



**ATTACHMENT DOCUMENT  
FOR  
COUNCIL MEETING**

**Tuesday 28 September 2021**

Michael Urquhart  
**GENERAL MANAGER**

# AGENDA

1. *Walgett Shire Council's Portfolio report from Imperium Markets*
  
2. *Development Application – Proposed Modification To DA2008/12 – Australian Opal Centre, Public Museum, Souvenir Shop, Carpark & Associated Facilities*
  - a) *Location Plan.*
  - b) *Architectural Drawings.*
  - c) *Draft Determination Notice*



# Investment Report

01/08/2021 to 31/08/2021

# Portfolio Valuation

as at 31/08/2021

Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
Auswide Bank	BBB	TD	GENERAL	At Maturity	03/03/2021	03/09/2021	0.5000	1,000,000.00	2,493.15	424.66
ING Direct	A	TD	GENERAL	Annual	14/09/2016	14/09/2021	3.1200	500,000.00	15,044.38	1,324.93
AMP Bank	BBB	TD	GENERAL	At Maturity	25/11/2020	29/09/2021	0.7000	1,000,000.00	5,369.86	594.52
MyState Bank	BBB	TD	GENERAL	At Maturity	17/03/2021	06/10/2021	0.4000	1,000,000.00	1,841.10	339.73
Westpac	AA-	FRTD	GENERAL	Quarterly	16/11/2016	16/11/2021	1.2157	1,000,000.00	532.91	532.91
BOQ	BBB+	TD	GENERAL	At Maturity	18/11/2020	17/11/2021	0.5500	1,000,000.00	4,324.66	467.12
NAB	AA-	TD	GENERAL	Annual	21/11/2018	22/11/2021	3.0000	1,000,000.00	23,178.08	2,547.95
Newcastle Permanent	BBB	TD	GENERAL	Annual	11/02/2019	16/02/2022	3.0500	1,000,000.00	16,461.64	2,590.41
AMP Bank	BBB	TD	GENERAL	At Maturity	09/06/2021	09/03/2022	0.3500	1,000,000.00	805.48	297.26
Newcastle Permanent	BBB	TD	GENERAL	Quarterly	10/04/2019	13/04/2022	2.7000	1,000,000.00	3,772.60	2,293.15
AMP Bank	BBB	TD	GENERAL	At Maturity	20/04/2021	20/04/2022	0.7000	1,000,000.00	2,569.86	594.52
AMP Bank	BBB	TD	GENERAL	At Maturity	30/06/2021	26/04/2022	0.3500	1,000,000.00	604.11	297.26
Members Equity Bank	BBB+	TD	GENERAL	Annual	10/05/2017	11/05/2022	3.4700	1,000,000.00	10,837.81	2,947.12
Members Equity Bank	BBB+	TD	GENERAL	At Maturity	16/06/2021	22/06/2022	0.5000	1,000,000.00	1,054.79	424.66
BOQ	BBB+	TD	GENERAL	Annual	02/07/2018	06/07/2022	3.5000	1,000,000.00	5,849.32	2,972.60
JUDO BANK	Unrated	TD	GENERAL	At Maturity	26/08/2021	31/08/2022	0.9000	1,000,000.00	147.95	147.95
AMP Bank	BBB	TD	GENERAL	Annual	10/03/2021	07/09/2022	0.7500	1,000,000.00	3,595.89	636.99
NAB	AA-	TD	GENERAL	Annual	11/08/2021	16/08/2023	0.6000	1,000,000.00	345.21	345.21

