

## 8.2 DA0008/2022 - Demolition Works, Alterations and Additions and Change of Use from Childcare Centre to Community Facility - 2-6 Douro Street, Mudgee

REPORT BY THE PLANNING COORDINATOR  
TO 15 SEPTEMBER 2021 ORDINARY MEETING  
GOV400088, DA0008/2022

### RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator on the DA0008/2022 - Demolition Works, Alterations and Additions and Change of Use from Childcare Centre to Community Facility at 2-6 Douro Street, Mudgee; and
- B. approve DA0008/2022 - Demolition Works, Alterations and Additions and Change of Use from Childcare Centre to Community Facility at 2-6 Douro Street, Mudgee subject to the following conditions and Statement of Reasons:

### CONDITIONS

### APPROVED PLANS

1. Development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date	Prepared by:
Cover Page	DA-001	A	24/6/21	BKA Architecture
Site Images	DA-002	A	24/6/21	BKA Architecture
Existing Site and Ground Floor Plan	DA-003	A	24/6/21	BKA Architecture
Demolition Plan	DA-004	A	24/6/21	BKA Architecture
Site Pan	DA-0010	A	24/6/21	BKA Architecture
Ground Floor Plan	DA-100	A	24/6/21	BKA Architecture
Elevations and Sections	DA-200	A	24/6/21	BKA Architecture
Area Schedule	DA-700	A	21/6/21	BKA Architecture
Hardscape Plan	LPDA – 334	B	24.6.2021	Conzept Landscape Architects

Landscape Plan	LPDA21 - 334	B	24.6.2021	Conzept Landscape Architects
Image Palette	LPDA21 - 334	B	24.6.2021	Conzept Landscape Architects

**GENERAL**

2. This approval does not provide any indemnity to the owner or applicant under the *Disability Discrimination Act 1992* with respect to the provision of access and facilities for people with disabilities.
3. This development consent does not include approval for any signage for the approved development. A separate Development Consent or Complying Development Certificate may be required for signage, if the signage is not exempt development.
4. This development consent includes approval for demolition works, alterations / additions to the existing commercial building, and change of use to a Community Facility.
5. All demolition works are to be carried out in accordance with AS 2601-2001 “Demolition of structures”, with all waste being removed from the site. Hazardous waste such as asbestos cement sheeting etc., should be handled, conveyed and disposed of in accordance with guidelines and requirements from SafeWork NSW. Disposal of asbestos material at Council’s Waste Depot requires prior arrangement for immediate landfilling.
6. Notwithstanding the approved plans, the structure is to be located clear of any easements and/or 1.5 metres from any water and sewer mains in accordance with Council Policy.
7. Costs associated with all development works including any necessary alterations, relocations of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
8. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person’s own expense:
  - a) protect and support the building, structure or work from possible damage from the excavation, and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

*Note - Prescribed condition pursuant to clause 98E of the Environmental Planning and Assessment Regulation 2000 and Council requirement to preserve the stability of adjoining roads/public places.*
9. Any damage which is caused to Council’s infrastructure as a result of the proposed development must be repaired immediately to Council’s satisfaction and at no cost to Council.

10. All trafficable pavements are to be constructed and sealed with an impervious surface, either bitumen or concrete, and maintained to the satisfaction of Council at all times.
11. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.
12. A total of 12 car parking spaces are to be provided within the site of the development and comply with *AS 2890.1: 2004 – Parking facilities – Part 1: Off-street car parking* and the following requirements:
  - Each parking space is to have minimum dimensions of 5.5m x 2.4m;
  - Each disabled car parking space is to be in accordance with the provisions of *AS 2890.6: 2009*;
  - Line marking, wheel stop and signage is to be installed as per the relevant Australian Standard;
  - Off street visitor parking is to be encouraged by the placement of prominent signs indicating the availability of visitor parking;
  - All car parking spaces must be maintained in a satisfactory condition at all times.
13. Fill placed in residential or commercial lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*.
14. The only waste derived fill material that may be received at the development site must be:
  - a) Virgin excavated natural material, within the meaning of the *Protection of the Environment Operations Act 1997*; and
  - b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.
15. All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
16. Site works and landscaping must be designed and constructed in such a manner as to have no negative effect on the cross sectional area at any point of the adjacent waterway/drainage feature.

#### **PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE**

17. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the *Local Government Act 1993* to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
18. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.

19. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993*, prior to the issue of a Construction Certificate.
20. Details of the internal driveway and car parking spaces are to be submitted to and approved by the Certifier (i.e. Council or a private Certifier), prior to the issue of a Construction Certificate. These details shall comply with the requirements of *AS/NZS 2890.1:2004 – Parking Facilities – Part 1: Off-street Car Parking* and the relevant conditions of this development consent.
21. Prior to the issue of a Construction Certificate, the developer shall pay a long service levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$25,000 or more.

*Note – The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.*

*Note – Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction Certificate is to be issued by a Private Certifier, the long service levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.*

22. Prior to the issue of a Construction Certificate, the developer shall obtain a *Certificate of Compliance* under the *Water Management Act 2000*, from Council.
23. Prior to issue of a Construction Certificate, a liquid trade waste approval is to be obtained from Council.

#### **PRIOR TO THE COMMENCEMENT OF WORKS**

24. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
  - a) the appointment of a Principal Certifying Authority; and
  - b) the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

25. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.  
**NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE PRIOR TO SUBSEQUENT DISPOSAL AT AN APPROVED WASTE DISPOSAL FACILITY.**
26. Prior to the commencement of works on site, the applicant shall advise Council's Development Department, in writing, of any existing damage to Council property.
27. Sediment erosion controls shall be installed within the development site, to the satisfaction of the Certifier (i.e. Council or the Principal Certifier), prior to the commencement of works.

28. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
- stating that unauthorised entry to the work site is prohibited;
  - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
  - the name, address and telephone number of the Principal Certifying Authority for the work; and
  - the sign shall be removed when the erection or demolition of the building has been completed.
29. If the work involved in the erection/demolition of the building:
- Is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
  - Building involves the enclosure of a public place; then

A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

#### DURING CONSTRUCTION

30. All building work must be carried out in accordance with the provisions of the National Construction Code, the *Environmental Planning & Assessment Act 1979* and Regulations and all relevant Australian Standards.
31. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
32. All mandatory inspections required by the *Environmental Planning & Assessment Act 1979* and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
33. Construction work noise that is audible at other premises is to be restricted to the following times:
- Monday to Saturday - 7.00am to 5.00pm
- No construction work noise is permitted on Sundays or Public Holidays.
34. The strength of the concrete used for the reinforced concrete floor slab must be a minimum 25Mpa.
35. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors.
36. All building work is to comply with the requirements of the Access to Premises Standard.
37. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-
- Demolition work is not to be undertaken until:

- Council has been provided with a copy of any required Hazardous Substances Management Plan;
  - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
- b) The removal, handling and disposal of any asbestos material (in excess of 10m<sup>2</sup>) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the *Work Health and Safety Act 2011* and Australian Standard 2601-2001;
- c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;
- d) Seven working days notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.
38. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the *Environmental Planning and Assessment Regulation 2000*.
39. The development site is to be managed for the entirety of work in the following manner:
1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
  2. Appropriate dust control measures;
  3. Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained; and
  4. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
40. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the developer's/demolisher's expense.
41. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.
42. If historical archaeological remains are found during works, works should immediately cease and the Heritage Branch of the Office of Environment and Heritage should be contacted for further advice, as required under Section 139 of the *Heritage Act 1977*.

#### **PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

43. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be



obtained from the Principal Certifying Authority appointed for the erection of the building.

44. Prior to the issue of an Occupation Certificate all access, car parking and associated manoeuvring areas are to be completed.
45. Prior to issue of an Occupation Certificate, a Flood Evacuation Management Plan shall be prepared and submitted to the Certifying Authority. The Plan is to detail the procedure for early evacuation of occupants from the building and all relevant flood emergency management information to be incorporated within the site. A copy of the Plan is to be kept within a publically accessible area in the building for the life of operations.
46. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate in accordance with Clause 153 of the *Environmental Planning and Assessment Regulation 2000* for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the Fire and Rescue NSW and a copy is to be prominently displayed in the building.
47. Prior to the issue of an Occupation Certificate, for any buildings on site, the building is to be connected to reticulated water supply, stormwater and sewerage in accordance with the relevant Section 68 approval/s.
48. Prior to issue of an Occupation Certificate, all plants shown on the approved landscape plan/s are to be planted and all hard landscaping (e.g. rocks, retaining walls, solid garden bed edging) is to be installed prior to occupation of the development.
49. Prior to use of the development and/or issue of an Occupation Certificate, all works included in any Trade Waste Approval are to be completed.

#### **OPERATIONAL/ ONGOING CONDITIONS**

50. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.
51. Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
52. The hours of operation of the development are limited to 8am to 10pm, 7 days per week.
53. All vehicles are required to enter and leave the site in a forward direction at all times.
54. All line-marking for the on-site car parking spaces and footpath areas are to be maintained in a visible condition, at all times.

55. All loading and unloading in connection with the premises shall be carried out wholly within the site and at the approved loading dock.
56. All car parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.
57. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
58. Garbage storage areas are to be adequately screened from public view.
59. No display or sale of goods is to take place from public areas or footpaths fronting the premises.
60. The development is to be maintained in a clean and tidy manner, at all times.

#### REASONS FOR DECISION

1. The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
3. No submissions were received during the public notification period.

#### ADVISORY NOTES

1. The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".
2. The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
3. Division 8.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 12 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Development Department for more information or advice.
4. If you are dissatisfied with this decision Section 8.7 of the EP&A Act gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice, pursuant to Section 8.10(1)(b).
5. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.



