

30 October 2019

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council -
Wednesday, 6 November 2019**

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 6 November 2019 commencing at 6.00 pm.

A handwritten signature in blue ink, appearing to read 'D J Sherley'.

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 6 NOVEMBER 2019

1. 6:00 PM - MEETING COMMENCES

2. PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

Could all those who are able please stand for the prayer and the acknowledgement.

3.01 Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.

3.02 I would like to acknowledge that this meeting is being held on the traditional lands of the Wiradjuri people and recognise the strength, resilience and capacity of Aboriginal people in this land.

3. APOLOGIES

4. REPORT OF PREVIOUS MEETING

* MINUTES - POLICY COMMITTEE MEETING - 2 OCTOBER 2019

5. DECLARATION OF INTEREST

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Part 4 and Part 5 of the Council Code of Conduct, in relation to Declaration of Interest at meetings.

6. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

* GENERAL MANAGER'S REPORT

7. RESOLVE INTO OPEN COMMITTEE

8. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

9. GENERAL BUSINESS

10. SUBMISSION HEARING - DEVELOPMENT APPLICATION SUBMISSIONS

* DEVELOPMENT APPLICATION NO. 2019/295 – MIXED USE DEVELOPMENT AND 5 LOT SUBDIVISION AT 48 & 50 BENTINCK STREET AND 178 HOWICK STREET BATHURST NSW 2795. APPLICANT: JOSS CONSTRUCTION OWNER: REGIONAL NOMINEES PTY LTD

11. SUBMISSION HEARING - OTHER

12. MEETING CLOSE

MINUTE

1 MEETING COMMENCES MOVED: Ian North SECONDED: John Fry

Present: Councillors Bourke (Chair), Aubin, Christian, Fry, Hanger, Jennings, Morse, North, Rudge.

MINUTE

- 2 **APOLOGIES**
 MOVED: Ian North SECONDED: John Fry

Nil.

REPORT OF PREVIOUS MEETING AND MINUTES

POLICY COMMITTEE

1 MINUTES - POLICY COMMITTEE MEETING - 2 OCTOBER 2019 (07.00064)

Recommendation: That the Minutes of the Policy Committee Meeting held on 2 October 2019 be adopted.

Report: The Minutes of the Policy Committee Meeting held 2 October 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTE

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 OCTOBER 2019
(07.00064)

MOVED: Cr J Rudge SECONDED: Cr I North

RESOLVED: That the Minutes of the Policy Committee Meeting held on 2 October 2019 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 2 OCTOBER 2019

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

A minute silence was held in respect to the recent passing of Robert Pattinson.

Present: Councillors Bourke (Chair), Aubin, Christian, Fry, Hanger, Morse, North, Rudge.

APOLOGIES

2 APOLOGIES
MOVED Cr J Rudge and **SECONDED** Cr A Christian

RESOLVED: That the apology from Cr Jennings be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 SEPTEMBER 2019
(07.00064)
MOVED Cr I North and **SECONDED** Cr J Rudge

RESOLVED: That the Minutes of the Policy Committee Meeting held on 4 September 2019 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST
MOVED Cr J Rudge and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

Director Environmental Planning & Building Services' Report

Moved Cr I North and **SECONDED** Cr A Christian

- (a) place the draft amended Footpath Restaurant Policy on public exhibition for a period of 28 days;
- (b) notify premises and businesses conducting footpath dining of the draft amendment; and
- (c) note a further report will be provided to Council on the outcomes from the exhibition and notification process.

MOVED Cr W Aubin and **SECONDED** Cr J Rudge

- (a) adopt the draft amendment to the Enforcement Policy; and
- (b) enact this resolution immediately.

- (a) Place the Webcasting of Council Meetings Policy on public exhibition for 28 days, and
- (b) adopt the Webcasting of Council Meetings Policy and update the Council Policy Manual, if no submissions are received.
- (c) receive a further report if any submissions are received during the exhibition period.

GENERAL BUSINESS

8 BUS SHELTER ROCKLEY 28.00022

Cr North - Requested Bathurst Regional Council give consideration to installing a bus shelter near Rockley School.

Cr North tabled a request from the bus line operator

9 Item 2 BATHURST CYCLING CLASSIC - COMMUNITY FEEDBACK 23.00128

Cr North - Sought an update on the community feedback that Bathurst Regional Council has received in relation to the Bathurst Cycling Classic.

Acting General Manager - advised positive feedback had been received, and reminded Council of the upcoming information sessions.

10 Item 3 PERTHVILLE ROADWORKS 25.00131

Cr North - Requested an update on this project.

Director Engineering Services - Advised that as soon as the sealing contractor was available that the works would be completed.

11 Item 4 PERTHVILLE MULTI- PURPOSE COURTS 37.00562

Cr North - Requested an update on this project.

Director Engineering Services - Advised that the tenders for this project are anticipated to be called by the end of October.

12 Item 5 MITRE / SUTTON / LAMBERT STREETS ROUNDABOUT 36.00713

Cr North - Requested an update on the progress of this project.

Director Engineering Services - Advised that Bathurst Regional Council is waiting on the availability of service providers to co-ordinate a combined site meeting.

13 **Item 6 STREET SIGN AUDIT 28.00007**

Cr Christian - Asked when Bathurst Regional Council has last undertaken a street sign audit in the CBD?

Director Engineering Services - Took the question on notice and will respond directly back to Councillors.

14 **Item 7 WEEDS ON SYDNEY ROAD & STEWART STREET 25.00018**

Cr Christian - Noted that the weeds along Sydney Road - Stewart Street are not being controlled, and requested that Bathurst Regional Council follow- up the RMS.

Director Engineering Services - Advised that Sydney Road is part of a regular maintenance contract, and the other roads will have the timing of their programmed maintenance reviewed.

15 **Item 8 NEW MAYOR 12.00005**

Cr Christian - Congratulated Cr Bourke on his appointment as Mayor, and looks forward to Councillors working together.

16 **Item 9 STATE OF WATER EMERGENCY 13.00031**

Cr Fry - Foreshadowed a notice of Motion seeking Bathurst to be declared in a state of water emergency. Asked the Director Engineering Services whether this declaration would be positive or negative step.

Mayor - Responded that a meeting has been secured with the Minister for Water, Melinda Pavey MP on 23 October.

17 **Item 10 LANDSCAPE RESILIENCE FIELD DAY 23.00026**

Cr Fry - Advised of the Landscape Resilience Field Day being held in Bungendore on 2nd November and encouraged Councillors and Council Staff to attend.

18 **Item 11 LARGE DATA CENTRE FOR BATHURST 20.00105**

Cr Fry - Requested a report on the scope and feasibility on the development of a large data centre in Bathurst.

19 **Item 12 MEALS ON WHEELS 18.00236**

Cr Morse - Tabled Meals on Wheels' AGM report, and acknowledged the assistance that Bathurst Regional Council has provided to Meals on Wheels.

20 **Item 13 LIBRARY SERVICE IN BATHURST 21.00054**

Cr Morse - Spoke of the recent article in the Sydney Morning Herald. Commended Bathurst as being one of the leading libraries with the range of services provided. Sought Bathurst Regional Council to continue collaboration with the Historical Society.

21 **Item 14 BUS PARKING BEHIND MCDONALDS 25.00004**

Cr Morse - Asked if there were any plans to improve the bus parking area behind McDonalds, specifically in relation to signage and accessibility.

Director Engineering Services - Advised that Bathurst Regional Council has received funding with works to be completed by December.

22 **Item 15 10 WILLIAM STREET 22.03984**

Cr Morse - Asked if Bathurst Regional Council could do anything in relation to the current appearance of 10 William Street?

Director Environmental Planning Building Services - Noted that the building is in poor condition, and that Bathurst Regional Council has made attempts to contact the owner.

23 **Item 16 COUNCIL EMAIL ACKNOWLEDGEMENT 15.00025**

Cr Morse - Sought an update on providing an automated acknowledgement to emails sent to Bathurst Regional Council.

Acting General Manager - Advised that works on this facility are underway.

24 **Item 17 BOYD STREET PROPERTY 13.00025**

Cr Aubin - Asked what Bathurst Regional Council can do in relation to the rubbish that is being stockpiled on a property in Boyd Street. Mentioned that Vermin appears to be enclosing on neighbouring properties.

Director Environmental Planning Building Services - Advised that Bathurst Regional Council have powers when there is a public health risk, and will look into the situation.

25 **Item 18 PARKING IN FRONT OF OLD AMBULANCE STATION 28.00006**

Cr Aubin - Advised that the traffic Committee have approved the installation of parking signs in front of the old Ambulance Station in William Street.

26 **Item 19 MAYOR'S MEETINGS WITH MINISTERS 11.00005**

Cr Aubin - Requested an update from the Mayor in relation to the recent meetings held with State Ministers.

Mayor - Provided an update of the separate meetings held with the Minister for Mental Health, Regional Youth and Women, Bronwyn Taylor MLC, and the Minister for Counter Terrorism and Corrections, Anthony Roberts MP.

27 **Item 20 RED BENCH PROJECT 07.00107 & 04.00039**

Cr Rudge - Spoke of the launch of the Red Bench in Kings Parade, and thanked the Council staff involved in making this happen.

28 **Item 21 BRAG ART FAIR 21.00002**

Cr Rudge - Spoke of the BRAG Art Fair and their fundraising activities to buy permanent collection items. Thanked Council staff for their continued support of the BRAGS Committee.

29 **Item 22 COLLEGE ROAD PARK 04.00034**

Cr Rudge - Thanked Council staff for works that have been completed at the College Road park. Noted that the CWA are intending to donate a bench for the park.

30 **Item 23 RIVER ROAD 25.00125**

Cr Rudge - Thanked Council staff for repairing the pot hole on River Road. Asked for an update on the installation of no standing signs?

Director Engineering Services - Advised that this has been referred to the next traffic committee for consideration.

31 **Item 24 HEREFORD STREET CAR PARK 25.00035**

Cr Rudge - Thanked Council staff for the works to improve the car park near the low level bridge along Hereford street.

32 **Item 25 MACHATTIE PARK AMENITIES 04.00012**

Cr Rudge - Thanked Council staff for the recent installation of mirrors into the toilet blocks in Machattie Park.

33 **Item 26 MORSE PARK AMENITIES 04.00045**

Cr Rudge - Thanked Council staff for the tidy- up that has recently been undertaken at the amenities building in Morse Park.

34 **Item 27 WOMEN IN TRADES DAY 23.00026**

Cr Rudge - Updated Council on the recent "Women in Trades Day" that was held at CSU.

35 **Item 28 OCTOBER - BREAST CANCER AWARENESS MONTH 23.00026**

Cr Rudge - Spoke of the recent launch of Pink up Bathurst, and thanked Council staff for their support and involvement with this initiative.

36 **Item 29 LOCAL HEALTH SERVICE 18.00234**

Cr Rudge - On behalf of Cr Jennings acknowledged the work that Cr Aubin has been doing in relation to the local health service situation. Requested Bathurst Regional Council re-establish the Bathurst Health Council, and include appropriate representatives from the sector.

MEETING CLOSE

37 **MEETING COSE**

The Meeting closed at 6.45 pm.

CHAIRMAN: _____

Precis:

MINUTE

4 DECLARATION OF INTEREST MOVED: Cr W Aubin SECONDED: Cr J Fry

RESOLVED: That the Declaration of Interest be noted.

GENERAL MANAGER'S REPORT AND MINUTES

POLICY COMMITTEE

6 NOVEMBER 2019

1 FRIENDSHIP AGREEMENT WITH CIRENCESTER TOWN COUNCIL **(23.00150) (23.00150)**

Recommendation: That

- (1) The information be noted
- (2) The Mayor be authorised to attend Cirencester as a Council delegate, subject to a maximum expenditure of \$1,000.

Report: Councillors will recall at the Ordinary Council Meeting held 20 March 2019 that the following was resolved;

Recommendation: That Council:

- (a) *Delegate authority to the Mayor and General Manager to execute the Friendship Agreement with Cirencester Town Council;*
- (b) *Send a delegation to visit Cirencester, subject to further discussion with Cirencester Town Council;*
- (c) *Authorise the Mayor and General Manager (or their authorised delegates) to attend as Council delegates; and*
- (d) *Authorise the General Manager to appoint a travel agent to commence preparations.*

Discussions have recently been held with Cirencester representatives over the timing of the visit, which is now likely to be the week commencing 4 May 2020. It is intended to finalise the formalities with respect for the Friendship Agreement at this time.

The Friendship Agreement will explore opportunities for the collaborative development of research, the organisation of joint academic, cultural and artistic activities, the exchange of research teaching personnel and students, the exchange of publications and other materials of common interest, the exchange of business and commercial interest and such other collaborative activities that may be agreed between the parties.

It is understood that the Bathurst Business Chamber is looking at sending over a delegation at the same time. This visit will facilitate the exchange of business and commercial interest matters. It is noted that on Friday, 25 October 2019 the Cirencester 'Pop-up' shop was opened at the Bathurst Visitors Information Centre. The shop will assist in economic and business exchange between the two communities.

Councillors may wish to review the size and scope of the delegation at this time.

Further, it is understood that the Mayor will be over in Ireland in early 2020. It is proposed that during this period he will go visit Cirencester. Costs for such a trip to Council, (flights/ accommodation/ sustenance), would be less than \$1,000. It is proposed that Council authorise the Mayor to attend Cirencester on Council's behalf in 2020, subject to the funding limitation noted. The official delegation with a duly authorised delegate of the Mayor, will attend Cirencester in May 2020.

Financial Implications: The indicative cost for each delegate is approximately \$4,000 per person which will be funded from the Sister City budget.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.1
- Objective 2: A smart and vibrant economy Strategy 2.2
- Objective 4: Enabling sustainable growth Strategy 4.1
- Objective 4: Enabling sustainable growth Strategy 4.3

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTE

5 Item 1 FRIENDSHIP AGREEMENT WITH CIRENCESTER TOWN COUNCIL **(23.00150)**

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That

- (1) The information be noted
- (2) The Mayor be authorised to attend Cirencester as a Council delegate, subject to a maximum expenditure of \$1,000.

Yours faithfully



D J Sherley
GENERAL MANAGER

GENERAL BUSINESS

POLICY COMMITTEE

MINUTE

6 Item 1 DANGEROUS DRIVING IN CHURCH LANE 25.00226

Cr North - Dangerous driving in Church Lane - can this issue be raised with the Traffic Committee?

Director Engineering Services - Yes

MINUTE

7 Item 2 DOG PARK CONSULTATION 37.00695 & 04.00010-03

Cr North - How much community consultation was undertaken prior to the works being completed?

Director Engineering Services - Not a great deal due to short time frames imposed by the grant conditions.

MINUTE

8 Item 3 GREAT WESTERN HIGHWAY UPGRADES 25.00018-05

Cr North - A resident is concerned that they weren't listened to by the RMS. Is there further community consultation planned?

Director Engineering Services - Not sure, a decision of the RMS.

MINUTE

9 Item 4 BIG IDEAS WRI SEMINAR 18.00093

Cr North - Suggested Council seek a copy of the feedback/ outcomes from the seminar.

MINUTE

10 Item 5 PARKING ISSUES AROUND SCHOOLS 28.00006-14 & 07.00006-24

Cr North - Can Traffic Committee raise the issue of parking on corners?

Director Engineering Services - Yes

MINUTE

11 Item 6 STATE GOVERNMENT WATER INFRASTRUCTURE FUNDING **16.00119-03**

Cr North - Requested an update on current Council actions.

Director Engineering Services - Mayor, General Manager and Director Engineering Services have met with the Minister . Meeting was positive .

MINUTE

12 Item 7 MITRE/ SUTTON/ LAMBERT STREETS ROUNDABOUT UPDATE **36.00713 & 25.00095-03**

Cr Christian - Requested an update on the status of this project.

Director Engineering Services - Mail out and consultation process commenced. Works expected to commence in December.

MINUTE

13 Item 8 WORKING PARTY FOR USE OF FORMER AMBULANCE STATION **22.01504**

Cr Christian - Requested that Council hold a working party to discuss the potential use of the old Ambulance station.

MINUTE

14 Item 9 WEEDS - STEWART STREET & SYDNEY ROAD 13.00022-05

Cr Christian - Asked for an update on the removal of weeds along Stewart Street and Sydney Road.

Director Engineering Services - Advised that these roads are Roads and Maritime Services roads and will contact RMS in relation to commencement of works.

MINUTE

15 Item 10 STREET SIGNAGE AUDIT 28.00007-06

Cr Christian - When can this happen?

Director Engineering Services - Advised this has commenced.

MINUTE

16 Item 11 BRIDLE TRACK WORKS 25.00283-03

Cr Fry - Congratulations to Engineers. Can works be extended to Root Hogg Road?

Director Engineering Services - Subject to funding, yes?

MINUTE

17 Item 12 CLIMATE STATE OF EMERGENCY 13.00027-04

Cr Fry - Noted 11,000 scientists around the world signed a climate state of emergency document.

MINUTE

18 Item 13 WATER RESTRICTIONS 32.00017-04

Cr Morse - ABC News - Dubbo 'cut back' on their water restrictions due to recent light rainfall. Will Bathurst Council do the same?

Director Engineering Services - No.

Cr Morse - If we did receive required rainfall, are we looking to long term solutions? 20 years.

Director Engineering Services - Yes, a regional approach is already being undertaken.

Cr Morse - Pipeline in the next 5 years works program?

Director Engineering Services - Subject to future funding and budgets.

Cr Morse - Is the Minister being made aware of our 4 year requests and assistance required?

Director Engineering Services - Yes

Cr Morse - Will these arrangements continue beyond the next local government election?

Director Engineering Services - Yes

MINUTE

19 Item 14 DEFIBRILLATOR - HEART SMART EVENT AT THE HUB CAFE **18.00082**

Cr Jennings - Optimal target is to provide a Defibrillator within 3 minutes of every person. Does Bathurst Regional Council have the strategy?

General Manager - Program being prompted by State Government. BRC's focus directed to sporting groups.

Cr Jennings - Is the State Government mapping locations?

General Manger - Not a Bathurst Regional Council matter.

MINUTE

20 Item 15 5G 08.00002-11

Cr Jennings - Bathurst Regional Council is confident of the information provided by an appropriate expert. If we object to 5G it would impact CCTV.

Director Environmental Planning Building Services - Unlikely, but not known.

Cr Jennings - Suggests Bathurst Regional Council issue a press release based on findings.

MINUTE

21 Item 16 ABORIGINAL LIAISON OFFICER 07.00055-03

Cr Jennings - Where is this up to?

General Manager - Referred to 2020/2021 budget.

MINUTE

22 Item 17 WATER IRRIGATORS PORTAL 32.00046 & 32.00017-04

Cr Jennings - Is the portal the key method of communications?

Director Engineering Services - Yes, but not for regulatory matters.

Cr Jennings - Some irrigators not well versed in portal use. Can these messages be also emailed?

General Manager - Will look into request.

Cr Jennings - Can alerts be also sent by text message, to direct attention to email or portal?

MINUTE

23 Item 18 PIPELINE 13.00031-06

Cr Jennings - Is the pipeline specifically on our agenda? Development of Drought Management Plan, when will it be made available to the public?

General Manager - Yes, pipeline included. Looking at long term project solutions.

Director Engineering Services - Timeline - NSW Public Water Advisory using Bathurst Regional Council as a trial. Process unlikely to commence until June 2020.

**SUBMISSION HEARING - DEVELOPMENT APPLICATION SUBMISSIONS
AND MINUTES**

POLICY COMMITTEE

1 DEVELOPMENT APPLICATION NO. 2019/295 – MIXED USE DEVELOPMENT AND 5 LOT SUBDIVISION AT 48 & 50 BENTINCK STREET AND 178 HOWICK STREET BATHURST NSW 2795. APPLICANT: JOSS CONSTRUCTION OWNER: REGIONAL NOMINEES PTY LTD (2019/295)

Recommendation: That the information be noted.

Report: The Site

Council has received a Development Application (DA) for a mixed-use development including office/business premises, and food and drink premises, serviced apartments, a new dwelling house, a change of use of the heritage tower to a dwelling house and a 5 lot subdivision.

The land is identified as:

Property Address	Lot & DP
48 Bentinck Street Bathurst NSW 2795	Lot 112 DP 1232551
50 Bentinck Street Bathurst NSW 2795	Lot 1 DP 2067 Lot 2 DP 2067 Lot 19 DP 2067 Lot 20 DP 2067 Lot 21 DP 2067 Lot 22 DP 2067 Lot 23 DP 2067 Lot 24 DP 2067 Lot 25 DP 2067 Lot 28 DP 2067 Lot 30 DP 2067 Lot 2 DP 184456
178 Howick Street Bathurst NSW 2795	Lot 26 DP 2067 Lot 27 DP 2067

The subject land currently consists of 15 lots with a total combined area of approximately 5061.6m².

On the site is an existing brewery tower and access driveways from Princes, Bentinck and Howick Streets. The land is located within an established mixed-use area consisting of commercial uses to the North, North-West and South-West, residential land uses to the South-West, South and South-East and recreational uses to the North-East.

See location plan and aerial photo at **attachment 1**.

History of the Site/Proposal

The land was previously the site of a convict hospital constructed in c. 1824 and burned down in c. 1878.

In c.1902, a butter factory was constructed on the land, which by 1926 had expanded into a facility used for the freezing of meats and manufacturing of ice. A milk pasteurising plant was constructed in 1938. In the 1980's the site continued to operate as a milk receival factory and for the production and distribution of cream, plain and flavoured milk.

During the 1920's a brewery was also constructed and operated on the land (which likely included the current tower building).

A portion of the site was also used as a soap factory between c.1930's to c.1950.

The most recent Development Applications lodged in relation to the land in relation to the land are:

Application No.	Description	Consent Authority	Determination	Date of Determination
2007/0801	Demolition Works and Construction of Shopping Centre.	Bathurst Regional Council	Approved	5 December 2007
2012/0518	Demolition Works and Construction of 40 Serviced Apartments, Café, Retail Premises and Commercial Premises and Tower Restoration	Bathurst Regional Council	Approved	16 September 2013
2015/0310	Six Lot Subdivision	Bathurst Regional Council	Approved	27 June 2016
2016/0043	Change of Use to Commercial Offices and Alterations to Existing Building	Bathurst Regional Council	Approved	11 April 2016
2016/116	Serviced Apartments and Retaining Walls	Bathurst Regional Council	Refused	27 June 2016

Note that several of the earlier proposals have included other portions of land such as 50 Bentinck (IDG Architects) and 2 Princes (probation and parole). Neither of these properties form part of the current proposal.

The proposal

The proposed development includes the redevelopment of the site for multiple uses including office/business premises, food and drink premises, serviced apartments, new dwelling house, adaptive reuse of historic brewery tower as a dwelling house and five lot subdivision, as described below:

Proposed Subdivision		Proposed Land Uses/Buildings				
Lot No.	Lot Description	Building Component / Land Use	Number of Storeys	Building Description	Street Frontage	Hours of Operation
Lot 1 (Approx. 1425.66m ²)	To contain Office/business , Car Parking, landscaping and terrace piazza. Access over North-Eastern boundary from	Commercial Building (Approx. 1803.08m ²) – Proposed to contain office premises and/or business	3 Storeys over Basement Parking.	Upper Basement – 39 Car parking spaces, 2 plant rooms, garbage room and lift. Ground Floor – Office/business premises, glassed atrium/lobby, male, female & accessible bathrooms, services room	Bentinck Street and Howick Street.	Mondays to Saturdays – 7:00am to 7:00pm.

	Howick Street.	premises.		and lift. First Floor – Office/business premises, gallery, male, female and accessible bathrooms, services room and lift. Second Floor – Office/business premises, covered roof terrace, gallery, accessible male and accessible female bathrooms, services room and lift.		
Lot 2 (Approx. 2062.87m ²)	To contain Serviced Apartments , signage, car parking, landscaping and terrace piazza. Access over North-Eastern boundary from Howick Street.	75 Serviced Apartments (Approx. 4,546.94m ²) to accommodate up to 174 people and Signage.	4 Storeys over Basement Parking.	Basement – 46 Car parking spaces, switch room, pump room, communications room, lobby, lift and bin room. First Floor – 17 Serviced apartments (38 single beds and 9 balconies), sales office, managers office, waiting room, reception, communications room, lobby entry, Lift, linen store, main linen store and cleaner's store. Second Floor – 16 Serviced apartments (38 single beds and 9 balconies), conference room, conference store, break out space, lift, business lounge, conference/staff kitchen, linen store, business lounge, male, female & accessible bathrooms and gym. Third Floor – 22 Serviced apartments (52 single beds and 12 balconies) and lift. Fourth Floor – 20 Serviced Apartments (46 Single beds, 11 balconies and 1 roof terrace) and lift.	Howick Street.	24 hours / 7 days per week.
Lot 3 (Approx. 690.07m ²)	To contain Retail Building (Likely Food and Drink Premises), car parking, landscaping, terrace piazza with awnings above. Access over South-Western boundary from Princes Street.	Retail Building (Approx. 233.79m ²) – Proposed to contain food and drink premises . Signage indicated but does not form part of this application.	3 Storeys over Basement Parking	Basement – 22 Car parking spaces and heritage water well. Ground Floor – Lower level of retail premises (1) and bin storage and services area. First Floor – Upper level of retail premises (1).	Princes Street.	Mondays to Saturdays – 7:00am to 10:00pm and Sundays – 8:00am to 8:00pm.
Lot 4 (Approx. 442.60m ²)	To contain existing tower to be converted into a Dwelling House .	Change of Use of Brewery Tower to	6 Storeys over Basement.	Basement – Stair connection to double garage on Proposed Lot 5, under new dwelling	No frontage. Visible from	N/A.

		Dwelling House (Approx. 252.90m ²).		house. Lower Floor – Terrace, sub-floor space, bedroom, kitchen and 1 bathroom. Ground Floor – 1 bedroom, kitchen, dining room, bathroom, lobby/entry, private courtyard, 2 carports and existing driveway. First Floor – Study. Second Floor – Bathroom. Third Floor – Bedroom. Fourth Floor – Roof terrace.	Howick, Bentinck and Princes Streets.	
Lot 5 (Approx. 491.61m ²)	To contain Dwelling House, residential garaging and landscaping. Access via Right of Carriageway to be located on Proposed Lot 2 from Howick Street.	Dwelling House (Approx. 226.56m ²).	2 Storeys over Basement Parking.	Basement – Double garage to service the proposed dwelling house in the existing tower, double garage to service the proposed new dwelling house and storage. Lower Floor – 3 Bedrooms, bathroom, laundry/storage and terrace. Upper Floor – 1 Bedroom (including a walk-in-wardrobe and ensuite, kitchen, pantry, dining room, living room and storage room.	No frontage. Partly visible from Howick and Princes Streets.	N/A.

The development is likely to be undertaken in stages. Indicative staging is proposed as follows:

Stage	Description
A	Consolidation existing 15 lots on site into one, including: Lots 1, 2, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 & 30 DP 2067, Lot 112 DP 1232551 and Lot 2 DP 184456.
B	Safety works to brewery tower.
C	Construction of serviced apartment building including associated access, basement and earthworks.
D	Subdivision of 1 lot (the consolidated lot) into 5 lots.
E	Construction of basement and podium associated with the Food and Drink Building on Lot 3.
F	The following works as the market demands: i. Construction of Commercial Building on Lot 1. ii. Construction of Food and Drink Building on Lot 3. iii. Fit-out and restoration of brewery tower for use as Dwelling House on Lot 4. iv. Construction of new Dwelling House on Lot 5.

See the relevant plans and documentation in the following **attachments**:

Attachment No.	Documentation
2 – 8	Plans of the Proposed Development.
9	Statement of Environmental Effects.
10	Traffic and Parking Assessment Report.
11	Statement of Heritage Impact.
12	Archaeological and Development Impact Assessment Report.
13	Archaeological Research Design Report.

14	Plan of Management for Serviced Apartments.
15	Acoustic Assessment Report.
16	BASIX Assessment Report.

Public Notification

In accordance with the Community Participation Plan 2019 the Development Application was advertised and notified to adjoining property owners from Monday 30 September 2019 to Tuesday 15 October 2019. Following the advertising and notification period a total of five (5) submissions were received (**attachment 17**).

Issues raised in the submissions are summarised as follows:

- The group term “commercial premises” is used, which encapsulates a large range of specifically defined land uses, including retail premises (which further includes food and drink premises, garden centres, shops, hardware and building supplies, landscaping material supplies, vehicle sales or hire premises etc.), business premises and office premises. The specific land uses for which consent is being sought must be identified in order to allow a proper and robust assessment of all potential impacts of the proposal.
- Specific land uses have differing car parking demands. For example, an office premises requires 1 space per 50m² of floor area and a shop requires 1 space per 35m² of floor area. The proposed car parking deficiencies may be exacerbated if the proposed land uses are not specifically identified.
- Inconsistencies within the Statement of Environmental Effects.
- The provision of additional retail floor space in the Central Business District (CBD) is not justified given the current level of existing vacancies.
- A comprehensive retail impact assessment has not been provided to demonstrate the justification for the provision of a significant amount of additional retail floor space.
- If consent is sought for offices only, there is concern that a future change of use to a retail premises could occur as exempt development, without requiring any further assessment and consideration of additional impacts, such as traffic generation and parking impacts.
- In the event that the application is recommended for approval, a condition of consent should be implemented stating that the consent relates to the use of the commercial building as an office premises only, and that a separate development consent must be sought for any proposal relating to an alternative form of commercial use.
- The proposal could lead to long term detrimental impacts on the viability and vitality of the Bathurst CBD.
- The proposed development will impact on adjoining residential properties by way of privacy, overshadowing and scale/height.
- The proposed development will impact on the heritage significance of the adjoining cottages within Howick Street.
- The height of the proposed buildings is excessive, particularly at the South-Eastern end of the site where it exceeds the 12-metre height limit.
- The proposal will overshadow residences located to the South-East of the site, subsequently resulting in reduced solar energy collection and natural lighting.
- The size and scale of the building is incongruous with surrounding buildings.
- The shortfall in proposed off street car parking will adversely impact the current shortage of parking experienced in the street during business hours.
- The Howick Street frontage includes little heritage elements and due to its large rectangular bulk, scale and height exceedances, it will have an overbearing impact on the small adjoining heritage cottages and amenity of the street.
- It is suggested that the serviced apartment building be reduced by one storey. This approach would reduce the impacts of the development on the neighbouring Howick Street cottages and ensure the proposal is better aligned with the number of proposed car parking spaces.

- The proposed development is staged to align with commercial exigencies and this means that the entirety of the development may not proceed as planned. The applicant has indicated that the re-subdivision of the land and development of the serviced apartments will occur first, which means that the remainder of the land could be left bare, sold off and redesigned/redeveloped by future owners.
- The proposed car parking shortfall is justified on the development of the site in its entirety. This provides more reason as to why the development should be entirely constructed at the one time.
- Conditions of consent should be implemented to ensure that the whole of the proposed development is carried out as one.
- The current plans and information do not sufficiently detail the extent of overshadowing on adjoining properties.
- There is conflicting information between the plans and the Traffic and Parking Assessment Report regarding the entrance and exit points onto Howick Street, the layout of traffic flow and the location of bins.
- The development will have various noise impacts on adjoining residents, due to: air conditioning units on balconies, roof mounted HVAC, carpark exhaust emissions, plant room, speed humps.
- It is suggested in the Acoustic report that a 2.5-metre-high fence will be constructed above the internal driveway adjoining the Howick Street properties. This is not reflected on the plans and may impede light and airflow.
- Vehicle emissions from the proposed vehicular access on Howick Street will impact neighbouring residences.
- No control measures have been proposed to prevent large vehicles and trucks from using the Howick Street accesses.
- There is a need for privacy screens between Levels 1 to 4 of the serviced apartments building, particularly where windows and balconies face South-East towards adjoining residences.
- The balcony of the newly proposed dwelling house will overlook surrounding residential properties, resulting in privacy conflicts. The vegetation shown on plans will not provide sufficient screening.
- A fence and pathway should be constructed along the South-Eastern boundary between the neighbouring residences. This will allow airflow, greenery rather than overbearing walls and access to plumbing and drainage.
- Frosted windows should be installed on the serviced apartments overlooking residential properties.
- The plant room and emissions exhaust fans should be located along Bentinck Street.
- No speed humps should be installed near residential developments located on Howick Street.
- No boom gates should be installed.
- An additional exit should be constructed.

The application will be referred to a later Council meeting for determination.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

MINUTE

**24 Item 1 DEVELOPMENT APPLICATION NO. 2019/295 – MIXED USE
DEVELOPMENT AND 5 LOT SUBDIVISION AT 48 & 50 BENTINCK STREET AND 178
HOWICK STREET BATHURST NSW 2795. APPLICANT: JOSS CONSTRUCTION
OWNER: REGIONAL NOMINEES PTY LTD (2019/295)**

B. McLellan From Joss Constructions

- Original purchase for apartments and retail.
- DA for apartments only was not approved.
- Engaged ID Group Architects.
- DA to be constructed in a staged manner.
- Not intention to "Dell" undeveloped land.

I. Pearson

- Howick Street Frontage.
- Is not compatible bulk and scale.
- Over shadowing concerns for neighbouring properties.
- Can set back be revised to include principles of safety by design.
- Encouraged by the accessibility of the development.

S Bathgate - Bathurst Heritage Network (B.H.N) convenor

- On a landmark site.
- Commended the applicant for respecting the concerns raised in the previous DA's
- Addressed the "public good" issue from the previous DA.
- B.H.N has concerns for the site if the whole project is not completed.
- Proposed parking is well short of Bathurst Regional Council's requirements.

M. Child - 172 Howick Street owner

- Overshadowing concern.
- Unable to understand the overshadowing drawings.
- Maine entrance/ exit driveway is on her property boundary (bedroom window).
- Additional noise and vibrations - impact on residence that is almost 100 years old.
- Control of traffic movements.
- Conflicting information is contained in some drawings.
- Fence lines omitted from drawings.
- Backyard privacy concerns.
- Seeking - a pathway along 172 boundary.
 - Frosted windows.
 - no speed humps.
 - relocation of plant room.

T. McBurney Integrated Design Groups (Architects for application)

- Local insight brought into development.
- Intention is for offices on corner Howick/ Bentick Street.
- Bulk and scale in relative to the opportunities available on the site.
- Creation of permeability of the site.
- Piazza overshadowing not an issue.
- Topography of site makes access difficult.
- Thanked consultation stakeholders.
- There isn't a parking shortfall across the site.

- 172 Howick Street will be the building most affected by the development.
- Happy to share the overshadowing drawings with 172 Howick's owner.
- Will address privacy screening concerns.

MINUTE

25 MEETING COSE

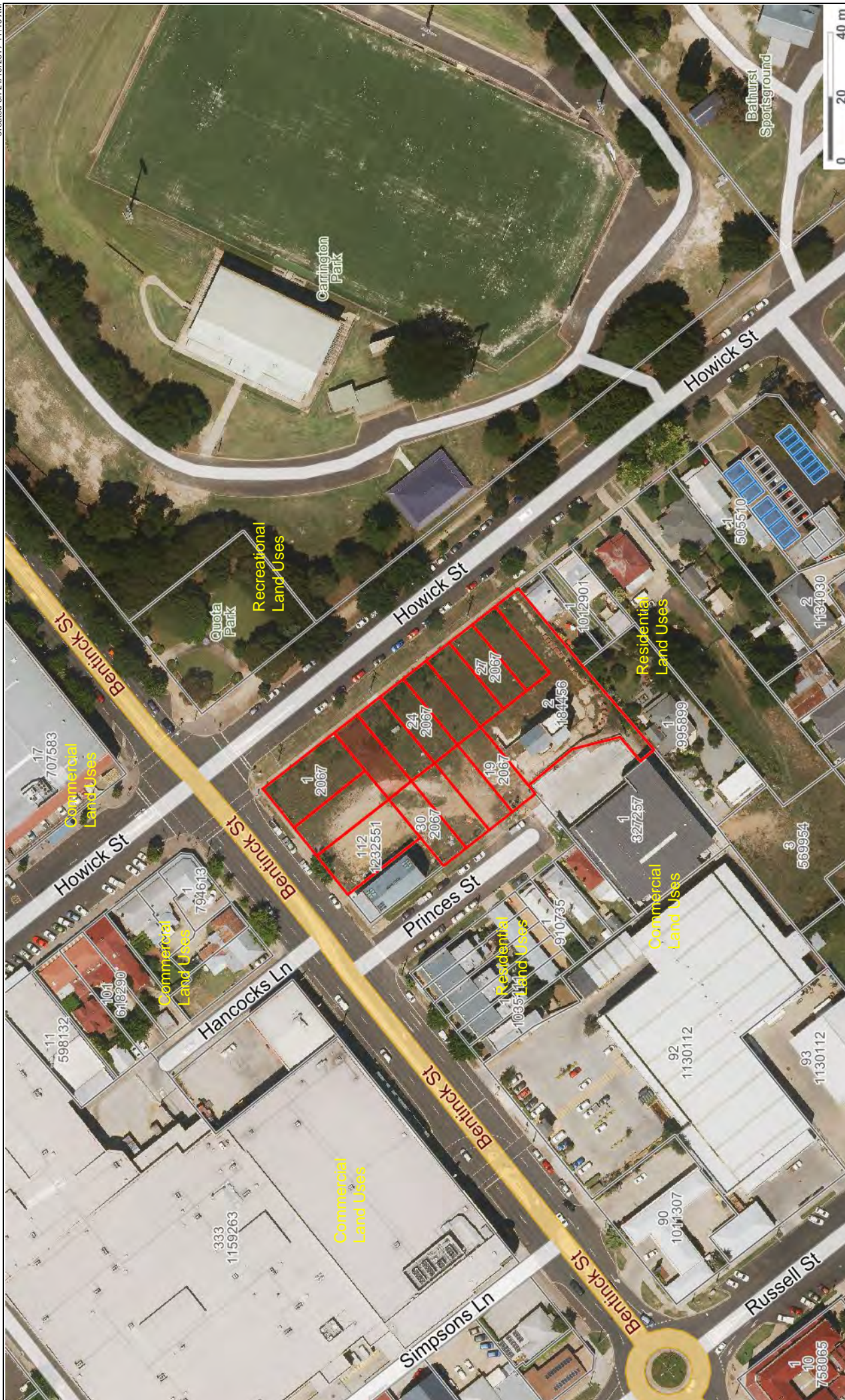
The Meeting closed at 7.15 pm.

CHAIRMAN: _____

Precis:

**SUBMISSION HEARING - DEVELOPMENT APPLICATION SUBMISSIONS
- ATTACHMENTS**

POLICY COMMITTEE



Drawn By: Kylie Denyer

Date: 24/10/2019

Projection: GDA94 / MGA zone 55

Map Scale: 1:1576 @ A4



Important Notice!
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- B1002
- B1100
- B1101
- B1102
- B1103
- B2000
- B2001
- B2002
- B2003

- upper basement plan
- ground floor plan
- first floor plan
- second floor plan
- roof plan
- north-east elevation
- south-west elevation
- south-east elevation
- north-west elevation

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simon thorne reg. no. 7093

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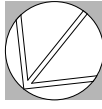
legend	
fitings & finishes	
BDRY	boundary
BOE	brick on edge
BFB	bagged painted brickwork
COR	colorbond corrugated roof sheeting
CF	colorbond fascia
CFC	concrete reinforced fibre cement
CONC	concrete
COS	confirm on site
CJ	control joint
CT	ceramic tile
CPT	carpat
CRT	concrete roof tile
DBAS	downpipe & spreader
EGU	electrical ground line
EMB	electrical metalboard
FB	face brick
FC	fibre cement
FFL	finished floor level
FGL	fixed glass
GM	gas meter
HWS	hot water service
PB	plasterboard
PCR	painted cement render
PFB	painted face brick
PWC	painted weatherboard
TFC	timber floor boards
TTC	terracotta roof tiles
WMI	water meter
b	basin
b/head	bulkhead
cs	cavity sliding door
dw	dryer
exh	dishwasher
fr	exhaust fan
fr/	fibrecrete fibrecrete
hr	hollow core door
hr	handrail
lb	letterbox
m	mirror
mw	microwave
oh	overhead
p	pantry
ref	refrigerator
rm	rough masonry
scd	solid core door
sh	soap holder
ss	stainless steel sink
st	stove
shwr	shower
t	tub
tr	towel rail
trh	toilet role holder
typ	typical
wc	water closet
wm	washing machine
v	vent
vp	vent pipe
uo	under bench oven
wo	wall oven

date	issue	amendment
5/8/19	A	issue for review
5/8/19	B	preliminary DA issue for review
27/8/19	C	preliminary DA issue for review
10/9/19	D	issued for DA application

commercial building upper basement

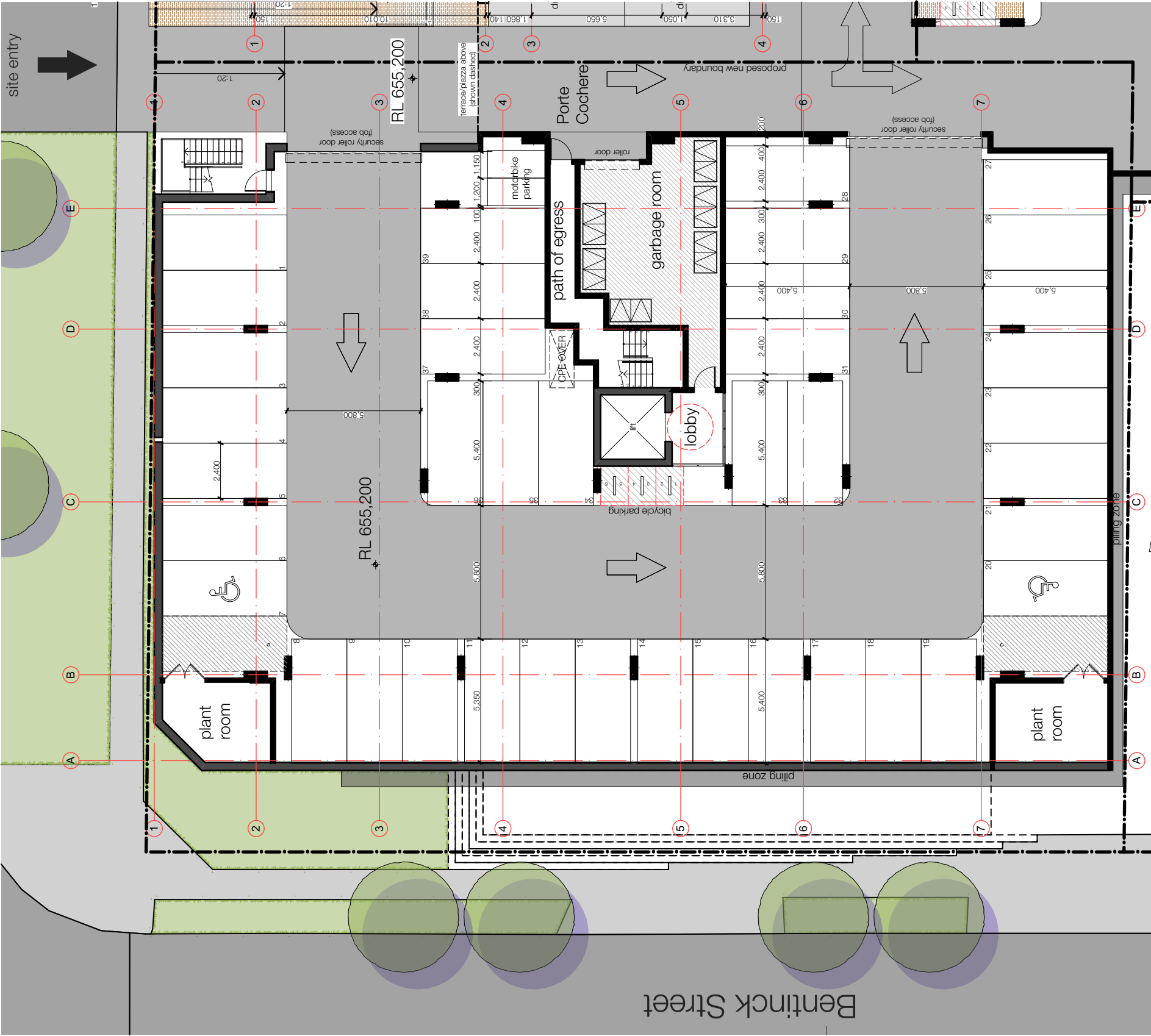
Cnr Bentinck/Howick
masterplan
Joss, bathurst

project reference: JOS15072
drawn: NO
checked: JA
scale: 1:200 @ a3



DA
B1002

issue
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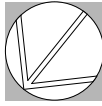
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BDRY	boundary
BOE	brick on edge
BPB	bagged painted brickwork
COR	colorbond corrugated roof sheeting
CF	colorbond fascia
CFC	colorbond fibre cement
CONC	concrete
COS	confirm on site
CJ	control joint
CT	ceramic tile
CPT	carpet
CRT	concrete roof tile
DRAS	downpipe
EGS	downpipe & spreader
EGU	external ground line
EMB	electrical metalboard
FB	face brick
FC	fibre cement
FFL	finished floor level
FGL	finished glass
GM	gas meter
HWS	hot water service
PB	plasterboard
PCR	painted cement render
PFB	painted face brick
PFC	painted fibre cement
PWB	painted weatherboard
TFC	timber floor boards
TFC	terracotta roof tiles
WM	water meter
b	basin
bhead	bulkhead
cs	cavity sliding door
dw	dryer
ekh	dishwasher
ex	exhaust fan
fr	frieze
frp	fibre plaster
hc	hollow core door
hr	handrail
lb	letterbox
m	mirror
mw	microwave
oh	overhead
p	pantry
ref	refrigerator
m	appliance door
sh	soap holder
ss	stainless steel sink
st	stove
shwr	shower
t	tub
tr	towel rail
trh	toilet role holder
typ	typical
wa	water asset
wm	washing machine
v	vent pipe
vp	vent pipe
uo	under bench oven
wo	wall oven

date	issue	amendment
5/6/19	A	issue for review
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commercial building ground floor

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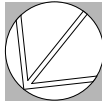
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fitings & finishes	
BDRY boundary	b basin
BOE brick on edge	bhead bulkhead
BPB bagged painted brickwork	cs cavity sliding door
CCR colorbond corrugated roof sheeting	dw dryer
CF colorbond fascia	ekh dishwasher
CFC colorbond fibre cement	exhaust fan
CONC concrete	fr floor
COS confirm on site	frh floor to raise
CJ control joint	hr hollow core door
CT ceramic tile	handrail
CPT carpet	lb letterbox
CRT concrete roof tile	m mirror
DBAS downpipe & spreader	mw microwave
EGU electrical ground line	oh overhead
EMB electrical metalboard	p pantry
FB face brick	ref refrigerator
FC fibre cement	rm room
FFL finished floor level	rmh room to door
F fixed glass	ss soap holder
FGL finished ground line	st stainless steel sink
GM gas meter	shwr shower
HWS hot water service	t tub
FB plasterboard	tr towel rail
PCR painted cement render	typ typical
PFB painted face brick	uwc under bench
PFC painted fibre cement	vm washing machine
PWB painted weatherboard	v vent pipe
TFB timber floor boards	uo under bench oven
TFC terracotta roof tiles	wo wall oven
WM water meter	

date	issue	amendment
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commercial building
first floor

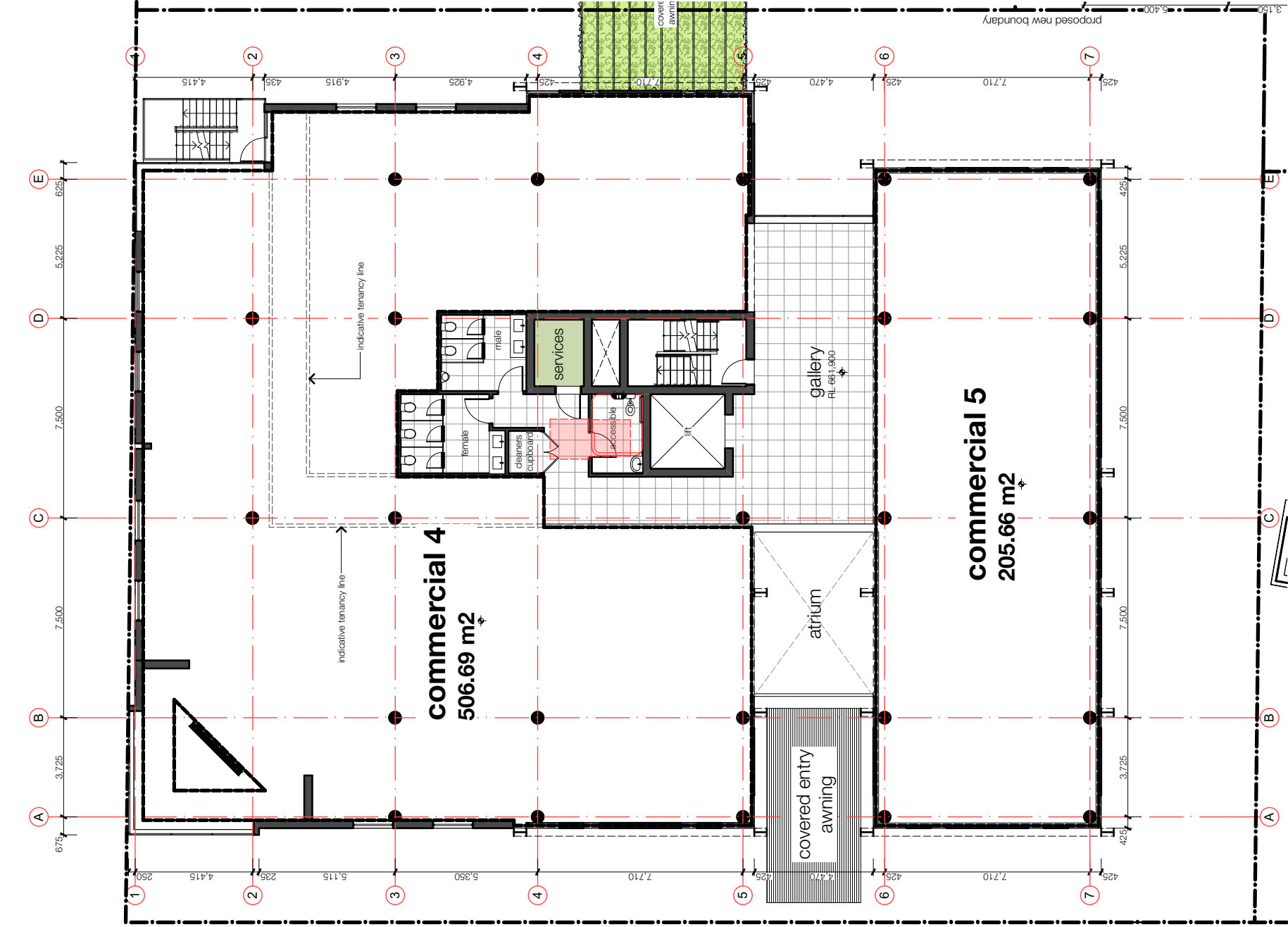
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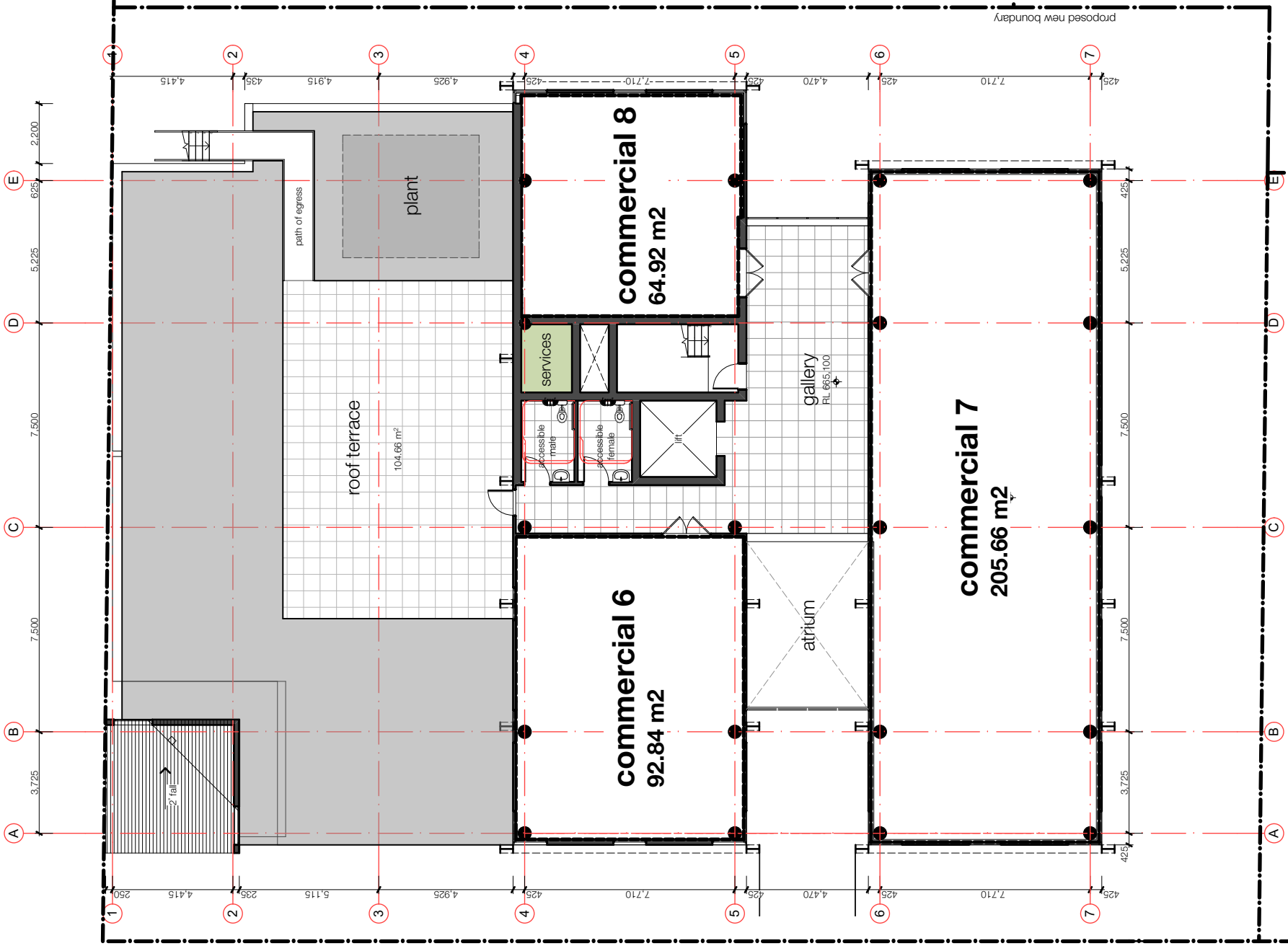
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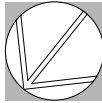
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fitings & finishes	
BDRY boundary	b basin
BOE brick on edge	bhead bulkhead
BPB bagged painted brickwork	cs cavity sliding door
COR colorbond corrugated roof sheeting	dw dryer
CF colorbond fascia	ekh dishwasher
CFC colorbond fibre cement	ex exhaust fan
CONC concrete	fr floor
COS confirm on site	hr hollow core door
CJ control joint	hb handrail
CT ceramic tile	l letterbox
CPT carpet	m mirror
CRT concrete roof tile	mw microwave
DBAS downpipe & spreader	oh overhead
EGU electrical ground line	p pantry
EWB electrical metalboard	ref refrigerator
FB face brick	m sliding door
FC fibre cement	ss soap holder
FFL finished floor level	st stainless steel sink
F fixed glass	shwr shower
FGL finished ground line	t tub
GM gas meter	tr towel rail
HWS hot water service	tr solid role holder
KB kitchen bench	typ typical
PB plasterboard	wa waste
PCR painted cement render	wm washing machine
PFB painted face brick	v vent pipe
PFC painted fibre cement	vp under bench oven
PWB painted weatherboard	uo wall oven
TFB timber floor boards	wo wall oven
TFC terracotta roof tiles	
WM water meter	

date	issue	amendment
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commercial building roof plan

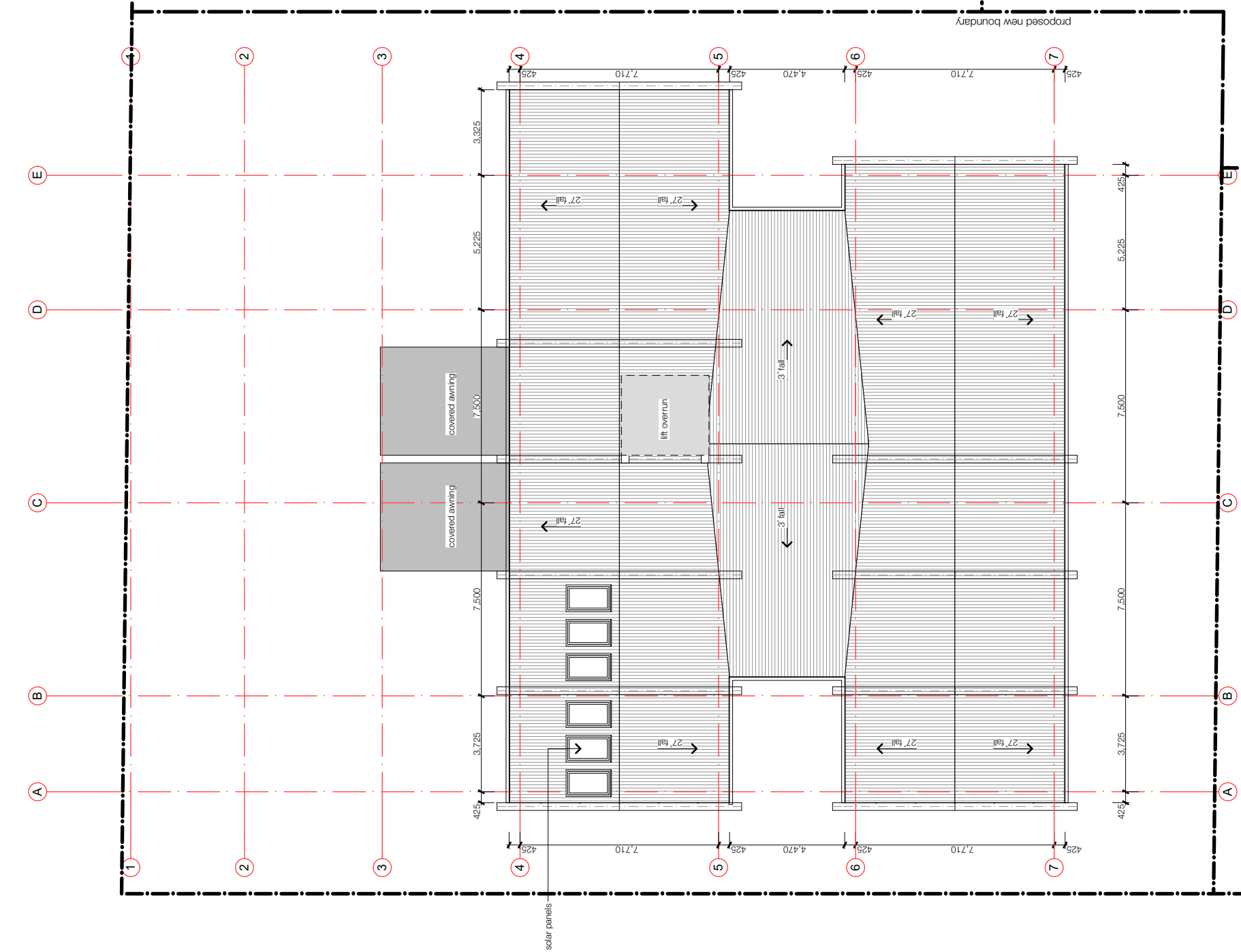
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legend	
fillings & finishes	
BDRY	boundary
BOE	brick on edge
BPB	bagged painted brickwork
CCR	colorbond corrugated roof sheeting
CF	colorbond cladding
CFE	colorbond fibre cement
CONC	concrete
COS	confirm on site
CJ	control joint
CT	ceramic tile
CPT	carpet
CRT	concrete roof tile
DRPS	downpipe & spreader
EGU	electrical ground line
EMB	electrical meterboard
FB	face brick
FC	fibre cement
FFL	finished floor level
F	finished ground line
FGL	fixed glass
GM	gas meter
HWS	hot water service
L	linoleum
PCR	painted cement render
PFB	painted face brick
PFC	painted fibre cement
PWB	painted weatherboard
TFC	timber floor boards
TRC	terracotta roof tiles
WM	water meter
b	basin
b/head	bulkhead
cs	cavity sliding door
dry	dryer
dw	dishwasher
exn	exhaust fan
f	fibre
fr	fridge
fr/case	fridge case
hc	hollow core door
hr	handrail
lb	letterbox
m	mirror
mw	microwave
o/h	overhead
p	pantry
ref	refrigerator
rn	range hood
sc	scalloped door
sc/h	scalloped holder
ss	stainless steel sink
st	stove
shwr	shower
t	tub
tr	towel rail
th	toilet role holder
tp	typical
typ	typical
wd	washing machine
vm	vent pipe
v	vent pipe
vp	vent pipe
uo	under bench oven
wo	wall oven

date	issue	amendment
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commercial building elevations 1

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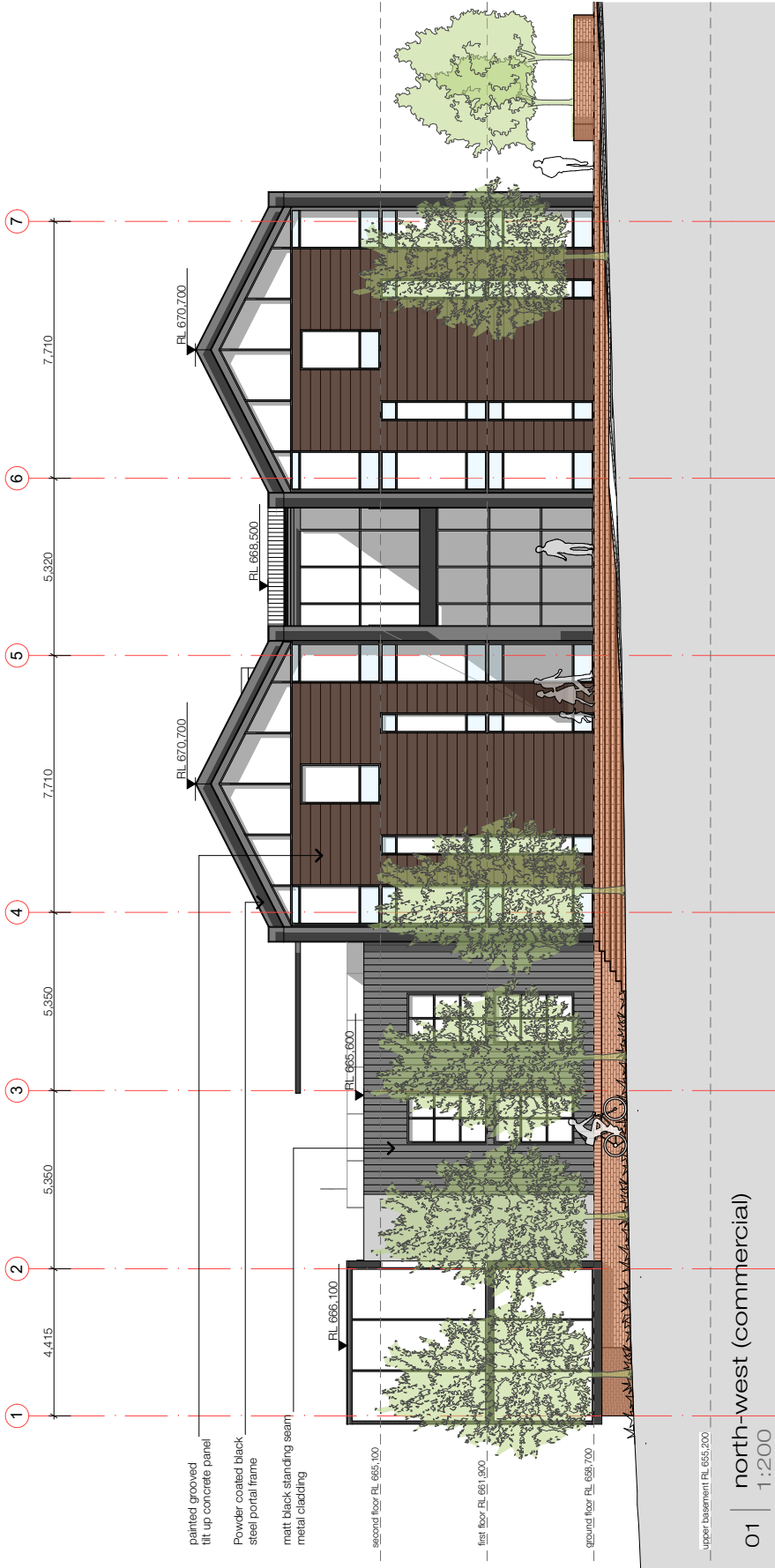
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DA

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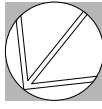
legend	
fitings & finishes	
BDRY boundary	b basin
BOE brick on edge	bhead bulkhead
BPB bagged painted brickwork	cs cavity sliding door
CCR colorbond corrugated roof sheeting	dw dryer
OF colorbond fascia	exn exhaust fan
CFC colorbond pressed fibre cement	fr freezer
	frk fridge
CONC concrete	hc hollow core door
COS confirm on site	hr handrail
CJ control joint	letterbox
CT ceramic tile	m mirror
CPT carpet	mw microwave
	o/h overhead
DRPS downpipe & spreader	p pantry
EGS electrical ground line	ref refrigerator
EMB electrical meterboard	rn rain head
FB face brick	sc sliding door
FCL fire cement	sh soap holder
F finished floor level	ss stainless steel sink
FGL finished ground line	st stove
GM gas meter	shwr shower
LWS hot water service	t tub
PCR plasterboard	tr towel rail
PB painted cement render	typ. typical
PFB painted face brick	typ. cabinet
PFC painted fire cement	vm washing machine
PWB painted weatherboard	v vent pipe
TFB timber floor boards	uo under bench oven
TRC terracotta roof tiles	wo wall oven
WM water meter	

date	issue	amendment
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commercial building elevations 2

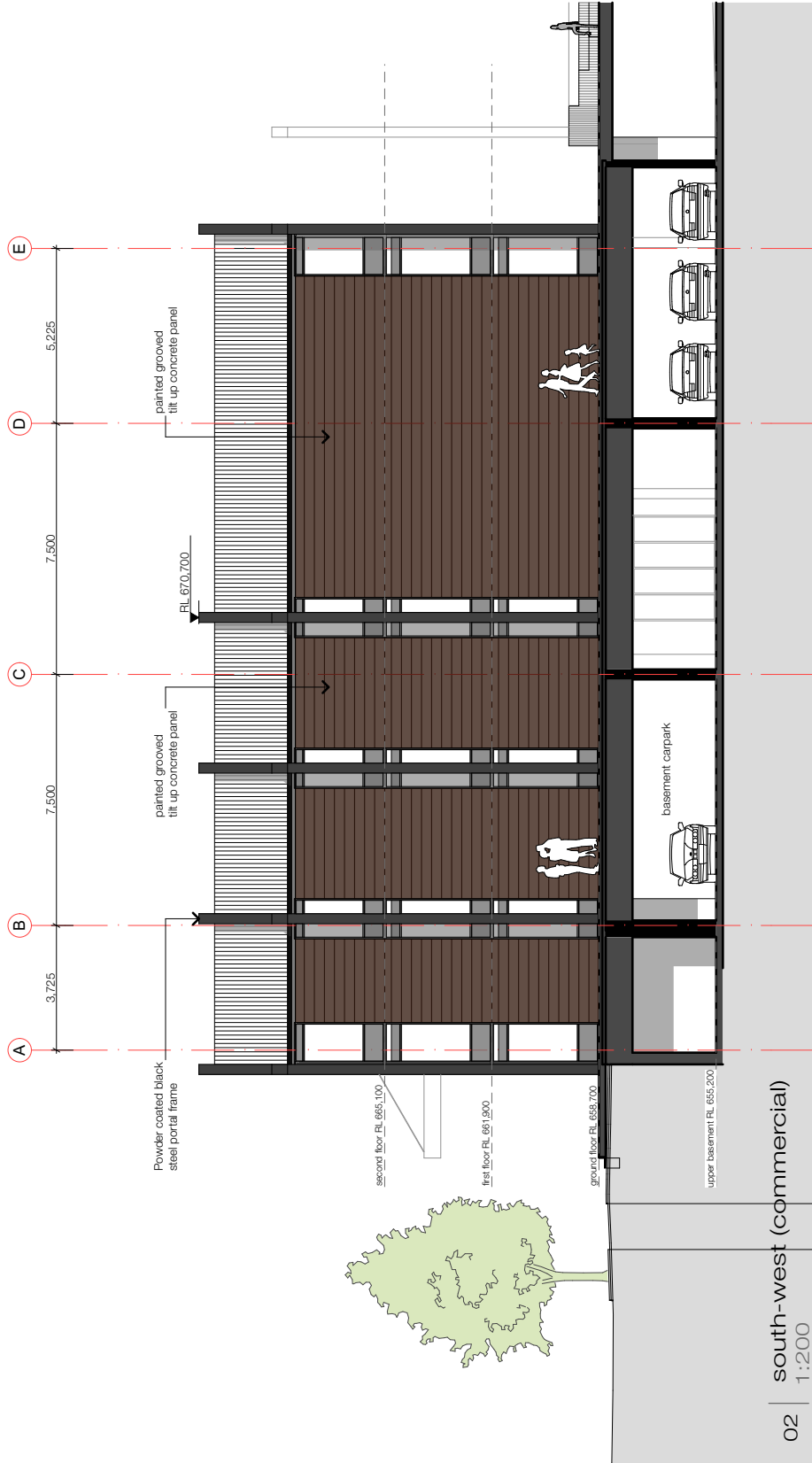
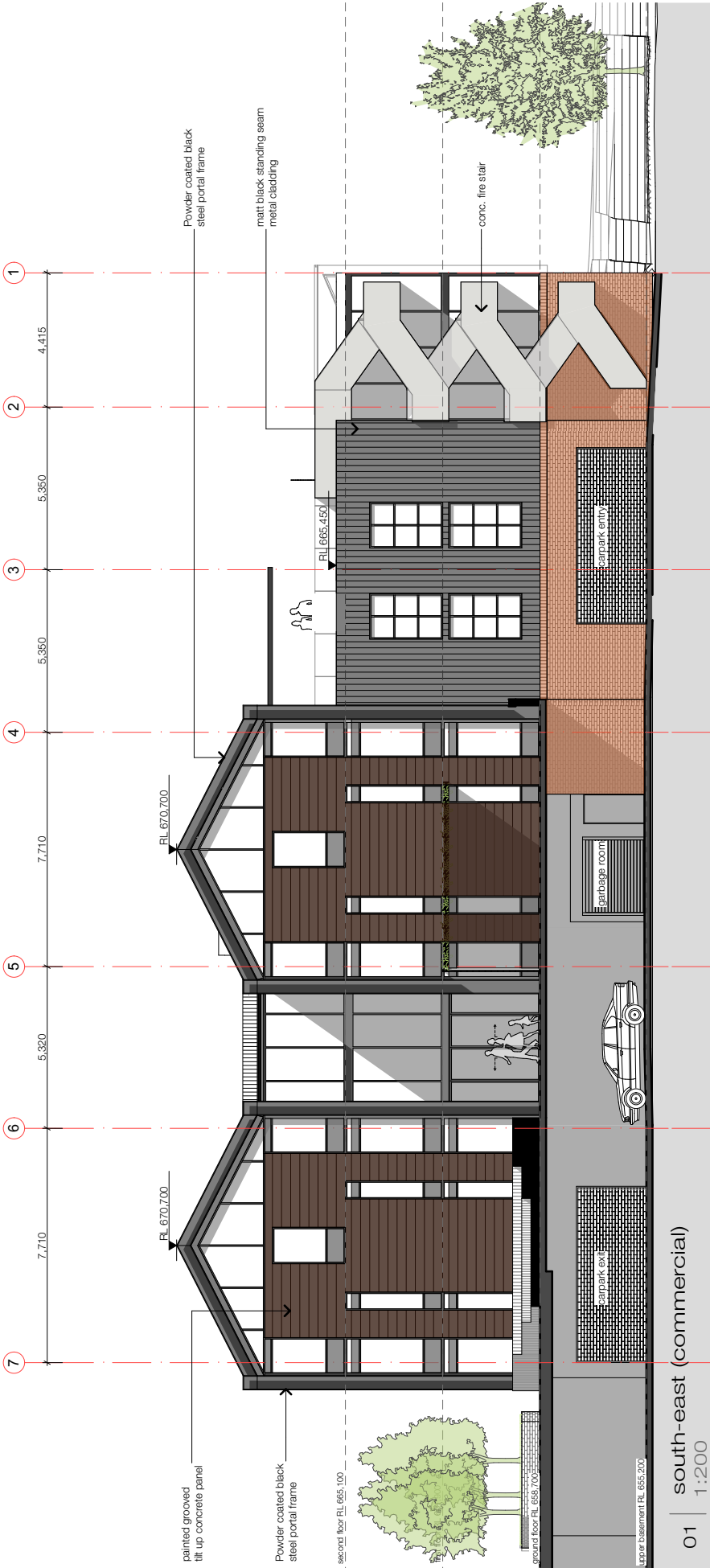
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DA
B2001

issue
D



- ground floor plan
- first floor plan
- roof plan
- north-east elevation
- south-west elevation
- south-east elevation
- north-west elevation

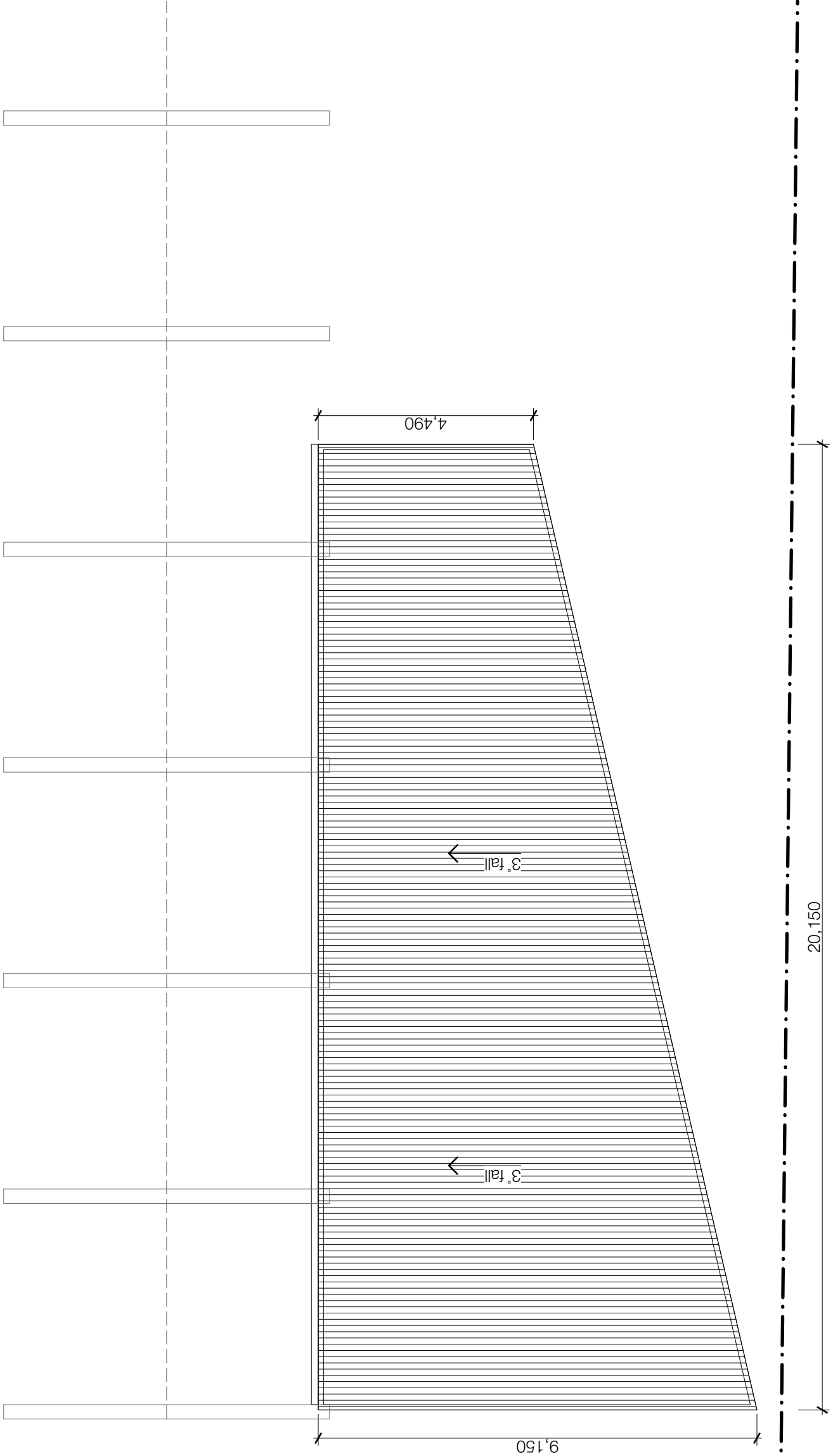
Description

- C1100
- C1101
- C1102
- C2000
- C2001
- C2002
- C2003



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architect

Attachments

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general notes

1. figured dimensions take precedence over scaled drawings
2. contractors to check and verify all levels datum and dimensions on site
3. all materials and workmanship to be in accordance with current written manufacturers instructions local regulations and SAA codes
4. conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works
5. all drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.

finishes

BDRY boundary
BOE brick on edge
BPE bagged paint brickwork
CCR corrugated steel roof
CFC colorbond face
CONC concrete
COS confirm on site
CJ control joint
CT ceramic tile
CPT carpet
CRT concrete roof tile
DP downpipe
DP&S downpipe & spreader
E&L existing ground line
EMB electrical masterboard

fixtures

b basin
bhead bulkhead
ca cavity sliding door
cw dishwasher
exh exhaust fan
fr freezer
fw floor waste
hc hollow core door
hr handrail
lb letterbox
m mirror
nw window
oh overhead
p pantry
ref refrigerator

date

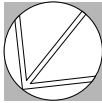
5/8/19
5/8/19
27/8/19
10/9/19

issue

A issue for review
B preliminary DA issue for review
C preliminary DA issue for review
D issued for DA application

title

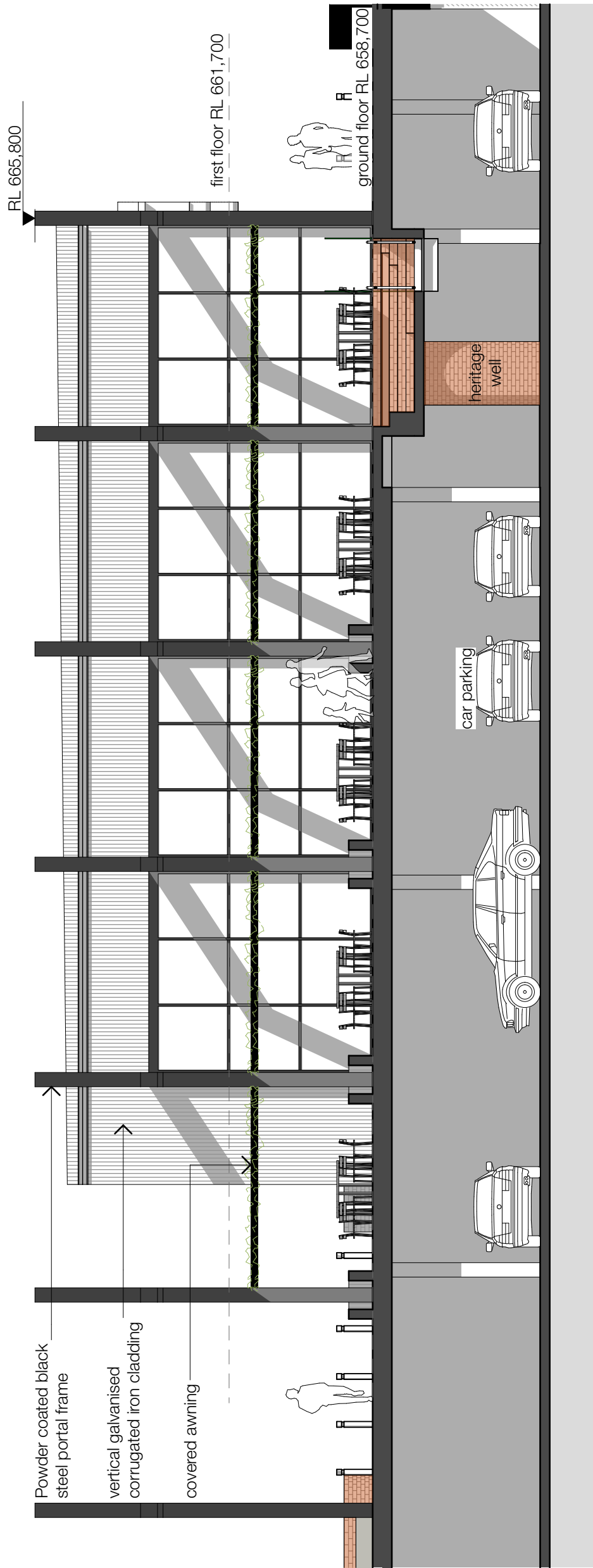
food and beverage roof plan
Cnr Bentinck/Howick masterplan
Joss | bathurst

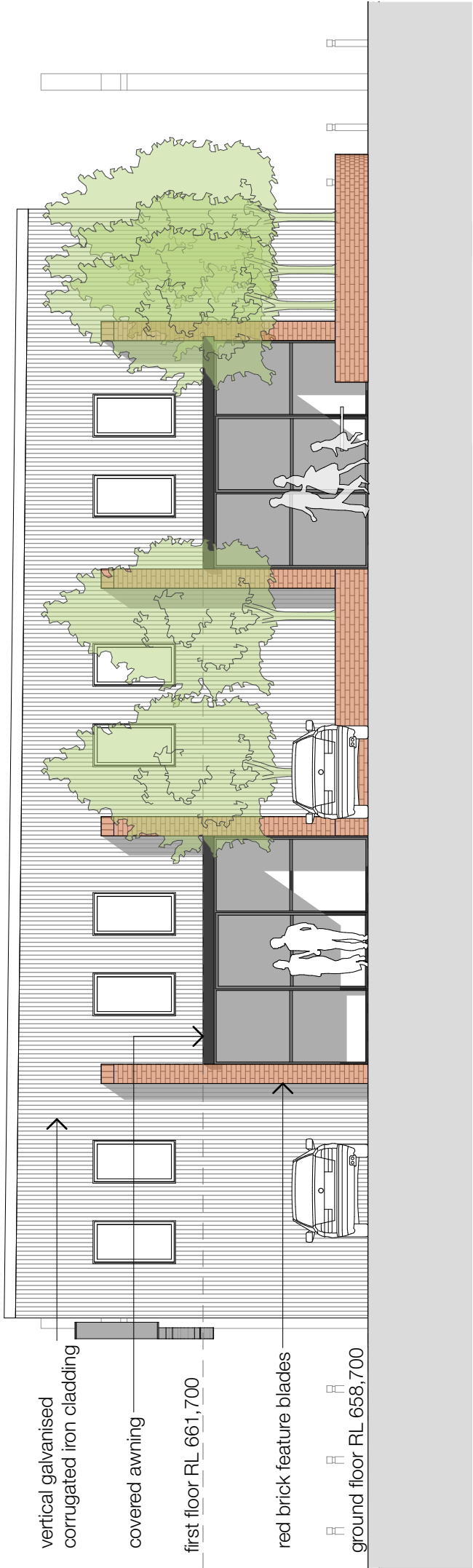


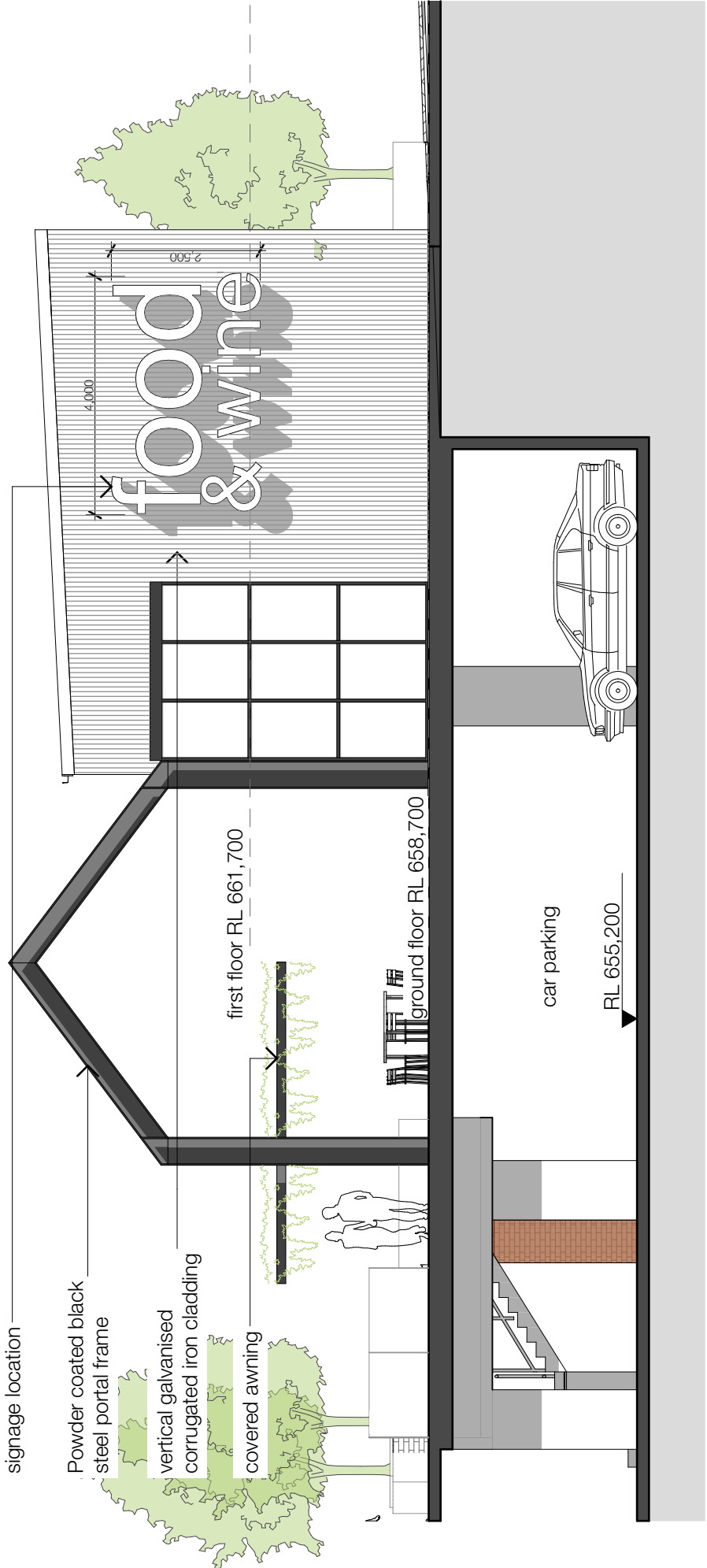
project ref: JOS15072
drawn: NO
checked: JA
scale: 1:100 @ a3

DA
C1102

issue
D

[illegible]

[illegible]



<div>architect</div> <div><div><div><div><div>integrated</div><div>DESIGN</div><div>group</div></div><div>architects bathurst sydney</div></div><div><div>copyright integratedDESIGNgroup p/l abn 21 995 789 058 nominated architect simon thorne reg7093</div><div><div>bathurst</div><div>t. 02 6332 6206 bathurst@idgarchitects.com.au</div></div><div><div>sydney</div><div>t. 02 9764 6100 sydney@idgarchitects.com.au</div></div></div></div></div>	<div>general notes</div> <div><div>1. figured dimensions take precedence over scaled drawings</div><div>2. contractors to check and verify all levels datum and dimensions on site</div><div>3. all materials and workmanship to be in accordance with current written manufacturers instructions local regulations and SAA codes</div><div>4. conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works</div><div>5. all drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.</div></div>	<div>finishes</div> <div><div>BDRY</div><div>BOE</div><div>BPB</div><div>CCR</div><div>CF</div><div>CFC</div><div>COCC</div><div>COS</div><div>CJ</div><div>CT</div><div>CPT</div><div>DP</div><div>DP&S</div><div>EGL</div><div>EMB</div></div> <div><div>boundary</div><div>brick on edge</div><div>bagged paint brickwork</div><div>corrugated steel roof</div><div>colorbond face</div><div>comp. fibre cement</div><div>concrete</div><div>confirm on site</div><div>control joint</div><div>ceramic tile</div><div>carpet</div><div>concrete roof tile</div><div>downpipe</div><div>downpipe & spreader</div><div>existing ground line</div><div>electrical meterboard</div></div> <div><div>FB</div><div>FC</div><div>FFL</div><div>F</div><div>FGL</div><div>GM</div><div>HWS</div><div>L</div><div>PB</div><div>PCR</div><div>PBR</div><div>PFB</div><div>PCB</div><div>TFB</div><div>TRC</div><div>VM</div></div> <div><div>face brick</div><div>fibre cement</div><div>finished floor level</div><div>fixed glass</div><div>finished ground line</div><div>gas meter</div><div>hot water service</div><div>louvre</div><div>plasterboard</div><div>planted cement render</div><div>planted face brick</div><div>plasterboard</div><div>timber floor boards</div><div>terracotta roof tiles</div><div>water meter</div></div>	<div>fixtures</div> <div><div>b</div><div>bhead</div><div>cs</div><div>dry</div><div>dw</div><div>exh</div><div>fr</div><div>fw</div><div>hc</div><div>tr</div><div>m</div><div>mw</div><div>oh</div><div>p</div><div>ref</div></div> <div><div>basin</div><div>bulkhead</div><div>cavity sliding door</div><div>dryer</div><div>dishwasher</div><div>exhaust fan</div><div>freezer</div><div>floor waste</div><div>floor waste</div><div>hollow core door</div><div>handrail</div><div>letterbox</div><div>mirror</div><div>microwave</div><div>pantry</div><div>refrigerator</div></div> <div><div>th</div><div>sc</div><div>ss</div><div>st</div><div>sh</div><div>shwr</div><div>t</div><div>tr</div><div>typ</div><div>typical</div><div>v</div><div>vm</div><div>vp</div><div>uo</div><div>wo</div></div> <div><div>rangehood</div><div>solid core door</div><div>soap holder</div><div>stainless steel sink</div><div>stove</div><div>shower</div><div>tub</div><div>towel rail</div><div>toilet role holder</div><div>typical</div><div>washing machine</div><div>washing machine</div><div>vinyl</div><div>vent pipe</div><div>under bench oven</div><div>wall oven</div></div>	<div>date</div> <div>5/8/19</div> <div>A</div> <div>issue for review</div> <div>5/8/19</div> <div>B</div> <div>preliminary DA issue for review</div> <div>27/8/19</div> <div>C</div> <div>preliminary DA issue for review</div> <div>10/9/19</div> <div>D</div> <div>issued for DA application</div>	<div>north-west elevation (F&B)</div> <div>Cnr Bentinck/Howick masterplan</div> <div>Joss bathurst</div> <div>project ref: JOS15072</div> <div>drawn: NO</div> <div>checked: JA</div> <div>scale: 1:100 @ a3</div>	<div>DA</div> <div>C2003</div> <div>issue</div> <div>D</div>
---	---	---	--	--	--	--

- A1001
- A1002
- A1100
- A1101
- A1102
- A1103
- A2000
- A2001
- A2002
- A2003

- basement plan
- level 1 plan
- level 2 plan
- level 3 plan
- level 4 plan
- roof plan
- north-east elevation
- south-west elevation
- south-east elevation
- north-west elevation



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JOS15072

DA

current issue
10/9/19

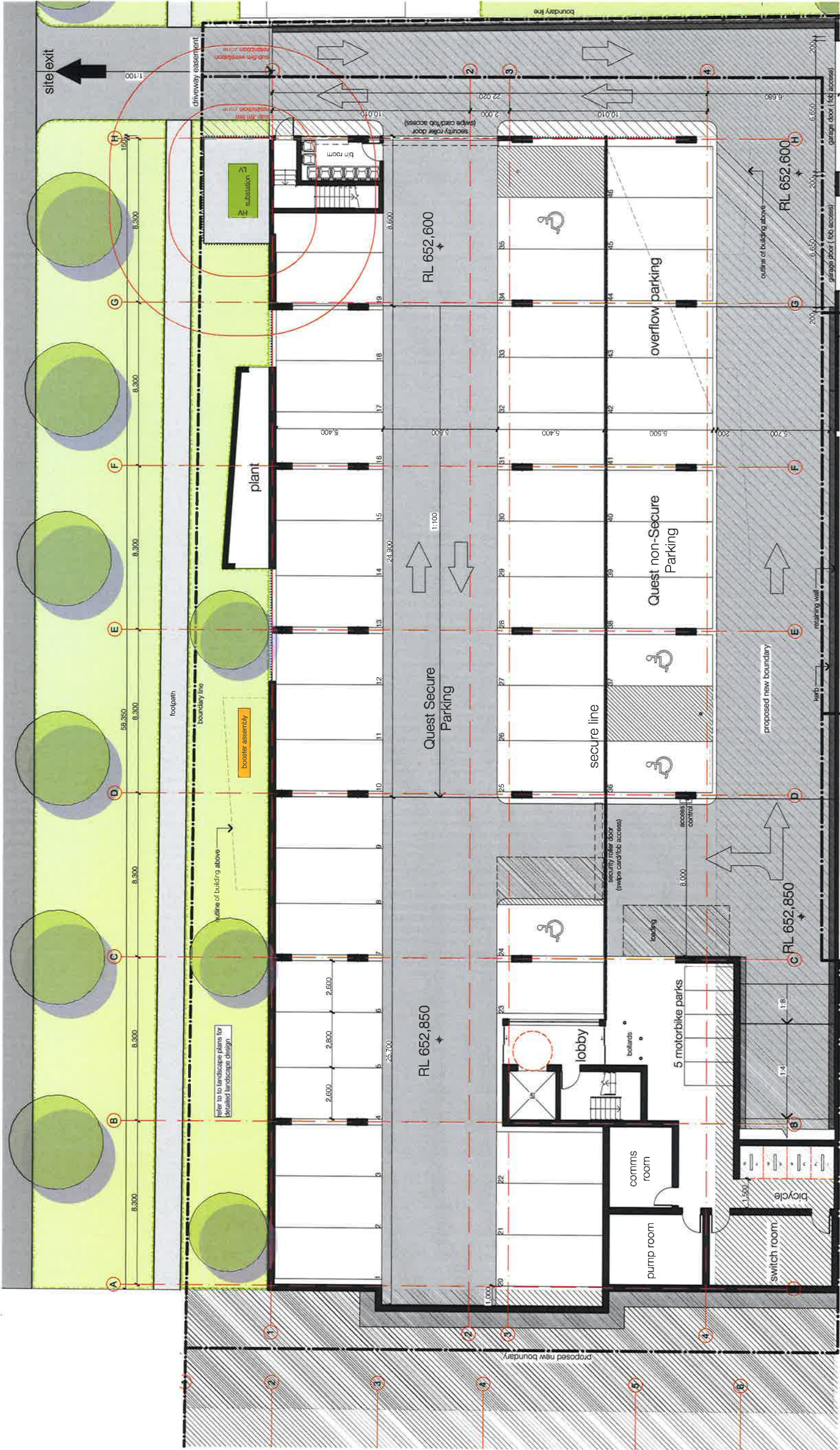
integrated DESIGNgroup

architects | bathurst penrith sydney

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nominated architects lory mcburney reg. no. 5273 | simon thorne reg. no. 7093

QUEST apartments
Joss | Howick street Bathurst NSW



architect

integrated **DESIGN** group
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general notes

1. figured dimensions take precedence over scaled drawings
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5. all drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements

finishes

BDPY	boundary	FB	face brick
BOE	brick on edge	FC	finished floor level
BPR	bagged paint brickwork	FGL	fixed glass
CCR	corrugated steel roof	GM	gas meter
CF	colorbond face	HWS	hot water service
CFC	comp. fire cement	PB	plasterboard
CCNC	concrete on site	PCR	painted cement render
CS	control joint	PHB	painted face brick
CT	carpet	PWB	painted weatherboard
CPT	concrete roof tile	TRC	terrazzo tiles
DP	downdraught	WM	water meter
EGS	electrical cable		
EVB	electrical meterboard		

fixtures

b	basin	rh	rangehood
bhead	bulkhead	sc	solid core door
cs	cavity sliding door	sh	soap holder
dw	dishwasher	ss	stainless steel sink
exh	exhaust fan	st	stove
fw	floor waste	shwr	shower
hc	hollow core door	tr	towel rail
hr	handrail	tr	tiller roller holder
lb	lightbox	typ	typical
m	mirror	wc	water closet
my	mirror	wm	washing machine
oh	overhead	wp	water pipe
p	pantry	uo	under bench oven
ref	refrigerator	wo	wall oven

date issue amendment

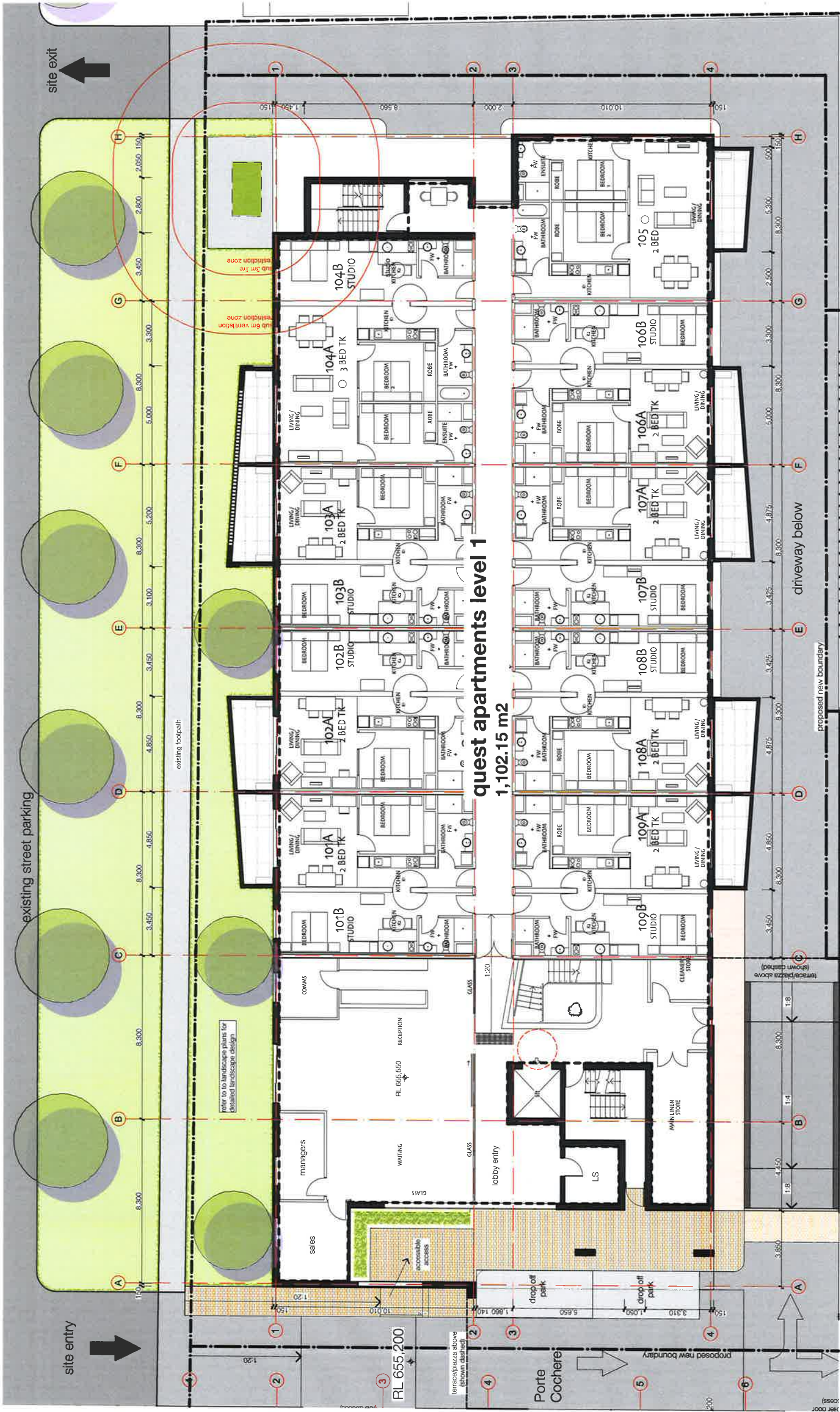
5/8/19	A	issue for review
5/8/19	B	preliminary DA issue for review
27/8/19	C	preliminary DA issue for review
10/9/19	D	issued for DA application


title

quest basement
Cnr Bentinck/Howick masterplan
Joss | bathurst
project ref: JOS15072
drawn: NO
checked: JA
scale: 1:200 @ A3



issue
D





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abn 21 895 789 058
nominated architect
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general notes

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finishes

BBY boundary

BPE brick/slate

CCP bagged part brickwork

CF colorbond local

CONC comp. fibre cement

COS corrug. tile

CTJ corral joint

CT ceramic tile

CPT carpet

CHT concrete roof tile

DP downpipe & spreader

EQS downpipe & spreader

EWB electrical metalboard

EG face brick

FG floor slab

FGL finished floor level

F head glass

GM gas meter

HWS hot water service

PCB plasterboard

PCH painted cement render

PWB painted face brick

TRB timber floor boards

WM water meter

b brehead

cs dry

dw dishwasher

exh exhaust fan

fw floor waste

hc hollow core door

hb handrail

lb mirror

m mirror

ow overhead

p pantry

ref refrigerator

rh rangehood

sc solid core door

sh soap holder

ss stainless steel sink

st stove

shw shower

tr towel rail

trh roller rail holder

typ typical

wc water closet

wm washing machine

wp waste pipe

uo under bench oven

wo wall oven

fixtures

b brehead

cs dry

dw dishwasher

exh exhaust fan

fw floor waste

hc hollow core door

hb handrail

lb mirror

m mirror

ow overhead

p pantry

ref refrigerator

EG face brick

FG floor slab

FGL finished floor level

F head glass

GM gas meter

HWS hot water service

PCB plasterboard

PCH painted cement render

PWB painted face brick

TRB timber floor boards

WM water meter

b brehead

cs dry

dw dishwasher

exh exhaust fan

fw floor waste

hc hollow core door

hb handrail

lb mirror

m mirror

ow overhead

p pantry

ref refrigerator

rh rangehood

sc solid core door

sh soap holder

ss stainless steel sink

st stove

shw shower

tr towel rail

trh roller rail holder

typ typical

wc water closet

wm washing machine

wp waste pipe

uo under bench oven

wo wall oven

date

5/8/19

5/8/19

27/8/19

10/9/19

issue

A

B

C

D

amendment

issue for review

preliminary DA issue for review

preliminary DA issue for review

issued for DA application

title

quest level 1

Cnr Bentinck/Howick masterplan

Joss | bathurst

project ref:

JOS15072

drawn:

NO

checked:

JA

scale:

1:200 @ a3

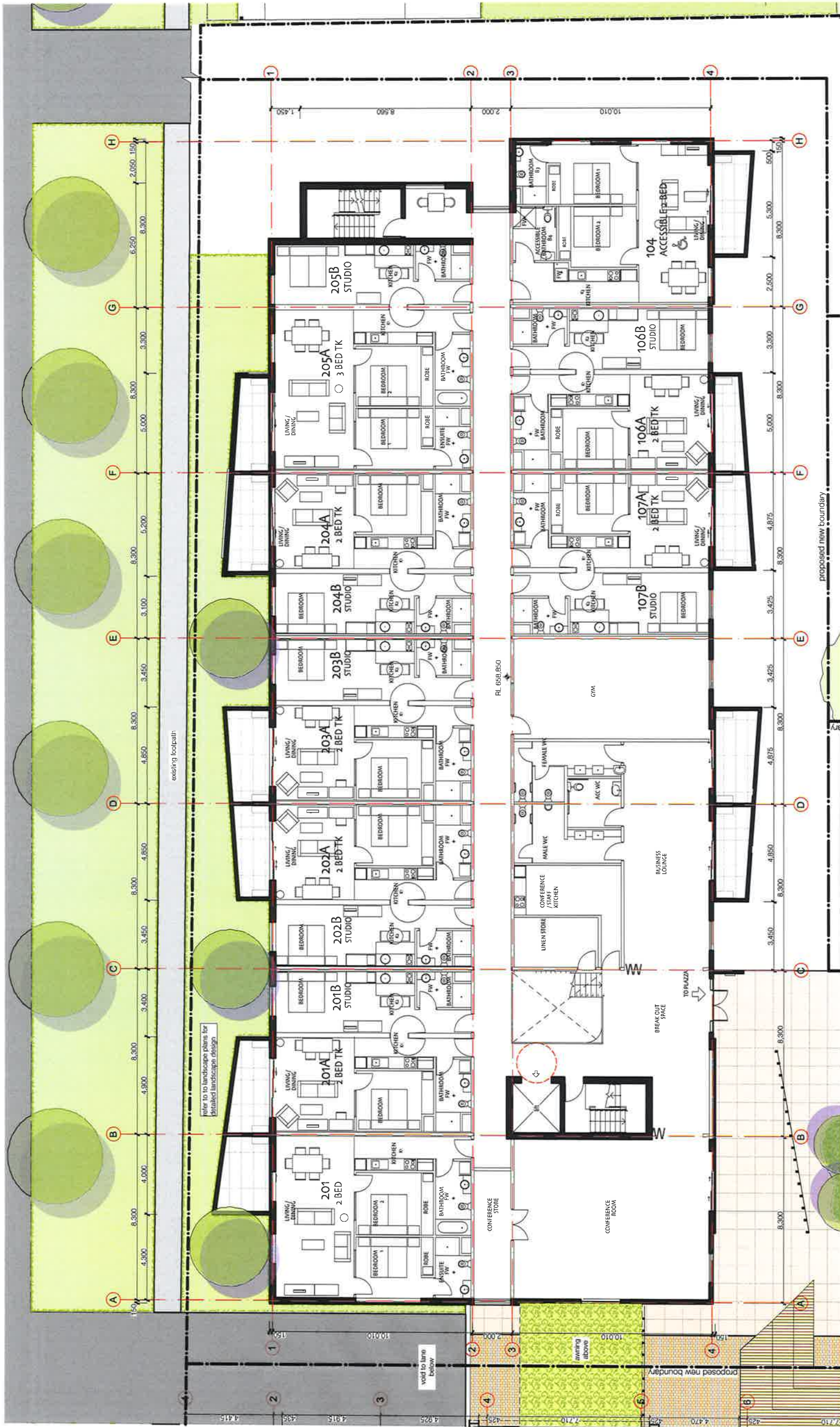
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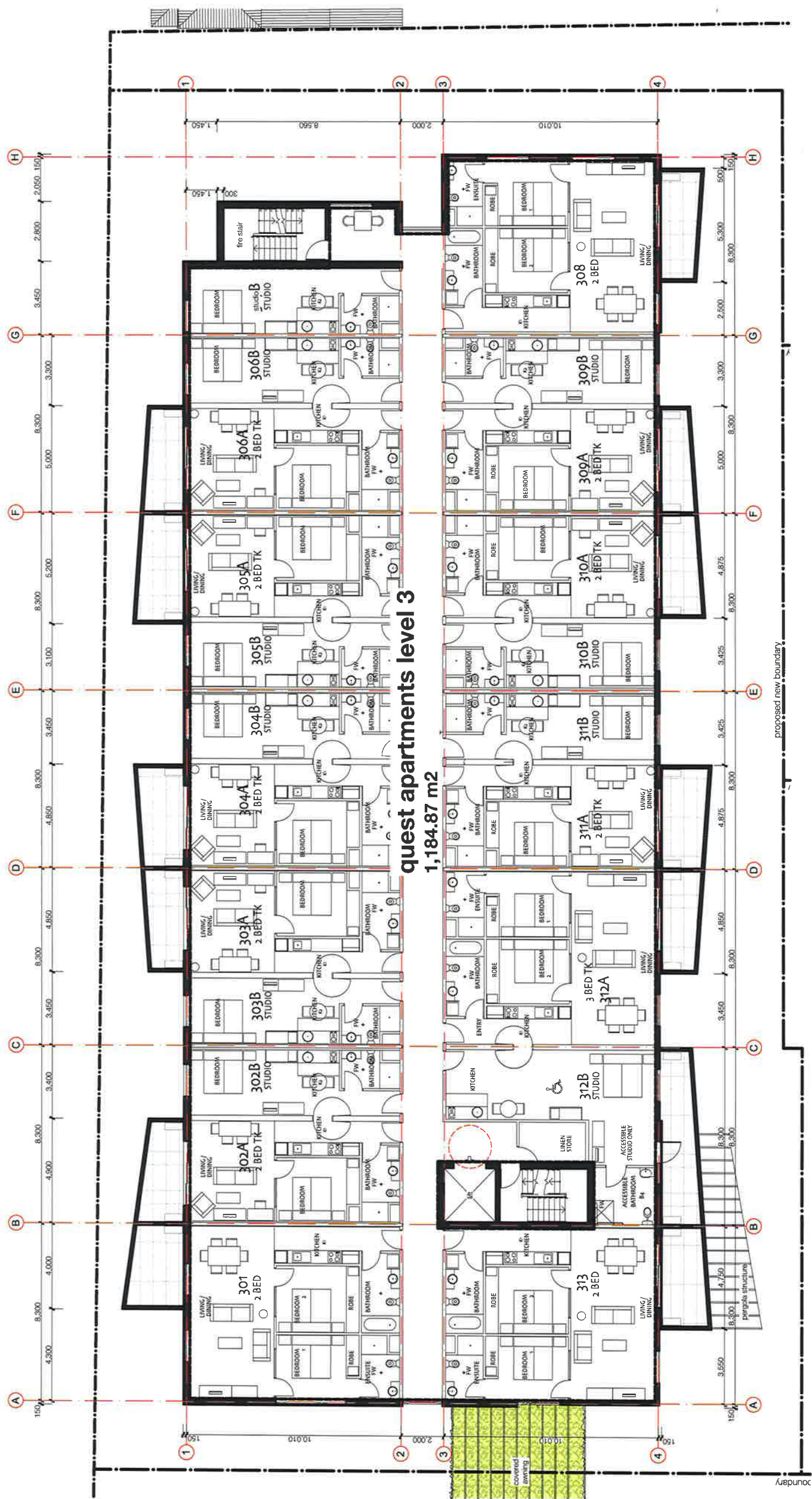
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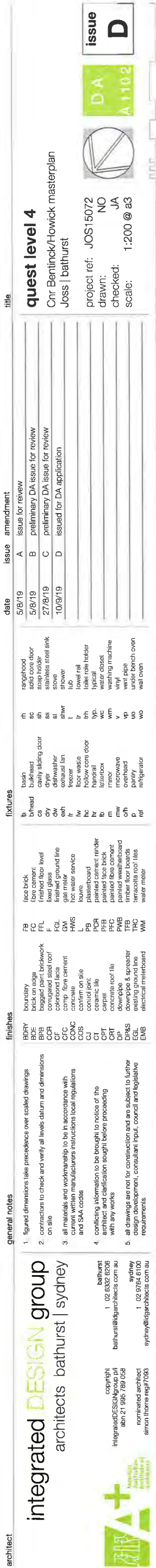
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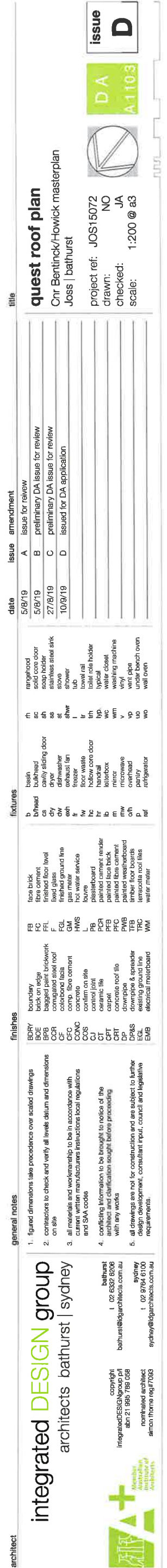
D

preliminary not for construction


[illegible]

[illegible]










architects bathurst | sydney



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general notes

1. figured dimensions take precedence over scaled drawings

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finishes

BBPY
BOE
BPE
CCR
CF
CFC
CONC
COS
CT
CPT
DPS
EG
EMB

brick
edge
bagged part brickwork
corrugated steel roof
colorbond facade
comp fibre cement
concrete
concrete
ceramic tile
carpet
concrete roof tile
downpipe
downpipe & spreader
electrical metalboard

FB
FC
FFL
F
FGL
GM
HWS
HOS
PB
PBR
PFB
PFC
PWB
P
TBS
WM

face brick
concrete
finished floor level
fixed glass
finished ground line
gas meter
hot water service
plasterboard
painted cement render
painted face brick
painted face cement
timber floor boards
water meter

fixtures

b
b/head
cs
cs
dw
psh
tr
wc
hr
lb
m
dw
p
ref

basin
bulkhead
cavity sliding door
dryer
dishwasher
exhaust fan
floor waste
hollow core door
handrail
letterbox
mirror
oven
pantry
refrigerator

th
sc
sh
ss
st
shwr
tr
typ
wc
wm
yp
yo
wo

date

5/8/19
5/8/19
27/8/19
10/9/19

A
B
C
D

issue for review
preliminary DA issue for review
preliminary DA issue for review
issued for DA application

title

north-east elevation (quest)

Cnr Bentinck/Howick masterplan
Joss | bathurst

project ref: JOS15072
drawn: NO
checked: JA
scale: 1:200 @ a3

issue

DA
A2000

D





LEVEL 1 - APARTMENT SCHEDULE

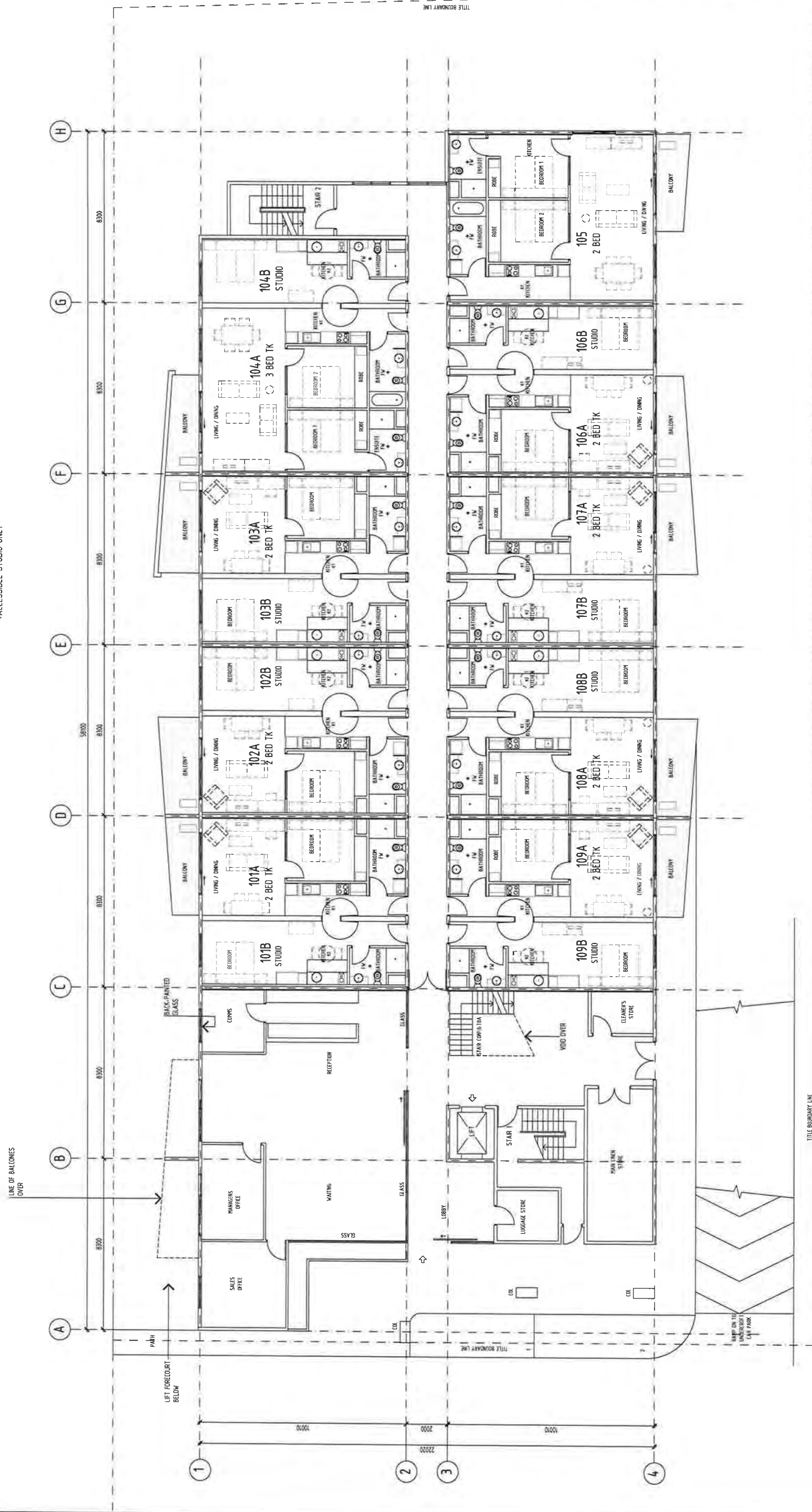
2 BEDROOM APARTMENTS	1
2 BEDROOM TWIN KEY APARTMENTS	7
3 BEDROOM TWIN KEY APARTMENTS	1
TOTAL APARTMENTS	9

APARTMENT TOTALS

LEVEL	ST	2B	2BTK	3BTK	TOTAL KEYS
01	-	1	7	1	9
02	-	1*	7	1	9
03	1	3	8	1*	13
04	-	2	8	1*	11
APARTMENT	1	7	30	4	42
KEYS	1	7	60	8	76
%	2	17	71	10	100

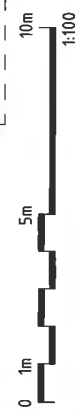
*ACCESSIBLE

+ACCESSIBLE STUDIO ONLY



INCORPORATED COMMENTS

01 LEVEL 1 FLOOR PLAN
SCALE 1:100 @ A1



REV	DATE	DESCRIPTION
P1	2018/11	INCORPORATED COMMENTS
P1	31/05/19	FOR COMMENT



PROJECT NORTH

Joss
Consultation

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INTERIOR DESIGNERS
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REGISTERED ARCHITECTS
COMPANY NO. ARBV 050969
VICTORIA: ARBV 16504
NSW: ARBV 7630

PROJECT
PROPOSED BUILDING WORKS
HOWICK STREET, BATHURST

DRAWING
LEVEL 1 FLOOR PLAN

SCALE 1:100 @ A1

DRAWN J.B.

DATE MAY 2019

JOB NO JOB-002

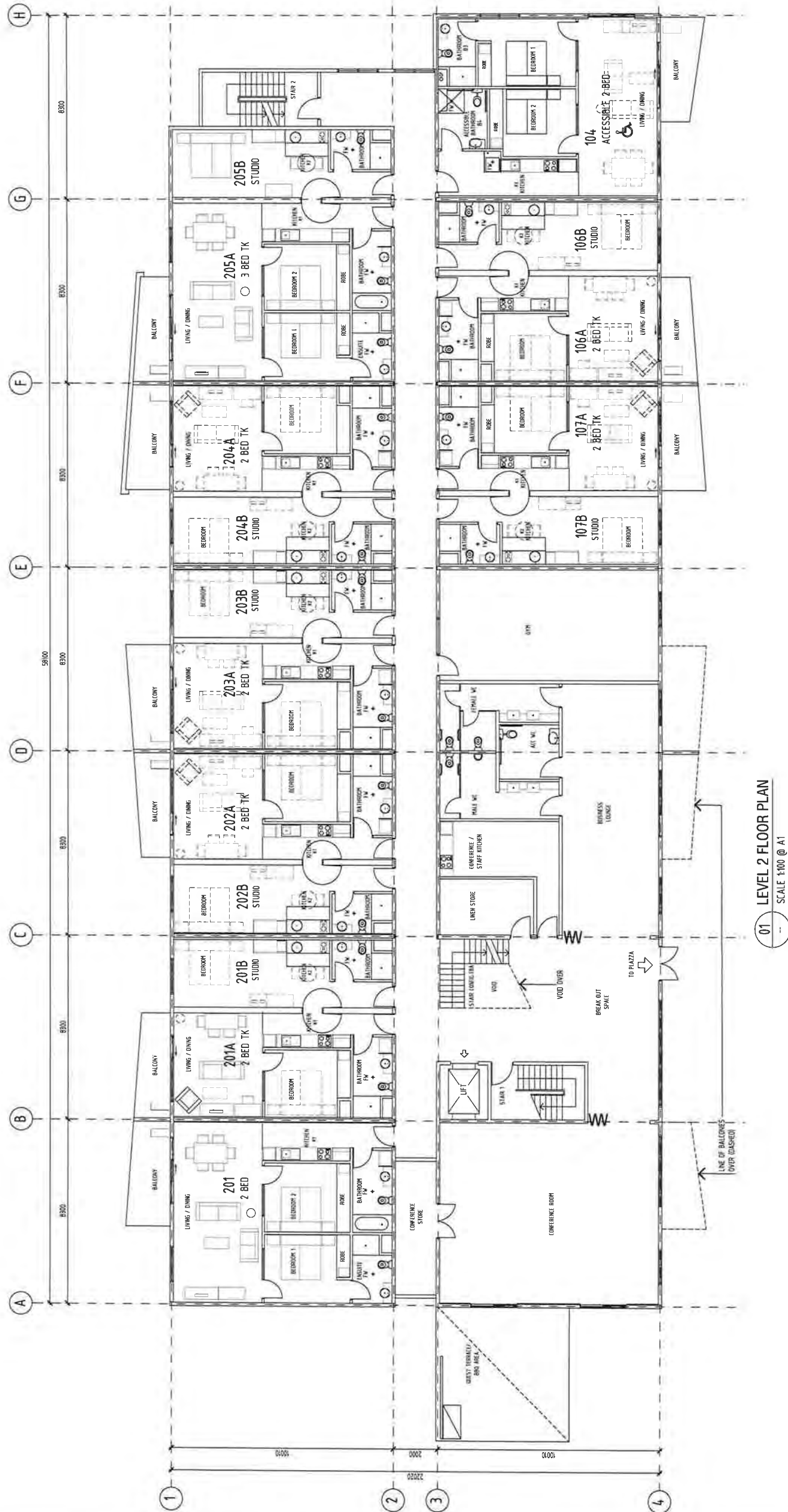
DWG NO SK.02

REVISION P2

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LEVEL 2 - APARTMENT SCHEDULE

2 BEDROOM APARTMENTS	1
2 BEDROOM TWIN KEY APARTMENTS	7
3 BEDROOM TWIN KEY APARTMENTS	1

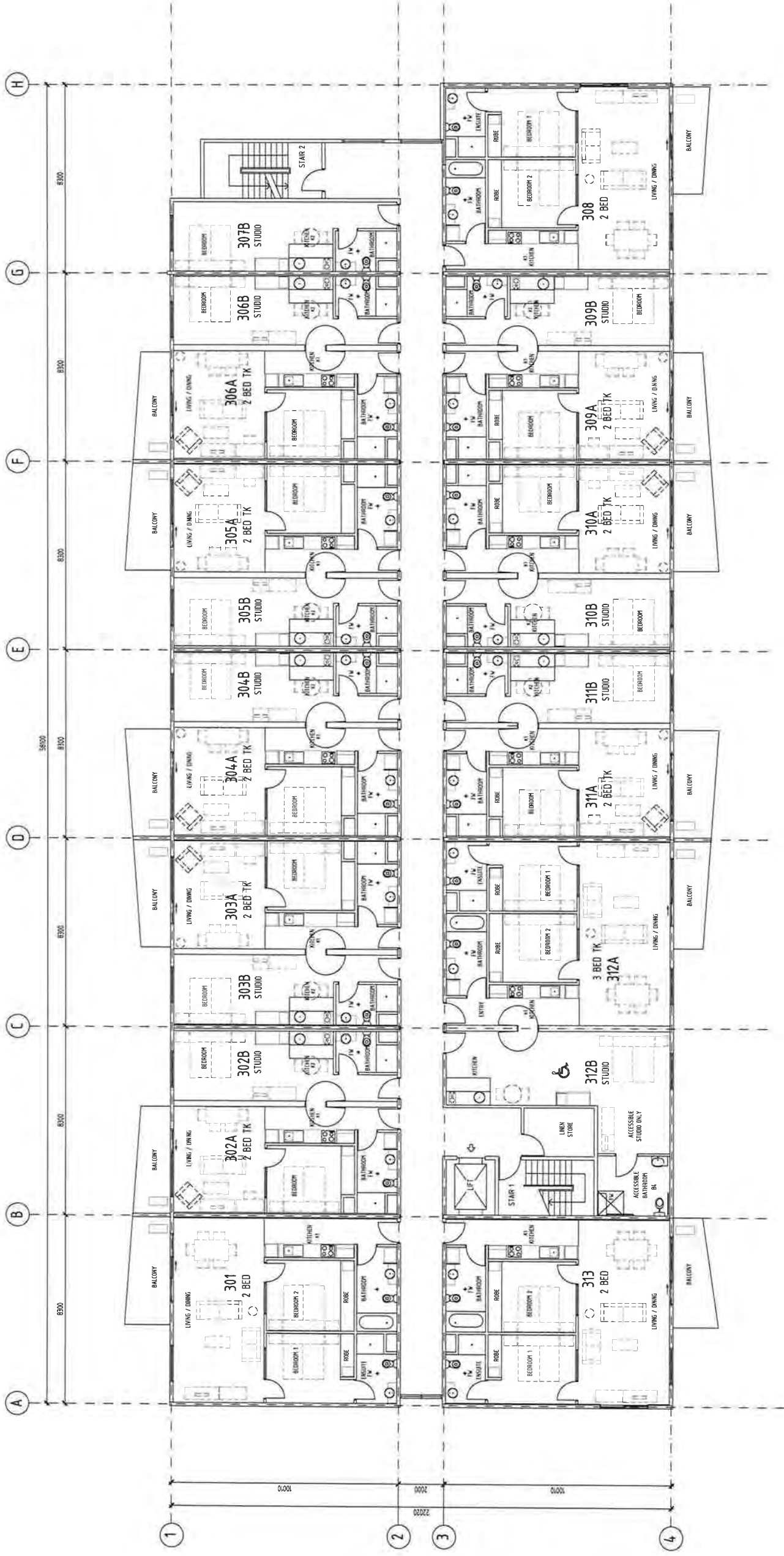


INCORPORATED COMMENTS

Contractor to verify all dimensions on site prior to commencing works

LEVEL 3 - APARTMENT SCHEDULE

STUDIO APARTMENT	1
2 BEDROOM APARTMENTS	3
2 BEDROOM TWIN KEY APARTMENTS	8
3 BEDROOM TWIN KEY APARTMENTS	1



01 LEVEL 3 FLOOR PLAN
SCALE 1:100 @ A1

INCORPORATED COMMENTS



REV.	DATE	DESCRIPTION
P2	21/08/19	INCORPORATED COMMENTS
P1	10/01/19	FOR COMMENT

PROJECT NORTH



ARCHITECT:
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REGISTERED ARCHITECTS
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VICTORIA: ARBV 10564
NEW SOUTH WALES: ARBV 70330

PROJECT
PROPOSED BUILDING WORKS
HOWICK STREET, BATHURST

DRAWING
LEVEL 3 FLOOR PLAN

SCALE 1:100 @ A1

DRAWN JB.