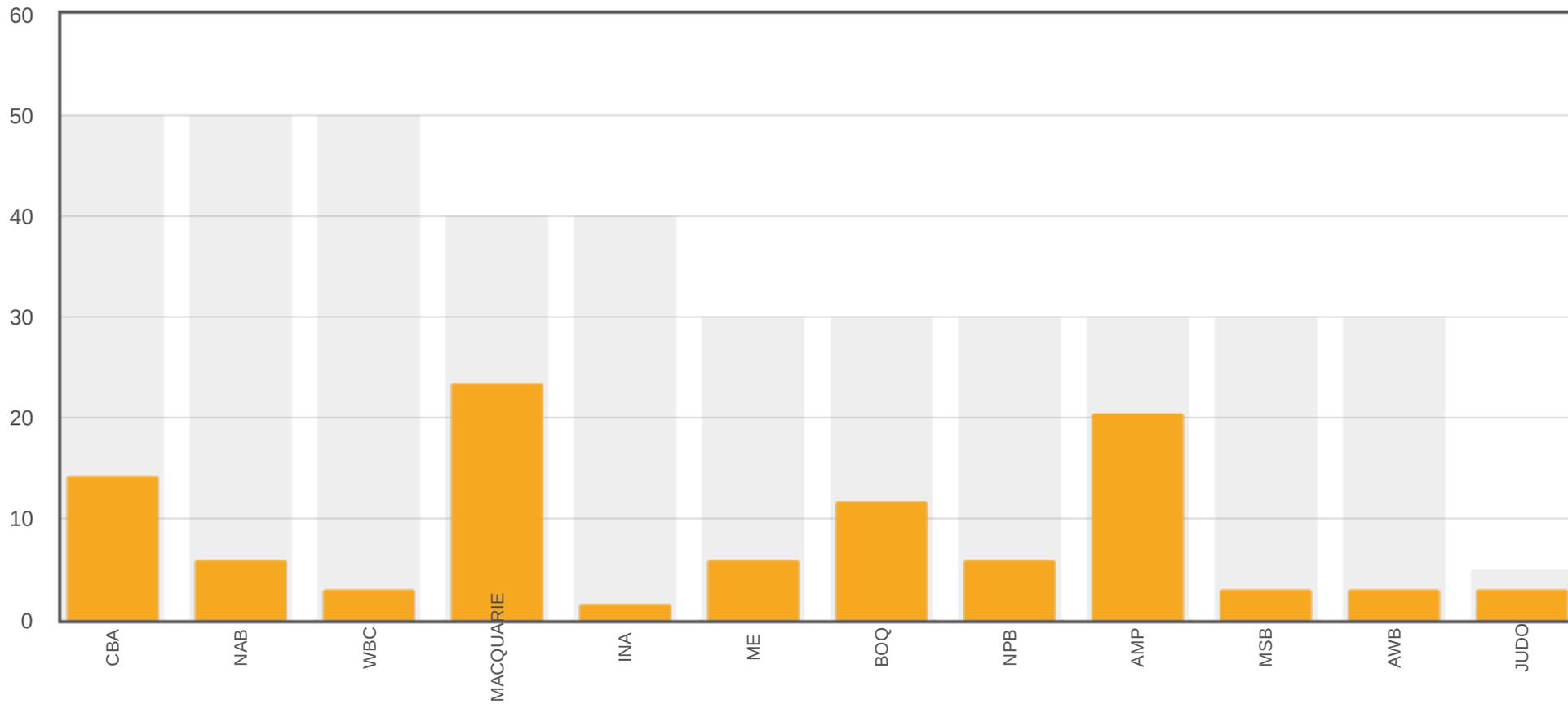
Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
AMP Bank	BBB	TD	GENERAL	Annual	01/02/2019	31/01/2024	3.1500	1,000,000.00	18,295.89	2,675.34
BOQ	BBB+	TD	GENERAL	Annual	12/06/2019	12/06/2024	2.5500	1,000,000.00	5,449.32	2,165.75
AMP Bank	BBB	TD	GENERAL	Annual	07/08/2019	07/08/2024	2.0000	1,000,000.10	1,260.27	1,260.27
BOQ	BBB+	TD	GENERAL	Annual	06/08/2020	06/08/2025	1.3000	1,000,000.00	926.03	926.03
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	31/08/2021	31/08/2021	0.0000	3,342,011.08	-	-
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	31/08/2021	31/08/2021	0.2000	1,517,596.61	175.53	175.53
Macquarie Bank	A+	CASH	GENERAL	Monthly	31/08/2021	31/08/2021	0.4000	8,016,953.18	2,722.67	2,722.67
<b>TOTALS</b>								<b>34,376,560.97</b>	<b>127,658.51</b>	<b>29,704.53</b>

# Counterparty Compliance as at 31/08/2021

## Long Term Investments

Compliant	Bank Group	Term	Rating	Invested	Invested (%)	Limit (%)	Limit (\$)	Available
✓	Commonwealth Bank	Long	AA-	4,859,607.69	14.14	50.00	-	12,328,672.80
✓	NAB	Long	AA-	2,000,000.00	5.82	50.00	-	15,188,280.49
✓	Westpac	Long	AA-	1,000,000.00	2.91	50.00	-	16,188,280.49
✓	Macquarie Bank	Long	A+	8,016,953.18	23.32	40.00	-	5,733,671.21
✓	ING Direct	Long	A	500,000.00	1.45	40.00	-	13,250,624.39
✓	Members Equity Bank	Long	BBB+	2,000,000.00	5.82	30.00	-	8,312,968.29
✓	BOQ	Long	BBB+	4,000,000.00	11.64	30.00	-	6,312,968.29
✓	Newcastle Permanent	Long	BBB	2,000,000.00	5.82	30.00	-	8,312,968.29
✓	AMP Bank	Long	BBB	7,000,000.10	20.36	30.00	-	3,312,968.19
✓	MyState Bank	Long	BBB	1,000,000.00	2.91	30.00	-	9,312,968.29
✓	Auswide Bank	Long	BBB	1,000,000.00	2.91	30.00	-	9,312,968.29
✓	JUDO	Long	Unrated	1,000,000.00	2.91	5.00	-	718,828.05
<b>TOTALS</b>				<b>34,376,560.97</b>	<b>100.00</b>			