## Executive summary

<b>OWNER/S</b>	Crown Lands - Dubbo
<b>APPLICANT:</b>	Mid-Western Regional Council
<b>PROPERTY DESCRIPTION</b>	Lot 112 DP48439 2-6 Douro Street, Mudgee
<b>PROPOSED DEVELOPMENT</b>	Demolition works, building alterations and additions, and change of use to community facility
<b>ESTIMATED COST OF DEVELOPMENT:</b>	\$858,524
<b>REASON FOR REPORTING TO COUNCIL:</b>	Council development exceeding \$150,000
<b>PUBLIC SUBMISSIONS:</b>	Nil

Council is in receipt of Development Application DA0008/2022 that seeks approval for demolition works, alterations / additions to the existing commercial building and change of use to a Community Facility, at 2-6 Douro Street MUDGEES NSW 2850, Lot 112 DP 48439, received by Council on 6 July 2021.

The proposal seeks to provide a community facility for the purposes of art workshops and communal meeting or working spaces, with supporting amenities. The community facility is proposed to compliment the newly constructed Art Gallery located at 90 Market Street, Mudgee.

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 6 August 2021. During the notification period, no submissions were received.

The proposed development has been assessed in accordance with the Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012) and the Mid-Western Regional Development Control Plan 2013 (DCP). The proposed development is considered generally consistent with Council's planning controls.

The application is recommended for Approval.

## Disclosure of Interest

Nil.

## Detailed report

### *PROPOSED DEVELOPMENT*

Development Application DA0008/2022 seeks approval for demolition works, alterations / additions to the existing commercial building (formerly used as a childcare centre) and the change of use to a Community Facility, at 2-6 Douro Street MUDGEES NSW 2850, legally described as Lot 112 DP 48439.

The proposal seeks to provide a community facility for the purposes of art workshops and communal meeting/working spaces, with supporting amenities. The community facility is proposed to compliment the newly constructed Art Gallery located at 90 Market Street, Mudgee.

To achieve this, demolition of a number of external shade structures, sand pits and other outdoor play areas associated with the former childcare centre is required. New buildings works are limited to the existing footprint, with upgrades to the façade and reconfiguration of the building layout



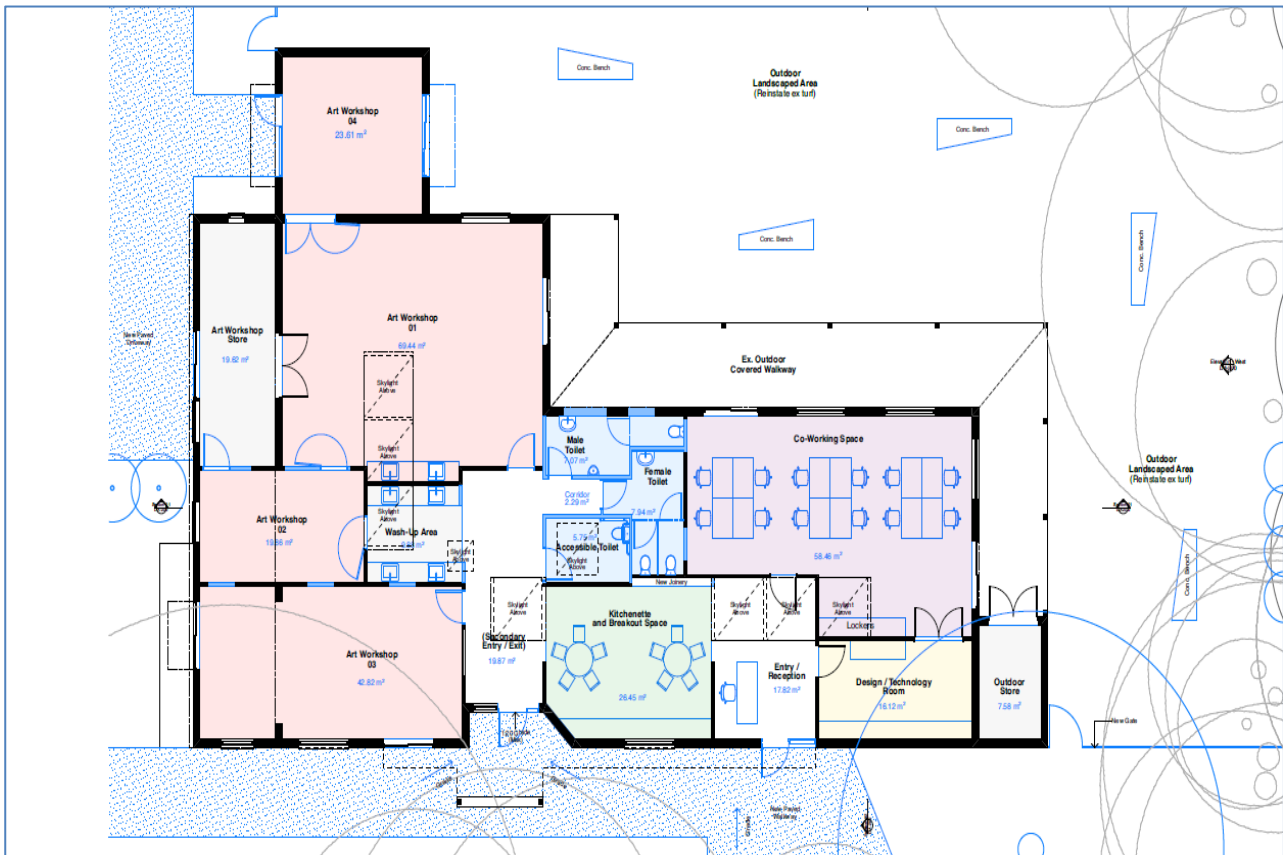


Figure 2: Proposed floor plan

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 6 August 2021. During the notification period, no submissions were received.

The proposed development has been assessed in accordance with Council's DCP and the MWRLEP 2012. The proposed development is considered generally consistent with Council's planning controls.

The application has been referred to Council for determination as it exceeds staff's *Delegation of Authority*, in that Council is the owner or manager of the land and the development exceeds a construction value of more than \$150,000.

The application is recommended for Approval.

## Legislative Requirements

### Environmental Planning and Assessment Act 1979

#### Designated Development

The development proposal is not considered to be Designated Development, in accordance with Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regs).

#### Integrated Development

It is important to note that a concrete lined drainage channel is located on the western boundary of the site which is identified as a first order watercourse. Where works are to be undertaken within 40m of a watercourse, the integrated development provisions of the *Environmental Planning and Assessment Act 1979* would typically be triggered. However, an exemption exists where the works

are being undertaken by a public authority (refer to clause 41 of the *Water Management (General) Regulation 2018*). Therefore, as Council is a public authority there is no need to obtain a controlled activity approval in accordance with Section 91 of the *Water Management Act 2000*. In addition, there is an exemption to obtain a controlled activity approval where the waterway is fully concrete lined (pursuant to Clause 28, Schedule 4, Part 2 of the *Water Management (General) Regulation 2018*).

As a result of the above, the development proposal is not considered to be Integrated Development, in accordance with Section 4.46 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## **Assessment**

The application has been assessed in accordance with **Section 4.15** of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below as follows.

### **4.15(1)(a) Requirements of Regulations and Policies**

*(i) Do any environmental planning instruments (SEPP, REP or LEP) apply to the land to which the Development Application relates?*

State Environmental Planning Policy no 55 – Remediation of Land

A site inspection and a search of Council's records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

State Environmental Planning Policy No 64 – Advertising and Signage

No signage has been proposed as part of this development application. A separate approval will be required if future signage is not identified as exempt development.

State Environmental Planning Policy (Infrastructure) 2007

There are no matters prescribed by this Policy that would prevent the determination of the application. Furthermore, no external referrals were required in accordance with this Policy.

### **State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

This Policy was gazetted on 25 August 2017 and has been considered in the assessment of the subject application.

Authority to clear vegetation under this Policy is not required. The vegetation to be removed is not declared by a Development Control Plan to be vegetation that Part 3 applies, and the vegetation to be removed does not exceed the biodiversity offsets scheme thresholds given only two (2) trees have been nominated to be removed. This has however been considered in the context of Clause 5.10 Heritage Conservation of the Mid-Western Regional Local Environmental Plan 2012, below.

### **Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012)**

The following clauses of the MWRLEP 2012 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

#### **Clause 1.2 Aims of Plan**

The application is not contrary to the relevant aims and objectives of the plan.

#### **Clause 1.4 Definitions**

The proposal is defined in accordance with the MWRLEP 2012 as a:

*Community facility means a building or place—*



(a) owned or controlled by a public authority or non-profit community organisation, and  
(b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

**Clause 2.2 Zoning of Land to Which Plan Applies**

The land is zoned R3 Medium Density Residential and is therefore subject to the Plan.

**Clause 2.3 Zone objectives and Land Use table**

The land is zoned R3 Medium Density Residential pursuant to MWRLEP 2012. The proposal, being a 'Community Facility' is permissible with consent in the zone and complies with the relevant objectives. The proposal will provide for a compatible land use to meet the needs of residents in the area, whilst remaining sympathetic to the existing character of the Mudgee Heritage Conservation Area.

**Clause 2.7 Demolition requires development consent**

In satisfaction of this clause, the development application seeks approval for the demolition of internal and external components of the existing building (formerly used as a child care centre).

**Clause 4.3 Height of buildings**

The subject site is mapped for a maximum height limit of 8.5 metres above existing ground level. The development is proposed at a height of 4.28 metres and therefore complies.

**Clause 5.10 Heritage Conservation**

As the proposal includes works to a site within the Heritage Conservation Area and also adjoins heritage listed items (I136, I137 and I184), consideration must be given to the relevant heritage significance of the area in accordance with Clause 5.10(4).

The application was referred to Council's heritage advisor who provided the following comments:

*The subject building is within the Mudgee Conservation Area. The application is accompanied by a Statement of Environmental Effects which adequately addresses the heritage issues.*

*The building is not considered to contribute to the heritage significance of the Conservation Area.*

*The alterations will have no impact on its significance, nor that of listed items in the vicinity.*

*There is no objection to the proposal on heritage grounds.*

It is important to note that the building footprint is not proposed to be altered by the development however upgrades to the façade, including external painting to match the 'manor red' of the newly constructed Art Gallery, is proposed. It is considered this will complement the art gallery building and will enable connection to be made between the buildings, establishing the 'arts precinct'.

