



Attachment 1 to Item 2.1.1.

S4.15 assessment Report & Recommended conditions

Date of meeting: 18 July 2024
Location: Council Chambers or audio-visual link
Time: 10am

**Section 4.15 Assessment Report
Environmental Planning & Assessment Act 1979**

Development Application No.	DA0298/23
Date Received	12/01/2024
Proposal	Community Facility – Conversion of an existing toilet to storage. Construction of a deck and access ramp, upgrade of internal toilets at the Country Women’s Association (CWA) Building at McQuade Park. The application is a nominated Integrated Development pursuant to Section 58 of the Heritage Act 1977.
Estimated Cost	\$100,000
Legal Description	Lot 1, DP 556829
Property Address	Country Women’s Association (CWA) Building; McQuade Park – 361 George Street, Windsor
Area	8.125Ha
Zoning	RE1 – Public Recreation
Applicant	Mrs Barbara Tarnawski
Owner	Crown Lands
Exhibition Dates	18/01/2024 – 19/02/2024
Submissions	Nil
Recommendation	Approval, subject to conditions.

1. Executive Summary

The development application seeks consent for alterations and additions to the rear of the existing Country Women’s Association (CWA) building at McQuade Park. The works (as amended) include the demolition of the rear water closet and construction of a new accessible bathroom; refurbishment of the existing bathrooms including updates for accessibility and the addition of a rear deck with ramp for accessible access to the rear of the CWA building’s open space and gardens. The application is a nominated Integrated Development pursuant to Section 58 of the Heritage Act 1977. Heritage NSW granted their General Terms of Approval (GTA) on the 2nd May 2024.

The immediate location of the proposal comprises of an open grass area, existing lake, pedestrian footpath and existing mature trees. Within proximity to the proposal area to the north-east is Windsor Bowling & Sports Club, Windsor Tennis Club and Memorial Park. To the north is Hawkesbury Valley Rugby Union Club, and to the north-west is Don’t Worry Oval. The Hawkesbury City Council chambers and Windsor Function Centre are immediately south-east of the CWA Building.

The subject site is zoned RE1 – Public Recreation with the proposal identified as ancillary works to an existing **community facility**, which is a permissible form of development in the RE1 zone under the Hawkesbury Local Environmental Plan 2012 (HLEP 2012).

McQuade Park is identified as an item of State Historical significance because it is a powerful testimony to the first stage of formal town-planning in New South Wales. The expanse of open green space in the centre of Governor Macquarie’s most significant Hawkesbury town has survived and been expanded over two centuries and is still today an essential historic asset for public recreation, both sporting and passive. Its deliberate siting adjacent to the iconic Anglican Church of St Matthew and cemetery enhances the state significance of the park, church and cemetery.

In accordance with Council’s Community Participation Plan 2019, the Development Application was required to be advertised. No submissions have been received.

The proposal does not seek to vary any of the relevant development standards as per HLEP 2012.





In accordance with the Environmental Planning and Assessment Act 1979, Section 9.1 – Directions by the Minister, this application is reported to the Hawkesbury Local Planning Panel for determination as the development is located on Crown Land, owned by Council, with Council being the applicant. The DA has been externally assessed by an independent planning consultant.

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act), taking into consideration all relevant state and local planning controls.

Having regard to the matters for consideration under Section 4.15 of the EP&A Act 1979 and the context of the site, the proposed development is considered to deliver an appropriately balanced and responsive planning outcome, enabling ongoing use of the existing park whilst maintaining the amenity of surrounding properties. It is recommended that Development Application DA0298/23 be approved, subject to conditions of consent. The recommended conditions of consent are within **Attachment 1**.

2. Site Description

The subject site is legally described as Lot, DP 556829, No. 361 George Street, Windsor. The works are relevant to the Country Women's Association (CWA) building (Figure 1, Figure 2, Figure 5 and Figure 6).

As described within the Plan of Management (2022) for McQuade Park:

“The Country Women’s Association (CWA) building, built in 1938, is located on George Street, immediately south of the car parking. The property retains a brick and wrought-iron front boundary fence (likely Post-war period additions) with two original sandstone piers either side of the single entry gate. This gate has a CWA inscription. A concrete pathway leads to the cottage. The side and rear boundaries are enclosed with a weld-mesh fence. The austere character of the building, its functional fencing, walls and garden provide little aesthetic value to the park. Although delineation of boundaries may be a response to past vandalism, this approach reinforces a perception of ‘private space’ within a public park.”

The site is surrounded by R2 – Low Density Residential, E1 – Local Centre and E2 – Commercial Centre, R3 – Medium Density Residential, RE2 Private Recreation (Bowling and Sports Club) and SP1 zoned land (Cemetery). To the north and east of the site is SP2 zoned land for the purposes of place of public worship and education establishments identified as St Mathews Anglican Church, St Mathews Catholic Church, St Mathews Primary School and Windsor Public School. Refer to Figure 3 for land zoning of the site and surrounds.

The site is located approximately 400m from Windsor Railway Station and south-west from Hawkesbury River. McQuade Park is surrounded by established residential development characterised by detached dwelling houses of various architectural styles, varying scales and periods of construction. The built form of the area is reflective of an established suburban neighbourhood with a variety of single and double storey dwelling designs.

The development site is zoned RE1 – Public Recreation and is identified as being of State heritage significance (SHR No: 01851); Figure 4. McQuade Park's significance is based on its outstanding and rare feature of Governor Macquarie's concept of a planned country town in 1810. A central square played a pivotal role in a Macquarie town and McQuade Park retains this role in relation to public activities and open space, as well as its relationship to one of the great early churches and cemeteries of New South Wales (St Matthews). The intimate association with Macquarie himself and with his chief surveyor, James Meehan, is of state significance. To the south of the grandstand there is a playground. There is also a bandstand and War Memorial which are listed as a separate heritage item as per HLEP 2012.

McQuade Park occupies an irregular pentagon. The east and south sides of Macquarie's original rectangular Great Square are still part of the park, along most of the frontage to Tebbutt Street and part of the frontage to George Street. The western side of the park is bounded by Hawkesbury Valley Way (known as Richmond Road until 2009). The two northerly sides of the park are bounded by Moses Street.

Team sport dominates the northern sector of the park. There are two ovals, primarily used for cricket. The principal playing field, with a grandstand, car-parking and amenities, is on the east, with a vehicular entry from Tebbutt Street. The playing area is delimited by a white picket fence installed early in the twenty-first century as the result of an initiative of the local Rotary Club. The other cricket pitch, known as the Don't Worry field, lies to the west and has no amenities.

The south-west sector of the park is used primarily for passive recreation around the lake close to George Street. This hard-edged free-form pond, normally adorned with water-lilies, is a modern development of the natural feature

of a swampy area fed by a spring and a seasonal waterway. A small, grassy island, reached by a short pedestrian bridge, has been created in the northern part of the pond. Immediately to the east of the pond, accessed from George Street, is the Country Women's Association (CWA) meeting hall, an inter-war brick cottage within a small rectangular enclosure. The CWA meeting hall is the subject of the proposed development.

The Plan of Management (November 2022) ("PoM") for McQuade Park outlines opportunities for the Country Women's Association (CWA) building, which are further discussed within **Section 4** of this assessment report.

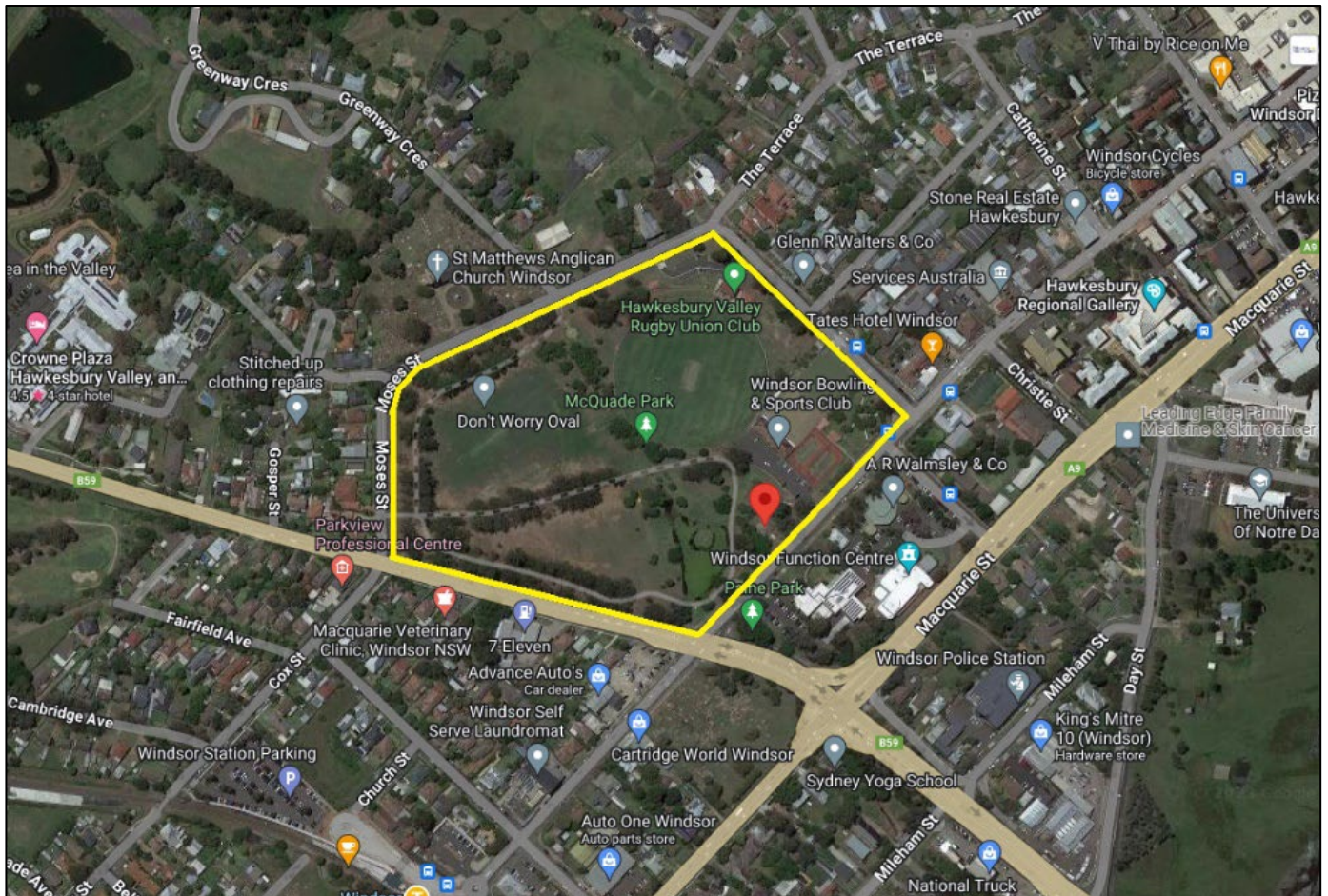


Figure 1 Aerial image of subject site outlined in yellow (Source: Nearmap)
The CWA Building is marked with a red "pin".