## Counterparty Compliance - Long Term Investments

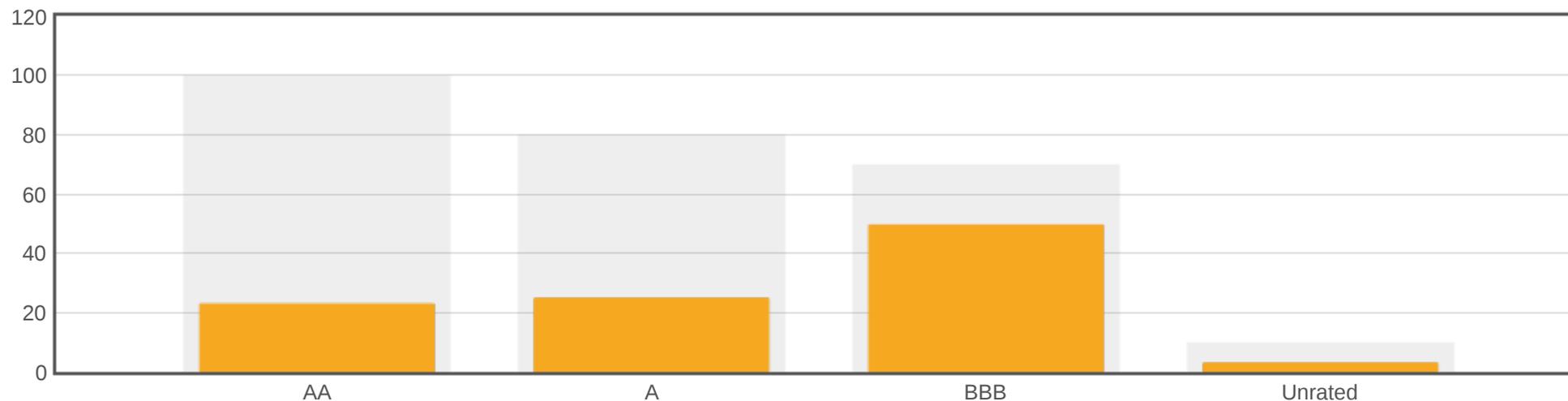


# Credit Quality Compliance as at 31/08/2021

## Long Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available
✓	AA	7,859,607.69	22.86	100.00	26,516,953.28
✓	A	8,516,953.18	24.77	80.00	18,984,295.60
✓	BBB	17,000,000.10	49.45	70.00	7,063,592.58
✓	Unrated	1,000,000.00	2.91	10.00	2,437,656.10
<b>TOTALS</b>		<b>34,376,560.97</b>	<b>100.00</b>		

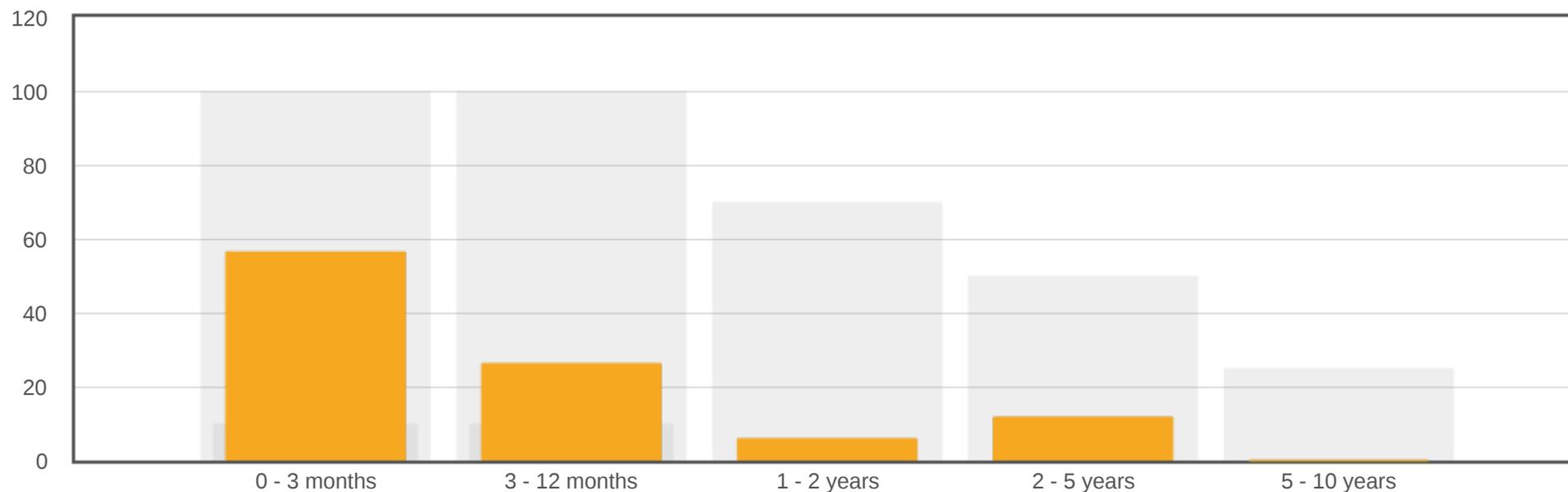
## Credit Quality Compliance - Long Term Investments