Further to the above, as the proposal seeks to remove two (2) mature trees up to 6 metres in height, located within the site, consideration must be given to the impact such vegetation removal will have on the heritage conservation area, adjoining heritage items and the streetscape. The two trees to be removed are located within the Douro Street setback of the development and have been planted on the site to achieve shading and a vegetation buffer for the former land use.

The two (2) trees to be removed are not considered to significantly contribute to the heritage conservation area in this location and their removal is supported by new plantings to soften the

proposed new car parking area. As a result, the removal of the two (2) trees is supported accordingly.

**Clause 5.21 Flood planning**

The subject site is identified as being partly located within the flood planning area in accordance with Council's maps and the Mudgee Flood Study 2021 (identified as 'overland' and 'PMF'). The proposal is related to an existing building with no increase or change to the building footprint however, the extent of flood risk is identified to be low - and will not change from that already existing. The appropriate management of stormwater runoff and the early evacuation of occupants utilising the development is considered an appropriate management requirement to mitigate flood risk. In this regard, conditions have been imposed accordingly.

**Clause 6.1 Salinity**

The proposal only involves minimal earthworks associated with the demolition which is not expected to significantly affect the process of salinisation.

**Clause 6.3 Earthworks**

The proposal involves only minor earthworks to prepare the site for the development. The works are not expected to generate any significant impacts as listed in Clause 6.3(3). Conditions of consent have been included to ensure any earthwork related activities are carried out appropriately and minimise impacts upon neighbouring properties.

**Clause 6.4 Groundwater vulnerability**

The site is identified as groundwater vulnerable in accordance with Council's mapping. No broad excavation is needed to facilitate the proposal and no significant impacts upon those matters contained within Clause 6.4(3) is expected as a result of the proposed development. Given the extent of excavation, it is considered that the development would not cause groundwater contamination, adversely affect any groundwater dependent ecosystems, will not cumulatively impact potable water supply, and therefore no special measures, or conditions of consent would be considered necessary.

**Clause 6.5 Terrestrial biodiversity**

The proposal is not located in any area identified as 'Moderate or High Biodiversity Sensitivity'.

**Clause 6.7 Active street frontages**

Not applicable. The site is not located within the area mapped as 'Active street frontage'.

**Clause 6.8 Airspace operations – Mudgee Airport**

The proposal will not penetrate the relevant height limits for safe operation of the Mudgee Airport.

**Clause 6.9 Essential Services**

All essential services that are relevant to the proposal are available or will be available as a result of the proposed development.

**Clause 6.10 Visually sensitive land near Mudgee**

The land is not located within the area identified within the visually sensitive land map.

**4.15(1)(a) Requirements of Regulations and Policies**

*(ii) Draft environmental planning instruments (EPI)*

No draft environmental planning instruments apply to the land to which the Development Application relates.



*(iii) Any development control plans***Mid-Western Regional DCP 2013**

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

**Part 4.4 Signs**

Not applicable.

**Part 4.5 Commercial Development**

<b>DEVELOPMENT CONTROL REQUIREMENT</b>	<b>COMPLIES?</b>
<b>Building setbacks</b>	
Building setback from the street – no minimum	Yes
Side and rear setbacks must comply with BCA	Yes
<b>Signage</b>	
Signage complies with relevant provisions in Section 4.4 DCP 2013	Not applicable
<b>Design</b>	
Buildings interact with the street	Yes. Existing
On active street frontages, ground level of building used for business or retail premises	Not applicable
Building facades are articulated by use of colour, arrangement of elements, or varying materials	Yes
Heritage inclusions	Yes. Heritage impact considered by Council's Heritage Advisor
External plant to be screened from public	Yes. Condition of consent
Development on a corner – includes architectural features to address both streets	Existing building
Landscape buffers to other zones	Landscaping provided
<b>Scale form and height</b>	
Complies with LEP height controls – 8.5m maximum height	Yes
Consistent with existing heritage character of the town centres of Gulgong, Mudgee and Rylstone	Yes
<b>Mortimer and Church Street, Mudgee</b>	
Maintain the streetscape established in Church Street between Market and Mortimer Streets: – Zero front and side setbacks – Double storey pattern	Not applicable
Provides variance particularly on upper floor levels, every 20-25m	Not applicable
<b>Articulation and Façade Composition</b>	
Breaks visual bulk with fenestration or change in materials etc.	Extensive fenestration provided
No excessive blank walls in front façade	Yes
Where blank walls are proposed (side or rear) ,minimise impacts with landscaping, patterning of façade, signage, public art	Existing building, with existing and new landscaping proposed
<b>Residential–Commercial interface</b>	
Landscape buffer to residential boundaries	Not applicable

<b>DEVELOPMENT CONTROL REQUIREMENT</b>	<b>COMPLIES?</b>
Ground and first floor do not overlook residential properties	Not applicable
Maintain acoustic privacy through the use of acoustic fencing where vehicles movements adjoin property boundaries	Not applicable
Reduce visual bulk by locating buildings and structures away from residential boundaries, or where buildings are located along residential boundaries ensure sufficient landscaping is provided	Not applicable
Development does not reduce sunlight available to north facing windows of living areas, private open space or clothes drying areas of adjoining properties to less than 3 hours between 9am and 3pm at winter solstice	Not applicable
<b>Utilities and Services</b>	
Building and structures located clear of infrastructure	Yes
Able to be serviced by water, sewer and waste disposal	Yes
Trade waste application required?	Yes
<b>Traffic and Access</b>	
All vehicles must be able to enter and exit the site in a forward direction	Yes. Condition
All vehicle movement paths are sealed	Yes. Condition
Driveways comply with Australian Standard AS2890.1 Parking Facilities	Yes. Condition
All loading facilities located within the site	Yes
All loading facilities designed to comply with Australian Standards	Yes
Application addresses traffic flow and safety issues, e.g. pedestrian, car and truck movements	Yes. No identified issues in this regard, subject to compliance with conditions of consent
<b>Pedestrian Access</b>	
Maintain existing covered pedestrian access within town centres	Not applicable
Convenient and safe access through parking areas	Parking area including accessible spaces are provided to the rear of the building and direct pathways provided
Convenient and safe disabled access through parking areas, focus on improving links with existing retail	Links to other sites not altered
<b>Parking</b>	
Discussed elsewhere in report	Yes – refer to Part 5.1 below
<b>Landscaping</b>	
Landscaped areas in car parks should be provided incorporating the use of canopy trees and buffer planting to residential boundaries	New landscaping proposed for the parking area upgrade
Landscaping to comprise low maintenance, drought and frost resistant species	Yes. Condition of consent

#### **Part 4.7 Tree Preservation Order**

The proposed development involves the removal of two (2) trees within the Heritage Conservation Area of Mudgee. This has been considered under clause 5.10 of the MWRLEP 2012, which has

determined there are no significant adverse impacts associated with the removal of the two (2) trees to support the parking area for the development.

### Part 5.1 Car Parking

The DCP specifies a parking provision for 'Community Facilities' of 1 space per 4 seats or 1 space per 10m<sup>2</sup> of GFA (whichever is the greater). The floor area associated with the proposed use (excluding amenities, kitchen and reception) will be approximately 250m<sup>2</sup>.

Application of the DCP criteria requires 25 parking spaces - however it is only possible to provide 12 spaces including two (2) accessible spaces due to the landscape areas, walkways and sculpture zones associated with the proposed use.

The DCP makes provision however for parking credits and also frontage credits in relation to any difference between the requirements for the new use compared to the previous use. This has been assessed as follows:

Existing Use	Proposed Use	Compliance
Office (307.18m <sup>2</sup> @ 1 space per 30m <sup>2</sup> GFA 10.24 spaces (10))	Community Facility (250m <sup>2</sup> @ 1 space per 4 seats or 1 space per 10m <sup>2</sup> of GFA) = 25 spaces.	Yes – The proposed development achieves 25 spaces which includes 12 onsite and 13 within the frontages of the site.
6 spaces onsite + 13 (6 on Douro Street and 7 on Short Street) = 19 spaces.	12 spaces onsite + 13 on Douro and Short Streets = 25 spaces.	

### Part 5.2 Flooding

As noted from Clause 5.21 of the MWRLEP 2012, the building is identified to be within the 'low risk' area of the Mudgee Flood Study. As the building is existing however, it is considered appropriate to manage the risk to occupants with a flood evacuation plan to be provided prior to issue of an Occupation Certificate.

### Part 5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

### Part 5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

## Section 7.11 Contributions

### Mid-Western Regional Contributions Plan 2019

Pursuant to Council's Contributions Plan 2019, the development is proposing a community facility which has a proposed cost of development greater than \$200,000. Pursuant to Part 2.7 of the Plan however, the following is identified as exempt development:

- *Public infrastructure to be carried out by or on behalf of any public authority including Council.*

As Council is undertaking the development which is to be provided as a public asset, the development is exempt from the application of developer contributions pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*.

## **Section 64 - Water/Sewer Developer Services Charges**

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the development does not increase the demand or loading upon Council's infrastructure or require additional water, sewer or additional trade waste services to the land or building. As a result, no charges can be applied under the Plan.

### **4.15(1)(a) Provisions of any Planning Agreement or Draft Planning Agreement – (1)(a)(iia)**

No Planning Agreements are applicable.

### **Regulations – 4.15(1)(a)(iv)**

#### ***Environmental Planning and Assessment Regulation 2000***

#### **Clause 92 – Additional matters that consent authority must consider**

92(b) requires Council to consider AS2601 when consent is sought for demolition of a building. The application includes demolition and compliance with AS2601 has been included as a condition of consent.