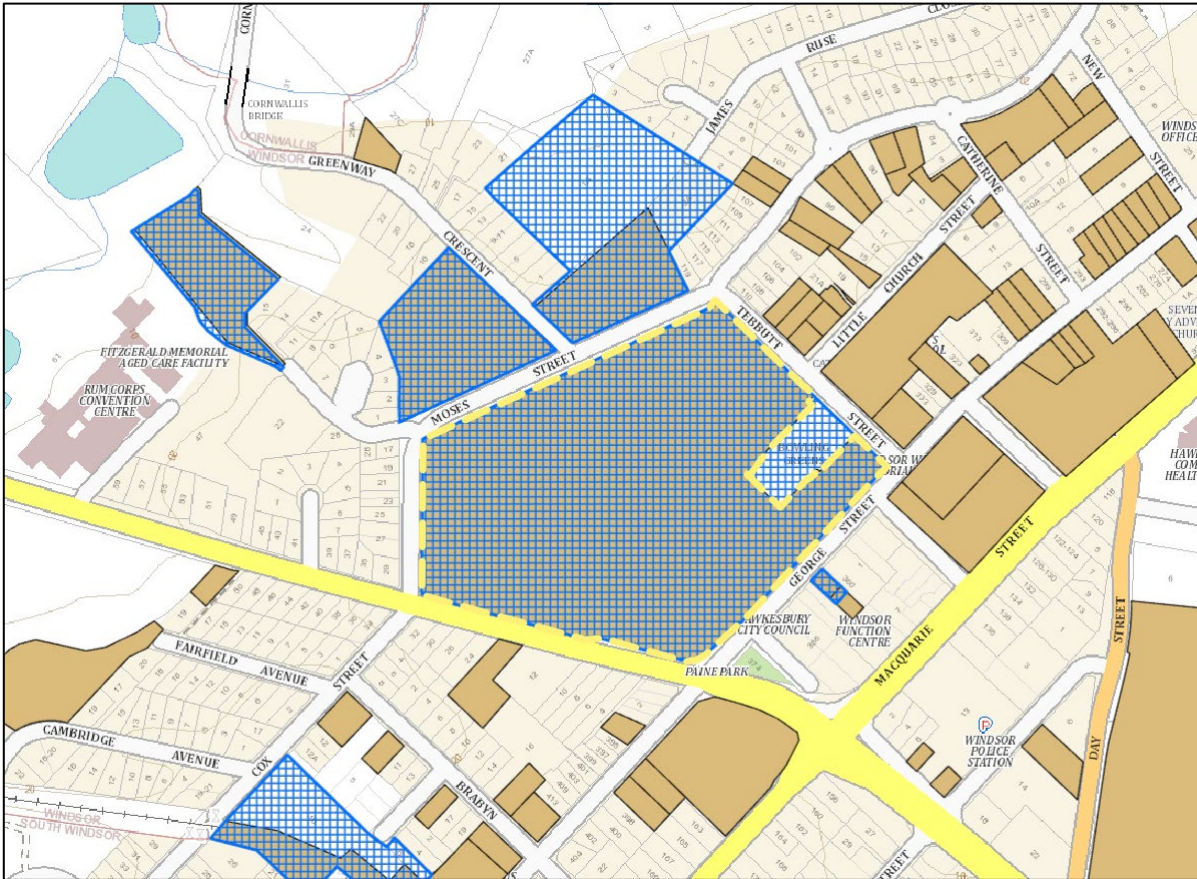


Figure 4 Heritage Map outlining Heritage Item (01851 – McQuade Park)
(Source: DoP Spatial Viewer)



Figure 5 Existing rear elevation (location of proposed works)



Figure 6 External toilet to be demolished
(Red outline emphasis added)

3. Relevant Site History

The site was subject to the following development applications:

Application	Proposal	Determination
DA0699/05	Extension to existing kiosk building for additional storage and toilet facilities	Approved – 13/10/2005
DA0567/06	New cricket storage facility	Approved – 20/11/2006
DA0056/16	Recreational Area - Memorial Structure	Withdrawn
DA0350/23	Proposed construction of a Cenotaph	Approved – 21/03/2024

4. The Proposal

The proposal (as amended) seeks consent for alterations and additions to the existing Country Women’s Association (CWA) building located to the south-east of McQuade Park, and to the north-east of the existing lake. The proposal will specifically include the following:

- Demolition of the external toilet (Figure 6) and replacement with an accessible toilet;
- Minor increase to GFA of 6.1m² as part of the rear bathroom addition;
- New external (unroofed) rear deck with access ramp down to existing garden
- Upgrade of existing internal bathroom facilities.

No changes are sought to the ongoing operations or use of the community building as part of this development application.

The proposed alterations and additions are consistent with the targets of the Plan of Management for McQuade Park (see Section 9 and Section 10 of this report).

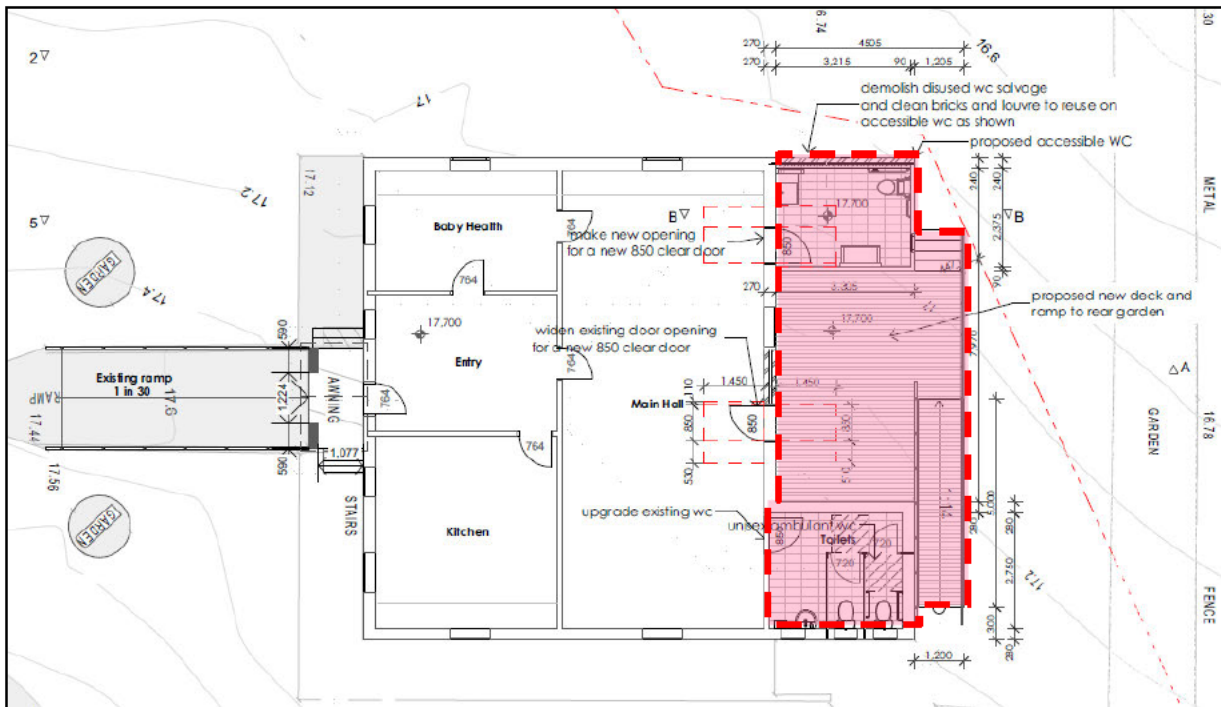


Figure 7 Proposed Floor Plan showing layout of proposal submitted with DA0298/23 (Red outline and emphasis added – not to scale)

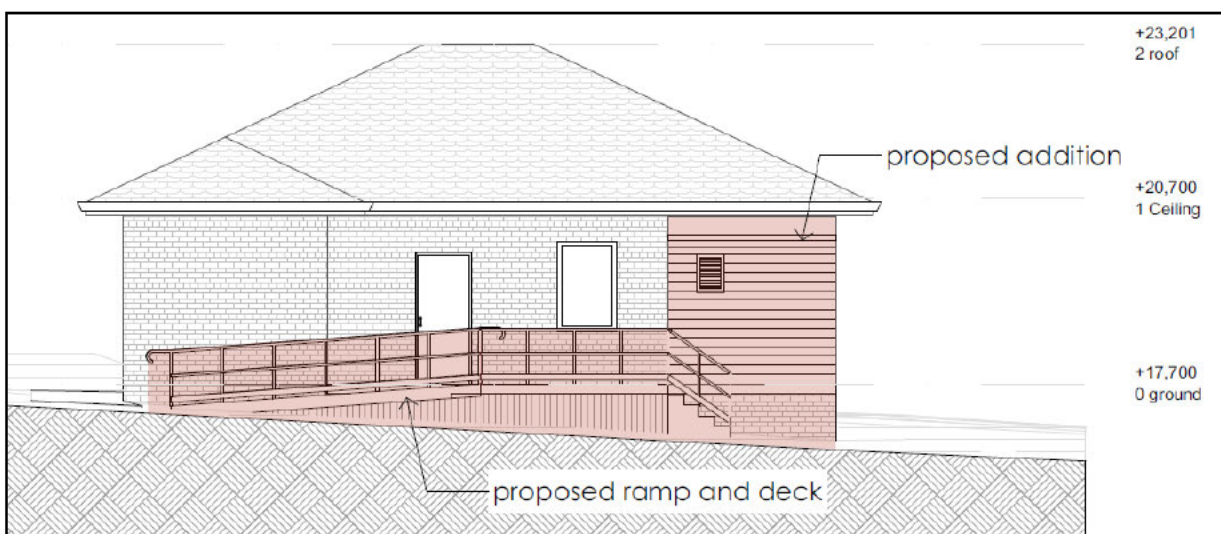


Figure 8 Proposed Elevation (North-West / rear) submitted with DA0298/23 (not to scale)

5. Relevant Application History

Date	Comment
12/01/24	Application lodged on the NSW Planning Portal.
29/04/24	Feedback from Heritage NSW.
30/04/24	Amended Plans addressing Heritage NSW comments lodged (proposed "as amended")

6. Referrals

Stakeholder	Comment
Parks Officer	Nil Comment.
Building Surveyor	Nil Comment.



