

1. Aerial

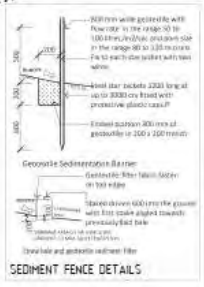
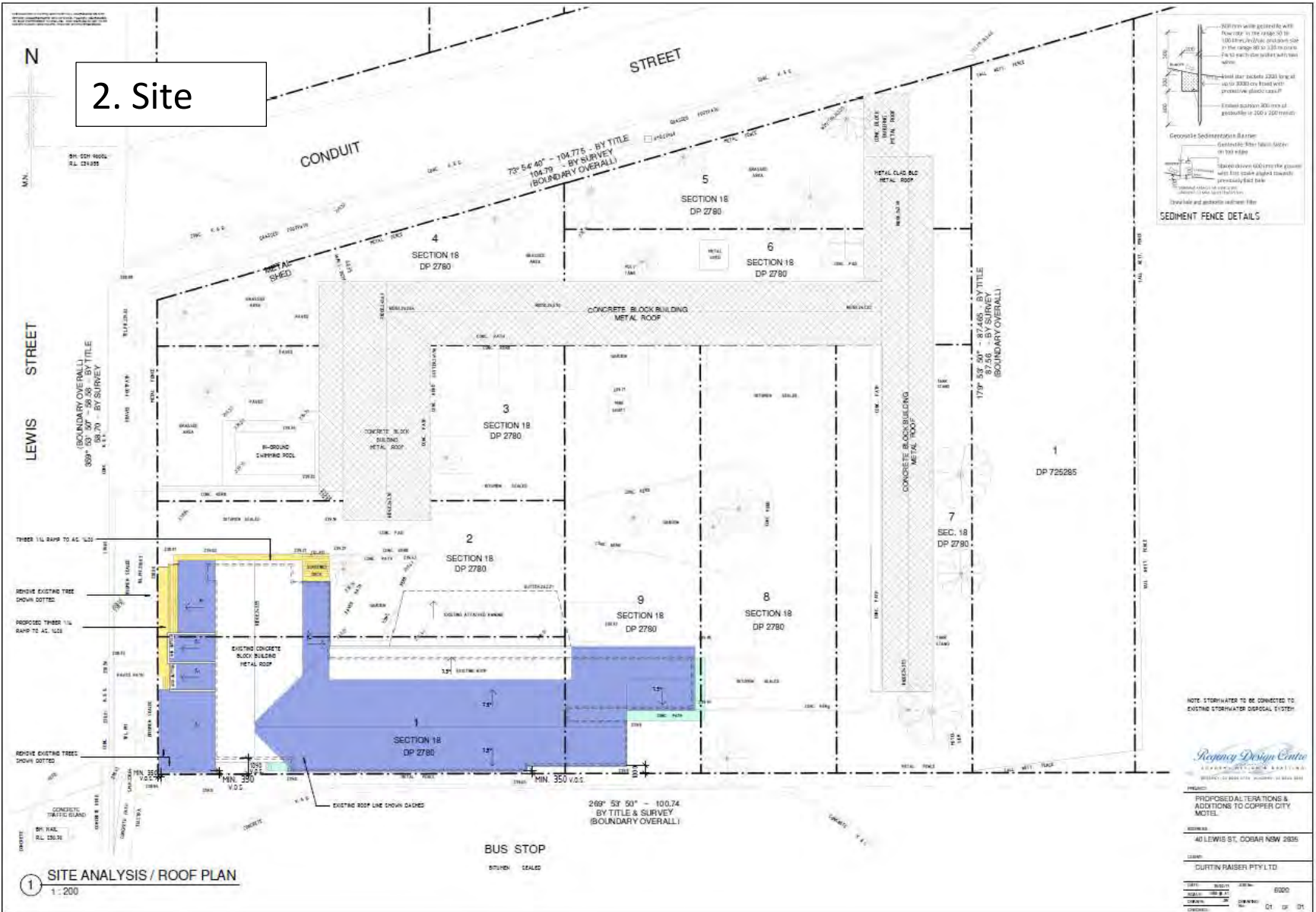
CONDUIT ST

LEWIS ST

Part of site to be developed



# 2. Site



NOTE: STORMWATER TO BE CONNECTED TO EXISTING STORMWATER DISPOSAL SYSTEM.

*Reynolds Design Centre*  
 A REYNOLDS GROUP COMPANY  
 40 LEWIS ST, COBAR NSW 2835  
 PH: 08 9321 0700 FAX: 08 9321 0701  
 WWW.REYNOLDSDESIGN.COM

PROJECT:  
 PROPOSED ALTERATIONS & ADDITIONS TO COPPER CITY MOTEL.

ADDRESS:  
 40 LEWIS ST, COBAR NSW 2835

CLIENT:  
 CURTIN RAISER PTY LTD

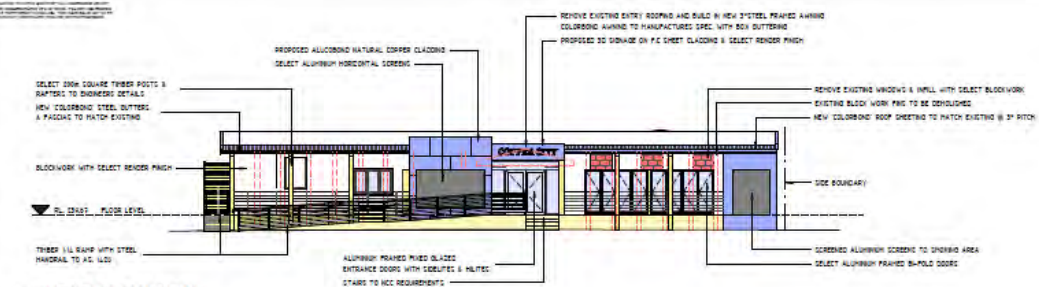
DATE:	20/01/18	BY:	ESD
REVISION:	01	BY:	ESD
DATE:	20/01/18	BY:	ESD
DATE:	20/01/18	BY:	ESD

1 SITE ANALYSIS / ROOF PLAN  
 1:200

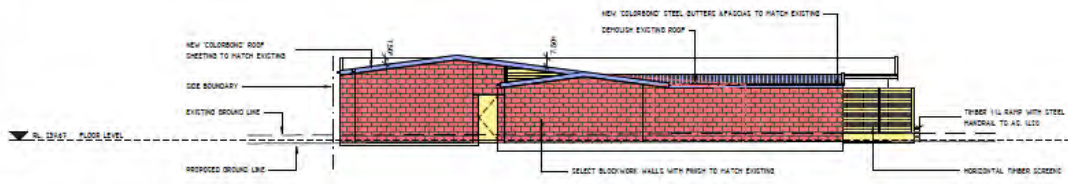




# 4. Elevation



1 WEST ELEVATION  
1 : 100



2 EAST ELEVATION  
1 : 100



3 NORTH ELEVATION  
1 : 100



4 SOUTH ELEVATION  
1 : 100

*Agency Design Centre*  
 40 LEWIS ST, COBRAR NSW 2836  
 (08) 9232 1111  
 www.agencydesigncentre.com.au

PROJECT:  
 PROPOSED ALTERATIONS & ADDITIONS TO COPPER CITY MOTEL

ADDRESS:  
 40 LEWIS ST, COBRAR NSW 2836

CLIENT:  
 CURTIN RAISER PTY LTD

DATE: 08/01/2024  
 DRAWN: [Signature]  
 CHECKED: [Signature]  
 SCALE: 1:100  
 SHEET: 03 OF 03



# Statement of Environmental Effects

Alterations and additions to the existing  
Motel ('Copper City Motel')  
and additional use as  
a Licensed Premises (Pub)  
to be known as 'Copper City Hotel'

Lots 1 - 9 Section 18 DP 2780,  
No. 40 Lewis Street, Cobar NSW



**Report:** Alterations and additions to the existing motel (Copper City Motel) and additional use as a Licensed premises (Pub) to be known as 'Copper City Hotel'.  
Lots 1-9 Section 18 DP 2780  
40 Lewis Street, Cobar NSW 2835

**Prepared for:** Curtin Raiser Pty Ltd  
40 Lewis Street,  
Cobar NSW 2835

**Prepared by:** PGH Environmental Planning  
PO Box 714  
Springwood NSW 2777  
Telephone: (02) 4751 1522  
Facsimile: (02) 4751 1622  
Email: [info@pghep.com.au](mailto:info@pghep.com.au)  
Website: [www.pghep.com.au](http://www.pghep.com.au)

<b>Report No:</b>	SEE 16-0667
<b>Checked by:</b>	<b>Patrick Hurley</b> RPIA FPA BPAD35713, Level 2 <i>B Bus (Land Studies)</i> <i>B App Sci (Environmental Planning)</i> <i>Grad Dip (Bushfire Protection)</i>
<b>Version</b>	Final
<b>Date:</b>	6 <sup>th</sup> March 2017

**March 2017**



**Copyright:** The information contained within this document is the property of PGH Environmental Planning. Any use or copying of this document in whole or in part without express permission of PGH Environmental Planning constitutes an infringement of copyright.

**Disclaimer:** In preparing this document, PGH Environmental Planning has relied upon information and documents provided by the Client or prepared by other Consultants within their various areas of expertise. PGH Environmental Planning is unable and does not accept responsibility for any errors or omissions in any of the material provided by other parties.

# Table of Contents

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>2</b>	<b>SITE AND LOCALITY .....</b>	<b>2</b>
2.1	Site Location .....	2
2.2	Site Description .....	2
2.3	Existing Development.....	2
2.4	Character of Locality.....	2
<b>3</b>	<b>THE PROPOSAL .....</b>	<b>6</b>
3.1	Proposed Works.....	6
3.2	Proposed Facilities and Areas .....	6
3.3	Security Measures/Plan of Management .....	8
3.4	Smoking Areas .....	8
3.5	Gaming Room .....	8
3.6	Take Away Alcohol Sales .....	8
3.7	Patron Capacity and Allowable BCA Population.....	8
3.8	Employees .....	9
3.9	Hours of Operation.....	9
3.10	Entertainment.....	9
3.11	Waste Management.....	10
3.12	Services.....	10
3.13	Stormwater.....	10
<b>4</b>	<b>PLANNING CONTROLS.....</b>	<b>11</b>
4.1	Gaming Machines Act 2001.....	11
4.2	Cobar Local Environmental Plan 2012 .....	12
4.2.1	Zone Objectives.....	13
<b>5</b>	<b>MATTERS FOR CONSIDERATION .....</b>	<b>16</b>
5.1	Noise Impacts .....	16
5.2	National Construction Code of Australia Assessment.....	17
<b>6</b>	<b>STATUTORY ASSESSMENT .....</b>	<b>19</b>
6.1	The Provisions of any Environmental Planning Instrument .....	19
6.2	The Provisions of any Draft Environmental Planning Instrument.....	19
6.3	The Provisions of any Development Control Plan .....	19
6.4	Planning Agreement or Draft Planning Agreement .....	19
6.5	Matters Prescribed by the Regulations.....	19
6.6	Any Coastal Zone Management Plan.....	20
6.7	The Likely Impacts of the Development.....	20
6.7.1	Natural Environmental Impact .....	20
6.7.2	Built Environmental Impact.....	20
6.7.3	Social and Economic Impact .....	21
6.7.4	Cumulative Impacts .....	21
6.8	The Suitability of the Site.....	21
6.9	Submissions Received.....	22
6.10	The Public Interest .....	22
<b>7</b>	<b>CONCLUSION .....</b>	<b>23</b>
<b>8</b>	<b>REFERENCES .....</b>	<b>24</b>

## Figures

**FIGURE 1 – LOCALITY MAP**

**FIGURE 2 – AERIAL PHOTOGRAPH - SITE**

**FIGURE 3 – AERIAL PHOTOGRAPH – LOCALITY**

## Tables

**TABLE 1 – FACILITIES AND AREAS**

**TABLE 2 – COBAR LEP 2012 RELEVANT PROVISIONS**

## Plates

**PLATES 1 - 9 – PHOTOGRAPHS OF SITE AND SURROUNDS**

## Appendices

**APPENDIX 1 – HOTEL PLAN OF MANAGEMENT**

**APPENDIX 2 – ACOUSTIC REPORT**

**APPENDIX 3 – WASTE MANAGEMENT PLAN**

**APPENDIX 4- NATIONAL CONSTRUCTION CODE ASSESSMENT REPORT**

**APPENDIX 5 - PROPOSED DEVELOPMENT PLANS (REDUCED COPY)**

- Survey Plan
- Architectural Plans



## 1 Introduction

This Statement of Environmental Effects Report (the “**Report**”) has been prepared by PGH Environmental Planning, on behalf of Curtin Raiser Pty Ltd (the “**client**”). The Report describes the existing site and locality, outlines the proposed development and assesses the suitability of the proposal having regard to the relevant environmental legislation.

The site is known as Lots 1-9 Section 18 DP 2780, No.40 Lewis Street, Cobar NSW. The client seeks approval to undertake alterations and additions to the existing motel building currently known as the Copper City Motel.

The motel will continue to operate providing temporary accommodation and meals to guests. The works involve the construction of two (2) additional accommodation units (total 32 units), new function room(s), alfresco dining area, amenities, and conversion of the existing licenced restaurant area and proposed function rooms to a Licensed Premises (Pub) containing a public bar/restaurant, alfresco dining, smoking area, gaming room and function room(s) which will operate under a Hotel Licence, granted under the *Liquor Act 2007*.

It is intended that the licensed area will apply to the building fronting Lewis Street containing the public bar/restaurant, alfresco dining, smoking areas, gaming room and function room(s), amenities and the adjoining Pool area (the “**proposal**”).

The land is zoned B2 Local Centre under Cobar Local Environmental Plan 2012 (**LEP 2012**). The proposal has been assessed having regard to the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act, 1979* (the “**EP&A Act**”).

The documentation relied upon in assessing the proposal is referred to in **Section 8**. The assessment demonstrates that the proposal satisfies the relevant legislation and controls and should be approved.

## 2 Site and Locality

The following is a description of the site and surrounding area.

### 2.1 Site Location

The site is situated on the south-eastern corner of intersection of Lewis Street and Conduit Street, and approximately 50metres north of Nyngan Road, Cobar (refer **Figure 1**).

### 2.2 Site Description

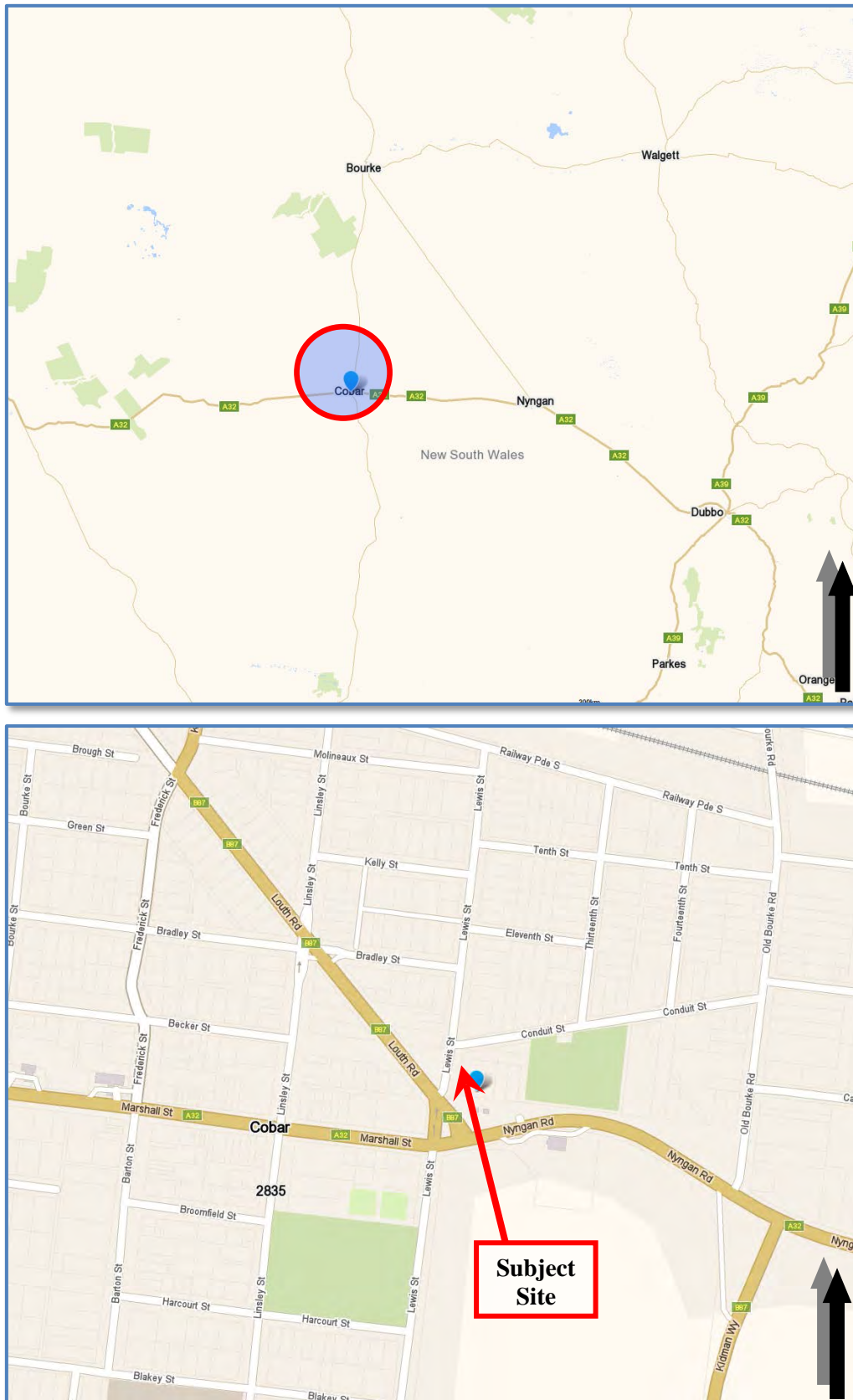
The site is known as No.40 Lewis Street, Cobar and is comprised of 10 properties, namely: Lot 1 DP 72585 and Lots 1 – 9 Section 18 DP 2780. Overall it is an irregular shaped parcel with street frontages of 58.7metres (Lewis Street) and 104.79metres (Conduit Street) and total area of 7,351m<sup>2</sup> (refer **Figure 2**).

### 2.3 Existing Development

The Motel provides thirty (30) accommodation units. The site presently contains a single storey brick veneer motel building with twenty-six (26) accommodation units and managers residence; a separate single storey brick veneer building containing a licenced restaurant, bar, kitchen, amenities and four (4) accommodation units. Associated facilities include an inground swimming pool and on site parking for approximately forty-nine (49) vehicles.

### 2.4 Character of Locality

The site is located on the eastern fringe of the main commercial precinct of Cobar. Immediately to the south of the site is the RMS road stop - bus and car park, whilst to the east and south are the Heritage Centre and recreational parklands (refer **Figure 3**).



**Figure 1 – Locality Map**

Alterations and Additions to Copper City Motel and use a Licenced Premises (Pub)

**Not to scale**

Source:  
<http://www.whereis.com/nsw>

Lots 1-9 Section 18 DP 2780,  
No. 40 Lewis Street, Cobar





**Figure 2 – Aerial Photograph (Site)**

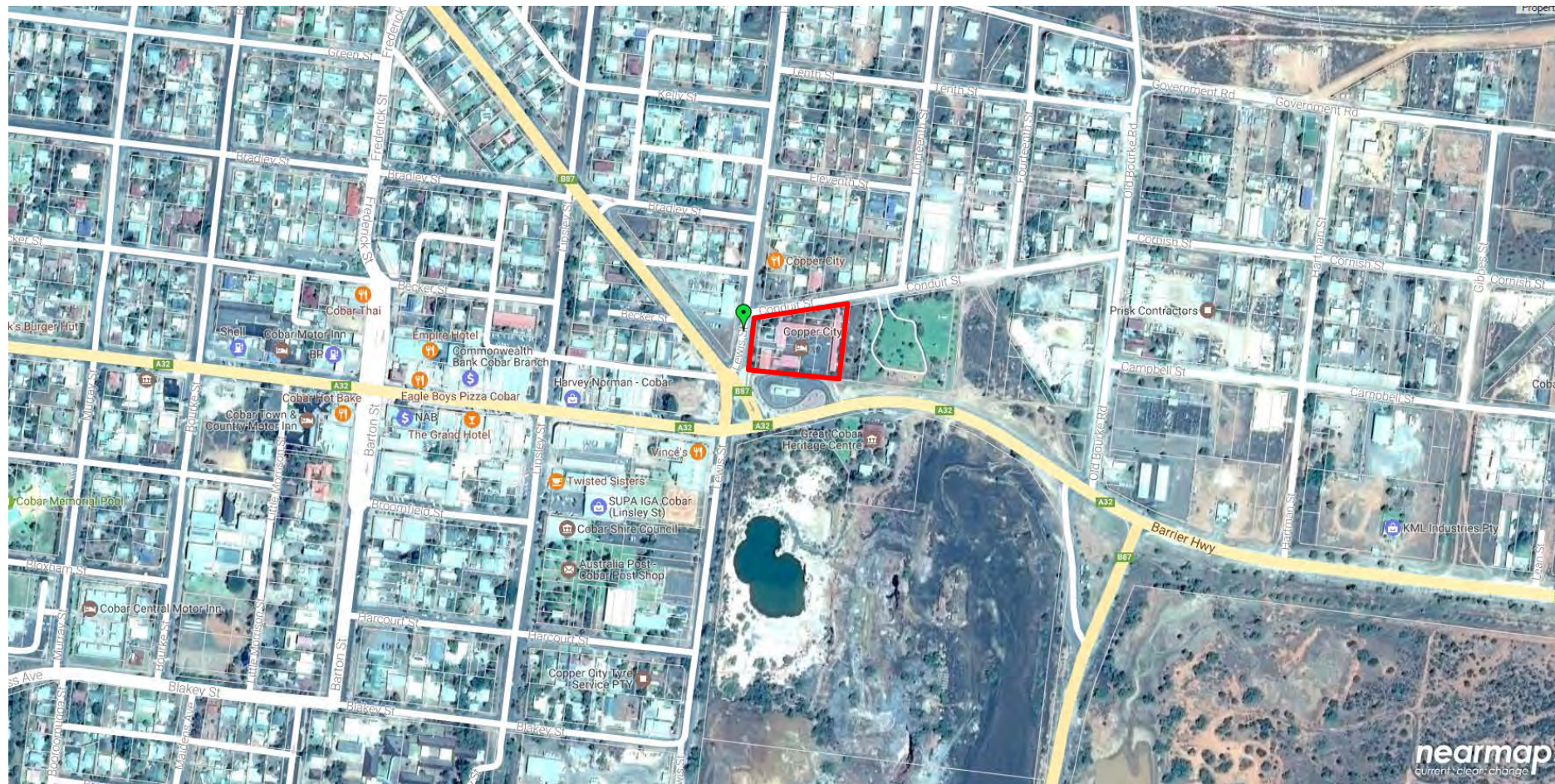
Alterations and Additions to Copper City Motel and use a Licenced Premises (Pub)

**Not to Scale**

Lots 1-9 Section 18 DP 2780,  
No.40 Lewis Street, Cobar

Source: <http://maps.au.nearmap.com/>





**Figure 3 – Aerial Photograph (Locality)**

Alterations and Additions to Copper City Motel and use a Licenced Premises (Pub)

**Not to Scale**

Lots 1-9 Section 18 DP 2780,  
No.40 Lewis Street, Cobar

Source: <http://maps.au.nearmap.com/>





**PLATE 1**

**View of site (Restaurant building) from Lewis Street looking south-east.**



**PLATE 2**

**View of site looking north-east along Lewis Street.**



**PLATE 3**

**View of northern section of the site (Pool area) looking east from Lewis Street.**





**PLATE 4**

**Reverse view to Plate 2.  
View from Conduit Street  
looking south along Lewis  
Street.**



**PLATE 5**

**View of the southern  
boundary of the site and  
adjoining RMS Bus Stop  
from Lewis Street looking  
east.**



**PLATE 6**

**View of the southern  
boundary of the site and  
adjoining RMS Bus Stop  
looking east.**



**PLATE 7**

**View of the location of the proposed Function Room area, looking west towards Lewis Street.**



**PLATE 8**

**View within the site looking west towards Lewis Street.**

**The entrance to the Motel site is in the centre of the photo.**



**PLATE 9**

**View within the site looking at the existing Motel units.**



### 3 The Proposal

This Section outlines the nature of the proposal sought by the client for the purposes of this application.

The motel will continue to operate providing temporary accommodation and meals to guests. Approval is sought to undertake alterations and additions to part of the existing motel complex and convert it to a Licensed Premises (Pub) operating under a 'Hotelier's Licence'. It is proposed to name the establishment the "Copper City Hotel".

The client intends to seek the necessary application to Liquor and Gaming NSW for a Hotel Licence (removal of existing Licence). It is proposed to remove the Occidental Hotel licence with the existing six (6) gaming machine entitlements from No.1 Marshall Street Cobar to No.40 Lewis Street, Cobar and, if the application is granted, the On-premises licence, currently at No.40 Lewis Street, Cobar and known as Copper City Motel Cobar, will be surrendered.

This process however, will be undertaken separate to the assessment and determination of this development application.

It is intended that the licensed area will apply to the building fronting Lewis Street containing the public bar/restaurant, alfresco dining, smoking areas, gaming room and function room(s), amenities and the adjoining Pool area.

Plans and details of the proposal are provided in **Appendix 5**. Photographs of the site and surrounds are provided in **Plates 1 - 9**.

#### 3.1 **Proposed Works**

The proposed works include minor internal and external demolition works and construction of two (2) additional accommodation units, internal reconfiguration of the bar and dining area, new function room(s), alfresco dining area, amenities, smoking area, and gaming room.

#### 3.2 **Proposed Facilities and Areas**

The establishment will continue to offer tourist accommodation for guests in thirty-two (32) self-contained units.

The dining room will be a combination of indoor and alfresco dining and provides an area for patrons to enjoy a meal and/or a drink. Adjoining this area is the gaming area with six (6) gaming machines.



Leading off the dining area is a function room area that has the capacity to be reconfigured into three (3) separate rooms. This area will be used for weddings, conferences and private functions. The existing swimming pool area will also be available for the benefit of guests and will offer a pool-side bar. **Table 1** provides a summary of the facilities and associated floor areas.

**Table 1 – Facilities and Areas**

Description	Area (m <sup>2</sup> )
<b>Public Areas</b>	<b>620.56</b>
Lounge/Dining	169.12
Alfresco Dining	49.54
Outdoor Lounge	47.85
Function Room (combined)	246.03
Gaming Area	16.20
Smoking Area	14.92
Amenities(Lounge/Function)	69.73
Foyer	7.17
<b>Non-Public (Back-of-House) Areas</b>	<b>109.52</b>
Kitchen	44.00
Cool Room/Freezer	10.51
Store (Lounge/Function)	39.94
Screened Deck	15.07
<b>Accommodation Units</b>	<b>86.42</b>
Unit 5	43.21
Unit 6	43.21
<b>Gross Floor Area</b>	<b>816.50</b>

### **3.3 Security Measures/Plan of Management**

The duty manager will be a licensed security guard and all staff will be appropriately licensed as identified in the Hotel Management Plan.

Because the hotel will continue to provide overnight accommodation, management will ensure that there is no noise or disturbance to guests, or surrounding residents.

There will be no trading in the outdoor areas after 10.00 pm on any night. Security will be provided for any private function at the ratio of 1 for the first 50-100 patrons and then at the rate of not less than 1:100 patrons.

Entertainment will be offered occasionally. There will be no entertainment after midnight. When there is entertainment the hotel will provide licensed security at the rate of 1 for the first 50-100 patrons and then at the rate of not less than 1:100 patrons from 9.00 pm until 15 minutes after closing or until the last patron has left the vicinity of the hotel. A copy of the Hotel Plan of Management is provided in **Appendix 1**.

### **3.4 Smoking Areas**

Two designated smoking areas are provided within the licenced premises. One within the Outdoor Lounge, and a second dedicated area on the southern boundary adjoining the Alfresco Dining area and accessed via both the Dining and Function Rooms.

### **3.5 Gaming Room**

The gaming room has been designed and located in a manner that provides separation from other public areas of the hotel. The machines are not visible from a public place and internal walls will extend from floor to ceiling in order to satisfy the relevant provisions of the *Gaming Machines Act 2001* and the *Gaming Machine Regulation 2002*.

### **3.6 Take Away Alcohol Sales**

No separate department for the sale of packaged take- away liquor is provided however it is intended that a limited range of take-away liquor will be available from the bar.

### **3.7 Patron Capacity and Allowable BCA Population**

The hotel will cater for up to a maximum of three hundred and fifty one (351) patrons and ten (10) staff. The allowable population has been calculated following an assessment of the building, available amenities and the proposed exit widths under the provisions of the National Construction Code - Building Code of Australia (BCA) 2016.

### **3.8 Employees**

The hotel will employ up to ten (10) persons. Staff numbers will include bar staff/manager, cleaning and security staff.

### **3.9 Hours of Operation**

The Motel is open 24/7 and the restaurant and alfresco areas will be open daily from 6.00am to serve breakfast to Motel Guests. The hotel (licenced areas) will trade between the following hours and no patron (other than motel guests) will be admitted into the licenced areas after midnight:

#### **Lounge and Gaming Area:**

- Mondays – Saturdays - 10.00am to 3.00am; and
- Sundays - 10.00 am to 12midnight.

#### **Outdoor Lounge**

- Mondays – Saturdays - 10.00am to 3.00am (no alcohol consumed in this area after 10.00 pm), and
- Sundays - 10.00 am to 10.00pm.

#### **Dining and Function Rooms**

- Mondays – Sundays - 6.00am to 2.00am (no alcohol will be sold before 10.00 am).

#### **Pool Area**

Mondays – Sundays - 10.00am to 10.00pm.

#### **Alfresco Dining**

- Mondays – Sundays - 6.00am to 10.00pm (no alcohol will be sold before 10.00 am).

### **3.10 Entertainment**

Entertainment will be offered as requested. It is planned to restrict live entertainment to the function rooms or dining room section. Entertainment in the function room area will cease at 1.00am. There will be no entertainment after 12midnight in the lounge dining area.

Amplified music will be controlled through an 'electronic frequency dependant limiting device' to ensure that it does not exceed the limits recommended in the Acoustic Assessment Report (refer **Section 5.1** and **Appendix 2**).



### **3.11 Waste Management**

An existing waste storage area is located on the southern side of the entrance driveway adjoining the restaurant building. Waste Bins comprise of 240litre General Waste and 240litre Recyclable Waste Bins. Waste collections will continue in accordance with exiting arrangements. A Waste Management Plan has been prepared and is provided in **Appendix 3.**

### **3.12 Services**

Sewer, electricity and water connections exist to the site and will be upgraded as required to meet the demands of the hotel.

### **3.13 Stormwater**

The building will be connected to the existing system.

## 4 Planning Controls

This Section addresses the various planning controls that are relevant to an assessment of the proposal. The site is not affected by any Regional Plans or Development Control Plan however it is affected by the following:

### State

- *Gaming Machines Act 2001.*
- State Environmental Planning Policy (SEPP) No 64 - Advertising and Signage.

### Local

- Cobar Local Environmental Plan 2015.

#### 4.1 Gaming Machines Act 2001

The role of Council in considering the installation of gaming machines is addressed in Section 209 of the *Gaming Machines Act 2001*, namely:

#### **"209 Relationship with Environmental Planning and Assessment Act 1979**

- (1) An environmental planning instrument (whether made before or after the commencement of this section) under the Environmental Planning and Assessment Act 1979 cannot prohibit or require development consent for, or otherwise regulate or restrict, the installation, keeping or operation of approved gaming machines in hotels or on the premises of registered clubs or any other premises.*
- (2) If an environmental planning instrument contains any provision in contravention of subsection (1), the provision is taken to have no effect.*
- (3) A consent authority (within the meaning of the Environmental Planning and Assessment Act 1979) cannot:*
  - (a) as a condition of any development consent under that Act, prohibit or otherwise regulate or restrict the installation, keeping or operation of approved gaming machines in a hotel or on the premises of a registered club or any other premises, or*
  - (b) refuse to grant any such development consent to a hotel or registered club for any reason that relates to the installation, keeping or operation of approved gaming machines in a hotel or on the premises of a registered club.*
- (4) The installation, keeping or operation of an approved gaming machine in a hotel or on the premises of a registered club is not an activity for the purposes of Part 5 of the Environmental Planning and Assessment Act 1979.*
- (5) Any approval or authorisation under this Act to keep an approved gaming machine in a hotel or on the premises of a registered club is not an approval for the purposes of Part 5 of the Environmental Planning and Assessment Act 1979".*

Accordingly, Council cannot restrict the installation of gaming machines or the number of gaming machines in a licensed premises.

#### 4.2 **Cobar Local Environmental Plan 2012**

The land is presently zoned<sup>1</sup> Zone B2 Local Centre under Cobar Local Environmental Plan (LEP) 2012 and the following definitions<sup>2</sup> are considered relevant. Under Cobar LEP 2012 the current use as a motel is defined as *tourist and visitor accommodation*. The proposed additional use is defined as a pub (which is a type of *food and drink premises* under the group term of *retail premises*), namely:

**commercial premises** means any of the following:

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

**pub** means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

**Note.** Pubs are a type of **food and drink premises**—see the definition of that term in this Dictionary.

**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:

- (a) *bulky goods premises,*
- (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,*
- (m) *timber yards,*
- (n) *vehicle sales or hire premises,*

*but does not include highway service centres, service stations, industrial retail outlets or restricted premises.*

**Note.** Retail premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

---

<sup>1</sup> Section 149 (Planning) Certificate No.16/17:056, dated 11 November 2016.

<sup>2</sup> Dictionary of LEP 2012.



***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

Under the Liquor Act 2007 '**hotel** means the premises to which a hotel licence relates'.

The land use table to Part 2 - Clause 2.3 of Cobar LEP 2012 for the Zone B2 Local Centre zone provides that both **Commercial premises** and **Tourist and visitor accommodation** are land uses allowed with the consent of Council.

Commercial premises is a group term which includes as a subgroup both 'retail premises' and 'food and drink premises'. As neither of these subgroups or 'pub' are listed as prohibited development, the proposed use (pub) is permitted with consent.

#### **4.2.1 Zone Objectives**

Subclause 2.3(2) of Cobar LEP 2012 provides that the '*consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.*'

The objectives of Zone B2 Local Centre zone are

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling*

The proposal is considered to be consistent with the objectives of the zone as outlined in this report and satisfies these provisions as it:

- ✓ Proposes a land use that will service the needs of residents and visitors;
- ✓ It encourages employment opportunities and contributes to the range of entertainment, opportunities within the city.

We have reviewed the proposal against the relevant Part 4 - Principle Development Standards, Part 5 - Miscellaneous Provisions, and Part 6 – Additional Local Provisions, of the LEP 2012 as outlined in **Table 3**. Following our assessment, it is considered that the proposal is consistent with these special provisions.

**Table 3 – Cobar LEP 2012 Relevant Provisions**

Clause	Development Control	Comment
<b>PART 4 Principal Development standards</b>		
<b>4.1 Minimum subdivision lot size</b>	Not Applicable to site.	Not Applicable.
<b>4.3 Height of buildings</b>	Not Adopted	Not Applicable.
<b>4.4 Floor space ratio</b>	Not Adopted	Not Applicable.
<b>4.5 Calculation of floor space ratio and site area</b>	Not Adopted	Not Applicable.
<b>PART 5 Miscellaneous provisions</b>		
<b>5.9AA Trees or vegetation not prescribed by development control plan</b>	The removal of any tree or other vegetation to which this clause applies is permitted without development consent.	Satisfactory. The proposed building works will result in the loss of some existing trees and vegetation.
<b>5.10 Heritage conservation</b>	To conserve the environmental heritage of Cobar and heritage significance of heritage items and heritage conservation areas, sites and aboriginal objects or places including associated fabric, settings and views.	Satisfactory. The site is located within the vicinity of the ' <i>Cobar Pastoral and Mining Technology Museum 1910 (former Mining Administration Offices, Great Cobar Mines)</i> '. Item 18.
<b>PART 6 Additional local provisions</b>		
<b>6.1 Earthworks</b>	To ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,	Satisfactory. The proposed building works will result in minor earthworks but they are contained within the site and there is no impact upon surrounding areas.
<b>6.2 Flood planning</b>	Not Applicable to site.	Not Applicable.
<b>6.4 Terrestrial biodiversity</b>	Not Applicable to site.	Not Applicable.

Clause	Development Control	Comment
<b>6.5 Groundwater vulnerability</b>	Not Applicable to site.	Not Applicable.
<b>6.6 Riparian land and watercourses</b>	Not Applicable to site.	Not Applicable.
<b>6.7 Wetlands</b>	Not Applicable to site.	Not Applicable.
<b>6.8 Airspace operations</b>	Not Applicable to site.	Not Applicable.
<b>6.9 Development in areas subject to aircraft noise</b>		
<b>6.10 Essential services</b>	That adequate arrangements have been made for services	Satisfactory. Site is serviced by existing infrastructure.



## 5 Matters for Consideration

The following issues are considered relevant in the assessment of the proposal.

### 5.1 Noise Impacts

Rodney Stevens Acoustics<sup>3</sup> was commissioned to undertake an Acoustic assessment in relation to the proposal (refer **Appendix 2**).

A survey of ambient noise levels has been conducted over a period of four days 18<sup>th</sup> to 21<sup>st</sup> November 2016. The monitoring location was considered representative of the nearest potentially sensitive receiver and representative of the lowest residential background noise levels for nearby residential receivers surrounding the site.

The environmental goals for the operational noise emissions from the proposed licensed areas are based upon the Liquor and gaming NSW noise criteria for use. The report considers the following matters:

- Intrusiveness Criterion;
- Amenity Criterion;
- Area Classification;
- Project Specific Noise Levels;
- Typical Patron Vocal Levels;
- Amplified Music; and
- Predicted Patron and Music Noise Impacts.

The assessment noted the following main findings and recommendations. *'The predicted patron noise and background noise emissions show compliance with the established noise criteria. In order to maintain the acoustic amenity at the nearby residential dwellings the following measures are recommended:*

- *Background Music ONLY is to be played in any outdoor areas at any time;*
- *Patrons should be encouraged not to make an unreasonable level of noise while in the outdoor areas;*
- *Windows / doors of the function room are to have an Rw 45*
- *Walls of the function room adjoining the motel are to have an Rw 60.*

---

<sup>3</sup> Dated 14 February 2017, Ref: R160038R1.

- *Ceiling of the function room are to have an Rw 60.*
- *Walls the function room facing south are to have an Rw 55.*
- *The function room is to be fully air conditioned and all doors and windows are to be closed whilst amplified music is being played.*
- *All gaming machines are to be set on 'low' volume;*
- *An electronic frequency dependent limiting device should be installed to the sound system to ensure that the amplified music is set to the limit the music to the levels as set out below.<sup>4</sup>*

In conclusion, following an assessment involved measurement of ambient noise levels, predictions of operational noise emissions and assessment of the potential noise impact relative to appropriate criteria, Rodney Stevens Acoustics is of the opinion that the proposed development can comply in an acoustically compliant manner if recommendations presented in the report are followed.

In our opinion this assessment, provides Council with sufficient information to demonstrate the hotel will function in a manner that will not result in any unacceptable noise impacts.

## **5.2 National Construction Code of Australia Assessment**

An assessment of the proposal against the provisions of the National Construction Code (NCC) has been undertaken by Pro Cert Group Pty Ltd (refer **Appendix 4**).

The Report has been undertaken against the relevant Deemed-to-Satisfy provisions of Volume One of the National Construction Code of Australia 2016 (NCC) and the Disability (Access to Premises – Buildings) Standards 2010 (Access Code) as outlined in the report.

*'The purpose of this report is to assess compliance of the proposed development against the Deemed-to-Satisfy provisions of the NCC & Access Code to enable the preparation of Construction Certificate Stage Documentation.*

*It is to be noted that this assessment has been based on the plans provided by the client as detailed in Appendix A of the report. Where additional information on detailing and design is required these matters are noted as "Further Information Required (FI)" in the "Status" column of the detailed assessment table contained in Appendix B & C of this report and should be resolved prior to the issuing of the Construction Certificate for the proposed building works. General guidance is provided in the "Comments" column to assist the building designer/applicant as to the information required to demonstrate compliance.*

---

<sup>4</sup> Ibid., page 18.

*A number of the compliance issues that have been identified rely on assumptions and interpretations that have been made, as outlined in Section 7 of this report. These matters should be clarified and confirmed prior to the submission of the plans for construction certificate<sup>5</sup>.*

In our opinion the report demonstrates that the proposed design layout and patron numbers is capable of meeting the requirements of Clause 98 of the *Environmental Planning and Assessment Regulation 2000*.

---

<sup>5</sup> Dated 6 March 2017, Report No: 407/2016 CC, page 2.



## 6 Statutory Assessment

This section provides an assessment of the proposal against the relevant matters for consideration pursuant to Section 79C(1) of the *Environmental Planning and Assessment Act 1979*.

### 6.1 The Provisions of any Environmental Planning Instrument

#### ***Section 79C(1)(a)(i) – The provisions of any environmental planning instrument***

The proposal is permissible with the consent of Council and complies with the relevant provisions of LEP 2012 as outlined in **Section 4** of this Report. It is considered that the application is satisfactory in this regard.

### 6.2 The Provisions of any Draft Environmental Planning Instrument

#### ***Section 79C(1)(a)(ii) – The provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)***

There are no applicable draft plans.

### 6.3 The Provisions of any Development Control Plan

#### ***Section 79C(1)(a)(iii) – The provisions of any development control plan***

There is no Development Control Plan applicable.

### 6.4 Planning Agreement or Draft Planning Agreement

#### ***Section 79C(1)(a)(iiia) – The provisions of any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F***

There is no planning agreement applicable.

### 6.5 Matters Prescribed by the Regulations

#### ***Section 79C(1)(a)(iv) – The provision of any matters prescribed by the regulations (to the extent that they prescribe matters for the purposes of this paragraph)***

Pursuant to clause 92 of the Environmental Planning and Assessment Regulation 2000 any demolition work will be carried out in accordance with the provisions of AS2601-2001 - The Demolition of Structures.