DATE MAY 2019

JOB NO JOB-002

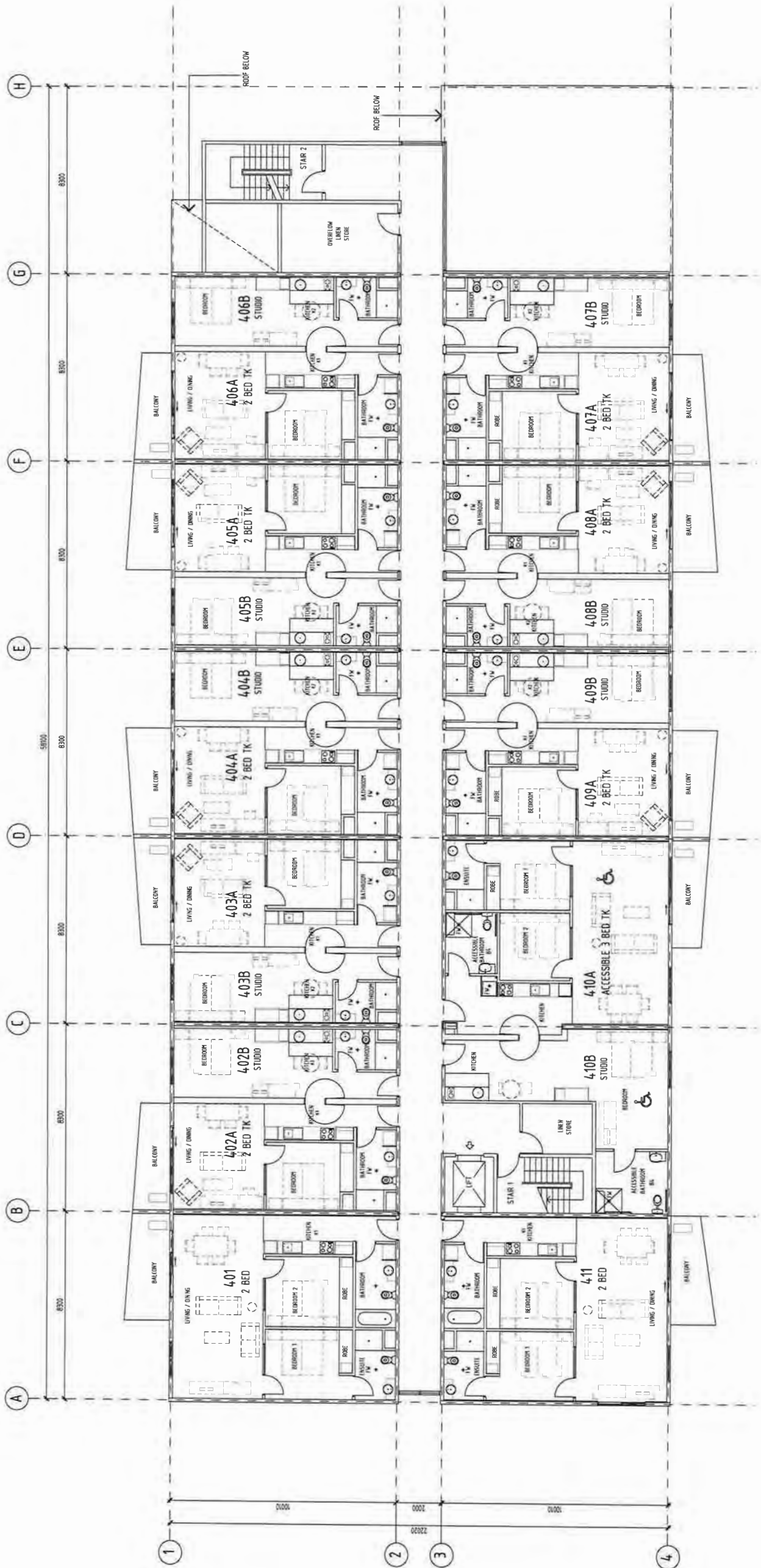
DWG NO SK.04

REVISION P2

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LEVEL 4 - APARTMENT SCHEDULE

2 BEDROOM APARTMENTS	2
2 BEDROOM TWIN KEY APARTMENTS	8
3 BEDROOM TWIN KEY APARTMENTS	1 (ONE ACCESSIBLE)
TOTAL APARTMENTS	11 (ONE ACCESSIBLE)



01 LEVEL 4 FLOOR PLAN
SCALE 1:100 @ A1

INCORPORATED COMMENTS



REV	DATE	DESCRIPTION
P2	2019	INCORPORATED COMMENTS
P1	2019	FOR PERMIT



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REGISTERED ARCHITECT:
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VICTORIA: AREV 16564
NEW: NEW AREV 7630

PROJECT
PROPOSED BUILDING WORKS
HOWICK STREET, BATHURST

DRAWING
LEVEL 4 FLOOR PLAN

SCALE 1:100 @ A1

DRAWN JB

DATE MAY 2019

JOB NO JOB-002

DWG NO SK.05

REVISION P2

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- D1001
- D1002
- D1100
- D1101
- D2000
- D2001
- D2002
- D2003

- lower basement plan
- upper basement plan
- ground floor plan
- roof plan
- north-east elevation
- south-west elevation
- south-east elevation
- north-west elevation



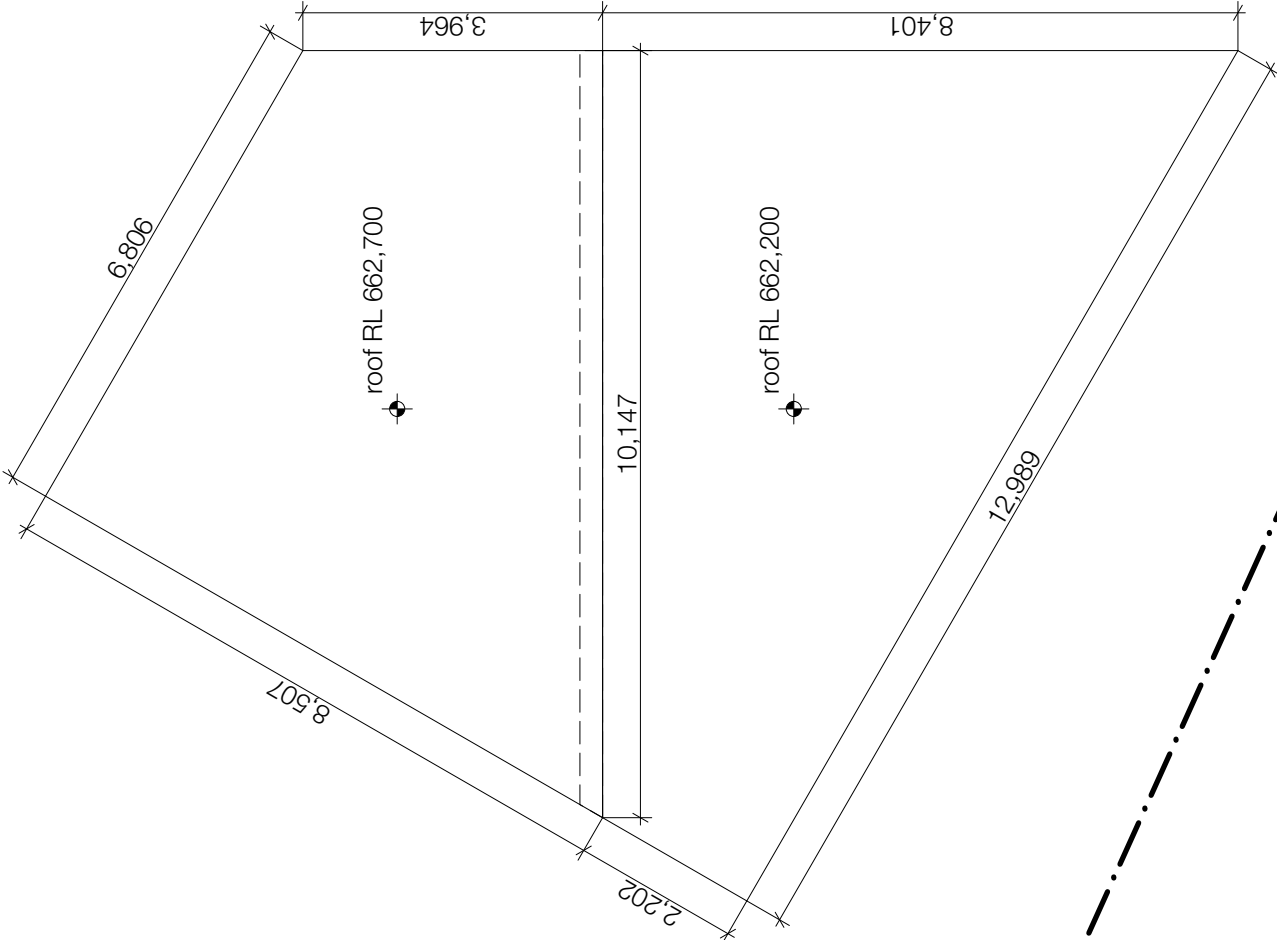
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[illegible]

preliminary not for construction

proposed new boundary





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finishes

BDRY boundary

BOE brick on edge

CCR cobble and face roof

CF corbond face

CFC comp. fibre cement

COCC concrete

COS confirm on site

CU control joint

CT ceramic tile

CPT carpet

DIP concrete roof tile

DPK downpipe & spreader

EGL existing ground line

EMB electrical meterboard

fixtures

b bhead

cs dry

dw exh

fr freezer

fw floor waste

hc hollow core door

trc lateral rack

m mirror

mw microwave

oh overhead

p pantry

ref refrigerator

fixtures

th rangehood

so solid core door

sh soap holder

ss stainless steel sink

st stove

shwr shower

t tub

tr towel rail

trc toilet role holder

typ. typical

v vent

vm washing machine

v vinyl

vp vent pipe

uo under bench oven

wo wall oven

date

5/8/19

5/8/19

27/8/19

10/9/19

issue

A

B

C

D

amendment

issue for review

preliminary DA issue for review

preliminary DA issue for review

issued for DA application

title

residential building roof plan

Cnr Bentinck/Howick masterplan


Joss | bathurst


project ref: JOS15072

drawn: NO

checked: JA

scale: 1:100 @ a3





issue

D

Attachments

40 of 472 (6 November 2019)



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nominated architect
simon thorne reg#7093

Architectural section drawing of a building facade. The drawing shows a cross-section of the building with various cladding materials and structural elements. Key features include:

- Cladding Details:**
 - vertical galvanised corrugated iron cladding:** Indicated by a line pointing to the upper section of the facade.
 - matt black standing seam metal cladding:** Indicated by a line pointing to the lower section of the facade.
- Levels and Elevation:**
 - RL 662,700:** A horizontal line with arrows pointing to the top of the standing seam cladding and the top of the corrugated iron cladding.
 - RL 662,200:** A horizontal line with an arrow pointing to the top of the corrugated iron cladding.
 - ground floor RL 659,200:** A horizontal line with an arrow pointing to the ground level.
 - upper basement RL 655,700:** A horizontal line with an arrow pointing to the upper basement level.
 - lower basement RL 652,600:** A horizontal line with an arrow pointing to the lower basement level.
- Structural Elements:**
 - Roof:** A dark, sloped roof structure is shown above the main facade.
 - Foundation:** A thick, dark foundation is shown at the base of the building.
 - Interior:** The interior of the building is shown in a light grey color, with a staircase visible on the right side.

[illegible]



bathurst
t 02 6332 6206
bathurst@idgarchitects.com.au

sydney
t 02 9764 6100
sydney@idgarchitects.com.au

1. figured dimensions take precedence over scaled drawings
2. contracts to check and verify all levels datum and dimension on site
3. all materials and workmanship to be in accordance with current written manufacturers instructions local regulations and SAA codes
4. conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works
5. all drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.

FE	flexible
FL	finished floor level
FLL	finished floor level
F	fixed glass
FGL	finished ground line
GM	gas meter
CFC	comp. fire cement
HWS	hot water service
L	louvre
LP	load point
POR	pore board
PFB	partition fire brick
PFC	parted face cement
PWB	primer waterproof
DPB	dimpled board
TLC	trencher roof tiles
WM	water meter

[illegible]


5/8/19	B	preliminary DA issue for review
27/8/19	C	preliminary DA issue for review
10/9/19	D	issued for DA application

sc	Cni	pro
	Jo	dra
		che
		sca

south-east elevation (residential)

Cnr Bentinck/Howick masterplan
Joss | bathurst

project ref: JOS15072
drawn: NO
checked: JA
scale: 1:100 @ A3

 **DA**
D 2002

DA
D2002
issue
D

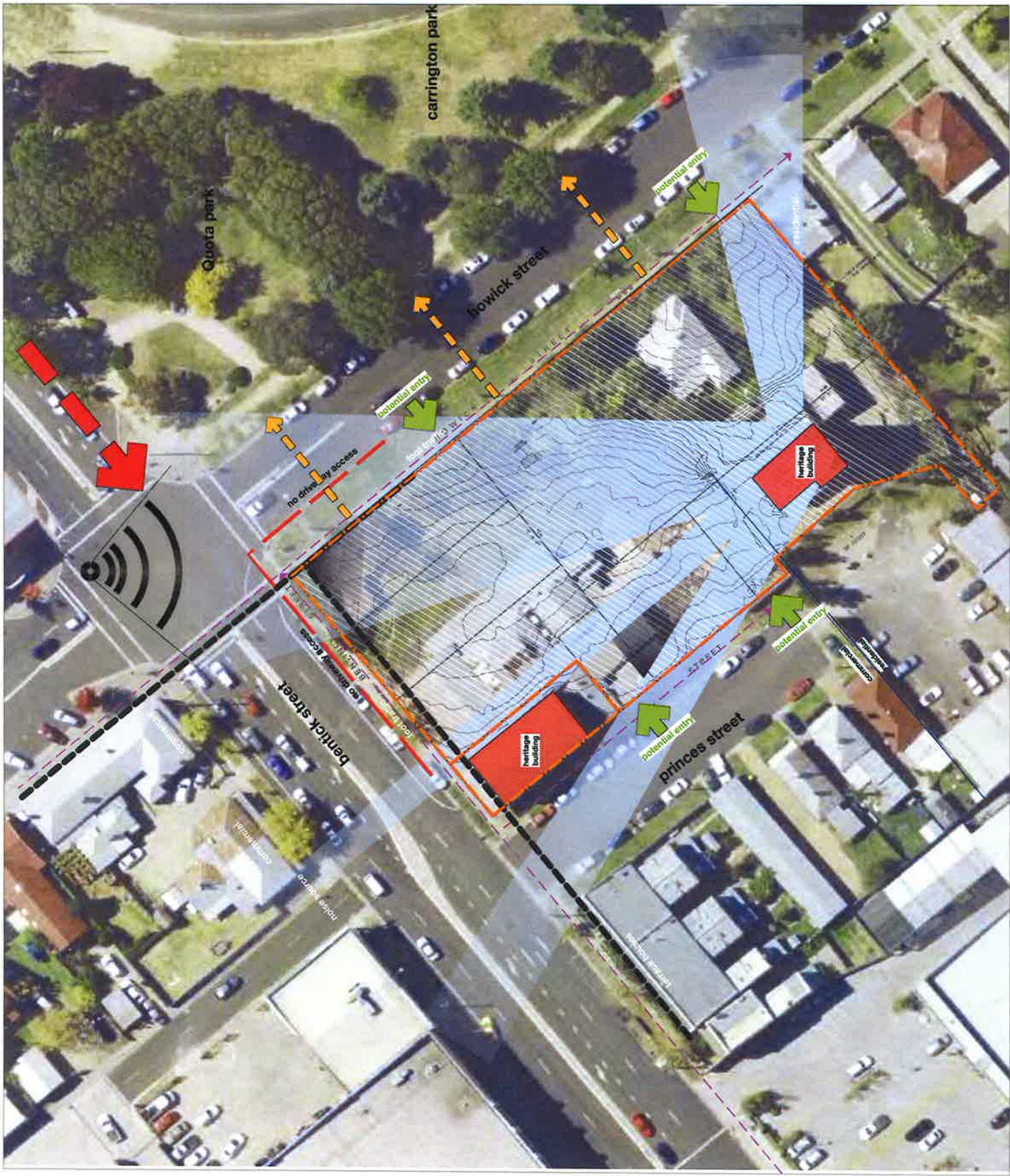


Drawing No.	Description
0001	cover sheet
0002	site context
0110	site analysis
0003	public interface plan
0004	lower basement plan (level 1)
0005	upper basement plan (level 2)
0006	ground floor plan (level 0)
0101	first floor plan (level 1)
0101	second floor plan (level 2)
0102	roof plan (level 3)
0200	north-south elevation
0201	south-south elevation
0202	south-east elevation
0300	north-east elevation
0301	east elevation
0302	section diagrams - existing
0400	section diagrams - proposed
0500	forecasted program
0600	compliance diagrams 1
0700	compliance diagrams 2
0800	section plan
0900	slab 1 plan
1000	slab 2 elevations
1100	external masses

Cnr Bentinck/Howick masterplan
Joss | cnr bentinck & howick streets balhurst nsw



preliminary not for construction



noise source	park views	site access	tower views	traffic flow	foot traffic	street frontage alignment	heritage building

architects | balhurst penith sydney

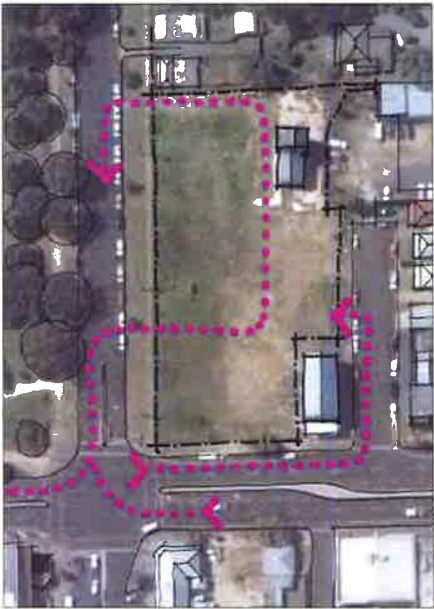
integrated DESIGN group
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1. layout of the site and surrounding area
2. site plan and site layout
3. site plan and site layout
4. site plan and site layout
5. site plan and site layout

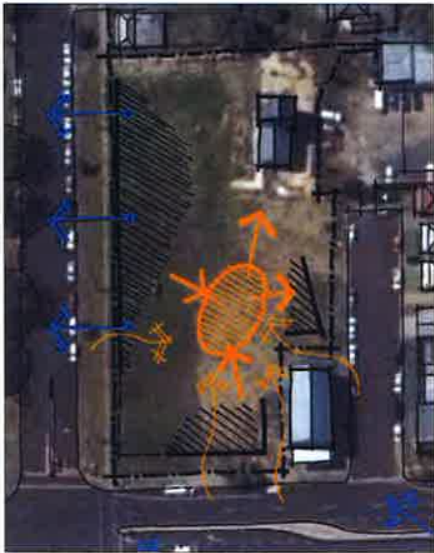
Joss Group

integrated DESIGN group
architects | balhurst penith sydney

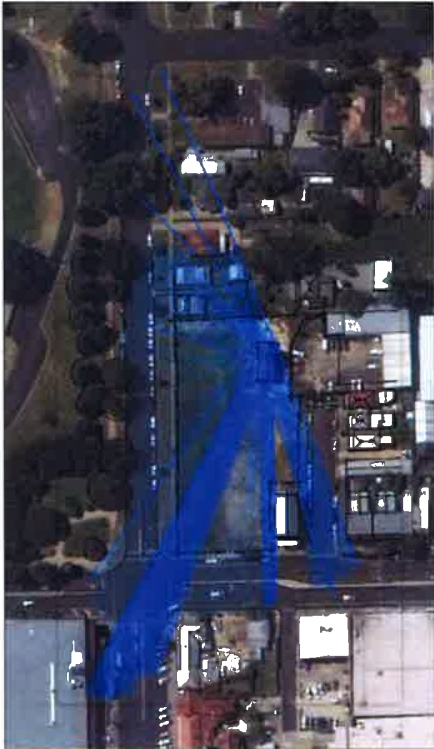
1. layout of the site and surrounding area
2. site plan and site layout
3. site plan and site layout
4. site plan and site layout
5. site plan and site layout



car movement



pedestrian movement



tower views

Joss Group

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1. layout of the site and surrounding area
2. site plan and site layout
3. site plan and site layout
4. site plan and site layout
5. site plan and site layout

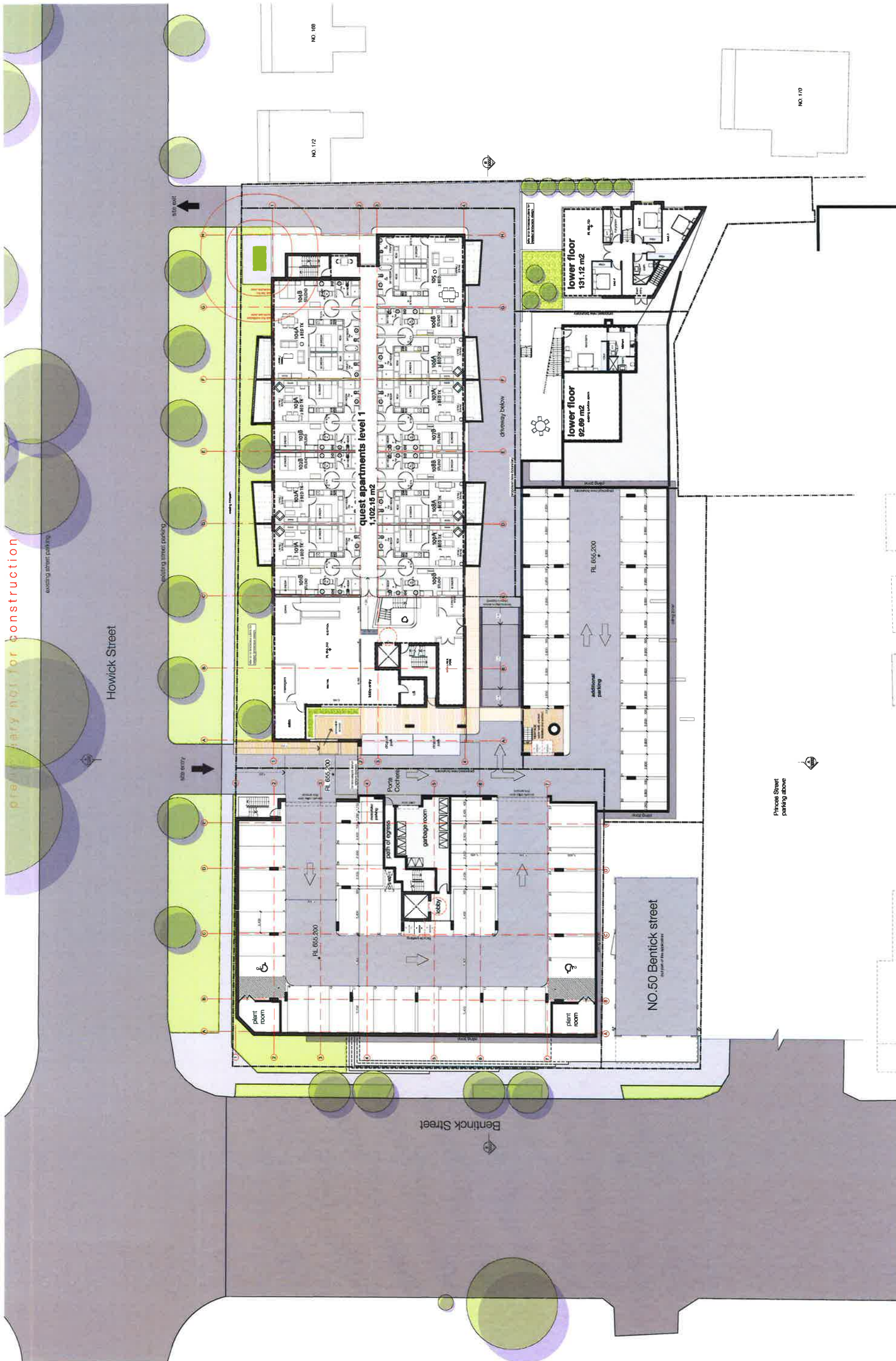
Joss Group

integrated DESIGN group
architects | balhurst penith sydney

1. layout of the site and surrounding area
2. site plan and site layout
3. site plan and site layout
4. site plan and site layout
5. site plan and site layout

Attachments







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1. General Contractors shall provide over sized drainage
2. Contractors to check and verify all levels shown and dimensions on site
3. All materials and workmanship to be in accordance with current Australian Standards
4. Contractors to provide all necessary permits and approvals
5. Contractors to provide all necessary permits and approvals
6. Contractors to provide all necessary permits and approvals

upper basement plan (overall)

One Bathurst/Kewick mall plan

JOSS/072

NO

1:200 @ A1

DA 1002

Issue G

JOSS Group

Howick Street

Bentinck Street

quest apartments level 1
1,102.16 m2

lower floor
92.89 m2

lower floor
131.12 m2

plant room

portico

cockpit

garage room

additional parking

RL 655.200

NO.50 Bentinck street

Howick Street

Bentinck Street

existing street parking

please carry out for construction



Joss
Group

integrated **DESIGN** group
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1. Ground floor plan (overall)
2. Ground floor plan (overall)
3. Ground floor plan (overall)
4. Ground floor plan (overall)
5. Ground floor plan (overall)

NO.50 Bentinck street
100A, 100B, 100C, 100D, 100E, 100F, 100G, 100H, 100I, 100J, 100K, 100L, 100M, 100N, 100O, 100P, 100Q, 100R, 100S, 100T, 100U, 100V, 100W, 100X, 100Y, 100Z

Howick Street
Bentinck Street
Princes Street

ground floor plan (overall)
Joss Bathurst
Joss Penrith
Joss Sydney

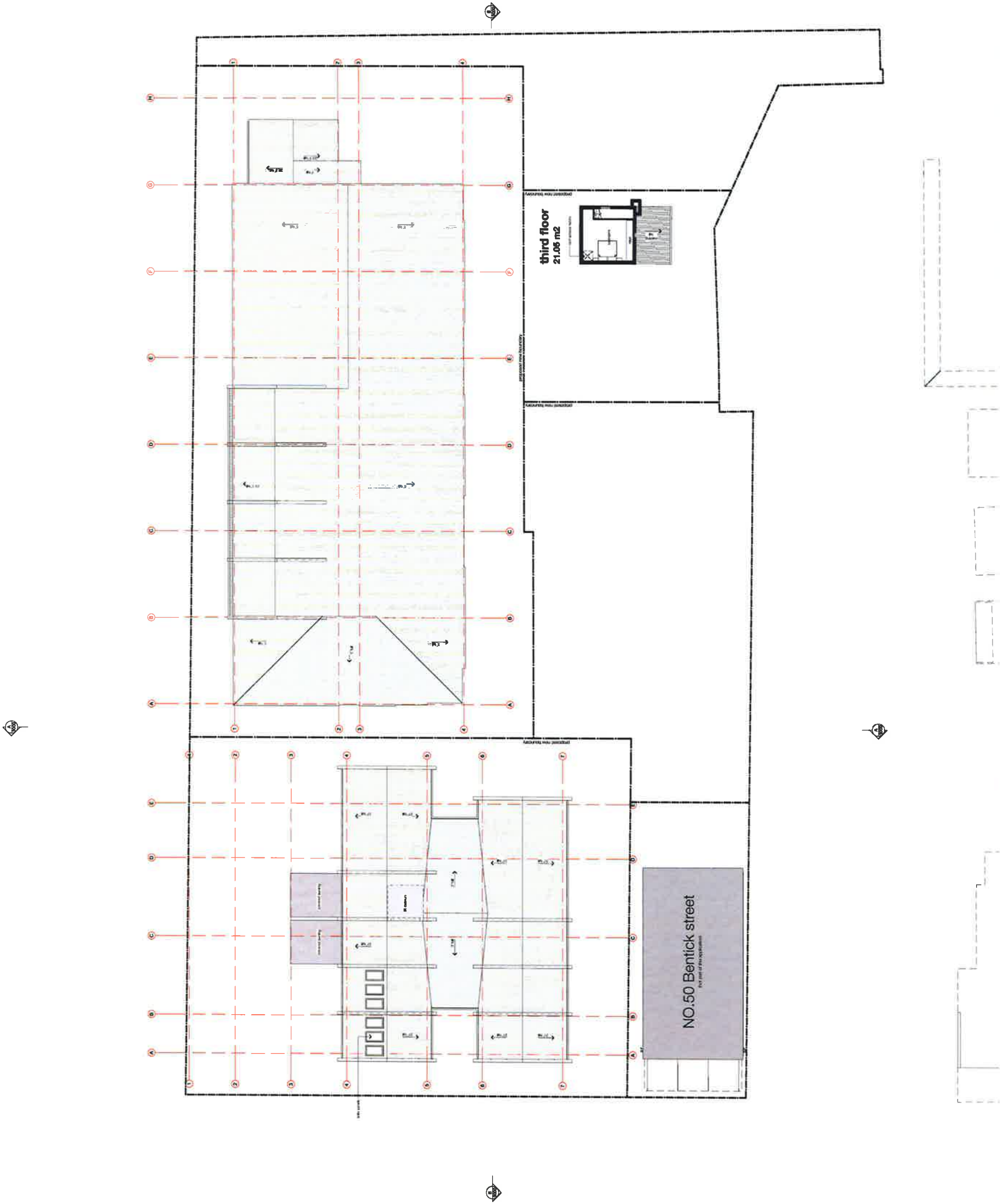
NO. 158
NO. 170
NO. 172

1:200 @ A1
JOS15022
NO
1:200 @ A1

ISSUE
F



preliminary not for construction



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general notes:

1. All dimensions are given in millimetres unless otherwise stated.
2. Contractors are to check and verify all dimensions and dimensions in situ.
3. All materials and workmanship to be in accordance with current Australian standards.
4. All work to be in accordance with the latest edition of the Australian Standards.
5. All work to be in accordance with the latest edition of the Australian Standards.
6. All work to be in accordance with the latest edition of the Australian Standards.
7. All work to be in accordance with the latest edition of the Australian Standards.
8. All work to be in accordance with the latest edition of the Australian Standards.
9. All work to be in accordance with the latest edition of the Australian Standards.
10. All work to be in accordance with the latest edition of the Australian Standards.

NO.50 Bentick street

for part of the application

Roof plan (overall)

Project ref: J051070

Scale: 1:200 @ A1

Issue: F





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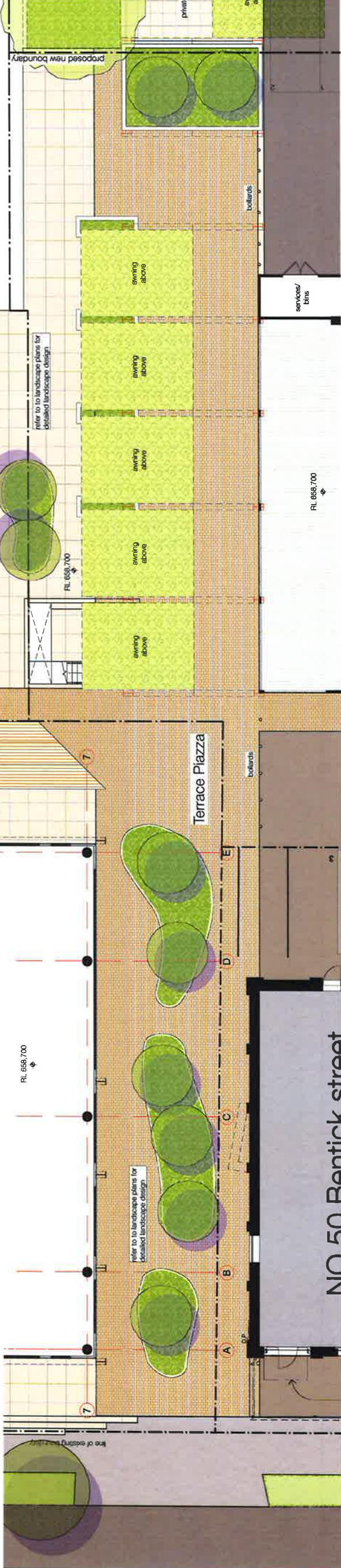
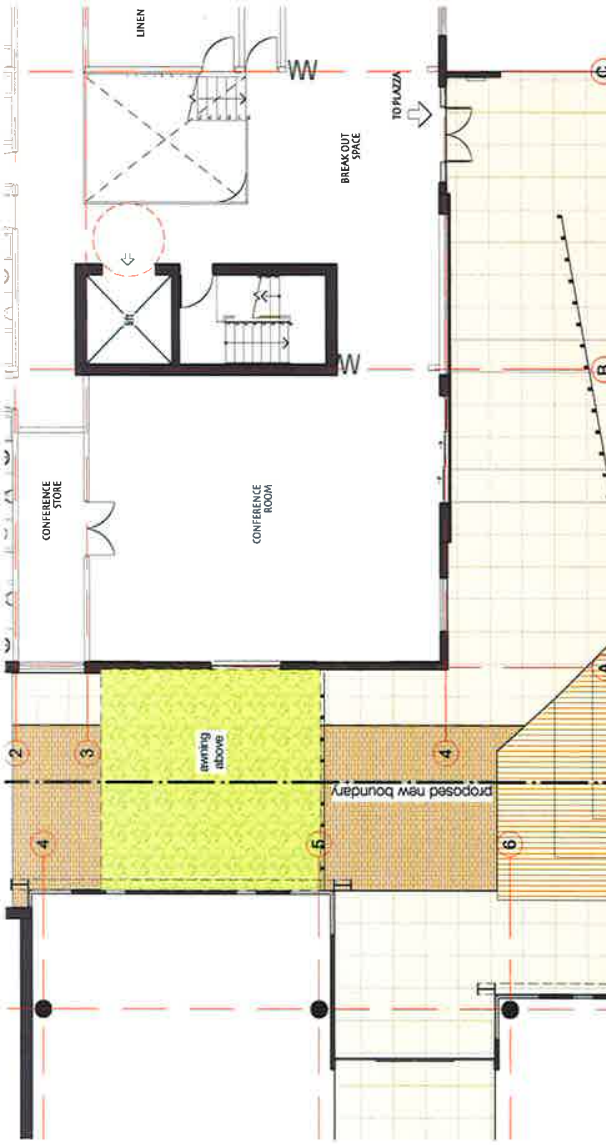





Attachments

[illegible]







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1. signed drawings and procedures over stated drawings
2. contractors to check and verify all measurements and dimensions on site
3. all measures and measurements to be in accordance with current Australian standards
4. contractors to verify all measurements to be in accordance with current Australian standards
5. all drawings are not for construction and are subject to further design development
6. all drawings are not for construction and are subject to further design development



Joss Group

landscape concept

Client: Joss Group
Project: Joss Group
Project ref: JSS-002
Checked: NO
Scale: 1:100 @ A1

Issue E

FSR review -
GFA

building footprint area



02 | FSR - lower basement level
1:500



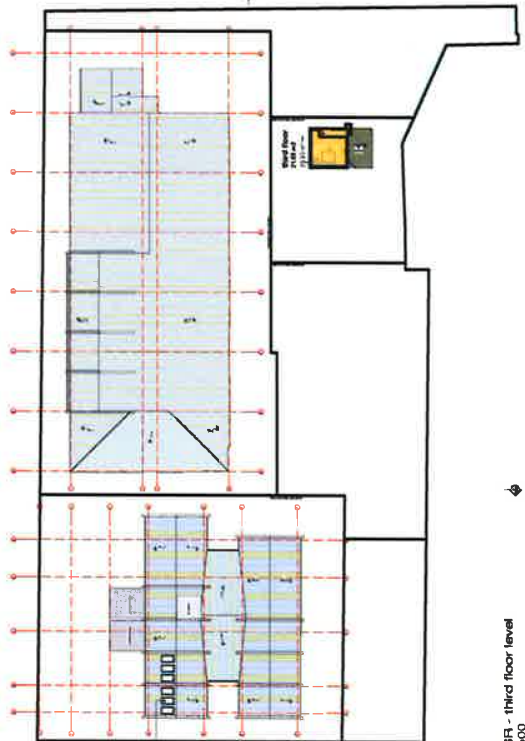
03 | FSR - ground floor level
1:500



04 | FSR - first floor level
1:500



05 | FSR - second floor level
1:500



11 | FSR - third floor level
1:500

GFA calculations

commercial areas	
Zone Name	Measured Area
commercial 1	389.09
commercial 2	48.51
commercial 3	289.71
commercial 4	506.69
commercial 5	205.66
commercial 6	92.84
commercial 7	205.66
commercial 8	84.82
	1,803.08 m ²

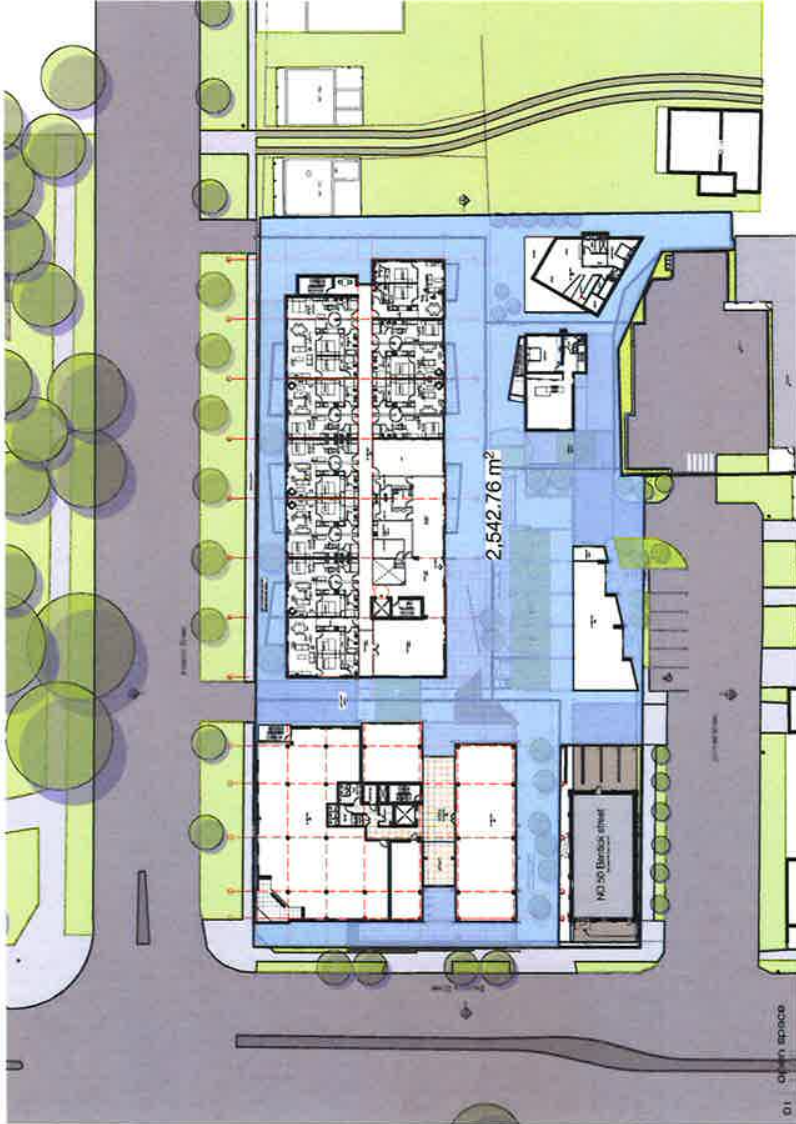
residential building areas	
Zone Name	Measured Area
lower floor	131.12
upper floor	96.44
	226.56 m ²

quest areas	
Zone Name	Measured Area
quest apartments level 1	1,102.15
quest apartments level 2	1,169.46
quest apartments level 3	1,184.87
quest apartments level 4	1,090.46
	4,546.94 m ²

tower areas	
Zone Name	Measured Area
first floor	38.68
ground floor	92.70
lower floor	92.69
second floor	7.76
third floor	21.05
	252.90 m ²

food and beverage areas	
Zone Name	Measured Area
retail F&B ground	124.38
retail F&B level 1	109.41
	233.79 m ²

Open Space





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general notes

1. Spatial dimensions and precedents are provided for reference only.
2. Dimensions are provided for reference only and are not to be used for construction.
3. All dimensions and measurements are to be taken from the center of the building footprint.
4. All dimensions and measurements are to be taken from the center of the building footprint.
5. All dimensions and measurements are to be taken from the center of the building footprint.
6. All dimensions and measurements are to be taken from the center of the building footprint.

compliance diagrams 1

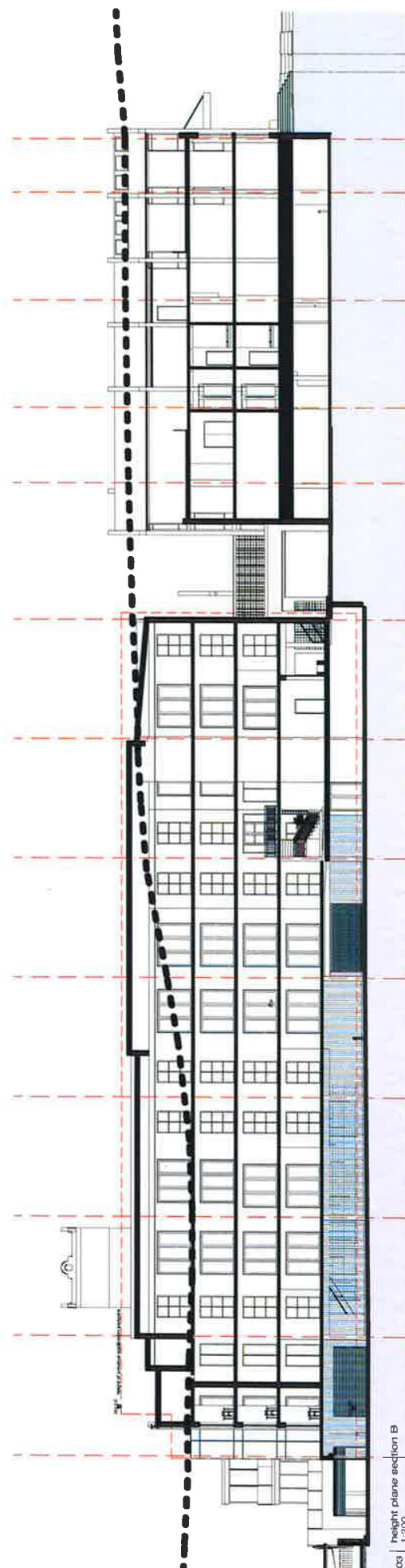
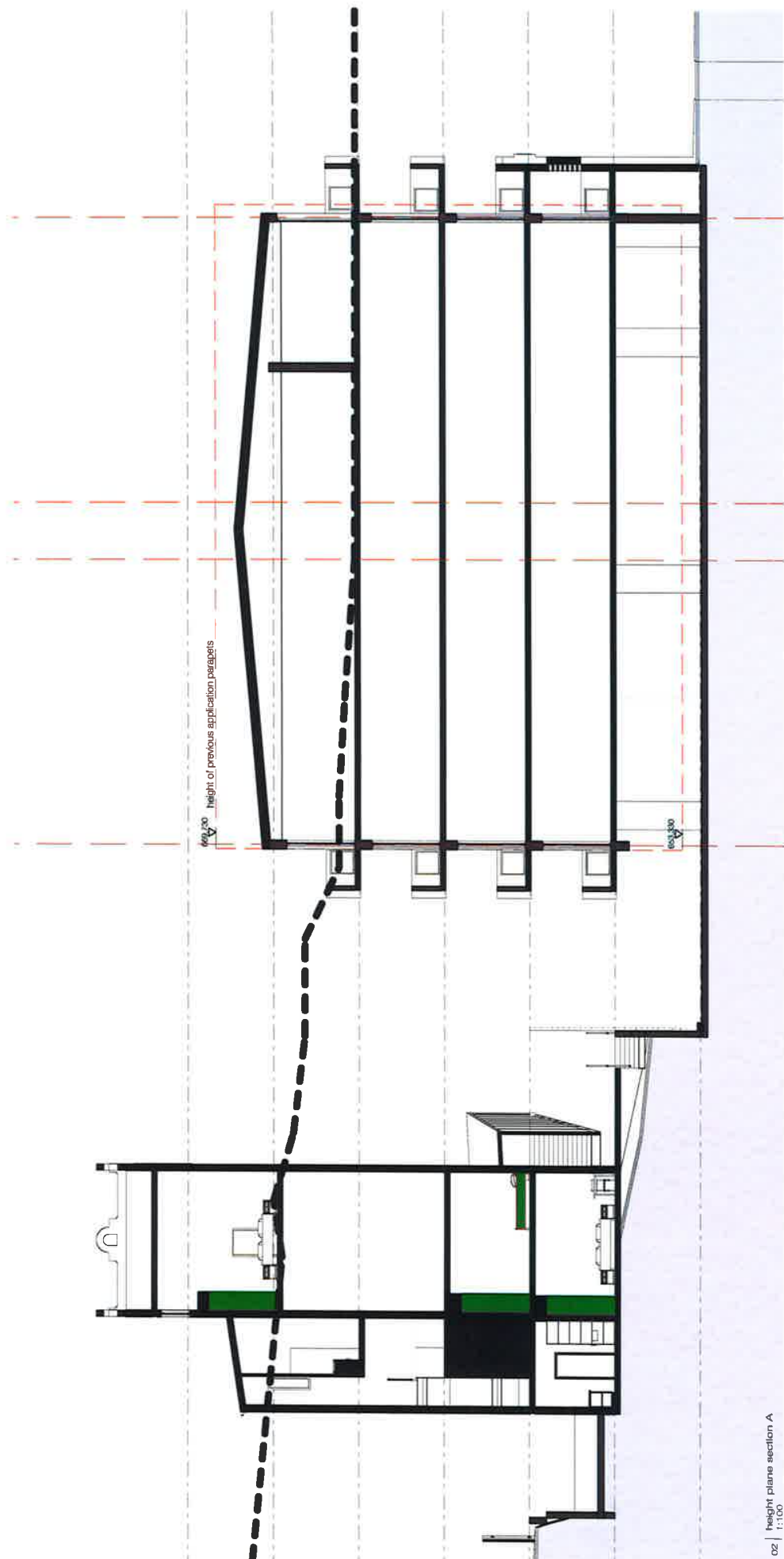
Project ref: J051070
Scale: 1:500, 1:1000, 1:2000

Issue E

preliminary not for construction

Height Plane Analysis

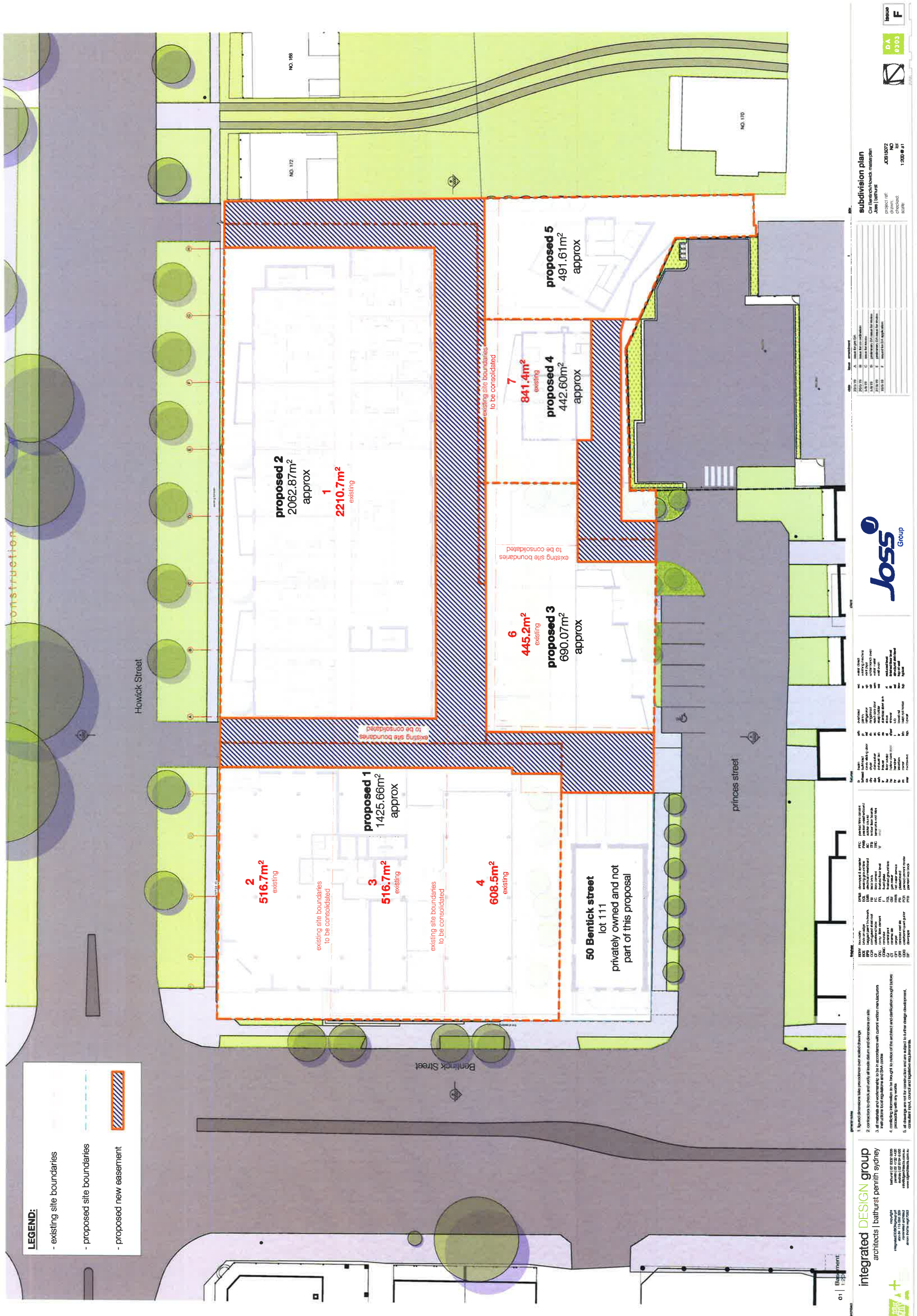
total site area :	5138m ²
height plane encroachment area:	1066.76m ²
percentage of encroachment:	20.76%

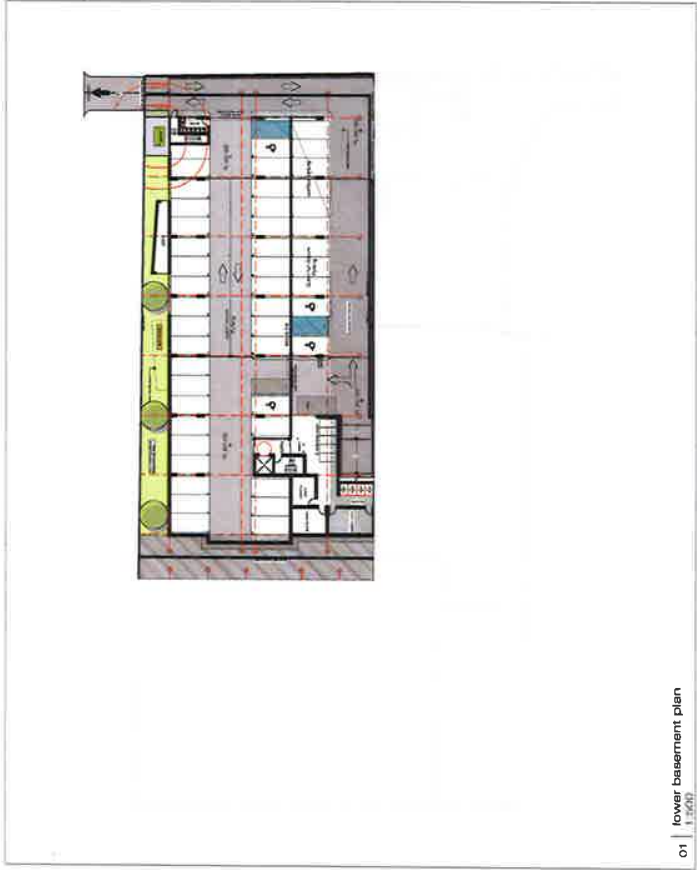




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 115/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000/1002/1004/1006/1008/1010/1012/1014/1016/1018/1020/1022/1024/1026/1028/1030/1032/1034/1036/1038/1040/1042/1044/1046/1048/1050/1052/1054/1056/1058/1060/1062/1064/1066/1068/1070/1072/1074/1076/1078/1080/1082/1084/1086/1088/1090/1092/1094/1096/1098/1100/1102/1104/1106/1108/1110/1112/1114/1116/1118/1120/1122/1124/1126/1128/1130/1132/1134/1136/1138/1140/1142/1144/1146/1148/1150/1152/1154/1156/1158/1160/1162/1164/1166/1168/1170/1172/1174/1176/1178/1180/1182/1184/1186/1188/1190/1192/1194/1196/1198/1200/1202/1204/1206/1208/1210/1212/1214/1216/1218/1220/1222/1224/1226/1228/1230/1232/1234/1236/1238/1240/1242/1244/1246/1248/1250/1252/1254/1256/1258/1260/1262/1264/1266/1268/1270/1272/1274/1276/1278/1280/1282/1284/1286/1288/1290/1292/1294/1296/1298/1300/1302/1304/1306/1308/1310/1312/1314/1316/1318/1320/1322/1324/1326/1328/1330/1332/1334/1336/1338/1340/1342/1344/1346/1348/1350/1352/1354/1356/1358/1360/1362/1364/1366/1368/1370/1372/1374/1376/1378/1380/1382/1384/1386/1388/1390/1392/1394/1396/1398/1400/1402/1404/1406/1408/1410/1412/1414/1416/1418/1420/1422/1424/1426/1428/1430/1432/1434/1436/1438/1440/1442/1444/1446/1448/1450/1452/1454/1456/1458/1460/1462/1464/1466/1468/1470/1472/1474/1476/1478/1480/1482/1484/1486/1488/1490/1492/1494/1496/1498/1500/1502/1504/1506/1508/1510/1512/1514/1516/1518/1520/1522/1524/1526/1528/1530/1532/1534/1536/1538/1540/1542/1544/1546/1548/1550/1552/1554/1556/1558/1560/1562/1564/1566/1568/1570/1572/1574/1576/1578/1580/1582/1584/1586/1588/1590/1592/1594/1596/1598/1600/1602/1604/1606/1608/1610/1612/1614/1616/1618/1620/1622/1624/1626/1628/1630/1632/1634/1636/1638/1640/1642/1644/1646/1648/1650/1652/1654/1656/1658/1660/1662/1664/1666/1668/1670/1672/1674/1676/1678/1680/1682/1684/1686/1688/1690/1692/1694/1696/1698/1700/1702/1704/1706/1708/1710/1712/1714/1716/1718/1720/1722/1724/1726/1728/1730/1732/1734/1736/1738/1740/1742/1744/1746/1748/1750/1752/1754/1756/1758/1760/1762/1764/1766/1768/1770/1772/1774/1776/1778/1780/1782/1784/1786/1788/1790/1792/1794/1796/1798/1800/1802/1804/1806/1808/1810/1812/1814/1816/1818/1820/1822/1824/1826/1828/1830/1832/1834/1836/1838/1840/1842/1844/1846/1848/1850/1852/1854/1856/1858/1860/1862/1864/1866/1868/1870/1872/1874/1876/1878/1880/1882/1884/1886/18





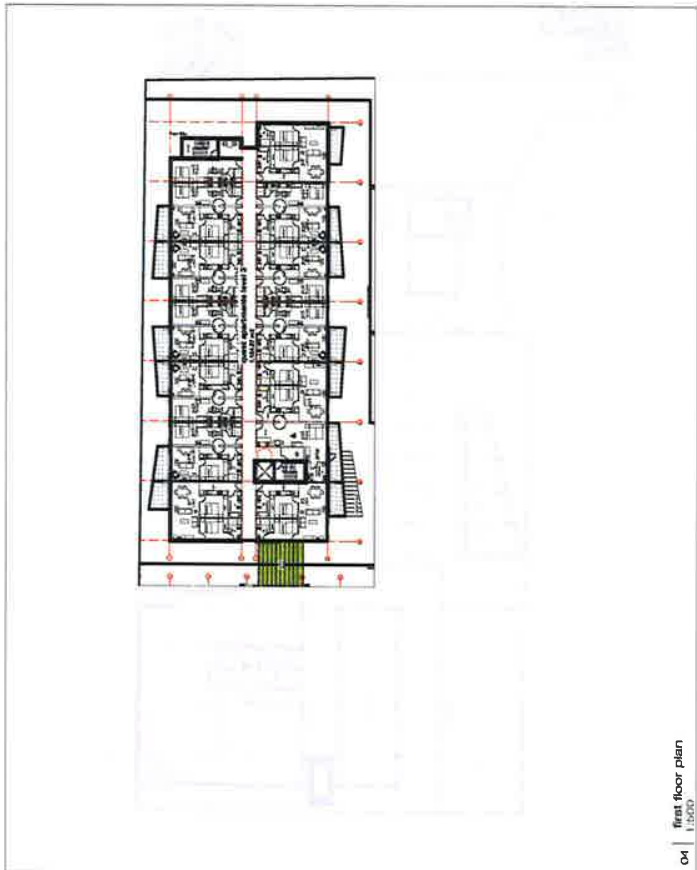
01 | lower basement plan
1:500



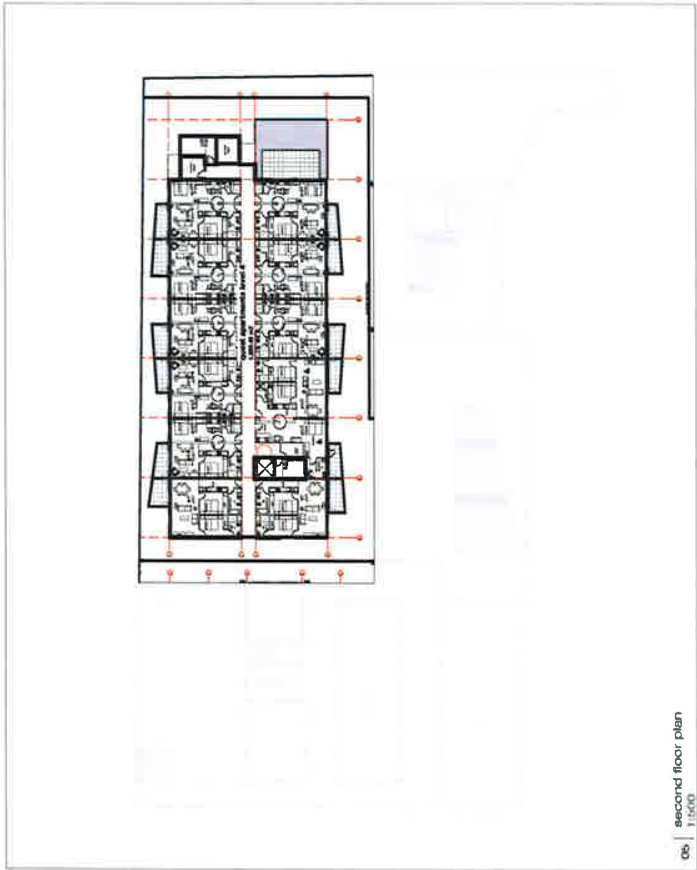
02 | upper basement plan
1:500



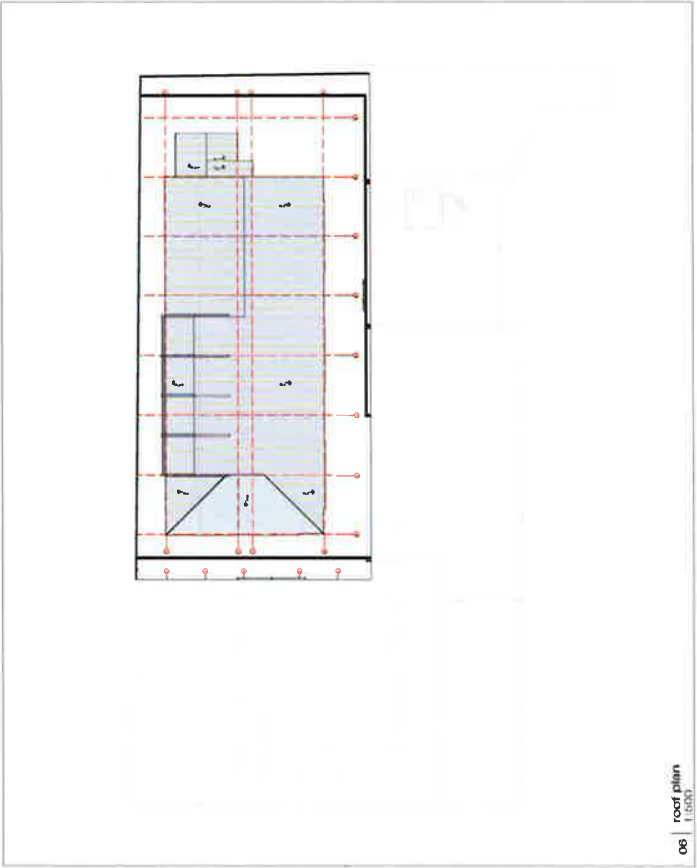
03 | ground floor plan
1:500



04 | first floor plan
1:500



05 | second floor plan
1:500



06 | roof plan
1:500



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general notes

1. All dimensions are in millimetres unless otherwise stated.
2. Dimensions are given to the centre of lines and dimensions to the face of lines unless otherwise stated.
3. All dimensions are given to the centre of lines and dimensions to the face of lines unless otherwise stated.
4. Dimensions are given to the centre of lines and dimensions to the face of lines unless otherwise stated.
5. All dimensions are not for construction and are subject to further design development.

stage 1 plan

Project: Bathurst Penrith Sydney
Client: Bathurst Penrith Sydney
Project Ref: J081002
Checked: J081002
Scale: 1:500 @ A1

issue

01
02
03
04
05
06



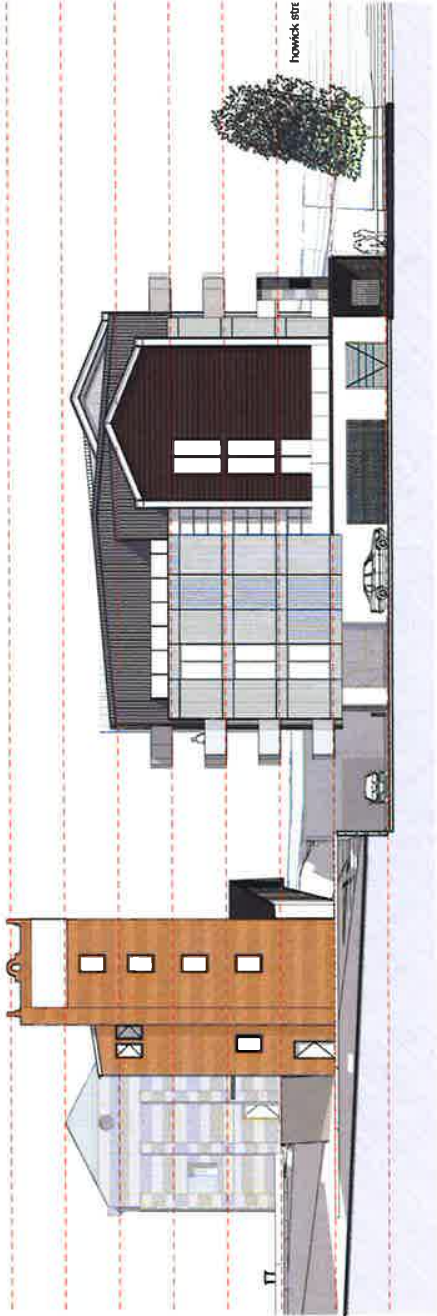
01 | north-east
1:250



04 | south-west
1:200



02 | north-west
1:200



03 | south-east
1:200



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Penrith (02) 4722 4133
Bathurst (02) 4722 4133
Sydney (02) 4722 4133
info@integrateddesigngroup.com.au
www.integrateddesigngroup.com.au

general notes

1. All drawings are preliminary and are not to be used for construction.
2. Contractors to check and verify all dimensions on site.
3. All materials and workmanship to be in accordance with current Australian standards.
4. Confirming information to be brought to the attention of the architect and confirmed in writing before proceeding with any work.
5. All drawings are for construction and are subject to further design development.
6. All drawings are subject to approval by the relevant authorities.

specifications

item	description	quantity	unit
1	brickwork	100	m ²
2	concrete	100	m ³
3	timber	100	m ³
4	metal	100	m ²
5	glass	100	m ²
6	plaster	100	m ²
7	flooring	100	m ²
8	ceiling	100	m ²
9	windows	100	m ²
10	doors	100	m ²

stage 1 elevations

Corresponding to the stage 1 elevations

Project ID: J0011072

Project Name: NO

Project Location: NO

Project Scale: 1:200 @ all

JOSS Group

Logo

Legend

C



2. bathurst red brick



4. tilt up concrete panel (painted)

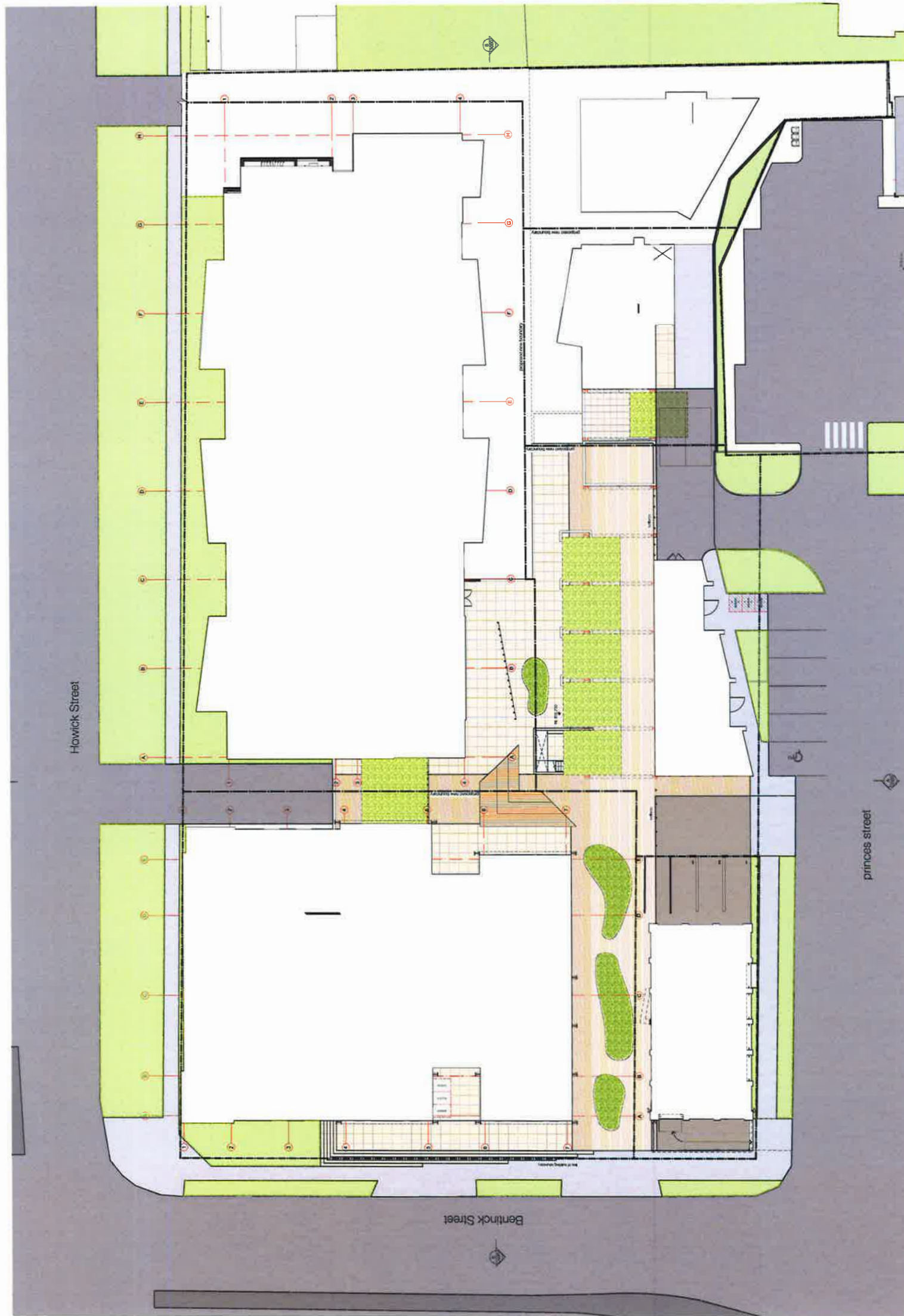


6. mesh with vegetation growing up



7. glazing

preliminary not for construction





integrated DESIGN group
architects | bathurst penrith sydney

general notes

1. signed dimensions and annotations over scaled drawings
2. dimensions are indicated in millimetres unless otherwise stated
3. all materials and construction to be in accordance with current Australian standards
4. construction details are to be in accordance with the Australian Standard AS/NZS 4576
5. all drawings are to be for construction and are subject to further design development, consultation, approval, consent and regulatory requirements

features

feature	description
100mm concrete	100mm concrete
150mm concrete	150mm concrete
200mm concrete	200mm concrete
250mm concrete	250mm concrete
300mm concrete	300mm concrete
350mm concrete	350mm concrete
400mm concrete	400mm concrete
450mm concrete	450mm concrete
500mm concrete	500mm concrete
550mm concrete	550mm concrete
600mm concrete	600mm concrete
650mm concrete	650mm concrete
700mm concrete	700mm concrete
750mm concrete	750mm concrete
800mm concrete	800mm concrete
850mm concrete	850mm concrete
900mm concrete	900mm concrete
950mm concrete	950mm concrete
1000mm concrete	1000mm concrete

materials

material	description
100mm concrete	100mm concrete
150mm concrete	150mm concrete
200mm concrete	200mm concrete
250mm concrete	250mm concrete
300mm concrete	300mm concrete
350mm concrete	350mm concrete
400mm concrete	400mm concrete
450mm concrete	450mm concrete
500mm concrete	500mm concrete
550mm concrete	550mm concrete
600mm concrete	600mm concrete
650mm concrete	650mm concrete
700mm concrete	700mm concrete
750mm concrete	750mm concrete
800mm concrete	800mm concrete
850mm concrete	850mm concrete
900mm concrete	900mm concrete
950mm concrete	950mm concrete
1000mm concrete	1000mm concrete

notes

note	description
100mm concrete	100mm concrete
150mm concrete	150mm concrete
200mm concrete	200mm concrete
250mm concrete	250mm concrete
300mm concrete	300mm concrete
350mm concrete	350mm concrete
400mm concrete	400mm concrete
450mm concrete	450mm concrete
500mm concrete	500mm concrete
550mm concrete	550mm concrete
600mm concrete	600mm concrete
650mm concrete	650mm concrete
700mm concrete	700mm concrete
750mm concrete	750mm concrete
800mm concrete	800mm concrete
850mm concrete	850mm concrete
900mm concrete	900mm concrete
950mm concrete	950mm concrete
1000mm concrete	1000mm concrete

public interface plan
One Bankside/Howick residential
John Bathurst
project ref: J0515072
drawn: NO
checked: NO
scale: 1:200 @ A1

issue
C

Design Approach

The landscape design style aims to combine a mixture of native and exotic species that are all suitable to the local environment and are known for their drought and frost tolerance in the long term. The style is in keeping with the streetscape and is aimed to enhance the sense of place to the area.

We have chosen to use repeat plantings of some species to give a sense of continuity between the Quest Apartments and retail spaces. The design for the streetscape visible from Howick Street includes a line of Crepe Myrtles as feature trees to give height and scale to the area against the side of the Quest Apartment Building. The species chosen is a more compact upright grower and can be pruned if needed. These feature trees are under planted with a range of compact growing flowering shrubs, groundcovers and native grasses. They have been selected for their form, texture and shape.

The narrow garden areas along the side of the building and between the footpath and road area have been planted with one native grass species (Lomandra Tanika) so that they will remain quite compact, not cause any traffic or pedestrian obstacles and be low maintenance in their care.

The feature trees (Manchurian Pear "Capital") used along the Princes St side of the building are upright narrow growers that will work well around car park spaces and pedestrian walkways.

The trees for the internal courtyards (Maple species) have been chosen for their interesting foliage colour both in Autumn and Summer. They are more upright growers but will still give a "forest like" affect to the area. These will be under planted with mass plantings of ornamental grasses.

At the south - eastern end of the courtyard spaces we have specified a Claret Ash as a feature tree for the end of the internal courtyard area. Across the total site we have allowed for the spacing of the plants to give full coverage to all garden areas so that when they are mature they will shade out all garden areas preventing weed growth.

The species chosen are not known weed species, do not produce hazardous fruit and are not known to be poisonous.

All plans have been developed in accordance with Bathurst Council planning requirements.

PROPOSED STREET TREE PLANTINGS

We have taken into consideration the surrounding street tree plantings and the sense of place they give the area.

Howick St

The nature strip in this area is quite wide and should be able to support a broader growing tree species. We have proposed a street tree planting of Chinese Elms (Ulmus parvifolia). This species has already been planted in a neighbouring street - it is planted from the corner of Howick St along Havannah St.

Betinck St

The nature strip in this area is quite narrow and there are numerous services located underground. We have specified Acer "Autumn Blaze". This is a more compact up right growing tree suitable for narrow footpath areas. This tree species is already planted in Howick St adjacent to the site.

PLANTING PALETTE

STREET TREE
Acer Autumn Blaze
(same species located in Howick St)



FEATURE TREE IN PIAZZA
Fraxinus "Raywood"



SPREADING TREE ON VERANDAS OF RESIDENTIAL BUILDING
Magnolia "Teddy Bear"



STREET TREE
Ulmus parvifolia
(same species located in Havannah St)



FEATURE TREE IN PIAZZA
Acer tuncatum x A. platanoides
"Taggart's Sunset"



CLIMBER
Parthenocissus quinquefolia
(Virginia Creeper)



FLOWERING SHRUB
Reprodela indica 'Cosmic White'
(Indian Heathbome)



FLOWERING SHRUB
Weinanga frutescens "Grey Box"



FEATURE TREE IN HOWICK ST
(IN FRONT OF QUEST APARTMENTS)
Lagerstroemia indica x L. laurae "blue"



FEATURE TREE ON PRINCES
Pyrus "Capital"



GROUND COVER
Ragwortia indica 'Cosmic White'
(Indian Heathbome)



GROUND COVER
Weinanga frutescens "Munat"
(Spreading Native Rosemary)



NATIVE GRASS
Daniella laurancia "Tasman"



ORNAMENTAL GRASS
Lilopa muscari "Amethyst"
Amethyst Liriope



NATIVE GRASS
Daniella laurancia "Blaze"



GROUND COVER - SPILLOVER FOR VERANDA ON RESIDENTIAL BALCONY
Myoporum parvifolium "Yasensu"
(Creeping Boobialla)



ORNAMENTAL GRASS
Lilopa muscari "Silver Linn"
(Silver Lawn Liriope)



NATIVE GRASS
Lomandra longistylis "Tania"

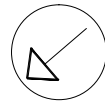


GENERAL NOTES

Refer to planting specification and details for planting guidelines.
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DRAWING TITLE
LANDSCAPE PLAN FOR DEVELOPMENT APPLICATION

Drawing Number: 001
Date: July 2019
Scale: Noted on Plan
Drawn By: GJD



Sheet 1 of 12

CLIENT DETAILS

Dairy Farmers Site
Bathurst



Glenice Buck Designs Pty Limited
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TOTAL PLANT SCHEDULE						
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	SIZE AT Maturity (H x W)
	LB	Lagerstroemia indica x L. laevis "Blosser"	Crape Myrtle	45 Litre (min 30mm caliper)	3	7m x 5m
	RCW	Rhipidolys indica "Comet White"	Indian Hawthorne	200mm	21	2m x 1.5m
	RCP	Rhipidolys indica "Comet Pink"	Indian Hawthorne	200mm	31	0.8m x 0.8m
	RuA	Rhipodolys indica "Aussie Flat Bush"	Salt Bush	150mm	20	0.5m x 1m
	WM	Westringia lucida "Munda"	Groundcover Native Rosemary	150mm	12	0.5m x 1.5m
	LT	Lomandra longifolia "Tanka"	Tanka	150mm	333	0.6m x 0.65m
	WGB	Westringia lucida "Grey Box"	Native Rosemary	200mm	98	0.45m x 0.45m
	DT	Dianella tasmanica "Tas Red"	Tasman Flax Lily	150mm	93	0.45m x 0.5m
	DB	Dianella tasmanica "Sauce"	Flax Lily	150mm	76	0.45m x 0.5m
	PyC	Pycnoscapus "Capitula"	Capital Marchurian Pear	100 Litre	16	10m x 4 m
	ATS	Acer "Taggenys Sunset"	Taggenys Sunset Maple	100 Litre	9	7m x 4m
	FR	Fraxinus "Raywood"	Carex Ash	100 Litre	1	15m x 9m
	LmS	Ligustrum lucidum "Silver Lamin"	Silver Lamin Ligustrum	150mm	222	0.35m x 0.4m
	LmA	Ligustrum lucidum "Amethyst"	Amethyst Ligustrum	150mm	559	0.4m x 0.4m
	Pq	Parthenocissus quinquefolia	Virginia Creeper	200mm	5	20m - 30m
	Up	Ulmus parvifolia (Street Tree)	Chinese Elm	45 Litre	8	13m x 10m
	AB	Acer x freemontii "Blaze" (Street Tree)	Autumn Blaze Maple	45 Litre	4	13m x 10m
	MTB	Magnolia "Teddy Bear"	Evergreen Magnolia	300mm	9	4m x 3m
	MyY	Myrsine laevis "Yareena"	Creeper Boddallia	150mm	41	0.1m x 1m

SCALE 1:200 @A3

GENERAL NOTES

Refer to planting specification and details for planting guidelines.

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DRAWING TITLE

LANDSCAPE PLAN FOR DEVELOPMENT APPLICATION

Drawing Number: 001

Date: July 2019

Scale: Noted on Plan

Drawn By:GJD

CLIENT DETAILS

Dairy Farmers Site

Bathurst

TOTAL SITE

Glenice Buck Designs Pty Limited
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GENERAL PROJECT NOTES AND SPECIFICATION

General Notes
This set of drawings should all be read in conjunction with the supporting details and specification. The Contractor is to confirm setout on site with client and Landscape Designer prior to manufacture, fabrication , purchase of materials and installation. Glenice Buck Designs cannot verify the accuracy of the site base plan as this was supplied by others.

Engineering and Certification Notes
All constructed and installed items must be certified by a suitably qualified engineer fit for purpose and suitable documentation to confirm this is to be provided by client.

Planning Guidelines
A client has a requirement to ensure that any proposed works conform with current council planning guidelines at time of construction and all relevant planning applications are made prior to the commencement of works.

Services
Location of services and liaise with the service authorities as well as undertaking minor protection requested by authorities is the contractor's responsibility and at their cost. Where the contractor damages an existing services for any reason whatsoever the contractor must bear all costs for repairing the services.

Tree Removal
If trees are noted for removal a tree removal application must be made to the local council. No trees shall be removed from site or neighbouring lands without full approval from the local council and owner of the subject tree/s. Where applicable an Arboricultural Assessment Report may be required to accompany tree removal application form. This must be completed by a registered AQLF Level 5 Consultant Arborist.

Tree Protection and Management
All trees on site and or within five (5) metres of boundary lines must be protected and maintained throughout the development process. Their management should be specified by a registered AQLF Level 5 Consultant Arborist and in conjunction with Australian Standard 4970 - 2009- Protection of Trees on Development Sites. Tree protection fencing or trunk and branch protection may be specified to be used on existing trees. The fence shall be a minimum of 1.8 metres in height and constructed with steel posts fixed to concrete blocks. No excavation works shall occur to install tree protection fencing. The fence panels can be constructed of cyclone mesh wire or similar in accordance with Australian Standard 4970 - 2009- Protection of Trees on Development Sites. The location of the Tree Protection Fencing and or use of trunk and branch protection is determined by AQLF Level 5 Consultant Arborist or Council's Arborist.
A complete specification of this work is to be completed by others.

Tree Pruning
If any tree pruning is required this is to be carried out by a qualified and experience arborist or tree surgeon in accordance with the NSW Work Cover Code of Practice for the Amenity Tree Industry (1998).

Site Drainage
All constructed items and site drainage is to built to current Australian Standards and comply with council requirements. The general drainage and site hydraulics are to be designed by others. Drainage lines should be connected into the stormwater system. Where poorly draining ground conditions prevail, a slotted sub surface drainage (connected to stormwater drainage) can be used below planting areas.

Soil
All soil used must comply with Australian Standard 4419 Soils for Landscaping and Garden Use.

Setout Note
Contractor to setout plants prior to installation as per Landscape Plan

Planting Areas
All planting areas to be weed, disease and pest free prior to planting.
The preparation of the existing ground and subsoil shall be undertaken for all planting areas. These areas are to be treated independently of each other due to variation of conditions.
Each garden area must be free from any foreign materials such as but not limited to building debris, such as aggregate, bricks, grout, concrete, asphalt. All surplus materials must be removed prior to undertaking ground preparation. Any materials which are harmful to plant growth and performance must be excavated and removed from the site.
New garden bed subsoil will require subsoil ripping. Ensure all services are located and marked prior to commencing ripping operations
The existing site soil may require treatment with soil additive such as Gypsum this will need to be determined prior to works commencing.

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Drawing Number: 001
Date: July 2019
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Drawn By:GJD



Sheet 3 of 12

CLIENT DETAILS

Dairy Farmers Site
Bathurst



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Mulch Installation

All garden beds will require mulching.
All mulch used throughout garden areas is to weed free and organic. To be laid to a minimum depth of 75mm and maximum depth of 100mm as per Details One, Two and Three. Level of mulch should not swamp or bury the plants. It should also sit flush with any surrounding structures such as concrete kerb and gutter. Mulch is to be raked to a clean, even, neat appearance and to a consolidated surface finished level flush with adjacent kerb, pavement or garden edge (no tripping points). Keep mulch clear of stems of plants. Plants shall not be buried by mulch.

Weed, Pest and Disease Control

Weed, pest and disease control shall be undertaken for all planting areas as per Landscape Plan. Only non - residual herbicides and pesticides registered for use in NSW may be used. Herbicides shall be dye coloured. All weeds shall be eradicated using environmentally acceptable hand or chemical methods in all planting areas prior to ground preparation and during works period. Personnel responsible for weed and pest control shall be qualified and experience in the control of weeds, prevention of drift and identification of target and non target species. All safety gear and provision must be used and is at the responsibility of the contractor.

Automatic Irrigation Design and Installation

All garden areas shown on Landscape Plan will require irrigation extended to each plant. This will need to be specified by others.

Ongoing Garden Maintenance

Once completed the garden areas will require on going maintenance to ensure the plants become established and mature in the space.

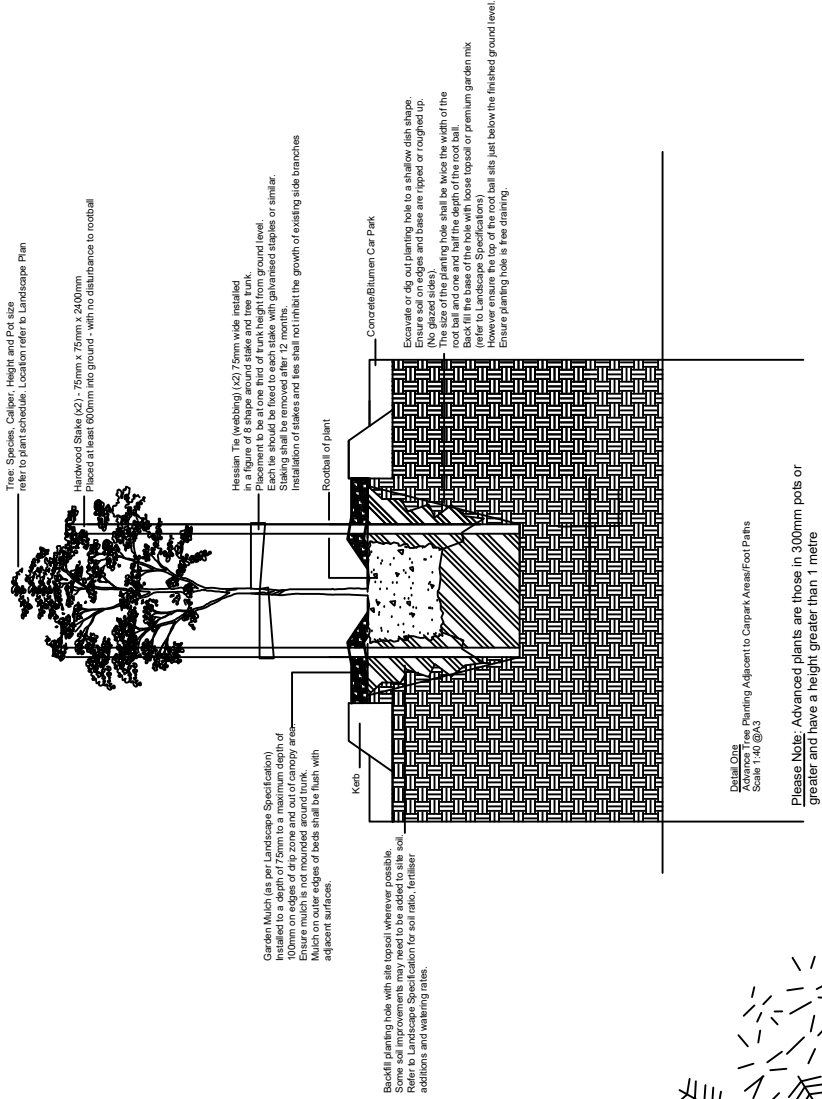
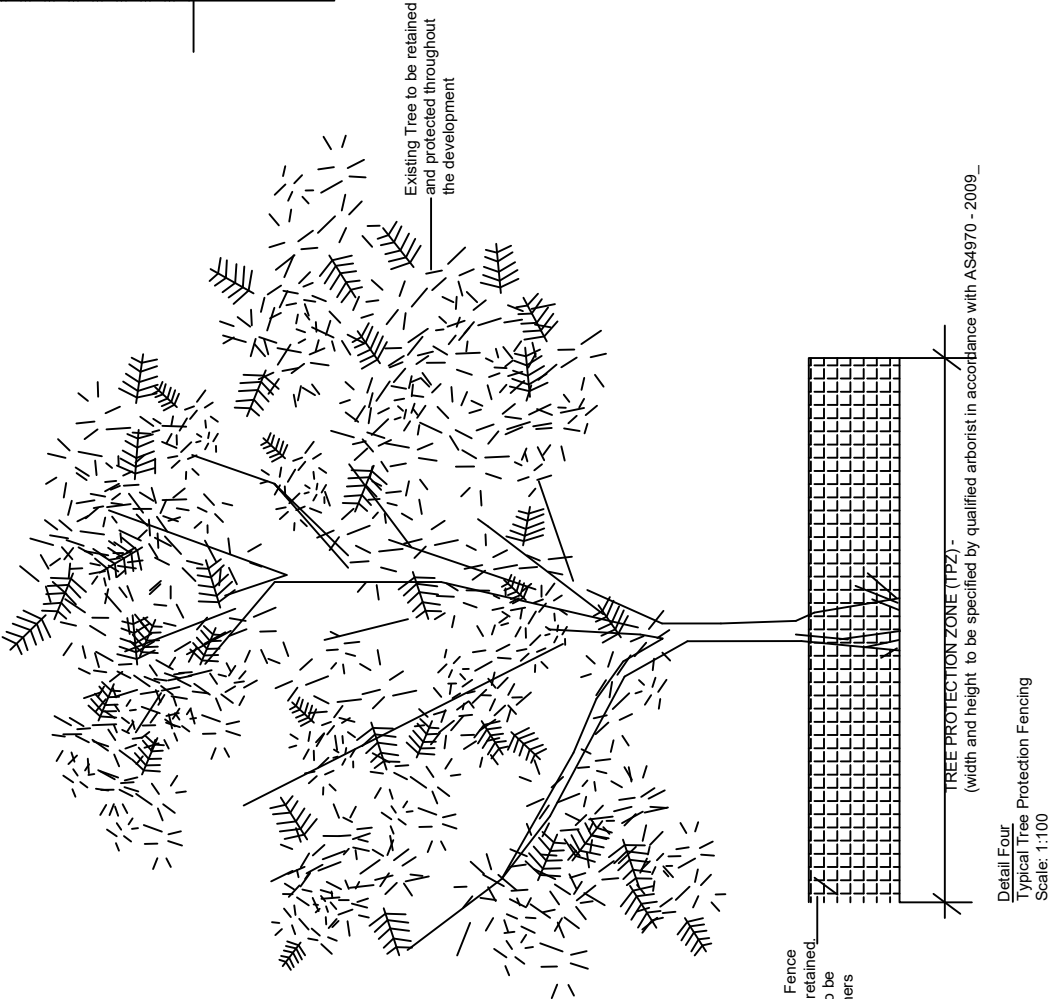
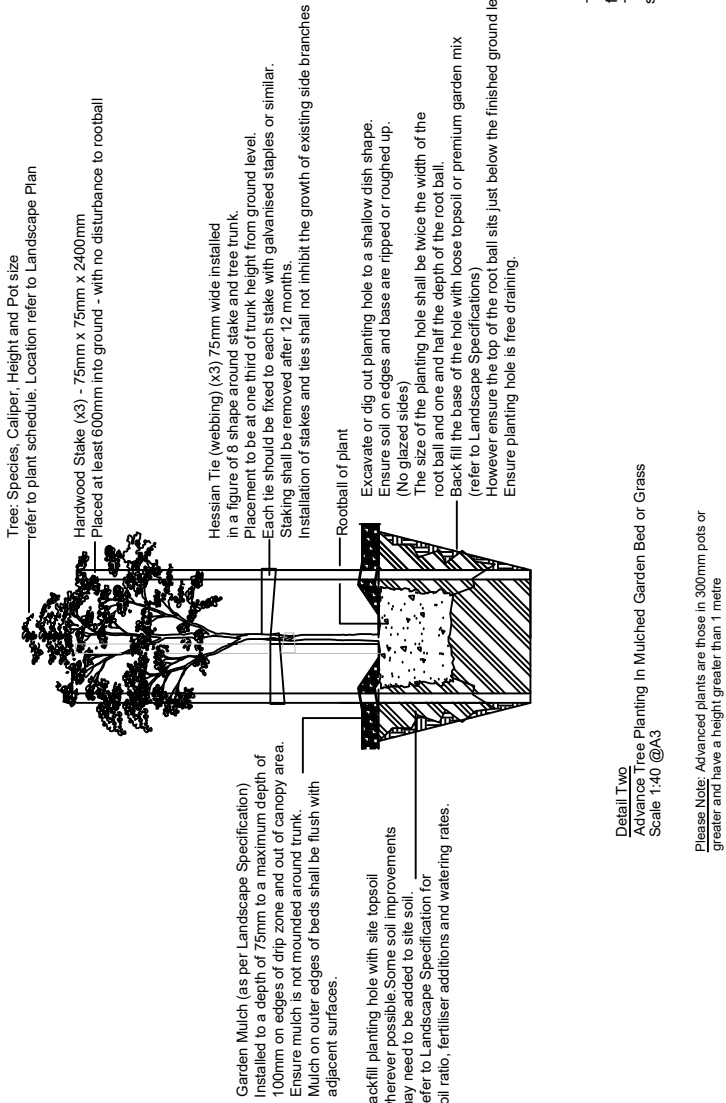
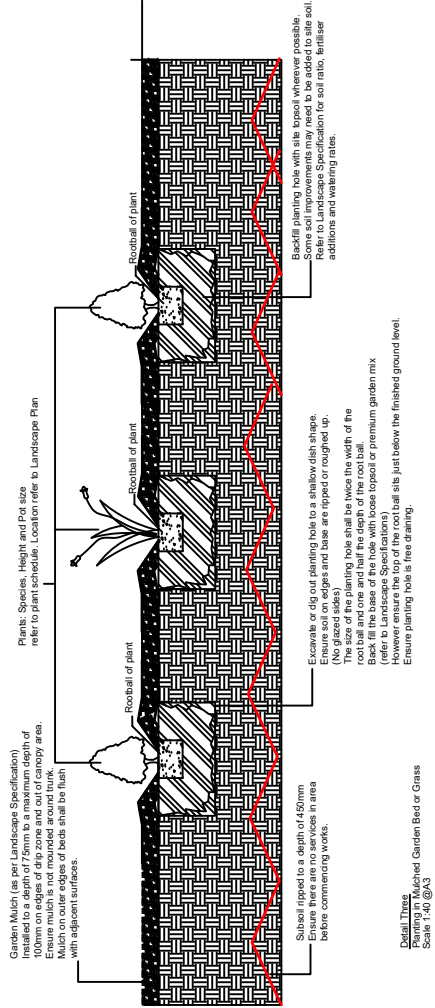
Planter Box Size Specification

Ideally the planter boxes located within the Terrace/Piazza area and within the Residential Apartment shall be a minimum height of 600mm - Ideally 800mm if possible. This is to allow for mature tree specimens to be planted and to ensure they will be maintained. They will require further specification for soil weights etc as per Engineer requirements. This will need to be specified by engineers

Timber Bench Seats

A hardwood timber (suitable to match architectural elements) should be used to install the cantilevered bench seating to the raised planter boxes. Galvanised fittings should also be used.

Details



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Scale 1:200 @ A3

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LANDSCAPE PLAN FOR DEVELOPMENT APPLICATION

Drawing Number: 001
Date: July 2019
Scale: Noted on Plan
Drawn By:GJD



Sheet 5 of 12

CLIENT DETAILS
Dairy Farmers Site
Bathurst

Quest Apartments



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TOTAL PLANT SCHEDULE						
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	SIZE AT MATURITY (H x W)
	UB	Lagerstroemia indica x L. faurei "Bloxi"	Crepe Myrtle	45 Litre (min 30mm caliper)	3	7m x 5m
	RCW	Raphiolepis indica "Cosmic White"	Indian Hawthorne	200mm	21	2m x 1.5m
	RCP	Raphiolepis indica "Cosmic Pink"	Indian Hawthorne	200mm	31	0.8m x 0.8m
	RxA	Rhagodia spinescens "Aussie Flat Bush"	Salt Bush	150mm	20	0.5m x 1m
	WM	Westringia "Mundi"	Groundcover Native Rosemary	150mm	12	0.5m x 1.5m
	LIT	Lomandra longifolia "Tanika"	Tanika	150mm	333	0.6m x 0.65m
	WIG	Westringia fruticosa Grey Box	Native Rosemary	200mm	58	0.45m x 0.45m
	DIT	Dianella tasmanica "Tas Red"	Tiaman Flax Lily	150mm	93	0.45m x 0.5m
	DIB	Dianella tasmanica "Blaze"	Flax Lily	150mm	76	0.45m x 0.5m
	PyC	Pyrus "Capital"	Capital Manchurian Pear	100 Litre	16	10m x 4 m
	ATS	Acer "Tagelary Sunset"	Tagelary Sunset Maple	100 Litre	9	7m x 4m
	FR	Fraxinus "Raywood"	Claret Ash	100 Litre	1	15m x 9m
	LinS	Liriope muscari "Silver Lawn"	Silver Lawn Liriope	150mm	222	0.35m x 0.4m
	LinA	Liriope muscari "Anethyl"	Anethyl Liriope	150mm	559	0.4m x 0.4m
	Pq	Parthenocissus quinquefolia	Virginia Creeper	200mm	5	20m - 30m
	Up	Ulmus parvifolia (Street Tree)	Chinese Elm	45 Litre	8	13m x 10m
	AAB	Acer x freemanii "Autumn Blaze" (Street Tree)	Autumn Blaze Maple	45 Litre	4	13m x 10m
	MTB	Magnolia "Teddy Bear"	Evergreen Magnolia	300mm	9	4m x 3m
	MpY	Myoporum parvifolium "Yareena"	Creeping Boobiala	150mm	41	0.1m x 1m

Scale 1:200 @ A3

GENERAL NOTES

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DRAWING TITLE

LANDSCAPE PLAN FOR DEVELOPMENT APPLICATION

Drawing Number: 001

Date: July 2019

Scale: Noted on Plan

Drawn By:GJD

CLIENT DETAILS

Dairy Farmers Site

Bathurst

Commercial Building

Glenice Buck Designs Pty Limited

ABN 46 107705288 ACN 107705288

Mali: PO BOX 735, Young NSW 2594

Mobile: 0417077386

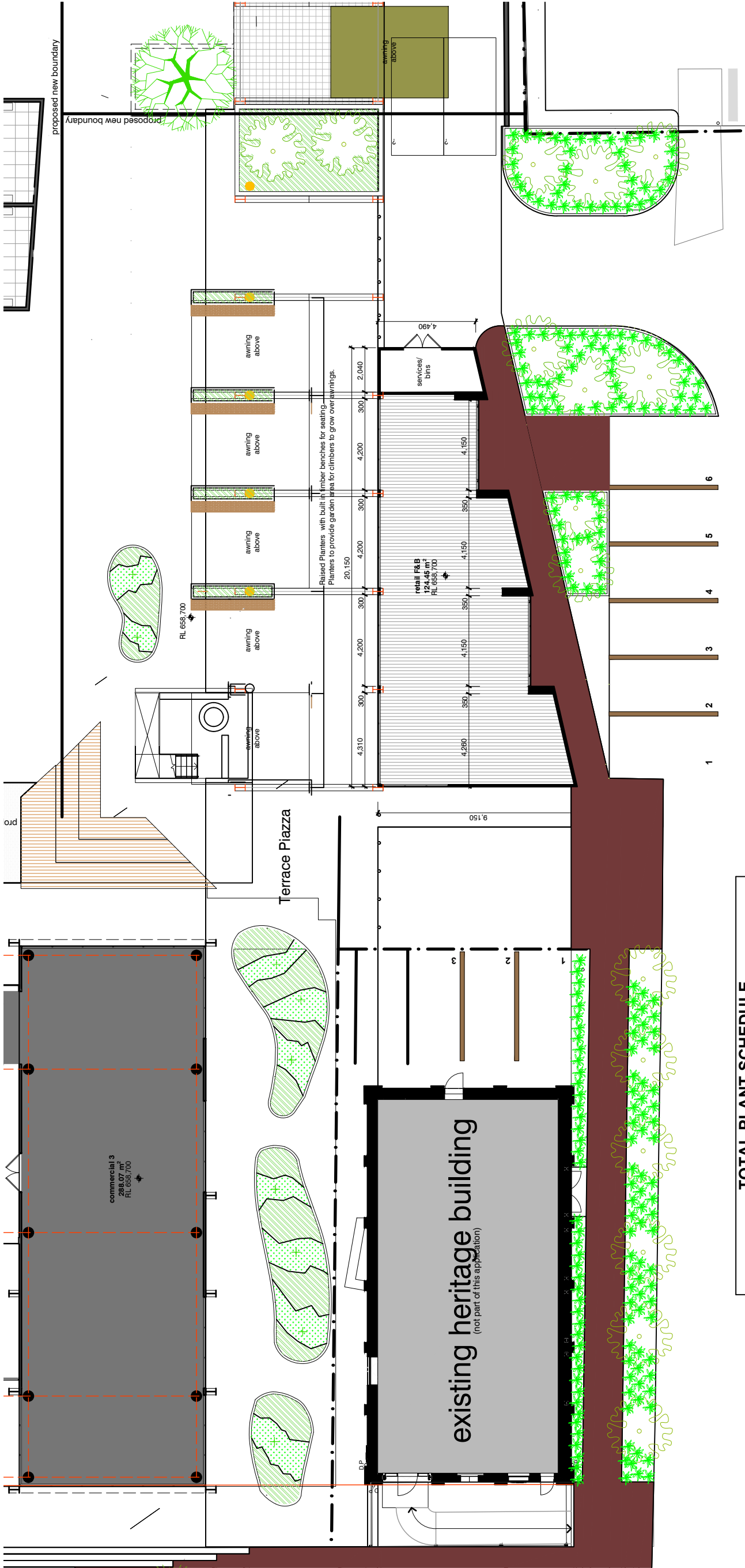
Email: glenice@glenicebuckdesigns.com.au

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Sheet 6 of 12

S_DEPBS_1_7

6 of 12



	Pq	Parthenocissus quinquefolia	Virginia Creeper	200mm	5	20m x 30m
	Up	Ulmus parvifolia (Street Tree)	Chinese Elm	45 Litre	8	13m x 10m
	AAB	Acer x freemanii 'Autumn Blaze' (Street Tree)	Autumn Blaze Maple	45 Litre	4	13m x 10m
	MTB	Magnolia 'Teddy Bear'	Evergreen Magnolia	300mm	9	4m x 3m
	MpY	Myosorum perfoliatum 'Yareena'	Creeping Scabiosa	150mm	41	0.1m x 1m

	DTT	Dianella tasmanica 'Tas Red'	Tasman Flax Lily	150mm	93	0.45m x 0.5m
	DB	Dianella tasmanica 'Blaze'	Flax Lily	150mm	76	0.45m x 0.5m
	PYC	Pyra 'Capitall'	Capitall Manzanilla Pear	100 Litre	16	10m x 4 m
	ATS	Acer 'Taggarts Sunset'	Taggart Sunset Maple	100 Litre	9	7m x 4m
	PR	Fraxinus 'Raywood'	Claret Ash	100 Litre	1	15m x 9m
	LmS	Liriodendron 'Silver Linn'	Silver Linn Liriodendron	150mm	222	0.35m x 0.4m
	LmA	Liriodendron 'Aureolyst'	Aureolyst Liriodendron	150mm	559	0.4m x 0.4m

TOTAL PLANT SCHEDULE						
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	SEAT MAT MATERIALITY (H x W)
	LB	Lagerstroemia indica x L. laurel 'Bloxli'	Crape Myrtle	45 Litre (min 30mm caliper)	3	7m x 5m
	ROW	Raphiolepis indica 'Cosmic White'	Indian Hawthorne	200mm	21	2m x 1.5m
	RCP	Raphiolepis indica 'Cosmic Pink'	Indian Hawthorne	200mm	31	0.8m x 0.8m
	ReA	Rhapodia apneusens 'Autumn Fall Bush'	Salt Bush	150mm	20	0.5m x 1m
	WM	Westringia 'Mundi'	Groundcover Native Rosemary	150mm	12	0.5m x 1.5m
	LIT	Lomandra longifolia 'Tanika'	Tanika	150mm	333	0.6m x 0.65m
	WIG	Westringia frutescens 'Grey Sock'	Native Rosemary	200mm	58	0.45m x 0.45m

SCALE 1:200 @A3

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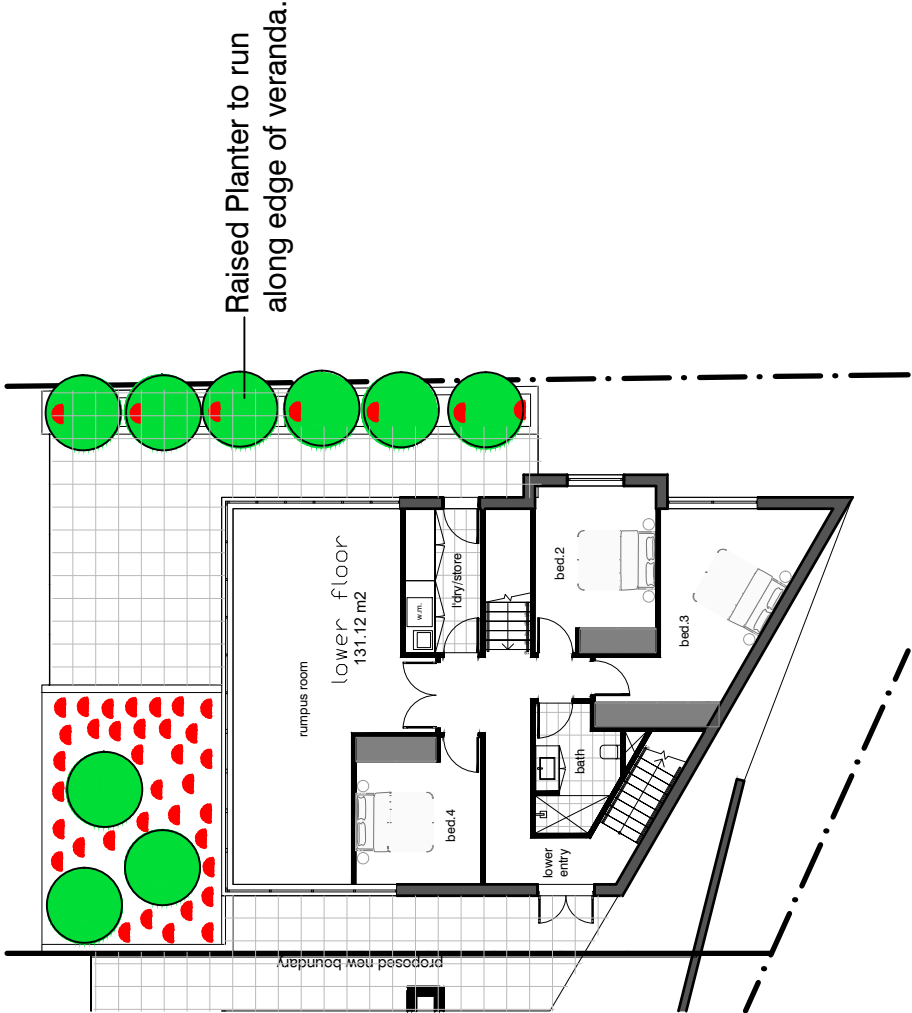
Sheet 7 of 12

CLIENT DETAILS
Dairy Farmers Site
Bathurst
Food and Beverage
Terrace/Piazza



Glenice Buck Designs Pty Limited
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Website: www.glenicebuckdesigns.com.au

SCALE 1:200 @A3



TOTAL PLANT SCHEDULE					
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	UB	Lagerstrœmia indica "Lauriel Black"	Crope Myrtle	45 Litre (min 30mm caliper)	3
	RCW	Raphidopis indica "Cosmic White"	Indian Hawthorne	200mm	21
	RCP	Raphidopis indica "Cosmic Pink"	Indian Hawthorne	200mm	31
	RxA	Rhagodia spinescens "Aussie Flat Bush"	Salt Bush	150mm	20
	WMI	Weiringia "Mundji"	Groundcover Native Rosemary	150mm	12
	UT	Lomandra longifolia "Tanka"	Tanka	150mm	333
	WIG	Weiringia fulicosa Grey box	Native Rosemary	200mm	58
	DTT	Dianella tasmanica "Tas Red"	Tasman Fox Lily	150mm	93
	DIB	Dianella tasmanica "Blaze"	Flax Lily	150mm	76
	PYC	Pyrae "Capitae"	Capital Marchulian Pear	100 Litre	16
	ATS	Aster "Taganys Sunset"	Taganys Sunset Borage	100 Litre	9
	FR	Fraxinus "Raywood"	Claret Ash	100 Litre	1
	LmS	Liriodie muscari "Silver Lawn"	Silver Lawn Liriodie	150mm	222
	LmV	Liriodie muscari "Amethyst"	Amethyst Liriodie	150mm	559
	Pq	Parthenocissus quinquefolia	Virginia Creeper	200mm	5
	Up	Ulmus parvifolia (Street Tree)	Chinese Elm	45 Litre	8
	AAB	Aster "Aureum Blaze" (Street Tree)	Autumn Blaze Maple	45 Litre	4
	MTB	Magnolia "Teddy Bear"	Evergreen Magnolia	300mm	9
	MpY	Myoporum parvifolium "Yareena"	Creeper Booballa	150mm	41

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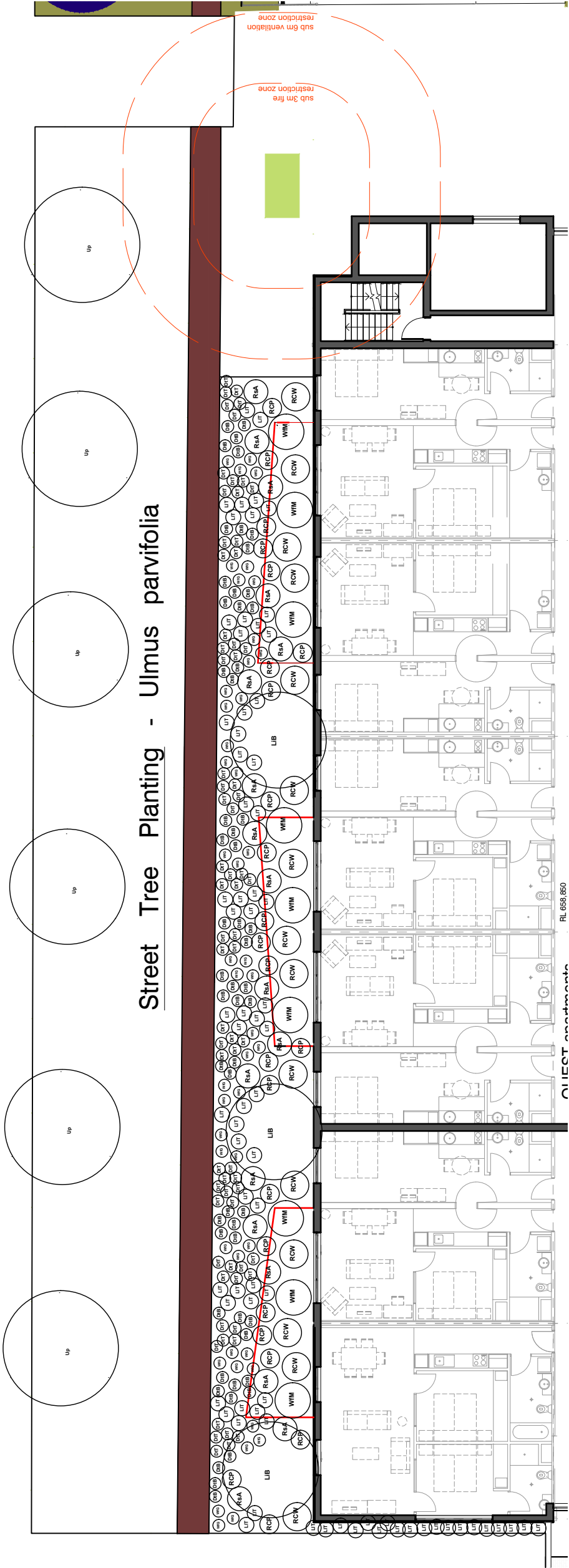
CLIENT DETAILS

Dairy Farmers Site
Bathurst

Residential Building

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Howick Street



QUEST APARTMENTS PLANT SCHEDULE					
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	LIB	Lagerströmia indica "L. aurea 'Blow'"	Crope Myrtle	45 Lite (min 30mm caliper)	3
	RCW	Rapidozia indica "Cosmic White"	Indian Hawthorne	200mm	15
	RCP	Rapidozia indica "Cosmic Pink"	Indian Hawthorne	200mm	24
	RAA	Rhapodia spinosocens "Aussie Flat Bush"	Salt Bush	150mm	18
	WIM	Westingia "Mundl"	Groundcover Native Rosemary	150mm	9
	LIT	Lomandra longifolia "Tanka"	Tanka	150mm	76
	WIG	Westingia hulkocsa Grey Box	Native Rosemary	200mm	47
	DIT	Dianella tasmanica "Tas RCP"	Tasmanian Flax Lily	150mm	71
	DB	Dianella tasmanica "Blaze"	Flax Lily	150mm	96

Scale 1:200 @ A3

GENERAL NOTES
Refer to planting specification and details for planting guidelines.
All measurements, dimensions and levels are to be verified on site prior to commencement of works.
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All structural items are to be constructed to engineers details.
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DRAWING TITLE
LANDSCAPE PLAN FOR DEVELOPMENT APPLICATION

Drawing Number: 001
Date: July 2019
Scale: Noted on Plan
Drawn By:GJD

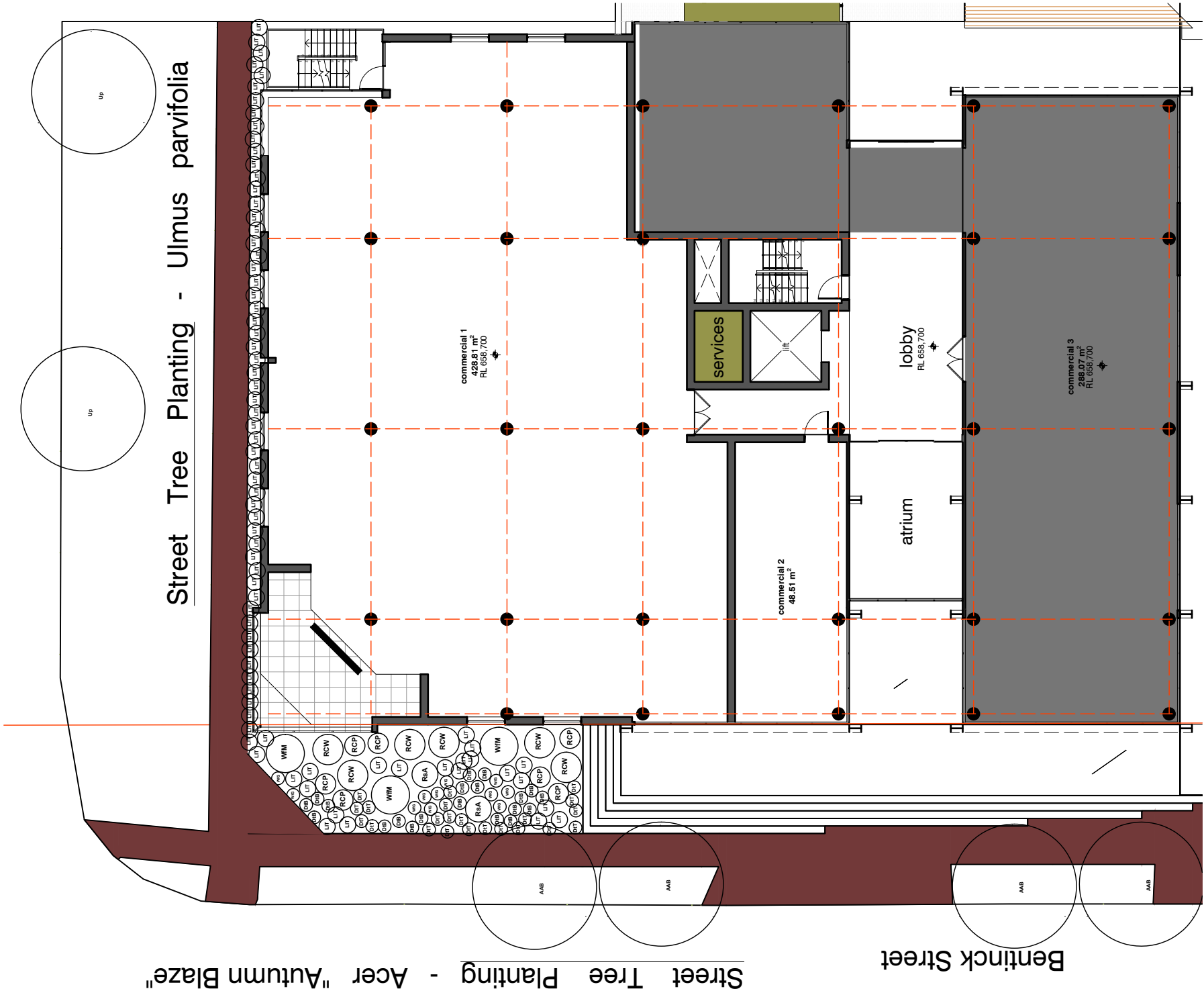


Sheet 9 of 12

CLIENT DETAILS
Dairy Farmers Site
Bathurst
Quest Apartments



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COMMERCIAL BUILDING PLANT SCHEDULE					
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	RCW	Rachicoma indica "Cosmic White"	Indian Hawthorne	200mm	6
	RCP	Rachicoma indica "Cosmic Pink"	Indian Hawthorne	200mm	7
	RuA	Rhagodia spinosa "Rustic Flat Bush"	Salt Bush	150mm	2
	WM	Westringia "Mund"	Groundcover Native Rosemary	150mm	3
	LIT	Leonardia longicoma "Tankia"	Tanika	150mm	72
	WIG	Westringia lutea "Grey Box"	Native Rosemary	200mm	11
	DIT	Dianella tasmanica "Tas Red"	Tasman Flax Lily	150mm	22
	DIB	Dianella tasmanica "Blue"	Flax Lily	150mm	20

Scale 1:200 @ A3

GENERAL NOTES

Refer to planting specification and details for planting guidelines.

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DRAWING TITLE

LANDSCAPE PLAN FOR DEVELOPMENT APPLICATION

Drawing Number: 001

Date: July 2019

Scale: Noted on Plan

Drawn By:GJD

Sheet 10 of 12

CLIENT DETAILS

Dairy Farmers Site

Bathurst

Commercial Building

Glenice Buck Designs Pty Limited

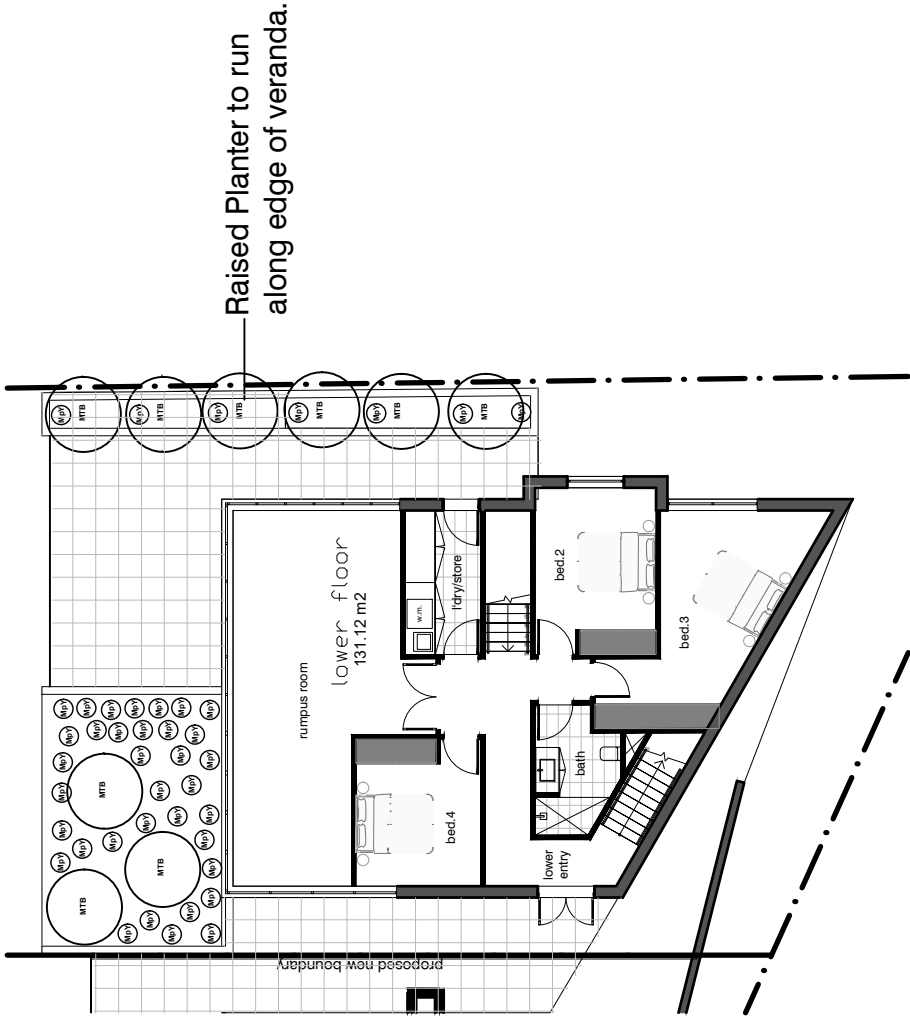
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Raised Planter to run along edge of veranda.