Stakeholder	Comment
SMF Officer	<p><i>This property is connected to Council's Sewerage Scheme. They will need plumbing and drainage inspections done if they are doing any sanitary drainage as part of the toilet upgrade.</i></p> <p><i>More information required: Distance from sewer to nearest point of deck and sewer to nearest point of structural wall.</i></p> <p>Comment: Addressed within conditions of consent.</p>
Infrastructure Services	<p><i>A sewer peg out (aka service protection report) will be required to confirm suitability. I would advice developer to do this sooner rather than later in case an issues a rises with the distance of the sewer to development.</i></p> <p>Comment: Addressed within conditions of consent.</p>
Heritage Advisor	<p><i>"The subject historic Inter – War Country Women's Association Building is not individually heritage listed but it forms part of the McQuade Park (State) heritage listing (listed- as item I01851).</i></p> <p><i>Subject to the imposition of the recommended heritage related conditions mentioned below no objections are raised to the proposed development which would be unlikely to result in any adverse heritage impacts on the subject Inter-War building, the other heritage features of McQuade Park, or other nearby State and locally listed heritage items.</i></p> <ol style="list-style-type: none"> <i>1. The proposed demolition of the original rear toilet is not supported on heritage grounds and does not form part of the consent for this application.</i> <i>2. The existing original timber window and all associated joinery, sills, and hardware on the western rear wall of the building is to be carefully removed along with the original brickwork from below sill level and all these original items are to be safely stored on site for re-use/repairs for the building, in the future. Details to be shown on the future construction certificate plans.</i> <i>3. The existing rear timber panelled multilight door on the western rear elevation of the building and associated joinery, architraves and hardware is to be adaptively re-used for the entry door to the new accessible toilet or to be safely retained and stored on site for potential re-use in the future. Details to be shown on the future construction certificate plans.</i> <i>4. The proposed timber weatherboards for the addition shall have a plain timber weatherboard profile and shall have a minimum thickness of 20-25 mm. Details to be shown on the future construction certificate plans.</i> <i>5. The roof and rainwater goods of the rear addition shall comprise of traditional corrugated galvanised steel and the form of the gutters and downpipes shall match the form of the existing gutters and downpipes on the subject building. Details to be shown on the future construction certificate plans.</i> <i>6. The rear decking shall comprise of hardwood timber with the brickwork for the piers for the decking to match the colour of the existing, original brickwork for the building. Details to be shown on the future construction certificate plans.</i> <i>7. The colour/ finish of the balustrading for the rear deck and ramp shall complement/be sympathetic to the existing external colour scheme of the building. Details to be provided with the future construction certificate.</i> <p>Comment: Demolition of the rear toilet is supported (contrary to recommended condition #1) on planning grounds given the removal of the rear toilet facilitates development that is consistent with the objectives and performance targets outlined within the McQuade Park Plan of Management, and that there are no objections to the removal of this component of the CWA building from the Heritage Council of NSW. The remainder of the conditions (#2 - #7) are included within the recommended conditions of consent.</p>
External Referrals	
Heritage Council of NSW	<p><i>Approval, subject to General Terms of Approval</i></p> <p>Comment: These conditions have been included as conditions of this consent.</p>



7. Environmental Planning Instruments

7.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy (Biodiversity & Conservation) 2021
- State Environmental Planning Policy (Resilience & Hazards) 2021
- State Environmental Planning Policy (Transport & Infrastructure) 2021
- Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) (SREP No. 20)
- Hawkesbury Local Environmental Plan 2012 (HLEP 2012)
- Hawkesbury Development Control Plan 2002 (HDCP 2002) & 2023 (HDCP 2023)
- Hawkesbury City Council Flood Policy 2020
- McQuade (Windsor) Park Plan of Management (November 2022)

7.2 State Environmental Planning Policy (Biodiversity & Conservation) 2021

The State Environmental Planning Policy (Biodiversity & Conservation) 2021 applies to the site.

Chapter 2 – Vegetation in Non-Rural Areas

The Biodiversity and Conservation SEPP regulates clearing in non-rural areas.

This development application does not propose the removal of any trees or vegetation.

Chapter 6 – Water Catchments

Chapter 6 of the Biodiversity and Conservation SEPP generally aims to improve water quality and river flows, protect and enhance the environmental quality of water catchments and ensure consistency with local environmental plans and principles of ecologically sustainable development. The site is mapped as being located within the Hawkesbury-Nepean Catchment. Given the small-scale nature of the proposed development, there will be a neutral effect on water quality in the catchment, with modest modifications to the roof form to connect to the existing stormwater infrastructure.

7.3 State Environmental Planning Policy (Resilience & Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 applies to the site.

Chapter 4 – Remediation of Land

The aims of this chapter is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. In accordance with this chapter, Council must consider if the land is contaminated, and if it is contaminated, if the land can be made suitable for the intended use.

The proposal includes the demolition of a small existing toilet to the rear of the existing building, construction of a new deck and accessible bathroom, with internal renovations to the existing bathrooms. Given the existing use of the subject site is for community facility and previous application records indicate there are no previous potentially contaminating use, there is no specific evidence that indicates the site is contaminated.

7.4. State Environmental Planning Policy – Transport & Infrastructure 2021.

The relevant matters to be considered under Chapter 2 of the SEPP for the proposed development outlined below.

Clause 2.120 Impact of road noise or vibration on non-road development

This clause applies to development that is located adjacent on a frontage to a classified road. Hawkesbury Valley Way is identified as a SP2 – Classified Road and is located along the southern portion of the site.

2.119 Development with frontage to classified road



(1) *The objectives of this section are—*

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The Country Women's Association (CWA) Building, while part of McQuade Park, is not directly accessible from Hawkesbury Valley Way (being the classified road), but rather, has direct frontage and is accessed from George Street. The deck and bathroom renovations (including addition) will not result in any adverse impacts on traffic; nor is the development sensitive to traffic noise as a result of the site's location adjacent to a classified road.

8. Hawkesbury Local Environmental Plan 2012

The relevant matters considered under the HLEP 2012 for the proposed development are outlined below:

8.1. Clause 1.2 Aims of plan

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to provide the mechanism for the management, orderly and economic development and conservation of land in Hawkesbury.*
- (b) to provide appropriate land in area, location and quality for living, working and recreational activities and agricultural production,*
- (c) to protect attractive landscapes and preserve places of natural beauty, including wetlands and waterways,*
- (d) to protect and enhance the natural environment in Hawkesbury and to encourage ecologically sustainable development,*
- (e) to conserve and enhance buildings, structures and sites of recognised significance that are part of the heritage of Hawkesbury for future generations,*
- (f) to provide opportunities for the provision of secure, appropriate and affordable housing in a variety of types and tenures for all income groups in Hawkesbury,*
- (g) to encourage tourism-related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.*

The proposed development will allow for the continued use of the site for public recreation purposes and as a community facility, and allow the continuation of community health and recreational services. In doing so, the proposed development is considered to align with aims (aa), (b),(e) under the HLEP 2012.

8.2. Clause 2.3 Zone objectives and Land use table.

The site is zoned RE1 – Public Recreation under the HLEP 2012. The objectives of the RE1 zone are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*



- To protect and enhance the natural environment for recreational purposes.
- To protect and enhance the natural environment for environmental purposes.
- To restrict development on land required for future open space purposes.

The proposed development achieves the above objectives, as it:

- Enables the continuation of use of a public community facility within a public open space that facilitates recreational activities and an ongoing compatible land use;
- Provides a suitable platform used for recreational purposes;
- Does not involve the removal of any trees or native vegetation, thus protecting the natural environment in which the proposed development is located.

The proposed development is best described as alterations and additions to an existing 'community facility', which is a permissible form of development in the RE1 zone under the HLEP 2012. A 'community facility' is defined as:

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	Comment
Part 4 – Principal development standards	
4.1 Minimum subdivision lot size	The application does not include subdivision works.
4.2 Rural subdivision	N/A
4.3 Height of buildings	No nominated height controls for the site.
4.4 Floor Space Ratio	No nominated FSR for the site.
4.6 Exceptions to development standards	The proposed development does not seek any variation to the development standards.
Part 5 – Miscellaneous provisions	
5.1A Development on land intended to be acquired for public purposes	The site is already zoned RE1 – Public Recreation and is used as a park for public purposes.
5.10 Heritage conservation	<p>The site is zoned RE1 – Public Recreation and is identified as being of State heritage significance (SHR No: 01851). McQuade Park's significance is based on its outstanding and rare feature of Governor Macquarie's concept of a planned country town in 1810. A central square played a pivotal role in a Macquarie town and McQuade Park retains this role in relation to public activities and open space, as well as its relationship to one of the great early churches and cemeteries of New South Wales (St Matthews). The intimate association with Macquarie himself and with his chief surveyor, James Meehan, is of state significance.</p> <p>A Heritage Impact Statement was lodged with the application and satisfactorily addresses the matters for consideration under Clause 5.10 with respect to Heritage Conservation.</p>



Clause	Comment
	<p>The application was referred internally to Council's Heritage Advisor, who provided feedback on the development and recommended conditions of consent that, where reasonable, have been integrated into the recommended conditions of consent attached to this development assessment.</p> <p>The application was externally referred to the Heritage Council of NSW who have raised no objections to the proposal, subject to standard conditions and the General Terms of Approval (GTa), which have been included as conditions of consent associated with this Development Application.</p> <p><i>Note: Revision E of the plans were submitted in response to comments provided by the Heritage Council of NSW.</i></p>
5.11 Bush fire hazard reduction	The site is not mapped as being located on bushfire prone land.
5.21 Flood planning	The floor levels of the rear addition (deck and bathroom addition) match that of the existing CWA Building and will be an improvement from the existing rear toilet, which is set down below the internal finished floor level of the existing building. The modest nature of the development with respect to additional site cover, and lightweight structure of the deck and ancillary structures will not result in any adverse impacts on the local drainage or floodway characteristics within the larger catchment.
Part 6 – Additional local provisions	
6.1 Acid sulphate soils	The subject site is mapped as containing Class 5 Acid Sulfate Soils and is located approximately 180m away from land affected by Class 4 Acid Sulfate Soils. The proposal includes minimal earthworks in order to accommodate the required demolition and construction of the building additions. The proposal does not include works by which the water table is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. An Acid Sulfate Soils Management Plan was not required in this case.
6.2 Earthworks	No major earthworks are required to accommodate the development. The alterations and additions are modest in size, and will not have any detrimental impact on drainage pattern; soil stability; future redevelopment; quality of cut or fill; the amenity of any adjoining land use; or impact on any environmentally sensitive area. Appropriate measures to mitigate the impacts of the development and the likelihood of disturbing relics have been integrated into the recommended conditions of consent.
6.6 Development in areas subject to aircraft noise	The proposed development is not considered to be a noise sensitive.
6.7 Essential services	The subject site accommodates essential services. No proposed changes.