The NSW Coastal Policy 1997 does not apply to the land (Clause 92 EP&A Regulation). The alterations will comply with any additional fire safety measures (Clauses 93, 94 & 94A EP&A Regulation).

Having regard to these matters it is considered that the application is satisfactory.

## 6.6 Any Coastal Zone Management Plan

### ***Section 79C(1)(a)(v) – The provision of any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)***

There are no coastal management plans that apply to the land.

## 6.7 The Likely Impacts of the Development

### ***Section 79C(1)(b) – The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality***

#### 6.7.1 **Natural Environmental Impact**

The site is located within the business district containing a mix of commercial uses. The site itself is largely occupied by buildings and/or developed spaces including car parking and it is our view that there will be no adverse natural environmental impacts in respect of:

- ✓ Water – water needs of the development and use of water saving devices; treatment, re-use and disposal of waste water and runoff;
- ✓ Soils – no effect of proposed works on soil quality, including for example, erosion, instability, salinity, acidity, or contamination.
- ✓ Air Quality – there is little likelihood of pollution through the emission of dust, odours, and other airborne pollutants.
- ✓ Flora and Fauna – no effect upon the maintenance of biodiversity or impact upon critical habitats, threatened species, populations, ecological communities or their habitats;

#### 6.7.2 **Built Environmental Impact**

The site is situated within an existing business district. The proposed building works will complement the existing motel development and the use is both consistent and appropriate for the locality, accordingly it has no long term adverse impacts in respect of:

- ✓ Overshadowing – there are no properties that will be overshadowed by the proposed works.
- ✓ Visual – the proposal will enhance the streetscape with an upgraded building facade.
- ✓ Acoustic privacy – An acoustic report has been prepared that demonstrates that potential acoustic impacts can be appropriately managed to minimise any adverse impacts upon surrounding residential properties.

- ✓ Noise and Vibration – The proposed use is unlikely to generate offensive noise or vibration.
- ✓ Heritage – the site contains no heritage items.
- ✓ Waste - no likelihood of pollution through waste generation, storage and disposal of wastes and litter.
- ✓ Energy Efficiency – The building will incorporate where possible energy saving measures and energy efficient appliances.

### 6.7.3 Social and Economic Impact

The proposal has the potential to provide positive social and economic benefits as outlined in this Report. Our review does not identify any adverse risk assessment, namely:

- ✓ Public Safety and Security – The existing buildings and layout of the motel/pub provides separation of public and private areas and surveillance of car parking areas, with no readily identifiable security concerns.
- ✓ Social Impacts – The inclusion of a licenced premises within the motel development will provide for continued employment opportunities and provide additional opportunities to meet the recreational and social needs of the community. In our opinion the proposal will not adversely impact on the character of the area.

It is our view that it should therefore be supported.

### 6.7.4 Cumulative Impacts

The proposed development will not create any adverse cumulative impacts as it seeks to improve on the facilities available to residents and visitors alike. It has the ability to provide positive impacts through provision of employment opportunities for the community and in our opinion the proposal is satisfactory.

## 6.8 The Suitability of the Site

### ***Section 79C(1)(c) – The suitability of the site for the development***

The site is located within an industrial area and the proposal is considered to reflect the desired aims of LEP 2012 and the development control plan. In our opinion the proposal is satisfactory.

## **6.9 Submissions Received**

### ***Section 79C(1)(d) – Any submissions made in accordance with this Act or the regulations***

The proposal will be subject to notification by Council and any submissions received will be duly considered by Council prior to determination of the proposal.

## **6.10 The Public Interest**

### ***Section 79C(1)(e) – The public interest***

The proposed works allow for continuation of an existing tourism focused facility with a complementary use in the form of a licensed premises (pub). Based upon our assessment it is our view that the proposal is therefore in the public interest.



## 7 Conclusion

This application seeks approval for alterations and additions to the existing motel building currently known as the Copper City Motel, known as Lot 1-9 Section 18 DP 2780, No.40 Lewis Street, Cobar NSW.

The motel will continue to operate providing temporary accommodation and meals to guests. The works involve the construction of two (2) additional accommodation units (total 32 units), new function room(s), alfresco dining area, amenities, and conversion of the existing licenced restaurant area and proposed function rooms to a Licensed Premises (Pub) containing a public bar/restaurant, alfresco dining, smoking area, gaming room and function room(s) which will operate under a Hotel Licence, granted under the *Liquor Act 2007*..

The proposal has been assessed having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act, 1979* and relevant documentation. Our assessment of the proposal demonstrates that the proposal has merit and should be approved by Council.

~ ~ ~ ~ ~

## 8 References

### PLANNING AND STATUTORY DOCUMENTS

- Environmental Planning and Assessment Act, 1979 (**EP&A Act**).
- Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**).
- Cobar Local Environmental Plan (LEP)2012.
- Section 149 (Planning) Certificate No.16/17:056, dated 11 November 2016.

### REPORTS AND DOCUMENTS

- Architectural Plans (Job No.6920) – 3 sheets, dated 13/02/17, prepared by Regency Design.
- Survey Plan (Job No. 16/312), dated 8/12/16, prepared by Imrie, Astley & Associates.
- Noise Impact Assessment (Rpt: R160038R1), dated 14 February 2017, prepared by Rodney Stevens Acoustics.
- National Construction Code Assessment Report (No: 407/2016 CC), dated 6 March 2017, prepared by Pro Cert Group Pty Ltd.
- Waste Management Plan, dated 16 December 2016, prepared by PGH Environmental Planning
- Hotel Plan of Management, dated 6 March 2017.



# Appendix No. 1

Hotel Plan of Management

# COPPER CITY HOTEL

## Cobar

### PLAN of MANAGEMENT

#### 1. Purpose

The purpose of this management plan is to put strategies into action to effectively eliminate anti-social behaviour in and around the Copper City Hotel, to ensure compliance with the responsible service of alcohol requirements and to minimise any excessive noise issues that may be detrimental to the good order of the neighbourhood and surrounding businesses.

This management plan shows the mitigation measures that are adopted by the Copper City Hotel to ensure staff and hotel management work towards an incident free venue.

#### 2. Operational Details

The Manager is to consider the amenity of our neighbours and take all reasonable measures to ensure the conduct of the hotel does not adversely impact on the surrounding area

The licensee/manager is to ensure that staff provide quality service and comply with this Plan of Management.

#### 3. Hours of Operation

No patron will be admitted into the hotel after midnight (this will not apply to guests staying in the motel units).

Lounge and Gaming Room:	Mon to Sat 10.00 am to 03.00 am (no entry after midnight) Sun 10.00 am to midnight
Outdoor Lounge:	Mon to Sat 10.00 am to 03.00 am (no entry after midnight) (no alcohol in this area after 10.00 pm) Sun 10.00 am to 10.00 pm
Dining and Function Rooms	Mon to Sun 06.00 am to 02.00 am (no alcohol in these areas before 10.00 am)
Alfresco Dining	Mon to Sun 06.00 am to 10.00 pm (no alcohol in this area before 10.00 am)
Pool Area	Mon to Sun 10.00 am to 10.00 pm
Take-away sales	Mon to Sun 10.00 am to 11.00 pm

#### 4. Limitation on number of patrons

The maximum number of patrons permitted is 350 (excluding guests in the motel accommodation).



## **5. Number of staff**

The hotel will employ a licensee and a maximum of 10 staff working on a roster. At any one time there will always be a manager on duty and at least 1 other staff.

## **6. Access to hotel**

There is one main entrance, from Lewis Street, to the hotel and accommodation.

Apart from guests utilising the accommodation, no patron will be permitted to enter the hotel after midnight and no patron shall be on the premises outside trading hours.

## **7. Management of patrons who are smoking**

Smokers may use the Outdoor Lounge from 10.00 am until close of trade but no alcohol is permitted in this area after 10.00 pm. Smokers may also use the dedicated Smoking Area at any time during trading hours.

## **8. Signage**

A sign stating the maximum patron capacity will be displayed in a prominent position at the main entrance.

Appropriate signage is to be displayed including:

- At building main entrance: Liquor Act sign displaying name of premises, licensee and type of licence
- At each bar and entrance: Under 18s not to be served alcohol sign and If you are asked to leave the hotel and fail to quit you are breaking the law sign and Proof of Age poster.
- In the minors authorised areas: sign must be displayed advising that persons under the age of 18 years must be with a responsible adult
- In the Gaming Room:
  - Persons under the age of 18 years are not permitted in this area by law
  - Game Care signs must be displayed
  - THINK about you choices sign.

Signage is to be updated from time to time as required by legislation.

## **9. Provision of entertainment**

Entertainment will be offered on occasions.

To restrict noise emanating from the hotel, entertainment is to be limited as follows:

Dining Room (internal):	background music and television
Lounge Room (internal):	background music and television
Outdoor Lounge:	background music only

Alfresco Dining:	background music only
Pool Area:	background music only
Gaming Room:	no music or television and no linked machines. gaming machines to be set on low volume
Function Rooms:	DJ, live bands, background music

## **10. Security**

When live entertainment (DJ/bands) or amplified music is provided, the hotel will have licensed security from 9.00 pm until 15 minutes after closing or until the last patron has left the vicinity of the hotel, at the following rate:

- 1 licensed security officer for between 50 and 100 patrons and
- from 101 patrons at the rate of not less than 1:100 patrons.

The vicinity of the premises is the area within a 25m radius of the hotel.

If a function is taking place, security will be provided for the function, from 9.00 pm until 15 minutes after the last patron has left the function and the vicinity of the hotel, for any function having 50 or more guests at the rate of:

- 1 licensed security officer for between 50 and 100 patrons and
- from 101 patrons at the further rate of not less than 1:100 patrons.

The vicinity of the premises is the area within a 25m radius of the hotel.

### ***Security Officers***

- Security officers must maintain and display at all times, whilst on duty, a NSW Security Industry Licence
- All guards must ensure they undergo regular training in all aspects of security and hospitality and are taught any recent regulatory changes during these sessions

### ***Duties of Security Officers***

- To monitor and enforce the Responsible Service Of Alcohol
- To ensure that no persons under the age of 18 are served liquor in any part of the hotel. All entry will only be permitted after adequate identification is produced. All patrons who appear to be under 25 years of age will need to provide photo identification of any of the following 3 forms: current driver's licence, current passport, proof of age card issued by Australia Post (Keypass identity card) or any proof of age card issued by a public authority of the Commonwealth, State or Territory.
- To assist staff in monitoring and enforcing the Responsible Service Of Alcohol and other related liquor licensing issues

- To monitor the hotel for illegal and or suspicious activity and address the issue appropriately
- To monitor and address any issues concerning occupational health and safety
- To administer any first aid to staff, patrons, guest or visitor requiring such attention
- To protect staff, guests and patrons from violent/aggressive/troublesome persons
- To monitor and control entertainment limitations (crowd numbers)
- To monitor and control the Hotel entry policies (dress regulations, secure areas, intoxicated and unruly persons)
- To assist in the co-ordination of emergency response procedures
- To protect the Hotel's assets from unauthorised/illegal losses or activity
- To report on all activities undertaken and intelligence gathered
- To monitor and maintain order in and around the Hotel
- To maintain an appropriate high degree of professional customer service
- To comply with all relevant legislation pertaining to the duties, including but not limited to, The Security Industries Act, Regulation and code of practice
- To act with honesty and integrity at all times
- To carry out any other duty and/or task as is reasonably requested by authorised staff of the Hotel
- To maintain a register which contains a copy of RSA certificate or RSA Competency Card for each staff member
- To monitor the hotel and the vicinity until closure and ensure the quiet and orderly departure of patrons

## **11. Surveillance on premises and patrol of car park**

### *Lighting*

Adequate lighting to be provided at each entry point. The hotel will be appropriately illuminated during trading hours.

### *CCTV cameras*

A closed circuit television (CCTV) system will be maintained on the premises and will cover:

- all entry and exit points to the hotel
- the footpath immediately adjacent to the hotel
- all publicly accessible areas (other than toilets) on the premises.

The equipment will be maintained in working order and regularly tested.

Digital hard disk technology will be used to record images from the cameras. CCTV recordings will be kept for a period of 30 days before either being archived or reused.

Any request by the Police for a copy of a recording must be referred to the licensee or manager. Only the licensee or manager is permitted to provide a copy of a recording to the Police. The original recording must be retained at the premises.

Signs will be posted advertising that the building is under 24 hour CCTV surveillance and any offence will be recorded and reported to the Police.

## 12. Delivery and loading/unloading and waste management arrangements, time and noise management

### *Delivery and loading/unloading*

Deliveries and loading/unloading is to take place between 9.00 am and 6.00 pm on any day.

### *Waste management*

Bottle or glass sorting, recycling or collection is only to take place between 9.00 am and 6.00 pm on any day.

### *Noise management*

The Copper City Hotel has adopted the following:

- patrons to be encouraged not to make an unreasonable level of noise while in the outdoor areas
- patrons to be asked to leave the premises quietly so as to not disturb our neighbours
- entertainment to be provided only as set out in the Plan of Management
- windows and doors of the Function Room to have an Rw 45
- walls of the Function Room adjoining the motel units to have an Rw 60
- walls of the Function Room facing south to have an Rw 55
- Function Room to be fully air conditioned
- Function Room doors and windows to be closed when amplified music is playing
- An electronic frequency dependent limiting device to be installed to the sound system, with three individual microphones in each room, to ensure that the amplified music is set to the agreed levels to ensure there is no disturbance caused.

## 13. Responsible Service of Alcohol

The following methods will be employed to meet responsible service of alcohol (RSA) requirements as set by Liquor and Gaming NSW, in particular, to ensure that there are practices in place to ensure that liquor is sold, supplied or served responsibly on the premises, that all reasonable steps will be taken to prevent intoxication on the premises and those practices will remain in place:

- All staff members will hold valid RSA qualifications and be well versed in actively implementing RSA at all times.
- A register will be maintained and contain copies of any RSA Certificates held by employees. Those holding Competency Cards must carry them at all times when working in the hotel.
- All statutory liquor signage and posters will be displayed at all times in the relevant places throughout the hotel
- The licensee and staff must comply with the **House Policy** which describes the measures to minimise harm associated with alcohol consumption to ensure the responsible service of alcohol.



## ***House Policy***

This House Policy:

- details the measures in place to ensure alcohol is served responsibly to help minimise alcohol-related harm, and
- describes how staff (including any person undertaking duties related to the sale and supply of alcohol at the hotel, including security personnel and RSA marshals) are instructed and trained to prevent intoxication on the licensed premises

with the aim of lowering the risk of alcohol-related violence and neighbourhood disturbance and promoting a safe venue for customers and staff.

## ***What is the Law?***

- It is unlawful for a licensee or staff member to sell or supply liquor to an intoxicated person on licensed premises.
- A licensee must not permit intoxication on licensed premises.
- If an intoxicated person is on licensed premises, then the licensee is deemed to have permitted intoxication, unless the licensee can prove:
  - a. The licensee or staff:
    - i asked the intoxicated person to leave the premises, and
    - ii contacted, or attempted to contact, the police for assistance in removing the person from the premises, and
    - iii the person was refused further service of liquor, OR
  - b. The licensee or staff member had taken the steps set out in **Prevention of Intoxication on Licensed Premises Guidelines**, attached, OR
  - c. The intoxicated person did not consume liquor on the licensed premises.

## ***Identification***

- The licensee, staff or an agent may request proof of age current driver's licence, current passport, proof of age card issued by Australia Post (Keypass identity card) or any proof of age card issued by a public authority of the Commonwealth, State or Territory to ensure that a patron is at least 18 years of age.
- Any person who refuses to produce identification may be refused service by staff.

## ***How to determine if a person is intoxicated***

A person is intoxicated if:

- the person's speech, balance, co-ordination or behaviour is noticeably affected, and
- it is reasonable in the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the consumption of liquor.

**Intoxication Guidelines** have been issued by the Department of Justice to assist you in determining whether a person is intoxicated. These guidelines are attached and form part of the House Policy.

### **Steps to prevent intoxication at the hotel**

#### **1. Selling, supplying and promoting liquor responsibly.**

The steps are:

- Do not serve liquor or allow liquor to be sold or supplied to any person who is intoxicated.
- The licensee, staff and agents (including security officers) will ensure they hold a current Responsible Service of Alcohol (RSA) certificate and Competency Card.
- The licensee/manager will ensure:
  - RSA competency cards are sighted and expiry date noted
  - they retain a photocopy of the cards
  - each staff member will have their RSA competency cards on their person at all times whilst working
  - a range of non-alcoholic and low alcohol beverages are available at prices lower than standard measure drinks,
  - free drinking water will be available at all times
  - any conditions imposed on the licence or any requirements under the Liquor Act which restrict the times, type or quantity of alcohol sold or supplied on the licensed premises are complied with, and
  - liquor is not sold or supplied or promoted in a manner that is inconsistent with the **Liquor Promotion Guidelines** issued by the Secretary of the Department of Justice (copy attached).

#### **2. Monitoring Liquor Consumption and Patron Behaviour**

The steps are:

- The licensed premises is to be operated under the direct supervision of the licensee, or an appropriately experienced supervisor in the licensee's absence whenever liquor is sold or supplied.
- Liquor consumption by all patrons is to be actively monitored by the licensee or staff by being aware of:
  - who is purchasing alcoholic drinks

- how many drinks are being purchased
  - how many persons are in any groups for whom drinks are being purchased
  - stockpiling
  - how many empty drinking vessels are being collected
- Should staff become aware that a patron is consuming liquor irresponsibly they are to intervene and in a manner likely to result in intoxication, this should be reported to the licensee/manager/security.
  - Should any staff become aware that a patron is intoxicated, they will refuse service of alcohol, stop further consumption of liquor and request the person to leave the premises
  - Any conditions imposed on the liquor license, requirements under the Liquor Act 2007, or requirements of a development consent or approval under the Environmental Planning and Assessment Act 1979 relating to the engagement and duties of security personnel are to be complied with.

### **3. *Implementing Harm Minimisation Measures***

The steps are:

- The availability of free drinking water must be actively promoted to patrons throughout the premises by:
  - supplying every table with free water when they arrive
  - constantly re-filling their water glasses throughout their patronage
  - ensuring water containers and drinking vessels are clearly visible.
- To ensure that non-alcoholic and low strength alcoholic beverages are to be clearly listed as such on any sign boards or menus.
- To ensure that food is available at all times that the hotel is trading.
- The following drinks must not be sold or supplied between midnight and 5am:
  - any drink (commonly referred to as a 'shot', a 'shooter' or a 'bomb') that is designed to be consumed rapidly
  - any ready to drink beverage with an alcohol by volume content of more than 5%, and
  - any drink prepared on the premises that contains more than 30ml of spirits or liqueur, other than a cocktail that contains spirits or liqueur (or both) mixed with other ingredients and that is not designated to be consumed rapidly.

### **4. *Planning to prevent intoxication on the licensed premises***

The steps are:

- This house policy is to be provided to police or inspectors upon request.
- All staff are to receive instructions and training on the contents of this document before they commence working in the licensed premises.

## 14. Excluding persons or persons refused entry

The licensee or staff may refuse entry or ask to leave the premises any person:

- who is at the time intoxicated, violent, quarrelsome or disorderly, or
- whose presence on the licensed premises renders the licensee liable to a penalty under the Liquor Act, or
- who smokes, within the meaning of the Smoke-free Environment Act 2000, while on any part of the licensed premises, or
- who uses, or has in his or her possession, while on the premises any substance that the authorised person suspects of being a prohibited plant or a prohibited drug, or
- who breaches a condition of a liquor accord.

The licensee and staff must comply with the Anti-Discrimination Act.

Any person who has been refused admission, or asked to leave the premises, will be told:

- to leave the premises, if applicable
- to move a minimum of 50 metres away from the premises
- not to return to the licensed premises for at least 24 hours; and
- if they fail to comply with the above, they are committing an offence and police will be called and the person may be issued a penalty notice for \$550.00

## 15. Staff Training

- All staff who are involved in the service and/or supply of liquor must have appropriate RSA certification including a Competency Card
- Staff will be receive instructions and training on the contents of this House Policy before they start working in the hotel
- Emails to be sent to staff regarding any identified issues with intoxication
- Regular on-going staff training will be provided.

## 16. Complaint recording and handling process

A complaint register will be kept by the licensee and will be available for inspection at all times by Police or Council officers. The register will include details of the complaint received, any action taken and the response provided to the complainant.

The following sign will also be displayed at the main entrance:

Should you wish to discuss the operation of this hotel, please call the licensee (24 hours a day) on ..... or .....
--

Management will respond to any complaint in a timely manner.



## **17. Anti-social behaviour minimisation policy**

Management shall ensure that:

- persons entering and leaving the hotel do not crowd or loiter in the vicinity of the premises
- the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood
- a litter patrol is to be undertaken at the cessation of trading each day to collect and dispose of all litter and waste in the public areas adjacent to the hotel

## **18. Incidents involving acts of violence**

When the manager of the hotel becomes aware of an incident involving an act of violence causing injury to a person on the premises, that person must:

- call the police
- take all practical steps to preserve and keep intact the area where the act of violence occurred
- retain all material associated with the act of violence

## **19. Incident Register**

The hotel will maintain an Incident Register and record full details of any incident in the register.

## **20. Emergency Management and Evacuation Plan**

Management will implement an emergency management and evacuation plan.

## **21 Graffiti Management**

Management will ensure that any graffiti is removed from the premises.

## **22 Transport Arrangements**

The Hotel has the following transport options available to get patrons home safely:

- Designated driver program (complimentary soft-drink to all those who identify themselves as the driver)

## **23 Amenity of neighbourhood**

By adequately performing these activities stated above we will prevent the following issues:

- Our overnight guests having disturbed sleep
- Loud and unruly behaviour of persons going to and from licensed premises.
- Loud traffic emissions from erratic and unlawful behaviour.
- Noise emanating from the premises (amplified and crowd noise)
- Liquor bottles and other rubbish being strewn about.
- Theft and vandalism of property.
- Parking and traffic disturbances.

#### **24 Attachments:**

- GL4002 Prevention of intoxication on licensed premises guidelines
- GL4003 Intoxication guidelines
- FS3029 Liquor Promotions guidelines summary

#### **25 Amendments to Plan of Management**

To ensure better management practices, this Plan of Management may be reviewed from time to time by the hotel management following consultation with Police.

---

GL4002

# Prevention of intoxication on licensed premises guidelines

## Introduction

Liquor licensees have important obligations to ensure alcohol is served responsibly to help minimise alcohol-related harm. Supporting responsible consumption practices and preventing intoxication lowers the risk of alcohol-related violence and neighbourhood disturbance, and helps to promote a safe venue for customers and staff.

The NSW liquor laws prohibit the sale and supply of alcohol to intoxicated persons. Licensees also have a legal obligation to prevent intoxication from occurring on their premises. Significant penalties – including fines, higher annual licence fees, and possible suspension or cancellation of a licence – apply where alcohol is served to an intoxicated person or intoxication is permitted.

These guidelines include practical steps that licensees can take to manage the risk of intoxication on their premises. They will assist licensees to comply with the liquor laws and the conditions of their liquor licence.

While implementing these steps is not a licence requirement, it is recommended, as the steps provide evidence of what a licensee has done to minimise the risk of intoxication in the event of a prosecution under the liquor laws.

Because liquor is sold in a diverse range of circumstances, licensees and staff should also consider whether other measures – in addition to the steps outlined in these guidelines – are needed to minimise the risk of intoxication.

## What is the law?

It is unlawful for a licensee or staff member to sell or supply liquor to an intoxicated person on licensed premises (section 73(2) of the *Liquor Act 2007*). The maximum penalty is \$11,000.

A person is intoxicated if:

- a. the person's speech, balance, co-ordination or behaviour is noticeably affected, and
- b. Separate guidelines have been issued by the Secretary, of the Department of Justice, to assist licensees and staff in determining whether a person is intoxicated. Please refer to GL4003 'Intoxication guidelines' at [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au).

It is unlawful for a licensee to permit intoxication on licensed premises (section 73(1)(a) of the *Liquor Act 2007*). The maximum penalty is \$11,000.

A licensee is deemed to have permitted intoxication if an intoxicated person is on the licensed premises (section 73(4) of the *Liquor Act 2007*), unless the licensee can prove:

- a. The licensee or staff:
  - i. asked the intoxicated person to leave the premises, and
  - ii. contacted, or attempted to contact, the police for assistance in removing the person from the premises, and
  - iii. the person was refused further service of liquor, or
- b. The licensee or a staff member had taken the steps set out in guidelines issued by the Secretary of the Department of Justice, under section 73(5A) of the *Liquor Act 2007*, or
- c. The intoxicated person did not consume liquor on the licensed premises.

# Prevention of intoxication on licensed premises guidelines

## What is the purpose of these guidelines?

The Secretary of the Department of Justice, is required to issue these guidelines under section 73(5A) of the *Liquor Act 2007*. Their purpose is to describe the steps that licensees and their staff must take where a licensee wishes to be able to rely upon the defence in section 73(4)(a1) to establish that intoxication was not permitted on their licensed premises.

Where a licensee seeks to rely upon this defence, it will be necessary to demonstrate that **each of the steps** in these guidelines at the time that the offence of permitting intoxication was alleged to have occurred.

As an alternative to implementing the steps in these guidelines, licensees also have the option of relying upon sections 73(4)(a) or 73(4)(b) of the *Liquor Act 2007* to defend an allegation that intoxication has been permitted on the licensed premises.

## References

Any reference to a licensee in these guidelines includes a reference to a manager as defined in section 4 of the *Liquor Act 2007*.

Any reference to staff or a staff member in these guidelines includes a reference to any person undertaking duties related to the sale and supply of alcohol on the licensed premises, including security personnel and RSA marshals.

## Steps to prevent intoxication on licensed premises

### 1. Selling, supplying and promoting liquor responsibly

The steps are:

- a. the requirement to not sell or supply liquor to an intoxicated person (under section 73(2) of the *Liquor Act 2007*) is complied with,
- b. obligations relating to responsible service of alcohol training and the availability of free water (under clauses 40, 42, 42A, 42B and 51 of the *Liquor Regulation 2008*) are complied with,
- c. any conditions imposed on the liquor licence or any requirements under the *Liquor Act 2007* which restricts the times, type or quantity of alcohol sold or supplied on the licensed premises are complied with, and
- d. liquor is not sold, supplied or promoted in a manner that is inconsistent with the Liquor Promotion Guidelines issued by the Secretary, of the Department of Justice, under section 102(4) of the *Liquor Act 2007*.

Please refer to GL4001 'Liquor Promotion Guidelines' at [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au).

### 2. Monitoring liquor consumption and patron behaviour

The steps are:

- a. the licensed premises is operating under the direct supervision of the licensee or appropriately experienced supervisory staff whenever liquor is being sold and supplied,
- b. liquor consumption by all patrons is actively monitored by the licensee or staff,
- c. intervention occurs when the licensee or a staff member becomes aware that a patron is consuming liquor irresponsibly and in a manner likely to result in intoxication,
- d. intervention occurs when the licensee or a staff member becomes aware that a patron is intoxicated to prevent the person from consuming liquor and to request that person to leave the premises,
- e. patrons entering the licensed premises between midnight and 5am are actively monitored and assessed for intoxication at the time of entry, and
- f. any conditions imposed on the liquor licence, requirements under the *Liquor Act 2007*, or requirements of a development consent or approval under the *Environmental Planning and Assessment Act 1979*, relating to the engagement and duties of security personnel and/or RSA marshals are complied with.

### 3. Implementing harm minimisation measures

The steps are:

- a. the availability of free drinking water is actively promoted to patrons throughout the licensed premises,
- b. action is taken to make patrons aware of the availability of non-alcoholic and low strength alcoholic beverages in the licensed premises,
- c. any requirements under the *Liquor Act 2007* relating to the provision of food on the licensed premises are complied with in a manner consistent with the reasonable requirements, expectations and demands of the patrons of the premises, and
- d. the following drinks are not sold or supplied between midnight and 5am:
  - i. any drink (commonly referred to as a 'shot', a 'shooter' or a 'bomb') that is designed to be consumed rapidly,

## Prevention of intoxication on licensed premises guidelines

---

- ii. any ready to drink beverage with an alcohol by volume content of more than 5%, and
- iii. any drink prepared on the premises that contains more than 30 ml of spirits or liqueur, other than a cocktail that contains spirits or liqueur (or both) mixed with other ingredients and that is not designed to be consumed rapidly.

### 4. Planning to prevent intoxication on the licensed premises

The steps are:

- a. written document (such as a plan or house policy) is prepared which:
  - i. details the measures in place to prevent intoxication on the licensed premises (including the method of complying with the steps set out in these guidelines),
  - ii. describes how staff are instructed and trained to prevent intoxication on the licensed premises, and
  - iii. is provided to police and inspectors upon request.
- b. all staff receive instructions and training on the contents of the document referred to in step 4(a) above before they commence working on the licensed premises.



GL4003

# Intoxication guidelines

These guidelines are designed to assist you to determine whether or not a person is intoxicated.

## Overview

You must always have due regard to the following objectives of the liquor laws:

- ▲ Need to minimise harm associated with the misuse and abuse of liquor.
- ▲ Encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor.
- ▲ Ensure that the sale, supply and consumption of liquor contributes to, and does not detract from, the amenity of community life.

## What is the law?

Section 5 of the *Liquor Act 2007* states that a person is intoxicated if:

- ▲ the person's speech, balance, co-ordination or behaviour is noticeably affected, and
- ▲ it is reasonable in the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the consumption of liquor.

Liquor licensees have important obligations to ensure alcohol is served responsibly to help minimise alcohol-related harm.

Supporting responsible consumption practices and preventing intoxication lowers the risk of alcohol-related violence and neighbourhood disturbance, and helps to promote a safe venue for customers and staff.

The NSW liquor laws prohibit the sale and supply of alcohol to intoxicated persons. Licensees also have a legal obligation to prevent intoxication from occurring on their premises. Fines, higher annual licence fees, and possible suspension or cancellation of a licence can apply where alcohol is served to an intoxicated person or intoxication is permitted.

Intoxication offences under the NSW liquor laws are discussed in the GL4002 'Prevention of intoxication on licensed premises March 2015' guidelines. The guidelines outline the obligations of licensees and serving staff. They provide advice on steps that can be taken by licensees and staff to manage the risk of intoxication on licensed premises.

The GL4002 'Prevention of intoxication on licensed premises March 2015' guidelines are issued by the Secretary, NSW Department of Justice, under section 73(5A) of the *Liquor Act 2007* and are available from Liquor & Gaming NSW at [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au).

## What are the noticeable signs of intoxication?

These symptoms or signs are not exhaustive, and not necessarily conclusive of intoxication.

### Speech

- ▲ slurring words
- ▲ rambling or unintelligible conversation
- ▲ incoherent or muddled speech
- ▲ loss of train of thought
- ▲ not understanding normal conversation
- ▲ difficulty paying attention.

### Balance

- ▲ unsteady on feet
- ▲ swaying uncontrollably
- ▲ staggering
- ▲ difficulty walking straight
- ▲ cannot stand, or falling down
- ▲ stumbling
- ▲ bumping into or knocking over furniture or people.

### Coordination

- ▲ lack of coordination
- ▲ spilling drinks
- ▲ dropping drinks
- ▲ fumbling change

# Intoxication guidelines

- ▲ difficulty counting money or paying
- ▲ difficulty opening or closing doors
- ▲ inability to find one's mouth with a glass.

## Behaviour

- ▲ rude
- ▲ aggressive
- ▲ belligerent
- ▲ argumentative
- ▲ offensive
- ▲ bad tempered
- ▲ physically violent
- ▲ loud / boisterous
- ▲ confused
- ▲ disorderly
- ▲ exuberant
- ▲ using offensive language
- ▲ annoying / pestering others
- ▲ overly friendly
- ▲ loss of inhibition
- ▲ inappropriate sexual advances
- ▲ drowsiness or sleeping at bar or table
- ▲ vomiting
- ▲ drinking rapidly.

## Standard drinks

The concept of a standard drink enables people to keep track of how much alcohol they are consuming. A standard drink contains 10 grams of pure alcohol.

The [Standard drinks guide](#) can be used to help identify how many standard drinks have been consumed and is available from [alcohol.gov.au](http://alcohol.gov.au).



## How else to determine if someone is intoxicated

Make observations:

- ▲ Does the person smell of alcohol?
- ▲ How long has the person been drinking?

- ▲ When did the person enter the premises?
- ▲ Was the person affected by alcohol when they arrived?
- ▲ What type of alcohol has been consumed?
- ▲ How much alcohol have you seen the person drink?

Your observations will help you form a reasonable belief as to whether the person is intoxicated as a result of alcohol consumption.

Talk to the person and their friends to help determine whether the person is intoxicated or becoming intoxicated.

## Reasonable belief that a person is intoxicated

The law requires you to form a reasonable belief that the person is intoxicated as a result of alcohol consumption. It is all right if you refuse service to a person on the basis of this belief, even if you are wrong.

Reasonable grounds for a belief that a person is intoxicated are what a reasonable person would believe in the circumstances, taking into account the relevant knowledge and facts presented.

You should be sure of your reasons for refusal of service and these reasons should not be discriminatory, for example due to race, sex, or disability.

A person has the right to take the matter to the Anti-Discrimination Board if they feel they have been subjected to discrimination.

## Are there conditions that exhibit similar symptoms/signs to intoxication?

Some medical conditions, disabilities or the use of drugs may cause similar behaviours without the person being intoxicated as a result of alcohol consumption.

Prior to refusing service on the basis that a person is intoxicated, you should endeavour to determine whether the person has a medical condition or disability which may cause signs or symptoms similar to intoxication.

If the person has a medical condition or disability, it is likely that their friends will be able to tell you. Be sensitive to a person's right to privacy.

Examples only:

- ▲ acute infections
- ▲ acquired brain injury
- ▲ brain trauma/tumours
- ▲ delirium
- ▲ diabetes/hypoglycaemia

## Intoxication guidelines

- ▲ epilepsy
- ▲ head injuries
- ▲ pneumonia
- ▲ seizures and post-seizure states
- ▲ stroke.

Even though a person has a pre-existing condition, if you have observed the person consuming alcohol and the person has been drinking for some time, then it would be reasonable to form a belief that the person is intoxicated as a result of alcohol consumption.

- ▲ Slow service down for the patron
- ▲ Wait for the patron to re-order, don't automatically top up drinks
- ▲ Do not conduct any activity or promotion that will result in patrons engaging in irresponsible, rapid, or excessive consumption of liquor.

### What to do if someone is intoxicated

If there are reasonable grounds for you to form a belief that someone is intoxicated as a result of alcohol consumption, you must refuse service to that person. Under the law the person must also be asked to leave the premises.

Procedures for dealing with intoxication incidents should be in place and staff should be trained in these procedures.

### When refusing service to a person:

- ▲ Introduce yourself to the person. Tell them your name and your role, and ask their name.
- ▲ Approach the person in a friendly and respectful manner. Patronising or authoritarian attitudes can often evoke anger and make the person more aggressive – this is a common response to threats to one's dignity and self-respect. Try not to speak to the person in front of others.
- ▲ When talking to the person: use their name; use slow, distinct speech; use short simple sentences; avoid emotion and involved discussions; use appropriate eye contact (limit for cultural reasons); and adjust speaking pace to match the patron's.
- ▲ Give clear, concrete statement that by law they cannot be served another drink.
- ▲ Notify the manager/licensee/supervisor or security. Also notify other bar staff that you have refused service to the person. If a shift change is nearing, notify the new staff.

- ▲ Give a clear instruction that the person must leave the premises. If necessary, guide them to the exit, ensuring that they have all their personal possessions with them.
- ▲ If the person refuses to leave then you should contact police for assistance in removing the person from the premises.
- ▲ If considered necessary, management may consider imposing a short term ban.

The Liquor & Gaming NSW website has a number of resources which provide further information on refusing entry or removing patrons from a premises.

See the FS3030 'Refusal of entry and patron bans/barring' fact sheet for further information on refusing entry or removing patrons from a premises, or search for 'refusing entry' at [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au).

### Penalties



Supplying alcohol to an intoxicated person can be very expensive. The licensee or staff can be fined up to \$11,000 or be issued with an on-the-spot fine by way of a penalty notice. It is also an offence for other patrons to supply alcohol to an intoxicated person, with a maximum fine of \$1,100 applying.

### For further information

Visit [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au) for more information about the liquor laws. Subscriptions to our e-news service are also available from this site.

Access to the liquor laws – the *Liquor Act 2007* and the Liquor Regulation 2008 – is available from [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au).

To find out more about the liquor laws, contact L&GNSW:

-  [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au)
-  1300 024 720
-  [info.lgnsw@justice.nsw.gov.au](mailto:info.lgnsw@justice.nsw.gov.au)

### Publication details

These guidelines are published by the Secretary, NSW Department of Justice, under section 5 of the *Liquor Act 2007*. They are designed to assist you to determine whether or not a person is intoxicated.

These guidelines are subject to periodic review. Please go to [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au) to ensure you are using the latest guidelines.

# Liquor promotion guidelines summary July 2013

This fact sheet summarises the liquor promotion guidelines. They are intended to provide guidance as to what issues are considered important in determining whether a liquor promotion is undesirable and may be subject to a notice.

The following table provides a quick reference guide listing the 7 principles which detail the types of liquor promotion activity that are considered undesirable and include *some* examples of unacceptable practices.

Principle		Some examples of unacceptable promotions
1	The promotion must not have a special appeal to minors, because of the designs, names, motifs or characters in the promotion that are, or are likely to be, attractive to minors or for any other reason.	<p>Promotions:</p> <ul style="list-style-type: none"> <li>▲ which use characters, imagery, motifs, naming or designs which primarily appeal to minors</li> <li>▲ that include merchandise that primarily appeal to minors</li> <li>▲ using interactive games or technology predominantly targeted to minors.</li> </ul>
2	The promotion must not be indecent or offensive.	<p>Promotions which:</p> <ul style="list-style-type: none"> <li>▲ use images, including human bodies, that may be considered offensive to a reasonable adult</li> <li>▲ use insulting or offensive language in the liquor promotion material</li> <li>▲ offer free or discounted drinks for participating in an activity that may be offensive to a reasonable adult present on the licensed premises.</li> </ul>
3	The promotion must not involve the use of non-standard measures that encourages irresponsible drinking and is likely to result in intoxication.	<p>Promotions encouraging the consumption of:</p> <ul style="list-style-type: none"> <li>▲ alcohol in a yard glass for skolling, laybacks, slammers, blasters, bombs or consumption from a water pistol</li> <li>▲ multiple shooters or shots by an individual.</li> </ul> <p>Or Promotions:</p> <ul style="list-style-type: none"> <li>▲ which encourage an individual to purchase and consume on their own an alcoholic drink intended to be shared (that is, a drink containing a significant number of standard drinks).</li> </ul>

## Liquor promotion guidelines summary July 2013

4	The promotion should not use emotive descriptions or advertising that encourages irresponsible drinking and is likely to result in intoxication.	<p>Promotions:</p> <ul style="list-style-type: none"> <li>▲ or events which focus principally on the excessive consumption of alcohol, e.g. Mad Monday</li> <li>▲ labelling or titling of promotions that suggest irresponsible or excessive consumption of alcohol, e.g. 'Drink like a fish', 'Beat the clock'.</li> </ul>
5	The promotion should not involve the provision of free drinks or extreme discounts, or discounts for a limited duration that creates an incentive for patrons to consume liquor more rapidly than they otherwise might.	<p>Promotions providing:</p> <ul style="list-style-type: none"> <li>▲ free drinks which encourage rapid consumption of alcohol (e.g. All you can drink in a limited time frame)</li> <li>▲ drink cards, promotional cards, or vouchers which encourage rapid consumption of alcohol over a short period of time (e.g. \$50 voucher redeemable between 9pm and 10pm)</li> <li>▲ happy hours encouraging or facilitating the rapid consumption of alcohol.</li> </ul>
6	The promotion should not otherwise encourage irresponsible, rapid or excessive consumption of liquor.	<p>Promotions which involve:</p> <ul style="list-style-type: none"> <li>▲ the use of drinkware which encourages rapid consumption, such as test tubes, water pistols, yard glasses</li> <li>▲ drinking games, competitions, challenges, dares, lotteries or games of chance that involve the rapid or excessive consumption of liquor (such as skolling games, boat races, flip and win, 'around the world', 60 shots in 60 minutes', pub golf).</li> </ul>
7	The promotion should not be otherwise considered to not be in the public interest.	<p>Promotions which:</p> <ul style="list-style-type: none"> <li>▲ use images or messages which could be seen to be encouraging or condoning breaking the law or other anti-social behaviour or which link the promotion of alcohol with illicit drugs or allude to drug taking behaviour</li> <li>▲ associate liquor consumption with aggressive or violent behaviour towards other people.</li> </ul>

The determination of whether a promotion is undesirable and may be subject to a notice is made by the Secretary, Department of Justice or a delegate, such as the Director, Compliance, Liquor and Gaming NSW.

Before a determination is made, a licensee may be given the opportunity to comment or offer an explanation on why the promotion should not be considered undesirable. An application can be made to Liquor and Gaming NSW for the Independent Liquor and Gaming Authority to review a decision.

While each of the principles and examples provide guidance on liquor promotions that are generally considered undesirable, it is in the interests of venues to ensure that all promotions are conducted with

harm minimisation measures in place to prevent unacceptable outcomes.

Employing harm minimisation measures does not automatically negate the possibility of liquor promotions being restricted or prohibited, but appropriate management of all promotions is necessary.

A list of harm minimisation measures that may be appropriate include but are not limited to the following:

- ▲ RSA marshals
- ▲ Service of free food and water is part of the promotion
- ▲ Alcohol Management Plan specific to the promotion
- ▲ Drink limits



## Liquor promotion guidelines summary July 2013

---

- ▲ Signs prominently disclosing the content of mixed alcoholic drinks served to customers
- ▲ Appropriate time frame for conduct of promotion
- ▲ Alcohol content is measured and discernable
- ▲ Limits on the quantity of alcohol that can be purchased at a reduced price.

However it should be noted that there are no mitigating measures that will enable examples of promotions identified as being 'unacceptable' in the guidelines from being undertaken.