RESIDENTIAL BUILDING PLANT SCHEDULE					
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	MTB	Magnolia "Teddy Bear"	Evergreen Magnolia	300mm	9
	MpY	Myoporum parvifolium "Yareena"	Creeping Boobialla	150mm	41
					SIZE AT MATURITY (H x W)

Scale 1:200 @ A3

<div><div>GENERAL NOTES</div><div>Refer to planting specification and details for planting guidelines. All measurements, dimensions and levels are to be verified on site prior to commencement of works. All structures are to be constructed by others to Australian Engineering Standards. All structural items are to be constructed to engineers details. This drawing is the Copyright of Glenice Buck Designs Limited and may not be reproduced in any format without the written permission of Glenice Buck Designs Limited. The client needs to conform with council planning requirements and receive full approval prior to any works being undertaken.</div></div>	<div><div>DRAWING TITLE</div><div>LANDSCAPE PLAN FOR DEVELOPMENT APPLICATION</div></div>		<div><div>CLIENT DETAILS</div><div>Dairy Farmers Site Bathurst</div></div>		<div><div></div><div>Glenice Buck Designs Pty Limited ABN 46107705288 ACN 107705288 Mail: PO BOX 735, Young NSW 2594 Mobile: 0417077386 Email: glenice@glenicebuckdesigns.com.au Website: www.glenicebuckdesigns.com.au</div></div>
	<div><div>Drawing Number: 001 Date: July 2019 Scale: Noted on Plan Drawn By:GJD</div></div>		<div><div></div><div>Sheet 12 of 12</div></div>		
	<div><div>Residential Building</div></div>				



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Assessor Name: Adriana Segovia
Accreditation no.: 20754
Certificate date: 08 Oct 2019
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0004258034

Assessor Name:
Adriana Segovia

Accreditation no.:
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Certificate date:
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5.1

NATIONWIDE
HOUSE

ENERGY RATING: 5.1

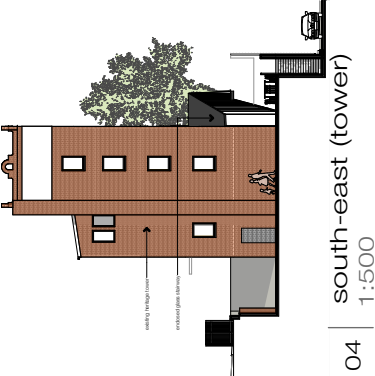
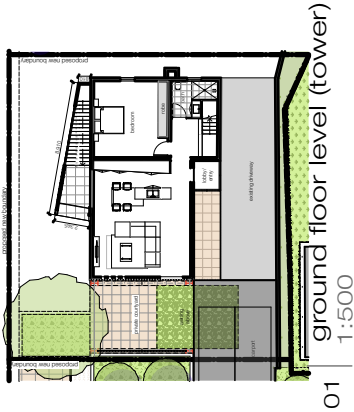
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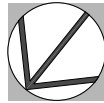




Cnr Bentinck/Howick masterplan

JOS15072 | Joss | cnr bentinck & howick streets bathurst nsw

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tower notification plan

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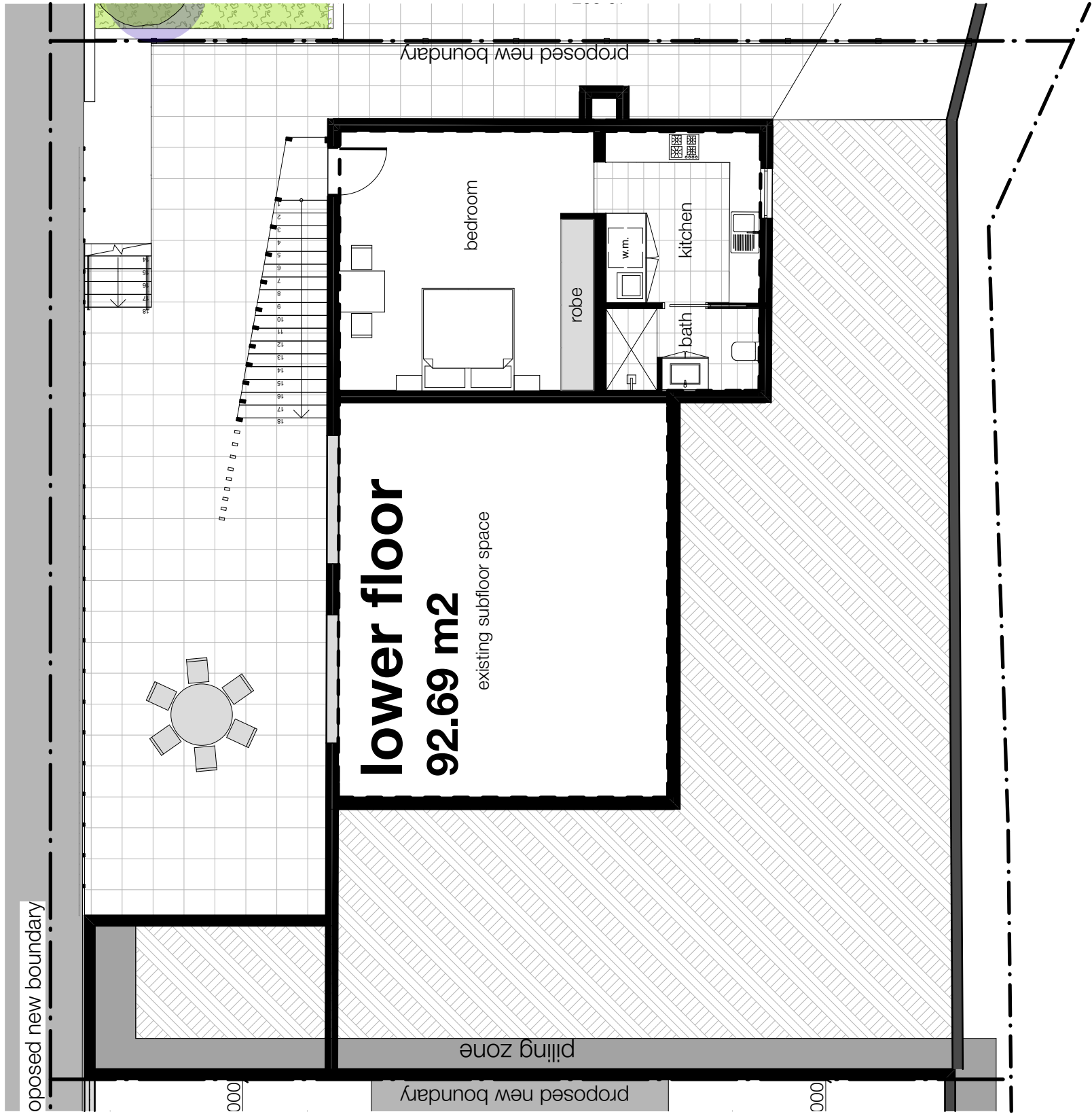
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HOUSE
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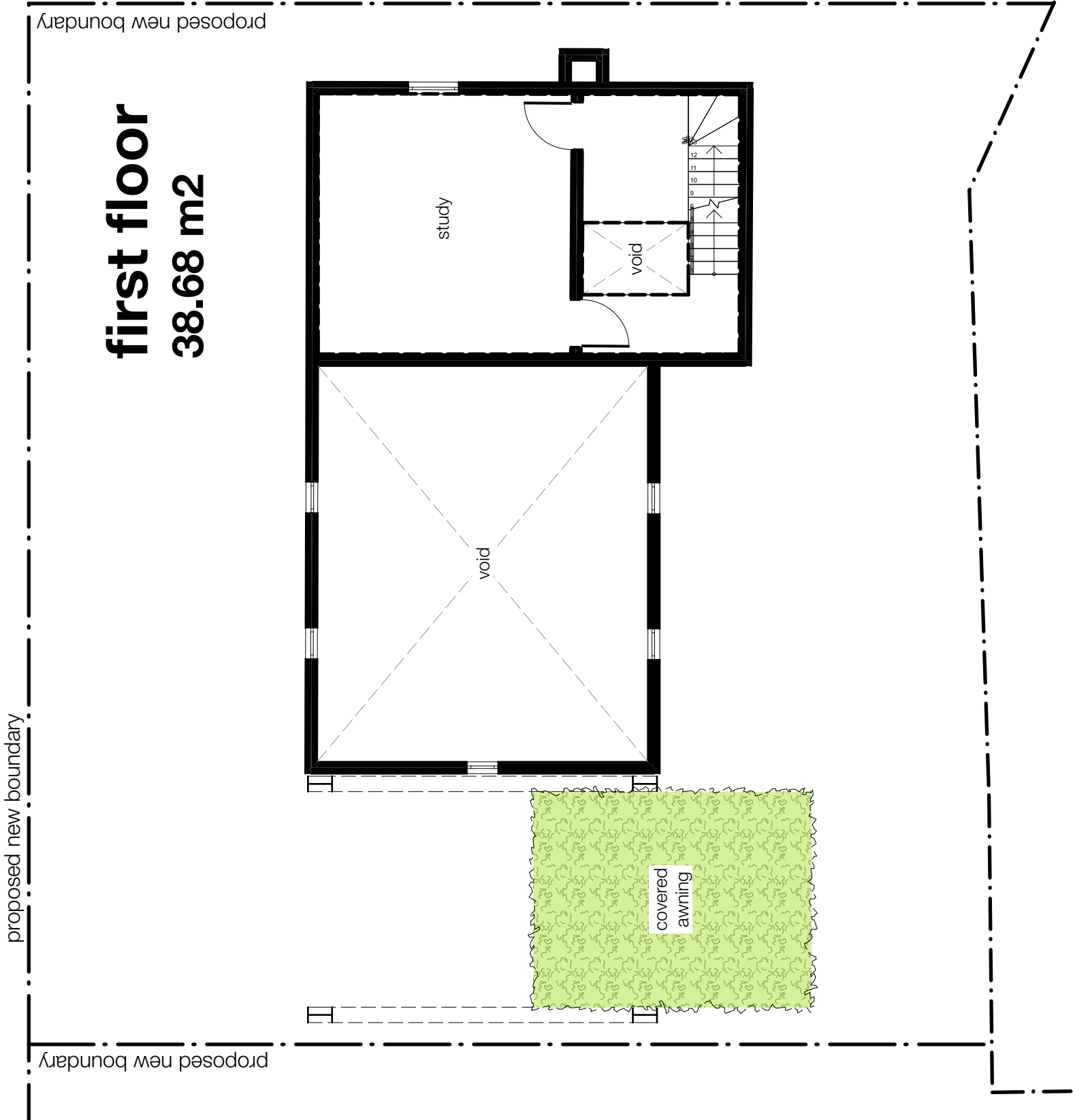
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general notes				finishes		fixtures		date		issue amendment		title			
1. figured dimensions take precedence over scaled drawings				BDRY		boundary		FB		face brick		rh		rangelood	
2. contractors to check and verify all levels datum and dimensions on site				BOE		brick on edge		FB		brick on edge		sc		solid core door	
3. all materials and workmanship to be in accordance with current written manufacturers instructions local regulations and SAA codes				BPR		bricked brickwork		FFL		floor level		sh		soap holder	
4. conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works				CQR		coloured brickwork		FFL		floor level		ss		stainless steel sink	
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				CFC		comp. fibre cement		GM		gas meter		shwr		shower	
				CONC		concrete		HWS		hot water service		t		tub	
				COS		confirm on site		L		louvre		tr		towel rail	
				CJ		control joint		PB		plasterboard		trh		toilet role holder	
				CT		ceramic tile		PCR		painted cement render		typ.		typical	
				CPT		carpet		PFB		painted face brick		wm		washing machine	
				CRT		concrete roof tile		PFC		painted fibre cement		v		vinyl	
				DP		downpipe		PWB		painted weatherboard		wp		wall pipe	
				DP&S		downpipe & spreader		TFB		timber floor boards		wp		wall pipe	
				ECL		existing ground line		TRC		terracotta roof tiles		wo		wall oven	
				EMB		electrical meterboard		WM		water meter		wo		wall oven	

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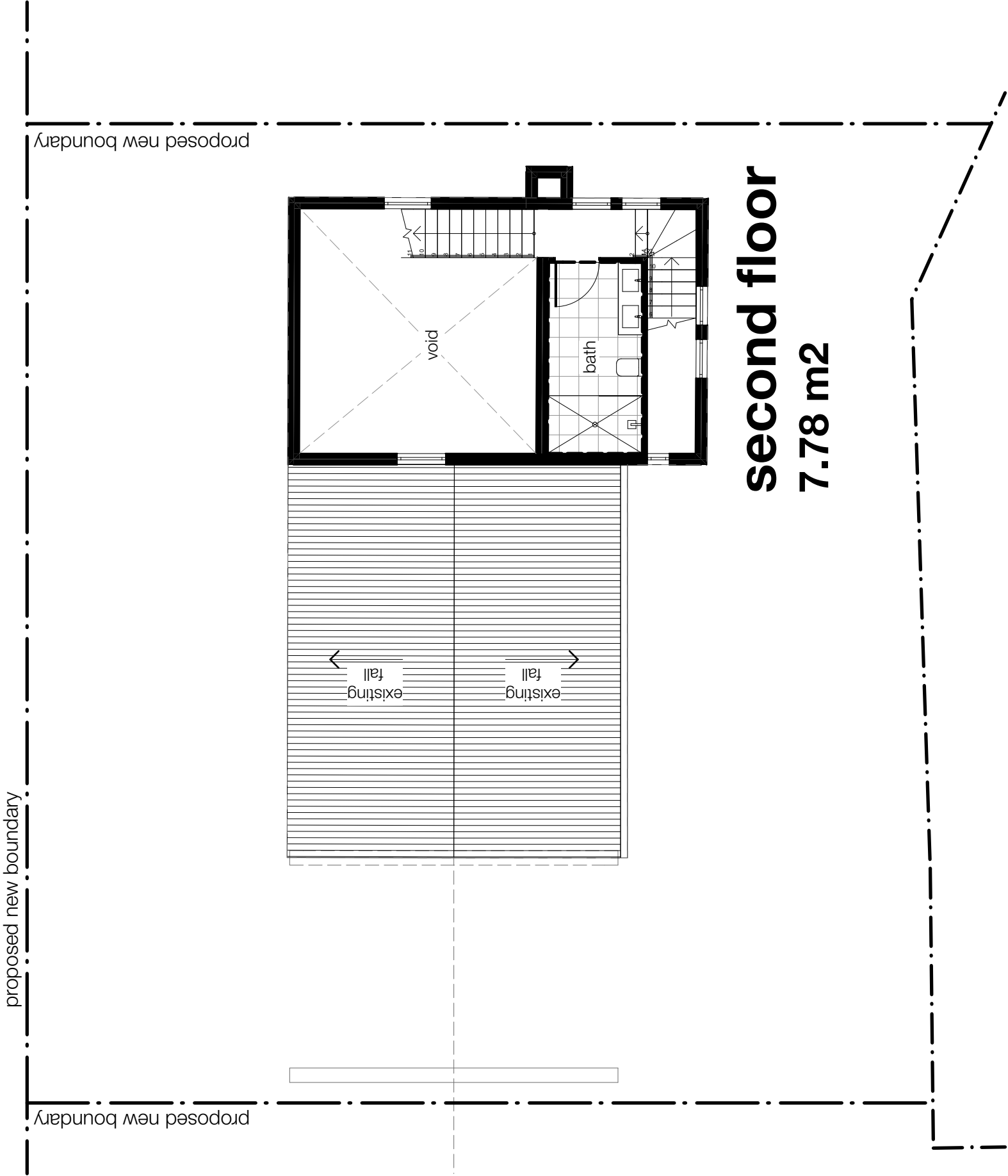


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preliminary not for construction

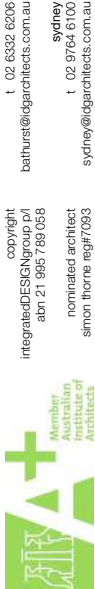


second floor

7.78 m2

Architect

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general notes

1. figured dimensions take precedence over scaled drawings
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5. all drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.

finishes

BDRY
BOE
BPR
CFR
CF
CFC
CONC
COS
CJ
CT
CRT
DPS
EQS
EMB

boundary
brick on edge
bagged paint brickwork
conformal roof
conformal floor
comp. fibre cement
concrete
conform on site
concrete joint
ceramic tile
carpet
downpipe
downpipe & spreader
existing ground line
electrical meterboard

fixtures

b
bhead
cs
dw
exh
fr
hc
tr
tr
tr
m
m
m
p
ref

basin
bhead
carthy sliding door
dryer
dishwasher
exhaust fan
freezer
floor waste
hollow core door
handrail
interlock
microwave
overhead
pantry
refrigerator

date

5/8/19
5/8/19
27/8/19
10/9/19

A
B
C
D

issue for review
preliminary DA issue for review
preliminary DA issue for review
issued for DA application

issue amendment

5/8/19
5/8/19
27/8/19
10/9/19

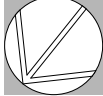
A
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C
D

issue for review
preliminary DA issue for review
preliminary DA issue for review
issued for DA application

title

tower second floor plan
Cnr Bentinck/Howick masterplan
Joss | bathurst

project ref: JOS15072
drawn: NO
checked: JA
scale: 1:100 @ a3



issue
D

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5.1
NATIONWIDE
HOUSE
ENERGY RATING SCHEME
278.5 MJ/m²
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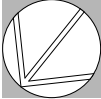


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date	issue	amendment	title
5/8/19	A	issue for review	
5/8/19	B	preliminary DA issue for review	south-west elevation (tower)
27/8/19	C	preliminary DA issue for review	Cnr Bentinck/Howick masterplan
10/9/19	D	issued for DA application	Joss bathurst
			project ref: JOS15072
			drawn: NO
			checked: JA
			scale: 1:100 @ a3



DA
E2001

issue
D

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NATIONWIDE
HOUSE

ENERGY RATING: 5.1

278.5 MJ/m²

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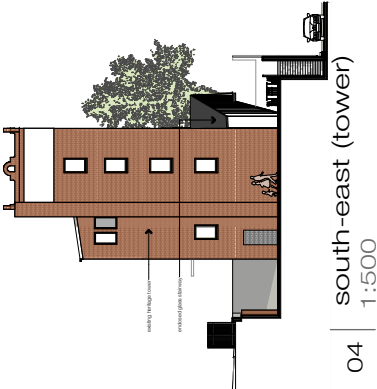
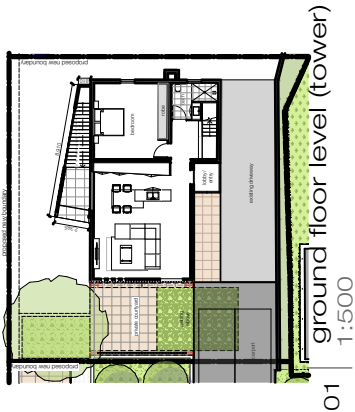
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ASSA

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Adriana Segovia
08 Oct 2019

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2795

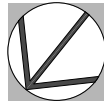
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Cnr Bentinck/Howick masterplan

JOS15072 | Joss | cnr bentinck & howick streets bathurst nsw

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DA
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current issue
10/9/19

tower notification plan

SoEE, Mixed-Use Development, 48 Bentinck & 178 Howick Streets BATHURST NSW

Statement of Environmental Effects (SoEE)



DAIRY FARMER'S SITE

Proposed Mixed Use Development:

Commercial Premises, Serviced Apartments & Dwellings

48 Bentinck St & 178 Howick St BATHURST NSW

Lots 1, 2, 19-28 & 30 DP2067, Lot 2 DP184456 & Lot 112 DP1232551



Figure 1: High level view of the Dairy Farmer's Site above Howick St (looking west).

Prepared for

Applicant: Joss Construction
PO Box 7079, ALBURY NSW 2640
Ph. 02 6328 8200 (Bathurst Office)

To be lodged with

Bathurst Regional Council

Dated: 13 September 2019

Version E (Final for DA Lodgement)

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Document Control

Version	Date	Document	Provided To
A	March 2019	Draft Planning Summary	IDG
B	May 2019	Draft Planning Report	IDG / Joss Group
C	9 September 2019	Draft Final	IDG
D	12 September 2019	Final for DA Lodgement	IDG / Joss Group
E	13 September 2019	Final for DA Lodgement	IDG/ Joss Group

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1 EXECUTIVE SUMMARY

1.1 Opportunity

This Development Application ('DA' or 'Application') is a significant opportunity for an integrated mixed-use development on a key 'gateway site' at the south-eastern edge of the Bathurst Central Business District (CBD). The development aims to reinvigorate the southern end of the CBD and activate Bentinck, Howick and Princes Streets with commercial uses that will contribute to the local economy, CBD vitality, and enhanced streetscape. This is a rare opportunity to have such a large mostly-vacant development site in such close proximity to the CBD.

Council and the Community have correctly identified that any design response needs to provide an integrated 'whole-of-site' approach that can maximise the public benefits. This includes protection and enhancement of the heritage items on and near the site supported by open space, view-lines, and activity nodes that will draw people into the site and around the heritage items and provide supporting sympathetic commercial activities.

It will provide essential commercial floor space, tourist and visitor accommodation and retail opportunities with excellent proximity to the CBD services and transport that will create employment, activate, and adaptively re-use this important site whilst respecting and enhancing the site's history and heritage.

1.2 Summary of Proposed Development

The following table summarises the key aspects of this development application:

Applicant	Joss Construction PO Box 7079 ALBURY NSW 2640
Owner(s)	Regional Nominees Pty Ltd
Site Description	Two (2) street addresses: 48 Bentinck St & 178 Howick St BATHURST NSW 2795 Fifteen (15) lots: Lots 1, 2, 19-28 & 30 DP2067, Lot 112 DP1232551 & Lot 2 DP184456 consisting of: <ul style="list-style-type: none"> 48 Bentinck St (Lots 1, 2, 19-25 & 30 DP2067 / Lot 112 DP1232551); and 178 Howick St (Lot 26, 27 & 28 DP2067 & Lot 2 DP184456). <i>Important Note: Lot 111 DP1232551 (50 Bentinck St) does not form part of this application.</i>
Site Area	~5,139.8 m ² (see Survey)
Heritage on the Site	Listed Local Heritage Item No.11 – Dairy Farmers Site (former Convict Hospital) and Area C1 Bathurst Heritage Conservation Area (HCA).
Summary of Proposed Development	<p>The proposal is seeking consent for:</p> <ol style="list-style-type: none"> Proposed Land Uses & Staged Construction of (see details in <i>Section 3</i> of this Report): <ol style="list-style-type: none"> Commercial premises (primarily office or business premises, but group term is preferred for flexibility); Commercial premises (primarily retail premises, but group term is preferred for flexibility); Serviced apartment building; Adaptive re-use of heritage listed former brewery tower as a dwelling house; New detached dwelling house. Subdivision: including consolidation of the existing fifteen (15) lots as an early stage and later subdivision into five (5) lots with separate lots for each of the five (5) key uses above. Associated works necessary to support the development including, but not limited to: <ol style="list-style-type: none"> Earthworks & associated retaining walls; New or amended driveways / access points to Howick St and Princes St; Associated basement or at-grade parking, manoeuvring and service areas; Associated terrace/piazza/open spaces and landscaping; and Connection to, and redevelopment of, essential utilities (including sewer realignment); Signage as shown on the plans (Quest building and navigational signage only). Staging: of Subdivision & Construction (as set out in <i>Section 3</i> of this Report).

SoEE, Mixed-Use Development, 48 Bentinck & 178 Howick Streets BATHURST NSW

Consent Authority	The estimated development cost is likely to be below \$30 million dollars so it is expected that the matter will NOT be referred to the Western Regional Planning Panel ('Panel') by Bathurst Regional Council ('Council')
DA/CC	Development Application (DA) only
Development Type	This is Local Development NOT Integrated Development. <i>Whilst new access to Howick St or Princes St may be a Section 138 Roads Act matter – Council is the roads authority for these local roads so no referral to RMS is required. No new access to Bentinck St is proposed. This is also a local heritage item (not a State listed item). Any works in the street frontage can be appropriately conditioned and are matters for Council.</i>
Add. Council Approvals	This application is likely to require further Section 68 approval(s) under the <i>Local Government Act 1993</i> including new connections to sewer and water, new Liquid Trade Waste connections and new road connections (that can be conditioned).
Concurrences/ Referrals	RMS: Under <i>SEPP (Infrastructure) 2007</i> – Part 3 Division 17 & Schedule 3 – Traffic Generating Developments – the development is likely to require referral to the Roads & Maritime Services (RMS) as Bentinck St is a classified road and within 90m of existing or proposed new access points to the Site for 50 or more car parking spaces. Essential Energy: Under <i>SEPP (Infrastructure) 2007</i> due to relocation of the sub-station. NSW Police: DCP Cl.15.4 – Referral to NSW Police Service – CPTED for all medical centres and serviced apartments with 8 or more separate rooms. National Trust: DCP Cl.2.8 – As on National Trust Register – Referral to Bathurst Branch for 14 days.
Staged Development	This is NOT a CONCEPT proposal within the meaning of the EP&A Act 1979 as approval is sought for construction/use of all buildings. However, it may seek staged construction certificates (as per Staging in this Report) so conditions of consent will need to align with these stages.
Advertising/ Notification	Section 2 of the DCP: (Similar to Community Participation Plan Draft) 2.2 Exhibited Development – Council has stated that this application will be advertised due to potential works on a listed heritage item and the significance of the development. We suggest exhibition for 14 days (minimum) is sufficient & exceeds the minimum 10-day notification period. We suggest that exhibition may mean the notification area can be restricted to immediately adjacent or affected lots. 2.3 Notified Development – It is expected the application will be notified under Cl.2.3.1.3 – Other Notified Development in all zones due to potential impacts on adjoining land.
Council Meetings	<ul style="list-style-type: none"> 14/11/18 - Informal meeting – Neil Southorn (Director); Janet Bingham (Strategic); Richard Denyer (Development Assessment); Lucie Clifton (Development Assessment). Preliminary discussion on broad project parameters and way forward. 12/12/18 - Informal meeting – Neil Southorn (Director); Janet Bingham (Strategic); Richard Denyer (Development Assessment); Lucie Clifton (Development Assessment). More detail on progression of model, possible variations to controls, and engagement with Councillors and community. 13/02/19 – Presentation of Concept Design to Councillors at Bathurst Regional Council. 13/03/19 – Presentation to National Trust and other interested Heritage advisory groups at IDG Offices (with Mr Neil Southorn from Council present). 20/05/19 – Informal Pre-Lodgement Meeting with Council's Heritage Team & Advisor (Janet Bingham; Kylie Christian; Ashlee Cutter). 29/05/19 – Formal Pre-Lodgement Meeting - minutes provided by letter dated 20 June 2019. 4/09/19 – Informal Meeting with Neil Southorn & Richard Denyer.

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1.3 Supporting Plans & Reports

The proposed development is supported by the following plans and reports (in addition to this Statement of Environmental Effects (SoEE)) that form part of the application (in accordance with Council's DA Checklist):

Consultant	Report / Plans	Consultant Name
Surveyor	Survey	Usher & Co Pty Ltd
Architect	Urban & Architectural Statement	Integrated DESIGN Group (IDG)
Site Analysis & Urban Design	Site Context (Bathurst CBD) Site Analysis (Block & immediate surrounds) Public Interface Plan <i>(Please also see Site Analysis in this SoEE)</i>	Integrated DESIGN Group (IDG)
Architecture	Set of Plans for All of Site + for Each Building including cover page, basement & floor plans, elevations, sections, & materials/finishes schedule. Shadow Diagrams (existing; proposed) Compliance Diagrams BASIX commitments	Integrated DESIGN Group (IDG)
Subdivision	Subdivision (Concept) Plan	Integrated DESIGN Group (IDG)
Staging	Staging Plan & Elevations – Stage 1 Service Apartment Building	Integrated DESIGN Group (IDG)
Landscape	Landscape Concept Plan	Glenice Buck Designs
Heritage	Statement of Heritage Impact (HIS)	GBA Heritage (Graham Brooks)
Traffic & Parking	Traffic & Parking Assessment	Traffic Solutions Craig Hazell
Noise	Acoustic Assessment	Acoustik
BASIX	BASIX Certificates for two (2) dwellings	Integrated DESIGN Group (IDG)
Plan of Management	Plan of Management for Serviced Apartments (September 2019) including Security, Staff, Environment, Fire, Noise, Car Parking & Deliveries	Joss Group
Cost	Estimated Cost of Works	Joss Group

We also reference reports lodged as part of previous development applications that are still relevant including:

Consultant	Report / Plans	Date / Version	Consultant Name
Archaeology	Archaeological Research Design	Nov 2012	AHMS
	Archaeological & Development Impact Assessment	April 2007	
Heritage	Conservation Management Plan	2007	GBA
Remediation	Destructive Hazardous Building Materials Assessment (Hazmat Report)	August 2012	Ai Group / Prensa
	Environmental Site Assessment & Geo-technical Investigation	Sept 2012	
	Hazardous Materials Survey	March 2007	
Geotechnical	Geotechnical Investigation Report	18 Oct 2012	GeoAust

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The Applicant is seeking that the following are conditioned as part of the approval and are more appropriate prior to Construction or Subdivision Certificate (as required):

Stormwater	Soil & Water Management Plan can be conditioned under DCP Cl.3.3.6 (Subdivision) – required prior to Construction or Subdivision Certificate (including a Sediment & Erosion Control Plan)
Services	Indicative Services Layout (sewer/water/elec.) including sewer realignment and street lighting
Energy	ESD / Section J Assessment
BCA	BCA Capability Statement
Access	Access (DDA) Report
Waste	Waste Management Plan
Structural	Structural Assessment of the former Brewery Tower

2 EXISTING SITE & SURROUNDS

2.1 Site Context

Please see *Site Context & Site Analysis Plans* by IDG for plans. See *Section 6 - Access, Traffic & Parking* below and the *Traffic & Parking Assessment* for more detail.

2.1.1 Access & Major Roads

The Great Western Highway (Kendall Avenue/Durham St) is located one (1) block to the north-east of the Site with connection via Bentinck St that is also a classified road. Howick St (along the north-eastern edge of the Site) provides direct access into the Bathurst CBD. Access for tourists and visitors from the highway is direct and easy to navigate. Services & Transport

The Site is immediately adjacent to the south-eastern edge of the core of the Bathurst CBD with the *Bathurst City Centre* on the opposite side of Bentinck Street to the north-west and *Stockland Shopping Centre* to the north of Howick & Bentinck Streets.

Most of the major bus routes pass along Bentinck and Howick Streets adjacent to or near the Site with a major bus stop located on Howick St (~80m from the Site) and the Bentinck Bus Interchange (210m from the Site). There CBD taxi rank is also in Howick St (~90m from the Site).

Therefore, the Site has excellent access to services and public transport from the city centre to outlining suburbs.

2.1.2 Open Space & Recreation

The Site is also immediately opposite Carrington Park and Quota Park to the north-east of Howick Street. Bathurst Showground is approximately 250-350m north-east of the Site fronting the Macquarie River parklands. Therefore, there is excellent access to open space and recreation.

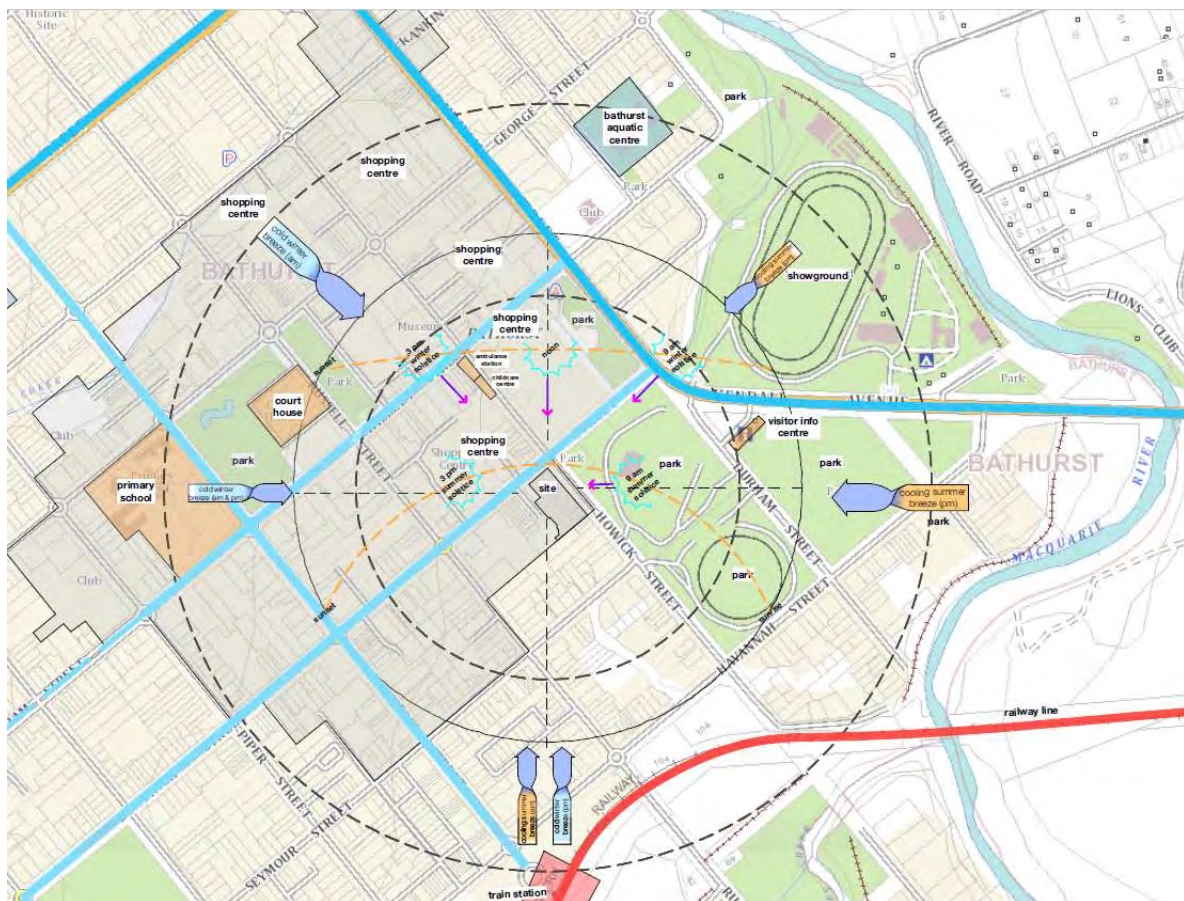


Figure 2: Map showing location of the Site (centre) in relation to Bathurst CBD (Source: IDG Site Context Plan).

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2.2 Existing Site

2.2.1 Location



Figure 3: Aerial photo of the Site (red dotted boundary) (Source: NSW Government SIX Maps) (Note: further demolition has occurred under original consent for Site – see drone imagery below).



Figure 4: Drone Imagery (post-demolition – site cleared of significant vegetation) (Source: Anthony Daintith SoEE April 2016).

2.2.2 Lots & Site Dimensions

The subject site is made up of fifteen (15) lots and 2 street addresses (48 Bentinck St and 178 Howick St). The Site is enclosed by three (3) streets including: Howick Street; Bentinck Streets; and Princes Street (cul-de-sac) that provide access and a street frontage. These are key streets at the southern edge of the Bathurst CBD.

As demonstrated on the attached *Site (Analysis) Plan*, the site has a total area of ~5,139.8 m² (see *Survey*). The Site is roughly rectangular if it includes No.50 Bentinck St (outside this application) though Lot 2 DP184456 has an irregular south-western boundary. The following are some of the key Site dimensions:

- a) ~101.4m frontage to Howick St (north-east);
- b) ~42.4m frontage to Bentinck St (north-west) (excluding No.50 Bentinck St) or ~53.8m (incl. No.50 Bentinck St);
- c) ~37m frontage to Princes St (south-west) (excluding No.50 Bentinck St) or ~65.8m (including No.50 Bentinck St).

The site / 'block' is oriented to Bathurst's CBD grid pattern at roughly 40-45 degrees off true north.

2.2.3 Site Levels

The Site has a significant fall from roughly west to east, diagonally across the Site. This is not an even slope with most of the fall near the centre of the Site. It creates a significantly lower area in the south-eastern corner (on Howick St) with the high points along Princes St (see *Survey Plan* for details), as follows:

- a) High point close to the intersection of Bentinck and Princes Streets at around RL659;
- b) Low point close to the south-eastern corner of the Site on Howick St at around RL652.4;
- c) This is a total fall of around 6.6m (over two storeys) over the diagonal of the Site.

The Site levels affect site accessibility, level pedestrian access and vehicle access and drive the potential for upper and lower level semi-basement parking that steps down the Site with a podium level for above for level pedestrian access from Princes St and some of Bentinck St.

2.2.4 Brief Site History

The Site is a listed (local) heritage item and it is also in a heritage conservation area that covers the entire Bathurst CBD. Please see *Section 4 – Development Compliance* in this Report supported by more detailed historical/heritage analysis in the *Statement of Heritage Impact (SHI)* and the *Urban & Architectural Statement (IDG)* attached.

The Site contained a former Convict Hospital that was constructed in 1824 but burned down in 1878. It consisted of four (4) large rooms with verandahs and was a simple structure. It may have also had a number of outbuildings and gardens.

The Bathurst Co-operative Dairying Co Ltd was formed in late 1901 and tendered for the construction of a new butter factory that opened on the Site on 10 October 1902. It diversified into freezing of meats, ice manufacture and installed a new pasteurising plant in 1938.

In 1908 Walker & Co purchased the swimming baths land at the end of Princes St and erected a brewery in and around the 'brewery tower' that is the key heritage item on the Site.

Following the liquidation of the brewery in the 1930s, this part of the Site was used as a soap factory trading as 'Macquarie Soap' that operated until the 1950s.

In the 1980s, the main milk operations were moved to Dubbo, though the Site continued to operate as a milk receival factory and for the production and distribution of cream, plain and flavoured milk (including 'Moove' milk). The Dairy Farmers logo was added to the tower more recently.



Figure 5: Excerpt from Environmental Site Assessment showing original layout for Dairy Farmers Site (pre-demolition) (Prensa 2012 DA2013).

2.2.5 Existing Buildings & Vegetation

As explained below, Council granted a development approval for the Site in 2013 that includes the demolition and clearance of most of the Site except for the key heritage buildings. The remaining building on the Site includes the former brewery and soap factory on Lot 2 DP184456 as well as the former cool rooms (No.50 Bentinck St – subdivided and not part of this application). The brewery tower is the primary heritage item on the Site though there may be heritage archaeology from former uses. Otherwise, the Site is cleared of buildings and vegetation (except for some recent minor regrowth).

2.2.6 Site Photos

The following are photos showing the Site after demolition (*Source: Google Street view*).



Figure 6: Corner Bentinck & Howick Streets (view south across Site).



Figure 7: Corner Bentinck & Princes Streets (view east across Site).



Figure 8: Near 172 Howick Street (view west across Site).

2.3 Surrounding Sites

The following is a short description of the immediately adjacent or surrounding sites relevant to this application:

1) Adjacent commercial development:

- a) Adaptive re-use of former Cool Rooms (local heritage item) as a commercial (office) premises known as 50 Bentinck St (corner of Bentinck St & Princes St) on Lot 111 DP1232551. Three (3) storey brick building with high gabled roof that sets a key reference in building scale and form for development of the Site (see *Urban and Architectural Statement*). It has been subdivided from the Site and does NOT form part of this application / site area but the plans show how it can be integrated into the overall Site;
- b) New commercial (office) premises at No.2 Princes St that is tenanted by a NSW Government Department. The building is well setback from the Site with the parking area in front. It sits at a higher level than some parts of the Site resulting in existing retaining walls and sloping land. This building is unlikely to be significantly affected by the proposal.

2) Residential area to the south-east of Site: To the south-east the zoning transition from commercial to Zone R1 General Residential and is dominated by lower-scale residences. These are generally 1-2 storey dwellings on a range of lot sizes but does include some higher/more dense residential flat buildings. Immediately adjacent are:

- a) No.172 Howick St – adjacent to Site on Howick St frontage; single storey cottage; not heritage listed but in HCA; small lot; limited side setbacks; limited front setback; similar architecturally with No.168 Howick St;
- b) No.170 Howick St – battle-axe lot; adjacent to Site to south; 1-2 storey dwelling; not heritage listed but in HCA; larger lot with large garden; partly affected by No.2 Princes St;
- c) No.168 Howick St – single storey cottage; not heritage listed but in HCA; small lot; limited side setbacks; limited front setback; similar architecturally with No.172 Howick St (not immediately adjacent so limited impact);
- d) Further down Howick St there is a mix of dwelling types ranging from single detached dwelling houses to small residential unit / apartment buildings (e.g. No.31 Seymour St) of 1-2 storeys in height.

3) Residential area to the south-west of the Site:

- a) Gladstone Terraces – No.52-60 Bentinck St – Five (5) attached two-storey terrace houses fronting Bentinck St with limited front setback and garages in rear yard to rear lane; All listed heritage items (Item No.12) and in HCA; limited windows of north-eastern terrace facing Site;
- b) No.62 Bentinck St – One attached two-storey terrace similar to and attached to Gladstone Terraces but slightly more setback from street; Listed heritage item (No.13) and in HCA; not directly visible from Site except in rear yard;
- c) 3 Cottages – 4-8 Princes St – 3 single storey cottages on narrow lots separated from the Site by Princes Street; not heritage items but in HCA; located south-east of the Site but likely to be limited impact;

4) Commercial CBD buildings (primarily shopping centres and retail) to the north-west and north of the Site:

- a) Commercial/retail premises on the western corner of Bentinck and Howick Streets. Some of these are state listed heritage items. The heritage items are low-scale and set a reference for lower-scale development towards the corner;
- b) *Bathurst City Centre* (Bentinck & Howick St frontages to the west of Site) – 2-3 storey shopping centre that has ground level parking and vehicle access from Bentinck St and a generally blank/non-active frontage. This development would not be affected significantly by the Site but people may connect to the Site from the underground parking area;
- c) *Stockland Shopping Centre* (Bentinck & Howick St frontages to the north of Site) – 2-3 storey shopping centre that has ground level parking and vehicle access from Bentinck St and a generally blank/non-active frontages. This development would not be affected significantly by the Site.

5) Recreation and open space to the north-east of the Site:

- a) *Quota Park* – is a small park at the corner of Bentinck & Howick St and includes a small memorial, some passive recreation areas, and limited medium sized trees and plantings. This area is significant to the community but appears to be somewhat under-utilised, possibly due to traffic on Bentinck St impacting amenity and the isolation of the park;
- b) *Carrington Park* – is a large recreation ground with sporting activities that has access from Howick St further south-east of the Site. It is partly shielded by significant street trees and oriented away from the Site.

2.4 Recent Development Approvals/Works

2.4.1 2007 Approval

In 2007, Council granted consent to demolish most of the buildings on the site and construct a shopping centre and associated carparks, etc. At this time, Graham Brooks and Associates (now GBA Heritage Pty Ltd) prepared a *Conservation Management Plan* (CMP) and *Statement of Heritage Impact*. The project did not proceed.



Figure 9: Image from 2007 Approval for a Shopping Centre on Site (Source: D+R Architects June 2007).

2.4.2 2013 Development Approval – DA2012/0518 ('DA2013')

In 2012 the site owners lodged Development Application No.2012/0518 over the land including No.50 Bentinck St (Note: Lot description includes Lots 3 & 4 DP2067 that don't currently exist but did not include Lots 111-112 DP1232551 - we assume are the same).

It is important to NOTE that this application would have been lodged prior to the preparation of the *Bathurst Regional Local Environmental Plan 2014*. There were no height controls in the LEP but there were in the DCP.

This was approved on 16 September 2013 ('DA2013') including (see elevations below):

- Demolition of two (2) dwellings (assumed to be on Lot 1 DP2067 & Lots 26-27 DP2067);
- Partial demolition of Dairy Farmers Cool Room ancillary building & restoration of tower building;
- Construction of 40 serviced apartments in 3-4 storeys above basement parking (total up to 5 storeys);
- Café, retail premises & commercial premises;
- Basement and at-grade car parking (particularly around the heritage items).



Figure 10: 2013 DA – Howick St Elevation.

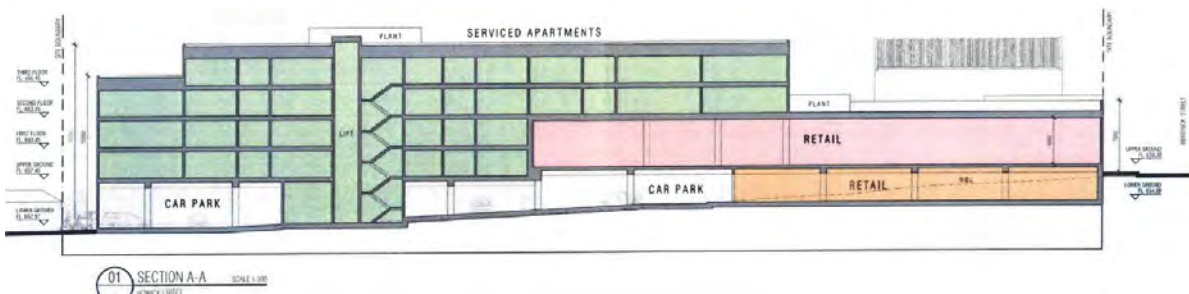


Figure 11: 2013 DA – Section A-A.

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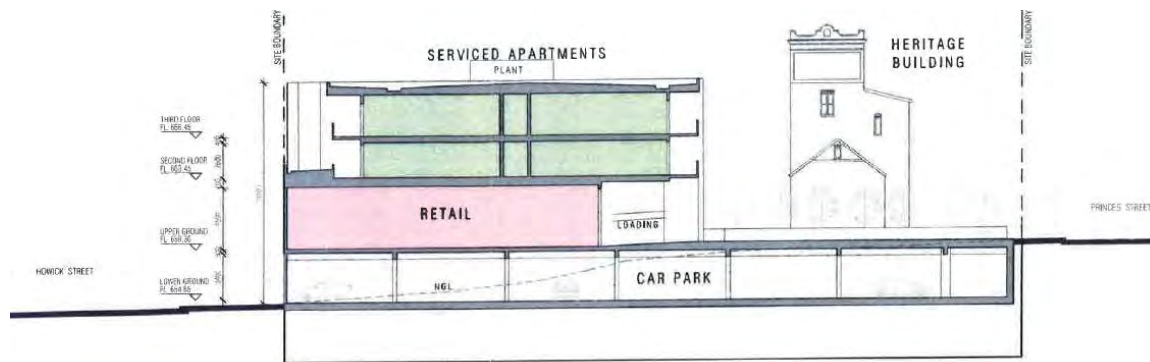


Figure 12: 2013 DA – Section C-C.

This consent was physically commenced within the five (5) year approval period and is still 'active' at this time.

Some key facts from the 2013 Approval include:

- Site Area** 5,461m² / **Total Floor Area** – 8,375m² - Apartment GFA 4,208m² / Retail GFA 2,735m² / Café GFA 1,202m² / Office GFA 230m²;
- Apartments total 40** – 13 two bedroom / 25 two-bedroom twin key (50 keyed) / 2 three-bedroom twin key (4 keyed) (67 keyed rooms in total) (7 Upper Ground / 9 First Floor / 13 Second Floor / 11 Third Floor);
- Height/Levels** - One (1) to two (2) storey retail (partly basement) and four (4) to five (5) storey apartments – car parking & retail LG / retail & apartments UG & heritage café / heritage office & apartments 1st Floor / heritage office & apartments 2nd Floor / Apartments 3rd Floor;
- Car Parking total 123 spaces** – 42 spaces (Apartments) / Retail LG 43 spaces / Retail UG 38 spaces with parking at-grade from Princes St around heritage items;
- Height** – Maximum RL670.45 (5 storeys);
- Vehicle Entrances/Exits** – 6 total – 3 to Howick St; one (1) to Bentinck St; two (2) possible to Princes St (12.5m truck access to/from Princes St).

2.4.3 2014 Demolition

In 2014 the owners undertook demolition and remediation works on the Site in accordance with the 2013 approval. The Site was cleared of all buildings except for the former 'brewery tower' (and the adjacent Dairy Refrigeration Factory now on the adjacent lot). All significant vegetation was cleared from the Site.

2.4.4 2015 Subdivision Approval

In 2015 there was a subdivision (boundary adjustment) approval. Lot 111 (No.50 Bentinck St) was created at the corner of Bentinck St and Princes St and is now in separate ownership (not part of this application). Lot 112 adjacent was also created as part of the boundary adjustment. This also included a right-of-way 6m wide for access from Princes St and Howick St (benefiting the lots fronting Bentinck St).

2.4.5 2016 Development Refusal – DA2016/116 ('DA2016')

In 2016, a new Development Application No.2016/116 ('DA2016') was lodged with Council. The key difference with DA2013 is that it was a 'stand-alone' application for the Serviced Apartments component and did not include the other supporting commercial uses or remainder of the Site. Key facts include:

- Site Area** - 2,210.7m² / **Total Apartment Floor Area** – 8,375m²
- Apartments Total 42** – 10 two-bedroom (2013-13) / 28 two-bedroom twin key (2013-25) / 4 three-bedroom twin key (2013-2) (total 74 keyed rooms); Levels - 10 on L1 / 12 on L2 / 12 on L3 / 8 on L4;
- Four (4) storey Apartments** with one-part sub-level parking (similar to 2013 approval with no step down to adjacent but further setback from south – see Part North Elevation below);
- Car Parking total 45 spaces** – 38 standard; 4 accessible; 3 short-term;
- Height** – Maximum RL669.73 (5 Storeys).

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Figure 13: DA2016 Perspective of Proposed Serviced Apartment Building.

This application was refused by letter dated 27 June 2016 on a range of grounds – summarised as breaches of the height and floor space ratio (FSR) controls, insufficient parking, and not being in the public interest.

Subsequent discussions with Council and heritage stakeholders have highlighted that the major concern was that the 2016 DA did not produce an integrated approach to the Site or the buildings along Bentinck St that would have the greatest impact on the heritage conservation area (HCA) and streetscape. Therefore, there was not sufficient justification for the breach of height or floor space ratio under the controls and it was not in the public interest.

Another significant issue was that the architecture of the serviced apartment building was not responsive to the desired character of the Bathurst area. We believe these key issues have now been addressed as part of this application.

3 PROPOSED DEVELOPMENT

This Section provides a more detailed summary of the Proposed Development, its key design principles, and details for which this Application seeks approval.

3.1 Development Summary

The proposal is seeking consent for:

1) **Proposed Land Uses & Staged Construction** (as summarised from the plans in the following table):

Use	Commercial (Office/Business) Premises	Serviced Apartments	Commercial (Retail) Premises	Brewery Tower (Dwelling)	New Dwelling	Total (if applicable)
Street Frontage	Bentinck St (around to Howick St)	Howick St	Princes St	Near Princes St (battleaxe frontage)	Near Princes St (battleaxe frontage)	N/A
Storeys	Up to 3 storeys over basement parking	Up to 4 storeys over basement parking	2 storeys over basement parking	As existing	2 storeys over lower garage	N/A
GFA (m²)	1,803.08	4,546.94	233.79	252.90	226.56	7,063.27
Lot Area Prop (m²)	1,452.66	2,062.87	690.07	442.60	491.61	5,139.81
FSR	1.241:1	2.204:1	0.339:1	0.571:1	0.461:1	1.374:1
Tenants/ Units/ Beds	Up to seven (7) commercial tenants	42 combined / 75 keys / 87 beds	Likely one (1) tenant	3-bedrooms + study	4-bedrooms	N/A
Car Parking	39 spaces (all secured a/h)	49 spaces = 35 secured + 11 unsecured + 2 drop-off area + 1 loading	22 spaces	4 Total = 2 garaged + 2 off Princes St	2 Total = 2 garaged	113 Perm. to 116 (includes 3 short-term) spaces
Hours of Operation Proposed	7am to 7pm / 6 days (Mon-Sat)	24-hour / 7-days a week	7am to 10pm (Mon - Sat) / 8am to 8pm (Sun)	N/A	N/A	N/A

2) **Subdivision:** including consolidation of the existing fifteen (15) lots as an early stage and later subdivision into five (5) lots with separate lots for each of the five (5) key uses above.

3) **Associated works:**

- Earthworks & associated retaining walls;
- New or amended driveways / access points to Howick St and Princes St;
- Associated basement or at-grade parking & manoeuvring areas;
- Associated terrace/piazza/open spaces and landscaping; and
- Connection to, and redevelopment of, essential utilities (including sewer realignment);
- Signage as shown on the plans (Quest building and navigational signage only).

4) **Indicative Staging** (as follows):

- Consolidation of all lots on Site;
- Safety works to Brewery tower (as required);
- Construction of Serviced Apartment building including earthwork, access & basement parking construction;
- Subdivision into five (5) lots (set out above);
- Construction of F&B basement parking and podium;
- Following stages as market demands:
 - Construction of commercial building;
 - Construction of food & beverage building & piazza (public space);
 - Fit-out & restoration of brewery tower;
 - Construction of dwelling-house.

3.2 Key Design Principles

3.2.1 Summary

This is a brief summary of some of the key design principles that influenced the design process. Please see the *Urban & Architectural Statement* (IDG) from which these design principles are summarised.

The key change from the 2016 DA refusal is that the current application now encompasses an 'integrated' whole-of-site approach that enables Council and the community to see how the built form and public space outcomes work together between each of the buildings. The redesign of the Site is driven by a desire for an improved heritage and urban design outcomes. The key benefits include, but are not limited to:

- 1) Integrated approach to the adaptive re-use, connection, sight-lines, space and activity around the Brewery Tower heritage item that are more likely to result in its appreciation, restoration and maintenance;
- 2) Sensitive approach to the sight-lines and appreciation of form and materials of No.50 Bentinck St as well as the response to the broader heritage conservation area / street character;
- 3) Improved pedestrian connection(s), activation of the centre of the Site, and linking of activities/uses;
- 4) Improved separation of vehicle parking and movements (mostly at basement level) from pedestrian and activated areas (mostly at ground level);
- 5) Improved articulation and façade design/materials that responds to the surrounding heritage items, conservation area, and street character of Bathurst.

The redesign of the Site also allows for improved efficiencies in the design of the serviced apartment building including more regular layouts, new entrance/reception and porte-cochere (drop-off zone) arrangement, improved façade and articulation, secured parking arrangements, and other features that better align with the needs of serviced apartment providers like Quest Apartments.

3.2.2 Views to/from the former Brewery Tower

The key challenge for the Site was to protect and enhance the main heritage item on the Site – the former brewery tower (as well as adjacent heritage items and streetscapes).

As the brewery tower is located towards the south-western end of the Site away from most street frontages, it offers additional challenges for any views to the tower. Whilst the now cleared site provides full views to the tower from a number of vantage points, this was not how the tower was originally appreciated.

We suggest that views may range from the top of the tower to the full profile of its facades and that full views of the tower from a variety of angles is inconsistent with the fact this was an industrial site with large format industrial buildings (and dwellings) wrapped around the tower. Instead, it should act as a focal point but also draw people into the Site to reveal the full façade as you get closer, particularly from Bentinck and Princes Streets.

As the diagram opposite show, we suggest that the key view lines (in terms of relative importance) were:

- From the corner of Bentinck and Howick Streets (CBD gateway);
- Along Princes St where there have always been full views of the tower; and
- The frontal view along the side of No.50 Bentinck St;
- Top of tower views from surrounds.

These site lines guided height and form of the proposed development. This allows the consideration of some height along Howick St and Bentinck St away from the corner and setback from No.50 Bentinck St.



views

Figure 14: Priority views to former brewery tower (*Architectural Statement*).

3.2.3 Site Levels & Accessibility

As discussed above, the Site has some significant level changes across the Site, with much of the south-eastern part of the Site at 4-6 metres below the levels on Princes St including No.50 Bentinck St and the brewery tower.

This is a constraint in terms of providing level pedestrian access across the Site but an opportunity in terms of separating primary vehicle access and parking into semi-basement levels below pedestrian access and connection level(s) closer to the Princes St level. This is addressed in more detail below.

3.2.4 Pedestrian Entrance & Connectivity

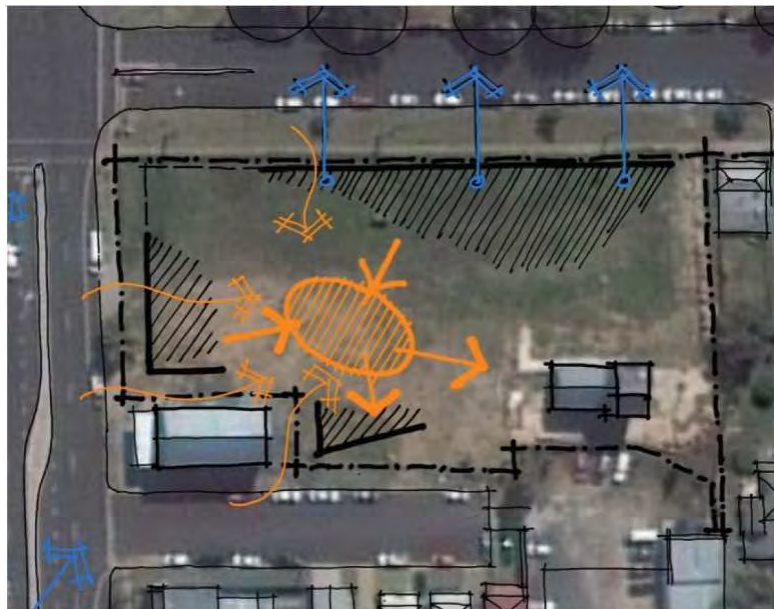
The levels of the Site create a challenge for both entering and activating such a large Site, particularly when the key heritage item is located at the southern (rear) of the Site and Princes St is not a through-street. Whilst there are significant pedestrian movements coming down Howick St, there are also connections through the shopping centre parking level opposite and now to the new commercial office building at the end of Princes St.

The architect has based the design around creating a 'movement economy' that focusses around a central terrace (or Italian style 'piazza') that will be surrounded with active internal edges that opens up a view line down to the brewery tower along the edge of No.50 Bentinck St.

This sets up the 'primary' public entrance to the Site from Bentinck St or Princes St and allows reasonably level access across the terrace connecting each of the uses.

Access can also be gained from Howick St at a level below with activation by the serviced apartment reception that connects up through the lobby to the terrace.

Figure 15: Pedestrian access & activation of the Site (Architectural Statement).



pedestrian movement

3.2.5 Vehicle Access & Servicing

Vehicle access is limited to Howick St (and to a much lesser extent, Princes St) to locate driveways away from intersections and to avoid vehicle access to Bentinck St (classified road) with higher traffic volumes and a median strip.

Unlike the 2013 DA that had six (6) access points – this application only seeks four (4), reducing impacts on streetscape and increasing vehicle/pedestrian safety.

Howick St becomes the primary vehicle access to basement parking for all uses with a logical path of travel and safe egress to Howick St.

On Howick Street, there is a vehicle entrance at >30m from the Bentinck St intersection with the vehicle egress at the south-eastern end of the Site furthest from the intersection for improved safety.

Figure 16: Vehicle access & movement (Architectural Statement).



car movement

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Princes St only has limited parking for the Brewery Tower and access for parking for No.50 Bentinck St (not part of the Site). A new turning head at the end of Princes St resolves a lack of turning space for service and waste vehicles that can also be used for servicing the commercial (food & beverage area) and accessing the parking for the brewery tower. Princes St could provide some additional street parking if parking is re-oriented from parallel to perpendicular (outside site area/not part of this application – but for Council to consider).

Unlike the 2013 DA approval, most of the at-grade parking around the heritage items has been removed and relocated to the basement. This has a significant public benefit by improving the use and design of the space around the heritage items whilst improving pedestrian safety and amenity to activate the central terrace.

3.3 Key Uses

3.3.1 Commercial (Office) Premises

The commercial office building is located at the most visible part of the Site on the corner of Bentinck and Howick Streets and integrates the site back into the Bathurst CBD. The northern part of the Site has a number of complexities in responding to its context with different height and building forms on each of the adjacent corners and heritage overlays.

The architect has utilised the skeletal 'shadow' of the height and form of the heritage building on the adjacent No.50 Bentinck St (former Cool Rooms) to create two gabled buildings with a central atria and entrance, but using different proportions of solid to transparent materials so it does not reduce the visual strength of the heritage building.

Towards the corner of Bentinck & Howick Streets, the building steps down to create a lower-scale that:

- Is sympathetic to the state listed heritage items on the north-west side of Bentinck St;
- Opens up views to the former brewery tower behind when approaching south-east down Howick St or south-west along Bentinck St towards the Site; and
- Reduces the scale of building(s) opposite Quota Park so as to not dominate this local park.

The commercial building is broken up into potentially up to seven (7) separate tenancies over three (3) levels. There are only two (2) stories at the corner element (with a roof terrace above) and three (3) stories in the hipped roof buildings over the atrium.

A basement level of parking is provided under the commercial building that would meet the needs of the floor space provided and includes waste storage areas, accessible parking and bicycle parking.

3.3.2 Serviced Apartments

Please see the attached *Plan of Management for Serviced Apartments* that provides more detail on a range of operational matters including, but not limited to: services, security, staff, guest policy, environmental policy, fire safety, noise management, car parking and deliveries etc.

A new four-storey serviced apartment building (over a basement parking level and reception/porte-cochere area) is proposed along the Howick Street frontage. It will have a total of 42 combined units (or 75 keyed units) as per the table below:

Level	Studios	1-Bedroom	2-Bedroom	Dual-Keyed Units	Combined Units
L1 (Ground)	8	7	2	17	9
L2 (1 st)	7	6	3	16	9
L3 (2 nd)	10	8	4	22	13
L4 (3 rd)	9	8	3	20	11
Total	34	29	12	75 Keys	42 Combined Units

The serviced apartments will provide accommodation for tourists, visitors and families working in and travelling around the Bathurst region. The proposed apartments are primarily designed for short and medium-term stays. All units are designed to be self-sufficient, though Quest provides a number of services to assist tenants including pantry shopping, breakfast packs, restaurant charge back, valet and dry-cleaning services etc. As a result, guests are expected to contribute significantly to the local economy.

Whilst the majority of units are studios or one-bedroom units, the majority of units have a connecting door to the adjacent unit (dual-keys) so that they can be combined into two (2) and three (3) bedroom units to cater for larger

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families and groups. This will diversify the accommodation range and types to meet market demand whilst providing flexibility in operation. The likely operator of this facility will be Quest.

This application is seeking approval for 24-hour / 7-day-a-week operations, though the facility is locked from 10pm to 7am with swipe card / pin key access only and night-manager present for enquiries.

There will be an average of four (4) full-time staff employed, though some additional maintenance/cleaning staff are expected during normal business hours that are off-peak parking times. This potentially includes:

- 1) Morning/Day shift (7am to 3pm)
 - a) 1 Manager/Deputy Manager
 - b) 2 Reception staff
- 2) Afternoon/Night Shift (3pm to 11pm)
 - a) 1 Duty Manager
 - b) 1 to 2 Reception staff
- 3) Maintenance staff - Up to 6 Room Attendants/Maintenance Staff during day-time
- 4) Overnight Shift (11pm to 6am) - 1 On Site Manager

This building will have an active frontage to Howick St through the reception but is setback in accordance with adjacent buildings. It offers views from each of the north-east facing units out over Quota and Carrington Park. It will provide a key gateway building with ease of navigation from the Great Western Highway. Its form will terminate the southern edge of the CBD as it transitions to the adjacent residential area.

The primary vehicle access for the entire Site from Howick St is located between the corner commercial building and adjacent serviced apartments. This driveway location provides sight-lines directly to the reception area and a 'porte-cochere' or drop-off and pick-up point with temporary parking.

This then leads around the building and down the ramp to the primary parking area (lower basement level) under the building with secured and unsecured spaces, accessible spaces, bicycle parking and waste storage areas (as well as plant and ancillary service rooms for the development). The majority of these spaces are secured by swipe-card entry for vehicle security. Vehicle egress from the building (and for the Site) is then out to Howick St at the south-eastern end of the Site.

3.3.3 Commercial (Retail - Possible Restaurant/Café) Premises - 'Food & Beverage' Area

Along the Princes St frontage and in-front of the Brewery Tower there is a proposed low-scale two-storey building that could be used to activate the central piazza/terrace and bring people into the central space.

Whilst this application seeks approval for the building and its facades, the fit-out and future use will occur as part of a future application (if required). However, the building (and its relationship to the terrace) lends itself to use for a possible restaurant/café and outdoor dining area or a retail use fronting out onto the terrace. It has approximately 234m² of floor space over two levels as well as a services/waste storage area at the southern end.

The building is shaped so it narrows at the southern end to provide views to the Brewery Tower along Princes St (and possibly from Bentinck St) and invites people into the Site. It has predominantly glass frontages opening out to the terrace (north-east and north-west) and more solid facades to the south-west and south-east elevations.

Indicative signage location is shown but does NOT form part of this application. Beneath this 'Food & Beverage' Area there is a basement level of parking with a stair access up to the terrace level.

3.3.4 (Former) Brewery Tower - Dwelling

It is proposed to adaptively re-use the key heritage item, the Brewery Tower, as a detached dwelling house. Whilst this is a unique way to adapt a former industrial building, the rationale is that:

- The smaller floor spaces on each level are well suited to this use (commercial uses usually require larger floor plates and greater connectivity between floors) making it more attractive to potential owners;
- A residential use is more likely to result in the restoration and long-term maintenance of the building; and
- It allows for a transition in land use between the commercial northern end of the Site down to the residential zone/uses adjacent to the south.

The proposed adaptation of the building seeks to minimise impacts on the main building fabric and requires minimal new openings and connections. The site design responds to and retains most of the levels around the existing building including the existing driveway ramp.

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The Proposal includes alterations that will introduce:

- An enclosed glass stairway (north-east elevation) that connects the lowest level with the Princes St living level;
- An outdoor but enclosed private open space (courtyard) to the north-west of the lower tower extension;
- An internal stair and rooms as shown in the tower;
- A terrace to the north-east at the upper basement level with stairs and screening; and
- An external connection/stair to a double enclosed garage under the adjacent dwelling lot.

The tower has limited windows to the north-east (towards the serviced apartment building). There are two (2) small windows on the first floor (into the void) and the living space window opens into the enclosed glass stairway so there are limited issues of privacy or over-looking.

3.3.5 New Detached Dwelling

The design includes a new detached dwelling in the southern corner of the site that aims to transition in use and building scale to the adjacent residential zone and No.170 Howick St. This is a two (2) storey building (with flat/skillion roofs) sitting above two (2) double garages (2 spaces/1 garage is for this dwelling and the other is for the Brewery Tower). The building terraces up the slope of this land. It has four (4) bedrooms, rumpus and living spaces and a large terrace. Stairs go down to an underground storage area and basement garage.

It has no significant windows or openings to the south-west to preserve the privacy of the dwelling from the commercial building adjacent. It has a significant setback to the boundary of No.170 Howick St and reduces the glazing to protect the privacy of the adjacent dwelling at the lower level and is also screened by a line of shrubs/trees. The majority of the glazing is to the north-east and north-west. The location at the southern end of the site and its setbacks from the serviced apartment dwelling combined with landscaping at the northern end of the terrace provide reasonable levels of privacy.

The primary private open space is the terrace above the garages, but it also has a more private but smaller open space to the rear.

3.3.6 Subdivision

The *Subdivision Plan* shows an indicative layout for the final arrangement of lots for the Site.

It is proposed to consolidate the existing lots prior to commencing any building works for the Serviced Apartment Building (see Staging). This will then enable some development works that benefit all of the lots such as access and egress, sewer re-alignment and servicing to occur prior to arranging the easements/subdivision pattern to cover these shared services (the hatched purple areas on the plan).

Once the Serviced Apartment building is constructed, it is then proposed to seek a Torrens Title subdivision to create five (5) lots associated with each of the key land uses/building as follows:

- Commercial Lot ~1,426m²;
- Serviced Apartment Lot ~2,063m²;
- Food & Beverage Lot ~754m²;
- Brewery Tower Lot ~378m²;
- Dwelling Lot ~492m².

The purpose of Torrens Title subdivision is to allow individual land uses/buildings to be owned and operated by different future owners rather than using strata or community title that have additional costs and management requirements.

Rights-of-way/easements will be placed across lots to enable shared access and utilities to enable each lot to be serviced and utilised.

We suggest any conditions of consent should be appropriately worded/staged so there are no major obligations PRIOR to consolidation of the Site. Then key conditions can be made PRIOR to re-subdivision, as appropriate.

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3.3.7 Early Stage – Serviced Apartments

It is intended to construct the Serviced Apartment building as one of the earlier stages because they are one of key future tenants driving this development application process, they are ready to invest in the Site, and they have a narrow window to open such a facility before they would need to look at other Sites.

The Serviced Apartment building has been designed to be constructed as a stand-alone facility, though it would benefit from the additional connectivity offered by the completion of the entire site master plan/design.

As stated above, the Serviced Apartment site also sets up some of the necessary services that enable the other lots to develop including vehicle access and egress, utilities/services realignment and capacity, and site levels and base earthworks.

Plans and Elevations have been provided to demonstrate how the Serviced Apartment building would sit within the Site until such time as the remaining buildings/levels are constructed.

It is expected that the remaining sites, after subdivision, can be developed as soon as the market can respond. However, ideally the corner commercial site would occur early in the process to define the corner of Bentinck St and Howick St and better integrate the Serviced Apartment building into the streetscape.

4 DEVELOPMENT COMPLIANCE (OVERVIEW)

This section addresses the relevant planning policies that apply to the subject site and the proposal. Some of the issues that arise may be addressed in the sections below (where more detail is required).

4.1 Bathurst Regional Local Environmental Plan 2014 ('LEP')

Bathurst Regional Local Environmental Plan 2014 ('LEP') is addressed as follows:

4.1.1 Part 2 Summary

CL.	PROVISION	COMMENT
Part 2	PERMITTED OR PROHIBITED DEVELOPMENT	
2.1- 2.4	Land Use Zones	All proposed uses are permissible with consent (see below). Complies.
2.5	Additional Permitted Uses	Not Applicable.
2.6	Subdivision – consent requirements	Consent is sought for any consolidation and/or further subdivision of lots as set out in this report. It is not exempt or complying development. No secondary dwelling is or will be located on the proposed lots.
2.7	Demolition requires development consent	Consent is sought for any further demolition or site works required (though most demolition has occurred under the 2013 approval).
2.8	Temporary use of land	Not Applicable.

4.1.2 Zoning

The excerpt from Land Zoning Map Sheet LZN_011B shows below, the Subject Site is located in **Zone B3 – Commercial Core** (Blue) and forms part of the Bathurst CBD. It is adjacent to Zone R1 General Residential to the south-east, Zone RE1 Public Recreation to the north-east (opposite side of Howick St), and Zone SP2 Classified Road (Bentinck St).



Figure 17: Land Zoning Map (LEP Map LZN_011B).

4.1.3 Objectives of Zone B3

CL.	PROVISION	COMMENT
Part 2 Land Use Zone	<p>The objectives of Zone B3 Commercial Core are addressed as follows:</p> <ul style="list-style-type: none"> To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community. To encourage appropriate employment opportunities in accessible locations. To maximise public transport patronage and encourage walking and cycling. To encourage development that confirms the role of the Bathurst central business district as the primary retail and business centre in the region. To protect and conserve the historic and scenic quality of the Bathurst central business district as a key economic and social asset. 	<p>The proposal complies with the objectives by locating a significant mixed-use development (with dominant commercial purpose) on the edge of the current CBD where there is excellent access to services, transport & open space. This reinforces the Bathurst CBD as a commercial and retail centre and encourages appropriate employment in an accessible location.</p> <p>It provides tourist and visitor accommodation in close proximity to those services and the highway. It is expected to encourage walking and cycling for employees on the Site as well as users of the commercial/serviced apartments when accessing the CBD due to proximity.</p> <p>It will provide a diversity of commercial and retail spaces with employment/services to support the community, as well as serviced apartments to meet tourist and visitor needs that strengthen the vibrancy of the CBD.</p>

4.1.4 Definition of Use / Activity

This application is applying for the following land uses on the Site:

- a) Commercial premises (primarily office premises – but the group term is preferred for flexibility);
- b) Commercial premises (primarily retail premises – but the group term is preferred for flexibility);
- c) Serviced apartments; and
- d) Dwelling house(s).

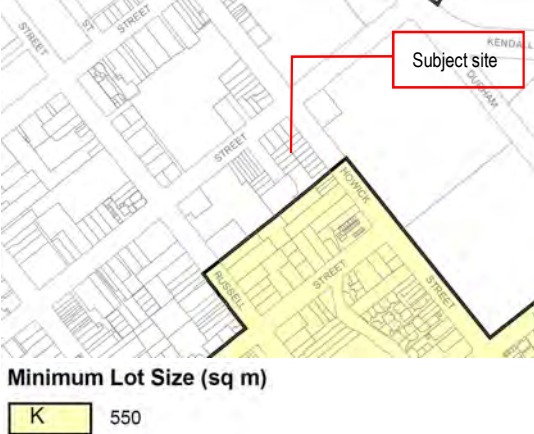
These relevant land uses are defined as follows (grey boxes are GROUP terms):


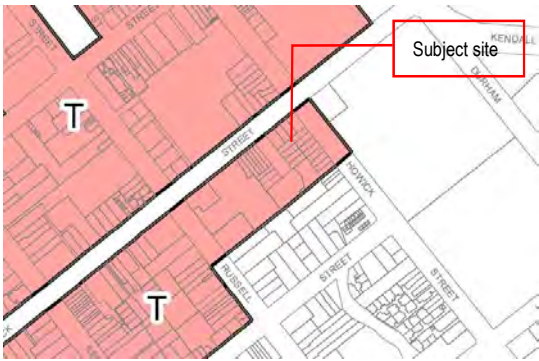
commercial premises means any of the following: (a) business premises, (b) office premises, (c) retail premises.
office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.
business premises means a building or place at or on which— (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or (b) a service is provided directly to members of the public on a regular basis, and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.
retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following: (b) cellar door premises, (c) food and drink premises, (d) garden centres, (e) hardware and building supplies, (f) kiosks, (g) landscaping material supplies, (h) markets, (i) plant nurseries, (j) roadside stalls, (k) rural supplies, (l) shops, (la) specialised retail premises, (m) timber yards, (n) vehicle sales or hire premises, but does not include highway service centres, service stations, industrial retail outlets or restricted premises.
food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following: (a) a restaurant or cafe, (b) take away food and drink premises, (c) a pub, (d) a small bar. Note. Food and drink premises are a type of retail premises—see the definition of that term in this Dictionary.
restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.
tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following: (a) backpackers' accommodation, (b) bed and breakfast accommodation, (c) farm stay accommodation, (d) hotel or motel accommodation, (e) serviced apartments, but does not include: (f) camping grounds, or (g) caravan parks, or (h) eco-tourist facilities.
serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents. Note. Serviced apartments are a type of tourist and visitor accommodation —see the definition of that term in this Dictionary.
residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following: (a) attached dwellings, (b) boarding houses, (c) dual occupancies, (d) dwelling houses, (e) group homes, (f) hostels, (g) multi dwelling housing, (h) residential flat buildings, (i) rural workers' dwellings, (j) secondary dwellings, (k) semi-detached dwellings, (l) seniors housing, (m) shop top housing, but does not include tourist and visitor accommodation or caravan parks.
dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.
dwelling house means a building containing only one dwelling.

4.1.5 Permissible Use(s)

PART 2 LAND USE ZONE	COMMENT
<p><u>Zone B3 permits without consent:</u> Environmental protection works; Home-based child care; Home businesses; Home occupations; Roads (none are applicable to this proposal).</p> <p><u>Zone B3 permits with consent:</u> Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Waste or resource transfer stations; Any other development not specified in item 2 or 4.</p> <p><u>Zone B3 prohibits:</u> Agriculture; Air transport facilities; Animal boarding or training facilities; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial training facilities; Industries; Open cut mining; Rural industries; Rural workers' dwellings; Sex services premises; Transport depots; Truck depots; Warehouse or distribution centres; Waste or resource management facilities</p>	<p>The following relevant uses are permitted with consent or not prohibited:</p> <ul style="list-style-type: none"> Commercial premises (including office, business & retail premises); Tourist & visitor accommodation (including serviced apartments); and Dwelling house(s) (as part of 'Residential Accommodation'). <p>No prohibited uses are proposed.</p>
<p>CLAUSE 7.9 OF BLEP2014 – CONSERVATION INCENTIVES FOR HERITAGE CONSERVATION AREAS - It is important to note that this clause permits development for <u>any purpose</u> relating to a heritage item or land in a HCA if it meets the requirements of this clause.</p>	<p>Whilst we do not believe we need to rely on this clause, if there is any doubt about permissibility, then the use is permitted through this clause.</p>

4.1.6 Principal Development Standards


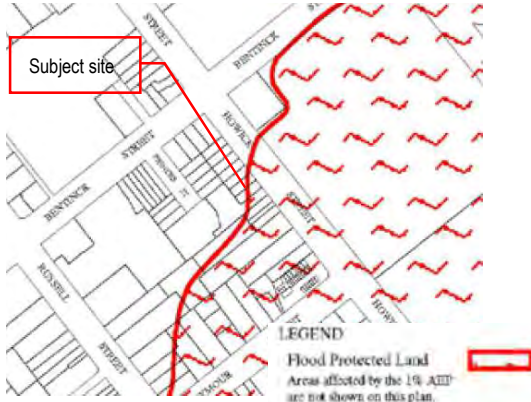
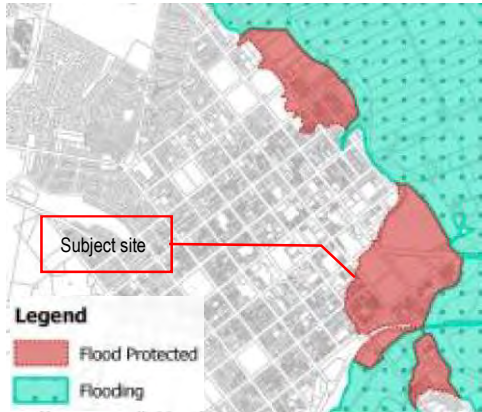
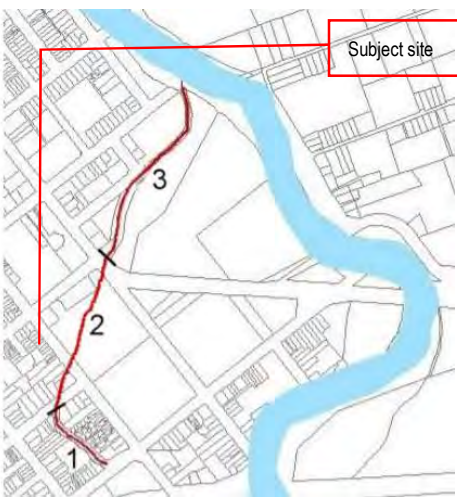
CL.	PROVISION	COMMENT
Part 4	PRINCIPAL DEVELOPMENT STANDARDS	
4.1	<p>Minimum subdivision lot size</p> 	<p>There is no Minimum Lot Size ('MLS') on the Lot Size Map for the Site so there is no minimum requirement for any lots. Not Applicable.</p> <p>The proposal seeks to consolidate all of the lots into a single lot and subdivide into five Torrens Title (5) lots aligned with the major proposed uses/building. The proposed lots are as follows:</p> <ul style="list-style-type: none"> Commercial Lot ~1,426m²; Serviced Apartment Lot ~2,063m²; Food & Beverage Lot ~754m²; Brewery Tower Lot ~378m²; Dwelling Lot ~492m². <p>See response to Subdivision in addressing the DCP in this Report below.</p>
4.1AA	Minimum subdivision lot size for community title schemes	Not Applicable to Zone B3.
4.1A	Minimum subdivision lot size for strata plan schemes in certain rural and residential zones	Not Applicable to Zone B3.
4.1B	Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings.	<p>The proposal is for commercial premises, serviced apartments, and detached dwelling house(s). Each of the proposed dwellings is on its own lot so they are not a 'dual occupancy'.</p> <p>Not Applicable.</p>

CL.	PROVISION	COMMENT								
4.1C	Minimum lot size for certain split zone lots	Not Applicable to Zone B3.								
4.3	<p>Height of buildings</p> <p>The height of a building on any land is not to exceed the maximum height shown for the land on the <i>Height of Buildings Map</i>.</p> 	<p>On the <i>Height of Building (HOB) Map</i> the Site has a maximum height of 12m (Area M). This covers most of the Bathurst CBD. The proposed building exceeds the 12m height plane.</p> <p>Please see the <i>Clause 4.6 Variation Request</i> below for our response. Variation sought.</p> <p>The Site is immediately adjacent to a height area of 9m (Area J) to the south-east (residential zone) and north-east (recreation zone) though this height may not be realised on adjacent lands due to heritage or other restrictions.</p> <p>Maximum Building Height (m)</p> <table><tr><td>E</td><td>6</td></tr><tr><td>G</td><td>7</td></tr><tr><td>J</td><td>9</td></tr><tr><td>M</td><td>12</td></tr></table>	E	6	G	7	J	9	M	12
E	6									
G	7									
J	9									
M	12									
4.4 4.5	<p>Floor space ratio</p> <p>Calculation of floor space ratio and site area</p> 	<p>On the Floor Space Ratio (FSR) Map the Site has a maximum FSR of 2:1 (Area T). This covers most of the Bathurst CBD.</p> <p>See the <i>Compliance Diagrams</i> Plan for details.</p> <p><u>For the Consolidated Site</u></p> <p>Site Area ~5,139.8m²</p> <p>Proposed GFA ~7,063m²</p> <p>Proposed FSR is 1.37:1 - Complies.</p> <p><u>For just the Serviced Apartment Site</u></p> <p>Site Area ~2,063m²</p> <p>Proposed GFA ~4,547m²</p> <p>Proposed FSR is 2.2:1 – Minor Variation (see <i>Section 5 - Clause 4.6 Variation Request</i> below).</p> <p>Site is immediately adjacent to area with NO FSR limit to the south-east (residential zone) and north-east (recreation zone).</p> <p>Maximum Floor Space Ratio (n:1)</p> <table><tr><td>N</td><td>1</td></tr><tr><td>T</td><td>2</td></tr></table>	N	1	T	2				
N	1									
T	2									
4.6	Exceptions to development standards	See <i>Section 5 - Clause 4.6 Variation Request</i> below for details.								
Part 5	MISCELLANEOUS PROVISIONS									
5.1	Land Reservation Acquisition	No land reservation is found within or adjacent to the subject site. Not Applicable.								
5.10	Heritage conservation	The Site is a listed heritage item and in a heritage conservation area. See Heritage Section in DCP review below for details as well as the <i>Statement of Heritage Impact</i> .								
Part 6	URBAN RELEASE AREAS	Not Applicable.								



4.1.7 Local Provisions

Part 7	ADDITIONAL LOCAL PROVISIONS	
7.1	Flood planning The objectives of this clause are as follows: (a) to minimise the flood risk to life and property associated with the use of land,	The nearest significant watercourse with mapped flooding is the Macquarie River. The Site is in the Queen Charlotte Vale Creek sub-catchment. Old Queen Charlotte Vale Creek used to run to the south of the Site but NOT on the Site (see image below from <i>Urban Waterways</i>

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	<p>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</p> <p>(c) to avoid significant adverse impacts on flood behaviour and the environment.</p> <p>This clause applies to land identified on the Flood Planning Maps or other land at or below the Flood Planning Level (1% AEP).</p> <p>LEP Flood Planning Map FLD_011B</p>  <p>Flood Planning Land</p> <p>■ Flood Planning Area</p> <p>Subject site</p> <p>DCP Map No.32A – Havannah Street Area (Flood Protected Land by Levee Bank)</p>  <p>Subject site</p> <p>Housing Strategy</p>  <p>Subject site</p> <p>Legend</p> <p>■ Flood Protected</p> <p>■ Flooding</p>	<p><i>Management Plan</i>) but this was diverted in 1933 and Section 2 is piped underground from Seymour St to Kendall Ave/Highway. It is no longer marked as a watercourse on the topographic map.</p>  <p>Subject site</p> <p>3</p> <p>2</p> <p>1</p> <p>Part of the Site consisting of up to four (4) lots to the south are within the <u>original</u> Flood Planning Area on the Flood Planning Map. This includes the north-eastern parts of Lots 26-28 DP2067 and Lot 2 DP184456. This is only a small percentage of the entire Site, the majority of which is above the 1% AEP flood level plus freeboard.</p> <p>However, under DCP <i>Section 9.6 Flooding</i> & DCP Map No.32A Havannah Street Area (see opposite) the area of the Site shown as being in Flood Planning Area (LEP) is shown in the DCP as 'Flood Protected Land'.</p> <p>In addition, the Bathurst 2013 Housing Strategy (2017) (see map adjacent) highlights the south-east area of the CBD as 'Flood Protected' and excluded from the Flood Planning Area.</p> <p>It is our understanding that the Flood Planning Area was based on the <i>Bathurst Floodplain Management Plan 1995</i> that recommended the Havannah Street Levee creation that has since been constructed to protect the Havannah St area against flooding up to a 1:100 ARI event.</p> <p>Even if there were to be localised flooding, the design locates vehicle parking areas at the lower ground level so the major land uses are located several metres above the flood level and would be relatively unaffected. Complies.</p>
7.2	Bush fire prone land	Not Applicable to Zone B3 or the Site. Not identified on the RFS website or Planning Portal as bushfire prone land.
7.3	Airspace operations	On the Obstacle Limitation Surface (OLS) Map for the Bathurst Airport - the Site is outside the direct runway area and inner horizontal surface. The

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	 <p>Subject site</p>	<p>map shows it is just outside RL884.5 and the proposed height is well below this OLS height. Therefore, the building(s) will not breach the OLS height or be expected to interfere with the airport operations. Complies.</p> <p>Obstacle Limitation Surface</p> <ul style="list-style-type: none"> Airspace Affected Land OLS Contour OLS Centre Point
7.4	<p>Development in areas subject to aircraft noise</p>  <p>Subject site</p>	<p>The Noise Exposure Forecast (dBA) map in the <i>Bathurst 2036 Housing Strategy</i> (2017) clearly shows that the Site (outside the opposite map) is not located within the noise exposure area for the Bathurst Airport. Not Applicable.</p> <p>Legend</p> <p>Noise Exposure Forecast (dBA)</p> <ul style="list-style-type: none"> 20 25 30 35 Airport
7.5	<p>Essential Services</p> <p>Development must have essential services available or adequate arrangements are made to make them available when required.</p>	<p>The Site is in the Bathurst CBD/urban area and will have access to all appropriate essential services and utilities including public road access, reticulated water and sewer, telecommunications & electricity. The Site drains to the south-east to the low point on Howick St. Stormwater can be directed to Council's stormwater systems and any inter-allotment drainage can be managed within the proposed easements shown on the <i>Subdivision Plan</i>. Complies.</p> <p>See response to DCP re Subdivision below.</p>
7.6	<p>Mount Panorama Environs</p>	<p>The Site is outside the affected area(s). Not Applicable.</p>
7.7	<p>Mount Panorama tourist and visitor accommodation and eco-tourist facilities</p>	
7.8	<p>Mount Panorama commercial motor race hosting</p>	
7.9	<p>Conservation incentives for heritage conservation areas</p>	<p>See <i>Section 4.2.4 Permissible Use(s)</i> above for details.</p>
7.10	<p>Signage</p> <p>(1) Development consent must not be granted to the erection of signage on any land, except land in Zone SP3 Tourist, unless:</p> <p>(a) the signage relates to the approved use of the site and is located on the land on which that use is being conducted, and</p> <p>(b) the dimensions and overall size of the signage is not larger than would reasonably be required so to inform the public.</p> <p>(6) Despite subclause (1), development consent may be granted to interpretive signage on any land for the specific purpose of interpreting the built or natural environment or an item of historic nature.</p>	<p>The proposed signage consists of 'Quest' signage on the northern end of the serviced apartment building and on the blade wall along Howick St. Otherwise, all other signage is for navigation including parking areas.</p> <p>We suggest that the proposed signage relates to the approved use of the Site that is located on that land and is reasonably sized to inform tourists and visitors using the serviced apartments or the commercial premises.</p> <p>Please see the more detailed response in the DCP response section below.</p> <p>Complies.</p>

4.2 Bathurst Development Control Plan 2014 ('DCP')

4.2.1 Preliminaries

The *Bathurst Development Control Plan 2014* ('DCP') was adopted in December 2013 and effective on 19 November 2014 and applies to this Site. The latest amendment is No.17 dated 21 November 2018.

1. PRELIMINARY	
<p>1.7 Departures</p> <p>Council may give consideration to an application which departs from one or more requirements of this Plan. Consent must not be granted unless Council has considered a <u>written request</u> from the applicant that seeks to <u>justify the departure</u> by demonstrating:</p> <ol style="list-style-type: none"> that compliance with the requirement(s) of this Plan is <u>unreasonable or unnecessary</u> in the circumstances of the case, and that there are <u>sufficient environmental planning grounds</u> to justify the departure from this Plan. <p>Consent must not be granted unless Council is satisfied that:</p> <ol style="list-style-type: none"> the applicants written request has adequately addressed the matters outlined above, and the proposed development <u>will be in the public interest</u> because it is consistent with the relevant objectives of this Plan and the objectives for development within the zone under the LEP. 	<p>This Report does seek some variations to the DCP controls. The primary variations or justifications have specific written requests associated with:</p> <ul style="list-style-type: none"> Building Height (DCP Cl.5.5) – that is addressed in the <i>Clause 4.6 Variation Request</i> in this Report; Heritage impact (DCP Cl.10) – that is addressed in the <i>Statement of Heritage Impact (SHI)</i> and architectural analysis; and Parking (DCP Cl.5.6/14) – that is addressed in the <i>Access & Parking</i> Section of this Report & the <i>Traffic & Parking Assessment</i>. <p>There may be minor variations or justifications provided to other areas and these are generally addressed in relation to the relevant clause of the DCP below.</p>
2. EXHIBITION & NOTIFICATION OF DEVELOPMENT APPLICATIONS	
<p>2.2 Exhibited Development</p> <p>14 days (public holidays excluded) for exhibition/submissions</p> <p>Public notice in a newspaper</p> <p>Notice to owners of directly adjoining land</p> <p>2.3 Notified Development</p> <p>Public notification will occur in addition to Section 2.2.</p> <p>In non-residential zones Council has discretion depending on impacts on surrounding land. Notice is given to owners of land directly adjoining unless there is a wider zone of influence and it will be in the public interest.</p> <p>2.8 External Referrals</p> <p>DAs involving individual buildings listed in the National Trust Register will be referred to the Bathurst Branch of the National Trust.</p>	<p>Council has stated that this application will be advertised due to potential works on a listed heritage item and the significance of the development.</p> <p>We suggest exhibition for 14 days (minimum) is sufficient & exceeds the minimum 10-day notification period. We suggest that exhibition may mean the notification area can be restricted to immediately adjacent or affected lots.</p> <p>We assume that the Application will be referred to the Bathurst Branch of the National Trust in addition to the referrals mentioned at the start of this report.</p>
<p>Bathurst Draft Community Participation Plan</p> <p>The notification & exhibition requirements of DCP are being moved to Council's Community Participation Plan. This was exhibited early in 2019 and is not known to have yet been adopted (August 2019).</p> <p>3.14.3. Exhibited Development include:</p> <p>Land identified on Map No. 34 of the Bathurst Regional Development Control Plan 2014 <u>and</u> identified as a landmark site as defined by Clause 10.5.4 of the Bathurst Regional Development Control Plan 2014, development that, in the opinion of the Director, Environmental Planning and Building Services, constitutes a major redevelopment of the land.</p>	

4.2.2 Subdivision

3. SUBDIVISION OF LAND	
3.1 Preliminary / 3.1.2 Objectives a) To ensure that all essential services are provided to new allotments. b) To achieve a standard of control that results in minimal impact on both on-site and off-site soil resources and surface water quality. c) To ensure safe and efficient road and footpath environments are provided for motorists, public transport, cyclists and pedestrians. d) To minimise disturbance to the natural environment and to minimise damage from natural hazards. e) To ensure that lots created are environmentally sustainable. f) To provide specific development standards for different types of subdivision.	<p>Please see the proposed <i>Subdivision Plan</i>.</p> <p>This is an urban block of land with direct frontage to three (3) public roads and access to all relevant utilities so all proposed lots can be adequately serviced (with easements as required).</p> <p>It is immediately adjacent to and part of the Bathurst CBD for walking/cycling and near public bus routes/stops connecting across the Bathurst area.</p> <p>It is an urban block that has been previously fully developed but has since had approval for, and completion of, clearance/demolition of most of the Site except for the former brewery tower so there is minimal environmental impact.</p> <p>Lot sizes created relate to the land use on each lot and provide suitable setbacks for building separation and easements for shared services.</p>
3.3 Subdivision Requirements: All Zones	
3.3.1 Electricity & telephone services a) Underground electricity & telephone services to all new allotments in the City of Bathurst to the satisfaction of the relevant authorities. <u>Aboveground servicing can be provided for infill lots in established areas where services are already established aboveground.</u> c) Lighting for streets and public domain spaces must be energy efficient lighting (LED or equivalent) as approved by Council. Street lighting to be upgraded as per relevant standards/ guidelines.	<p>There are existing overhead electricity services running along the southern side of Howick St that connect to an existing substation on the Site (and also along the southern side of Princes St).</p> <p>A new substation and underground connection will be created to service the development.</p> <p>There is some existing street lighting along Howick St and Princes St. The lighting along Howick St appears sufficient and provides safety for pedestrians along this frontage supplemented by lighting of the development. The lighting along Princes St is on the opposite side of the street on at least one (1) electricity pole.</p> <p>Any additional street lighting could be provided by Council as required from general contributions, or it can be conditioned.</p> <p>There are Telstra and Optus lines running adjacent to the Site in Bentinck and Howick Streets in the footpath verge. It is assumed that a development of this scale would apply to NBN for connection for high-speed internet and telecommunication connections necessary for serviced apartments and commercial uses.</p>
3.3.2 Roads Roadwork hierarchy, classification & standards Kerb & gutter / edge treatments	<p>No new public roads are needed to service this development as it has frontage to three (3) public roads. The existing hierarchy is sufficient.</p> <p>Existing kerb & gutter will be retained except where new driveways created or Council conditions reinstatement.</p> <p>Some alterations to Princes Lane are shown on the plans but are indicative only and for Council's consideration (i.e. not an essential part of this application but recommended to improve large vehicle turning and parking).</p>

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<p>3.3.3 Drainage</p> <p>a) The design and construction of all drainage works shall be in accordance with Council's <i>Guideline to Engineering Works</i>.</p> <p>b) Council shall only grant consent to the subdivision of land where drainage facilities required by that subdivision are immediately available to the land.</p>	<p>The Site drains naturally to the south-eastern corner of the Site on Howick St. There are stormwater services in Howick St that this Site can connect to (as per the 2013 DA approval).</p> <p>Lots within the development may have drainage easements (as required) incorporated into the main driveway/common easement) (as shown on the <i>Subdivision Plan</i>).</p>
<p>3.3.4 Reticulated water & sewer</p> <p>a) All allotments created in the urban areas of Bathurst and the urban villages of Eglinton, Raglan and Perthville shall have a separate and distinct connection to Council's reticulated water and sewerage systems.</p> <p>b) Council shall only grant consent to the subdivision of land in the urban areas of Bathurst and the urban villages of Eglinton, Raglan and Perthville where reticulated water and sewer services required by that subdivision are immediately available to the land.</p>	<p>Each lot created will be connected to Council's reticulated water and sewer systems.</p> <p>The existing sewer line through the centre of the Site will need to be realigned subject to Council's requirements (this can be conditioned).</p> <p>The potable water line extends along Howick Street in front of the Site and separate metering can be provided.</p> <p>Easements for utilities will be created (where required) to ensure connections for all lots.</p>
<p>3.3.6 Soil & water management</p> <p>b) For subdivisions with a disturbance area of greater than 2500m², development must comply with the requirements of the document: <i>Managing Urban Stormwater: Soils and Construction 2004</i>, produced by Landcom. Due consideration is to be given to potential impacts on off-site streams in terms of channel stability under modified flow regimes resulting from development.</p> <p>c) As a <u>condition of consent</u> for sites with a disturbance area of greater than 2500m², Council will require the <u>submission of a soil and water management plan prior to the commencement of any subdivision or civil construction works on site</u>. A Soil and Water Management Plan must be lodged with Council prior to the issue of any construction certificate.</p>	<p>The Subdivision is likely to include a disturbance area greater than 2,500m² as the Site area is 5,139.8m² and there is significant excavation for the basement levels.</p> <p>A <i>Soil & Water Management Plan</i> can be <u>appropriately conditioned</u> to be submitted prior to a Construction Certificate (as per Control 3.3.6(c)).</p> <p>This will also address/provide appropriate Sediment & Erosion Control as per the 'Blue Book' requirements.</p>
<p>3.3.9 Land contamination</p>	<p>Please see <i>Section 8 – Site Remediation Review</i> in this Report for full response.</p>
<p>3.8 Development Control Plan Maps</p>	<p>The only map applicable to Bathurst CBD and the Site is Maps No. 34 (Parking) and 35 (Archaeology) addressed below.</p>

4.2.3 Residential Development

4. RESIDENTIAL DEVELOPMENT (NOT strictly applicable to Site BUT addressed briefly for two dwellings)	
This Section can apply to Zone B3 Commercial Core for <u>medium density housing and shop top housing ONLY</u> . This is an application for 'serviced apartments' (which technically is a form of 'tourist and visitor accommodation') and two (2) detached dwelling houses (that are not 'dual occupancies' or other forms of 'medium density housing' covered by this section). Not Applicable. Regardless, 'medium density housing' is permitted in Precinct 1 that includes the Bathurst CBD area and this Site. We have addressed the broad/relevant controls where applicable.	
4.2 Residential Density	The Site is in Precinct No.1 (Bathurst CBD) where medium density is permissible. In Precinct 1 dwelling houses are permissible with consent (Zone R1) but Zone B3 is not mentioned. Residential density not exceeded by two dwellings.
4.3 Minimum Lot Size	No MLS in LEP for Bathurst CBD if not medium density housing. No DCP MLS for detached housing in Zone B3.
4.4 General Siting Considerations – All Residential Development	<p>The two (2) proposed dwellings are not sited directly adjacent to a street frontage so they are beyond the front building setback requirements.</p> <p>They are located to adaptive re-use the brewery tower and transition to the adjacent residential area.</p> <p>Cut in excess of 1m is proposed and there is appropriate site stability provided (or can be conditioned).</p> <p>Garaging is proposed in the form of two (2) double garages under the southern residential lot servicing both dwellings as well as two (2) at-grade on-site parking near Princes St for the brewery tower. Garage doors are partly hidden behind the serviced apartments (not on the street frontage) so they do not dominate the streetscape.</p> <p>Side and rear setbacks are in excess of NCC requirements and sufficiently setback from adjacent dwellings to minimise impacts. Both dwellings are 2 storeys or greater so shadow diagrams have been provided.</p> <p>The dwelling on 170 Howick St (south of Site) has solar access all morning during the Winter Solstice and would otherwise be partly impacted by existing terrain and the Brewery Tower.</p> <p>The dwelling on 172 Howick St (south-east of Site) has solar access all morning during the Winter Solstice and is only shadowed in the afternoon.</p>
4.7 Private Open Space & Landscaping	<p>The brewery tower is 3-bedroom + study (40m² open space req.). It has a private courtyard at the Princes St level with a minimum 4m dimension.</p> <p>The detached southern dwelling has 4 bedrooms (50m² open space req.) OR a 10m² balcony if above ground level. Private open space is provided in the form of a terrace (though a secondary open space exists at the rear of the dwelling).</p>
4.8 Height of Buildings	The height of the brewery tower is existing. The height of the southern new dwelling is two storeys above garages set into the slope and is below 12m from ground level (existing).
4.9 Parking, Access & Manoeuvring Areas	<p>Two car spaces are provided for the brewery tower and up to four (4) spaces provided for the other proposed dwelling. This exceeds the minimum (1) space for single dwelling houses (no bicycle parking required for visitors).</p> <p>The southern dwelling will have an access handle extending to Howick St. In addition, it has access via the right-of-way through the Site for all Site users and this is more than 3m wide.</p>
4.10 Services & Facilities	<p>Fire hydrants will be provided for the Site as required (to be conditioned if required).</p> <p>Reticulated water, sewer, electricity & telephone services will be provided to each of the dwellings.</p> <p>Drainage easements will allow for stormwater disposal to Howick St without any significant impacts on adjacent lands.</p> <p>Waste can be stored in garages or private open spaces to take to street for collection.</p>
4.11 Soil & Water Mgmt.	A Soil & Water Management Plan can be conditioned. Addressed in Cl.3.3.6 above.
4.12 Land Adj. Classified Road	Whilst the entire Site has a frontage to Bentinck St (classified road), the proposed dwelling lots will not have a frontage and are appropriately screened by the commercial development to minimise noise and other impacts.

4.2.4 Commercial Development

5. BUSINESS & INDUSTRIAL DEVELOPMENT	
<p>5.1 Preliminary</p> <p>This Section applies to Zone B3 – Commercial Core that includes the Site.</p> <p>Strategic Objectives</p> <ul style="list-style-type: none"> a) To protect the CBD as the primary retail precinct within the City. d) To implement development controls and protect and enhance retail/business and industrial amenity. e) To provide local centres and convenience stores to serve residential areas. f) To limit the bulk and scale of business premises development within the residential zones. h) To plan for clean business and industry. 	<p>The Proposal seeks to protect the CBD as the primary retail precinct because it provides a number of commercial uses supported by a significant tourist accommodation use at the edge of the CBD.</p> <p>This will activate this Site, integrate it into the CBD, and provide a high level of access for users and employees.</p> <p>It is a business zone and can support some appropriate bulk and scale to define the edge of the CBD and heritage and impacts are addressed as set out in this and attached reports.</p>
<p>5.2 Siting Considerations</p> <p><u>Building Setbacks</u></p> <p><u>Front Building Line Setback</u></p> <p>Must complement the existing setbacks of surrounding buildings in the vicinity and within the streetscape.</p> <p><u>Side and Rear Building Line Setback</u></p> <p>As specified by the National Construction Code (NCC)</p>	<p>The setback along Bentinck Street is aligned with the setback of the existing adjacent Dairy Farmers (former) refrigeration building/ cool rooms (No.50 Bentinck St).</p> <p>The setback along Howick St is aligned with the setback of the adjacent dwelling (No.172 Howick St) – excluding balconies/projections - and provides some setback for landscape to soften the lower ground parking area even though it is a quasi-commercial use.</p> <p>The setback along Princes St is aligned with 50 Bentinck St but is chamfered to provide additional sight-lines to the brewery tower.</p>
<p>5.3 Soil & Water Management</p> <p>The same controls are provided in DCP Cl.3.3.6 (relating to subdivision).</p>	<p>Addressed in Cl.3.3.6 above.</p>
<p>5.5 Height of Buildings – Bathurst Conservation Area – Zone B3 – Commercial Core</p>	<p>Variation requested. This is addressed in more detail in the <i>Clause 4.6 Variation Request</i> in this Report below.</p>
<p>5.7 Clean Business & Industry</p> <p><u>Drainage & Stormwater Quality</u></p> <p>Controls relate to stormwater and provision of a soil and water management plan prior to construction (same as in DCP Section on Subdivision).</p> <p><u>Trade Waste</u></p> <p>Any development that falls within Category A or B, will be required to enter into a Trade Waste Agreement with Council by the submission of an Application to Discharge Liquid Trade Waste into Council's Sewer.</p> <p><u>Air Quality</u></p> <p>An air quality impact assessment report must be prepared and submitted with a Development Application for any development which Council considers may have the potential for significant adverse impact on air quality, including odour.</p> <p><u>Noise</u></p>	<p>Stormwater/Drainage is addressed in more detail above re DCP Cl.3.3.6 above.</p> <p>This is likely to have some components that are Category B. Trade Waste Agreement requirements can be suitably conditioned and/or form part of future DAs for fitout.</p> <p>The proposed uses are commercial/residential and not industrial. We suggest that none of the proposed uses will emit significant odours and/or this can be addressed as part of any future development application for the food premises (if required).</p> <p>An <i>Acoustic Report</i> has been provided for the plant and equipment noise associated with the</p>

<p>a) A noise impact assessment report must be prepared and submitted with a Development Application for any development which Council considers may have the potential to increase existing noise levels in a locality.</p> <p>b) The noise impact assessment must be prepared in accordance with the OEH Industrial Noise Policy.</p>	<p>development. Acoustic issues associated with gathering/outdoor dining in the central piazza can be addressed at a later time and/or appropriately conditioned.</p>
<p>5.8 Open Areas & Fencing</p> <p>Generally, this section does not apply to Zone B3 except where determined by Council.</p> <p>a) All loading/unloading, storage, garbage or open work areas are to be located behind the building alignment and are to be fully screened from the view of a public road.</p> <p>b) Fences/screen walls (including security fencing) are not to be located within 5 metres of the front property boundary and 3 metres of a property boundary adjoining a side or rear street, unless adequate landscape screening is provided.</p> <p>c) Details of proposed materials and the type of construction for (a) and (b) above should be included with the Development Application.</p>	<p>As this is a CBD site, we suggest fencing is inappropriate at the property boundary to maximise active street edges and casual surveillance.</p> <p>There is screening/enclosure of the lower ground parking area(s) and waste and service areas are located behind the building alignment and/or within the screened areas.</p> <p>Please see the <i>Landscape Plan</i> for details of the planting in the front setbacks along Howick and Bentinck Streets that will partly screen any non-active frontages.</p> <p>Fencing to the southern boundary may be upgraded as part of the development in agreement with these neighbours & the <i>Acoustic Report</i>.</p>

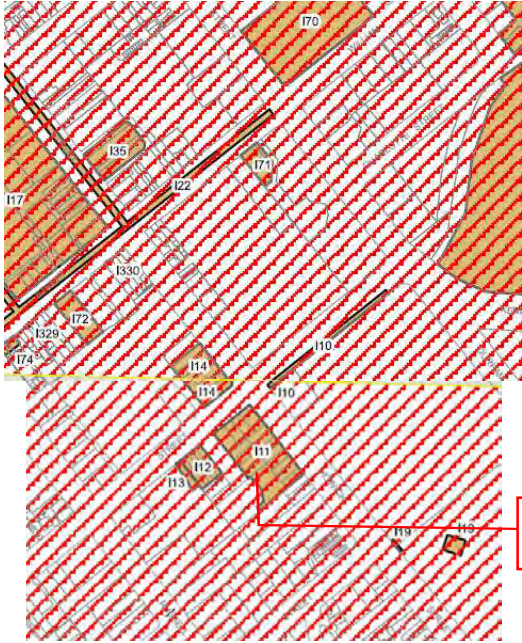
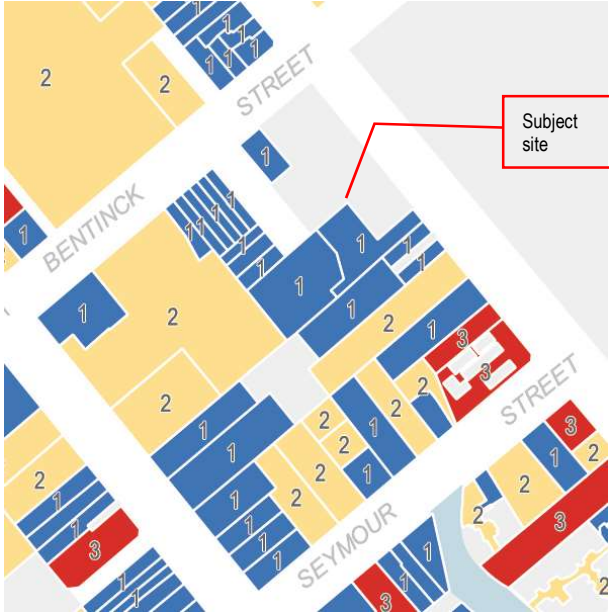






4.2.5 Environment

9. ENVIRONMENTAL CONSIDERATIONS	
<p>3.3.7 Natural environment (SUBDIVISION Section)</p> <p>b) A development application for subdivision is to locate and show as a minimum, (where applicable), key existing natural environmental features such as:</p> <ul style="list-style-type: none"> i) all existing tree and landscape features, ii) existing natural drainage lines, iv) environmentally sensitive land features (e.g. rocky outcrops, steep slopes, ridge or hilltops). <p>c) In urban and village locations, lots are to be designed to allow for the erection of buildings on the site with minimal or no disturbance to existing trees and landscape features.</p> <p>e) Where land to be subdivided has been filled, or is to be filled, the subdivider is to meet any additional engineering requirements as may be determined by Council's Engineering Department.</p>	<p>Please see the <i>Survey Plan & Site Analysis Plan</i> for details.</p> <p>The Site previously was extensively developed with former industrial buildings and dwellings, most of which have been demolished except for the former brewery tower and the site cleared.</p> <p>Any vegetation on the Site is limited regrowth shrubs and grasses and there are no significant trees on the land.</p> <p>The land drains naturally to Howick St.</p> <p>There is no other environmentally sensitive land on or near the Site.</p> <p>Significant cut is proposed to allow for basement parking and this can be suitably conditioned for removal to an appropriate site/facility.</p>
<p>9.2 Land Resources & Map No.29</p> <p>Generally, consent should not be granted for development on land identified in a sensitive land area on DCP Map No.29 (including Class 8, karst, salting) unless there is an environmental assessment.</p>	<p>There is no land on Map No.29 in or near the Bathurst CBD that identifies sensitive land areas that would affect this Site/proposed development. Not Applicable.</p>
<p>9.3 Riparian Land & Waterways & Map No.30</p> <p>Consent must not be granted to any development including any building, subdivision or work on land identified wholly or partially as Sensitive Waterways on DCP Map No. 30 – Riparian Land and Waterways unless the consent authority has considered an environmental assessment</p>	<p>The nearest riparian lands would be the Macquarie River. The Site is likely to be located outside any riparian & waterway lands. Old Queen Charlotte Vale Creek is piped near the Site and/or has no riparian functions affected by the development. It is not shown on topographic maps as a watercourse. No referral to relevant water authorities is required. Not Applicable.</p>

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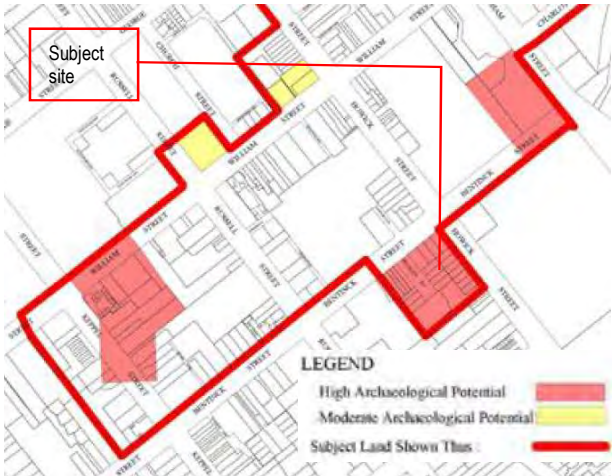
<p>9.4 Biodiversity & Map No.31</p> <p>Consent must not be granted to any development including any building, subdivision or work on land identified as High or Moderate Biodiversity Sensitivity on DCP Map No. 31 - Biodiversity unless the consent authority has considered an environmental assessment</p>	<p>There is no land on Map No.29 in or near the Bathurst CBD that identifies sensitive biodiversity areas that would affect this Site/proposed development. Not Applicable.</p>
<p>9.5 Groundwater & Map No.30</p> <p>This Section applies to land having a high or moderately high groundwater vulnerability on Map No.30 BUT only for a range of uses with contamination potential.</p>	<p>On Map No.30 the entire Bathurst CBD is land that has a high or moderately high groundwater vulnerability. However, the proposed development is NOT one of the listed types AND this Site will have connection to reticulated water and sewer and no industrial uses / storage of significant chemicals. Limited risk to groundwater systems. Complies.</p>
<p>9.6 Flooding</p> <p>DCP Map No.32A Havannah Street Area</p> <p><i>Flood Protected Land:</i> means land shown to be protected by levees from the 1% AEP flood on DCP Map No. 32A - Havannah Street Area.</p>	<p>See response to flooding in LEP Section above. Whilst the land is in a Flood Planning Area it is now flood protected land as per Map No.32A. Therefore, we suggest a flood study is NOT required. Not Applicable or is Addressed.</p>
<p>9.7 Bushfire Prone Land</p> <p>This section applies to all land identified wholly or partly as Bushfire Prone on the Bushfire Prone Land Map held in the offices of Council.</p>	<p>No bushfire prone land in CBD or on or near the Site. No further bushfire assessment is required. Not Applicable.</p>
<p>9.8 Flora & Fauna Surveys</p> <p>A Flora & Fauna survey is required when a development is likely to have an impact on a range of matters of environmental significance.</p>	<p>The Site is highly unlikely to have an impact on matters of National environmental significance or threatened species/ populations / communities. The Site has already been cleared of vegetation (except for some limited shrub regrowth and grasses). No significant trees will need to be cleared. See response to SEPP 44 (Koala Habitat Protection) & SEPP (Vegetation in Non-Rural Areas).</p>
<p>9.9 Sustainable Building Design & Energy Efficiency</p> <p>All new commercial development is to comply with Section J – Energy Efficiency of the National Construction Code.</p>	<p>The Proposal can be conditioned to provide a formal Section J report. A preliminary internal Section J assessment was conducted by the architect to confirm the building can comply.</p>

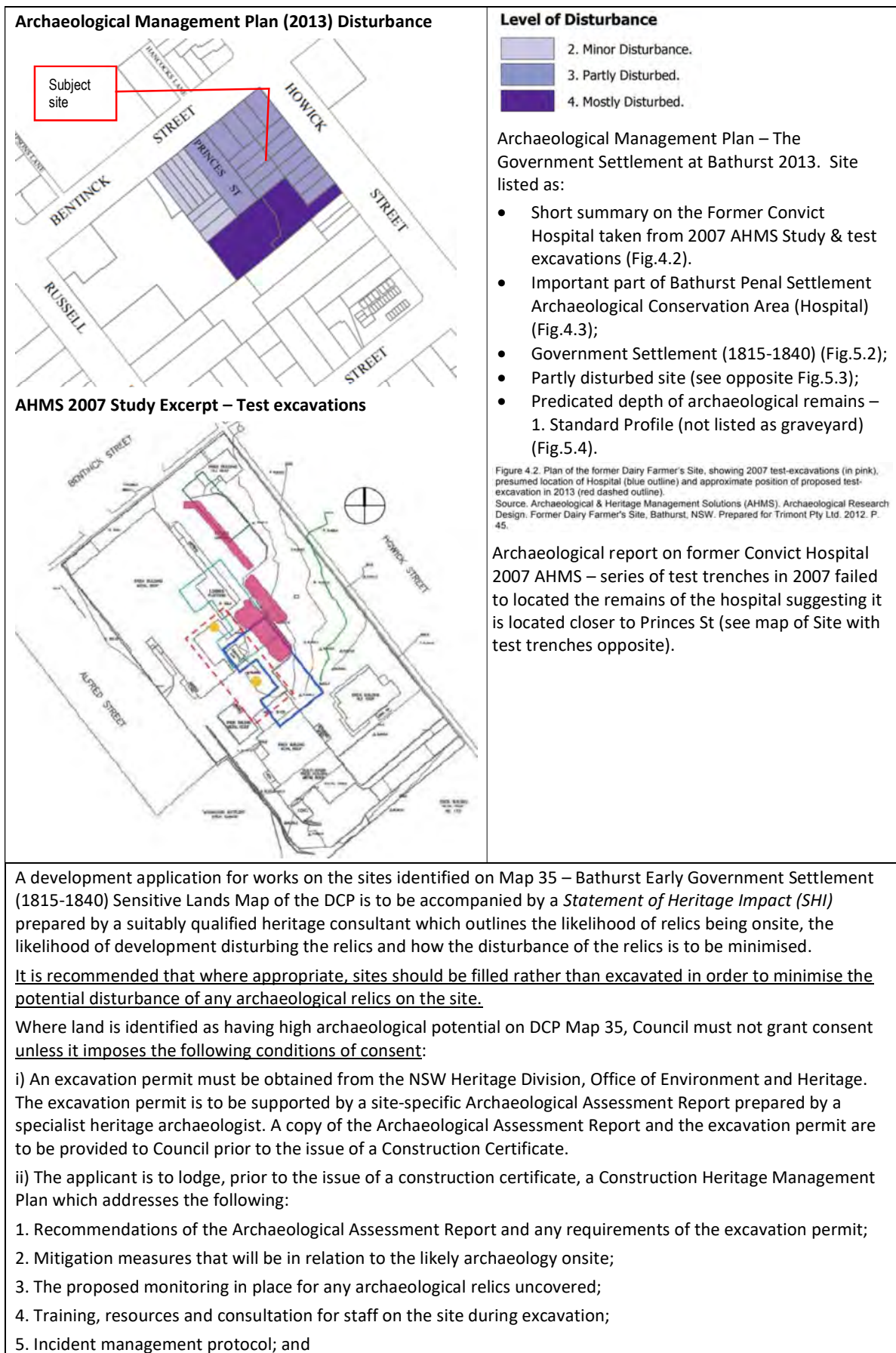
4.2.6 Urban Design & Heritage Conservation

10. URBAN DESIGN & HERITAGE CONSERVATION	
<p>10.1 Preliminary Heritage Maps 11BA & 11BB</p>  <p>BCAMS (Conservation Area Man. Strategy) Streetscape Rating</p>  <p>3.7 SUBDIVISION Requirements – Heritage Conservation areas & Heritage items</p> <p>a) Development Application plans are to identify:</p> <ol style="list-style-type: none"> an appropriate curtilage for any existing buildings affected by the subdivision, and existing landscape features, particularly significant trees, and a building envelope for each new lot to be created that considers (i) and (ii) above. 	<p>Please see the <i>Statement of Heritage Impact (SHI)</i> for more historic and heritage review.</p> <p>Heritage</p> <ul style="list-style-type: none">  Conservation Area - General  Item - General <p>Under Clause 5.10 of the LEP and the associated Heritage Map, the subject site is a listed LOCAL heritage item (Item No.11) known as 'Dairy farmers' factory (former convict hospital) 50 Bentinck St (Lots 1-4, 19-28, & 30 DP2067 & Lot 2 DP184456).</p> <p>The Site has been cleared/demolished in accordance with the 2013 consent but the former Brewery Tower (and adjacent cool rooms) have been retained. This is listed in the BCAMS Streetscape Rating as a Contributory Item (as is the former Dairy refrigeration building adjacent).</p> <p>The subject Site is ALSO within the Bathurst Heritage Conservation Area C1 (see map adjacent) that covers the original penal and colonial settlement but extends across most of the CBD and surrounding original grid layout.</p> <p>The Site is nearby a number of other heritage-listed items including, but not limited to:</p> <ul style="list-style-type: none"> No.14 - Terrace cottages and commercial buildings (67, 71 & 73 Bentinck St & 194, 196, 198, 200 & 202 Howick St) (noting that No.73 is local and others are State listed); No.10 - Elm trees – Bentinck St (between Durham and Howick Streets – State listed); No.12 - Gladstone Terrace (52, 54, 56, 58 & 60 Bentinck St – Local items). <p>There are other local heritage items further to the North-west (in the CBD), north-east (recreation) and south-east that are more distant and less likely to be affected.</p> <p>Streetscape Rating</p> <ul style="list-style-type: none">  1. Contributory  2. Neutral  3. Intrusive  No Data <p>The Site is both a heritage item and in a Heritage Conservation Area.</p> <p>Please see the <i>Statement of Heritage Impact (SHI)</i> for a review of the heritage impacts. In summary, the creation of a central semi-public space around the Brewery Tower provides an appropriate 'curtilage' to appreciate the Brewery Tower and aligns with the proposed Subdivision Pattern.</p>

<p>b) Council shall not consent to the subdivision of land unless it has determined that each new lot created is of a sufficient size to ensure that:</p> <ul style="list-style-type: none"> i. a new building on that lot can achieve an appropriate bulk, scale and massing in relation to existing neighbouring buildings, and ii. an appropriate curtilage around a new building is available to provide opportunities for new landscaping consistent with that of the locality. <p>In this regard a Statement of Heritage Impact (see section 10.2.3) may be required to be submitted to Council with the application where Council is of the opinion that the proposed subdivision may impact upon the significance of the building or site or its streetscape or setting.</p>	<p>This is a Development Application for all of the built form associated with the Site and an appropriate bulk, scale and massing has been demonstrated.</p>
<p>10.1A Pre-Development Application Meeting – Heritage</p> <p>Council requires a Pre-Development Application Meeting be held between Council officers, the applicant and/or landowner and the designer, draftsman, architect, planning consultant prior to the lodgement of an application for certain developments.</p>	<p>We have had multiple meetings with Council's key staff to discuss the heritage implications (see Executive Summary at start of this report).</p> <p>In particular, on 20/05/19 a meeting was held with Janet Bingham, Ashlee Cutter & Kylie Christian and, we believe, was very supportive of the concept design.</p>
<p>10.3 Demolition of Buildings</p> <p>Whilst no new demolition is proposed we may require a Structural Engineers Assessment – the preparation of a structural assessment to determine the structural soundness of the building and an estimated schedule of costs to render the building structurally safe.</p>	<p>There was an approval in 2013 for demolition of most of the buildings on the Site, retaining the former brewery tower. No further demolition of buildings is required.</p>
<p>10.2 Heritage Impact</p> <p>Under Clause 5.10(5) Heritage Assessment, Clause 5.10(6) Heritage Conservation Management Plans and Clause 7.9 Conservation Incentives Heritage Conservation Areas of the LEP, Council may require a Conservation Management Plan (CMP) to be lodged with a DA. For example,</p> <ul style="list-style-type: none"> i. The proposal consists of a major redevelopment involving land which contains a heritage item. ii. The proposal will significantly impact upon the Statement of Significance of a heritage item. iii. The proposal will impact upon the curtilage and/or elevations of a heritage item. iv. The proposal will significantly materially affect a heritage item. <p>Under Clause 5.10(5) Heritage Assessment of the LEP, Council may require a Statement of Heritage Impact (SoHI) to be lodged with a Development Application.</p>	<p>Please see the <i>Statement of Heritage Impact (SHI)</i> for a review of the heritage impacts.</p> <p>Heritage Benefits of New Scheme (compared to 2013/2016 DAs)</p> <p>Compared to 2013 DA approval and 2016 Refusal, the Proposed Development has several key benefits both to the heritage and urban design outcomes of the Site and its integration into the Bathurst CBD, as follows:</p> <ol style="list-style-type: none"> 1. Integrated approach to entire site (compared to 2016 DA) involving a mixed-use development that considers how each of the uses can contribute to the heritage and public domain for the public interest; 2. Improved heritage curtilage and appreciation of the Cool Room Building & Brewery Tower through the creation of the central piazza/public space and removal of most at-grade parking; 3. Respects key sight-lines to the Brewery Tower and invites people into the space around the tower from Bentinck and Princes St with key pedestrian connections; 4. Adaptive re-use and re-activation of Brewery Tower that will allow investment in its restoration, whilst preserving most of its significant fabric;
<p>10.4 Infill Development</p> <p>Requires an infill development form where demolition and a new infill building to the street is proposed. The SoHI is to include a thorough assessment as to how the replacement building is of such quality and design that it will fit into the streetscape and its setting within the heritage conservation area. The SoHI and the accompanying infill form must address the following matters:</p> <ul style="list-style-type: none"> i. Character - All built environments have their own special character. The proposal is to ensure that the harmony and unity of the area is maintained. 	

<ul style="list-style-type: none"> ii. Scale - The scale of a building is its size in relation to surrounding buildings or landscape. Infill design should recognise the predominant scale (height and bulk) of the setting. iii. Form – The form of a building is its overall shape and volume and the arrangement of its parts. Infill design should be sympathetic to the predominant form of its neighbours. iv. Siting – New buildings should contribute sympathetically to the local streetscape. Infill design should conform to existing front and side setbacks and be oriented on site in a manner consistent with the established streetscape pattern. v. Material and Colours – Infill design should recognise characteristic materials, textures and colours used locally and in adjacent buildings. vi. Detailing – Common details within an area establish neighbourly resemblance and contribute to its special character, e.g., verandahs, chimneys, decorative mouldings etc. Modern details can reinterpret traditional details and provide levels of visual interest that contribute to the character of a place. <ul style="list-style-type: none"> • Street photographs • Photomontage of the streetscape 	<ul style="list-style-type: none"> 5. Reduced height of serviced apartments (compared to 2013 approval and 2016 refusal) by using a lower basement area that slopes to the levels at the south-eastern end of the Site; 6. Modifications to the south-eastern end of the serviced apartment building to set it back further from No.172 Howick St and step-down the roof-line for reduced bulk and scale; 7. Articulation of the building massing along Howick St to emphasise the three-storey element, make the top storey more recessive, screen the lower parking level, and introduce window types and vertical articulation that is more in keeping with the rhythm and 'grain' of Bathurst subdivision and historic development; 8. The form and several building elements pick up on elements of industrial/heritage buildings including the shadow-line of the industrial rooves but is distinct in appearance & materiality and less dominant so the heritage buildings are the focal point; 9. Improved materiality, colours and articulation including mix of fenestration (window) types and re-use of red brick around the lower levels and key feature walls to reference (and re-use) the original red-bricks in the industrial buildings that were on the site and were common in Bathurst.
<p>10.5 Development within the Bathurst HCA</p> <p>In determining a Development Application (DA) within the Bathurst and Kelso Heritage Conservation Areas, Council is to give consideration to the Statement of Significance for that area.</p>	
<p>10.5.4 Commercial/Industrial Development</p> <p><u>Building Design</u></p> <ul style="list-style-type: none"> a) New infill buildings must meet the requirements of section 10.4 – Infill Development of this Plan. Buildings should make their own contemporary architectural statement rather than mimic buildings around it. b) New or upgraded shop fronts should be based on the characteristic elements of traditional shop fronts located within the vicinity c) Part of the front façade of new buildings, including the visible return facades to at least 6 metres along the visible side walls, are to include smooth faced unpainted and un-rendered brickwork. Concrete can be used on other areas of the building façade (including the visible returns) where it is appropriately painted or rendered and includes decorative detail and elements. d) Extensions and alterations must complement the original form and scale of the existing building. The shape and proportions of the existing building should be altered as little as possible. e) Alterations are to have minimal disturbance to original wall materials, windows, doors and verandahs. f) Monotonous facades with little relief or detail must be avoided. g) Weather protection of the footpath is to be provided. Verandahs and balconies are encouraged. h) Under awning lighting (whiteway lighting) is to be provided. i) Buildings should be designed to provide passive surveillance to streets or public spaces. 	<p>Please see the <i>Urban & Architectural Statement</i> and Key Design Principles Section of this Report that demonstrates that the new buildings make a contemporary architectural statement based on, and in response to, the heritage on or near the Site but do not replicate heritage buildings.</p> <p>The new buildings are provided with sufficient breaks in massing, building length, and articulation of facades to avoid monotonous or blank facades and promote visual interest and street activity.</p> <p>There are no street frontage proposed shop-fronts that would need to adopt these traditional shop-front requirements. The retail in the middle of the site is contemporary but low-scale.</p> <p>Un-rendered brick work is incorporated into the design and wraps around the corner of Bentinck and Howick Streets.</p> <p>Extensions and alterations to Brewery Tower seek to minimise impact to the building and are only required to make the building useable for its new purpose. It uses glass and steel to retain full views of the original façade. New penetrations are minimised.</p> <p>We suggest, new weather protection (awnings) to Bentinck St or Howick St is not required due to</p>

<p>j) Any steel sheeting is to be of a traditional corrugated profile and is to be used generally only behind the front building façade or for outbuildings.</p> <p>k) Any building services are to be integrated into the design of the roof so that they do not negatively impact on the existing streetscape.</p> <p>l) Development Application Plans submitted to Council are to include accurately detailed and appropriate coloured impressions or images of all building facades of the proposed development with particular regard to the building features, detailing, colouring and materials used.</p> <p>In addition to the standards listed above, the development of landmark sites must also meet the following standards.</p> <p>a) Provide a positive contribution to the City's architectural landscape.</p> <p>b) Preserve identified significant heritage features.</p> <p>c) Provide reference points for users of the CBD.</p> <p>d) Incorporate a landmark "feature(s)" that is appropriate to create interest and provide the building with a recognizable identity.</p> <p>e) In respect of corner sites, include design feature(s) that address the corner.</p> <p><u>Utility Services</u></p> <p>Utility services should generally not be visible from the street. Council may consider utility services on roof tops or awnings only where adequate and complementary screening can be provided (refer to section 10.5.4(k) above).</p>	<p>building setbacks and lack of continuing in this area of the CBD.</p> <p>All buildings define the streets and provide passive surveillance (where required).</p> <p>Building plant and services are integrated into the design. The new substation is screened (where possible) on Howick St.</p>
<p>10.9 Archaeological Permits</p> <p>If Council is of the opinion that a site is highly likely to contain archaeological relics, it must not grant consent to any building or subdivision work on land unless it has considered an archaeological report which examines the likelihood of archaeological remains being located on the site. In granting consent Council may require an excavation permit be obtained from the NSW Heritage Division, Office of Environment and Heritage.</p> <p>10.9.2 & Map No.35 – Bathurst Early Government Settlement (1815-1840) Archaeological Sensitive Lands</p> 	<p>The DCP Map No.35 (see opposite) also shows that the Site is identified as having high archaeological potential, due to its former use as a convict hospital or remnants from that period (see Bathurst archaeological study list above).</p> <ul style="list-style-type: none"> • <u>Potential</u> Archaeology of high significance • The 2013 DA provided an archaeological report by AHMS (2012). This can be resubmitted if required and is still valid. • Archaeological Management Provisions of the <i>NSW Heritage Act</i> apply to any relics located below ground and an excavation permit may be required. • If archaeological remains are uncovered or disturbed, work must stop immediately and the NSW Heritage Council must be notified • Likely to be condition for Excavation Permit under s140 of the <i>Heritage Act</i>. • Likely to be condition that prior to CC a Construction Heritage Management Plan addresses mitigation measures & training. • Assume former hospital footings & artefacts (grave site was believed to be located where the pool was originally off-site). <p><i>Bathurst Regional Archaeological Management Plan 2012.</i></p>



<p>6. Methods dealing with unexpected finds during works.</p> <p>iii) During the development, if any archaeological remains are discovered, the developer is to stop works immediately and notify the NSW Heritage Division and Council. Any such find is to be dealt with appropriately, in accordance with the Heritage Act 1977, and recorded, and details given to Council prior to the continuing of works.</p>	
<p>10.10 Aboriginal Heritage</p> <p>An Aboriginal object means any deposit, object or other material evidence (not being handicraft made for sale) relating to the Aboriginal habitation of the Bathurst Regional LGA, being habitation before or concurrent with (or both) the occupation of the area by persons of non-Aboriginal extraction, and includes Aboriginal remains.</p> <p>If Council is of the opinion that it is likely that a site will contain an Aboriginal place or object, Council will request the applicant to prepare an Aboriginal Site and Foot Survey to determine whether the proposal will have any affect upon the significance of the site and how the site should be protected.</p>	<p>Bathurst Regional LGA <i>Aboriginal Heritage Study 2016</i> mapping shows low sensitivity across most of CBD except Macquarie River & frontages.</p> <p>It is recognised that all sites in the early settlement area are likely to be of significance to the Wiradjuri people for its documented links with their history, which include some of the earliest interactions between Aborigines and Europeans and, later, important events in the life of Windradyne.</p> <p>However, other than cultural associations with Windradyne at former Convict Hospital it is assumed there is a lower probability of any deposit, object or other material evidence of Aboriginal habitation as the site has been developed multiple times and significantly disturbed.</p> <p>We assume that an Aboriginal Site & Foot Survey is NOT required.</p>
<p>10.11 Bathurst CBD Main Street Studies</p> <p>This section applies to land zoned B3 Commercial Core and identified in the Bathurst CBD Main Street Study Review (2016), or other listed Bathurst Main Street Studies. In determining a development application for any external works such as signage, painting or the upgrading of buildings within land to which this section applies, Council is to give conservation to the Statement of Significance and Building Recommendations identified in the Bathurst Main Street Studies.</p>	<p>Any outcomes from those studies applies specifically to this Site can be appropriately conditioned (if required).</p>

4.2.7 Lighting

11. OUTDOOR LIGHTING	
<p>11.2 Good & Bad Lighting</p> <p>Australian Standard (AS) 4282 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> provides best practice standards to protect the dark night sky through the installation of properly shielded fixtures so that no light is emitted above the horizontal plane.</p>	<p>We suggest that this is a matter than can be appropriately conditioned.</p>
<p>11.3 Lighting Requirements</p> <p>All fittings must have fully shielded fittings to reduce light spill onto adjoining properties.</p>	<p>We suggest that this is a matter than can be appropriately conditioned.</p>

4.2.8 Signage & Materials

12. SIGNAGE & COLOUR SCHEMES	
<p>12.2 Advertising Signage</p> <p>12.2.1 Definitions (Signage Types)</p> <p>'Flush wall signs' are attached to the wall of the building and do not project more than 0.3m from the wall.</p> <p>'Illuminated sign' means a sign illuminated by an internal source of artificial light.</p> <p>12.2.4 Locational Requirements</p> <p>Illuminated signs can occur in business zones but not on heritage items.</p> <p>12.2.5 General Development Standards</p> <ul style="list-style-type: none"> Signs must be placed in an appropriately or purposely designed space on new buildings or within the original historic signage space on an existing building. If backing boards are used, their shape and size must be of the right proportions for the allocated space on the building so that signage does not cover the architectural features of a building. Signs must not exceed 6 square metres in area or 5% of the elevation of the building on which the sign is fixed whichever is the lesser. <p>12.2.6 Signage in Heritage Conservation Areas</p> <p>Similar to above and addressed opposite.</p>	<p>Please note that the only Signage that forms part of this Application is for the two (2) 'Quest' business identification signs:</p> <ul style="list-style-type: none"> One (1) located on the north-western façade of the Serviced Apartment Building and is likely to be defined as a 'flush wall sign'; and One (1) on the brick feature wall along Howick St that may also be defined as a 'flush wall sign' as the wall forms part of the building façade. <p>These signs are also likely to be illuminated by being backlit. However, they are not located on the actual heritage item (the Brewery Tower) so we seek variation from Control 12.2.4 that prohibits this.</p> <p>They are located on a new building in an appropriate or purposely designed space on the two elevations.</p> <p>Two (2) wall signs is appropriate as they are on two (2) different elevations of the building. There are no backing boards.</p> <p>They do not exceed 6m² or 5% of the elevation (each). The size of the signs does not visually dominate the walls and are in context with the commercial building size and need to be sized to provide some navigation for visitors/users.</p> <p>The word 'Quest' is a reasonably well recognised brand. Therefore, the signs are simple and uncluttered.</p> <p>Further details of Signage can be appropriately conditioned (if required) including illumination.</p>
<p>12.3 Colour Schemes for Buildings</p> <p>Council must not grant consent to the painting, repainting or rendering of a building or structure within a heritage conservation area or on a building or structure which is a heritage item unless the colour scheme complies with the following standards.</p> <p>i) Painting or rendering of face brickwork not previously painted or rendered is not permitted unless Council is of the opinion that the painting or rendering will not adversely impact on the aesthetic appearance and physical health of the building.</p> <p>ii) Painting of buildings is to be within those colour ranges on traditional colour charts, and generally in accordance with those listed in section 12.3.3 below.</p> <p>iii) Corporate colours are to be modified to match the traditional colour range and so be less restricted in the extent used. For example, 'Indian Red' can be supplemented for Primary Red and 'Gull Grey' or 'Teal' for Primary Blue.</p> <p>iv) Corporate colours that contain primary colours or colours that are not within an acceptable colour spectrum will not be permitted. Council may only consider the use of corporate colours for the building trim where they complement the traditional colours used on the rest of the building.</p>	<p>Please see the <i>Elevations</i> that form part of the <i>Architectural Plans</i> and show the proposed materials and colours for the building(s).</p> <p>Other than the Brewery Tower, the remainder are new buildings.</p> <p>We suggest the colour scheme incorporates elements of the contextual character of the Bathurst CBD including red brick. It also recognises its industrial heritage with the use of galvanised corrugated cladding (low-reflectivity), matt black standing seam metal cladding, and painted grooved concrete panels.</p> <p>The corporate colours of Quest are not dominant and are modified e.g. reflected in the red brick. The remaining colours are muted browns, greys and silvers that match with matt black steel work.</p>

4.2.9 Landscape

13. LANDSCAPING & GREENING	
<p>13.2 Removal of Trees</p> <p>A person must not ringbark, cut down, remove, or wilfully destroy any tree referred to in section 13.2.1 above without first making application to Council on the prescribed Application form or under a development application in accordance with Council's Tree Preservation and Management Policy.</p>	<p>The Site had extensive demolition and vegetation removal after the 2013 Development Approval.</p> <p>Since that time the only vegetation occurring on the site is a small amount of regrowth of non-native species as well as grasses. We suggest the regrowth on the Site after demolition would not constitute 'significant vegetation' or alternatively this application seeks approval for that removal.</p>
<p>3.3.8 Landscaping (SUBDIVISION Chapter)</p> <p>Council requires a Landscape Plan in accordance with Section 13 of this DCP that also addresses:</p> <ul style="list-style-type: none"> i) Subdivision of land which incorporates Agricultural Interfaces, Land Use Buffers, Major Road Buffers, Open Space, Vegetation Restriction and Environmental Protection Areas as identified on any relevant DCP map. ii) Subdivision of land which creates or adjoins an arterial or sub-arterial road for which direct access to private properties will not be granted. A landscape plan is required for the road reserve adjacent to the arterial or sub-arterial road. iii) Subdivision of land which may negatively impact upon the natural environment or protected or threatened flora and fauna species in the area. 	<p>The Site is not adjacent to (or need to incorporate) Agricultural interfaces, land use buffers, major road buffers, open space buffers, vegetation restrictions or other significant environmental protection areas.</p> <p>The Site is adjacent to Bentinck St that is a classified road. The <i>Landscape Plan</i> attached addresses the Bentinck St road frontage.</p> <p>Subdivision of this urban land on the edge of the CBD will not significantly impact on the natural environment or protected or threatened flora and fauna as there is little vegetation on the Site or evidence of these species or communities.</p>
<p>13.3 Landscape Plans</p> <p>A Landscape Plan is required for Business Development (excluding land zoned B3 Commercial Core), Subdivision of land that adjoins an arterial or sub-arterial road, or at the discretion of Council.</p> <p>The following general design principles are to be incorporated into all landscape plans.</p> <ul style="list-style-type: none"> a) Designs should be simple, yet effective and easy to maintain. b) Trees should be the major element in the landscape, followed by shrubs and supplemented by ground cover plants and grasses. c) Tree species selection must be in scale with the size of the proposed building (e.g. 2 storey buildings must include trees with an achievable mature height of 8 metres). d) Hard elements, such as paving, walls, fencing etc. should not be considered as substitutes for soft elements such as trees, shrubs, ground cover and grasses. e) The Bathurst Vegetation Management Plan is to be considered in relation to landscape design and plant species, particularly where land adjoins or is adjacent to public lands. f) Existing trees, shrubs, groundcovers and grasses should be retained as far as possible and incorporated into new development. g) Massed groups of a few species are more effective than large numbers of different species. h) Group planting should be in accordance with their shape and particular function. 	<p>Please see the attached <i>Landscape Plan</i> that sets out proposals for additional street tree planting (where appropriate).</p> <p>There are no significant existing trees on the Site that require retention (see above).</p> <p>Tree species appear suitable in the street areas and as feature plantings. There is limited deep soil areas in the rest of the site for larger trees and we suggest this is suitable considering the other site constraints.</p> <p>Remainder plantings appears to be suitable shrubs and ground cover.</p> <p>Plantings particularly in setback at corner of Bentinck & Howick St and along Howick St setback for Serviced Apartment building.</p> <p>Planter boxes are provided where above basement parking.</p> <p>The Site does not face a highway or major road. We suggest screen planting to the adjacent residential area may further impact solar access and is not suitable.</p>

<p>i) Noxious plants or invasive species are not to be used.</p> <p>j) Plantings should be located sufficiently distant from buildings and services to minimise disturbance and future maintenance.</p> <p>k) Plant species are to suit the Bathurst Region Climate.</p> <p>l) The landscape design must incorporate sufficient planting densities to achieve the intent of the design (i.e. mass ground cover, screening, hedging and specimen planting). In addition, planting densities are to be commensurate with the extent of area of the development.</p> <p>m) Landscaping should optimize the use of permeable surfaces; storm water treatment and onsite water reuse where appropriate (refer to the Salinity and Water Quality Alliance Stormwater to Smartwater (S2S) Policy).</p>	<p>During Staging all battered slopes will be appropriately stabilised (with vegetation where suitable).</p> <p>Additional details can be conditioned to be provided prior to Construction Certificate (as required).</p> <p>Compliance with this plan can be conditioned (as required). We suggest that Landscape should be planted prior to Occupation Certificate so that there is less chance of damage during earthworks/ construction.</p>
<p>13.3.7 Design Principles – Business & Industrial Development</p> <p>a) Landscaping is to be provided between the property boundaries and the buildings, screen walls, fences, open work areas and vehicular movement areas.</p> <p>b) Landscaping must consist of:</p> <ul style="list-style-type: none"> i) suitable sized trees for shade or as a visual barrier, ii) shrubs and ground cover, iii) earth shaping and mounding, where appropriate, and iv) special features (e.g. rockeries), where appropriate. <p>c) Screen planting, to a height of at least 4 metres, is to be included in the landscape treatment of developments facing a highway, a major road, the Scots school or a nearby residential area.</p> <p>d) All landscaped and grassed areas are to be separated from all vehicle manoeuvring and parking areas by the use of a 150 mm high fixed barrier or kerb.</p> <p>e) All cut scars, fill barriers and retaining walls are to be fully vegetated with shrubs, trees and ground covers.</p> <p>f) Adequate fixed underground watering equipment is to be installed in all landscaped areas.</p>	
<p>13.4 Street Trees</p> <p>a) A developer is required to make a contribution for street tree planting, OR plant the required number of advanced trees of reasonable size (i.e. minimum of 45 litre pot with a minimum height of 1.8 – 2.0m).</p> <p>b) Council will not issue a subdivision certificate until vegetation in accordance with the approved Landscape Plan is planted and fenced.</p>	

4.2.10 Access & Parking

14. PARKING	
5.6 Parking, Access & Manoeuvring Areas	This is addressed in the <i>Access, Traffic & Parking</i> Section of this Report below & the <i>Traffic & Parking Assessment (attached)</i> . Complies except for on-site parking.
14.3 Car Parking	This is addressed in the <i>Access, Traffic & Parking</i> Section of this Report below & the <i>Traffic & Parking Assessment (attached)</i> . Complies except for on-site parking.
14.4 Bicycle Parking	This is addressed in the <i>Access, Traffic & Parking</i> Section of this Report below & the <i>Traffic & Parking Assessment (attached)</i> . Complies.