9. Hawkesbury Development Control Plan 2002 & 2023

Consideration of the relevant provisions within the Hawkesbury Development Control Plan 2002 & 2023 is provided below:

CONTROL	COMPLIANCE
Chapter 2: Site Analysis	
<p>4.1 Site Analysis Plan</p> <p>A Site analysis plan must be submitted for construction of any building, external alterations to existing buildings and Torrens title subdivision of land, and must address all matters identified in the acceptable solutions column.</p> <p>The scope of the site analysis will depend on the scale and nature of the development, the sensitivity of the site and the extent of the area that may be affected by the proposed development. The site analysis must clearly demonstrate an appreciation of the site and its context, and the opportunities and constraints on the layout and design of the site. The site must demonstrate that the development will integrate within the streetscape or context when considering scale, proportion and massing.</p>	<p>Site Analysis Plan (Drawing No DA01) has been submitted with the development application and adequately details the location of new works, with the exception of the external stairs shown on the floor plan.</p> <p>A condition of consent to update the site plan has been incorporated into the recommended conditions of consent.</p>
Chapter 3: Heritage	
<p>5 Heritage Management Documents</p> <p>For development proposals affecting a heritage item, conservation area or sites in the vicinity of a heritage item or conservation area, the applicant will be required to prepare a Heritage Impact Statement in order to assess the impact of the proposed works on the heritage significance of the heritage item(s) and/or conservation area concerned. Heritage Impact Statements should be prepared in accordance with the Australia ICOMOS Burra Charter 2013 and NSW Heritage Office Guidelines Statements of Heritage Impact.</p> <p>6.3 Alterations and Additions</p> <p>The scale, form and siting of alterations and additions to a heritage item are not to diminish the heritage significance of a heritage building or place.</p> <p>6.5 New Development Within The Curtilage of a Heritage Item</p> <p>Any development within the curtilage of a heritage item is to be designed and sited so that the heritage significance of the item is conserved.</p>	<p>The application has been supported by a Statement of Heritage Impact (SoHI) prepared by Christo Aitken + Associates, dated July 2023.</p> <p>The SoHI considers several development options for the CWA building with respect to accessible upgrades and Council's long-term development targets for the CWA building (refer to Section 9 of this report). The HIS concludes that the proposed alterations and additions will not have a significant impact on McQuade Park, with the proposal in its current form offering a balanced massing outcome to the rear elevation, where the existing rear door and window can be retained and the additions are appropriately sited.</p> <p>The alterations and additions will maintain a character, scale and external appearance that provides for an appropriate visual relationship with the heritage significance of the surrounding park. The proposal will be appropriately sited, with adequate landscaping remaining around the perimeter of the CWA building.</p>
Chapter 5: Traffic Access, Street Design and Parking	
<p>4.1 Off Street Parking Rates</p> <p>D1.1.1 Parking is to be provided in accordance with Table 01. Uses not referred to in the Table 01 will be assessed on merit for bicycle, motor cycle and car parking. Note: In the circumstances where the car</p>	<p>The proposal involves a modest increase to GFA of approximately 6.1m² to accommodate an accessible bathroom, which is not an intensification of the existing use of the premises.</p>



CONTROL	COMPLIANCE
<p>parking and/ or other requirements are not defined by this chapter for a particular land use or where a development may cause a potential significant impact on the surrounding road network and properties, a detailed Car Parking and Traffic Impact Assessment Study and Road Safety Audit may be required to be prepared for the proposed development to substantiate proposed parking provisions.</p> <p>Community facilities: On merit. Traffic and parking study may be required depending on scale of the development, taking into consideration the proposed uses and equivalent rates for similar uses.</p>	<p>The inclusion of an accessible bathroom in addition to the modest internal renovations and rear deck would not generate any adverse traffic impacts which would require any additional traffic mitigation measures.</p> <p>The development, being for the purpose of a community facility, therefore does not warrant any additional traffic or parking consideration notwithstanding an abundance of public parking around the permitter of McQuade Park.</p>

Hawkesbury City Council Flood Policy 2020

The application has been assessed against Councils Flood Policy. The development is required to be designed and certified by a structural engineer to withstand 1:100-year flood forces including buoyancy forces. Appropriate conditions of development consent have been imposed.

9. McQuade (Windsor) Park Conservation Management Plan (2004)

CONSERVATION POLICY	RESPONSE
6.5.2 Landscape Design	
B1 Consider fencing the entire park perimeter (e.g. a simple arris rail and timber post fence) and install gates to allow control of vehicular access	No changes proposed.
B2 Enhance and reinforce the bold avenue plantings to the Park perimeter and to the internal road.	No changes proposed.
B3 Avoid introducing permanent monuments, memorials or artworks within Windsor (McQuade) Park that have no direct, compelling relevance to the site.	No changes proposed.
B4 Enhance the south western corner of the Park with a passive recreational focus by planting with additional shade trees, the placement of which creates visual connections to the lake.	No changes proposed to existing landscaped nature of the site.
B5 Enhance the Lake precinct with additional tree plantings and, where appropriate, related structures that complement its use as a major passive focus. Consider incorporating indigenous wetland species as a means of interpreting the earlier (Macquarie era) vegetation regime in this area.	No changes proposed to existing landscaped nature of the site.
B6 Enhance and reinforce the avenue of memorial plantings in the vicinity of the Macquarie Memorial.	No changes proposed to existing landscaped nature of the site.
B7 Ensure the conservation of the War Memorial structures and gardens	No changes proposed to existing landscaped nature of the site.
B8 Provide an integrated formal carpark design in conjunction with a landscape masterplan for the northeastern part of the park.	No changes proposed.
6.5.3 Paths	
C 1 Pathway entrances to the park should be designed to a standard suitable for wheelchair access.	No changes proposed.
6.7 Interpretation	
E1 Ensure the photographs, histories and plans pertaining to Windsor Park are catalogued and made available in the Local Studies section of the Hawkesbury City Council Library.	The recommended conditions of consent include the preparation of a Photographic Archival Recording, to be provided to both Council and the Heritage Council of NSW.
6.8 Use	



CONSERVATION POLICY	RESPONSE
F5 Review the use of the CWA building with a view to optimising the opportunities provided by its location and facilities.	The use of the building as a community facility will continue (no change to existing). The proposed improvements to the bathrooms, rear entry ramp and rear deck extension are consistent with the identified development opportunities, management framework and performance targets of the current Plan of Management for the McQuade Park, which includes the CWA Building.
6.9 Management	
G2 There should be no subdivision of the park or excisions from or alienation of parts of the park.	No changes proposed.
6.10 Future Developments	
H1 Future development should be consistent with the significance of the open space character of the Park, the passive recreational aspects and the importance of the continuing use of the Park for sporting events.	The proposed development is not considered to create detrimental impacts to the significance of the open space character of McQuade Park, or impact upon its ability to cater for community based recreational activities and events.
H2 New design for replacement structures should be of an appropriately high standard sympathetic to the context and subservient to the cultural significance of the place.	The proposed alterations and additions are modest in nature, are considered to be of a high standard, which is sympathetic to the context and cultural significance of the park and will not detract from the significance of the CWA Building.

10. Plan of Management – McQuade Park, Windsor (November 2022)

At its meeting on the 22 February 2022, Council resolved to exhibit the draft Plan of Management for McQuade Park. The Plan of Management was exhibited between August – September 2022, and adopted in November 2022.

The McQuade Park Plan of Management is the key strategic planning and governance tool that Council has in place for the management and use of the Park. The Plan of Management establishes a vision and relevance for the next 5-10 years and provides certainty to Council and the community about how the reserve will be used. The Plan of Management provides the rationale for decision-making and consistency with the principles of Crown Land management and reserve purpose; and sets out the objectives and performance targets for managing the Crown reserve; use of the land; and development on the land.

Country Women’s Association (CWA) Building

The proposed development is consistent with the aims and objectives of the McQuade Park Plan of Management, which identifies the following development opportunities and development targets for the Country Women’s Association (CWA) building:

- *“The 2013 PoM noted that the CWA building and location offer significant opportunities for broader integration and engagement with the park and user groups. The Hawkesbury Vibrant Towns and Villages Liveability project, identified this location as being suitable for adaptive re-use, including a visitor information centre, interpretation centre and/or bike hire. Part of the building could be retained for existing CWA uses and functions.*
- *The CWA, however, have some concerns regarding the compatibility of these proposals with their existing use of the building. Concerns are centred around security and the need to retain exclusive use of areas such as sewing rooms and kitchen.*
- *Some potential improvements could include an extension toward the rear garden with decking to provide an outdoor café/ kiosk with elevated views over the lake precinct. These facilities could be leased, potentially generating an important source of funding for both the CWA and the park.*
- *Council has recently prepared plans for an upgrade of the existing CWA building. These works include improved accessibility with new front and rear entry ramps, rear deck extension and accessible bathroom, and internal upgrades of the main dining/ meeting room, kitchen, and storage areas.”*

Further, the proposed improvements to the bathrooms, rear entry ramp and rear deck extension are consistent with the identified development opportunities, management framework and performance targets of the current Plan of Management for the McQuade Park and CWA Building, which are:

- To establish opportunities for broader integration and engagement with the park and lake-side precinct.
- To permit sympathetic development of community and recreational facilities consistent with the park's traditional character and cultural heritage significance.
- To improve accessibility to the building (front and rear ramped access) and other upgraded facilities.
- To improve diversity for park visitors and user groups, providing opportunities and synergies for social, cultural, and recreational opportunities.