### For further information

#### Liquor & Gaming NSW

 1300 024 720

 [info@olgr.nsw.gov.au](mailto:info@olgr.nsw.gov.au)

For information, or to make a complaint, about liquor promotions please contact Compliance Unit.

 1300 024 720

 [complaints@olgr.nsw.gov.au](mailto:complaints@olgr.nsw.gov.au)

More detailed information on the principles and further examples are available in the GL4001 'Liquor promotion guidelines July 2013', available at [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au).

The guidelines are subject to periodic review. Please go to [liquorandgaming.justice.nsw.gov.au](http://liquorandgaming.justice.nsw.gov.au) to ensure you are using the latest guidelines.



# Appendix No. 2

Acoustic Report



REPORT R160038R1

Revision 0

Acoustic Report  
Alterations and Additions  
The Copper City Hotel  
40 Lewis Street  
Cobar NSW

PREPARED FOR:  
Curtin Raiser Pty Ltd

14<sup>th</sup> February 2017



# Acoustic Report

## Alterations and Additions

### The Copper City Hotel

### 40 Lewis Street

### Cobar NSW

#### PREPARED BY:

**Rodney Stevens Acoustics Pty Ltd**  
Telephone: 61 2 9943 5057 Facsimile 61 2 9475 1019  
Email: [info@rodneystevensacoustics.com.au](mailto:info@rodneystevensacoustics.com.au)  
Web: [www.rodneystevensacoustics.com.au](http://www.rodneystevensacoustics.com.au)

#### DISCLAIMER

Reports produced by Rodney Stevens Acoustics Pty Ltd are prepared for a particular Client's objective and are based on a specific scope, conditions and limitations, as agreed between Rodney Stevens Acoustics and the Client. Information and/or report(s) prepared by Rodney Stevens Acoustics may not be suitable for uses other than the original intended objective. No parties other than the Client should use any information and/or report(s) without first conferring with Rodney Stevens Acoustics.

The information and/or report(s) prepared by Rodney Stevens Acoustics should not be reproduced, presented or reviewed except in full. Before passing on to a third party any information and/or report(s) prepared by Rodney Stevens Acoustics, the Client is to fully inform the third party of the objective and scope and any limitations and conditions, including any other relevant information which applies to the material prepared by Rodney Stevens Acoustics. It is the responsibility of any third party to confirm whether information and/or report(s) prepared for others by Rodney Stevens Acoustics are suitable for their specific objectives.

#### DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
R160038R1	Revision 0	14 <sup>th</sup> February 2017	Rodney Stevens	Desmond Raymond	Rodney Stevens



## TABLE OF CONTENTS

1	INTRODUCTION	4
2	PROJECT AREA AND SENSITIVE RECEIVERS	4
2.1	Proposed Design	6
3	EXISTING NOISE ENVIRONMENT	7
3.1	Noise Results	11
4	ASSESSMENT CRITERIA	11
4.1	Liquor and Gaming NSW	11
4.2	Project Specific Noise Goals	12
4.3	Operational Noise – NSW EPA Industrial Noise Policy	12
5	NOISE ASSESSMENT	14
5.1	Typical Patron Vocal Levels	14
5.2	Amplified Music	15
5.3	Predicted Patron and Music Noise Impacts	15
6	FUNCTION ROOMS	17
7	RECOMMENDATIONS	17
8	CONCLUSION	18
	APPENDIX A – ACOUSTIC TERMINOLOGY	19
	APPENDIX B – CALIBRATION CERTIFICATE	22
Table 3-1	Measured Ambient Noise Levels	11
Table 3-2	Measured Background Spectra	11
Table 4-1	Project Specific Noise Criteria	12
Table 4-2	Operational Noise Criteria	13
Table 5-1	Typical Sound Pressure Level of 1 Person with Normal Voice at 1m – L <sub>p</sub>	14
Table 5-2	Overall Patron Sound Power Level – L <sub>w</sub>	14
Table 5-3	Typical Sound Power Level of (background music + Television) system – dB	15
Table 5-4	Patron and Music Noise Assessment at Nearby Noise Sensitive Receiver	16
Table 5-5	Patron and Music Noise Assessment at Nearby Noise Sensitive Receiver	16
Table 5-6	Patron and Music Noise Assessment at Nearby Noise Sensitive Receiver	16
Table 7-1	Typical Sound Power Level of Live Band / DJ music system – dB	18
Figure 2-1	Project Area and Surrounding Environment	5
Figure 2-2	Site Analysis / Roof Plan	6
Figure 2-3	Floor Plan	6
Figure 2-4	Elevations	7
Figure 3-1	Logger Location	8





## 1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (RSA) has been commissioned by PGH Environmental Planning on behalf of Curtain Raiser Pty Ltd, to prepare a Noise Impact Assessment for the proposed Copper City Motel located at 40 Lewis Street, Cobar NSW.

The purpose of this assessment is to determine the potential noise impacts on nearby residential receivers and where necessary, provide noise control recommendations to enable the development to operate in an acoustically compliant manner.

This report will form part of the Development Application (DA) submission to Cobar Shire Council.

Council in an email has requested:-

“We would need an acoustic report, which would assist with the development of the management plan. There are some existing noise complainants in Becker Street, so there is a high potential of persons perceiving impact. We would be seeking information as to the proposed sound level output of all the proposed activities on the Western side of the development and how this can be managed”.

Specific acoustic terminology is used in this report. An explanation of common acoustic terms is provided in Appendix A.

## 2 PROJECT AREA AND SENSITIVE RECEIVERS

The proposal involves alterations and additions to the Copper City Motel and additional use as a licenced premises to be known as the Copper City Hotel, 40 Lewis Street, Cobar. The closest residential dwellings to be affected by the proposed development have been identified as residences in Conduit Street, north of the premises at a distance of 80 metres, Becker Street, to the west of the premises at a distance of 160 metres and a small residential unit attached to the Cobar Memorial Club, South West of the Motel at a distance of 130 metres. There are no residential areas to the east and south of the proposed development.

Accommodation units as part of the existing Copper City Motel have also been taken into consideration with particular attention to the transmission of noise from adjoining walls of the proposed units 5 & 6.

If noise levels are controlled to these areas then noise levels will be acceptable in all surrounding residential areas.

Hours of operation

- Lounge and Gaming Area: Mon to Sat from 10.00 am to 03.00 am and on Sunday from 10.00 am to midnight.
- Outdoor Lounge: Mon to Sat from 10.00 am to 03.00 am and on Sunday from 10.00 am to 10.00 pm.
- Dining and Function Rooms: Mon to Sun from 06.00 am to 02.00 am.
- Pool Area: Mon to Sun from 10.00 am to 10.00 pm.
- Alfresco Dining: Mon to Sun from 06.00 am to 10.00 pm.



The proposed alterations and additions will include patrons and music. It is understood that music will cease at 12:00 pm in the lounge dining room and at 1:00 am in the function rooms. The following sections summaries the results of patron noise and PA system noise and predicted noise levels at the nearby residential receiver.

The project area and its surrounding environment are presented in Figure 2-1 below.

Figure 2-1 Project Area and Surrounding Environment





## 2.1 Proposed Design

The proposed floor plan for the car park is presented in Figure 2-2, Figure 2-3 and Figure 2-4

Figure 2-2 Site Analysis / Roof Plan

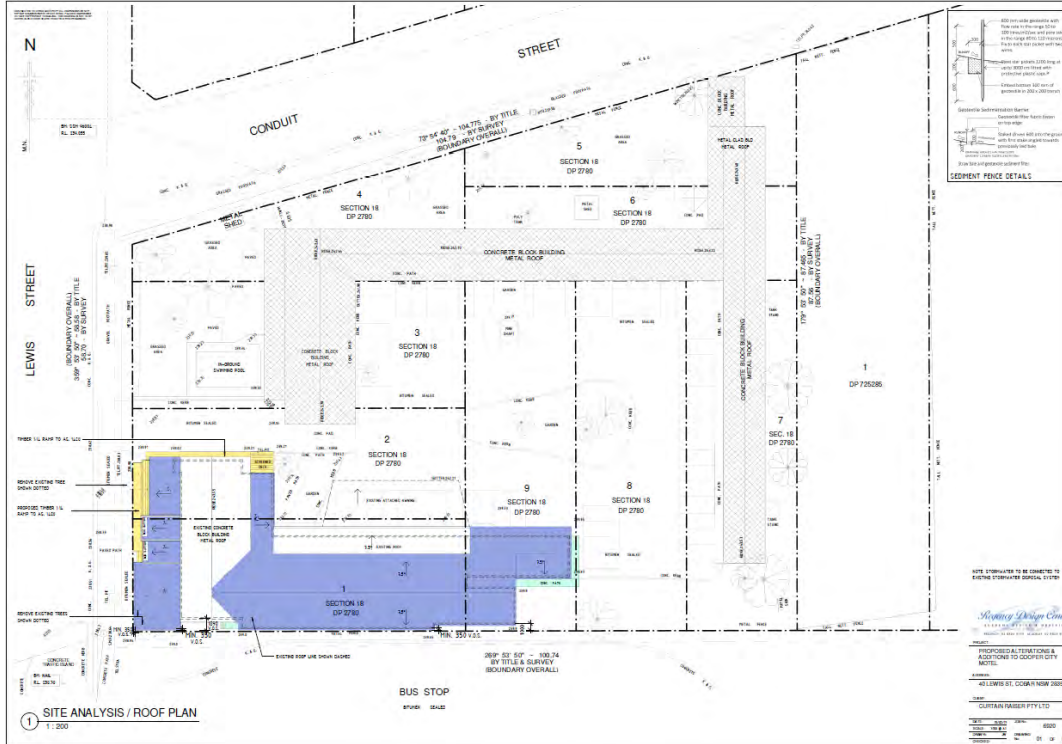


Figure 2-3 Floor Plan

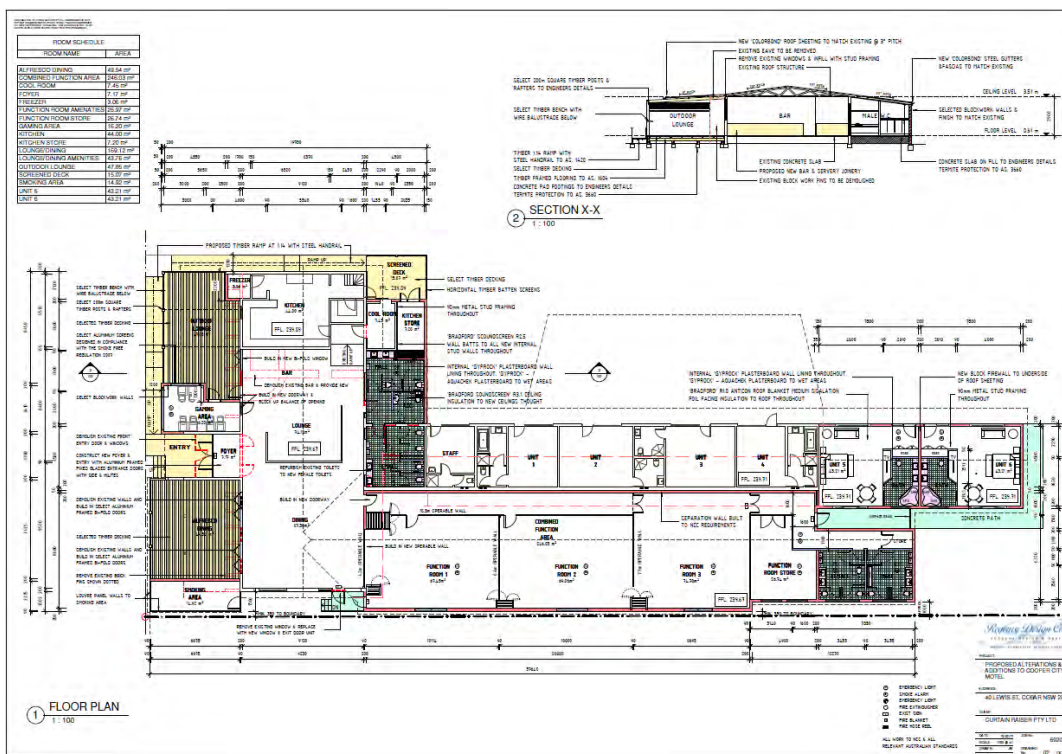
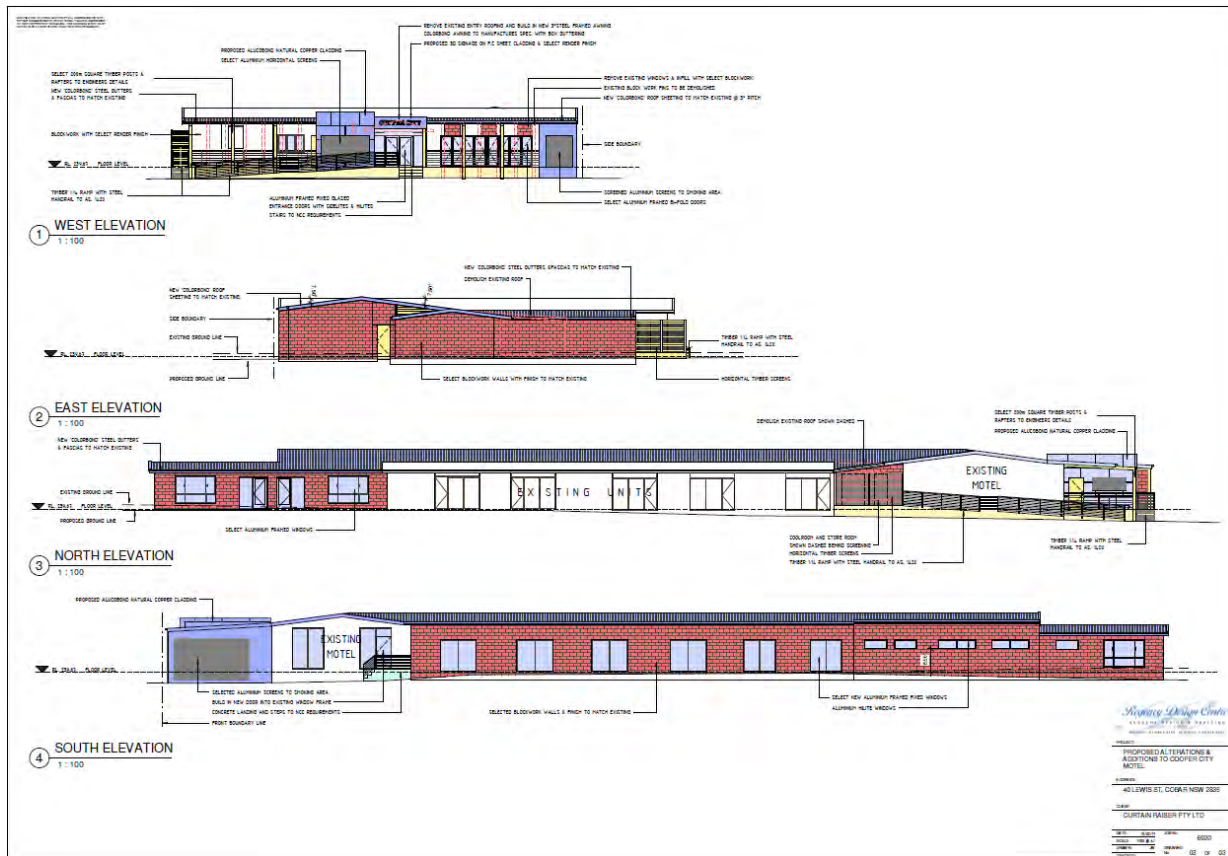






Figure 2-4 Elevations



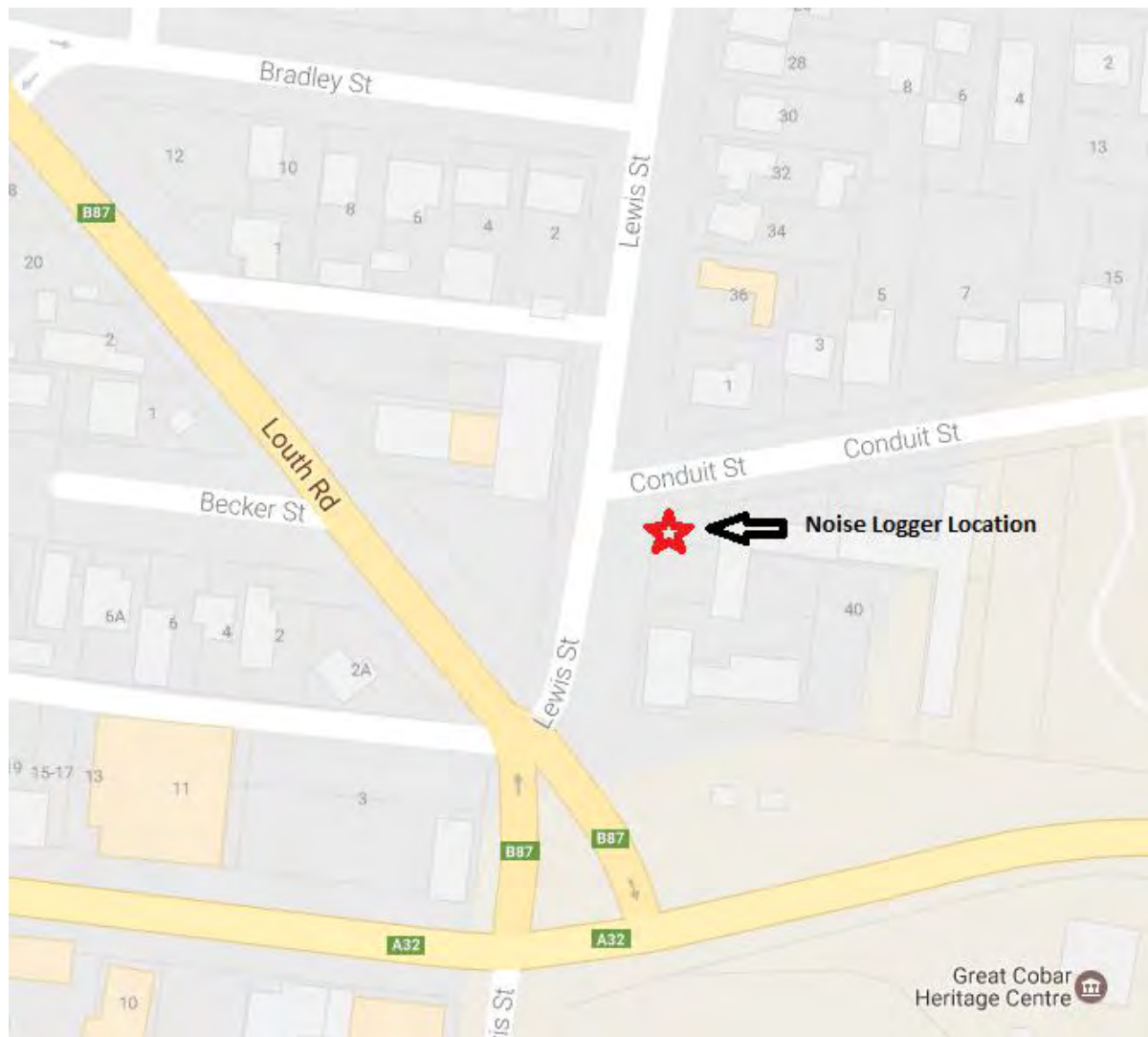
### 3 EXISTING NOISE ENVIRONMENT

A survey of ambient noise levels has been conducted over a period of four days 18<sup>th</sup> to 21<sup>st</sup> November 2016. The monitoring location was considered representative of the nearest potentially sensitive receiver and representative of the lowest residential background noise levels for nearby residential receivers surrounding the site. The logger was placed in the front yard of the Copper City Motel on the corner of Lewis Street and Conduit Street and as close to the nearest residential area in Conduit Street as possible.

The location was selected after a detailed inspection of the project area giving consideration to other noise sources which may influence the readings, the proximity of noise-sensitive receivers, security issues for the noise monitoring device and gaining permission for access from the residents or landowners.



Figure 3-1 Logger Location



Instrumentation for the survey comprised an ARL Rion NL-42 Environmental Noise Logger (Serial number 546395) fitted with a microphone and windshield and Svantek 959 Type I Sound Level Meter Noise Logger (Serial number 12616) fitted with a microphone and windshield.

Calibration of the logger and the sound level meter was checked prior to and following measurements. Drift in calibration did not exceed  $\pm 0.5$  dBA. All equipment carried appropriate and current NATA (or manufacturer) calibration certificates. Any noise data affected by adverse weather has been removed from the logger and sound level meter.





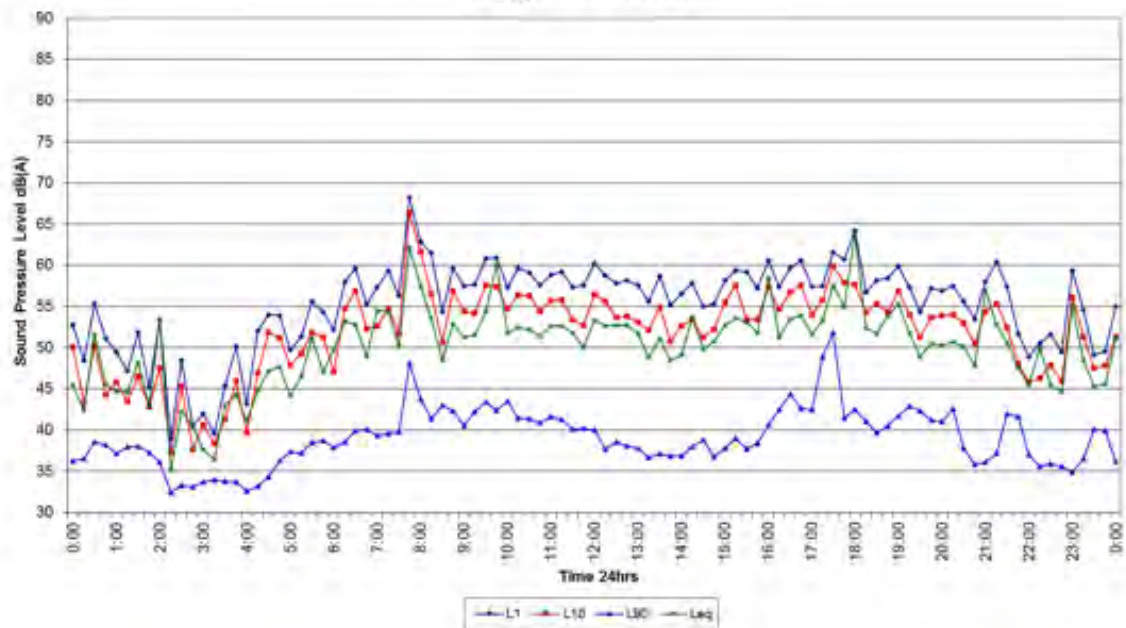
### Cobar

Friday 18/11/2016



### Cobar

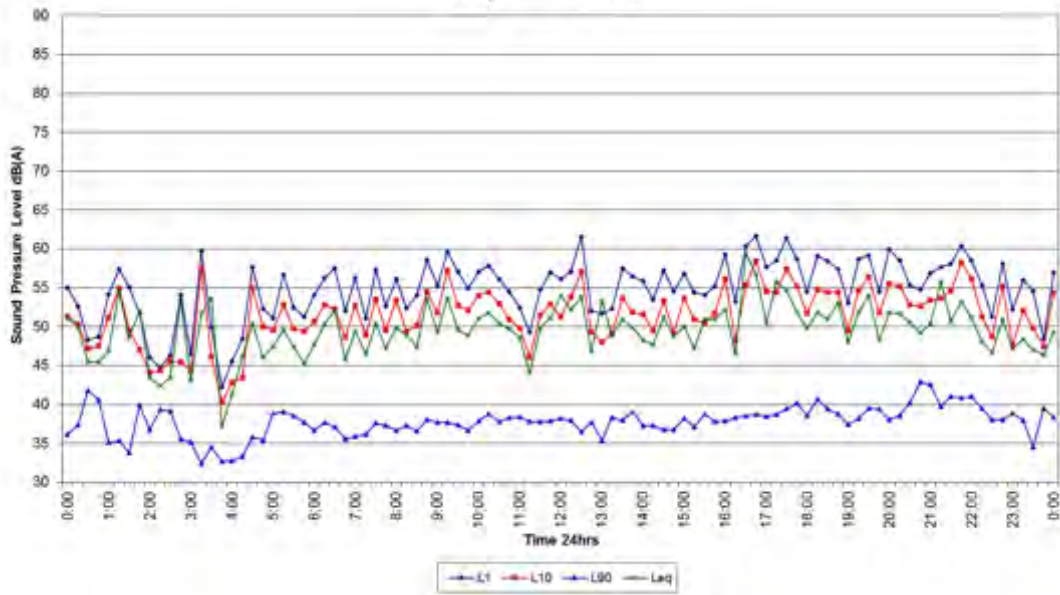
Saturday 18/11/2016





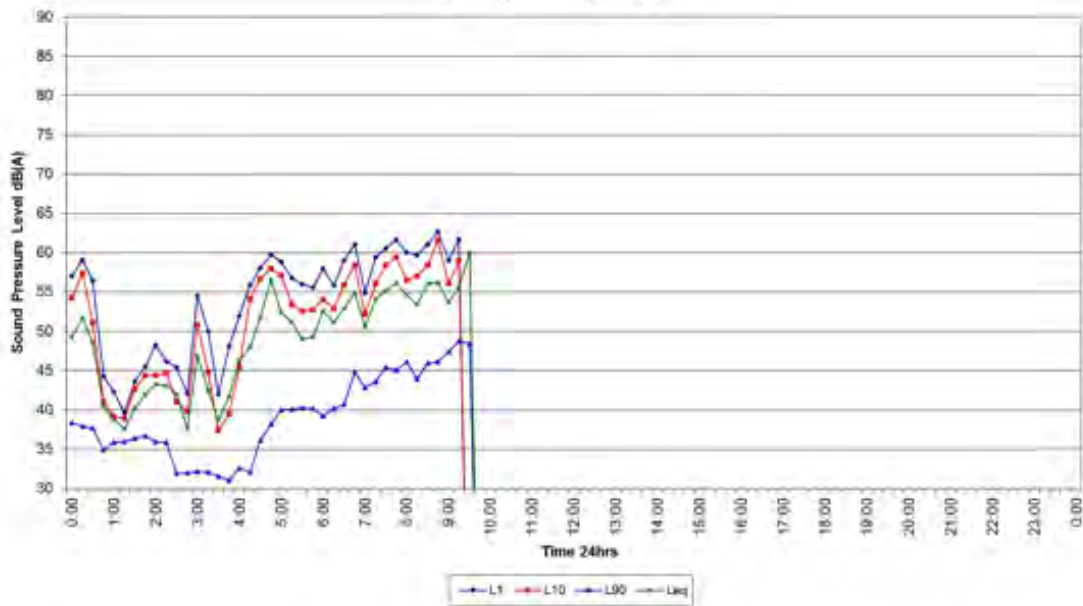
### Cobar

Sunday 20/11/2016



### Cobar

Monday 21/11/2016





### 3.1 Noise Results

In order to assess the acoustical implications of the proposed development on the levels of noise received at the neighboring residential premises, the measured data was processed according to the *NSW Environment Protection Authority (EPA)* and *Industrial Noise Policy (INP)* assessment time periods. Table 3-1 details the RBL (background) and LAeq noise levels recorded.

Table 3-1 Measured Ambient Noise Levels

Noise Level – dBA re 20 µPa					
Daytime		Evening		Night Time	
RBL	LAeq	RBL	LAeq	RBL <sup>1</sup>	LAeq <sup>2</sup>
37	42	38	43	32	38

Note 1: The RBL noise level is representative of the average minimum background sound level (in the absence of the source under consideration), or simply the background level.

Note 2: The LAeq is essentially the average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.

The results of the lowest background spectra measured for the operation of the proposed Copper City Hotel are presented below.

Table 3-2 Measured Background Spectra

Location	Overall dBA	Octave Band Centre Frequency (Hz) <sup>1</sup>								
		31.5	63	125	250	500	1K	2K	4k	8k
Cobar residential boundaries	32	46	43	38	34	27	20	19	13	8

## 4 ASSESSMENT CRITERIA

The environmental goals for the operational noise emissions from the proposed licensed areas are based upon the Liquor and gaming NSW noise criteria for use.

### 4.1 Liquor and Gaming NSW

Liquor and Gaming NSW guidance for the assessment of noise from licensed premises is published in EPA’s *Noise Guide for Local Government* and reproduced as follows:

*“The LA10\* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) by more than 5 dB between 7:00am and 12:00 midnight at the boundary of any affected residence.*”



*The LA<sub>10</sub>\* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) between 12:00 midnight and 7:00 am at the boundary of any affected residence.*

*Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 am.”*

## 4.2 Project Specific Noise Goals

Project specific noise criteria based on the measured ambient noise and Liquor and Gaming NSW requirements are summarised below. It is noted that the Hotel will trade after midnight, therefore, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 am.

Table 4-1 Project Specific Noise Criteria

Location	Overall dBA	Octave Band Centre Frequency (Hz) <sup>1</sup>								
		31.5	63	125	250	500	1K	2K	4k	8k
Cobar residential boundaries	32	46	43	38	34	27	20	19	13	8

## 4.3 Operational Noise – NSW EPA Industrial Noise Policy

Responsibility for the control of noise emissions in New South Wales is vested in Local Government and the EPA.

The EPA oversees the Industrial Noise Policy (INP) January 2000 which provides a framework and process for deriving noise criteria. The INP criteria for industrial noise sources have two (2) components:

- Controlling the intrusive noise impacts for residents and other sensitive receivers in the short term; and
- Maintaining noise level amenity for particular land uses for residents and sensitive receivers in other land uses.

### Intrusiveness Criterion

For assessing intrusiveness, the background noise generally needs to be measured. The intrusiveness criterion essentially means that the equivalent continuous noise level ( $L_{Aeq}$ ) of the source should not be more than 5 dB(A) above the measured Rated Background Level (RBL), over any 15 minute period.

### Amenity Criterion

The amenity criterion is based on land use and associated activities (and their sensitivity to noise emission). The cumulative effect of noise from industrial sources needs to be considered in assessing the impact. The criteria relate only to other industrial-type noise sources and do not include road, rail or community noise.



The existing noise level from industry is measured. If it approaches the criterion value, then noise levels from new industrial-type noise sources, (including air-conditioning mechanical plant) need to be designed so that the cumulative effect does not produce total noise levels that would significantly exceed the criterion.

### Area Classification

The INP characterises the “Suburban” noise environment as an area that has local traffic with characteristically intermittent traffic flows or with some limited commerce or industry. This area often has the following characteristics, decreasing noise levels in the evening period (1800–2200); and/or evening ambient noise levels defined by the natural environment and infrequent human activity.

This area may be located in either a **rural, rural-residential, environment protection zone** or **scenic protection zone**, as defined on a council-zoning map (Local Environmental Plan (LEP) or other planning instrument).

### Project Specific Noise Levels

Having defined the area type, the processed results of the unattended noise monitoring have been used to determine project specific noise criteria. The intrusive and amenity criteria for nearby residential premises are presented in Table 4-2. These criteria are nominated for the purpose of assessing potential noise impacts from the proposed development.

In this case, the ambient noise environment is not controlled by industrial noise sources and therefore the amenity criteria become equal to the Recommended Amenity Criteria for Residences in a Suburban Area (ie ANL or Acceptable Noise Level). For each assessment period, the lower (ie the more stringent) of the amenity or intrusive criteria are adopted.

These are shown in bold text in Table 4-2.

Table 4-2 Operational Noise Criteria

Receiver	Time of Day	ANL <sup>1</sup> L <sub>Aeq</sub> (15min)	Measured RBL <sup>2</sup> L <sub>A90</sub> (15minute)	Measured L <sub>Aeq</sub> Noise Level	Criteria for New Sources	
					Intrusive L <sub>Aeq</sub> (15min)	Amenity <sup>3</sup> L <sub>Aeq</sub> (15min)
Residential	Day	60	37	42	42	<b>37</b>
	Evening	50	38	43	43	<b>38</b>
	Night	45	33	38	38	<b>33</b>

Note 1: ANL = “Acceptable Noise Level” for residences in Suburban Areas.

Note 2: RBL = “Rating Background Level”.

Note 3: Assuming existing noise levels are unlikely to decrease in the future



## 5 NOISE ASSESSMENT

### 5.1 Typical Patron Vocal Levels

Calculations of noise transmitted from Copper City Hotel have been made based on a typical patron sound power spectrum as based on the sound power levels derived from Table 16.1 in “*Handbook of Acoustical Measurements and Noise Control*” by C.M. Harris.

Harris documents a typical casual male voice being 53 dBA at 1 m, a typical normal voice is 58 dBA at 1 m, a typical raised voice is 65 dBA at 1 m, a typical loud voice is 75 dBA at 1 m and shouting is 88 dBA at 1 m. Applying a standard conversion of + 8 dBA to convert sound pressure level at 1 m to a sound power level, the sound power level of a typical raised voice equates to 78 dBA.

Table 5-1 outlines the sound power spectrum of a patron talking with a raised vocal effort.

Table 5-1 Typical Sound Pressure Level of 1 Person with Normal Voice at 1m – L<sub>p</sub>

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
1 Patron – Normal Voice	58	48	51	54	46	41	39	35	58

This spectrum and overall noise level is believed to be a reasonable approximation of the typical scenario that could be expected from patrons using venues within and outside the Copper City Hotel

The following operational scenario has been assumed for the purposes of this assessment:

- Outdoor Lounge: 47 persons
- Bar Area: 17 persons
- Gaming Area: 6 persons
- Lounge & Dining: 127 persons
- Alfresco Dining: 33 persons
- Function Rooms: 232 persons

Table 5-2 Overall Patron Sound Power Level – L<sub>w</sub>

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Outdoor lounge	74	64	67	70	62	57	55	51	74
Bar Area	73	63	66	69	61	56	54	50	73
Gaming Area	77	67	70	73	65	60	58	54	77
Lounge & Dining	73	63	66	69	61	56	54	50	73
Alfresco Dining	73	63	66	69	61	56	54	50	73
Function Rooms	80	70	73	76	68	63	61	57	80

The 32 Hz octave band has not been assessed due to the limited availability of transmission loss (TL) data in this low (bass) frequency band. It is also very likely that even if noise emission in this low





frequency octave band exceeds the noise criterion; it will be very close to, if not below, the human threshold of hearing at the receivers.

## 5.2 Amplified Music

It is understood that music will be played throughout the venue.

- Internal Dining Room – Background Music and Television
- Internal Lounge Room – Background Music and Television
- Outdoor Lounge – No amplification of music/pa/Television
- Alfresco Dining - No amplification of music/pa/Television
- Indoor Gaming Area - Background Music and Television
- Function Room 1, 2 and 3 – DJ/Live Bands.

Table 5-3 Typical Sound Power Level of (background music + Television) system – dB

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Background Music + Television	88	87	88	88	86	79	81	77	88

The 32 Hz octave band has not been assessed due to the limited availability of transmission loss (TL) data in this low (bass) frequency band. It is also very likely that even if noise emission in this low frequency octave band exceeds the noise criterion; it will be very close to, if not below, the human threshold of hearing at the receivers.

## 5.3 Predicted Patron and Music Noise Impacts

The predicted resultant noise spectra for the operation of venue have been calculated for patron and amplified music noise emissions at the nearest residential receiver locations and presented in Table 5-4. The closest residential dwellings to be affected by the proposed development have been identified as residences in Conduit Street, north of the Hotel, Becker Street, to the west of the motel and a small residential unit attached to the Cobar Memorial Club, South West of the Motel. There are no residential areas to the east and south of the proposed development.

The following assessment does not include any noise control other than the attenuation provided by the building plans contained within this report.

The building plans have been amended to include shielding to affected residential areas.

- Internal Dining Room – Background Music and Television;
- Internal Lounge Room – Background Music and Television;
- Outdoor Lounge – No amplification of music/PA/Television;
- Outdoor Dining - No amplification of music/PA/Television;



Table 5-4 Patron and Music Noise Assessment at Nearby Noise Sensitive Receiver

Receiver	Resultant Sound Pressure Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Conduit Street	Patron Noise and PA Noise Emission								
Predicted noise level	35	35	30	25	18	17	12	7	30
Criterion midnight to 7:00am	43	38	34	27	20	19	13	8	32
<i>Exceedance</i>	-	-	-	-	-	-	-	-	-

The overall predicted noise impact at the residential dwelling shows compliance to the established criteria at all times, therefore there are no requirements on time restrictions.

Table 5-5 Patron and Music Noise Assessment at Nearby Noise Sensitive Receiver

Receiver	Resultant Sound Pressure Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Becker Street,	Patron Noise and PA Noise Emission								
Predicted noise level	42	38	33	26	20	18	13	8	30
Criterion midnight to 7:00am	43	38	34	27	20	19	13	8	32
<i>Exceedance</i>	-	-	-	-	-	-	-	-	-

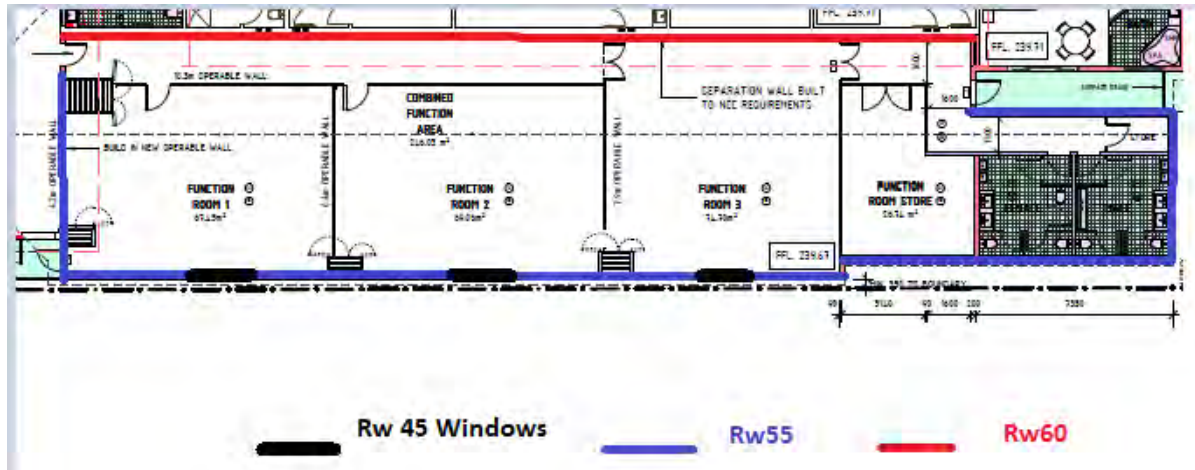
Table 5-6 Patron and Music Noise Assessment at Nearby Noise Sensitive Receiver

Receiver	Resultant Sound Pressure Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Residential unit attached to the Memorial Club	Patron Noise and PA Noise Emission								
Predicted noise level	43	38	34	27	20	18	12	7	32
Criterion midnight to 7:00am	43	38	34	27	20	19	13	8	32
<i>Exceedance</i>	-	-	-	-	-	-	-	-	-



## 6 FUNCTION ROOMS

There will be three function rooms at the rear of the premises as shown on the following plan.



There will be live music and DJ music within the three function rooms with the potential for the three rooms to become one room. The venue is to install an 'in house' system and ensure that no external speakers/amplifiers/equipment is added to this system.

## 7 RECOMMENDATIONS

The predicted patron noise and background noise emissions show compliance with the established noise criteria. In order to maintain the acoustic amenity at the nearby residential dwellings the following measures are recommended:

- Background Music ONLY is to be played in any outdoor areas at any time;
- Patrons should be encouraged not to make an unreasonable level of noise while in the outdoor areas;
- Windows / doors of the function room are to have an Rw 45
- Walls of the function room adjoining the motel are to have an Rw 60.
- Ceiling of the function room are to have an Rw 60.
- Walls the function room facing south are to have an Rw 55.
- The function room is to be fully air conditioned and all doors and windows are to be closed whilst amplified music is being played.
- All gaming machines are to be set on 'low' volume;
- An electronic frequency dependent limiting device should be installed to the sound system to ensure that the amplified music is set to the limit the music to the levels as set out below:



Table 7-1 Typical Sound Power Level of Live Band / DJ music system – dB

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Live Bands/DJ	90	90	92	94	94	92	85	80	100

The 32 Hz octave band has not been assessed due to the limited availability of transmission loss (TL) data in this low (bass) frequency band. It is also very likely that even if noise emission in this low frequency octave band exceeds the noise criterion; it will be very close to, if not below, the human threshold of hearing at the receivers. The noise limiter within the function room will have three individual microphones within each room.

## 8 CONCLUSION

Rodney Stevens Acoustics Pty Ltd has conducted a noise impact assessment for the proposed Copper City Motel/Hotel Complex located at 40 Lewis Street, Cobar NSW. The scope of the assessment involved measurement of ambient noise levels, predictions of operational noise emissions and assessment of the potential noise impact relative to appropriate criteria.

It is the opinion of Rodney Stevens Acoustics that the proposed development can comply in an acoustically compliant manner if recommendations presented in this report are followed.