4.2.11 Earthworks

16. EARTHWORKS	
<p>16.2 Changing the Level of Land during Subdivision</p> <p>The developer is to ensure that there is no more than 1 metre change in level (either by filling or cutting) within a 45-degree angle to the boundary.</p>	<p>There is cut greater than 1m on this Site for basement parking. This will involve piling to create basement walls around the north-western and western boundaries.</p> <p>Generally, this basement parking is setback from street frontages to minimise impacts. However, it is adjacent to No.50 Bentinck St and a small frontage to No.2 Princes St.</p> <p>Therefore, a variation from the 45-degree rule is required. Stability will be created by appropriate structural piling to avoid damage to adjacent lots/buildings.</p> <p>This is a standard design practice for larger developments, particularly in commercial zones and the DCP recognises this for basement garages.</p> <p>The basements will be drained in accordance with engineering requirements and generally drain towards Howick St where the parking is at street level.</p> <p>Please see the <i>Sections</i> provided by IDG.</p> <p>Minimal streetscape impact as basement parking partly concealed to public benefit.</p> <p>The existing slope adjacent to No.170 Howick Street will remain as existing.</p>
<p>16.3 Changing the Level of Land (Preparing to Building, During or Post Construction)</p> <p>a) The developer is to ensure that there is no more than 1 metre change in level at the boundary (either by filling or cutting).</p> <p>b) Where cut and/or fill in excess of 1 metre is proposed, any change in level (in excess of 1 metre) is to be stepped away from the boundary at a minimum of 45 degrees.</p> <p>c) Where cut and/or fill in excess of 1 metre is proposed, a cross section plan is to be provided demonstrating compliance with AS 2890 with respect to the driveway and the cut and fill provisions outlined in Chapter 16 of this DCP.</p> <p>d) Outside of the building footprint cut and fill to 1.0m is permissible to achieve flatter backyards, outdoor living areas, BBQ areas, clothes drying areas and the like. Consideration will be given to greater cut and fill thresholds subject to:</p> <ul style="list-style-type: none"> i) Justification of the proposal and design intent through a site analysis including consideration of the likely streetscape impacts and compatibility with existing streetscape character. ii) Demonstration of a structural system of the house appropriate to the site and slope. iii) Justification and documentation of full site sections showing all existing and proposed levels and proposed retaining walls and batters. iv) Consideration of the likely amenity impacts including overlooking, overshadowing, drainage and structural issues. v) Limiting multiple retaining walls to 1.0m encouraging terracing rather than one large wall. vi) Suitable storm water and drainage management. <p>e) Excavations and fill in excess of 1 metre may be permitted to allow for compliant driveways and basement garages providing the excavations are adequately retained and drained in accordance with engineering requirements.</p> <p>f) Where a property is burdened by storm water or water and sewerage mains then Council will generally preclude any excavation or filling within that easement.</p> <p>g) Where more than one retaining wall is required, this should be in the form of terracing with landscaped areas between level changes to soften the visual impact of the retaining wall.</p> <p>h) Retaining walls, unless constructed for the sole purpose of landscaping, should be constructed of a material such as concrete, masonry, rock or other permanent type material. Timber retaining walls are not acceptable for walls that support side boundaries or structures.</p> <p>i) Cut and fill batters shall not:</p> <ul style="list-style-type: none"> i) exceed a slope of 1:4 (v:h) unless geotechnical reports result in Council being satisfied with the site stability. All batters are to be provided with both short term and long-term stabilization to prevent soil erosion. ii) be located where they will impact on the privacy of neighbours. iii) shall not extend onto Council's road reserve. 	

4.3 State Environmental Planning Policies ('SEPPs')

SEPP	Key Controls	Proposed Response
SEPP No.44 – Koala Habitat Protection	This SEPP seeks to protect vegetation and bushland that may provide habitat for koalas.	There are no significant trees and no koala habitat on the Site. There is no impact from the proposed development on koala habitat or connectivity.
SEPP (Vegetation in Non-Rural Areas) 2017	This SEPP seeks to protect biodiversity values and amenity of trees and vegetation in urban areas.	The Site is in the Bathurst CBD. There is only limited regrowth of small shrubs on the Site (after approved demolition & clearing of the Site) and this has limited ecological value. We suggest this does not trigger the biodiversity thresholds.
SEPP No.55 – Remediation of Land	This SEPP requires the suitable remediation of land where there may have been a previous land use that contaminated the site.	Please see <i>Section 8 – Site Remediation Review</i> in this Report for full response.
SEPP (Infrastructure) 2007	This SEPP seeks to promote infrastructure development and managed development in proximity to key infrastructure.	Under Division 17 – Roads & Traffic it is noted that Bentinck Road (adjacent to the Site) is the nearest classified road. Under Clause 101, this is development with frontage to a classified road but the Traffic Report confirms the development will not compromise the operation/function of Bentinck St and safe vehicular access has been provided to Howick St & Princes St. Under Clauses 101 & 102 we suggest that the development is appropriately located and/or designed to set back the sensitive uses (serviced apartments and dwellings) from Bentinck St with a commercial 'buffer' to ameliorate potential traffic noise, vibrations or vehicle emissions to the development. Under Clause 104 / Schedule 3 - as there will be 50 or more car parking spaces provided and access to Howick St or Princes St is within 90m of a classified road (Bentinck St) this is defined under Column 3 as a 'traffic generating development' that must be referred to Roads & Maritime Services (RMS) and their responses taken into consideration. See the <i>Traffic & Parking Assessment</i> report for more details.
SEPP No.64 – Advertising & Signage	This SEPP provides state wide controls for advertising signage.	Please note that the only Signage that forms part of this Application is for the two (2) 'Quest' signs – one (1) located on the north-western façade of the Serviced Apartment Building and one (1) on the brick feature wall along Howick St. These are addressed in more detail in relation to the DCP above.
SEPP (BASIX) 2004	This SEPP creates minimum targets for water & energy efficiency for residential developments.	This SEPP does not apply to serviced apartment or commercial premise developments that are not 'BASIX affected development'. However, it does apply to the two (2) proposed dwellings. Please see attached BASIX Certificates.
Other SEPPs related to housing	We are NOT applying or relying on the following SEPPs	<i>SEPP No.65 Design Quality of Residential Apartment Development</i> <i>SEPP (Housing for Seniors or People with a Disability) 2004</i> <i>SEPP (Affordable Rental Housing) 2009</i> <i>SEPP (Exempt & Complying Development Codes) 2008</i>

5 CLAUSE 4.6 – VARIATION REQUEST (BUILDING HEIGHT/FLOOR SPACE)

This Section applies Clause 4.6 of the LEP to request variation, particularly of the 12m height control in both the LEP and the DCP and to also cover any issue with future Floor Space Ratio (FSR) of the Serviced Apartment building though FSR across the entire Site (as consolidated) is compliant.

5.1 Summary of LEP & DCP Controls

As stated above, in BLEP2014 on the Height of Building (HOB) Map, the Site (and most of the Bathurst CBD) has a maximum height of 12m (Area M). It is immediately adjacent to a height area of 9m (Area J) to the south-east (residential zone) and north-east (recreation zone).

In DCP Clause 5.5 Height of Buildings – Bathurst Conservation Area – Zone B3 Commercial Core there is some additional advice to guide what is relevant to an assessment of height and we would suggest that the additional height variation does not detract from the existing streetscape and landscape:

***Objective** - To maintain the streetscape qualities of the CBD within the Bathurst Heritage Conservation Area.*

***Control** - LEP Height of Buildings Map 12m except in circumstances outlined below.*

A building containing more than 3 floors shall not be erected on land within Zone B3 – Commercial Core and located within the Bathurst Heritage Conservation Area unless, in the opinion of Council, the building:

- i) does not detract from the existing streetscape and landscape, or*
- ii) is located behind the existing buildings within the streetscape such that its height does not detract from that streetscape or landscape, or*
- iii) is an extension of or constitutes the rebuilding of a building to a height not exceeding the height of the building at 27 March 1987.*

5.2 Proposed Development Variation(s)

The proposed development seeks a variation to the height controls in the LEP & DCP as follows (Please see *Architectural Plan – Compliance Diagrams 2* for details):

- a) **Height (Commercial Premises):** Minor breaches of the 12m height plane of the proposed commercial building(s) fronting Bentinck St with approximately 145m² of roof area (the roof ridges only) breaching the height limit. Note that the roof ridge height is similar in height to the adjacent building on No.50 Bentinck St (the 'Cool room') that sets the precedent/context for height along this street frontage. The proposed commercial building only has three (3) storeys in accordance with the DCP height controls.
- b) **Height (Serviced Apartments):** There is a partial to one (1) additional level above the 12m height plane for the proposed serviced apartment building extending along Howick St. The most significant breach occurs at the south-eastern end of the building at the ridge level that is ~4.113m above the height plane for a limited area of around 922m². This is a variation of up to 34.3%. The proposed building has four (4) levels above the lower-level basement and seeks a variation to the LEP & DCP height controls.
- c) **Height (Total Site):** A total of 1,067m² of encroachment area breaches the 12m height plane over 5,139.8m² site area or around 20.77% of the Site Area. This application seeks recognition that the heritage goals for this project have been to shift permitted building massing away from the heritage curtilage of the Brewery Tower towards the perimeter of the Site and, as a result, this justifies the breach at these perimeter building locations.
- d) **FSR (Total Site):** It is important to note that the Site has a permitted Floor Space Ratio (FSR) of 2:1. The consolidated site and all building achieve a GFA of ~7,071.66m² over a Site Area of ~5,139.8m² = FSR of 1:37:1 (well under the permitted Gross Floor Area (GFA)).
- e) **FSR (Serviced Apartments):** However, based on the Subdivision Plan, if the Serviced Apartment building is subdivided by Torrens Title (with a proposed area of ~2,062.87m²) then the resulting FSR for that lot alone will be (4,546.94/2,062.87m² = FSR 2.2:1, which is only a variation of 10% for that lot. All other proposed lots will be well under the permitted GFA/FSR (see Development Summary Table in *Proposed Development* Section above).

5.3 Clause 4.6 – Exceptions to Development Standards

Clause 4.6 is reproduced from the LEP here as follows and addressed in relation to each sub-clause below:

- (1) *The objectives of this clause are as follows:*
 - (a) to provide an **appropriate degree of flexibility** in applying certain development standards to particular development,
 - (b) to achieve **better outcomes for and from development** by allowing flexibility in particular circumstances.
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this **clause does not apply to a development standard that is expressly excluded** from the operation of this clause.*
- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a **written request** from the applicant that seeks to justify the contravention of the development standard by **demonstrating:***
 - (a) **that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and**
 - (b) **that there are sufficient environmental planning grounds to justify contravening the development standard.**
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) the consent authority is satisfied that:
 - (i) **the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and**
 - (ii) **the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and**
 - (b) the concurrence of the Secretary has been obtained.
- (5) *In deciding whether to grant concurrence, the Secretary must consider:*
 - (a) whether contravention of the development standard **raises any matter of significance for State or regional environmental planning, and**
 - (b) **the public benefit of maintaining the development standard, and**
 - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.
- (6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*
 - (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note. When this Plan was made it did not include all of these zones.
- (7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following:*
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which [State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#) applies or for the land on which such a building is situated,
 - (c) clause 5.4,
 - (ca) clause 6.1, 6.2, 6.3, 7.7, 7.8 or 7.11.

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Clause 4.6 makes it clear that flexible application of development standards is permitted (1(a)) subject to meeting several tests. These tests can be summarised broadly as follows:

- a) It is not a development standard that is expressly excluded from the application of Clause 4.6 (Subclause 2);
- b) The proposed development can achieve better overall outcomes (compared to a complying development) (Subclause 1(b));
- c) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (Subclause 3(a));
- d) That there are sufficient environmental planning grounds to justify contravening the development standard (Subclause 3(b));
- e) The contravention of the development standard does not raise any matter of significance for State or regional environmental planning (Subclause 5(a));
- f) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard, and the objectives for development within the zone in which the development is proposed to be carried out (Subclause 4(a)(ii)); and
- g) It is not in the public benefit to maintain the development standard (Subclause 5(b)).

The Senior Commissioner in the case of *Brigham v Canterbury-Bankstown Council* [2018] NSWLEC 1406 highlighted that a Clause 4.6 Request should also address each element of Clause 4.6; make specific reference to the particular subclause being addressed rather than general headings; and it should be direct and to the point.

5.3.1 Is the Control a Development Standard?

A 'development standard' is defined in the EP&A Act 1979 as a provision in an environmental planning instrument or regulation that guides development in accordance with particular requirements under certain circumstances. They can be numerical or may require compliance with a particular condition or require facilities to be provided (See NSW Planning & Infrastructure (August 2011) *Varying development standards: A Guide*).

This is a Request for a variation of a prescriptive numerical Height of Building ('HOB' or 'height') control under Clause 4.3 and/or Floor Space Ratio Control (FSR) under Clause 4.4 that controls the scale of development and would be defined as principal development standard(s) in the LEP. The fact they are also numerical standard(s) also implies a development standard (as opposed to a performance objective). Height and FSR are regularly considered under Clause 4.6 Variation Requests to the Land & Environment Court.

5.3.2 Does Clause 4.6 Exclude Variation to this Development Standard?

Clause 4.6(8) sets out a range of potential development standards that cannot be varied by this Clause and does not include Clause 4.3 (height) or Clause 4.4 (FSR) so they are not specifically excluded from the application of the Clause.

5.4 Key Environmental Planning Grounds & Public Benefit of Variation(s)

5.4.1 Summary

This section seeks to address Clause 4.6 of the LEP by stating that:

- a) The proposed development can achieve a **better overall outcome** (compared to a complying development); AND
- b) There are **sufficient environmental planning grounds** to justify contravening the development standard; AND
- c) That it is in the **public interest** to allow the proposed variation(s) to produce an outcome that achieves the objectives of the development standards (as a whole, including heritage) and the objectives for Zone B3.

The summary of key public benefits/planning grounds includes:

- 1) Recognising the importance of the Site/'gateway' to Bathurst CBD and an appropriate development potential that integrates with and supports the CBD;
- 2) Producing significant improvements compared to the approved 2013 development approval and 2016 development refusal plans including, but not limited to:
 - a) An integrated site approach and comprehensive application (compared to the 2016 DA);
 - b) Improved heritage outcomes (expanded below);

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- c) Reduced height of the serviced apartment building above existing ground (both previous DAs);
- d) Removal of at-grade parking around the Brewery Tower and former Cool Rooms (2013 DA);
- 3) Producing improved heritage outcomes including, but not limited to:
 - a) Maintaining key sight-lines to the Brewery Tower and No.60 Bentinck St;
 - b) Creating an open space and 'curtilage' around, and for the appreciation of, the Brewery Tower even though it sits at the rear of the Site;
 - c) Shifting development potential/massing away from the Brewery Tower to create an 'active curtilage' that improves the potential to appreciate the building, whilst providing active uses that encourage its preservation and enhancement.

5.4.2 Recognising the Importance of the Site / 'Gateway' to Bathurst CBD

It is important to recognise that this Site is an important Site in terms of its location, relationship to the Bathurst CBD, historic industrial built form, and development potential and this must be balanced with the desired heritage outcomes.

The Site is located at a key gateway to the Bathurst CBD along Bentinck Street, particularly when coming from the Highway. It is surrounded by a mixture of building massing, heights, and articulation that ranges from the shopping centre car-park (non-active) frontages to smaller more articulated heritage and other buildings. There is no one consistent height profile and it is in part the diversity of building forms that creates visual interest.

When entering Bathurst CBD from the highway the usual design response would be to accentuate the corner of Bentinck & Howick Streets with additional height to create a 'gateway' feature or sight-line. However, the proposal has responded by keeping building heights towards the corner relatively low to open up sight-lines to the Brewery Tower at the rear of the Site (see below) and responding to the lower built form on the north-western corner whilst still creating a strong street-definition and active street frontages.

The Site sits at the edge of the CBD core and this is recognised in the business zone. A normal planning principle is to maximise employment and development opportunity where a site has good access to public transport, services, key pedestrian connections and activity, employees, and strengthens the CBD activity overall. Key 'gateway' sites can often support some additional development bulk and massing to define the street edge, create higher buildings that assist with navigation and place-marking, and define entrances to the CBD.

There are few other commercial sites of this size and development potential in such close proximity to the CBD core so it is important to ensure that a reasonable development potential is achieved whilst addressing site and heritage constraints.

As stated in the Urban & Architectural Statement – *'There are compelling reasons for as full as possible realisation of the potential of this important site in the light of development prospects and demand across the CBD. This is one of only a few prime large development opportunities that exist without the need for further impact.'* If this Site is not maximised, there is the real possibility it would redirect development pressure to other more sensitive areas of the CBD, heritage conservation area, and lower density residential areas around the CBD.

5.4.3 Recognising the Existing Height Context of the Site

The industrial history of this Site lends itself to buildings that have generally had a significant massing and proportions without dominating the street. Whilst sensitivity towards the adjacent residential zone to the south is important, we suggest there should also be recognition that a distinct difference in built form height and scale in the commercial zone (and the industrial buildings that sat on this Site) compared to the surrounding residential zone.

This Site has a context of higher and bulkier buildings from its industrial history and the remaining heritage items. The most prominent item on the Site is the former Brewery Tower. This tower of this building stands at around seven (7) storeys above the Howick St levels and five (5) storeys above the Princes and Bentinck St levels of the Site. All of the buildings that have a height breach sit at least 1-2 storeys below the top of the tower.

Also, No.50 Bentinck St (former cool rooms) used to form part of the Site, but is now subdivided and sits adjacent. As shown in the *Urban and Architectural Statement*, the form and height of this building (including its strong gabled roof and vertical walls) is the key reference point for creating the commercial building massing along the Bentinck St frontage (albeit with different materials and solidity of facades). The height of the gabled roof is copied across to the commercial buildings and sits around RL670.7. Therefore, the breaches of the ridges of the proposed commercial buildings are similar (but not higher) than the heritage item that sets an important context for the Site.

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The proposed serviced apartment building has a maximum height of RL670.32 at the peaked steel portal ridges and RL669.775 for the actual roof, falling to RL669.15 and RL668.52 as the levels drop down Howick St. Therefore, the maximum roof level is below the Relative Level of No.50 Bentinck St.

However, it is recognised that the fall in existing ground level results in the building being higher than 12m and 3 storeys. It is this strong fall in site contours that should be seen not as a constraint on height (potentially resulting in a stepped building down the site) but as an opportunity to integrate basement parking under the proposed buildings and create a higher pedestrian podium at the Princes St/Bentinck St level that creates a new 'ground plane' at this higher level – from which a 3 storey height extension is suitable.

5.4.4 Integrated Site Approach / Comprehensive Application

The primary driver for this new development application is to improve upon the development approval from the 2013 DA and address the key issues raised in the development refusal from the 2016 DA by producing a more integrated and heritage sensitive approach to the site use, activity, and building massing and articulation.

Unlike, the 2016 Development Application ('2016 DA'), this application addresses the entire Site and does not deal with the serviced apartment building site in isolation. This has several key benefits including, but not limited to:

- a) The site constraints and opportunities are addressed holistically so there is a unified approach to key issues such as site location, levels, accessibility and parking, heritage, natural environment, view-lines, etc. that reduces conflicts and improves synergies across the Site – especially connectivity and site levels;
- b) It is a comprehensive application with built form and landscape defined for all parts of the Site that gives Council and the community greater certainty about the final development outcomes and its potential benefits/impacts;
- c) The application specifically addresses the re-use of the Brewery Tower and makes it the 'centre-piece' of the development. As a result, the development is more likely to achieve the building's needed restoration, maintenance and on-going adaptive re-use that respects its history whilst activating and integrating the building into the overall Site;
- d) There is greater potential to benefit the heritage items on the Site through an integrated approach that looks at how built form as a whole can respond to protecting the heritage item(s) and their curtilage, including, but not limited to shifting massing towards the perimeter of the Site to create a public space around the items (see more details below);
- e) There is greater potential to create synergies between the different buildings and uses on the Site including connectivity, shared spaces, separated pedestrian and vehicle movement, etc.; and
- f) A mixed-use proposal diversifies the activities, attraction, and economic/social benefits of the Site and can activate the open space areas of the Site in unison and across a range of hours/days (see details below).

5.4.5 Sight-Lines to the Brewery Tower

The integrated approach produces improved heritage outcomes for both the heritage item on the Site (the Brewery Tower) and the adjacent item (No.50 Bentinck St – former Cool Rooms) as well as adjacent heritage items and the entire conservation area.

As stated above, it is a critical component of this design that space is created around the Brewery Tower and key sight-lines are opened up to draw people towards this heritage item (even though it is at the rear of the Site) and provide space for appreciation of the adjacent former Cool Rooms.

Section 3.2 Key Design Principles of this Report provides more detail on how the key sight-lines are prioritised and protected. We re-iterate that is not part of the original history of the Brewery Tower (or realistic to expect) to maintain/create 360-degree sight-lines to the Brewery Tower at the rear of the Site. However, an appropriate heritage response is to identify those key view lines both to the tower element and to draw people into appreciate its other lower elements. The Architect has demonstrated this in the attached *Urban and Architectural Statement*.

5.4.6 Active Open Space around the Brewery Tower

The integrated Site design also creates a semi-public open space around the Brewery Tower that enables an appreciation of all aspects of this item. This space addresses both the heritage 'curtilage' of the buildings as well as the space needed to appreciate the buildings from a variety of angles.

Critical to the use of this space is that the ground level at 50 Bentinck St and the Brewery Tower (above the basement) set the levels for pedestrian this open space and for the rest of the Site. It creates the opportunity for a

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'ground-level' podium that improves accessibility between uses, but also allows for separation of vehicle movement and parking to the basement levels.

It is not enough to create space if it is unused, so in response this space is activated with potential retail/food and beverage/ outdoor dining areas and low-scale supporting built form. By creating a 'movement economy' that is located towards the centre of the Site it makes the heritage item the centre-piece of the development and respects and activates the heritage item(s), rather than an 'after-thought'. See *Section 3.2 Key Design Principles* of this Report for more details. This significantly increases the chance the heritage item will be restored and maintained to protect its heritage values.

In addition, key connections to and from the heritage item (and the associated sight-lines) follow desire-lines between other uses/activities both on the Site and on neighbouring sites – drawing people down from the CBD and adjacent shopping centres and along Princes St to the commercial and retail uses at a potential range of hours.

Built form and landscape elements are used to increase the connection of the Brewery Tower to the street. This includes mimicking the outline of the Brewery Tower lower building in the steel portal frame that extends the 'shadow' of the building towards Bentinck St (along the side of 50 Bentinck St). Likewise, the Food & Beverage building is shaped to maximise sight-lines along Princes St to the front of the Tower.

5.4.7 Shifting of Massing Away from Brewery Tower

Whilst, maximum Gross Floor Area (GFA)/ Floor Space Ratio (FSR) cannot always be realised on a site due to site constraints, the development controls in the LEP & DCP set a reasonable expectation of development potential for the site as a whole and allow an Applicant to look at alternative ways to locate this massing to minimise impact.

The subject Site has an FSR control of 2:1 across the entire Site. The proposal is only achieving a combined FSR of ~1.37:1 (a significant short-fall in FSR of 0.63:1 or ~3,238m² GFA). Therefore, we suggest that this is not an over-development of the Site as a whole in terms of FSR/GFA.

However, to better protect the heritage items, the integrated Site design allows for the 'shifting' of development potential (GFA/FSR) or building 'massing' away from the Brewery Tower and towards the perimeter of the Site where it will have the least impact on heritage items and the conservation area.

Unfortunately, this conflicts with the height control that seeks to set a maximum height of 12m or approximately (3-4 storeys) across the CBD. Whilst this height control is important in terms of managing impacts of height and appropriate street-building scale, we suggest that for this Site (in this instance) the height control should be over-ridden to produce a better heritage outcome.

Also, once the Quest building is subdivided from the remainder of the Site it will have a GFA of ~4,565m² over a proposed site area of ~2063m² – resulting in an FSR of ~2.2:1 – which is only slightly greater than the permissible FSR of 2:1 (10% variation).

This may result in up to one (1) additional storey of height on the Serviced Apartment building, but the impacts of this additional height (see more details below) are minimised/mitigated and we suggest should not outweigh the heritage benefits of this approach.

It is the clear intent of *Clause 5.10(10) – Heritage / Conservation Incentives* of BLP2014 that heritage values may sometimes over-ride other controls in the LEP when:

- a) *The conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*
- b) *The proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
- c) *The consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
- d) *The proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
- e) *The proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

We suggest that the *Statement of Heritage Impact (SHI)* and other consultant reports have demonstrated the proposal meets the above requirements.

5.4.8 *Reduced Maximum Height compared to 2013/2016 DAs*

It is important to note that the reduction in height of the current proposal compared to the 2013/2016DA:

- a) The 2013 DA approval (that has been 'physically commenced') had a maximum building height approved for the serviced apartment building of around RL670.45. This has now been reduced to RL669.775 at the northern section and RL668.2 – RL669.15 for the southern section; and
- b) The 2016 application (refused) had a maximum height of around RL669.73 (lower than the 2013 DA approval) and the current proposal is lower again.

In addition, there has been greater articulation of the proposed building. The 2013 and 2016 serviced apartment buildings had a flat roof, less vertical and horizontal articulation, and a resulting larger bulk and scale, so the height breach had a greater impact. This proposed building has stepped the building down Howick St, used a mix of roof types (including hipped roof), to reduce the height of the building at the street edge, and used a variety of materials and vertical openings to break up the building length (compared to the previous designs).

The resulting Serviced Apartment building is now significantly below the height of the brewery tower and increases views towards the tower depending on location. The Serviced Apartment building is also setback further from the residential area to the south (see more details below).

5.4.9 *Minimal Impacts of Additional Height/FSR (Serviced Apartment Building)*

The Architectural Plans and supporting consultant reports (including this SoEE) have reviewed the impacts of additional height/FSR on the serviced apartment building as follows:

- a) **Street 'Scale':** The Serviced Apartment building fronts Howick St and Carrington Park. This is a wide street and the proposed building is setback an additional 4-5m from the street boundary. Due to the lack of built form on the north-eastern street frontage of Howick St, some additional height can 'define' the street without dominating it. The 4-5 storey street trees are similar in height to the proposed building.
- b) **Street Solar Access:** Howick St sits on the north-eastern side of the Site. Bentinck St sits on the north-western side of the Site. This means they get good solar access through the day and are not affected by the proposal. The additional height has little impact until very late in the day in terms of street/pedestrian amenity.
- c) **Permitted Height Adjacent Residential Zone:** It is important to note that the permitted maximum height of the adjacent residential zone to the south of the Site is 9m. The dwellings immediately adjacent to the Site are one (1) storey with hipped roofs and due to a number of constraints may not ever achieve the maximum height potential. However, other residential lots have this potential nearby. Therefore, a transition from 4-5 storeys to potentially 3 storeys is less significant than what is perceived to be a transition to 1-2 storeys.
- d) **Increased Setback to Dwellings:** Compared to the 2013 approved plans that resulted in the Serviced Apartments south-western wall being located within 3.6m of the boundary with No.172 Howick St – the current Proposal has increased this setback to more than 8m adjacent to No.172 Howick St and more than 6m at the closest point to the southern boundary.
- e) **Transition in Height to Dwellings:** We suggest that it is not appropriate to try to transition a commercial building in the CBD to the adjacent residential zone by using a 'stepped' building height – particularly with the significant fall along Howick St. We suggest that the CBD should have a clear boundary created by a reasonable transition in height to the adjacent residential scale to 'define' the CBD and maintain the 'gateway' / entrance qualities of the Site. However, the building and form steps down Howick St (see North-East Elevation) towards the south-east and reads more like three (3) storeys over basement parking at this boundary. In addition, the service areas at this end of the building allow for a lower hipped roof element that is more sympathetic to the residential forms adjacent.
- f) **Solar Access to Dwellings:** The unique orientation of Bathurst's CBD grid means that the adjacent dwellings to the south-east receive solar access to the dwelling and the majority of their rear yards (private open space) from 9am to 12pm, meeting the minimum standards. The location of the Serviced Apartment building means that the impacts from the additional height do not extend considerably beyond the Site and the adjacent No.172 Howick St. Some shadow is from existing buildings like the Brewery Tower (e.g. on No.170 Howick St) that remain unchanged.
- g) **Privacy for No.172 Howick St:** The Serviced Apartment building has been designed so most units and their balconies face north-east or south-west rather than looking south-east over the adjacent residential area. Immediately adjacent to No.172 Howick St is the proposed stairwell for the Serviced Apartment building with no

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windows. Whilst there are some secondary windows overlooking the rear yard of No.172 these are generally not the primary views of these units. We suggest this produces reasonable visual privacy for No.172 Howick St.

- h) **Privacy & Amenity for No.170 Howick St:** No.170 Howick St sits towards the rear of the adjacent 'battle-axe' lot and has significant separation from the Serviced Apartment building. The proposed new dwelling at the southern end of the Site is only two (2) storeys over basement parking. Most of the shadow impact is from the Brewery Tower late in the day and also results from significant falls in ground level. The proposed dwelling has limited windows facing No.170 Howick St and is angled for primary views away from this adjacent dwelling.

5.4.10 Reduced Impact of Vehicle Movements/Parking on Heritage/Public Domain

The current application also improves public benefits relating to the clear separation of vehicle movements and parking away from pedestrian areas and connections.

The 2013 approved plans allow for 39 car spaces to be located at the ground level between Princes and Bentinck Streets (see excerpt from 2013 plans below) as well as large vehicle manoeuvring and loading/unloading areas. In addition, the 2013 approved plans allow a new driveway access point from Bentinck St and three (3) vehicle access points to Princes St.

This arrangement is likely to have caused significant impacts on public safety and amenity including:

- Safety issues as Bentinck St is a classified road with higher traffic densities and a significant amount of traffic generated would enter either directly to Bentinck St or indirectly from Princes St;
- Safety and amenity issues with a large number of vehicle driveways, particularly on Princes St impacting pedestrian safety on adjacent footpaths;
- Visual impact issues of large sealed/hard-stand parking areas at ground level with limited landscape opportunity at a key gateway to the CBD;
- Pedestrian safety and amenity issues with the dominance of vehicle movements and parking over pedestrian access and connectivity and a lack of attraction for pedestrians in the CBD to walk to this Site;
- Resulting isolation of and lack of integration between the heritage items (former Brewery Tower and Cool Rooms) to the other new development on the Site resulting in no synergy or relationship between buildings;
- Poorer heritage outcomes and protections for these heritage items and weakened likelihood these buildings would be sensitively re-used and adapted.

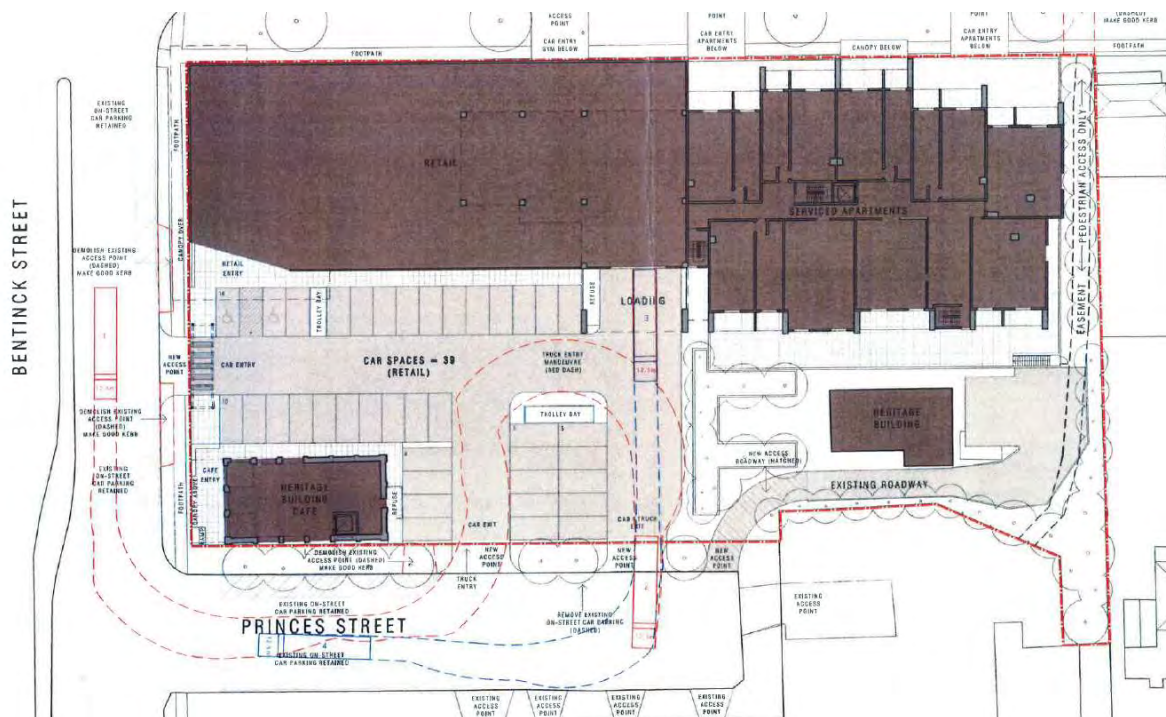


Figure 18: 2013 approved plans for ground level parking around heritage items.

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On the other hand, the current Development Application has removed all parking from this level except limited car spaces approved for No.50 Bentinck St, service vehicle movements that enhance safety and waste management along Princes St, and an increase in public parking along Princes St.

5.4.11 Improved Contextual Design of Building Articulation & Materials

Another significant concern that was raised as part of the refusal of the 2016 application was that the Serviced Apartment building design and materials lacked any recognition of or response to the context of built form in Bathurst including local scale, rhythm and materials.

The Proposed Development has significantly improved on this in the following ways:

- a) As stated above, the integrated Site has resulted in an integrated approach to form and scale across the Site responding to the broader constraints and opportunities. The whole of the Site is not built out but broken down into discrete buildings with clear way-finding/navigation between them for vehicles and pedestrians.
- b) The dominant form used around the Site is the shadow of the former Cool Rooms (No.50 Bentinck St) with a high-pitched gabled roof facing Bentinck St, albeit with different materiality to reference the industrial/heritage buildings without replicating them.
- c) These higher pitched roofs may result in some height breach, but the Architect suggests these are critical to an interpretation of the Site and its history and to integrate with the context of Bathurst's built form.
- d) Red bricks that have been kept from the demolition of previous buildings and reference key colour and brick types in Bathurst are proposed for re-use throughout the site, particularly around the base and as feature walls.
- e) The Commercial Building at the corner of Bentinck and Howick Streets has created a lower form for sight-lines to the tower, but reinforced the corner and street with a strong red brick base that wraps around the corner and support a modern transparent element backed by a solid red-brick feature wall.
- f) The longer building length of the Serviced Apartment building has been broken down into 3-4 distinct 'elements' – the longest at around 20m in length and narrower at either end – using different building and roof heights, roof types, vertical articulation rhythm, façade materials, balconies, and openings of different proportion. This reduces the perceived scale and massing of the building and the visual impact of its height.
- g) Variations in vertical rhythm are also important to Bathurst's street character where different proportions, heights and materials of buildings sit side-by-side but have some common patterns. For example, different window types reference terrace style windows with greater height to width and accentuated window bars.

5.5 Consistency with Objectives / Unreasonable or Unnecessary

5.5.1 Consistency with Zone Objectives

The proposal is consistent with the objectives of Zone B3 as set out in *Section 4.1.3 – Objectives of Zone B3* above.

The proposal complies with the objectives by locating a significant mixed-use development (with dominant commercial purpose) on the edge of the current CBD (near the core) where there is excellent access to services, transport & open space. This reinforces the role of the Bathurst CBD as a commercial and retail centre and encourages appropriate employment in an accessible location.

It provides tourist and visitor accommodation in close proximity to those services and close to the highway. It is expected to encourage walking and cycling for employees on the Site as well as users of the commercial/serviced apartments when accessing the CBD due to proximity.

It will provide a diversity of commercial spaces to support the local community as well as serviced apartments to meet tourist and visitor needs that strengthen the vibrancy of the CBD. It provides a central semi-public space that activates the large site and offers an appreciation of the heritage items.

This is addressed in more detail in the *Key Design Principles* Section of this Report and the *Urban and Architectural Statement* attached.

5.5.2 Consistency with Objectives of Clause 4.3 Height of Buildings

The objective for height of buildings under Clause 4.3 of the LEP is (a) *to establish the maximum height limit to which buildings may be erected in certain locations*. By limiting the objective to compliance, it does not assist the Applicant to demonstrate that good design outcomes can be achieved with a variation to this control.

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Most other Councils provide other objectives that provide more grounds or reasons for setting height controls. We suggest that in meetings with Council it has been clarified that the over-riding objective is to achieve an appropriate heritage response with sensitivity to the existing and desired future streetscape and that heritage benefits can sometimes over-rule height controls.

5.5.3 Consistency with Objectives of Clause 4.4 Floor Space Ratio

The objectives of Clause 4.4 for Floor Space Ratio (FSR) are as follows:

- a) *To ensure that the density, bulk and scale of development is appropriate for business and industrial land, and*
- b) *To ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located.*

We suggest that this Report, and this Section in particular, has demonstrated the proposed density, bulk and scale of the Serviced Apartment building (when integrated into the entire Site development or as part of Stage 1) is appropriate for the business zoning of the land and does not create undue impact on the streetscape or character of the area.

It is a directly response, as stated above, to relocating development potential (FSR/GFA) away from the Brewery Tower (heritage item) towards the perimeter of the Site whilst maintaining key views to the heritage item.

It also maintains the Brewery Tower that is higher than all of the proposed development on the Site and visible from the surrounding area(s). The existing adjacent heritage item at No.50 Bentinck St (former cool rooms) also sets a precedent for the ridgeline heights of the commercial buildings at around RL670.7 that is higher than the proposed serviced apartment building.

5.5.4 Consistency with other Controls in the LEP & DCP/Minimal Impacts

This Report provides a review of all of the relevant controls in the LEP and DCP. It can be seen that other than height/FSR, the proposed development is largely compliant with all of the controls and addresses any impacts from that additional height/massing, particularly to adjacent properties.

5.5.5 Conclusion

As a result of the above we suggest that the development standard is unreasonable or unnecessary either because (in accordance with the principles of *Wehbe v Pittwater Council* [2007] NSWLEC 827:

- a) The underlying objective and/or purpose of the standard (height/FSR) is not relevant; and/or
- b) The underlying objective and/or purpose would be defeated or thwarted if compliance was required;

because, primarily, the heritage benefits of relocating permissible massing away from the heritage items outweighs a prescriptive approach to height/FSR, the development produces a better outcome than a compliant scheme, and the development is consistent with the objectives for FSR (Height does not have any additional objectives by which to compare compliance other than compliance).

5.6 State or Regional Planning Significance

This Variation Request does not raise a matter of State or Regional Planning significance under Clause 4.6(5). It is a local height (and possibly FSR) issue with reasonable impacts that are addressed including the local streetscape and adjacent residential amenity.

5.7 Other Relevant Matters

Whilst the additional height is related to additional serviced apartment units and, therefore, related to the issue of on-site parking, we have addressed these in more detail in this SoEE in the Section below.

5.8 Compliance with Clause 4.6

On the basis of the above submissions, we suggest the Request meets the objectives of Clause 4.6 because it produces a better outcome for and from the proposed development by allowing an appropriate degree of flexibility of the development standard. We have also demonstrated compliance with each of the relevant subclauses of Clause 4.6.

6 ACCESS, TRAFFIC & PARKING (DCP VARIATION REQUEST)

This Section provides an overview of the Access, Traffic & Parking provision of the proposed development. It also provides a written request for a variation to the on-site parking requirements. This Section is a summary of, and supplements, the *Traffic & Parking Assessment* provided by Traffic Solutions Pty Ltd.

6.1 Summary of Justification for Variation to On-Site Parking

Under Clause 1.7 of the DCP Council cannot grant consent to a variation to controls in the DCP unless it has considered a written request that seeks to justify the departure by demonstrating:

- *that compliance with the requirement(s) of this Plan is unreasonable or unnecessary in the circumstances of the case, and*
- *that there are sufficient environmental planning grounds to justify the departure from this Plan, and*
- *the proposed development will be in the public interest because it is consistent with the relevant objectives of this Plan and the objectives for development within the zone under the LEP.*

This section of the report constitutes the Clause 1.7 DCP written request to justify the departure. The relevant objectives of the zone are addressed in Sections above.

Summary of Parking Allocation & Overflow:

- The commercial building requires 37 car spaces and 39 spaces are provided.
- The Brewery Tower & Single Dwelling exceed the amount of parking required.
- The serviced apartments have 46 permanent spaces plus 3 temporary spaces (total 49 spaces) under or adjacent to the building and require (depending on definition of 'unit') 46-77 spaces.
- The Food & Beverage requires 7 spaces and provides 22 spaces underneath the podium. Therefore, there is potential for the excess spaces to be used as over-flow for the serviced apartments or commercial uses at peak demand.
- Cumulative parking requirement is for 123 spaces and 113-116 spaces are provided (7-10 short or ~5.7% - 8.1% variation).

The justification for the variation to on-site parking is set out in detail in the *Traffic & Parking Assessment* and is summarised and supplemented here as follows:

1. **Proximity to CBD:** The Site is located immediately adjacent to the Bathurst CBD and within walking distance of most major services and facilities in the CBD as well as adjacent recreation areas and major visitor attractions, potentially reducing the need for reliance on private vehicles for access to/from the Site to the CBD;
2. **Proximity to Public Transport:** Most of the major bus routes pass along Bentinck and Howick Streets adjacent to or near the Site with a major bus stop located on Howick St (80m from the Site) and the Bentinck Bus Interchange (210m from the Site). There CBD taxi rank is also in Howick St (90m from the Site). This would assist employees and customers using the commercial services and possibly visitors without private vehicles to access areas across Bathurst. The Site is also close to the Bathurst Rail Station and some corporate customers will use the airport. That may encourage serviced apartment users to travel to Bathurst without a private vehicle and reduce parking demand. There are public benefits from encouraging use of public and active transport over private vehicles (for the environment and site outcomes);
3. **Zone Objectives:** The objectives for Zone B3 Commercial Core specifically seek to encourage public and active transport and walking over reliance on private vehicles including:
 - a) *To encourage appropriate employment opportunities in accessible locations.*
 - b) *To maximise public transport patronage and encourage walking and cycling.*
 - c) *To protect and conserve the historic and scenic quality of the Bathurst central business district as a key economic and social asset.*
4. **Improved Heritage & Visual Outcomes:** There are significant public benefits from producing an improved heritage and visual outcome by reduced parking. There is development approval for the Site in 2013 that would have resulted in a significant amount of parking at the Princes St level surrounding the key heritage items on the

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Site and 50 Bentinck St. This would have produced a poorer heritage outcome as at-grade parking and large hardstand areas would dominate the heritage curtilage of these buildings. Due to these buildings there are limitations to the amount of parking the Site can sustain in basement parking without going down multiple levels. We suggest that the heritage benefit of significantly reducing at-grade parking around the heritage items outweighs the on-site parking requirement/payment of contributions and produces a net public benefit.

5. **Improved Urban Design Outcomes:** There are significant public benefits from producing an improved urban design outcome by reduced parking and vehicle access to the Site. Like the improved heritage outcomes, the design seeks to improve other urban design outcomes. This includes:
 - a) Improved pedestrian connectivity, safety and amenity through the creation of an open terrace/piazza that creates a new public space and connects buildings.
 - b) The removal of vehicles from the Princes St level to the basement and lower basement levels that reduces the visual impact and safety issues of both parking and access driveways/ramping from Bentinck and Princes St that was the failure of previous designs.
 - c) The improved activation of Bentinck St and Princes St, wrapping around into Howick St with built form that defines the streets, has active frontages and pedestrian entrances, and 'stitches' the site back into the CBD.
6. **Estimated Occupancy:** Whilst it is acknowledged that there is potential to occupy all of the 75 apartments independently, this is highly unlikely in practice. The *Traffic & Parking Assessment* has put forward figures of occupancy rates for other Quest serviced apartments across eastern NSW that counters the assumption in the Bathurst DCP car-parking requirements of 100% occupancy. The average occupancy rate of 16 similar Quest buildings is 67%. This substantially reduces the average car-parking needed to around 50-52 spaces (46-49 are provided under the Serviced Apartment building).
7. **Dual Key Arrangements:** Whilst it is acknowledged that the dual-key arrangements enable every apartment to be occupied independently this is highly unlikely in practice as there are limited two-bedroom units (16%) and families will often require 3-4 beds. The design of the building enables multiple apartments to be combined to service families and larger groups and these groups often arrive in a single vehicle, reducing the parking demand. The *Traffic & Parking Assessment* has put forward figures of dual-key usage rates for other Quest serviced apartments across eastern NSW that suggest a 33% average for 3-bedroom turn-key units, potentially reducing parking demand by a similar amount.
8. **Definition of 'Unit':** The key issue comes down to the definition of 'unit' in the DCP for parking and how this is affected by a dual-key arrangement. The Applicant submits that as multiple 1 or 2-bedroom apartments can be combined, Council has the discretion to refer to this combination as a 'unit' (42 units) rather than defining each independent apartment as a 'unit' (75 keys). However, even if this is not accepted, it is suggested that some consideration of dual key arrangements can be allowed for in reducing on-site parking demand.
9. **Alignment of Uses - Peak & Total Parking:** The proposal is a large mixed-use development adjacent to the CBD. It combines uses that are likely to activate the Site with peak activity at different times of the day. Commercial uses and parking demand are strongest from 9am to 5pm, whilst serviced apartment uses and parking demand are strongest from 5pm to 9am, and the food and beverage area peaks during lunch and possibly dinner times. Mixed-use sites create the opportunity to better utilise parking infrastructure by sharing some over-flow parking areas (like that under the Food & Beverage podium).
10. **Consistent with 2013 Approval:** The 2013 development approval provided for 40 serviced apartments (67 keyed units) a total of 42 car spaces. This is consistent with one space per dual-keyed (combined) apartment plus 2 spaces for staff/servicing. The Proposal provides a consistent amount of parking under the Serviced Apartment building.
11. **Provision of Motorbike & Bicycle Parking Spaces:** The proposal provides alternate modes of private and active transport through the provision of thirty (30) bicycle spaces/racks (exceeding the requirement for 16 spaces by 14 additional spaces) as well as the provision of 7 motorcycle spaces (5 for the serviced apartments and 2 for the commercial). This provides alternate means of transport than cars that somewhat reduces the shortfall (though it is acknowledged the requirements are for these as 'additional' to required car spaces).
12. **Economic/Tourism Benefits:** The provision of serviced apartments to the visitor and tourist accommodation market will provide a net benefit to the local Bathurst economy. We suggest there is a distinct lack of / quality of tourist accommodation in Bathurst during peak/major events and this may be reducing local expenditure. The total development also has significant potential to provide local employment and commercial office space

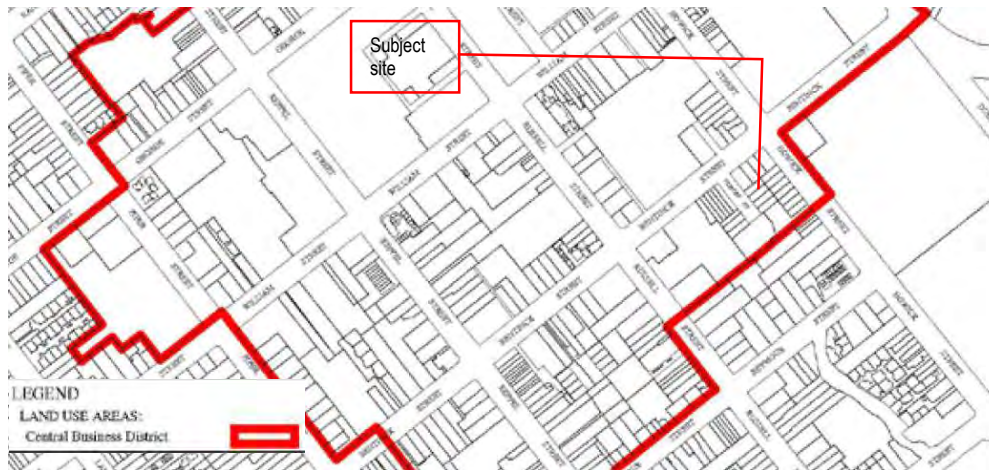
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and services that could be of benefit to the community. These are located on the edge of the CBD where over-flow parking to the street (if it occurs) is less likely to impact on retail users or even nearby residential users.

For these reasons, we suggest that Council consider the parking provision of the Site as-a-whole and/or varying its on-site parking requirements, particularly for the Serviced Apartment component so that no contributions are payable for any (perceived) shortfall in parking on the Site.

6.2 Proximity to Bathurst CBD & Services

As stated earlier in this report, this Site sits on the south-eastern edge of the Bathurst CBD and, as such, provides excellent walking, public transport and private vehicle access to the services, facilities and recreation areas that are likely to be utilised by patrons of the serviced apartments, employees of the commercial building, and the general public accessing the food and beverage facilities. Please see *Section 2 – Existing Site & Surrounds* of this report for more details. Under the DCP, **CBD** is defined to mean that land within Zone **B3** - Commercial Core and shown on DCP Map No. **34** - Central Business District (CBD)(see below). The Site is within the CBD Area defined by this Map.



6.3 Public Transport

The Map below shows the location of the Bathurst Train Station as well as Bathurst Bus Lines routes that are in close proximity to the Site. Bathurst Train Station is located at the southern end of Keppel St and south of Havannah St and is approximately 850m from the Site via Bentinck and Keppel Streets or 810m via Howick and Havannah Streets. This just exceeds a 10-minute standard walk time (800m).

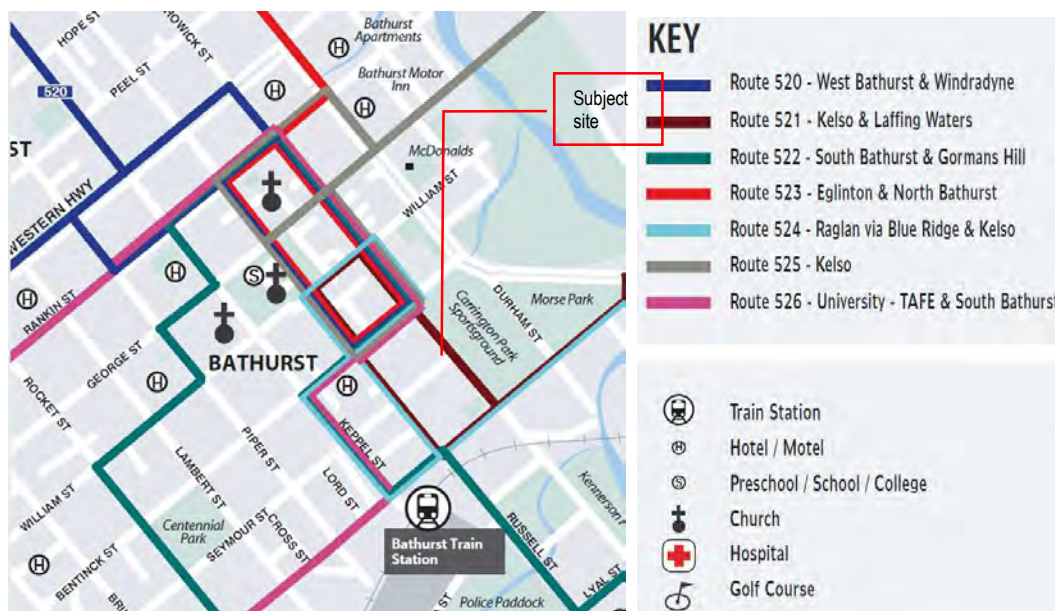


Figure 19: Excerpt from Bathurst Buslines Map & Timetables (www.buslinesgroup.com.au).

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People arriving by train with baggage may be expected to catch a short taxi ride to the Site. and will promote use of local train services from Sydney, Dubbo and other centres along the Main Western Line. The Train Station also operates as the NSW Trainlink bus depot for services to other towns on this network.

It would appear that every one of the seven (7) public bus services (Routes 520-526) all pass by the Site on either Bentinck St or Howick St and service the greater Bathurst suburbs. There is a bus stop located on Howick St outside the Stockland Shopping Centre which is directly opposite the Site. In this way the Site has excellent accessibility (for a Regional City) to public transport for employees and locals.

In areas outside the Sydney Statistical District is it sufficient if there is a transport service available to the residents that is located at a distance of not more than 400m from the Site (accessible by a suitable pathway) that will take residents to a location not more than 400m from the required facilities and services that is available at least once each day from Monday to Friday. The Site more than satisfies this condition.

6.4 Existing Road Network

The Site has three (3) road frontages including Bentinck St (north-west); Howick St (north-east); and Princes St (south-west). Bentinck St connects one (1) block north-east of Howick St to the Great Western Highway (Kendall Avenue/Durham St).

The Great Western Highway is located more than 230m north-east from the corner of Bentinck and Howick Streets. It is a major state highway/classified road under the control of the Roads & Maritime Services (RMS) providing connections to Sydney and connecting to the Mitchell Highway to Dubbo and Mid-Western Highway to Cowra and beyond. In this way access to the Site directly from the highway is direct, short and easy-to-navigate for tourists and visitor as well as the local community.

Bentinck St is a Classified Road (Main Road No.54) that is managed by RMS. It provides a major local connector road from the highway to Keppel St commercial/retail area, Charles Sturt University, TAFE Western, Mount Panorama, St Stanislaus College, Centennial Park, and South Bathurst. It also provides the primary vehicle entry point to the Bathurst City Centre and Stockland Shopping Centre. It is approximately 30m wide with 2 travel lanes in each direction plus a turning lane and some street parking. It has concrete paths on both sides against the lot boundaries. Heritage listed trees line the street from the highway and provide a key 'gateway' to Bathurst CBD.

Howick St provides a significant local connector road from Havannah St up to West Bathurst and Bathurst Base Hospital running parallel to the Great Western Highway. It is a key CBD retail street linking between the three main shopping centres/retail blocks. It is approximately 30m wide with 1 formal travel lane in each direction, a left-hand turning lane at Bentinck St intersection), and parallel street parking both sides. It has wide verges on both sides with concrete pathways against/near the lot boundaries.

Princes St is only a cul-de-sac road but provides access to the south-western edge and centre of the Site (Brewery Tower) as well as a commercial building at the end and cottages along the south-western side. It also provides separation to heritage and other dwellings to the south-west along Bentinck and Princes Streets.

6.5 Road Widening & Realignment

The roads surrounding the Site are not identified on the Land Reservation or Acquisition Maps in the LEP as requiring road widening. It has also not been highlighted in DA2013. It is not expected that any road widening is required that would affect this Site.

However, the Proposed Development does suggest alterations to Princes St on-street car parking that may be beneficial and are for Council's Traffic Committee to consider separately to this DA. It would convert some of the parallel parking to perpendicular parking (recessed to near the Site boundary) to increase parking provision in Princes St adjacent to the proposed Food & Beverage area. The public footpath would angle across the Site towards the Brewery Tower. A new turning head (discussed above) would be added at the end of Princes St for larger vehicles defined by some kerb and guttering and landscaping.

6.6 Proposed Access

The Proposal consists of new vehicle access points and basement parking as follows:

- 1) **Howick St** (Two (2) access driveways – increase of one kerb cut/layback/driveway):
 - a) Primary (upper basement level) parking ENTRANCE ONLY located more than 30m from the intersection with Bentinck St (DCP Cl.5.6.2(i)). Vehicles can turn into the Site from either road direction with reasonable road safety. This provides access to all basement parking on the Site for all uses including the porte-cochere (drop-off point) for the serviced apartments.
 - b) Primary (lower basement level) parking EXIT ONLY located adjacent to No.172 Howick St where there is an existing kerb cut/layback. The exit is at the south-eastern end of the Site (more than 95m from the Bentinck St intersection) where there are safe sight-lines for turning in either direction out onto Howick St. It provides a minimum 6m setback to the rear boundary (DCP Cl.5.6.2(h)). The level is adjusted to the street level at that point.
 - c) This results in an upper level of basement located below the street levels on Princes St and most of Bentinck St (slight protrusion at corner), and a lower level of basement that is part below the Howick St level and part at-grade, minimising the total visibility of car-parking whilst still allowing natural ventilation.
 - d) Connection between the basement levels is via a centrally-located ramp between the serviced apartments and food and beverage area.
- 2) **Princes St** (Two (2) access driveways proposed – replaces existing 2 kerb cuts/laybacks):
 - a) Currently Lot 111 (No.50 Bentinck St) has approval for 3-4 car spaces located at the rear of that building and utilises a 'right-of-way' from Princes St to the rear of the building for access that is retained.
 - b) Princes St does not have sufficient width and lacks a turning head at the end meaning that waste servicing requires a multi-point turn for larger vehicles. This is potentially resolved with the addition of a new driveway / turning head at the end of Princes St as part of the proposed development. This also allows access to the rear of the Food & Beverage building for waste collection and servicing as well as to two car spaces adjacent to the Brewery Tower.
 - c) In order to protect the pedestrian 'piazza' no other regular parking access is provided at this ground level (unlike the 2013 approval) and there are bollards to prevent access.
 - d) Existing two (2) kerb cuts/laybacks are relocated/adapted to the two (2) new driveways. No increase in driveways.
- 3) **Bentinck St** - No vehicle access is proposed directly to Bentinck Street as it is a classified road. However, referral to the RMS will still likely be required as a traffic-generating development with access within 90m of Bentinck St. We accept that RMS will have some say about the access to the Site (DCP Cl.5.6.2(f)) but suggest that the proposal is the best arrangement utilising Howick St.

The intention is that the majority of vehicles may be travelling south-west from the highway along Bentinck Street (the main access road) and will turn into Howick Street to gain access to the lower ground parking. If they miss this turn then they can turn into Princes Street for short-term street parking (see discussion below).

We suggest this satisfies the requirements of DCP *Section 5 – Business & Industrial Development* and the requirement for safe and functional vehicular access to the Site.

6.7 On-Site Car Parking

This is addressed in more detail in the *Traffic & Parking Assessment*.

DCP *Section 5 – Business & Industrial Development* states in *Section 5.6.2* that the number of car parking and bicycle parking spaces and facilities are to be provided on-site in accordance with *Section 14 – Parking* of the DCP. *Section 14.1.2* has an objective of ensuring 'adequate car parking areas are available to service new development and the community in general' and 'to meet the parking demands generated by development'.

Section 14.3 Car Parking has the following table of parking requirements. The table below sets out the proposed parking provision and relationship to those standards.

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Development	Standard (Min.)	Proposal	Min. Req. Parking	Max. Req. Parking	Provided
Serviced apartments	1 space per 'unit' + 1 space per 2 employees	42 'Units' / 75 dual key rooms + 4 employees (at any one time)	42 'Units' + 2 Employee = 44	75 Units + 2 Employee = 77	46 permanent spaces + 3 temporary spaces = 49
Commercial /Office premises	1 space per 50m ²	1,890m ²	1,890m ² / 50 = 37.8 (39)	SAME	39 spaces
Food & Beverage (Restaurant or café)	Inside CBD – 1 space per 35m ²	234m ²	234m ² / 35 = 6.7 (7)	SAME	22 spaces
Dwelling	1-2 spaces	Brewery tower Detached dwelling	2	4	6
TOTAL			90.5 (91) spaces	121.5 (122) spaces	113-116 spaces

In the scenario where only 42 'units' are counted then the provision of 113-116 spaces significantly exceeds the required 91 minimum spaces. Where each separate 'keyed room' is counted as a unit then there is a short-fall of 7-10 spaces (across the entire site). All vehicle parking is located a minimum 3m from the boundary or is in basement parking where it is not visible.

For the reasons in Section 6.1 above, we suggest that Council consider the parking provision of the Site as-a-whole and/or varying its on-site parking requirements, particularly for the Serviced Apartment component so that no contributions are payable for any (perceived) shortfall in parking on the Site.

6.8 Service Vehicles - Loading & Unloading

DCP cl.5.6.2 has the following requirements:

- (g) *Manoeuvring area is to be provided within the site to enable all vehicles serving the development to enter and leave the site in a forward direction (in accordance with Schedule 3) and be adequate for a truck 12.5m long;*
- (j) *Loading and unloading facilities should be in the form of a loading dock and are to be provided on-site such that service vehicles are located wholly within the site and do not create conflicts with parking areas or manoeuvring areas.*

As stated in the *Traffic & Parking Assessment*:

1) Serviced apartments:

- a) Two (2) drop-off/pick-up bays are provided in the porte-cochere at the upper basement level that can be used by taxis, private vehicles or other small vehicles.
- b) A loading bay is provided in the lower basement level adjacent to the lobby (or it can use the drop-off areas at the upper basement level during off-peak hours). Swept paths have confirmed that a 6.4m Small Rigid Vehicle can enter the basement area.
- c) Linen will be collected on a daily basis by a local contractor likely using a van (~6.4-6.5m long, 2.7m head height). There is a linen store at the upper basement level that can provide lift access to the lower basement level. All vehicles can enter and leave in a forward direction.
- d) Waste storage is located in the bin room near the Howick St (south-eastern exit). The bins can be wheeled to the kerb on Howick St for Council collection.

2) Commercial (Office):

- a) This is only likely to have small office supply deliveries that can occur either from time-limited on-street parking on Bentinck St.
- b) Waste storage is in the garbage room at the upper basement level fronting onto the porte-cochere of the serviced apartments. Bins can be wheeled to the kerb for Council collection on Howick St.

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- 3) **Food & Beverage:** Access to this building is available from Princes St with parking on-street or in the turning area for both deliveries and waste collection from the rear storage area. All vehicles can enter and leave in a forward direction.

6.9 Bicycle Parking

DCP Section 14.4 sets out the requirements for Bicycle parking. This is addressed in the *Traffic & Parking Assessment* and summarised in the following table.

Development	Employee/ Resident	Customer/Visi tor	Proposal	Min. Req Parking	Provided
Serviced apartments	1 /40 rooms	None	75 rooms/units	$75/40 = 1.9$ (2)	8 spaces (secure room lower basement)
Commercial /Office premises	$1/300\text{m}^2$ if the floor area exceeds $1,000\text{m}^2$	$1/1,000\text{m}^2$ if the floor area exceeds $1,000\text{m}^2$	$1,890\text{m}^2$	$(1,890/300) +$ $(1,890/1,000)$ $= 6.3 + 1.89 =$ 8.19 (9)	12 spaces (6 spaces in upper basement + 6 spaces in lobby entry)
Food & Beverage (Restaurant or café)	$1/100\text{m}^2$	$2 + 1/200\text{m}^2$ of area available to public	234m^2 (assume 50% open to public)	$(234/100) +$ $(117/200) + 2$ $= 2.34 + 0.59 +$ $2 = 4.93$ (5)	10 spaces (4 in lower basement + 6 adjacent to Princes St)
TOTAL				16 spaces	30 spaces

The provision of 30 spaces significantly exceeds the requirements. The bicycle spaces have racks capable of securing the frame and wheels of two (2) bicycles. They are all located in areas that suit both customers/visitors and employees/residents with good visibility that is well-lit and offer surveillance and reasonable safety.

No shower or change facilities are required for the serviced apartments (less than 5 bicycle places). For the commercial/office/retail premises these may be provided as part of a future application. Otherwise, this is a minor variation.

7 PEDESTRIANS & SAFETY

7.1 Pedestrian Access & Amenity

A key aim of this design is to separate pedestrian and vehicle movements for safety and amenity and to create a new semi-public 'piazza', terrace or place that creates a heritage curtilage around the Brewery Tower and allows an appreciation of the important heritage item. This is a significant point of difference from the 2013 Development Approval that has at-grade parking around the item.

This central piazza/space connects north-west to Bentinck St alongside 50 Bentinck St, through the commercial lobby, south-west out onto Princes St, or down to the upper basement and across to Howick St.

Clear sight-lines connect the Brewery Tower through to Bentinck St to attract people into this space and to look out to the street. It is activated with a proposed future retail/restaurant/café as well as having active edges to the serviced apartments (conference rooms) and commercial building.

The buildings create a sense of enclosure and protection from wind whilst allowing a range of activities that could include outdoor dining, passive recreation and meeting places.

The reception of the Serviced Apartments faces out onto Howick St to activate this street and provide navigation for pedestrian entering through porte-cochere and the lobby.

There are also connections from Princes St to the Brewery Tower (dwelling) and detached dwelling at the southern end of the Site.

7.2 Safety by Design (Crime Prevention)

15. CRIME PREVENTION	
15.3 Objectives To ensure major building developments are designed and constructed to minimise opportunities for crime through appropriate environmental design.	
15.4 Development Standards Serviced apartments (8 or more separate rooms) are a form of development that will be referred to NSW Police under Council's <i>Crime Prevention Through Environmental Design (CPTED)</i> protocol. Please note that we have also briefly addressed any feedback from the NSW Police by letter dated 3/12/12 (related to the 2013 DA) relating to crime prevention (whilst that was a different design the principles remain similar). A <i>Crime Risk Assessment</i> is required that addresses design, layout & configuration to address the following principles.	
15.5 Crime Risk Assessment	
Site Analysis Describe the physical surrounds of the proposed development (e.g. what is to the north – residential houses, industrial area etc – the east, west, south). Is it enclosed by bush, on the side of a steep embankment, open fields etc?	The Site is on the edge of the CBD (to the north and north-west), at the interface with a residential zone (to the south-east) and with some dwellings to the south-west side of Princes St, and interfaces with recreation and open space to the north-east. The land falls away down Howick St but is relatively level on Bentinck and Princes Streets. The Site is near major bus stops and taxi ranks that do provide activity. There are no licensed premises on or in close proximity to the development. Given the Site is currently vacant and this has promoted some vandalism and damage, the new development will reduce the likelihood of criminal activity occurring within its grounds and improve the safety of the surrounding streets that do not currently have a lot of casual surveillance.
Crime Opportunity Is the proposed development susceptible to certain crimes? Is there existing evidence of crimes or anti-social behaviour (e.g. vandalism, graffiti, litter – beer bottles)?	This area of the CBD is not known to be overly susceptible to anti-social or criminal activity. It is not adjacent to any premises serving alcohol or public spaces where people congregate at night. The Site has been vacant for several years and there has been some damage to the Brewery Tower but this is unlikely to occur once the Site is activated. In response to the 2013 DA the NSW Police response (3/12/12) stated that the rating for this development was identified as Low Crime Risk .

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<p>Requested Hours of Operation</p> <ul style="list-style-type: none"> • Serviced Apartments – 7 days a week / 24-hours a day. • Commercial (Office) Building – Standard business hours -usually Monday to Friday 7am to 7pm but allowance for extensions to Saturday and one (1) hour either side of standard hours. • Commercial (Retail/Food Premises) – Extended business hours – Seven (7) days a week – 7am to 10pm (Mon-Sat) & 8am-8pm (Sunday). 	<p>The mixed-use nature of the proposal means that there is likely to be activity on the site that extends from 6am to 10pm on most nights (except Sunday) with some serviced apartment guests arriving after 10pm.</p> <p>Multiple activities with different peak hours are more likely to ensure casual surveillance at different times with commercial activity dominating during the day and the serviced apartments and potential food area peaking in the evening and early morning.</p> <p>The semi-public centre of the Site is likely to be used until 10pm at night (Monday to Saturday), peaking later in the week with usual social activity. Commercial premises and pedestrian usage within the complex will act as natural 'guardians' to the entire complex.</p>
<p>Surveillance</p> <ul style="list-style-type: none"> • Clear, unobtrusive line of sight between public and private places. • Avoidance of dark corners, alcoves, hidden recesses and narrow pedestrian walkways. • Effective lighting of public places. • Landscaping that does not provide offenders with a place to hide or entrap victims. • Landscaping along fence lines to prevent graffiti. • Use of materials that enable observation to public areas (e.g. open wrought iron fencing, glass panelling to building foyers). 	<p>The site is designed as a perimeter style development with a central semi-public space opening out to Princes St.</p> <p>There are limited setbacks (and no fences) along Bentinck and Howick Streets (4-5m) and limited opportunities for concealment along these frontages due to continuous built form and low landscape.</p> <p>All of the surrounding buildings look both into the street and the central space to provide casual surveillance and will be a substantial improvement over the current vacant site.</p> <p>Largely glass frontages to commercial spaces will facilitate casual surveillance. The serviced apartment units/balconies/living spaces look directly out over Howick Street and central space to provide after-hour surveillance.</p> <p>The serviced apartment lobby is at ground-level with glass frontage to Howick St and the porte-cochere.</p> <p>There is reasonable street lighting along Howick & Bentinck Streets. Lighting is limited in Princes Street but there are a number of residences looking out over this street.</p> <p>There will be good lighting and CCTV cameras spread across the premises and particularly in the parking areas and central space. These will meet AS1158 for public streets, car parks and pedestrian access areas. A Lighting Plan (if required) can be appropriately conditioned.</p>
<p>Access Control</p> <ul style="list-style-type: none"> • Avoid numerous entry points to multi-occupancy buildings. • Prevent short cuts across lands designated for other uses. • Ensure security grills can be opened from the inside. 	<p>Due to level changes and Princes St not being a through street, the site does not offer significant potential for short-cuts across the Site for people not using the Site, except connecting uses at the end of Princes St through to the corner of Bentinck and Howick Streets.</p> <p>Pedestrian access to the Commercial (Office) Premises is through the lobby from Bentinck St that connects to the central piazza and would have secure access after standard business hours. The basement parking would also be accessible only by swipe card outside standard hours.</p> <p>Vehicle/pedestrian access to the Serviced Apartments is via reception at the Howick St level. Reception will be open from 7am to 11pm daily and locked outside those hours. There will be an on-site manager for all hours when reception is closed with video-link and swipe card access. There is swipe card access for guests that will only provide access to their specified floor and common areas. The primary parking area will be secured 24/7 with only limited parking likely to be outside the secured area.</p> <p>The Food & Beverage area is accessed from the central piazza/ Princes St. The building will be closed from 10pm and may have open security grills (these don't face the street). The basement parking is not secured but is linear to allow sight-lines and avoid concealment.</p>

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	<p>Therefore, the buildings only have 1-2 entry points, generally in well lit areas with good visibility and facing streets for navigation.</p> <p>There is good signage for the primary vehicle entrance and exit to the site and direct sight-lines to lifts and lobbies. There is one-way vehicle flow for the majority of the Site that minimises vehicle/pedestrian conflicts.</p> <p>Emergency vehicles will be able to access the Site 24/7 with the Porte Cochere (2 temporary spaces) providing parking for emergencies or under the relevant building (as required).</p>
<p>Territorial Reinforcement (Community ownership of public space)</p> <ul style="list-style-type: none"> • Maintain building setback to maximise perception of semi-private areas. • Ensure site entrances are clearly marked. • Avoid flat or porous wall finishes in public areas to minimise graffiti. 	<p>Buildings on the Site are setback to the same/similar amount of existing adjacent building such as No.50 Bentinck St and No.172 Howick St. The Food & Beverage building has a sloped setback to open up views to the Brewery Tower.</p> <p>As stated above, all but the Food & Beverage building have entrances facing the street that are clearly marked.</p> <p>The reception area for the Serviced Apartments is at street level on Howick St and glazed so that there is casual surveillance by staff and guests of the main entrance and clear territorial reinforcement.</p> <p>The pedestrian connections and central piazza act as semi-public spaces during the night, but as they are actually private areas there is potential to stop unwanted activity if required.</p> <p>The main method for discouraging anti-social activity is the casual surveillance, particularly from the serviced apartments with 24-hour management and security.</p> <p>There is also secured parking for both the serviced apartments (24 hour) and commercial building (likely after business hours). This requires swipe access.</p> <p>Signage will assist territorial enforcement and safety including vehicle speed signs, navigational signage at key intersections/ paths, and warning signs such 'Guest only/visitor parking' signs and 'Trespassers will be prosecuted' (as required).</p> <p>Each serviced apartment unit would be clearly numbered for emergency identification.</p> <p>Building managers and each unit would be provided with emergency numbers.</p>
<p>Activity & Space Management</p> <ul style="list-style-type: none"> • Design opportunities for people to use public spaces. • Incorporating opportunities for casual surveillance or activating the space through activities will discourage the proliferation of crime. • Closely linked to territorial reinforcement 	<p>The central piazza is designed to encourage people in and through the Site in a north-south direction and use the central space. This includes sight-lines, architectural elements, landscaped spaces, and outdoor seating areas that support a range of low-impact activities.</p> <p>A <i>Plan of Management</i> if attached to the application for the Serviced Apartment building and provides additional details on operational management, care and maintenance, and security/safety for users of the building. There will be an on-site manager at all times for this building and separate security arrangements for the commercial premises are likely to be arranged.</p> <p>See above re <i>Territorial Reinforcement & Surveillance</i>.</p>
<p>Areas requiring additional consideration</p> <p>Overall, are there any areas of the building or space which may require specific attention or treatments to limit crime opportunities.</p>	<p>The only area that may require additional review is Princes St that does not have any active building frontages and relies in part on casual surveillance from the dwellings on the south-west side of the street. The Applicant would support Council providing additional lighting in this street.</p>

8 SITE REMEDIATION

8.1 Controls

The key controls for contamination and remediation are set out in:

- Contaminated Land Management Act 1997 (CLM Act)*;
- State Environmental Planning Policy (SEPP) No.55 – Remediation of Land* and the associated Guidelines and
- DCP Section 3.3.9 Land contamination* (under the Subdivision Controls).

The SEPP requires the suitable remediation of land where there may have been a previous land use that contaminated the site.

DCP 3.3.9 Land contamination sets out the following controls:

- Where land to be subdivided is identified as being potentially contaminated from previous uses, the subdivider will be required to carry out an investigation in accordance with any relevant guidelines made under the *Contaminated Land Management Act 1997 (CLM Act)*.
- The investigation is to consider the previous land use history of the site and identify any land that may be contaminated. Soil testing may be required as part of the site investigations.

If the land is identified as contaminated, Council shall not consent to the subdivision of land unless remediation works can be and are carried out, at full cost to the subdivider. Remediation is required to an acceptable level to allow the land to be used to the satisfaction of Council and the NSW Office of Environment and Heritage (OEH). Council will generally require the engagement of a site auditor accredited by the OEH to oversee the remediation works and certify that the site is suitable for the intended development.

8.2 Preliminary Site Investigation & Remediation

Historical information (See *Existing Site & Surrounds* Section in this Report above) suggests that the site was first used as a convict hospital and then for a dairy factory including a brewery and soap factory. These are clearly uses that are likely to require a more detailed Preliminary Site Investigation, as followed.

The Site is not listed in Schedule 1 of the DCP (land subject to further investigation prior to subdivision). The site is not listed on the EPA Contaminated Lands Register as of November 2018 (3 entries for the Bathurst Regional LGA of which only two (2) in Bathurst City – 71 Russell St Former Gasworks & Corner William and Durham St Former Police Station). This does not necessarily mean that the site is not contaminated but it has not been listed.

As part of the 2013 DA approval, the demolition and remediation of the site occurred and the site owner submitted to Council the following (Please let us know if you require new copies of these reports):

- Ai/Prensa (2012) *Destructive Hazardous Building Materials Assessment* (Hazmat Report);
- Ai/Prensa (2012) *Environmental Site Assessment (ESA) & Geo-technical Investigation*; and
- GHD (2007) *Hazardous Materials Survey*.

The ESA included a review of historical documentation, a gridded and targeted soil assessment and the installation and sampling of three (3) groundwater monitoring wells at the Site. The ESA confirmed the potential sources of contamination identified in the GHD (2007) report that included an underground storage tank (UST), three (3) boiler rooms; and a former above ground storage tank. The findings re potential contaminants reviewed in details include:

- Benzo(a)pyrene** was detected at several sites (as shown on the Figure on the following page). It can be seen on the Plan that the areas with BaP exceedances are fully within the commercial areas of the Site (outside the proposed residential lots) and have already been deemed to meet commercial standards in that reporting;
- Metals & Fluoride** were detected in groundwater but the report considered that the concentrations were indicative of background concentrations and the Site was not identified as the source;
- Chloride & Nitrate** were detected in groundwater and exceeded the environmental value for drinking water but they were unlikely to impact aquatic ecosystems as there are none adjacent to or near the site and the site water would not be used for potable purposes.

The ESA concluded that '[b]ased on the proposed redevelopment of the Site and the findings of this report it is considered that in accordance with theSEPP55 Planning Guidelines for Managing Land Contamination, no further investigation or remediation of this site is considered necessary' (p.ii Executive Summary).

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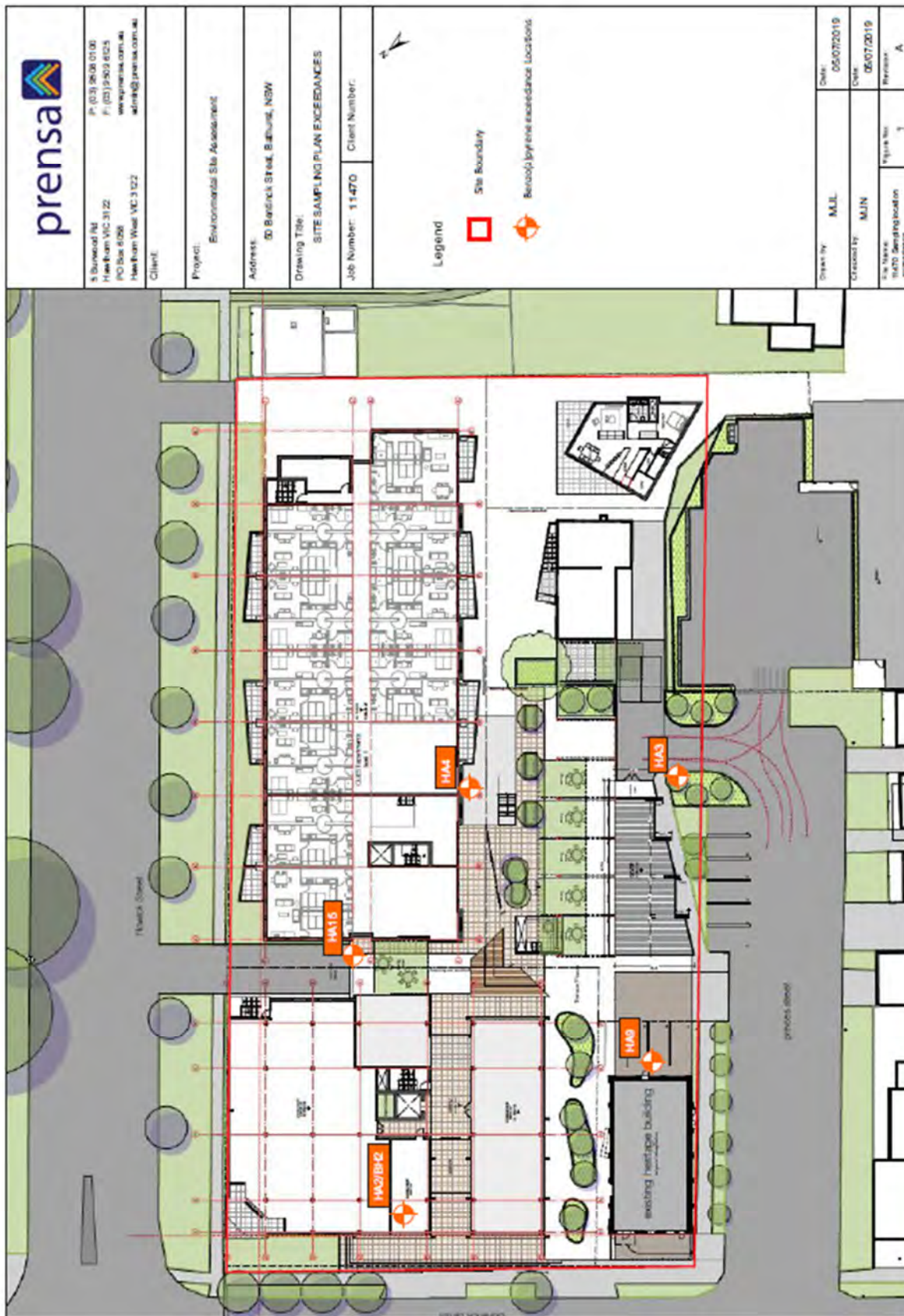


Figure 20: Map of Benzo(a)pyrene (BaP) Exceedances on the Site from 2012 Reporting (Prensa).

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8.3 Further Review

Council as the Pre-Lodgement Meeting in May 2019 highlighted that the NEPM standards had been updated in 2016 and wanted confirmation what that meant for the proposed uses, including the residential uses.

In June 2019, the Applicant asked Prensa Pty Ltd to review the original contamination results against the new NEPM2016 standards and the proposed residential use(s) of the Site.

The emailed response from Mr Marcus Neve (Managing Consultant) on 5 July 2019 was as follows (see copy below):

'With the new NEPM there were exceedances of benzo(a)pyrene in the/a number of locations (the locations being shown on the attached plan).

BaP is non-volatile (i.e. no vapours) and based on the plans there appears to be a basement car park that will be established which will result in the exceedances being excavated. Based on this and our limited review, it is still unlikely that the results of the assessment would pose a potential risk to the proposed land use.'

As a result, it is the land owner's position that they believed the Site has been remediated to a sufficient level for the proposed uses or this can be suitably addressed by additional information requested by Council or suitably conditioned.

From: Marcus Neve
Sent: Friday, 5 July 2019 4:42 PM
To: 'Brett McClellan'
Cc: 'Andrew Napier'; 'Tony McBurney'; 'Joshua Andren'; 'Nick Oldham'
Subject: RE: Dairy Farmers Site - Cnr Bentinck & Howick Sts Bathurst | Contamination Report
Attachments: 11470 Sampling Location Exceedances.pdf

Hi Brett,

With the new NEPM there were exceedances of benzo(a)pyrene in the a number of locations (the locations being shown on the attached plan).

BaP is non-volatile (i.e. no vapours) and based on the plans there appears to be a basement car park that will be established which will result in the exceedances being excavated. Based on this and the our limited review, it is still unlikely that the results of the assessment would pose a potential risk to the proposed land use.

Apologies for the delay in this response.

Please don't hesitate to contact me to discuss further.

Regards,

Marcus Neve | Managing Consultant | Prensa Pty Ltd

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 Postal Address: PO Box 6058, Hawthorn West VIC 3122
 Phone: (03) 9508 0100 | Mobile: 0439 442 254
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Traffic Solutions Pty Ltd



PROPOSED MASTERPLAN FOR A MIXED USE DEVELOPMENT AT THE CORNER OF BENTINCK AND HOWICK STREETS, BATHURST

TRAFFIC AND PARKING ASSESSMENT

September 2019

Ref: 18.19.036

PROPOSED MASTERPLAN FOR A MIXED USE DEVELOPMENT AT THE CORNER OF BENTINCK AND HOWICK STREETS, BATHURST

TRAFFIC AND PARKING ASSESSMENT

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Report No.: 18.19.036

Date: 12 September 2019

Issue: FINAL

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1. INTRODUCTION

This report has been prepared to accompany a Development Application to Bathurst Regional Council for a proposed Masterplan for staged development containing, Quest Apartments, residential, retail and commercial components over 5 separate lots located at the corner of Bentinck and Howick Streets, Bathurst. (Figure 1)

The Masterplan proposes separate buildings over 5 lots covering the site containing:

1. A 76 key Quest Apartment building with 46 car parking spaces (including 4 disabled spaces), 5 motor cycle spaces and 8 bicycle spaces.
2. 1,803.08m² commercial building containing 8 tenancies with 39 basement car parking spaces (including 2 disabled spaces), 2 motor cycle spaces and 12 bicycle spaces.
3. 233.79m² retail space (for food and beverage) with 22 basement car parking spaces and 10 bicycle spaces.
4. Conversion of the heritage Tower to a 3 bedroom plus study unit with 4 parking spaces.
5. A new residential unit containing 4 bedrooms with 2 parking spaces.

The total parking provision of the Masterplan calculates as:

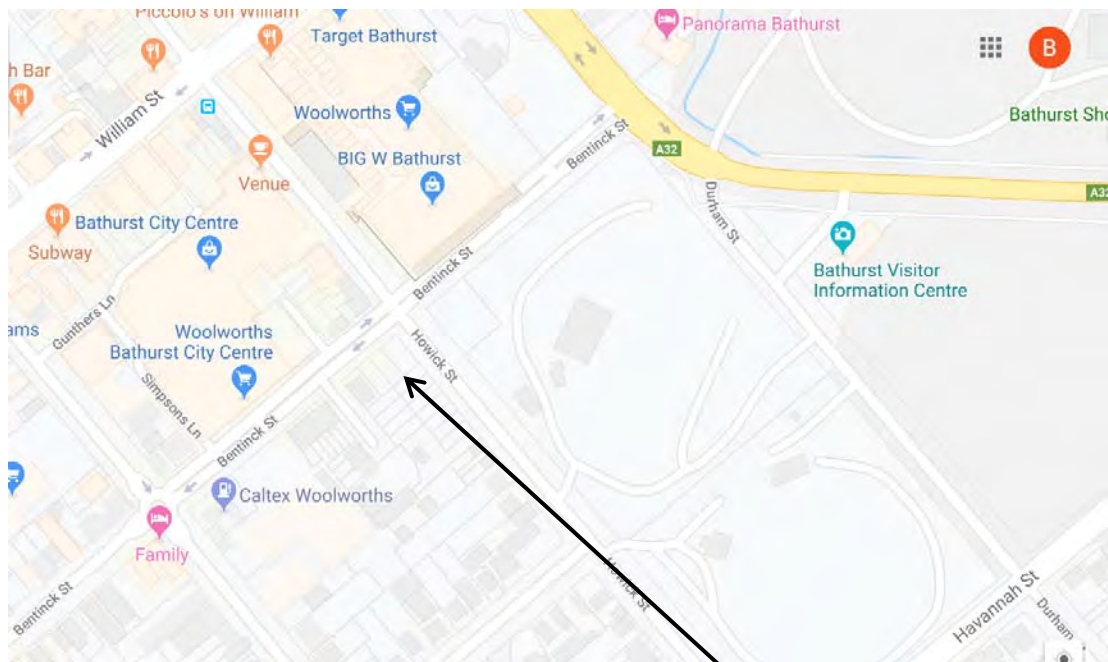
- 113 car spaces
- 7 motor cycle spaces
- 30 bicycle spaces

The Quest Apartment building is proposed to be stage 1 of the Masterplan. The remaining stages will be determined depending on sales and/or tenant contracts.

This report examines the traffic implications of the proposed development and will assess the:

- Proposed access arrangements.
- Adequacy and suitability of the off-street parking provision.
- Estimated traffic generation of the proposal.
- Impacts of the estimated traffic generation on the existing road network.

This assessment has been undertaken utilising Architectural Plans prepared by Integrated Design Group project reference: JOS15072.



LOCATION
Fig 1

2. **PROPOSED DEVELOPMENT**

SITE

The subject site is bounded by Bentinck, Howick and Princes Streets, Bathurst. The site is made up of vacant land, a restored warehouse and an unrestored commercial build (Brewery Tower).

DEVELOPMENT PROPOSAL

The proposed development involves the construction of new buildings and the retention of the existing brewery tower for residential use. Table 1 provides a breakdown of the proposal.

Table 1 – Masterplan room and floor area breakdown						
Building	No of keys	Studio unit	2 bedroom units	3 bedroom units	GFA	Parking spaces
Quest	76	1	30 TK + 7 SK	4TK	4546.94m ²	46
Commercial					1803.08m ²	39
Retail					233.79m ²	22
Residential				2	479.46m ²	6
Total					7063.27m ²	113

Note: TK is Two Key, SK is single Key

Quest apartments offer Two Key apartments which gives guests the option to have a single room or two rooms with an internal adjoining door effectively making it one unit with more bedrooms.

Vehicle access to the underground parking is proposed directly off Howick Street with some at grade parking off Princes Street.

3. EXISTING CONDITIONS

Bentinck Street is a State Road under control of the Roads and Maritime Services. Howick and Princes Street serve a local road function in this area under Council's care and control.

The main features of the existing traffic controls in the vicinity of the site are:

- No Stopping on Howick Street for 35m on the south west side and 20m on the north east side to the south east of the Bentinck Street intersection.
- As is there is no speed reduction sign turning off the Highway onto Bentinck Street it is assumed it is 60km/h as it is a State Road.
- A 50 Km/h speed limit exists along Howick and Princes Streets.
- Unlimited on street parking at the Howick Street frontage of the site.
- 2 hr parking during general business hours on Bentinck Street frontage of the site.
- Unlimited on street parking at the Princes Street frontage of the site.

Data on the traffic movements in the vicinity of the subject site have been collected by surveys undertaken by ROAR Data Pty Ltd as part of this assessment from 7.30am - 9.30am and 3.00pm - 6.00pm on Thursday 16th May 2019 at the intersection of Bentinck and Howick Streets, Bathurst. Conditions on this day were described by the traffic counting firm as fine with no unusual circumstance encountered.

The weekday peak hour at the intersection in the morning and evening was found to be between 8.30am – 9.30am and 4.30pm – 5.30pm respectively. The intersection movements are depicted in figures 2 and 3. Detailed results of the survey are attached as Appendix A and provided in figures 2 and 3. The recorded peak hour flows in Howick Street passing the subject site at these times is provided in table 2:

Table 2 – Howick Street peak hour vehicle volumes		
Direction of vehicles	AM Peak Hour 8.30am – 9.30 am	PM Peak Hour 4.30pm – 5.30pm
North east bound	96	107
South west bound	74	143
Total	170	250

INPUT VOLUMES

Vehicles and pedestrians per 60 minutes

 **Site: Existing AM peak**

Bentnick and Howick Street Traffic Signals
Signals - Actuated

Volume Display Method: Separate

Volumes are shown for Movement Class(es): Light Vehicles and Heavy Vehicles

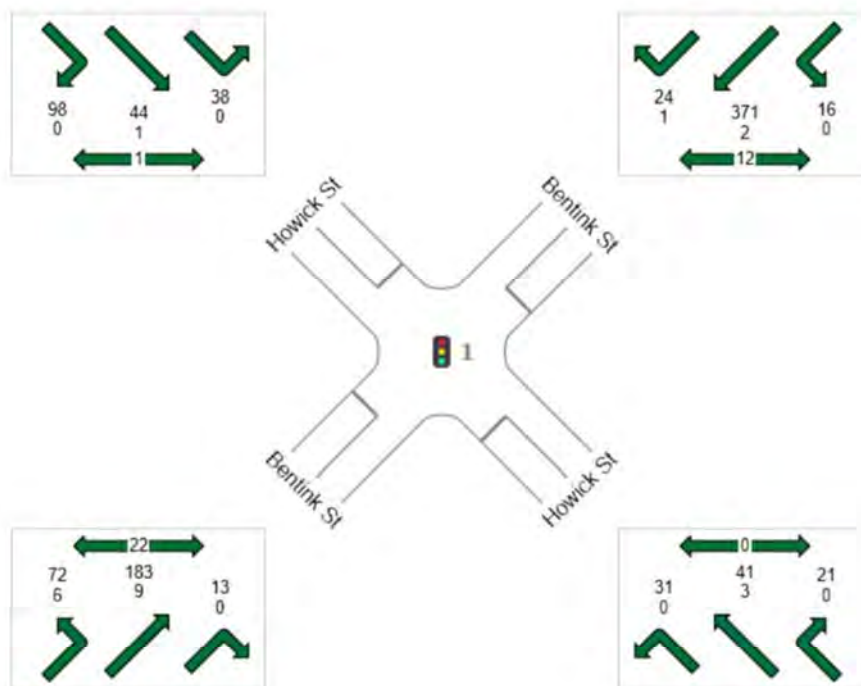
Total Intersection Volumes (veh)

All Movement Classes: 974

Light Vehicles (LV): 952

Heavy Vehicles (HV): 22

Pedestrians: 35



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SIDRA INTERSECTION 6.0.24.4877
Project: T:\20182019\036\Howick and Bentnick.sip6
8000870, 6016543, TRAFFIC SOLUTIONS PTY LTD, PLUS / 1PC

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**SIDRA
INTERSECTION 6**

Morning Peak Hour Flows
Figure 2

INPUT VOLUMES

Vehicles and pedestrians per 60 minutes

 Site: Existing PM peak

Bentinck and Howick Street Traffic Signals
Signals - Actuated

Volume Display Method: Separate

Volumes are shown for Movement Class(es): Light Vehicles and Heavy Vehicles

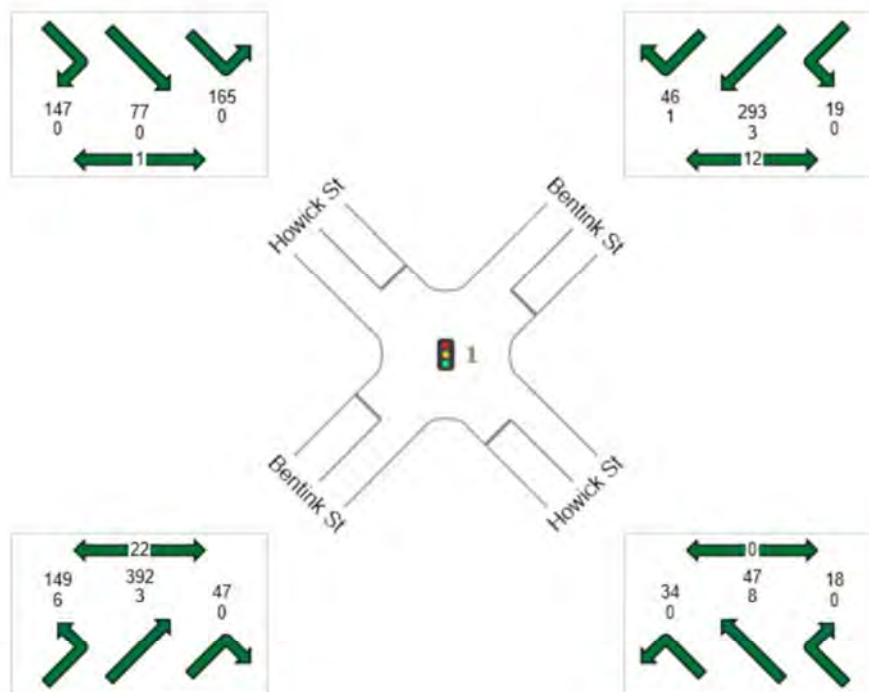
Total Intersection Volumes (veh)

All Movement Classes: 1455

Light Vehicles (LV): 1434

Heavy Vehicles (HV): 21

Pedestrians: 35



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**SIDRA
INTERSECTION 6**

**Evening Peak Hour Flows
Figure 3**

4. KEY ISSUES

VEHICLE ACCESS AND PARKING

Vehicular access to the development is proposed via a 5.6m wide entry driveway and a separate 4.76m wide exit driveway off Howick Street. This provides access to the basement parking for the site. The proposed vehicle access locations will provide good sight distance in both directions along Howick Street. There are also 6 perpendicular (90°) parking spaces located on Princes Street and a further 2 at grade spaces on site via a 5.5m wide driveway off Princes Street. The driveway off Princes Street will also provide good sight distance in both directions.

The driveway proposed off Princes Street will serve multiple uses, namely, a loading area for the retail tenancies, access for 2 parking spaces for the residential tower and improved turn around area for Council's kerbside garbage collection service vehicles.

PARKING LAYOUT

Geometric design requirements for car park layouts are specified in the 'Australian/New Zealand Standard, Parking Facilities Part 1; Off Street Car Parking (AS/NZS 2890.1) of 2004 and Australian/New Zealand Standard, Parking Facilities Part 6: Off street Parking for People with Disabilities of 2009. Table 3 provides a comparison on the requirements of AS/NZS 2890.1 and AS/NZS 2890.6 applicable to the car parking proposal.

Table 3 – Car parking design comparison			
FEATURE	AS/NZS 2890.1 & AS/NZS 2890.6 REQUIREMENT	PROPOSED	CONFORMS TO STANDARD
Parking Space	5.4m x 2.4m car space for long term parking	5.4m x 2.4m for commercial spaces	YES
	5.4m x 2.5m car space for shorter term spaces. Additional 300mm when adjacent a wall	5.4m x 2.6m for Quest and food and beverage spaces. Additional 300mm when adjacent a wall	YES
	5.4m x 5.4m double garage with 2 x 2.4m doors or 4.8m single door min	6.5m x 6m double garages with 5.5m wide double doors	YES
	5.4m x 2.4m plus 5.4m x 2.4m shared zone disabled	5.4m x 2.4m plus 5.4m x 2.4m shared zone disabled	YES
	2.5m x 1.2m motor bike spaces	2.5m x 1.2m motor bike spaces	YES
Aisle Width	5.8m min	5.8m min	YES
Blind Aisle	1.0m	1.0 min	YES

Table 3 – Car parking design comparison (continued)			
FEATURE	AS/NZS 2890.1 & AS/NZS 2890.6 REQUIREMENT	PROPOSED	CONFORMS TO STANDARD
Driveway Width	Category 1 d/w = 3m – 5.5m Category 2 d/w = 6m – 9m Note: Driveways are normally combined, but if separate, both entry and exit widths should be 3.0m min.	5.8m entry, driveway anti-clockwise, 4.6m passing Porte Cochere drop off. 4.7m wide exit driveway.	YES
Ramp Grades	<ul style="list-style-type: none"> 1 in 20 (5%) for 1st 6m > 20m 1 in 5 (20%) max < 20m 1 in 4 (25%) max. Transition required if grade change in excess of 1 in 8 (12.5%)	Vehicle entry 1 in 20 (5%) for the 1 st 6m then flat Vehicle exit driveway 1 in 100 (1%) Ramp < 20m @ 1 in 4 (25%) grade with 1 in 8 (12.5%) grade transitions over 2m provided.	YES YES YES
Ramp Widths	For straight ramps <ul style="list-style-type: none"> One-way ramps = 3.0m min Two-way ramps = 5.5m min Additional 300mm when adjacent For curved ramps <ul style="list-style-type: none"> One-way ramps = 3.6m min Two-way ramps = 7.8m min Additional 300mm when adjacent	One-way straight ramp 4.2m plus 300mm kerbs.	YES
Headroom	2.3m desirable 2.2m minimum 2.5m above disabled space	3.2m max under Porte Cochere 2.3m min to car parks. 2.5m over disabled spaces.	YES
Pedestrian sight line splay	2m (along frontage) x 2.5m (into site)	No obstructions	YES

Accordingly, this development proposal adheres to the above Australian Standard Requirements.

PARKING PROVISION

Council's "*Bathurst Regional Development Control Plan 2014*" specifies the following car parking requirements applicable to the commercial space of the proposal:

- 1 space per 50m² GFA.

Car Parking for Hotel/Motel/Serviced Apartments specifies the following:

- 1 space per unit; plus
- 1 space per 2 employees.

Car Parking for Shops, restaurant or Cafe (except supermarkets) specifies the following:

- 1 space per 35m² GFA.

Car Parking for Medium Density Housing (Precinct 1) specifies the following:

- 1 or 2 bedroom units: 1 covered car parking space per dwelling and 1 visitor space per 4 dwellings or part thereof.
- 3 or more bedroom units: 1 covered car parking space per dwelling and 1 visitor car space per 2 dwellings or part thereof.

Quest in their application to Orange Council provided the following table 4 of the staff arrangements/roster, numbers and times for a 77 key apartment building:

Table 4 – Staff daily roster					
	12am-6am	6am-10am	10am-4pm	4pm-6pm	6pm-12am
Resident Manager	1	1	1	1	1
Reception/Admin	0	2	2	2	2
Cleaners/Support	0	2	5	2	2
Total staff at time	1	5	8	5	5

The peak staff during times that guests will be arriving, and departing is 5 which will be used for the parking calculation

The following provides the off-street parking required for this development under Bathurst Regional Council's DCP:

1803.08m ² commercial space @ 1 space per 50m ²	=	36.1 spaces
233.79m ² shop space @ 1 space per 35m ²	=	6.7 spaces
76 units @ 1 space per unit hotel/motel	=	76 spaces
5 staff during peak guest times @ 1 space per		
2 employees' hotel/motel	=	2.5 spaces
1 x 3 bedroom units @ 1 covered space per dwelling	=	1 spaces
1 x 4 bedroom units @ 1 covered space per dwelling	=	1 spaces
2 units @ 1 visitor space per 2 dwellings	=	1 spaces
TOTAL	=	124.3 spaces

Accordingly, the proposed mixed use development will fall just short of Council's cumulative parking requirements with the total provision of **113** parking spaces.

The car parking breakdown allocation for each component of the Masterplan is provided in Table 5:

Table 5 – Masterplan car parking breakdown			
	Secured	Unsecured	Total
Quest building	34 + 5 motorcycles	12	46 + 5 motorcycles
Commercial	39 + 2 motorcycles		39 + 2 motorcycles
Area under food and beverage		22	22
Residential	4	2	6
Total	97	16	113 + 7 motorcycles

The Masterplan proposal components comply with the individual requirements of Council for the commercial, food/beverage and residential components. The shortfall is the Quest Apartments and Council's requirement of 1 car space per keyed room.

Stage 1, the construction of the Quest Apartments will provide 46 car parking spaces which 60.5% of the total keys assuming 1 car per key when the Quest has filled 46 rooms.

It should be noted that the parking demand for the quest building assumes 1 car per key and does not provide a reduction for corporate professionals who car share, fly or families in one car. Thus, there will be a proportion of guests that will utilise the dual key option which will reduce the parking demand.

Quest have advised that check in is after 2.00pm and check out is prior to 10.00am, however, in reality, most corporate guests check in at 5pm onwards and check out at 7-8am.

Quest have provided statistics in table 6 of the average daily occupation for each of its NSW regional sites:

Table 6 – Quest Griffith and NSW regional average occupancy							
	Mon	Tue	Wed	Thur	Fri	Sat	Sun
Quest Griffith	75.1%	87.5%	87.6%	77.9%	58.1%	59.6%	48.6%
NSW Regional	75.3%	84.7%	85.3%	78.2%	67.6%	76.8%	55.7%

Quest Griffith was also included as Quest considered it to be similar to the Bathurst proposal with 40 dual key rooms (68 apartments). As can be seen Quest apartments peak occupancy days are weekdays.

Quest apartments Average occupancy rates for other regional sites is provided in the Table 7.

Table 7 – Quest average occupancy rates			
Property	Total Apartments	Total Keys	Occupancy
Quest Shepparton	40	69	76%
Quest Mackay	54	97	50%
Quest Mildura	41	66	80%
Quest Ballarat	31	52	80%
Quest Portland	46	51	64%

Table 7 – Quest average occupancy rates (continued)			
Quest Bendigo Central	38	60	81%
Quest Dubbo	42	65	84%
Quest Whyalla	30	56	58%
Quest Breakfast Creek	67	132	56%
Quest Wodonga	48	80	73%
Quest Rockhampton	44	73	65%
Quest Mackay on Gordon	62	115	51%
Quest Townsville on Eyre	55	85	52%
Quest Toowoomba	40	74	59%
Quest Griffith	40	68	71%
Quest Newcastle West	47	78	65%
Average			67%

Utilising the average occupancy rate of **67%**, assuming all single key rooms and 1 car per room, the average car parking required at the Bathurst proposal would be in the order of **51** car spaces (or just 5 spaces short of the parking proposed under the Quest building).

The forecast average weekly occupancy of the proposed Bathurst Quest apartments has also been provided in table 8:

Table 8 – Quest forecast average weekly occupancy rates for Bathurst			
	Year 1	Year 2	Year 3
Quest Bathurst Occupancy Assumptions	45.00%	62.00%	72.00%
Number of Keys	76	76	76
Parking Spaces Provided	46	46	46

An indication of the percentage of how often the rooms are stepped up to a Twin Key format (i.e. key to adjoining room doors utilised) in a year across regional stock where Twin Keys are present has also been provided by Quest Apartments in table 9.

Table 9 – Percentage of dual key usage		
Property	2BDTK	3BDTK
Quest Shepparton	7%	1%
Quest Mackay	0%	0%
Quest Mildura	3%	0%
Quest Ballarat	24%	60%
Quest Portland	0%	0%
Quest Bendigo Central	20%	33%
Quest Dubbo	9%	0%
Quest Whyalla	11%	13%
Quest Breakfast Creek	14%	49%
Quest Wodonga	5%	0%
Quest Rockhampton	3%	0%
Quest Mackay on Gordon	4%	27%
Quest Townsville on Eyre	10%	0%

Table 9 – Percentage of dual key usage (continued)		
Quest Toowoomba	8%	47%
Quest Griffith	6%	24%
Quest Newcastle West	3%	43%
Average	8%	33%

As the greatest use of Quest apartments cater for corporate professionals, a considerable number of guest fly. This along with the proposal's proximity to Bathurst CBD and the following facts will further support a reduction of car parking required at this location.

1. The bus stop and shelter on the north east side of Howick Street is an 80m walk.
2. The Bentinck Taxi Rank is 90m from the site.
3. The Bentinck Street Bus interchange is 210m from the site.
4. Bathurst Bus and Railway interchange is a 950m walk or only a few minutes by Taxi.

Utilising the available on street car parking in Howick Street, which is considered reasonable after 5.00pm as they are located along the frontage of the site without affecting the amenity of adjoining residents or displacing any CBD workers parking. The on street car parking would only be required when **60.5%** of the rooms and the **46** basement car spaces have been filled prior to 5.00pm. This is considered to be unlikely as Quest guests and target market are corporate professionals who arrive after 5.00pm.

Should the Quest Apartments proceed there will be 10 car spaces between the proposed driveways and the existing 14 car spaces located on the north side (Park side) of Howick Street along the frontage of the site that will not have any amenity impact upon any adjoining residential properties.

During the Quest Apartments peak parking times (i.e. weekday overnight) the on street parking demand on Howick Street is minimal. The high demand for parking on Howick Street is during business hours because these spaces are not time restricted and are being utilised by CBD workers.

To confirm the on street parking demand after weekday business hours (along the frontage of the Howick Street frontage of the site only), random sight inspections have been undertaken by Traffic Solutions Pty Ltd, the results are provided in the table 10:

Table 10 – Howick Street random on street car parking demand			
Date	Time	South side (capacity 12)	North side (capacity 14)
Wednesday 4 th September 2019	5.13pm	4 cars	2 cars, 1 truck and 2 motor cycles
	6.00pm	1 car	1 car and 2 motor cycles
	7.15pm	0	0
Monday 9 th September 2019	5.02pm	9 cars	9 cars and 1 motor cycle
Wednesday 11 th September 2019	4.45pm	5 cars	4 cars and 1 motor cycle
	5.05pm	5 cars	4 cars and 1 motor cycle
	6.45pm	0	0

As can be seen this random sample indicates that Howick Street is generally being utilised by CBD employees and the parking demand on Howick Street reduces considerably after 5.00pm.

Thus, if additional over flow spaces are required for the Quest apartments there will be ample on street parking.

The following calculations in Table 11 is provided as an indication of the parking demand of Quest Apartments as a percentage of room occupancy.

Table 11– Number of car spaces per Quest occupancy rate of 76 rooms (assuming 1 car space per room)		
Estimate	Percentage occupancy	Number of rooms/car spaces
Quest Regional Average	67%	51
Quest 3 year forecast	72%	54.7
Typical design percentile	85%	64.6
Capacity less 8% dual key	92%	70
Realistic capacity	95%	72

The total car parking on site plus the south side of Howick Street equals 56 spaces and increases to 70 parking spaces when the north side is added. Therefore, should Quest Apartments achieve 92% rooms occupancy with 8% dual key and 1 car is required for each key the on street parking on Howick Street in front of the site will provide sufficient parking.

In addition, the following table 12 provides the existing and proposed legal (i.e. excludes driveways) on street car parking for each street frontage of the site:

Table 12 – Existing and proposed legal on street car parking		
Street	Existing	Proposed
Howick Street	12	10
Bentinck Street	3	7
Princes Street	8	10
Total	23	27

Therefore, with removal of the existing driveways on each street frontage to the Masterplan site and reinstatement of the kerb and gutter an additional 4 on street car parking spaces will be gained.

Once all the components of the Masterplan have been constructed the shortfall in Council's cumulative car parking requirements is considered to be satisfactory because the 22 unsecured car spaces below the food and beverage building are in excess of Council's 7 required spaces. Therefore, the excess car spaces could be used by Quest Apartments. The food and beverage component will be subject to a separate development application for the internal fit out and operation.

The food and beverage car parking is likely to be less than Council's suggested rate due to its proximity to the CBD and the likely-hood of patrons from Quest apartments and the commercial tenants utilising the services of the food and beverage facility.

It is also noted that the approved Quest Apartment application proposed 45 car spaces which was previously accepted by Council.

It is the opinion of Traffic Solutions Pty Ltd that the car parking proposed on site and on Howick Street will be sufficient to cater for Stage 1 (Quest Apartments). A reduction to the cumulative parking requirements of the total Masterplan is appropriate for the following reasons identified in the parking provision assessment:

1. The peak parking demand of Quest apartments is outside business hours (i.e. overnight) when the on-street demand is minimal. The peak on street demand in Howick Street is during business hours when used by CBD workers as Howick Street is not time restricted.
2. The total car parking on site for stage 1, Quest Apartments, plus the south side of Howick Street equals 56 spaces and increases to 70 parking spaces when the north side is added. Therefore, should Quest Apartments achieve 92% room occupancy with 8% dual key and 1 car is required for each key the on street parking on Howick Street in front of the site will be sufficient.
3. Four (4) additional legal on street car parking spaces will be gained over the total Masterplan due to the removal of redundant driveways.
4. Council's car parking requirements for the Masterplan are cumulative, and consideration of a reduced total car parking number should be considered due to the various uses that complement each other.
5. The car parking requirement for the food and beverage component of the proposal will be reduced due to its proximity to the CBD and likely clientele from the adjoining commercial use and Quest Apartments.
6. The components of the Masterplan peak parking demands do not coincide. i.e. commercial during day, apartments overnight.
7. Quest apartments cater for corporate professionals many of whom fly, and the peak patronage is midweek.
8. The close proximity to Bathurst CBD.
9. The close proximity to bus, rail public transport and Taxi ranks.

The Masterplan provides 30 bicycle spaces on site allocated to each level as follows:

- 6 spaces on ground floor in commercial building.
- 6 spaces on the ground floor at the rear of the food and beverage building.
- 6 secured spaces in the upper basement below the commercial building.
- 4 spaces in the upper basement below the food and beverage building.
- 8 secure spaces in the lower basement below the Quest building.

Council's "*Bathurst Regional Development Control Plan 2014*" specifies the following bicycle parking requirements applicable to the proposal:

Commercial

- 1 space per 300m² if floor area exceeds 1000m² plus
- 1 per 100m² if the floor area exceeds 1000m²

Restaurant cafes:

- 1 space per 100m² plus
- 2 plus 1 per 200m² of area available to the public

Hotel/Motel/Serviced Apartments:

- 1 space per 40 rooms

The following provides the off-street bicycle parking required for this development under Bathurst Regional Council's DCP:

1803.08m ² commercial space @ 1 space per 300m ² Plus 1 space per 1000m ²	=	7.8 spaces
233.79m ² food and beverage space @ 1 space per 100m ² Plus 2 and 1 per 200m ²	=	4.6 spaces
76 units @ 1 space per 40 rooms	=	1.9 spaces
TOTAL	=	14.3 spaces

Accordingly, the proposed mixed use development exceeds Council's parking requirements with the total provision of **30** bicycle parking spaces.

TRAFFIC

An estimation of the traffic generation of the proposed development can be calculated by reference to the Roads and Traffic Authority's *'Guide to Traffic Generating Developments, Section 3 - Landuse Traffic Generation'* of October 2004. The guide specifies the following peak hour traffic generation rates applicable to this proposal:

Smaller units and flats (up to two bedrooms):

Daily vehicle trips = 4-5 per dwelling
Weekday peak hour vehicle trips = 0.4-0.5 per dwelling

Larger units and town houses (three or more bedrooms):

Daily vehicle trips = 5.0-6.5 per dwelling
Weekday peak hour vehicle trips = 0.5-0.65 per dwelling

Office and Commercial

Evening peak hour vehicle trips = 2 per 100m² gross floor area.

Hotel

Daily vehicle trips = 3 per unit
Evening peak hour vehicle trips = 0.4 per unit.

Restaurants

Evening peak hour vehicle trips = 5 per 100 m² gross floor area.

Accordingly, the estimated traffic generation of this development calculates as:

1 x 3 bedroom units @ 0.65 trips/unit	=	0.65 peak hour trip
1 x 4 bedroom units @ 0.65 trips/unit	=	0.65 peak hour trip
1803.08m ² GFA of commercial @ 2 trips/100m ²	=	36.1 evening peak hour trips
76 units @ 0.4 trips/unit	=	30.4 peak hour trips
233.79m ² food and beverage @ 12.3 trips/100m ²	=	28.8 evening peak hour trips
POTENTIAL TOTAL TRIPS	=	96 peak hour trips (AM assumed)

Accordingly, the potential combined traffic generation of the masterplan proposed development is in the order of 96 vehicle trips in the peak hours. To ensure a robust assessment the evening peak hour traffic generation will also be utilised in the modelling for the morning peak hours. Further, it will be assumed that the residential and apartment traffic will depart the site in the morning and the commercial, food and beverage components will approach the site (64 approach and 32 depart) and that this situation will be opposite in the evening peak hour (32 approach and 64 depart).

It is acknowledged that a proportion of the traffic generated by the masterplan proposal will approach and depart the site via Howick Street south east, however to assess a worst

case scenario all of the estimated morning and evening peak hour approach and departure vehicle trips have been assigned to the signalised intersection of Bentinck and Howick Streets proportionally on the basis of existing movements that were recorded at the intersections. Figure 4 and 5 depicts the modelled morning and afternoon peak hour traffic volumes for the intersection.

Using SIDRA 6 Plus, a software programme developed by for the purpose of analysing signalised, roundabout and sign controlled intersections, the effect of the estimated traffic generation of this development on the intersection of Howick and Bentinck Streets has been modelled to determine the impact of the proposal. Table 13 are the results of the intersection modelling and attached as appendix B are the summary results of the SIDRA files. A brief guide on evaluating the results of SIDRA analysis is reproduced in Table 14:


Table 12 – SIDRA intersection modelling results				
Intersection operation indicators	Howick Street and Bentinck Street, Bathurst (Signal controlled)			
	EXISTING		POTENTIAL	
	AM	PM	AM	PM
Level of Service	C	C	C	C
Degree of Saturation	0.679	0.629	0.719	0.635
Total Average Delay (sec/veh)	34.1s	38.1s	36.6s	40.4s

The results of the SIDRA analysis reveals:

- The satisfactory Level of Service at the intersection of Howick and Bentinck Streets will not change with the estimated additional traffic generation of the proposed development.
- The additional traffic demand on the intersection of Howick and Bentinck Streets as a consequence of the proposed development under a worst case scenario will only alter the Degree of Saturation and Total Average Delays minutely.