Figure 9 (below) is an excerpt of the planned upgrade of the CWA Building as illustrated within the current McQuade Park Plan of Management. The desired outcome of the upgrades is to provide an improved level of visitor access, public safety and connectivity with the park. The upgrade of the CWA building is of high priority. This application seeks to provide a permanent building upgrade for the long term enjoyment by the community and used in ongoing public and community-engagement services; and ultimately achieve the development targets of the site.



Figure 9 CWA Building – Proposed Accessibility Upgrade
(Sourced from the McQuade Park Plan of Management November 2022; Page 39)

Response

The proposed development has been assessed against the above matters for consideration and successfully ensures:

- The protection of the local heritage values and vistas;
- The retention of the open visual quality and low-key character of the lake-side landscape setting;
- Safety and accessibility; and
- A built form which is not excessively bulky and is sympathetic to the recreational character of the existing building and surrounding landscape.

As the site is a State Heritage Item, the application is considered to be *Integrated Development* pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* as approval is required under Section 58 of the *Heritage Act 1977*. The application was referred to the Heritage Council of NSW, who have raised no objections to the proposal, subject to the recommended conditions of consent in the General Terms of Approval, issued on the 2 May 2024.



McQuade Park Action Plan – Performance Targets and/or Management Actions	RESPONSE
<p>A1 Guiding Legislation Implement actions identified in this upgraded Plan of Management in accordance with the Crown Land Management Act 2016 (CLM Act), Local Government Act 1993 (LG Act), Commonwealth Native Title Act 1993 (NT Act), Heritage Act 1977, and all other relevant legislation and policy including Council's Liveability Project – Vibrant Towns & Villages – Revitalising Windsor Town Centre.</p>	<p>The proposed building upgrades (alterations and additions) are consistent with the actions outlined within the adopted Plan of Management for McQuade Park (Figure 7 & 9).</p>
<p>A2 Future development, land uses and activities:</p> <ul style="list-style-type: none"> - To protect the park's State heritage significance, cultural setting, and other identified values from inappropriate uses, activities, and development. To promote the park's role as a broadly accessible, equitable, and safe community asset. - To protect the open visual character, its historic landscape setting and significant relationship with St. Matthew's Church group. - To actively engage with the community to protect, manage and enhance the park for the community's benefit and for future generations. - To improve access, circulation, and connectivity. - To protect the park from incremental negative impacts and introduction of unsympathetic elements. - To ensure that development proposals will have a net positive benefit in relation to identified values. - To improve visitor education and interpretation. <p>Development proposals, permissible uses and activities, leases/licences/estates, and management practices must be consistent with:</p> <ul style="list-style-type: none"> - Crown reserve purpose: 'Public Recreation' and assigned categories and core objectives. - The park's State heritage significance (State Heritage listing) - Protection of historic cultural setting, visual quality, open landscape character, commemorative, cultural and sporting values - Maintaining diversity and quality of historic cultural setting, recreational, sporting, and community uses and activities - Ensuring public accessibility, safety, connectivity, equity, and broad community use (including disabled access) - Providing opportunities for broader multiple uses and adaptive re-use of existing infrastructure - Promoting improved water quality in the lake and WSUD principles - Facilitation of programs in community education and interpretation of heritage values including the Heritage Trail Network and Revitalisation of Windsor Town Centre (George Street). <p>Development proposals, uses and activities which may directly or indirectly threaten or adversely impact any key value(s) of historic heritage significance, landscape and cultural setting, aesthetic, visual, social, cultural or recreational values as identified in this Plan of Management are not permissible.</p>	<p>The proposal maintains the park's State heritage significance and does not include a use or activity which threatens or adversely impacts the heritage significance of the site, landscape, cultural setting, aesthetic, or visual, social and cultural values of the site.</p> <p>The proposed building upgrades (alterations and additions) are consistent with the actions outlined within the adopted Plan of Management for McQuade Park (Figure 7 & 9).</p>
<p>A3 To protect key values and significance in accordance with the CMP, listing on the State Heritage Register and this Plan of Management.</p> <p>Development proposals, uses and activities which may directly or indirectly threaten or adversely impact any key value(s) of historic heritage significance, landscape and cultural setting, aesthetic, visual, social, cultural or recreational values as identified in this Plan of Management are not permissible.</p>	<p>The proposal will not adversely affect the heritage significance of the site, landscape, cultural setting, aesthetic, or visual, social and cultural values of the site.</p> <p>The alterations and additions to the CWA building, being proposed to the rear, are</p>



McQuade Park Action Plan – Performance Targets and/or Management Actions	RESPONSE
	sympathetic to the siting of the existing building within the context of McQuade Park.
<p>A4 To permit appropriate maintenance and development of the park and its community, sporting, and passive recreational facilities consistent with the park's heritage significance.</p> <p>This Plan of Management expressly authorises the maintenance, repairs, development and upgrading of the park and its facilities including ovals, cricket pitches, grandstand/ spectator seating, rotunda/ bandstand, bike-paths/ walkways, fitness equipment, signs, children's play area/ equipment, picnic tables, seating, barbecues and shelters [see FIGURE 7: Landscape Masterplan] subject to compliance with State Heritage listing [Heritage Act 1977, s.57 (2) Schedule C: Exemptions to allow work], core objectives and development guidelines.</p>	<p>The proposed building upgrades (alterations and additions) are consistent with the actions outlined within the adopted Plan of Management for McQuade Park (Figure 7 & 9). The development was referred to the Heritage Council of NSW, who have granted General Terms of Approval that form part of the recommended conditions of consent.</p>
<p>A6 & A7 Leases or Licenses This Plan of Management expressly authorises the granting of a lease or licence for the following:</p> <ul style="list-style-type: none"> - Use of the CWA cottage for community purposes such as baby health clinic, craft and sewing activities. - Adaptive re-use/ extension of CWA cottage as a café/ refreshment kiosk and/ or visitor centre including proposed outdoor area with decking, tables/ seating, and improved accessibility [FIGURE 7]. - Tennis courts and associated facilities. - Sporting fields and associated facilities - Mobile/or 'pop-up' kiosk or café, including seating (up to 15 people) and picnic area, subject to investigation and leasing of CWA cottage. 	<p>No change to the use of the community facility is proposed under this development application. The CWA building will continue to be used for the baby health clinic, craft and sewing activities.</p>
<p>C28 CWA Health Centre/Meeting Hall – Proposed Adaptive Re-Use (Café/Kiosk / Visitor Centre)</p> <ul style="list-style-type: none"> - To establish opportunities for broader integration and engagement with the park and lake-side precinct. - To permit sympathetic development of community and recreational facilities consistent with the park's traditional character and cultural heritage significance. - To improve accessibility to the building (front and rear ramped access) and other upgraded facilities. - To improve diversity for park visitors and user groups, providing opportunities and synergies for social, cultural, and recreational opportunities. <p>The CWA building and location offer significant opportunities for broader integration and engagement with the park and user groups. The rear garden could accommodate an extension with decking to provide an outdoor café/ kiosk with elevated views over the lake precinct. These facilities could be leased, potentially generating an important source of funding for both the CWA and the park. Further options for adaptive re-use of the cottage may include a visitor information centre, interpretation centre and/or bike hire. Part of the building could be retained for existing CWA uses and functions. These improvements are likely to deliver further benefits to the community, promoting greater diversity for park visitors, enhancing social, cultural, and recreational opportunities, and establishing broader connectivity with Council's Liveability Project and Revitalisation of Windsor Town Centre (see George Street proposed upgrade).</p>	<p>The proposed alterations and additions to the CWA Building are consistent with the planned upgrade for improved accessibility with a new rear entry ramp; rear deck extension and accessible bathroom(s).</p> <p>There are no proposed changes to the use of the community facility (i.e. adaptive reuse is not sought at this time). The CWA building will continue to be used for the baby health clinic, craft and sewing activities.</p>



McQuade Park Action Plan – Performance Targets and/or Management Actions	RESPONSE
Council has recently prepared plans for an upgrade of the existing CWA building (<i>Figure 9 of this report</i>). These works include improved accessibility with new front and rear entry ramps, rear deck extension and accessible bathroom, internal upgrades of main dining/ meeting room, kitchen, and storage areas.	

11. Development Contributions

Pursuant to Council's adopted 7.11 Contributions Plan, the proposed works do not trigger development contributions.

12. EP&A Regulations 2021

Applicable regulation considerations for compliance with the Building Code of Australia, PCA appointment and notice of commencement of works, sign on work sites, critical stage inspections and records of inspection will be covered under the recommended conditions of consent.

13. The likely impacts of the development

The development application seeks consent for the construction of alterations and additions to the rear of the Country Women's Association (CWA) Building located at 361 George Street, Windsor. This application seeks to provide accessible upgrades, including bathroom facilities and a rear deck with an accessible ramp to the rear of the existing building. The development achieves the performance targets and management actions outlined within the Plan of Management for the McQuade Park (updated November 2022).

The proposed development is considered to deliver an appropriately balanced and responsive planning and heritage outcome that enables ongoing use and the potential future adaptive reuse of the community facility. The alterations and additions sought by the development are characteristic of the site and its heritage significance and will not appear visually excessive when viewed from either George Street or from McQuade Park and its surrounding lake and landscaped setting.

The proposal does not include excessive earthworks to accommodate the proposed development, with the proposed works being considered to be minor in nature.

The application is a nominated Integrated Development pursuant to Section 58 of the Heritage Act 1977. The application was referred to the Heritage Council of NSW, who have raised no objections to the proposal, subject to General Terms of Approval.

The proposal is not considered to result in adverse economic and social impacts, and is consistent with Council's target of providing additional recreational opportunities and revitalisation of the Windsor Town Centre. In this regard, the proposed development can be supported subject to the imposition of appropriate conditions.