## APPENDIX A – ACOUSTIC TERMINOLOGY

<b>A-weighted sound pressure</b>	The human ear is not equally sensitive to sound at different frequencies. People are more sensitive to sound in the range of 1 to 4 kHz (1000 – 4000 vibrations per second) and less sensitive to lower and higher frequency sound. During noise measurement an electronic ' <i>A-weighting</i> ' frequency filter is applied to the measured sound level <i>dB(A)</i> to account for these sensitivities. Other frequency weightings (B, C and D) are less commonly used. Sound measured without a filter is denoted as linear weighted <i>dB(linear)</i> .
Ambient noise	The <b>total</b> noise in a given situation, inclusive of all noise source contributions in the near and far field.
<b>Community annoyance</b>	<b>Includes</b> noise annoyance due to: <ul style="list-style-type: none"><li>■ character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content)</li><li>■ character of the environment (e.g. very quiet suburban, suburban, urban, near industry)</li><li>■ miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations)</li><li>■ human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).</li></ul>
Compliance	The process of checking that source noise levels meet with the noise limits in a statutory context.
Cumulative noise level	The total level of noise from all sources.
<b>Extraneous noise</b>	Noise resulting from activities that are not typical to the area. Atypical activities may include construction, and traffic generated by holiday periods and by special events such as concerts or sporting events. Normal daily traffic is not considered to be extraneous.
<b>Feasible and reasonable measures</b>	Feasibility relates to engineering considerations and what is practical to build; reasonableness relates to the application of judgement in arriving at a decision, taking into account the following factors: <ul style="list-style-type: none"><li>■ Noise mitigation benefits (amount of noise reduction provided, number of people protected).</li><li>■ Cost of mitigation (cost of mitigation versus benefit provided).</li><li>■ Community views (aesthetic impacts and community wishes).</li><li>■ Noise levels for affected land uses (existing and future levels, and changes in noise levels).</li></ul>
Impulsiveness	Impulsive noise is noise with a high peak of short duration or a sequence of these peaks. Impulsive noise is also considered annoying.
Low frequency	Noise containing major components in the low-frequency range (20 to 250 Hz) of the frequency spectrum.
Noise criteria	The general set of non-mandatory noise levels for protecting against intrusive <b>noise</b> (for example, background noise plus 5 dB) and loss of amenity (e.g. noise levels for various land use).
<b>Noise level (goal)</b>	A noise level that should be adopted for planning purposes as the highest acceptable noise level for the specific area, land use and time of day.
Noise limits	Enforceable noise levels that appear in conditions on consents and licences. The noise limits are based on achievable noise levels, which the proponent has predicted can be met during the environmental assessment. Exceedance of the noise limits can result in the requirement for either the development of noise management plans or legal action.
Performance-based goals	Goals specified in terms of the outcomes/performance to be achieved, but not in terms of the means of achieving them.
<b>Rating Background Level (RBL)</b>	The rating background level is the overall single figure background level representing each day, evening and night time period. The rating background level is the 10 <sup>th</sup> percentile min <i>LA90</i> noise level measured over all day, evening and night time monitoring periods.
Receptor	The noise-sensitive land use at which noise from a development can be heard.

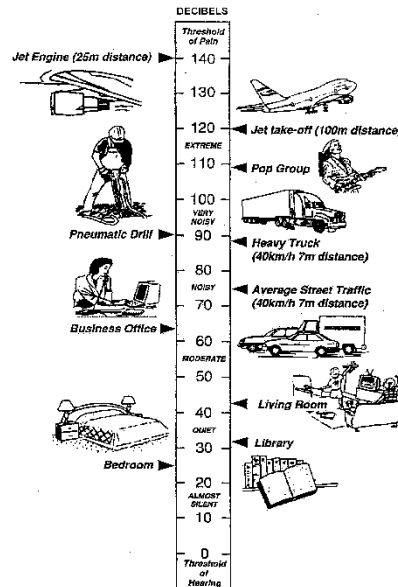


Sleep disturbance  
Sound and decibels  
(dB)

Awakenings and disturbance of sleep stages.

**Sound** (or noise) is caused by minute changes in atmospheric pressure that are detected by the human ear. The ratio between the quietest noise audible and that which should cause permanent hearing damage is a million times the change in sound pressure. To simplify this range the sound pressures are logarithmically converted to decibels from a reference level of  $2 \times 10^{-5}$  Pa.

The picture below indicates typical noise levels from common noise sources.



dB is the abbreviation for decibel – a unit of sound measurement. It is equivalent to 10 times the logarithm (to base 10) of the ratio of a given sound pressure to a reference pressure.

Sound power Level  
(SWL)

The sound power level of a noise source is the sound energy emitted by the source. Notated as SWL, sound power levels are typically presented in *dB(A)*.

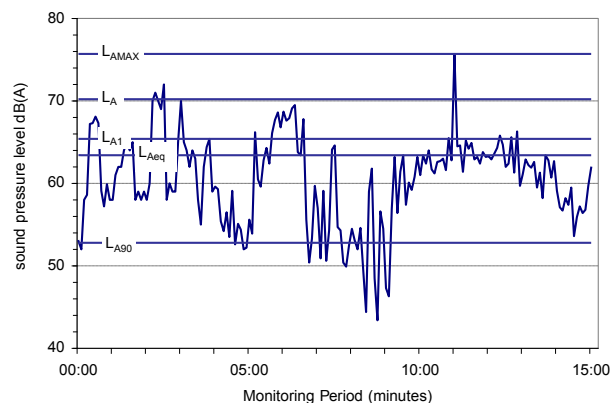
Sound Pressure Level (SPL)

The level of noise, usually expressed as SPL in *dB(A)*, as measured by a standard sound level meter with a pressure microphone. The sound pressure level in *dB(A)* gives a close indication of the subjective loudness of the noise.

Statistic noise levels

**Noise** levels varying over time (e.g. community noise, traffic noise, construction noise) are described in terms of the statistical exceedance level.

A hypothetical example of A weighted noise levels over a 15 minute measurement period is indicated in the following figure:



Key descriptors:

$L_{Amax}$  Maximum recorded noise level.

$L_{A1}$  The noise level exceeded for 1% of the 15 minute interval.






	<p><math>L_{A10}</math> Noise level present for 10% of the 15 minute interval. Commonly referred to the average maximum noise level.</p> <p><math>L_{Aeq}</math> Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.</p> <p><math>L_{A90}</math> Noise level exceeded for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).</p>
Threshold	<p>The lowest sound pressure level that produces a detectable response (in an instrument/person).</p>
Tonality	<p>Tonal noise contains one or more prominent tones (and characterised by a distinct frequency components) and is considered more annoying. A 2 to 5 dB(A) penalty is typically applied to noise sources with tonal characteristics</p>



# APPENDIX B – CALIBRATION CERTIFICATE



Level 7 Building 2 423 Pennant Hills Rd  
Pennant Hills NSW AUSTRALIA 2120  
Ph: +61 2 9484 0800 A.B.N. 65 160 399 119  
www.acousticresearch.com.au

### Octave Band Filter

AS 4476:1997

## Calibration Certificate

Calibration Number C14663A

---

**Client Details**

Rodney Stevens Acoustics Pty Ltd  
1 Majura Close  
St Ives Chase NSW 2075

---

**Equipment Tested/ Model Number :**

Rion NL-42EX

**Instrument Serial Number :**

00546395

**Microphone Serial Number :**

152908

**Pre-amplifier Serial Number :**

46606

---


**Atmospheric Conditions**

Ambient Temperature : 21.8°C  
Relative Humidity : 55.5%  
Barometric Pressure : 100.11kPa

---

**Calibration Technician :** Corey Stewart  
**Calibration Date :** 27/11/2014

**Secondary Check:** Tim Williams  
**Report Issue Date :** 27/11/2014

**Approved Signatory :** 

Ken Williams

Clause and Characteristic Tested	Result	Clause and Characteristic Tested	Result
4.4 & 5.3: 1/1 Octave relative orientation	Pass	4.6 & 5.5: Linear operating range	Pass
4.4 & 5.3: 1/3 Octave relative orientation	Pass	4.8 & 5.7: Anti-alias filters	Pass
		4.10 & 5.9: Flat frequency response	Pass

---

**Electrical Test**


-10dB	±0.18dB
10dB - 100dB	±0.09dB
100dB - 150dB	±0.05dB
150dB - 180dB	±0.03dB
180dB	±0.17dB

**Limit Uncertainties of Measurement – Environmental Conditions**

Temperature	±0.1°C
Relative Humidity	±4.1%
Barometric Pressure	±0.1kPa

All uncertainties are allowed at the 95% confidence level with a coverage factor of 2

---



This calibration certificate is to be read in conjunction with the calibration test report.  
Acoustic Research Labs Pty Ltd is NATA Accredited Laboratory Number 04171  
Accredited for compliance with ISO/IEC 17025.  
The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/National standards.

PAGE 1 OF 1



# Appendix No. 3

Waste Management Plan

## DEMOLITION, CONSTRUCTION AND USE OF PREMISES

### Outline of Proposal

**Site Address:** No.40 Lewis Street Cobar.

**Applicant's name and address:** Curtin Raiser, c/- 40 Lewis Street Cobar.

**Buildings and other structures currently on the site:** Motel Building.

**Brief Description of Proposal:** Alterations and additions to existing Motel building.

The details provided on this form are the intentions for managing waste relating to this project.

**Prepared by PGH Environmental Planning on behalf of Curtin Raiser Pty Ltd.**

Signature of Applicant:            Date: 16<sup>th</sup> December 2016.

## STAGE ONE – DEMOLITION

Demolition works proposed include nominated sections of the Motel building as illustrated in the plans.

**Note:** If any Asbestos, hazardous and/or intractable wastes are identified during demolition works they are to be disposed of in accordance with Workcover Authority and EPA requirements

MATERIALS ON-SITE		DESTINATION		
		REUSE & RECYCLING		DISPOSAL
Type of Material	Estimated Volume (m <sub>3</sub> ) or Area (m <sub>2</sub> ) or weight (t)	ON-SITE . specify how materials will be reused or recycled on-site	OFF-SITE . specify the <u>contractor</u> and <u>recycling outlet</u>	<input type="checkbox"/> specify the <u>contractor</u> and <u>landfill site</u>
Bricks	2 tonnes	All bricks will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Concrete blocks and pavement	1 tonne	All concrete/asphalt will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Timber (wall frames)	0.5 tonnes	All timber will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.

Green waste	1m3	All trees to be removed will be mulched and litter spread out on the site or sold for landscaping. Any large stumps unable to be recycled will be disposed off-site.	To be Confirmed by Builder -	Not Applicable.
Plasterboard.	0.25 tonnes	All plasterboard will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Metals, Copper, Steel, Aluminum (wall framing and staircases)	0.8 tonnes	All unused metals will be stockpiled on site to be collected by waste disposal/recyclable contractor.	To be Confirmed by Builder -	Not Applicable.



## STAGE TWO – CONSTRUCTION

MATERIALS ON-SITE		DESTINATION		
		REUSE & RECYCLING		DISPOSAL
Type of Material	Estimated Volume (m <sub>3</sub> ) or Area (m <sub>2</sub> ) or weight (t)	<b>ON-SITE</b> <input type="checkbox"/> specify how materials will be reused or recycled on-site	<b>OFF-SITE</b> <input type="checkbox"/> specify the <u>contractor</u> and <u>recycling outlet</u>	<input type="checkbox"/> specify the <u>contractor</u> and <u>landfill site</u>
Excavation Material.	22.5m <sup>3</sup>	All excavated material will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Green Waste.	Nil	Not Applicable.	Not Applicable.	Not Applicable.
Bricks.	0.55 tonnes	All bricks will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Roof Tiles.	Nil	None proposed.	Not Applicable.	Not Applicable.

Concrete.	0.7 tonnes	All concrete will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Timber	0.1 tonnes	All timber will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Plasterboard.	0.1 tonnes	All plasterboard will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Metals, Copper, Steel, Aluminum.	0.2 tonnes	All metals etc will be stockpiled/sorted for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.
Other Waste e.g. ceramic tiles, paints, plastics, PVC tubing, cardboard.	0.05 tonnes	All miscellaneous wastes will be stockpiled/sorted where possible for recycling & collection by a waste disposal contractor.	To be Confirmed by Builder -	Not Applicable.

**How will waste be separated and/or stored onsite for reuse and recycling?**

All waste will be separated and stored in bins or specified stockpiles that will be located on the site during construction and site access will be established.

**How will site operations be managed to ensure minimal waste creation and maximum reuse and recycling?**

All sub-contractors will be required to adhere to safe work practices and conditions addressing matters such as Staff training, recycled materials used in construction, waste management requirements stipulated in contracts, on-going checks by site supervisor, separate area set aside for sorted wastes, and clear signage of waste areas etc. Additionally it is considered that this issue can also be addressed by appropriate conditions of development consent.

**STAGE THREE – DESIGN OF FACILITIES**

<b>TYPE OF WASTE TO BE GENERATED</b>	<b>EXPECTED VOLUME PER WEEK (Litre or m3)</b>	<b>PROPOSED ON-SITE STORAGE AND TREATMENT FACILITIES</b>	<b>DESTINATION</b>
<b>Residential</b>	Existing arrangements	No change to existing operations proposed.	Not Applicable.
<b>Residential</b> Food wastes	Existing arrangements	No change to existing operations proposed.	Not Applicable.
<b>Commercial</b> Paper and cardboard	Existing arrangements	No change to existing operations proposed.	Not Applicable.
<b>Commercial</b> Food wastes	Existing arrangements	No change to existing operations proposed.	Not Applicable.



# **Appendix No. 4**

National Construction Code Assessment Report



# NATIONAL CONSTRUCTION CODE ASSESSMENT REPORT

---

## COPPER CITY MOTEL

### SCOTT SMITH

Lot 1, 2 & 9, Section 18 in DP 2780

40 Lewis Street, Cobar NSW 2835

**Report No:** 407/2016 CC

**Revision:** 1.1

**Date Prepared:** 6<sup>th</sup> March 2017

## Executive Summary



An assessment of the design of the proposed alterations and additions to the Copper City Motel at Lot 1, 2 & 9 Section 18 DP 2780, 40 Lewis Street, Cobar, has been undertaken against the relevant Deemed-to-Satisfy provisions of Volume One of the National Construction Code of Australia 2016 (NCC) and the Disability (Access to Premises – Buildings) Standards 2010 (Access Code) as outlined in the report.

The purpose of this report is to assess compliance of the proposed development against the Deemed-to-Satisfy provisions of the NCC & Access Code to enable the preparation of Construction Certificate Stage Documentation.

It is to be noted that this assessment has been based on the plans provided by the client as detailed in Appendix A of the report. Where additional information on detailing and design is required these matters are noted as “Further Information Required (FI)” in the “Status” column of the detailed assessment table contained in Appendix B & C of this report and should be resolved prior to the issuing of the Construction Certificate for the proposed building works. General guidance is provided in the “Comments” column to assist the building designer/applicant as to the information required to demonstrate compliance.

A number of the compliance issues that have been identified rely on assumptions and interpretations that have been made, as outlined in Section 7 of this report. These matters should be clarified and confirmed prior to the submission of the plans for construction certificate.

## Document Control

Document No.	Rev.	Issue Date	Report Details	
407/2016 CO	1.0	06.03.17	<b>Description:</b>	NCC Assessment Report
			<b>Prepared by:</b>	Mr Neil Diamond 
			<b>Checked by:</b>	Mr Spiro Sarantzouklis 



**Table of Contents**

Executive Summary.....2

Document Control.....2

1. Introduction .....4

2. Purpose .....4

3. Scope and Limitations .....4

    3.1 Scope..... 4

    3.2 Limitations..... 4

    3.3 Documentation..... 5

4. Statutory Framework .....5

5. Methodology .....6

6. Description of Proposed Development .....6

7. Assessment Data Summary .....7

    7.1 Assumptions & Interpretations..... 7

    7.2 Building Characteristics ..... 7

        7.2.1 Classification..... 7

        7.2.2 Buildings of Multiple Classification ..... 8

        7.2.3 Summary of Construction Determination..... 8

8. Issues Requiring Resolution .....8

    8.1 Issues Requiring Amendments to Plans ..... 8

    8.2 Performance Solutions Required..... 8

    8.3 Other Legislative Requirements ..... 9

    8.4 Development Approval Requirements..... 9

9. Statutory Fire Safety Measures .....9

    9.1 Fire Safety Measures..... 9

    9.2 Housekeeping..... 9

10. Conclusions .....9

11. Appendix A – Referenced Design Documentation .....10

12. Appendix B – Detailed Clause by Clause Assessment NCC – Volume 1 .....11

13. Appendix C – Detailed Clause by Clause Premises Standards for Buildings Assessment .....68

14. Appendix D – Statutory Fire Safety Measures .....72

## 1. Introduction

The proposed development involves alterations and additions to the existing restaurant building and is designed to provide for additional function room space, alfresco dining options, outdoor lounge area, gaming area and additional motel rooms (x2) and it is also proposed to provide for occasional paid entertainment within the premises. The motel is located on the eastern side of Cobar off the Barrier Highway on land identified as Lot 1, 2 & 9 Section 18 DP 2780, 40 Lewis Street, Cobar.

This report aims to assess the proposed alterations and additions to the existing restaurant building that forms part of the Copper City Motel premises against the Deemed-to-Satisfy (DtS) provisions of the relevant sections of the NCC and Premises Standard.

This report has been prepared by Pro Cert Group Pty Ltd on behalf of Scott Smith.

## 2. Purpose

The purpose of this report is to provide an assessment against the DtS provisions of the relevant sections of the NCC and the Access Code.

The assessment is designed to facilitate with the preparation of the plans required for Construction Certificate application. The design documentation used in this assessment is referenced in Appendix A.

## 3. Scope and Limitations

### 3.1 Scope

The scope of this report is to provide an assessment against the DtS provisions of the relevant sections of the NCC and the Access Code using the design documentation referenced in Appendix A.

### 3.2 Limitations

The following limitations apply to the assessment:

- This report is limited to the design documentation provided in Appendix A which is noted to be preliminary Development Application stage design documentation which lacks construction detailing. In this regard the preliminary assessment aims to identify all areas where compliance with the NCC needs to be addressed however an assessment of fully detailed architectural plans may reveal matters not identified in this report.
- This report focuses on the Restaurant, Function Room & Motel Room building located on the southern side of the site. The other buildings and structures within the Motel premises such as the existing reception, motel rooms (not forming part of the function building), swimming pool and other structures which are not included in the detailed assessment may be referred to in this report solely for the purpose of referencing holistic compliance issues for the Restaurant, Function Room & Motel Room building.
- A number of issues within the NCC are recognised to be interpretive in nature, the interpretations made in this report are considered to be within standard industry practise. It should be noted however that an independent Certifying Authority may have different interpretations to those provided in Section 7 of this report which may alter various assessment requirements listed in this report.
- The plans are assessed to the extent necessary to certify that the building can comply with the requirements of Clause 142 of The Regulations. This means that the design has been assessed as able to comply with the NCC i.e. – the submitted plans are consistent with the NCC but certain design details may not be specified at this stage.
- Details in regards to access for people with disabilities have been assessed to the extent of the deemed-to-satisfy provisions of the NCC and the Access Code.
- The assessment does not consider the requirements for people with disabilities under the provision of the Disabilities Discrimination Act 1992.
- The assessment does not cover the requirements of legislation other than the nominated sections of the Environmental Planning & Assessment Act 1979 (EP&A Act) which might address building works such as Occupational Health & Safety, Construction Safety or the like.

- Generally the assessment does not incorporate the detailed requirements of Australian Standards unless specifically noted.
- **This report has been prepared based upon information provided by others. Pro Cert Group Pty Ltd has not verified the accuracy and / or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated into this report as a result.**

### 3.3 Documentation

The following documentation has been reviewed, referenced and/or relied upon in the preparation of this report:

- National Construction Code 2016;
- Guide to Volume 1 of the National Construction Code 2016;
- Disability (Access to Premises – Buildings) Standard 2010 (Access Code);
- Design documentation listed in Appendix A.

## 4. Statutory Framework

The following summarises the key statutory issues relating to fire safety and the NCC in relation to the certification of the new building works:

### Development Approval Stage

Clause 94 of the Environmental Planning and Assessment Regulation 2000 (EPAR) requires that a consent authority must take into consideration whether it would be appropriate to require the existing building to be brought into total or partial conformity with the Building Code of Australia either where the proposed building work represents more than half the total volume of the existing building or where the measures contained in the building are inadequate to protect persons using the building and to facilitate their egress in the event of a fire and to restrict the spread of fire from the building to other buildings nearby.

In this regard it is anticipated that the Council will require that the smoke detection and alarm system and the fire separation of the existing motel rooms be upgraded to meet the current requirements of the BCA.

### Construction Certificate Stage

Clause 143 of the Environmental Planning and Assessment Regulation 2000 (EPAR) requires that a certifying authority must not issue a Construction Certificate for building work that authorises a change of building use unless:

- the fire protection and structural capacity of the building will be appropriate to its new use, and
- the building will comply with such of the Category 1 fire safety provisions as are applicable to the new use,

assuming that the building work is carried out in accordance with the plans and specifications to which the construction certificate relates and any conditions to which the construction certificate is subject.

In the case of building work that involves the alteration, enlargement or extension of an existing building in circumstances in which no change of building use is proposed, a certifying authority must not issue a construction certificate for the work unless, on completion of the building work, the fire protection and structural capacity of the building will not be reduced, assuming that the building work is carried out in accordance with the plans and specifications to which the construction certificate relates and any conditions to which the construction certificate is subject.

Under Clause 145 of the Environmental Planning & Assessment Regulation 2000 (EPAR) a certifying authority must not issue a construction certificate for building work unless:

- the plans and specifications for the building include such matters as each relevant BASIX certificate requires, and
- the design and construction of the building (as depicted in the plans and specifications and as described in any other information furnished to the certifying authority under clause 140) are not inconsistent with the development consent, and

- the proposed building (not being a temporary building) will comply with the relevant requirements of the Building Code of Australia (NCC) (as in force at the time the application for the construction certificate was made).

A new building must comply with the provisions of the Access Code. The Access Code apply to the construction of new buildings and new parts of existing buildings. The Access Code also contains Affected Part provisions, under which the principal entrance to the building and the path of travel from this entrance to all altered parts of the building must comply with the Access Code and AS1428.1-2009 which will entail upgrades to the existing entrance to ensure compliance is achieved.

## 5. Methodology

The following method of assessment has been used in the preparation of this report:

- Determine the basic assessment data for the building;
- Assess the design of the building against the current Deemed-to-Satisfy requirements of Sections B, C, D, E, F, G, H and J of the NCC .Establish the status of each clause into the following categories:
  - Clause is or is not relevant to the proposed work **Applicable or Not Applicable**;
  - The proposed work complies with the requirements of the clause **Complies**;
  - Compliance with the requirements of the clause is unable to be determined from the documentation **Further Information (FI)**. This recommendation in the “Comments” column indicates that further information is required to demonstrate compliance;
  - Proposed work / existing building does not comply with the requirements of the clause **Does Not Comply (DNC)**. An indication will be provided in the “Comments” column as to the nature of the issue and whether an alternative solution has been proposed to address the issue.
  - Clause is administrative information only (**Noted**);
  - Not Specified (NS)** Compliance with the requirements of this clause is unable to be determined from the documentation provided;
  - Design & Construct (D&C)** The work has been noted as to be carried out as design and construct basis. Design certification is to be provided for these services prior to installation.
  - Occupation Certificate Stage (OC Stage)** A matter that is required to be dealt with prior to the Occupation Certificate being issued;
- Nominate the status of the design against each NCC requirement;
- Provide comments against each NCC requirement as appropriate.

## 6. Description of Proposed Development

The proposed alterations and additions to the existing restaurant building is designed to provide for additional function room space, alfresco dining options, outdoor lounge area, gaming area and additional motel rooms (x2) and it is also proposed to provide for occasional paid entertainment within the premises. The Motel is located on the eastern side of Cobar off the Barrier Highway on land identified as Lot 1, 2 & 9 Section 18 DP 2780, 40 Lewis Street, Cobar.

The Motel premises will comprises the following buildings:

- Reception & Motel Room building;
- Restaurant & Motel Room building
- Swimming Pool;
- Other structures such as Carports, Mine Head and fencing.

This assessment report focuses on the Restaurant & Motel Room Building, however within the body of the assessment other buildings may be referred to that are within the premises for the purpose of referencing holistic compliance issues.

The Restaurant & Motel Room building is a single storey building with a basement/cellar. The ground floor of the building is divided into two distinct parts one of which comprises the restaurant part of the building and

includes kitchen, bar, dining area and amenities and the second part comprises five (5) attached motel rooms and associated carport.

A preliminary list of the essential fire safety measures are listed in Appendix D of this report.

## 7. Assessment Data Summary

### 7.1 Assumptions & Interpretations

It should be noted that a number of issues within the NCC are recognised to be interpretive in nature. Where these issues are encountered interpretations are made that are considered to be within standard industry practice and / or Pro Cert Group Pty Ltd policy formulated in regard of each issue. The following interpretations and assumptions have been made in the preparation of this report:

1. For the purposes of this assessment the Restaurant & Motel Room Building has been assessed on the basis of having a Class 3, 9b & 10a building classification.
2. The carport has been assigned a classification of 10a under the NCC in this instance.
3. The restaurant & function room part of the subject building has been assigned a classification of Class 9b however they have not been considered to be an Entertainment Venue under the NSW EP&A Regulations 2000 which defines an Entertainment Venue as a building used as a cinema, theatre or concert hall or an indoor sports stadium. In this instance even though the client has indicated that there may be occasional entertainment provided in the form of bands this is not considered to be the predominant use of the function rooms and there is no provision for a stage or fixed seating that would normally be present in a traditional concert hall and as such the premises does not fit the definition of an Entertainment Venue as defined;
4. Occupant numbers for the building have been based on Table D1.13(a) and the documentation provided as detailed within Appendix A;
5. The conditioned space of the building has been considered to be the entire building;
6. The floor areas and volumes for the building as noted in this report have been based on dimensions made available in the referenced documentation. Where dimensions were not available all calculations including travel distances have been determined by scaling off the drawings;
7. It is noted that the existing building is constructed across multiple allotment boundaries between Lots 1, 2 & 9 Section 18 DP 2780. Based on discussions with Mr Stephen Poulter of Cobar Shire Council they will be considering the building as a United Building across the allotment boundaries and as such it will be treated as a single building that is united across allotment boundaries. It is also understood that they will not be treating the internal allotment boundaries as fire source features and will not be requiring consolidation of the allotments;
8. The carpark located to the south of the subject site is noted to be part of the road reserve for the Barrier Highway and Louth Road intersection and as such has been considered to be a road or the like for the purposes of this assessment particularly with regard to the identification of fire source features;
9. The external corridor located between Proposed Unit 5 and the function rooms part of the building is considered to be a Public Corridor for the purposes of the NCC as it is noted to be enclosed on three sides and by a roof covering and the exit point from the building becomes the point at which the occupant leaves the area covered by the roof of the building and enters the open space area. However the walls bounding this corridor are still considered to be external walls for the purposes of the NCC.

### 7.2 Building Characteristics

The following assessment data has been drawn from the provisions of the NCC and from an assessment of the plans submitted by the client.

#### 7.2.1 Classification

The building in its proposed form has been classified in accordance with the requirements of Clause A3.2 of the NCC and the classifications are summarised as follows:

Copper City Motel Complex		
Applicable building	Whole or Part	Classification
	Part – Reception	6

Reception & Motel Rooms Building *	Part – Motel Rooms	3
Swimming Pool *	Whole	10b
<b>Restaurant, Function Rooms &amp; Motel Rooms Building</b>	<b>Part – Basement</b>	<b>7b</b>
	<b>Part – Dining Areas, Lounge &amp; Bar</b>	<b>6</b>
	<b>Part – Function Rooms</b>	<b>9b</b>
	<b>Part – Motel Rooms</b>	<b>3</b>
	<b>Part – Carport</b>	<b>10a</b>

Note: All buildings marked with an (\*), have not been assessed as part of this report except where specifically referenced.

### 7.2.2 Buildings of Multiple Classification

The Class 7b part of the building takes up less than 10% of the total floor area of the building. In accordance with Clause A3.3 of the NCC the Class 7b floor area is considered to be a minor use as it is less than 10% of the total floor area of the building. In this regard the Storage parts of the building are considered to be part of the Class 9b parts of the building.

### 7.2.3 Summary of Construction Determination

The type of construction required for the proposed building works is summarised as follows:

<b>Copper City Motel – Restaurant, Function Room &amp; Motel Rooms Building</b>	
<b>Classification</b>	3, 6, 9b & 10a
<b>Concessions</b>	Clause A3.3 (Class 7b minor use <10% of total floor area)
<b>Number of Storeys Contained</b>	2
<b>Rise in storeys</b>	1
<b>Preliminary Type of Construction</b>	C
<b>Floor Area</b>	1061.91m <sup>2</sup> (After Proposed Additions)
<b>Volume</b>	2,900m <sup>3</sup> (Approx. inclusive of Motel Rooms)
<b>Volume Limitations</b>	Complies with fire compartment size under Table C2.2 for Type C Construction
<b>Effective Height</b>	<25m
<b>Final Type of Construction</b>	Type C
<b>Climate Zone</b>	4

## 8. Issues Requiring Resolution

### 8.1 Issues Requiring Amendments to Plans

The matters noted in **BOLD** in the NCC assessment table and Premises Standards assessment table and in the Appendices of this report need to be resolved prior to the issue of any Construction Certificate.

### 8.2 Performance Solutions Required

No Performance Solutions have been proposed to meet the Performance Requirements of the NCC.



## 8.3 Other Legislative Requirements

### Long Service Levy

Under the Environmental Planning & Assessment Regulation 2000 a Construction Certificate cannot be issued until such time as the Long Service Levy applicable to the proposed development has been paid to the Long Service Levy Payments Corporation.

## 8.4 Development Approval Requirements

The proposed development is required to comply with all necessary requirements of Cobar Shire Council as detailed in the conditions of consent.

# 9. Statutory Fire Safety Measures

## 9.1 Fire Safety Measures

The Statutory fire safety measures listed in Appendix D of this report are indicative of what measures will be required within the building. A copy of the required fire safety measures proposed to be installed within the building is to be submitted with the application for a Construction Certificate.

Generally, the fire safety measures within the building must be maintained to ensure correct operation at all times the building is occupied, all firefighting equipment should be tagged when tested/ inspection and log books kept up-to-date for all smoke detection, warning systems, etc.

An annual fire safety certificate must be submitted to Cobar Shire Council and the NSW Fire Brigade each year indicating satisfactory performance of the fire safety measures contained within the building. The annual fire safety statement should be displayed in a prominent place within the building (i.e. the front counter/reception area).

The correct operation and maintenance of the buildings fire safety measures is critical in affording an adequate level of fire safety for occupants of the building.

## 9.2 Housekeeping

The ongoing management of the building should ensure good housekeeping procedure. The following matters should be considered by building management:

- Ensure exits and paths of travel to exits remain unobstructed;
- Avoid storage of materials in unoccupied areas (i.e. large amount of flammable liquids / combustible within storage cupboards);
- Limit storage of flammable / combustible materials to designated and approved areas, and
- Prevent storage of materials that could hinder access to firefighting equipment, (i.e. storage in front of fire extinguishers and fire hose reels).

# 10. Conclusions

At this point in time the plans and documentation provided are not sufficient to issue a Construction Certificate as referred to in Sections 81A(5) and 109F(1) of the Act.

Notwithstanding the above I am satisfied that if the plans and documentation provided and revised to incorporate the findings within the NCC Assessment Tables contained within Appendix B of this report and the issues requiring resolution in Section 8 of this report then the building will be capable of complying with the provisions of the NCC and with the requirements of Environmental Planning & assessment Regulation for the issue of a Construction Certificate

In completing this report there are a number of limitations that apply as detailed within Section 3 of this report and assumptions and interpretations as detailed within Section 7 of this report which are to be referred to when reading this report.

## 11. Appendix A – Referenced Design Documentation

The following documentation was used in the preparation of this report:

Plan Title	Drawing No.	Rev	Date
<b>Architectural Plans &amp; Documentation prepared by Regency Design Centre Job Reference No. 6920</b>			
Site Analysis / Roof Plan	01	-	13.02.17
Floor Plan	02	-	13.02.17
Elevations	03	-	13.02.17
<b>Other Documentation Relied Upon</b>			
Plan Showing Buildings, Improvements, Visible Services and Levels prepared by Imrie, Astley & Associates	DWG 16-312_01	2	08.12.16

## 12. Appendix B – Detailed Clause by Clause Assessment NCC – Volume 1

The abbreviations outlined below have been used in the following table:

<b>N/A</b>	-	Not Applicable. (The DTS clause does not apply to the building)
<b>Complies</b>	-	The building complies with the relevant DTS provision.
<b>FI</b>	-	Further Information with the application for Construction Certificate is necessary to establish whether the building complies with the relevant DTS provision.
<b>Noted</b>	-	Clause is administrative information only.
<b>DNC</b>	-	Does Not Comply.
<b>NS</b>	-	Compliance with the requirements of this clause is unable to be determined from the documentation.
<b>D&amp;C</b>	-	Compliance with the requirements of this clause is unable to be determined from the documentation provided.
<b>OC</b>	-	A matter that is required to be dealt with prior to the Occupation Certificate being issued.

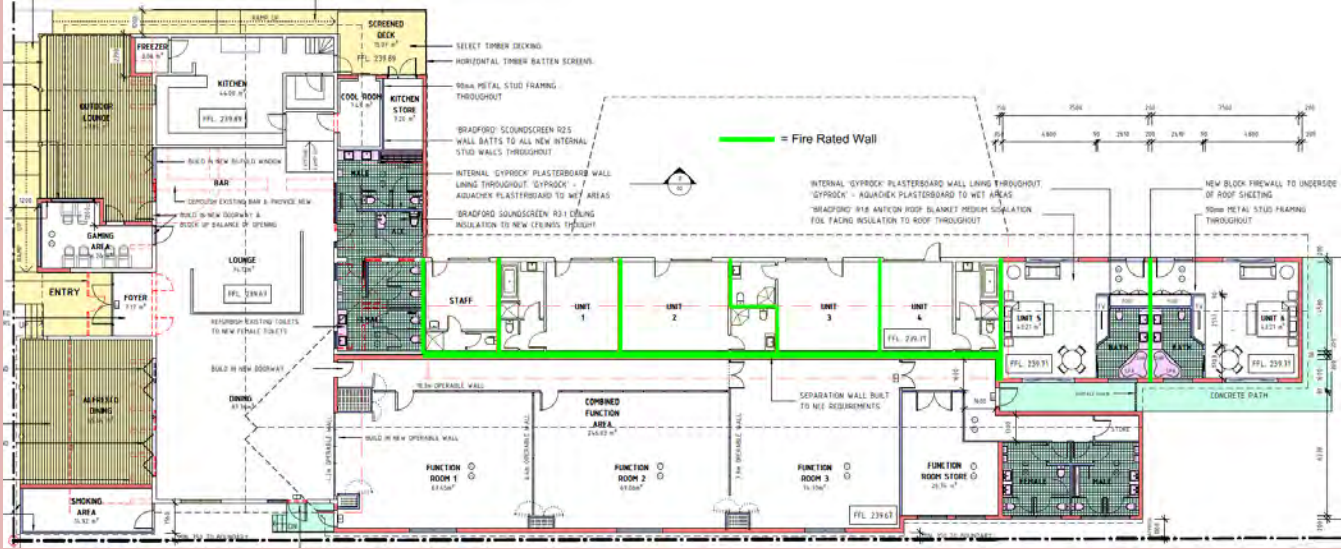
Clause	Comment	Status
<b>SECTION B: STRUCTURE</b>		
<b>Part B1 – Structural Provisions</b>		
B1.0: Deemed-to-Satisfy Provisions	This part is assessed against the DTS provisions.	Noted
B1.1: Resistance actions to	<p><b>The resistance of a building or structure must be greater than at the most critical action effect resulting from different combination of actions.</b></p> <p><b>A structural design certificate is required to be provided by the structural engineers and shall reference compliance with Section B of the NCC 2016 and the following Australian Standards (including the years) where applicable:</b></p> <ul style="list-style-type: none"> <li>• AS/NZS1170.0-2002;</li> <li>• AS/NZS1170.1-2002;</li> <li>• AS/NZS1170.2-2011;</li> <li>• AS1170.4-2007;</li> <li>• AS2870-2011;</li> <li>• AS3600-2009;</li> <li>• AS3700-2011;</li> <li>• AS4100-1998; and</li> <li>• AS/NZS4600-2005</li> </ul>	FI

Clause	Comment	Status
B1.2: Determination of individual actions	The resistance of a building or structure must be greater than at the most critical action effect resulting from different combination of actions. Refer to the comments under B1.1.	FI
B1.3: ****	This Clause has been intentionally left blank. -	-
B1.4: Determination of structural resistance of materials and forms of construction	The resistance of a building or structure must be greater than at the most critical action effect resulting from different combination of actions. Refer to the comments under B1.1.	FI
B1.5: Structural Software	Structural software that uses design criteria based on DtS provisions of the NCC is not applicable to this building.	N/A
B1.6 Construction of buildings in flood hazard areas	The property is not known to be subject to flood hazards.	N/A
<b>SECTION C: FIRE RESISTANCE</b>		
<b>Part C1 – Fire Resistance and Stability</b>		
C1.0: Deemed-to-Satisfy Provisions	This part is assessed against the DTS provisions.	Noted
C1.1: Type of construction required	<p><b>As per Table C1.1 the Type of Fire Resisting Construction for the building is Type C.</b></p> <p><b>The fire source features applicable to the proposed building located in Lot 1, 2 &amp; 9 Section 18 in DP 2780 is as follows-</b></p> <p>(a) The Portico and Reception of the adjacent Reception &amp; Motel Room Building  (b) The northern allotment boundary on the far side of Conduit Street;  (c) The eastern allotment boundary bounding Lot 5, 6 &amp; 7;  (d) The southern allotment boundary on the far side of the Barrier Highway; and  (e) The western allotment boundary on the far side of Lewis Street.</p> <p><b>As noted within the Assumptions &amp; Limitations in Section 7.1 of this report the internal allotment boundaries have not been treated as fire source features.</b></p> <p><b>These fire source features are depicted in the diagram below:</b></p>	FI

Clause	Comment	Status
	<p>Image 1 – Depiction of Subject Site and Fire Source Features</p>	

Clause	Comment	Status																																																																																														
	<p>In relation to the external walls of the building there are no fire source features within 3m of the external walls of the subject building and as such the external walls of the building are not required to achieve an FRL.</p> <p>The applicable FRL's for Type C Construction are detailed below:</p> <div data-bbox="539 389 1491 1326" style="border: 1px solid black; padding: 5px;"> <p><b>Table 5 TYPE C CONSTRUCTION: FRL OF BUILDING ELEMENTS</b></p> <table border="1"> <thead> <tr> <th rowspan="2">Building element</th> <th colspan="4">Class of building—FRL: (in minutes)</th> </tr> <tr> <th colspan="4"><i>Structural adequacy/Integrity/Insulation</i></th> </tr> <tr> <th></th> <th>2, 3 or 4 part</th> <th>5, 7a or 9</th> <th>6</th> <th>7b or 8</th> </tr> </thead> <tbody> <tr> <td colspan="5"><b>EXTERNAL WALL</b> (including any column and other building element incorporated therein) or other external building element, where the distance from any <i>fire-source feature</i> to which it is exposed is—</td> </tr> <tr> <td>Less than 1.5 m</td> <td>90/ 90/ 90</td> <td>90/ 90/ 90</td> <td>90/ 90/ 90</td> <td>90/ 90/ 90</td> </tr> <tr> <td>1.5 to less than 3 m</td> <td>—/—/—</td> <td>60/ 60/ 60</td> <td>60/ 60/ 60</td> <td>60/ 60/ 60</td> </tr> <tr> <td>3 m or more</td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> </tr> <tr> <td colspan="5"><b>EXTERNAL COLUMN</b> not incorporated in an <i>external wall</i>, where the distance from any <i>fire-source feature</i> to which it is exposed is—</td> </tr> <tr> <td>Less than 1.5 m</td> <td>90/—/—</td> <td>90/—/—</td> <td>90/—/—</td> <td>90/—/—</td> </tr> <tr> <td>1.5 to less than 3 m</td> <td>—/—/—</td> <td>60/—/—</td> <td>60/—/—</td> <td>60/—/—</td> </tr> <tr> <td>3 m or more</td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> </tr> <tr> <td colspan="5"><b>COMMON WALLS and FIRE WALLS—</b></td> </tr> <tr> <td></td> <td>90/ 90/ 90</td> <td>90/ 90/ 90</td> <td>90/ 90/ 90</td> <td>90/ 90/ 90</td> </tr> <tr> <td colspan="5"><b>INTERNAL WALLS-</b></td> </tr> <tr> <td>Bounding <i>public corridors, public lobbies and the like—</i></td> <td>60/ 60/ 60</td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> </tr> <tr> <td>Between or bounding <i>sole-occupancy units—</i></td> <td>60/ 60/ 60</td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> </tr> <tr> <td>Bounding a stair if <i>required</i> to be rated—</td> <td>60/ 60/ 60</td> <td>60/ 60/ 60</td> <td>60/ 60/ 60</td> <td>60/ 60/ 60</td> </tr> <tr> <td colspan="5"><b>ROOFS</b></td> </tr> <tr> <td></td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> <td>—/—/—</td> </tr> </tbody> </table> </div> <p>Image 2 – Table 5 – Type C Construction: FRL of Building Elements</p> <p>The internal walls that separate the motel rooms including associated ensuites from the adjoining motel rooms and from the adjoining function rooms and other parts of the building including the internal corridor</p>	Building element	Class of building—FRL: (in minutes)				<i>Structural adequacy/Integrity/Insulation</i>					2, 3 or 4 part	5, 7a or 9	6	7b or 8	<b>EXTERNAL WALL</b> (including any column and other building element incorporated therein) or other external building element, where the distance from any <i>fire-source feature</i> to which it is exposed is—					Less than 1.5 m	90/ 90/ 90	90/ 90/ 90	90/ 90/ 90	90/ 90/ 90	1.5 to less than 3 m	—/—/—	60/ 60/ 60	60/ 60/ 60	60/ 60/ 60	3 m or more	—/—/—	—/—/—	—/—/—	—/—/—	<b>EXTERNAL COLUMN</b> not incorporated in an <i>external wall</i> , where the distance from any <i>fire-source feature</i> to which it is exposed is—					Less than 1.5 m	90/—/—	90/—/—	90/—/—	90/—/—	1.5 to less than 3 m	—/—/—	60/—/—	60/—/—	60/—/—	3 m or more	—/—/—	—/—/—	—/—/—	—/—/—	<b>COMMON WALLS and FIRE WALLS—</b>						90/ 90/ 90	90/ 90/ 90	90/ 90/ 90	90/ 90/ 90	<b>INTERNAL WALLS-</b>					Bounding <i>public corridors, public lobbies and the like—</i>	60/ 60/ 60	—/—/—	—/—/—	—/—/—	Between or bounding <i>sole-occupancy units—</i>	60/ 60/ 60	—/—/—	—/—/—	—/—/—	Bounding a stair if <i>required</i> to be rated—	60/ 60/ 60	60/ 60/ 60	60/ 60/ 60	60/ 60/ 60	<b>ROOFS</b>						—/—/—	—/—/—	—/—/—	—/—/—	
Building element	Class of building—FRL: (in minutes)																																																																																															
	<i>Structural adequacy/Integrity/Insulation</i>																																																																																															
	2, 3 or 4 part	5, 7a or 9	6	7b or 8																																																																																												
<b>EXTERNAL WALL</b> (including any column and other building element incorporated therein) or other external building element, where the distance from any <i>fire-source feature</i> to which it is exposed is—																																																																																																
Less than 1.5 m	90/ 90/ 90	90/ 90/ 90	90/ 90/ 90	90/ 90/ 90																																																																																												
1.5 to less than 3 m	—/—/—	60/ 60/ 60	60/ 60/ 60	60/ 60/ 60																																																																																												
3 m or more	—/—/—	—/—/—	—/—/—	—/—/—																																																																																												
<b>EXTERNAL COLUMN</b> not incorporated in an <i>external wall</i> , where the distance from any <i>fire-source feature</i> to which it is exposed is—																																																																																																
Less than 1.5 m	90/—/—	90/—/—	90/—/—	90/—/—																																																																																												
1.5 to less than 3 m	—/—/—	60/—/—	60/—/—	60/—/—																																																																																												
3 m or more	—/—/—	—/—/—	—/—/—	—/—/—																																																																																												
<b>COMMON WALLS and FIRE WALLS—</b>																																																																																																
	90/ 90/ 90	90/ 90/ 90	90/ 90/ 90	90/ 90/ 90																																																																																												
<b>INTERNAL WALLS-</b>																																																																																																
Bounding <i>public corridors, public lobbies and the like—</i>	60/ 60/ 60	—/—/—	—/—/—	—/—/—																																																																																												
Between or bounding <i>sole-occupancy units—</i>	60/ 60/ 60	—/—/—	—/—/—	—/—/—																																																																																												
Bounding a stair if <i>required</i> to be rated—	60/ 60/ 60	60/ 60/ 60	60/ 60/ 60	60/ 60/ 60																																																																																												
<b>ROOFS</b>																																																																																																
	—/—/—	—/—/—	—/—/—	—/—/—																																																																																												