INPUT VOLUMES

Vehicles and pedestrians per 60 minutes

 Site: Potential AM Peak Hour

Bentinck and Howick Streets
Signals - Actuated

Volume Display Method: Total and Veh

Volumes are shown for Movement Class(es): All Classes and Heavy Vehicles

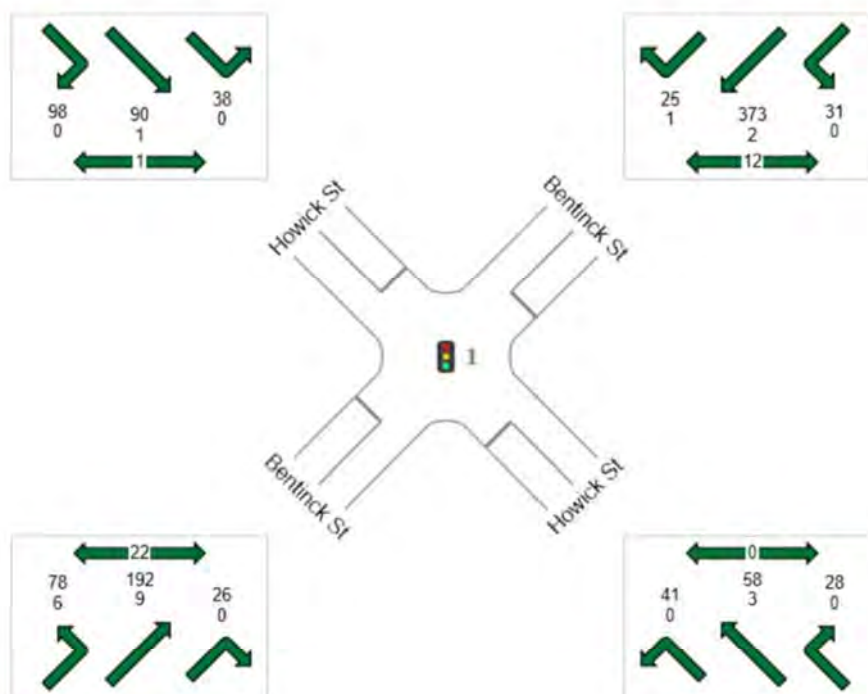
Total Intersection Volumes (veh)

All Movement Classes: 1078

Light Vehicles (LV): 1056

Heavy Vehicles (HV): 22

Pedestrians: 35



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**SIDRA
INTERSECTION 6**

**Modelled Morning Peak
Hour Flows
Figure 4**

INPUT VOLUMES

Vehicles and pedestrians per 60 minutes

 Site: Potential PM Peak Hour

Bentinck and Howick Streets
Signals - Actuated

Volume Display Method: Total and Veh

Volumes are shown for Movement Class(es): All Classes and Heavy Vehicles

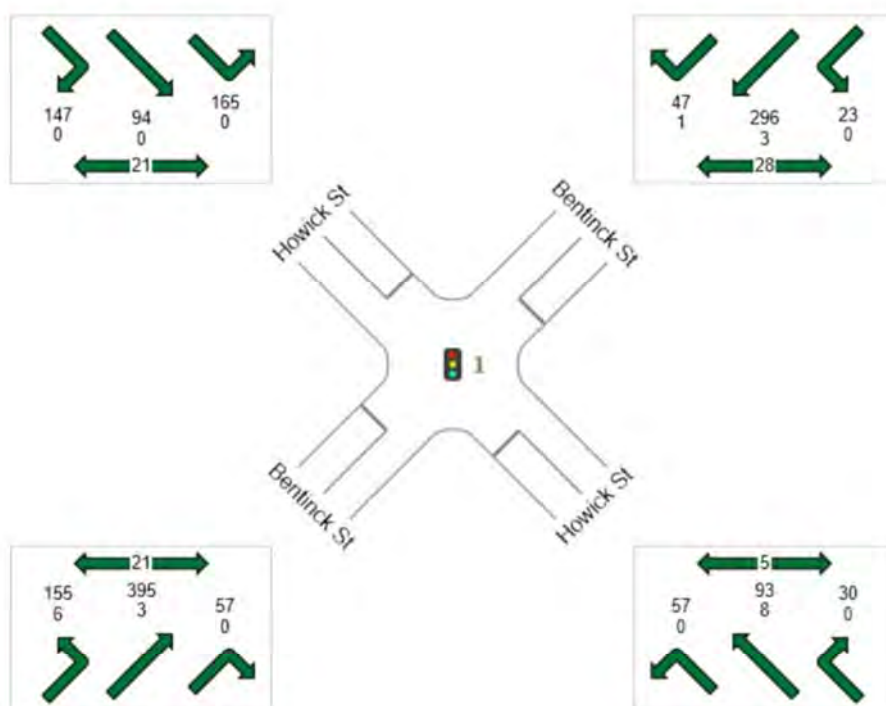
Total Intersection Volumes (veh)

All Movement Classes: 1559

Light Vehicles (LV): 1538

Heavy Vehicles (HV): 21

Pedestrians: 75



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**SIDRA
INTERSECTION 6**

**Modelled Evening Peak
Hour Flows
Figure 5**

Table 14 – Evaluation of the results of SIDRA analysis**LEVEL OF SERVICE**

THE LEVEL OF SERVICE FOR TRAFFIC SIGNALS, ROUNDABOUTS AND SIGN CONTROL INTERSECTIONS IS SHOWN BELOW, THIS IS BASED ON THE AVERAGE DELAY IN SECONDS PER VEHICLE:

AVERAGE DELAY PER VEHICLE	LEVEL OF SERVICE	TRAFFIC SIGNALS & ROUNDABOUTS	SIGN CONTROL
< 14	A	GOOD	GOOD
15 - 28	B	GOOD WITH MINIMAL DELAYS AND SPARE CAPACITY	ACCEPTABLE DELAYS AND SPARE CAPACITY
29 - 42	C	SATISFACTORY WITH SPARE CAPACITY	SATISFACTORY BUT ACCIDENT STUDY REQUIRED
43 - 56	D	SATISFACTORY BUT OPERATING NEAR CAPACITY	NEAR CAPACITY AND ACCIDENT STUDY REQUIRED
57 - 70	E	AT CAPACITY: AT SIGNALS INCIDENTS WILL CAUSE EXCESSIVE DELAYS, ROUNDABOUTS REQUIRE ANOTHER CONTROL MODE	AT CAPACITY AND REQUIRES ANOTHER CONTROL MODE
> 70	F	UNSATISFACTORY	UNSATISFACTORY

DEGREE OF SATURATION

THE DEGREE OF SATURATION IS ANOTHER MEASURE OF THE OPERATIONAL PERFORMANCE OF INDIVIDUAL INTERSECTIONS.

FOR TRAFFIC SIGNAL CONTROLLED INTERSECTIONS BOTH QUEUE LENGTH AND DELAY INCREASE RAPIDLY AS THE DEGREE OF SATURATION APPROACHES 1.0, AND IT IS USUALLY ATTEMPTED TO KEEP IT BELOW 0.9.

FOR ROUNDABOUTS OR SIGN CONTROLLED INTERSECTIONS, OVERSATURATION IS INDICATED BY A VALUE IN EXCESS OF 0.8.

AVERAGE VEHICLE DELAY

THE AVERAGE VEHICLE DELAY PROVIDES A MEASURE OF THE OPERATIONAL PERFORMANCE OF AN INTERSECTION AS INDICATED IN THE ABOVE TABLE. THE AVERAGE VEHICLE DELAYS IN THE TABLE SHOULD BE USED AS A GUIDE ONLY AS LONGER DELAYS COULD BE TOLERATED IN SOME LOCATIONS.

BUILDING SERVICING

The servicing of each individual building will need to be assessed with each individual development application. However, general garbage will be collected by Council's kerbside collection service.

Collection and delivery of linen for the quest apartments is undertaken on a daily basis by a local contractor (to be determined). This vehicle is generally a large white van such as a Ford Transit or similar. Glenray, for example use these vehicles and the largest manufactures specifications is equivalent to the 99th percentile car (5.2m long) but with a head height of 2.7m (unladen), However, the selected contractor will be required to provide an appropriate vehicle to access the site with the available headroom of 3.3m.

Deliveries to the food and beverage area will be able to be undertaken on the ground floor off Princes Street between the new building and the tower. This driveway will also improve the ability for Council garbage collection vehicles to undertake a 3 point turn in the dead end street.

To depict how vehicles can manoeuvre within the development, turning paths have been generated using AUTOCAD VEHICLE TRACKING software. Attached for Council's consideration are AUTOCAD drawings depicting the AS 2890.1 – 2004, B99 design car (5.2m long) turning into, travelling through and exiting the site in a forward direction.

Also attached is a swept turning path for the medium rigid vehicle (such as Council's garbage vehicle) utilising the additional driveway at the end Princes Street to undertake a 3-point turn.

These attachments indicate that these vehicles can satisfactorily service the site as proposed.

A copy of the swept turning path of this vehicle is attached as Appendix C

5. CONCLUSIONS

The preceding analysis has demonstrated that:

- The access driveways proposed to serve the development are suitably located and will provide good sight distance in both directions along Howick and Princes Streets.
- The peak parking demand of Quest Apartments is outside business hours (i.e. overnight) when the on-street parking demand is minimal. The peak on street demand in Howick Street is during business hours when used by CBD workers as Howick Street is not time restricted.
- The total car parking on site for stage 1, Quest Apartments, plus the south side of Howick Street equals 56 spaces and increases to 70 parking spaces when the north side is added. Therefore, should Quest Apartments achieve 92% room occupancy with 8% dual key and 1 car is required for each key the on street parking on Howick Street in front of the site will provide sufficient parking.
- Four (4) additional legal on street car parking spaces will be gained over the total Masterplan due to the removal of redundant driveways.
- The off-street parking proposed for the total Masterplan is slightly short of Council's cumulative car parking requirements, however, the provision is considered satisfactory due to the complimentary uses of the site and peak parking demand times do not coincide.
- The Level of Service and operation of the traffic signals at the intersection of Bentinck and Howick Streets will not change with the estimated additional traffic generation of the proposed development.
- The additional traffic demand on the intersection modelled, as a consequence of the proposed development will not have any unacceptable traffic or safety impacts.
- The proposals potential estimated peak hour traffic flows will not have any unacceptable traffic related impacts upon Howick Street or the surrounding road network.
- The proposal is sufficient to cater for a vehicle equivalent in length to the 99th percentile vehicle with a headroom of less than 3.2m to circulate through the internal road and access the loading area off Princes Street.
- The new driveway off Princes Street will facilitate/improve the ability for Council's garbage vehicle to undertake a 3-point turn at the dead end of Princes Street.

APPENDIX A TRAFFIC COUNTS



Intersection Details

Obtained via satellite
May be incorrect

AM PEAK HOUR
0830 - 0930

Combined figures only



Howick St

Bentinck St

		T		L	
R	AM	98	45	38	38
	PM	147	77	165	165

AM	L		T		R	
	PM	78	155	192	395	13
13	47	47	47	47	47	47

PM	L		T		R	
	AM	34	55	31	44	21
18	21	21	21	21	21	21

R	AM	47	25	373	373
	PM	19	16	16	16

Bentinck St

PM PEAK HOUR
1630 - 1730

Weather >>>



Howick St



R.O.A.R. DATA

Reliable, Original & Authentic Results

Ph.88196847, Mob.0418-239019

Client : Traffic Solutions Pty. Ltd.
Job No/Name : 7075 BATHURST Howick St
Day/Date : Thursday 16th May 2019

Lights

	NORTH			WEST			SOUTH			EAST		
	Howick St			Bentinck St			Howick St			Bentinck St		
Time Per	L	I	R	L	I	R	L	I	R	L	I	R
0730 - 0745	3	4	8	6	7	0	1	2	1	1	24	4
0745 - 0800	5	3	11	7	12	2	3	1	0	6	32	6
0800 - 0815	5	6	8	14	28	1	5	5	3	3	41	2
0815 - 0830	1	5	18	8	26	3	2	7	3	9	43	7
0830 - 0845	6	9	9	11	26	4	5	9	5	2	68	3
0845 - 0900	9	12	25	15	48	1	5	9	6	5	95	7
0900 - 0915	14	9	32	18	68	3	7	9	5	8	131	7
0915 - 0930	9	14	32	28	41	5	14	14	5	1	77	7
Period End	52	62	143	107	256	19	42	56	28	35	511	43

Lights

	NORTH			WEST			SOUTH			EAST		
	Howick St			Bentinck St			Howick St			Bentinck St		
Peak Time	L	I	R	L	I	R	L	I	R	L	I	R
0730 - 0830	14	18	45	35	73	6	11	15	7	19	140	19
0745 - 0845	17	23	46	40	92	10	15	22	11	20	184	18
0800 - 0900	21	32	60	48	128	9	17	30	17	19	247	19
0815 - 0915	30	35	84	52	168	11	19	34	19	24	337	24
0830 - 0930	38	44	98	72	183	13	31	41	21	16	371	24

Policy Meeting

PEAK HOUR	38	44	98	72	183	13	31	41	21	16	371	24	952
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191 of 472 (6 November 2019)

Heavies

	NORTH			WEST			SOUTH			EAST		
	Howick St			Bentinck St			Howick St			Bentinck St		
Time Per	L	I	R	L	I	R	L	I	R	L	I	R
0730 - 0745	0	0	0	0	1	0	0	1	0	0	2	0
0745 - 0800	0	0	0	1	0	0	0	0	0	0	1	0
0800 - 0815	0	0	0	5	0	0	0	1	0	0	0	0
0815 - 0830	0	0	0	1	1	0	0	0	0	0	0	0
0830 - 0845	0	0	0	2	0	0	0	1	0	0	2	0
0845 - 0900	0	0	0	2	3	0	0	1	0	0	0	1
0900 - 0915	0	1	0	2	3	0	0	0	0	0	0	0
0915 - 0930	0	0	0	2	1	0	0	1	0	0	0	0
Period End	0	1	0	13	11	0	0	5	0	0	5	1

Heavies

	NORTH			WEST			SOUTH			EAST		
	Howick St			Bentinck St			Howick St			Bentinck St		
Peak Per	L	I	R	L	I	R	L	I	R	L	I	R
0730 - 0830	0	0	0	7	2	0	0	2	0	0	3	0
0745 - 0845	0	0	0	7	3	0	0	2	0	0	3	0
0800 - 0900	0	0	0	8	6	0	0	3	0	0	2	1
0815 - 0915	0	1	0	5	9	0	0	2	0	0	2	1
0830 - 0930	0	1	0	6	9	0	0	3	0	0	2	1

PEAK HOUR	0	1	0	6	9	0	0	3	0	0	2	1	22
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Combined

	NORTH			WEST			SOUTH			EAST		
	Howick St			Bentinck St			Howick St			Bentinck St		
Time Per	L	I	R	L	I	R	L	I	R	L	I	R
0730 - 0745	3	4	8	6	8	0	1	3	1	1	26	4
0745 - 0800	5	3	11	8	12	2	3	1	0	6	33	6
0800 - 0815	5	6	8	19	28	1	5	6	3	3	41	2
0815 - 0830	1	5	18	9	27	3	2	7	3	9	43	7
0830 - 0845	6	9	9	11	28	4	5	10	5	2	70	3
0845 - 0900	9	12	25	17	51	1	5	10	6	5	95	8
0900 - 0915	14	10	32	20	71	3	7	9	5	8	131	7
0915 - 0930	9	14	32	30	42	5	14	15	5	1	77	7
Period End	52	63	143	120	267	19	42	61	28	35	516	44

Combined

	NORTH			WEST			SOUTH			EAST		
	Howick St			Bentinck St			Howick St			Bentinck St		
Peak Per	L	I	R	L	I	R	L	I	R	L	I	R
0730 - 0830	14	18	45	42	75	6	11	17	7	19	143	19
0745 - 0845	17	23	46	47	95	10	15	24	11	20	187	18
0800 - 0900	21	32	60	56	134	9	17	33	17	19	249	20
0815 - 0915	30	36	84	57	177	11	19	36	19	24	339	25
0830 - 0930	38	45	98	78	192	13	31	44	21	16	373	25

Attachments

PEAK HOUR	38	45	98	78	192	13	31	44	21	16	373	25	974
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Ph.88196847, Mob.0418-239019

Policy Meeting

192 of 472 (6 November 2019)

Attachments

Peds	NORTH		WEST		SOUTH		EAST	
	Howick St		Bentinck St		Howick St		Bentinck St	
Peak Per	UNCLASSIFIED	UNCLASSIFIED	UNCLASSIFIED	UNCLASSIFIED	UNCLASSIFIED	UNCLASSIFIED	UNCLASSIFIED	TOT
0730 - 0830	4		13		2		10	29
0745 - 0845	4		9		2		12	27
0800 - 0900	5		11		0		11	27
0815 - 0915	5		21		0		15	41
0830 - 0930	1		22		0		12	35

PEAK HR	1	22	0	12	35





R.O.A.R. DATA

Reliable, Original & Authentic Results

Ph.88196847, Mob.0418-239019

Client : Traffic Solutions Pty. Ltd.
Job No/Name : 7075 BATHURST Howick St
Day/Date : Thursday 16th May 2019

Lights

Lights	NORTH				WEST				SOUTH				EAST			
	Howick St				Bentinck St				Howick St				Bentinck St			
	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT
1500 - 1515	25	9	38	26	75	6	8	11	7	8	73	10	296			
1515 - 1530	17	12	37	23	55	7	3	8	6	3	45	9	225			
1530 - 1545	41	18	38	26	118	5	15	18	6	3	79	10	377			
1545 - 1600	28	6	30	23	86	5	9	8	5	3	68	5	276			
1600 - 1615	26	14	33	46	68	8	14	15	11	5	95	14	349			
1615 - 1630	19	14	39	26	86	7	2	7	7	8	61	15	291			
1630 - 1645	45	21	50	39	104	12	7	14	7	5	86	14	404			
1645 - 1700	35	18	32	41	97	10	5	9	5	5	61	9	327			
1700 - 1715	41	24	33	41	109	14	15	10	4	6	91	9	397			
1715 - 1730	44	14	32	28	82	11	7	14	2	3	55	14	306			
1730 - 1745	29	9	35	32	95	17	5	11	4	7	51	10	305			
1745 - 1800	25	14	32	29	86	14	7	9	3	5	41	12	277			
Period End	375	173	429	380	1061	116	97	134	67	61	806	131	3830			

Heavies

	NORTH				WEST				SOUTH				EAST			
	Howick St				Bentnick St				Howick St				Bentnick St			
Time Per	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT
1500 - 1515	0	0	0	1	0	0	0	0	0	0	0	0	2	1	0	5
1515 - 1530	0	0	0	2	0	0	0	1	0	0	0	0	0	0	0	3
1530 - 1545	0	0	0	1	0	0	0	2	0	0	3	0	7			7
1545 - 1600	0	0	0	0	1	0	0	0	0	0	0	0	1			1
1600 - 1615	0	0	0	1	3	0	0	1	0	0	0	0	5			5
1615 - 1630	0	0	0	1	0	0	0	1	0	0	1	0	3			3
1630 - 1645	0	0	0	1	0	0	0	3	0	0	0	0	4			4
1645 - 1700	0	0	0	2	0	0	0	2	0	0	0	0	4			4
1700 - 1715	0	0	0	1	1	0	0	1	0	0	1	1	5			5
1715 - 1730	0	0	0	2	2	0	0	2	0	0	2	0	8			8
1730 - 1745	0	0	0	1	0	0	0	0	0	0	1	0	2			2
1745 - 1800	0	0	0	2	1	0	0	1	0	0	1	0	5			5
Period End	0	0	0	15	10	0	0	14	0	0	11	2	52			52

Combined

Combined	NORTH				WEST				SOUTH				EAST			
	Howick St				Bentnick St				Howick St				Bentnick St			
Time Per	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT
1500 - 1515	25	9	38	301	27	76	6	8	11	7	8	75	11	301		
1515 - 1530	17	12	37	228	25	55	7	3	9	6	3	45	9	228		
1530 - 1545	41	18	38	384	27	119	5	15	20	6	3	82	10	384		
1545 - 1600	28	6	30	277	23	87	5	9	8	5	3	68	5	277		
1600 - 1615	26	14	33	354	47	71	8	14	16	11	5	95	14	354		
1615 - 1630	19	14	39	294	27	86	7	2	8	7	8	62	15	294		
1630 - 1645	45	21	50	408	40	104	12	7	17	7	5	86	14	408		
1645 - 1700	35	18	32	331	43	97	10	5	11	5	5	61	9	331		
1700 - 1715	41	24	33	402	42	110	14	15	11	4	6	92	10	402		
1715 - 1730	44	14	32	314	30	84	11	7	16	2	3	57	14	314		
1730 - 1745	29	9	35	307	33	95	17	5	11	4	7	52	10	307		
1745 - 1800	25	14	32	282	31	87	14	7	10	3	5	42	12	282		
Period End	375	173	429	3882	395	1071	116	97	148	67	61	817	133	3882		

Lights

Lights	NORTH				WEST				SOUTH				EAST			
	Howick St				Bentinck St				Howick St				Bentinck St			
	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT
1500 - 1600	111	45	143	98	334	23	35	45	24	17	265	34	1174			
1515 - 1615	112	50	138	118	327	25	41	49	28	14	287	38	1227			
1530 - 1630	114	52	140	121	358	25	40	48	29	19	303	44	1293			
1545 - 1645	118	55	152	134	344	32	32	44	30	21	310	48	1320			
1600 - 1700	125	67	154	152	355	37	28	45	30	23	303	52	1371			
1615 - 1715	140	77	154	147	396	43	29	40	23	24	299	47	1419			
1630 - 1730	165	77	147	149	392	47	34	47	18	19	293	46	1434			
1645 - 1745	149	65	132	142	383	52	32	44	15	21	258	42	1335			
1700 - 1800	139	61	132	130	372	56	34	44	13	21	238	45	1285			
PEAK HOUR	165	77	147	149	392	47	34	47	18	19	293	46	1434			

Heavies

	NORTH				WEST				SOUTH				EAST			
	Howick St				Bentnick St				Howick St				Bentnick St			
Peak Per	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT
1500 - 1600	0	0	0	4	3	0	0	3	0	0	0	0	5	1	0	16
1515 - 1615	0	0	0	4	5	0	0	4	0	0	0	0	3	0	0	16
1530 - 1630	0	0	0	3	5	0	0	4	0	0	0	0	4	0	0	16
1545 - 1645	0	0	0	3	4	0	0	5	0	0	0	0	1	0	0	13
1600 - 1700	0	0	0	5	3	0	0	7	0	0	0	0	1	0	0	16
1615 - 1715	0	0	0	5	1	0	0	7	0	0	0	0	2	1	0	16
1630 - 1730	0	0	0	6	3	0	0	8	0	0	0	0	3	1	0	21
1645 - 1745	0	0	0	6	3	0	0	5	0	0	0	0	4	1	0	19
1700 - 1800	0	0	0	6	4	0	0	4	0	0	0	0	5	1	0	20
PEAK HOUR	0	0	0	6	3	0	0	8	0	0	0	0	3	1	0	21

Combined

Combined	NORTH				WEST				SOUTH				EAST			
	Howick St				Bentnick St				Howick St				Bentnick St			
	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT	L	I	R	TOT
1500 - 1600	111	45	143	102	337	23	35	48	24	17	270	35	1190			
1515 - 1615	112	50	138	122	332	25	41	53	28	14	290	38	1243			
1530 - 1630	114	52	140	124	363	25	40	52	29	19	307	44	1309			
1545 - 1645	118	55	152	137	348	32	32	49	30	21	311	48	1333			
1600 - 1700	125	67	154	157	358	37	28	52	30	23	304	52	1387			
1615 - 1715	140	77	154	152	397	43	29	47	23	24	301	48	1435			
1630 - 1730	165	77	147	155	395	47	34	55	18	19	296	47	1455			
1645 - 1745	149	65	132	148	386	52	32	49	15	21	262	43	1354			
1700 - 1800	139	61	132	136	376	56	34	48	13	21	243	46	1305			
PEAK HOUR	165	77	147	155	395	47	34	55	18	19	296	47	1455			



R.O.A.R DATA

Reliable, Original & Authentic Results

Ph.88196847, Mob.0418-239019

Client : Traffic Solutions Pty. Ltd.

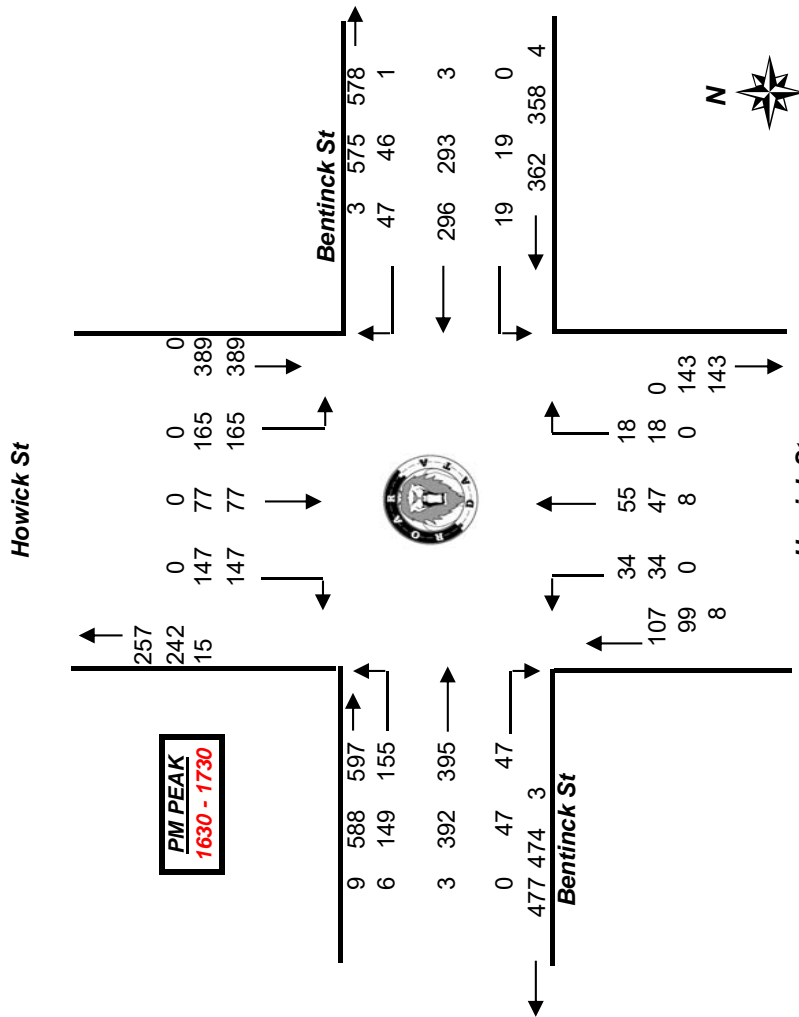
Job No/Name : 7075 BATHURST Howick St

Day/Date : Thursday 16th May 2019

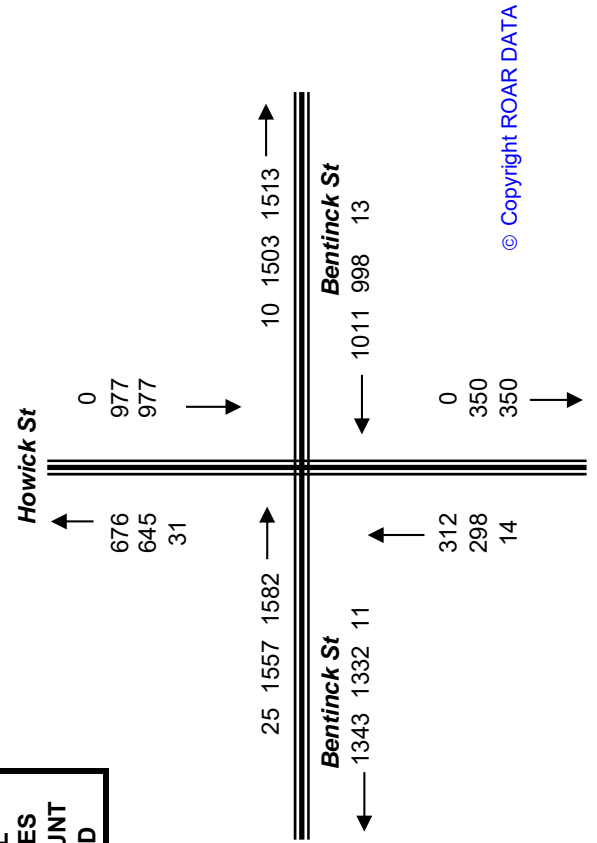
Time Per	NORTH Howick St		WEST Bentinck St		SOUTH Howick St		EAST Bentinck St		TOT
	UNCLASSIFIED		UNCLASSIFIED		UNCLASSIFIED		UNCLASSIFIED		
1500 - 1515	1		4		1		2		8
1515 - 1530	0		6		1		4		11
1530 - 1545	1		6		0		4		11
1545 - 1600	1		2		2		0		5
1600 - 1615	1		4		0		1		6
1615 - 1630	14		6		0		7		27
1630 - 1645	6		9		0		14		29
1645 - 1700	7		1		1		3		12
1700 - 1715	5		8		4		5		22
1715 - 1730	3		3		0		6		12
1730 - 1745	1		8		1		5		15
1745 - 1800	5		2		1		3		11
Period End	45		59		11		54		169

Peak Per	NORTH Howick St		WEST Bentinck St		SOUTH Howick St		EAST Bentinck St		TOT
	UNCLASSIFIED		UNCLASSIFIED		UNCLASSIFIED		UNCLASSIFIED		
1500 - 1600	3		18		4		10		35
1515 - 1615	3		18		3		9		33
1530 - 1630	17		18		2		12		49
1545 - 1645	22		21		2		22		67
1600 - 1700	28		20		1		25		74
1615 - 1715	32		24		5		29		90
1630 - 1730	21		21		5		28		75
1645 - 1745	16		20		6		19		61
1700 - 1800	14		21		6		19		60

PEAK HR	21	21	5	28	75
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TOTAL
VOLUMES
FOR COUNT
PERIOD



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APPENDIX B SIDRA RESULTS

MOVEMENT SUMMARY



Site: Existing AM Peak Hour

Bentinck and Howick Streets

Signals - Actuated Cycle Time = 98 seconds (Practical Cycle Time)

Variable Sequence Analysis applied. The results are given for the selected output sequence.

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
SouthEast: Howick St											
1	L2	33	0.0	0.073	22.4	LOS B	0.7	5.0	0.78	0.70	43.0
2	T1	46	6.8	0.203	38.4	LOS C	2.8	20.5	0.86	0.69	36.1
3	R2	22	0.0	0.203	43.9	LOS D	2.8	20.5	0.86	0.69	35.5
Approach		101	3.1	0.203	34.4	LOS C	2.8	20.5	0.83	0.69	37.9
NorthEast: Bentinck St											
4	L2	17	0.0	0.679	37.4	LOS C	16.9	118.8	0.89	0.78	38.6
5	T1	393	0.5	0.679	31.9	LOS C	16.9	118.8	0.89	0.78	39.3
6	R2	26	4.0	0.242	57.3	LOS E	1.3	9.3	0.96	0.71	30.4
Approach		436	0.7	0.679	33.6	LOS C	16.9	118.8	0.90	0.77	38.6
NorthWest: Howick St											
7	L2	40	0.0	0.089	34.8	LOS C	1.6	11.0	0.75	0.70	37.7
8	T1	47	2.2	0.431	39.5	LOS C	6.4	44.7	0.89	0.77	35.0
9	R2	103	0.0	0.431	46.1	LOS D	6.4	44.7	0.91	0.77	34.2
Approach		191	0.6	0.431	42.1	LOS C	6.4	44.7	0.87	0.76	35.1
SouthWest: Bentinck St											
10	L2	82	7.7	0.239	32.6	LOS C	4.9	35.9	0.75	0.70	39.2
11	T1	202	4.7	0.239	26.9	LOS B	5.1	36.9	0.75	0.64	41.2
12	R2	14	0.0	0.122	56.3	LOS D	0.7	4.6	0.95	0.68	30.7
Approach		298	5.3	0.239	29.8	LOS C	5.1	36.9	0.76	0.66	40.0
All Vehicles		1025	2.3	0.679	34.2	LOS C	16.9	118.8	0.85	0.73	38.2

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped	
P1	SouthEast Full Crossing	0	29.5	LOS C	0.0	0.0	0.78	0.78	
P2	NorthEast Full Crossing	13	41.3	LOS E	0.0	0.0	0.92	0.92	
P3	NorthWest Full Crossing	1	29.5	LOS C	0.0	0.0	0.78	0.78	
P4	SouthWest Full Crossing	23	43.2	LOS E	0.1	0.1	0.94	0.94	
All Pedestrians		37	42.2	LOS E			0.93	0.93	

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY



Site: Existing PM Peak Hour

Bentinck and Howick Streets

Signals - Actuated Cycle Time = 101 seconds (Practical Cycle Time)

Variable Sequence Analysis applied. The results are given for the selected output sequence.

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
SouthEast: Howick St											
1	L2	36	0.0	0.079	22.3	LOS B	0.7	5.0	0.78	0.70	43.0
2	T1	58	14.5	0.243	40.5	LOS C	3.3	25.4	0.87	0.70	35.5
3	R2	19	0.0	0.243	46.0	LOS D	3.3	25.4	0.87	0.70	34.9
Approach		113	7.5	0.243	35.7	LOS C	3.3	25.4	0.84	0.70	37.5
NorthEast: Bentinck St											
4	L2	20	0.0	0.629	41.7	LOS C	14.5	102.0	0.91	0.78	36.9
5	T1	312	1.0	0.629	36.1	LOS C	14.5	102.0	0.91	0.78	37.5
6	R2	49	2.1	0.396	58.6	LOS E	2.5	17.8	0.97	0.74	30.1
Approach		381	1.1	0.629	39.3	LOS C	14.5	102.0	0.92	0.78	36.3
NorthWest: Howick St											
7	L2	174	0.0	0.259	30.5	LOS C	6.0	41.8	0.72	0.76	39.3
8	T1	81	0.0	0.534	38.1	LOS C	10.3	72.1	0.90	0.79	35.6
9	R2	155	0.0	0.534	43.7	LOS D	10.3	72.1	0.90	0.79	35.1
Approach		409	0.0	0.534	37.0	LOS C	10.3	72.1	0.82	0.78	36.9
SouthWest: Bentinck St											
10	L2	163	3.9	0.586	41.2	LOS C	12.8	91.7	0.89	0.80	36.0
11	T1	416	0.8	0.586	35.1	LOS C	12.8	91.7	0.88	0.76	37.7
12	R2	49	0.0	0.390	58.5	LOS E	2.5	17.4	0.97	0.74	30.1
Approach		628	1.5	0.586	38.6	LOS C	12.8	91.7	0.89	0.77	36.5
All Vehicles		1532	1.4	0.629	38.1	LOS C	14.5	102.0	0.88	0.77	36.6

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped	
P1	SouthEast Full Crossing	5	34.1	LOS D	0.0	0.0	0.82	0.82	
P2	NorthEast Full Crossing	29	37.5	LOS D	0.1	0.1	0.86	0.86	
P3	NorthWest Full Crossing	22	34.1	LOS D	0.1	0.1	0.82	0.82	
P4	SouthWest Full Crossing	22	44.7	LOS E	0.1	0.1	0.94	0.94	
All Pedestrians		79	38.4	LOS D			0.87	0.87	

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY



Site: Potential AM Peak Hour

Bentinck and Howick Streets

Signals - Actuated Cycle Time = 103 seconds (Practical Cycle Time)

Variable Sequence Analysis applied. The results are given for the selected output sequence.

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
SouthEast: Howick St											
1	L2	43	0.0	0.101	23.7	LOS B	1.0	6.9	0.80	0.71	42.3
2	T1	61	5.2	0.280	41.9	LOS C	4.0	29.0	0.88	0.72	34.9
3	R2	29	0.0	0.280	47.4	LOS D	4.0	29.0	0.88	0.72	34.3
Approach		134	2.4	0.280	37.2	LOS C	4.0	29.0	0.86	0.71	36.9
NorthEast: Bentinck St											
4	L2	33	0.0	0.719	40.0	LOS C	18.8	132.2	0.91	0.80	37.5
5	T1	393	0.5	0.719	34.5	LOS C	18.8	132.2	0.91	0.80	38.1
6	R2	26	4.0	0.254	60.2	LOS E	1.4	9.8	0.96	0.71	29.6
Approach		452	0.7	0.719	36.4	LOS C	18.8	132.2	0.92	0.79	37.5
NorthWest: Howick St											
7	L2	40	0.0	0.098	35.9	LOS C	1.8	12.8	0.75	0.69	37.5
8	T1	95	1.1	0.474	39.3	LOS C	8.4	59.3	0.89	0.77	35.4
9	R2	103	0.0	0.474	45.8	LOS D	8.4	59.3	0.90	0.77	34.6
Approach		238	0.4	0.474	41.5	LOS C	8.4	59.3	0.87	0.76	35.4
SouthWest: Bentinck St											
10	L2	82	7.7	0.243	34.4	LOS C	5.2	38.1	0.76	0.70	38.4
11	T1	202	4.7	0.243	28.8	LOS C	5.4	39.1	0.76	0.64	40.3
12	R2	27	0.0	0.257	60.1	LOS E	1.4	9.8	0.97	0.71	29.7
Approach		312	5.1	0.257	33.0	LOS C	5.4	39.1	0.77	0.66	38.6
All Vehicles		1135	2.0	0.719	36.6	LOS C	18.8	132.2	0.86	0.74	37.2

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped	
P1	SouthEast Full Crossing	0	31.1	LOS D	0.0	0.0	0.78	0.78	
P2	NorthEast Full Crossing	13	40.2	LOS E	0.0	0.0	0.88	0.88	
P3	NorthWest Full Crossing	1	31.1	LOS D	0.0	0.0	0.78	0.78	
P4	SouthWest Full Crossing	23	45.7	LOS E	0.1	0.1	0.94	0.94	
All Pedestrians		37	43.4	LOS E			0.92	0.92	

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY



Site: Potential PM Peak Hour

Bentinck and Howick Streets

Signals - Actuated Cycle Time = 108 seconds (Practical Cycle Time)

Variable Sequence Analysis applied. The results are given for the selected output sequence.

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Flows Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
SouthEast: Howick St											
1	L2	60	0.0	0.131	23.6	LOS B	1.3	9.2	0.79	0.72	42.4
2	T1	98	8.6	0.412	45.0	LOS D	6.2	45.7	0.91	0.74	34.1
3	R2	32	0.0	0.412	50.5	LOS D	6.2	45.7	0.91	0.74	33.5
Approach		189	4.4	0.412	39.1	LOS C	6.2	45.7	0.87	0.74	36.2
NorthEast: Bentinck St											
4	L2	24	0.0	0.635	43.1	LOS D	15.4	108.8	0.90	0.78	36.3
5	T1	312	1.0	0.635	37.6	LOS C	15.4	108.8	0.90	0.78	37.0
6	R2	49	2.1	0.371	61.3	LOS E	2.6	18.7	0.96	0.74	29.4
Approach		385	1.1	0.635	41.0	LOS C	15.4	108.8	0.91	0.77	35.7
NorthWest: Howick St											
7	L2	174	0.0	0.257	31.8	LOS C	6.3	44.3	0.72	0.76	38.7
8	T1	99	0.0	0.566	40.8	LOS C	11.9	83.2	0.91	0.80	34.8
9	R2	155	0.0	0.566	46.3	LOS D	11.9	83.2	0.91	0.80	34.3
Approach		427	0.0	0.566	39.2	LOS C	11.9	83.2	0.83	0.78	36.1
SouthWest: Bentinck St											
10	L2	163	3.9	0.571	42.6	LOS D	13.6	97.4	0.88	0.79	35.6
11	T1	416	0.8	0.571	36.4	LOS C	13.6	97.4	0.87	0.75	37.2
12	R2	60	0.0	0.443	61.7	LOS E	3.2	22.5	0.97	0.75	29.3
Approach		639	1.5	0.571	40.4	LOS C	13.6	97.4	0.88	0.76	35.9
All Vehicles		1641	1.3	0.635	40.0	LOS C	15.4	108.8	0.87	0.77	35.9

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

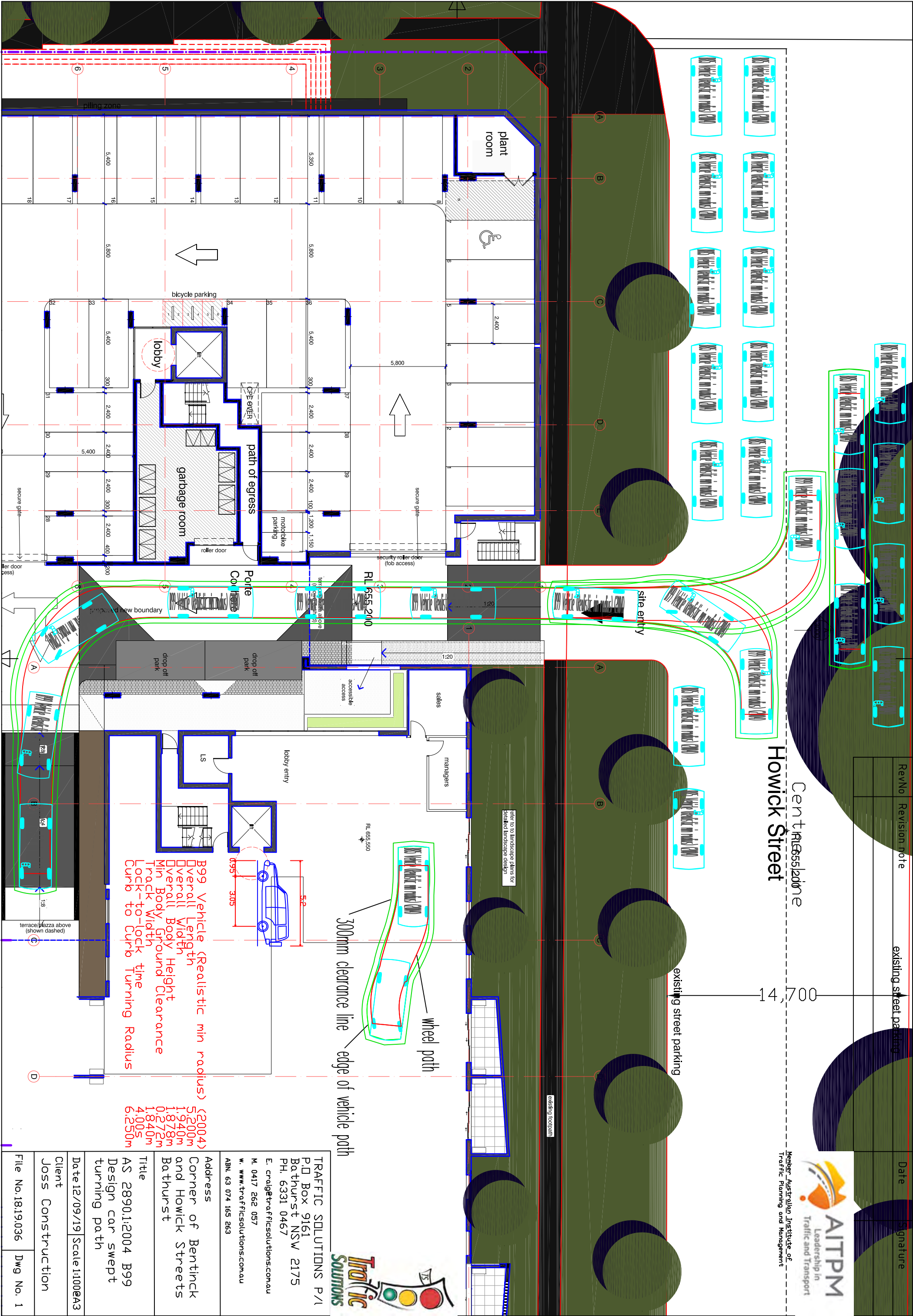
Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped	
P1	SouthEast Full Crossing	5	35.0	LOS D	0.0	0.0	0.81	0.81	
P2	NorthEast Full Crossing	29	39.2	LOS D	0.1	0.1	0.85	0.85	
P3	NorthWest Full Crossing	22	35.1	LOS D	0.1	0.1	0.81	0.81	
P4	SouthWest Full Crossing	22	47.3	LOS E	0.1	0.1	0.94	0.94	
All Pedestrians		79	40.0	LOS E			0.86	0.86	

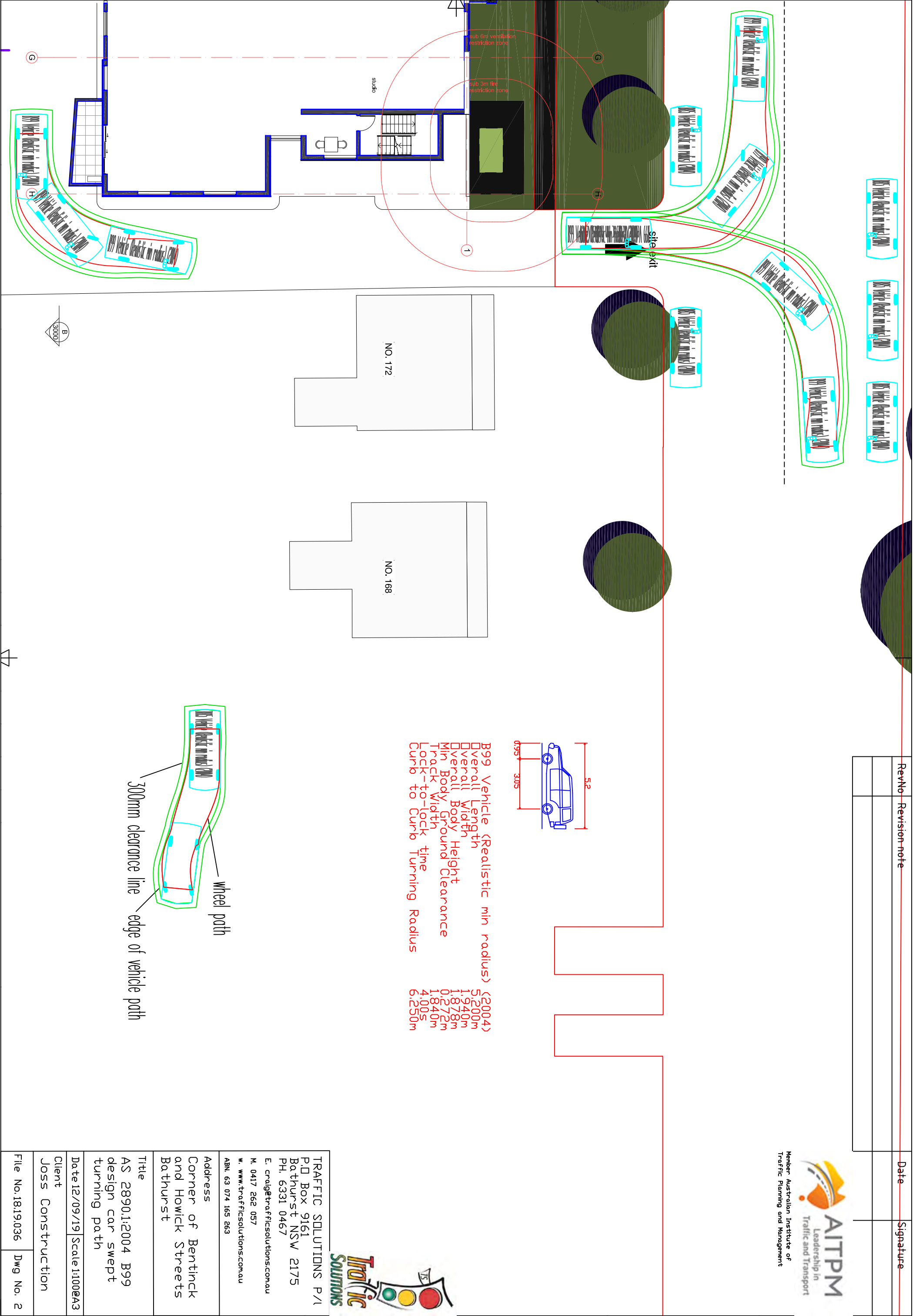
Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

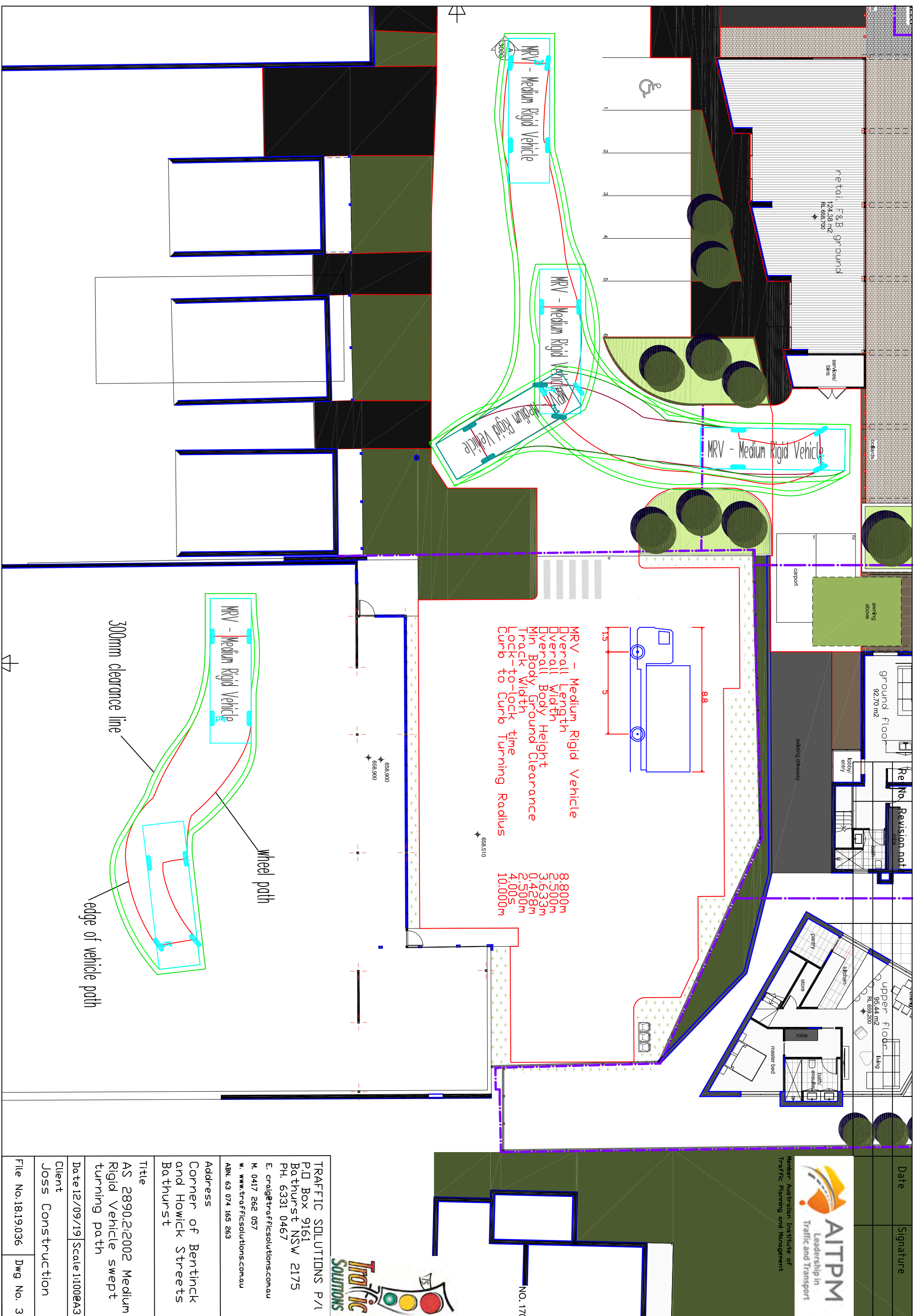
Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

APPENDIX C TRUCK SWEPT PATHS







STATEMENT OF HERITAGE IMPACT

50 Bentinck Street, Bathurst

September 2019 Issue B



50 BENTINCK STREET BATHURST			
ISSUE	DESCRIPTION	DATE	ISSUED BY
A	Draft for Review	23/0819	TG
B	Issued for DA Submission	13/09/19	TG

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1.0

INTRODUCTION

1.1 REPORT OVERVIEW

This report has been prepared to accompany a development application proposed for the re-development on site on the corner of Bentinck and Howick Street listed as the Dairy Farmers Factory (Former Convict Hospital) referred to hereafter as the Dairy Farmers Factory.

Part of the site, now where the historic Cool Room building is located, has recently been sub-divided the subject site and the proposal primarily concerns the re-development of the remainder of the site, though this lot will be incorporated as part of the overall scheme. The report will include the site as part of its assessment.

The proposal looks to include a food precinct and public open outdoor space, commercial building, Quest Accommodation and associated parking. The proposal will consist of the retention and reuse of the Brewery Tower building and the Cool Room Building, on the corner of Bentinck and Princes Street. Both buildings are noted in the Statement of



Figure 1.1
Location map showing the subject site outlined in red.
Source: Near Maps Website

This proposal evaluates the redevelopment of the entire site as designed by Integrated Design Group.

This report evaluates the potential impact of the redevelopment and concludes that the proposal will have an acceptable heritage impact.

1.2 REPORT OBJECTIVES

The main objective of this Statement of Heritage Impact is to determine the suitability of the design and the heritage impact of the proposal in relation to the provisions established by Bathurst Regional Council and by the NSW of Environment and Heritage, Heritage Division guidelines, and the policies of the relevant CMP.

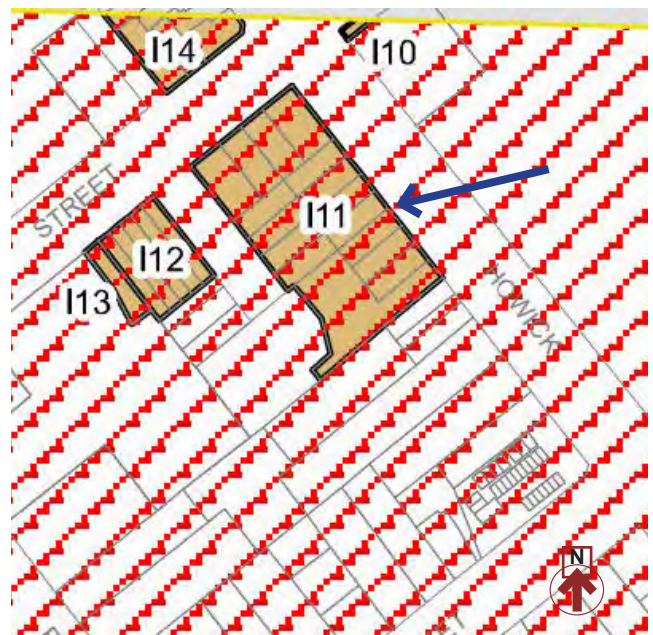


Figure 1.2
Extract from the LEP Heritage Map 011BB, blue arrow indicating the subject site
Source: NSW Government Legislation Website

1.3 METHODOLOGY AND STRUCTURE

This Statement of Heritage Impact has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural 2013*, known as *The Burra Charter*, and the New South Wales Heritage (now the Heritage Division of the NSW Department of Premier and Cabinet) publication, *NSW Heritage Manual*.

The Burra Charter provides for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural fabric*, and *conservation*, is as in Article 1 of *The Burra Charter*. The *NSW Heritage Manual* explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

1.4 SITE IDENTIFICATION

The subject site, referred to as the Dairy Farmers Factory site, is on the southern corner of Bentick and Howick Street. Currently, on the site two buildings remain: the Cool Room building, presently occupied by IDG Architects, and the Brewery Tower. NSW Land Registry Services describe the site as Lot 111, DP123551. Both these buildings will remain as part of the proposed re-development.

1.5 HERITAGE MANAGEMENT FRAMEWORK

The subject site, is listed as a heritage item in Schedule 5 of the *Bathurst Regional Local Environmental Plan (LEP) 2014*, as an item of local heritage. It is also located within the *Bathurst Heritage Conservation Area*, listed under the same LEP, and is in the vicinity of the following listed items, the closest being:

- Glastone Terrace, 52, 54, 56, 58 and 60 Bentick Street (I12).
- Terrace House, 62 Bentinck Street (I13).
- Terrace cottages and commercial buildings, 67, 71 and 73 Bentick Street and 194, 196, 198 200 and 202 Howick Street (I14)

As such, the property is subject to the heritage provisions of the *Bathurst Regional Local Environmental Plan LEP 2014* and the *Bathurst Regional Development Control Plan (DCP) 2014* under the *Environmental*

Planning and Assessment Act 1979. Bathurst Council must take into consideration the potential impact of any proposed development on the heritage of the heritage items.

1.6 AUTHORSHIP

This report has been prepared by Theodora Minas Gianniotis, Heritage Consultant, of GBA Heritage and has been reviewed by the Director, Graham Brooks. Unless otherwise noted, all of the photographs and drawings in this report are by GBA Heritage.

1.7 REPORT LIMITATIONS

While this report is limited to the analysis of European cultural heritage values, GBA Heritage recognises that for over forty thousand years or more Aboriginal people occupied the land that was later to be claimed as a European settlement.

Recommendations have been made on the basis of documentary evidence viewed and inspection of the existing fabric.

Archaeological assessment of the subject site is outside the scope of this report.

This report only addresses the relevant heritage planning provisions and does not address general planning or environmental management considerations.

This Statement of Heritage Impact does not include a comprehensive historical overview or a detailed description of the property as these are included in the accompanying GBA Heritage, *Conservation Management Plan, Former Dairy Farmers Depot, Bentinck and Howick Street* Bathurst, May 2007 (CMP 2007).

1.8 COPYRIGHT

Copyright of this report remains with the author, GBA Heritage.

2.0

HISTORICAL SUMMARY

The history of the subject site has been excluded from this Statement of Heritage Impact as this has been comprehensively addressed in the Grahame Brooks CMP 2007, now part of councils's records of the for the site.

2.1 RECENT DEVELOPMENT HISTORY

This section outlines a brief history of the site from 2007 to present, subsequent to the preparation of the CMP.

Development Application - 2007/0801

On 5 December 2007, Council granted consent (DA2007/0801) to demolish most of the buildings on the site and construct a shopping centre and associated carparks. At this time then Graham Brooks and Associates (now GBA Heritage Pty Ltd) prepared a Conservation Management Plan (CMP) and Statement of Heritage Impact which included;

- Demolition of the buildings on the site including those in the CMP as B4, B7, B8, B10, B12, B16, B19, B20, B21 and B22
- Retention of the form of B1, the facade brick piers and roof structure including trusses of B2, roof form of B3, facade of B11 and the existing form of B14, B15 and B18
- Construction of shopping centre
- Associated car parking

The project did not proceed but the consent remained current and approved the following;

- approving demolition of the majority of buildings on the site for construction of a shopping centre, but excluded:
- the form of Building 1
- the facade, brick piers and roof structure (including trusses) of Building 2
- the facade of Building 11, and
- the existing form of Buildings 14, 15 and 18.
- All buildings demolished except for Building (1) and Tower Building (2)

Development Application – DA2012/0518

The DA2007/0801 did not proceed but was still current when McCabe Architect put in new proposal approved on 16 September 2013 (DA2012/0518) for the following;

- Demolition of two (2) dwellings (assumed to be on Lot 1 DP2067 & Lots 26-27 DP2067);
- Partial demolition of Dairy Farmers Factory and restoration of tower building;
- Construction of 40 serviced apartments;
- Café, retail premises & commercial premises.

Demolition 2014

In 2014 the owners undertook demolition and remediation works on the site in accordance with DA2012/0518 approval. The site was cleared of all buildings except for the former Brewery Tower and the Cool Room Building (also known as the Dairy Refrigeration Factory now on the adjacent lot). As required Bathurst red bricks and roof trusses were salvaged from that site and are currently stored on site.

Subdivision Approval – DA2015/310

In 2015 there was a subdivision (consolidation) approval that created six lots. Lot 111 (No.50 Bentinck St) was created at the corner of Bentinck Street and Princes Street and is now in separate ownership (not part of this application) and Lot 112 was also created. This also included a right-of-way for access from Princes and Howick Street to the lots fronting Bentinck St).

Despite subdivision the whole of the site remains listed as a single heritage item and forms part of the current proposal.

Development Application – DA2016/116

In 2016 a new Development Application was lodged with Council which was refused it included;

- Site Area 2,210.7m2
- Apartments total 42 ;
- Four (4) storey Apartments with one-part sub-level parking (similar 2013 but no step down to adjacent but further setback from south – see Part North Elevation below);
- Car Parking total 45 spaces (2013 – 42 apartments)

3.0

SITE DESCRIPTION

3.1 URBAN CONTEXT

The site is a rectangular shaped parcel of land which has is known as the former Dairy Farmers Factory site. Bentinck Street bounds it to the north, Howick Street to the east and Princes Street to the west. The site is located on the natural edge of the Bathurst CBD, towards the eastern end, overlooking Carrington Park to the east. Development around the site consists mainly of busy commercial precincts of new developments and adaptive commercial re-use of heritage buildings.

The site slopes steeply to the east towards Howick Street. Bentinck and Howick Streets are main streets in the area, with streetscape being an urban mix of early to late twentieth-century commercial and residential buildings and are on the eastern periphery of the Bathurst HCA.

There are two major shopping centres visually proximate to the site including Bathurst City Centre on the opposite side of Bentinck Street, and the Stockland Shopping Centre, diagonally opposite at the Bentinck and Howick Street intersection. The entire site corner is regarded as one of the “Key Precincts” of the Bathurst CBD and is considered a gateway location into the Bathurst business zone approaching from the east. The urban mix of Bentinck Street is mostly commercial with many historic brick residences currently used for commercial purposes. There is an urban mix of modern retail and heritage buildings that sit together throughout the Bentinck streetscape.



Figure 3.1

Looking south at the corner of Howick and Bentinck Street opposite the site, showing the two remaining heritage buildings

Source: IDG Architects



Figure 3.2

Looking west at the site from Bentinck street showing Cool Room Building

Source: IDG Architects



Figure 3.3

Looking west at the site from Carrington Park, Howick Street.

Source: IDG Architects

Princes Street, which bounds the west of the site, is a dead-end street and consists of an urban mix of commercial and residential. Across the site along Princes Street are three historic brick cottages that are a mix of residential and business. At the south end of the street, a recently built commercial building (2018) with above-ground car park overlooks the southern boundary of the site and is directly adjacent to the Brewery Tower. Towards the west on the corner of Bentinck and Princes Street opposite the site is Gladstone Terrace, a heritage-listed row of brick terraces. Opposite the site is Carrington Park and open greenspace which forms part of the Carrington stadium and Grandstand. The Carrington Park part of the Bentinck Street is lined with heritage listed English Elms which make a historic contribution to the townscape of Bathurst providing open green space to the corner of Bentinck and Howick Street.

Along Howick Street adjacent to the site, is a row of weatherboard, brick and houses, opposite which overlooks Carrington Park and the Carrington Park Sportsground. Howick Street is a consistent residential Street and forms the eastern boundary of the Bathurst HCA.



Figure 3.4

Bentinck Street looking west from the site

Source: IDG Architects

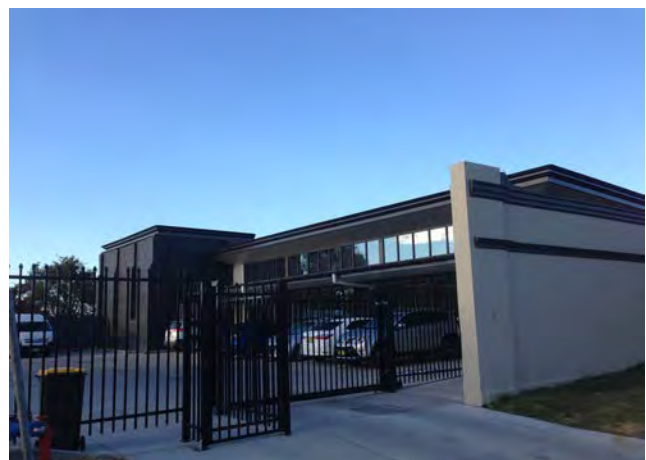


Figure 3.5

Newly constructed commercial building, south end of Princes Street.

Source: IDG Architects



Figure 3.6

Cottages on Howick Street with Brewery Tower to the right of the photograph.

Source: IDG Architects

3.2 VIEWS TO AND FROM THE SITE

The extraordinary size of the subject property commands views to the site from both Bentinck, Howick and Princes Streets occupying the predominant corner of Bentinck and Howick Street. The Brewery Tower is of an imposing height within the Bathurst area visible from The Great Western Highway to the north, Carrington Park from the east and the opposite side of the associated city block, on Russell and Seymour Streets. The entire site is a contributor to the Bathurst CBD landscape and has historically always maintained a strong visual presence and association within the Bathurst HCA.

Views from the site are predominantly along Bentinck and Howick Streets, including the Gladstone Terrace, at 52-60 Bentinck Street. To the north west the two major shopping centres are visible, including Bathurst City Centre on the opposite side of Bentinck Street, the Stockland Shopping Centre diagonally opposite at the Bentinck and Howick Street intersection and to the north west over Carrington Park Sportsground.

The Brewery Tower and the Cool Room Building are recognised as landmarks, in the urban environment of Bathurst CBD, their presence represents a local connection of association by the people of Bathurst. The views to and from the Brewery Tower has been recognised as the central landmark in the proposal ensuring its future visibility in the Bathurst HCA is



Figure 3.7

Carrington Park side, on the corner of Howick and Bentinck looking south-west.

Source: IDG Architects



Figure 3.8

Bathurst City Shopping centre, Bentinck street, diagonally opposite the site looking west.

Source: IDG Architects



Figure 3.9

Looking east from the site to Carrington Park on Howick Street

Source: IDG Architects



Figure 3.10
Gladstone Terraces, Bentinck and Princes Street west of the site.
Source: IDG Architects



Figure 3.11
Gladstone Terraces, Princes Street east facade.
Source: IDG Architects



Figure 3.12
Looking west along Bentinck to the corner of Howick Street
Source: IDG Architects



Figure 3.13
Looking north from Princes Street across site with Cool Room building indicated by arrow.
Source: IDG Architects



Figure 3.14
Look south from Carrington Park across corner of Bentinck and Howick Street
Source: IDG Architects



Figure 3.15
Looking south along Howick Street
Source: IDG Architects

DESCRIPTION OF THE BUILDING

The pertinent building description has been sourced from the Statement of Heritage Impact prepared by GBA Heritage dated 2016; any have been internal as part of the current change of use and

3.2.1 FORMER COOL ROOM BUILDING

Building 1 is a simple, red face brick construction with a gabled front, located prominently on the corner of Bentinck and Princes Streets. The walls have distinctive engaged piers for The front and rear gabled facades each have a circular louvered vent (similar to Georgian Style), and corbel at the eaves. The front facade has a metal awning, two narrow door openings, one with roller shutters, and a window with timber sliding shutters on rails for the hoist. The side facade along Princess Street has two original sash windows. The building has simple yet aesthetically pleasing detailing comprising rendered beams spanning each of the three front bays, and render surrounds to door and window openings. The absence of windows indicates the building was designed for storage or industrial use.

The building appears to be constructed around 1910-20s. The roof comprises 'Howe' trusses, common in this period, covered with asbestos corrugated cement sheeting. Internally the building is divided into three levels.

The building retains much of its original character externally, having remained relatively unaltered. The front facade on the ground appears to have undergone some alteration, possibly bricking up of an original opening in the west end bay. Internally, the building has undergone several mostly by way of upgrade of its refrigeration facility, but still

The building is currently occupied by IDG as their Bathurst and has been out in an open plan workspace design. Due to the adaptive re-use, the building has maintained its integrity and condition preserving the structure for future generations within the Bathurst HCA. The proposal will continue the current use of the building but has been included as part of the scheme to ensure the connection of the historical buildings is maintained on the site.



Figure 3.16
West facade of Cool Room building on Princes Street.
Source: IDG Architects



Figure 3.17
East facade of Cool Room building from Howick Street
Source: IDG Architects



Figure 3.18
North facade on Bentinck Street frontage
Source: IDG Architects



Figure 3.19
Board Room Level 3
Source: IDG Architects

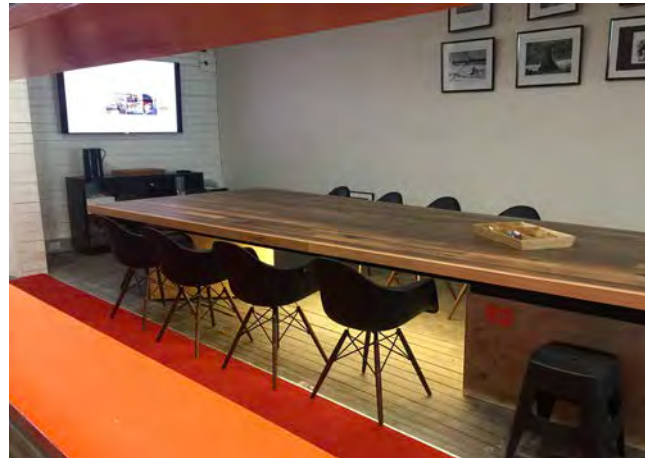


Figure 3.20
Board Room Level 3
Source: IDG Architects



Figure 3.21
New stair Level 1
Source: IDG Architects



Figure 3.22
new window and stair to Level 2
Source: IDG Architects



Figure 3.23
Art Studio Level 3
Source: IDG Architects



Figure 3.24
East Stairs and atrium sculptures level 2/3
Source: IDG Architects



Figure 3.25
Meeting Room Level 1
Source: IDG Architects



Figure 3.26
Meeting Room Level 1
Source: IDG Architects

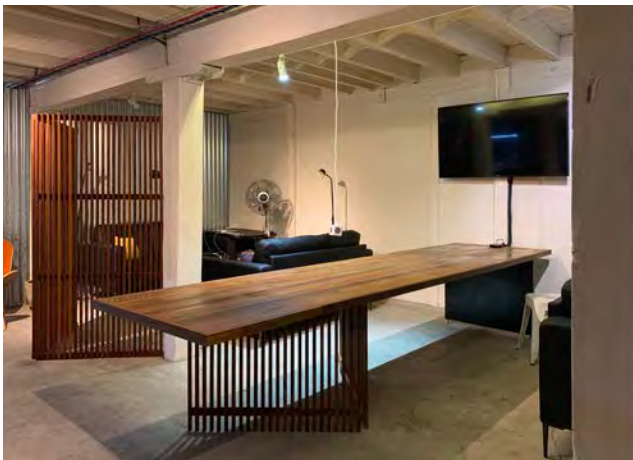


Figure 3.27
Business Lounge Level 1
Source: IDG Architects



Figure 3.28
Source: IDG Architects

3.2.2 BREWERY TOWER

The building is a 'landmark' face brick, tower structure including a slightly shorter portion under a skillion roof. The highest part has a distinctive parapet wall with sandstone detailing. There is a brick on the east side, now sealed with brickwork at the bottom. Most windows are double casement windows, although some are louvered. All windows have a segmental arch except for a pair on the skillion facade which have a timber lintel. Access to upper is via a timber ladder to the side, near the driveway. The skillion portion is separate from the main buildings on all and is accessible only through a door opening on the east facade. It is divided into three levels, the middle one, thought to be of concrete, being inaccessible.

Internally, the building is divided into levels, the lowest being partly basement, owing to the level between the front and rear of the building. The interior contains service pipes, possibly for steam, electrical circuits, redundant milk processing equipment including light ectors, lters and grillage and original timber joinery. The oors comprise original timber boarding and joists, and have trap doors. The ceilings shows remains of corrugated iron lining. The walls retain original lime wash.

Externally the building seems to maintain good condition and integrity. Internally the fact that it has been abonded and derelict for so long means that the building and has been subject to vanadlism and further damage.



Figure 3.29

Looking east at Brewery Tower from newly constructed commercial building car park on Princes Street

Source: IDG Architects



Figure 3.30

Looking north from rear of the property at Brewery Tower

Source: IDG Architects



Figure 3.31
Front facade of Brewery Tower looking south
Source: IDG Architects



Figure 3.32
Rear Facade of Brewery Tower showing vandalised windows
Source: IDG Architects



Figure 3.33
Internal Brewery Tower
Source: IDG Architects



Figure 3.34
Internal Brewery Tower
Source: IDG Architects



Figure 3.35
Internal Brewery Tower
Source: IDG Architects



Figure 3.36
Internal Brewery Tower
Source: IDG Architects



Figure 3.37
Internal Brewery Tower
Source: IDG Architects



Figure 3.38
Internal Brewery Tower
Source: IDG Architects

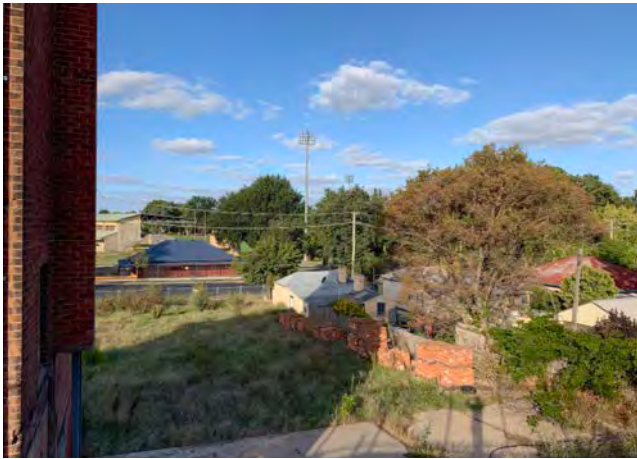


Figure 3.39

Looking east to Carrington Sport stadium from the south west corner of the site

Source: IDG Architects



Figure 3.40

East facade of Brewery Tower with new government building in the back ground.

Source: IDG Architects



Figure 3.41

Looking south across Bentinck street with Cool Room building to the right

Source: IDG Architects

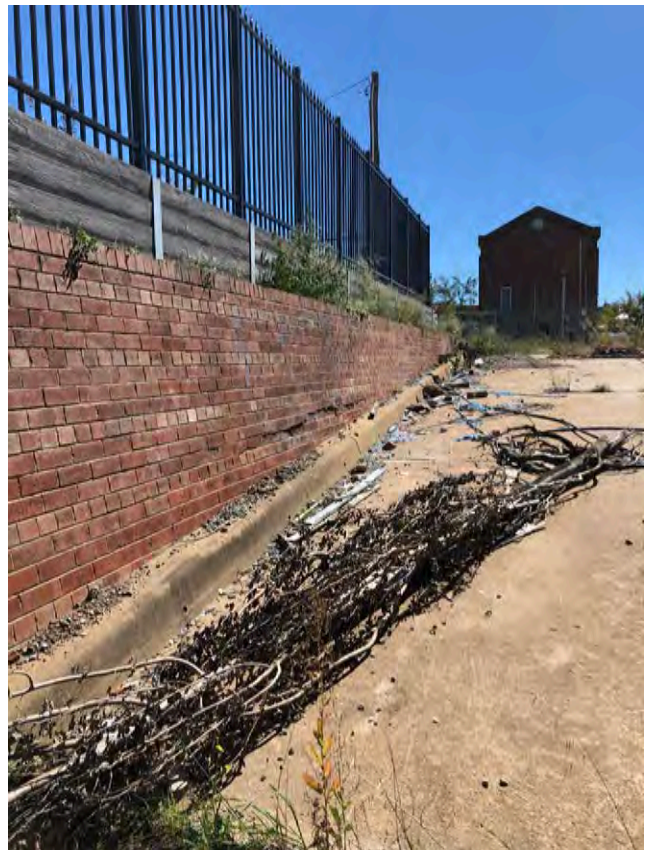


Figure 3.43

Looking at south facade of Cool Room building form Brewery Tower

Source: IDG Architects



Figure 3.42

Looking at south facade of Cool Room building form Brewery Tower

Source: IDG Architects

4.0

ESTABLISHED HERITAGE SIGNIFICANCE

4.1 ESTABLISHED SIGNIFICANCE OF THE SUBJECT SITE

The following Statement of _____ for the site has been sourced from the State Heritage Inventory.

Statement of Significance:

A major industrial complex which demonstrates the importance of the dairy industry to Bathurst. The brick tower with the inscription 'Dairy Farmers' has become a familiar landmark. The complex is _____ cant also for its association with the convict era, and once was the site of a convict hospital. Also successful brewing on the site, gave the place importance as an industrial site. Two buildings on the site have landmark status: the tower and the street front brick building.

4.2 REVISED SIGNIFICANCE OF THE SUBJECT SITE

A more comprehensive Statement of _____ was prepared by Graham Brooks and Associates in the 2007 Conservation Management Plan;¹

The subject site, comprising the former dairy factory (1901-c.2004), Walker & Co. brewery (1908-1930s), Macquarie Soap factory (1934-1950), and public baths (1887-1953), together with associated cottages, _____ workshops, storerooms etc, is considered culturally _____ within the Bathurst context for its natural environmental and topographical features, and its economic, social, historical and physical aspects and patterns of activity that have played a role within the Bathurst community since the early 1820s. Additionally, it has regional cultural heritage value as one of the few known convict hospital sites.

The site itself was previously the Hospital Reserve and illustrated early nineteenth-century town planning schemes, overlaid by later nineteenth-century subdivision patterns. The property may be regarded as a point of focus for development of the area, with the hospital the main facility for the newly-settling populations penetrating western New South Wales in the early nineteenth century, and again in the twentieth century, when Dairy Farmers used the site as a foothold in the acquisition of commercial markets in western New South Wales.

The topography of the land has strongly _____ the site's selection and uses, with particular regard to its initial use as a convict and later community hospital. The site's natural features of the watercourse and inclining contours were exploited for the construction of the hospital, with the building erected at the top of the slope to maximise views and breeze, and a well was exploiting the watercourse. This visual advantage provided by the topography was also exploited by Walker & Co., for their brewery tower c.1908, to achieve a dominant landmark structure within the central city area. Similarly, the watercourse and well were an advantage for the swimming baths, brewery, soap factory and dairy factory. The buildings do not make a positive aesthetic contribution owing to their deterioration condition and given their role was that of functionality rather than aesthetics, but may be considered in some limited instances to provide examples of types of building forms utilised in commercial and primary industries.

The site is an example of reuse and adaptation of built elements to accommodate new uses and activities in commercial, industrial and recreational. Nineteenth-century use as a public bath adjacent to the main 1902 butter factory was gradually absorbed via Walker & Co into the leading dairy factory site. The brewery and butter factory buildings were adapted for a soap factory and encompassed by Dairy Farmers from the mid-twentieth century. The buildings show examples of stages of technological development, function and equipment, with some existing structures providing evidence of a successful Co-operative enterprise.

¹GBA Heritage, Conservation Management Plan, Former Dairy Farmers Depot, Bentinck and Howick Street Bathurst, 2007

The original 1902 butter factory has architectural merit as an example of architect J.J. Copeman's commercial work and style, which was depicted in the company emblem. The extant brewery tower is a typical example of its type, is commonly found throughout New South Wales towns. The fabric of the Dairy Farmers buildings may also provide examples of the shift from butter production and the freezing of rabbits for export, to milk for both local and metropolitan consumption.

The site has had a continuing pattern of use since the 1820s, for the provision of health, and secondly for various commercial businesses. In particular, the connection with the dairying and primary industries was viable from the of the Bathurst Cooperative Dairying Company in 1901, throughout the twentieth century. This continuing pattern of use has now been severed with the closure, abandonment and sale of the dairy facility.

The site has historical associations with medical practitioner George Busby, from the 1820s to 1870, and with J.J. Copeman, who was a prominent local architect in the early twentieth century. Lesser associations can be with Walter Spencer, James Rutherford, Walter McPhillamy, and a number of individuals involved in the subdivision and development of the urban centre of Bathurst.

There is considerable archaeological potential for the former Dairy Farmers facility, and conceivably and to a lesser extent the site of Monaghan's garage. The preliminary study by AHMS indicates the likelihood of archaeological information that will increase knowledge and understanding about convict hospitals and health care in the nineteenth century. As such, the site a rare opportunity to investigate an early nineteenth-century site that featured the government-built hospital and outbuildings; 1878, by abruptly terminating use of the hospital site, may have preserved valuable archaeological material. Of the former swimming baths, now and cleared and overlaid at least partially by Monaghan's, there is the possibility of surviving material which could supply evidence of the Bathurst baths in terms of fabric, structure, etc. This would not be expected to substantially add to the existing body of knowledge of recreational baths, however.²

4.3 ESTABLISHED SIGNIFICANCE OF THE BATHURST CONSERVATION AREA

The subject site is located within the boundaries of the Bathurst Conservation Area which is listed as an item of local heritage on Schedule 5 of the Bathurst Regional LEP 2014.

The Bathurst Regional DCP 2014 contains the following information for the Bathurst Conservation Area.

Statement of Significance:

The conservation area of Bathurst City is historically because it includes the commercial and civic heart of Bathurst and the nineteenth-century development of this important NSW provincial centre. Bathurst was the town founded west of the Blue Mountains, and it was a place that developed a high level of prosperity during the latter half of the nineteenth century, particularly as a consequence of the gold rushes of the central west region as well as the pastoral and other industries of the Bathurst district. Additionally, much of the conservation area is of integral social importance for the community because of its lengthy association with various themes in Bathurst's history.

Incorporating a wide range of building forms, types and styles, the area has a richness of cultural features. It includes a number of excellent examples of particular architectural styles from the Victorian and Federation eras, and these include Classical, Gothic and Romanesque styles among others.

With its historic character, the cohesiveness created by the red brick used in many of the buildings, the landmark qualities of the spires, domes, massing and other attributes of a number of the buildings, the inherent qualities of the architectural styles represented, and the parks and streets, the conservation area is a part of Bathurst that has strong streetscape and other aesthetic qualities.

² It is noted that the current proposal has undertaken an Archaeological Assessment which is attached to this report under Appendix C

4.4 ESTABLISHED SIGNIFICANCE OF THE HERITAGE ITEMS IN THE VICINITY OF THE SUBJECT SITE

There are a number of individually listed heritage items in the vicinity of the subject site. These are listed as items of local heritage on Schedule 5 of the Bathurst Regional LEP 2014

The NSW Heritage Inventory contains the following information for database entry number 5045111, *Bentinck Street Elm Trees*:

Statement of Significance:

The mature Bentinck Street English elms were planted about 1900. They make a contribution to the historic townscape of Bathurst.

Description:

The Bentinck Street English elms (Ulmus procera) form a healthy, evenly spaced avenue of trees of uniform growth to a height of approximately 9-12 metres. The trees are an English elm (Ulmus procera) and are often used as an ornamental tree for parks and large gardens and it is deciduous. There are 13 on the eastern side and 3 on the western side of Bentinck Street between Howick

Row of thirteen mature elm Trees on the eastern side of Bentinck Street (Carrington Park) & three recently planted trees on the western side of Bentinck Street (Heritage Study, 1991).

The NSW Heritage Inventory contains the following information for database entry number 1080014, Gladstone Terrace, at 52-60 Bentinck Street, Bathurst.

Statement of Significance:

An extremely intact and generally well maintained row of late 19th Century Townhouses which makes a cant contribution to the streetscape of lower Bentinck Street. An area which has been eroded by undistinguished recent development. cance includes iron pike and rail fence).

Description:

Two storey Victorian Filigree Terrace of houses of face brick under an iron skillion roof, behind a parapet with moulded cornice detail. Two storey verandah with cast-iron columns balustrade and frieze and bull-nosed iron roof. Two pairs of front doors to upper verandah.

Each house is in Flemish bond face brickwork at the front, and English garden walls brickwork at the side or rear. The house has a front door to one side, and a pair of round-arched windows beside it on the ground and the windows are timber framed double-hung. Upstairs is a pair of glass, and panelled French doors with highlights above and a verandah which has a bull nosed iron roof at the top is supported on the ends on brick walls and at the centre on a cast iron column with an elaborate Victorian lacework of balustrade friezes and brackets.

The NSW Heritage Inventory contains the following information for database entry number 1080013, Terrace House, at 62 Bentinck Street, Bathurst.

Statement of Significance:

A typical mid- to- late Victorian Terrace which continues the streetscape of adjoining Gladstone Terrace, maintaining a remnant of 19th Century Streetscape in an area which has been eroded by undistinguished modern commercial development.

Description:

A two-storey freestanding mid Victorian terrace house built in 1870 and the date is shown on the parapet of the house. The house has a two storey high verandah supported on timber posts with Victorian style balustrade lace panels with bracket and frieze work at both levels. The parapet is surmounted in the centre with a plaster urn and decorated with an elaborate rendering of cornice and rectangles. The front wall of the house is rendered and paint while the sidewall is exposed but was once attached to another dwelling. The front entrance door is positioned to one side of the ground with a highlight over it and is a panelled timber door, and beside it are two timber framed double hung windows two lights per pane. On the upper are two pairs of French doors, multi lighted with highlights over. The front fence is of masonry construction rendered and painted to match the house.

The NSW Heritage Inventory contains the following information for database entry number 1080012, Terrace cottage and commercial building at 67 Bentinck Street, Bathurst.

Statement of Significance

A simple generally intact Georgian style building which together with Street No.'s 71 and Street No: 73 Bentinck Street and No.'s 194, 196, 198, 200 & 202 Howick Street, forms a virtually continuous Georgian Streetscape.

Description

Single storey Victorian Georgian former corner store and residence of face brick under a hipped iron roof. Hip roofed verandah supported by square timber posts, with timber picket balustrade. 12 panelled double-hung windows. Original shop window now bricked up.

The NSW Heritage Inventory contains the following information for database entry number 1080011, Bentinck Terrace/Cottage/ Commercial Building Group at 71 and 73 Bentinck Street, Bathurst.

Statement of Significance

A pair of simple mid-Victorian residences of Georgian appearance, one (Street No. 73) still retaining its original treillage verandah supports a fragile detail which has largely disappeared in Bathurst. Part of a group of similar buildings forming a virtually continuous Georgian streetscape at the junction of Bentinck and Howick Streets.

Description

Pair of Victorian Georgian semi-detached single storey residences of face brick under a hipped iron roof. Hipped roof verandah with timber treillage supports and timber picket balustrade (removed from Street No. 71). Four panelled front doors and double-hung sash windows.

The NSW Heritage Inventory contains the following information for database entry number 1080743, Bathurst Sportsground Grandstand, Gates and Memorial at 42 and 48 Durham Street, Bathurst.

Statement of Significance

A simple but decorative Edwardian grandstand which lends a turn of the century character to the sportsground, somewhat marred by a more recent pipe rail fence.

Description

Federation Grandstand of timber construction under a broad timber trussed gabled iron roof. End gables have timber attached to timber cross members. Roof supported by square timber posts with diagonal bracing. Simple timber balustrade to front and steps. Under seating area enclosed with painted corrugated iron.

Building contains many original features including framework for windows and doors, balustrades and main frame. Original windows have been removed from under seating. At the rear of the grandstand is a timber framed and corrugated iron clad single storey structure a later addition to the main structure used for storage.

The ashes of one of the most important cricketers who came from Bathurst are located near the cricket Federation Grandstand of timber frame construction under a broad timber trussed gabled iron roof. End gables have timber attached to timber cross members. Roof supported by square timber posts with diagonal bracing. Simple timber balustrade to front and steps. Under seating area enclosed with painted corrugated iron.

Building contains many original features including framework for windows and doors, balustrades and main frame. Original windows have been removed from under seating. At the rear of the grandstand is a timber framed and corrugated iron clad single storey structure a later addition to the main structure used for storage.

The ashes of one of the most important cricketers who came from Bathurst are located near the cricket Charles Thomas 'Byass' Turner 1944-1982. These ashes were formerly in private possession. The cricket ground has a number of mature tree plantings of note, especially the London Plane trees. These ashes were formerly in private possession. The cricket ground has a number of mature tree plantings of note, especially the London Plane trees.

These ashes were formerly in private possession. The cricket ground has a number of mature tree plantings of note, especially the London Plane trees.

5.0

DESCRIPTION OF THE PROPOSAL

The proposal includes the development, and adaptive re-use of the former Dairy Farmers Factory site located on the corner of Bentinck and Howick Street designed by Integrated Design Group which is detailed in the plans and Statement of Environmental that accompany this application. It includes:

- Commerical building (Corner of Bentick and Howick Street)
- Five level Quest Apartment complex (Howick Street)
- Underground car park (access Princes Street)
- Community outdoor/indoor food precinct
- Adaptive re-use of two heritage buildings
-

The proposal intends to maintain the historical of the site by creating a correlation between the historic buildings and the new additions.

The proposal has adopted an industrial character through form and materiality to emphasise the

The proposed adaptive re-use of the remnant heritage buildings and the overall site looks to create a “movement economy” through a series of open pathways to allow public access to the centre of the site. The pathways also create previously inaccessible vistas to the heritage buildings from the public domain.

The proposal has used the landmark Brewery Tower to establish the scale and form of the new built elements ensuring the Tower remains as the tallest element in the scheme. The proposal has taken into consideration the public of maintaining the views of the Brewery Tower throughout the Bathurst HCA.



Figure 5.1

View lines of proposal from the Brewery Tower

Source: IDG Architects



Figure 5.2
North-east elevation showing the cottages on Howick Street
Source: IDG Architects



Figure 5.3
Current view of Howick Street showing cottage to the left
Source: IDG Architects



Figure 5.4
Current view of Howick Street cottage with Brewery Tower
Source: IDG Architects



Figure 5.5
Artist impression of the corner of the building corner of Howick
and Bentinck Street
Source: IDG Architects



Figure 5.6
Current view of the corner of Howick and Bentinck Street as
represented in Fig. 6.5
Source: IDG Architects



Figure 5.7
Current view of Bentinck Street facade as represented in Fig. 6.5
Source: IDG Architects



Figure 5.8
Concept drawings of Cool Room building showing form and scale
of new additions
Source: IDG Architects



Figure 5.10 (below)
Concept drawings of piazza
Source: IDG Architects



Figure 5.9
Concept drawings of food precinct entry from Princes Street
Source: IDG Architects



Figure 5.11
Concept drawings of Tower in relation to Central Plaza
Source: IDG Architects



Figure 5.12
Current view of Cool Room Building from Bentinck Facade
Source: IDG Architects



Figure 5.13
Current view showing proximity of the two historical buildings on
Princes Street where food precinct will be accommodated as in
Figs 5.9 and 5.10
Source: IDG Architects

6.0

ASSESSMENT OF HERITAGE IMPACT

6.1 INTRODUCTION

This Statement of Heritage Impact has been prepared in relation to the following impact assessment criteria, the *Bathurst Regional (LEP) 2014*, the *Bathurst Regional Development Control Plan (DCP) 2014* and the New South Wales Heritage (now the Heritage Division of the NSW of Environment and Heritage) guidelines, *Altering Heritage Assets* and *Statements of Heritage Impact*.

This section of the report provides a detailed analysis of the statutory controls applying to this site, with regard to heritage.

6.2 CONSIDERATION OF THE GUIDELINES OF THE NSW HERITAGE DIVISION

The NSW Heritage (now the Heritage Division of the NSW of Environment and Heritage) has published a series of criteria for the assessment of heritage impact. The relevant 'questions to be answered' in the *NSW Heritage Manual* 'Statements of Heritage Impact' guidelines relating to development adjacent to a heritage item have been considered in the preparation of the following commentary; they are:

- ***The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:***
 - Retention, restoration and incorporation of the two heritage buildings on-site as part of the proposal.
 - Conservation and re-use of original fabric such as bricks and trusses throughout the proposed precinct, as elemental design features.
 - The proposed adaptive re-use of the site will have little impact on the heritage of the site, as opposed to a more intense use

- The mixed-use proposal for the entire site will ensure that the public will be able to understand the heritage of the site, which is currently abandoned and derelict.

6.2.1 CHANGE OF USE

- *Has the advice of a heritage consultant or structural engineer been sought? Has the consultant's advice been implemented? If not, why not?*
- *Does the existing use contribute to the*
- *Why does the use need to be changed?*
- *What changes to the fabric are required as a result of the change of use?*
- *What changes to the site are required as a result of the change of use?*

Part of the of the site has been its contribution to the commercial viability of the Bathurst. From its early use as a convict hospital it served as a central and vital location to the Bathurst area. The historical progression of the site from hospital to industrial use has meant that the site has always made both a social and economic contribution to Bathurst.

The proposed new use for apartment accommodation and the mixed-use commercial hub will continue the sites historical contribution within Bathurst and the preservation of the site as a whole will be provide a great public to appreciate the entirety of the

The change of use will make an acceptable contribution to the Bathurst HCA as it is respecting a similar scale and massing retaining the buildings The scale of the new elements, in particular the Quest Apartments, have strategically worked with the undulating topography of the site to maintain the views lines to and from the historic building which ensures the co-existence of the change of use with the historic elements on the site.

The the entire site has not operated as a whole for a considerable amount of time. The Cool Room building has been sub-divided and currently being used as commercial but will form part of the current scheme. The proposal will result in a change of use from industrial to commercial allowing the site to be

Currently, the site is abandoned, and the Brewery Tower is becoming more and more derelict threatening the entirety of its existence. The change of use will similarly to the Cool Room will ensure the Brewery Tower is maintained as Bathurst landmark within the Bathurst HCA. The former use of the site has been superseded and is no longer economically viable. The use needs to be changed to ensure the viability and conservation of the site in its entirety. The change of use will enable the of the entire site to be preserved intergenerationally and to be read as a whole within the Bathurst HCA.

The proposal intends to incorporate as much of the original salvaged fabric throughout the site to interpret the historical layers to make them visible and easily understood. The proposal will retain and conserve the heritage buildings to ensure that the ongoing interpretation of the essential heritage values of the site is maintained.

It is strongly recommended that an interpretation plan is prepared and implemented for the site to communicate the history and of the historical layers of the site from the early history as a hospital site, soap factory and the former Dairy Farmers Site.

GBA Heritage has provided heritage advice to guide the redevelopment of the this site including the preparation of the CMP in 2007.

MAJOR ADDITIONS

- *How is the impact of the addition on the heritage significance of the item to be minimised?*
- *Can the additional area be located within an existing structure? If no why not?*
- *Will the addition tend to visually dominate the heritage item?*
- *Is the addition sited on any known, or potentially archaeological deposits? If so have alternative positions for the addition been considered?*
- *Are the additions sympathetic to the heritage item? In what way (eg form, proportions, design)*

Comment

The following major additions are proposed as part of the re-development and adaptive re-use of the site:

- Quest Apartments
- Separate basement car parking for the public
- Outdoor pavilion/ terrace piazza area
- Food precinct
-

Community Space

The community space, which consists of an outdoor pavilion/terrace piazza area and food precinct, has been located between the two heritage buildings to visually connect the historic buildings allowing the buildings to be interpreted as a group on the site.

The new pavilion has enhanced the connection through a series of free-standing frames to help the industrial character of the buildings but allowing enough open space for the buildings to be preserved as freestanding elements and easily recognisable within the precinct from the new additions.

The new outdoor piazza creates space through the use of permeable materiality such as glass, so the face brick of the heritage building dominates the public domain. The public piazza is designed to draw people into the centre of the site through a series of pathways created between the new built elements. The height and scale of the design elements in the piazza area ensures that the historic buildings maintain a dominant presence of the views within surrounding streetscape and will not present an adverse impact to the surrounding Bathurst HCA.



Figure 6.1

3-D Render of the Piazza showing the permeable materiality to open the space between the historic buildings.

Source: IDG Architects

The new addition adjacent to the Cool Room Buildings occupy a prime street frontage on the corner of Howick and Bentinck Street within the Bathurst HCA. The proposal has adopted a form and character which is distinctively modern but maintains the same alignment as the adjacent heritage building.

The use of glass creates a visual permeability contrasting from the solid Bathurst red face brick massing of the heritage building. This use of opposing materiality ensures that the heritage building maintains the more visible presence on the Bentinck streetscape and therefore does not compete with the contributory capacity of the Cool Room building within the HCA.

The design has used a series of pathways to reduce the massing of the proposal by creating a physical permeability to encourage pedestrian access to the centre of the site. The paths open new view corridors to the centre of the site and the Brewery Tower. This design element gives greater prominence to the historic buildings from the public domain, reducing the mass on the streetscape and minimising any adverse impact of the Commercial building on other heritage items within the vicinity.

This Commercial building has adopted sympathetic detailing of form to the adjacent heritage items through a repeated modulation design of the heritage building's built form. This repeat modulation is characteristic of other heritage items within the vicinity, such as the Gladstone Terraces, respecting the rhythm of the surrounding character of the HCA.

The building has utilised its setting on the prominent corner to showcase salvaged Bathurst red brick behind the glass facade on the corner of Bentinck and Howick Street contextualising in the design a distinctive characteristic of the Bathurst HCA.

The subject site is known to have been the location of the Convict Hospital. Archaeology is considered separately from this report. This report relies on the archaeological report of AHMS, *Archaeological Research Design, Former Dairy Farmers Site Bathurst, 2012* (AHMS Archaeological Research Design 2012)



Figure 6.2
3-D render of the building showing use of glass, red arrow indicating reuse of salvage brick
Source: IDG Architects



Figure 6.3
Heritage-listed Gladstone Terrace showing the repetitive form emulated throughout the proposal as can be seen in Fig 6.2 above.
Source: IDG Architects



Figure 6.4
Salvaged red bathurst brick to be used throughout proposal
Source: IDG Architects

Basement Car Park

The entrance for the car park for the community area will be located on Princes Street. The limitation of the car park and the underground nature will reduce the visual impact of the cars parked in the vicinity, which may obstruct any public domain views to the historic building from Princes and Bentinck Street.

Although the archaeological assessment is outside the scope of the report, we note that an archaeological report has been prepared by *AHMS Archaeological Research Design 2012* and most the deposits are probably disturbed.

The historic water well was the source of the original water supply for the site, which was a vital component of the sites constant industrial history. The remnant water well now has been incorporated into the scheme to identify its location. The well will form part of the car park design, making it a central feature to the entry and exit point to the site for the public. To further enhance the of the water well, it is recommended that the water well form part of the interpretation strategy to the many historical layers of the site.



Figure 6.7

The 3-D render shows the openness of the piazza and the location of the heritage water well

Source: IDG Architects

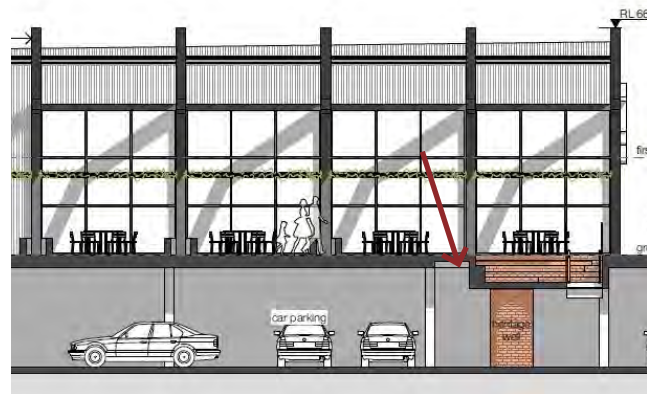


Figure 6.8

The continuation of the historic well from the basement car park approach.

Source: IDG Architects

NEW DEVELOPMENT ADJACENT TO THE HERITAGE ITEM

- *How is the new development on the heritage of the item or the area to be minimised*
- *Why is the new development required to the adjacent to the heritage item*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage*
- *How does the new development views to and from the heritage item? What was done to*
- *In the new development sympathetic to the heritage item? In what way (eg form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item still be able*

Comment

This assessment has been undertaken with the understanding that the adjacent heritage items are the remnant heritage buildings currently contained wholly on the site.

The most considerable bulk and scale, being the Quest Apartments, has been sited to the eastern part of the site utilising the undulating topography to minimise the impact of this part of the scheme within the HCA. Its location is on the furthest eastern boundary of the Bathurst HCA opposite the Carrington Sports Field. The Quest Apartment maintain the historic built industrial scale of the site.

The piazza has created a physical space between the new built elements and the historic buildings using skeletal design concept to connect the two historic buildings with an unobstructed permeable enhancing the of the buildings as a group on the site. The use of permeable materiality is in contrast to the face brick of the historic buildings and allows the two buildings to remain the dominant built element on the site. The proposal has ensured that the only pre-eminent tower form on the site is the Brewery Tower. The open space has retained the curtilage and contributes to the retention of the heritage of the buildings.

The new built elements have adopted a scale that is of similar form to the historic buildings on the site. It has used permeable materiality to ensure that the historic buildings retain their distinct face brick presence on Bentinck Street. The visual permeability of the new development will not visually dominate the heritage items.

The modulation of form stamped across the site has also ensured that the historic industrial style retains a dominant presence throughout the scheme. The proposal will make a positive contribution to the heritage of the Bathurst HCA as it will introduce building forms sympathetic to the heritage items within the vicinity.

The scale of the new development has ensured that the most prominent feature of the site remains as the landmark Brewery Tower building. It maintains all the current views to the tower from the surrounding Bathurst HCA and beyond. The retention of the heritage buildings means that traditional view lines of the site from the west along Bentinck street will be maintained and the proposal will have no adverse impact on those views. These buildings will retain their presence and contribution to Bathurst HCA.

While the new proposal will make a visible impact to the streetscape of Howick and Bentinck Street, there will be no detrimental impact on the surrounding conservation area as the site has always been a place of commercial activity and a dominant built presence in the Bathurst HCA.

The repetition of form and scale is in keeping with the Gladstone Terraces the heritage-listed items adjacent to the site. It retains the characteristic cohesive rhythm of the surrounding Bathurst HCA.

The proposal has also adopted a physical permeability separating built components through a series of pathways which lead to the centre of the site from the public domain. This series of pathways has two minimising the overall scale and mass by creating a variance of forms and openings. Secondly, these pathways connect the public domain to the centre of the site creating visual vistas to the historic buildings allowing a greater appreciation of the historical of the buildings and the site as a whole.

The new food precinct on Princes Street is an open space on the western portion of the site located between the two heritage buildings. The open space food precinct allows a visual connection of the historic buildings by maintaining a curtilage between the new built elements and the historic buildings. views are maintained from Princes Street to all the remnant buildings minimising any adverse impact of the proposal within the Bathurst HCA.

NEW LANDSCAPES WORKS AND FEATURES

- *How has the impact of the new development on the heritage of the existing landscape been minimised?*
- *has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?*
- *Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so what alternatives have been considered?*
- *How does the work impact on views to and from adjacent heritage items*

The site is an industrial site with no known heritage landscaping, but the proposal has introduced landscape design to enhance the connection of the historic buildings on the site. Landscaping design has incorporated salvaged brick and the location of the well to identify the historical layers.

The new landscaping on the site has been carefully designed to strengthen the existing site axes and revitalise the site for further public and commercial use and amenity, by providing a new landscaped public access ways through into the centre of the site. The landscape design will enhance the sites historical importance as a community facility within the Bathurst HCA and its long connection with the Bathurst local community.



Figure 6.7

The 3-D render shows the use of landscape elements to evoke the industrial character for the site

Source: IDG Architects

6.3 HERITAGE OBJECTIVES OF THE BATHURST REGIONAL LEP 2014

The proposed development is considered to be acceptable, from a heritage perspective, for the following reasons:

- Retention and continuation of the sites historic role as a community facility within the Bathurst HCA.
- Retention and conservation of the two remaining heritage buildings on the site. The architectural character and detailing and the contribution of these buildings on the streetscape.
- The proposal will not impact upon the heritage of items in the vicinity of the Bathurst HCA.
- The proposal will improve the general setting of the site by re-vitalising its commercial viability within the Bathurst HCA.

The proposal is, therefore, considered to be consistent with the relevant heritage objectives of the *Bathurst Regional LEP 2014*, which are:

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

- to conserve the environmental heritage of the Bathurst,
- to conserve the heritage of heritage items and heritage conservation areas, including associated fabric, settings and views,

6.4 HERITAGE GUIDELINES OF THE BATHURST REGIONAL DCP 2014

The proposed development is generally consistent with the relevant objectives and general controls in Part 10: Urban Design and Heritage Conservation of the *Bathurst Regional DCP 2014* that relate to heritage items, buildings in a conservation area, development and buildings adjacent of heritage items which are;

- Glastone Terrace, 52, 54, 56, 58 and 60 Bentick Street (I12).
- Terrace House , 62 Bentinck Street (I13).
- Terrace cottages and commercial buildings, 67, 71 and 73 Bentick Street and 194, 196, 198 200 and 202 Howick Street (I14)

The strategic priorities and objectives take into account the Regional Urban Strategy 2007 and the Bathurst Region heritage Study 2007 establishes the key priorities as follows;

Section 10.1.2 Strategic Priorities and Objectives

Strategic Priorities

- To determine the best ways to protect and enhance the Bathurst Region's built, natural and indigenous heritage and history.
- To determine the best way to protect and enhance residential amenity.
- To determine the best way to manage and conserve heritage items and places and conserve their to support the community's sense of place.

Strategic Objectives

- To protect the Bathurst Region's built heritage and history.
- To protect the Bathurst Region's Indigenous heritage and history and streetscape and landscape features.
- To protect and enhance the community's sense of identity and place.
- To protect and manage heritage items and places.

COMMENT

The proposal has maintained two landmark buildings which are of considerable to the Bathurst urban landscape and has incorporated these buildings into the scheme as the most engaging built element to enhance the community's sense of identity with the Bathurst HCA.

The adaptive re-use has ensured that the heritage items and the overall historical of the site are protected as a place central to local Bathurst activity and central to the economic viability of Bathurst. Further, the proposal retains the site as a whole.

The design has adopted physical and visual separation between the old and new elements to ensure that the Bathurst Region's built heritage and history are protected as stand-alone features within the overall scheme and are easily distinguished from the new development.

The proposal has also adopted design elements to re-use salvaged material such as Bathurst red bricks as recognisable features throughout the site design. The roof trusses which have been salvaged and presently stored are recommended to form part of an interpretation strategy as part of the conditions of consent. (see Section 6.5 of this report).

10.4.1 Objectives

- a) To ensure new development is designed to respect neighbouring buildings and the character of the area or streetscape.*
- b) To ensure new development enhances and complements the existing urban character.*
- c) To ensure that the form and external appearance of the new development improves the quality and amenity of the public domain and contributes positively to the historic character of the area and streetscape.*

COMMENT

Given the location of the subject site on the periphery of the Bathurst CBD, it is considered that the proposal is generally consistent with these objectives.

The urban character of the site has always been one of commercial activity presenting a dominate built presence with many locals holding an associated connection to the site over generations. The new will continue this historic presence through an adaptive re-use scheme preserving the site as a whole intergenerationally for the greater of the Bathurst community.

The Quest Apartments, commercial building and food precinct are physically and visually separated from the heritage buildings on the site by a series of pathways and open public space piazza area. The physical separation of the historic buildings from the new additions ensures that the architectural form is complementary without dominating the site.

The chosen materiality is distinctively contemporary, allowing the landmark face brick buildings to retain its dominance as landmark features on the streetscape.

The new additions along Bentinck and Howick Streets have been designed to make a contemporary architectural statement and have been designed to address both the street frontages but remaining sympathetic in scale and form to the heritage items within the vicinity. The Quest Apartement has been sited on the eastern periphery on the undulating slope falling away from the historic building ensuring those buildings maintain the highest point on the site.

Further the proposal has used its location on the prominent corner of Bathurst and Howick Street being the eastern approach of the Bathurst CBD, to showcase salvaged Bathurst red brick interpreting the historical of the site directly into the public domain.

10.5 DEVELOPMENT WITHIN THE BATHURST AND KELSO HERITAGE CONSERVATION AREAS

10.5.1 Objectives

- a) To ensure new development is designed to respect the heritage character of the area or streetscape.*
- b) To ensure new development enhances and complements the historic precinct and special character of existing buildings.*

COMMENT

This site has historically always been a commercial/ industrial precinct of Bathurst. It has always contributed to the civic heart of Bathurst. The proposal is designed to re-capture this characteristic of the site and re-activate the sites social and economic contribution. The design maintains the landmark buildings ensuring the physical presence of the site is retained within the Bathurst district.

The proposal will utilise much of the salvaged red brick from the former buildings as elemental design features and to incorporate them throughout the fabric of the project to convey this unique Bathurst characteristic of the existing and past buildings of the site.

10.5.4 Commercial/Industrial development Building Design

COMMENT

See comments provided in

Development but further general comment is provided.

The proposal has avoided any monotonous facade by introducing a variety of materiality and separating built components.

The adoption of glass and other permeable materiality for the commercial buildings provides passive surveillance from the public domain to the centre of the site allowing the site to be viewed as a whole. The separation of built components through connected pathways opens vistas through to the centre of the site from the public domain. The overall scale is sympathetic to adjacent heritage buildings and has maintained view lines to the landmark buildings within the site, ensuring no adverse impact to the surrounding Bathurst HCA.

Landmark sites within the CBD

Landmark sites within the CBD include:

- a) corner sites,*
- b) buildings listed as a heritage item in the LEP, and*
- c) other buildings or sites which, in the opinion of Council, contribute to the heritage*

and special character of the Heritage Conservation Area.

In addition to the standards listed above, the development of landmark sites must also meet the following standards.

- a) Provide a positive contribution to the City's architectural landscape.*
- b)*
- c) Provide reference points for users of the CBD.*
- d) Incorporate a landmark "feature(s)" that is appropriate to create interest and provide the building with a recognizable identity.*
- e) In respect of corner sites, include design feature(s) that address the corner.*

Comment

The site is a landmark within the Bathurst CBD the Bathurst HCA and the greater Bathurst area. The Brewery Tower dominates view lines across Bathurst. The design of the proposal has been respectful of these views lines using the Brewery Tower as a central point to ensure the form and scale are respectful, and the dominance of the Brewery Tower is retained within the Bathurst urban landscape. The proposal has no adverse impact on views of other heritage items in the vicinity.

The new architectural design of the proposal will provide a positive impact on the architectural landscape of Bathurst. The contemporary materiality is permeable to the enormity of the site from the public domain. The proposal has incorporated historic fabric, in particular, the salvaged Bathurst Rd Brick which it has showcased in the eastern gateway corner of Bentinck and Howick Street facade.

The contemporary design has adopted strategic siting of buildings separated by pathways to draw the public into the centre of the site as part of the schemes movement economy philosophy and to revitalise the sites historical contribution to the Bathurst economy and social

The proposal has and preserved heritage features such as the historic buildings. It has utilised salvaged fabric such as red-brick that it will incorporate throughout the built design. It is recommended that the salvaged trusses form part of any future interpretation strategy.

By ensuring that the Brewery Tower remains the tallest element on the site, the proposal will maintain the Brewery Tower as a recognisable reference point for users of the CBD an essential aspect of the Bathurst urban landscape. By locating the more considerable bulk of the scheme, the Quest Apartment, to the eastern edge of the site on the furthest periphery of the HCA, the proposal maintains the views of the Brewery Tower from the Bathurst CBD.

The siting of the new built elements has ensured that the landmark Brewery Tower and the historic Cool Room Building has maintained an unobstructed visual connection emphasising the of the building as a group on the site. The proposal has also incorporated features such as the well providing tangible evidence of the sites identity and historical layers.

The site occupies a corner, being Bentick and Howick Street. The enormity of the site speaks of its considerable contribution within Bathurst HCA. The design has incorporated detailed features of distinct Bathurst characteristics, such as the Bathurst Red Brick, to elevate the historical of the site and create an authentic connection to the various historical layers of the site.

By introducing pathways through the new built elements, the proposal has created a passive connection of the site to the rest of the Bathurst HCA allowing the entirety of the site to be viewed and appreciated as a whole.

6.5 RECOMMENDED MITIGATION MEASURES

It is considered that the impact of the proposed development can be adequately mitigated by the following conditions of consent :

- Adequate protection of the retained heritage buildings on the site during construction of new built elements.
- Preparation and implementation of a comprehensive Interpretation Strategy for the entire site.
- Salvaged components from the demolition of original buildings such as the Bathurst Red Brick and the trusses, currently being held in storage, should be incorporated into an interpretation strategy for the entire site.
- Advice to be obtained from a suitably archaeologist to ensure that works are carried out with the required approvals and in accordance with the relevant guidelines and Acts

7.0

CONCLUSIONS AND RECOMMENDATIONS

7.1 CONCLUSIONS

- The overall site is listed as an item of local heritage significance in Schedule 5 of the *Bathurst Regional LEP 2014*.
- It is also located within the *Bathurst Heritage Conservation Area* and is adjacent to the listed heritage items at Bentinck and Howick Streets.
- The proposed Quest Apartment and Commercial space will continue the historical use of the site as a commercial and social contributor within the Bathurst HCA.
- The proposed scheme has been carefully developed to minimise any adverse heritage impact and is considered acceptable in the context of the expected community created by the proposal.
- Quest Apartments, the Commercial building and the public eatery precinct is an essential component within the overall scheme in that it ensures a that allows for the retention of the historical aspects of the site which is of great public benefit. It also re-activates the site's historical contribution to the town of Bathurst, ensuring its sustainability for future generations to appreciate the historical layers of the site as a whole.
- The bulk of the commercial building and the Quest Apartment has been located away from the remaining historical buildings on the Howick Street side of the site dominating the corner of the Bentinck and Howick Street, to
 - reduce the visual dominance of the new building over the retained historic components on the site.
 - retain that the existing visual connection of the historic buildings on Princes Street and the views to and from the site within the Bathurst HCA.
 - retain the site as whole and ensures that both historic buildings maintain their within the Bathurst HCA.
- The proposal's adaptive re-use of the whole of the former Dairy Farmers Factory site will have no adverse impact on the heritage of any of the adjacent items in the Bathurst HCA.
- Existing public views, in particular to the landmark Brewery Tower, across Bathurst HCA is retained. The proposal has introduced further view corridors from the public domain to the historic buildings within site now easily accessible by the public.
- The proposed development is consistent with the conservation policies of the CMP 2007 for the site prepared by Graham Brooks and Associates (now GBA Heritage)
- Should any unexpected relics be disturbed during excavation of the site, they must be managed under the Archaeological provisions of the *NSW Heritage Act*.
- The proposed development is consistent with the heritage objectives of the *Bathurst Regional LEP 2014* and may be permitted without consent under clause 5.10 (3).

7.2 RECOMMENDATIONS

Subject to the recommended mitigation measures in Section 6.5 of the report, the consent authority should have no hesitation, from a heritage perspective, in approving the application.

8.0

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DAIRY FARMER'S CO-OP, BATHURST, NSW

ARCHAEOLOGICAL AND DEVELOPMENT IMPACT ASSESSMENT



1924 aerial image of Bathurst showing the study area indicated at the corner of Howick and Bentinck Streets. Note the area to the east of the standing dairy buildings (potential site of the hospital) is clear, level and grassed indicating little evidence of physical alteration of this area of the site. (BDHS Greg 4619)

Matthew Kelly

on Behalf of

AHMS

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**Former Dairy Farmer's Co-Op, Bathurst, NSW: Archaeological
and Development Impact Assessment**

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Former Dairy Farmer's Co-Op, Bathurst, NSW: Archaeological
and Development Impact Assessment

1.0 Introduction

1.1 Background & Project Initiation

Archaeological and Heritage Management Solutions Pty Ltd (AHMS) was commissioned by the Henry Kendall Group to undertake an historical archaeological assessment of the former Dairy Farmers Co-Op site, in Bathurst.

This report provides background information to advise the site owner on the archaeological potential of the site and the requirements of NSW Heritage Act in relation to potential 'relics' associated with former occupation of the site.

The assessment of a specific development impact was not part of the project brief at this stage.

1.2 Site Location & Configuration

The study area consists of Lots 1, 2, 3, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 30 DP 2067 and Lot 2 DP 184456 in the Parish of Bathurst, County of Northumberland See (Figure 1.2). It is located at the corner of Howick and Bentinck Streets Bathurst, NSW, opposite Carrington Park as shown in Figures 1.1 and 1.2.

Currently the site is occupied by a large complex of 1 to 2 storey industrial structures associated with the dairy co-operative and concrete apron and ramp for vehicle access to various parts of the site. In addition two brick cottages are present at the north east and south east corners of the site (See Figure 1.3).

Part of the dairy complex was damaged by fire in November 2006.¹

¹ <http://abc.net.au/news/items/200611/1792044.htm?centralwest>

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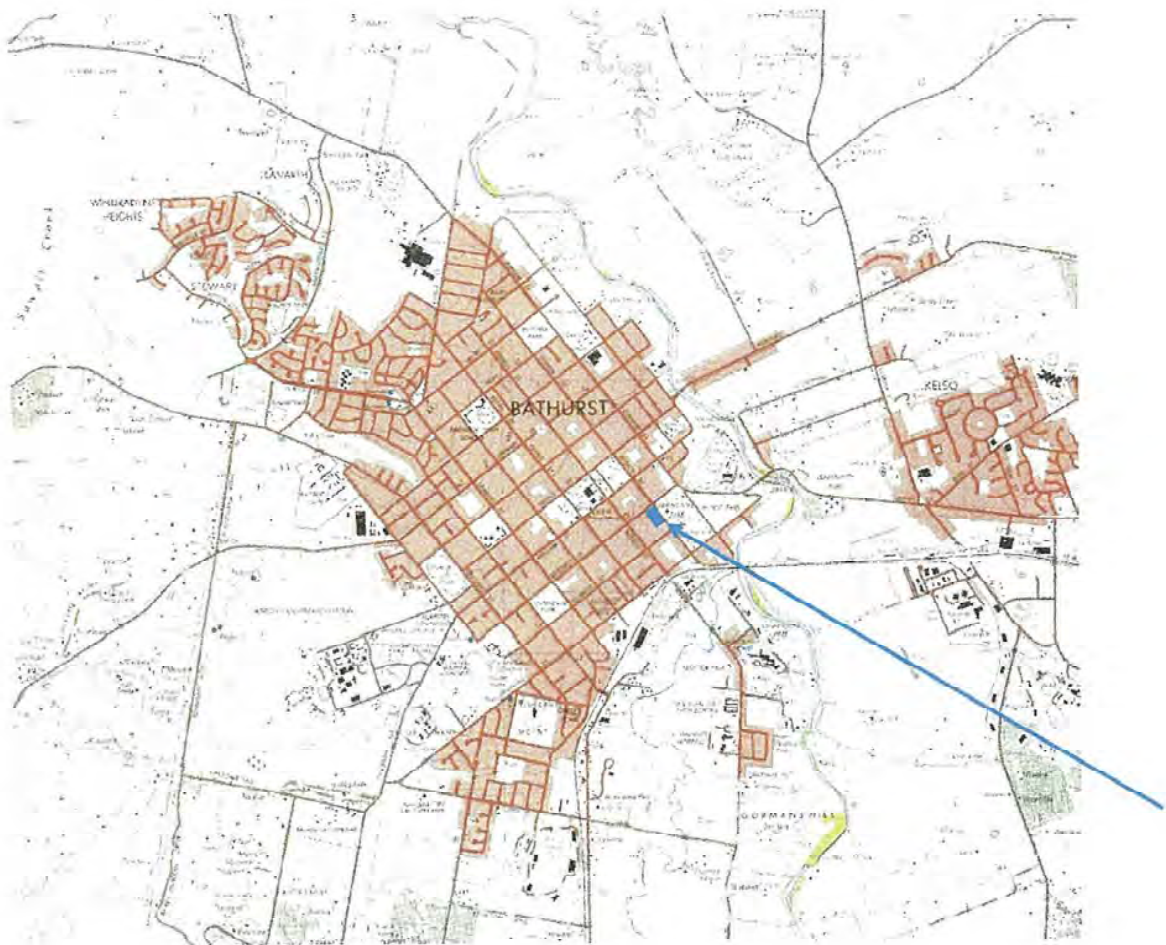


Figure 1.1: Site location in Bathurst.

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Figure 1.2: Aerial view of site location in Bathurst.

Former Dairy Farmer's Co-Op, Bathurst, NSW: Archaeological
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Figure 1.3 Site of former Dairy Farmers Co-Op showing survey of current structures on of the study site. Extent of study site indicated.

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1.4 Previous Heritage Studies on the Site

The study site has been subject to a Conservation Management Plan (CMP), completed by John Armes and Associates.²

1.5 This Assessment Report

This report was prepared in accordance with the Heritage Council's guidelines Archaeological Assessments (1996), and Revised Assessment of Heritage Significance in accordance with the new 'Criteria for Listing on the State Heritage Register' in 'Assessing Heritage Significance' (2001), a NSW Heritage Manual update.

The report is divided into the following sections:

- Section 2 provides an overview of heritage legislation applicable to the site;
- Section 3 provides an historical outline of the development of the site;
- Section 4 provides an evaluation of the sites cultural significance;
- Section 5 provides an assessment of the potential archaeological resource.
- Section 6 presents conclusions of the assessment, and recommendations for management of relics during any development at the site;

This study was limited to examination of the sites of historic (non Indigenous) archaeological potential, although it includes observations regarding the sites potential to contain Aboriginal sites and/or objects (as defined by the National Parks & Wildlife Act, 1974).

1.6 Study Team & Acknowledgments

Matthew Kelly undertook research on past use of the site and conducted the field investigation.

Matthew Kelly wrote this report. Assistance provided by Damien Wilde General manager of Henry Kendall Group, David Nicholl of Elders Real Estate Bathurst, Mary Fletcher of Bathurst Historical Society and Bath Hall of Bathurst Library is gratefully acknowledged.

² John Armes and Associates, 2004, *Dairy Farmers Depot, Bentinck Street, Bathurst, Conservation Management Plan*, prepared for Dairy Farmers Ltd.

2.0 Statutory Considerations & Controls

The current and future management of the site and its heritage values is determined by a number of legal requirements and statutory heritage listings. These are summarised in following sections.

2.1 The NSW Heritage Act (1977)

The NSW Heritage Act is legislation designed to conserve the environmental heritage of New South Wales and is used to regulate development impacts on the State's heritage assets. In addition to buildings and items listed on the State Heritage Register, archaeological features and deposits are afforded automatic statutory protection by the relic's provisions of the NSW Heritage Act 1977 (as amended in 1999). ³The Act defines 'relic' as:

"any deposit, object or material evidence relating to the settlement of the area that comprises NSW, not being an aboriginal settlement, and which is fifty or more years old."

The relic's provisions of the Heritage Act (Division 9 of the Act) protect all relics in NSW. An excavation permit is required if a person undertaking excavation work on a site knows of, or has reasonable cause to suspect, that the site contains relics. If such relics will be discovered, exposed, or moved by development on the site, the work may only be undertaken by a qualified archaeologist to whom an excavation permit has been issued by the Heritage Council of NSW. This permit is often referred to as a Section 140 permit as it is applied for under this Section of the Heritage Act.

The potential relics at the Former Dairy Farmers Site, Bathurst, are protected by the 'relics' (Sections 139-145) of the NSW Heritage Act, 1977.

2.2 Statutory Heritage Registers

Heritage listings for sites are made on either statutory or non-statutory registers. In New South Wales protection for heritage items listed on statutory registers is provided by the NSW Heritage Act, 1977 (as discussed above) and the Environmental Planning and Assessment Act, 1979.

2.2.1 The State Heritage Register

The State Heritage Register (SHR) is a statutory list of places and items of State

³ NSW Heritage Act, K "<http://www.legislation.nsw.gov.au/>"

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heritage significance made by the Minister of Infrastructure, Planning and Natural Resources. ⁴The Register lists a diverse range of places, including archaeological sites, that are particularly important to the State and which enrich our understanding of the history of NSW. State Heritage significance is defined by the NSW Heritage Office as "significance to the State in relation to the historical, scientific cultural, social, archaeological, architectural, natural or aesthetic value of the item (Section 4A (1), Heritage Act, 1977)".

Places and items listed on the SHR are legally protected by the NSW Heritage Act and require approval from the Heritage Council of NSW prior to undertaking work that results in their alteration or modification.

The former Dairy Farmer's Co-op site is not listed on the State Heritage Register.

2.2.2 The State Heritage Inventory

The State Heritage Inventory (SHI) is an electronic database of statutory listed heritage items in New South Wales that are protected by heritage schedules of Local Environmental Plans (LEP's) and Regional Environmental Plans (REP's) or by the State Heritage Register. ⁵The inventory can include historical archaeological sites, maritime archaeological, industrial sites, urban landscapes including parks and gardens, private and civic buildings, heritage items owned by State government agencies, moveable heritage such as transport vehicles or heritage collections and Aboriginal heritage. The 2004 CMP for the site recommended that the owners (Dairy Farmers Ltd) consider listing the site on the State Heritage Inventory. ⁶

The former Dairy Farmer's Co-op site is not listed on the NSW State Heritage Inventory.

2.2.3 Bathurst Draft Interim Local Environmental Plan

Other documents that include statutory listings for both Historic and Aboriginal heritage items in NSW include Regional Environmental Plans (REPs), Development Control Plans (DCPs) and Local Environmental Plans (LEPs). These planning instruments are prepared in accordance with the requirements of the *NSW Environmental and Planning Assessment Act, 1979* and are designed to integrate heritage management and conservation into the planning and development control process to ensure that development does not affect the significance of heritage items, sites and/or places, and conservation areas. Bathurst Council exhibited a Draft Interim Local Environmental Plan in 2004-5 with Council adopting the draft instruments in April 2005.

⁴ NSW Heritage Office website. "<http://www.heritage.nsw.gov.au>"

⁵ NSW Heritage Office website. "<http://www.heritage.nsw.gov.au>"

⁶ John Armes and Associates, *op cit*, p. 51.

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The former Dairy Farmer's Co-op site is listed as a Heritage Item (No 95) on the Heritage Schedule of the Bathurst Draft Interim LEP.

2.3 Non Statutory Heritage Registers

2.3.1 Register of the National Estate

In September 2003 the Commonwealth Parliament passed new legislation that provides for a new management regime for items identified as National Heritage. *The Environment and Heritage Legislation Amendment Act (No. 1) 2003* amended existing legislation and set out the steps for entering places on the National Heritage List and the Commonwealth Heritage List, management of National and Commonwealth heritage places, requirements for impacts of proposals involving National Heritage places and requirements for Commonwealth agencies in relation to Commonwealth Heritage Places.

The Act also prescribes criteria for listing National Heritage places and Commonwealth Heritage places and management principles for National Heritage places and Commonwealth Heritage places.

The Register of the National Estate is kept by the Australian Heritage Council brought into being by the Australian Heritage Council, 2003. The Australian Heritage Commission compiled the Register from 1976 to 2003 and the Council is now responsible for keeping the Register.

The Register database contains information on listed places as well as all others in the process of assessment or rejected by the Council or Commission

The former Dairy Farmer's Co-op site is listed within the Bathurst General Conservation Area on the RNE as Item 785.

2.3.2 National Trust (NSW)

The National Trust of NSW maintains a register of places "classified" by it as having cultural significance and are worthy of conservation.

The Register does not have any statutory power but classification of an item or place on the Register is considered an authoritative statement of the cultural significance of the place. The Trust maintains the Register as an advisory and educative tool.

The former Dairy Farmer's Co-op site is not on the National Trust Register

3.0 Historical Outline

3.1 Introduction

The following historical outline of the development of the site is derived from John Armes and Associates Conservation Management Plan for the site. This information is supplemented with research undertaken at Mitchell Library, Sydney, National Library and the Bathurst Historical Society for images and maps and plans of the site.

3.2 Pre-European and Early Town Development

The present site of Bathurst was part of the traditional lands of the Wiradjuri Aboriginal people⁷. As demonstrated across western NSW, the material culture of the Wiradjuri people was diverse, with people manufacturing a wide range of tools and items. Recorded clothing items included skin cloaks and belts for hanging and carrying tools. A typical tool kit included spears, clubs, boomerangs, stone hatchets, spear throwers, nets, digging sticks, shell scrapers, bone needles and wooden containers. Flaked stone tools were also an important component of the Aboriginal tool kit. A typical dwelling was of the 'gunyah' type constructed from tree branches thatches with grass⁸.

Prior to European contact, hinterland groups such as the Wiradjuri were largely dependent on freshwater and terrestrial animals and plants. A wide range of animals and plants were consumed, including wallabies, kangaroos, possums, flying foxes, water birds, parrots, reptiles, freshwater fish and yabbies, mussels and eggs. The tuberous roots of plants were also targeted, together with nuts and seeds. The Bathurst Plains was an area of major economic importance to the local Aboriginal people because of the quantity and availability of food and water present in the area. The Macquarie River, in particular, would have supported a wide range of animal and plant species that could be eaten or used for other purposes, such as providing shelter and medicines. A number of trees along the river would have supplied bark that could be used in the production of twine for nets and baskets. The proximity of the study area to such an important resource zone has implications for the presence of Aboriginal campsites.

⁷ Tindale, N, 1974, *Aboriginal Tribes of Australia*, Australian National University, Canberra, p.

⁸ Gresser, P. J. (1964) *Aboriginal Graves and Scarred Trees*. Australian Institute of Aboriginal and Torres Strait Islander Studies. Library Manuscript 21/4 and Clark, P. M. (1977) *Aboriginal Campsites along Water Hole Flat Creek*. Unpublished BA(Hons) thesis, Department of Prehistory and Anthropology, Australian National University.

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Governor Macquarie proclaimed the site of the town of Bathurst on 7 May 1815 during his journey over the Blue Mountains (see Figure 3.1).

After Breakfast, all the Gentlemen and other People assembled for Prayers and Divine Service; but previous thereto they were all mustered for the purpose of witnessing my christening the new intended Town on this beautiful spot, which I accordingly named "Bathurst" in honor of the noble Earl of that name, now His Majesty's Principal Secretary of State for the Colonies...

After Divine Service had been performed, I accompanied Mr. Cox, and Messrs. Oxley and Meehan the Surveyors, to lay down and mark out the lines of the town of Bathurst at the spot fixed on now here for that purpose, immediately in rear of the present Head Quarters; reserving a sufficient space next the River for a small Government Domain, extending Half a mile in front and a quarter of a mile in Depth. I also had marked out immediately in rear of the Flag-Staff [sic] the Spot intended for the Government House being erected on hereafter.⁹

The site had originally been the depot for Cox's road building team at the terminus of the road from Emu Plains.

