8 'Bush fire protection measures' of PBP outlines the specific Bushfire Protection Measures (BPMs) applicable to Special Fire Protection Purpose development, including APZs, Landscaping, Construction, Access, Services & Emergency Management Plan.

The following section addresses each BMP and the proposals compliance or otherwise.

Asset Protection Zones & Landscaping

Asset Protection Zones for new SFPP development are determined from the prescriptive tables in PBP (table A1.12.1) or bushfire design modelling achieving a radiant heat impact of no more than 10kW/m² at the closest point of the available building footprint.

Planning for Bush Fire Protection identifies that particular SFPP developments demonstrate different characteristics which attract different levels of protection.

In this regard Farmstay accommodation is assumed to have a manager onsite who is aware of the bushfire risk and appropriate emergency response to a bushfire event. Due to the lower occupancy rates, when compared to conventional tourist accommodation, the time required to implement an effective emergency response is also reduced.

In acknowledging these characteristics the setbacks and construction requirements of BAL 29 can be applied to Farmstay accommodation in accordance with section 6.3.1 'Specific tourist uses' of PBP.

The minimum required APZs were determined from the Table A1.12.2 of PBP to be 31 metres to the north, 48 metres to the south and west and 12 metres to the east.

The location of the proposed building is greater than 200 metres from a public through road and therefore consideration has been given to section 5.1.1 of PBP. In this regard larger APZs consistent with BAL 19 under table A1.12.6 of PBP have been applied.

The proposed APZs are >100 metres from the bushfire hazard to the north, 50 metres from the grassland hazard to the east, >66 metres from the bushfire hazard to the south and >94 metres from the west.

The proposal exceeds the minimum required Asset Protection Zones for Farmstay accommodation.

All Asset Protection Zones within the subject site will be maintained in accordance with an Inner Protection Area as detailed in Appendix 4 of *Planning for Bush Fire Protection* 2019 and the NSW Rural Fire Service publication 'Standards for Asset Protection Zones'.

Construction

The highest Bushfire Attack Level to the proposed cabin was determined from Table A1.12.6 of PBP to be 'BAL 19'.

In accordance with section 5.1.1 of PBP as the building is greater than 200 metres and to provide further confidence it can be used as a suitable refuge during a bushfire event the proposed cabin must be constructed to section 3 and section 7 (BAL 29) under AS 3959 'Construction of buildings in bushfire-prone areas' 2018 and section 7.5 of *Planning for Bush Fire Protection* 2019.

Access

The subject property has street frontage to Black Willow Road to the south. Vehicle access to the cabins will be via Black Willow Road and the existing access tracks on site.

In accordance with section 6.8.2 of PBP the access provided to the proposed Farmstay cabins must comply with the requirements for property access detailed in Table 5.3b.

The internal access drive provides a 4 metre carriageway and compliant turning for a fire appliance. The proposed access as indicated on the plans by Barnson travels through an area of Forest.

The proposed access arrangements has the capacity to comply with the requirements for property access detailed in Table 5.3b of PBP.

Persons seeking to egress the subject site are able to do so via the proposed access drive and existing public road infrastructure.

The most distant external point of the proposed cabin will be within 70 metres of the proposed access road.

Attending fire services will have direct access to the identified bushfire hazard via Black Willow Road, subject property or neighbouring allotments. The internal access tracks and APZs would be the logical fire-fighting platform for attending fire services undertaking hazard reduction and / or fire suppression activities.

Access for fire services and opportunities for occupant evacuation are considered adequate for this property.

Services – Water, electricity & gas

There is no reticulated water available within the subject locality and therefore the proposal will include a static water supply for the proposed cabin.

In accordance with section 6.8.3 'Services – Water, gas and electricity' of PBP a 10,000 litre static water supply will be provided for the cabin. Recommendations have been included herein to ensure these water supplies comply with PBP.

The proposed water supply is considered adequate for the replenishment of attending fire services. In addition the subject site contains a dam and existing water tanks which can be utilised by attending fire services.

Recommendations will be included to ensure compliance with the electricity and gas services requirements.

Emergency Management Plan

The intent of the Emergency Management Plan measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

This assessment includes a recommendation that a Bushfire Emergency Management Plan be prepared. This recommendation satisfies the acceptable solutions detailed in Table 6.8d of PBP.

7.04 Aim & Objectives

The following table details the aim and objectives of Planning for Bush Fire Protection 2019 and the proposals ability to comply.