Clause	Comment	Status
	<p>between the motel rooms and function rooms are required to achieve an FRL of 60/60/60 and must be constructed so that they either extend to either:</p> <ul style="list-style-type: none"> <li>the underside of the roof covering; or</li> <li>to the underside of a ceiling having a resistance to the incipient spread of fire of not less than 60 minutes. In this case the entire ceiling of the building would need to achieve this rating and all ceiling penetrations would be required to be protected in accordance with C3.15.</li> </ul> <p>In this regard it could not be determined whether the existing motel rooms are fire rated and whether they extend to the underside of the roof covering and in this regard they will need to be upgraded as required.</p> <p>The following diagram shows a depiction of the internal walls within the building that are required to be achieve an FRL:</p>  <p><b>Image 3 – Depiction of Internal Fire Rated Walls</b></p> <p>A markup plan indicating the required FRL's and proposed construction materials of all fire rated walls, columns, floors, ceilings is to be provided for review with the application for Construction Certificate.</p>	
<p>C1.2: Calculation of rise in storeys</p>	<p>The building has been determined to have a proposed rise in storeys of one (1). Refer to assumptions and interpretations in Section 7 of this report.</p>	<p>Noted</p>
<p>C1.3: Buildings of Multiple Classifications</p>	<p>The building is to be constructed wholly to the requirements of Type C Construction.</p>	<p>Noted</p>



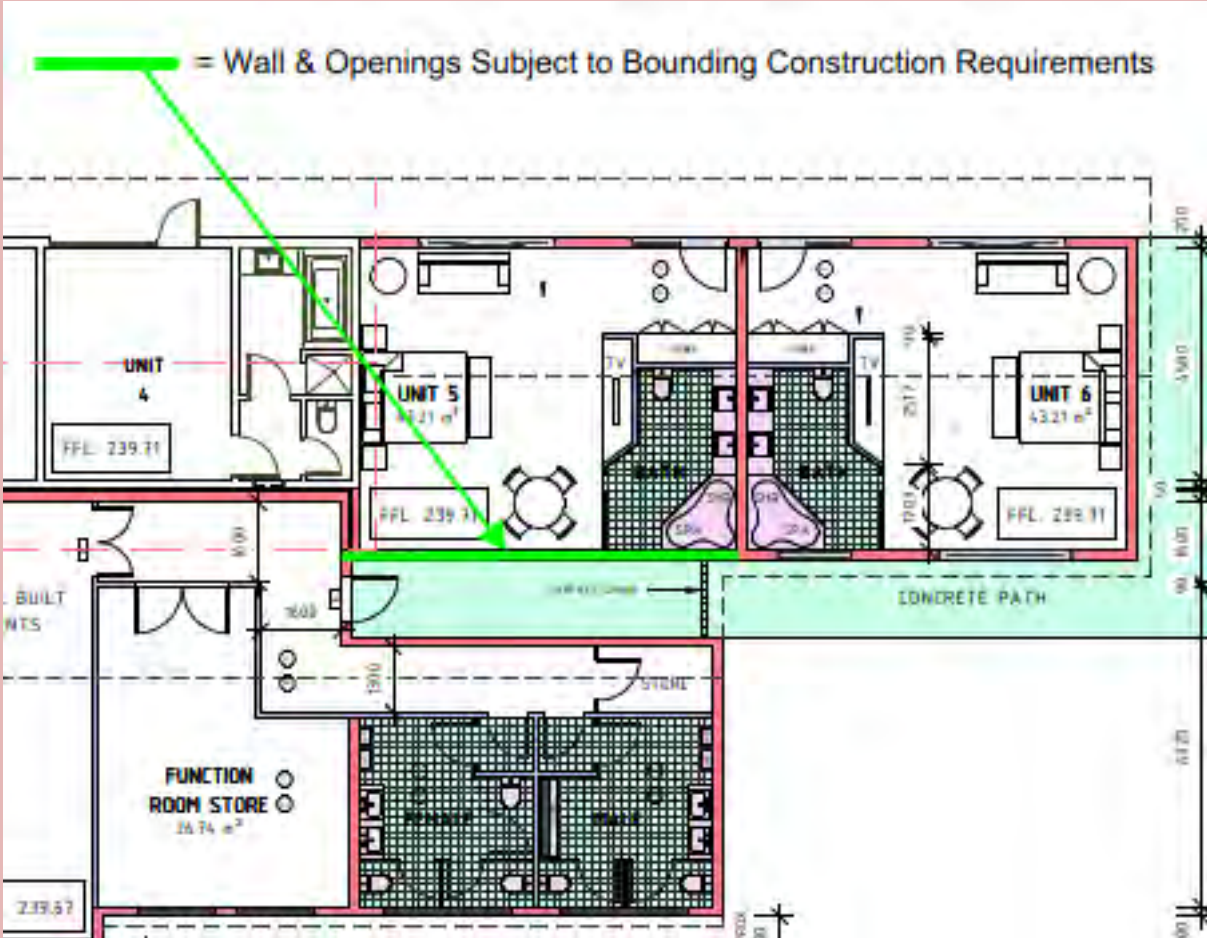
Clause	Comment	Status
C1.4: Mixed types of construction	The building is to be constructed wholly to the requirements of Type C Construction.	N/A
C1.5: Two storey Class 2, 3 or 9c buildings	The building has a rise in storeys of one.	N/A
C1.6: Class 4 parts of building	The building classification include 3, 6, 9b & 10a	N/A
C1.7: Open Stands Spectator	The building does not contain any open spectator stands or indoor sports stadiums.	N/A
C1.8: Lightweight Construction	<p><b>Lightweight construction must comply with Specification C1.8 if it used in a wall system that is required to have an FRL.</b></p> <p><b>A markup plan indicating the FRL's and construction materials of all fire rated walls, columns, floors, ceilings is to be provided for review with the application for Construction Certificate. Where lightweight construction is proposed detailed specifications are to be provided on how the lightweight construction will comply with requirements of this clause and Specification C1.8</b></p>	FI
C1.9 ****	This clause has deliberately been left blank.	-
NSW C1.10: Fire Hazard Properties	<p><b>Fire hazard properties of all new floor coverings, wall and ceiling lining materials, sarkings &amp; any ductwork must comply with clause C1.10 and Specification C1.10.</b></p> <p><b>Notations are to be provided on the Construction Certificate architectural drawings or within the building specifications detailing that the fire hazard properties of building materials to be used in the building will comply with the requirements of this clause.</b></p> <p><b>Quoting that the materials used will be in accordance with Clause C1.10 or Specification C1.10 is not sufficient. Specific references to the following</b></p> <p><b><u>Floor linings/coverings</u></b>  <b>To have:</b></p> <ul style="list-style-type: none"> <li>• minimum critical radiant flux of 2.2kW/m<sup>2</sup> (in a building not fitted with a sprinkler system and within any fire isolated exits); and</li> <li>• minimum critical radiant flux of 1.2kW/m<sup>2</sup> (in a building fitted with a sprinkler system); and</li> <li>• in a building not protected by a sprinkler system complying with Specification E1.5, a maximum smoke development rate of 750 percent-minutes.</li> </ul> <p><b><u>Wall and Ceiling Linings</u></b>  <b>To be a:</b></p>	FI

Clause	Comment	Status
	<ul style="list-style-type: none"> <li>• Group 1, 2 or 3 material depending on location within the building; and if the building is not fitted with a sprinkler system complying with Specification E1.5 have-</li> <li>• a smoke growth rate index not more than 100; or</li> <li>• an average specific extinction area less than 250 m<sup>2</sup>/kg.</li> </ul> <p><b>Ductwork</b></p> <ul style="list-style-type: none"> <li>• Rigid and flexible ductwork in a Class 2 to 9 building must comply with the fire hazard properties set out in AS 4254 Parts 1 and 2.</li> </ul> <p><b>Other Materials</b></p> <ul style="list-style-type: none"> <li>• Sarking type materials shall have a flammability index must not exceed 5; and</li> <li>• A material used as a curtain, blind or similar decor in any part available to the public shall have a flammability index of not more than 6 and be labelled with the name of the manufacturer, trade name and description of the materials composition, description of retardant treatment if any, approved methods of cleaning and the fire test numbers;</li> <li>• Other materials or locations and insulation materials other than sarking-type materials shall have a spread-of-flame index of not more than 9 and a smoke developed index of not more than 8 if the Spread-of-Flame Index is more than 5.</li> </ul>	
C1.11: Performance of external walls in fire	The plans do not detail the use of concrete tilt-up panel construction.	N/A
C1.12: Non-combustible materials	Gypsum, metal and laminated non-combustible materials containing combustible components are deemed to be non-combustible.	Noted
<b>Part C2 – Compartmentation &amp; Separation</b>		
C2.0: Deemed-to-Satisfy Provisions	This part is assessed against the DTS provisions.	Noted
C2.1: Application of Part	The requirements of this part are applicable to the building.	Noted
C2.2: General Floor Area and Volume Limitations	The proposed building complies with the floor area and volume limitations of this clause for Type C construction noting that each motel room is considered to be a separate fire compartment for the purposes of this clause only.	Noted
C2.3: Large Isolated Buildings	The building is not considered to be a large isolated building.	N/A
C2.4: Requirements for open spaces and vehicular access	Not applicable to the proposed building.	N/A

Clause	Comment	Status
C2.5: Class 9a and 9c buildings	Not applicable to the proposed building.	N/A
C2.6: Vertical separation of openings in external walls	The proposed building is not of Type A construction.	N/A
C2.7: Separation by fire walls	There are no fire walls proposed within the building. Noting that the walls bounding the motel rooms from the other parts of the building including other motel rooms are fire rated walls and not fire walls.	N/A
C2.8: Separation of classifications in the same storey	The building is of mixed classifications and each part of the building is required to achieve the relevant FRL as prescribed by C1.1.	Noted
C2.9: Separation of classifications in different storeys	There is no requirement to separate the basement cellar from the kitchen space above.	N/A
C2.10: Separation of lift shafts	There are no lifts proposed.	N/A
C2.11: Stairways and lifts in one shaft	There are no lifts proposed.	N/A
C2.12: Separation of Equipment	There are no equipment installed within the building as detailed in this clause, ie lift motors, emergency generators, smoke control plant, boilers or battery storage.	N/A

Clause	Comment	Status
C2.13: Electricity supply system	<p>There is no electricity substation located within the subject building.</p> <p><b>Any main switchboard that sustains emergency equipment (as outlined below) must be separated from the remainder of the building with construction having an FRL of not less than 120/120/120.</b></p> <p><b>Electrical conductors located within a building that supply—</b></p> <ol style="list-style-type: none"> <li>1. a main switchboard covered by that sustains emergency equipment must—</li> <li>2. have a classification in accordance with AS/NZS 3013 of not less than—               <ol style="list-style-type: none"> <li>(A) if located in a position that could be subject to damage by motor vehicles — WS53W; or</li> <li>(B) otherwise — WS52W; or</li> </ol> </li> <li>3. be enclosed or otherwise protected by construction having an FRL of not less than 120/120/120.</li> </ol> <p><b>Where emergency equipment (as outlined below) is required in a building, all switchboards in the electrical installation, which sustain the electricity supply to the emergency equipment, must be constructed so that emergency equipment switchgear is separated from non-emergency equipment switchgear by metal partitions designed to minimise the spread of a fault from the non-emergency equipment switchgear.</b></p> <p><b>For the purposes of this clause emergency equipment includes but is not limited to the following:</b></p> <ol style="list-style-type: none"> <li>(i) Fire hydrant booster pumps.</li> <li>(ii) Pumps for automatic sprinkler systems, water spray, chemical fluid suppression systems or the like.</li> <li>(iii) Pumps for fire hose reels where such pumps and fire hose reels form the sole means of fire protection in the building.</li> <li>(iv) Air handling systems designed to exhaust and control the spread of fire and smoke.</li> <li>(v) Emergency lifts.</li> <li>(vi) Control and indicating equipment.</li> <li>(vii) Sound systems and intercom systems for emergency purposes</li> </ol> <p><b>A markup plan indicating the FRL's of any walls, floors, columns and or shafts is to be provided for review with the application for Construction Certificate.</b></p>	FI
C2.14 Public corridors in Class 2 and 3 buildings	There are no public corridors more than 40m in length in the proposed building.	N/A
<b>Part C3 – Protection of Openings</b>		
C3.0: Deemed-to-Satisfy Provisions	This part is assessed against the DTS provisions.	Noted

Clause	Comment	Status
C3.1: Application of Part	The deemed to satisfy provisions of this part do not apply to control joints, weep holes and the like in external walls of masonry construction.	Noted
C3.2: Protection of openings in external walls.	There are no external walls that are required to have an FRL. Noting that the “external” wall of proposed Unit 5 that adjoins the external corridor is exposed to the external walls of the same building and not another building on the allotment and as such are not subject to the requirements of this clause, fire protection in this area is dealt with under C3.11.	N/A
C3.3: Separation of external walls and associated openings in different fire compartments.	The building comprises a single fire compartment as the walls that separate the motel units from each other and from other parts of the building are fire rated walls and not fire walls that separate them into separate fire compartments.	N/A
C3.4: Acceptable methods of protection	Acceptable methods of protection are required to comply with the requirements of this Clause. References to C3.4 in the other Deemed-to-Satisfy provisions include the following: <ul style="list-style-type: none"> <li>• C3.2 refers to C3.4 for the protection required for openings in the external walls of a building located close to a fire-source feature.</li> <li>• C3.3 allows the distance between openings in the external walls of a fire compartment to be closer than allowed by Table C3.3 if they are protected in accordance with C3.4.</li> <li>• C3.11(g)(v)(A) requires the protection of certain windows in bounding walls of the Motel Rooms as an option.</li> </ul>	Noted
C3.5: Doorways in fire walls.	There are no fire walls in the subject building.	N/A
C3.6: Sliding fire doors	There are no sliding fire doors in the subject building.	N/A
C3.7: Protection of doorways in horizontal exits	There are no horizontal exits in the subject building.	N/A
C3.8: Openings in fire-isolated exits	There are no fire isolated exits proposed.	N/A
C3.9: Service penetrations in fire isolated exits	There are no fire isolated exits proposed.	N/A
C3.10: Openings in fire-isolated lift shafts	There are no fire rated lift shafts proposed to be installed within the building.	N/A
<b>C3.11: Bounding construction: Class 2, 3 and 4 buildings</b>	There are no doorway or window openings that are in the rooms that open into public corridors or the like. There are window openings in the existing motel rooms which open into the proposed internal corridor and function room space and it is noted that these are shown as being removed as part of the proposed works.	<b>FI</b>

Clause	Comment	Status
	<p>The wall and window openings in proposed Unit 5 that adjoin/open into the external corridor (as shown in the diagram below), which has been considered to be a public corridor for the purposes of the NCC, are required to be constructed as follows:</p> <ul style="list-style-type: none"> <li>• The wall must be constructed of concrete or masonry, or be lined internally with a fire-protective covering such as 13mm fire protective grade plasterboard; and</li> <li>• The windows must be protected internally with either wall-wetting sprinklers with automatic or fixed closed windows or by -/60/- fire windows or -/60/- fire shutters; or</li> <li>• The windows must be located at least 1.5m above the floor of the corridor.</li> </ul> 	



Clause	Comment	Status
	<p>As the walls that separate the Function Room Store and Store are required to be fire rated (Refer NSW H101.16) due to the Entertainment Venue provisions the doorway openings in the Function Room Store are required to be protected with either doors that are -/60/30 self-closing fire doors or by the provision of internal wall-wetting sprinklers on both sides of the doorway.</p> <p>Details on achieving compliance with the requirements of this clause are required to be detailed on the Construction Certificate plans.</p>	
C3.12: Openings in floors and ceilings for services	<p>Where it is proposed to fire rate the ceilings of the building all services that penetrate the ceiling are required to be fully enclosed with either a fire rated shaft or be protected in accordance with C3.15. The types of services affected would be air-conditioning duct outlets, light fittings and other ceiling mounted fixtures that might penetrate the ceiling.</p> <p>Details of compliance with these requirements will need to be shown on the Construction Certificate plans if applicable.</p>	FI
C3.13: Openings in shafts	The building is not required to be of Type A construction.	N/A
C3.14 ****	This Clause is intentionally left blank.	-
C3.15: Openings for service installations	<p>As referenced Where an electrical, electronic, plumbing, mechanical ventilation, air-conditioning or other service penetrates a building element (other than an external wall or roof) that is required to have an FRL with respect to integrity or insulation or a resistance to the incipient spread of fire, that installation must comply with any one of the following:</p> <p>(a) Tested systems</p> <p>(i) The service, building element and any protection method at the penetration are identical with a prototype assembly of the service, building element and protection method which has been tested in accordance with AS 4072.1 and AS 1530.4 and has achieved the required FRL or resistance to the incipient spread of fire.</p> <p>(ii) It complies with (i) except for the insulation criteria relating to the service if—</p> <p>(A) the service is a pipe system comprised entirely of metal (excluding pipe seals or the like); and</p> <p>(B) any combustible building element is not located within 100 mm of the service for a distance of 2 m from the penetration; and</p> <p>(C) combustible material is not able to be located within 100 mm of the service for a distance of 2 m from the penetration; and</p> <p>(D) it is not located in a required exit.</p> <p>(b) Ventilation and air-conditioning — In the case of ventilating or air-conditioning ducts or equipment, the installation is in accordance with AS/NZS 1668.1.</p>	FI

Clause	Comment	Status
	<p><b>(c) Compliance with Specification C3.15</b></p> <p><b>(i) The service is a pipe system comprised entirely of metal (excluding pipe seals or the like) and is installed in accordance with Specification C3.15 and it—</b></p> <p><b>(A) penetrates a wall, floor or ceiling, but not a ceiling required to have a resistance to the incipient spread of fire; and</b></p> <p><b>(B) connects not more than 2 fire compartments in addition to any fire-resisting service shafts; and</b></p> <p><b>(C) does not contain a flammable or combustible liquid or gas.</b></p> <p><b>(ii) The service is sanitary plumbing installed in accordance with Specification C3.15 and it—</b></p> <p><b>(A) is of metal or UPVC pipe; and</b></p> <p><b>(B) penetrates the floors of a Class 5, 6, 7, 8 or 9b building; and</b></p> <p><b>(C) is in a sanitary compartment separated from other parts of the building by walls with the FRL required by Specification C1.1 for a stair shaft in the building and a self-closing –/60/30 fire door.</b></p> <p><b>(iii) The service is a wire or cable, or a cluster of wires or cables installed in accordance with Specification C3.15 and it—</b></p> <p><b>(A) penetrates a wall, floor or ceiling, but not a ceiling required to have a resistance to the incipient spread of fire; and</b></p> <p><b>(B) connects not more than 2 fire compartments in addition to any fire-resisting service shafts.</b></p> <p><b>(iv) The service is an electrical switch, outlet, or the like, and it is installed in accordance with Specification C3.15.</b></p> <p><b>General details of methods and materials are to be provided on the floor plans with the application for Construction Certificate.</b></p>	
<b>C3.16: Construction joints</b>	<p><b>Potential construction joints in walls required to have an FRL, ie walls separating motel rooms from other motel rooms and other parts of the building, are to be protected in accordance with a tested prototype in accordance with AS1530.4-2014.</b></p> <p><b>A markup plan indicating any construction joint / articulation joint within walls, floors, columns requiring an FRL and the method of protection is to be provided for review with the application for Construction Certificate.</b></p>	<b>FI</b>
C3.17: Columns protected with lightweight construction to achieve an FRL	There are no columns within the development that are required to be protected with lightweight construction	N/A
<b>SECTION D: ACCESS AND EGRESS</b>		
<b>Part D1 – Provision for Escape</b>		
D1.0: Deemed-to-Satisfy Provisions	This Part is assessed against the DTS provisions.	Noted

Clause	Comment	Status
D1.1: Application of Part	The Deemed-to-Satisfy Provisions of this Part do not apply to the internal parts of the motel rooms in the Class 3 part of the building.	Noted
D1.2: Number of exits required	The building is required to be provided with at least two exits from the Class 9b part of the building. Based on the floor plans compliance with this clause is achieved as there are multiple exits proposed.	Complies
D1.3: When fire-isolated exits are required	The building has a rise in storeys of one and therefore fire-isolated exits are not required subject to exit travel distances being met.	N/A
D1.4: Exit travel distances	The entrance doors of the proposed motel units will comply with the requirements of this clause as they open directly to outside the building and as such are not more than 6m from an exit from the building. For the subject class 6 & 9b part of the building no point on a floor must be more than 20 m from an exit, or a point from which travel in different directions to 2 exits is available, in which case the maximum distance to one of those exits must not exceed 40 m. Subject to the provision of adequate directional exit signage within the building it is considered that the exit travel distances are potentially compliant.	Complies
D1.5: Distance between alternative exits	The distances between the alternative exits currently shown on the plans are considered to comply with the requirements of this clause. It is noted that the exit door from the southern side of the Dining Room is less than 6m from the exit door from Function Room 1 however it has been determined that these exit doors are not alternative exits to each other.	Complies
D1.6: Dimensions of exits and paths of travel to exits.	<b>In a required exit or path of travel, the unobstructed height throughout an exit or path of travel to an exit must not be less than 2m, except that the unobstructed height of any doorway may be reduced to not less than 1980mm.</b> <b>In a required exit or path of travel to an exit—</b> <b>(a) the unobstructed height throughout must be not less than 2 m, except the unobstructed height of any doorway may be reduced to not less than 1980 mm; and</b> <b>(f) the unobstructed width of a doorway must be not less than—</b> <b>(iii) the unobstructed width of each exit provided to comply with (b), (c), (d) or (e), minus 250 mm; or</b> <b>(v) in any other case except where it opens to a sanitary compartment or bathroom — 750 mm wide; and</b> <b>(vi) in a Class 9b building used as an entertainment venue—</b> <b>(A) in parts of the building used by the public, the width of the required exit or path of travel, and the unobstructed width of each doorway must not be less than 1 m and not more than 3 m; and</b> <b>(B) in other parts of the building, doorways must comply with D1.6(f).</b> <b>(g) the unobstructed width of a required exit must not diminish in the direction of travel to a road or open space, except where the width is increased in accordance with (b)(ii) or (f)(i); and</b>	FI

Clause	Comment	Status
	<p>(h) the required width of a stairway or ramp must—</p> <ul style="list-style-type: none"> <li>(i) be measured clear of all obstructions such as handrails, projecting parts of barriers and the like; and</li> <li>(ii) extend without interruption, except for ceiling cornices, to a height not less than 2 m vertically above a line along the nosings of the treads or the floor surface of the ramp or landing; and</li> </ul> <p>(i) to determine the aggregate unobstructed width, the number of persons accommodated must be calculated according to D1.13.</p> <p>(j) in a Class 9b building used as an entertainment venue—</p> <ul style="list-style-type: none"> <li>(i) the aggregate width must be not less than 2 m plus 500 mm for every 50 persons or part in excess of 200; and</li> <li>(ii) D1.6(b), (c) and (d) do not apply; and</li> <li>(iii) where one or more paths of travel merge, the width of the combined path of travel must be not less than the sum of the required widths of those paths of travel; and</li> <li>(iv) the required widths of the paths of travel connecting the exits from the building to a public road or open space must comply with (iii).</li> </ul> <p>In this regard additional information is required in relation to the following matters:</p> <ul style="list-style-type: none"> <li>• The aggregate exit width required for 361 occupants in the Restaurant &amp; Function Room part of the premises (staff + patrons) is required to be 4m. Compliance with this requirement is required to be detailed on the plans. Noting that the aggregate exit width applies to the stairs at exit points from the building, internal hallways including the one formed by the operable wall in the function room and exit doors. It is considered that the building is capable of complying with this requirement subject to further detailing;</li> <li>• The doors including exit doors and doors in a path of travel to an exit in the parts of the building that are used by the public, ie Outdoor Lounge, Lounge, Gaming Area, Dining, Alfresco Dining, and Function Rooms including those that are within the operable walls are required to be the same width as the required exit from that part of the building;</li> </ul> <p>All dimensions of exits and exit doors and other doors shall be clearly marked on the floor plans with the application for Construction Certificate.</p> <p>Note that this does not necessarily provide for compliance with the accessibility requirements under Part D3 of the NCC.</p>	
D1.7: Travel via fire-isolated exits.	There are no fire isolated exits proposed.	N/A
D1.8: External stairways or ramps in lieu of fire-isolated exits	There are no external stairways or ramps in lieu of fire-isolated exits.	N/A

Clause	Comment	Status								
D1.9: Travel by non-fire-isolated stairways or ramps	<p>There are no internal stairs proposed within the Class 9b part of the building.</p> <p>The stairs at the front entry to the building, at the exit door from the southern side of the Dining area, the ramp at the front entry and from the screened deck from the back of the kitchen area are considered to be required non-fire isolated stairs and ramps.</p> <p>Based on the plans provided the distances for paths of travel via these stairs and ramps are considered to comply with the requirements of this clause.</p>	Complies								
D1.10: Discharge from exits	<p><b>The following exits are required to be protected from becoming blocked by parked vehicles:</b></p> <ul style="list-style-type: none"> <li>• The base of the ramp on the northern side of the building that leads from the screened deck at the rear of the kitchen;</li> <li>• The northern end of the path of travel leading from the exit from Function Room 3 where it discharges into the carpark area of the Motel premises next to proposed Unit 6.</li> </ul> <p>Suitable barriers such as bollards are to be provided at these points to prevent the blockage of the discharge point of the required exits by vehicles. Details of these measures will be required to be provided on the Construction Certificate plans.</p> <p><b>As the building is proposed to be an Entertainment Venue at least half of the required number of exits from each storey or mezzanine, and at least half of the aggregate width of such exits must discharge otherwise than through the main entrance, or the area immediately adjacent to the main entrance of the building. In this regard subject to additional detailing on the plans the proposed building can comply with these requirements and amendments to the building design will be required.</b></p>	DNC								
D1.11: Horizontal exits	There are no horizontal exits within the subject building.	N/A								
D1.12: Non-required stairways, ramps or escalators	There are no escalators, moving walkways or non-required non fire-isolated stairway or pedestrian ramps proposed within the subject building.	N/A								
D1.13: Number of persons accommodated	<p>The building will have its occupancy based on Clause D1.13(c) based on information provided by the client for the Restaurant and Function Rooms part of the premises and based on number of beds for the motel rooms part of the building:</p> <table> <tbody> <tr> <td>Employees (Including Kitchen, Bar &amp; Wait Staff)</td> <td>10 people</td> </tr> <tr> <td>Lounge, Dining, Alfresco &amp; Function Rooms</td> <td>351 people</td> </tr> <tr> <td>Motel Rooms (Based on number of beds)</td> <td>14 people</td> </tr> <tr> <td><b>TOTAL -</b></td> <td><b>375 persons</b></td> </tr> </tbody> </table>	Employees (Including Kitchen, Bar & Wait Staff)	10 people	Lounge, Dining, Alfresco & Function Rooms	351 people	Motel Rooms (Based on number of beds)	14 people	<b>TOTAL -</b>	<b>375 persons</b>	Noted
Employees (Including Kitchen, Bar & Wait Staff)	10 people									
Lounge, Dining, Alfresco & Function Rooms	351 people									
Motel Rooms (Based on number of beds)	14 people									
<b>TOTAL -</b>	<b>375 persons</b>									
D1.14: Measurement distances of	The method of measuring distances is the nearest part of the exit.	Noted								

Clause	Comment	Status
D1.15: Method of measurement	This assessment has been undertaken from an open floor plan concept with the assumption that machinery and equipment such as overhead racking and production lines are non-fixed obstructions.	Noted
D1.16: Plant rooms and lift	There are no plant rooms, lift machine rooms or electricity network substations within the building.	N/A
D1.17: Access to lift pits	There are no lift wells within the building.	N/A
<b>Part D2 – Construction of Exits</b>		
D2.0: Deemed-to-Satisfy Provisions	This part is assessed against the DTS provisions.	Noted
D2.1: Application of Part	Except for— (a) D2.13, D2.14(a), D2.16, D2.17(d), D2.17(e), D2.21 and D2.24, the Deemed-to-Satisfy Provisions of this Part do not apply to the internal parts of a sole-occupancy unit in a Class 3 building; and (b) N/A (c) in a Class 9b building used as an entertainment venue— (i) Clauses NSW D2.13(a)(ix), (a)(x), and (a)(xi), NSW D2.15(d), NSW Table D2.16a 1(d), and NSW D2.19(b)(v) apply to only those parts of the building used by the public; and (ii) the general requirements of Part D2 apply to all other parts of the building.	Noted
D2.2: Fire-isolated stairways and ramps	There are no fire isolated stairs or ramps proposed within the building.	N/A
D2.3: Non-fire-isolated stairways and ramps	The building has a rise in storeys of one (1).	N/A
D2.4: Separation of rising and descending stair flights	There are no fire isolated stairs proposed within the building.	N/A
D2.5: Open access ramps and balconies	There are no smoke hazard management open access ramps and balconies.	N/A
D2.6: Smoke lobbies	There are no smoke lobbies proposed.	N/A
D2.7: Installations in exits and paths of travel	<b>Electrical boards and the like are to be located within and enclosed by non-combustible construction or have a fire-protective covering with the doorway suitably sealed against the smoke spreading from the enclosure.</b> <b>Generally the services or equipment may be enclosed in non-combustible construction such as MDF with a solid core door.</b> <b>Electrical wiring may only be installed in a fire-isolated exit if the wiring is associated with-</b>	<b>FI</b>

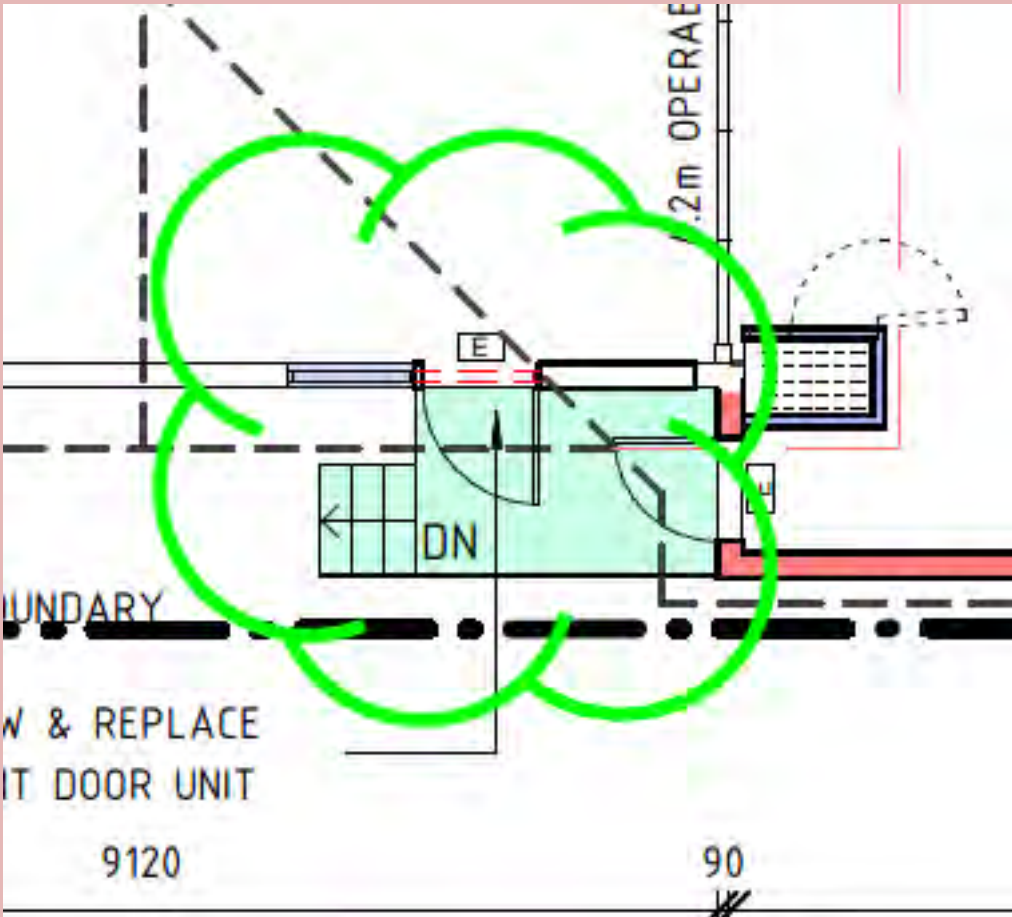


Clause	Comment	Status
	<ul style="list-style-type: none"> <li>• a lighting, detection, or pressurisation system serving the exit; or</li> <li>• a security, surveillance or management system serving the exit, or</li> <li>• intercommunication system or audible visual alarm system in accordance with Clause D2.2; or</li> <li>• the monitoring of hydrant or sprinkler isolation valves.</li> </ul> <p>Details to be provided with the application for Construction Certificate.</p>	
D2.8: Enclosure of space under stairs and ramps	<p>The space below a fire-isolated stairway within the fire isolated shaft must not be enclosed to form a cupboard or similar enclosed space.</p> <p>The space below the non-fire-isolated stairs must not be enclosed to form a cupboard or similar enclosed space unless the enclosing walls have an FRL of not less than 60/60/60 and any doorway to the enclosed space is fitted with a self-closing -/60/30 fire door.</p> <p>Details to be provided with the application for Construction Certificate.</p>	FI
D2.9: Width of required stairways and ramps	The width of the required stairways do not exceed 2m.	N/A
D2.10: Pedestrian ramps	<p>The ramp leading from the kitchen on the northern side of the building and the ramp at the front of the building both serve as required exits. In this regard they are required to comply with AS1428.1-2009 as they are also serving as accessible ramps.</p> <p>Details are to be provided on the Construction Certificate stage plans that demonstrate that the proposed ramps will comply with AS1428.1-2009.</p>	FI
D2.11: Fire-isolated passageways	No fire isolated passageways are proposed.	N/A
D2.12: Roof as open space	There are no exits discharging onto the roof of the building.	N/A
D2.13: Goings and risers	<p>All stairs serving a required exit including stairs that discharge from a required exit are required to have risers measuring between 115-190mm and going between 250-355mm.</p> <p>Goings and risers are to satisfy the equation of <math>2R+G=700(\text{max})</math> and <math>550(\text{min})</math>.</p> <p>A stairway must have not more than 18 nor less than 2 risers in each flight.</p> <p>Goings and risers are required to be consistent throughout in one flight. Goings are considered consistent where the variation between adjacent risers does not exceed 5mm and 10mm between the largest and smallest going within the flight.</p> <p>Any gap between the risers must not permit a 125mm sphere to pass through it.</p> <p>All treads to be fitted with non-slip finish or non-slip nosing strip with a slip-resistance classification in accordance with Table D2.14 (Refer to Table D2.14 under D2.14 below). In general external stairs and stairs</p>	FI

Clause	Comment	Status																	
	<p>immediately inside a building entrance must have slip resistances to suit Wet surface conditions and internal stairs may have a slip resistance to suit dry conditions.</p> <p>All stair treads to have conspicuous edges.</p> <p>Details are to be provided on the plans with the application for Construction Certificate.</p>																		
<p>D2.14: Landings</p>	<p>Landings must not be less than 750mm long and and be fitted with a non-slip finish or non-slip nosing strip at the edge of the landing with a slip-resistance classification in accordance with Table D2.14 (see below).</p> <p>Details are to be provided on the plans with the application for Construction Certificate.</p> <div data-bbox="533 497 1637 836" style="border: 1px solid black; padding: 5px;"> <p><b>Table D2.14 SLIP-RESISTANCE CLASSIFICATION</b></p> <table border="1"> <thead> <tr> <th rowspan="2">Application</th> <th colspan="2">Surface conditions</th> </tr> <tr> <th>Dry</th> <th>Wet</th> </tr> </thead> <tbody> <tr> <td>Ramp steeper than 1:14</td> <td>P4 or R11</td> <td>P5 or R12</td> </tr> <tr> <td>Ramp steeper than 1:20 but not steeper than 1:14</td> <td>P3 or R10</td> <td>P4 or R11</td> </tr> <tr> <td>Tread or landing surface</td> <td>P3 or R10</td> <td>P4 or R11</td> </tr> <tr> <td>Nosing or landing edge strip</td> <td>P3</td> <td>P4</td> </tr> </tbody> </table> </div> <p>Image 4 – Slip Resistance Classification Table.</p>	Application	Surface conditions		Dry	Wet	Ramp steeper than 1:14	P4 or R11	P5 or R12	Ramp steeper than 1:20 but not steeper than 1:14	P3 or R10	P4 or R11	Tread or landing surface	P3 or R10	P4 or R11	Nosing or landing edge strip	P3	P4	<p>FI</p>
Application	Surface conditions																		
	Dry	Wet																	
Ramp steeper than 1:14	P4 or R11	P5 or R12																	
Ramp steeper than 1:20 but not steeper than 1:14	P3 or R10	P4 or R11																	
Tread or landing surface	P3 or R10	P4 or R11																	
Nosing or landing edge strip	P3	P4																	
<p>D2.15: Thresholds</p>	<p>The threshold of a doorway from the kitchen area, store and motel rooms must not incorporate a step or ramp at any point closer to the doorway than the width of the door leaf unless the door opens to a road or open space, external stair landing or external balcony, and the doorsill is not more than 190mm above the finished surface of the ground balcony or the like to which the door opens.</p> <p>The threshold of a doorway from the Restaurant &amp; Function Room part of the building ways must not be more than 50mm above the finished surface to which the door opens.</p> <p>It is considered that the building will be able to comply with this clause however details are to be provided on the plans with the application for Construction Certificate to demonstrate compliance with these requirements.</p>	<p>FI</p>																	
<p>D2.16: Barriers to prevent falls</p>	<p>The floor level of the building is approximately 800mm above the ground surface level at its highest point and as such it is assumed that there will be no requirement to provide balustrading or other barriers to prevent falls where there is a potential fall of 1m or more.</p>	<p>N/A</p>																	
<p>D2.17: Handrails</p>	<p>Except for handrails referred to in D2.18, handrails must be—</p> <ul style="list-style-type: none"> <li>(i) located along at least one side of the ramp or flight; and</li> <li>(ii) located along each side if the total width of the stairway or ramp is 2 m or more; and</li> </ul>	<p>FI</p>																	

Clause	Comment	Status
	<p>(iii) in any other case, fixed at a height of not less than 865 mm measured above the nosings of stair treads and the floor surface of the ramp, landing, or the like; and</p> <p>(iv) continuous between stair flight landings and have no obstruction on or above them that will tend to break a hand-hold; and</p> <p>(v) in a required exit serving an area required to be accessible, designed and constructed to comply with clause 12 of AS 1428.1-2009.</p> <p><b>Handrails required to assist people with a disability must be provided in accordance with D3.3.</b></p> <p><b>Detailed plans &amp; specifications demonstrating compliance with the requirements of this clause are required to be provided with the application for a construction certificate.</b></p>	
D2.18: Fixed platforms, walkways, stairways and ladders	<p>There are no fixed platforms, walkways, stairways, ladders etc proposed as part of the building alterations that will be subject to the provisions of this clause.</p> <p>The existing stairs to the basement storage area do not comply with the requirements of AS1657-2013 however as this building element is existing it is outside the scope of this report to comment on further.</p>	FI
D2.19: Doorways and doors	<p><b>It is noted that no revolving doors, roller shutter or tilt-up doors or sliding doors are proposed to be provided.</b></p> <p><b>A doorway serving as a required exit or forming part of a required exit—</b></p> <p>(i) if fitted with a door which is power-operated—</p> <p>(A) it must be able to be opened manually under a force of not more than 110 N if there is a malfunction or failure of the power source; and</p> <p>(B) if it leads directly to a road or open space it must open automatically if there is a power failure to the door or on the activation of a fire or smoke alarm anywhere in the fire compartment served by the door.</p> <p>(ii) in a Class 9b building used as an entertainment venue—</p> <p>(A) must not be fitted with a collapsible gate, accordion door, turnstile or rigid barrier; and</p> <p>(B) if fitted with a door, must be—</p> <p>(aa) a swing door which opens in the direction of egress; and</p> <p>(bb) doors hung in two folds where the unobstructed width of the doorway is more than 1 m; and</p> <p>(C) a doorway or opening within sight of the audience but not intended for egress must have a notice displayed clearly indicating its purpose and such a notice must not be internally illuminated; and</p> <p><b>Swinging exit doors are also required to comply with the requirements of Clause D2.20.</b></p> <p><b>Details of all doorways are to be provided on the door schedule to be submitted with the application for Construction Certificate.</b></p>	FI