The boundaries of the early town and a site for a government house and domain were marked out by Macquarie during his journey. Few grants, however, were authorised during the first few years, as Macquarie was reluctant to open up the rich Bathurst Plains to a large settlement. One of the first grants issues was 1,000 acres to William Lawson, one of the three European explorers who crossed the mountains in 1813. William Cox, the road builder, was another early grantee who held most of the land east of the Macquarie River.

In February 1818, 50-acre farms and 2-acre town allotments were released to ten men. The town allotments were located across the river from existing government buildings—at that stage the western side of the river was accessible only to convicts and Government employees. Following the dismissal of government supervisor Richard Lewis and acting commandant William Cox, Lieutenant William Lawson became Commandant of the settlement. By December 1819, the population of Bathurst consisted of only 120 people in 30 houses. Two thirds of the population was living in the township of Kelso, on the eastern side of the river, and the remainder on rural landholding nearby. The 1820 Official Report numbered 114 settlers, including only 14 women and 15 children. Government buildings at this time consisted of a brick house for the Commandant, brick barracks for the military detachment, houses for the Storekeeper, Chief Constable and Superintendent of Convicts, as well as a store, a barn and log house for 50 convicts who worked on the government farm (see Figure 3.2).

Within a few years of European settlement conflict between local Aborigines and

⁹ Macquarie's Journal May 7, 1815 <http://www.lib.mq.edu.au/digital/lema/1815/1815may.html#may7>.

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white settlers erupted in the Bathurst area. Both parties were dependent on use of open land and this conflict of interest resulted in violence. In the Bathurst area Aboriginal resistance to the loss of their territory was most pronounced between 1822 and 1824 when the European population had reached 1,267. By 1825 over 91,000 acres of land had been cleared and fenced removing a sizable proportion of the land from Aboriginal use. Groups of Aborigines were massacred during this period in retaliation for protecting their territory. The dramatic drop in the local Aboriginal population that resulted meant that intense resistance was fairly short lived. Minor skirmishes, murders and massacres, however, continued into the 1840s.

Growth of Bathurst remained restricted until 1826 when Governor Darling took over administration of the colony. In that year the restricted access to the western side of the river was lifted and J.B. Richards surveyed the site for the future town. In 1830 Thomas Mitchell is believed to have designed Bathurst town. However, Richards did not complete the layout of the streets until late 1833; two years after the first sales were held.

3.3 Convict Hospital 1824-42

With the opening up of the district for settlement and the development of the town it became necessary to provide facilities for the expected population. The first hospital, a government establishment for convicts, was built in 1824 and consisted of a four-roomed weatherboard building on the corner of Howick and Bentinck Streets in an area set aside as a reserve in Section 9 of the town (see Figure 3.3).

The topography on Brindley's map of 1846 indicates that the site was on a small rise overlooking what was referred to as the Queen Charlotte Ponds / Vale Creek, now piped underground (see Figure 3.4). Brindley's plan shows a horseshoe shaped building fronting Howick Street in the centre of the reserve. No other structures or features are shown on the site.

The hospital was initially for the use of male prisoners and soldiers but later it served the assigned servants of local settlers. Gradually over time it ceased being an exclusive convict hospital and was used to service the wider community.

The first medical officer appointed to the Hospital was Dr William Richardson. He was replaced in 1828 by Dr George Busby the son of engineer John Busby of Sydney who had constructed Busby's Bore which supplied town water from 1837 onwards. George had received his training in Edinburgh and was chosen as Assistant Colonial Surgeon at the Norfolk Island penal settlement prior to his appointment at Bathurst. The Colonial Medical Service attempted to promote Busby and appoint him to another facility, a move which he refused. The autocratic administration of the Medical Service at the time penalized Busby for this refusal, despite long and meritorious service. After the closure of the Bathurst Hospital as a convict

establishment in 1842, his position in the Colonial Medical Service was terminated and he was refused a half pension on these grounds. He continued to practice medicine at Bathurst Hospital until his death in 1870.

3.4 District Hospital 1842-78

Following the end of convict transportation to NSW in 1840 convict hospitals were slowly converted to community-operated institutions. The government hospital at Bathurst was closed and offered to the local population as a District Hospital in 1842 and it was administered by a local committee from that date. Funds for the running of the establishment were largely from local subscriptions and a small Government subsidy.

The 1850s and the onset of the gold rush saw the Hospital under severe stress to cope with the increased demand for medical services. The local businessman James Rutherford, general manager of Cobb and Co had relocated the business to Bathurst. He was quickly elected to the committee to manage the Hospital and saw first hand how the service struggled under debt. In concert with Mr. McPherson and Mr. Wilton he arranged the clear the debt of the hospital and provide funds for the construction of the dispensary.

The arrangement of the hospital was recorded by the son of the hospital superintendent in the 1870s for the first time (see figure 3.5) It illustrates a horseshoe shaped structure with the courtyard formed by projecting wings running away from the street frontage. This frontage had the men's ward to the right and the women's wards to the left with a porch/passage dividing the two. This passage led to the courtyard which contained a central well. The superintendent's quarters were situated in one rear wing and the attached kitchen in the other. The small dispensary built with funds from Rutherford *et al*'s efforts adjoined the superintendent's quarters.

By the late third quarter of the 19th Century the developing town was beginning to outgrow its first hospital and moves were made to build a new facility. On 5 May 1876 six acres of Crown Land (Section 60) were selected for the new hospital and granted to the Bathurst Hospital Committee and an Act was gazetted to provide funds for the new facility.¹⁰ A tender to construct the new hospital was accepted in February 1878. The site was on elevated ground situated at the northern end of Bathurst town, about three-quarters of a mile from civic buildings. The design for the new hospital was won by Sydney architect, William Boles, designer of a number of churches during the 1870s, including St Joseph's Catholic Church, Edgecliff, Windsor and the Wesleyan Church. Lord Loftus, the then Governor of NSW, opened the new

¹⁰ "An Act to authorize the sale of the site of the Bathurst Hospital and to provide for the expenditure of the money received therefrom in the erection of suitable buildings for a like purpose on a new site. (1876) (39 V)"

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hospital building on 9 November 1880. Patients were moved into the new building on 4 December. In December of 1878 the old hospital had burnt down. Staff were able to remove the patients from the building without loss of life.

The site was subdivided in 1887 to become Lots 1-10, 11-30 of DP 2067.¹¹ The Gladstone Terraces built in 1888 and which today front Bentinck Street were constructed on Lots 5 and 6. Cottages were also built on Lots 7 and 8 fronting Princess Street.

3.5 1880s Onwards

3.5.1 Bathurst Swimming Pool

Bathurst's first swimming pool was constructed at the end of Princess Street in the late 1880s at about the same time as the subdivision of the original hospital reserve. It was probably constructed on part of Lot 11 of the subdivision (now Lot 2 DP 184456). Little is known of the construction of this facility and of the few photos which show the site little is discernible regarding details of the site (see Figure 3.9). The siting of the pool in this area of Bathurst may be related to the provision of a water supply. Early plans show the water course of Queen Charlotte Vale Ponds (compare Figures 3.4 and 3.8). By the end of the 19th Century this water course had been piped under the corner of the south-east corner of the block and across what was to become Carrington Park. The parish plan of 1882 shows the north west corner of this park as set aside for a pumping station, presumably for this water source (see Figure 3.8). It does not appear that this development proceeded however.

The baths were officially opened by the Mayor in 1890. The fortunes of the pool were to wax and wane over the next few decades as a variety of owners purchased the concern and then fell into difficulties. The baths continued in operation until the 1920s when they were in the ownership of the adjacent brewery, James Walker and Co.

In the early 1920s the brewery offered to sell the facility to the local Council; however this offer was initially refused but by 1923 it had agreed to the purchase for 750 pounds. While the pool did come in for criticism it continued to operate as the only public swimming facility, other than the river, until the construction of the Olympic pool in Elizabeth Street in 1953.

3.5.2 Butter Factory

In May 1902 an advertisement appeared in the Bathurst daily Times which invited tenders for the construction of a butter factory at the corner of Bentinck and Howick

¹¹ Subdivision of Allotment 16 Section 9, City of Bathurst.

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Streets for the Bathurst Co-Operative dairying Co Ltd and after due consideration the tender of Mr. A.E. Ennis was accepted for 967 pounds. The Bathurst daily Times noted that the new butter factory opened on October 10, 1902.¹²

The 1902 plans for the site show a central brick building with weather boarded attached offices, wash room, receiving and test room. A detached weatherboard machinery and boiler room sat at the rear (see Figure 3.9).

By 1905 the factory was reported to be processing over 18,000lb of cream, manufacturing 9,000lb of butter.¹³ By 1926 the company had started manufacturing ice and was providing services to freeze meat for export.

The site appears to have been intermittently developed over the period up until the late 1950s with a variety of additions to building stock and facilities upgraded. Most of the recorded additions occur prior to 1917 or after 1941 with work in the 1920s and 30s conspicuously absent from the records.¹⁴ These additions include: freezing rooms and sheds (built 1916); garage and ice store room (built 1940s); internal cold store, concrete platforms, fences, walls and gates, amenities building, washroom, brick cottage and cool room (built in the 1950s). All this work was undertaken on the area occupied by the co-op which corresponds to Lots 1-4, 19 to 25 and 30 of DP 2067.

By the late 1950s the co-op had become the sole supplier of milk in the Bathurst area through direct delivery and through sales at stores. In 1950 it had become a branch of Dairy Farmers.

By the 1980s the site focused on milk processing but by 1994 had ceased processing and was simply used as a depot for the distribution of milk to the area.

3.5.3 Brewery and Soap Factory

As noted above the brewer Walker was involved in purchasing the swimming pool in 1920. Walker had called for tenders for the construction of a brewery in Howick Street in 1908.¹⁵ At that time Walker operated the Great Western Brewery in Morrisett Street under his own name.¹⁶ Just prior to his expansion to the site at Howick Street he formed Walker and Co. Ltd which acquired the assets of the Great Western Brewery, Bathurst and the Standard Brewery, Orange. The company was registered in 1903 as "Brewers & wine & spirit merchants" and had offices listed at 10 Barrack St Sydney as well as Bathurst and Orange.¹⁷

¹² *Bathurst Daily Times*, October 10, 1902.

¹³ Cited in Armes and Associates.

¹⁴ Though the CMP notes the installation of a new pasteurizing plant in 1938 that is not otherwise noted in Council records of development on the site.

¹⁵ *National Advocate*, April 27, 1908.

¹⁶ Deutsher, K, 1999, *The Breweries of Australia*, Lothian, p. 26.

¹⁷ SR Register of Firms, p.233.

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It was probably at this stage that the tower was constructed on the southern portion of the site. The brewery operated from Bentinck and Howick Streets through the 1920s. This operation probably relates to that area Lots 26-28 of DP 2067 and Lot 2 of DP 184456 which forms the southern portion of the study area. Walker and Co, Bathurst operated until 1927.

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Figure 3.1 "The Bathurst Plains", 1815-6, John Lewin (ML V*/Expl/2).

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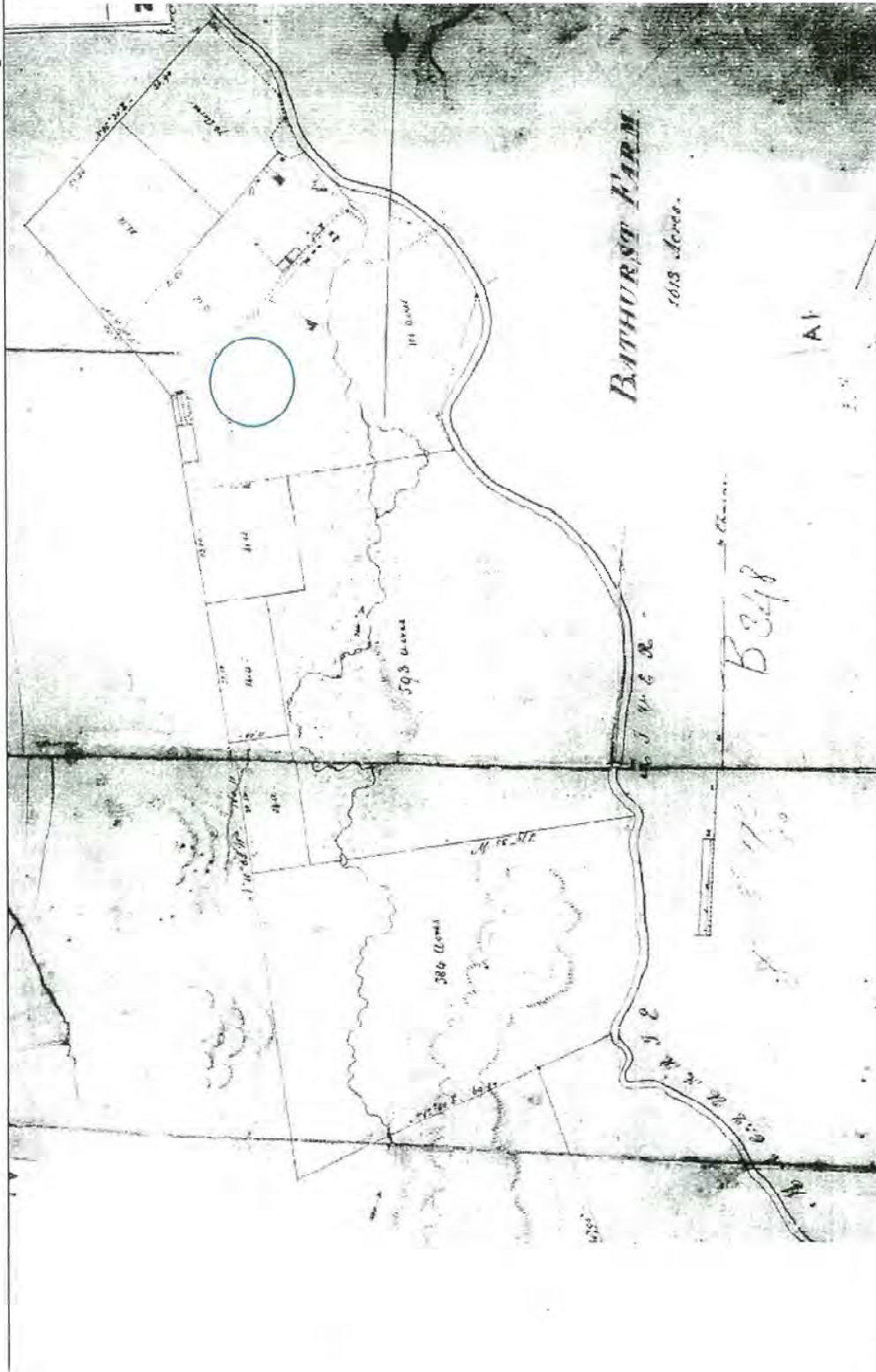


Figure 3.2 "Bathurst Government Farm - shows Government House Flagstaff, etc.", J. Richards, n.d.(SR Map 1305). The approximate position of the future site of the hospital is indicated.

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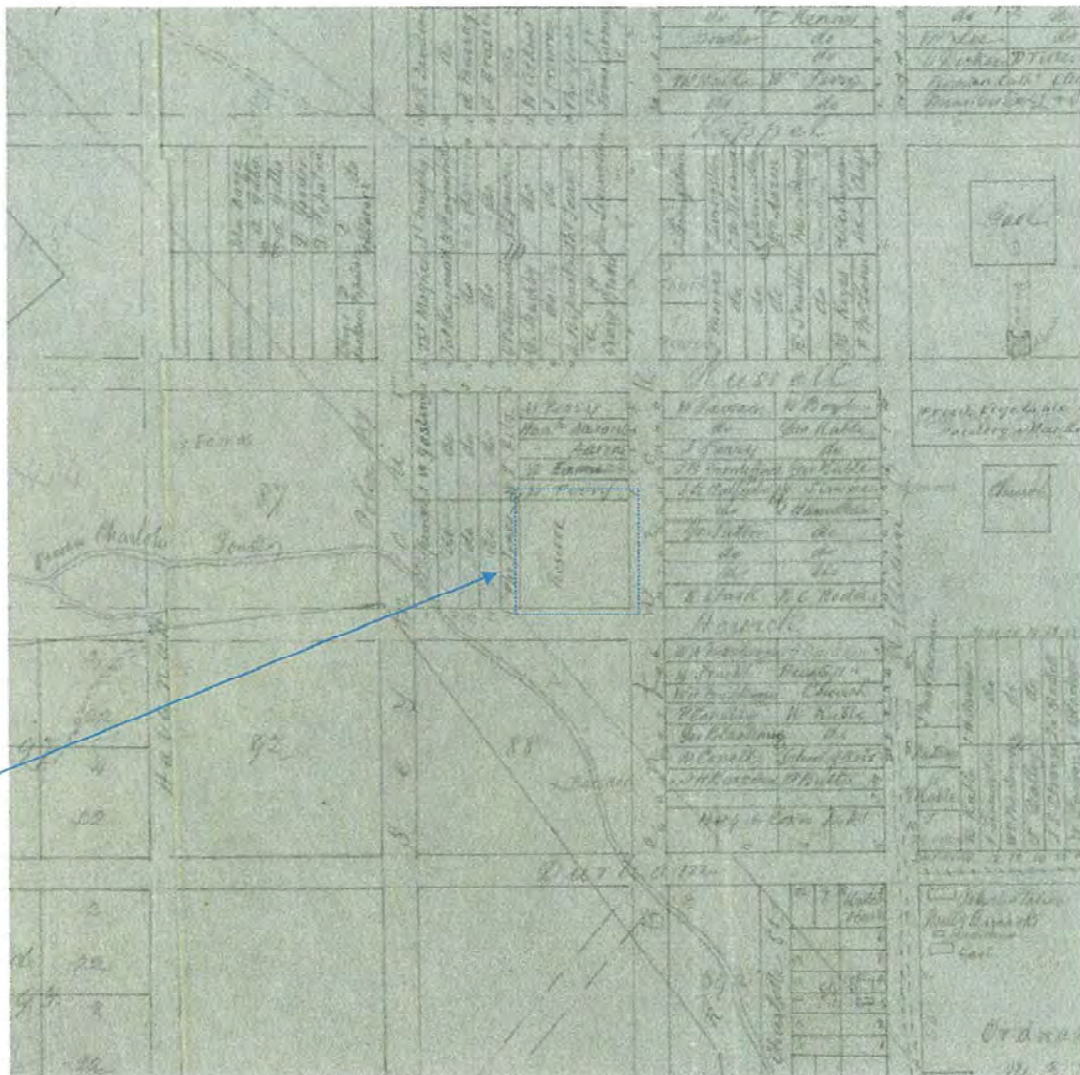


Figure 3.3 "Map of the Town of Bathurst", Anon, 1840, (NLA F795). Note that this map dated after the construction of the hospital shows the hospital reserve but fails to indicate the hospital building and may reflect a redrawing of an earlier survey of town allotments.

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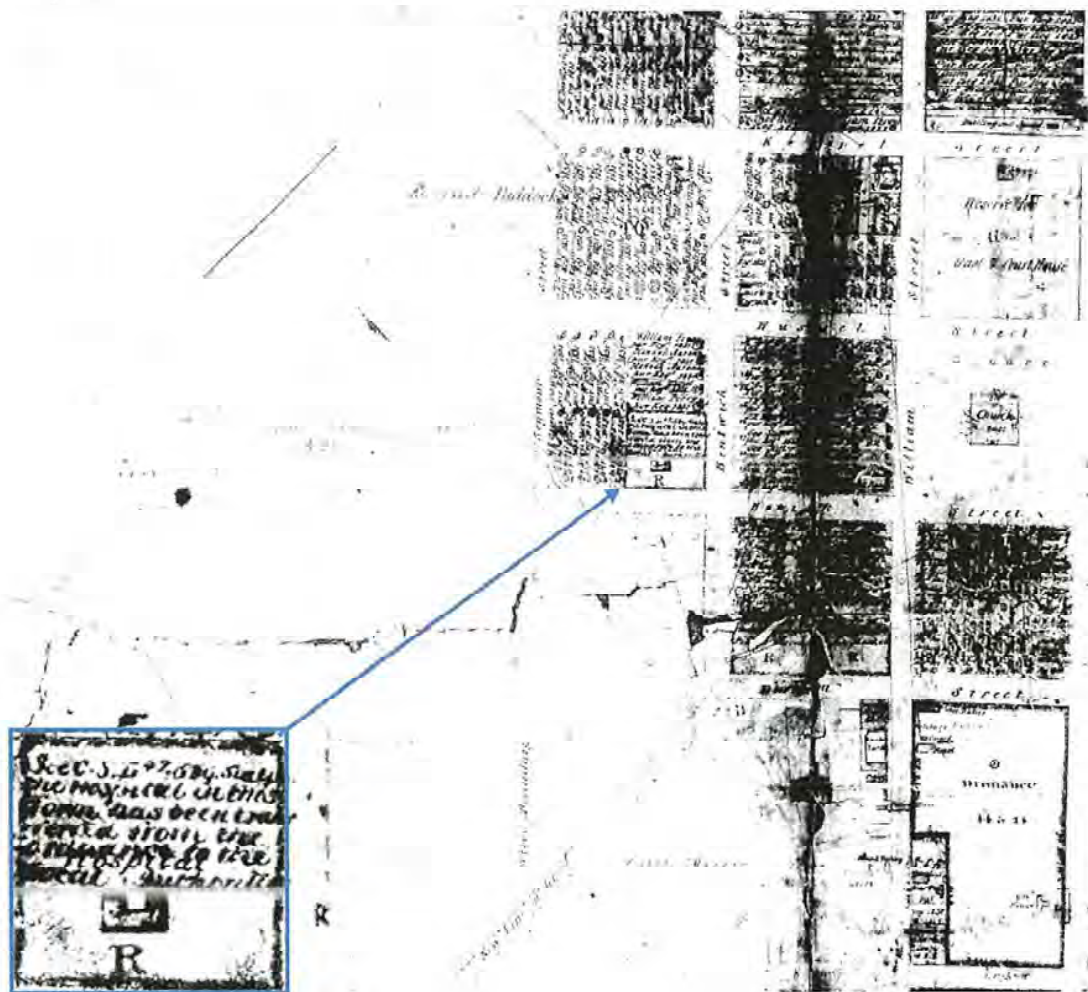


Figure 3.4 “Compilation of the Town of Bathurst”, J Brindley, 1846, (SR Map 1424). Note the position of the horseshoe shaped hospital on the block and cf with Figure 2.4/5. Note the proximity of the site to the creek and the area notes as brick kilns to the south east of the study area.

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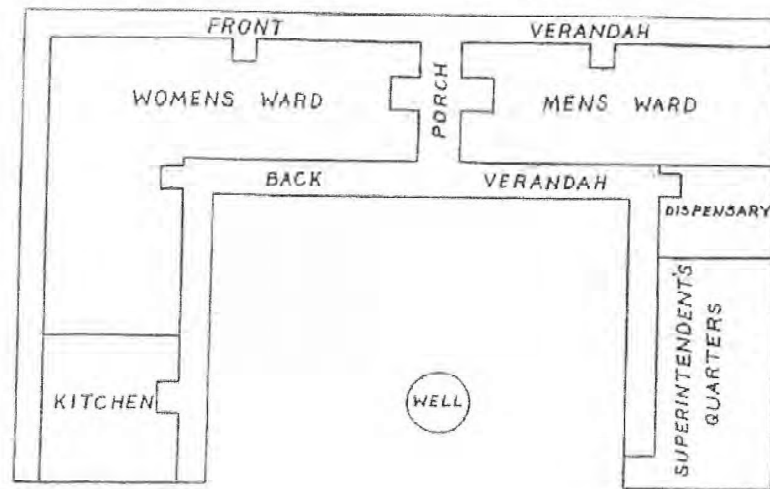


Figure 3.5 Floor Plan of Bathurst Hospital c1870 as drawn by Andrews, not to scale.



Figure 3.6 Bathurst, 1847-57, Joseph Backler. (ML 973). The approximate area of the site is indicated.

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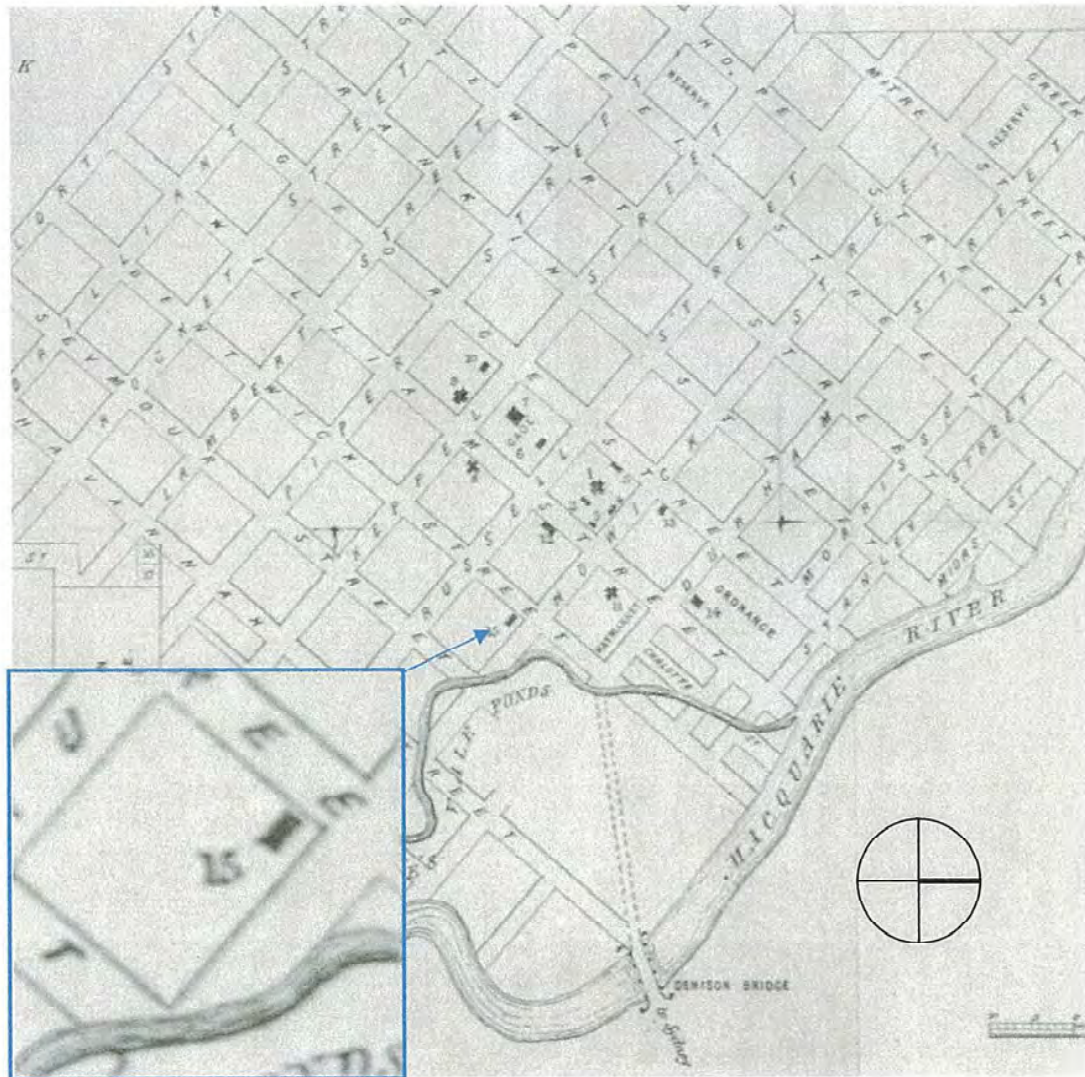


Fig 3.7 "Map of Bathurst New South Wales", J. Degotardi, 1862, (NLA F511a). The site of the Hospital is indicated not in the centre of the reserve but at its northern corner

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Fig 3.8 Parish plan of 1882 showing the Hospital building still in position 4 years after the fire which destroyed it. The fact that it is still shown may relate more to failure to update existing plans rather than evidence that the structure still stood. Note also the indicated position of a pumping station at the north west corner of the adjacent public recreation area. From its deletion on the plan it would appear that this development did not proceed. (NSW Lands Department).

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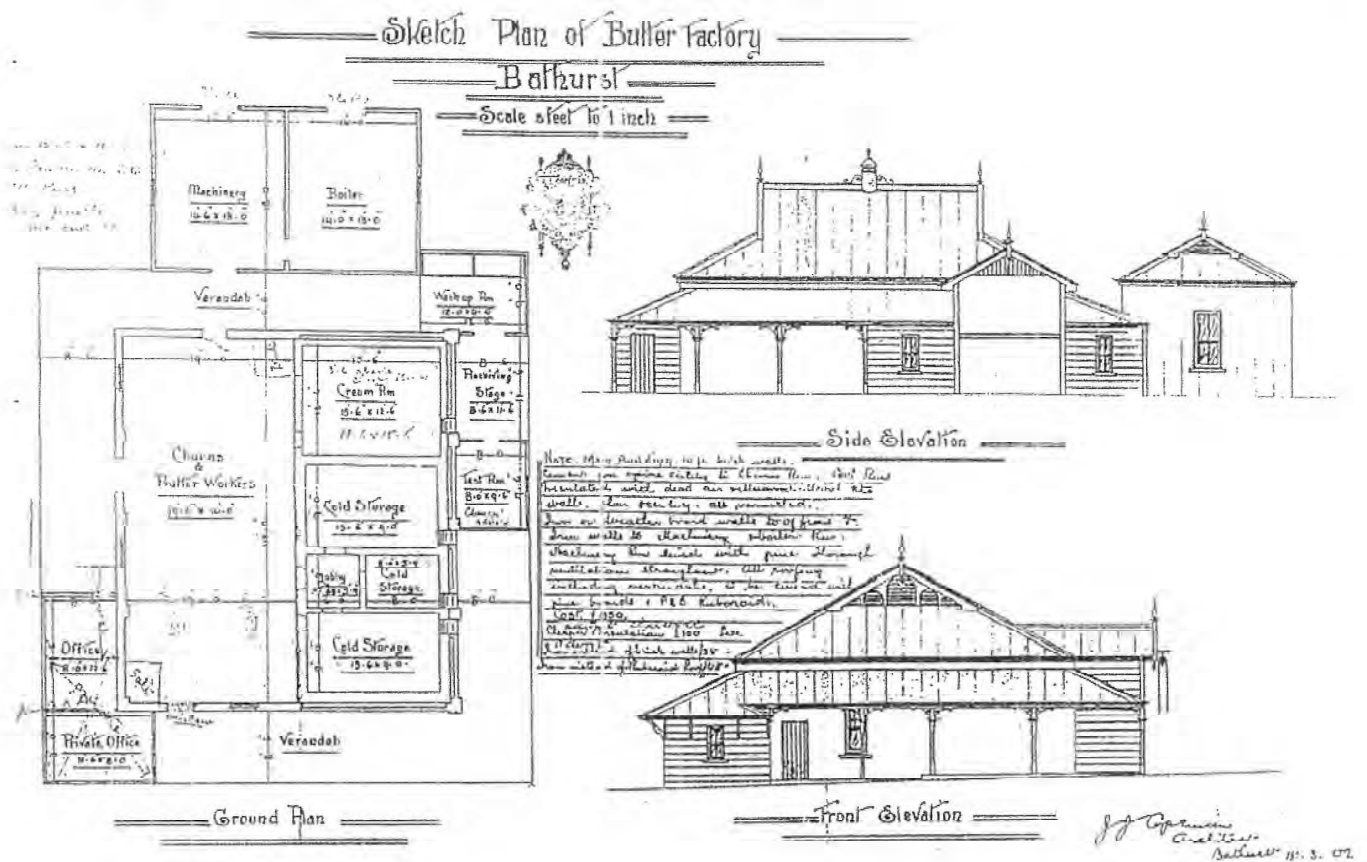


Figure 3.9 "Sketch Plan of Butter Factory, Bathurst". 1902(Reproduced from Armes and Associates, 2004, Figure 10).

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Figure 3.10 Swimming Baths, Bathurst c.1923, (BDHS Greg S172).

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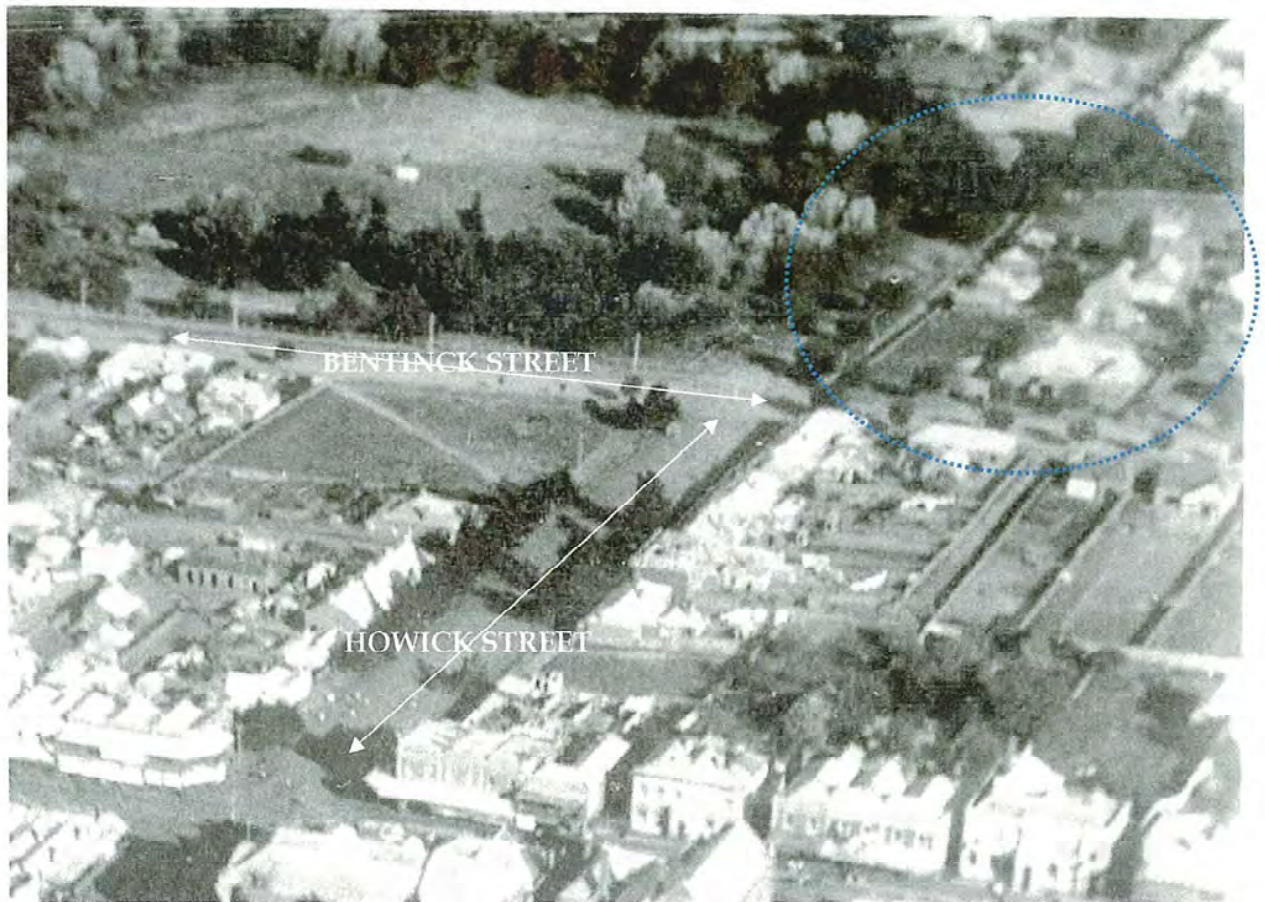


Figure 3.11 "Aerial View of Bathurst, 1924". The study area is indicated. The area to the east of the co-op buildings (the potential site for the hospital) is shown as open and grassed. (BDHS Greg S 169)

4.0 Site Description and Archaeological Potential

4.1 Site Description

4.1.1 Soils and Topography

The study area is situated on the boundary between the Bathurst Granite and the Macquarie Alluvial Soil Landscapes (see Figure 4.1).¹⁸ These landscapes consist of:

Bathurst; Located on hills around Bathurst between 6-10% slope. Native vegetation consisted of Yellow-Box prior to European clearance. Topsoil is reddish to greyish yellow sandy loam with weak structure. A2 horizon bleached dull reddish brown or orange loamy sand to sandy loam. B horizon is a reddish brown to brown sandy clay loam or sandy to heavy clay. C horizon weathered granite.

Macquarie. Located on alluvial plains and terraces of the Macquarie River with local relief less than 10m. Native vegetation prior to clearance was open savannah grassland. Topsoil is dark brown to brown sand up to 1.2 m deep. Water worn gravel is found at lower levels.

The site sits at the top of a slope which runs down to the south and east. The western most corner slopes gently east towards Howick Street. The southern most third of the site begins to slope more sharply to the south and east forming a terrace above the second lower level. Comparison with the Brindley plan of Bathurst shows that this area to the south and east of the site was the former natural course of the Queen Charlotte Ponds Creek and it is probable that the existing topography largely mirrors that prior to European occupation of the area. The slope at the rear of the site probably reflects the edge of the terrace above the extent of the alluvial floodplain in this area of the town.

4.1.2 Site Description

The study area contains a number of small scale industrial buildings on two levels with broad concrete/bitumen aprons and ramps to provide building and street access for delivery vehicles (See Figure 4.1). The general topography of the site is gently sloping from west to east (Princess Street to Howick Street at the northern end of the site). The southern third of the site slopes more dramatically away to the south in effect forming another level. These two levels are connected by a drive/ramp that enters the site at the southern boundary, runs to the western boundary and curves to

¹⁸ Kovač, M Murphy, B.W. and Lawrie, J.W., 1990, *Soil Landscapes of the Bathurst 1:250,000 Sheet*, Dept of Land and Water Conservation, pp. 47 and 169.

the north along this boundary.

The current building stock on the site, as described in the CMP consists of two major building groups:

Group 1 is focused around a three storey storage building at the corner of Princes and Bentinck Streets. It consists of buildings 1-11 and building 21. The CMP concludes that building 3 represents the remnants of the 1902 brick dairy building shown in Figure 3.10. The date ranges for the remainder reflect building phases of the 1920s and 1950s with some infill.

Group 2 is focused on the brewery tower at the southern end of the site. This group consists of buildings 12 to 18. The CMP concludes that buildings 15, 17 and 18 are those constructed in 1908 for the Walker brewery venture. The remainder of this group consists of 1950s and a 1960s addition.

As well as the two main groups two small structures are also on the site: building 19 which is a 1950s cottage fronting Howick Street at the south eastern part of the site and a 1960s office at the north east corner.

4.2 Archaeological Potential

4.2.1 Overlay

Little exact information relating to the configuration or position of the convict hospital is currently available. Most of the plans of the site are at too large a scale or too schematic to be of much use. In addition no currently known images of the hospital exist which may provide detailed information related to its position on the site. The historic overlay shown as Figure 4.12 is based on the position of the hospital building shown in Brindley's plan (figure 3.4). The relative position of the hospital within the reserve is repeated in later parish plans of the town (see Figure 3.8). Degotardi's plan of Bathurst indicates the position of the hospital at the northern corner of the site in contrast to most other depictions. Given the similarity of the Brindley depiction to the drawing done by Andrews (Figure 3.5), the use of this position by the later parish plans and the schematic nature of the Degotardi Bathurst Plan the configuration of the convict hospital is most likely to approximate the blue outline in Figure 4.12.

However the exact position of the structure indicated in Brindley's plan may also be flawed. Given that the sharp slope at the south east of the site generally reflects the site's topography in the early 19th Century intuitively the position of the hospital structure indicated in the overlay is probably too far south as it extends over the slope in this part of the site. The more likely position is probably closer to the Bentinck Street frontage as shown by the green outline in Figure 4.12.

4.2.2 Nature of the Potential Archaeology

The hospital is likely to have consisted largely of wood with earth fast posts and weatherboard cladding. The archaeological remains of such a structure would be represented by postholes and possibly remnant sill beam trenches. Obviously due to the nature of the fire it is unlikely that much of the original wooden structure remains in situ. It is possible that some walls were brick nogged but given the period of construction and the scarcity of bricks at that time in Bathurst it is unlikely. The attached kitchen and any chimney bases would also be likely to contain elements constructed of brick. The archaeological remains of such features are likely to be reflected in brick platforms/concentrations in discrete areas of the site.

Additional potential archaeological relics include deeper features such as the well, but also cess and rubbish pits. There is some evidence of artefact scatters on the site weathering out of the slope along the eastern boundary. These may be the result of broadcast rubbish or disturbed cess pits.

The CMP also raises the issue of possible burials on the site. Given the existence of surveyed cemeteries to the south and west of the study area, there are a Presbyterian, Roman Catholic and Wesleyan to the south and the "Old Burial Ground" near the corner of George and Lambert Streets, indicated on Brindley's plan; it is considered unlikely that human remains are present on the site. The death of people considered as "paupers" would not have necessarily precluded their burial in cemeteries.

The later occupation of the site is likely to be reflected primarily in the existing building stock of the site. Considering the nature and period of this development it is unlikely that these later phases are represented by subsurface archaeological relics.

4.2.3 Conclusion

Given the above information outlined above the site is assessed as having some archaeological potential albeit disturbed. The fire and subsequent clearance of the site is likely to have disturbed a portion of the potential archaeological remains on the site though there is evidence that deposits associated with the fire in 1878 may still remain sealed beneath the existing concrete drive in the centre of the site (see Figure 4.8. . The potential remains are likely to consist of post holes, subsurface cess pits, the well and some artefact scatters.

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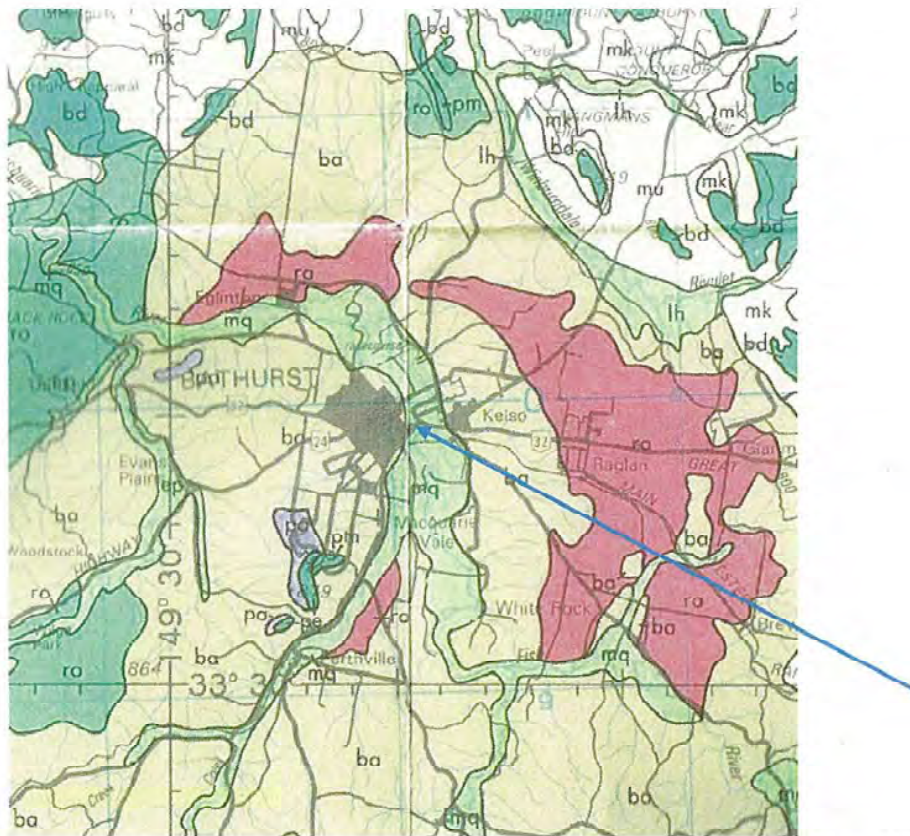


Figure 4.1 Portion of the Bathurst 1:250,000 Soil Landscape Sheet showing the position of the study area.



Figure 4.2 View of study site from the north west.

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Figure 4.3 View of the site looking south from the dairy co-op buildings towards the brewery tower.



Figure 4.4 1908 brewery tower from the south.

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Figure 4.5 Brewery buildings destroyed by recent fire (November 2006), looking south.



Figure 4.6 Edge of drive at eastern boundary of site. The ground begins to drop away sharply here to the south and east possibly reflecting the original topography of the site.

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Figure 4.7 Exposed artefacts and furnace material on slope at eastern boundary of site.



Figure 4.8 Corner of concrete apron showing evidence of ash deposit weathering out from beneath the slab. Ash deposit indicated.

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Figure 4.9 Sharp slope at south eastern portion of site revealing lower level of site. 1950s cottage as outside of photo left.



Figure 4.10 Excavation at southern end of site for sewer investigation. Deposits revealed in section of excavation suggest several episodes of filling and levelling from and furnace waste. Alluvial gravels below possibly reflect lower portion of the natural soil profile.

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Figure 4.11 Close up of deposits at rear of property showing ash/furnace waste deposit (1) and river gravel (2).

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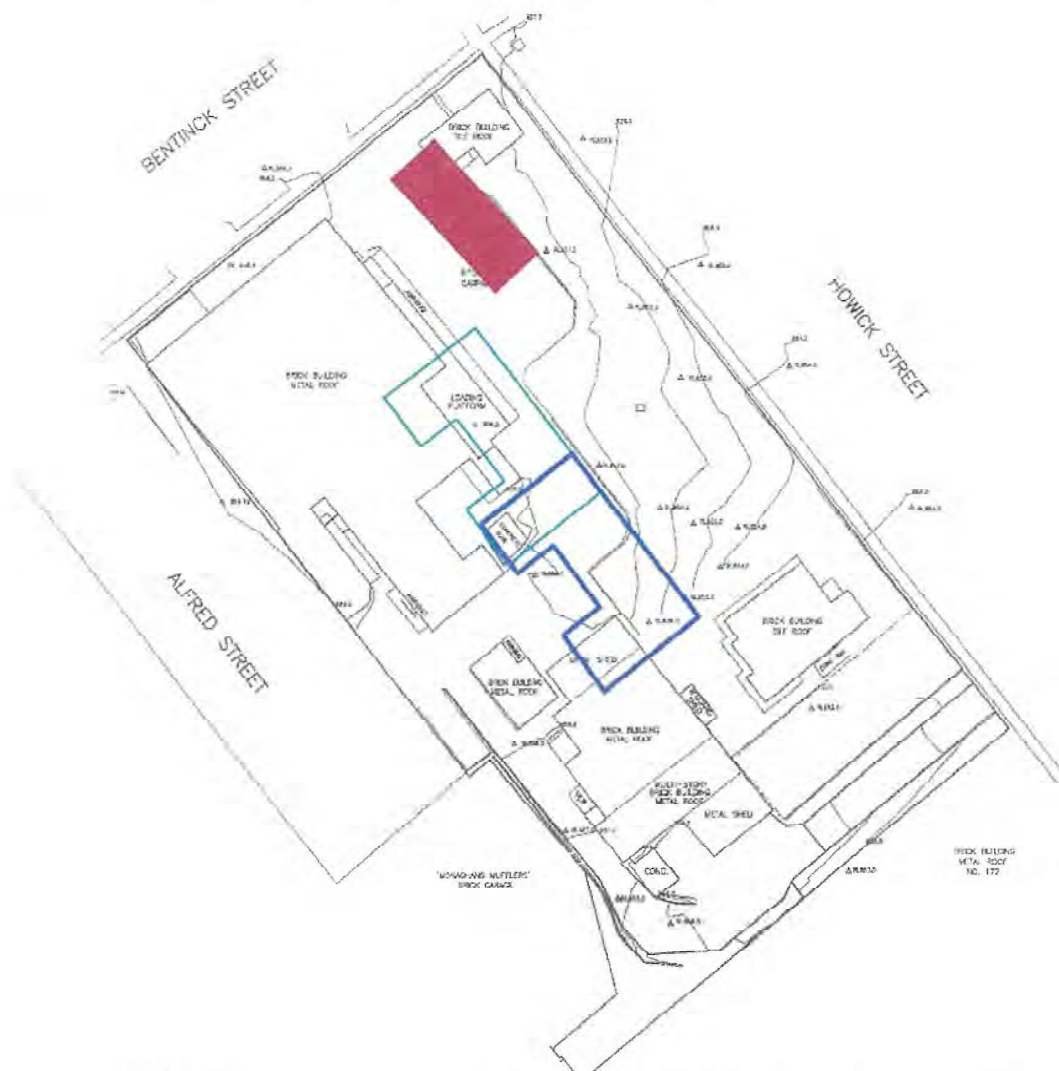


Figure 4.12 Plan of survey contours on the study site. The hospital position based on the Brindley plan is shown in blue. The position of the hospital shown in the Degotardi plan is indicted in red. Given the site topography the actual position of the hospital building may more accurately be indicated by the green outline.

5.0 Significance

5.1 Principles & Evaluation Criteria

"Heritage significance" and "cultural significance" are terms used to describe an item's value or importance to our society. The Australian ICOMOS Burra Charter defines cultural significance as,

"Aesthetic, historic, scientific or social value for past, present or future generations"

This value may be contained in the fabric of the item, its setting and relationship to other items, the response that the item stimulates in those who value it now, or the meaning of that item to contemporary society.

Accurate assessment of the cultural significance of sites, places and items is an essential component of the NSW heritage assessment and planning process. A clear determination of a site's cultural significance allows informed planning decisions to be made for place, in addition to ensuring that their heritage values are maintained, enhanced, or at least minimally affected by development.

Assessments of significance are made by applying standard evaluation criteria. These criteria are as follows:

- *An item is important in the course or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area);*
- *An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW' cultural or natural history (or the cultural or natural history of the local area);*
- *An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);*
- *An item has strong or special associations with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*
- *An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*
- *An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);*
- *An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural and natural environments.*

The archaeological significance of a site may be seen as directly linked to the scientific or research value of the relics that are present. In Australia this concept is

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commonly defined as a set of questions that are used as a means of assessing the significance of an archaeological site within a relative framework:

- Can the site contribute knowledge that no other resource can?
- Can the resource contribute knowledge that no other site can?
- Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?

5.2 Evaluation

The following evaluation identifies the cultural significance of potential relics at the Dairy Farmers Co-Op site using the aforementioned criteria, and taking into consideration information about the site presented in preceding sections of this report.

Criterion (a) – an item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);

The Dairy Farmers Co-Op site is highly significant in the historic development of Bathurst. It is associated with the early development of the township and the management of convict labour. Its later associations are with recreational and processing concerns of the early 20th Century town. The site has been continuously occupied from at least the 1820s and included the hospital and industrial buildings.

Bathurst was an early example of the development of urban structures in the western slopes of NSW and was a conduit for development of settlement further west.

The potential archaeological remains of the hospital occupation may provide information related to the activities conducted on the site during the years of its early development and its later occupation up to the 1880s. The manner in which this area developed as an early township health facility may be reflected in the archaeological remains on the site.

The site is assessed as of high local significance, in terms of this criterion.

Criterion (b) – an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or it's the cultural or natural history of the local area);

The hospital has a strong association with the work of George Busby a pioneer medical practitioner in the early colony. George was a member of the Busby family, a significant family in NSW's early development: George's father John was an engineer who constructed Sydney's water supply which operated from 1837 until the 1860s; his brother James helped develop the Australian wine industry before being appointed British Resident in New Zealand and William was a member of the

Former Dairy Farmer's Co-Op, Bathurst, NSW: Archaeological Assessment

Legislative Council and grazier.

George worked at the Hospital from the 1830s until his death in 1870 having been associated with the convict hospital for almost all its existence.

The archaeological remains at the site are assessed as of high local significance, in terms of this criterion.

Criterion (c) – an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);

The potential archaeological remains while possibly considered to be 'picturesque ruins' are unlikely to meet this criteria.

The archaeological remains of the site are not considered significant in terms of this criterion.

Criterion (d) – an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;

The site has no demonstrated strong association with a particular cultural group and as such does not meet the threshold for this criterion.

The archaeological remains of the site are not considered significant in terms of this criterion.

Criterion (e) – an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);

Should any archaeological remains exist at Dairy Farmers Co-Op site they may be able to provide us with information related to the nature of occupation of the site from the early 19th through to the beginning of the 20th. The nature of any information would be focused upon specialist health facilities and the provision of services associated with 19th hospitals prior to later 19th Century reforms in hospital design and nursing care.

The physical evidence of the occupation on the Dairy Farmers Co-Op site may relate to attempts to modify the landscape to in the earliest period provide gardens and later level areas for building. The occupation of the earliest structure on the site would also provide evidence related to early 19th Century living and working conditions in this area of the state.

The site is considered highly significant, at a local level, in terms of this criterion.

Criterion (f) – an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);

The Dairy Farmers Co-Op site's potential archaeological resource is a rare resource due to the small number of convict hospitals built in the state. Potentially intact early 19th Century occupation within Bathurst, is also likely to be a rare resource as many

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of the earliest sites were developed later in the 19th Century and 20th Century and have not been subject to archaeological investigation. The site is therefore an uncommon resource due to these factors.

The site is considered highly significant, at a local level, in terms of this criterion.

Criterion (g) – an item is important in demonstrating the principal characteristics of a class of NSW's: cultural or natural places; or cultural or natural environments, or a class of the local area's cultural or natural places; or cultural or natural environments.

The growth and continued success of townships in rural areas was contingent upon provision of basic facilities for those choosing to settle away from the coast. This important aspect of the development of early colonial society in general and the western plains in particular was played out on the study area from the 1820s onwards. The Dairy Farmers Co-Op site is therefore significant as it has the ability to demonstrate the form, materials, techniques and development of early town facilities in expansion of European settlement in the 19th Century.

Any archaeological remains related to occupation of the site therefore have the potential to provide a contribution under this criterion.

The site is considered highly significant, at a local level, in terms of this criterion.

Further assessment questions specific to archaeological sites are addressed below:

- Can the site contribute knowledge that no other resource can?

The site has the potential to have an important archaeological resource that may be able to provide information, unavailable elsewhere. The rarity of this site rests on the specialist nature of the potential resource, its availability and the combination of occupations evident in its history. Archaeology provides information related to general questions of socio-economic standing, technology and environmental factors not available from other sources such as historical records.

- Can the resource contribute knowledge that no other site can?

The site reflects an example of a rare resource within the state but also one of the earliest convict sites in Bathurst. There are no other sites in Bathurst that provide the temporal range and occupational specialization of the Dairy Farmers Co-Op site which are archaeologically available.

- Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?

The potential of this site to inform future generations about the history of an area that was an important place in rural development in the early colony of NSW means that the information it may yield is relevant to a number of substantive research questions relating to Australian historical themes such as *Convict Life, Townships,*

Land Tenure, Commerce, and Health.

5.3 Archaeological Statement of Significance

The potential archaeological relics at the Dairy Farmers Co-Op site, Bathurst are an uncommon and significant resource representing the remains of over 50 years of development and occupation of the site in its earliest guise as the Bathurst Convict Hospital. The site, originally part of the Government Farm, was part of the early subdivision of the town and the development of one of the satellite townships that enabled the remainder of the west of NSW to be opened up to settlement. The potential archaeological remains have the ability to demonstrate elements of the historic, economic and social development of this site and the surrounding area. The site generally has potential to demonstrate the European use of the site from the 1820s onwards through the potential physical remains of the environment, hospital and artefacts within the study area. The site is therefore assessed as having High Local Research Significance.

6.0 Impact Assessment

The proposed development on the site consists of ground level commercial premises with space for a supermarket and specialty shops. A car park will comprise the lower level with entrance/exit ramps off Princess and Howick Streets.

Construction of the lower car park will require some excavation to achieve the finished floor level of RL 656. The outline of the lower level's footprint is outlined in orange in Figure 6.1.

Figure 6.1 also illustrates the potential impact zone of the excavation for the car park on the site. The green line in Figure 6.1 outlines the RL 656 contour across the site with the orange shaded area indicating the zone of excavation to achieve this level across the site and as shown most of this excavation will occur to the west of this contour.

The overlay showing the potential position of the hospital, taken from the Parish plan of the town, suggests that this excavation will disturb or remove any archaeological remains associated with the former hospital occupation on the study site.

Former Dairy Farmer's Co-Op, Bathurst, NSW: Archaeological Assessment

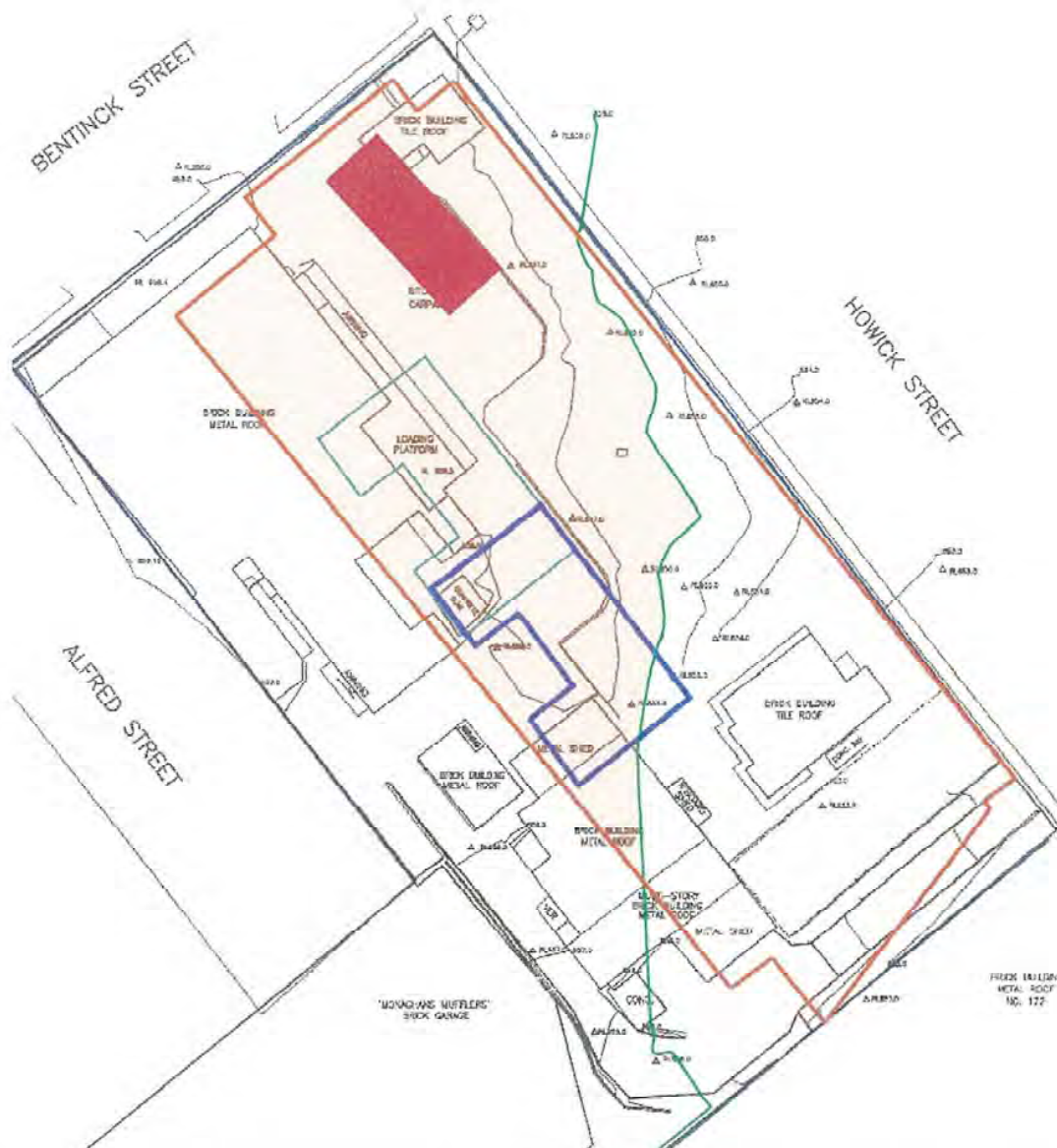


Figure 6.1 The above overlay shows the potential position(s) of the hospital (dark blue and light blue), the line of the RL656m contour (green). The area of excavation on the site to achieve the finished floor level of the car park is shown as an orange shaded area.

7.0 Conclusions and Recommendations

7.1 Conclusions

This historical archaeological and impact assessment concludes that the study area Dairy Farmers Co-Op site, Bathurst:

- is associated with the development of the Convict Hospital at Bathurst from 1828 onwards ;
- is associated with George Busby, who was medical resident of the facility for the majority of its existence;
- has potential for archaeological relics from this convict occupation, and for the subsequent occupation to remain in situ;
- the relics associated with the convict occupation are assessed as of Local Research Significance; and
- the proposed development of the site has the potential to disturb the potential archaeological relics.

7.2 Recommendations

The following recommendations are made for management of the site's archaeological values prior to proposed development.

- An application should be made to the NSW Heritage Office for an excavation a permit, issued under Section 140 of the NSW Heritage Act;
- This assessment report and a Research Design should be submitted in support of the permit application;
- The information gathered from the archaeological programme should be presented to the NSW Heritage Council as an excavation report to meet the Excavation Permit Conditions;
- A copy of the Excavation report should also be made available to Bathurst Council and a copy lodged with the local studies section of the Bathurst Library.

Appendix E

Hazardous Materials Survey



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SUNFORD HOLDINGS PTY LIMITED

Report for Dairy Farmers Site,
Bathurst
Hazardous Materials Survey

March 2007



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- A Hazardous Materials Register
- B Laboratory results



- C Site Plans
- D Site photos



1. Introduction

GHD Pty Ltd (GHD) was commissioned by the Harry Kendall Group (HKG) to undertake hazardous materials surveys of buildings on the former Dairy Farmers site (the site) on Bentinck St, Bathurst, New South Wales. The survey was undertaken from 27-28 February 2007 by GHD's Ashley Robinson and Jamahl Zegzula.

1.1 Objectives and scope

The objective of the survey was to identify the presence of hazardous materials within buildings on the site and to provide recommendations on the safe removal of hazardous materials during demolition works.

The scope of work for the project included:

- ▶ A site inspection of the buildings on the site for the identification of hazardous materials;
- ▶ Collection, where necessary and where possible, of verifying samples of suspected hazardous materials for analysis by NATA accredited laboratories;
- ▶ Development of a Register detailing the findings of the inspections (refer to the Hazardous Materials Registers, Appendix A);
- ▶ An assessment of the potential risk to human health associated with the identified hazardous materials;
- ▶ Recommendations for the safe removal of identified hazardous materials during demolition works; and
- ▶ Preparation of this report.

For the purpose of this survey, hazardous materials were limited to:

- ▶ Asbestos Containing Material (ACM);
- ▶ Lead based paint;
- ▶ Synthetic mineral fibre (SMF); and
- ▶ Polychlorinated biphenyls (PCB) in fluorescent light fittings.

1.2 Limitations

This report has been prepared for use by Henry Kendall Group (HKG) in accordance with our understanding of the HKG brief and generally accepted consulting engineering practice. No other warranty, expressed or implied, is made as to the professional advice included in this report. This report may not contain sufficient information for purposes of other parties or for other uses.

No inspection can guarantee to locate all hazardous materials. In practice it is generally impossible to locate all hazardous materials in the course of an inspection because of factors such as:

- ▶ Restrictions on access to internal construction components; and



► The availability of building construction plans.

In an audit of Hazardous Materials, there are varying degrees of non-uniformity in materials types and concentrations, including type of asbestos fibres incorporated into the product by the manufacturer. Hence, no sampling technique or program can be expected to completely eliminate the possibility that samples are not totally representative of the range of materials present; it can only reduce this possibility to an acceptable level.

Professional judgement must also be exercised in the choice of samples collected and the method of analyses of the samples required to prove the existence and concentration of a specific compound in a building material. GHD work has been performed within the limits prescribed by our client, using the thoroughness and competence of our profession.

This survey was limited to hazardous materials within the scope of works and locations within the buildings, which were readily accessible during the time of our inspection. Whilst to the best of our knowledge, the information contained in this report is accurate, at the time of issue the difficulty of assuring that all hazardous material has been identified in buildings is well recognised. Finding hazardous materials in a building requires a diligent and determined search and in some installations it may only be found during demolition work.

Personnel must not rely upon an inspection or report as indicating that a site or building is free of hazardous materials. All that the report can be relied upon to show is that no hazardous materials were found (or that only such materials were found as were reported to have been found) in the course of the inspection. The findings of the report must be considered together with the specific scope and limitations of the type of inspection undertaken.

GHD acknowledges its report may be relied upon, consistent with the above limitations, by HKG. Any third party should independently confirm the findings of the report, in particular should a third party be required to compile detailed plans for the removal of hazardous materials, or budgeting such works for tendering purposes.



2. Audit Methodology

2.1 Hazardous Materials Survey

The hazardous materials survey followed the methodology below:

- ▶ Inspection of accessible internal areas including wall linings, ceilings and floors, particularly in wet areas, (such as bathrooms) for potential ACM;
- ▶ Inspection of accessible external areas (for example roofs, walls, and eaves), for potential ACM;
- ▶ Inspection of accessible ceiling spaces for potential ACM;
- ▶ Where potential ACM's were identified, a representative sample of that material was collected. The location, description, condition and accessibility to the ACM were recorded on a site survey sheet;
- ▶ Inspection of the paint finishes was undertaken to identify areas of flaking paint potentially containing greater than 1% w/w lead. Swab tests were conducted on paint systems suspected of containing lead concentrations greater than 1% w/w using a 'Hybrivet LeadCheck Swab'. The swab identifies surfaces containing lead at concentrations greater than 0.5%.
- ▶ Samples of potential ACM's were sent to a NATA accredited laboratory for the positive identification of asbestos fibre using the polarized light microscopy method (Refer to **Appendix B** for analytical results);
- ▶ Inspection of accessible plumbing, ceiling spaces and other areas for SMF insulation. SMF materials are readily identifiable by their characteristic appearance (i.e. glassy and often coloured yellow or pink). A visual assessment was performed to positively identify and assess these materials; and
- ▶ Inspection, where possible, of fluorescent light fittings for metal encased capacitors, potentially containing PCB capacitors.

2.2 Areas that 'may contain' hazardous materials

Where potential hazardous materials, for example asbestos, were identified inside a building, an entry of *asbestos identified, may contain asbestos or likely to contain asbestos* was entered into the hazardous materials register.

An entry of *likely to contain asbestos* was made where ACM was identified in other 'representative' materials in the building. For example, where the exterior walls of a building were observed to contain flat fibrous cement sheeting (FFC) and the exterior eaves were made of a similar FFC material identified as containing asbestos, and of a similar construction age, i.e. not previously renovated, then the FFC wall on the exterior walls was entered as *likely to contain asbestos*.

Where building materials were identified as potential ACM, and no samples were representative of that material, for example, the backing board of a power box, then that material was identified as *may contain asbestos*.

Where ceiling spaces were not accessible, an entry of *may contain SMF* was entered into the register. Similarly where the interior of a fluorescent light fitting was not accessible, an entry of *may contain PCB* was entered.



2.3 Condition assessment

The overall condition and risk factors of the suspected hazardous materials was assessed during the survey and noted on the Hazardous Materials Register (**Appendix A**). The condition of a hazardous material was classed between 1-4 (4 representing the worst condition) based on descriptions detailed in **Table 1**. The accessibility of hazardous materials was also ranked, as detailed in **Table 2**.

Table 1 Condition assessment of Hazardous Materials

Condition Rating	ACM Condition	SMF Condition	Lead Based Paint Condition	PCB Condition
1	Sealed/encapsulated	Encapsulated	Stable	Sealed
2	Unsealed	-	Chalking	-
3	<10% damage	-	-	-
4	>10% damage	Exposed	Flaking	Leaking

Table 2 Accessibility assessment for Hazardous Materials

Accessibility Ranking	Accessibility
2	Not accessible to staff or clients
4	Only accessible during servicing
6	Accessible to all

2.4 Risk assessment

GHD understands that the site buildings are scheduled for demolition and redevelopment.

GHD has conducted the following risk assessment based on the condition and accessibility of hazardous materials, as required by the Occupational Health and Safety Act 2000.

This risk assessment provides management priorities for the hazardous materials in the interim, until the site buildings are demolished.

2.4.1 Methodology for calculating risk values

A risk matrix was used to determine the risk factor for each hazardous material and hence, it's need for management. The Management Priority matrix is provided in **Table 3** below.

Risk values were calculated by multiplying the condition and accessibility rankings, as determined during the site inspection. For example, a wall containing bonded asbestos material that has a condition ranking of 4 (>10% damage) and an accessibility ranking of 6 (accessible to all) has a risk value of '24'.

Risk values were then grouped according to a priority for management. A risk value of 24 was classified as 'Immediate'. Risk values from 16 – 18 were grouped as Priority P1, values from 8 – 12 were grouped as Priority P2, and values from 2 – 6 were grouped as Priority P3.



The only exception to the calculation of the risk values, and hence the Management Priority Matrix, is where friable asbestos is identified. Friable asbestos will always be given a priority of "Immediate", regardless of its condition, due to the high risk of release of airborne asbestos fibres.

Table 3 Management Priority Matrix

Condition	Accessibility		
	6	4	2
4	Immediate (24)	P1 (16)	P2 (8)
3	P1 (18)	P2 (12)	P3 (6)
2	P2 (12)	P2 (8)	P3 (4)
1	P3 (6)	P3 (4)	P3 (2)



3. Findings

This section of the report provides a summary of the overall extent and condition of hazardous materials identified in the buildings at the site. The complete details of the survey findings are presented in the Hazardous Material Register, Appendix A.

3.1 Asbestos Containing Materials (ACM)

Friable ACM, in the form of asbestos rope yarn, was identified within Room 1 and Tower Level 2 (Photos 2106 and 2132). The rope yarn material was observed to be in a poor condition and presents a high risk of harm to human health if disturbed.

The survey identified extensive amounts of bonded ACM in a number of buildings, both internally and externally. Installations of ACM included:

- Corrugated fibre cement roofing sheets
- External flat fibre cement sheeting eaves;
- Internal flat fibre cement sheeting walls;
- Internal flat fibre cement sheeting ceilings;
- Internal flat fibre cement facia; and
- Zelemite backing boards in electrical power boxes.

Generally the bonded ACM was observed to be in a good condition and presents a low risk to human health with the exception of:

- the exterior panel on the south of Building 2, Room 13; and
- the exterior flat fibro cement panels on the southern side of the 'patio' of Building 5.

These materials present a high risk to human health due to their condition and accessibility.

Table 4 provides a summary of the types of Asbestos observed within the buildings on the site



Table 4 Summary of Identified ACM

Building No.	Type of Hazardous Material						
	Corrugated fibro cement	Flat fibro cement eaves	Flat fibro cement walls	Flat fibro cement ceilings	Flat fibro cement fascia	Zelemite backing board	Friable rope yarn material
Building 1 (Northeast Cottage)		√					
Building 2 (Main Plant building)	√		√	√	√	√	
Building 3 (Toilet block)				√			
Building 4 (Tower building)				√		√	√
Building 5 (Southeast cottage)	√	√	√	√			
Building 6 (Old Muffler building)	No ACM identified.						
Building 7 (Car repair building)	No ACM identified.						

3.2 Lead based paint

Table 5 provides a summary of the lead based paint identified within the buildings on the site. Lead based paints were generally observed to be in a poor condition with significant flaking occurring on most surfaces. In their current state they pose a risk to humans in the form of inhalation of respirable lead bearing dust, and a risk to the environment in regard to causing ground (soil) contamination during demolition works, should no appropriate control methods be introduced.

Table 5 Summary of Lead Based Paint

Building No.	Primary location	Secondary location	Description	Quantity	Photo No.
1	Exterior	Eaves	Painted blue	20 m ²	2059
2	Room 1	Ceiling	Painted cream	240 m ²	2070
2	Room 1	Roller doors	Painted green	30 m ²	N/A
2	Room 5	Window architraves	Painted white	5 m ²	2085
2	Room 5	Exterior doors	Painted green	4 m ²	2086
2	Outside Room 6 in bunded area	Pipe	Painted yellow	1 m ²	2087
2	Room 8 stairwell	Walls	Painted yellow	120 m ²	N/A
2	Room 13	Exterior walls	Painted white	50 m ²	2100



4	Room 1	Exterior doors	Painted green	4 m ²	2105
4	Tower basement	Steel work and walls	Painted green	120 m ²	2121
5	Exterior	Window architraves	Painted white	10 m ²	2143

3.3 Synthetic mineral fibre (SMF)

Synthetic mineral fibre was observed inside discarded green pipes scattered throughout Building 2. The SMF was exposed within the pipes, but was otherwise in a good condition.

SMF was also observed within the ceiling cavity of Building 5. The SMF was sealed within the roof cavity and was observed to be in a good condition.

Unless disturbed, the SMF presents no risk of harm to human health in its current state.

3.4 Polychlorinated Biphenyls (PCBs)

A number of fluorescent light fittings were identified as containing metal capacitors, potentially containing PCBs. The location and capacitor details are provided in Table 6 below. All metal capacitors were observed to be in a good condition with no signs of leaking of PCB oil.

Table 6 Location of fluorescent light fittings containing metal capacitors with PCB oil

Building	Location	Capacitor details	Contains PCB?	Comment
2	Room 2 (in bin)	Ducon, 6.5 µF + 10%, Type APF 265CR 250 VAC	Yes, contains PCB.	Recorded in ANZECC information booklet as containing PCB oil.
2	Corridor between rooms 3 and 4	Ducon 6.5 µF + 10% Type 50CPS 250 VAC	May contain PCB.	No reference to type CPS in ANZECC information booklet. The capacitor should be treated as containing PCB until proven otherwise.
2	Corridor B	Ducon 6.5 µF + 10% Type 50CPS 250 VAC	May contain PCB.	No reference to type CPS in ANZECC information booklet. The capacitor should be treated as containing PCB until proven otherwise.
2	Room 5	Ducon 6.5 µF + 10% Type 50CPS 250 VAC	May contain PCB.	No reference to type CPS in ANZECC information booklet. The capacitor should be treated as containing PCB until proven otherwise.
2	Room 6	Ducon 6.5 µF + 10% Type 50CPS 250 VAC	May contain PCB.	No reference to type CPS in ANZECC information booklet. The capacitor should be treated as containing PCB until proven otherwise.



Building	Location	Capacitor details	Contains PCB?	Comment
				otherwise.
4	Room 2	Nichicon, 6.5 MFD + 10%, Model SF4 HBL, 250 VAC	Likely to contain PCB.	No reference to type SF4 HBL in ANZECC information booklet. Other SF models are referenced in ANZECC information booklet as containing PCB, therefore the capacitor should be treated as containing PCB oil.
4	Loading Dock	Ducon 6.5 MFD + 10% Type APA 265 250VAC	Likely to contain PCB.	No reference to Type APA 365 in ANZECC information booklet. Reference is made to similar model numbers in the booklet as containing PCB (Type APA 260, APB 265, APD 265C, APF 265C, APF 265CR, and APS 265), therefore the capacitor should be treated as containing PCB oil.
5	Bedroom 2	Ducon 3.25 MFD + 10%, Type APA 232A, 250 VAC	Likely to contain PCB.	No reference to Type APA 365 in ANZECC information booklet. Reference is made to similar model numbers in the booklet as containing PCB (Type APB 232 A, APF 232, APF 232 CR, APF 2332 SCR and APS 232), therefore the capacitor should be treated as containing PCB oil.



4. Recommendations

GHD understands that the site and buildings are scheduled for demolition and redevelopment therefore all recommendations relate to the removal of, rather than the management, of identified hazardous materials.

4.1 Asbestos containing material (ACM)

All asbestos removal and disposal activities must be undertaken in accordance with the WorkCover NSW Guideline "Your Guide to Working With Asbestos, March 2003" and the National Occupational Health and Safety Commission (NOHSC) "Code of Practice for the Safe Removal of Asbestos 2nd Edition" [NOHSC: 2002 (2005)].

Current NSW WorkCover asbestos provisions require that a licensed asbestos removal contractor be engaged for the removal of asbestos installations over 50m². Therefore a licensed asbestos removal contractor with a friable AS1 licence must be engaged to undertake the asbestos removal work on the site.

4.2 Synthetic Mineral Fibre

The removal of SMF insulations must be conducted in accordance with the NOHSC National Code of Practice for the Safe Use of Synthetic Mineral Fibre [NOHSC: 2006 (1990)]. All SMF must be disposed of to a NSW EPA approved disposal facility.

4.3 Lead based paint

Lead based paint systems should be either removed or stabilised prior to demolition. Lead based paint removal or stabilisation works must be conducted in accordance with Australian Standard AS 4361.2-1998 "Guide to lead paint management, Part 2: Residential and commercial buildings". Lead contaminated waste must be disposed of to a NSW EPA approved disposal facility.

4.4 Polychlorinated biphenyls (PCBs)

The removal and disposal of metal capacitors containing PCB oil should be undertaken in accordance with the Australia New Zealand Environment Conservation Council (ANZECC) "Identification of PCB-containing capacitors – Information booklet for electricians and electrical contractors" (1997).



Appendix A

Hazardous Materials Register

Hazardous Materials Survey

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HAZARDOUS MATERIALS SURVEY

SHEET 1: GENERAL PROPERTY DETAILS

Property Name:	Dairy Farmers, Bathurst	Name of Site Contact:	Damien Wilde	
Property Address:	Bentinck St, Bathurst	Site Contact Phone Number:	(02) 4355 5111	
Survey Date(s):	27-28 February 2007	GHD Project Number:	21/15567	
		Name of GHD Auditor:	Ashley Robinson, Jamahl Zegzula	
BUILDING(S) INSPECTED – SUMMARY				
Site name	Building Type	Building General Description	Building Areas Not Inspected	Hazardous Materials Identified
Dairy Farmers Bathurst	Building 1 (Residential)	Brick construction with a terracotta tiled roof. Carpeted and tiled floors. Asbestos cement exterior eaves.	None	Yes
	Building 2 (Factory)	Brick construction with corrugated asbestos cement and corrugated metal roof. Interior ceilings constructed of asbestos flat fibro cement sheeting. Interior walls constructed of brick and asbestos flat fibro cement sheeting. Concreted floors.	None	Yes
	Building 3 (Amenities)	Brick construction with corrugated metal roof. Internal ceilings constructed of asbestos flat fibro cement sheeting. Concrete floors.	None	Yes
	Building 4 (Tower)	Brick and timber construction with corrugated metal roof. Timber floors.	None	Yes
	Building 5 (Residential)	Brick Construction with terra cotta tiled roof. Carpeted and tiled floors. Plasterboard and asbestos flat fibro cement internal ceilings. Flat fibro cement asbestos eaves and exterior wall to 'patio'.	None	Yes
	Buildings 6 and 7 (Workshops)	Corrugated metal construction (walls and ceiling). Internal offices constructed on non-asbestos flat fibro cement sheets.	None	Yes

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SHEET 1: ASBESTOS CONTAINING MATERIALS (ACM) REGISTER

Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ²)	Condition	Accessibility	Priority Rank	Photo No.	Comment
A1	1	Exterior	Eaves	Flat fibro cement sheeting	Painted blue with thick timber strips	Bath/B1/001	Chrysotile, amosite and crocidolite asbestos identified	20	1	6	P3	2059	
A2	1	Cupboard	Ceiling	Flat fibro cement sheeting	Painted green/cream with thick timber strips	Bath/B1/002	Chrysotile, amosite and crocidolite asbestos identified	4.5	1	6	P3	2062	
A3	2	Room 1	Fascia to Room 2	Flat fibro cement sheeting	Painted white with thick timber strips	Bath/B2/003	Chrysotile asbestos identified	8	1	4	P3		
A4	2	Room 1	Ceiling board	Flat fibro cement sheeting	Painted white with thick timber strips	Bath/B2/004	Chrysotile asbestos identified	2.5	1	4	P3	2071	
A5	2	Room 1	Exterior Roof	Corrugated Fibro Cement sheeting	Unsealed	Bath/B2/011	Chrysotile and amosite asbestos identified	140	2	2	P3	2147	

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Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ²)	Condition	Accessibility	Priority Rank	Photo No.	Comment
A6	2	Room 2	Ceiling above false	Flat fibro cement sheeting	Painted Cream	Bath/B2/005	Chrysotile asbestos identified	105	1	4	P3		
A7	2	Room 3	Ceiling	Flat fibro cement sheeting	Painted Cream	Refer to Bath/B2/005	Likely to contain chrysotile asbestos	10	1	4	P3	2073	
A8	2	Room 3	North Wall	Flat fibro cement sheeting	Painted Cream	Refer to Bath/B2/005	Likely to contain chrysotile asbestos	40	1	4	P3	2074	
A9	2	Room 4	Ceiling	Flat fibro cement sheeting	Cream	Refer to Bath/B2/005	Likely to contain chrysotile asbestos	80	1	4	P3	2079	
A810	2	Room 4a	Ceiling	Cement Sheet	Unpainted	N/A	Not likely to contain asbestos	8	2	6	N/A	2080	
A11	2	Corridor B	Pipes	Pipe lagging	Cement and cork	Bath/B2/006	No asbestos identified	Througout	4	6	N/A	2082	
A12	2	Room 5	Ceiling	Masonite	Cream	N/A	No asbestos identified	N/A	N/A	N/A	N/A	N/A	
A13	2	Room 7	Ceiling/East fascia	Flat fibro cement sheeting	Cream	Bath/B2/007	Chrysotile asbestos identified	60	1	4	P3	2090 2091	
A14	2	Room 7	Switchboard	Zelemitte backing board	Black	Bath/B2/008	Chrysotile asbestos identified	0.25	1	4	P3	2089	

Hazardous Materials Survey



Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ³)	Condition	Accessibility	Priority Rank	Photo No.	Comment
A15	2	Room 8, second floor	Ceiling	Flat fibro cement sheeting	Cream	Bath/B2/009	Chrysotile asbestos identified	8	1	4	P3	2096	
A16	2	Room 11	Ceiling	Flat fibro cement sheeting	Cream	Ref Bath/B2/009	Likely to contain chrysotile asbestos	80	1	6	P3	2094	
A17	2	Room 12	Ceiling	Flat fibro cement sheeting	Cream	Ref Bath/B2/009	Likely to contain chrysotile asbestos	80	1	6	P3	2095	
A18	2	Room 8, second floor	Ceiling cavity	Insulation	Unpainted friable	Bath/B2/010	No asbestos identified	100	4	4	N/A	2098	
A19	2	Room 8 Roof	Roof	Corrugated Fibro Cement sheeting	Unpainted	Bath/B2/011	Chrysotile and amosite asbestos identified	200	2	4	P3	2097	
A20	2	Room 8 Roof	Ceiling cavity	Bituminous material	Brown unsealed	Bath/B2/012	No asbestos identified	100	4	4	N/A	2098	
A21	2	Room 13 Exterior	South Wall	Flat fibro cement sheeting	White	Bath/B2/013	Chrysotile and amosite asbestos identified	30	4	6	P1	2101	
A22	2	Room 14 SE Wall	Switchboard	Zelamite backing board	Black	Bath/B2/014	Chrysotile asbestos identified	1	3	6	P1	2102	

Hazardous Materials Survey

Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ²)	Condition	Accessibility	Priority Rank	Photo No.	Comment
A23	2	Rm 14 SE Wall	Switchboard	Bakelite	Brown	Bath/B2/015	No asbestos identified	1.5	1	4	N/A		
A24	2	Room 15	Ceiling	Flat fibro cement sheeting	White	Ref Bath/B2/007	Likely to contain chrysotile asbestos	12	3	4	P2		
A25	3	Room 1 & 2	Ceiling	Flat fibro cement sheeting	Painted White	Bath/B3/016	Chrysotile and amosite asbestos identified	65	1	4	P3	2103 2104	
A26	4	Room 1	Rope yarn	Friable Rope yarn	White	Bath/B4/017	Chrysotile and amosite asbestos identified	10	4	6	Immediate	2106	
A27	4	Loading Dock Basement	Pipe work	Insulation	Cork/fibrous external	Ref Bath/B2/006	Not likely to contain asbestos	Throughout	1	4	N/A		Fire damage
A28	4	Tower basement	Switchboard	Zelamite backing board	Black	Ref Bath/B2/014	Likely to contain chrysotile asbestos	1	3	6	P1	2119	
A29	4	Tower basement	Ceiling	Flat fibro cement sheeting	White	Ref Bath/B2/007	Likely to contain chrysotile asbestos		3	4	P2	2122	
A30	4	Tower basement	Pipework	Pipe lagging	Black	Bath/B4/018	No asbestos identified	15 in m	3	6	N/A	2120	

Hazardous Materials Survey

Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ²)	Condition	Accessibility	Priority Rank	Photo No.	Comment
A31	4	Tower level 2	Pipework	Friable Rope yarn	White	Refer to Bath/B4/017	Likely to contain chrysotile and amosite asbestos	2	4	6	Immediate	2132	
A32	5	Patio	Ceiling	Flat fibro cement sheeting	Cream	Bath/B5/019	Chrysotile, amosite and crocidolite asbestos identified	10	1	4	P3	2136	
A33	5	Laundry	Ceiling	Flat fibro cement sheeting	Cream	Ref Bath/B5/019	Likely to contain chrysotile, amosite and crocidolite asbestos identified	6	1	4	P3	2137	
A34	5	Sunroom	Ceiling	Flat fibro cement sheeting	White	Ref Bath/B5/019	Likely to contain chrysotile, amosite and crocidolite asbestos identified	12	1	4	P3	2140	
A35	5	Toilet/Bath	Ceiling	FFC	White	Bath/B5/020	Chrysotile asbestos identified	8	3	4	P2	2142	
A36	5	Patio/ Exterior	Wall/Sheeting	Flat fibro cement sheeting	Pink	Bath/B5/022	Chrysotile asbestos identified	3	3	6	P1	2143	

Hazardous Materials Survey

Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ²)	Condition	Accessibility	Priority Rank	Photo No.	Comment
A37	5	Exterior	Eaves	Flat fibro cement sheeting	Light green/thick strips	Refer Bath/B5/022	Likely to contain chrysotile asbestos	25	1	4	P3	2145	
A38	5	Exterior	Shed	Corrugated Fibro Cement sheeting	White	Bath/B5/021	Chrysotile asbestos identified	20	2	6	P2	2144	
A39	5	Exterior	Shed	Flat fibro cement sheeting	Unpainted	Ref Bath/B5/022	Likely to contain chrysotile asbestos	15	2	6	P2	2146	
A40	6	Work Shop	Wall/Ceiling	Flat fibro cement sheeting	White/Orange	Bath/M1/023	No asbestos identified	132	1	6	N/A		Small holes throughout
A41	6	Workshop	Switchboard	Flat fibro cement sheeting	Black	N/A	Likely to contain asbestos	3	3	6	P1		
A42	6	Workshop	Infill above sink	Flat fibro cement sheeting	Green	Refer Bath/M1/023	Not likely to contain asbestos	1.5	1	6	N/A		
A43	6	Workshop	Toilet/ceiling/walls	Flat fibro cement sheeting	Yellow	Refer Bath/M1/023	Not likely to contain asbestos	7.5	1	6	N/A		
A44	7	Unit 1 Mechanic workshop	Office	Flat fibro cement sheeting	White	Refer Bath/M1/023	Not likely to contain asbestos	40	1	6	N/A		

Hazardous Materials Survey

Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ²)	Condition	Accessibility	Priority Rank	Photo No.	Comment
A45	7	Unit 2 Workshop	Office	Flat fibro cement sheeting	White	N/A	May contain asbestos	40	1	6	P3		Inaccessible

Hazardous Materials Survey

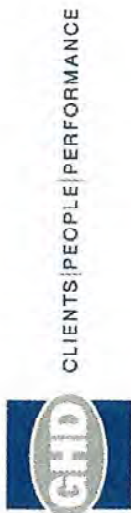
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SHEET 2: LEAD PAINT REGISTER

Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ²)	Condition	Accessibility	Priority Rank	Photo No.	Comment
L1	1	Exterior	Eaves	Paint	Blue	Lead swab	Positive	20	1	6	P3	2059	
L2	1	Interior	Ceiling/Walls	Paint	White/cream	Lead swab	Negative	N/A	N/A	N/A	N/A	N/A	
L3	2	Room 1	Ceiling	Paint	Cream	Lead swab	Positive	240	4	4	P1	2070	
L4	2	Room 1	Roller door x 2	Paint	Green	Lead Swab	Positive	20	4	6	Imm		
L5	2	Room 1	Old roller door on ground	Paint	Green	Lead Swab	Positive	10	4	6	Imm		
L6	2	Room 2	Pipework/beam	Paint	White	Lead Swab	Negative	N/A	N/A	N/A	N/A	N/A	
L7	2	Room 4	Walls	Paint	White	Lead Swab	Negative	N/A	N/A	N/A	N/A	N/A	
L8	2	Room 5	Window architraves	Paint	White	Lead Swab	Positive	5	4	6	Imm	2085	
L9	2	Room 5	Exterior door	Paint	Green	Lead Swab	Positive	4	4	6	Imm	2086	
L10	2	Room 6	Roller door	Paint	Green	Lead Swab	Negative	9	1	6			
L11	2	Room 6	Eaves	Paint	White/Green	Lead Swab	Negative	N/A	N/A	N/A	N/A	N/A	
L12	2	Outside Room 6	Pipe/base		Yellow	Lead Swab	Positive	1	4	6	Imm	2087	
L13	2	Room 7	Roller door	Paint	Green	Lead Swab	Negative	N/A	N/A	N/A	N/A	N/A	

Hazardous Materials Survey



Item No.	Building Name	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m³)	Condition	Accessibility	Priority Rank	Photo No.	Comment
L14	2	Room 8 Stairwell	Walls	Paint	Yellow	Lead Swab	Positive	120	1	6	P3		
L15	2	Room 13 Exterior	Walls	Paint	White	Lead Swab	Positive	50	4	6	Imm	2100	Bee hive on corner
L16	4	Room 1	External Doors	Paint	Green	Lead Swab	Positive	4	4	6	Imm	2105	
L17	4	Room 2	Window/Wall	Paint		Lead Swab	Negative	N/A	N/A	N/A	N/A	N/A	
L18	4	Tower basement	Steelwork/walls	Paint	Green	Lead Swab	Positive	120	4	6	Imm	2121	
L19	5	Exterior Windows	Window/sills	Paint	White	Lead Swab	Positive	10	4	6	Imm	2143	

Hazardous Materials Survey

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SHEET 3: POLYCHLORINATED BIPHENYL (PCBs) REGISTER

Item No.	Building Number	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ³)	Condition	Accessibility	Priority Rank	Photo No.	Comment
P1	1	Office 1	Ceiling	Fluoro	No capacitor	N/A	Does not contain PCB	3	N/A	N/A	N/A		
P2	2	Room 1	Ceiling	Fluoro	Plessey plastic capacitor	N/A	Does not contain PCB	4	N/A	N/A	N/A		
P3	2	Room 2	Fluorescent light in bin	Fluoro	Ducon 6.5 µF + 10% APF 265GR	N/A	Contains PCB	1	1	6	P3		
P4	2	Room 3	Ceiling	Fluoro	Refer to Room 1	N/A	Does not contain PCB	4	N/A	N/A	N/A	2075	
P5	2	Ceiling	Corridor between Rooms 3 and 4	Fluoro	Ducon 6.5 µF + 10% Type 50CPS 250VAC	N/A	May contain PCB	3	1	4	P3	2078	Not listed in ANZECC information booklet
P6	2	Room 4	Ceiling	Fluoro	No capacitor	N/A	Does not contain PCB	N/A	N/A	N/A	N/A		
P7	2	Corridor B	Ceiling	Fluoro	Refer to Ducon 6.5 µF + 10% Type 50CPS 250VAC	N/A	May contain PCB	2	1	4	P3		
P8	2	Room 5	Fluoro	PCB	Refer to Ducon 6.5 µF + 10% Type 50CPS 250VAC	N/A	May contain PCB	8	1	4	P3		

Hazardous Materials Survey

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Item No.	Building Number	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ³)	Condition	Accessibility	Priority Rank	Photo No.	Comment
P9	2	Room 6	Fluoro	PCB	Refer to Ducon 6.5 µF + 10% Type 50CPS 250VAC	N/A	May contain PCB	3	1	4	P3	2088	
P10	4	Room 2	Ceiling	Fluoro	Nichicon, 6.5 MFD + 10%, Model SF4HBL, 250 VAC	N/A	May contain PCB	1	1	4	P3	2108	Not listed in ANZECC information booklet.
P11	4	Loading Dock	Ceiling	Fluoro	Ducon 6.5 MFD + 10% Type APA 265 250VAC	N/A	Likely to contain PCB	1	1	4	P3	2114	Not listed in ANZECC information booklet.
P12	5	Bed 2	Ceiling	Fluoro	Ducon 3.25 MFD + 10%, Type APA 232A, 250 VAC	N/A	Likely to contain PCB	1	1	4	P3	2138	Not listed in ANZECC information booklet.
P13	6	Work Shop	Ceiling	Mercury vapour lamp	Mercury vapour lamp	N/A	May contain PCB	3	1	4	P3	2150	Not accessible
P14	6	Work Shop	Ceiling	Mercury vapour lamp	Mercury vapour lamp	N/A	May contain PCB	2	1	4	P3	2151	Not accessible
P15	6	Work Shop	Ceiling	Fluoro	1.2m x 2 tubes	N/A	May contain PCB	2	1	4	P3	2152	

Hazardous Materials Survey



Item No.	Building Number	Primary location	Secondary location	Material type	Material description	Material sample number	Analysis Results	Estimated Quantity (m ³)	Condition	Accessibility	Priority Rank	Photo No.	Comment
P16	7	Unit 1, Workshop	Shed	Mercury vapour lamp	Mercury vapour lamp	N/A	May contain PCB	3	1	4	P3		Not accessible
P17	7	Unit 2, Workshop	Shed	Mercury vapour lamp	Mercury vapour lamp	N/A	May contain PCB	3	1	4	P3		Not accessible



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Document Status

Rev No.	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
A	A Robinson	M Pignatelli		M Pignatelli		15/3/07

Appendix F
Heritage Impact Statement



GRAHAM BROOKS
AND ASSOCIATES

ARCHITECTS
PLANNERS AND
HERITAGE
CONSULTANTS

Client: Sunford Holdings Pty Ltd

Proposed redevelopment of former
Dairy Farmer's Factory site as a Retail Centre
Cnr Bentinck & Howick Streets, Bathurst NSW

Heritage Impact Statement



May 2007

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Introduction

1.1 Context of the Report

This report has been prepared to accompany a Development Application to the Bathurst Regional Council for proposed redevelopment of the former Dairy Farmers Factory site at the corner of Bentinck Street and Howick Street, Bathurst, NSW. It is to be read in conjunction with the Conservation Management Plan prepared by GBA in May 2007.

The site was originally a convict hospital built on Crown Reserve land and was later subdivided and sold as Park View Estate in late nineteenth century. In the early twentieth century a butter factory was constructed on part of the land, with other buildings on remaining portions of the site used for the construction of a brewery, swimming pool, and cottages. Other, brief, phases of use included a soap factory based in the brewery buildings. The commercial dairy uses of the land later expanded, encompassing much of the rest of the site and entailing adaptation and extensive alterations to many of the buildings.

At present the site is not in use, with the buildings in a state of rapid deterioration, one destroyed by fire in late 2006. Virtually all of the operational machinery associated with every phase of use has been dismantled and removed.

The proposal for redevelopment into a retail centre involves demolishing less significant or intrusive buildings while retaining and reusing significant site elements- Buildings 1, 14, 15 & 18, form of Building 3, front facade of Building 4 and facade piers of Building 2.

1.2 Report Objectives

The main objective of this report is to assess the heritage impact of the proposed development on the significance of the site and its surroundings.

1.3 Site Identification

The L-shaped site comprises Lots 1-4, 19-28, Lot 30 DP 2067, Lot 2 DP 184456 and Lot 1 DP 32757.

1.4 Heritage Management Framework

The property is an identified heritage item on the Bathurst Local Environmental Plan and is located within the Bathurst Central Business Conservation Area. There are locally listed and state listed heritage items in the vicinity of the subject property. These include state listed items 67-71 Bentinck Street, a group of cottages opposite the site and mature Elm trees along Bentinck Street.

1.0

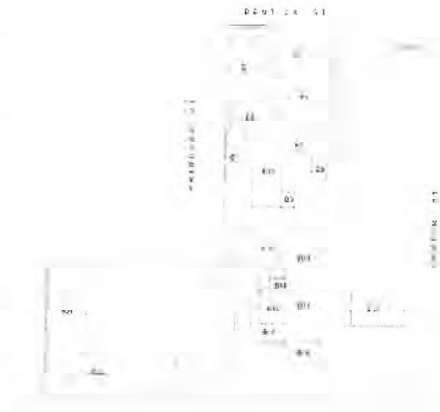


Figure 1.1- Plan showing site and elements



Figure 1.2- Map showing location of the subject site

Former Dairy Farmer's Factory
Cnr Howick & Bentinck Streets, Bathurst NSW
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between Durham and Howick Streets, and locally listed 52-60 (Gladstone Terraces) & 62 Bentinck Street at the corner of Bentinck & Princess Street. A Conservation Management Plan (CMP) for the site was prepared in September 2004 by John Armes and Associates. A revised CMP was prepared in May 2007 by Graham Brooks & Associates in response to the proposed redevelopment.

1.5 Methodology and Structure

This Heritage Impact Assessment has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance, 1999*, known as *The Burra Charter*, and the New South Wales Heritage Office publication, *NSW Heritage Manual*.

The *Burra Charter* provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The *NSW Heritage Manual* explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

The section addressing the impact of the proposed development has been prepared following the guidelines of the New South Wales Heritage Office as set out in the publication *Statements of Heritage Impact*.

1.6 Terminology

The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of *The Burra Charter*.

1.7 Authorship

This Heritage Impact Assessment has been prepared by Rajat Chaudhary, Heritage Consultant, and reviewed by Graham Brooks, Director, of Graham Brooks and Associates Pty Ltd. Unless otherwise noted all of the photographs in this report are by Graham Brooks and Associates Pty Ltd.

Former Dairy Farmer's Factory
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Historical Overview

2.0

2.1 Introduction

This is a summarized history of the site sourced from the Conservation Management Plan (GBA 2007).

2.2 Early Settlement of Bathurst (1815- 1885)

The site of the township of Bathurst was formally proclaimed by Governor Lachlan Macquarie on 7th May, 1815, whilst on one of his more extensive tours of the colony. Having identified the principal components of the prospective township, Macquarie then deferred the authorisation of land grants to restrict access to the Bathurst Plains. In 1818, 50 acre farms and 2 acre town allotments were granted on the eastern bank of the river. West of the river, the land was occupied by convicts and the military garrison and was off-limits to civilians.

2.3 The Site as Crown Reserve and Convict Hospital (c.1823- 1842)

As part of the rudimentary structure of a new settlement, medical assistance was available to the convicts, officials and pastoral settlers of the Bathurst district only through the services supplied through a Government- appointed medical officer, presuming one had in fact been appointed. In its earliest years no hospital or clinic is known to have been specifically constructed in Bathurst for the purpose, but it is likely that a room or partitioned area in one of the early buildings served as a clinic. The accepted date of construction of Bathurst's first hospital on the designated Hospital Reserve is 1824, although evidence indicates that hospital services preceded this.¹

The Crown Plan showed the central Bathurst block of land, being Section 9, with one-quarter of the land marked as the Reserve for the Hospital.² This accords with early parish plans of the township, which similarly show this parcel of land as designated for hospital purposes. The site comprised two acres in total, bounded by Bentinck, Howick, Seymour and Russell Streets, and readily accessible from the core of the settlement. Selection of the site may have been influenced by Queen Charlotte Vale Ponds, which would have supplied the hospital with a reliable water supply.



Figure 2.1: Detail of McBrien's Charter Plan of Bathurst, c.1823, showing the early buildings at the Bathurst settlement before the construction of the convict hospital. (Map 105a, 1270, State Records Office of New South Wales)



Figure 2.2: Detail of "Survey of the buildings etc." Bathurst, by Rogers (1831) with the convict hospital extant (Item 1421/B.1.793, State Records)

¹ Barker notes that a former surgeon, James Patterson, was at Bathurst in charge of the hospital in 1823. T. Barker. *A History of Bathurst Vol.1: The Early Settlement to 1862*. p.88.

² CP00029-0824, Land Titles Office.

at their place of employment or home respectively. Following the establishment of a women's factory, female convict/patients were housed in a room reserved in the factory as a medical ward.⁷

2.4 Bathurst Community Hospital (1842-1878)

Subsequent changes in administration had significant effect on the quality of medical care provided at the Bathurst Convict Hospital. In 1836 the Colonial Medical Service was reorganised and no longer fell under the jurisdiction of the civil service, but rather that of the military. This was considered a justifiable move, on grounds of economy and on the unusual situation whereby Colonial and Military Surgeons were treating the same proportion of the population, but accountable to different colonial departments.⁸ In 1842 all convict hospitals had ceased,⁹ when the Colonial Medical Service handed over control of its hospitals throughout the colony to the civil service. Hospital funds were secured through public subscription and a nominal contribution from the Colonial Government. The funding arrangements for the hospital during this mid-century period proved insufficient to support its ongoing services, and in consequence the hospital was unable to treat patients who were not actually resident in Bathurst.

Convict Hospital

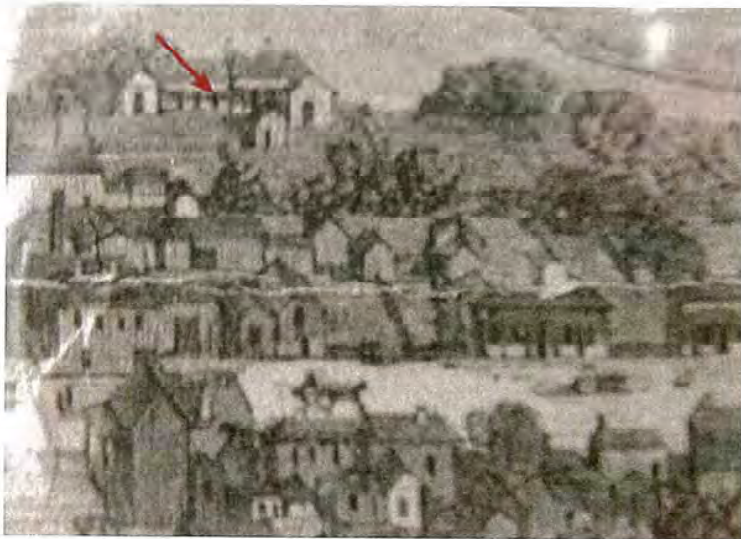


Figure 2.6 Detail of 1877 sketch of Bathurst. The convict hospital is clearly marked at top left, with its U shaped building form, with the rear verandah and outbuildings. The right wing appears to have been extended. Mature trees denote the boundaries of the site, with open space for the remainder of the property. (Held at Bathurst District Historical Society)

James Rutherford initiated fund-raising events to ensure the security of the hospital, insodoing clearing its debts and had surplus funds of £200 left over, enough to pay for the establishment of a hospital dispensary. The number of patients increased during this phase of community use, through a burgeoning population in the 1850s brought about through Bathurst's proximity to the goldfields. The increase in patient numbers overall did not correspond with a rise in

⁷ *The Bathurst Daily Times*, 18 January 1902.

⁸ CJ Cummins, *The Colonial Medical Service: II - The Administration of the convict hospitals of New South Wales*, p.16.

⁹ V. Griffiths, *From Tents to Stone*, p.4.

funds or income, so that conditions within the hospital continued in much the same fashion as during previous decades.

2.4.1 Changes to the fabric (1842-1878)

Some small changes to the building are believed to have been carried out during this civil phase, given early descriptions of the hospital noted four rooms, while a later description identified five rooms. This may have been carried out as part of the acceptance of female patients and the establishment of a female ward, rather than medical treatment in the female factory (constructed in 1836) as formerly arranged. This practice had been discontinued in 1846, with all women to be accommodated at the public hospital,¹⁰ although Barker suggests the female factory was used to accommodate female patients until c.1855-1856.¹¹ Secondly, the change in the number of rooms arose from available funds from James Rutherford which provided for the construction of the dispensary.

No large-scale alterations or additions to the hospital are known to have occurred throughout this post-1842 period, so that by the later nineteenth century the original structure was aging, old-fashioned in terms of hospital architectural design, and in need of upgrading. The hospital grounds remained unfenced until 1860.¹²

2.4.2 Provision for a new hospital, 1870s-1880s

A new hospital site was under consideration from 1873,¹³ with six acres granted to the Hospital Committee in 1876, to be increased to ten acres in 1882. In addition to this granting of land, the Government was also requested to allow the sale of the original Crown Reserve, as outlined in the *Bathurst Hospital Act*.¹⁴

This proposed sale comprised the full two acres, two roods and nineteen perches of the Crown Reserve, but the document was not recorded and enrolled in the Registrar General's Office until 9th September 1879. This transfer stipulated that the trustees paid a quit-rent of one farthing, and that "the said Piece or Parcel of Land shall be at all times hereafter set apart, maintained, and used by the said Grantees, their Heirs and Assigns, as and for a site for the erection thereon of a Public Hospital...."¹⁵

In October 1876 the designs by Sydney architect W. Boles were approved, but the signing of the tender was delayed until June 1878. After this, construction was sanctioned to commence and suffered few interruptions.¹⁶

¹⁰ Report for the Year 1846, p.8.

¹¹ Barker, *History of Bathurst Vol.1*, p.125.

¹² *Bathurst Base Hospital: 1842-1988*, p.3.

¹³ Barker, *A History of Bathurst*, Vol.2, p.420.

¹⁴ "An Act to authorize the sale of the site of the Bathurst Hospital and to provide for the expenditure of the money received therefrom in the erection of suitable buildings for a like purpose on a new site" (1876).

¹⁵ Vol.459 F.164, LTO.

¹⁶ *Bathurst Base Hospital, 1842-1988*, p.10.

2.5 Demise of the convict hospital, 1878

The deteriorating convict hospital continued to serve the Bathurst community until December 1878, when a fire destroyed the facility months before the proposed new hospital could be put into active use. While an inquest was held into the cause of the fire, many patients were temporarily accommodated insofar as possible at the market, and at a residence in Durham Street, leased to the hospital by Miss M. Sullivan. The Durham Street house became the default base of operations until the construction of the new hospital was complete, "which will probably be not for the next eighteen months."¹⁷ It was assumed that by the expiration of the eighteen month lease of the Durham Street temporary hospital, the new facility would be completed and operational.¹⁸ The Coronial Inquest concluded "the Bathurst Hospital was burned down on December 4th 1878, by accident, through the wrong construction of the building, in allowing the wall plate to run through the chimney."¹⁹

Within two weeks of the fire, the prospect of disposing of the site was raised during a special meeting of the Hospital Committee. Following debate as to whether, given the few financial resources available for hospital funds,²⁰ it would be prudent to sell the site.

2.6 Sale and Subdivision, 1885

Once the new hospital was formally (and belatedly) opened on 9th



Figure 2.7: Detail of 1891 sketch of Bathurst, showing the empty hospital site, Princes/s Street, and Gladstone Terrace, constructed in 1888 (Bathurst District Historical Society)

November 1880 by Lord Loftus,²¹ the question as to the use of the old hospital site was again raised. It was soon advised that:
*...the best plan would be to cut up the land into building allotments of, say forty feet frontages, in which case [Mr A.B. Rae] felt certain that at least £1500 would be got for the whole....*²²

¹⁷ *The Bathurst Times*, 7 December 1878.

¹⁸ *Bathurst Base Hospital, 1842-1988*, p.7.

¹⁹ *The Bathurst Times*, 11 December 1878.

²⁰ *The Western Independent*, 5 February 1878.

²¹ AHMS, *Bathurst Hospital: Historical Archaeological Impact Assessment & Research Design*, (2005), p.9.

²² *The Western Independent*, 1 October 1880.

The subdivision of the original Crown Reserve commenced in due course through an auction on 10th October 1885,²³ with the money raised invested in a wash house for the new hospital. "Park View Estate" comprised twenty-two allotments on the original Reserve block, with land retained and nominated as a road: Princes/s Street.²⁴ At the time of subdivision, it is assumed (although this cannot be confirmed through available documentary evidence) that any hospital outbuildings or structures associated with the hospital were demolished and the land cleared prior to sale. An 1891 sketch of the township, thought to have been reproduced from a photograph, showed the hospital site as essentially bare (see Figure 2.7). Although the pattern of subdivided land has been retained in the current title, there is no evidence to suggest that the land was ever developed in accordance with this allotment pattern.

Following the initial subdivision, the former hospital reserve was developed for diverse uses over its component parts: swimming baths and mechanical garage; brewery and soap factory; and a butter factory and later depot, which eventually encompassed the majority of the subject site.

2.7 Swimming Baths (part Lot 11: 1887- 1953)

Following the subdivision of the hospital Reserve and the formation of Princes/s Street, a part of Lot 11 was developed as the Bathurst baths. Previous attempts at such a scheme in 1884 and 1886 had failed, but in 1887 the Bathurst Swimming Bath Company Ltd was floated, with funds raised from the initial shares covering costs associated with a well and machinery for the water supply.²⁵ The pool was eventually constructed at the end of Princes/s Street, with the choice of site undoubtedly influenced by the prospect of exploiting the nearby Queen Charlotte Vale Ponds. The baths formed the main L-shaped building, accompanied by at least two secondary buildings: one aligned with Princes/s Street, and the other flanking the rear arm of the baths. Figure 2.16 indicates the outline of the brick w.c. or change room to the south of the baths. Descriptions of the facility suggest a possibility of more buildings as part of the baths, but it cannot be confirmed how many of the structures on the periphery of the baths were associated with the complex.

Measuring 100 feet x 30 feet and accessorised by a "spacious handball court, a shelter shed and gymnastic apparatus" which may or may not have been at least partly sited on the adjacent parcel of land to the immediate south of Lot 11. When completed, the baths were formally opened by Mayor Thomas Machattie on 30 October 1887. It was constructed of brick, and lined with concrete and cement. To aid novice swimmers, an iron rod was fixed a few inches above the surface of the water, and a step three feet below the waterline. The shallow end of the baths, with dimensions of 50 ft

²³ Barker, *A History of Bathurst*, Vol. 2, p.425.

²⁴ The two forms of the name are shown on maps at various times.

²⁵ Barker, *A History of Bathurst* Vol. 2, p.518.



Figure 2.8: Park View Estate subdivision of the former Crown Reserve, Deposited Plan 2067 (Land Titles Office)

by 30 ft, was of "nearly uniform depth" and lined with white tiles.²⁶

Dr Walter William Spencer, who participated in the broader subdivision and development of the Reserve land, was closely affiliated with the Bathurst Swimming Bath Company. In total, three medical practitioners (Spencer, Edmunds and Kirkland) formed the backbone of the company, but despite their input and influence there were persistent and repeated complaints that the water was unclean and the source of diverse ear and skin infections.²⁷

Eventually, after a series of administrative, financial and operational misfortunes, the baths were sold at auction. Spencer and his associates formed a new company, but despite additional investment of £2500 the baths still floundered, lurching from crisis to crisis. An adjoining parcel of land (Lot 10), also owned by Spencer, was sold c.1892 to Robert Ward (subsequently developed as 4 Princes Street in 1895) and may have been prompted by the need to raise additional funds.²⁸



Figure 2.9: Detail of 1891 sketch, showing the substantial swimming baths structure at the end of Princes Street, and ancillary buildings beside and behind the main amenity, (Bathurst District Historical Society)

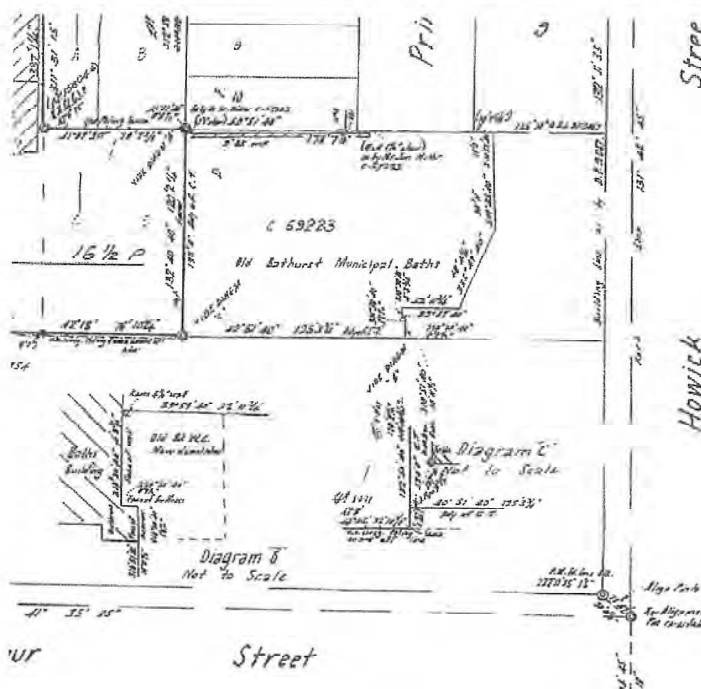


Figure 2.10: Detail of site plan of part of Allotments 1, 2 and 3 of Section 9, being part of Deed Bk.2866 No.539. (Lands Title Office) This identifies the main bath at centre, and a brick W.C. (demolished) and accompanying baths building south of the swimming baths.

2.7.1 Subsequent ownership of the baths complex, 1908-1953

²⁶ Bathurst Progress Committee, *Bathurst Guide*, p.4.

²⁷ T. Barker, *A History of Bathurst Vol.2*, p.518.

²⁸ 4 Princes Street summary provided courtesy of William Tighe, Bathurst District Historical Society.



Figure 2.11: Baths pavilion. (Bathurst District Historical Society). This photograph clearly shows the L-shape of the main building, with timber boarding the pool surrounds.

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The whole of Lot 11, complete with baths, gymnastic apparatus, and change room, were sold to Walker & Co. Limited in May 1908, although Walker & Co.'s interest was oriented on the undeveloped land on the eastern part of Lot 11. The baths were relatively incidental to the new owners' priorities of constructing a brewery.

In addition to Lot 11, the brewers purchased the adjacent Lots 26 and 27, facing onto Howick Street. Soon after purchase Walker & Co. may have constructed a small brick cottage in close proximity to the baths in c.1908, although it is unknown whether this was sited on Lots 26 -27 and facing Howick Street or oriented around Princes/s Street and the baths. This residence was intended for use by the baths manager, thus effectively relieving the owners of an active role. Until the 1920s, the baths continued to be in the private ownership of the brewery, and operated as a separate enterprise.

Walker & Co. offered Bathurst Council the opportunity to purchase the baths, if for no other reason than to be relieved of arranging vacation swimming schools for the Department of Education.²⁹ Bathurst Council finally elected in 1931³⁰ to buy the baths for £750,³¹ with provision for a right of way onto Princes/s Street for Frederick Green and Douglas Walker, on behalf of Walker & Co.

Additional funds were invested in the baths for night lighting and other general improvements,³² but the facility continued to attract criticism. New public swimming pool schemes were proposed at irregular intervals, with architect Stanley Wright consulting to design and specifications in 1946 that conformed with Council expectations.³³ After much debate and delay, the Council was able to construct a new, Olympic-sized public swimming pool in 1953, in Elizabeth Street.³⁴

Effectively the new swimming pool rendered the old baths redundant, and it would appear that the site was disused for some years. Eventually Council sold the property, with the new owner registered as Bathurst welder Anton Bonic, on 31st October, 1968. By 1964, the absence of a clear outline suggests that the baths had been filled in and levelled. The existing free-standing wall facing onto Princes/s Street on the extant land may relate to the original baths structure, but there is insufficient evidence to confirm.

Construction of the extant Monaghan's garage is believed to have been shortly following Council's sale of the land; Monaghan's was in operation from the site from at least 1969.³⁵ The garage was erected over a portion of the bath's site, fringing the edge of the pool itself and overlaying the probable site of part of its built fabric. From

²⁹ Greaves. *The Story of Bathurst*, p.135.

³⁰ V.4485 F.150, LTO

³¹ John Armes and Associates. *Dairy Farmers Facility*, p.19.

³² Greaves. *The Story of Bathurst*, p.215.

³³ *Bathurst National Advocate*, 23 May 1946.

³⁴ Barker. *History of Bathurst*, Vol.2, p.215.

³⁵ Information courtesy of Christopher Morgan. Bathurst District Historical Society.

aerial photographs, the roofing of the garage has been upgraded since its construction. Extensions and alterations to Monaghan's were carried out throughout subsequent decades.

2.8 Walker and Co. Brewers (Lot 11; Lots 26 and 27: 1908-1930s)

Lot 11, had a small frontage onto Howick Street, and extended across the urban block behind Princess Street. This parcel of land, known as 178 Howick Street, was sold on 1st May 1908 to James Walker & Co. Limited,³⁶ and included the swimming baths facilities. Shortly after, on 30th July 1908, Walker & Co. also acquired Lots 26 and 27 for the cost of £85, which gave greater access onto Howick Street.³⁷

By this date Walker & Co. had acquired the assets of the Great Western Brewery, Bathurst, formed in 1891 as an offshoot of George Ranken's³⁸ Kellosiel Brewery and claimed to be the first brewery in Bathurst c.1835.³⁹ Upon purchase, Walker & Co. advertised for a suitable builder in the area. When completed, the Walker & Co. brewery was valued by Council at £1600.⁴⁰ It was sited partly to exploit its prime location and its ready access to a reliable water supply. The development featured a prominent square tower, of a form commonly seen on breweries across the country. Secondary buildings of one-to-two storeys were also constructed, for use as stables, cellars, stores and brewery workshops. A 1924 aerial shows a gable-roof shed, with a more substantial and possible domestic building behind; this appeared to have a more complex roof form and a rear awning. Immediately south of these buildings are other structures, although it is impossible to determine their function or relationship with the brewery given image resolution.

The brewery was operated as one of a series owned by Walker & Co., including the Standard Brewery, Orange, which had been purchased in 1903. The most popular product distributed from Walker's breweries was "OB (Orange/Bathurst) Bottled Ale". Once the company asset's were liquidated in 1932, the Bathurst brewery was managed by Douglas Walker, with the aid of Frederick Green and, subsequently, Toohey's Ltd. Beer production on the site was terminated in 1934, at a time when Toohey's was divided into two separate entities⁴¹ and the land and its buildings sold.

Lot 11 was transferred as part of Walker & Co.'s liquidation process to Executor Frederick Charles Green and Douglas Walker, on the

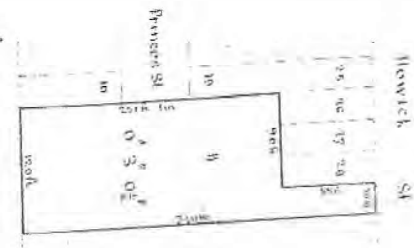


Figure 2.12: (Left) The baths property of Lot 11, DP 2067, purchased by Walker & Co. in 1908. (V1600, F.151, LTO)

³⁶ V.1600, F.151, LTO.

³⁷ V.1460 F.21, LTO

³⁸ See George Ranken (1793-1860). *Australian Dictionary of Biography*, Vol.2, p.361-362. Barker asserts that one Japhet White was proprietor of a local Bathurst brewery in 1832, following on from his 1827 distillery enterprise. Barker. *A History of Bathurst Vol.1*, p.89.

³⁹ Duetscher. *The Breweries of Australia*, p.27.

⁴⁰ 334 1911/13. Bathurst Rates Books. Bathurst District Historical Society.

⁴¹ K. Deutcher. *The Breweries of Australia*, p.71.

8th October 1930.⁴² In June 1931, the Council of the Municipality of Bathurst purchased the western part of Lot 11, being the baths site of one rood, 32 1/4 perches, and reserving the right for drainage onto Howick Street.⁴³ In reciprocation, Council gave Walker & Co. a right of way over part of the baths site to access Princes Street. The residue of the Walker & Co. brewery, made up of the western part of Lot 11, together with Lots 26 and 27 (1 rood 27 perches), was eventually sold on 13th July 1934 to Horace Harry, Grace and Max Edwell.⁴⁴

2.9 Macquarie Soap (pt Lot 11, Lots 26-27: 1934-1950)

A local Bathurst family, the Edwells used the old brewery buildings as a soap factory, trading as Macquarie Soap. Max Edwell, and presumably other family members, resided at 178 Howick Street. The 1924 aerial photograph shows a building on approximately the site of 178 Howick Street. However, assessment of the extant structure displays no clear evidence of early twentieth century fabric. There is some indication of fabric consistent with 1930s domestic architecture, and it is possible the early structure was demolished and a house built on Lots 26-27 for the Edwells.

The quality of the Edwell's product soon ensured its saleability, with health practitioners throughout the district rapidly adopting its use for the purposes of surgery. This popularity was due at least in part to its relatively neutral pH levels resulting from the factory's choice not to use alkali or having waste fat. The success of Macquarie Soap was such, particularly during World War II, that production was unable to keep up with demand. Rationing of day-to-day items during wartime increased the concern of local residents as to the ready supply of laundry soap, with the end product as soon as it was available.

Demand outstripped supply to such an extent that by the immediate postwar period, an order from Belgium for 200 tons of soap had to be refused. Macquarie Soap was overwhelmed by local demand from Lithgow to Orange, particularly when it was rumoured that soap would soon require ration-books and thus further limit its availability. Limited production was also hampered by industrial unrest and shortages in caustic soda and washing soda, both of which were essential in the soap manufacturing process.⁴⁵

The soap factory ceased production in early 1940s, the reasons for its closure, particularly as its product had proved successful in local markets, is unknown. In September 1949 the *Western Times* advertised the auction of Macquarie Soaps. Part of the property (pt Lot 11) was transferred for £4000 to farmer and grazier John Fullerton-Smith. Fullerton-Smith then on-sold the former brewery



Figure 2.13: Residue of Walker & Co.'s portion of Lot 11, purchased by Macquarie Soap. V.4485, F.150, LTO.

⁴² V.4513 F.168-169.

⁴³ V.4485, F.150.

⁴⁴ V.4660. F.29. LTO.

⁴⁵ *Western Times*, 5 December 1946.

to the Dairy Farmers Co-op Milk Co. Ltd in 1950 for £6000.⁴⁶ Within a short interval the cottage at 178 Howick Street was transferred to George Septimus Brettell, Deputy Town Clerk, for £3924.⁴⁷ This property (lots 26-27) was quickly purchased by the Dairy Farmer's Co-operative Milk Company Limited on 19th January 1952.⁴⁸

2.10 Bathurst Co-operative Dairying Company (Lots 1-4, 19-15, 30: 1901-1949)

As a Co-operative, the Bathurst Dairying Company was formed in 1901 during a downturn in the industry and sought to function as a combined effort between financial backers and farmers. This followed in the wake of numerous Co-operatives formed during the late nineteenth and early twentieth centuries, with some such as the Dairy Farmers Co-operative Milk Company Ltd (established 1900) proving one of the most enduring.

2.10.1 Formation of the Bathurst Dairying Company, 1901

On 28 August 1901, an initial meeting held at the Bathurst Town Hall revealed a groundswell of support for the adoption of a similar co-operative scheme.⁴⁹ Dr Thomas Machattie proposed it "desirable that a co-operative dairying company be established in Bathurst."⁵⁰ As a factory-based system, dairying was not new to the Bathurst region; Webb and Co.'s Evans Plains factory had long been supplying butter to the region. As a proposed co-op, however, local shareholders would more effectively ensure the independence of the company and the manner in which the produce was distributed.

Despite keen local support, the first twelve months of operation proved to be precarious, brought about through drought and the consequent effect on fodder and livestock. The determination of the directors and their faith in the Co-operative's potential defied any negativity.

2.10.2 Initial Construction of the butter factory, 1902

Lots 1-4, 19-25 and Lot 30 was formally transferred from James Rutherford, Thomas Machattie and John McPhillamy under power of sale, registered to solicitor James Bathurst Palmer on 10th October 1902, and then to The Bathurst Co-operative Dairying Company on the 5th February 1903.⁵¹ By this registration date, development of the site had been completed and the factory operational.

Rapid progress on the former hospital reserve was made, and two days later, on 17th May 1902, it was reported that:

The Bathurst Dairying Company have decided to begin at once upon the erection of their factory at the corner of Howick and Bentinck Streets. Mr.

⁴⁶ Transfer Register, fiche 6, page 244. Bathurst District Historical Society.

⁴⁷ Research notes compiled by William Tighe. Bathurst District Historical Society.

⁴⁸ V.5137, F.191.

⁴⁹ *The Bathurst Daily Times*, 13 October 1902.

⁵⁰ *The Bathurst Daily Times*, 29 August 1901.

⁵¹ CT Vol.994 F.93. Land Titles Office.

J.J. Copeman, the company's architect, is now calling for tenders for the work, which must be delivered to him not later than 2.30 p.m. on Thursday next, 29th instant [May].⁵²

Copeman's plans for the butter factory showed a simple and functional design that had many features consistent with butter factories then being constructed throughout regional New South Wales. The plan varied in detailing, with decorative posts, finials, bargeboards and an elaborate roof ventilator. His proposed Bathurst factory featured a substantial butter-churning and making room, which measured 40 feet by 18. Abutting this main chamber were two refrigerating room, noted in Copeman's plans as 8 ft by 9 ft 6", and the receiving stage 8' 6" by 11' 6".⁵³ The test and receiving spaces were conventionally located in close proximity, so that freshly received raw milk could be tested in an antiseptic space to determine butterfat content and thus limit potential for contamination. Nearby were a number of small offices, together with the engine and boiler rooms, all housed under the same roof and each measuring 12 by 14.

The boiler, engine room and produce machinery were powered by a 24-brake National gas engine, a Hercules freezing engine which boasted a capacity of two tons of ice per day, and a steam boiler for cleaning and disinfection. In the creaming room was an aspirator for mixing and cooling the cream, and the butter room housed two churns and a butter making machine. Amongst the equipment was a Laval separator, which was widely regarded as the most advanced produce machinery of the period.⁵⁴ This production area was the domain of Mr Kennilworth, an experienced butter maker who was expected to improve the quality of the product after an initial settling in period. The plant as a whole was managed by Albert Pollard, Secretary of the Bathurst Co-operative.

Copeman, whilst annotating his factory plan, noted that the main building was to have 14ft brick walls, specified as: *Cement floor and pine ceiling to Churn R[oom]. Cool Rms insulated with dead air to walls, floor and ceiling. All varnished. Iron or weather board walls to offices &c. Iron walls to machinery and boiler Rm. Machinery Rm lined with pine Thororough ventilation throughout. All roofing including verandahs, to be covered with pine boards and P&B Rubaroid. Cost £850... Iron instead of brick walls £35.⁵⁵*

The new butter factory was formally opened on Saturday 11 October, 1902, witnessed by a large gathering of shareholders, company officers and members of the community, as "the opening of the factory [is regarded] as one of the most important events that had taken place in Bathurst for many years past..."⁵⁶

⁵² *The Bathurst Daily Times*, 17 May 1902.

⁵³ Copeman butter factory plans, State Library of New South Wales.