Aim / Objective	Comment
<i>The aim of PBP is to provide for the protection of human life and minimise impacts on property from the threat of bush fire, while having due regard to development potential, site characteristics and protection of the environment.</i>	With the inclusion of the recommendations made herein it is of our opinion that the aim of PBP has been satisfied.
<i>(i) afford buildings and their occupants protection from exposure to a bush fire;</i>	<p>The proposed APZs to the Farmstay cabin exceed the minimum required under PBP.</p> <p>The cabin will be constructed to a higher Bushfire Attack Level under AS3959 – 2018 to provide greater confidence that it will afford protection to its occupants.</p>
<i>(ii) provide for a defendable space to be located around buildings;</i>	<p>The proposal provides APZs in excess of the minimum requirement and good operational space around the proposed cabin.</p> <p>There is suitable managed areas / defendable space around the proposed cabin.</p>

Aim / Objective	Comment
(iii) provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;	<p>The available APZs to the proposed cabin exceed the minimum required under PBP.</p> <p>The cabin will be constructed to a higher Bushfire Attack Level under AS3959 – 2018 to provide greater confidence that it will afford protection to its occupants.</p> <p>The available APZs in conjunction with the construction requirements will prevent the likely fire spread to the cabins.</p>
(iv) ensure that appropriate operational access and egress for emergency service personnel and occupants is available;	<p>Black Willow Road provides direct access to the subject site, with the proposed access allowing access to the identified bushfire hazard and proposed cabin for attending fire services.</p> <p>The proposed internal road will satisfy the requirement for Property Access as detailed within Table 5.3b of PBP.</p>
(v) provide for ongoing management and maintenance of bush fire protection measures, (BPMs); and	<p>The Asset Protection Zones within the subject site are to be maintained in accordance with the NSW Rural Fire Service's document 'Standards for Asset Protection Zones' and Appendix 4 of <i>Planning for Bush Fire Protection</i> 2019.</p> <p>Any new landscaping is to comply with the provisions of Appendix 4 of PBP.</p>
(vi) ensure that utility services are adequate to meet the needs of firefighters.	<p>The proposal includes the provision of a 10,000 litre static water supply for the replenishment of attending fire services.</p> <p>In addition the subject site contains a dam and existing water tanks which can be utilised by attending fire services.</p>

It is of our opinion that the proposal can satisfactorily comply with the aim and objectives of *Planning for Bush Fire Protection* 2019.

7.05 Submission Detail

Clause 45 of the *Rural Fires Regulation 2022* identifies various items which must be addressed and included within an application for a Bush Fire Safety Authority. The following table outlines these items and includes a corresponding response.

Submission Detail	Response
<i>(a) a description (including the address) of the property on which the development the subject of the application is proposed to be carried out,</i>	See section 6.01
<i>(b) a classification of the vegetation on and surrounding the property (out to a distance of 140 metres from the boundaries of the property) in accordance with the system for classification of vegetation contained in Planning for Bush Fire Protection,</i>	See section 6.02
<i>(c) an assessment of the slope of the land on and surrounding the property (out to a distance of 100 metres from the boundaries of the property),</i>	See section 6.03
<i>(d) identification of any significant environmental features on the property,</i>	No known sites – by others
<i>(e) the details of any threatened species or threatened ecological community under the Biodiversity Conservation Act 2016 that is known to the applicant to exist on the property,</i>	No known sites – by others
<i>(f) the details and location of any Aboriginal object (within the meaning of the National Parks and Wildlife Act 1974) or Aboriginal place (within the meaning of that Act) that is known to the applicant to be situated on the property,</i>	No known sites – by others
<i>(g) a bush fire assessment for the proposed development (including the methodology used in the assessment) that addresses the following matters—</i>	See section 7.0
<i>(i) the extent to which the development is to provide for setbacks, including asset protection zones,</i>	See section 7.03
<i>(ii) the siting and adequacy of water supplies for fire fighting,</i>	See section 7.03
<i>(iii) the capacity of public roads in the vicinity to handle increased volumes of traffic in the event of a bush fire emergency,</i>	The modest population increase proposed by this application will not result in a significant increase in demand for the local road system.
<i>(iv) whether or not public roads in the vicinity that link with the fire trail network have two-way access,</i>	The surrounding public roads do not link with a classified fire trail network within the immediate area.

Submission Detail	Response
<i>(v) the adequacy of arrangements for access to and egress from the development site for the purposes of an emergency response,</i>	See section 7.03
<i>(vi) the adequacy of bush fire maintenance plans and fire emergency procedures for the development site,</i>	See section 7.03
<i>(vii) the construction standards to be used for building elements in the development,</i>	See section 7.03
<i>(viii) the adequacy of sprinkler systems and other fire protection measures to be incorporated into the development,</i>	<p>There is no existing bushfire sprinkler system, nor is one proposed.</p> <p>See section 7.03 for all bushfire protection measures</p>
<i>(ix) any registered fire trails on the property,</i>	There are no classified fire trails within the subject site.

8.0 Recommendations

The following recommendations are provided as the minimum necessary for compliance with *Planning for Bush Fire Protection* 2019 and Australian Standard 3959 'Construction of buildings in bushfire-prone areas' 2018. Additional recommendations are provided to supplement these minimum requirements where considered necessary.

General

1. That the proposed development is to comply with the Site Plan prepared by Barnson, Project No 41616, Revision C, Date 26.0.2023.