Clause	Comment	Status
<p><b>D2.20: Swinging doors</b></p>	<p><b>Swinging doors serving as a required exit or forming part of a required exit must swing in the direction of egress unless it serves a building or part with a floor area not more than 200m<sup>2</sup>, it is the only required exit from the building or part and it is fitted with a device for holding it in the open position.</b></p> <p><b>The swinging doors onto the landing of the exit stairs on the southern side of the building must not encroach at any part of its swing by more than 500 mm on the required 1m width and when fully open, by more than 100 mm on the required width of the required exit, and the measurement of encroachment in each case is to include door handles or other furniture or attachments to the door as illustrated in the diagram below.</b></p> <div data-bbox="741 467 1659 1054" data-label="Diagram"> <p style="text-align: center;"><b>Figure D2.20</b> <b>ILLUSTRATION OF DOOR TO A FIRE-ISOLATED STAIRWAY COMPLYING WITH D2.20(a)</b></p> <p>Maximum encroachment into required width of exit = 500 mm</p> <p>W = required width of stairway</p> <p>500 mm</p> <p>L</p> </div> <p><b>In this regard the exit door from the southern side of the Dining Room encroaches into the exit stairway landing by more than these amounts and does not comply with the requirements of this clause as highlighted below.</b></p>	<p><b>DNC</b></p>

Clause	Comment	Status
	 <p>Details of all doorways are to be provided on the door schedule to be submitted with the application for Construction Certificate.</p> <p>Details of the landing dimensions within the fire-isolated stairway are to be submitted with the application for Construction Certificate.</p>	
<p><b>D2.21: Operation of latch</b></p>	<p>A door serving a Class 9b building used as an entertainment venue where the following provisions apply to a door or gate used by the public—</p> <p>(i) on a door, the single device operating the latch or bolts must be a panic bar if those doors are to be secured; or</p>	<p><b>FI</b></p>

Clause	Comment	Status
	<p>(ii) an exit door or gate used by the public as the main entrance may be fitted with key-operated fastenings only, the tongues of which must be locked in the retracted position whenever the building is occupied by the public so the door or gate can yield to pressure from within; or</p> <p>(iii) a door from a balcony, terrace or the like, being a door in a path of travel providing re-entry to the building, may comply with the locking provision of (ii) above.</p> <p><b>Details of latches to be included on the door schedule to be submitted with the application for Construction Certificate.</b></p>	
D2.22: Re-entry from fire-isolated exits	No fire-isolated exits are proposed in the subject building.	N/A
D2.23: Signs on doors	There are no fire or smoke doors in the proposed building.	N/A
D2.24: Protection of openable windows	The floors of the bedrooms of the Class 3 (Motel) parts of the building are not more than 2m above the surface beneath.	N/A
<b>NSW D2.101: Doors in path of travel in an entertainment venue</b>	<p><b>All doors in a path of travel to a required exit must swing in the direction of egress and in this regard the following doors do not comply with this requirement:</b></p> <ul style="list-style-type: none"> <li>• The doors from the Outdoor Lounge and Alfresco Dining areas must swing into the building;</li> <li>• The doors from the Function Rooms into the internal corridor must swing into the corridor in the direction of egress, noting that these doors must also not encroach onto the width of the corridor in accordance with Clause D2.20;</li> <li>• The door between the Dining Room and Function Rooms hallway is required to swing into the Dining Room in the direction of egress from the function rooms;</li> </ul> <p><b>Plans demonstrating compliance with this requirement are to be provided upon completion.</b></p>	<b>DNC</b>
<b>Part D3 – Access for People with a Disability</b>		
D3.0: Deemed-to-Satisfy Provisions	Noted	-
<b>D3.1: General Building Access Requirements</b>	<p><b>Access for people with disabilities is required to be provided to each entrance door of the proposed Motel Rooms. It is noted that no new common facilities or rooms are proposed as part of the development.</b></p> <p><b>The subject building will contain 7 rooms upon completion of the proposed development and as such it is required that at least 1 Motel Room be designed and constructed to be an accessible room. In this regard one of the two new proposed Motel Rooms must be designed and constructed to meet the requirements of AS1428.1-2009 and the NCC for accessible motel rooms. From the current plans this is not complied with. The NCC applies only to new building works and as such the subject building has been assessed in isolation without looking at the other existing motel rooms on the property which are unaffected by the proposed works.</b></p> <p><b>Access is required to be provided to and throughout the Restaurant and Function Room part of the building to all areas normally used by the occupants in accordance with the requirements of AS 1428.1-2009.</b></p>	<b>DNC, FI</b>

Clause	Comment	Status
	<p><b>Additional details will need to be shown on the plans to be submitted for construction certificate to demonstrate compliance with the requirements of the NCC and AS1428.1-2009 including but not limited to:</b></p> <ol style="list-style-type: none"> <li><b>1. Details relating to continuous paths of travel to and within the building including door threshold details (Clause 6 of AS1428.1) are to be provided on the plans;</b></li> <li><b>2. Construction tolerances for abutment of surfaces (Clause 7.2 of AS1428.1);</b></li> <li><b>3. Floor covering details and compliance with the maximum pile height, backing thickness and overall thickness requirements (Clause 7.4 of AS1428.1 as modified by Clause D3.3 of the NCC);</b></li> <li><b>4. Braille and tactile signage details (Clause 8 of AS1428.1);</b></li> <li><b>5. Walkways, ramps and landing requirements showing the grade of continuous paths of travel and applicable construction requirements such as handrails, kerb rails etc (Clause 10 of AS1428.1);</b></li> <li><b>6. Where stairways are required to be accessible, provide construction details such as nosing profiles, slip resistance, luminance contrasting, TGSIs and handrails (Clause 11 and 12 of AS1428.1);</b></li> <li><b>7. Clear door opening widths and doorway circulation spaces including details of the required 30% luminance contrast to be achieved at doorways (Clause 13 of AS1428.1);</b></li> <li><b>8. Door latching hardware details including mounting heights for swing doors (Section 13 of AS1428.1); and</b></li> <li><b>9. Light switch, building control and GPO mounting heights (Clause 14 of AS1428.1).</b></li> <li><b>10. Accessible sanitary facilities and associated fittings and fixtures within (Clause 15, and 17 of AS1428.1);</b></li> <li><b>11. Ambulant sanitary facilities and associated fittings and fixtures within (Clause 16 and 17 of AS1428.1);</b></li> <li><b>12. Spatial requirements in hallways at intersections and at required turning spaces (Clause 6 of AS1428.1)</b></li> </ol> <p><b>Certain of the above requirements will not apply to areas that are subject to an exemption in accordance with Clause D3.4 or where access provisions are designed via a performance solution to meet the performance requirements of the NCC.</b></p> <p><b>Areas deemed to be exempt under Clause D3.4 must be nominated and justification submitted with the application for Construction Certificate which satisfies the intent of Clause D3.4.</b></p>	



Clause	Comment	Status
D3.2: Access to Buildings	<p><b>An accessway is required to be provided to the building:</b></p> <ul style="list-style-type: none"> <li>(i) from the main points of a pedestrian entry at the allotment boundary; and</li> <li>(ii) from another accessible building connected by a pedestrian link; and</li> <li>(iii) from any required accessible carparking space on the allotment.</li> </ul> <p>In this regard the provision of access details including any access ramp that may be required over any kerb in the carparking area.</p> <p>Details are required to be provided including dimensions and grades of paths of travel that compliant access can be provided from the above areas to and within the proposed building including adequate provision for wheelchair turning and passing spaces.</p> <p>Access is required to be provided through not less than 50% of the pedestrian entrances to the building. As such details are required to be provided to demonstrate that 50% of the pedestrian entrances to the building will comply with AS1428.1-2009 including door widths, door hardware details, door threshold details, door circulation spaces, provision of access to doorways (ramps) etc.</p> <p>In this regard there are five (5) building entrances noted on the plans and one (1) entrance to the smoking area. Out of the five (5) entrances a minimum of three (3) must be accessible and this will need to be addressed on the plans as currently the plans do not comply in this regard.</p> <p>In relation to the number of entrances required to be accessible it is a further requirement that a pedestrian entrance that is not accessible is to be not more than 50 metres from an entrance that is accessible for people with a disability. This requirement is to be taken into consideration when nominating accessible entrances.</p> <p>Pedestrian entrances that are located within an area that is subject to an exemption in accordance with Clause D3.4 are not required to be accessible under the requirements of Clause D3.2.</p> <p>Areas deemed to be exempt under Clause D3.4 must be nominated and justification submitted with the application for Construction Certificate which satisfies the intent of Clause D3.4.</p> <p>Any performance solution to meet the accessible performance requirements of the NCC shall be submitted with the application for Construction Certificate.</p>	DNC

Clause	Comment	Status
D3.3: Part of building to be accessible	<p>Details are required to be provided on the Construction Certificate stage plans as to how the proposed ramps comply with Clause 10 of AS1428.1-2009 and as to how the proposed stairs will comply with Clause 11 of AS1428.1-2009.</p> <p>Construction details such as gradients, kerb rails, nosing profiles, slip resistance, luminance contrasting, TGSIs and handrails in accordance with Clause 10, 11 and 12 of AS 1428.1-2009;</p> <p>A wheelchair turning space is required to be provided at the eastern end of the internal corridor outside the male and female bathrooms to be compliant with the requirements of clause D3.3 (c) (ii) (B) and AS 1428.1-2009.</p> <p>For those areas in the building that are required to be accessible and where carpet is proposed, details of the proposed floor coverings are to be provided to determine that the carpet pile height / thickness &amp; backing thickness requirements will comply with the requirements of Clause D3.3. The carpet pile height shall not exceed 11mm and carpet backing thickness shall not exceed 4mm and that the overall thickness of any carpet will not exceed 15mm.</p> <p>Areas deemed to be exempt under Clause D3.4 must be nominated and justification submitted with the application for Construction Certificate which satisfies the intent of Clause D3.4.</p> <p>Any performance solution to meet the accessible performance requirements of the NCC shall be submitted with the application for Construction Certificate.</p>	FI
D3.4: Exemptions	<p>The following areas are not required to be accessible:</p> <ul style="list-style-type: none"> <li>a) An area where access would be inappropriate because of the particular purpose for which area is used.</li> <li>b) An area that would pose a health or safety risk for people with a disability.</li> <li>c) Any path of travel providing access only to an area exempted by (a) or (b).</li> </ul> <p>Areas proposed to be exempt under Clause D3.4 must be nominated and justification submitted with the application for Construction Certificate which satisfies the intent of the exemption.</p>	FI
D3.5: Accessible Carparking	<p>For the subject building 1 accessible carparking space is required for every 500 carparking spaces up to 1000 spaces. There are approximately 12 carparking spaces shown on the Site Analysis plan and as such one (1) accessible carparking space must be provided.</p> <p>It is noted that there are no accessible carparking space proposed on the drawings.</p> <p>Any required accessible carparking space is required to comply with the space and layout and identification requirements as specified under AS/NZS 2890.6:2009.</p> <p>Details to be provided with the plans submitted for the Construction Certificate.</p>	DNC
D3.6: Signage	<p>Braille &amp; tactile signage complying with Specification D3.6 and incorporating the international symbol of access or deafness, is required to be provided-</p>	FI

Clause	Comment	Status
	<ul style="list-style-type: none"> <li>• To identify the unisex accessible sanitary compartment reflecting that the facility is suitable for left hand use with the sign to be located on the wall on the latch side of the door;</li> <li>• To identify each door required by Clause E4.5 to be provided with an exit sign and state “Exit Level 1” or “Exit Level Ground”;</li> <li>• To identify each space provided with a hearing augmentation system with the signage to include the international symbol of deafness and must identify the type of hearing augmentation, the area covered within the room, if receivers are being used and where the receivers can be obtained.</li> <li>• To identify an ambulant accessible sanitary facility with the sign to be located on the door of the facility;</li> <li>• Where a pedestrian entrance is not accessible, directional signage incorporating the international symbol of access, in accordance with AS 1428.1-2009 must be provided to direct a person to the location of the nearest accessible pedestrian entrance (the two pedestrian entrances are the staff entry and executive / general entry);</li> <li>• Where a bank of sanitary facilities is not provided with an accessible unisex facility, directional signage incorporating the international symbol of access, in accordance with AS 1428.1-2009 must be placed at the location of the sanitary compartment that is not accessible, to direct a person to the location of the nearest accessible unisex sanitary facility.</li> </ul> <p>Details to be provided with the plans submitted for the Construction Certificate.</p>	
D3.7: Hearing augmentation	<p>(a) A hearing augmentation system must be provided where an inbuilt amplification system, other than one used only for emergency warning, is installed—</p> <ul style="list-style-type: none"> <li>(i) in a room in a Class 9b building; or</li> <li>(ii) in an auditorium, conference room, meeting room or room for judicatory purposes; or</li> <li>(iii) at any ticket office, teller's booth, reception area or the like, where the public is screened from the service provider.</li> </ul> <p>(b) If a hearing augmentation system required by (a) is—</p> <ul style="list-style-type: none"> <li>(i) an induction loop, it must be provided to not less than 80% of the floor area of the room or space served by the inbuilt amplification system; or</li> <li>(ii) a system requiring the use of receivers or the like, it must be available to not less than 95% of the floor area of the room or space served by the inbuilt amplification system, and the number of receivers provided must not be less than— <ul style="list-style-type: none"> <li>(A) if the room or space accommodates up to 500 persons, 1 receiver for every 25 persons or part thereof, or 2 receivers, whichever is the greater; and</li> <li>(B) if the room or space accommodates more than 500 persons but not more than 1000 persons, 20 receivers plus 1 receiver for every 33 persons or part thereof in excess of 500 persons; and</li> <li>(C) if the room or space accommodates more than 1000 persons but not more than 2000 persons, 35 receivers plus 1 receiver for every 50 persons or part thereof in excess of 1000 persons; and</li> </ul> </li> </ul>	FI

Clause	Comment	Status
	<p>(D) if the room or space accommodates more than 2000 persons, 55 receivers plus 1 receiver for every 100 persons or part thereof in excess of 2000 persons.</p> <p>(c) The number of persons accommodated in the room or space served by an inbuilt amplification system must be calculated according to D1.13.</p> <p>(d) Any screen or scoreboard associated with a Class 9b building and capable of displaying public announcements must be capable of supplementing any public address system, other than a public address system used for emergency warning purposes only.</p> <p>Details on the compliance of any proposed Hearing Augmentation System must be provided with the Construction Certificate application.</p>	
D3.8: Tactile indicators	<p>For a building required to be accessible, tactile ground surface indicators must be provided to warn people who are blind or have a vision impairment that they are approaching –</p> <p>(i) A stairway;  (ii) A ramp; and  (iii) Where an accessway meets a vehicular way adjacent to any pedestrian entrance to a building.</p> <p>Tactile ground surface indicators are not required to be installed to areas that are exempted by Clause D3.4.</p> <p>Details to be provided with the plans submitted for the Construction Certificate.</p>	FI
D3.9 Wheelchair seating spaces in Class 9b assembly buildings.	Fixed seating has not been indicated on the plans.	N/A
D3.10 Swimming Pool	There is no swimming pool associated with the subject development.	N/A
D3.11 Ramps	It is considered that the proposed ramps will comply with this clause.	Complies
D3.12 Glazing on an accessway	<p>A warning strip shall be provided for the full width of any fully glazed doors and sidelights where there are no battens, chair rail, handrail or transom. The warning strip shall be non-transparent and have a 30% luminance contrast to the floor or other surfaces when viewed through the glazing within a distance of 2m. The height of the warning strip shall be between 900mm-1000mm above the finished ground level and be 75mm wide.</p>	FI
<b>SECTION E: SERVICES AND EQUIPMENT</b>		
<b>Part E1 – Fire Fighting Equipment</b>		
E1.0: Deemed-to-Satisfy Provisions	Noted	-

Clause	Comment	Status
E1.3: Fire hydrants	<p>A fire hydrant system complying with AS2419.1 – 2005 is required to be provided to protect the entire building including motel rooms as the floor area exceeds 500m<sup>2</sup>. This may be achieved by both internal and external hydrants.</p> <p>It is noted that there is an External Street Hydrant located on the other side of the road reserve of Lewis Street and it is noted that compliant Fire Hydrant coverage is unlikely to be able to be provided from this hydrant location for the whole building, including Motel Rooms. As such an additional on-site fire hydrant is likely to be required. This will need to be verified and detailed by a hydraulic engineer as part of the Construction Certificate application.</p> <p>In accordance with Table 2.1 in AS 2419.1-2009, the number of fire hydrant outlets required to flow simultaneously is calculated at 2 and if they are to be external hydrants then each hydrant must be capable of flowing 10L/s at 150kPa based on the hydrants being assumed to be Feed Fire Hydrants.</p> <p>Any additional external fire hydrant must be located at least 10m from the external walls of the subject building.</p> <p>Additional details are required to be provided to demonstrate compliance of the required fire hydrant design with the BCA and AS2419.1-2005:</p> <ul style="list-style-type: none"> <li>• Provide confirmation as to the source of water supply and the available pressures and flows;</li> <li>• Provide a hydraulic design and calculations for the fire hydrant system to be submitted with the plans for construction certificate;</li> <li>• Provide design certification that the proposed hydrant system will comply with the requirements of AS2419.1-2005;</li> <li>• Provide coverage diagrams that show how coverage to all parts of the building is achieved from the proposed fire hydrant system;</li> <li>• Specifications are to be provided that any above ground isolated valves in the fire hydrant system will be secured or locked in the open position and be provided with signage stating the valve number that corresponds with the valve number on the block plan and that states 'FIRE MAIN VALVE – SECURE OPEN' in uppercase letters not less than 8mm high on a corrosion resistant durable tag;</li> <li>• Specifications are to be provided that any below ground isolating valves are to be suitably tagged or marked by either post, reflective marker or reflective paint (to access covers) in 25mm high text and shall state the valve number that corresponds with the valve number on the block plan and state ' FIRE MAIN VALVE – SECURE OPEN' and the valve shall be adequately secured in the open position and be located in a fully drained pit or alternatively be key operated sluice valves complying with AS2638 and be clearly identified with a permanent ground marking showing the valve number on the block plan;</li> <li>• Specifications are to be provided identifying the hydrant system pipework including the booster assembly pipework shall be supported in accordance with Part 8.7 of AS2419.1-2005.</li> </ul>	FI

Clause	Comment	Status
E1.4: Fire hose reels	<p>Fire hose reels will be required to serve all parts of the building except the motel rooms as the building exceeds 500m<sup>2</sup>.</p> <p>Fire hose reel hydraulic plans and calculations are to be provided demonstrating that compliance with AS2441-2005 is achieved and that coverage is provided to all required areas, noting that fire hose reels must be installed within 4m of a required exit or where coverage cannot be achieved by the location of a fire hose reel next to required exit, additional fire hose reels may be in a path of travel to an exit.</p> <p>It must also be noted that fire hose reels must not encroach into the required widths for accessways and hallways within the building for emergency exits and access for people with disabilities.</p> <p>The hydraulic plans shall also provide the following information-</p> <ol style="list-style-type: none"> <li>1. Hydraulic details demonstrating that the proposed fire hose reel system is able to provide complying pressures and flows;</li> <li>2. A design certificate is to be provided from the hydraulic consultant that the design of the proposed Fire Hose Reel system complies with AS2441-2005;</li> <li>3. Details are to be specified on the hydraulic plans in relation the installation requirements for the fire hose reel system to achieve compliance with AS2441-2005 including but not limited to the requirements relating to:               <ol style="list-style-type: none"> <li>a. Cabinet specifications and internal clearances;</li> <li>b. Signage required for hose reel cabinets;</li> </ol> </li> <li>4. Padlocking and tagging of all shut-off valves in the fire hose reel system including at the meter/PRV installation that states 'FIRE SERVICE VALVE – CLOSE ONLY TO SERVICE FIRE HOSE REELS'</li> </ol>	FI
E1.5: Sprinklers	The proposed Function Rooms have not been considered to be an Entertainment Venue as per the Interpretations section of this report.	N/A
E1.6: Portable fire extinguishers	<p>Suitable Portable Fire Extinguishers are proposed to be installed in accordance with Table E1.6 of the NCC and AS2444-2001.</p> <p>The building is considered to contain areas of different hazard ratings. A fire service provider is required to assess the hazards throughout the building and provide suitable portable fire extinguishers accordingly.</p> <p>A portable fire extinguisher register shall be provided with the application for the Construction Certificate.</p> <p>Under Table E1.6 Portable Fire Extinguishers are required to be provided as follows:</p> <ul style="list-style-type: none"> <li>• To cover Class AE or E fire risks associated with emergency services switchboards;</li> <li>• To cover Class F fire risks involving cooking oils and fats in kitchens;</li> <li>• To cover Class A fire risks associated with the Motel Rooms part of the building.</li> </ul>	FI
E1.6: ****	This Clause is intentionally left blank in the NCC.	-
E1.8: Fire control centres	A fire control centre is not required for the building.	N/A

Clause	Comment	Status
E1.9: Fire precautions during construction	During construction, not less than one fire extinguisher to suit Class A, B and C fires is required for each storey, and is required to be located adjacent to each required exit.	Noted
E1.10: Provisions for special hazards	It is considered that there are no special hazards associated with the building.	N/A
<b>Part E2 – Smoke Hazard Management</b>		
E2.0: Deemed-to-Satisfy Provisions	Noted	-
E2.1: Application of Part	This part is applicable to the subject building.	-
E2.2: General Requirements	<p>The building is a Type C building with Class 3 and 9b parts which are fire separated and as such the General Requirements of Clause E2.2 are applicable.</p> <p>In this regard an air-handling system must not recycle air from one fire compartment to another fire compartment unless it is designed and installed to operate as a smoke control system in accordance with AS/NZS1668.1 or unless it incorporates smoke dampers where ductwork penetrates separate walls and be designed so that the system shuts down and smoke dampers activate automatically upon activation of smoke detectors complying with Clause 7.5 of AS1670.1.</p> <p>In addition to the above General Requirements the following specific requirements relate to the different parts of the building:</p> <p><b><u>Class 3 - Motel Rooms</u></b></p> <p>The motel rooms must be provided with automatic smoke detection and alarm system that complies with Specification E2.2a.</p> <p><b><u>Class 9b - Restaurant &amp; Function Rooms</u></b></p> <p><b><i>Automatic shutdown:</i></b></p> <p>A building or part of a building used as an assembly building must be provided with automatic shutdown of any air-handling system (other than non-ducted individual room units with a capacity not more than 1000 L/s and miscellaneous exhaust air systems installed in accordance with Sections 5 and 6 of AS/NZS 1668.1) which does not form part of the smoke hazard management system, on the activation of—</p> <p>(i) smoke detectors installed complying with Clause 5 of Specification E2.2a; and</p> <p>(ii) any other installed fire detection and alarm system, including a sprinkler system complying with Specification E1.5.</p> <p><b><i>BASEMENT:</i></b></p> <p>The basement, being part of an assembly building containing an auditorium, must be equipped with—</p>	FI



Clause	Comment	Status
	<p>(i) an automatic smoke detection system in accordance with Specification E2.2a; or</p> <p>(ii) an automatic zone smoke control system in accordance with AS/NZS 1668.1 if the basement has more than one fire compartment; or if the basement forms part of a multi fire compartmented building served by the zone smoke control system; or</p> <p>(iii) a sprinkler system complying with Specification E1.5.</p> <p><b>STAGES AND BACKSTAGES:</b></p> <p>There are no stages or backstage areas proposed as part of the development.</p> <p><b>NIGHT CLUBS, DISCOTHEQUES, AND THE LIKE</b></p> <p>If it is intended that the proposed function rooms are to be used for the purposes of a disco or nightclub that part of the building being a night club, discotheque or the like, must be provided with—</p> <p>(a) in an auditorium—</p> <p>(i) an automatic smoke exhaust system complying with Specification E2.2b; or</p> <p>(ii) roof mounted automatic smoke-and-heat vents complying with Specification E2.2c, in a single storey building or the top storey of a multi storey building; or</p> <p>(iii) a sprinkler system complying with Specification E1.5 with fast response sprinkler heads; and</p> <p>(b) in all other areas—</p> <p>(i) where a building or part of a building has a floor area not more than 2000 m<sup>2</sup>—</p> <p>(A) one of the smoke hazard management measures listed under (a) above; or</p> <p>(B) an automatic smoke detection and alarm system complying with Specification E2.2a.</p> <p>Note: Paragraph (a) applies only to an auditorium designed principally to accommodate an audience to an entertainment.</p> <p><b>OTHER ASSEMBLY BUILDINGS</b></p> <p>If the building is not to be used as a nightclub or disco then there are no additional smoke hazard management requirements under this clause as the floor area of the fire compartment, being the building excluding the motel rooms, does not exceed 2,000m<sup>2</sup>.</p> <p>Details are required to be provided with the application for Construction Certificate to demonstrate compliance of one of the above smoke hazard management systems-</p> <ul style="list-style-type: none"> <li>• Nominate the method of achieving compliance with the smoke hazard management requirement;</li> <li>• Provide a hydraulic, mechanical and or electrical design (as appropriate) and calculations (where required) for the smoke hazard management system selected and submit with the plans for construction certificate;</li> <li>• Provide design certification that the hydraulic, mechanical and or electrical design (as appropriate) will comply with the requirements of the applicable Australian Standards;</li> </ul>	

Clause	Comment	Status
	<ul style="list-style-type: none"> <li>• Provide location / spacing diagrams that show how coverage to all parts of the building is achieved from the smoke hazard management system;</li> <li>• Full schematic details are required to be provided in relation to any sprinkler system installation demonstrating compliance with AS 2118.</li> </ul>	
E2.3: Provision for special hazards	It is considered that there are no additional smoke hazard management measures necessary that are not addressed under Tables E2.2a and E2.2b in relation to the subject building.	N/A
<b>Part E3 – Emergency Lift Installations</b>		
E3.0: Deemed-to-Satisfy Provisions	A lift is not proposed to be installed.	N/A
E3.1: Lift installations	-	N/A
E3.2: Stretcher facility in lifts	-	N/A
E3.3: Warning against use of lifts in fire	-	N/A
E3.4: Emergency lifts	-	N/A
E3.5: Landings	-	N/A
E3.6: Passenger lifts	-	N/A
E3.7: Fire service controls	-	N/A
E3.8: Aged care buildings	-	N/A
E3.9: Fire service recall control switch	-	N/A
E3.10: Lift car fire service drive control switch	-	N/A
<b>Part E4 – Emergency Lighting, Exit Signs and Warning Systems</b>		
E4.0: Deemed-to-Satisfy Provisions	Noted	-
E4.1 ****	This Clause is intentionally left blank in the NCC.	-

Clause	Comment	Status
E4.2: Emergency lighting requirements	<p>Emergency lighting is not required to be provided inside the Motel Rooms.</p> <p>An emergency lighting system must be installed in the licensed premises in the following locations –</p> <ul style="list-style-type: none"> <li>• in every passageway, hallway or path of travel to an exit within the building; and</li> <li>• in the Bar, Dining, Lounge Areas, and</li> <li>• in the Function Room Areas, and</li> <li>• above every stairway, and</li> <li>• in every room to which there is public access in the building.</li> </ul> <p>Electrical plans, specification and design certificates are required to be provided with the application for a construction certificate that complies with the requirements of Clause E4.2.</p>	FI
E4.3: Measurement of distance	Noted	-
E4.4: Design and operation of emergency lighting	<p>The emergency lighting system must comply with AS 2293.1 – 2005.</p> <p>Electrical plans, specification and design certificates are required to be provided with the application for a construction certificate that complies with the requirements of Clause E4.4.</p>	FI
E4.5: Exit signs	<p>An exit sign must be clearly visible to persons approaching the exit, and must be installed on, above or adjacent to each door leading from any required exit on the ground floor providing egress to a road or open space.</p> <p>Electrical plans, specification and design certificates are required to be provided with the application for a construction certificate that complies with the requirements of Clause E4.5.</p>	FI
NSW E4.6: Direction signs	<p>Where an exit is not readily apparent to persons occupying or visiting the building, then exit signs must be installed -</p> <p>(a) in appropriate positions in corridors, hallways, lobbies, foyers, auditoria, above internal doors, above internal stairs and the like, indicating the direction to a required exit.</p> <p>In this regard exit signs will be required to be provided above the location of the doors in the proposed operable walls that separate the function rooms into separate spaces and from the adjacent hallway and also above the doors from the hallway of the function rooms into the dining room.</p> <p>Directional exit signs will also be required above the doors that are required to provide emergency access from the alfresco dining and outdoor lounge areas back into the building.</p> <p>Electrical plans, specification and design certificates are required to be provided with the application for a construction certificate that complies with the requirements of NSW Clause E4.6.</p>	FI
E4.7: Class 2 & 3 buildings and Class 4 parts	Exit signs are not required to be provided inside the Motel Rooms.	Noted

Clause	Comment	Status
E4.8: Design and operation of exit signs	Every required exit sign must comply with AS 2293.1-2005 and be clearly visible at all times when the building is occupied by any person having the right of legal entry to the building. Electrical plans, specification and design certificates are required to be provided with the application for a construction certificate that complies with the requirements of Clause E4.8.	FI
E4.9: Sound systems and intercom systems for emergency purposes	A sound system and intercom system for emergency purposes must be installed in the building that complies with AS1670.4-2015. Electrical plans, specification and design certificates are required to be provided with the application for a construction certificate that complies with the requirements of Clause E4.9.	FI
<b>SECTION F: HEALTH AND AMENITY</b>		
<b>Part F1 – Damp and Weatherproofing</b>		
F1.0: Deemed-to-Satisfy Provisions	Noted	Noted
F1.1: Stormwater drainage	Stormwater drainage must comply with AS/NZS 3500.3 - 2015. Detailed plans, specifications and design certificates from a hydraulic engineer are required to be provided with the application for a construction certificate to demonstrate compliance with this clause and applicable Australian Standard.	FI
F1.2: ****	This Clause is intentionally left blank in the NCC.	-
F1.3: ****	This Clause is intentionally left blank in the NCC.	-
F1.4: External above ground membranes	There are no external balconies or the like that require water proofing.	N/A
F1.5: Roof coverings	Select metal sheet roofing will be provided to the subject building. As such a detailed specification will need to be provided with the application for a construction certificate to demonstrate compliance with the requirements of AS1562.1 - 1992. A detailed building specification is required to be provided with the application for a construction certificate to demonstrate compliance with the requirements of Clause F1.5.	FI
F1.6: Sarking	Sarking-type materials used for weatherproofing of roofs and walls must comply with AS/NZS 4200 Parts 1 and 2. Note: When a pliable building membrane is installed as thermal insulation in sheet roofing, ceilings and floors (other than ground floors), it shall have an air space adjacent to and below its reflective (low emittance) face. In ground floors, it shall have an air space adjacent to each of its reflective (low emittance) faces. Detailed specifications will need to be provided with the application for a construction certificate to demonstrate compliance with the requirements of Clause F1.6, AS/NZS 4200 Parts 1 and 2.	FI

Clause	Comment	Status
<b>F1.7: Waterproofing of wet areas in buildings</b>	<p>The building elements in the sanitary compartment must -</p> <p>(i) be water resistant or waterproof in accordance with Table F1.7 of the NCC, and</p> <p>(ii) comply with AS 3740 - 2010.</p> <p>Detailed specifications will need to be provided with the application for a construction certificate to demonstrate compliance with this clause.</p>	FI
F1.8: ****	This Clause is intentionally left blank in the NCC.	-
<b>F1.9: Damp-proofing</b>	<p>A damp-proof course is required to be provided to prevent moisture from the ground reaching any walls above the damp proof course and is required to comply with AS/NZS 2904; or be impervious sheet material in accordance with AS 3660.1.</p> <p>Detailed specifications will need to be provided with the application for a construction certificate to demonstrate compliance with this clause.</p>	FI
<b>F1.10: Damp-proofing of floors on ground</b>	A membrane is required to be provided under the concrete floor in accordance with AS 2870 and is required to be detailed on the structural drawings / design certificate specifying compliance.	FI
F1.11: Provision of floor wastes	The building is single storey and as such the provision of a floor waste is not required.	N/A
F1.12: Sub-floor ventilation	There is no suspended floor proposed within the subject building.	N/A
<b>F1.13: Glazed assemblies</b>	<p>Windows, sliding doors with a frame, and window walls with one piece framing in an external wall must comply with AS 2047-2014 requirements for resistance to water penetration.</p> <p>Detailed specifications will need to be provided with the application for a construction certificate to demonstrate compliance with Clause F1.13 and AS 2047-2014.</p>	FI
<b>Part F2 – Sanitary and Other Facilities</b>		
F2.0: Deemed-to-Satisfy Provisions	Noted.	Noted
F2.1: Facilities in residential buildings	The private sanitary facilities shown on the plans for each of the motel rooms satisfies the requirements of this clause.	Complies
F2.2: Calculation of number of occupants and fixtures	Based on the occupant numbers calculated under D1.13(c) approximately 361 people will be deemed to occupy the licensed premises part of the building being 351 patrons and 10 staff. It has been assumed that there will be a 50:50 ratio of male to female occupants.	Noted
F2.3: Facilities in Class 3 to 9 buildings	<p>The following sanitary facilities are required in the proposed building based on the above occupant numbers -</p> <p><b>Proposed Facilities</b></p> <p><b>Male WC = 5</b></p> <p><b>Male Urinal = 6</b> (Based on length of Urinal being 4.2m and every 600mm being equivalent to 1 x Urinal)</p>	Complies

Clause	Comment	Status
	<p><b>Male Basin = 5</b></p> <p><b>Female WC = 8</b></p> <p><b>Female Basin = 5</b></p> <p><b>Required Facilities:</b></p> <p><i>Staff</i></p> <p>Male WC = 1</p> <p>Male Urinal = 0</p> <p>Male Basin = 1</p> <p><i>Patrons</i></p> <p>Male WC = 2</p> <p>Male Urinal = 4</p> <p>Male Basin = 2</p> <p><b>Total Required</b></p> <p><b>Male WC = 3</b></p> <p><b>Male Urinal = 4</b></p> <p><b>Male Basin = 3</b></p> <p><i>Staff</i></p> <p>Female WC = 1</p> <p>Female Basin = 1</p> <p><i>Patrons</i></p> <p>Female WC = 5</p> <p>Female Basin = 3</p> <p><b>Total Required</b></p> <p><b>Female WC = 6</b></p> <p><b>Female Basin = 4</b></p> <p>Based on the floor plans provided there are adequate sanitary facilities proposed to be provided.</p>	
<p><b>F2.4: Accessible Sanitary Facility</b></p>	<p><b>An accessible unisex sanitary compartment is required to be provided which is indicated on the plans. An ambulant accessible sanitary compartment each for male and female use is required at the bank of toilets that are located adjacent to the proposed accessible sanitary facility.</b></p> <p><b>The accessible sanitary compartments must contain a closet pan, washbasin, shelf or bench top, coat hooks and adequate means of disposal of sanitary towels.</b></p> <p><b><u>Accessible Sanitary Compartments</u></b></p> <p><b>The plans for the accessible facilities will need to be fully detailed to comply with the requirements of AS1428.1 – 2009.</b></p>	<p><b>FI</b></p>

Clause	Comment	Status
	<p>Specific attention is drawn to the following requirements with AS1428.1-2009-</p> <ol style="list-style-type: none"> <li>1. A detailed floor plan of the accessible bathroom at 1:20 scale is to be provided that shows the location of all the fittings and fixtures within the bathroom and the required wall offsets for all the fittings and fixtures within the bathroom and the required wall offsets for the WC pan, basin, shower, bathroom door etc are required to comply with circulation space requirements (Section 15 of AS1428.1-2009);</li> <li>2. The toilet seat must achieve the 30% luminance contrast with the WC pan and floor of the bathroom (Section 15.2.3 of AS1428.1-2009);</li> <li>3. Provision of, and mounting heights for, the required seat backrest (Section 15.2.4 of AS1428.1-2009);</li> <li>4. The mounting height for the required coat hook (Section 15.4.4 of AS1428.1-2009);</li> <li>5. Mounting height for the toilet roll holder (Section 15.2.6 of AS1428.1-2009);</li> <li>6. The dimension shown for the height of any hand dryer or sanitary towels (Section 15.4.3 of AS1428.1-2009);</li> <li>7. Provision of a rocker action or toggle light switch with a minimum dimension of 30mm x 30mm (Section 14 of AS1428.1-2009);</li> <li>8. Details that the door will be provided with a privacy latch that has a snib handle of at least 45mm in length (Section 15.2.9 of AS1428.1-2009);</li> </ol> <p><b><u>Ambulant Accessible Compartments</u></b></p> <p>Ambulant accessible facilities are required to be provided in the banks of male and female sanitary facilities that are provided adjacent to the accessible sanitary facility and one ambulant facility is required for each sex.</p> <p>The following details are required to be provided with the plans for the construction certificate to ensure that the ambulant facilities will comply with the requirements of Clause 16 of AS 1428.1 - 2009:</p> <ol style="list-style-type: none"> <li>1. A detailed floor plan of the ambulant WC compartments at 1:20 scale is to be provided that shows the location of all the fittings and fixtures within the bathroom and the required wall offsets for the WC pan and that shows the required circulation spaces for the WC pan and the bathroom door;</li> <li>2. Doorway to have a minimum clear width of 700mm;</li> <li>3. Circulation space clearly shown on the plan for all doorways providing access to the ambulant sanitary compartment;</li> <li>4. Height of toilet seat;</li> <li>5. All wall offsets for the WC pan fixture;</li> <li>6. The mounting height for the required coat hook;</li> </ol> <p>Details on achieving compliance with the requirements of Clause F2.4 and AS1428.1-2009 are to be provided with the plans submitted with the application for the Construction Certificate. Plans and room elevations should be at a scale of 1:20 to allow for a detailed assessment.</p>	



Clause	Comment	Status
<p><b>F2.5: Construction of sanitary compartments</b></p>	<p><b>Sanitary compartments must have doors and partitions that separate adjacent compartments and extend-</b>                      (i) From floor level to the ceiling in the case of a unisex facility; or                      (ii) To a height of not less than 1.8m above the floor in all other cases.</p> <p><b>The door to a fully enclosed sanitary compartment must-</b>                      (i) Open outwards; or                      (ii) Slide; or                      (iii) Be readily removed from the outside of the sanitary compartment,</p> <p><b>unless there is a clear space of at least 1.2m, measured in accordance with the figure below, between the closet pan within the sanitary compartment and the doorway.</b></p> <div data-bbox="831 509 1563 946" data-label="Diagram"> </div> <p><b>Detailed plans on achieving compliance with the requirements of Clause F2.5 are to be provided with the plans submitted with the application for the Construction Certificate.</b></p>	<p><b>FI</b></p>
<p>F2.6: Interpretation: Urinals and washbasins</p>	<p>A urinal may be –                      (i) an individual stall or wall-hung urinal; or                      (ii) each 600mm length of a continuous urinal trough; or                      (iii) a closet pan used in place of a urinal.</p>	<p>Noted</p>
<p>F2.7: Microbial (Legionella) control</p>	<p>This clause is deleted from the NCC in NSW, as the installation of hot water, warm water and cooling water systems (and their operation and maintenance) is regulated in the Public Health (Microbial Control) Regulation, 2000, as amended by the Public Health (Microbial Control) Amendment (Miscellaneous) Regulation, 2003, under the Public Health Act, 1991.</p>	<p>Noted</p>
<p>F2.8: Waste management</p>	<p>The building is Class 3 &amp; 9b and therefore the requirements of Clause F2.8 is not applicable.</p>	<p>N/A</p>
<p><b>Part F3 – Room Sizes</b></p>		

Clause	Comment	Status
F3.0: Deemed-to-Satisfy Provisions	Noted.	
F3.1: Height of rooms and other spaces	<p>The minimum ceiling heights permitted within the building for the various areas are as follows:</p> <ul style="list-style-type: none"> <li>• Motel Room = 2.4m</li> <li>• Bathrooms = 2.1m</li> <li>• Commercial Kitchen = 2.4m</li> <li>• Function Rooms = 2.7m</li> <li>• Lounge &amp; Dining Area = 2.7m</li> <li>• Outdoor Lounge &amp; Alfresco Dining Areas = 2.4m</li> <li>• Storeroom = 2.1m</li> </ul> <p>Details of compliance with these requirements will need to be shown on the plans for the Construction Certificate application.</p>	FI
<b>Part F4 – Light and Ventilation</b>		
F4.0: Deemed-to-Satisfy Provisions	Noted.	Noted
F4.1: Provision of natural light	<p>The bedroom of the Motel Rooms are required to be provided with natural light compliant with the requirements of Clauses F4.2 &amp; F4.3.</p> <p>Details will need to be provided on the plans submitted with the Construction Certificate application in the form of a window schedule with windows that are of the appropriate size to achieve the required levels of Natural Light to the proposed Motel Rooms.</p> <p>It is also noted that the Southern Elevation of the proposed Function Rooms additions show the provision of 6 x windows in the function rooms whereas the floor plan indicates the provision of 3 x windows to these areas. This matter should be clarified prior to submission of any Development Application.</p>	FI
F4.2: Methods and extent of natural lighting	<p>The windows of the proposed Motel Rooms are required to have a light transmitting area exclusive of frame members that is not less than 10% of the floor area of the room. Alternatively Roof Lights can be provided that have a light transmitting area of not less than 3% of the floor area of the room. A combination of windows and roof lights may be provided.</p> <p>Note that the windows of Unit 5 that open into the roofed corridor area on the southern side of the room cannot be included for the purposes of Natural Lighting as they do not open to a space that is open to the sky.</p> <p>Details will need to be provided on the plans submitted with the Construction Certificate application in the form of a window schedule with windows that are of the appropriate size to achieve the required levels of Natural Light to the proposed Motel Rooms.</p>	FI