### **Likely impacts of the development – 4.15(1)(b)<sup>1</sup>**

<sup>1</sup> Including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

#### **(a) Context and Setting**

The proposal is appropriate with regards to the surrounding context and setting.

#### **(b) Access, Transport and Traffic**

The implications of traffic, suitable access and parking are discussed throughout this report. The proposal is considered appropriate.

#### **(c) Public Domain**

The development will not impact the public domain in terms of recreation opportunities, the amount, location, design, use and management of public spaces, or pedestrian linkages between public spaces.

#### **(d) Utilities**

All relevant utilities are available or can be made readily available to the site.

#### **(e) Heritage**

As noted in Clause 5.10 of the MWRLEP 2012, the development is considered appropriate and will not have an adverse impact on the heritage conservation area or on adjoining heritage items.

#### **(f) Other Land Resources**

No impact expected on the conserving and the use of valuable land, such as productive agricultural land, mineral or extractive resources, or water supply catchments.

#### **(g) Water**

No significant impact expected.

#### **(h) Soils**

No significant impact expected. The land is not known to be affected by subsidence, slip or mass movement, subject to contamination, and will not result in significant soil erosion or degradation.

**(i) Air and Microclimate**

The development is not expected to impact air quality or microclimatic conditions.

**(j) Flora and fauna**

The vegetation proposed to be removed has been discussed throughout this report.

**(k) Waste**

Waste service available.

**(l) Energy**

Not applicable.

**(m) Noise and Vibration**

Not applicable.

**(n) Natural Hazards**

The development site is not identified as bushfire prone and there are no known subsidence, slip or mass movement issues. Flood risks have been discussed within the report and a condition imposed accordingly.

**(o) Technological Hazards**

There are no known risks to people, property or the biophysical environment, resulting from technological or industrial hazards, or building fire risk.

**(p) Safety, Security and Crime Prevention**

Increased passive surveillance as a result of the proposed development.

**(q) Social Impact in the Locality**

Generally positive with the provision of a multi-use facility to benefit the community and complete the 'arts precinct' with links to the adjoining Art Gallery.

**(r) Economic Impact in the Locality**

Generally positive including the acquisition of building materials, trades and labour from local area during construction, contributing to the local economy.

**(s) Site Design and Internal Design**

Adequate as discussed throughout this report.

**(t) Construction**

To comply with the BCA where relevant.

**(u) Cumulative Impacts**

Nil. There are no known impacts that have the potential to act in unison, in terms of space or time, or owing to their repetitive nature, that would produce an effect greater or different than the sum of the separate parts.

**Suitability of Site for Development – 4.15(1)(c)****(a) Does the proposal fit in the locality?**

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments and there are adequate utilities and transport facilities in the area available for the development.

**(b) Are the Site Attributes conducive to Development?**

Yes. The site is not subjected to any natural hazards, and the project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site.

**Submissions made in accordance with Act or Regulations – 4.15(1)(d)**

**(A) Public Submissions**

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 6 August 2021. During the notification period, no submissions were received.

**(B) Submissions from Public Authorities**

No submissions were sought or received from public authorities.

**The Public Interest – 4.15(1)(e)**

**(A) Federal, State and Local Government interests and Community interests**

No significant issues in the interests of the public are expected as a result of the proposed development.

**Consultations**

**(a) Health and Building**

Council's Health & Building Surveyor has not raised any concerns with the proposal, subject to standard conditions.

**(b) Technical Services**

Council's Development Engineer has not raised any concerns with the proposal subject to standard conditions.

**(c) Heritage Advisor**

Council's Heritage Advisor has not raised any concerns with the proposal.

**Community Plan implications**

<b>Theme</b>	<b>Protecting Our Natural Environment</b>
Goal	Protect and enhance our natural environment
Strategy	Ensure land use planning and management enhances and protects biodiversity and natural heritage

**Strategic implications**

**Council Strategies**

Not Applicable

**Council Policies**

- Mid-Western Regional Development Control Plan 2013
- Mid-Western Regional Contributions Plan 2019
- Mid-Western Regional Community Participation Plan 2019
- Mid-Western Regional Developer Servicing Plan 2008



**Legislation**

Environmental Planning & Assessment Act 1979  
Environmental Planning & Assessment Regulation 2000  
Mid-Western Regional Local Environmental Plan 2012

**Financial implications**

There are no financial implications associated with the development application as no contributions are levied by the proposal.

**Associated Risks**

Should Council refuse the Development Application, the applicant may seek a further review of this decision or appeal through the Land & Environment Court.

KAYLA ROBSON  
PLANNING COORDINATOR

LINDSAY DUNSTAN  
MANAGER, PLANNING

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

19 August 2021

*Attachments:* 1. Development Plans.  
2. Landscape Plans.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

# DEVELOPMENT APPLICATION

## Proposed change of use, and alterations and additions to an existing office building at 2-6 Douro St, Mudgee

### LIST OF DRAWINGS

Dwg. No	Dwg. Name	Scale
DA-001	Cover Page	
DA-002	Site Images	
DA-003	Existing Site and Ground Floor Plan	1:100
DA-004	Demolition Plan	1:100
DA-010	Site Plan	1:100
DA-100	Ground Floor Plan	1:50
DA-200	Elevations and Sections	1:100
DA-700	Area Schedule	1:100



Aerial Map

**General Notes**  
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 Registered Architects (NSW) - John Baker 3552, John Kavanagh 3399

Rev	Date	Issue
P1	25/5/21	Preliminary Review
P2	16/6/21	Preliminary For Coordination
A	24/6/21	For DA Submission

**LEGEND**  
  
 Existing Building Element  
 Proposed Building Element

**LIST OF CONSULTANTS**  
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**Traffic Consultant**  
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 Level 5, Suite 502/503 Victoria Ave, Chesham  
 T: 02 9411 9900  
**BCA Consultant**  
 Building Certificate Australia  
 255 Commonwealth Street, Surry Hills  
 T: 02 8014 7720  
**QS Consultant**  
 MBM  
 Level 5, 1 Chifley Square, Sydney  
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**Surveyor**  
 O'Hvan Geospatial  
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**North**

**Scale** at A1

**Status**  
 For Development Application

**Drawn**  
 AK

**Date**  
 24/6/21

**Checked**  
 JB

**Project**  
 Art Workshops  
 2-6 Douro St, Mudgee

**Drawing**  
**Cover Page**

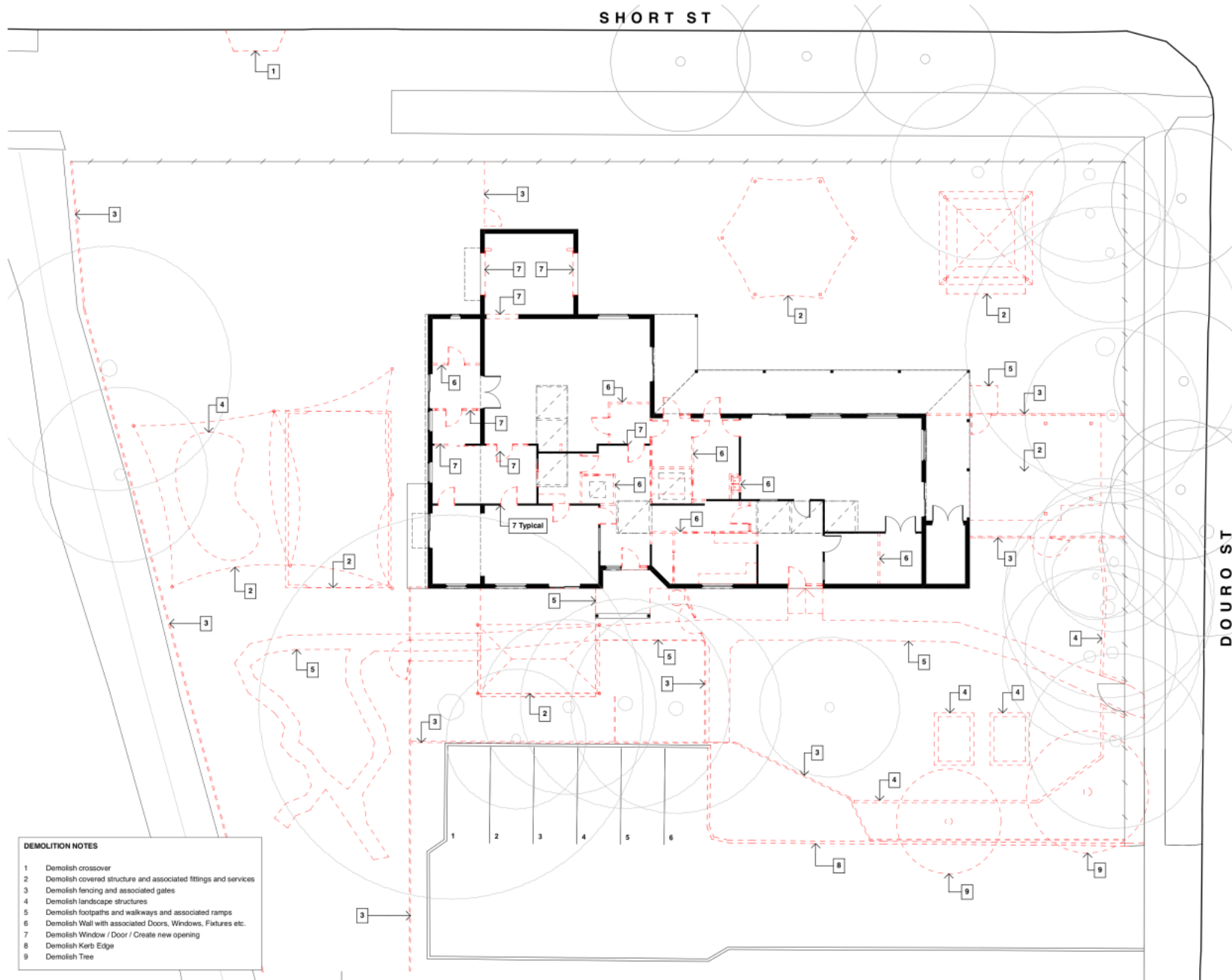
**Project No.** 21005    **Revision** A    **Drawing No.** DA-001