# Maturity Compliance as at 31/08/2021

Compliant	Term	Invested	Invested (%)	Min Limit (%)	Max Limit (%)	Available
✓	0 - 3 months	19,376,560.87	56.37	10.00	100.00	15,000,000.10
✓	3 - 12 months	9,000,000.00	26.18	10.00	100.00	25,376,560.97
✓	1 - 2 years	2,000,000.00	5.82	0.00	70.00	22,063,592.68
✓	2 - 5 years	4,000,000.10	11.64	0.00	50.00	13,188,280.39
✓	5 - 10 years	-	0.00	0.00	25.00	8,594,140.24
<b>TOTALS</b>		<b>34,376,560.97</b>	<b>100.00</b>			

## Maturity Compliance



# Portfolio Comparison

From: 31/07/2021 To: 31/08/2021

Issuer	Rating	Type	Rate	Purchase	Maturity	Interest	31/07/2021	31/08/2021	Difference
BOQ	BBB+	TD	0.5400	11/11/2020	11/08/2021	At Maturity	1,000,000.00	-	-1,000,000.00
Commonwealth Bank	AA-	FRTD	1.1406	24/08/2016	23/08/2021	Quarterly	500,000.00	-	-500,000.00
Commonwealth Bank	AA-	FRTD	1.0903	31/08/2016	30/08/2021	Quarterly	500,000.00	-	-500,000.00
Auswide Bank	BBB	TD	0.5000	03/03/2021	03/09/2021	At Maturity	1,000,000.00	1,000,000.00	-
ING Direct	A	TD	3.1200	14/09/2016	14/09/2021	Annual	500,000.00	500,000.00	-
AMP Bank	BBB	TD	0.7000	25/11/2020	29/09/2021	At Maturity	1,000,000.00	1,000,000.00	-
MyState Bank	BBB	TD	0.4000	17/03/2021	06/10/2021	At Maturity	1,000,000.00	1,000,000.00	-
Westpac	AA-	FRTD	1.2394	16/11/2016	16/11/2021	Quarterly	1,000,000.00	1,000,000.00	-
BOQ	BBB+	TD	0.5500	18/11/2020	17/11/2021	At Maturity	1,000,000.00	1,000,000.00	-
NAB	AA-	TD	3.0000	21/11/2018	22/11/2021	Annual	1,000,000.00	1,000,000.00	-
Newcastle Permanent	BBB	TD	3.0500	11/02/2019	16/02/2022	Annual	1,000,000.00	1,000,000.00	-
AMP Bank	BBB	TD	0.3500	09/06/2021	09/03/2022	At Maturity	1,000,000.00	1,000,000.00	-
Newcastle Permanent	BBB	TD	2.7000	10/04/2019	13/04/2022	Quarterly	1,000,000.00	1,000,000.00	-
AMP Bank	BBB	TD	0.7000	20/04/2021	20/04/2022	At Maturity	1,000,000.00	1,000,000.00	-
AMP Bank	BBB	TD	0.3500	30/06/2021	26/04/2022	At Maturity	1,000,000.00	1,000,000.00	-
Members Equity Bank	BBB+	TD	3.4700	10/05/2017	11/05/2022	Annual	1,000,000.00	1,000,000.00	-
Members Equity Bank	BBB+	TD	0.5000	16/06/2021	22/06/2022	At Maturity	1,000,000.00	1,000,000.00	-