Clause	Comment	Status
F4.3: Natural light borrowed from adjoining room.	Due to the configuration of the proposed Motel Rooms it is considered that the requirements of this clause will not be applicable.	N/A
F4.4: Artificial lighting	<p><b>Artificial lighting shall be provided throughout the building to comply with AS/NZS 1680.0-2009 in accordance with the requirements of Clause F4.4 of the NCC.</b></p> <p>The system may provide a lesser level of illumination to the function rooms where used as a disco or nightclub to create ambience or character for the space.</p> <p>Confirmation is to be provided from an electrical engineer that the proposed building will be provided with an artificial lighting system that complies with the requirements of this clause. Detailed plans, specifications and a design certificate will be required to be provided with the application for a construction certificate.</p>	FI
F4.5: Ventilation of rooms	<p>A Motel Room and all spaces within the licensed premises part of the building occupied by a person for any purpose must have -</p> <p>(a) natural ventilation complying with F4.6; or</p> <p>(b) a mechanical ventilation or air-conditioning system complying with AS 1668.2 – 2012.</p> <p>Confirmation is to be provided from a mechanical engineer that the proposed building will be provided with ventilation that complies with the requirements of this clause. Detailed plans, specifications and a design certificate will be required to be provided with the application for a construction certificate.</p>	FI
F4.6: Natural ventilation	<p>Natural ventilation provided in accordance with F4.5(a) must consist of openings, windows, doors or other devices which can be opened -</p> <p>(i) with a ventilating area not less than 5% of the floor area of the room required to be ventilated; and</p> <p>(ii) open to -</p> <p>(A) a suitably sized court, or space open to the sky; or</p> <p>(B) an open verandah, carport, or the like; or</p> <p>(C) an adjoining room in accordance with F4.7.</p> <p>If natural ventilation is proposed to be provided to satisfy Clause F4.5, confirmation is to be provided from an mechanical engineer that the proposed building will be provided with ventilation that complies with the requirements of this clause. Detailed door and window schedule will be required to be provided with the application for a construction certificate.</p>	FI
F4.7 Ventilation borrowed from adjoining room	Ventilation may be borrowed from an adjoining room in accordance with the requirements of this Clause. Refer to Clause F4.6 above for confirmation from a mechanical engineer that the proposed building will be provided with ventilation that complies with the requirements of this clause.	Noted

Clause	Comment	Status
F4.8: Restriction on position of water closets and urinals	The rooms containing closet pan are not permitted to open directly into: (a) a kitchen or pantry; or (b) a public dining room or restaurant; or (c) a workplace normally occupied by more than one person.  In this regard the proposed floor plan is considered to comply.	Complies
<b>F4.9: Airlocks</b>	<b>The airlocks of the sanitary facilities are required to be provided with self-closing doors at all access doorways, Details are to be provided with the application for construction certificate.</b>	<b>FI</b>
F4.11: Carparks	The carpark is located externally.	N/A
F4.12: Kitchen local exhaust ventilation	No alterations are proposed to the kitchen area of the subject building.	N/A
<b>Part F5 – Sound Transmission and Insulation</b>		
F5.0: Deemed-to-Satisfy Provisions	Noted	Noted
F5.1: Application of Part	The requirements of this Part are applicable to the proposed Motel Rooms.	N/A
<b>F5.2: Determination of airborne sound insulation ratings</b>	<b>A form of construction required to have an airborne sound insulation rating must— (a) have the required value for weighted sound reduction index (Rw) or weighted sound reduction index with spectrum adaptation term (Rw + Ctr) determined in accordance with AS/NZS 1276.1 or ISO 717.1 using results from laboratory measurements; or (b) comply with Specification F5.2.  Specifications as to how the required sound ratings are achieved in compliance with these requirements are to be provided with the application for the Construction Certificate.</b>	<b>FI</b>
<b>F5.3: Determination of impact sound ratings</b>	<b>A wall in a building required to have an impact sound insulation rating for the Motel Rooms must be of discontinuous construction; and  For the purposes of this Part, discontinuous construction means a wall having a minimum 20 mm cavity between 2 separate leaves, and (i) for masonry, where wall ties are required to connect leaves, the ties are of the resilient type; and (ii) for other than masonry, there is no mechanical linkage between leaves except at the periphery.  Specifications and details as to how the required sound ratings are achieved in compliance with these requirements are to be provided with the application for the Construction Certificate.</b>	<b>FI</b>
F5.4: Sound insulation rating of floors	There are no floors in the building that separate sole occupancy units from other units or from other spaces.	N/A

Clause	Comment	Status
F5.5: Sound insulation rating of walls	<p>A wall in the Motel Rooms part of the building must—</p> <ul style="list-style-type: none"> <li>(i) have an <math>R_w + C_{tr}</math> (airborne) not less than 50, where it separates Motel Rooms; and</li> <li>(ii) have an <math>R_w</math> (airborne) not less than 50, where it separates Motel Room from a public corridor, public lobby or the like, or parts of a different classification; and</li> <li>(iii) comply with F5.3(b) for impact sound ratings where it separates— <ul style="list-style-type: none"> <li>(A) a bathroom, sanitary compartment, laundry or kitchen in one Motel Room from a Bedroom in an adjoining unit.</li> </ul> </li> </ul> <p>A door may be incorporated in a wall in a Class 2 or 3 building that separates a sole-occupancy unit from a stairway, public corridor, public lobby or the like, provided the door assembly has an <math>R_w</math> not less than 30.</p> <p>Where a wall required to have sound insulation has a roof above, the wall must continue to—</p> <ul style="list-style-type: none"> <li>(i) the underside of the roof above; or</li> <li>(ii) a ceiling that provides the sound insulation required for the wall.</li> </ul> <p>Detailed plans and specifications are required to be provided at the time of the Construction Certificate application demonstrating compliance with the requirements of this clause.</p> <p><b>NOTE:</b> Under the provisions of this clause a window is not noted as being permitted in the wall of a Motel Room that adjoins a Public Corridor such as the external corridor adjoining Proposed Unit 5. As such either a Performance Solution demonstrating that compliance can be achieved with the relevant Performance Requirements will be required at the time of the Construction Certificate application or the proposed windows in the southern wall of proposed Unit 5 are to be deleted.</p>	DNC
F5.6: Sound insulation rating of services	<p>If a duct, soil, waste or water supply pipe, including a duct or pipe that is located in a wall or floor cavity, serves or passes through more than one sole-occupancy unit, the duct or pipe must be separated from the rooms of any sole-occupancy unit by construction with an <math>R_w + C_{tr}</math> (airborne) not less than—</p> <ul style="list-style-type: none"> <li>(i) 40 if the adjacent room is a habitable room (other than a kitchen); or</li> <li>(ii) 25 if the adjacent room is a kitchen or non-habitable room.</li> </ul> <p>If a storm water pipe passes through a sole-occupancy unit it must be separated in accordance with (i) and (ii).</p> <p>Detailed plans and specifications are required to be provided at the time of the Construction Certificate application demonstrating compliance with the requirements of this clause.</p>	FI
F5.7: Sound isolation of pumps	<p>A flexible coupling must be used at the point of connection between the service pipes in a building and any circulating or other pump.</p>	FI

Clause	Comment	Status
	Detailed plans and specifications are required to be provided at the time of the Construction Certificate application demonstrating compliance with the requirements of this clause if applicable.	
<b>SECTION G: ANCILLARY PROVISIONS</b>		
<b>Part G1 – Minor Structures and Components</b>		
G1.0: Deemed-to-Satisfy Provisions	Noted	Noted
G1.1: Swimming Pools	There are no swimming pools proposed within the subject development.	N/A
G1.2: Refrigerated chambers, strong rooms and vaults	<p><b>A refrigerated or cooling chamber, strongroom or vault which is of sufficient size for a person to enter must have—</b></p> <ul style="list-style-type: none"> <li>(i) a door which is capable of being opened by hand from inside without a key; and</li> <li>(ii) internal lighting controlled only by a switch which is located adjacent to the entrance doorway inside the chamber, strongroom or vault; and</li> <li>(iii) an indicator lamp positioned outside the chamber, strongroom or vault which is illuminated when the interior lights required by (a)(ii) are switched on; and</li> <li>(iv) an alarm that is— <ul style="list-style-type: none"> <li>(A) located outside but controllable only from within the chamber, strongroom or vault; and</li> <li>(B) able to achieve a sound pressure level outside the chamber, strongroom or vault of 90 dB(A) when measured 3 m from the sounding device.</li> </ul> </li> </ul> <p><b>A door required by (i) in a refrigerated or cooling chamber must have a doorway with a clear width of not less than 600 mm and a clear height not less than 1.5 m.</b></p> <p><b>Detailed specifications on achieving compliance with the requirements of Clause F2.5 are to be provided with the plans submitted with the application for the Construction Certificate.</b></p>	FI
G1.3: Outdoor play spaces	The requirements of this Clause are not applicable.	N/A
NSW G1.101: Provision for cleaning windows	The building contains a rise in storeys of 1.	N/A
<b>Part G2 – Heating Appliances, Fireplaces, Chimneys and Flues</b>		
G2.0: Deemed-to-Satisfy Provisions	Noted	
G2.1: ****	This clause has deliberately been left blank.	-
G2.2: Installation of appliances	No boilers or domestic solid-fuel burning appliances are shown on the plans.	N/A
G2.3: Open fireplaces	There are no open fire places proposed within the subject building.	N/A

Clause	Comment	Status
G2.4: Incinerator rooms	There is no incinerator proposed within the subject building.	N/A
<b>Part G3 – Atrium Construction</b>		
G3.1: Atriums affected by this Part	The void for services area connects two storeys only and therefore the provisions of atriums are not applicable to the subject building.	N/A
G3.2: Dimensions of atrium well	N/A	N/A
G3.3: Separation of atrium by bounding walls	N/A	N/A
G3.4: Construction of bounding walls	N/A	N/A
G3.5: Construction of balconies	N/A	N/A
G3.6: Separation at roof	N/A	N/A
G3.7: Means of egress	N/A	N/A
G3.8: Fire and smoke control systems	N/A	N/A
<b>Part G4 – Construction in Alpine Areas</b>		
G4.0: Deemed-to-Satisfy Provisions	Noted	Noted
G4.1: Application of part	The requirements of this Part are not applicable as the building is not located in an Alpine Area.	N/A
G4.2: ****	This clause has been deliberately left blank.	-
G4.3: External doorways	N/A	N/A
G4.4: Emergency lighting	N/A	N/A
G4.5: External ramps	N/A	N/A
G4.6: Discharge of exits	N/A	N/A
G4.7: External trafficable surfaces	N/A	N/A
G4.8: Fire-fighting services and equipment	N/A	N/A



Clause	Comment	Status
G4.9: Fire orders	N/A	N/A
<b>Part G5 – Construction in Bushfire Prone Areas</b>		
G5.0: Deemed-to-Satisfy Provisions	Noted	Noted
G5.1: Application of part	This requirement of this Clause is not applicable to the building as it has been assumed not to be located within a Bushfire Hazard area.	N/A
G5.2: Protection	N/A	N/A
<b>SECTION H: SPECIAL USE BUILDINGS</b>		
<b>Part H1 – Class 9b Buildings</b>		
NSW H1.1: Application of Part	<p>The building is Class 9b however is not considered to be an entertainment venue therefore the provisions of NSW Part H101 do not apply in replacement of Part H1.</p> <p>For a building that is a Class 9b building that is not an entertainment venue the provisions of Part H1 apply to every enclosed Class 9b building or part of a building which—</p> <p>(A) is a school assembly, church or community hall with a stage and any backstage area with a total floor area of more than 300m<sup>2</sup>; or</p> <p>(B) otherwise, has a stage and any backstage area with a total floor area of more than 200m<sup>2</sup>; or</p> <p>(C) has a stage with an associated rigging loft.</p> <p>Notwithstanding the above —</p> <p>(A) H1.4 applies to every open or enclosed Class 9b building; and</p> <p>(B) H1.7 applies to every enclosed Class 9b building.</p> <p>As such in this instance H1.4 and H1.7 are applicable as the proposed building does not incorporate any stage or rigging loft.</p>	Noted
H1.2 Separation	N/A	N/A
H1.3 Proscenium construction wall	N/A	N/A
H1.4: Seating area	The function room areas do not incorporate a stepped or sloped floor and do not incorporate provision for fixed seating.	N/A
H1.5 Exits from stages	N/A	N/A
H1.6 Access to platforms and lofts	N/A	N/A
H1.7 Aisle lights	The function room areas do not incorporate a stepped or sloped floor.	N/A

Clause	Comment	Status
<b>Part H2 – Public Transport Buildings</b>		
H2.1 Application of this part	The subject building is not a public transport building.	Noted
H2.2 Accessways	N/A	N/A
<b>Part H3 – Farm Buildings and Farm Sheds</b>		
H3.1 Application of part	The subject building is not considered to be a farm building.	Noted
H3.2 Fire resistance and separation	N/A	N/A
H3.3 Provision for escape	N/A	N/A
H3.4 Construction of exits	N/A	N/A
H3.5 Fixed platforms, walkways, stairways and ladders	N/A	N/A
H3.6 Thresholds	N/A	N/A
H3.7 Swinging doors	N/A	N/A
H3.8 Fire fighting equipment	N/A	N/A
H3.9 Fire hydrants and water supplies	N/A	N/A
H3.10 Fire hose reels	N/A	N/A
H3.11 Portable fire extinguishers	N/A	N/A
H3.12 Emergency lighting requirements	N/A	N/A
H3.13 Exit signs	N/A	N/A
H3.14 Directional signs	N/A	N/A
H3.15 Design and operation of exit signs	N/A	N/A

Clause	Comment	Status
H3.16 Sanitary facilities	N/A	N/A
H3.17 Height of rooms and other spaces	N/A	N/A
H3.18 Artificial lighting	N/A	N/A
<b>SECTION I: *****</b>		
<b>Part I1 – *****</b>		
Instruction	Content of Part I1 has been removed.	
<b>Part I2 – *****</b>		
Instruction	Content of Part I2 has been removed.	
<b>SECTION J: ENERGY EFFICIENCY</b>		
<b>Part J0 – Energy Efficiency</b>		
<p><b>NSW Section J replaces the National Provisions in NSW.</b>  NSW Section J consists of two Subsections J(A) and J(B).  NSW Subsection J(A) applies to Class 2 buildings and Class 4 parts of buildings.  NSW Subsection J(B) applies to Class 3 and Class 5 to 9 buildings.  As such NSW Subsection J(B) is applicable to the proposed building which entails applying the national NCC as varied by the NSW Appendix as follows:  <b>NSW J(B)1 Compliance with NCC provisions</b>  Class 3 and Class 5 to 9 buildings must comply with all of the provisions of the national Section J that are applicable to the relevant classifications, except as varied by NSW J3.1 Application of Part.  <b>NSW J3.1 Application of Part</b>  (d) parts of buildings that cannot be fully enclosed.</p>		
<b>Part J0 – Energy Efficiency</b>		
J0.0: Deemed-to-Satisfy Provisions	Noted	
J0.1: Application of Part	<p>The following parts of Section J is applicable to the subject building-</p> <ul style="list-style-type: none"> <li>• Part J1 – Building fabric</li> <li>• Part J2 – Glazing</li> <li>• Part J3 – Building sealing</li> <li>• Part J5 – Air-conditioning and ventilation systems</li> <li>• Part J6 – Artificial lighting and power</li> <li>• Part J7 – Heated water supply and swimming pool and spa pool plant</li> <li>• Part J8 – Facilities for energy monitoring</li> </ul> <p>The conditioned space of the building has been assumed to be the area noted on the diagram below:</p>	Noted

Clause	Comment	Status
	<p>Architectural floor plan of the Bourke Abattoir showing a conditioned envelope in green. The plan includes rooms such as a bar, lounge, dining area, smoking area, staff room, and six units. A legend indicates that the green line represents the 'Conditioned Envelope'. Technical notes specify construction details for the deck, walls, and ceiling.</p>	
<p>J0.2: Heating and cooling loads of sole-occupancy units of a Class 2 building or a Class 4 part</p>	<p>The building is not Class 2 or 4.</p>	<p>N/A</p>
<p>J0.3: Ceiling fans</p>	<p>The building is not Class 2 or 4</p>	<p>N/A</p>
<p><b>Part J1 – Building Fabric</b></p>		
<p>J1.0: Deemed-to-Satisfy Provisions</p>	<p>Noted</p>	<p>Noted</p>
<p>J1.1: Application of Part</p>	<p>This part is applicable to the conditioned space of the subject building.</p>	<p>Noted</p>
<p>J1.2: Thermal construction general</p>	<p><b>Where required, insulation must comply with AS/NZS 4859.1 and be installed so that it –</b></p> <ul style="list-style-type: none"> <li><b>(i) abuts or overlaps adjoining insulation other than at supporting members such as studs, noggings, joists, furring channels and the like where the insulation must be against the member; and</b></li> <li><b>(ii) forms a continuous barrier with ceilings, walls, bulkheads, floors or the like that inherently contribute to the thermal barrier; and</b></li> <li><b>(iii) does not affect the safe or effective operation of a service or fitting.</b> <p><b>Where required, reflective insulation must be installed with –</b></p> </li></ul>	<p><b>FI</b></p>

Clause	Comment	Status
	<p>(i) the necessary airspace to achieve the required R-Value between a reflective side of the reflective insulation and a building lining or cladding; and</p> <p>(ii) the reflective insulation closely fitted against any penetration, door or window opening; and</p> <p>(iii) the reflective insulation adequately supported by framing members; and</p> <p>(iv) each adjoining sheet of roll membrane being –</p> <p style="padding-left: 20px;">(a) overlapped not less than 50 mm; or</p> <p style="padding-left: 20px;">(b) taped together.</p> <p>Where required, bulk insulation must be installed so that –</p> <p>(i) it maintains its position and thickness, other than where it is compressed between cladding and supporting members, water pipes, electrical cabling or the like; and</p> <p>(ii) in a ceiling, where there is no bulk insulation or reflective insulation in the wall beneath, it overlaps the wall by not less than 50 mm.</p> <p>Roof, ceiling, wall and floor materials, and associated surfaces are deemed to have the thermal properties listed in Specification J1.2.</p> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	
J1.3: Roof and ceiling construction	<p>A roof or ceiling that is part of the envelope must achieve the Total R-Value specified in Table J1.3a for the direction of heat flow.</p> <p>Where an area of a roof or ceiling cannot be insulated, the loss of insulation must be compensated for by increasing the R-Value of the insulation in the remainder of the ceiling in accordance with Table J1.3b.</p> <p>A roof that-</p> <p>(i) Is required to achieve a minimum Total R-Value; and</p> <p>(ii) Has metal sheet roofing fixed to metal purlins, metal rafters or metal battens; and</p> <p>(iii) Does not have a ceiling lining or has a ceiling lining fixed directly to those metal purlins, metal rafters or metal battens</p> <p>must have a thermal break, consisting of a material with an R-Value of not less than R0.2, installed between the metal sheet roofing and its supporting metal purlins, metal rafters or metal battens.</p> <p>According to the climate zone being 4, the minimum total R-Value that is to be achieved by the ceiling and roof of the building is dependent upon the roof colour of the building:</p> <ul style="list-style-type: none"> <li>• For a roof with a roof upper surface solar absorptance value of &lt;0.4: R3.2</li> <li>• For a roof with a roof upper surface solar absorptance value of &gt;0.4 but &lt;0.6: R3.7</li> <li>• For a roof with a roof upper surface solar absorptance value of &gt;0.6: R4.2</li> </ul> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	FI

Clause	Comment	Status
J1.4: Roof lights	<p>Roof lights must be installed in accordance with Clause J1.4.</p> <p>The total area of roof lights serving a room or space as a percentage of the floor area of the room or space must not exceed 5% unless required for compliance with Part F4.</p> <p>From the drawings provided there are no roof lights proposed within the conditioned space part of the building.</p>	N/A
J1.5: Walls	<p><b>Walls that form part of the buildings thermal envelope must be in accordance with Table J1.5a or Table J1.5b except as specified in Clause J1.5.</b></p> <p><b>A wall that-</b></p> <ul style="list-style-type: none"> <li>(i) Is required to achieve a minimum Total R-Value; and</li> <li>(ii) Has lightweight external cladding such as weatherboards, fibre cement or metal sheeting fixed to a metal frame; and</li> <li>(iii) Does not have a wall lining or has a wall lining that is fixed directly to the same metal frame;</li> </ul> <p><b>must have a thermal break, consisting of a material with an R-Value of not less than R0.2, installed between the external cladding and the metal frame.</b></p> <p><b>According to the climate zone being 4 the minimum total R-Value that is to be achieved by the external walls of the conditioned envelope is R2.8.</b></p> <p><b>According to the climate zone the minimum total R-Value that is to be achieved by any internal walls in the building envelope is R1.8.</b></p> <p><b>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</b></p>	FI
J1.6: Floors	Based on there being no in-slab heating system proposed and according to the climate zone the minimum total R-Value that is to be achieved by the ground floor slab is Nil.	N/A
<b>Part J2 – Glazing</b>		
J2.0: Deemed-to-Satisfy Provisions	Noted	Noted
J2.1: Application of Part	This part is applicable to the conditioned space of the subject building.	Noted
J2.2: Blank Clause	This clause has deliberately left blank.	-
J2.3: Blank Clause	This clause has deliberately left blank.	-
J2.4: Glazing	<p><b>Proposed glazing must be assessed separately on each storey in accordance with Clause J2.4(b) and (c) for-</b></p> <ul style="list-style-type: none"> <li>(i) Glazing in the external fabric facing each orientation; and</li> </ul>	FI

Clause	Comment	Status
	<p>(ii) Glazing with a P/H value of not less than 2 in the internal fabric using the south orientation sector energy constants in Table J2.4b and shading multipliers in Table J2.4c and Table J2.4d; and</p> <p>(iii) Glazing with a P/H value of less than 2 in the internal fabric as for glazing in the external fabric in accordance with glazing in the external fabric.</p> <p>The aggregate air-conditioning energy value attributable to the glazing must not exceed the allowable obtained by multiplying the facade area that is exposed to the conditioned space for the orientation by the energy index in Table J2.4a.</p> <p>A glazing calculator to determine the aggregate air-conditioning energy value can be utilised and submitted with the application for construction certificate.</p>	
J2.5: Shading	<p>Where shading is required to comply with J2.4, it must-</p> <p>(a) Be provided by an external permanent projection, such as a verandah, balcony, fixed canopy, eaves or shading hood, which-</p> <p>i. Extends horizontally on both sides of the glazing for the same projection distance P in Figure J2.4 (<i>Refer to BCA 2016</i>); or</p> <p>ii. Provides the equivalent shading to (i) with a reveal or the like; or</p> <p>(b) Be provided by an external shading device, such as a shutter, blind, vertical or horizontal building screen with blades, battens or slats, which-</p> <p>i. Is capable of restricting at least 80% of summer solar radiation; and</p> <p>ii. If adjustable, is operated automatically in response to the level of solar radiation.</p>	Noted
<b>Part J3 – Building Sealing</b>		
J3.0: Deemed-to-Satisfy Provisions	Noted	Noted
J3.1: Application of Part	This part is applicable to the conditioned space of the subject building.	Noted
J3.2: Chimneys and flues	There are no chimneys or flues proposed within the conditioned part of the building.	N/A
J3.3: Roof lights	There are no roof lights proposed within the conditioned part of the building.	N/A
J3.4: Windows and doors	<p>A seal to restrict air infiltration must be fitted to each edge of an external door, openable external window or the like forming part of the building envelope of the conditioned space.</p> <p>Windows complying with AS2047-2014 are deemed to comply with the requirements of this clause.</p> <p>All entrances to the building must be provided with self-closing doors.</p>	FI



Clause	Comment	Status
	<p>The proposed openable walls between the building and the Alfresco Dining and Outdoor Lounge areas are required to be adjacent to a 3m deep un-conditioned zone between the entrance and the conditioned part of the building.</p> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	
J3.5: Exhaust fans	<p>A miscellaneous exhaust fan such as those in the proposed bathrooms must be fitted with a sealing device such as a self-closing damper or the like when serving a conditioned space.</p> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	FI
J3.6: Construction of roofs, walls and floors	<p>Construction of roofs, walls, floors and any openings must be constructed to minimise air leakage in accordance with Clause J3.6 (b) when it forms part of the building envelope or the external fabric of a habitable room or public area.</p> <p>Construction required by the above must be enclosed by internal lining systems that are close fitting at ceiling, wall and floor junctions or sealed by caulking, skirting, architraves, cornices or the like.</p> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	FI
J3.7: Evaporative coolers	<p>If applicable an evaporative cooler must be fitted with a self-closing damper or the like when serving a heated space; or a habitable room or a public area of the building.</p> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	FI
<b>Part J4 – Blank Part.</b>		
<b>Part J5 – Air-Conditioning and Ventilation Systems</b>		
J5.0: Deemed-to-Satisfy Provisions	Noted	Noted
J5.1: Application of part	This part is applicable to the conditioned space of the subject building.	Noted
J5.2: Air-conditioning systems	<p>An air-conditioning system must comply with the requirements of Clause J5.2 and Specification J5.2.</p> <p>Air-conditioning systems must be capable of being deactivated with the building or part of a building served by that system is not occupied.</p> <p>Design documentation and design certification is to be provided from the Mechanical Engineer prior to its installation that details that the installation is to comply with NCC 2016 Part J5.</p> <p>A time switch in accordance with Specification J6 must be provided to control each of the following-</p>	FI

Clause	Comment	Status
	<p>(i) An air-conditioning system of more than 10kW<sub>r</sub>.</p> <p>(ii) A ventilation system with an air flow rate of more than 1000L/s.</p> <p>(iii) A heating system of more than 10kW heating.</p> <p>A design certificate from a suitably qualified person specifying compliance with the requirements of J5.2 is to be submitted with the application for construction certificate.</p>	
J5.3: Mechanical ventilation systems	<p>A mechanical ventilation system must comply with the requirements of Clause J5.3 and Specification J5.2.</p> <p>Design documentation and design certification is to be provided from the Mechanical Engineer prior to its installation that details that the installation is to comply with NCC 2016 Part J5.</p> <p>A time switch in accordance with Specification J6 must be provided to control each of the following-</p> <p>(i) An air-conditioning system of more than 10kW<sub>r</sub>.</p> <p>(ii) A ventilation system with an air flow rate of more than 1000L/s.</p> <p>(iii) A heating system of more than 10kW heating.</p> <p>The requirements for a time switch do not apply to the individual motel rooms.</p> <p>A design certificate from a suitably qualified person specifying compliance with the requirements of J5.3 is to be submitted with the application for construction certificate.</p>	FI
J5.4: Miscellaneous exhaust systems	<p>A miscellaneous exhaust system with an air flow rate of more than 1000L/s, that is associated with equipment having a variable demand such as a stove in a commercial kitchen or a chemical bath in factory, must-</p> <p>(i) Have the means for the operator to-</p> <ol style="list-style-type: none"> <li>Reduce the energy used, such as by a variable speed fan, and</li> <li>Stop the motor when the system is not needed; and</li> </ol> <p>Be designed to minimise the exhausting of conditioned air.</p> <p>A design certificate from a suitably qualified person specifying compliance with the requirements of J5.4 if applicable is to be submitted with the application for construction certificate.</p>	FI
<b>Part J6 – Artificial Lighting and Power</b>		
J6.0: Deemed-to-Satisfy Provisions	Noted	Noted
J6.1: Application of Part	This part is applicable to the whole of the subject building.	Noted
J6.2: Artificial lighting	<p>The Illumination Power Densities permitted for the different spaces within the building are as follows:</p> <ul style="list-style-type: none"> <li>Within the Motel Rooms : 5W/m<sup>2</sup></li> <li>Function Rooms: 10 W/m<sup>2</sup></li> </ul>	FI

Clause	Comment	Status
	<ul style="list-style-type: none"> <li>• Dining area and Lounge Areas: 18 W/m<sup>2</sup></li> <li>• Bathrooms: 6 W/m<sup>2</sup></li> <li>• Storerooms: 8 W/m<sup>2</sup></li> </ul> <p>These allowances may be increased where control devices such as occupant sensors are installed.</p> <p>Design documentation and design certification is required to be provided from the Electrical Engineer prior to its installation that states that the lighting within the building complies with NCC 2016 Part J6.</p>	
<p><b>J6.3: Interior artificial lighting and power control</b></p>	<p>(a) Artificial lighting of a room or space must be individually operated by a switch or other control device.</p> <p>(b) An occupant activated device, such as a room security device, a motion detector in accordance with Specification J6, or the like, must be provided in the Motel Rooms, other than where providing accommodation for people with a disability or the aged, to cut power to the artificial lighting, air-conditioner, local exhaust fans and bathroom heater when the sole-occupancy unit is unoccupied.</p> <p>(c) An artificial lighting switch or other control device in (a) must—</p> <p>(i) if an artificial lighting switch, be located in a visible position—</p> <p style="padding-left: 40px;">(A) in the room or space being switched; or</p> <p style="padding-left: 40px;">(B) in an adjacent room or space from where the lighting being switched is visible; and</p> <p>(ii) for other than a single functional space such as an auditorium, theatre, swimming pool, sporting stadium or warehouse—</p> <p style="padding-left: 40px;">(A) not operate lighting for an area of more than 250 m<sup>2</sup> if in a Class 5 building or a Class 8 laboratory; or</p> <p style="padding-left: 40px;">(B) not operate lighting for an area of more than—</p> <p style="padding-left: 80px;">(aa) 250 m<sup>2</sup> for a space of not more than 2000 m<sup>2</sup>; or</p> <p style="padding-left: 80px;">(bb) 1000 m<sup>2</sup> for a space of more than 2000 m<sup>2</sup>,</p> <p style="padding-left: 40px;">if in a Class 3, 6, 7, 8 (other than a laboratory) or 9 building.</p> <p>(d) 95% of the light fittings in the building, other than in the Motel Rooms, must be controlled by—</p> <p>(i) a time switch in accordance with Specification J6; or</p> <p>(ii) an occupant sensing device such as—</p> <p style="padding-left: 40px;">(A) a security key card reader that registers a person entering and leaving the building; or</p> <p style="padding-left: 40px;">(B) a motion detector in accordance with Specification J6.</p> <p>Design documentation and design certification is required to be provided from the Electrical Engineer prior to its installation that states that the lighting within the building complies with NCC 2016 Part J6.</p>	<p><b>FI</b></p>
<p><b>J6.4: Interior decorative and display lighting</b></p>	<p>(a) Interior decorative and display lighting, such as for a foyer mural or art display, must be controlled—</p> <p>(i) separately from other artificial lighting; and</p> <p>(ii) by a manual switch for each area other than when the operating times of the displays are the same in a number of areas such as in a museum, art gallery or the like, in which case they may be combined; and</p> <p>(iii) by a time switch in accordance with Specification J6 where the display lighting exceeds 1 kW.</p> <p>(b) Window display lighting must be controlled separately from other display lighting.</p>	<p><b>FI</b></p>

Clause	Comment	Status
	Design documentation and design certification is required to be provided from the Electrical Engineer prior to its installation that states that the lighting within the building complies with NCC 2016 Part J6.	
J6.5: Artificial lighting around the perimeter of a building	<p>(a) Artificial lighting around the perimeter of a building, must—</p> <p>(i) be controlled by—</p> <p>(A) a daylight sensor; or</p> <p>(B) a time switch that is capable of switching on and off electric power to the system at variable pre-programmed times and on variable pre-programmed days; and</p> <p>(ii) when the total perimeter lighting load exceeds 100 W—</p> <p>(A) have an average light source efficacy of not less than 60 Lumens/W; or</p> <p>(B) be controlled by a motion detector in accordance with Specification J6; and</p> <p>(iii) when used for decorative purposes, such as facade lighting or signage lighting, have a separate time switch in accordance with Specification J6.</p> <p>Design documentation and design certification is required to be provided from the Electrical Engineer prior to its installation that states that the lighting within the building complies with NCC 2016 Part J6.</p>	FI
J6.6: Boiling water and chilled water storage units	<p>Power supply to a boiling water or chilled water storage unit must be controlled by a time switch in accordance with Specification J6.</p> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	FI
<b>Part J7 – Heated Water Supply and Swimming Pool and Spa Pool Plant</b>		
J7.0: Deemed-to-Satisfy Provisions	Noted	Noted
J7.1: ****	This clause has deliberately left blank.	-
J7.2: Heated water supply	<p>Heated water systems are required to comply with Part B2 of the NCC Volume Three – Plumbing Code of Australia which references AS/NZS 3500.4-2015 within the NSW Variation to this Part.</p> <p>Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</p>	FI
J7.3: Swimming pool heating and pumping	A swimming pool is not proposed as part of the development.	N/A
J7.4: Spa pool heating and pumping	A spa pool is not proposed as part of the development.	N/A
<b>Part J8 – Access for Maintenance and Facilities for Monitoring</b>		
J8.0: Deemed-to-Satisfy Provisions	Noted	Noted

Clause	Comment	Status
J8.1: Application of Part	This part is applicable to the subject building.	Noted
J8.2: ****	This clause has been deliberately left blank.	-
<b>J8.3: Facilities for energy monitoring</b>	<b>The building must have a facility to record the consumption of gas and electricity as it has a floor area of more than 500m<sup>2</sup>. Detailed specifications will need to be provided on the plans to demonstrate compliance with this clause and the above requirements.</b>	<b>FI</b>

### 13. Appendix C – Detailed Clause by Clause Premises Standards for Buildings Assessment

The abbreviations outlined below have been used in the following table:

<b>N/A</b>	-	Not Applicable. (The DTS clause does not apply to the building)
<b>Complies</b>	-	The building complies with the relevant DTS provision.
<b>FI</b>	-	Further Information is necessary to establish whether the building complies with the relevant DTS provision.
<b>DNC</b>	-	Does Not Comply.
<b>Noted</b>	-	Clause is administrative information only.
<b>Not Specified</b>	-	Compliance with the requirements of this clause is unable to be determined from the documentation.
<b>D&amp;C</b>		Design certification is to be provided for these services prior to installation.
<b>OC Stage</b>	-	This notation indicates that this is a matter to be dealt with prior to the Occupation Certificate being issued.

#### Affected Part

New building work is required to comply with the requirements of the NCC and Premises Standards. Unlike the NCC, the Premises Standards also apply to a specified path of travel in an existing building (the 'affected part') and require a mandatory upgrade where that part does not comply with the Premises Standards. In this regard the Affected Part includes the principal entrance to the building and the path of travel from this entrance to all proposed new and altered areas.

In this regard detailed plans are to be provided with the Construction Certificate application that demonstrate how compliant access for people with disabilities will be provided through the existing entrance and to the new parts of the building.

<b>SCHEDULE 1 – ACCESS CODE FOR BUILDINGS</b>		
<b>Part D – Access and Egress</b>		
D3.0: Deemed-to-Satisfy Provisions	The DTS provisions of this part are applicable to the subject building.	-
D3.1: General Building Access Requirements	See NCC Assessment.	FI
D3.2: Access to Buildings	See NCC Assessment.	FI
D3.3: Parts of Buildings to be Accessible	See NCC Assessment	FI
D3.4: Exemptions	See NCC Assessment	FI
D3.5: Accessible Carparking	See NCC Assessment.	FI

<b>D3.6: Signage</b>	<b>See NCC Assessment.</b>	<b>FI</b>
<b>D3.7: Hearing Augmentation</b>	<b>See NCC Assessment.</b>	<b>FI</b>
<b>D3.8: Tactile Indicators</b>	<b>See NCC Assessment</b>	<b>FI</b>
D3.9: Wheelchair Seating Spaces in Class 9b Assembly Buildings	See NCC Assessment	N/A
D3.10: Swimming Pools	See NCC Assessment	N/A
D3.11: Ramps	See NCC Assessment.	Complies
<b>D3.12: Glazing</b>	<b>See NCC Assessment.</b>	<b>FI</b>
<b>Part D4 – Braille &amp; Tactile Signs</b>		
D4.1: Scope	The DTS provisions of this part are applicable to the subject building.	-
<b>D4.2: Location of Braille &amp; Tactile Signs</b>	<p><b>Signs including symbols, numbering and lettering must be designed and installed as follows:</b></p> <p>(a) Braille and tactile components of a sign must be located not less than 1200mm and not higher than 1600mm above the floor or ground surface;</p> <p>(b) Signs with single lines of characters must have the line of tactile characters not less than 1250mm and not more than 1350mm above the floor or ground surface;</p> <p>(c) Signs identifying rooms containing features or facilities listed in clause D3.6 must be located:</p> <p>(d) On the wall on the latch side of the door with the leading edge of the sign located between 50mm and 300mm from the architrave, and</p> <p>Where (i) is not possible, the sign may be placed on the door itself.</p> <p><b>Detailed specifications required to demonstrate compliance.</b></p>	<b>FI</b>
<b>D4.3: Braille &amp; Tactile Sign Specification</b>	<ol style="list-style-type: none"> <li>1. Tactile characters must be raised or embossed to a height of not less than 1mm and not more than 1.5mm.</li> <li>2. Sentence case (upper case for the first letter of each main word and lower case for all other letters) must be used for all tactile characters; and <ol style="list-style-type: none"> <li>(i) Upper case tactile characters must have a height of not less than 15mm and not more than 55mm; and</li> <li>(ii) Lower case tactile characters must have a height of 50% of the related upper case characters.</li> </ol> </li> <li>3. Tactile characters, symbols and the like, must have rounded edges.</li> <li>4. The entire sign, including any frame, must have all edges rounded.</li> <li>5. The background, negative space or fill of signs must be of matt or low sheen finish.</li> <li>6. The characters, symbols, logos and other features on signs must be matt or low sheen finish.</li> <li>7. The minimum letter spacing of tactile characters on signs must be 2mm.</li> </ol>	<b>FI</b>



	<p>8. The minimum word spacing of tactile characters on signs must be 10mm.</p> <p>9. The thickness of letter strokes must be not less than 2mm and not more than 7mm.</p> <p>10. Tactile text must be left justified, except with single words may be centre justified.</p> <p>11. Tactile text must be Arial typeface.</p> <p>Detailed specifications required to demonstrate compliance.</p>	
D4.4: Luminance Contrast	<p>The following apply to luminance contrast:</p> <p>(a) The background, negative space, fill of a sign or border with a minimum width of 5mm must have a luminance contrast with the surface on which it is mounted of not less than 30%;</p> <p>(b) Tactile characters, icons and symbols must have a minimum luminance contrast of 30% to the surface on which the characters are mounted;</p> <p>Luminance contrasts must be met under the lighting conditions in which the sign is to be located.</p> <p>Detailed specifications required to demonstrate compliance.</p>	FI
D4.5: Lighting	<p>Braille and tactile signs must be illuminated to ensure luminance contrast requirements are met at all times during which the sign is required to be read.</p> <p>Detailed specifications required to demonstrate compliance.</p>	FI
D4.6: Braille	<p>The following applies to braille:</p> <p>(a) Braille must be grade 1 braille (uncontracted) in accordance with the criteria set out by the Australian Braille Authority;</p> <p>(b) Braille must be raised and domed;</p> <p>(c) Braille must be located 8mm below the bottom line of text (not including descenders);</p> <p>(d) Braille must be left justified;</p> <p>(e) Where an arrow is used in the tactile sign, a solid arrow must be provided for braille readers;</p> <p>On signs with multiple lines of texts and characters, a semicircular braille locator at the left margin must be horizontally aligned with the first line of braille text.</p> <p>Detailed specifications required to demonstrate compliance.</p>	FI
<b>Part D5 – Accessible Water Entry / Exit for Swimming Pools</b>		
N/A		
<b>Part E3 – Lift Installations</b>		
E3.0: Deemed-to-Satisfy Provisions	See NCC Assessment	N/A
E3.6: Passenger lifts	See NCC Assessment	N/A
<b>Part F2 – Sanitary and Other Facilities</b>		

F2.0: Deemed-to-Satisfy Provisions	Noted	Noted
F2.2: Calculation of number of occupants and fixtures	See NCC Assessment.	Noted
<b>F2.4: Accessible sanitary facilities</b>	<b>See NCC Assessment</b>	<b>FI</b>
<b>Part H2 – Public Transport Buildings</b>		
N/A		

## 14. Appendix D – Statutory Fire Safety Measures

The following comprises a Preliminary Schedule of Statutory Fire Safety Measures that are seen as required (likely to be required) to be installed in the proposed building. There are a number of measures that are listed that are alternatives to each other and not all measures may be required to be installed depending upon the choices made in the type of systems to use.

Item No.	Existing Fire Safety Measures	Standard of Performance	Location
1	Automatic fire detection and alarm systems	Specification E2.2a of NCC 2016, and AS 1670.1 – 2004.	Motel Rooms
2	Emergency lighting	E4.4 of BCA 2016; AS 2293.1 - 2005	Throughout Restaurant & Function Rooms.
3	Exit signs	E4.8 of BCA 2016; AS 2293.1 – 2005 <u>or</u> Specification E4.8	Above Exit Doors
4	Directional Exit signs	E4.8 of BCA 2016; AS 2293.1 - 2005	Directing along paths of travel and above doors in path of travel to Exits.
5	Lightweight construction	Clause A2.3, Specification C1.8 of NCC 2016 and AS 1530.4-2005.	Fire Rated Walls
6	Fire doors	Clause C3.4 and specification C3.4 of NCC 2016 and AS 1905.1 – 2005.	Storerooms
7	Fire hose reel system	Clause E1.4 of NCC 2016 and AS 2441-2005	Locations to be Confirmed in Hydraulic Designs
8	Fire hydrant system	Clause E1.3 of NCC 2016 and AS 2419.1-2005	Locations to be Confirmed in Hydraulic Designs
9	Fire resistant sealing systems	AS 4072.1 – 1992; the fire stopping material provides the required fire resistance rating and effective seal between the fire resistant elements whilst allowing relative movement between such elements without cracking, splitting or adhesion failure.	Penetrations through wall requiring an FRL.
10	Protection of Openings for Service Penetrations	Specification C3.15 of NCC 2016	Penetrations through wall requiring an FRL.
11	Mechanical air handling systems	Clause C3.15 of NCC 2016 and AS 1668.1 – 2015;	Throughout Restaurant & Function Rooms.
12	Paths of Travel to Required Exits	D1.6 of NCC 2016; Clauses 186 of EP&A Reg. 2000.	Paths of travel to required exits.
13	Portable Fire Extinguishers	E1.6 of NCC 2016; AS 2444 - 2001	TBC
14	Required exit doors	D2.20 and D2.21 of NCC 2016, Clauses 184-185 of EP&A Reg. 2000.	Required exit doors.
15	Automatic Shut-down of Air-Handling/Conditioning Systems	NSW E2.2b of NCC 2016	Throughout Restaurant & Function Rooms.
16	Smoke detectors and heat detectors	Clause E2.2 & Specification E2.2a of NCC 2016 and AS 1603.2 – 1997; AS 1603.1 – 1997;	Throughout.