SHORT ST



- DEMOLITION NOTES**
- 1 Demolish crossover
  - 2 Demolish covered structure and associated fittings and services
  - 3 Demolish fencing and associated gates
  - 4 Demolish landscape structures
  - 5 Demolish footpaths and walkways and associated ramps
  - 6 Demolish Wall with associated Doors, Windows, Fixtures etc.
  - 7 Demolish Window / Door / Create new opening
  - 8 Demolish Kerb Edge
  - 9 Demolish Tree

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 Newcastle Architects (NSW) - John Baker 3552, John Kavanagh 3389

Rev	Date	Issue
P1	25/5/21	Preliminary Review
P2	15/6/21	Preliminary For Coordination
A	24/6/21	For DA Submission

**LEGEND**

Existing Building Element

Proposed Building Element

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- BCA Consultant**  
 Building Certificates Australia  
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- QS Consultant**  
 MBW  
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**North**

**Scale at A1**  
 1:100

**Status**  
 For Development Application

**Drawn**  
 AK

**Date**  
 24/6/21

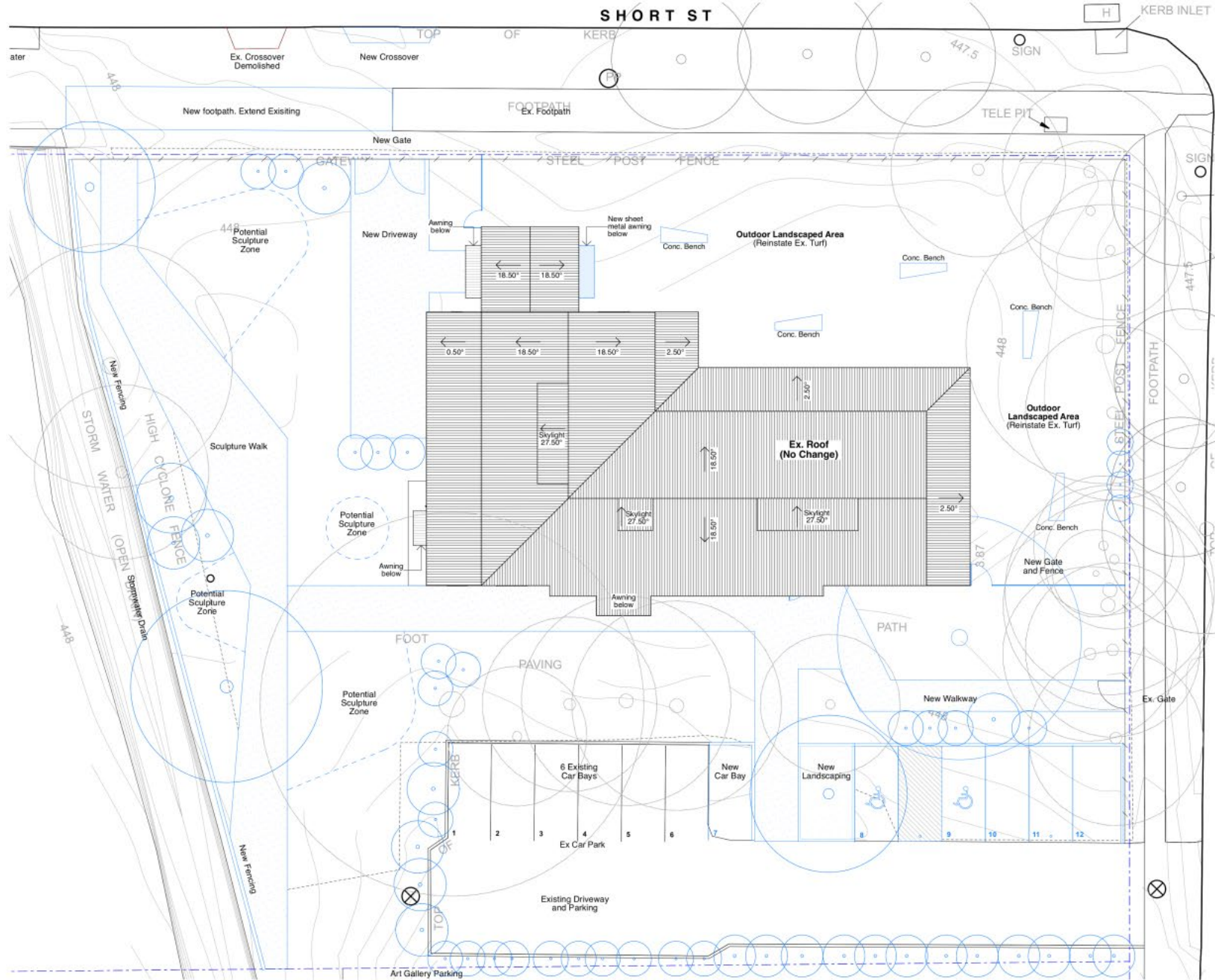
**Checked**  
 JB

**Project**  
 Art Workshops  
 2-6 Douro St, Mudgee

**Drawing**  
**Demolition Plan**

**Project No.** 21005    **Revision** A    **Drawing No.** DA-004





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Rev	Date	Issue
P1	25/02/21	Preliminary Review
P2	16/02/21	Preliminary For Coordination
A	24/02/21	For DA Submission

**LEGEND**  
 Existing Building Element  
 Proposed Building Element

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**QS Consultant**  
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	1:100

Status	Drawn
For Development Application	AK

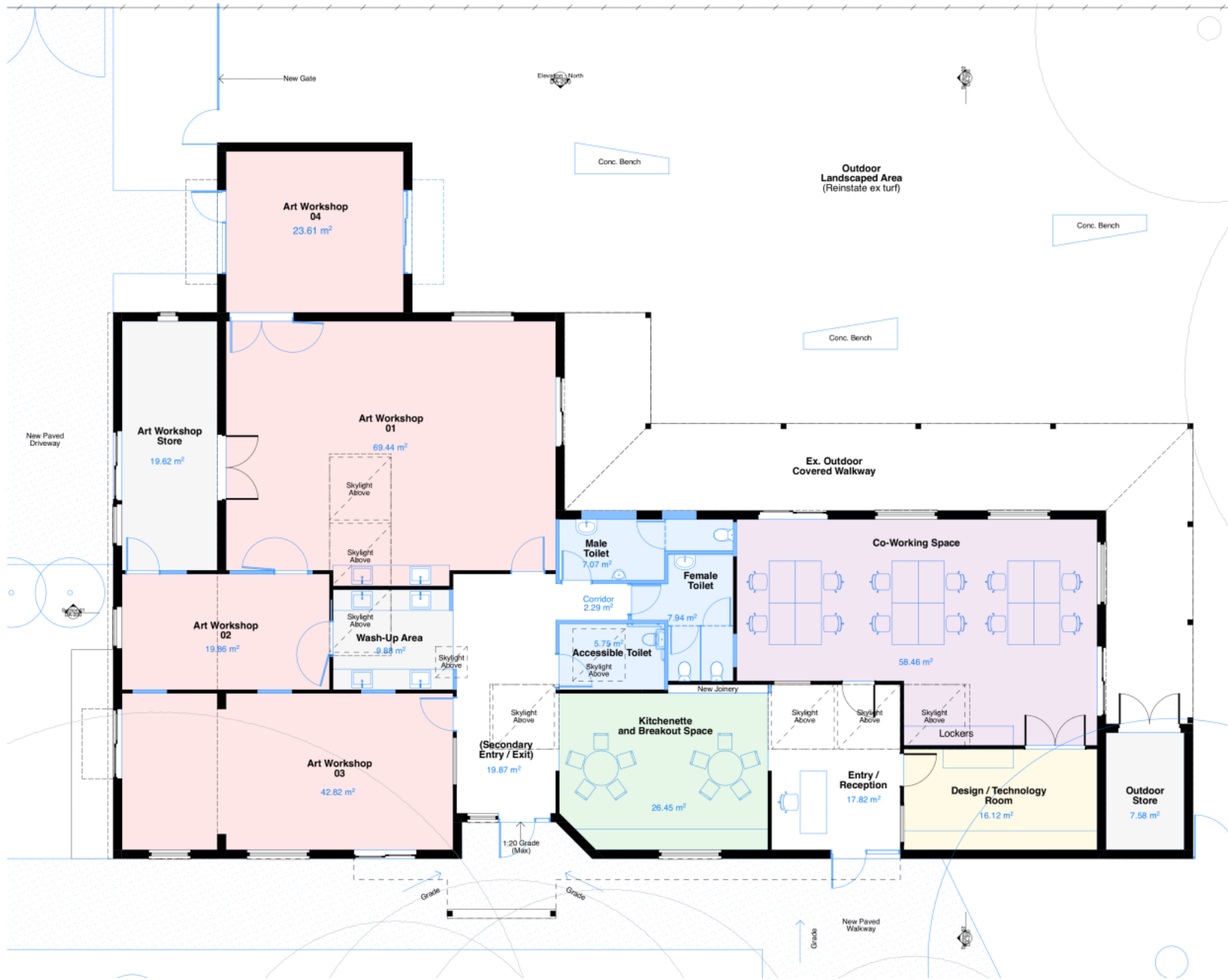
Date	Checked
25/6/21	JB

**Project**  
 Art Workshops  
 2-6 Douro St, Mudgee

**Drawing**  
**Site Plan**

Project No.	Revision	Drawing No.
21005	A	DA-010





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Rev	Date	Issue
P1	25/5/21	Preliminary Review
P2	16/6/21	Preliminary for Coordination
A	24/6/21	For DA Submission