Issuer	Rating	Type	Rate	Purchase	Maturity	Interest	31/07/2021	31/08/2021	Difference
BOQ	BBB+	TD	3.5000	02/07/2018	06/07/2022	Annual	1,000,000.00	1,000,000.00	-
JUDO BANK	Unrated	TD	0.9000	26/08/2021	31/08/2022	At Maturity	-	1,000,000.00	1,000,000.00
AMP Bank	BBB	TD	0.7500	10/03/2021	07/09/2022	Annual	1,000,000.00	1,000,000.00	-
NAB	AA-	TD	0.6000	11/08/2021	16/08/2023	Annual	-	1,000,000.00	1,000,000.00
AMP Bank	BBB	TD	3.1500	01/02/2019	31/01/2024	Annual	1,000,000.00	1,000,000.00	-
BOQ	BBB+	TD	2.5500	12/06/2019	12/06/2024	Annual	1,000,000.00	1,000,000.00	-
AMP Bank	BBB	TD	2.0000	07/08/2019	07/08/2024	Annual	1,000,000.10	1,000,000.10	-
BOQ	BBB+	TD	1.3000	06/08/2020	06/08/2025	Annual	1,000,000.00	1,000,000.00	-
Commonwealth Bank	AA-	CASH	0.2000	31/07/2021	31/07/2021	Monthly	1,017,196.43	1,517,596.61	500,400.18
Commonwealth Bank	AA-	CASH	0.0000	31/07/2021	31/07/2021	Monthly	548,020.13	3,342,011.08	2,793,990.95
Macquarie Bank	A+	CASH	0.4000	31/07/2021	31/07/2021	Monthly	8,014,230.49	8,016,953.18	2,722.69
<b>TOTALS</b>							<b>31,079,447.15</b>	<b>34,376,560.97</b>	<b>3,297,113.82</b>

# Interest Received in Period

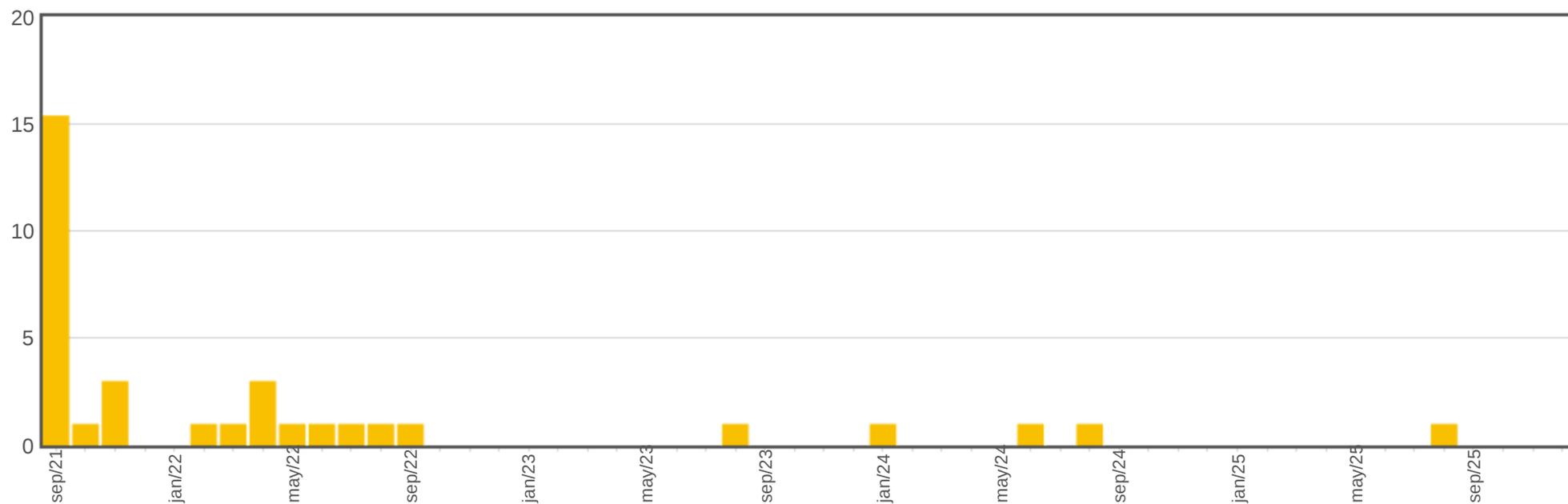
From: 01/08/2021 To: 31/08/2021

## Periodic Interest

Issuer	Rating	Type	Alloc	Frequency	Value	Purchase	Maturity	Coupon Date	Type	Rate	Received
BOQ	BBB+	TD	GENERAL	At Maturity	1,000,000.00	11/11/2020	11/08/2021	11/08/2021	Maturity	0.5400	4,038.90
Commonwealth Bank	AA-	FRTD	GENERAL	Quarterly	500,000.00	24/08/2016	23/08/2021	23/08/2021	Maturity	1.1406	1,421.84
Commonwealth Bank	AA-	FRTD	GENERAL	Quarterly	500,000.00	31/08/2016	30/08/2021	31/08/2021	Maturity	1.0903	1,403.95
Westpac	AA-	FRTD	GENERAL	Quarterly	1,000,000.00	16/11/2016	16/11/2021	16/08/2021	Periodic	1.2394	3,090.01
AMP Bank	BBB	TD	GENERAL	Annual	1,000,000.10	07/08/2019	07/08/2024	09/08/2021	Periodic	2.0000	20,109.59
BOQ	BBB+	TD	GENERAL	Annual	1,000,000.00	06/08/2020	06/08/2025	06/08/2021	Periodic	1.3000	13,000.00
<b>TOTALS</b>					<b>5,000,000.10</b>						<b>43,064.30</b>