⁵⁴ The Laval separator revolutionised the international dairy industry from its commercial application and development in 1878 in Sweden: the invention of Gustav de Laval. The machinery could separate cream in a matter of minutes and treat milk at the rate of 60 gallons per hour. Todd, *Milk for the Metropolis*, p.24.

⁵⁵ J.J. Copeman, plans for butter factory Bathurst, State Library of New South Wales.

⁵⁶ *The Bathurst Daily Times*, 13 October 1902.

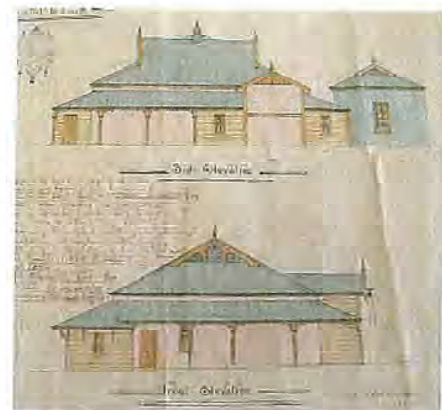


Figure 2.14: Front and side elevation of Bathurst butter factory. J.J. Copeman 1902. (State Library of New South Wales)

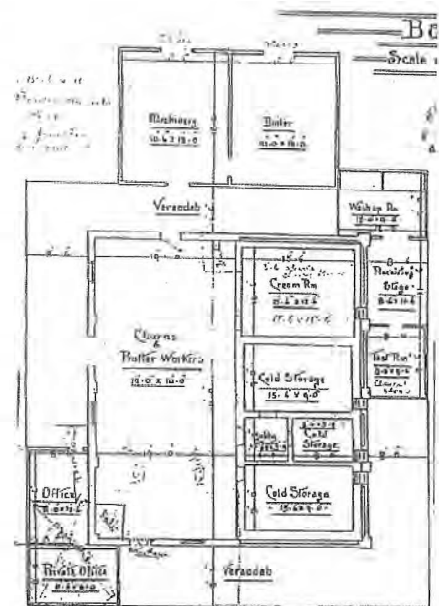


Figure 2.15: Floor plan of Copeman's butter factory

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The processes involved in milk production required twice-daily deliveries of milk to the new factory. Both butter and milk catered for the local district's needs, with surplus in later years sent to Sydney, the milk for Sydney domestic households, and the butter to be loaded for export.

2.10.2 Market Diversification, 1916

The early years of operation saw the factory's priorities clearly centred on butter production and the facility's consolidation of its position in the manufacturing and dairying industries despite hardships brought about by periods of severe drought. Until more lucrative investors entered the fray, the Bathurst Co-operative was able to maintain a monopoly, albeit for a relatively short period of time.

Rapidly diversifying to capitalise on this commercial opportunity, the Bathurst butter factory began to reserve part of its operations for the freezing of rabbits, with the meat destined for wartime London. In July 1916, the Bathurst Co-operative Dairy Co. lodged an application via WH Hooper for five freezing rooms and two sheds,⁵⁷ sited along Bentinck Street.⁵⁸

The 1924 aerial view of Bathurst confirms that substantial industrial-sized brick buildings were indeed constructed at the corner of Bentinck and Princes/s Street. These were allocated to the west of the butter factory, and part of the 1902 factory verandah absorbed into freezer rooms facing onto Bentinck Street. The two sheds, proposed along Bentinck Street, may have been sited south of the main freezer or may have constituted a temporary structure elsewhere on the site.

2.10.3 Expansion of the Bathurst Co-operative Dairying Co., (1930-1949)

The 1923 *Co-operation Act* and the 1929 *Milk Act*,⁵⁹ which sought to codify the legal framework and operative principles of co-operative organisations and create a Metropolitan Milk Board⁶⁰ was expected to enforce and control supply and sale respectively.⁶¹ Regulatory pressures monitoring milk and butter production and quality meant that greater investment into site facilities had to be made.

In subsequent years ice manufacture became one of the key products sold from the factory, and by 1946 it had become second only to milk. The by-laws enforced by the Milk Board directly affected

⁵⁷ Research notes compiled by William Tighe, Bathurst District Historical Society. Hooper is identified as Hopper.

⁵⁸ John Armes and Associates, *Dairy Farmers Facility*, p.25.

⁵⁹ The 1929 *Milk Act* was repealed and revised as the new *Milk Act*, 1931.

⁶⁰ For the early history of the Milk Board, see W. Murphy, *The Milk Board of New South Wales: an outline of its origin and development* (1949).

⁶¹ Todd, *Milk for the Metropolis*, p.105.

factory production and equipment, specifying new bottling plants, new pasteurisation technology, new buildings and reorganisation of processing and delivery.

One of the most significant changes to the plant was the removal of the original Laval separator from the factory floor, with a new pasteurising plant installed in 1938 and bottled milk introduced,⁶² followed by new equipment and refrigeration units installed to aid processing. The Bathurst Dairying Company Limited was by this stage considered as "an excellent example of successful local enterprise," and by 1940 more than £10,000 had been spent on building and equipping the factory, "the most recent additions being the complete pasteurisation plant for milk and cream."⁶³ Buildings modified, upgraded and extended included buildings 1, 2, 3, 7, and 10, used for boilers, cool rooms and freezers, milk processing, condensers and laboratory. In 1902 all these processes could be contained within a small factory space; by 1940 the dairy plant had a complex where individual buildings had specific functions catering for each stage of the production process.

Building Applications were lodged in 1941 and 1946 by the Bathurst Dairy Co detailing an iron garage costed at £25 and additions at £15 in 1941,⁶⁴ while *The Bathurst National Advocate* noted in 1946 that J.W. Rice applied on behalf of the Bathurst Dairy Co. for permission to erect an ice store off Bentinck Street, to the value of £7000. The application was duly approved by the Council committee and permission to build was granted.⁶⁵

Expansion of the plant complex may have been prompted by the soaring consumer demand for milk, which had risen dramatically during the wartime years and showed no sign of flagging in the immediate postwar environment. Upgrading and greater mechanisation also became a necessity as returning soldiers flocked to the metropolitan areas rather than settle in rural and provincial districts. On 11th October 1947 a plaque was unveiled by Bert Pollard, Secretary of the company from 1901 to 1938. The plaque was to commemorate the widespread extensions and improvements carried out at the factory.

2.10.4 Consolidation and Adaptation: Dairy Farmers, (Pt Lot 11, Lots 26-27: 1950)

In 1950 the Bathurst Dairy Company was consolidated as a branch of the Dairy Farmers Co-operative Milk Company Limited,⁶⁶ with pt 4, lots 19-25 and lot 30 purchased by Dairy Farmers for £8787.⁶⁷ Acquisition of the site in 1950 also included the adjoining land (pt

⁶² John Armes and Associates, *Dairy Farmers Facility*, p.25.

⁶³ Week-End Magazine, 20 January 1940, p.5.

⁶⁴ Register of Plans & Specifications, Bathurst City Council, held by the Bathurst and District Historical Society.

⁶⁵ *Bathurst National Advocate*, 13 June 1946.

⁶⁶ V.1455, F.234.

⁶⁷ Transfer Register, 1950, Bathurst District Historical Society.



Figure 2.16: Copeman's butter factory, photographed in 1940. Note tanks behind the building and landscaping. (*Weekend Magazine*, 1940)

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Lot 11), which had been used as a soap factory since the 1930s, and Walkers brewery until the 1920s. The rabbit-freezing and export activities were presumably halted following Dairy Farmer's acquisition.

Other proposals during 1950 included new boilers and boiler room, the addition of a steel awning and alterations to Building 17, believed to be an old stables constructed as part of the brewery complex in the early twentieth century. Proposed works intended new stables (more likely garage) and roller shutters to this building, and at an unknown date the floor of the building was raised and steel beams and columns inserted, for probable conversion to a cool room.

In 1951, a number of Development Applications were lodged on behalf of Dairy Farmers Co-op, including:

- Milk distribution platform, valued at £2,500
- Paling fence
- Amenities building (shower and toilet facilities), valued at £600 and intended to reuse second hand bricks from a demolished shed, as well as reuse the existing roof
- Milk receiving platform, valued at £1,000
- Washroom and storeroom, valued at £1,000
- New boiler house⁶⁸

In addition to the above Building Applications lodged and approved by Council, machinery was upgraded to enhance the processing and plant activities on the Bathurst factory site. This upgrading proved invaluable for production, particularly as the Bathurst factory supplied milk to all of the local schools, including Assumption, Bathurst Public School and St Stanislaus'.⁶⁹ During this period, Dairy Farmers also purchased Lots 26 and 27 on 19th January 1952, adding an additional nineteen perches to the site and acquiring the street address of 178 Howick Street, formerly the residence of Max Edwell (Building 19). Based on costs cited in the Council Plans Extract (£1,400), and on assessment of the extant building fabric, it is believed possible that Dairy Farmers rendered the brick work rather than constructed the cottage at 178 Howick Street. There survives some small elements that attest to its possible 1930s construction - the window arrangement, chimney and entrance detailing pre-date the solid 1950s brickwork and style. In addition, it is unlikely that Dairy Farmers would demolish a cottage built only twenty years previously in order to construct a replacement cottage of equally modest dimensions.

In 1953 further plans for expansion included greater utilisation of existing buildings on the site. Architectural drawings detailed the loading platform sited on the northern extent of the 1920s Building 2, 3, 6 and 7, the latter of which had been constructed at the beginning of the 1950s. This was proposed to be partially enclosed with a new cool room, entailing the removal of its existing skillion roof to allow a new roof structure over the platform's width. A suspended awning was added to Building 1 in 1954 at a cost of

⁶⁸ See BA drawings for 1951, held by Bathurst and District Historical Society.

⁶⁹ School Milk Receipt Book, Bathurst Dairy Farmers Factory, 1953.

£400, facing onto Bentinck Street and of 'Clearline' design.

The Bathurst factory began to reduce its output of butter in favour of milk, channelled both throughout the district as well as sent to Sydney. When the Milk Board assumed control of the area in 1956, Dairy Farmers was as the sole supplier of pasteurized milk in Bathurst, supplying the community via fourteen vendors and wholesale to forty-nine businesses.⁷⁰ On the factory site, twenty-seven staff were now employed for processing and production tasks. The following year, additional works were proposed for the factory, with a new fruit and cool room, to be sited on the corner of Bentinck and Howick Streets, lodged in March 1957 and completed in May of that year at a cost of £2,872. In 1959 a small extension to the rear of the Howick Street cottage (Building 19) was proposed and drawn up by AS Jones of the Dairy Farmers Co-operative Milk Co Ltd, from his Ultimo office. The gradual expansion of the site meant that an increase in output could be generated to customers: in 1958, the Bathurst factory was supplying pint and half-pint bottles of milk, bulk milk in gallons, pint and half-pints of bottled cream, bottles of flavoured milk, yoghurt, and possibly an ice cream mix.

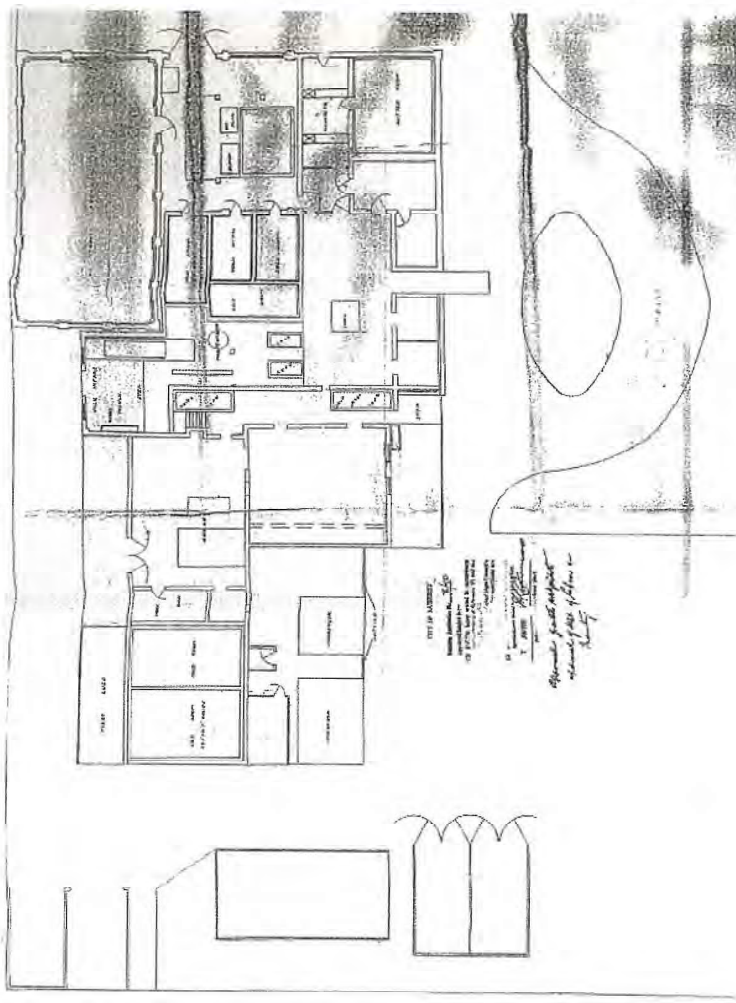


Figure 2.17: Bathurst Dairy Farmers: Plan of Ice Store, 1950. This implies proposed alterations to the existing building.

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2.10.5 Adaptation and Rationalisation, (1970s - present day)

In country areas, urbanisation and rapid development of once rural land meant that land values were escalating and increasingly restricting available pastureland. Increases in wages, widespread industrial problems, general inflation, the continuing migration of the young to the cities, and the threat posed by the encroachment of supermarket chains, all combined to render the dairy industry diminishing returns in a once highly profitable market across the 1970s and 1980s. The Bathurst factory, whilst battling on all these fronts and systematically upgrading and renewing equipment, continued operation as a milk retrieval centre, as well as the production and distribution of cream, plain 'table' milk and flavoured 'Moove' milk products.⁷¹

Rationalisation, mergers and co-op acquisitions also meant that the Dairy Farmers Co-operative Ltd evolved into the Australian Co-operative Foods Ltd, formed in January 1990 to lift profitability and address issues of production, distribution, collection and plant upgrading.⁷² Site activities were pared back from 1994 but continued to a limited extent until the eventual abandonment and sale of the depot. The property continued to be used at an increasingly intermittent level by ACF, but its condition became increasingly derelict through lack of maintenance and upgrading. Further damage was caused through vandalism and neglect, culminating in a fire in 2006.

⁷¹ John Arnes and Associates, *Dairy Farmers Facility*, p.26.

⁷² Todd, *Milk for the Metropolis*, p.257.

3.0

Physical Description

This section describes the site, its context and current buildings, including their physical condition and integrity.

3.1 Description of the Site

The site for the proposed development is an L-shaped parcel of land comprising the former Dairy Farmers site (Lots 1-4, 19-28, 30 in DP 2067; Lot 2 in DP 184456) and the old swimming pool site (Lot 1 in DP 32757). It is bounded by Bentinck Street to the north, Howick Street to the east and Princess Street to the west. The site gently slopes down to the south and steeply to the east. There is an entry driveway off Bentinck Street, which continues to an exit driveway to Princess Street. Another driveway leads downhill to the east, with substantial brick retaining wall at the south side. The driveway turns to the left, and continues to Howick Street. The site is industrial in nature and all surfaces are concrete, with the exception of grassed banks facing Howick Street and a few shrubs around the office building 20. There is a modest garden around the cottage building 19.

3.2 Site Context

The site is located on the natural edge of the CBD of Bathurst, towards the eastern end, overlooking the former creek flats to its east. The development surrounding the site is predominantly one to two storey residential with busy commercial development across Bentinck Street. Heritage in the vicinity includes two historic brick residences across Bentinck Street currently used for commercial purposes, and the Gladstone Terrace towards west, a heritage listed row of brick terraces along the same side of the street. Across Princess Street are three historic brick cottages. Adjacent to the site, along Howick Street is a row of weatherboard, brick and fibro houses.

Bentinck and Howick Streets are main streets in the area, with streetscape comprising an eclectic mix of early to late twentieth century commercial and residential buildings. There are only a limited number of trees, mostly modest-sized, recent plantations. There are a few medium sized trees along Howick Street. To the south of the site is a distinctive brick cottage and a group of historic cottages, with rear gardens and mature trees facing the site.

3.3 Built Fabric

The former Dairy Farmer's site contains several buildings, belonging to various periods of its history, arranged in the form of two clusters and two detached buildings. The first group located towards the corner of Bentinck and Princess Streets is dominated by the three-



Figure 3.1- Looking east along Bentinck St. showing heritage listed Gladstone terraces and site buildings 1 & 2



Figure 3.2- Looking west along Bentinck St.



Figure 3.3- Looking west along Bentinck St. across the street from the site

storey Building 1 surrounded by a number of extensions and linked buildings. The second group of buildings is located towards the south end of the site and is marked by a landmark tower structure (building 18). The detached swimming pool site in the southern corner contains two buildings arranged in an L-shaped configuration around an open yard.

Many buildings have architectural features and details in common, such as red face brick exterior, door and window surrounds in yellow coloured render, gable-on-hip roof, timber Howe trusses and cream coloured tiles for dado, suggesting that they belong to the same period.

Most buildings have undergone alterations to varying degrees. Some are more intact than others, retaining original elements and finishes. Generally the buildings have undergone unsympathetic alterations and extensions over a period of time, carried out in a haphazard manner, responding to changing needs of their industrial use.

Overall, the condition of the buildings is fair although all show signs of wear and tear associated with industrial use. Other signs of deterioration include failed gutters and downpipes, leaking roofs, salt and rising damp damage to brickwork, etc.

The buildings have been numbered (following the numbering in the 2004 CMP by John Armes and Associates) and are described in detail in the following section.

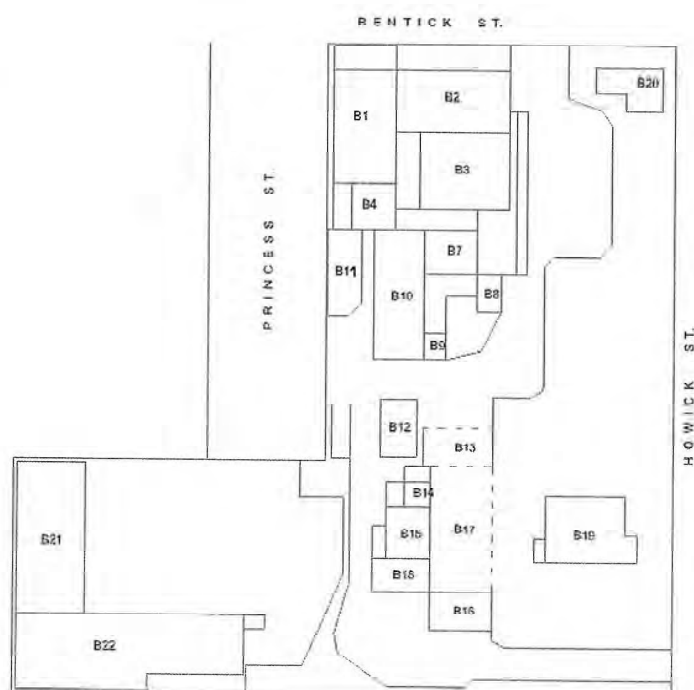


Figure 3.4- Looking north along Howick St. across the street from the site



Figure 3.5- Houses adjacent to the site, along the eastern edge of Howick Street



Figure 3.6- Looking north, showing residential development along Howick St.



Figure 3.7- Development opposite the site along Princess St.

Figure 3.8- Plan showing site and current buildings

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Building 1

Building 1 is a simple, red face brick construction with a gabled front, located prominently on the corner of Bentinck and Princess Streets. The walls have distinctive engaged piers for stiffening. The front and rear gabled facades each have a circular louvered vent (similar to Georgian Style), and corbel at the eaves. The front facade has a flat metal awning, two narrow door openings, one with roller shutter, and a window with timber sliding shutters on rails for the hoist. The side facade along Princess Street has two original sash windows. The building has simple yet aesthetically pleasing detailing comprising rendered beams spanning each of the three front bays, and render surrounds to door and window openings. The absence of windows indicates the building was designed for storage or industrial use.

The building appears to be constructed around 1910-20s. The roof comprises 'Howe' trusses, common in this period, covered with asbestos corrugated cement sheeting. Internally the building is divided into three levels. The ground floor is now subdivided by insulated timber walls with 'refrigeration' doors, upgraded with cork insulation probably at a late stage. However, originally, it appears to have been one single space with ten timber columns in two rows. A portion towards the front is at a lower level, perhaps lowered at a later stage for improving goods handling. There is a timber staircase that appears to be original, as it corresponds to, and provides access to original windows facing Princess Street. There is also an electric hoist, probably an early addition, comprising a timber frame with wire mesh cage, and roller benches on the upper levels. The floors are timber, and the walls covered in plaster, which does not appear to be original.

The timber roof trusses have vertical steel rods exhibiting a growing understanding of the engineering involved with balancing compressive and tensile stresses. The insulation at ceiling level is of note. The material is concealed under a layer of malthoid but samples are accessible. The exact nature of the material is not known although it resembles pumice concrete. The material has been neatly laid out between the ceiling joists. Given the use of malthoid probably as a vapour barrier, the insulation is likely to have been part of a refrigeration upgrade in the 1950s.

The building retains much of its original character externally, having remained relatively unaltered. The front facade on the ground floor appears to have undergone some alteration, possibly bricking up of an original opening in the west end bay. Internally, the building has undergone several modification, mostly by way of upgrade of its refrigeration facility, but still retains its basic original configuration. The overall structural and physical condition of the fabric is good.



Figure 3.9- Building 1, from the cnr of Bentinck & Princess Streets



Figure 3.10- Building 1 interior showing timber construction



Figure 3.11- Hoist and timber staircase in Building 1



Figure 3.12- Roof space in building 1

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Building 2

Building 2 is a simple single storey face brick construction with a gable roof. The facade facing the street is divided by engaged brick piers into four bays, with three large roller shuttered openings which appear to be later modifications.

Much of the east wall has been demolished to merge the building with the adjacent building number 3 with the roof supported by a steel beam and a tubular steel column. A wall vent suggests that this was originally an outer wall. The west wall is building 1 external wall suggesting that building 2 was conceived as an extension. The interior space seems to have been designed as one large single space, probably for storage or goods handling. The roof comprises timber trusses (Howe, with thin vertical steel rods) supporting AC sheet roofing. The building is in overall "good" condition but has undergone extensive alterations.

Building 3

The building has been obscured by extensive alterations, both internally and externally. It shares two of its side walls with adjacent buildings 2 & 7. Internally, there are cool-rooms to the north. The gable-on-hip roof is similar to that of the 1902 Butter Factory thus suggesting that Building 3 is a remnant of the original factory building. It comprises corrugated GI roofing (a recent addition) supported on timber trusses similar to building 1 & 2.

The sloping floor in the western portion indicates its use for wet processes. Plastered walls survive, but there has been extensive modification, using aluminum faced, foam filled, composite refrigeration panels which form much of the ceiling, indicating the change of function to refrigeration. Some of the original cream coloured ceramic tiles survive and along with the coved skirting indicate the requirements of a clean environment. There are also some ducts suggesting the use of air conditioning.

The building is in overall fair condition but has been extensively altered and retains none of its original configuration apart from the timber roof trusses.



Figure 3.13- Building 2 from Bentinck St.



Figure 3.14- Building 2 interior showing 'Howe' timber trusses with steel rods common to other buildings on site



Figure 3.15- Building 3

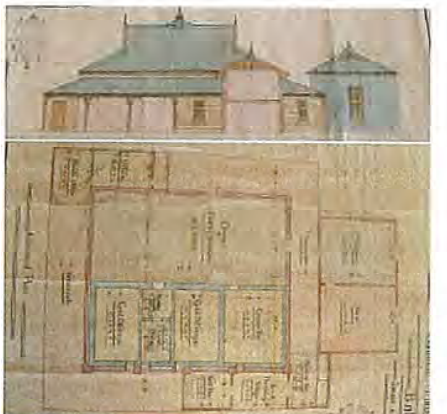


Figure 3.16- 1902 drawings for Butter Factory showing similar roof structure and proportions as Building 3



Figure 3.17- Building 3 interior showing original timber trusses and columns and later additions

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Building 4

It is a single storey, utilitarian, red face brick building with a pitch roof. The roof is set below the front facade parapet and is not visible on the street elevation. The front facade is devoid of any windows or detailing and has a large roller shuttered opening which does not appear to be original. The variation in brick work and a header course at lintel level suggests that originally there was a larger opening spanning the entire width of the facade. The roof comprises timber 'collar tie' trusses and partially takes support from adjacent building. The portion along the street is a later extension, confirmed by the change in the roof trusses in the end bay. The original use of the building is not known. The interior has raked ceiling and skylights which do not appear to be original. The side walls have brick pilasters internally. The building has undergone extensive alterations such as openings to connect with adjacent buildings, services, and extension towards northern end. The physical condition of the fabric is fair to poor.

Building 7

It is a simple brick building with a gable roof and a verandah extending across the width of adjacent building 3. The gable has a rectangular window above the verandah level with a rendered lintel and projecting brick sill course suggesting that the opening is original. The north facade has large openings which are now boarded. The verandah has a raised platform with a suspended concrete floor. An earlier skillion has been removed to make way for the present day verandah roof which is supported by tubular steel columns. The interior has a cream coloured ceramic tile dado and surface mounted pipes delivering compressed air, brine and cold water. The ceiling is asbestos cement sheets with timber cover strips. Along the western portion is a narrow 'infill' between building 3 & 7 with skylights.



Figure 3.18- Building 4 facade along Princess St. Note variation in lower brickwork. Building 11 adjoins to right.



Figure 3.19- Building 4 interior, looking south, showing timber trusses, ceiling and roller shuttered opening on front facade



Figure 3.20- Building 7 facade showing verandah to the front and roof form behind



Figure 3.21- Building 7 interior showing gable window and ceiling and boarded up openings

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Building 8

It is a stand-alone red face-brick structure with a mono pitch roof. It was built, probably in 1950-60s as a laboratory to support dairy food production. The concrete floor has raised plinths under benches. The walls are cement rendered with tiled splash-backs. The ceiling is asbestos cement sheet with timber trim. There is a small verandah along the south face partly occupied by a small cubicle. The verandah looks into the open space with a raised plinth, shared with adjacent buildings 9 & 10. The holding down bolts indicate that the space was used for installation of machinery. The building is mostly intact and in fair condition.



Figure 3.22- Building 8

Building 9

It is a rendered brick building probably from the 1950s, with a skillion CGI roof. It was built as a shower/toilet facility and is mostly intact, although most of the fittings have been removed.



Figure 3.23- Building 9

Building 10

It is a face brick building with a corner extension comprising timber boarding and asbestos sheet cladding. The roof is hipped on one end comprising CGI roofing. The building originally consisted of a boiler house and two cool rooms. The north facade has a verandah overlooking an open space. The physical condition of the building is poor.



Figure 3.24- Building 10 south facade

Building 11

The red face brick building was constructed as the 'new boiler house' in early 1950s. The southern facade contributes to the Princess Street elevation of the overall site. The facade comprises four large timber windows with fixed glazing and louvered panels, and a projecting sill course of tapered bricks. The northern facade has a large roller shuttered opening. The building has a mono-pitch roof sloping away from the main facade.



Figure 3.25- Building 11 facade along Princess St.

Building 12

It is a small freestanding face brick structure with a monopitch CGI roof. The door and window openings are similar in style and detailing to other buildings on site such as 1,7,8 & 10. The building is L-shaped, accommodating a verandah on the eastern facade with a bricked up door opening. There is a bricked up door opening with render surround also seen on the windows on western facade.

The free standing building served as staff facility comprising a dining room, locker room and shower room. The interior is cement rendered as also the shower cubicle brick partitions.



Figure 3.26- Building 12

Building 13

The building was destroyed in a recent fire and does not exist any more. It comprised a modest lean-to CGI roof supported on timber framing and was used for providing shelter for vehicles, and for access to cool-rooms.



Figure 3.27 & 28- Building 13 before and after the fire damage

Building 14

It is a small red face brick structure with a CGI skillion roof attached to building 15 front facade. There is a timber double hung window with a flat segmental arched head. The building has a timber floor concealed with green linoleum and ceiling with beaded match-lining boards painted eau-de-nil. The front half seems to be a later extension. The building was used as a store room.

Building 15

It is a two-storey face brick building with a gable roof. The building is attached to adjacent tower building 18 to its south, and has a skillion to the west. The gable has a prominent barge board and a louvered window opening. There is a large door opening with render surround and a ramp leading up to the raised floor plinth. There are windows on the side elevations with flat segmental arch heads similar to other buildings on site.

The interior comprises a large double height space with timber boarded ceiling and timber beams spanning the width. The building originally had a mezzanine. There are marks showing stairs and bricked in doors connecting the building with adjacent building 18. The concrete floor is not original. Of interest are nails, at a high level, to be accessed from the mezzanine, with identification marks.



Figure 3.29- Buildings 14 and 15

Building 16

It is a single storey shed comprising CGI sheet cladding over timber frame with brick plinth walls. The mono-pitch roof slopes away from the front which is a large opening.



Figure 3.30- Building 16

Building 17

The building was destroyed in a recent fire and no longer exists. It comprised a large brick building with CGI gable-on-hip roof similar to building 3 and other buildings in the vicinity. It was built as part of a group of brewery buildings built in 1908 comprising buildings 15 & 18. Its original use is not known but the lower level may have been stables during the brewery era. The upper level originally did not relate to the floor level of adjacent building 15. Dairy Farmer's made this alteration in 1950. Internally, the walls had retained their original plaster finish.



Figure 3.31- Building 17 north facade before the fire, showing the gable-on-hip roof

Building 18

The building is a 'landmark' face brick, tower structure including a slightly shorter portion under a skillion roof. The highest part has a distinctive parapet wall with sandstone detailing. There is a brick flue on the east side, now sealed with brickwork at the bottom. Most windows are double casement windows, although some are fixed louvered. All windows have a flat segmental arch except for a pair on the skillion facade which have a timber lintel. Access to upper floors is via a timber ladder to the side, near the driveway.

Internally, the building is divided into five levels, the lowest being partly basement, owing to the level difference between the front and rear of the building. The interior contains service pipes, possibly for steam, electrical circuits, redundant milk processing equipment including light reflectors, filters and grillage and original timber joinery. The floors comprise original timber boarding and joists, and have trap doors. The ceilings show remains of corrugated iron lining. The walls retain original lime wash.

The skillion portion is separate from the main buildings on all floors and is accessible only through a door opening on the east facade. It is divided into three levels, the middle one, thought to be of concrete, being inaccessible.

The building has undergone alterations both internally and externally. These include bricking up of several door and window openings and inserting new steel beams. However it retains the original timber floors, joinery and finishes. The overall structural condition of the building is good. There are instances of physical damage such as severe salt damage to brickwork west facade at ground floor level, surface discolouration/damage to external surfaces due to industrial usage and weathering. The timber windows are also in poor condition. The stone work at parapet level shows signs of mild discolouration.



Figure 3.32- Building 18 east facade

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Building 19

It is a red face brick cottage fronting Howick Street. It has a hipped CGI roof and double hung windows with horizontal glazing bars in the sashes. Glass bricks have been used at the entrance. The entry roof has distinct console brackets. There is a chimney with interesting Edwardian references and is capped with a terra-cotta pot. The cottage has a brick fence towards the front and timber paling fence on the sides.



Figure 3.33- Building 19 front facade along Howick Street

Building 20

It is a face-brick building with a Marseilles-pattern glazed terra-cotta tiled hip roof. There are double hung and louvered windows. The entry doors are high-waisted with glazed top panel and sheeted tongue and groove boarded lower panel. The building has boxed eaves and quad gutter with bull-nosed fascia board. It was being used an office.



Figure 3.34- Building 20

Building 21 & 22 (Former Swimming pool site)

The former swimming pool site is the 'leg' portion of the overall L-shaped site comprising buildings 21 & 22 around an open yard. The yard is bounded by a fence on the north and a free-standing wall, (dating from an earlier period, possibly the swimming pool era) with a wide entrance opening on one side of the wall. The wall has engaged brick piers, mouldings and a curvilinear detail on the parapet. The premises has been in use as a car workshop for more than a decade.

Building 21 is a relatively recent construction comprising a single-skin building shell of steel profiled sheeting cladding with steel bracing. The flat CGI roof is supported on steel trusses. The front facade facing the yard has two large roller shuttered openings whereas the rear facade has two large window openings with fibre glass panels.



Figure 3.35- Front compound wall, entrance and building 22 in the background, looking from Princess Street



Figure 3.36- Building 21

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Cultural Significance

4.0

The following has been extracted from the Conservation Management Plan report (GBA 2007).

4.1 Statement of Significance

The subject site, comprising the former dairy factory (1901-c.2004), Walker & Co. brewery (1908-1930s), Macquarie Soap factory (1934-1950), and public baths (1887-1953), together with associated cottages, offices, workshops, store rooms etc. is considered culturally significant within the Bathurst context for its natural environmental and topographical features, and its economic, social, historical and physical aspects and patterns of activity that have played a role within the Bathurst community since the early 1820s. Additionally, it has a regional cultural heritage value as one of the few known convict hospital sites.

The site itself was previously the Hospital Reserve and illustrates early nineteenth century town planning schemes, overlaid by later nineteenth century subdivision patterns. The property may be regarded as a point of focus for development of the area, with the hospital a main facility for the newly-settling populations penetrating western New South Wales in the early nineteenth century, and again in the twentieth century, when the site was used by Dairy Farmers as a foothold in the acquisition of commercial markets in western New South Wales.

The topography of the land has strongly influenced the site's selection and uses, with particular regard to its initial use as a convict and later community hospital. The site's natural features of water course and inclining contours were exploited for the construction of the hospital, with the building erected at the top of the slope to maximise views and breeze, and a well exploiting the water course. This visual advantage provided by the topography was also exploited by Walker & Co., for their brewery tower c. 1908, to achieve a dominant landmark structure within the central city area. Similarly, the water course and well were an advantage for the swimming baths, brewery, soap factory and dairy factory. The buildings do not make a positive aesthetic contribution owing to their deteriorated condition and given their role was that of functionality rather than aesthetics, but may be considered in some limited instances to provide examples of types of building forms utilised in commercial and primary industries.

The site is an example of reuse and adaptation of built elements to accommodate new uses and activities in commercial, industrial and recreational fields. Nineteenth century use as a public bath adjacent to the main 1902 butter factory was gradually absorbed via Walker & Co into the main dairy factory site. The brewery and butter factory

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buildings were adapted for a soap factory and encompassed by Dairy Farmers from the mid-twentieth century. The buildings show examples of stages of technological development, function and equipment, with some extant structures providing evidence of a successful Co-operative enterprise. The original 1902 butter factory has architectural merit as an example of architect J.J. Copeman's commercial work and style, which was depicted in the company emblem. The extant brewery tower is a typical example of its type, being commonly found throughout New South Wales towns. The fabric of the Dairy Farmers buildings may also provide examples of the shift from butter production and the freezing of rabbits for export, to milk for both local and metropolitan consumption.

The site has had a continuing pattern of use since the 1820s, firstly for the provision of health, and secondly for various commercial businesses. In particular, the connection with the dairying and primary industries was viable from the floating of the Bathurst Co-operative Dairying Company in 1901, throughout the twentieth century. This continuing pattern of use has now been severed with the closure, abandonment and sale of the dairy facility.

The site has historical associations with medical practitioner George Busby, from the 1820s to 1870, and with J.J. Copeman, who was a prominent local architect in the early twentieth century. Lesser associations can be identified with Walter Spencer, James Rutherford, Walter McPhillamy, and a number of individuals involved in the subdivision and development of the urban centre of Bathurst.

There is considerable archaeological potential for the former dairy farmers facility, and conceivably and to a lesser extent the site of Monaghan's garage. The archaeological significance for the overall site has been assessed separately in the Archaeological Report prepared by AHMS and should be referred to.

Description of the Proposal

5.0

5.1 Proposed Works

It is proposed to redevelop the subject site as a commercial and retail centre through adaptive reuse of significant buildings on site and demolition of the remaining less significant ones. Specifically, the proposal comprises:

- Demolish buildings B4, B7, B8, B9, B10, B12, B16, B19, B20 and B21 & 22, including boundary wall (Refer figure 3.8).
- Retain buildings B1, B14, B15 and B18 in their existing form and adapting them to new uses.
- Retain roof form of building B3 by dismantling the existing roof structure, and reconstructing it above the new roof (slight relocation centred above the proposed travelators) reusing original elements.
- Retain the facade brick piers to building B2, and roof structure reusing the original trusses while replacing the AC roofing with new metal roofing.
- Retain Princess Street facade to building B11.
- Construct a new single storey retail building with an undercroft parking covering most of the main site and open surface parking on the adjacent swimming pool site

(Refer proposed drawings in appendix)

Assessment of Heritage Impact

6.0

6.1 Introduction

This Statement of Heritage Impact has been prepared in relation to the following criteria: *Bathurst Draft Interim Local Environmental Plan (LEP)* and the New South Wales Heritage Office Guidelines, *Altering Heritage Assets and Statements of Heritage Impact*.¹

The subject property is listed as a heritage item on the Bathurst Regional Council LEP and also falls within a Conservation Area.

6.2 Bathurst LEP - Heritage Provisions

The heritage objectives of the LEP, as per clause 23 are:

Part 4 Heritage provisions

23 Protection of environmental heritage

(4) The consent authority must not grant consent to development of land on which a heritage item is located, within the vicinity of a heritage item, or within a heritage conservation area, unless it is satisfied that the impact of the proposed development on the heritage significance of the relevant heritage item or of the heritage conservation area is acceptable to the consent authority.

Comment: This report will assist the Council in assessing the impact of the proposal and shows that the impact is acceptable in heritage terms.

(5) In the case of proposed development that requires consent under this clause, being development that would affect a heritage item, the assessment in subclause (4) must include consideration of a heritage impact statement that addresses the following matters:

- (a) the heritage significance of the item as part of the environmental heritage of the local government area of Bathurst Regional,*
- (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or cultural features.*
- (c) the measures proposed to conserve the heritage significance of the item and its setting,*
- (d) the extent to which the carrying out of the proposed development will affect the form of any historic subdivision.*

Comment: These matters have been addressed in the later section of this report.

(6) In the case of proposed development in a heritage conservation area that requires consent under this clause, the assessment in

¹ The NSW Heritage Office definition of heritage items: "Heritage items can be buildings, structures, places, relics or other works of historical, aesthetic, social, technical/research or natural heritage significance. 'Places' include conservation areas, sites, precincts, gardens, landscapes and areas of archaeological potential."

subclause (4) must include consideration of a heritage impact statement that addresses the following:

- (a) the heritage significance of the heritage conservation area and the contribution that any building, work, relic or place affected by the proposed development makes to that heritage significance,
- (b) the impact that the proposed development will have on the heritage significance of the heritage conservation area,
- (c) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development,
- (d) the measures proposed to conserve the heritage significance of the heritage conservation area and its setting,
- (e) whether any landscape or horticultural features will be affected by the proposed development,
- (f) the extent to which the carrying out of the proposed development in accordance with the consent will affect any historic subdivision pattern.

Comment: This Heritage Impact Statement addresses these issues.

(7) In assessing a development application to carry out work on a heritage item or within a heritage conservation area, the consent authority may require the preparation of a conservation management plan.

Comment: A Conservation Management Plan has been prepared to accompany the development application.

(8) Before granting consent for development required by this clause that will be carried out in a place of Aboriginal heritage significance, the consent authority must:

- (a) consider the effect on the heritage significance of the place and any Aboriginal object known, or reasonably likely, to be located at the place, and

Comment: Given the long history of European occupation of the site, aboriginal evidence, if any, can only be subsurface. At this stage, the presence of any archaeological aboriginal relics has not been confirmed. Archaeological testing is proposed in the near future under section 140, to be carried out by Archaeological & Heritage Management Solutions Pty Ltd (AHMS).

(9) Before granting consent for development required by this clause that will be carried out on an archaeological site (whether or not it is also the site of an Aboriginal object), the consent authority must:

- (a) consider the effect on the heritage significance of any relic known, or reasonably likely, to be located at the site, and

Comment: A separate archaeological assessment of the site has been prepared by AHMS that addresses the relevant issues.

6.3 Evaluation against the Guidelines of the NSW Heritage Office

This section addresses the proposal in relation to relevant 'questions to be answered' in the *NSW Heritage Manual* 'Statements of Heritage Impact' guidelines relating to changes to heritage items.

The following aspects of the proposal respect or enhance the heritage significance of the site or surrounding area for the following reasons:

- The proposal retains the historic site configuration and boundaries thus retaining an important aspect of its cultural significance.
- The proposal retains significant built elements such as buildings B1, B14, B15 & B18 and parts of buildings B2, B3 & B11.
- The proposal conserves significant visual aspects such as street presentation at the corner of Bentinck & Princess Street, the roof form of the butter factory building (B3) and the landmark tower building (B18).
- The elements proposed for demolition are either intrusive or have neutral contribution to the significance of the site. Their demolition is thus not likely to have any major adverse heritage impact.
- The proposal will save the significant buildings on site from the ongoing deterioration caused due to disuse and an uncertain future.
- It will also provide opportunities for enhancement of significance through physical conservation of buildings, archaeological assessment, interpretation and recording of the site. The proposal includes archaeological testing of site, preparation of an interpretation strategy as well as an archival recording of significant buildings as per recommendations of the CMP (GBA 2007).
- The new development is low height, with a contemporary design scheme that does not compete with the heritage items on site or in the vicinity, thus respecting the significance of the site and the surroundings.
- Certain alterations such as raising the butter factory roof by one storey and creating an atrium space underneath will improve its visibility from a distance (currently the roof is totally obscured) as well as enhance its appreciation from inside.

The following aspects of the proposal could detrimentally impact on the heritage significance of the site or surrounding area for the following reasons:

- There are no aspects of the proposal which are regarded as detrimental to the significance of the site and its surroundings. Although the proposal involves extensive demolition, the affected items are not regarded as contributing to any great degree to the overall historical and social significance of the site.

6.3.1 *Demolition of buildings/structures: Buildings B4, B7, B8, B9, B10, B12, B16, B19, B20, B21 and B21*

• *Have all options for retention and adaptive re-use been explored?*

The buildings, owing to their small size, scattered layout and haphazard construction, will be unable to meet the requirements of a retail facility which are specific in nature, thus making the retention and adaptive reuse of all buildings on site not a feasible option.

• *Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?*

It is not feasible to locate the development elsewhere on the site.

• *Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?*

The site has been in a state of disuse for a long time which has had a severe detrimental impact on its significance. It is unlikely that postponing the demolition will make conservation more feasible. In fact, the longer the site is left unused the greater the chance of further destruction/deterioration (note 2006 fire).

• *Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not?*

Graham Brooks & Associates Pty Ltd have provided independent advice and have been involved in the design process since the early stages of the project.

6.3.2 *Partial Demolition of buildings/structures: Building B2, B3 and B11*

• *Is the demolition essential for the heritage item to function?*

The buildings have already been compromised by unsympathetic later alterations. Proposed partial demolition is essential for the proposed retail function.

• *Are particular features of the item affected by the demolition?*

The significant aspects of these building such as street facade and roof form/truss elements to Building B2, roof form to building B3 and Princess Street facade to building B11, are not affected by the demolition.

• *Is the detailing of the partial demolition sympathetic to the heritage significance of the item?*

The detailing of partial demolition is considered sympathetic to the existing fabric.

- *If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?*

The proposed partial demolition is more of a feasibility issue and is not a result of the condition of fabric.

6.3.3 *Change of use: Overall site*

- *Does the existing use contribute to the significance of the heritage item?*

The site is presently not in use, which is detrimental to its significance. During the site's occupation over the last century and a half, the site has served diverse uses such as a convict hospital, swimming pool, brewery, soap factory, dairy factory and workshop. The current change of use can be seen as continuation of this pattern of the site's evolution through adaptation, removal and addition of buildings.

- *Why does the use need to be changed?*

The site has long grown out of its last use as a dairy factory and has been in a state of neglect and disuse since its closure.

6.3.4 *Major additions: New main building*

- *How is the impact of the addition on the heritage significance of the item to be minimised?*

The new additions are not seen as having any major impact on the significance of the site. Nevertheless, the impact can be minimised by limiting the bulk and height of the new development and by implementing a design scheme that is sympathetic to the significance of the site and its surroundings. The proposed scheme is successful in achieving the above mentioned aspects.

- *Will the additions tend to visually dominate the heritage items?*

The new building block is low height thus limiting its visual impact on the existing buildings.

- *Are the additions sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?*

The Archaeological Assessment report prepared by AHMS addresses the impact of the proposed development on archaeological significance of the site. There are no alternative positions for the additions.

- *Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?*

Generally, the additions are considered sympathetic to the significance of the site. The new elements do not obscure the

presence of existing fabric. The proposed finishes do not include face brick which will serve to enhance the visibility of the existing fabric. The proposed scheme, in fact, ties the heritage items together.

6.3.4 New development adjacent to heritage items

Heritage items in the vicinity comprise:

State listed cottages 67-71 Bentinck Street, mature Elm trees along Howick Street; and locally listed Gladstone Terraces 52-60 Bentinck Street and residence south of the swimming pool site.

The proposed scheme retains the buildings along Princess & Bentinck Streets thus providing a continuity of context for adjacent Gladstone Terraces and cottages along Bentinck Street opposite the site. Impact on the latter is also limited by the large width of the street and the single storey height of the proposed development. The Elm trees are located further away from the site and are not visually impacted by the development. The swimming pool site is proposed as an open space and will not impact on the residence to its south. In fact demolition of existing buildings B21 & B22 may expose the residence to view. The large level difference between the sites further mitigates impact.

6.3.5 Minor additions/alterations: New main building

- How is the impact to be minimised?

The proposal involves only a few alterations/additions of minor nature such as inserting windows into B1. These have been carried out in a sympathetic manner in order to minimise impact.

- Will the additions tend to visually dominate the heritage items? Are they sympathetic to the heritage item?

In what way (e.g. form, proportions, design)?

The new windows to building B1, with their vertical proportions and small scale, visually fit into the existing configuration and in fact complement the existing facade.

7.0

Conclusions & Recommendation

7.1 Conclusion

The proposed redevelopment of a defunct site that is deteriorating rapidly due to disuse, is considered as a positive action from a heritage point of view. The proposed design scheme respects the significance of the site. It achieves the design and feasibility objectives in a manner sympathetic to the site's heritage. The conservation benefits of the proposed scheme far outweigh any adverse impact that it may have on the site and its surroundings.

The Bathurst Regional Council should have no hesitation in approving the development application.

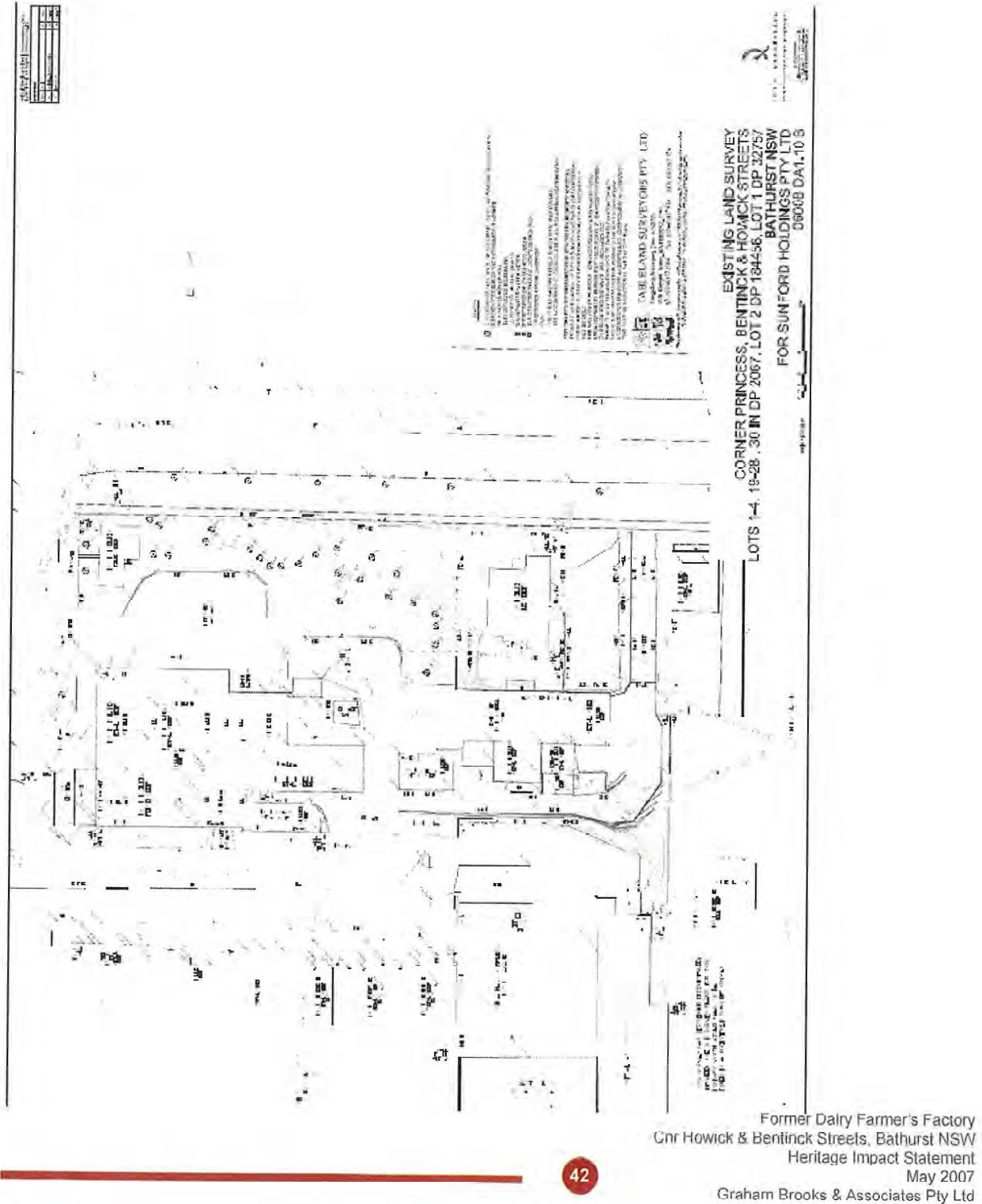
7.2 Recommendation

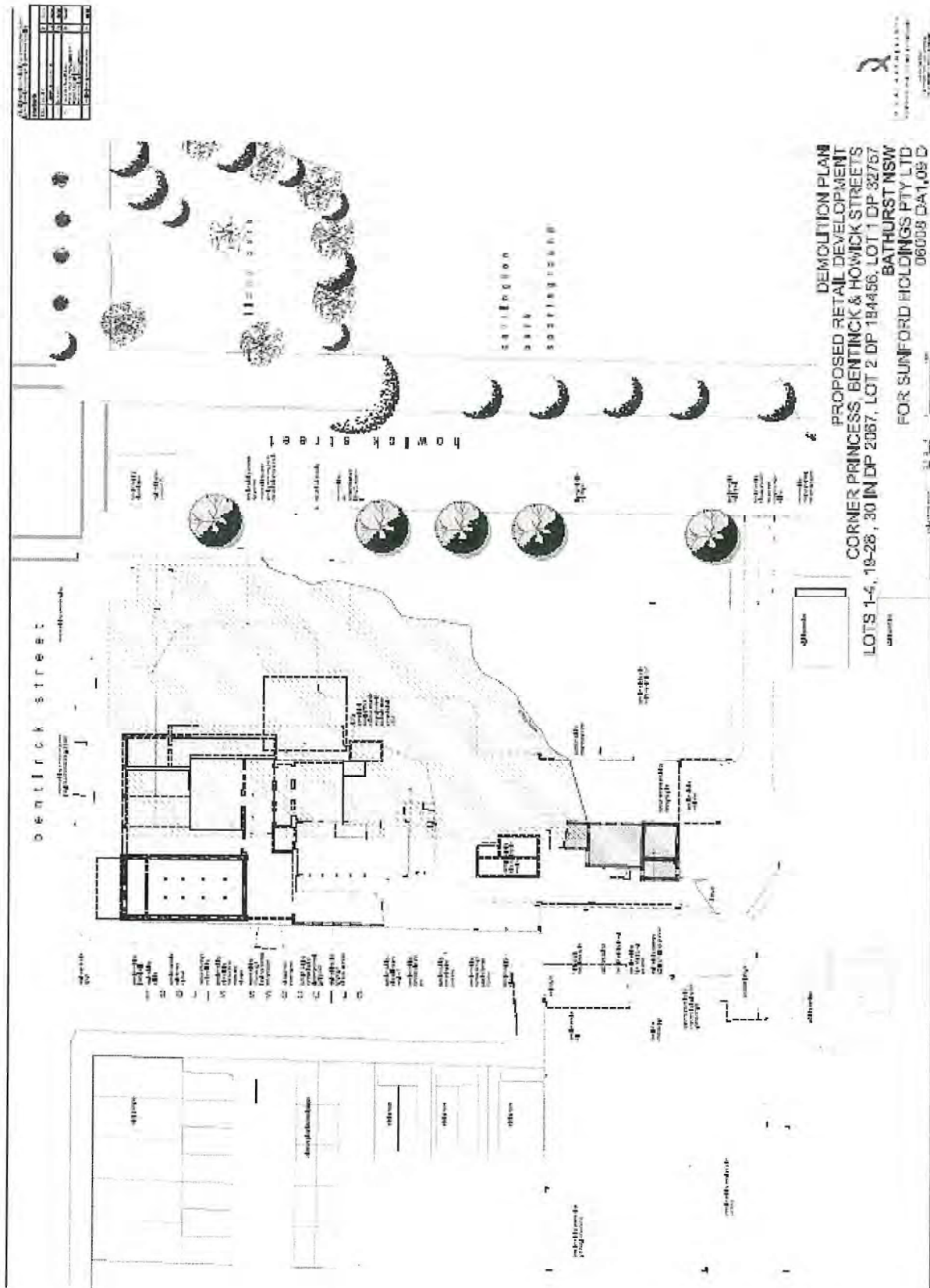
A copy of this report should be lodged at the local library.

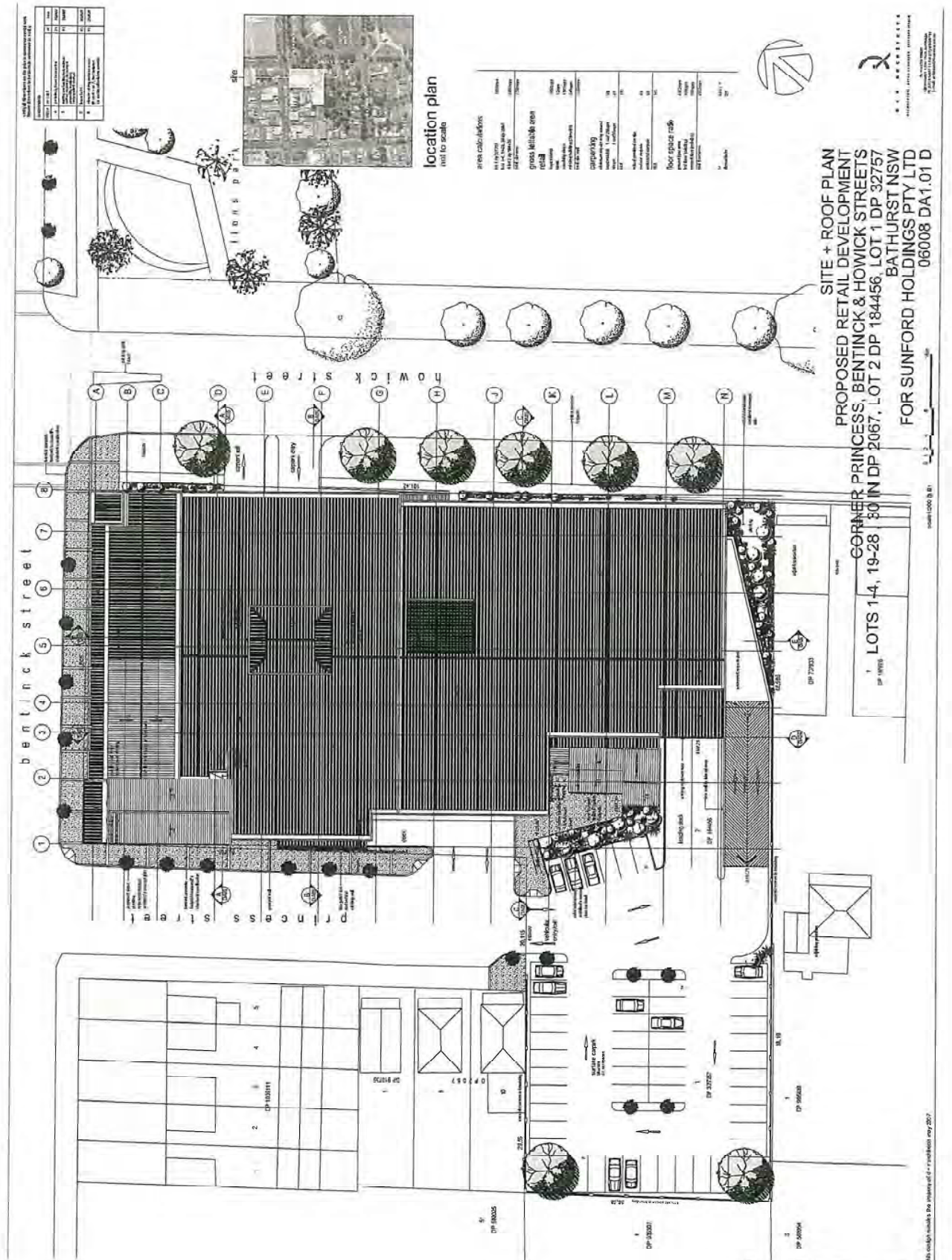
Appendix

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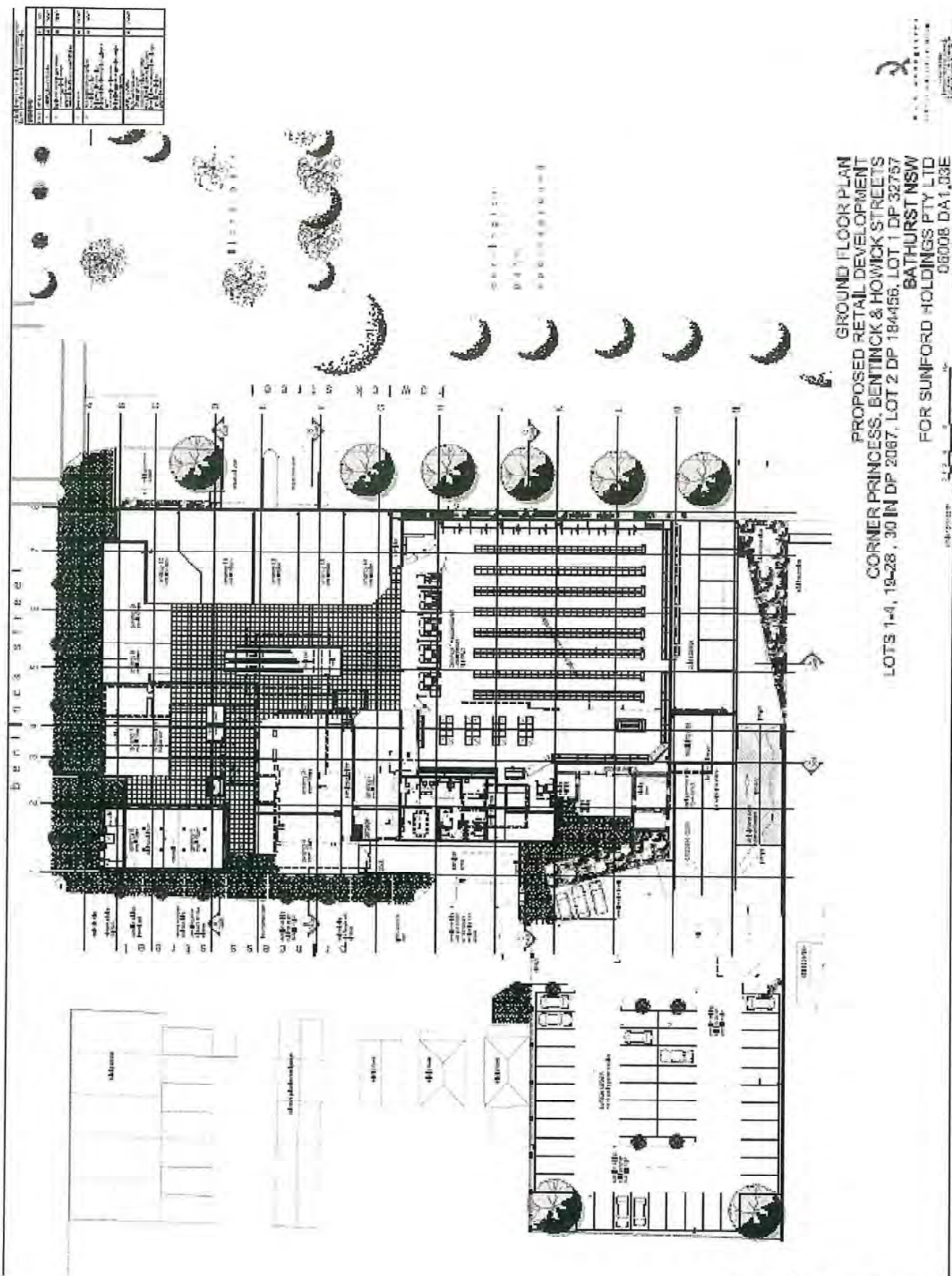
8.1 Drawings showing proposed design (designed and prepared by D+R architects)





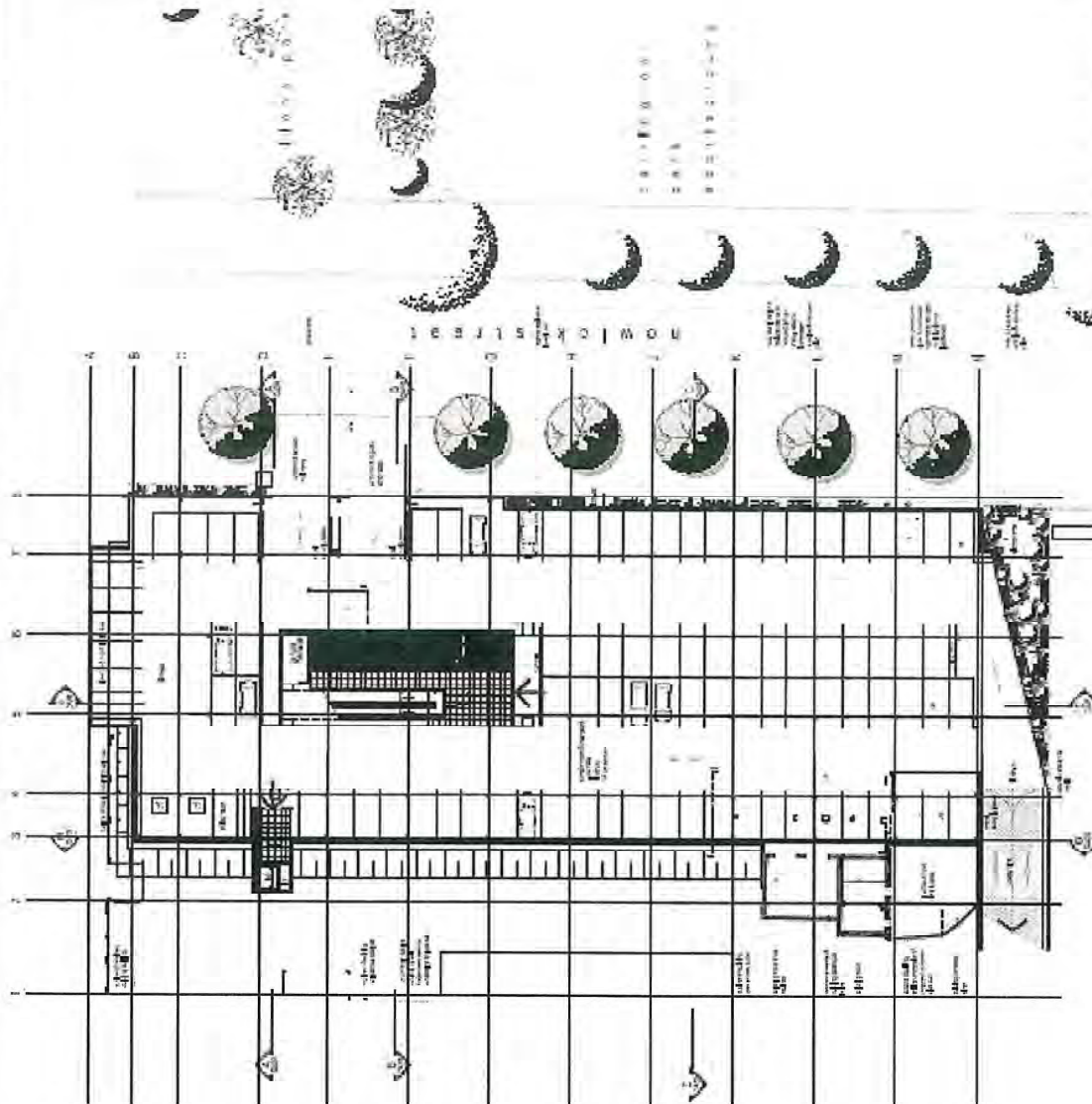


Former Dairy Farmer's Factory
Cnr Howick & Bentinck Streets, Bathurst NSW
Heritage Impact Statement
May 2007
Graham Brooks & Associates Pty Ltd



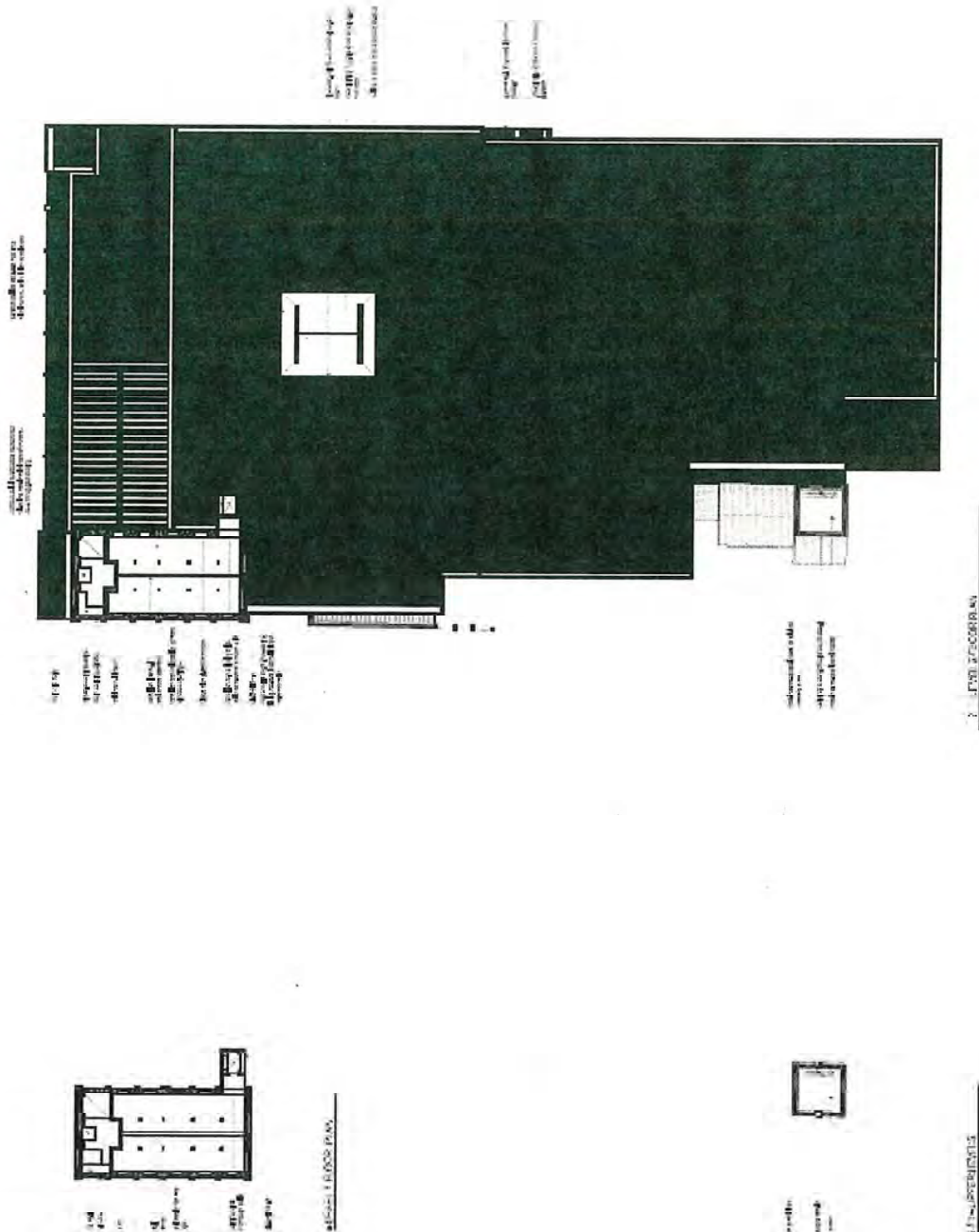
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NO.	REVISION	DATE
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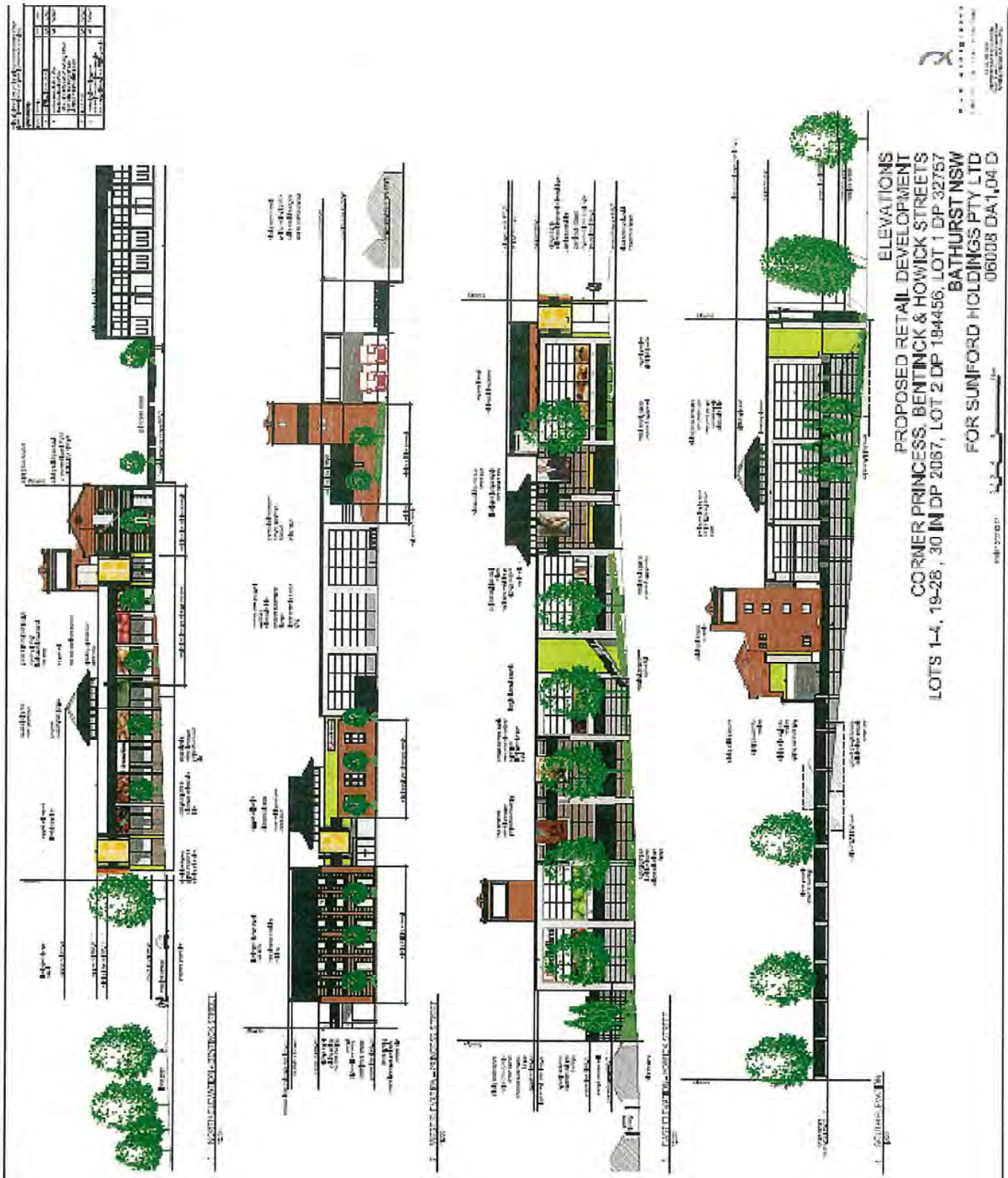
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 CORNER PRINCESS, BENTINCK & HOWICK STREETS
 LOTS 1-4, 19-28, 30 IN DP 2057, LOT 2 DP 184456, LOT 1 DP 32757
 BATHURST NSW
 FOR SUNFORD HOLDINGS PTY LTD
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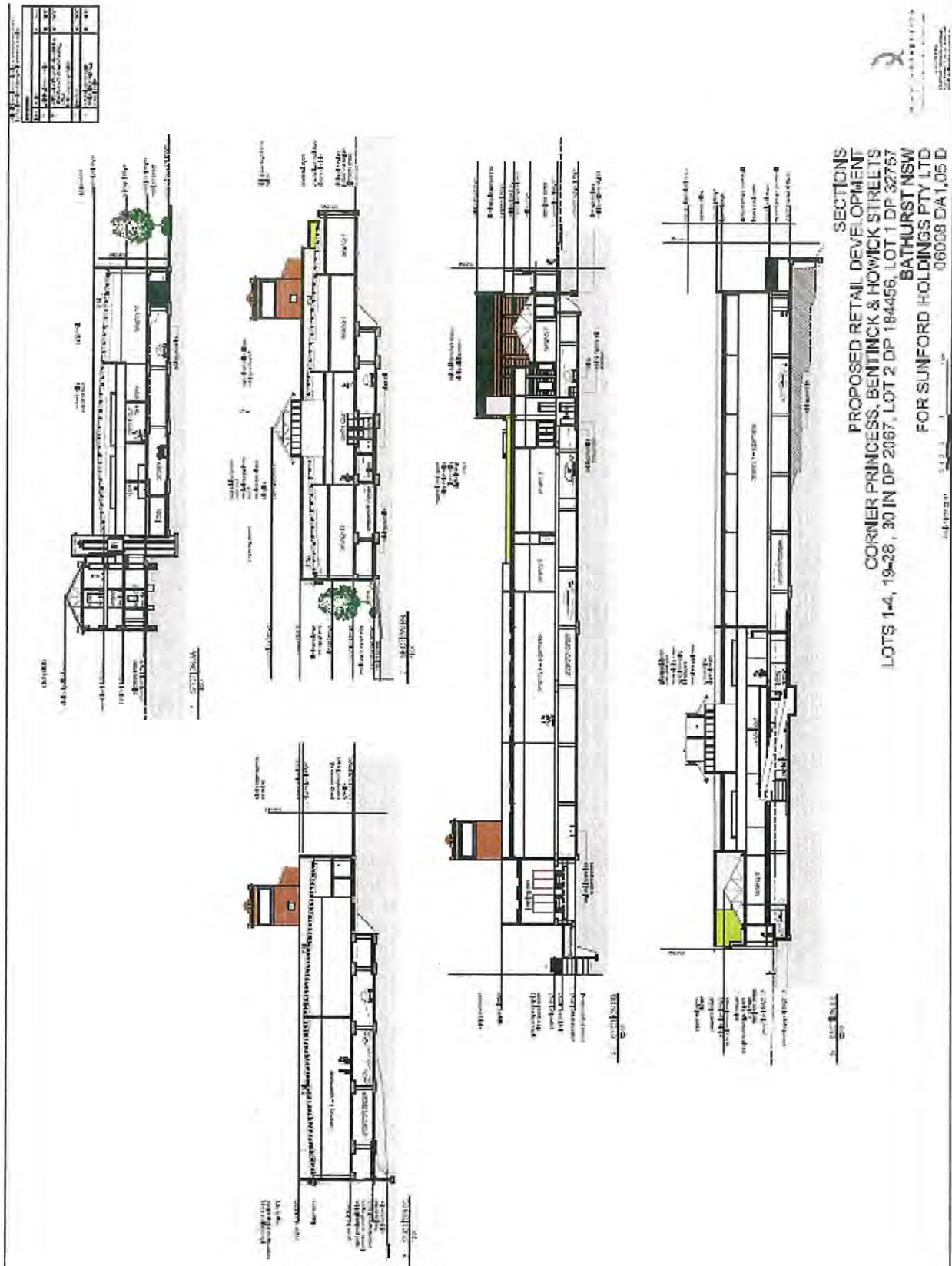
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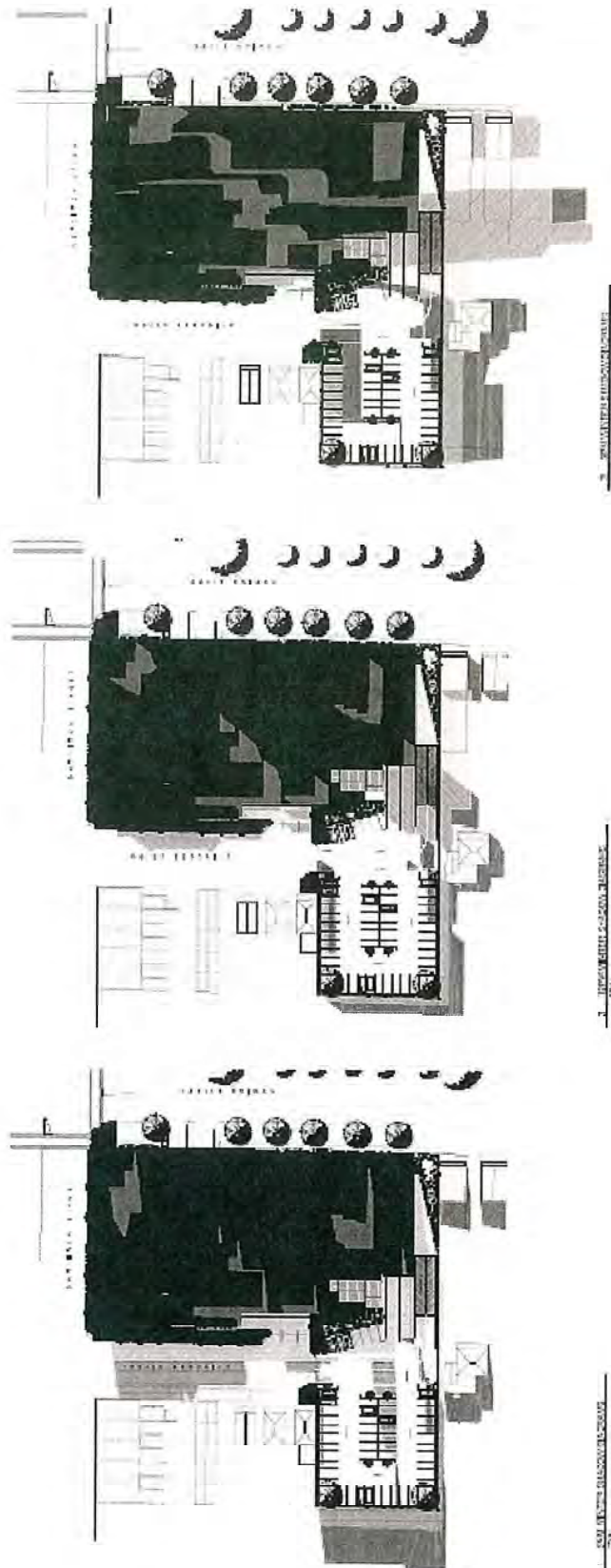
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 Heritage Impact Statement
 May 2007
 Graham Brooks & Associates Pty Ltd





NO.	REVISION	DATE
1	ISSUED FOR TENDERS	10/05/07
2	FOR PRELIMINARY REVIEW	10/05/07
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4	FOR PRELIMINARY REVIEW	10/05/07
5	FOR PRELIMINARY REVIEW	10/05/07



existing shadows
proposed shadows

SHADOW DIAGRAMS
PROPOSED RETAIL DEVELOPMENT
CORNER PRINCESS, BENTINCK & HOWICK STREETS
LOTS 1-4, 19-28, 30 IN DP 2087, LOT 2 DP 184456, LOT 1 DP 32757
BATHURST NSW
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ARCHAEOLOGICAL RESEARCH DESIGN, FORMER DAIRY FARMER'S SITE BATHURST FOR TRIMONT PTY LTD



1912 Parish Map of Bathurst showing the convict hospital site (Land and Property Information, NSW).

November 2012



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1. INTRODUCTION

1.1 Background & Project Initiation

Archaeological and Heritage Management Solutions Pty Ltd (AHMS) has been commissioned by DEVELOP to undertake an Excavation Permit application on behalf of Trimont Pty Ltd for the former Dairy Farmers Co-Op site, in Bathurst.

In 2007 AHMS had obtained a Section 140 permit and undertaken test excavations for the Henry Kendall Group on the site (see Appendix A). The objective of that testing was to determine if remains of the 1820s convict hospital remained on the site. The outline of results of that testing are present below in Section 3. On site discussions with officers of the NSW Heritage Branch, during the testing phase, indicated that more testing may be required under the standing dairy buildings, once they were demolished.

Subsequent to the 2007 testing program the site ownership changed and a new Development Application was to be submitted to Council. The plans and elevations of that development are shown below in Section 4. As the 2007 permit is due to expire this Research Design has been commissioned on behalf of Trimont Pty Ltd to accompany a new application to the NSW Heritage Council for a Section 140 Excavation Permit for the site.

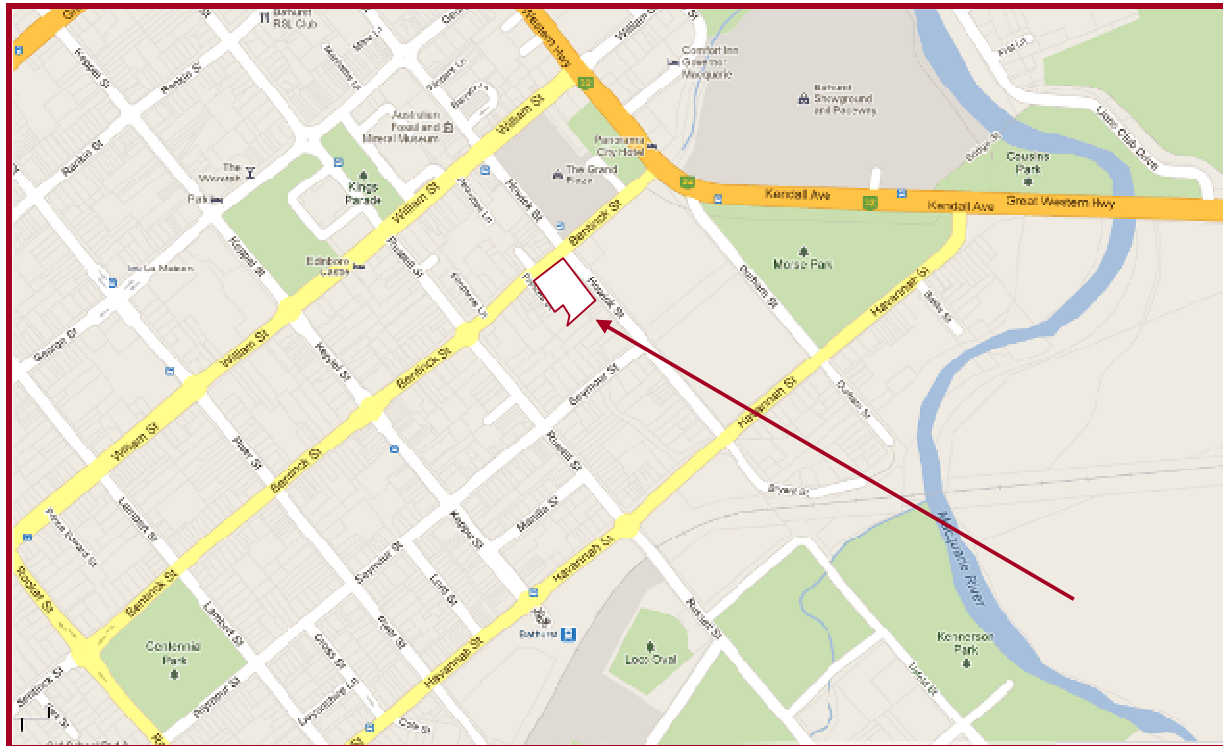
1.2 Site Location & Configuration

The study area consists of Lots 1, 2, 3, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 30 DP 2067 and Lot 2 DP 184456 in the Parish of Bathurst, County of Northumberland See (Figure 1.2). It is located at the corner of Howick and Bentinck Streets Bathurst, NSW, opposite Carrington Park as shown in Figures 1 and 2.

Currently the site is occupied by a large complex of 1 to 2 storey industrial structures associated with the dairy co-operative and concrete apron and ramp for vehicle access to various parts of the site. In addition two brick cottages are present at the north east and south east corners of the site (See Figure 3).

Part of the dairy complex was damaged by fire in November 2006.¹

¹ <http://abc.net.au/news/items/200611/1792044.htm?centralwest>

FORMER DAIRY FARMERS SITE, BATHURST ARCHAEOLOGICAL RESEARCH DESIGN**Figure 1 Site location in Bathurst****Figure 2 Aerial view of site location in Bathurst.**

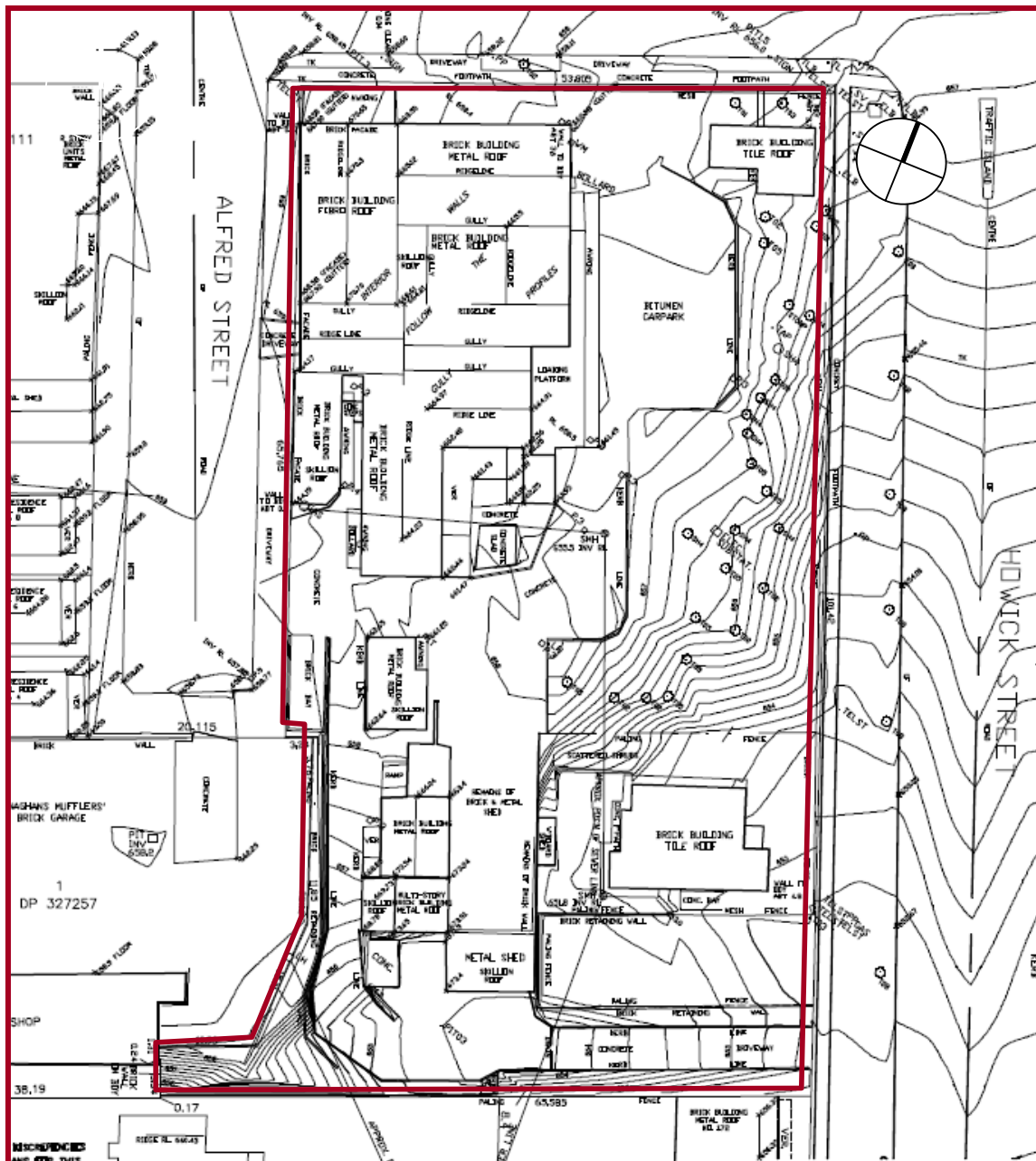
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Figure 3 Site of former Dairy Farmers Co-Op showing survey of current structures on of the study site. Extent of study site indicated.

2. SITE HISTORY

2.1 Introduction

The following historical outline of the development of the site is derived from John Armes and Associates 2004 Conservation Management Plan for the site.² This information is supplemented with research undertaken at Mitchell Library, Sydney, National Library and the Bathurst Historical Society for images and maps and plans of the site.

2.2 Pre-European and Early Town Development

The present site of Bathurst was part of the traditional lands of the Wiradjuri Aboriginal people³. As demonstrated across western NSW, the material culture of the Wiradjuri people was diverse, with people manufacturing a wide range of tools and items. Recorded clothing items included skin cloaks and belts for hanging and carrying tools. A typical tool kit included spears, clubs, boomerangs, stone hatchets, spear throwers, nets, digging sticks, shell scrapers, bone needles and wooden containers. Flaked stone tools were also an important component of the Aboriginal tool kit. A typical dwelling was of the 'gunyah' type constructed from tree branches thatched with grass.⁴

Prior to European contact, hinterland groups such as the Wiradjuri were largely dependent on freshwater and terrestrial animals and plants. A wide range of animals and plants were consumed, including wallabies, kangaroos, possums, flying foxes, water birds, parrots, reptiles, freshwater fish and yabbies, mussels and eggs. The tuberous roots of plants were also targeted, together with nuts and seeds. The Bathurst Plains was an area of major economic importance to the local Aboriginal people because of the quantity and availability of food and water present in the area. The Macquarie River, in particular, would have supported a wide range of animal and plant species that could be eaten or used for other purposes, such as providing shelter and medicines. A number of trees along the river would

² Armes and Associates, 2004, *Dairy Farmers Depot, Bentinck Street, Bathurst, Conservation Management Plan*.

³ Tindale, N., 1974, *Aboriginal Tribes of Australia*, Australian National University, Canberra, p.34

⁴ Gresser, P. J. (1964) *Aboriginal Graves and Scarred Trees*. Australian Institute of Aboriginal and Torres Strait Islander Studies. Library Manuscript 21/4 and Clark, P. M. (1977) *Aboriginal Campsites along Water Hole Flat Creek*. Unpublished BA(Hons) thesis, Department of Prehistory and Anthropology, Australian National University.

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have supplied bark that could be used in the production of twine for nets and baskets. The proximity of the study area to such an important resource zone has implications for the presence of Aboriginal campsites.

Governor Macquarie proclaimed the site of the town of Bathurst on 7 May 1815 during his journey over the Blue Mountains (see Figure 4).

After Breakfast, all the Gentlemen and other People assembled for Prayers and Divine Service; but previous thereto they were all mustered for the purpose of witnessing my christening the new intended Town on this beautiful spot, which I accordingly named "Bathurst" in honour of the noble Earl of that name, now His Majesty's Principal Secretary of State for the Colonies...

After Divine Service had been performed, I accompanied Mr. Cox, and Messrs. Oxley and Meehan the Surveyors, to lay down and mark out the lines of the town of Bathurst at the spot fixed on now here for that purpose, immediately in rear of the present Head Quarters; reserving a sufficient space next the River for a small Government Domain, extending Half a mile in front and a quarter of a mile in Depth. I also had marked out immediately in rear of the Flagg-Staff [sic] the Spot intended for the Government House being erected on hereafter. ⁵

The site had originally been the depot for Cox's road building team at the terminus of the road from Emu Plains.

The boundaries of the early town and a site for a government house and domain were marked out by Macquarie during his journey. Few grants, however, were authorised during the first few years, as Macquarie was reluctant to open up the rich Bathurst Plains to a large settlement. One of the first grants issues was 1,000 acres to William Lawson, one of the three European explorers who crossed the mountains in 1813. William Cox, the road builder, was another early grantee who held most of the land east of the Macquarie River.

In February 1818, 50-acre farms and 2-acre town allotments were released to ten men. The town allotments were located across the river from existing government buildings-at that stage the western side of the river was accessible only to convicts and Government employees. Following the dismissal of government supervisor Richard Lewis and acting commandant William Cox, Lieutenant William Lawson became Commandant of the settlement. By December 1819, the population of Bathurst consisted of only 120 people in 30 houses. Two thirds of the population was living in the township of Kelso, on the eastern side of the river, and the remainder on rural landholding nearby. The 1820 Official Report numbered 114 settlers, including only 14 women and 15 children. Government buildings at

⁵ *Macquarie's Journal May 7, 1815*

<http://www.lib.mq.edu.au/digital/lema/1815/1815may.html#may7>.

this time consisted of a brick house for the Commandant, brick barracks for the military detachment, houses for the Storekeeper, Chief Constable and Superintendent of Convicts, as well as a store, a barn and log house for 50 convicts who worked on the government farm (see Figure 5).

Within a few years of European settlement conflict between local Aborigines and white settlers erupted in the Bathurst area. Both parties were dependent on use of open land and this conflict of interest resulted in violence. In the Bathurst area Aboriginal resistance to the loss of their territory was most pronounced between 1822 and 1824 when the European population had reached 1,267. By 1825 over 91,000 acres of land had been cleared and fenced removing a sizable proportion of the land from Aboriginal use. Groups of Aborigines were massacred during this period in retaliation for protecting their territory. The dramatic drop in the local Aboriginal population that resulted meant that intense resistance was fairly short lived. Minor skirmishes, murders and massacres, however, continued into the 1840s.

Growth of Bathurst remained restricted until 1826 when Governor Darling took over administration of the colony. In that year the restricted access to the western side of the river was lifted and J.B. Richards surveyed the site for the future town. In 1830 Thomas Mitchell is believed to have designed Bathurst town. However, Richards did not complete the layout of the streets until late 1833; two years after the first sales were held.

2.3 Convict Hospital 1824-42

With the opening up of the district for settlement and the development of the town it became necessary to provide facilities for the expected population. The first hospital, a government establishment for convicts, was built in 1824 and consisted of a four-roomed weatherboard building on the corner of Howick and Bentinck Streets in an area set aside as a reserve in Section 9 of the town (see Figure 6).

The topography on Brindley's map of 1846 indicates that the site was on a small rise overlooking what was referred to as the Queen Charlotte Ponds /Vale Creek, now piped underground (see Figure 7). Brindley's plan shows a horseshoe shaped building fronting Howick Street in the centre of the reserve. No other structures or features are shown on the site.

The hospital was initially for the use of male prisoners and soldiers but later it served the assigned servants of local settlers. Gradually over time it ceased being an exclusive convict hospital and was used to service the wider community.

The first medical officer appointed to the Hospital was Dr William Richardson. He was replaced in 1828 by Dr George Busby the son of engineer John Busby of Sydney who had

constructed Busby's Bore which supplied town water from 1837 onwards. George had received his training in Edinburgh and was chosen as Assistant Colonial Surgeon at the Norfolk Island penal settlement prior to his appointment at Bathurst. The Colonial Medical Service attempted to promote Busby and appoint him to another facility, a move which he refused. The autocratic administration of the Medical Service at the time penalized Busby for this refusal, despite long and meritorious service. After the closure of the Bathurst Hospital as a convict establishment in 1842, his position in the Colonial Medical Service was terminated and he was refused a half pension on these grounds. He continued to practice medicine at Bathurst Hospital until his death in 1870.

2.4 District Hospital 1842-78

Following the end of convict transportation to NSW in 1840 convict hospitals were slowly converted to community-operated institutions. The government hospital at Bathurst was closed and offered to the local population as a District Hospital in 1842 and it was administered by a local committee from that date. Funds for the running of the establishment were largely from local subscriptions and a small Government subsidy.

The 1850s and the onset of the gold rush saw the Hospital under severe stress to cope with the increased demand for medical services. The local businessman James Rutherford, general manager of Cobb and Co had relocated the business to Bathurst. He was quickly elected to the committee to manage the Hospital and saw firsthand how the service struggled under debt. In concert with Mr. McPherson and Mr. Wilton he arranged to clear the debt of the hospital and provide funds for the construction of the dispensary.

The arrangement of the hospital was recorded by the son of the hospital superintendent in the 1870s for the first time (see Figure 8). It illustrates a horseshoe shaped structure with the courtyard formed by projecting wings running away from the street frontage. This frontage had the men's ward to the right and the women's wards to the left with a porch/passage dividing the two. This passage led to the courtyard which contained a central well. The superintendent's quarters were situated in one rear wing and the attached kitchen in the other. The small dispensary built with funds from Rutherford *et al's* efforts adjoined the superintendent's quarters.

By the late third quarter of the 19th Century the developing town was beginning to outgrow its first hospital and moves were made to build a new facility. On 5 May 1876 six acres of Crown Land (Section 60) were selected for the new hospital and granted to the Bathurst Hospital Committee and an Act was gazetted to provide funds for the new facility.⁶ A

⁶ *"An Act to authorize the sale of the site of the Bathurst Hospital and to provide for the expenditure of the money received therefrom in the erection of suitable buildings for a like purpose on a new site. (1876) (39 V)"*

tender to construct the new hospital was accepted in February 1878. The site was on elevated ground situated at the northern end of Bathurst town, about three-quarters of a mile from civic buildings. The design for the new hospital was won by Sydney architect, William Boles, designer of a number of churches during the 1870s, including St Joseph's Catholic Church, Edgecliff, Windsor and the Wesleyan Church. Lord Loftus, the then Governor of NSW, opened the new hospital building on 9 November 1880. Patients were moved into the new building on 4 December. On December 5th 1878 the old hospital had burnt down (see Figure 11). Staff were able to remove the 28 patients and much bedding and furniture from the building without loss of life. Subsequent correspondence in the SMH regarding the fire provides some evidence for construction details of the hospital.⁷ While the construction details of the Bathurst Hospital are not stated directly a correspondent enquires if a similar fire could destroy the weatherboard hospital in Macquarie Street, Sydney. This suggests that the Bathurst Hospital was similarly constructed.

The site was subsequently subdivided in 1887 to become Lots 1-10, 11-30 of DP 2067.⁸ The Gladstone Terraces built in 1888 and which today front Bentinck Street were constructed on Lots 5 and 6. Cottages were also built on Lots 7 and 8 fronting Princess Street.

2.5 1880s Onwards

2.5.1 Bathurst Swimming Pool

Bathurst's first swimming pool was constructed at the end of Princess Street in the late 1880s at about the same time as the subdivision of the original hospital reserve. It was probably constructed on part of Lot 11 of the subdivision (now Lot 2 DP 184456). Little is known of the construction of this facility and of the few photos which show the site little is discernible regarding details of the site (see Figure 14). The siting of the pool in this area of Bathurst may be related to the provision of a water supply. Early plans show the water course of Queen Charlotte Vale Ponds (compare Figure 5 and Figure 10). By the end of the 19th Century this water course had been piped under the corner of the south-east corner of the block and across what was to become Carrington Park. The parish plan of 1882 shows the North West corner of this park as set aside for a pumping station, presumably for this water source (see Figure 12). It does not appear that this development proceeded however.

The baths were officially opened by the Mayor in 1890. The fortunes of the pool were to wax and wane over the next few decades as a variety of owners purchased the concern and

⁷ *Sydney Morning Herald*, December 6th.

⁸ *Subdivision of Allotment 16 Section 9, City of Bathurst*.

then fell into difficulties. The baths continued in operation until the 1920s when they were in the ownership of the adjacent brewery, James Walker and Co.

In the early 1920s the brewery offered to sell the facility to the local Council; however this offer was initially refused but by 1923 it had agreed to the purchase for 750 pounds. While the pool did come in for criticism it continued to operate as the only public swimming facility, other than the river, until the construction of the Olympic pool in Elizabeth Street in 1953.

2.5.2 Butter Factory

In May 1902 an advertisement appeared in the Bathurst daily Times which invited tenders for the construction of a butter factory at the corner of Bentinck and Howick Streets for the Bathurst Co-Operative dairying Co Ltd and after due consideration the tender of Mr. A.E. Ennis was accepted for 967 pounds. The Bathurst daily Times noted that the new butter factory opened on October 10, 1902.⁹

The 1902 plans for the site show a central brick building with weather boarded attached offices, wash room, receiving and test room. A detached weatherboard machinery and boiler room sat at the rear (see Figure 13).

By 1905 the factory was reported to be processing over 18,000lb of cream, manufacturing 9,000lb of butter.¹⁰ By 1926 the company had started manufacturing ice and was providing services to freeze meat for export.

The site appears to have been intermittently developed over the period up until the late 1950s with a variety of additions to building stock and facilities upgraded. Most of the recorded additions occur prior to 1917 or after 1941 with work in the 1920s and 30s conspicuously absent from the records.¹¹ These additions include: freezing rooms and sheds (built 1916); garage and ice store room (built 1940s); internal cold store, concrete platforms, fences, walls and gates, amenities building, washroom, brick cottage and cool room (built in the 1950s). All this work was undertaken on the area occupied by the co-op which corresponds to Lots 1-4, 19 to 25 and 30 of DP 2067.

By the late 1950s the co-op had become the sole supplier of milk in the Bathurst area through direct delivery and through sales at stores. In 1950 it had become a branch of Dairy Farmers.

⁹ *Bathurst Daily Times, October 10, 1902.*

¹⁰ *Cited in Armes and Associates.*

¹¹ *Though the CMP notes the installation of a new pasteurizing plant in 1938 that is not otherwise noted in Council records of development on the site.*

By the 1980s the site focused on milk processing but by 1994 had ceased processing and was simply used as a depot for the distribution of milk to the area.

2.5.3 Brewery and Soap Factory

As noted above the brewer Walker was involved in purchasing the swimming pool in 1920. Walker had called for tenders for the construction of a brewery in Howick Street in 1908.¹² At that time Walker operated the Great Western Brewery in Morrisett Street under his own name.¹³ Just prior to his expansion to the site at Howick Street he formed Walker and Co. Ltd which acquired the assets of the Great Western Brewery, Bathurst and the Standard Brewery, Orange. The company was registered in 1903 as “Brewers & wine & spirit merchants” and had offices listed at 10 Barrack St Sydney as well as Bathurst and Orange.¹⁴

It was probably at this stage that the tower was constructed on the southern portion of the site. The brewery operated from Bentinck and Howick Streets through the 1920s. This operation probably relates to that area Lots 26-28 of DP 2067 and Lot 2 of DP 184456 which forms the southern portion of the study area. Walker and Co, Bathurst operated until 1927.

¹² *National Advocate*, April 27, 1908.

¹³ *Deutsher, K, 1999, The Breweries of Australia, Lothian, p. 26.*

¹⁴ *SR Register of Firms, p.233.*



Figure 4 “The Bathurst Plains”, 1815-6, John Lewin (ML V*/Expl/2).



Figure 5 “Bathurst Government Farm - shows Government House Flagstaff, etc.”, J, Richards , n.d.(SR Map 1305). The approximate position of the future site of the hospital is indicated.

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Figure 6 “Map of the Town of Bathurst”, Anon, 1840, (NLA F795). Note that this map dated after the construction of the hospital shows the hospital reserve but fails to indicate the hospital building and may reflect a redrawing of an earlier survey of town allotments.

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Figure 9 Bathurst, 1847-57, Joseph Backler. (ML 973). The approximate area of the site is indicated.

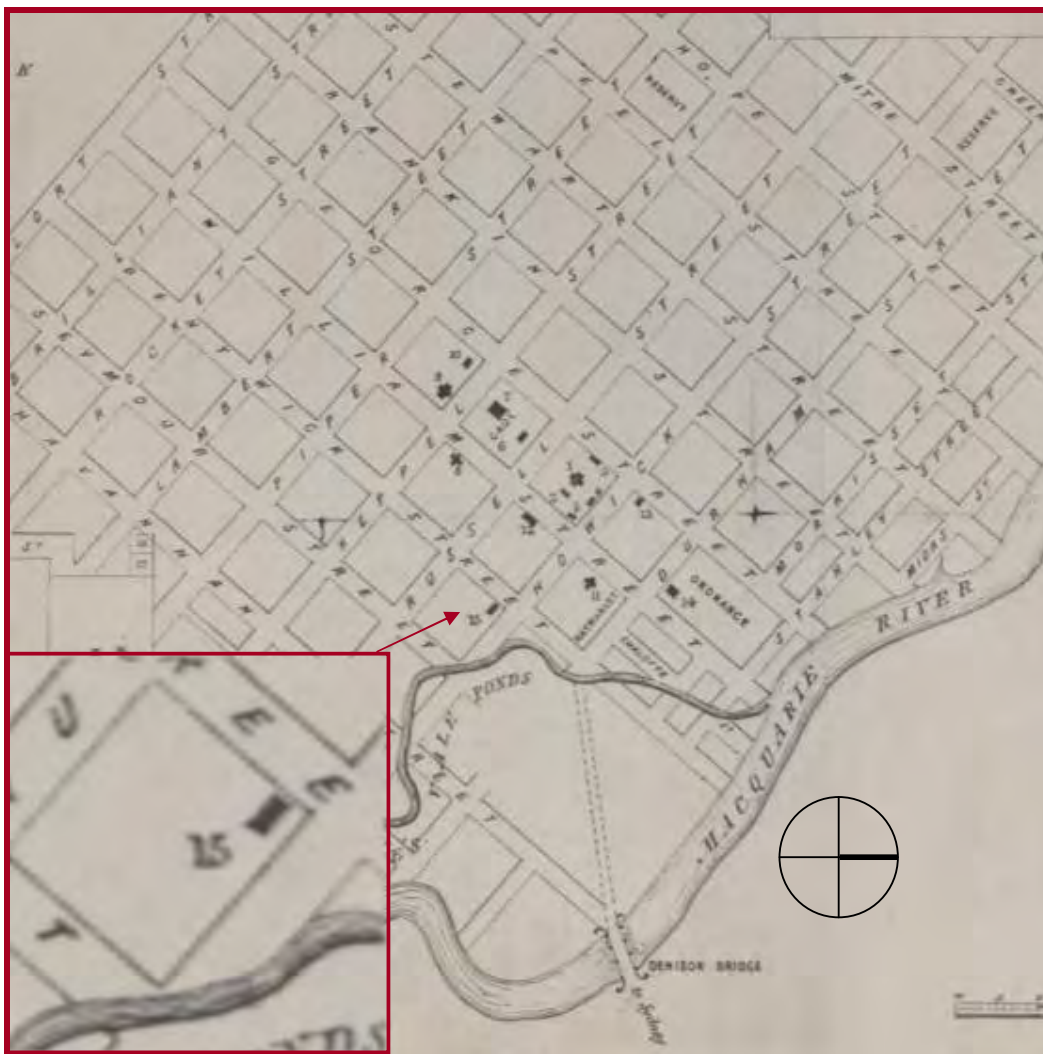


Figure 10 “Map of Bathurst New South Wales“, J. Degotardi, 1862, (NLA F511a). The site of the Hospital is indicated not in the centre of the reserve but at its northern corner.

DESTRUCTION OF THE BATHURST HOSPITAL BY FIRE.

[BY TELEGRAPH.]

(FROM OUR OWN CORRESPONDENT.)

BATHURST, WEDNESDAY.

The Bathurst hospital was accidentally burnt down to-day. The fire was first discovered in the roof, near the kitchen, about 8 o'clock. Efforts were made to subdue the flames, but they were fruitless, and within one hour the whole place was totally destroyed. The patients, twenty-eight in number, were all got out uninjured, together with beds, bedding, and furniture; but the bedsteads and half of the medicines in the surgery were lost. The patients were removed to one end of the Market-building, where they will find accommodation until other provision is made. Mr. R. F. Cousins, president of the hospital, telegraphed to the Colonial Secretary for free passes for fourteen patients, who will be sent to the Sydney Infirmary. The conflagration originated from the kitchen fire and got a thorough hold of the timber before it broke through. The fire created great excitement, and hundreds of citizens visited the scene. Nothing but the bare walls are now standing.

Mr. R. Y. Cousins, the president of the Bathurst Hospital, sent the following telegram last night to the Colonial Secretary:—"Bathurst Hospital totally destroyed by fire. Required twelve railway passes for patients, so that they may be forwarded at once to the Sydney Infirmary." The Hon. Michael Fitzpatrick lost no time in making the arrangements desired, and at a later hour of the evening the Hon. John Sutherland received a telegram, of which the following is a copy, from the station-master at Bathurst:—"I have arranged with secretary and medical officers to convey twelve or fourteen hospital patients to Sydney. They will be sent by the train which leaves here at 10 o'clock to-morrow morning."

Figure 11 Report of the destruction of the hospital on December 5, 1878 in the Sydney Morning Herald. (Trove)

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Figure 12 Parish plan of 1882 showing the Hospital building still in position 4 years after the fire which destroyed it. The fact that it is still shown may relate more to failure to update existing plans rather than evidence that the structure still stood. Note also the indicated position of a pumping station at the north west corner of the adjacent public recreation area. From its deletion on the plan it would appear that this development did not proceed. (NSW Lands Department).

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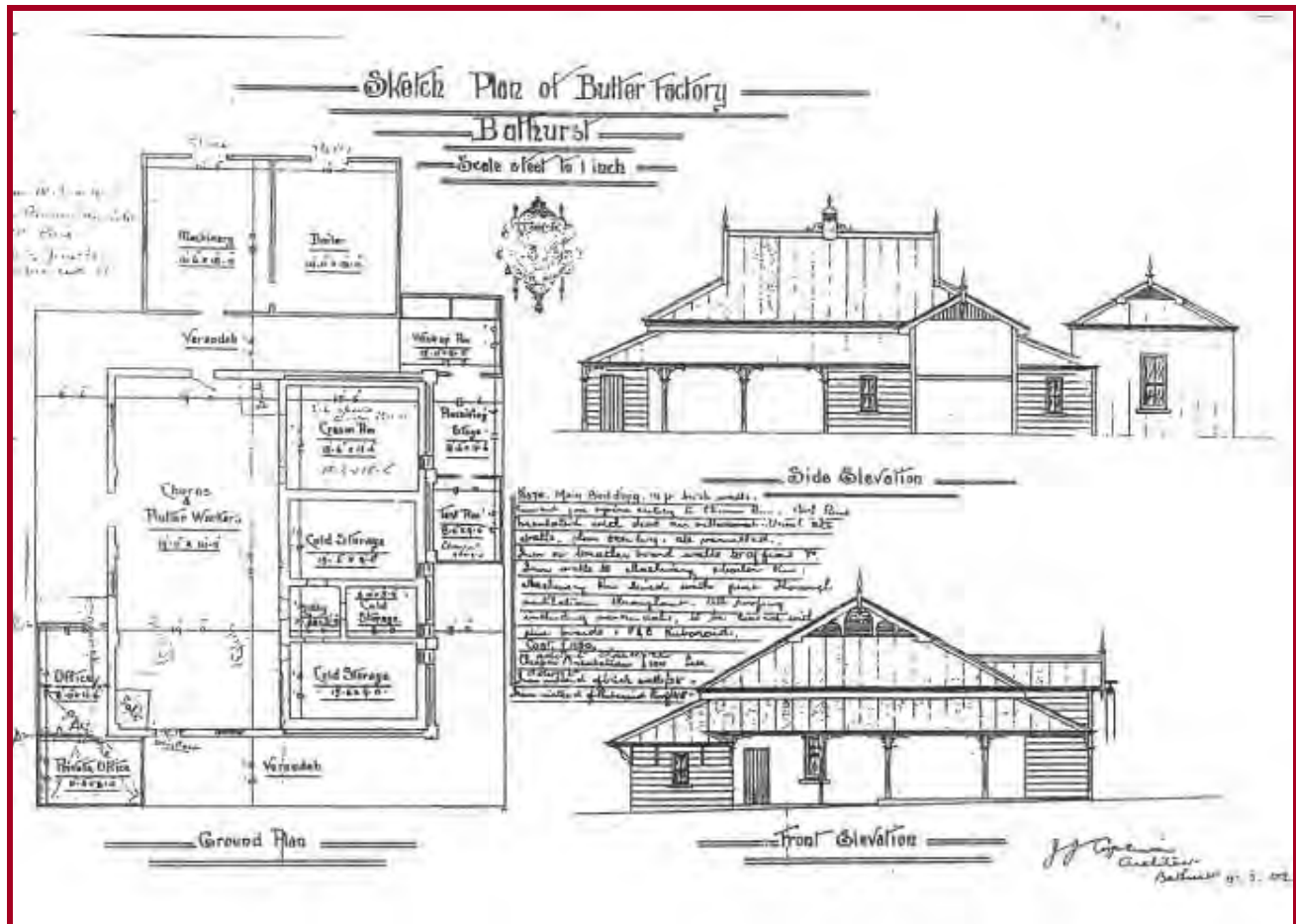


Figure 13 “Sketch Plan of Butter Factory, Bathurst”. 1902 (Reproduced from Armes and Associates, 2004, Figure 10).



Figure 14 Swimming Baths, Bathurst c.1923, (BDHS Greg S172).

3. ARCHAEOLOGICAL TEST EXCAVATIONS

3.1 Introduction

Test excavations were commenced on October 22nd, 2007 and were conducted for 2 days. A machine excavator removed the bitumen surface in the open area between the Dairy Office and the main building prior to exposure of underlying deposits. This removal revealed a series of interleaved gravel and ash deposits across the entire northern part of the site.

3.2 Sequences of Deposits

Deeper excavation at the most northerly portion of this open area to investigate deposits at depth was designated trench 1 (see Figure 17 and Figure 18). Trench 1 was sited here to investigate the position of the hospital as indicated by the 1862 Degotardi plan of Bathurst (see Figure 10). This trench measures only 1.5m by 3m by 1.2m deep.

This trench revealed a section which consisted of:

1. Concrete slab (C001) over;
2. Sandy fill (C010) over;
3. Sandy fill with brick fragments (C012) over;
4. Ash layer (C013) over;
5. Dark brown clay loam (C014) over;
6. Mid brown clay loam (C015) over;
7. Water rounded pebbles in gravel matrix (C016).

Trench 2 was excavated to the east of trench 1 and measured 14m by a maximum of 3.7m and reached a maximum depth of 0.8m (see Figure 16). Trenches 2 and 3 were sited here to investigate the most likely position of the convict hospital shown in Brindley's 1846 plan and subsequently adopted by the Parish plans (see Figure 7 and Figure 12).

This trench revealed a section which generally consisted of (see Figure 19 and Figure 20):

1. Concrete Slab (C020) over;
2. Sandy rubble fill (C021) over;
3. Ash layer (C022 = C013?) over;
4. Water rounded pebbles in gravel matrix (C023 = C016).

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Trench 3 was excavated to the south of trench 2 and measured 18m by a maximum of 7m and reached a maximum depth of 1m (see Figure 16).

This trench revealed a section which consisted of (see Figure 21 and Figure 22):

1. Concrete slab (C035) over;
2. Mid brown loam with lenses of ash (C036-043-048) over;
3. Ash layer (C039) over;
4. Water rounded pebbles in gravel matrix (C049).

This general sequence was intercut with a series of service lines and large pits filled with clay loam (C041-046)

Trench 4 was a narrow trench running east west excavated adjacent to trench 1 and measured 22m by a maximum of 1.8m (see Figure 15). It was sited to further investigate the sequence of deposits on the western side of the site.

This trench revealed a section which consisted of (see Figure 23):

1. Red gravel (C051) and dark brown clay/loam (C061) over;
2. Ash layer (C053) over;
3. Dark brown clay loam (C054=C014).

3.3 Interpretation

As outlined in the assessment the site sits on the edge of the Macquarie Soil landscape which can be described as:

- Located on alluvial plains and terraces of the Macquarie River with local relief less than 10m;
- Native vegetation prior to clearance was open savannah grassland;
- Topsoil is dark brown to brown sand up to 1.2 m deep;
- Water worn gravel is found at lower levels.

The site sits on the upper slope of a gentle rise above the Queen Charlotte Ponds watercourse.

Based on this general profile then the brown clay loams (C054, C014) overlying the water rounded pebble/gravel deposits (C023, C016, C049) exposed in the sections outlined above, correspond to the remnant top of the natural soil profile. In two the trenches on the western side of the site (1 and 4) this sequence is relatively intact. However the upper clay/loam portion of the sequence has been truncated in the west in trenches 2 and 3, the most likely site for the hospital.

The ash deposit (c013, C022, C039 and C053), which appears in all exposed sections and in some parts of the site is quite massive (>700mm) must correspond to the historically recorded fire which destroyed the convict hospital in December 1878. In the areas of trenches 4 and 3 it is quite deep but trenches 1 and 2 show it only as a thin band of deposits, sometimes interleaved with brown loam. This distribution and disturbance through the ash no doubt reflects the efforts at salvage of materials etc from the first scene with the ash being excavated and moved across site as it was examined.

The substantial demolition deposits from trenches 1, 2 and 4 (C012, C021 and C052) lying on top of the ash may be initially thought to derive from the destroyed hospital. This demolition material in fact dates to a period probably in the early 20th Century. The bricks which survive in the demolition are all machine made, the deposit also contains large amounts of modern light grey cement and sheet cement asbestos which was first imported into Australia 1902-3.¹⁵ It may be that these deposits may derive from builder's refuse from the 1902 construction of the butter factory (see Figure 13)

3.3.1 Results of the Test Excavations and Archaeological Potential

No features which might be identified with the convict hospital were identified during the testing on the site. The deposits containing the demolition material were derived from demolitions off site in the early 20th Century.

The 1878 fire was revealed as an ash deposit of variable depth across all the test trenches. In some areas it was revealed as a narrow band of white/grey ash but in other areas it was over 600mm deep with some areas interleaved with layers of brown loam suggesting some excavations and movement of the deposit after the fire.

The testing did reveal remnant natural sandy loam in portions of the site which suggest that former surfaces, associated with the use and occupation of the site during the hospital phase (1824-1878) may survive. Mitigating against the undisturbed survival of these surfaces and deposits is the disturbance, noted above, from the post fire salvage. These activities have potentially disturbed deposits associated with the occupation and use of the site. As a result of this the archaeological potential for survival of significant deposits is assessed as medium to low.

Nevertheless the site does retain some potential for survival of structural elements associated with the occupation of the site. Post holes from the, presumed weatherboard building may survive, as well as fireplace bases, and outbuildings.

¹⁵ Lewis, M, *Australian Building: A Cultural Investigation*, p. 7.10.4, at <http://www.mileslewis.net/australian-building/>, accessed 1st October 2012.

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Subsurface features are also likely to survive - cess pits and other refuse pits potentially survive on the site. The area of the well, which appears on the sketch plan of the hospital from the 1870s, has not been investigated and has a high potential to survive beneath the ash deposit from the 1878 fire (see Figure 8).

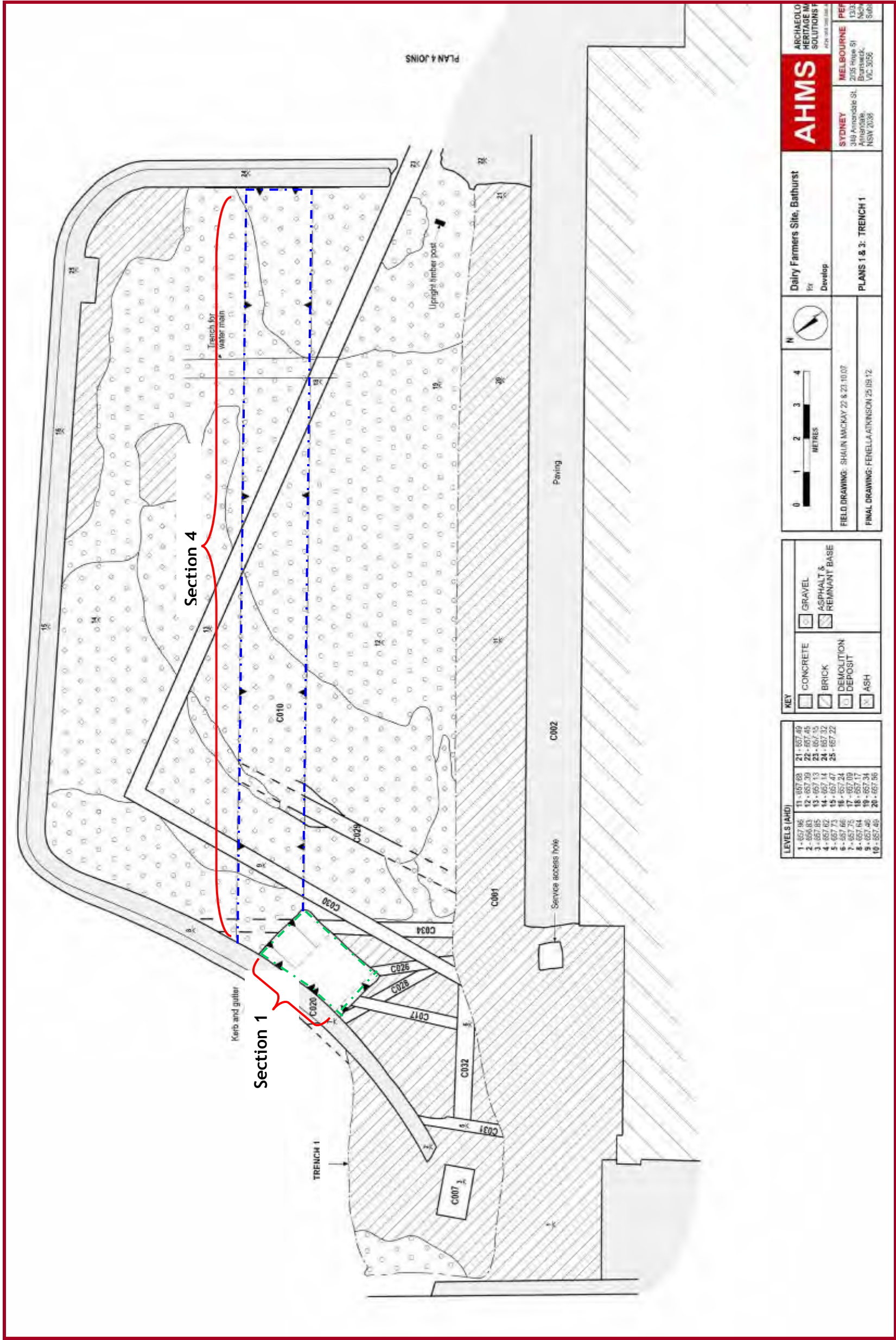


Figure 15 Plan of western test trenches and deposits. The outline of trench 1 is shown in green and trench 4 in blue.