**LEGEND**

	Existing Building Element
	Proposed Building Element

**LIST OF CONSULTANTS**

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**Surveyor**  
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**BJKA Architecture**

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**BYRON BAY** 88 Station St, NSW 2480

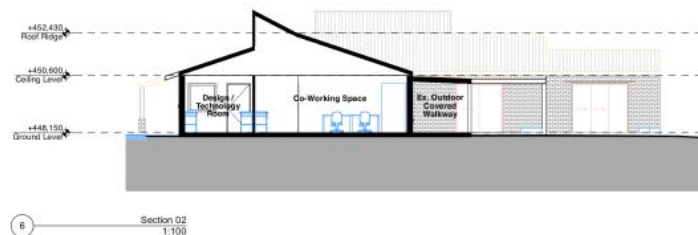
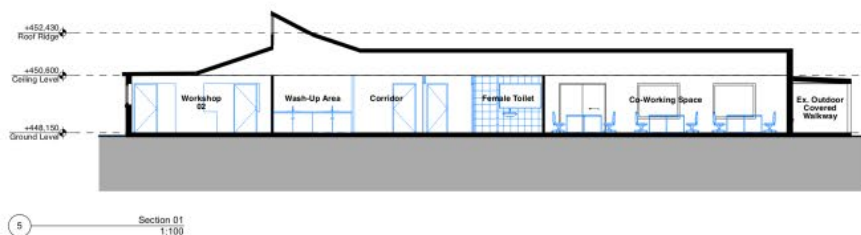
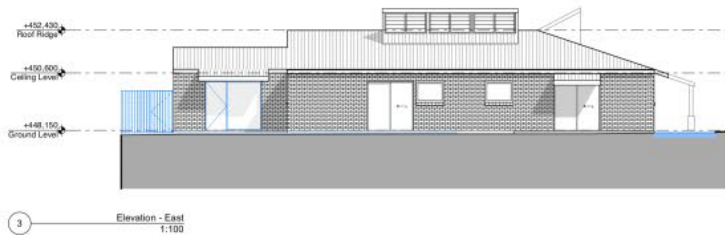
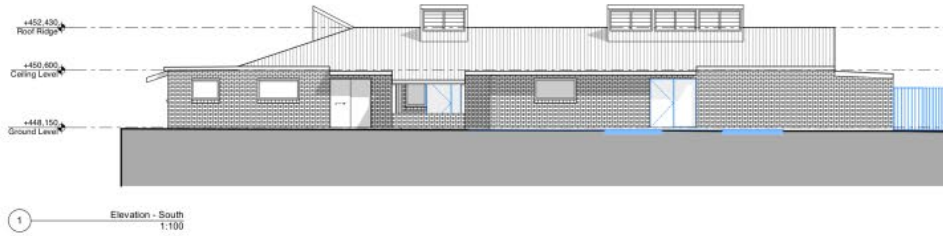
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North	Scale at A1 1:50
Status For Development Application	Drawn AK
Date 24/6/21	Checked JB

**Project**  
 Art Workshops  
 2-6 Douro St, Mudgee

**Drawing**  
**Ground Floor Plan**

Project No. <b>21005</b>	Revision <b>A</b>	Drawing No. <b>DA-100</b>
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**PROPOSED EXTERNAL MATERIALS & FINISHES**



**Proposed Paint Finish to External Walls**

To all external walls -  
 Dulux Manor Red or Similar  
 (to match Art Gallery external wall cladding colour)  
 Walls to be bagged and painted with flat acrylic type paint

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Rev	Date	Issue
P1	25/5/21	Preliminary Review
P2	16/6/21	Preliminary For Coordination
A	24/6/21	For DA Submission

**LEGEND**

	Existing Building Element
	Proposed Building Element

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- QS Consultant**  
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- Surveyor**  
 O'Ryan Geospatial  
 Shop 129 Church St, Mudgee  
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**Client**  
 Mid-Western Regional Council

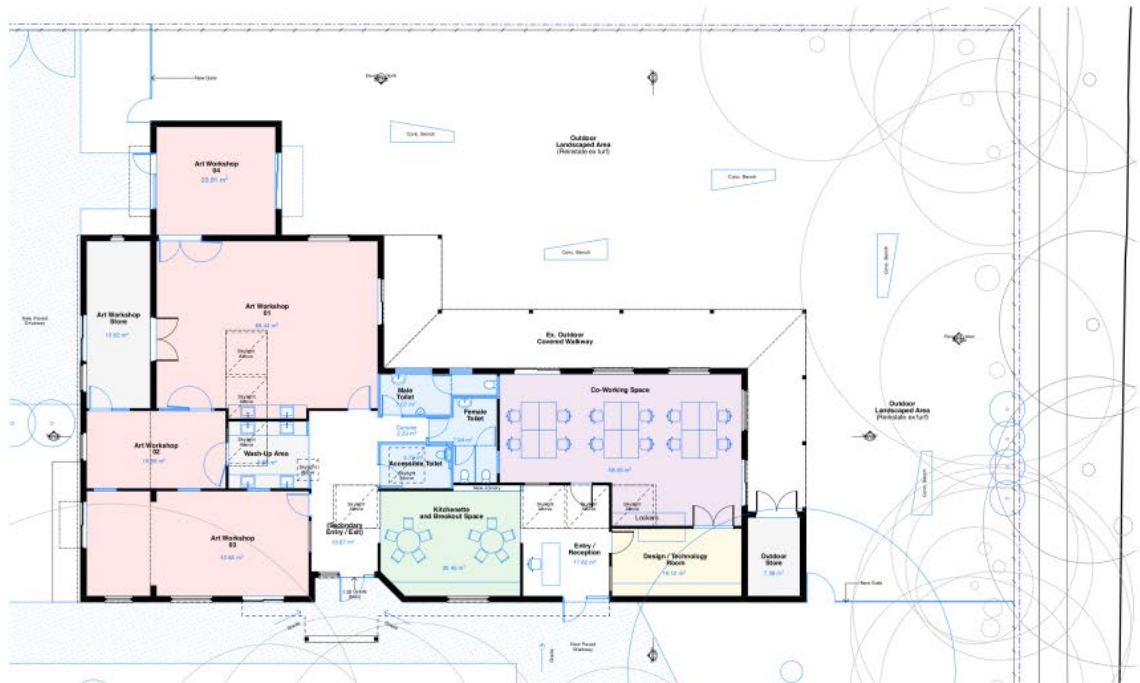
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North	Scale of A1
	1:100
Status	Drawn
For Development Application	AK
Date	Checked
24/6/21	JB

**Project**  
 Art Workshops  
 2-6 Douro St, Mudgee

**Drawing Elevations and Sections**

Project No.	Revision	Drawing No.
21005	A	DA-200



1 Ground Level Plan - Areas  
1:100

Internal Area Schedule	
Location	Area
Art Workshop 01	69.44
Art Workshop 02	19.86
Art Workshop 03	42.82
Art Workshop 04	23.61
Art Workshop Store	19.62
Co-Working Space	58.46
Common Area - Corridor	2.29
Common Area - Reception / Entry	17.82
Common Area - Secondary Entry	19.87
Design & Technology Room	16.12
Kitchenette	26.45
Outdoor Store	7.58
Toilet - Accessible	5.75
Toilet - Female	7.94
Toilet - Male	7.07
Wash-Up Area	9.88
	<b>354.58 m<sup>2</sup></b>

2 Internal Area Schedule

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Rev	Date	Notes
P1	25/5/21	Preliminary Review
P2	16/6/21	Preliminary For Coordination
A	24/6/21	For OA Submission

**LEGEND**  

 Existing Building Element  
 Proposed Building Element

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- Surveyor**  
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North  
  