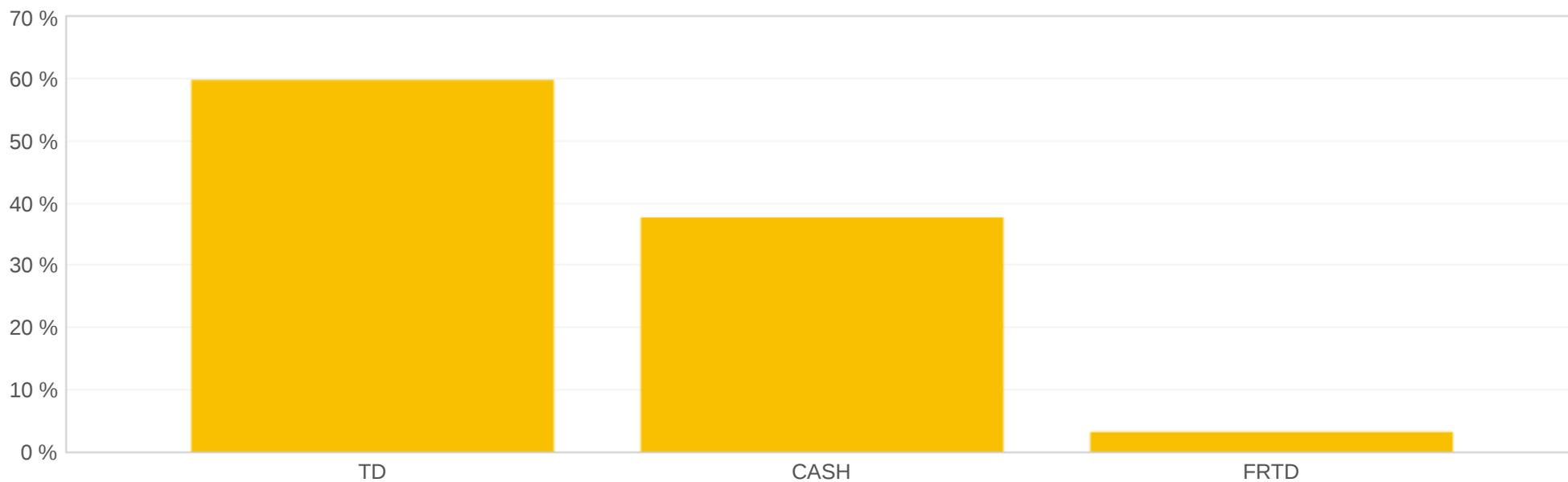
# Maturity Cashflow as at 31/08/2021

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2021	-	-	-	-	-	-	-	-	15,376,560	1,000,000	3,000,000	-	19,376,560.87
2022	-	1,000,000	1,000,000	3,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	-	-	-	10,000,000.00
2023	-	-	-	-	-	-	-	1,000,000	-	-	-	-	1,000,000.00
2024	1,000,000	-	-	-	-	1,000,000	-	1,000,000	-	-	-	-	3,000,000.10
2025	-	-	-	-	-	-	-	1,000,000	-	-	-	-	1,000,000.00
<b>TOTALS</b>													<b>34,376,560.97</b>



# Asset Class as at 31/08/2021

Code	Number of Trades	Invested	Invested (%)
TD	21	20,500,000.10	59.63
CASH	25	12,876,560.87	37.46
FRTD	1	1,000,000.00	2.91
<b>TOTALS</b>	<b>25</b>	<b>34,376,560.97</b>	<b>100.0</b>





Walgett Shire Council  
 77 Fox Street  
 Walgett NSW 2832  
 Telephone: 02 6828 6100  
 Email: [admin@walgett.nsw.gov.au](mailto:admin@walgett.nsw.gov.au)

**Important Notice!**  
 This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.

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Projection: GDA94 / MGA zone 55

Date: 9/09/2021

Drawn By: Caitlin Mahony

Map Scale: 1:24107 at A4



**Walgett Shire Council**  
77 Fox Street  
Walgett NSW 2832  
Telephone: 02 6828 6100  
Email: [admin@walgett.nsw.gov.au](mailto:admin@walgett.nsw.gov.au)

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**Projection:** GDA94 / MGA zone 55