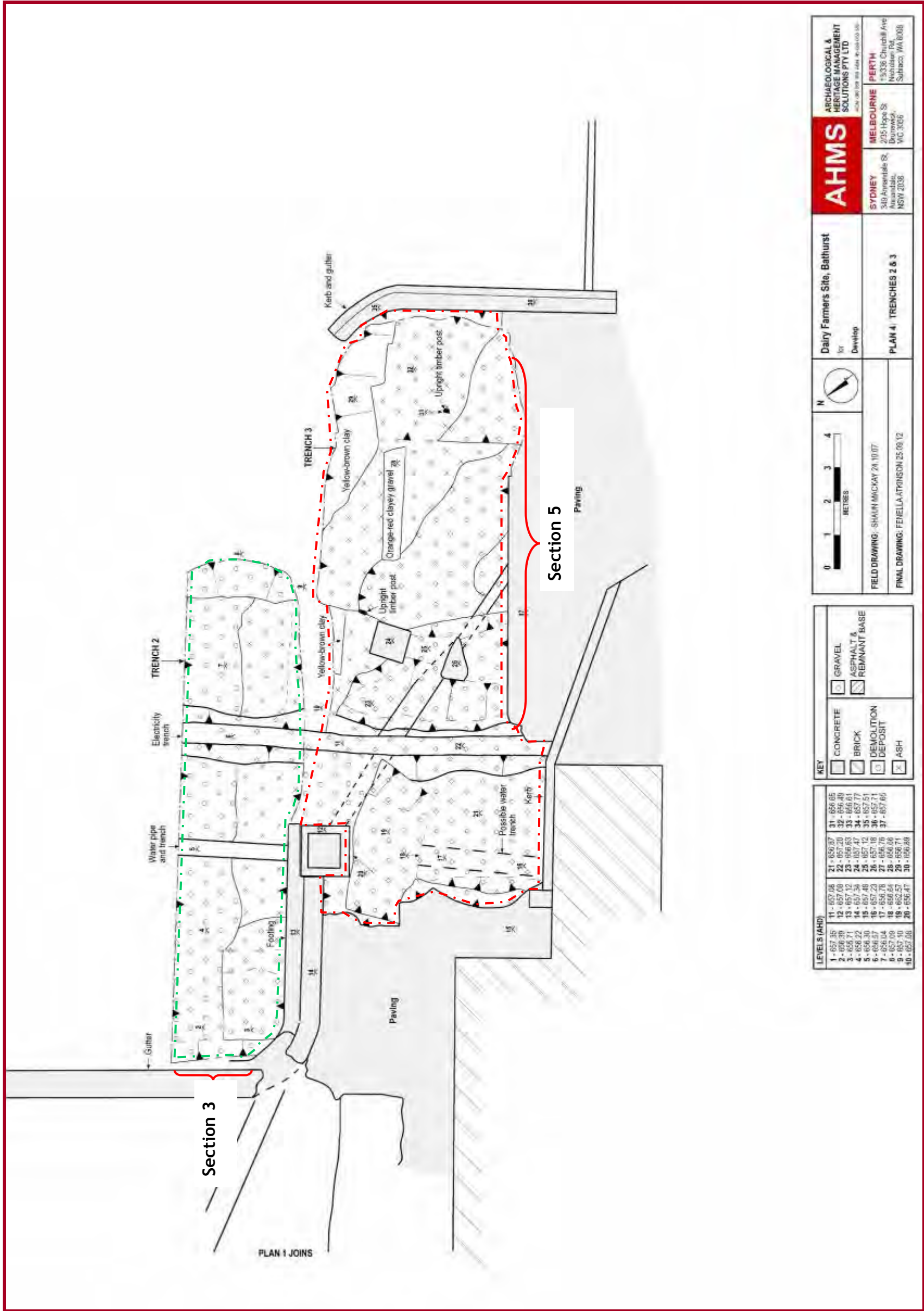
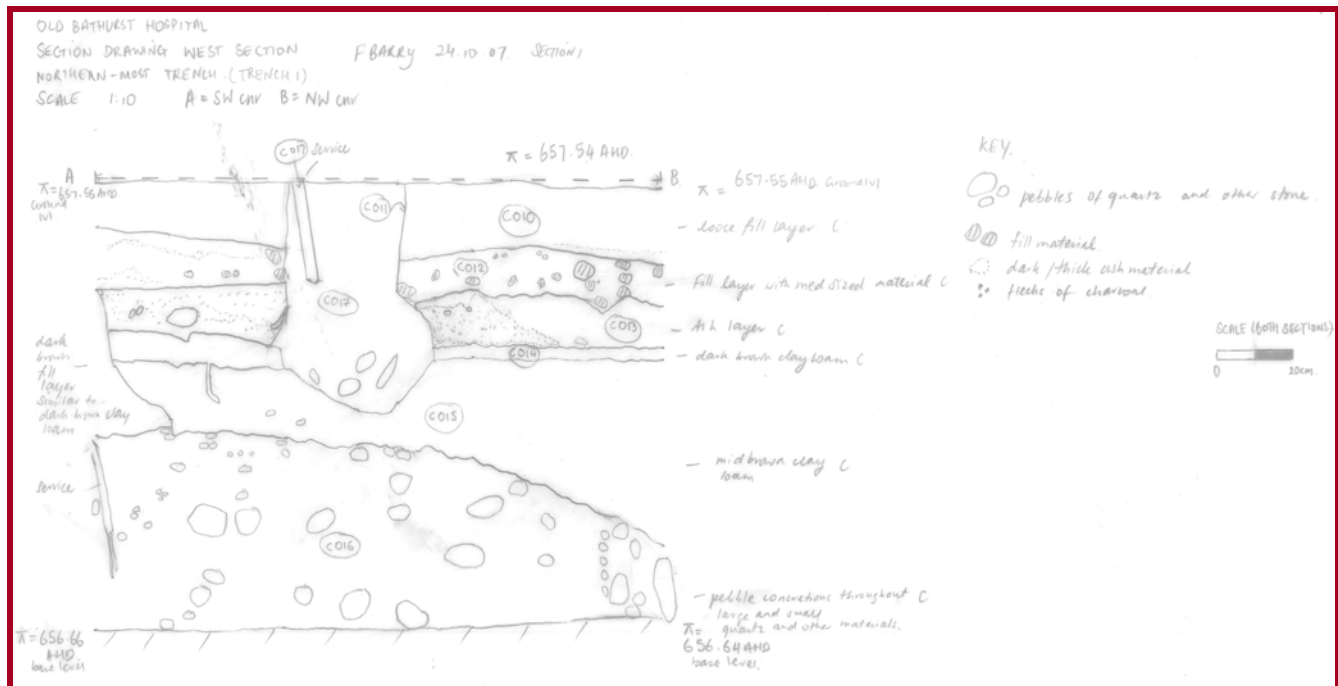
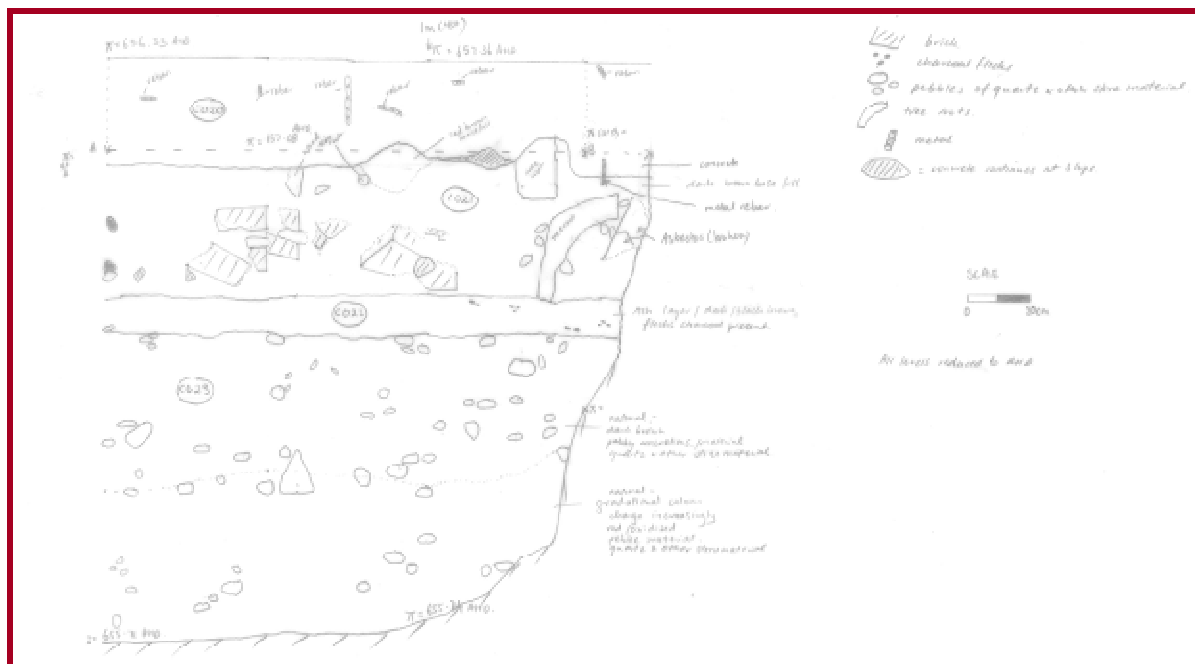


Figure 16 Plan of eastern test trenches and deposits. The outline of trench 2 is shown in green and trench 4 in red

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Figure 17 Section 1 (west) in Trench 1.

Figure 18 Drawing of section 1 (west) in Trench 1.

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Figure 19 Section 3 (west) in Trench 2.

Figure 20 Drawing of section 3 (west) in Trench 2.

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Figure 21 Part of section 5 (south) in Trench 3

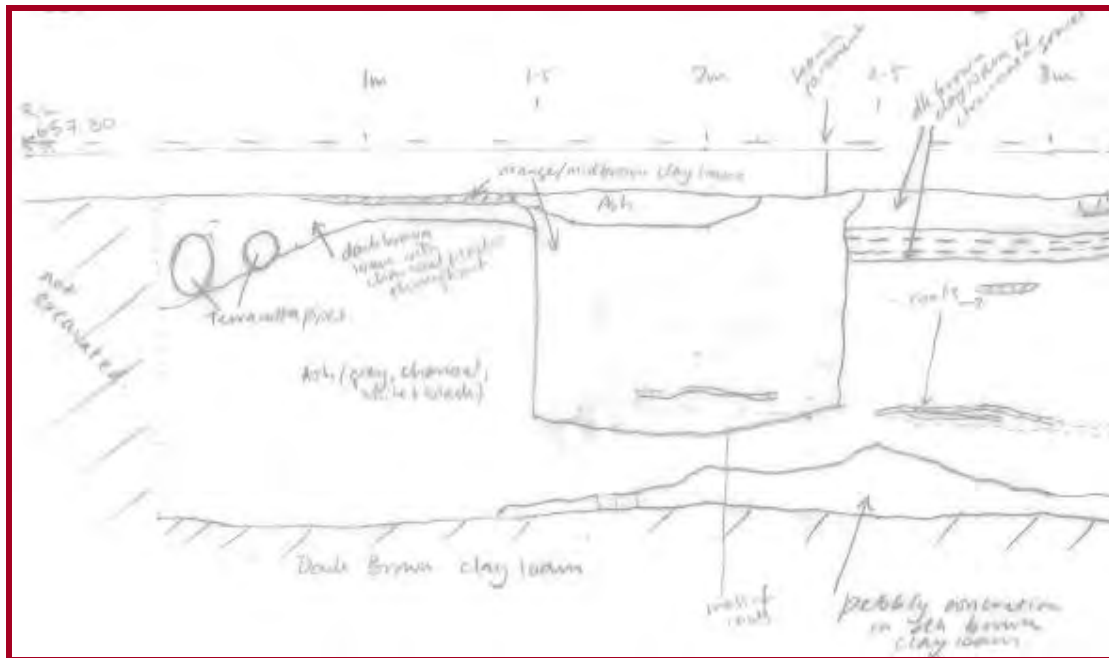


Figure 22 Drawing of part of section 5 (south) in Trench 3

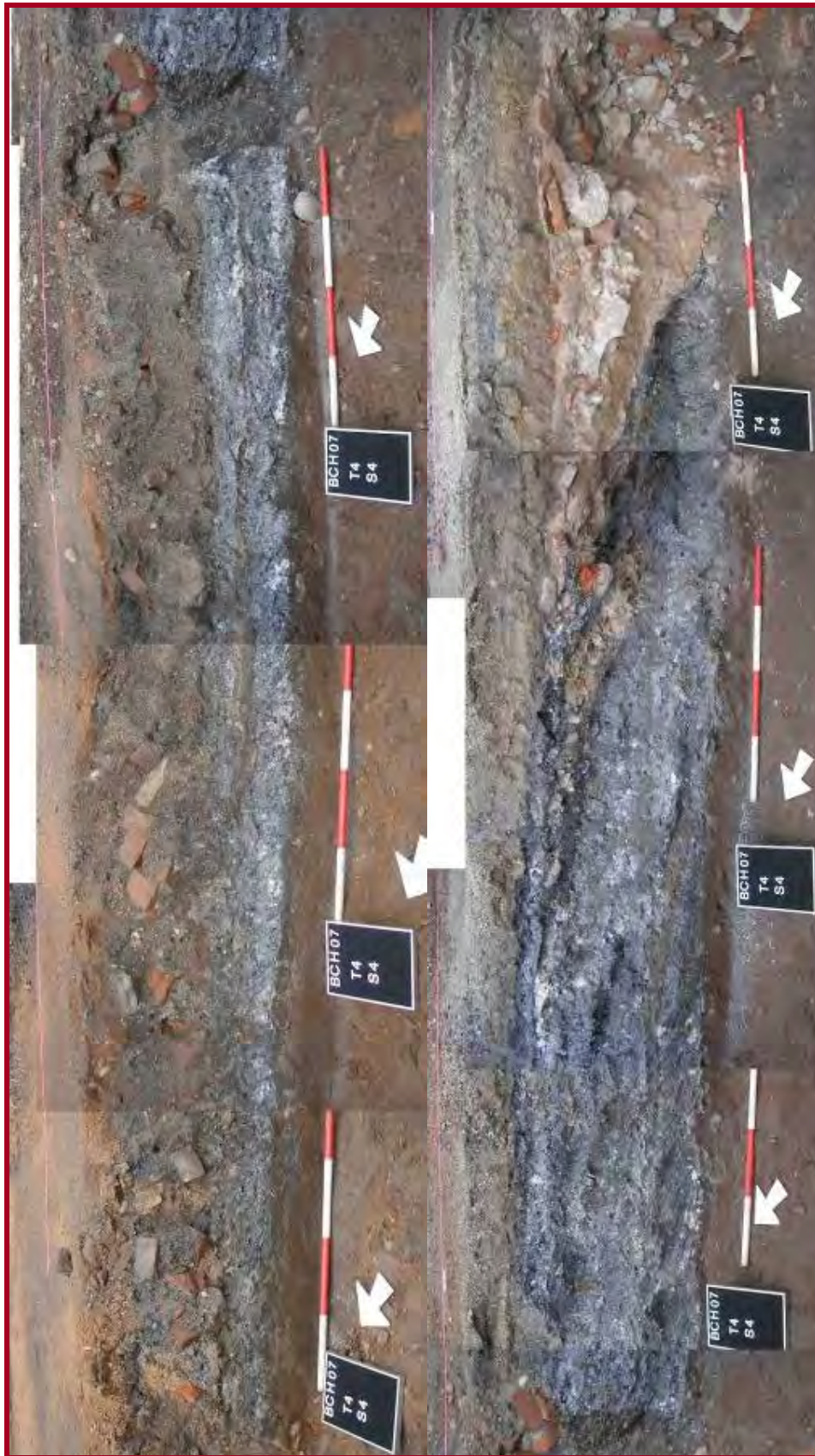


Figure 23 Composite image showing section 4 (north) in Trench 4.

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Figure 24 Plan of test trenches (red) on historic overlays showing correspondence of areas tested with potential site of historic structure. The areas covered by the excavation plans are shown in red outline.

4. PROPOSED DEVELOPMENT

The plans and elevations the proposed development are set out in the following figures (see Figure 26 and Figure 27). The excavation for the lower ground floor is indicated as a finished floor level (FFL) of 654.80m ASL. Excavation room and slab thickness suggests that deeper level would be reached during excavation for the construction of the base slab.

The depth of the excavation and footprint of the lower ground floor shown in the development plan indicate that the impact of the excavation would remove any potential archaeology across the remainder of the site.

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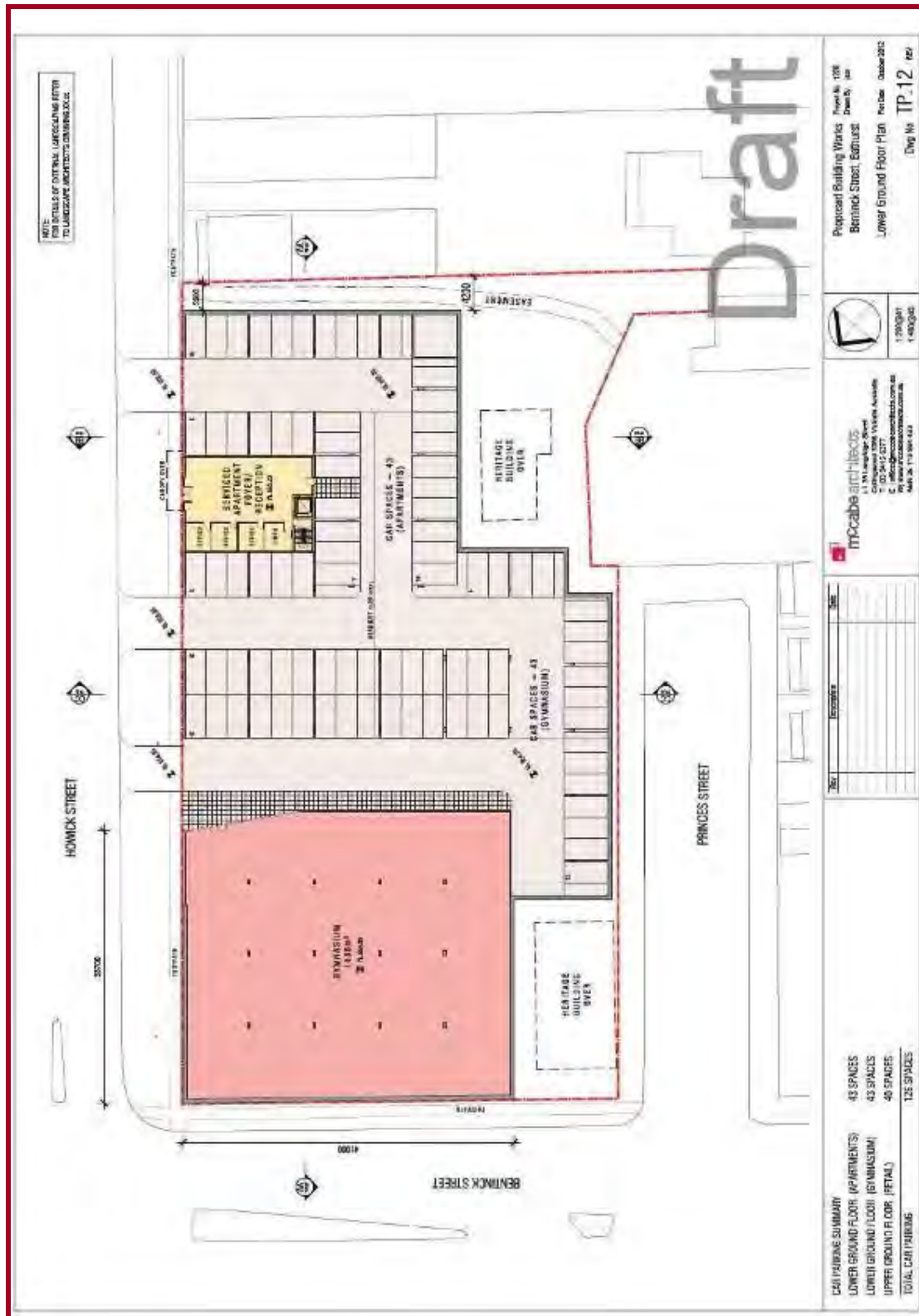


Figure 25 Plan of lower ground floor of the proposed development.

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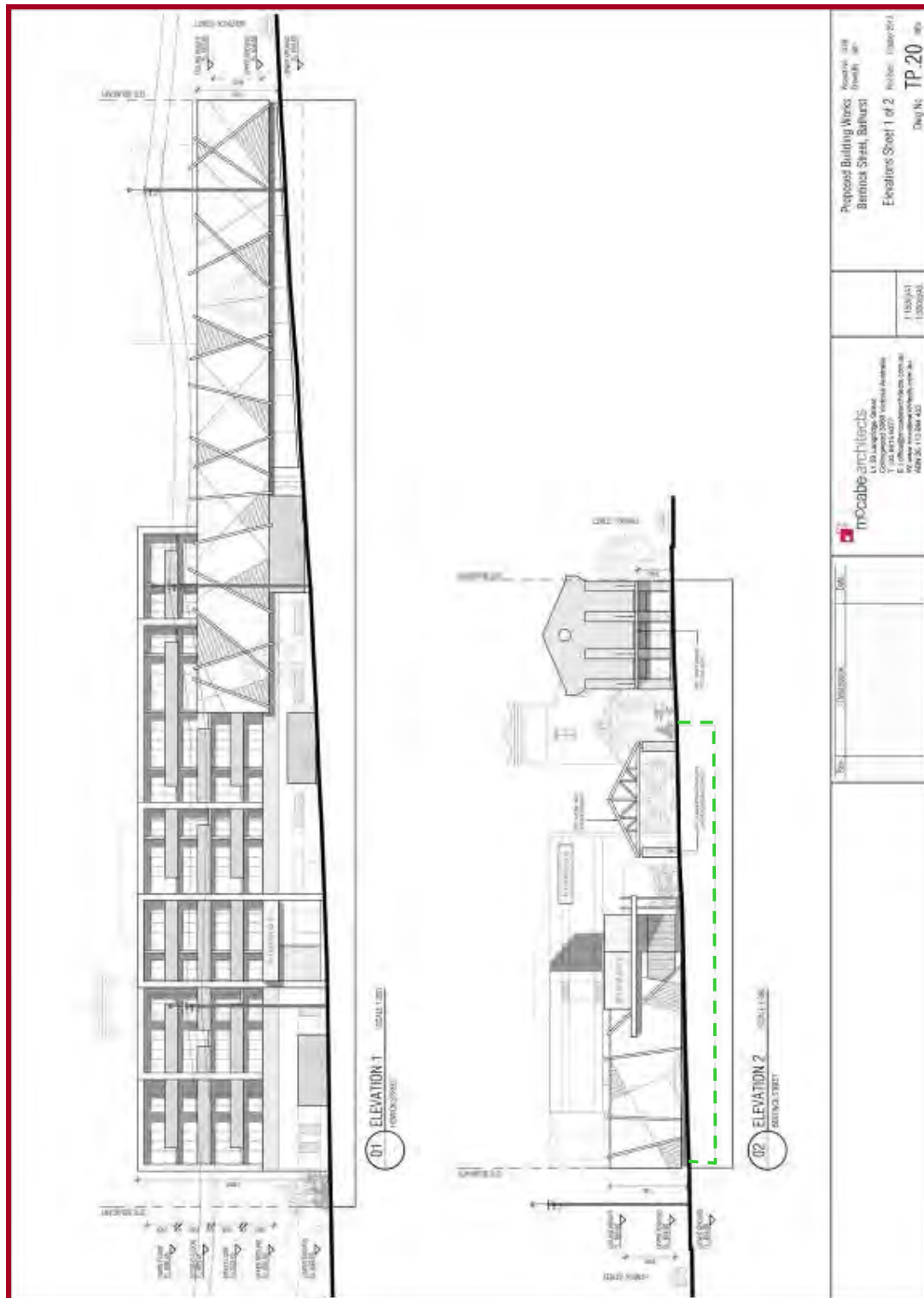


Figure 26 Elevation of the proposed development. The depth of the lower ground floor (654.80m) is shown as a green dashed line.

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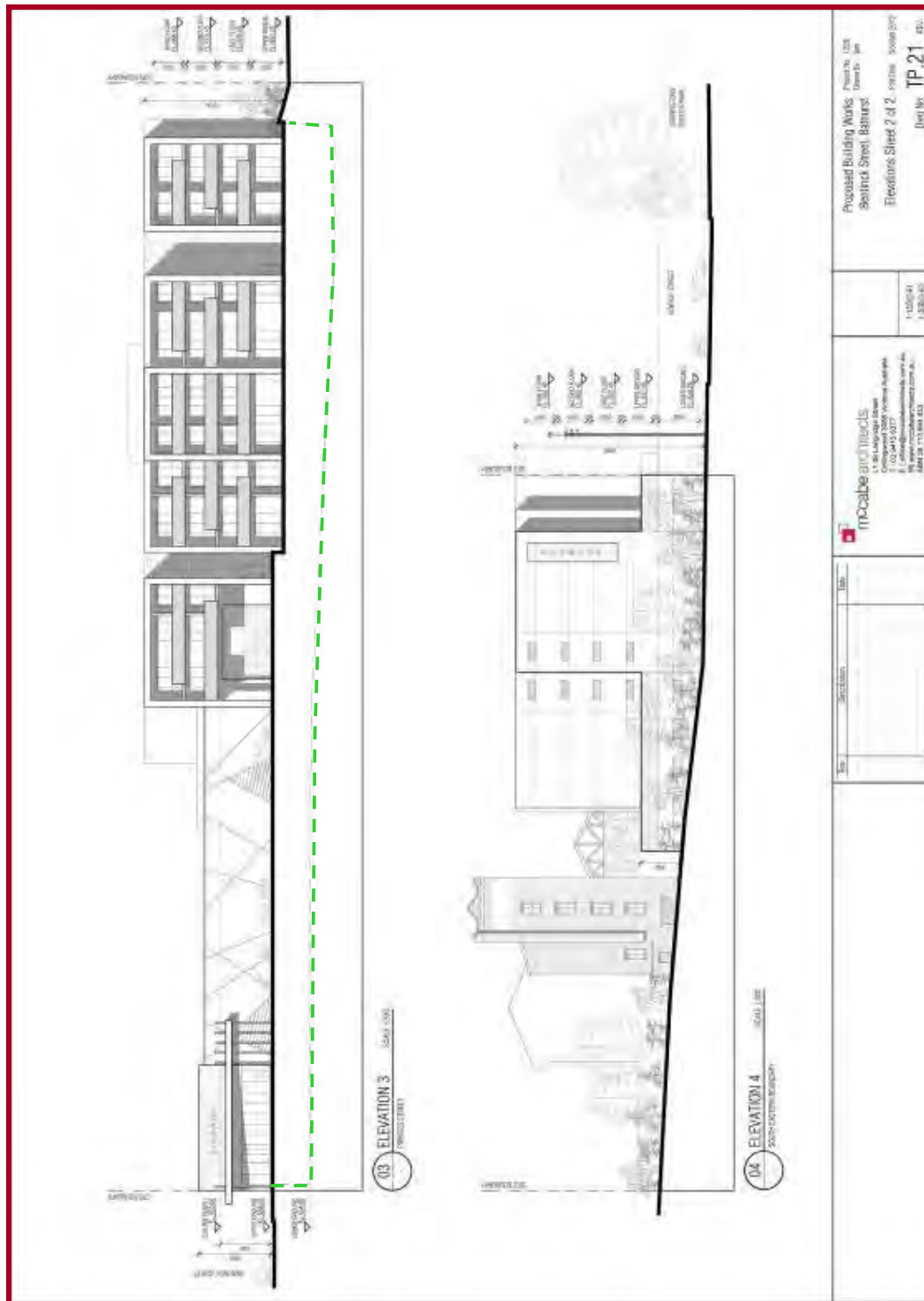


Figure 27 Elevation of the proposed development. The depth of the lower ground floor (654.80m) is shown as a green dashed line.

5. RESEARCH DESIGN

5.1 Introduction

The proposed archaeological investigation at the site is, at this stage, focused on the re-assessment of the survival of relics on a site that has a demonstrated level of local significance. To this end it is proposed that the work consists of test trenching within parts of the site where the historical information and the previous testing indicate significant relics may survive.

Should the test trenching reveal substantial, intact and significant archaeological features and deposits it would then be proposed to conduct open area excavation within the area where the testing indicated that the 'relics' were likely to suffer impact from the development of the site. Any need for open area excavation is however contingent upon the results of the test trenching.

At this stage the assessed level of Research Significance of the potential remains is local significance. The research significance of the archaeological resource will only be possibly reassessed as State Significant by the archaeological testing proposed below. The confirmation of this level of significance will rest upon the extent and integrity of the archaeological resource.

5.2 Proposed Test Excavation Methodology

In general terms, it is proposed to undertake archaeological work on-site in the following manner.

The test trench area will be marked as set out in Figure 29. The trench is sited to investigate the two possible positions of the hospital and the well which lies between the two wings. Small adjustments may be made to the siting of the trenches on site to avoid obvious services lines and other features.

The trench will be excavated to reveal the potential surface and deposits beneath the ash layer (reflecting the 1878 fire).

Any existing surfaces such as turf, bitumen and slabs, within trench areas will be removed as appropriate (i.e. by hand tools, using pneumatic hammers, excavator etc). It is anticipated that this stage that the archaeological testing will proceed after the demolition of the structures on the site.

Once the surfaces are removed initial excavation will be conducted by 3 ton excavator monitored by an archaeologist. An un-toothed bucket (i.e mud bucket) will be used to minimise damage to any potential archaeological relics. As noted above this machine excavation will focus on exposing the potential surfaces, structural remains and deposits beneath the ash layer and would cease if insitu

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archaeological deposits or features be exposed. These will then be exposed by hand, cleaned and recorded.

The archaeologists will use best practice procedures to record archaeological information exposed.

The critical information required at this stage relates to the extent and integrity of the potential relics of the hospital on the site. Do the remains retain a level of integrity that makes further archaeological investigation worthwhile?

Excavation will cease once sterile natural profiles, or pre-European cultural levels are reached.

If relics are being exposed then their significance and integrity will be assessed during the initial exposure. If their assessed significance is low and/or they have a low level of integrity then they will be recorded prior to removal and excavation will continue.

If their significance is assessed as local or State and they have a high level of integrity then they will be defined and cleaned and their depth and extent will be assessed and they will be left insitu. The archaeologists at the NSW Heritage Office will be notified of their exposure and the finds and the consequences discussed with the developer.

Excavation will be conducted until site clearance is achieved to the satisfaction of the Excavation Director.

If any bone material is exposed during excavation work will cease and the remains will be assessed to confirm if they are human and in situ. If it is determined that the bone material is human but is residual or disturbed then work will proceed as above until insitu bone material is encountered.

If confirmed human skeletal materials are exposed in situ then the specific stratigraphic context will be assessed to determine the likely age of the burial. Human skeletal material in situ will be cleared and cleaned for recording in situ but will not be removed. It will be covered in situ with geotech fabric and its position noted physically and surveyed into the overall site plan. Excavation will cease in the area immediately near the find and excavation will proceed in other areas as set out above. Should other areas prove to contain human skeletal remains they will be treated in a similar manner.

Burials within the last hundred years will be dealt with under the Coroner's Act and the NSW Police will be contacted. Burials older than 100 years will be dealt with under the Heritage Act and the Heritage Office will be contacted. Burials which are identified as Aboriginal and are not recent will be dealt with under the National Parks and Wildlife Act and DEC will be contacted. The site owner will be kept informed of developments at all times.

If in situ human remains are discovered on the site then a detailed human skeletal materials procedure will be completed as part of the detailed research design for further archaeological

involvement on the site. If the remains are residual and or disturbed and temporarily removed from site then they will be appropriately stored until adequate measures are in place for reburial.

5.3 Recording

The archaeological recording of the site will be conducted according to the following methods:

- A survey datum, keyed to Australian Height Datum will be established to record the levels of extant deposits and features;
- Scaled site plans and profile or cross-section drawings will be prepared showing the location of all archaeological deposits and features revealed by excavation. These will be keyed to the site datum;
- The location, dimensions and characteristics of all archaeological features and deposits will be recorded on sequentially numbered pro-forma context recording sheets. This form of written documentation will be supplemented by preparation of a Harris Matrix showing the stratigraphic relationships between features and deposits;
- It is not anticipated that artefacts will be collected/removed during this testing phase.
- Photographic recording of all phases of the work on site will be undertaken;

Relics assessed as of high local significance, uncovered during the excavation will be retained in situ cleaned and recorded (as noted above in relation to human skeletal remains). No artefacts assessed as of State Significance will be removed without prior discussion with the NSW Heritage Office archaeologist.

On-site archaeological project management will be undertaken by Matthew Kelly of Archaeological & Heritage Management Solutions Pty Ltd. Monitoring of all excavation and sub-surface investigative work will also be directed by Matthew Kelly.

Excavation assistance and planning will be undertaken by Laura Matarese and Fenalla Atkinson of AHMS.

5.4 Research Questions

5.4.1 General Research Questions

An archaeological research design can be formulated to answer general questions about any deposits or features exposed during the work. These general questions are applicable to most archaeological sites investigated. These general questions are:

- What features or deposits are present on the site;

- What is the nature and extent of these;
- How intact are they;
- What is their significance;
- What are their depths below the current surface;
- What date can be assigned to them; and,
- How does this information compare to available historical information relating to the site.

5.4.2 Additional Research Questions

The investigation of archaeological sites also enables us to ask more specific questions related to the available historical/archaeological information known for the site.

Site specific questions related to the site at Bathurst Co-Op include:

- What evidence is there of other activities on the site prior to the construction/occupation by the hospital.
- What is the nature of the landform alteration/stabilisation for all periods;
- What materials were used for the construction of any structures on the site;
- What effect did the 1878 fire and subsequent salvage have on the structural remains and occupation deposits on the site and,
- Is there evidence for other structures and features (such as wells and cess pits) in this area otherwise unrecorded.

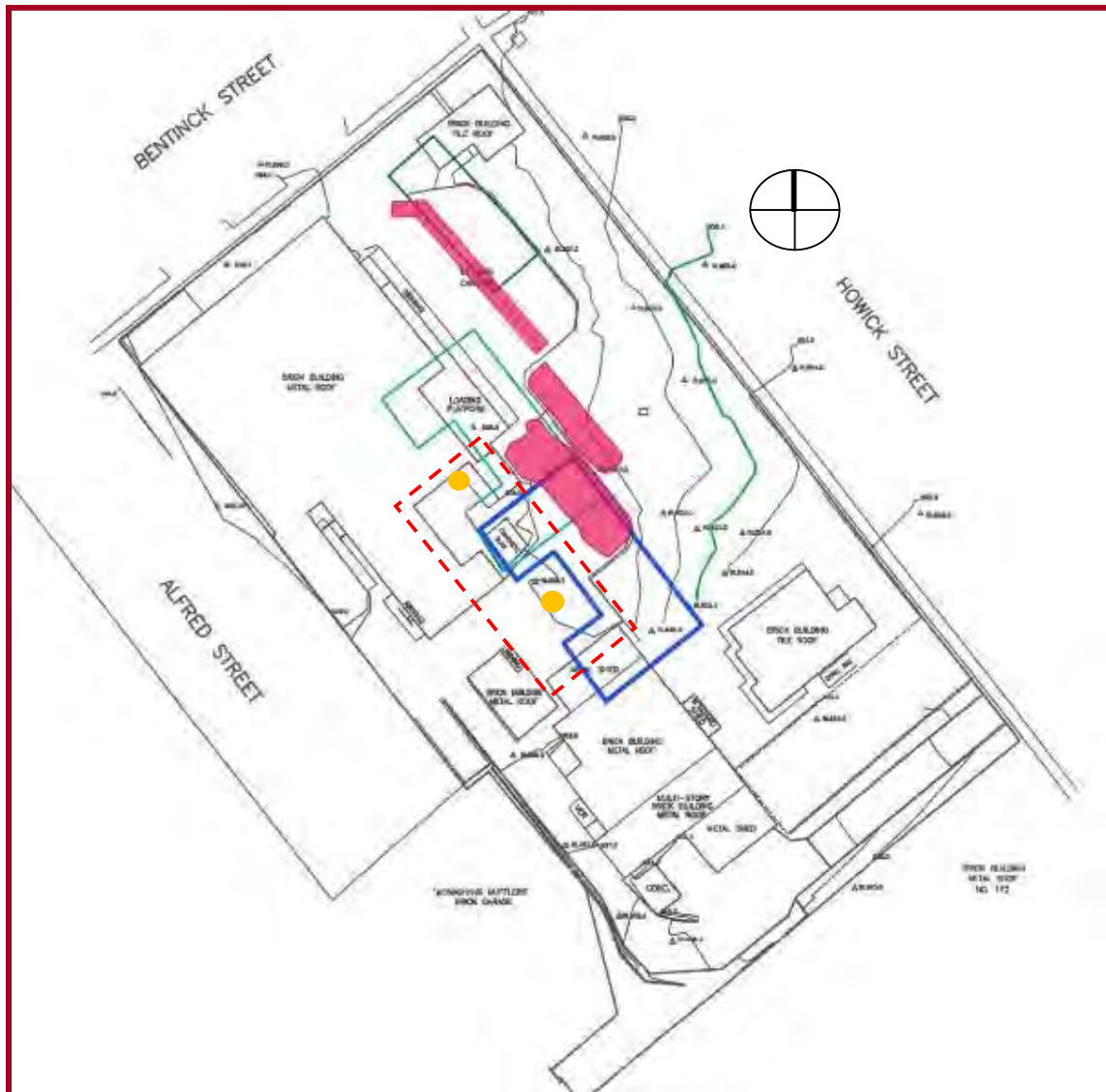


Figure 29 Proposed position of the test trench is shown as red dashed rectangle on a plan of the current site. The potential position(s) of the convict hospital, as discussed in the Assessment report, are outlined in light and dark blue and green. The potential site(s) of the well is shown as an orange circle. RL 655 contour is outlined in green.

5.5 Results and Management of Relics

At the conclusion of the investigation, results of the test excavation will be documented in an interim report, as required by standard conditions attached to excavation permits. This interim report will form the basis of discussions relating to any further archaeological involvement, if any, on the site.

The range of options which may have to be considered depending upon the test excavation results are:

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- No further archaeological involvement required;
- Archaeological monitoring during development excavation;
- Further test excavation;
- Open area excavation; and
- Insitu retention of all or part of the existing archaeological remains.

6. REFERENCES

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APPENDIX A



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Parramatta NSW 2124
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Contact: Susan Lampard
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susan.lampard@heritage.nsw.gov.au
File: H07/00110-001
HRL: 45609

PWP

Mr Damien Wilde
Coastlife Marine
5 Amy Close
North Wyong NSW 2259

Dear Mr Wilde

Re: Excavation Permit – Dairy Farmer's Co-op & Bathurst Convict Hospital

I refer to your application under Section 140 of the *Heritage Act 1977* (the Act), to undertake archaeological works at the Dairy Farmer's Co-op Site, corner of Howick and Bentinck Streets, Bathurst, (Application number 2005/S140/015).

At its meeting on 30 August 2007 the Heritage Council of NSW, considered the above application. The Heritage Council hereby informs you approval is given for the S140 application for an archaeological excavation permit. Please note this permit is subject to the conditions attached. Acceptance of these statutory conditions by the Applicant and Excavation Director is a requirement of this permit.

You are reminded that it is a condition of this permit that the Applicant is responsible for the safe keeping of artefacts recovered from this site. You are required to nominate a repository for archaeologically excavated material, as well as referencing the final location in the excavation report as per section 146(b) of the Act. This is to enable a record to be kept of the location of all archaeologically excavated material.

It should be noted that an approval for an archaeological permit under the Act covers only those archaeological works described in the application. Any additional archaeological investigations will require a further approval. It should also be noted that an approval for an archaeological permit under the Act is additional to those which may be required from other local, State or Commonwealth Government authorities. Inquiries about any other approvals needed should, in the first instance, be directed to the local council, State and Commonwealth Government where appropriate.

You are also requested to provide the following information:

- (1) The estimated total cost of the archaeological investigations (both in the field and laboratory), including GST;
- (2) The estimated total cost of the development/redevelopment, including GST;
- (3) Whether this project creates new long term jobs (for example through providing a new service or facility);
- (4) If this project creates new long term jobs, how many? and
- (5) How many construction and professional workers will be engaged on this project during the life of the project?

This information will help the Heritage Council of NSW determine the economic role of heritage in development in NSW and should be submitted to the Executive Director of the Heritage Office for approval within one (1) month of the completion of the field excavation

Helping the community to conserve our heritage

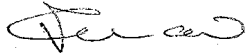
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programme. This information should be updated at the end of the project and updated figures should be submitted with the Final Excavation Report to the Executive Director of the Heritage Office for approval within one (1) year of the completion of the field excavation programme.

This permit is issued to the applicant on the condition that the nominated Excavation Director is present at the site supervising all archaeological fieldwork activity likely to expose significant relics. Permits are not transferable without the written consent of the Heritage Council of New South Wales. Your attention is drawn to the right of appeal against these conditions in accordance with section 142 of the *Heritage Act, 1977*.

Inquiries on this matter may be directed to Susan Lampard on 9873 8573 or via e.mail at susan.lampard@heritage.nsw.gov.au.

Yours sincerely

 11/09/07

Vincent Sicari
Manager
Conservation Team
Heritage Office
Department of Planning

CC: Mr Matthew Kelly
Archaeological & Heritage Management Solutions Pty Ltd
349 Annandale Street
Annandale NSW 2038

Mr David Sherley
General Manager
Bathurst Regional Council
PMB 17
BATHURST NSW 2795



***Plan of Management
for Serviced Apartments***

at

178 Howick Street, Bathurst

Version 2

12 September 2019

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1.0 Introduction

The proposed Serviced Apartments located at 178 Howick Street, Bathurst NSW will be within the Bathurst Central Business District (CBD) and within walking distance to public services and facilities. The property will comprise 42 apartments (1 Studio, 37 two and 4 three bedroom) which are primarily designed for short and long term corporate and holiday stays. All rooms are designed to be self-sufficient, whereby there is no requirement for the provision of restaurants, bars and other associated facilities. It is anticipated that the property will be 4 to 4.5 star AAA rated.

2.0 Instructional & Policy Manuals

- (a) Front Office and Reception Operations
 - Policies and procedures which detail the conduct of reception operations, reservations, guest services, and hours of operations etc.
 - Full details of guest check in procedures and check out procedures.
- (b) Housekeeping / Back of House Operations
 - Policies and procedures which detail the conduct of guest accommodation and common area presentation.
 - Detailed manuals on cleaning standards, including frequency and standards.
 - Full details of guest check in procedures and check out procedures.
- (c) Human Resource Management
 - Policies and procedures to guide the application of best practice human resource management.
 - Empowering our teams to deliver the superior guest experience.
- (d) Risk Management
 - Policies and procedures to guide in application Risk Management processes, including Disaster Recovery Plans and Evacuation Plans.
 - Policies and Procedures to guide in application data maintenance and recovery procedures.

3.0 Products and Services

The property will provide the following standard guests services:

- (a) Pantry Shopping
 - The guest provides a list of groceries to be supplied, and the item is procured and placed in the guest apartment prior to their arrival or during the course of their stay. This allows the guest to utilise the apartment style features of the room.

(b) Breakfast Packs

- The guest can select from a range of breakfast pack options, which can be prepared in their rooms. The packs are packaged and placed in the guest apartment prior to guest arrival or during the course of their stay.

(c) Restaurant Charge back

- The apartments will have arrangements with a range of local restaurants and cafes (dine in and dine out) where the guest may present their guest key and have a meal charged back to their apartment accounts. This allows for ease for the guests, but also helps local businesses, by referring clients to them.

(d) Valet and Dry Cleaning

- Each apartment is equipped with a washing machine and dryer for the guests use, however, this is also supported by a valet/dry cleaning service where by a guest can have a garment cleaned by an external service. A reputable professional dry cleaning service will be engaged to undertake this service.

(e) Car Parking

- Guests shall be able to park their vehicles in the allocated secure car parking spaces on the lower ground level. Refer to the management plan for car parking and deliveries included in this document.

(f) Daily Service

- Guest accommodation is provided with daily housekeeping service Monday to Saturday, unless otherwise negotiated.

(g) Business Services

- Guests are able to avail themselves of offices and business services provided.

(h) Foxtel / Pay TV

- A selection of pay for view channels shall be available in addition to free to air television.

(i) High Speed Internet

- The premises shall provide each guest apartment and meeting spaces with high speed broad band internet access.

(j) DVD Hire

- As each apartment will be equipped with a DVD player, a selection of DVD's shall be available to hire.

(k) Local Area Tour Desk

- Guests will be encouraged to experience what the local area in Bathurst and surrounds has to offer.
- A local area activities list, and brochure stand will be in the reception foyer of the property, and map of the local area will be provided to all guests.

4.0 Security

Security is one of the prime considerations. The following points detail the key areas of security for the property:

(a) Reception

- Reception will be open from 7am to 11pm daily. This means there will be a staff member onsite within these standard reception hours. Staff will be fully trained in all operations of the serviced apartment, including fire safety training and first aid training. Training will be provided by fully qualified external party.

(b) Onsite Management

- The property will have an onsite live in manager, who will be at the property for all hours where reception is closed. This means that the property will have a member of staff available 24 hours a day.

(c) Entrance

- For security purposes, there will be one main entry to the property from Howick Street and a second entrance from the car park area. The positioning of reception ensures that all guests that enter the reception foyer area are clearly visible from the reception counter.
- Access to serviced apartment areas will also be locked from 10pm, and entry only gained by use of swipe card or by reception staff member or onsite manager permitting entrance.

(d) Surveillance

- The serviced apartment will have CCTV security surveillance spread across the premises in key traffic areas, particularly in the reception foyer.

(e) Swipe Card Access

- All guests will be issued a swipe card at check in to access their room. The swipe card will give guest access only to the floor on which their room is located, and the entrance to the serviced apartment and common areas.
- The front door at the reception foyer will be locked at 10pm every night until 7am.
- After 10pm, only guests who have already checked in will have access via their room swipe card.
- Guests who have yet to check in will have to contact reception via an intercom/video camera from the front door. The staff will have a button that opens the front door and lets new guests in once they have spoken to them through the intercom.
- All accessible doors will have swipe card access. The swipe cards provide access to the rooms for the period the guest has paid. Once the guest has checked out, the card is rendered useless until it is reprogrammed by reception staff. The system allows management to read all locks to see which card has been used recently on the lock, further increasing security. The relevant readers will be located at the correct height for disabled guests.
- On occasion afterhours check-in will be required. This is done through an after-hour's key safe that will be located next to security card swipe at the entrance. This will only be accessed by entering a specific pre-determined access code provided to the guest prior to check in. If for any reason, this fails, the Onsite Manager is able to be called to allow the guest access. The Onsite Manager's number will be sent to each guest as well as listed on the after-hour's key safe.

5.0 Staff

Depending on occupancy and time of day, it is expected the proposal will have an average of 4 full time equivalent staff present on site:

- Morning/Day shift (7am to 3pm)
 - 1 Manager/Deputy Manager
 - 2 Reception staff
- 1 Maintenance staff
 - 6 Room Attendants
- Afternoon/Night Shift (3pm to 11pm)
 - 1 Duty Manager
 - 1 to 2 Reception staff
- Overnight Shift (11pm to 6am)
 - 1 On Site Manager

In addition, on special event evenings such as New Year's Eve, there will be an additional reception staff employed.

(a) Onsite Manager

- The Onsite Manager will be a permanent employee or the franchisee themselves, who is responsible for the welfare of the guests and who administers the premises' emergency procedures and plans of management and any conditions of consent from 11pm to 7am.
- The Onsite Manager is the contact point for guests in the event of an emergency and will be present onsite at all times. The Onsite Managers contact details will be listed in all rooms compendiums. In case of emergency the Onsite Manager will be able to contact the appropriate emergency agency or co-ordinate the emergency.

(b) Training

- Staff will be trained in the use of security cameras, intercoms and general security.
- Staff will receive emergency procedures training on an ongoing basis including robbery and bomb threat procedures.
- Staff and management will be trained to look for suspicious articles or persons when making regular building inspections during the day and night. They will have emergency procedures training including what procedures to be implemented if a suspicious article or person is found.
- Fire Wardens (reception staff) will be trained annually in fire evacuation by a professional training company and all staff members will be trained in evacuation procedures such as emergency evacuation.
- Managers will be required to have a current first aid certificate and two other members of staff will hold a first aid certificate. Front office staff will be encouraged to have their first aid certificate by the employer offering to pay for the training.

6.0 Property Guest Accommodation Policy

In the reception foyer and common areas, guests will be encouraged to respect other guests by keeping noise levels down to avoid disruption to other guests. After 10pm the Onsite Manager will actively enforce noise control.

(a) Alcohol Policy

- Consumption of alcohol is permitted in moderation.
- As the apartments are self-contained rooms, alcohol is only available to be consumed in guest rooms. No alcohol consumption is permitted in any common area.
- Excessive consumption of alcohol is discouraged and any interruption caused as a result from this will be dealt with immediately by the Onsite Manager.

(b) Drugs

- The use, sale or possession of illegal drugs or any suspicion of such acts being performed in or about the property or any person found using drugs shall be immediately reported to the police, and escorted off the premises by police.

(c) Guest Behaviour and No Party Policy

- There is a strict No Party Policy. Any guest failing to observe the No Party Policy will be immediately asked to leave the premises.
- In cases of serious misconduct, the Manager may require a guest to leave the serviced apartment premises. Examples of serious misconduct include but are not limited to: drug or alcohol abuse, sexual, racial or religious harassment, theft, or violence. Managers will call the police if the guest is performing illegal acts.

(d) Visitor Policy

- Guests staying at the serviced apartment may entertain friends in their room; however, this is limited to 2 to 3 friends depending on room size.
- Visitors at the serviced apartment must obey the same rules as guests and leave the premises whenever requested to do so by the manager, and always by 11pm.
- Any guest inviting visitors to the serviced apartment must accept full responsibility for them and their behaviour. In the event of any serious misconduct by the visitor of a guest, the guest may also be asked to leave the serviced apartment and be asked to pay for damages, if required.

(e) Length of Stay

- The length of stay will vary however the average length of stay is expected to be 2-3 nights.
- Rooms will be restricted on the room types that are allocated for extended stays to allow guests more suitable room types for their stay.

(f) Accommodation Register

- All guests will be checked into the computer reservations system. This system will provide details of the length of stay of all guests.
- The register is backed up offsite, therefore can be retrieved remotely if required in case of any computer failure.

7.0 Environmental Policy

The property will be designed to be energy efficient and comply with all current environmental and building codes. The Environmental management practices are outlined below.

(a) Environmental Management

One of the most important developments in the demands placed on the hospitality industry has been the increased need to know about energy management, sustainability and environmentally responsible policies and procedures. It is important to ensure that the proposed serviced apartments are wisely using resources, preventing waste and contributing to an environment that is safe.

Introducing environmentally sound policies will increase the economic growth of the property. Properties that have introduced Green Policies have reaped rewards in cost reductions and by also having an edge over competitors.

The social benefits are also abundant. Having environmentally sound management policies and initiatives (and advertising those efforts) makes a property more attractive to its guests and groups that are calling for environmental accountability.

(b) Green Stars

The standards for Green Stars were developed in partnership between AAA Tourism and Green Globe under the guidance of the Australian Government established Sustainable Tourism Cooperative Research Centre.

This partnership ensures that the Green Stars criteria is appropriate and will allow a property joining the program to progress to an internationally recognised Green Globe endorsement if it chooses.

Green Globe provides the travel industry with a global certification system that promotes responsible tourism and reduces operating costs by conserving energy, fresh water and other natural resources and producing less waste and greenhouse gases.

To be awarded a Green Stars endorsement, the property must achieve the designated minimum point score against the set of practical environment criteria.

Within the AAA Tourism guidelines, points will be awarded where a property does not provide an energy saving facility/item that would otherwise have been recognised by the scheme. In effect, the nonprovision of the facility/item contributes to energy saving.

The proposed serviced apartments at Bathurst will endeavour to become Green Stars endorsed by incorporating the following into its operation:

- Energy efficient LED lighting;
- Water saving showerheads in place;
- Towels no change options;
- Linen no change option;
- Regular maintenance to ensure no leaking taps and toilet cisterns;
- Reduced flush or twin flush cisterns fitted; and
- Paper recycling program in place.

Environmental tent cards will be placed in all apartment bathrooms, located on the bench top area next to the basin. All tent cards will be printed on recycled cardboard and information displayed on the environmental tent card will include:

*If you are happy to use your towel again please leave it on the rack.
If you require a fresh towel please leave towels in the bath or shower.
Please consider the environment and conserve water.
It's only natural.*

Environmental tent cards are a prompt for guests to be environmentally friendly during their stay and assist housekeeping operations to be environmentally efficient when servicing a room. Within the housekeeping department all staff will be aware and knowledgeable of the serviced apartment's environmental responsibilities as included in the ESD measures outlined below.

Some of the Ecologically Sustainable Development (ESD) measures incorporated into the proposal include:

(a) Water Conservation

- Catchment of stormwater from roof in tank for reuse within the property;
- Use of low flow showerheads;
- Use of dual / low flush toilets;
- Housekeeping will not leave the shower or basin taps running when cleaning areas; and
- Housekeeping will only replace towels guest leave in the shower or bath area and linen if requested.

(b) Waste Minimization

- Recycling of paper, cartons and plastic goods where possible;
- Use of biodegradable bin liners; and
- Use of environmentally friendly cleaning products and discard packaging accordingly.

(c) Energy Efficiency

- Sensor lighting in some areas to turn off automatically when not in use;
- Air conditioners to be turned off when a room is not occupied and external windows or doors are left open;
- Housekeeping to only turn on vacuum cleaners when required and avoid leaving them running when moving furniture around etc;
- All rooms will have a key card switch, which means that air conditioning and lights cannot be left on in the rooms when guests leave their rooms during their stay or when rooms are vacant; and
- The air conditioning system has been designed specifically to minimise use only to the days and times when the rooms are occupied, and thereby when it is really required. As the serviced apartments will target the corporate traveller, this means that predominantly the in house guests will occupy their rooms from 4pm onwards and generally depart by 9am. Therefore, heating and cooling system to the apartments will operate in its design capacity within these times.

8.0 Fire Safety

- (a) Emergency Management and Evacuation Plan Staff training.
 - Staff will be trained in the use of security cameras, intercoms and general security. Staff will receive emergency procedures training on an ongoing basis including robbery, bomb threat and civil disturbance procedures. Emergency procedures' training includes what procedures to be implemented if a suspicious article or person is found. As previously noted, firewardens (reception staff) will be trained annually in fire evacuation by a professional training company.
- (b) Maintenance
 - Emergency systems will be maintained as part of a maintenance contract by a qualified company. All equipment will be tested and checked in accordance with the relevant Australian Standards. Any faults will be documented and rectified immediately. These checks will take place, weekly, monthly and bi-annually depending on the required frequency. As a Facilities Management organisation Joss may be chosen by the franchisee to perform this maintenance work.
- (c) Furnishings and fittings
 - Combustible furnishings and fittings, such as lounges, desks, and display boards are not permitted in public corridors and egress routes from apartments as they may restrict the safe means of egress from the building and reduce the level of fire safety in the building.
 - Mattresses, curtains and furniture will be of materials that resist the spread of fire, and limit the generation of smoke and heat.
 - The premises will be checked regularly to ensure that fire safety and essentials fire safety measures in the building are maintained and that all required exits and egress paths are clear and free of obstructions.
- (d) Public liability
 - A public liability cover of \$20million for the property will be obtained in due course.

9.0 Ongoing Maintenance

- (a) Air conditioning
 - Maintenance of the air conditioning system will be carried out by a qualified company on a monthly basis.
 - Filters will be changed monthly, belt tension, condenser units and BMS system (if applicable) fault indication checked. Any re-active faults reported will be dealt with within 24 hours.
- (b) Emergency systems
 - Emergency systems will be maintained by a suitably qualified organisation as part of a maintenance contract.
 - All equipment will be tested and checked in accordance with the relevant Australian Standards. Any faults will be documented and rectified immediately. These checks will take place, weekly, monthly and bi-annually depending on the required frequency.
- (c) Annual Certification
 - As part of the regulated Annual Fire Safety Statement (AFSS) annual certification of Fire Safety Equipment and preparation of the Form 15a will be

carried out by a fire consultant. Annual certification required of any of the equipment will be overseen by the Buildings and Facilities Manager.

10.0 Occupational Health and Safety Requirements

Managers will be aware of their responsibilities under such legislation as the OHS Act 2000, OHS Regulation 2001, and the Innkeepers Act. The Work Cover website lists the OHS Act and Regulations and other helpful information visit www.workcover.nsw.gov.au for Serviced Apartments and hotels in NSW.

The following safety guidelines will be observed by the apartments and all employees must abide by them:

- All hazards (e.g. broken chairs, loose carpets, missing lights) should be removed, repaired or replaced in consultation with the Serviced apartment Manager and the Building and Facilities Manager;
- No item of plant or machinery may be operated unless the guards provided are correctly in place, secured and operating effectively and staff member has been trained;
- Dangerous chemicals are to be handled properly and labelled (MSDS);
- Work areas are to be kept clean and tidy;
- Passage ways and aisles are to be kept clear at all times;
- Materials or products are not to be stacked higher than what is considered to be safe;
- Always consult the Serviced Apartment Manager or the Operations Manager if you are not sure about doing the job safely;
- Rubbish bins must be used to dispose of all rubbish;
- Excessive alcohol consumption or drugs not prescribed by a doctor are forbidden on the premises;
- All no smoking rules are to be observed (all rooms will be Non Smoking);
- Care must be taken when lifting heavy objects. Ensure that all staff members receive proper training in manual handling techniques;
- A Return to Work Programme is put in place once the property opens;
- All staff are provided and sign off on the OH&S Policy and Procedures;
- All chemicals and other substances stored for use in workplaces will meet the requirements of certain Acts and Regulations. Chemicals or substances that are labelled Hazardous Goods will have a Materials Safety Data Sheet onsite and a Handling Data sheet onsite;
- All staff members that are required to use chemicals (e.g. cleaning chemicals) will receive full chemical handling training and signed off on this training by the provider of the chemicals; and
- Chemicals will be stored in a specific separate and ventilated storage room.

11.0 Noise Management Plan

(a) Site Supervision

- Reception will be open 7am to 11pm daily, and an Onsite Manager will be on the premises outside of these times. This means there will be staff on duty 24 hours. A Manager, Front Office Manager, Onsite Manager or Front office staff will be available to ensure the site is being appropriately monitored and any noise which could be heard at nearby properties is kept to a minimum.

(b) Rubbish Collection

- All private rubbish collection will be conducted at off peak traffic hours and no earlier than 9am or later than 3pm on weekdays.

(c) Restrictions to background music

- The background music played within the foyer area will be turned off by 10pm daily.

(d) Information given to guests upon check in

- Guests will be provided on arrival with a sheet of information. This document will provide
- general information about the property as well as a note that the property has residential
- houses in its proximity and that guests need to take the neighbours interests into account
- when leaving and entering the property.

(e) Process for community consultation and dealing with noise complaints from residents

- The Manager or Onsite Manager will be available at all times to deal with any complaints as to the operation and management of the premises. All complaints shall be dealt with as soon as possible. There will be a register of all noise complaints. The register will contain:
 - Complaint date and time
 - Name of person/police/council making the complaint
 - Contact details
 - Nature of the complaint
 - Name of staff on duty
 - Action taken (by whom and when)
 - Outcome and/or further action required

(f) Training guidelines for staff

- Staff will be trained in the timing of opening and closing and opening any access points and or common areas. Managers will know the location of the noise register and the process for responding to any noise complaint.

12.0 Car Parking & Deliveries

(a) Deliveries

- Vehicles servicing the site shall comply with the following requirement:
 - All vehicles waiting loading, unloading or servicing shall be parked onsite and not obstruct nearby or public roads.
 - All deliveries to premises shall be made to the appropriate area.

(b) Car Park Operation

- Each guest car park space will be clear identified.
- The operator shall strictly control the number of car park spaces and retain for the exclusive use of guests.
- The operator shall use its best endeavours to monitor the activity of persons 'dropping off, at the curb side so as to eliminate traffic disruption. In practical terms, this will be facilitated by reception personnel ensuring guest check in/out is efficient and speedy, further by providing access to luggage trolleys and assistance with guest luggage.

(c) Staff Car Parking

- Onsite parking shall be provided for staff. Staff shall be encouraged to utilise local public transport where possible. Due to the nature of business operation, the guest car park use is predominately required between the hours of 6pm to 8am, and staff parking required is utilised between the hours of 8.30am to 3.30pm.



5 August 2019



Development Application Acoustic Assessment

Dairy Farmers Site 50 Bentinck Street



Integrated Design Group

Document Control

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1 Introduction

Acoustik was engaged by "Integrated Design Group" to provide a development application acoustic report for the mixed development of the Dairy Farmer site at 50 Bentinck Street, Bathurst.

The proposed development is bounded by Bentinck and Horwick Streets on the North Western and North Eastern sides respectively and Princes St to the South West. At the end of Princes Street to the South are the Juvenile Justice offices and residential areas.

The proposal includes a Commercial building located on the corner of Bentinck and Howick Streets with a Quest hotel and serviced apartment building along Howick Street. A food & Beverage building located along Princes Street. At the far South West corner of the existing site it is proposed that the historical tower building will be developed into two residential building.

The assessment will be based on preliminary design drawings with a generic selection of noise generating equipment.

A layout of the proposed development and immediate noise receivers are indicated in Figure 1.

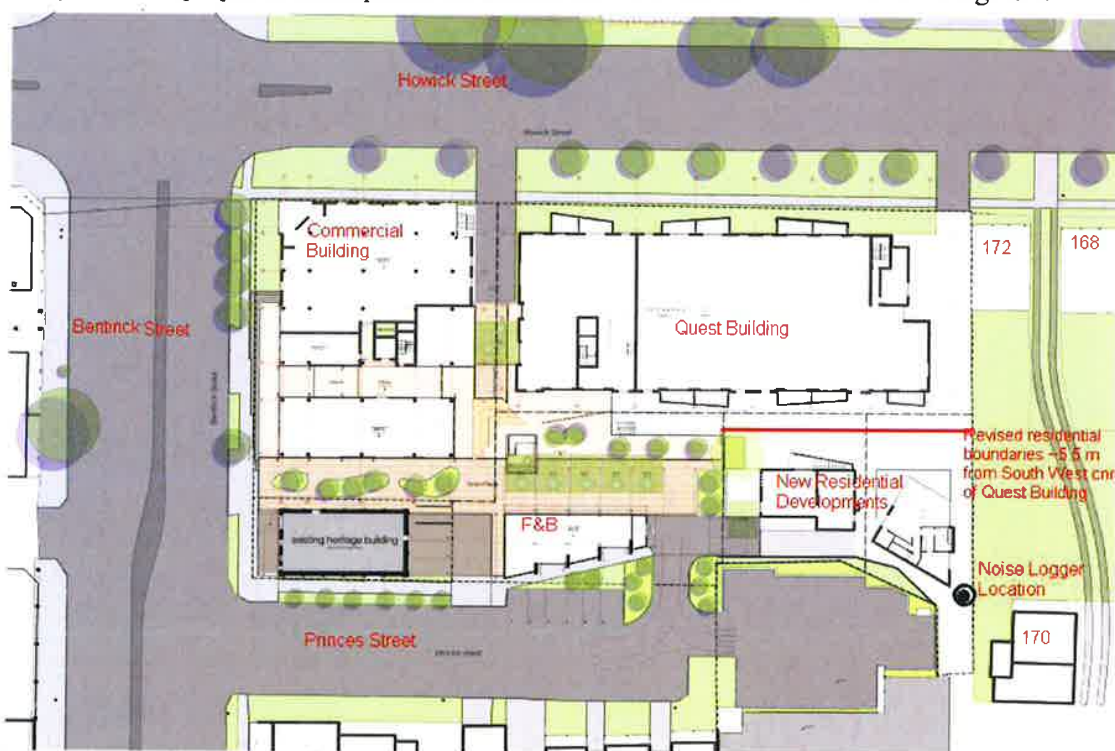


Figure 1: Site Map and Surrounding Areas near development

The closest noise receivers are noted in the Table 1 below.

Acoustik note that affected noise receivers are generally less than 100 m from noise generators thus noise enhancing weather effects will be insignificant. If noise levels satisfy the requirements at the identified receivers, noise levels at receivers further away will also be satisfied.

Table 1: Summary of noise receiver locations relative to site

Type	Location	Notes
Res New	New Residential Development	Located on the South Western Corner of Existing Site
Res 172	172 Howick Street – SE of site	Traffic exiting site – Refer Section 4.5 of report
Res 170	170 Howick Street – S of site	Site is a battle-axe block behind 172 Howick Street
Res 3	Residents South along Howick Street	Generally, less affected than 170 and 172 Howick Street

Type	Location	Notes
Res Princes	52 Bentick Street - SW of site	Most affected residences accessed from Bentick Street
Res Princes	4, 6, 8 Princes Street – SW of site	Most affected residences along Princes Street
Com JJ	2 Princes Street	Juvenile Justice Offices – Commercial
Com City	North side of Bentick Street	Bathurst City Centre, Stockland Bathurst and various small commercial buildings
Recreation	North Eastern side of Howick Street	Quota Park and Carrington Park – Recreational areas

1.1 References

The following reference material was consulted while preparing this report:

- NSW EPA Noise Policy for Industry, Published October 2017 (NPfI)
- NSW EPA Noise Guide for Local Government
- iNoise Version 2019.1, DGMR Software and user manuals

1.2 Glossary

A short list of acoustic terminology is included below:

L_{Aeq} : is the Sound Pressure Level (SPL) in decibels (dB), equivalent to the total sound energy over a measurement period (or the energy average). The A signifies that an A-Weighting applied to the spectrum to simulate human hearing response

L_{Amax} : is the maximum noise level exceeded during the measurement period.

L_{A1} : is the noise level exceeded for 1% of the measurement period, calculated by Statistical Analysis, it is considered to represent the loudest or close to the loudest noise level during the measurement

L_{A10} : is the noise level exceeded for 10% of the measurement period, calculated by Statistical Analysis.

L_{A90} : is the noise level exceeded for 90% of the measurement period, calculated by Statistical Analysis, it is considered to represent the background noise level or the noise that is present for most of the time

L_{Ceq} , dBC or C-weighting: C-weighting is an adjustment made to sound-level measurements which takes account of low-frequency components of noise within the audibility range

2 Mechanical Services Noise Data

Data for equipment proposed as part of the DA assessment at the proposed buildings was chosen by Acoustik as typical and published references as noted in Table 2 below.

The primary source of HVAC noise for the Quest development will be individual air-conditioning condenser units located on hotel balconies. HVAC for common areas of the hotel will be located on the roof of the quest building. The car park for the Quest Hotel is intended to be naturally ventilated.

The commercial building on the corner of Bentinck and Howick Streets and the food & beverage building on Princes Street are to be generically fitted out with tenants to install any special purpose mechanical services. The commercial building is proposed to have a car park exhaust system.

Table 2: Sound Power Levels for sources, Octave and A-Weighted levels – L_w

	63	125	250	500	1000	2000	4000	8000	A
Quest Hotel Building									
Air-Conditioning Units – Balcony	67	67	66	66	58	51	47	47	65
Roof Mounted HVAC – in Total	74	74	73	73	65	58	54	54	73
Commercial Building									
Car Park Exhaust	88	86	81	78	72	73	73	69	81
Roof Top Cooling Towers	75	72	71	71	67	65	61	61	73
Food & Beverage Venue									
Kitchen Exhaust Fan	84	82	77	74	68	69	69	65	77
Roof Mounted HVAC – in Total	74	74	73	73	65	58	54	54	72

2.1 Environmental Noise Levels

The L_{A90} (background) levels were recorded by a noise logger located on the proposed development site. The logger was placed at the South corner of the site close to residence 170 Howick Street. The location was representative of the closest residential noise receivers to the South West and South East of the proposed development and generally well protected from wind extremes by the existing tower building also near the South Western corner of the site. The location is noted as “Logger” in Figure 1 above.

Noise logging was conducted from Friday 21 June to Wednesday 26 June 2019, due to a battery failure earlier than the expected 7 days additional noise logging was conducted in the next week from Wed 3rd July until Sunday 7th July 2019 a total of Eleven (11) days of logging.

Table 3: SVAN 958A Logger Sn:59161 – 50 Bentinck Street - Environmental Noise Levels

	Day 7am – 6pm		Evening 6pm – 10pm		Night 10pm - 7am	
	L_{A90}	L_{Aeq}	L_{A90}	L_{Aeq}	L_{A90}	L_{Aeq}
Friday, 21 June 2019	N/A	N/A	39.2	45.5	33.9	41.6
Saturday, 22 June 2019	40.4	46.9	37.8	44.5	32.1	38.6
Sunday, 23 June 2019	41.0	47.5	36.0	44.4	31.8	39.8
Monday, 24 June 2019	N/A	N/A	38.9	45.5	35.4	43.8
Tuesday, 25 June 2019	N/A	N/A	N/A	N/A	32.6	42.3
Wednesday, 26 June 2019	44.8	44.6	N/A	N/A	N/A	N/A
Wednesday, 3 July 2019	42.5	52.3	41.0	48.1	33.2	44.0
Thursday, 4 July 2019	45.0	50.2	41.0	48.1	33.2	43.9
Friday, 5 July 2019	45.2	50.6	39.8	47.7	31.1	42.2
Saturday, 6 July 2019	45.0	50.2	42.2	47.8	32.5	40.3
Sunday, 7 July 2019	40.3	46.8	N/A	N/A	N/A	N/A
RBL/Ambient	44	49	40	47	33	42

During the logging period wind speeds continuously exceeded allowable levels on the 24 and 25 June and the affected periods of data have been excluded from the environmental noise assessment. For the evening and night on the 26th June insufficient data was available.

During the second period of noise logging there were no significant periods where wind levels continued to exceed the allowable speed of 5 m/s. There was no significant rain during the noise logging period. Wind effected measurements are yellowed out in the summary of results in Table 3 above.

Graphical plots of logger data in Appendix A.

2.2 Instrumentation

Instrumentation listed in Table 4 was used during this acoustic study.

Table 4: Instrumentation List

Instrument	Make and model	Serial No	Type/Class	Calibration Date
Field Calibrator	Larson Davis CAL250	5542	Class 1	13/7/2018
Noise Logger	SVAN 958A	59161	Class 1	17/4/2019

Instrumentation was field calibrated; no significant calibration drift was noted during the measurements.

3 Project Noise Triggers

The Noise Policy for Industry (NPfI) published October 2017 is a replacement for the NSW EPA Industrial Noise Policy (INP) published in January 2000. The NPfI is designed for the assessment of noise pollution from large industrial and agricultural noise sources that includes noise from Industrial/Extractive/Commercial premises, warehousing and Utility generation facilities.

Quoting from the opening paragraph of the Introduction from the NPfI.

“Industrial growth and investment is a key objective of the NSW Government. The growth of industry in NSW brings many benefits to the community. These include providing a range of useful services and products both for the state and elsewhere in Australia and overseas. Industry growth also creates employment opportunities and generates important revenue for the state. It is vital that development of industry in NSW is properly managed to ensure the ongoing viability of industrial activities and an adequate protection of community wellbeing and amenity.”

The NPfI sets out project noise trigger levels and where noise levels exceed the trigger levels reasonable and feasible noise mitigation measures and any residual noise impact is balanced against the economic and social benefits provided by the industry. The final assessment of allowable noise levels is the responsibility of the local regulatory authority.

3.1 Environmental Noise Triggers

Trigger levels are not intended to be treated as a mandatory requirement; if noise levels exceed the trigger a noise management response is required that includes all reasonable and feasible mitigation measures and an assessment of the impact of any residual noise that continue to exceed trigger levels. The final level of acceptable noise is determined by the regulatory authority balancing the noise impact against other social and economic benefits.

The NPfI employs two measures to control noise so that residential acoustic amenity is protected. The first is the intrusive noise trigger (L_{A90} background + 5dB) and the second is the amenity level based on the type of area.

Acoustik consider that the area is Urban Residential due to through traffic noise from the GWH as well as local traffic and through traffic noise from the Main Western Railway, from logging audio recordings the railway noise and train horn sound is clearly audible.

The development is within commercial zone (B3 Commercial Core) and the closest residential receivers to the South East are adjacent to the B3 Commercial Core zoning and industrial zoning. The existing background noise RBL levels are 1dB to 2 dB lower than the Urban Residential description and equal with the more conservative Suburban Residential category, but all the other description factors are consistent with Urban Residential category.

The amenity level is designed to halt the increase of background levels due to continuing development and to control noise where background noise levels are already high. The Project Amenity noise level is equal to the Recommended Amenity Noise Level (re Table 2.2 of NPfI) minus 5 dB. The project noise trigger levels are detailed in Table 5.

Table 5: Proposed Noise Trigger Levels – Urban Residential Area

Area	Intrusive Level $L_{A90} + 5$ dB	Project Amenity Noise Urban Residential	Noise Trigger
Day 0700 – 1800	49	55	49
Evening 1800 – 2200	45	45	45
Night 2200 – 0700	38	40	38
Commercial Premises	During Use - Not dependant on Intrusive Level		65
Active Recreation - Parks	During Use - Not dependant on Intrusive Level		55
Passive Recreation - Parks	During Use - Not dependant on Intrusive Level		50

3.2 Maximum Noise Level Triggers - Sleep Disturbance

Sudden Loud noise events can interrupt sleep by awakenings and disturbance to sleep stages. The following trigger levels to address sleep disturbance are set in section 2.5 of the NPfI.

"Where the subject development/premises night-time noise levels at a residential location exceed:

- *$L_{Aeq,15min}$ 40 dB(A) or the prevailing RBL plus 5 dB, whichever is the greater, and/or*
- *L_{AFmax} 52 dB(A) or the prevailing RBL plus 15 dB, whichever is the greater,*

A detailed maximum noise level event assessment should be undertaken.

The detailed assessment should cover the maximum noise level, the extent to which the maximum noise level exceeds the rating background noise level, and the number of times this happens during the night-time period."

The assessment should address frequency of occurrence, and the distribution of events over the night time and any change in environmental noise levels over the night (10 pm to 7 am)

The primary noise level parameter is L_{AFmax} and the assessment should consider all feasible and reasonable noise mitigation measures to comply with noise triggers.

3.3 Local Weather Conditions

The NPfI requires that an assessment of weather noise-enhancement be considered.

For this project all the most affected noise receivers will be within 100 m of the noise sources at this distance noise-enhancement is negligible.

Where noise levels at the most affected residences comply affected noise receivers further away will also comply as the increased distance will cancel any effect from weather induced noise-enhancement.

4 Prediction and Analysis

The following predictions of building services noise emissions are based on preliminary development application drawings, final plant selection for general mechanical services and HVAC are yet to be completed so sound power data of typical mechanical services equipment was used to determine noise emissions from the buildings within the development.

For the individual buildings within the development, when final equipment selections and designs are completed a qualified acoustic consultant will need to confirm that noise emissions do not exceed trigger levels as noted in Table 5 above. During the final design stage Equipment selections and locations will be determined and this is likely to vary from assumptions made at the development application stage.

This report has estimated noise emissions using standard acoustic treatments such as duct attenuators and internal lining, acoustic shielding using constructed barriers or shielding provided by building elements, selection of quieter equipment where appropriate and other standard practices.

Final selections of mechanical plant and operational methods must not include plant that can produce noise that is tonal or with Low-Frequency dominated content. Operational controls of plant must not cause any loud noise event to occur when plant is automatically switched on or off.

It is not expected that the operation of mechanical plant within this development would create maximum noise events that would need assessment for sleep arousal during the night period.

Typical Sound Power for expected equipment is listed in Table 2 above. Sound level predictions are based on computer modelling using the environmental noise modelling program iNoise 2019.1

4.1 Quest Serviced Apartments and Hotel

The main source of environmental noise from the hotel will be from the operation of individual air-conditioning condenser units located on room balconies. The balconies are assumed to be solid with no gaps and constructed of a material with an acoustic rating of 25 R_w or greater. Operation of the mechanical plant for the Quest building is expected during all day, evening and night periods.

The most affected noise receivers are the proposed new residential developments located on the South Western corner of the existing Dairy Farmers site.

This residential boundary is proposed to be 5.5 m from the South Western corner of the Quest building. Parking for the new residential buildings will be accessed via secured doors from the Quest Driveway at basement level.

Based on the selected sound power for on balcony air-conditioning condenser units the noise level at the closest residential boundary is predicted to be 38 dBA with all balcony units in operation. This is a conservative approach as even at full occupation a percentage of condensing units would be idle as internal room temperatures are met and thermostatic control shuts down the external condenser.

The general recommendation for roof top plant is to locate it towards the side of the Quest building facing Howick Street as the noise trigger level at the boundary of the active recreation area on the opposite side of Howick Street is 55 dBA which is less stringent than the residential trigger levels. Note that in general mechanical plant should be located at least 2 metres in from the edge of the roof so that residential balconies are not affected by roof top plant.

At ground level on Howick Street (Drawing Title: Quest lower basement) a plant room is indicated but plant for this room is not nominated at DA Stage. Any noise emissions from plant located in this room will need to be controlled to meet noise trigger levels.

4.2 Commercial Building - Corner of Howick and Bentinck Streets

The main known source of mechanical services noise emissions from the commercial building at the development application stage is a car park exhaust system (CPE) and building Air-Conditioning plant. The CPE is automated it can operate during all day, evening and night periods depending on need. Air-Conditioning in the commercial building would operate during business hours (Daytime) 7am to 6 pm. The CPE system ducting is currently proposed for installation within a riser behind the lift shaft. The CPE fan(s) could be roof mounted as selected in Table 2 above or within the carpark plantrooms. If roof mounted the fan should be mounted on the opposite side of the lift overrun from the quest building so CPE noise emissions to the are shielded by the overrun building.

As there is no proposal for type of air-conditioning, Acoustik have modelled two cooling towers on the roof of the building located at the middle on the side of the building facing Bentinck Street. The opposite side of Bentinck Street is all commercial buildings where the noise trigger level is 65 dBA. The building roof height and the existing commercial building on the corner of Bentinck and Princes street will protect the residences on Princes Street.

Other mechanical services for offices within the commercial building are unknown at this stage. Any mechanical plant installed during office fit out will need assessment to confirm compliance with the project noise trigger levels.

4.3 Food and Beverage Building - Princes Street

The main known source of mechanical services noise emissions from the proposed food and beverage building would be a Kitchen Exhaust fan and air-conditioning condensers. The building is proposed for use as a restaurant or café providing and hours of operation would be limited to day and evening hours up to 10 pm at night.

We expect that mechanical plant would be located on the roof of the building. Our recommendation is that the plant be located within 2 m of the North Eastern corner of the roof and the plant be shielded by a noise barrier located so that it shields the Quest building and the New Residential building (Refer Section 4.4 below) to the South and at least 1 metre higher than the top of installed plant. The side of the barrier facing the plant must be lined with absorptive material with a minimum NRC of 0.8

4.4 Residential Development

On the South Western corner of the development site it is proposed to convert the existing tower building and other buildings to two separate residential developments. These developments could include air-conditioning consistent with residential developments. Standard acoustic treatments could be used to control noise emission from any plant associated with these residential developments.

Two guest car parking are provided just to the North of the residential developments having access via Princes Street.

4.5 Vehicle Entrance and Exit Locations

The vehicle entrance and exit points servicing the Commercial and Quest Buildings and for access to the proposed residential development parking are located on Howick Street. The entrance is located between the commercial building and the Quest building and the exit is located between the Quest building and residence at 172 Howick Street.

During day time hours vehicles from all of the developments will use the Howick Street entrance and exit with delivery vehicles encouraged to park and deliver from Princes Street. After business hours generally only residents of Quest and the residential development will use the entrance and exits.

To mitigate impact of vehicles passing 172 Howick Street a fence must be constructed along the boundary line that is a minimum of 2.5 metres above the development internal driveway around the base of the quest building and has an acoustic rating of 25 R_w no gaps at the base and at the joins are permitted. An internal speed limit no greater than 10 km/h within the development is to be posted with signage and additional signage to encourage quiet behaviour within the car parking area.

The driveway near the exit point must be constructed so that the exit onto Howick Street is smooth with a minimum of bumps and deviations to avoid impact noise. A sign near the exit must advise drivers to exit the site quietly and consider neighbouring properties.

Based on an assessment that 80% of the vehicles from the commercial building carparking left the site from 5 pm to 6 pm in a regular fashion the predicted noise L_{Aeq} noise level over a 15 minute period would not exceed 49 dBA within the boundary of the residence at 172 Howick Street.

Outside of business hours vehicles leaving the site would be occasional afterhours workers in the commercial building and mostly residential traffic. If four vehicles left the site in 15 minutes on average the predicted noise L_{Aeq} noise level over a 15 minute period would not exceed 38 dBA within the boundary of the residence at 172 Howick Street.

Maximum noise levels at residence 172 Howick Street should be controlled by the low speed limit and driver compliance with the noted signage. Errant drivers will be advised by site management to consider the neighbouring properties with regards to noise levels from vehicles.

Vehicles exiting the site between 10 pm and 7 am are expected to be a minimal number consistent with residential use.

5 Conclusion

Acoustik was engaged by “Integrated Design Group” to investigate noise emissions from the proposed development of the existing Dairy Farmers site at 50 Bentinck Street, Bathurst.

The overall development includes several independent buildings developed on the existing Dairy Farmers site, namely, a Commercial Building, a Quest Hotel and Serviced apartment building, a food and beverage building, and finally a residential development on the South Western corner of the existing site.

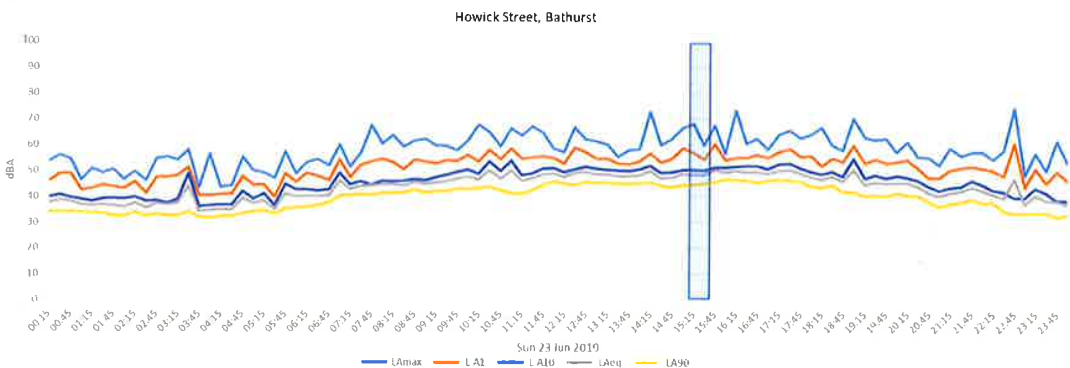
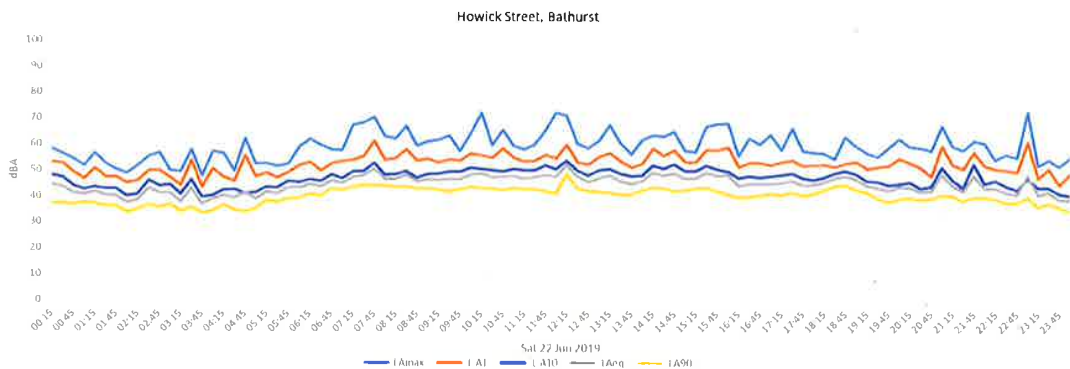
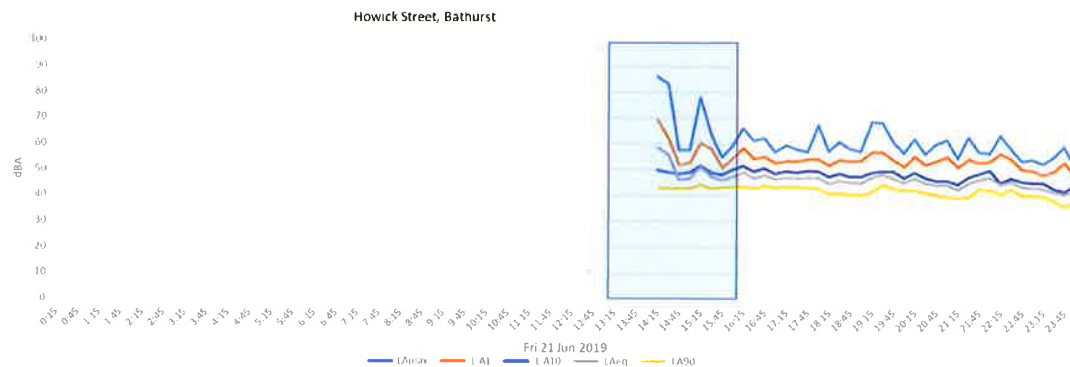
This report is an environmental noise study of the site and examined typical noise emissions from mechanical services and concludes that any mechanical services noise from the various developments on the site can be controlled so that environmental noise trigger levels can be met. Acoustik has used typical noise data to conduct the assessment at the development application stage based on the preliminary Development Application Drawings.

An assessment of vehicle noise generation was made to develop controls to mitigate noise from vehicle parking and exiting the site onto Howick Street.

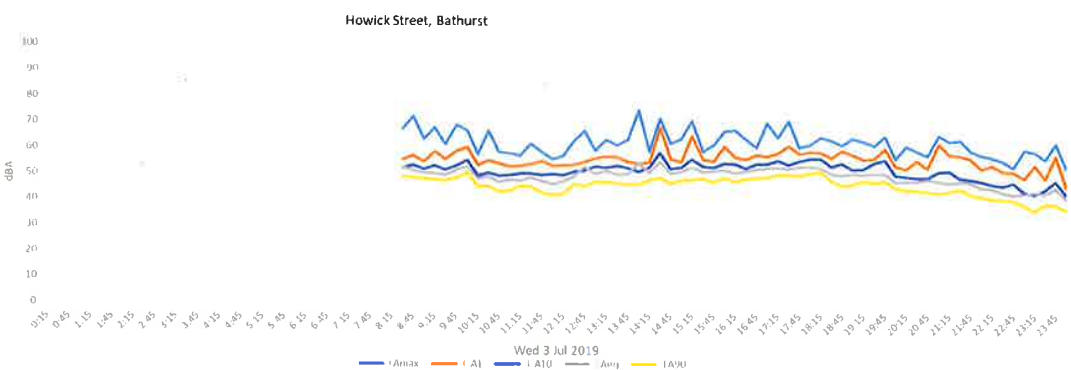
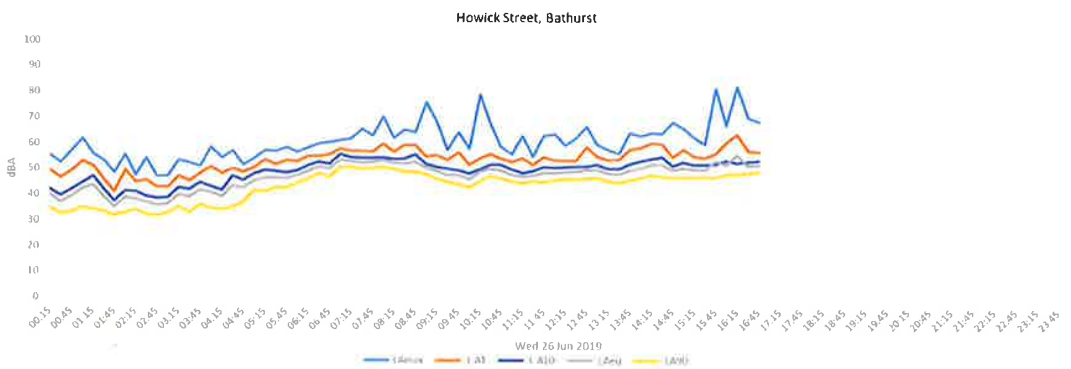
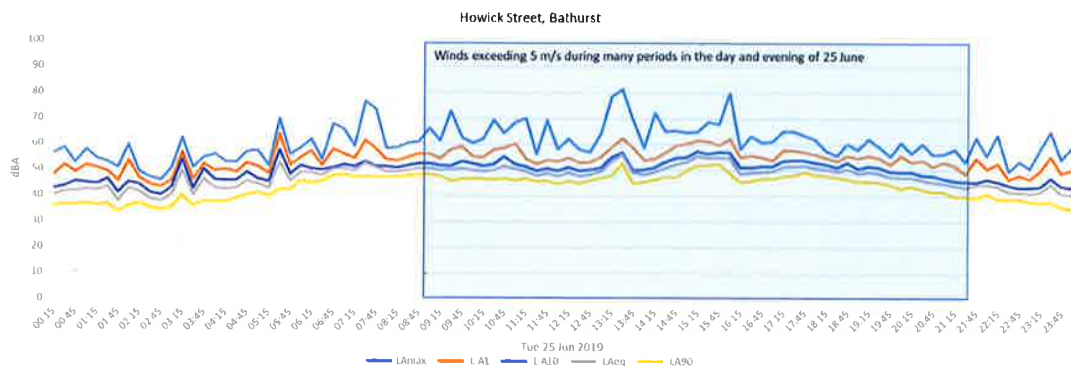
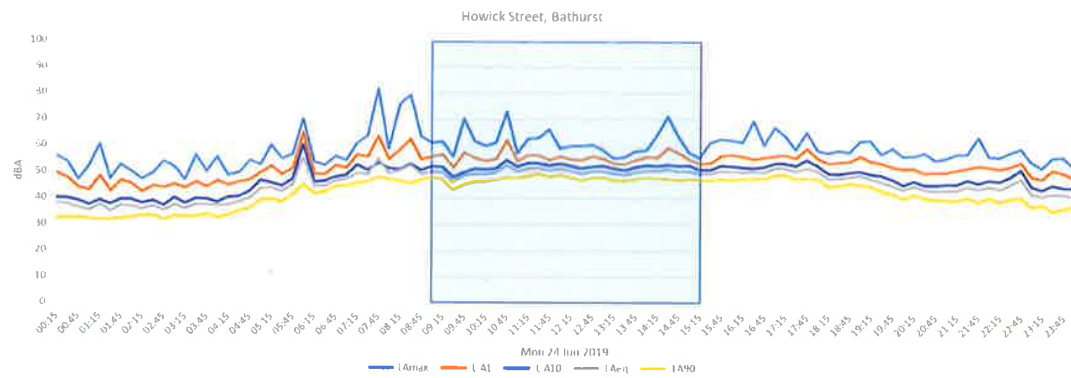
For the later detailed design development and construction stages a review of noise emissions from finally selected plant and equipment would need to be conducted by a qualified acoustical consultant to confirm compliance.

A. Appendix A - Graphical Plots of Logger Measurements

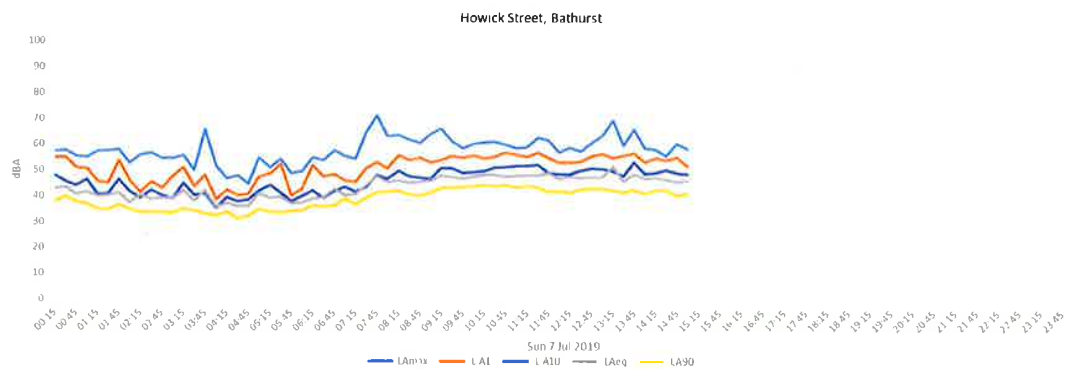
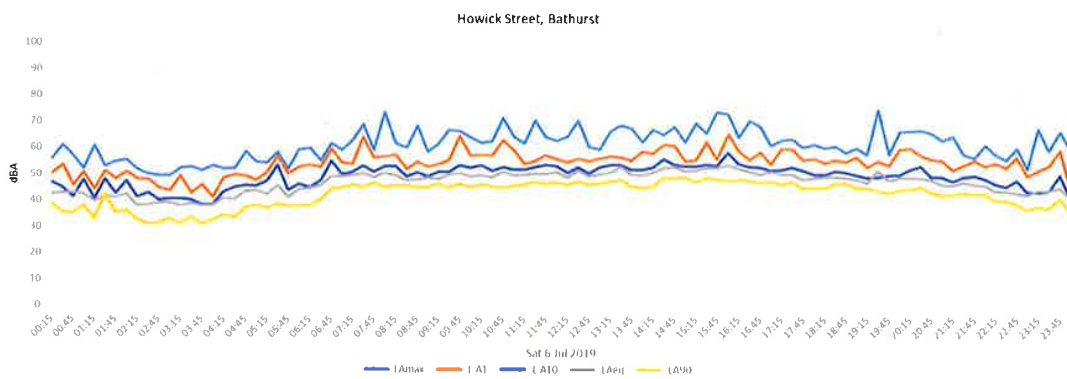
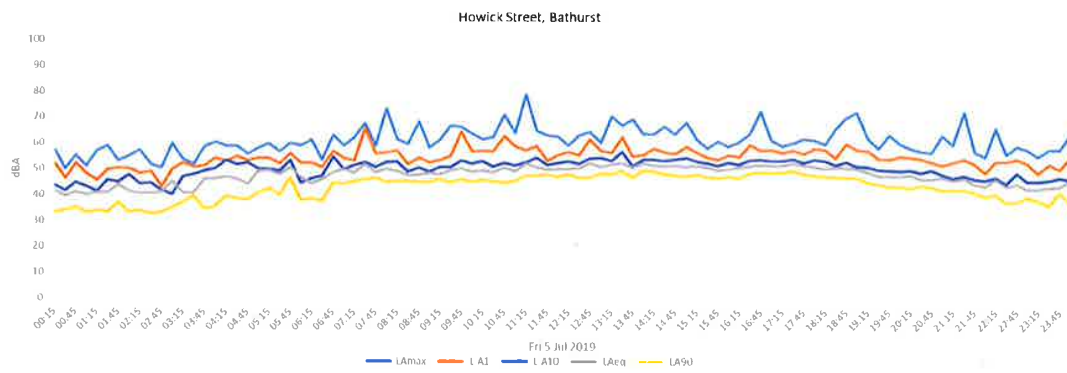
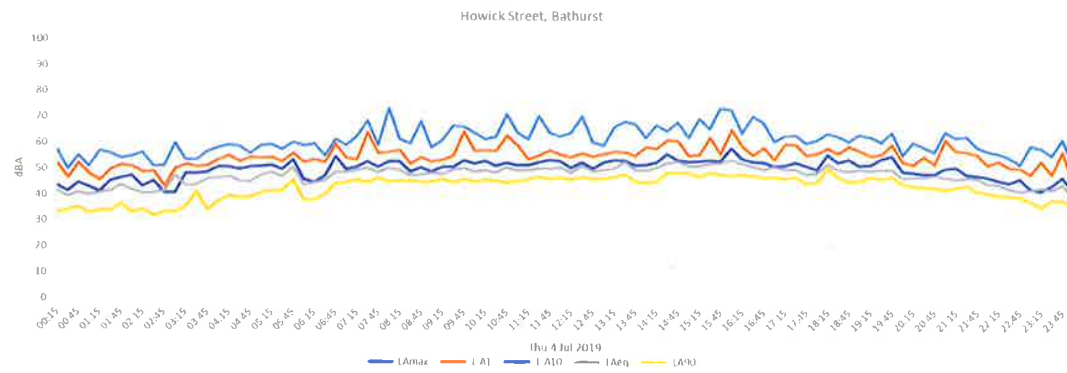
Graphic plots of noise logger data – 50 Bentick Street, Bathurst NSW (Invalidated data in blue)



Development Application Acoustic Assessment - Dairy Farmers Site 50 Bentinck StreetPage 14 of 15



Development Application Acoustic Assessment - Dairy Farmers Site 50 Bentinck StreetPage 15 of 15





Joss Construction

Dairy Farmers Tower

BASIX Assessment Report

ESD Synergy Pty Ltd
Contact No: +61 497 979 868
+61 413 591 688
Email: info@esdsynergy.com
Web: www.esdsynergy.com



Attention	Joshua Andren
Client	Joss Construction C/O – IDG Architects
Author	Adriana Segovia
Reviewer	Henky Mantophani
Date	08/10/2019
Revision	00
Subject	Dairy Farmers Tower – BASIX Assessment Report

1. SITE APPRECIATION

The proposed development is located at 50 Howick Street, Bathurst and consists of:

- 6 level single dwelling

2. BASIX WATER SECTION

The proposed development will meet the mandatory BASIX water target of 40% as long as the water commitments detailed in Table 1 are installed. For details of the requirements necessary to achieve this target, please refer to the BASIX Certificate No. 1049200S.

Table 1: BASIX Water Commitments

BASIX Water Commitments	
<u>Area of Indigenous or low water species</u>	<ul style="list-style-type: none"> • None
<u>Rainwater collection</u>	<ul style="list-style-type: none"> • 10,000L rainwater tank • Roof collection area – 92.6m² (100% of total roof) • Rainwater to be used for: <ul style="list-style-type: none"> • Garden & lawn irrigation • Laundry use
<u>Fixtures</u>	<ul style="list-style-type: none"> • 3-star (Water Rating) showerheads with a flow rate > 7.5L/min & ≤ 9L/min • 4-star (Water Rating) toilets • 5-star (Water Rating) kitchen taps • 5-star (Water Rating) bathroom taps



3. BASIX THERMAL COMFORT SECTION

The thermal performance of the development has been evaluated using BERS Pro 2nd Generation software. The BERS Pro computer simulation of residential developments forms part of the Nationwide House Energy Rating Scheme, and is used to assess the potential of a residential development to have low heating and cooling energy requirements once operational.

3.1 MODELLING ASSUMPTIONS

The “base-case” building fabric and glazing and associated thermal performance specifications are described in Table 2 below as these assumptions are based on the nominated preferred construction materials indicated by the architect.

Note: Table 2 must be read in conjunction with Table 3. Table 3 outlines additional thermal enhancements / treatments to meet the mandatory thermal load targets to achieve compliance.

Table 2: Base Case Assumptions on Construction and Fabric

Element	Material	Detail
External walls	Brick Veneer (Brick to be 440mm thick)	Insulation: See Table 3 Medium colour: 0.475<absorptance< 0.70
Internal walls	Plasterboard	
Windows	Type 1 <u>(Typical Single glazed clear glass with aluminium frame)</u>	Total Window System Properties U-value 6.7 & SHGC 0.70 for sliding doors, sliding & fixed windows And Total Window System Properties U-value 6.7 & SHGC 0.57 for bifold doors, awning & casement windows
	Type 2 <u>Performance glazing</u>	Total Window System Properties U-value 4.3 & SHGC 0.53 for sliding doors, sliding & fixed windows And Total Window System Properties U-value 4.3 & SHGC 0.47 for bifold doors, awning & casement windows
	Type 3 <u>Performance glazing</u>	Total Window System Properties U-value 4.8 & SHGC 0.59 for louvred windows
	Window Operability	Full height windows: 45% (i.e. sliding) Bedroom windows: 10% (BCA 3.9.2.5) All other non-balcony windows: 0% & 90% (i.e. fixed & awning)



Element	Material	Detail
	Shading device	Glazed stairway windows: 60% shaded
Skylight		None
Roof	Concrete	Insulation: See Table 3 Medium colour: 0.475<absorptance< 0.70
Ceilings	Plasterboard	Insulation: See Table 3
Floors	Ground floor: Concrete All other levels: Timber	Insulation: See Table 3 Tiles: Wet areas only Carpet: Bedrooms only Bare: Elsewhere
Recessed downlights assessed		No
Exhaust fans (kitchens, bathrooms, laundry)		All assumed to be sealed

3.2 BERS PRO RESULTS (THERMAL COMFORT)

The simulated heating and cooling loads per dwelling are summarized in Table 3 below. Where the dwellings have failed to meet the thermal load targets additional thermal enhancements / treatments are provided. This is typically in the form of bulk insulation. These additional thermal treatments are required to pass the BASIX Thermal performance requirements. Please refer to BASIX Certificate No. 1049200S & NatHERS Universal Certificate No. 0004258034 for details.

Table 3: BERS Pro Thermal Loads

Additional Treatments Required	Heating Load (MJ/m ² .yr)	Cooling Load (MJ/m ² .yr)	Stars	Pass/Fail
<ul style="list-style-type: none"> R1.0 Bulk Floor Insulation to floors adjacent to enclosed subfloor only R2.5 External Wall Insulation with vapour barrier R4.0 Bulk Ceiling Insulation to all exposed roofs Anticon Roof Insulation to metal roof above lounge room void only Type 2 windows to all windows except louvred windows Type 3 windows for louvred windows only Enclosed glazed stairway NE window to have at least 15% ventilation opening 	254.6	23.9	5.1	Pass

3.3 BCA PART NSW 3.12.1.1: BUILDING FABRIC THERMAL INSULATION

All insulation must be installed as per BCA Part NSW 3.12.1.1. For relevant clauses, please see Appendix B.



4. BASIX ENERGY SECTION

The proposed development will meet the mandatory BASIX Energy target of 40% as long as the energy commitments detailed in Table 4 are installed.

Table 4: BASIX Energy Commitments

Component	Commitment
<u>Alternative Energy Supply</u>	<ul style="list-style-type: none"> Photovoltaic system of at least 1kW rated peak electrical output
<u>Hot Water System</u>	<ul style="list-style-type: none"> Electric Heat Pump with 26-30 STCs
<u>Ventilation</u>	<ul style="list-style-type: none"> Kitchen & Laundry Exhaust: Individual fan, ducted to façade or roof, with manual on/off switch Bathroom Exhaust: Individual fan, ducted to façade or roof, interlocked to the light
<u>Heating & Cooling</u>	<ul style="list-style-type: none"> Heating to Living Area & Bedrooms: 2-star, 1-phase air conditioner Cooling to Living Area & Bedrooms: Ceiling fans & 2-star, 1-phase air conditioner
<u>Lighting</u>	<ul style="list-style-type: none"> At least 80% of light fittings (including the main light fitting) in all hallways, laundries, bathrooms, kitchens, bedrooms and living areas to use Fluorescent or LED lights with dedicated fittings¹
<u>Other</u>	<ul style="list-style-type: none"> Gas cook top and electric oven Install an outdoor clothes drying line

4.1 BCA PART 3.12.5: SERVICES

The design, location and insulation of all services must be installed as per BCA Part 3.12.5. For relevant clauses, please see Appendix C.

5. CONCLUSION

The proposed development has been assessed to optimise its thermal performance (passive and fabric design) using the Nationwide House Energy Rating scheme (NatHERS) and also been assessed in terms of its ability to conserve water and minimise energy consumption through BASIX Tool.

With the commitment recommendations contained within this report the proposed development is able to meet BASIX requirements and is BASIX compliant.

For further details, please refer to the BASIX Certificate No. 1049200S provided.

¹ Definition of dedicated fittings is a light fitting that is only capable of accepting fluorescent or LED (Light Emitting Diode) lamps. It will not accept incandescent, halogen or any other non-fluorescent or non-LED lamps.



APPENDIX A - ARCHITECTURAL DRAWINGS

The building sustainability performance assessment carried out in this report was based on the following architectural drawings supplied by IDG Architects received on 23rd September 2019.

Drawing No:	Description
E1001	lower basement plan
E1002	upper basement plan
E1100	ground floor plan
E1101	first floor plan
E1102	second floor plan
E1103	third floor plan
E1104	roof plan
E2000	north-east elevation
E2001	south-west elevation
E2002	south-east elevation
E2003	north-west elevation



APPENDIX B - BCA PART NSW3.12.1.1: BUILDING FABRIC THERMAL INSULATION CLAUSES

Part 3.12.1 – BUILDING FABRIC		
Clause		BCA DTS Section J Recommendations & Compliance
<u>3.12.1.1</u> <u>Building fabric</u> <u>thermal</u> <u>insulation</u>	<p>(a) Thermal insulation in a building must comply with the national BCA provisions of 3.12.1.1.</p> <p>(b) A thermal break must be provided between the external cladding and framing in accordance with national BCA provisions of—</p> <p>(i) 3.12.1.2(c) for a metal framed roof; and</p> <p>(ii) 3.12.1.4(d) for a metal framed wall.</p> <p>(c) Compensation for reduction in ceiling insulation must comply with the national BCA provisions of 3.12.1.2(e).</p> <p>(d) A floor with an in-slab or in-screed heating or cooling system must comply with the national BCA provisions of—</p> <p>(i) 3.12.1.5(a)(ii), (iii) and (e) for a suspended floor; or</p> <p>(ii) 3.12.1.5(c), (d) and (e) for a concrete slab-on-ground.</p>	Developer intends to comply



APPENDIX C - BCA PART NSW3.12.5: SERVICES CLAUSES

Part 3.12.5 – SERVICES		
Clause		BCA DTS Section J Recommendations & Compliance
<u>3.12.5.0 Application</u>	A heated water supply system must be designed and installed in accordance with Part B2 of NCC Volume Three — Plumbing Code of Australia.	Developer intends to comply
<u>3.12.5.1 Insulation of services</u>	Thermal insulation for central heating water piping and heating and cooling ductwork must— (a) be protected against the effects of weather and sunlight; and (b) be able to withstand the temperatures within the piping or ductwork; and (c) use thermal insulation material in accordance with AS/NZS 4859.1.	Developer intends to comply
<u>3.12.5.2 Central heating water piping</u>	Central heating water piping that is not within a conditioned space must be thermally insulated to achieve the minimum material R-Value as follows: (a) Internal piping including— (i) flow and return piping that is— (A) within an unventilated wall space; or (B) within an internal floor between storeys; or (C) between ceiling insulation and a ceiling; and (ii) heated water piping encased within a concrete floor slab (except that which is part of a floor heating system), must, in all climate zones, have a minimum material R-Value of 0.4. (b) Piping located within a ventilated wall space, an enclosed building subfloor or a roof space, including— (i) flow and return piping; and (ii) cold water supply piping within 500 mm of the connection to the central water heating system; and (iii) relief valve piping within 500 mm of the connection to the central water heating system, must have a minimum material R-Value of— (iv) in climate zones 1, 2, 3 and 5 — 0.6; and (v) in climate zones 4, 6 and 7 — 0.9; and (vi) in climate zone 8 — 1.3. (c) Piping located outside the building or in an unenclosed building subfloor or roof space, including— (i) flow and return piping; and (ii) cold water supply piping within 500 mm of the connection to the central water heating system; and (iii) relief valve piping within 500 mm of the connection to the central water heating system, must have a minimum material R-Value of— (iv) in climate zones 1, 2, 3 and 5 — 0.6; and (v) in climate zones 4, 6 and 7 — 1.3; and (vi) in climate zone 8 — 1.3.	Developer intends to comply



<p><u>3.12.5.3</u> <u>Heating and cooling ductwork</u></p>	<p>(a) Heating and cooling ductwork and fittings must—</p> <p>(i) achieve the material R-Value in 3.12.5.3(d); and</p> <p>(ii) be sealed against air loss—</p> <p>(A) by closing all openings in the surface, joints and seams of ductwork with adhesives, mastics, sealants or gaskets in accordance with AS 4254.1 and AS 4254.2 for a Class C seal; or</p> <p>(B) for flexible ductwork, with a draw band in conjunction with a sealant or adhesive tape.</p> <p>(b) Duct insulation must—</p> <p>(i) abut adjoining duct insulation to form a continuous barrier; and</p> <p>(ii) be installed so that it maintains its position and thickness, other than at flanges and supports; and</p> <p>(iii) where located outside the building, under a suspended floor, in an attached Class 10a building or in a roof space—</p> <p>(A) be protected by an outer sleeve of protective sheeting to prevent the insulation becoming damp; and</p> <p>(B) have the outer protective sleeve sealed with adhesive tape not less than 48 mm wide creating an airtight and waterproof seal.</p> <p>(c) The requirements of (a) do not apply to heating and cooling ductwork and fittings located within the insulated building envelope including a service riser within the conditioned space, internal floors between storeys and the like.</p> <p>(d) The material R-Value required by (a)(i) must be determined in accordance with the following:</p> <p>(i) In a heating-only system or cooling-only system including an evaporative cooling system—</p> <p>(A) ductwork must have a minimum material R-Value of—</p> <p>(aa) in climate zones 1 to 7 — 1.0; and</p> <p>(bb) in climate zone 8 — 1.5; and</p> <p>(B) fittings must have a minimum material R-Value of 0.4.</p> <p>(ii) In a combined heating and refrigerated cooling system—</p> <p>(A) ductwork must have a minimum material R-Value of—</p> <p>(aa) in climate zones 1, 3, 4, 6 and 7 — 1.5; and</p> <p>(bb) in climate zones 2 and 5 — 1.0; and</p> <p>(cc) in climate zone 8 — 1.5; and</p> <p>(B) fittings must have a minimum material R-Value of 0.4.</p> <p>(iii) For the purposes of (d)(ii)(A), the minimum material R-Value required for ductwork may be reduced by 0.5 for combined heating and refrigerated cooling systems in climate zones 1, 3, 4, 6 and 7 if the ducts are—</p> <p>(A) under a suspended floor with an enclosed perimeter; or</p> <p>(B) in a roof space that has an insulation of greater than or equal to R0.5 directly beneath the roofing.</p>	<p>Developer intends to comply</p>
--	---	------------------------------------



Joss Construction
Dairy Farmers Tower
BASIX Assessment Report

APPENDIX D – Landscaping Areas

WATER - LANDSCAPE

Please fill out mandatory fields marked in a *

Area of lawn (m²) *

0

Area of garden
(exlcuding lawn) (m²) *

20

Area of indigenous
species (m²) *

0

From: Mum <meganchild@aapt.net.au>
Sent: Monday, 7 October 2019 8:27 PM
To: Council
Subject: DA 2019/295

Dear council,

Regarding the above development application we would like to draw attention to development issues that impact 172 Howick Street our residence.

Statement of Environmental Effects (SoEE)

2.1.2 Open Space & Recreation

*Overshadowing of property.

- Current plans do not show a visual display of the effects of shadowing in relation to 172 Howick
- Diagram in SoEE 2.1.2 is insufficient in showing a layman the shadowing for summer and winter solstice.
- We would like to see a track of the sun visually with the view of Quest apartments and 172 Howick Street in 2D as we are unable to comment on the current information

3.2.5 Vehicle Access & Servicing

*Howick Street primary access

- There is conflict of information regarding the entrance and exits on Howick street to parking
 - Artists impressions from Drawing A1002 shows dual entrance/exit along Howick Street
 - Images conflict with Traffic Solution point 4.
 - Will the entries and exit have boom gates or garage doors as shown in in the Artists impression?
 - If Drawing A1002 is correct the traffic report should reflect the flow of traffic would be 33% entry and 100% exit for vehicle access closest to 172 Howick

Acoustic Report

*Noise affecting 172 Howick Street

2.0 Mechanical Services Noise Data

- Air-Conditioning units - Balcony
- Roof Mounted HVAC
 - Concerns are raised regarding additional noise to the environment which may effect residents in surrounding areas especially 172 Howick Street
- Carpark Exhaust omissions
 - With increase of traffic passing 172 Howick where will the exhaust fans be positioned?

4.1 Plant Room

- We have concerns in regard to the Plant room primarily due to
 - Noise Emission
 - Closeness to 172 Howick
 - Effects of distant humming effecting sleep

4.5 Exit & Entrance

- Fence 2.5 metres in height above development internal driveway (this is not part of the artists impression but only written within the document
 - We have concerns that the height of the fence will impede on

- Light
- Airflow
- Bumps & Deviations
 - We have concerns regarding the use of speed humps
 - Speed humps whilst encouraging drivers to drive slower they also cause:
 - Additional noise
 - Vibrations - leading to long term effects on 172 Howick Street walls that are near a century old
 - There is also no controls to stop speed humps being used in the future.

Flow of Traffic

We are totally opposed to the site access next to our residence due to our bedrooms being on the boundary. There are no details about how the proposed wall will impact on our property, including vehicle omissions which appears not to be included in any of the submissions.

Trucks

In addition, the report encourages large vehicles/trucks to use Princess St for entry but does not list control measures to stop them using the Howick street Entry/Exit way close to our residence.

Traffic and Parking Assessment

*Conflict of Information

- Drawings 1 & 2
 - Both drawings have conflicting information to SoEE and Artists Impressions Drawing A1001 & A1002
 - Layout of traffic flow
 - Location of bins

Drawings (Artists Impressions)

- A1001
 - Shows no fence line between 172 & 178 Howick Street
 - Shows no impediment of view from rear balcony of proposed residential building located on Princess Street
- A1002
 - Shows dual entrance/exit alongside 172 Howick

*Privacy of our dwelling in regards to the facing of windows and the need for privacy screens.

- A1003 - 1006
 - Level 1 - L4 shows windows facing the side of 172 Howick reducing privacy for bedrooms and outdoor living activities

The rear residential building situated on Princess Street with a balcony facing towards Carrington Park will effect our properties privacy by having a direct view from the living room of the said property into the backyard of our property (172 Howick) The plans do show some vegetation on the boundary however we deem this insufficient and that the artists impression shows no vision restrictions between the two properties.

Recommendations

- Pathway alongside 172 Howick
 - As shown on SoEE 2.4.2 Figure 10
- Frosted Windows on Quest apartments overlooking 172 Howick

- Plant room and omissions exhaust fans to be located along Bentinck St
- No Speed Humps near 172 Howick exit side
- No boom gates
- An additional Exit



The previous plans submitted showed a fence and pathway along side our residence (as above), this was far more preferable. This allowed for airflow, greenery rather than overbearing walls and a fence that was standard height. It also allowed for access to plumbing from our side especially since this has been an ongoing problem with the adjacent sites (178 Howick) excess water causing excessive damp to 172 Howick Street.

There appears no consensus between the layouts, plans and visual designs this is troubling as it is unclear what the true plan for the buildings and car parks will be.

Regards

Andrew and Megan Child
(Owners of 172 Howick Street)

1193 Tarana Road
Wambool, 2795

2019/295-05/014

From: bathgates@gmail.com
Sent: Friday, 11 October 2019 10:49 AM
To: Council
Cc: Neil Southorn
Subject: Submission to Council on DA2019/295
Attachments: Submission to Council on DA.doc

Please find attached the Bathurst Heritage Network's submission on DA2019/295 - former Dairy Farmers site.

Could you please acknowledge receipt

Sandy Bathgate

[Convenor](#)

[Bathurst Heritage Network](#)



[BathurstHeritageMatters](#)



[ExperienceHeritageBathurst](#)



[BathurstHeritageTradesTrail](#)

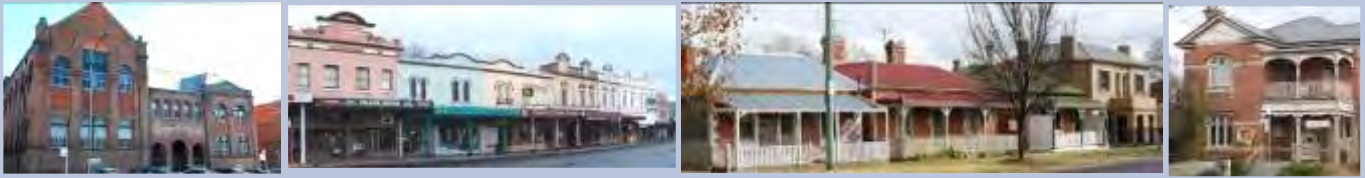
www.heritagebathurst.com [HERITAGE CITY](#) heritagebathurst@gmail.com

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Bathurst Heritage Network

Bathurst's unique heritage is a key social, cultural and economic asset

General Manager
Bathurst Regional Council
Russell St, Bathurst 2795

11 October 2019
by email

Dear Sir,

DA 2019/295 – submission Dairy Farmers Site

I am writing to convey the suggestions of the committee of the Bathurst Heritage Network concerning the latest redevelopment proposal for the former Dairy Farmers site.

The proposed development is on a major landmark corner site and so deserves very close consideration. It has the potential to define Bathurst as a city, and to create a first impression for visitors.

The proposal contains a number of very good elements – both the Princes St and Bentinck St frontages show respect for the heritage streetscapes and buildings particularly through the replication twice of “The Coolroom” shape and bulk, the sight lines through to the Tower which create public accessibility, as do the courtyards and public areas. The Howick St frontage containing the Quest building is much less so, with little in the way of heritage elements, and also due to its large rectangular bulk, its over regulation height, and its overbearing impact on the edge of the residential area which dwarfs the adjacent heritage cottages.

Our view is that the best elements of the proposal are those along and inside the Bentinck and Princes St frontages. It is essential these elements proceed if approval is granted.

We commend the developers for their engagement with heritage groups and council before lodging the DA, and for the care taken to try to respond to the deficiencies in their rejected 2016 application, which was for the Quest building alone. Also, for taking on board suggestions from the heritage community including burying the street powerlines, tree planting, chamfering the Bentinck/Howick corner, articulating the east end of the Quest building, and modifying the roofline.

The Network suggests Council and Councillors might ask themselves the same questions the Network put to the public through face to face discussions and through a number of social media channels, namely:

- Is it good enough?
- Does it fit with the three heritage streetscapes?
- What is the impact of its bulk and height?
- Will Bathurst retain its country town atmosphere, or will this be a precedent to make it more like just any other small city?

Whilst public feedback received has tended towards agreement with the proposal, that is by no means categorical, with many strong opinions voiced across the whole of the spectrum.

The Bathurst Heritage Network has two main areas to refer to Council:

1. How will Council ensure the whole project is built, so as to ensure the best elements do in fact eventuate for the benefit of the Bathurst community?

In this regard we note that despite a stated desire to do this, the applicant has signaled the project may be staged, to align with commercial exigencies. If that were to happen there is no guarantee the ultimate outcome would be as planned.

The applicant has shown a clear preference to build the Quest building first, and to re-subdivide the land. Unless there are measures put in place, it is possible that after building the Quest, the balance of the site is sold off as bare land to be developed piecemeal by others later, with totally different designs, thus dashing community expectations.

It is noted that the applicant relies on the whole site being developed when seeking partially to justify the Quest parking shortfall (see 2 below), through counting in surplus (to DCP requirements) commercial and retail parking spaces. Thus, parking is another reason for the importance of the whole development being done at the one time.

Will Council please condition any approval, or use other appropriate measures, to ensure the whole project is realized as one.

2. The east end of the Quest building is five stories, which is well over the permitted height in the DCP, with negative bulk and scale impacts on the neighbours and the street amenity.

What will Council do to address the over height element?

We have suggested that that part of the Quest be “stepped down” the Howick St slope by one storey. This would mean the number of apartments (75) would reduce slightly, but would then better align with the number of planned residential parking spaces (49), which we note falls well short of the DCP requirements (77). This approach also reduces the negative impacts on the Howick St neighbouring cottages.

We would also suggest appropriate historical and heritage interpretative signage be included in publicly accessible locations on the site.

Yours faithfully,

Sandy Bathgate
Convenor, Bathurst Heritage Network



Bathurst Heritage Matters celebrates Bathurst's built, natural and cultural heritage, and provides a forum for heritage advocacy and ideas.

It is a voice of the Bathurst Heritage Network, an extensive community not for profit network of people and organisations wanting better heritage outcomes in Bathurst.

The Network was established in 2012 by a group of concerned locals, and its supporter base was expanded at a public meeting of 150 people in May 2013, which endorsed its objectives, methodology, steering committee, and spokespersons. Subsequently it established a number of partnerships with key local heritage groups, and around seventy local commercial relationships through the Experience Heritage Bathurst brochures programme. Its establishment of Bathurst Heritage Week in 2014, and of the Bathurst Heritage Trades Trail in 2017, has led to relationships and partnerships with over 100 heritage trade and crafts community groups and practitioners.

The facebook page Bathurst Heritage Matters is now a key means of communication with everyone involved with and interested in The Network. As at 30 June 2019 there were over 1,800 Network facebook supporters. Bathurst Heritage Matters also contributes a regular column for the weekly newspaper Bathurst City Life, which has a circulation of 11,000. Overwhelmingly, these public channels convey very positive heritage messages, and information promoting Bathurst.

The Network has advocated tirelessly for better heritage outcomes since inception. Written submissions and oral presentations have been made to Bathurst Regional Council on hundreds of heritage related policy matters, and on individual development applications. The Network was instrumental in formation of Bathurst Council's Heritage Reference Group, and The Bathurst Region Heritage Plan.

Sandy Bathgate was asked to be convenor and spokesperson for The Network. He coordinates the facebook page and the newspaper column. Day to day activities and advocacy by The Network are furthered by a dedicated Steering Group of locals. Individually and collectively they are in close personal contact with the wider community on heritage issues.

2019/295-05/015

From: Lew & Sylvia <lewishitchick@bigpond.com>
Sent: Friday, 11 October 2019 10:52 PM
To: Council
Subject: Comment on proposed development of former Dairy Farmers' site, Howick & Bentinck Sts
Attachments: Howick street concerns - Oct 10.doc

Director,
Environment, Planning & Building Services,
Bathurst Regional Council

Please see attached submission.

Kind regards

Lew & Sylvia Hitchick

Sent from [Mail](#) for Windows 10

[Report this message as spam](#)

Lewis & Sylvia Hitchick
PO Box 1632
Bathurst, NSW 2795
6337 3446

10 October 2019

The Director
Bathurst Regional Council
Environmental, Planning & Building Services

Dear Sir,

We note the development application for the former Dairy Farmers site on Howick and Bentinck Streets, and would like to express our concern about the proposal on several grounds.

In particular, we object to:

- The height of the building, particularly on the south-eastern end where it reaches considerably higher than Council's 12-metre height restriction;
- The shadowing of residences south-east of the development during winter months with subsequent reduction in potential solar energy collection and natural lighting;
- The sheer size of the building, which is incongruous with other buildings in the area;
- The lack of consideration for the heritage aesthetics of this part of Howick Street;
- The inadequate provision of parking in the proposed development, which would potentially impact adversely on what is already a shortage of parking in the street during business hours.

We look forward to an opportunity to say more about these concerns at a public meeting, at a future date.

Yours sincerely

Lew and Sylvia Hitchick

2019/295-05/016

From: Anthea <abridgeptyltd@gmail.com>
Sent: Tuesday, 15 October 2019 11:12 AM
To: Council
Subject: Development Application No 2019/295
Attachments: Bathurst Regional Council_000084.pdf

Your message is ready to be sent with the following file or link attachments:
Bathurst Regional Council_000084

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

--
Kind regards,

Anthea Ring

ABRIDGE PTY LTD
ABN:48 169 195 201
PH: 0408005008

[Report this message as spam](#)

170 Howick St Bathurst NSW 2795

ABN: 48 169 195 201



ABRIDGE PTY LTD

15.10.2019

Bathurst Regional Council

Re: Development Application No 2019/295

To Whom It May Concern

Please accept my submission with regard to the above proposed development.

My wife and I reside at 170 Howick Street Bathurst. Our property is on the south eastern corner of the proposed development. Our residence is 1860 circa and has been restored accordingly.

I have viewed the plans at the council office and have had a personal meeting with the architect, Mr Tony McBurney.

As per discussion with Mr McBurney, we would certainly support this project providing issues with our privacy, shadowing and building heights were taken into consideration.

Mr McBurney acknowledges these issues and will put them to the developer for consideration.

I have confidence in our council to act appropriately with regard to our heritage standing, and view these issues in a positive manner that will benefit all concerned.

Regards,

A handwritten signature in dark ink, appearing to read 'P. Ring', with a stylized flourish at the end.

Peter Ring (Director)

Phone: A 0408005008 P 0428341436

Email: abridgeptyltd@gmail.com

RetPro

BATHURST REGIONAL COUNCIL

Reference: 220145_LET_001A.docx

15 October 2019

The General Manager
Bathurst City Council
PMB 17
Bathurst NSW 2765

Attention: Fern-Alice Finn**RECEIVED****16 OCT 2019****15 OCT 2019**

REF: 2019/295-05/017

BATHURST REGIONAL COUNCIL

**DA 2019/295 – REDEVELOPMENT OF SITE FOR MIXED USE – 48 BENTINCK STREET, 50
BENTINCK STREET, 178 HOWICK STREET, BATHURST, ORANGE**

Dear Ms Finn; Please find attached our submission for the above DA. Retpro represents the interests of many retailers currently trading in Bathurst. Our intention is to ensure the best outcomes for our retailers our owners, and the broader Bathurst business community. We seek to have consideration given to the outcomes delivered here in light of the information presented.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Sandra Matthews'.

Sandra Matthews

Centre Manager

Armada Bathurst

DEPRS



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15 October 2019

The General Manager
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PMB 17
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Attention: Fern-Alice Finn

Dear Ms Finn

DA 2019/295 – REDEVELOPMENT OF SITE FOR MIXED USE – 48 BENTINCK STREET, 50 BENTINCK STREET, 178 HOWICK STREET, BATHURST, ORANGE

Premise has been engaged by Retpro to submit a submission in respect of the above pending development application. The application seeks consent for a range of land uses and aspects, including the proposed use of the site for commercial premises and a small area of commercial (retail – food and drink premises).

Our client has interests in the commercial/retail sector of Bathurst and is very supportive of an appropriate development that activates the subject site and assists to integrate and link this area with the broader central business district. Subject to clarification of the nature of the proposed land uses in respect of the commercial aspects, our client is confident that the proposal would assist to support the viability of the CBD.

The application form identifies that consent is sought for, among other things, commercial premises (office and retail).

The *Bathurst Regional Local Environmental Plan 2014* defines a commercial premises as:

commercial premises means any of the following—

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

In essence, a commercial premises is considered a 'higher order' definition, which encapsulates a large range of 'lower order' land uses. The same is true of business, office and retail premises, all of which encapsulate a number of lower order land uses. In the context of retail premises, the list of land uses said to be subsidiary to the overarching definition is extensive and includes not only food and drink premises, but conventional retail shops, pubs, kiosks and hardware and building supplies, among others. Given the large variety of land use types, and the range of impacts that may occur in relation to these land uses, it is customary in current planning matters, to identify the specific land use for which consent is sought. This thereby ensures a proper and robust assessment of all potential impacts.



Despite the wording of the application form, there are inconsistencies within the applicants statement of environmental effects (SEE) as to what consent is being sought for. For example:

- The description at page 4 of the SEE identifies that consent is sought for commercial premises (primarily office or business premises, but group term is preferred for flexibility).
- The SEE identifies at Section 3.3 that the key uses for which consent are sought include commercial (office) premises,
- The description of the development at Section 4.1.4 identifies that consent is sought for commercial premises (primarily office premises – but the group term is preferred for flexibility).
- The traffic/parking assessment is predicated on commercial/office land use definition (1 per 50 m²) as opposed to a business or retail land use, which would trigger much higher parking requirements than those provided (1 per 35 m² shops and 1 per 20 m² for supermarkets) .

By reference to the above, it is therefore unclear whether consent is sought for:

- Commercial premises as a high order definition and encapsulating all lower order land uses, including retail,
- Offices and business premises only (which could include offices as well as banks, hair dressers and other business uses); or
- Offices only.

The assessment implies that only the use for offices has been considered and assessed. By way of example, parking rates for offices has been adopted at 1/50 m² for the 1,803 m² portion of the development, rather than 1/35 m² if it were retail. The traffic assessment identifies a deficiency with respect to parking provision which would only be exacerbated if the proposed use were retail (shops).

The flexibility sought by the applicant in seeking consent for commercial premises is understandable, but allowing such flexibility would bypass the legitimate and appropriate land use planning assessment pathway that is necessary for a development of this scale and to ensure the full impacts of the proposal are considered.

In considering and assessing the application, it is considered that Council should seek clarification from the applicant as to the precise nature of the use for which consent is sought, as this fundamentally affects the capacity of Council to assess the impact of the application.

Our client objects to the proposal to provide for commercial premises as a higher order land use, noting that this would include retail uses. From a strategic perspective, the provision of additional retail floor space in the CBD is not currently justified, given the level of vacancies in the existing CBD. In this scenario, the application is also deficient in providing a robust assessment of potential retail land uses, in that the parking and traffic assessments have been predicated on assumed office requirements. Additionally, a retail impact assessment has not been provided, to demonstrate the justification for the provision of a significant amount of additional retail floor space.

In the event consent is sought for offices only, there is concern about the capacity for this to be converted in the future for retail purposes should the office prove unsuccessful, and without recourse to further assessment.

We note that the change of use of a business or office premises to a shop, business premises or kiosk is exempt pursuant to clause 2.20A of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, subject to compliance with a range of conditions. Among these is a requirement that the change must not contravene a condition of consent of the most recent development consent applying to the land.



We note a number of concerns with a potential exempt change of use from commercial to retail/business, including increased and unassessed traffic generation and parking impacts associated with retail activities and impacts to the sustainability of the CBD through provision of excess retail floorspace. A comprehensive retail impact assessment should be completed in the event retail floor space is proposed; which we note has not been provided in relation to this application.

In the event the assessment of the application results in a recommendation of approval, it is recommended that a condition of consent be imposed to make clear that the consent is granted, in relation to the commercial portion of the building, for office purposes only, and that any other form of commercial use would require the explicit assessment and approval of the appropriate consent authority.

As stated, our client supports the development of the site for the proposed mixed use purpose, including offices, but has concerns that a development that could transition to providing a retail or business function without further assessment of potential impacts, could lead to long term detrimental impacts to the vitality, viability and function of the CBD.

Please contact the undersigned in the event you require additional information in respect of the above.

Yours faithfully

Premise Australia Pty Ltd

A handwritten signature in black ink, appearing to read 'D Walker', written over a light blue horizontal line.

DAVID WALKER
Senior Town Planner