14. Suitability of the Site

The site is located in an RE1 – Public Recreation zone with the proposal being a permissible form of development with consent. The proposed development is sought to support the ongoing use of the Country Women's Association (CWA) Building. The proposed bathroom facility upgrade and rear deck results in a modest addition of 6.1m² of gross floor area. No changes are proposed to the existing parking and access arrangement.

Additionally, the application is nominated Integrated Development pursuant to Section 58 of the Heritage Act 1977. The application was referred to the Heritage Council of NSW, who have raised no objections to the proposal, subject to General Terms of Approval.

15. Public Consultation

In accordance with Council's Community Participation Plan 2019, the Development Application was advertised between 18th January 2024 through to the 19th February 2024. No submissions were received.

The application was re-notified from the 18 June to 16 July 2024. No submissions were received.



16. Public Interest

The proposed development has been considered to relate to the size, shape and context of the site and has been designed in accordance with the existing character of the existing CWA Building and integrate into the heritage context of McQuade Park.

The proposal has been designed to minimise, as far as practicable, any adverse effects on the heritage listed site, with the development complying with the principal controls and/or objectives of the LEP and the DCP. The proposal is not considered to result in adverse amenity impacts to nearby residents and the public.

The proposed alterations and additions align with the targets and actions outlined within the Plan of Management for McQuade Park.

Accordingly, the proposed development is considered in the public interest.

17. Conclusion

The application has been assessed relative to Section 4.15 and Section 4.46 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

Having regard to the assessment of the proposal from a merit perspective, the development is considered to be appropriate for the site and in the public interest. It is considered that the proposal sufficiently minimises potential adverse impacts on the heritage significance of the site. Thus, the development is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land. The proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters for consideration under section 4.15 of the Environmental Planning and Assessment Act 1979 and is recommended for approval subject to conditions of consent.

19. Recommendation

Pursuant to Section 4.16 (1)(b) of the Environmental Planning and Assessment Act, 1979:

- **That** the Hawkesbury Local Planning Panel, exercising the function of the consent authority, grant development consent to DA0298/23 for alterations and additions to the existing CWA State Heritage listed building consisting of an accessible bathroom with associated decking and access ramp and renovation of the existing internal toilets on the site of 361 George Street Winsor, subject to conditions of consent.

The reasons for the conditions imposed on this application are as follows:

1. To facilitate the orderly implementation of the objectives of the *Environmental Planning and Assessment Act 1979* and the aims and objectives of the relevant Council Planning instrument.
2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.
3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds.
4. To ensure the relevant matters for consideration under Section 4.15 of *Environmental Planning and Assessment Act 1979* are maintained.

Report prepared by

Krystal Narbey
GAT & Associates
Consulting Town Planners





ATTACHMENT 1: DRAFT CONDITIONS OF CONSENT

Recommendation

That development application DA0298/23 at Lot 1, DP 556829, No. 361 George Street, Windsor for the construction of alterations and additions consisting of an accessible bathroom with associated decking and access ramp and renovation of existing toilets at the Country Women's Association "CWA" Building (McQuade Park) be approved, subject to the following conditions:

General Conditions

1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended in red on the plans and/or amended by other conditions of consent:

a) Plans Reference:

Job No.	Drawing Description	Prepared by	Revision	Sheet	Date
21101	Location and Site Plan	Barbara Tarnawski Architects	E	DA01	30/04/2024
21101	Ground Floor Plan	Barbara Tarnawski Architects	E	DA02	30/04/2024
21101	Elevations Sheet 1	Barbara Tarnawski Architects	E	DA03	30/04/2024
21101	Elevations Sheet 2 and Colour Schedule	Barbara Tarnawski Architects	E	DA04	30/04/2024

b) Document Reference:

Document Title	Reference	Prepared By	Date
Statement of Environmental Effects	-	Barbara Tarnawski Architects	30 August 2023
Waste Management Plan	-	Barbara Tarnawski	-
Statement of Heritage Impact	-	Christo Aitken + Associates	July 2023

No works, other than those approved (including raising or lowering of ground levels on the site, or construction of retaining walls on any property boundary) are permitted by this consent.

Note: Details of the development shown in the approved plans and documents referenced are altered in the manner indicated by:

- (i) any amendments made by Council on the approved plans or documents;
- (ii) any notes, markings, or stamps on approved plans or documents; and
- (iii) any conditions contained in this consent.

2. Amendments to Approved Plans

- a) To ensure consistency across the approved plans, the approved site plan (DA01) is to be amended to show the rear stairs to the rear deck, as illustrated on the approved ground floor plan (DA02).
- b) The ground floor plan is to be amended in accordance with the conditions outlined within the General



Terms of Approval (GTA) granted by the Heritage Council of NSW (dated 2 May 2024) attached to this consent.

- c) The proposed timber weatherboards for the addition shall have a plain timber weatherboard profile and shall have a minimum thickness of 2-25mm.
- d) The roof and rainwater goods of the rear addition shall comprise of traditional corrugated galvanised steel and the form of the gutters and downpipes shall match the form of the existing gutters and downpipes on the subject building.
- e) The rear decking shall comprise of hardwood timber with the brickwork for the piers of the decking to match the colour of the existing, original brickwork of the building.
- f) The colour/finish of the balustrading for the rear deck and ramp shall complement/be sympathetic to the existing external colour scheme of the buildings.
- g) The existing rear timber panelled door, window, sills, architraves, associated joinery and brickwork to the part of the building that are to be demolished are to be safely retained and stored for potential future re-use, or integration into the approved works. Details of the retention and storage of these architectural elements are to be provided to the principal certifying authority and within the Photographic Archival Recording.

Details of the above design measures a) to g) are to be included on the architectural plans lodged with the application for the Construction Certificate and to the satisfaction of the principal certifying authority.

3. **Works Must Not Commence Until a Construction Certificate is Issued**

Construction or preparatory work (including earthworks or tree and/or vegetation removal) must not commence until:

- a) a Construction Certificate is obtained from either Council or an Accredited Certifier;
- b) a Principal Certifier is appointed; and
- c) a Notice of Commencement is lodged with Council.

Note: If the Construction Certificate is issued by an Accredited Certifier that is not Council it will be necessary to lodge the Construction Certificate and other approved documents with Council within two days of such approval (a registration fee is payable upon lodgement).

4. **Appointment of a Principal Certifier**

No work shall commence until:

- a) A Principal Certifier is appointed for the building/engineering works and the following details relating to the carrying out of the works have been provided:
 - (i) name and licence number of the builder/contractor undertaking the construction works; or
 - (ii) name and permit number of the owner-builder (if relevant);
- b) The Principal Certifier has:
 - (i) provided a copy of the notice of its determination to the consent authority, and to Council (within two days after the date of the determination);
 - (ii) notified the person having benefit of the consent of any critical stage inspections and other inspections that it requires to be carried out in relation to the approved work;
 - (iii) notified Council of its appointment (not less than two days before commencement of building work);
- c) The person having benefit of the consent (if not carrying out work as an owner-builder) has:
 - (i) appointed a principal contractor who must hold a 'contractor licence' if any residential



- building work is involved;
 - (ii) notified the Principal Certifier of the appointment of the principal contractor;
 - (iii) notified the principal contractor of any critical stage inspections or any other inspections that are required to be carried out in relation to the approved work; and
- d) At least two days' notice are to be provided to Council of the date on which it is proposed to commence work associated with this development consent.

The accredited certifier must provide copies of all Part 6 Certificates issued under the *Environmental Planning and Assessment Act 1979* relevant to this development to Council within seven days of issuing the certificate.

Note: A registration fee applies.

5. Integrated Development – General Terms of Approval

The general terms of approval from the following Authorities, as referred to in Section 4.47(2) of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval:

- a. Heritage NSW - The General Terms of Approval, Reference HMS ID 5999 and dated 2 May 2024 are attached in Attachment B and form part of this consent.

6. Occupation Certificate Required Prior to The Use Of The Building

The building must not be occupied or used prior to the issuing of an Occupation Certificate by the Principal Certifier. Where a partial Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

A copy of any Occupation Certificate must be submitted to Council within two days of its issue.

7. Prescribed Conditions - Compliance with National Construction Code

All building works must be carried out in accordance with the requirements of the National Construction Code (Building Code of Australia).

8. Archaeology - Discovered During Excavation

As required by the *Heritage Act 1977*, in the event that items, relics, historical cultural fabric and/or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the NSW Government's Heritage Council must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from the Heritage Council.

Note: The *Heritage Act 1977* imposes substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

9. Excavation - Aboriginal Relics

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:

- a) all excavation or disturbance of the area must stop immediately in that area; and
- b) Heritage NSW must be advised of the discovery.

All necessary approvals from the Heritage NSW must be obtained and a copy provided to Council prior to works recommencing.

Note: If an Aboriginal object is discovered, an Aboriginal Heritage Impact Permit may be required under the



National Parks and Wildlife Act 1974.

Prior to the Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate. In many cases, the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate.

The Accredited Certifier may require a Compliance Certificate to address particular matters below:

10. Flood Prone Land – Flood Compatible Construction

All structures must have flood compatible structural components up to and including the 100 year Average Recurrence Interval (ARI) flood level. The materials used in the construction must be consistent with any structural engineering certificate regarding the ability of the structure to withstand the forces of floodwater.

A written specification of the proposed materials to be used must be provided to the Accredited Certifier prior to the issue of a Construction Certificate.

Note: Advice on suitability of materials for use on flood liable land can be found in the publication 'Reducing Vulnerability of Buildings to Flood Damage' (Chapter 4.3 - Construction Materials).

11. Flood Prone Land – Engineers Certification

The 100 year Average Recurrence Interval (ARI) flood level for this site is RL 17.3 metres AHD (Australian Height Datum).

An engineer's certificate must be provided deeming compliance with the following requirements during a 100 year ARI flood event:

- a. Debris: Damage to the proposed structure/s sustained in a flood will not generate debris capable of causing damage to downstream buildings or property
- b. Structural Soundness: Any part of the structure will be able to withstand the force of floodwaters (including lateral forces, buoyancy forces, unbalanced hydrostatic forces) and the impact of debris; and
- c. Foundations: The footing system must be structurally stable during flooding and must consider the soil properties when wet, possible erosion and scouring or liquefaction, subsidence or collapse due to saturation.