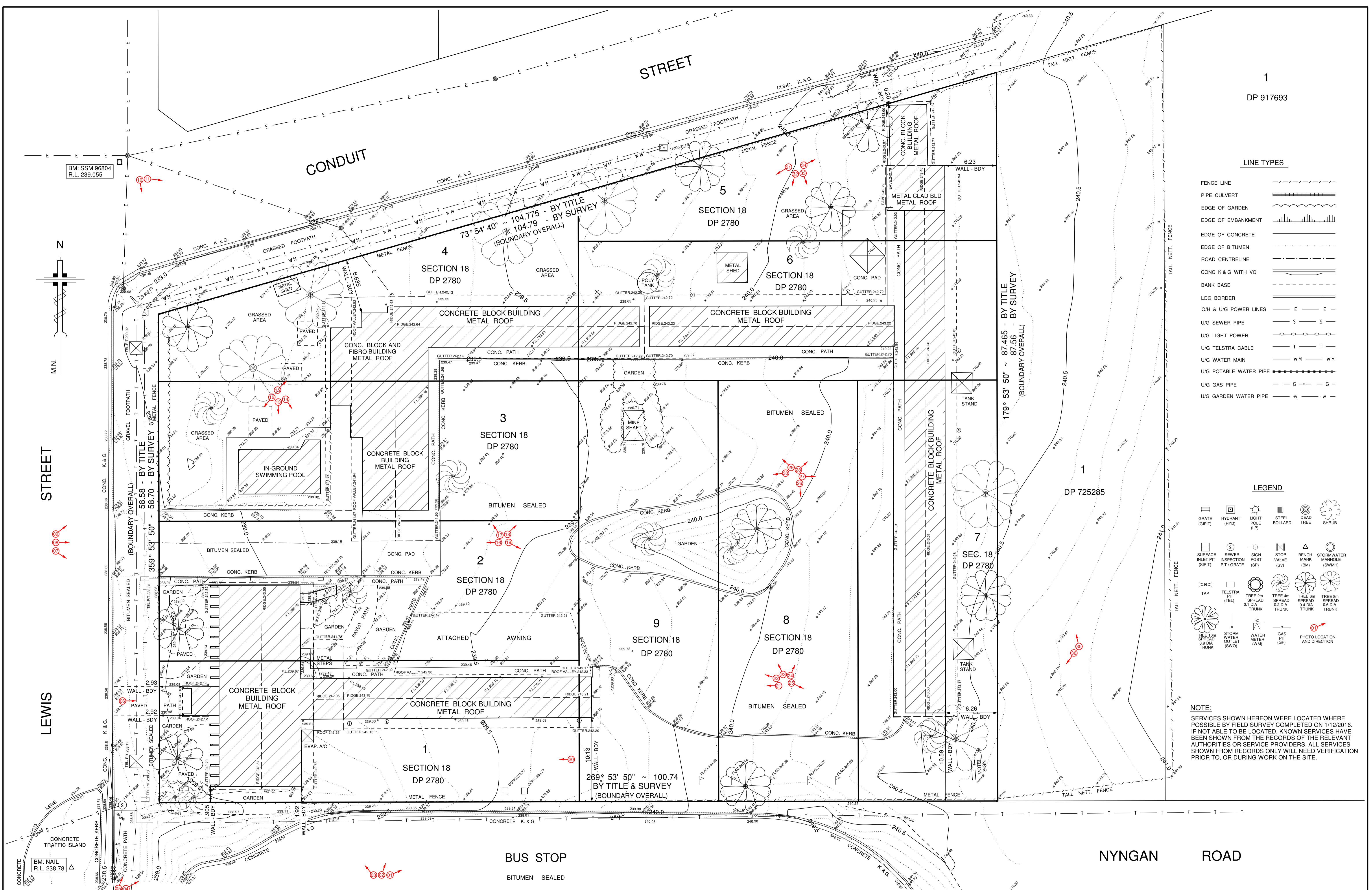
17	Sprinkler System	NSW H101.4 of NCC 2016 and AS2118.1-1999	Throughout the Building.
18	Building Occupant Warning System	NSW H101.4 and Clause 6 of Specification E2.2a of the BCA 2016	Throughout the Building.
19	Emergency Warning & Intercommunication System	E4.9 of NCC 2016 and AS1670.4-2015	Throughout
20a	Automatic Smoke Exhaust System	Specification E2.2b of NCC 2016	Throughout Restaurant & Function Rooms.
20b	Automatic Smoke & Heat Vents	Specification E2.2c of NCC 2016	Throughout Restaurant & Function Rooms.

# Appendix No. 5

Proposed Development Plans

- Survey Plan
- Architectural Plans





1  
DP 917693

LINE TYPES

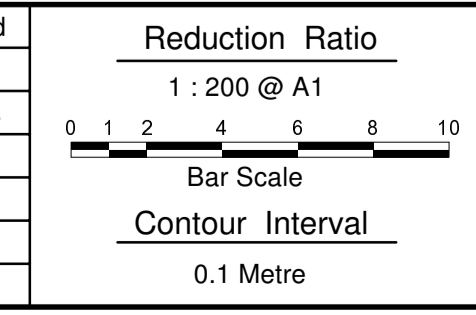
- FENCE LINE
- PIPE CULVERT
- EDGE OF GARDEN
- EDGE OF EMBANKMENT
- EDGE OF CONCRETE
- EDGE OF BITUMEN
- ROAD CENTRELINE
- CONC K & G WITH VC
- BANK BASE
- LOG BORDER
- OH & U/G POWER LINES
- U/G SEWER PIPE
- U/G LIGHT POWER
- U/G TELSTRA CABLE
- U/G WATER MAIN
- U/G POTABLE WATER PIPE
- U/G GAS PIPE
- U/G GARDEN WATER PIPE

LEGEND

- GRATE (GIPIT)
- HYDRANT (HYD)
- LIGHT POLE (LP)
- STEEL BOLLARD
- DEAD TREE
- SHRUB
- SURFACE INLET FIT (SIFIT)
- SEWER INSPECTION PIT / GRATE
- SIGN POST (SP)
- STOP VALVE (SV)
- BENCH MARK (BM)
- STORMWATER MANHOLE (SWMH)
- TAP
- TELSTRA PIT (TEL)
- TREE 2m SPREAD 0.1 DIA TRUNK
- TREE 4m SPREAD 0.2 DIA TRUNK
- TREE 6m SPREAD 0.4 DIA TRUNK
- TREE 8m SPREAD 0.6 DIA TRUNK
- TREE SPREAD 0.8 DIA TRUNK
- STORM WATER OUTLET (SWO)
- WATER METER (WM)
- GAS PIT (GP)
- PHOTO LOCATION AND DIRECTION

NOTE:  
SERVICES SHOWN HEREON WERE LOCATED WHERE POSSIBLE BY FIELD SURVEY COMPLETED ON 11/12/2016. IF NOT ABLE TO BE LOCATED, KNOWN SERVICES HAVE BEEN SHOWN FROM THE RECORDS OF THE RELEVANT AUTHORITIES OR SERVICE PROVIDERS. ALL SERVICES SHOWN FROM RECORDS ONLY WILL NEED VERIFICATION PRIOR TO, OR DURING WORK ON THE SITE.

No.	Date	Amendments	App'd
1	8.12.2016	First Issue	
2	8.12.2016	BOUNDARY OFFSETS & PHOTOS	M.C.



Survey	M.C. & B.P.	Checked	Job File
Date	1.12.2016	Date	S:\2016\16-312
Drawn	M.C.	Datum	Drawing File
Date	8.12.2016	SSM 58643	S:\16-312\DWG 16-312_01
		R.L. 237.189 (A.H.D.)	

This drawing and its contents are subject to return on demand and may not be copied or disclosed to any third party or used directly or indirectly for any purpose other than as determined in writing by Imrie, Astley & Associates.

**CURTIN RAISER Pty Ltd**  
1st Floor, 64 Talbragar Street, Dubbo NSW 2830 P. O. Box 1274

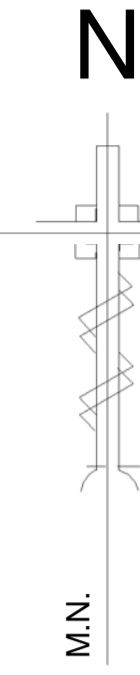
**Imrie, Astley & Associates**  
Land & Engineering Surveyors

G. S. Astley B. Surv.  
Surveyor Registered Under The Surveying And Spatial Information Act 2002

PLAN SHOWING BUILDINGS, IMPROVEMENTS, VISIBLE SERVICES AND LEVELS OVER LOTS 1-9, SECTION 18 IN DP 2780 COPPER CITY MOTEL - 40 LEWIS STREET, COBAR			
Phone (02) 6882-4833	Job No. 16 / 312	Sheet No. 1	Drawing No. DWG 16-312_01
Fax (02) 6884-2447	No. of Sheets 1	Revision 2	
Email laa@astley.com.au			



CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK. FIGURED DIMENSIONS TO TAKE PREFERENCE TO SCALING. THIS DRAWING IS NOT TO BE COPIED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION.



LEWIS STREET

REMOVE EXISTING TREE SHOWN DOTTED

REMOVE EXISTING TREES SHOWN DOTTED

CONCRETE TRAFFIC ISLAND

1

**SITE ANALYSIS / ROOF PLAN**  
1 : 200

BM: SSM 96804  
R.L. 239.055

(BOUNDARY OVERALL)  
359° 53' 50" ~ 58.58 - BY TITLE  
58.70 - BY SURVEY  
K. & G.

CONDUIT

STREET

73° 54' 40" ~ 104.775 - BY TITLE  
104.79 - BY SURVEY  
(BOUNDARY OVERALL)

SECTION 18  
DP 2780

SECTION 18  
DP 2780

SECTION 18  
DP 2780

SECTION 18  
DP 2780

SECTION 18  
DP 2780

SECTION 18  
DP 2780

SECTION 18  
DP 2780

SECTION 18  
DP 2780

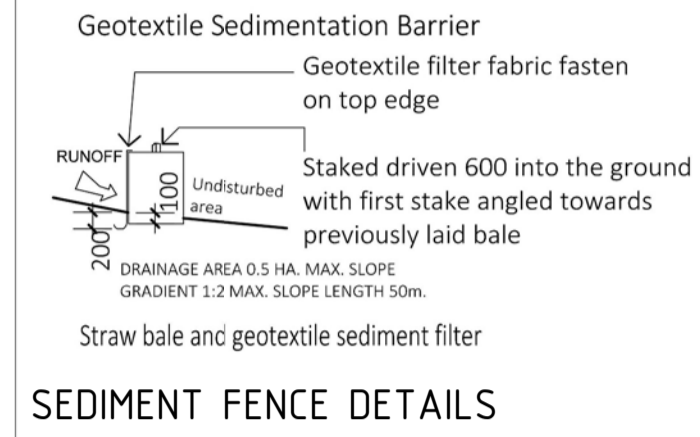
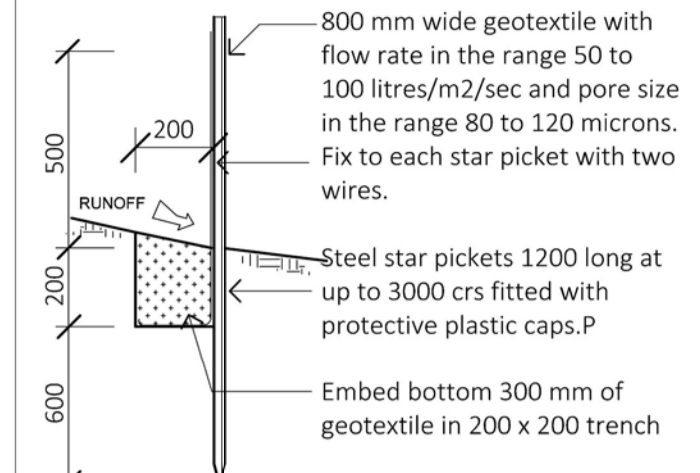
SECTION 18  
DP 2780

1  
DP 725285

269° 53' 50" ~ 100.74  
BY TITLE & SURVEY  
(BOUNDARY OVERALL)

BUS STOP

BITUMEN SEALED



SEDIMENT FENCE DETAILS

NOTE: STORMWATER TO BE CONNECTED TO EXISTING STORMWATER DISPOSAL SYSTEM

*Regency Design Centre*  
ACADEMY DESIGN & DRAFTING  
REGISTRY: 02 8824 3755 ACADEMY: 02 8824 3855

PROJECT:  
PROPOSED ALTERATIONS & ADDITIONS TO COPPER CITY MOTEL

ADDRESS:  
40 LEWIS ST, COBAR NSW 2835

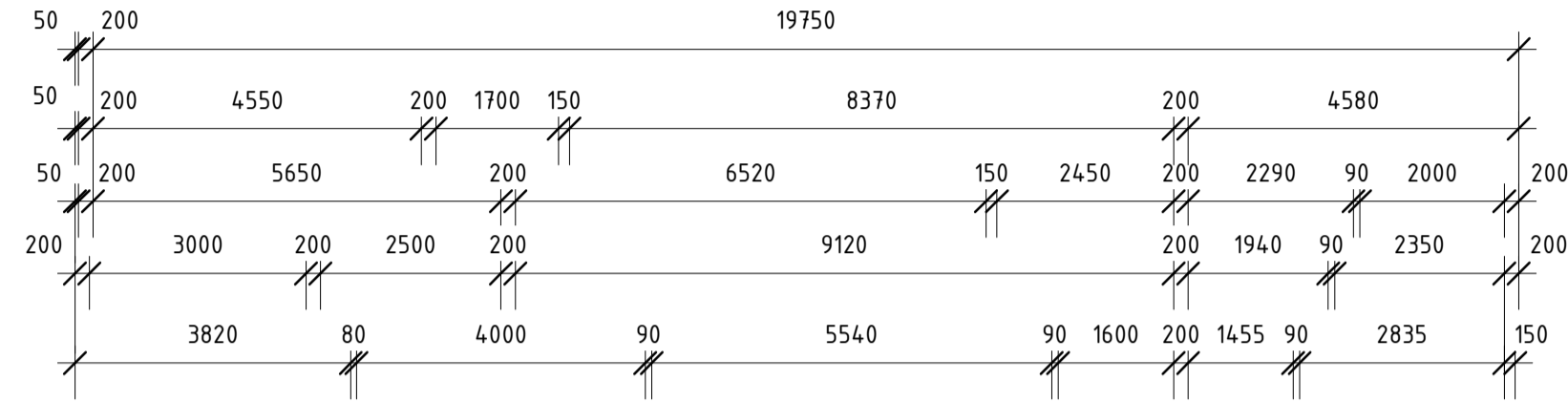
CLIENT:  
CURTIN RAISER PTY LTD

DATE: 13/02/17 JOB No: 6920  
SCALE: 1:100 @ A1  
DRAWN: JW DRAWING No: 01 OF 01  
CHECKED:

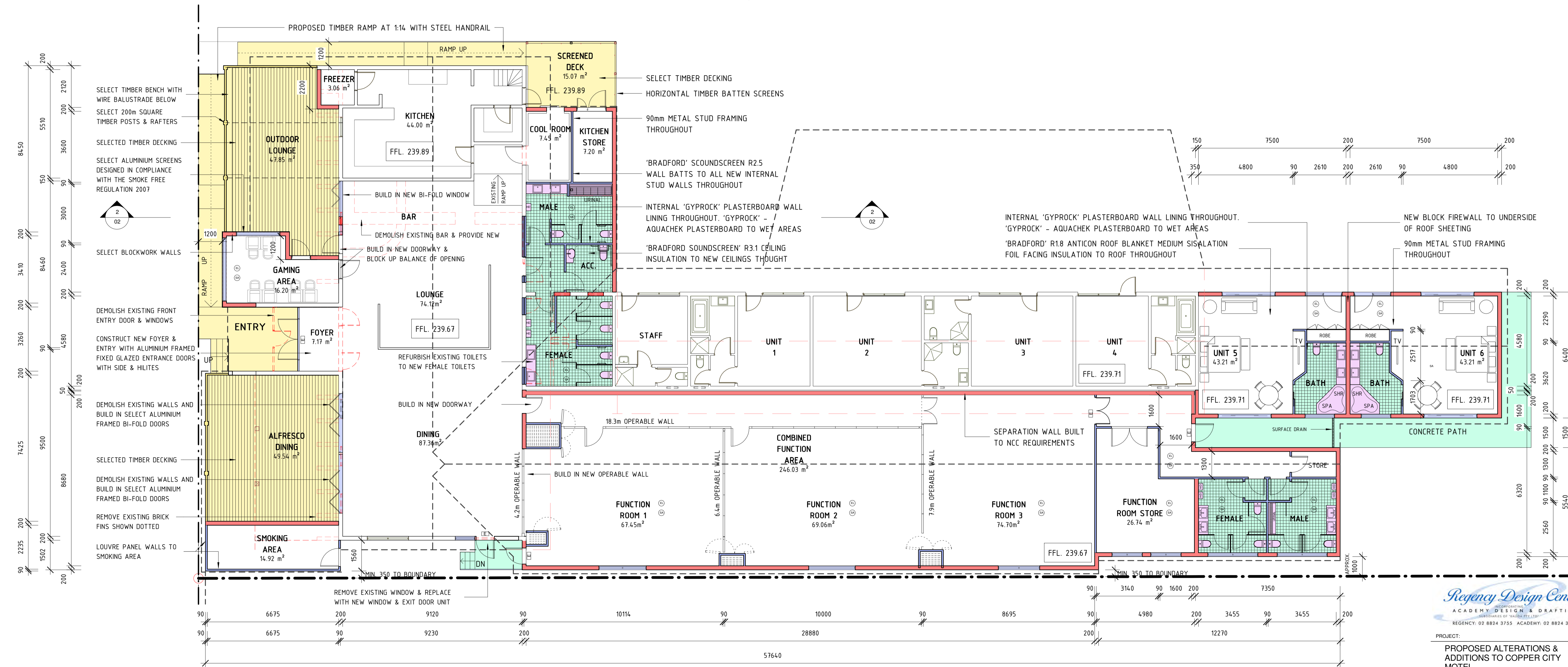
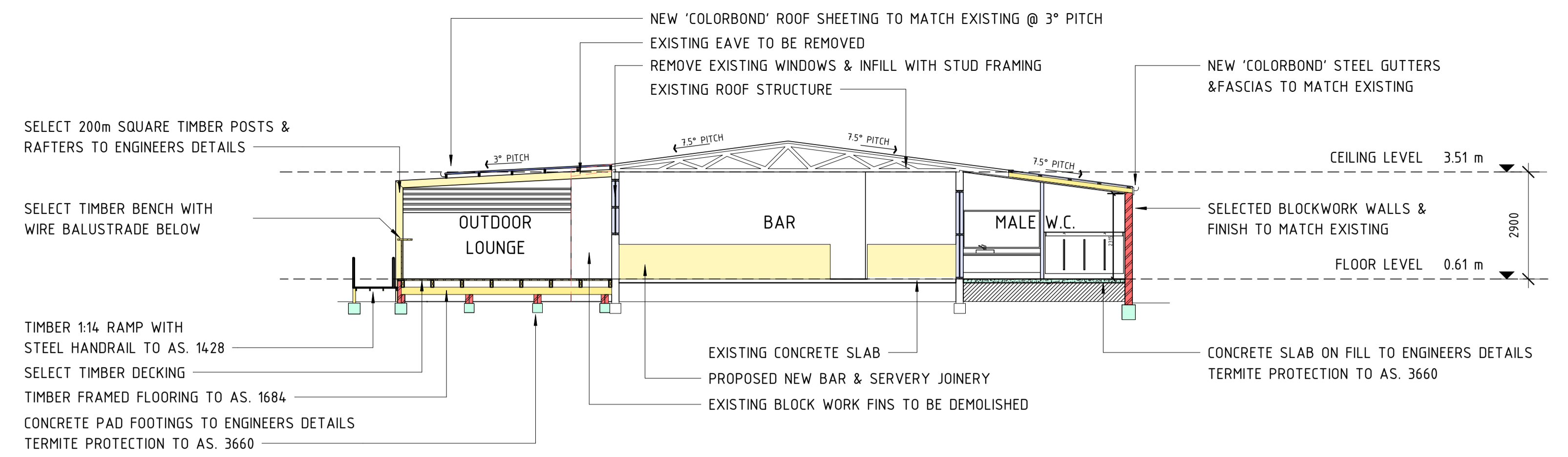


CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK. FIGURED DIMENSIONS TO TAKE PREFERENCE TO SCALING. THIS DRAWING IS NOT TO BE COPIED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION.

ROOM SCHEDULE	
ROOM NAME	AREA
ALFRESCO DINING	49.54 m <sup>2</sup>
COMBINED FUNCTION AREA	246.03 m <sup>2</sup>
COOL ROOM	7.45 m <sup>2</sup>
FOYER	7.17 m <sup>2</sup>
FREEZER	3.06 m <sup>2</sup>
FUNCTION ROOM AMENATIES	25.97 m <sup>2</sup>
FUNCTION ROOM STORE	26.74 m <sup>2</sup>
GAMING AREA	16.20 m <sup>2</sup>
KITCHEN	44.00 m <sup>2</sup>
KITCHEN STORE	7.20 m <sup>2</sup>
LOUNGE/DINING	169.12 m <sup>2</sup>
LOUNGE/DINING AMENITIES	43.76 m <sup>2</sup>
OUTDOOR LOUNGE	47.85 m <sup>2</sup>
SCREENED DECK	15.07 m <sup>2</sup>
SMOKING AREA	14.92 m <sup>2</sup>
UNIT 5	43.21 m <sup>2</sup>
UNIT 6	43.21 m <sup>2</sup>



2 SECTION X-X  
1 : 100



1 FLOOR PLAN  
1 : 100

- ⊙ EMERGENCY LIGHT
- ⊙ SMOKE ALARM
- ⊙ EMERGENCY LIGHT
- ⊙ FIRE EXTINGUISHER
- ⊙ EXIST SIGN
- ⊙ FIRE BLANKET
- ⊙ FIRE HOSE REEL

**Regency Design Centre**  
ACADEMY DESIGN & DRAFTING  
REGENCY: 02 8824 3755 ACADEMY: 02 8824 3855

PROJECT:  
**PROPOSED ALTERATIONS & ADDITIONS TO COPPER CITY MOTEL**

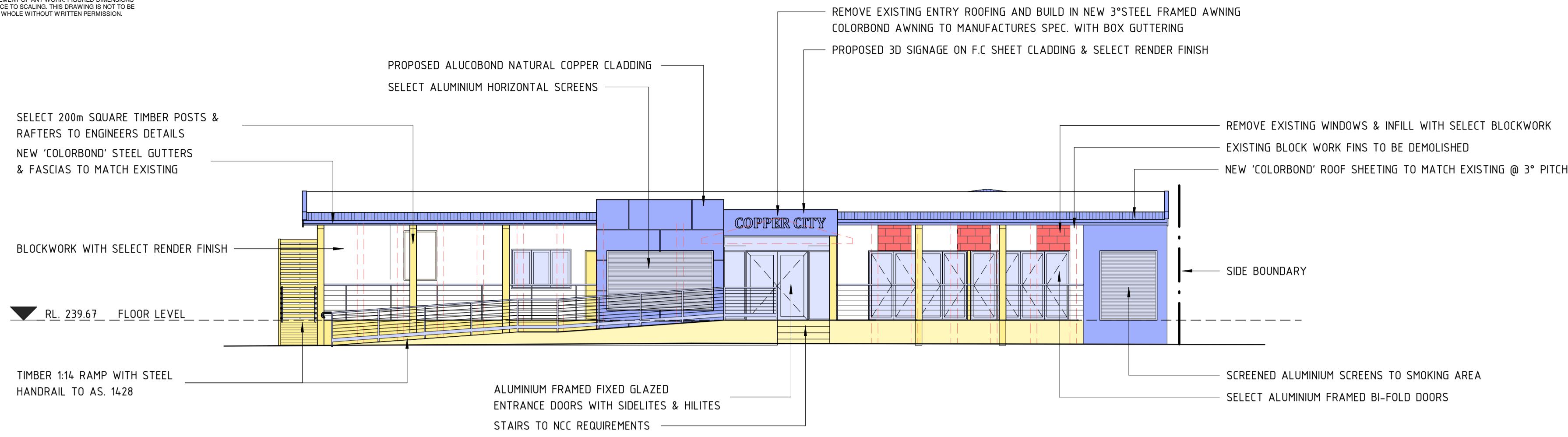
ADDRESS:  
**40 LEWIS ST, COBAR NSW 2835**

CLIENT:  
**CURTIN RAISER PTY LTD**

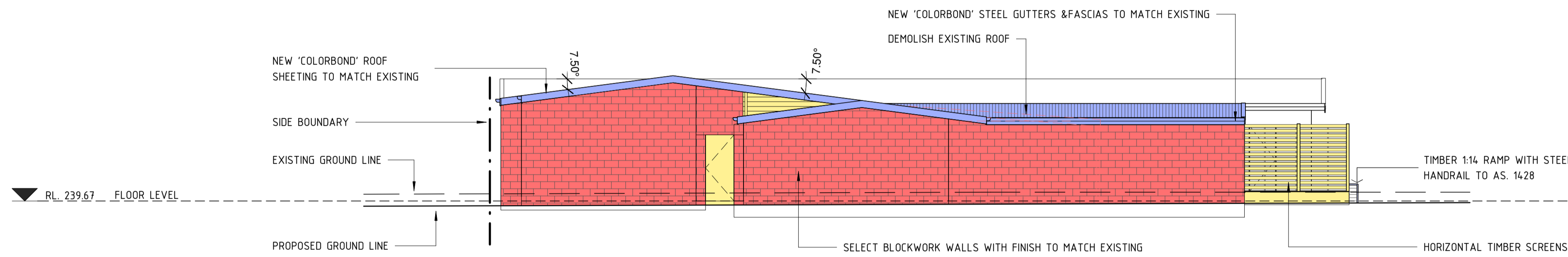
DATE: 13/02/17 JOB No: 6920  
SCALE: 1:100 @ A1  
DRAWN: JW DRAWING No: 02 OF 02  
CHECKED:

ALL WORK TO NCC & ALL RELEVANT AUSTRALIAN STANDARDS

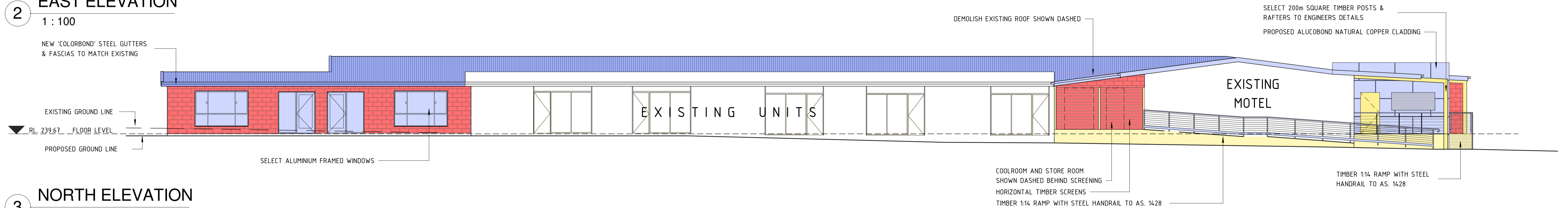
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK. FIGURED DIMENSIONS TO TAKE PREFERENCE TO SCALING. THIS DRAWING IS NOT TO BE COPIED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION.



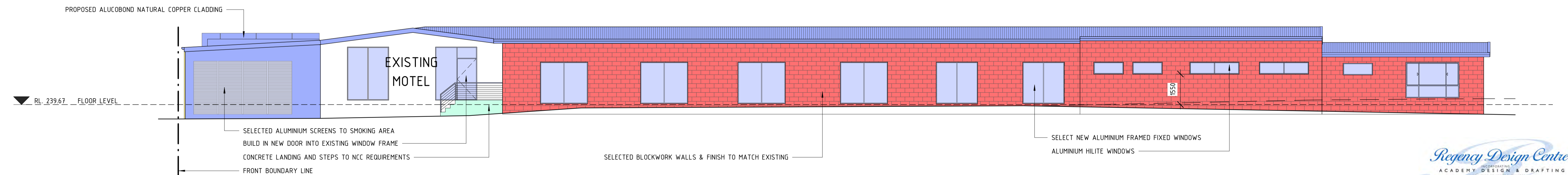
1 WEST ELEVATION  
1 : 100



2 EAST ELEVATION  
1 : 100



3 NORTH ELEVATION  
1 : 100



4 SOUTH ELEVATION  
1 : 100

*Regency Design Centre*  
ACADEMY DESIGN & DRAFTING  
MEMBERS OF AUSTRALIAN INSTITUTE OF PROFESSIONAL ARCHITECTS  
REGENCY: 02 8824 3755 ACADEMY: 02 8824 3855

PROJECT:  
PROPOSED ALTERATIONS & ADDITIONS TO COPPER CITY MOTEL

ADDRESS:  
40 LEWIS ST, COBAR NSW 2835

CLIENT:  
CURTIN RAISER PTY LTD

DATE: 13/02/17 JOB No: 6920  
SCALE: 1:100 @ A1  
DRAWN: JW DRAWING No: 03 OF 03  
CHECKED:



26 April 2017

SF2017/083674; WST17/00063/01

The General Manager  
Cobar Shire Council  
PO Box 223  
COBAR NSW 2835

Dear Sir,

**2017/LD-00016; Lot 1 DP 72585 and Lots 1-9 Sec 18 DP 2780; 40 Lewis Street, Cobar;  
Alterations/Additions to Hotel and Restaurant.**

Thank you for your letter dated 12 April 2017, referring development application 2017/LD-00016 to Roads and Maritime Services for comment under Clause 88 of the *Environmental Planning & Assessment Regulation 2000*, and potentially, *State Environmental Planning Policy No. 64 (Advertising and Signage)*.

The application has been reviewed and it is understood the proposal includes the following:

- The construction of two additional accommodation units, totalling 32 self-contained units.
- Internal reconfiguration of the existing bar area.
- A new function room.
- Addition of an alfresco dining area to the existing dining room.
- Smoking and gaming rooms.
- Live entertainment up until 1:00 am.

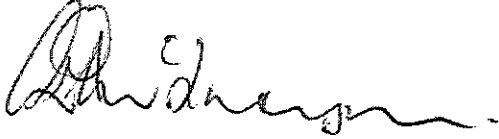
The information submitted in support of the proposal is inadequate, and, at this stage, Roads and Maritime withholds making comment. To assist Roads and Maritime in its assessment of the proposed development, the following information is required:

- Predicted daily and peak hour traffic generated by the development.
- Clarification of the parking arrangements for the proposed development. Parking must meet the minimum requirements outlined in the *RTA Guide to Traffic Generating Developments*.
- Impact on traffic efficiency and/or safety on the Barrier Highway (HW8), including the Barrier Highway and Louth Road (MR407) intersection.
- Size of delivery vehicles and, if required, a swept path analysis showing that the vehicle can enter and exit the site in a forward direction.
- Details of outdoor signage including size, luminance and visibility from the Barrier Highway.

Roads and Maritime Services

Please confirm with Roads and Maritime that the application will not be determined by Council until such a time as Roads and Maritime has had an opportunity to assess the development following provision of the additional information. Should you require further information please contact the undersigned on 02 6861 1453.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Andrew McIntyre', with a long horizontal flourish extending to the right.

Andrew McIntyre  
Manager Land Use Assessment  
Western Region





28 June 2017

SF2017/083674; WST17/00063/01

The General Manager  
Cobar Shire Council  
PO Box 223  
COBAR NSW 2835

Dear Sir,

**2017/LD-00016; Lot 1 DP 72585 and Lots 1 – 9 Sec 18 DP 2780; 40 Lewis Street Cobar;  
Alterations/ Additions to Hotel and Restaurant**

I refer to an email on 15 June 2017 from Scott Smith, applicant for 2017/LD-00016, referring a Traffic Impact Assessment to Roads and Maritime Services for comment. Reference is made to Roads and Maritime's previous correspondence in relation to this matter dated 26 April 2017 and an email from Mr Smith to me on 28 June 2017.

The Traffic Impact Assessment has been reviewed. Roads and Maritime notes that the assessment includes:

- An assessment of the impact of traffic generated by the development on the road network.
- An assessment of parking requirements for the proposed development.
- Details of types and volumes of development related traffic.

In accordance with section 104 of *State Environmental Planning Policy (infrastructure) 2007*, Roads and Maritime does not object to the proposed development and makes no submission.

With respect to the proposal possibly requiring Roads and Maritime concurrence pursuant to section 18 of *State Environmental Planning Policy No.64 'Advertising and Signage'*, I note Mr Smith's advice that the application does not include outdoor signage and any future signage proposed would be part of a separate development application lodged with Cobar Shire Council.

Please forward a copy of Council's determination of this proposal to Roads and Maritime at the same time it is sent to the applicant. Should you require further information please contact the undersigned on 02 6861 1453.

Yours faithfully,

Andrew McIntyre  
Manager Land Use Assessment  
Western  
Roads and Maritime Services

**mail CSC**

---

**From:** bryanempirehotel@gmail.com  
**Sent:** Wednesday, 3 May 2017 4:38 PM  
**To:** mail CSC  
**Subject:** Proposed development 2017/LD-00016

-4 10/10/17

Hi  
I would like to object to the proposed development of the copper city motel at 40 Lewis street Cobar[lots 1-9 section 18 in DP{2780]  
This proposal will severely restrict our business operations at the Empire Hotel in Cobar.  
My wife and I purchased the Empire hotel in June of 2016 and have worked very hard to build up the business to what it is today and we are fearful that this will affect our livelihood going forward as we had to borrow a significant amount of money to buy the hotel.  
Also we would like to object about section 3.6 on page 8 referring to takeaway sales we would strongly object to a drive in or take away bottle shop on the proposed site.  
Trusting you will understand.

ANDREW & CINDY BRYAN  
PROPITORS OF THE  
EMPIRE HOTEL  
6 BARTON STREET COBARmail@cobar

Sent from Mail for Windows 10

LD/2017-00016 103101  
DPES



---

# M E M O R A N D U M

---

**FROM:** Stephen Poulter  
**TO:** File  
**RE:** Equivalent Tenement Calculation for Proposed Development  
**FILE:** 2017/LD- 00016  
**DATE:** 6 July 2017

---

## **Proposal**

This development proposal seeks to:

- Construct 2 additional motel rooms
- Re-Configure the use and the existing restaurant/bar area to be a pub, including new bar, restaurant area, gaming area, function rooms, smoking area, new sanitary facilities and outdoor customer areas
- Live entertainment until 1am

## **Applicable References**

Due to proposed increase in use of Council water and sewerage infrastructure, the proponent is liable to pay levied development charges pursuant to Section 64 of the Local Government Act 1993.

The levied charges are calculated using the following documents:

- Cobar Shire Councils Development Servicing Plans for Water Supply and Sewerage 2013; and
- Water Directorate's Section 64 Determinations of Equivalent Tenements Guidelines
- Cobar Shire Councils 2017-18 fee's and charges (levied amount is subject to CPI increases each financial year and the value is conditioned in a developer consent at the rate current at the time of DA determination)

**Equivalent Tenement Calculations for Development Proposal**

<b>Development</b>	<b>Unit</b>	<b>Sub-Category</b>	<b>Water ET</b>	<b>Sewer ET</b>
Accommodation (short term)	Room	Motel	0.30 x 2 = 0.6	0.45 x 2 = 0.9
Entertainment	Floor Area m/sq	Pub/Bar	0.03 x 274= 8.22	0.05 x 274 = 13.7
<b>TOTAL ET's</b>			<b>8.82</b>	<b>14.6</b>

Given that part of the development comprises of modifying the existing use of a restaurant to a lounge and dining area, it is considered unreasonable to include this area, as well as the foyer, entry, smoking area, kitchen and outdoor areas as part of entertainment use floor area for the purposes of calculating the ET. The sanitary facilities next to the lounge area have also been deleted as they currently exist and their renovation is likely to reduce their existing loading due to installation of water saving devices. The utilized floor area only considers the floor area of the function rooms and sanitary facilities which are predominantly new work and therefore will likely impose an impact on the water and sewer infrastructure in relation to increase loadings.

**Equivalent Tenement Developer Charges**

Levied Amounts under CSC’s Development Servicing Plans for Water Supply and Sewerage 2013 and the 2017-18 CSC Fee’s and Charges

$$\text{Water Supply (Per ET)} = \$1269.67$$

$$\text{Sewerage (Per ET)} = \$ 1005.16$$

For this proposal the following charges are applicable:

Water Supply

$$(\text{Water Supply per ET Rate}) \times \text{Total Water ET Rate}$$

$$\$1269.67 \times 8.82 = \mathbf{\$11,198.49}$$

Sewerage

$$(\text{Sewerage input per ET Rate}) \times \text{Total Sewer ET Rate}$$

$$\$1005.16 \times 14.6 = \mathbf{\$14675.34}$$

**The Combined Total Water Supply and Sewerage Charges payable for this development is \$25,873.83**

---

# MEMORANDUM

---

**TO:** Garry Ryman, Director of Planning and Environmental Services

**FROM:** Stephen Taylor, Director of Engineering Services

**RE:** Notice of Proposed Development, 40 Lewis St, Cobar

**FILE NO:** 2017/LD-00016

**DATE:** 1 August 2017

---

## **Background**

The application has been reviewed and it is understood the proposal includes the following:

- The construction of two additional accommodation units. Being the total number of units to 32 self-contained units.
- Internal reconfiguration of the existing bar area.
- A new function room.
- Addition of an alfresco dining area to the existing dining room.
- Smoking and gaming rooms.
- Live entertainment up until 1:00 am.

Additional information has been provided in relation to traffic and parking

## **Parking**

I believe the additional parking information provided by Traffic Solutions Pty Ltd is still inadequate. There is an assumption that the parking required for the function rooms will not occur at the time of the peak hotels usage, i.e. Friday Evening. Although this may be reasonable the conclusion drawn is that there is no need to provide parking for the function rooms.

However the function rooms are proposed to be used as detailed in the application at peak times therefore the required parking according to Traffic Solutions calculations is 81.6 parks. As indicated there is only 49 parking spaces therefore the proposal is 31.6 parking spaces short. This shortage needs to be addressed.

## **Traffic Generation**

I am satisfied that the traffic generation from the proposed development will not significantly affect the local roads but I will not comment on the effect in relation to the Louth Road/Barrier Highway intersection as that is an RMS controlled intersection.

## **Development Servicing Charges**

Development Services Charges (DSC) will apply to any increase in Equivalent Tenement (ET) that is created by the new development. The DSC are;

- Water Supply \$1,269.67 per ET
- Sewerage \$1,005.16 per ET

The calculations for the DSC for this development are shown in the attached memo.

### **Storm Water**

The proposal indicates that the additional building will be connected to the existing system. Provided that system is adequately connected to the kerb and gutter drainage system there is sufficient capacity in that system to take 'normal' rainfall flows. There is some minor ponding and overflow in heavy concentrated heavy rain events; however this generally dissipates within 30 minutes. Therefore storm water disposal should not be an issue.

**Stephen Taylor**

**DIRECTOR OF ENGINEERING SERVICES**

---

---

# M E M O R A N D U M

---

**FROM:** Stephen Poulter  
**TO:** File  
**RE:** **Amended** Equivalent Tenement Calculation for Proposed Development  
**FILE:** 2017/LD- 00016  
**DATE:** 3 August 2017

---

## **Proposal**

This development proposal seeks to:

- Construct 2 additional motel rooms
- Re-Configure the use and the existing restaurant/bar area to be a pub, including new bar, restaurant area, gaming area, function rooms, smoking area, new sanitary facilities and outdoor customer areas
- Live entertainment until 1am
- Provision of two additional motel rooms for staff (late change to application)

## **Applicable References**

Due to proposed increase in use of Council water and sewerage infrastructure, the proponent is liable to pay levied development charges pursuant to Section 64 of the Local Government Act 1993.

The levied charges are calculated using the following documents:

- Cobar Shire Councils Development Servicing Plans for Water Supply and Sewerage 2013; and
- Water Directorate's Section 64 Determinations of Equivalent Tenements Guidelines
- Cobar Shire Councils 2017-18 fee's and charges (levied amount is subject to CPI increases each financial year and the value is conditioned in a developer consent at the rate current at the time of DA determination)

**Equivalent Tenement Calculations for Development Proposal**

<b>Development</b>	<b>Unit</b>	<b>Sub-Category</b>	<b>Water ET</b>	<b>Sewer ET</b>
Accommodation (short term)	Room	Motel	0.30 x 4 = 1.2	0.45 x 4 = 1.8
Entertainment	Floor Area m/sq	Pub/Bar	0.03 x 274= 8.22	0.05 x 274 = 13.7
<b>TOTAL ET's</b>			<b>9.42</b>	<b>15.5</b>

Given that part of the development comprises of modifying the existing use of a restaurant to a lounge and dining area, it is considered unreasonable to include this area, as well as the foyer, entry, smoking area, kitchen and outdoor areas as part of entertainment use floor area for the purposes of calculating the ET. The sanitary facilities next to the lounge area have also been deleted as they currently exist and their renovation is likely to reduce their existing loading due to installation of water saving devices. The utilized floor area only considers the floor area of the function rooms and sanitary facilities which are predominantly new work and therefore will likely impose an impact on the water and sewer infrastructure in relation to increase loadings.

**Equivalent Tenement Developer Charges**

Levied Amounts under CSC's Development Servicing Plans for Water Supply and Sewerage 2013 and the 2017-18 CSC Fee's and Charges

$$\text{Water Supply (Per ET)} = \$1269.67$$

$$\text{Sewerage (Per ET)} = \$ 1005.16$$

For this proposal the following charges are applicable:

Water Supply

(Water Supply per ET Rate) x Total Water ET Rate

$$\$1269.67 \times 9.42 = \mathbf{\$11,960.29}$$

Sewerage

(Sewerage input per ET Rate) x Total Sewer ET Rate

$$\$1005.16 \times 15.5 = \mathbf{\$15,579.98}$$

**The Amended Combined Total Water Supply and Sewerage Charges payable for this development is \$27,542.27**