 Scale at A1  
 1:100

Status  
 For Development Application  
 Drawn  
 AK

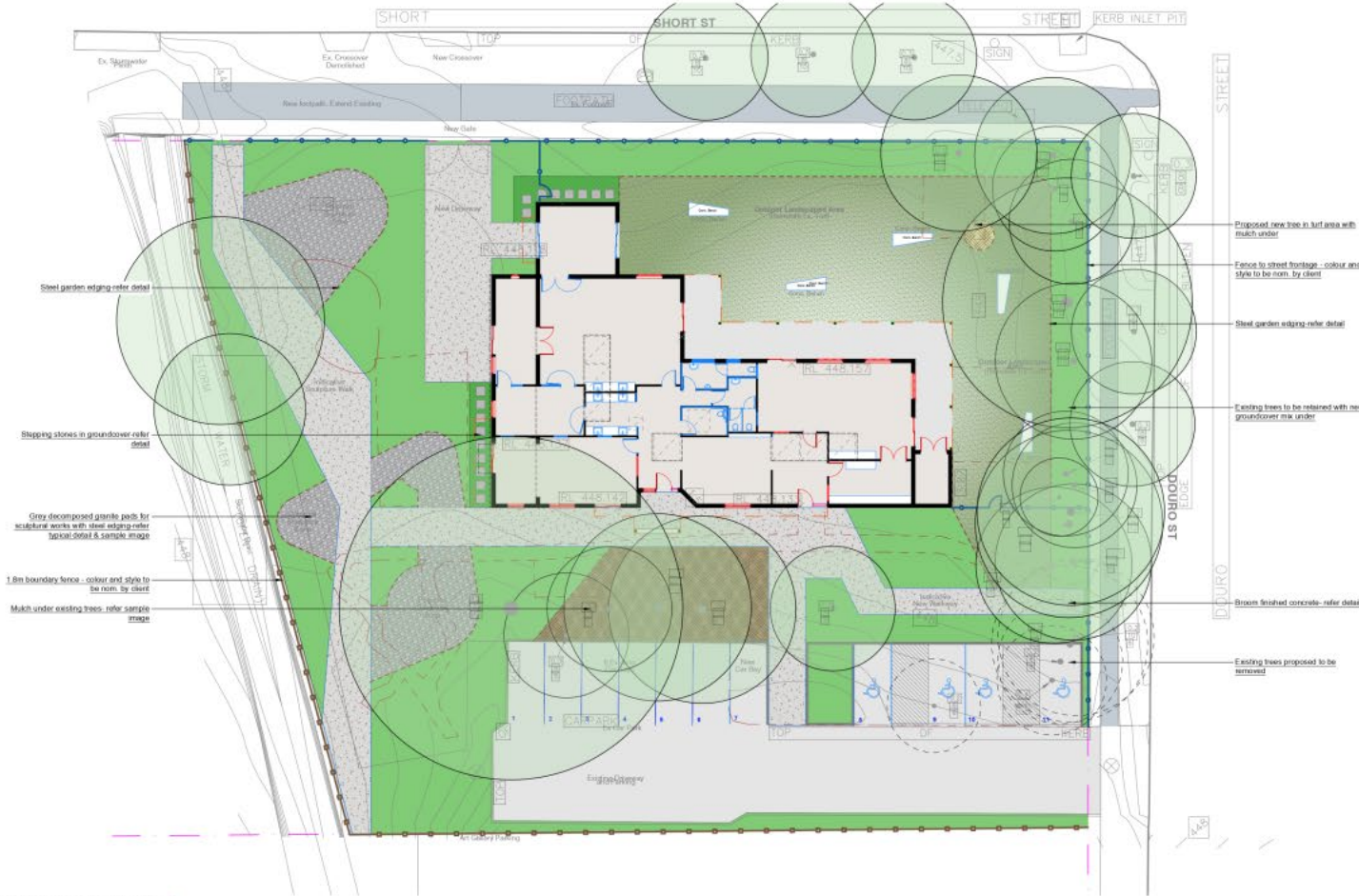
Date  
 24/6/21  
 Checked  
 JB

Project  
 Art Workshops  
 2-6 Douro St, Mudgee

Drawing  
**Area Schedule**

Project No. Revision Drawing No.  
**21005 A DA-700**





**HARDSCAPE ITEMS**

- Steel garden edging - refer detail
- Turf area - refer detail
- Garden bed - refer landscape design plan
- Stepping stones in groundcover - refer detail
- Broom finished concrete - refer detail
- Existing stormwater channel embankment wall
- Gray decomposed granite pads for sculptural works with steel edging - refer typical detail & sample image
- Mulch under existing tree
- Proposed new tree in turf area with mulch under
- Concrete bench to be nom. by client
- 1.8m boundary fence - colour and style to be nom. by client
- Fence to street frontage - colour and style to be nom. by client
- Trees proposed to be removed and replaced with new landscaping
- Existing trees proposed to be retained and protected

DRAINAGE PITS AND DRAINAGE LINES SHOULD BE LOCATED WITHIN GARDEN AREAS TO ALLOW FOR SITE DRAINAGE WHILE MINIMISING IMPACT ON THE PROPOSED PLANTING SCHEME. WHERE POSSIBLE, PITS AND UNDERWORK SHOULD BE LOCATED AT THE EDGE OF LANDSCAPE STRIPS TO AVOID PRECIPITATING PLANTING CENTRALLY IN GARDEN AREAS. WHERE PITS AND UNDERWORK OCCUR WITHIN GARDEN BEDS, THE LANDSCAPE CONTRACTOR SHALL TAKE ALL PRECAUTIONS TO AVOID DAMAGING STORM WATER WHEN PLANTING SHRUBS AND TREES. LANDSCAPE CONTRACTORS SHALL NOT ALTER THE FORM OF SWALES DESIGNED TO DIRECT OVERLAND FLOW.

AN AUTOMATED COMMERCIAL GRADE IRRIGATION SYSTEM SHALL BE PROFESSIONALLY INSTALLED TO ALL GARDEN AREAS, INCLUDING RAISED PLANTERS, UPPER FLOOR PLANTERS AND GARDENS IN NATURAL GROUND. THE SYSTEM SHALL BE DESIGNED AND INSTALLED IN LINE WITH THE IRRIGATION PERFORMANCE SPECIFICATION BY A LICENSED CONTRACTOR OR LANDSCAPER. THE LICENSED CONTRACTOR SHALL PREPARE AND SUBMIT PLAN OF THE SYSTEM TO THE SUPERINTENDENT FOR STRATA RECORDS, FOR FUTURE MAINTENANCE.

**LANDSCAPE PLAN NOTES**

The plan should be read in conjunction with the architectural and hydraulics plans. Work specific to these plans should be prepared in accordance to these plans, including specification and details prior to the installation of landscaping, and should not be altered or compromised during construction. **Retaining wall details to engineer design.** Elements such as drainage swales may be incorporated in garden bed areas (using non-flammable mulch) without compromising the capacity or form.

**This plan has been prepared for Development Application approval only, not for construction.**

The plan has been prepared with reference to Mid-Western Regional Council Landscaping Guidelines & requirements. Planting proposed using commercially available plant species selected from local planning lists and the BASSI local plant list and from Sydney Water's "Plant Selection" web site (only) (speculative plants (exceptable for BASSI planning)).

The Design & location of new letter boxes shall be in accordance with Australia Post's "Requirements for Delivery of Mail in Residential Premises" published Feb. '20. All proposed new letter boxes shall be located on the site shall be continually removed & replaced. Retainable all boundary fencing in poor condition with Council approved 1.8m fencing to rear of building line, take to 1m forward of BL. Pollution, sediment & erosion control devices as specified shall be in place, and maintained for the duration of the construction period. Proposed excavation near existing established trees to be supervised by arborist.

All approved landscape plans are required to be constructed as approved to obtain occupancy certificate. **Permissible areas may be indicated to achieve site coverage restrictions & should be constructed as shown on this plan.**

**DRAWING SCHEDULE**

SHEET #	DRAWING TITLE	REV.
/1	SITE ANALYSIS	B
/2	LANDSCAPE PLAN	B
/3	IMAGE PALETTE	B
/4	DETAIL + SPECIFICATION	B

**LOCATION PLAN**

Scale: NTS



Street view from Douro Street



Street view from Short Street



<p><b>REVISIONS:</b></p> <p>1. All drawings shall be prepared in accordance with the current edition of the Australian Standard AS 1100:2011. All drawings shall be prepared in accordance with the current edition of the Australian Standard AS 1100:2011. All drawings shall be prepared in accordance with the current edition of the Australian Standard AS 1100:2011.</p>	<p><b>BAR SCALE</b></p>	<p><b>ARCHITECT</b></p> <p>BVA ARCHITECTURE</p>	<p><b>LANDSCAPE ARCHITECT</b></p> <p>Concept</p>	<p><b>DRAWN</b></p> <p>MID-WESTERN REGIONAL COUNCIL</p>	<p><b>REV. DATE</b></p> <p>A 15/09/2021</p>	<p><b>NOTATION/REMARKS</b></p>	<p><b>PROJECT</b></p> <p>PROPOSED COMMERCIAL DEVELOPMENT 2-6 DOURO STREET MUDGEE</p>	<p><b>TITLE</b></p> <p>HARDSCAPE PLAN</p>	<p><b>SCALE</b></p> <p>1:150 @ A1</p>	<p><b>DATE</b></p> <p>June 21</p>



# LEGEND & SCHEDULE

- NOTES**
- 1. ALL FINAL PLANT QUANTITIES INDICATED ON PLANS SHALL BE CHECKED AND VERIFIED BY SUCCESSFUL LANDSCAPE CONTRACTOR.
  - 2. ANY PLANT SUBSTITUTES REQUIRED DUE TO UNAVAILABILITY SHALL BE RECOMMENDED BY THE LANDSCAPE CONTRACTOR TO BEST MATCH SUBSTITUTED PLANTS AND APPROVED PRIOR TO PURCHASING BY THE LANDSCAPE ARCHITECT.
  - 3. WORKING CERTIFIED FOR FINAL OCCUPANCY CERTIFICATE ARE TO MATCH APPROVED LANDSCAPE PLANS.
  - 4. LANDSCAPE CONTRACTOR SHALL LOCATE AND AVOID SITE STORE WATER DRAINAGE SERVICES. LOCATE TREES A MINIMUM 1.2M FROM PITS.
  - 5. ALL PLANTING AROUND EXISTING TREES SHALL BE ADJUSTED TO AVOID DAMAGE AND CLASHING WITH SERVICE ROOTS.
  - 6. THE NATURE STRIP (STREET FRONTAGE) FOR THE SITE IS PUBLIC LAND, AND ONLY AUTHORIZED WORKS MAY OCCUR HERE. EXISTING CONDITIONS SUCH AS STREET TREES, CURBS, PLANTINGS ETC SHALL BE RETAINED AND PROTECTED DURING CONSTRUCTION UNLESS SPECIFIC APPROVAL HAS BEEN GRANTED FOR NEW WORK IN THIS AREA.