The Engineers Certificate must be submitted to the Accredited Certifier prior to issue of the Construction Certificate

12. External Materials – Approved Schedule of Finishes

The external colours and finishes of the structure must be generally in accordance with the approved schedule of finishes and materials, except where otherwise required to be modified by these conditions of consent.

Details must be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

13. Structural Engineers Design - Concrete and Structural Steel

A qualified Structural Engineer's design for all reinforced concrete and structural steel must be provided to the Accredited Certifier prior to issue of Construction Certificate.

14. Sewer Authority - Hawkesbury City Council

This development falls within the Sewerage Scheme controlled by Council. Therefore Hawkesbury City Council is the approving authority for all sewer works.

This development impedes upon the 'Zone of Influence' of a Council owned sewer main. The applicant must consult with Councils' Infrastructure Services Department prior to applying for a Construction Certificate.

Note: Significant variation to the design of the foundations to the proposed development may be required.



15. **Section 307 Compliance Certificates – Council Infrastructure (Water Supply and Sewerage)**

This development affects Council's infrastructure and there are specific requirements to be addressed in order for this development to proceed. This may involve the carrying out of work and/or payment of contributions.

The applicant is required to apply to Council (as the infrastructure authority) under Section 305 of the Water Management Act 2000 for a Section 307 Compliance Certificate (issued under the Water Management Act 2000).

Prior to the issue of any Construction Certificate either a Section 306 'Notice of Requirements' or a Section 307 Compliance Certificate under the Water Management Act 2000 must be provided to the Accredited Certifier.

Note: Application forms and other related documents associated with connection to Council's sewer are available at Council website:

<https://www.hawkesbury.nsw.gov.au/for-residents/waste-water/sewerworks/sewer-works>

16. **Sydney Water - Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained. Application must be made through an authorised Water Servicing Coordinator. For details refer to Sydney Water's website. Following application, a 'Notice of Requirements' will be forwarded detailing water and/or sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The 'Notice of Requirements' or Section 73 Certificate must be submitted to the Accredited Certifier prior to the issue of any Construction Certificate.

17. **Erosion and Sediment Control Plan**

Prior to the issue of the Construction Certificate, the applicant must submit to and obtain the Accredited Certifier approval of an Erosion and Sediment Control Plan (ESCP). The ESCP must show the location of site boundaries, adjoining roads, approximate grades, vegetation, site access, impervious areas, existing and proposed site drainage and a north point.

The ESCP must take into account the requirements of Landcom's publication 'Managing Urban Stormwater - Soils and Construction' (2004). The plan must show the following:

- a. Timing of works;
- b. nature and extent of earthworks, including the amount of any cut and fill;
- c. where applicable the diversion of runoff from upslope lands around the disturbed areas;
- d. location of all soil and other material stockpiles including topsoil storage;
- e. location and type of proposed erosion and sediment control measures;
- f. site rehabilitation proposals; and
- g. frequency and nature of maintenance program.

18. **Access for Persons with a Disability**

Details demonstrating compliance with Australian Standard AS 1428.1 - 'Design for Access and Mobility and Disability (Access to Premises - Buildings) Standards 2010' in relation to the development are to be submitted to the Accredited Certifier prior to issue of a Construction Certificate.

19. **Compliance with the Building Code of Australia – Fire Services and Equipment**

Detailed plans showing the existing and proposed fire services and equipment suitable for the intended class of building and proposed use, is to be supplied.

The design and installation of these services and equipment are to be compliant with the Building Code of Australia and relevant Australian Standards.

Details are to be provided to the Accredited Certifier prior to issue of the Construction Certificate.



20. Long Service Levy Payment

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986* is required. Evidence that the levy has been paid, is to be submitted to the Principal Certifier prior to the issue of any Construction Certificate.

Note: All building and construction work costing \$25,000 and above are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Payments Corporation offices or most councils.

Prior to Any Works Commencing on Site

21. Principal Certifier - Details

The applicant must advise Council of the name, address and contact number of the Principal Certifier, in accordance with Section 6.6(2) of the *Environmental Planning and Assessment Act 1979*.

22. Toilet Facilities

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- a. be a standard flushing toilet connected to a public sewer;
- b. be attached to an approved on-site effluent disposal system;
- c. be a temporary chemical closet that is regularly maintained; and
- d. appropriate facilities for the disposal of sanitary items are to be provided within the toilet.

23. Safety Fencing

The site is to be secured by a fence, in accordance with SafeWork NSW requirements, to prevent unauthorised access during the period of all works.

24. Survey Certificate - Building to be Verified by a Registered Surveyor

In order to ensure compliance with approved plans, a Survey Certificate, prepared by a Registered Surveyor, including locating any easements affecting the subject land, is to be undertaken:

- a) a set-out survey prior to the placement of any footings showing the proposed building and its relationship to the boundaries;

Progress surveys must be submitted to the Principal Certifier at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the works as constructed.

25. Notice of Commencement

No work shall commence until a notice of commencement has been provided to Council. This notice is to be provided not less than two days from the date on which it is proposed to commence work associated with this Development Consent. The notice must also contain:

- a) details of the appointment of a Principal Certifier (PCA) providing name, address and telephone number; and
- b) details of the name, address and licence details of the Builder.

26. Principal Certifier Site Sign



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

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

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

27. **Construction Certificate - Required Prior to Commencement of Works**

A Construction Certificate as specified in this consent is required prior to the commencement of work on the site.

28. **Demolition – General**

All demolition works must be carried out in accordance with the following:

- a) all demolition work must be carried out strictly in accordance with Australian Standard AS 2601 - 'The Demolition of Structures';
- b) demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current SafeWork NSW 'Demolition License' and an appropriate SafeWork NSW Asbestos License and comply with SafeWork NSW Code of Practice 'How to Safely Remove Asbestos';
- c) site safety/security fencing must be provided prior to commencement of any work on-site and must be removed only when all hazards, including site waste, have been removed. The site safety/security fencing must comply with the following Australian Standards:
 - i. Demolition Sites - Australian Standard AS 2601 - 'Demolition of structures';
 - ii. Construction Sites - Australian Standard AS 4687 - 'Temporary fencing and hoardings';
 - iii. Ongoing Site Safety/Security - Australian Standard AS 1725 - 'Chain-link fabric security fencing and gates';
- d) demolition work must be carried out only between the hours of 7am to 6pm Mondays to Fridays and 8am to 4pm Saturdays. No work is to be carried out on Sundays or public holidays;
- e) no trees must be removed from the site unless they are shown for removal on the approved plans, or separately approved by Council;
- f) erosion and sediment control measures must be installed prior to any demolition works commencing and maintained in accordance with the requirements contained in the Hawkesbury Development Control Plan 2002;
- g) all waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water;
- h) public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council;
- i) any materials stored on site must be stored away from any drainage path or easement, natural watercourse;
- j) demolition activity must not cause damage to or adversely affect the structural integrity of adjoining buildings;



- k) waste must be transported to a place which can lawfully accept it. All nonrecyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation;
- l) no material is to be burnt on site;
- m) details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) must be kept on site as evidence of approved methods of disposal and recycling; and
- n) the site must be grassed or otherwise rendered erosion resistant immediately upon completion of demolition.

29. Asbestos Material Handling

Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under Clause 458 of the *Work Health and Safety Regulation 2017*.

In addition to the above, the following must be satisfied:

- a) the person having the benefit of this consent must provide the Principal Certifier with a copy of a signed contract with such a person before any development or works commence;
- b) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered; and
- c) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the consent must give the Principal Certifier a copy of a receipt from the operator of the landfill site stating that all the asbestos

30. Erosion and Sediment Control for Minor Development

Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with Hawkesbury Council's publication *Guidelines for Erosion and Sediment control on a building site (2017)*.

31. Sydney Water – Endorsement of Approved Plans

The approved plans must be submitted to and endorsed by Sydney Water via the 'Sydney Water Tap-in' website to determine whether the development will affect Sydney Water's water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to Sydney Water's website.

Evidence of the building plan approval must be forwarded to the Principal Certifier prior to the commencement of works.

During Construction

32. Construction Hours

Clearing of land, running of machinery, excavation, and/or earthworks, building works and the delivery of building materials must be carried out between the following hours:

- a. between 7am and 6pm, Mondays to Fridays inclusive;
- b. between 8am and 4pm, Saturdays;
- c. no work on Sundays and public holidays; and
- d. works may be undertaken outside these hours where:
 - i. the delivery of vehicles, plant or materials is required outside these hours by the Police or other authorities;
 - ii. it is required in an emergency to avoid the loss of life, damage to property and/or to prevent



- environmental harm; and
- iii. a variation is approved in advance in writing by Council.

33. **Asbestos Removal**

If asbestos containing materials are encountered during construction or demolition work; measures must be in place in accordance with SafeWork NSW guidelines and the *Occupational Health & Safety Regulation 2001*. Work must not commence or continue until all the necessary safeguards required by SafeWork NSW are fully in place.

In accordance with Safework NSW requirements, a SafeWork NSW licensed Asbestos Removalist is to be engaged to undertake asbestos removal.

Prior to commencing demolition of buildings likely to comprise asbestos containing material(ACM), a commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring 400mm x 300mm must be erected in a prominent visible position on the site in accordance with Australian Standard AS 1319 - 'Safety Signs for the Occupational Environment'.

The person entitled to act on this consent must notify adjoining residents in writing five working days prior to the demolition.

Asbestos waste must only be disposed of at a landfill site authorised to receive such waste. All receipts and supporting documentation must be retained in order to verify lawful disposal and are to be made available to Council on request.

34. **Site Management During Construction**

The following requirements relating to site management apply during and immediately following construction:

- a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- c) Copies of receipts stating the following must be given to the Principal Certifier:
 - (i) the place to which waste materials were transported;
 - (ii) the name of the contractor transporting the materials; and
 - (iii) the quantity of materials transported off-site and recycled or disposed of.
- d) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- e) During construction:
 - (i) all vehicles entering or leaving the site must have their loads covered;
 - (ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads; and
 - (iii) any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to the public.
- f) At the completion of the works, the work site must be left clear of waste and debris.

Note: In the event it is not possible to keep the footpath or road reserve clear during construction works written approval from Council must be obtained prior to any closing of the road reserve or footpath area. The closure must take place in accordance with Council's written approval. The area must be signposted and such signposting be maintained in a way that ensures public safety at all times.