**Date:** 9/09/2021

**Drawn By:** Caitlin Mahony

**Map Scale: 1:24107 at A4**

# Section 4.55 Application

## The Australian Opal Centre, Lightning Ridge - Three Mile Opal Field

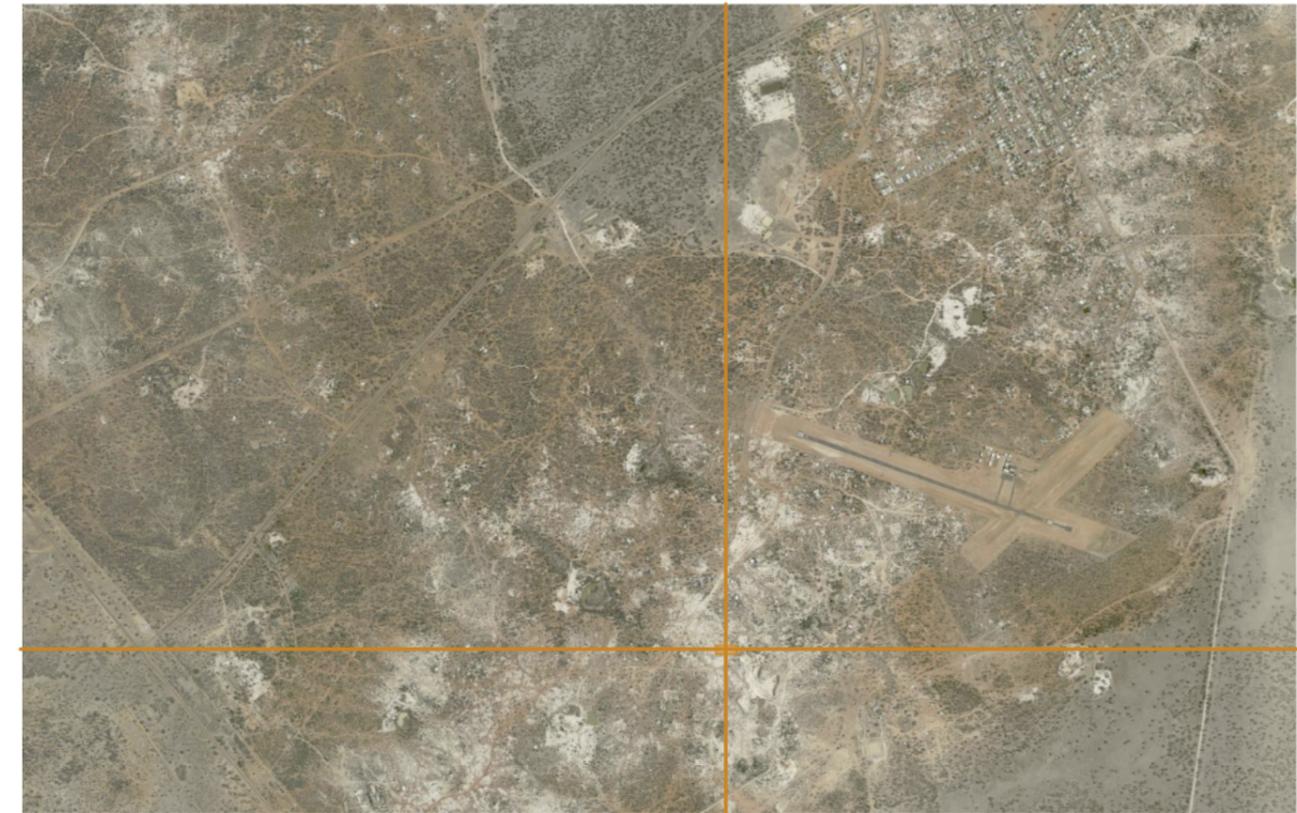
Approved Development Application - DA 2008/12/02 - Shire of Walgett - Land zoned Non-Urban 1(a)  
 Special use land Western Land Lease (WLL 14607)  
 Date of Determination: 23.09.2020

The proposed building includes a museum for public displays, storage and indoor garden.  
 The proposal includes on-site parking including 2 spaces for people with a disability parking.

S.4.5.5 Modification Application: Building footprint has been reduced, a different entrance sequence to the west from the carpark - noted in amendment drawings

Drawing List			
Architecturals			
Drawing Number	Drawing Title	Current Revision	Date
DA03-00	Cover Sheet		Mon, 2 Aug 2021
DA03-01	Site Plan		Mon, 2 Aug 2021
DA03-02	Ground Floor Plan		Mon, 2 Aug 2021
DA03-03	Lower Ground Floor Plan		Mon, 2 Aug 2021
DA03-04	Roof Plan		Mon, 2 Aug 2021
DA03-05	Sections		Mon, 2 Aug 2021
DA03-06	Elevations 01		Mon, 2 Aug 2021
DA03-07	Elevations 02		Mon, 2 Aug 2021