Asset Protection Zones

2. That at the commencement of works and in perpetuity all grounds not built upon within the subject site from the proposed cabin to the northern boundary and for a minimum distance of 66 metres to the south, 94 metres to the west and 50 metres to the east shall be maintained as an Asset Protection Zone (Inner Protection Area) as detailed in the NSW Rural Fire Service's document 'Standards for Asset Protection Zones' and Appendix 4 of *Planning for Bush Fire Protection* 2019.

Construction

3. New construction for cabin shall comply with sections 3 and 7 (BAL 29) Australian Standard AS3959-2018 'Construction of buildings in bush fire-prone areas' and section 7.5 of *Planning for Bush Fire Protection* 2019.

Landscaping

4. That any new landscaping is to comply with Appendix 4 of *Planning for Bush Fire Protection* 2019.

Emergency management

5. That a Bush Fire Emergency Management and Evacuation Plan is prepared consistent with the relevant requirements detailed in Table 6.8b of *Planning for Bush Fire Protection* 2019.

Access

6. That the access drive to the cabin shall comply with the following requirements for Property Access as detailed in Table 5.3b of PBP:
 - property access roads are two-wheel drive, all-weather roads;
 - minimum 4m carriageway width;
 - in forest, woodland and heath situations, rural property access roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m at the passing bay;
 - a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
 - provide a suitable turning area in accordance with Appendix 3;
 - curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
 - the minimum distance between inner and outer curves is 6m;
 - the crossfall is not more than 10 degrees;
 - maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads;

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed.

Services (where applicable)

Water:

10. That the proposed cabin be provided with a 10,000 litre static water supply which complies with the following requirements detailed in Table 6.8c of Planning fir Bush Fire Protection 2019:
 - a connection for firefighting purposes is located within the IPA or non hazard side and away from the structure; a 65mm Storz outlet with a ball valve is fitted to the outlet;
 - ball valve and pipes are adequate for water flow and are metal;
 - supply pipes from tank to ball valve have the same bore size to ensure flow volume;
 - underground tanks have an access hole of 200mm to allow tankers to refill direct from the tank;
 - a hardened ground surface for truck access is supplied within 4m of the access hole;
 - above-ground tanks are manufactured from concrete or metal;
 - raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber (see Appendix F AS 3959);
 - unobstructed access is provided at all times;

- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters; and
- underground tanks are clearly marked,
- all exposed water pipes external to the building are metal, including any fittings;
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; Any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and
- fire hose reels are constructed in accordance with AS/NZS 1221:1997 Fire hose reels, and installed in accordance with the relevant clauses of AS 2441:2005 Installation of fire hose reels.

Electricity:

11. Any new electrical services must comply with Table 6.8c of *Planning for Bush Fire Protection 2019*, specifically:
 - where practicable, electrical transmission lines are underground.
 - where overhead electrical transmission lines are proposed:
 - lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in *ISSC3 Guideline for Management Vegetation Near Power Lines*.

Gas:

12. Any new gas services must comply with Table 6.8c of *Planning for Bush Fire Protection 2019*, specifically:
 - reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - *The storage and handling of LP Gas*, the requirements of relevant authorities, and metal piping is used;
 - all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
 - connections to and from gas cylinders are metal;
 - if gas cylinders need to be kept close to the building, safety valves are directed away from the building and at least 2m away from any combustible material, so they do not act as a catalyst to combustion;
 - polymer-sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used; and
 - above-ground gas service pipes external to the building are metal, including and up to any outlets.

9.0 Conclusion

The proposal relates to the construction of a Farmstay cabin within the subject site within an existing property known as 772 Black Willow Road, Hargraves.

Mid-Western Regional Council's Bushfire Prone Land Map identifies the subject property as containing Category 1 and 2 Vegetation and buffer zone and therefore the site is considered 'bushfire prone'.

The subject development includes the establishment of new Special Fire Protection Purpose development (tourist accommodation) on bushfire prone land and is therefore classified as integrated development under section 4.46 of the *Environmental Planning and Assessment Act 1979*. The development is captured under section 100B of the *Rural Fires Act 1997* and must obtain a Bush Fire Safety Authority from the Commissioner of the NSW Rural Fire Service.

All property development within bushfire affected areas is subject to the relevant specifications and requirements detailed in the document 'Planning for Bush Fire Protection - 2019' (PBP).

In accordance with the bushfire safety measures contained in this report, and consideration of the site specific bushfire risk assessment it is our opinion that when combined, they will provide a reasonable and satisfactory level of bushfire protection to the subject development.

We are therefore in support of the development application.

Should you have any enquiries regarding this project please contact me at our office.

Prepared by
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BPAD Accreditation No. BPAD9400



10.0 Annexure 01

List of Referenced Documents

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Standards Australia (2014). *AS/NZS 1596 The storage and handling of LP Gas*

Acknowledgements to:

Geoscience Australia
NSW Gov. ePlanning Spatial Viewer
Street-directory.com.au

Attachments

NIL