35. **Tree Removal**



No approval is expressed or implied for the removal of trees. No trees are to be removed without separate Council approval.

36. Loading and Unloading During Construction

The following requirements relating to loading and unloading apply during construction:

- a) All loading and unloading associated with construction activity must be accommodated on site.
- b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval must be obtained from Council.

37. Critical Stage Inspections

Prior to the commencement of building work and at nominated stages during the construction of the building, a minimum of 48 hours' notice is required to be provided to allow the Principal Certifier to ensure that the critical stage inspections are undertaken.

Note: Critical stage inspections are required to be carried out in accordance with Clause 162A of the *Environmental Planning & Assessment Regulation 2000*.

38. Earthworks - General Requirements

All earthworks on site must comply with the following:

- a) topsoil must be stripped only from approved areas and must be stockpiled for re-use during site rehabilitation and landscaping;
- b) once the topsoil has been removed the natural batter must be suitably stepped, scarified or roughened to prevent slipping and the fill is to be keyed in to hold the toe of the fill batter in place;
- c) filling must comprise either uncontaminated Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM). Contamination certificates for all source material must be provided to the Principal Certifier prior to placing any fill on site;
- d) a ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination;
- e) where batters exceed a ratio of three horizontal to one vertical, retaining walls, stone flagging or terracing must be constructed;
- f) all fill within the site shall be placed in layers not exceeding 300mm thickness and compacted to achieve a minimum dry density ratio of 98% when tested in accordance with Australian Standard AS 1289 - 'Methods of testing soils for engineering purposes unless otherwise specified'; and
- g) all disturbed areas are to be stabilised/revegetated, using a minimum 300mm surface layer of topsoil, as soon as practicable after the completion of filling works.

Note: ENM is defined by the Excavated Natural Material Exemption - NSW Environment Protection Authority.

39. Stormwater Drainage Management

Roof water (including overflow from water storage vessels) must be drained to the existing roof water drains.



Prior to Issue of Occupation Certificate

40. An Occupation Certificate must be obtained from the Principal Certifier prior to commencement of use.

41. Dilapidation Report - Completion of Works

On completion of the development that is the subject of this consent, and prior to the issue of the Occupation Certificate, a final dilapidation report is to be prepared by an appropriately qualified person and is to be provided to the Principal Certifier and Council identifying:

- a. Whether any damage to surrounding properties and/or public infrastructure has occurred as a result of the development;
- b. the nature and extent of any damage caused to the adjoining property and/or public infrastructure as a result of the development;
- c. the nature and extent of works required to rectify any damage caused to the adjoining property and/or public infrastructure as a result of the proposed development;
- d. the nature and extent of works carried out to rectify any damage caused to the adjoining property and/or public infrastructure as a result of the development; and
- e. the nature and extent of any agreements entered into for rectification of any damage caused to the adjoining property and/or public infrastructure as a result of the development.

This report must reference the original dilapidation survey and reports that were required to be provided to the Principal Certifier in accordance with this consent.

The developer must bear the cost of carrying out works to restore all damage to adjoining buildings as a result of the carrying out of the development, and no occupation of the development must occur until damage caused as a result of the carrying out of the development is rectified. OC126 ~Change of Use – Tourist and

42. Section 307 Compliance Certificate – Council Infrastructure

Prior to the issue of any Occupation Certificate, the applicant must provide to the Principal Certifier a copy of the Section 307 Compliance Certificate or a copy of the Section 306 Notice of Requirements in which states 'no minor or major works' issued by Council in relation to Council's Infrastructure.

43. Fire Safety Certificate

A final Fire Safety Certificate for all new (or altered) fire safety measures is required to be provided to Council prior to the issue of an Occupation Certificate.

44. Infrastructure Repair at Completion of Works

Prior to the issue of any Occupation Certificate, any public infrastructure damaged as a result of the development must be repaired to the satisfaction of Council.

Operational Conditions

45. Annual Fire Safety Statement

The owner of the building is responsible for the lodgement with Council of an Annual Fire Safety Statement from a competent person so as to confirm the essential fire safety measures required to be provided in the building exist and are being maintained. The Annual Fire Safety Statement must be issued within 12 months of the issue of the Final Fire Safety Certificate, and then on an annual basis thereafter.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule must also be:

- a) forwarded to the Commissioner of Fire and Rescue New South Wales by email to afss@fire.nsw.gov.au; and
- b) prominently displayed in the building.



46. **Neighbourhood Amenity**

The management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner. Signs must be placed in clearly visible positions within the premises requesting patrons upon leaving the premises

47. **Graffiti Removal**

The owner/lessee of the building must remove any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application in accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design'.

48. **Protection of the Environment**

Any activity carried out in accordance with this approval shall not give rise to pollution such as odour, offensive noise or pollution of land and water as defined by the Protection of the Environment Operations Act 1997.

Advisory Notes (if applicable)

(i) **Approval Authority**

This development falls within the Sewerage Scheme controlled by Council, therefore Council is the approval authority for all sewer works. The applicant must consult with the Waste Management Branch regarding any possible new work or upgrades to existing Council sewer mains related to this application.

(ii) **Equitable Access**

The applicant must make themselves aware of the *Discrimination Against People with Disabilities Act (DDA)* and assess their responsibilities and liabilities with regards to the provision of access for all people.

(iii) **Acid Sulfate Soils - Monitoring of Excavation During Works**

All excavations are to be monitored to ensure that acid sulphate soils are not encountered during works. Signs that may indicate the presence of acid sulphate soils include:

- a) change in colour of the soil into grey and green tones;
- b) effervescence;
- c) the release of sulphur smelling gases such as sulphur dioxide or hydrogen sulphide; and
- d) lowering of the soil Ph by at least one unit.

Should any of the above indicators be present excavation work on the site is to stop and Council is to be notified to determine what action is required to be taken before work may commence.

(iv) **Site Contamination Discovered During Demolition or Construction**

Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about contamination, Council must be immediately notified and works must cease. Works must not recommence on site until an agreed management strategy is developed in consultation with Council.

(v) **Dial Before You Dig**

Prior to commencement of work, you are required to contact the free national community service 'Dial Before You Dig' on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

(vi) **Requirements of 88B Instrument**



The applicant must make themselves aware of any User Restriction, Easements and Covenants to this property and must comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

(vii) **Works on Public Land - Public Liability Insurance**

Any person or contractor undertaking works on public land must take out a Public Risk Insurance policy with a minimum cover of \$10 million in relation to the occupation of public land and the undertaking of approved works within Council's road reserve or public land, as approved by this consent.

The policy is to note, and provide protection/full indemnification for Council, as an interested party. A copy of the policy must be submitted to Council prior to commencement of any works. The policy must be valid for the entire period that the works are being undertaken.

(viii) **Utilities and Services**

Utilities, services and other infrastructure potentially affected by construction and operation must be identified prior to construction to determine requirements for access to, diversion, protection, and/or support.

Consultation with the relevant owner and/or provider of services that are likely to be affected by the proposed development must be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements must be borne by the developer.





ATTACHMENT B – HERITAGE NSW GENERAL TERMS OF APPROVAL

Department of Climate Change,
Energy, the Environment and Water



HMS ID: 5999

Your ref: CNR-64515-A77849-DA0298/23

Matthieu Santoso
Planner
Hawkesbury City Council
PO BOX 146
WINDSOR NSW 2756
By email: matthieu.santoso@hawkesbury.nsw.gov.au

Dear Mr Santoso

HERITAGE COUNCIL OF NSW – GENERAL TERMS OF APPROVAL Integrated Development Application

Address: 361 George Street WINDSOR NSW 2756
SHR item: McQuade Park, SHR no. 01851
Proposal: Clause 45(1) CNR-64515

Demolition of external toilet and replacement with an accessible toilet with deck and access ramp, upgrade of internal toilets

IDA application no: HMS ID 5999, received 13 March 2024

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

Approved development

1. Development must be in accordance with:

Architectural drawings, prepared by Barbara Tamawski as listed below:

4PSQ, 12 Darcy Street, Parramatta NSW, 2150
Locked Bag 5020, Parramatta 2124

(02) 9873 8500

www.environment.nsw.gov.au/topics/heritage

1



Dwg No	Dwg Title	Date	Rev
Project Name: Windsor CWA Hall			
DA001	Location and Site Plan	15/04/2024	D
DA002	Ground Floor Plan	15/04/2024	D
DA003	Elevations Sheet 1	15/04/2024	D
DA004	Elevations Sheet 2 and Colour Schedule	15/04/2024	D
DA005	Wet area details	15/04/2024	D
DA006	Wet area details	15/04/2024	D
DA007	Wet area details	15/04/2024	D
DA008	Wet area details	15/04/2024	D

Country Women's Association McQuade Park Windsor, Statement of Heritage Impact (SOHI), prepared by Christo Aitken dated July 2023.

Proposed Accessible Toilet, Deck and Ramp at the Country Women's Association Building, Statement of Environmental Effects (SOEE), prepared by Barbara Tamawski dated 30 August 2023.

EXCEPT AS AMENDED by the General Terms of Approval:

DETAILS TO BE SUBMITTED FOR APPROVAL

1. The following information is to be submitted with the s60 application for approval by the Heritage Council of NSW (or delegate):
 - To avoid cutting the facebrick reveals of the rear door of the CWC Building and also retain the use of the existing decorative door, the Ground Floor Plan is to be amended to indicate that the existing brick door opening width is to be retained. The existing hinges may be replaced with parliament hinges. The existing hinges are to be retained on site.
 - As not required for DDA requirements, the Ground Floor Plan is to be amended to indicate that the existing decorative door and opening to the existing ambulant toilets is to be retained.

Reason: The details requested were not supplied during the assessment of the application. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

HERITAGE CONSULTANT

2. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.



Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SITE PROTECTION

3. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

PHOTOGRAPHIC ARCHIVAL RECORDING

4. A photographic archival recording of the original WC, Main Hall and rear external door must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW, Department of Premier and Cabinet.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

UNEXPECTED FINDS

5. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

COMPLIANCE

6. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.



Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

7. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions about this correspondence, please Tempe Beaven, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

[Redacted signature]

Michael Ellis
Manager, Assessments
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
2 May 2024