## TREES

- Botanical Name:** *Corymbia citriodora* 'Scented Gum'  
**Common Name:** Lemon-Scented Gum (Native)  
**Pot size:** 75L  
**Mature H x S:** 12m x 6m  
**Qty Required:** 2
- Botanical Name:** *Myrica asyatica*  
**Common Name:** Tropic Noddy  
**Pot size:** 75L  
**Mature H x S:** 11m x 6m  
**Qty Required:** 2
- Botanical Name:** *Lagerströmia 'Yellow'*  
**Common Name:** Crepe Myrtle (Exotic)  
**Pot size:** 75L  
**Mature H x S:** 6m x 4m  
**Qty Required:** 3

## SHRUBS AND HEDGES

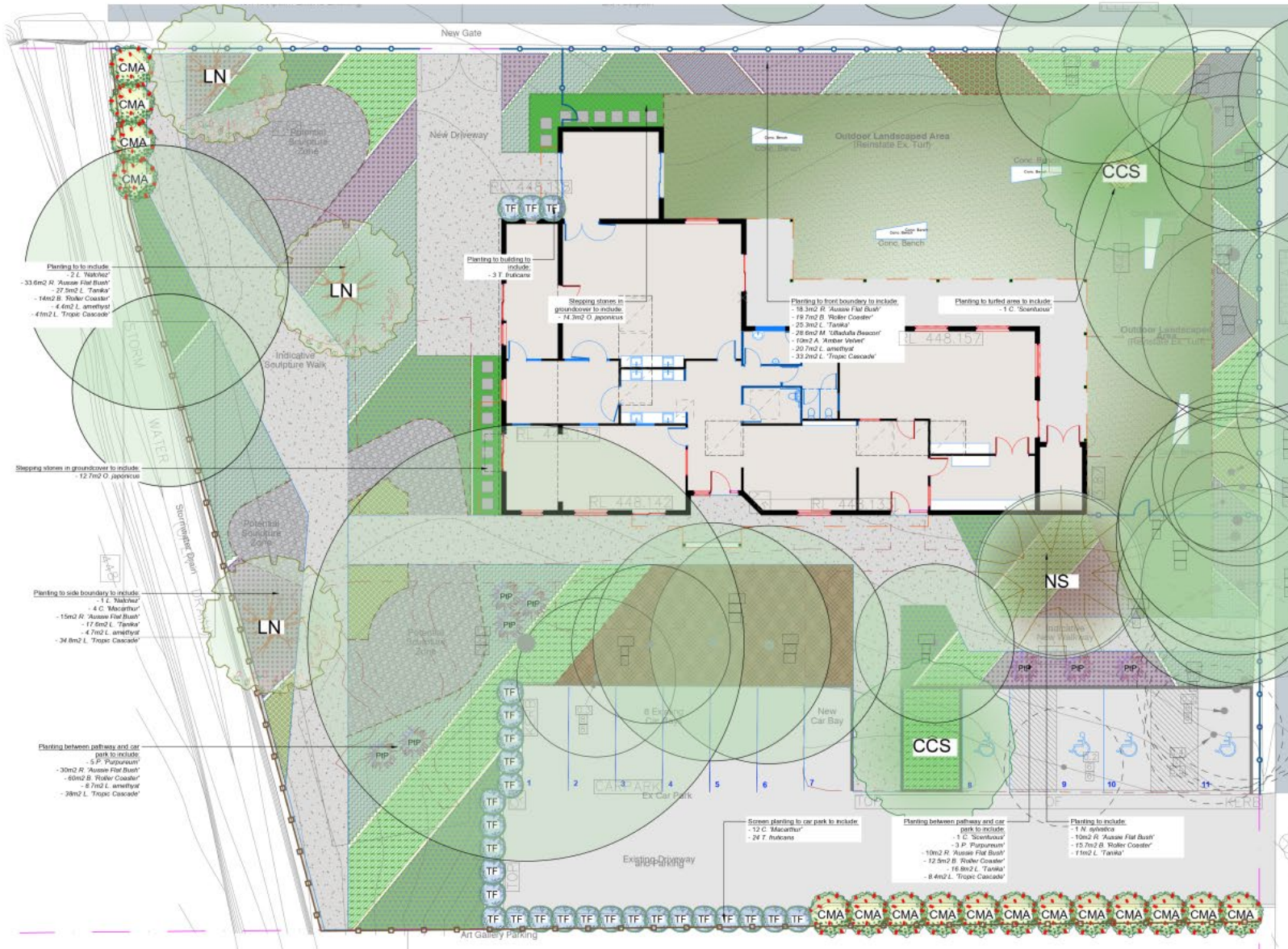
- Botanical Name:** *Callistemon 'Macarthur'*  
**Common Name:** Weeping Bottlebrush (Native)  
**Pot size:** 300mm  
**Mature H x S:** 2m x 2m  
**Qty Required:** 16
- Botanical Name:** *Ficus benjamina*  
**Common Name:** Tree fern (Exotic)  
**Pot size:** 300mm  
**Mature H x S:** 1.5m x 1.5m  
**Qty Required:** 24

## ACCENT PLANT

- Botanical Name:** *Phormium tenax* 'Purpureum'  
**Common Name:** New Zealand Flax (Exotic)  
**Pot size:** 300mm  
**Mature H x S:** 0.9m x 0.9m  
**Qty Required:** 8

## GRASSES + GROUNDCOVERS

- Botanical Name:** *Bankisia 'Roller Coaster'*  
**Common Name:** Prostrate Bankisia (Native)  
**Pot size:** 200mm  
**Mature H x S:** 0.2 x Spreading  
**Qty Required:** 61x2 (121.6m<sup>2</sup> total)
- Botanical Name:** *Rhynchospora 'Aussie Flat Bush'*  
**Common Name:** Salt Bush (Native)  
**Pot size:** 200mm  
**Mature H x S:** 0.3 x Spreading  
**Qty Required:** 61x2 (116.6m<sup>2</sup> total)
- Botanical Name:** *Solenanthes 'Vehulu Beach'*  
**Common Name:** Honey Myrtle (Native)  
**Pot size:** 200mm  
**Mature H x S:** 0.5 x 0.3m  
**Qty Required:** 61x2 (28.6m<sup>2</sup> total)
- Botanical Name:** *Anagallis 'Anther Velvet'*  
**Common Name:** Kangaroo Paw (Native)  
**Pot size:** 200mm  
**Mature H x S:** 0.4 x 0.3m  
**Qty Required:** 61x2 (10.6m<sup>2</sup> total)
- Botanical Name:** *Lupinus 'amethyst'*  
**Common Name:** Prostrate Bankisia (Exotic)  
**Pot size:** 200mm  
**Mature H x S:** 0.4 x 0.4m  
**Qty Required:** 61x2 (38.6m<sup>2</sup> total)
- Botanical Name:** *Lomandra 'Tanika'*  
**Common Name:** Matt Rush (Native)  
**Pot size:** 200mm  
**Mature H x S:** 0.6 x 0.6m  
**Qty Required:** 61x2 (88.2m<sup>2</sup> total)
- Botanical Name:** *Lomandra 'Tropic Cascade'*  
**Common Name:** Matt Rush (Native)  
**Pot size:** 200mm  
**Mature H x S:** 0.6 x 0.6m  
**Qty Required:** 61x2 (158.4m<sup>2</sup> total)
- Botanical Name:** *Opheopogon japonicus*  
**Common Name:** Mondo grass (Exotic)  
**Pot size:** 100mm  
**Mature H x S:** 0.2m x 0.2m  
**Qty Required:** 61x2 (27.6m<sup>2</sup> total)



<b>SEALING DATE</b> <small>SEALING DATE: 14/06/2023</small>	<small>THIS DOCUMENT IS THE PROPERTY OF BWA ARCHITECTURE. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE EXPRESS WRITTEN PERMISSION OF BWA ARCHITECTURE.</small>	<small>LANDSCAPE ARCHITECT</small>  <small>Unit 121, 88B Glen View Drive, GARDNERIA NSW 1510              Phone: 082 8142              Fax: 082 8143              Email: info@concept-landscape.com.au              www.concept-landscape.com.au</small>	<b>OWNER</b> MD-WESTERN REGIONAL COUNCIL	<b>REV</b> <b>DATE</b> <b>NOTIFICATION/REMARKS</b>	<b>PROJECT</b> PROPOSED COMMERCIAL DEVELOPMENT 2-6 DOUR STREET MUDGEE	<b>TITLE</b> LANDSCAPE PLAN	<b>DATE</b> DEVELOPMENT APPLICATION
			1    19/06/2023    Issued for approval by the Council	1:100 @ A1		DATE: June 2023	
<small>MD-WESTERN REGIONAL COUNCIL</small>	<small>BWA ARCHITECTURE</small>	<small>CONCEPT LANDSCAPE ARCHITECTURE</small>	<b>CLIENT</b> MD-WESTERN REGIONAL COUNCIL	<b>DATE</b> 19/06/2023	<b>PROJECT NUMBER</b> 2	<b>DESIGNER</b> K.Z.	<b>REVIEWER</b> R.F.
			<small>LPDA 21 - 334</small>	<small>2</small>	<small>1:100 @ A1</small>	<small>JUNE 2023</small>	<small>R.F.</small>





*Lagerstroemia 'Natchez'*



*Corymbia citriodora 'Scentuous'*



*Nyssa sylvatica*



*Callistemon 'Macarthur'*



*Teucrium fruticans*



*Lomandra 'Tanika'*



*Phormium tenax 'Purpureum'*



*Melaleuca 'Ulladulla Beacon'*



*Banksia 'Roller Coaster'*



*Anigozanthos 'Regal Velvet'*



*Liriope amethyst*



*Lomandra 'Tropic Cascade'*



*Ophiopogon japonicus*



*Rhagodia 'Aussie Flat Bush'*



Steel garden edging



Grey deco granite surface



Stepping stones on groundcover



Mulch under tree

<p><b>DISCLAIMER:</b></p> <p>This palette is intended as a guide only. It is not intended to be a definitive list of materials. The palette is intended to provide a range of options for the client to consider. The palette is intended to provide a range of options for the client to consider. The palette is intended to provide a range of options for the client to consider.</p>	<p><b>ARCHITECT:</b></p> <p>BWA ARCHITECTURE</p>	<p><b>LANDSCAPE ARCHITECT:</b></p> <p>Concept Landscape Architecture</p>	<p><b>OWNER:</b></p> <p>MID-WESTERN REGIONAL COUNCIL</p>	<p><b>REV. DATE</b></p> <p>01/09/2021</p>	<p><b>NOTA TO ARCHITECT:</b></p> <p>01/09/2021</p>	<p><b>PROJECT:</b></p> <p>PROPOSED COMMERCIAL DEVELOPMENT 2-6 DOURO STREET MUDGEEE</p>	<p><b>TITLE:</b></p> <p>IMAGE PALETTE</p>		<p><b>STATUS:</b></p> <p>DEVELOPMENT APPLICATION</p>	
							<p>DATE: June 21</p>	<p>DESIGNER: R.F.</p>		