Schedule of Areas		
	Previous Area	Proposed Area
Site Area	31868.26 sq m	31868.26 sq m
Built Area (Building Envelope)	2583.00 sq m	1844.00 sq m
Lower Ground Floor Area	-	1611.90 sq m
Ground Floor Area	-	349.28 sq m
External Paving/Entry Ramp	-	233.65 sq m



Location Plan



**Wendy Lewin Architect**  
 NSW ARB No. 4303  
**Glenn Murcutt AO Architect**  
 NSW ARB No. 2448  
 176 A Raglan Street Mosman Sydney,  
 NSW 2088

---

**DUNN & HILLAM**  
 ARCHITECTS

Workshop 1 Pty Ltd t/a Dunn & Hillam Architects  
 ACN 098 309 196 ABN 17 098 309 196  
 33 Salisbury St, Botany NSW 2019  
 T +61 2 9316 7715  
 E admin@dunnhillam.com.au  
 Nominated architect: Ashley Dunn NSW ARB No. 7547

Revision	Note

**Consultants**

ESD - Atelier Ten  
 contact ph: 02 9262 4500

Structural/Civil - Northrop  
 contact ph: 02 9241 4188

Mechanical Engineer - SEiD  
 contact ph: 0450 122 335

Hydraulic Engineer - Stantec  
 contact ph: 02 8484 7000

Acoustic Engineer - SLR  
 contact ph: 02 9427 8100

Quantity Surveyor - mbm  
 contact ph: 02 9270 1011

BCA/Access - Group DLA  
 contact ph: 02 8004 6348

Landscape Architect - Aspect Studio  
 contact ph: 02 9699 7182

Electrical/Lighting - Haron Robson  
 contact ph: 02 7903 4567

Geotechnical - Douglas Partners  
 contact ph: 02 9809 0666

**Notes**

- all dimensions in mm.
- do not scale from drawing.
- this drawing has been prepared for Development Approval purposes only and is not to be used for tender or construction.
- clarification to be sought from the architect in the event of any discrepancies in the documentation or if further information is required.

## Section 4.55 Application - 02.08.21

<b>Client</b>	Australian Opal Centre		
<b>Project</b>	Australian Opal Centre Lightning Ridge		
<b>Issue</b>	Development Approval		
<b>Date</b>	Mon, 2 Aug 2021	<b>Job No.</b>	21_301
<b>Scale</b>	1:20 @A3	<b>Drawn</b>	CV
<b>Drawing</b>	Cover Sheet	<b>Rev.</b>	
<b>Dwg No.</b>	DA03-00	<b>Check</b>	JT

building footprint of Approved DA  
Development Application no. DA  
2008/12/02, shown dashed red

Entry Oculus:  
open to sky, 3 M deep nom.  
FFL 159.75

Entry Walkway  
access walkway 1:20.5  
to meet AS 1428.1

vehicle access:  
lay by connecting existing road  
to generator connection point

electrical pit for generator  
connection.

Concrete electrical pit  
and power pole

**Wendy Lewin Architect**  
NSW ARB No. 4303  
**Glenn Murcutt AO Architect**  
NSW ARB No. 2448  
176 A Raglan Street Mosman Sydney,  
NSW 2088

**DUNN & HILLAM**  
ARCHITECTS

**Workshop 1 Pty Ltd t/a Dunn & Hillam Architects**  
ACN 098 309 196 ABN 17 098 309 196  
33 Salisbury St, Botany NSW 2019  
T +61 2 9316 7715  
E admin@dunnhillam.com.au  
Nominated architect: Ashley Dunn NSW ARB No. 7547

**1 Site Plan**  
DA03-01 Scale: 1:1000

Revision Note

Consultants

ESD - Atelier Ten  
contact ph: 02 9262 4500

Structural/Civil - Northrop  
contact ph: 02 9241 4188

Mechanical Engineer - SEiD  
contact ph: 0450 122 335

Hydraulic Engineer - Stantec  
contact ph: 02 8484 7000

Acoustic Engineer - SLR  
contact ph: 02 9427 8100

Quantity Surveyor - mbm  
contact ph: 02 9270 1011

BCA/Access - Group DLA  
contact ph: 02 8004 6348

Landscape Architect - Aspect Studio  
contact ph: 02 9699 7182

Electrical/Lighting - Haron Robson  
contact ph: 02 7903 4567

Geotechnical - Douglas Partners  
contact ph: 02 9809 0666

Notes

1. all dimensions in mm.
2. do not scale from drawing.
3. this drawing has been prepared for Development Approval purposes only and is not to be used for tender or construction.
4. clarification to be sought from the architect in the event of any discrepancies in the documentation or if further information is required.

Client Australian Opal Centre

Project **Australian Opal Centre  
Lightning Ridge**

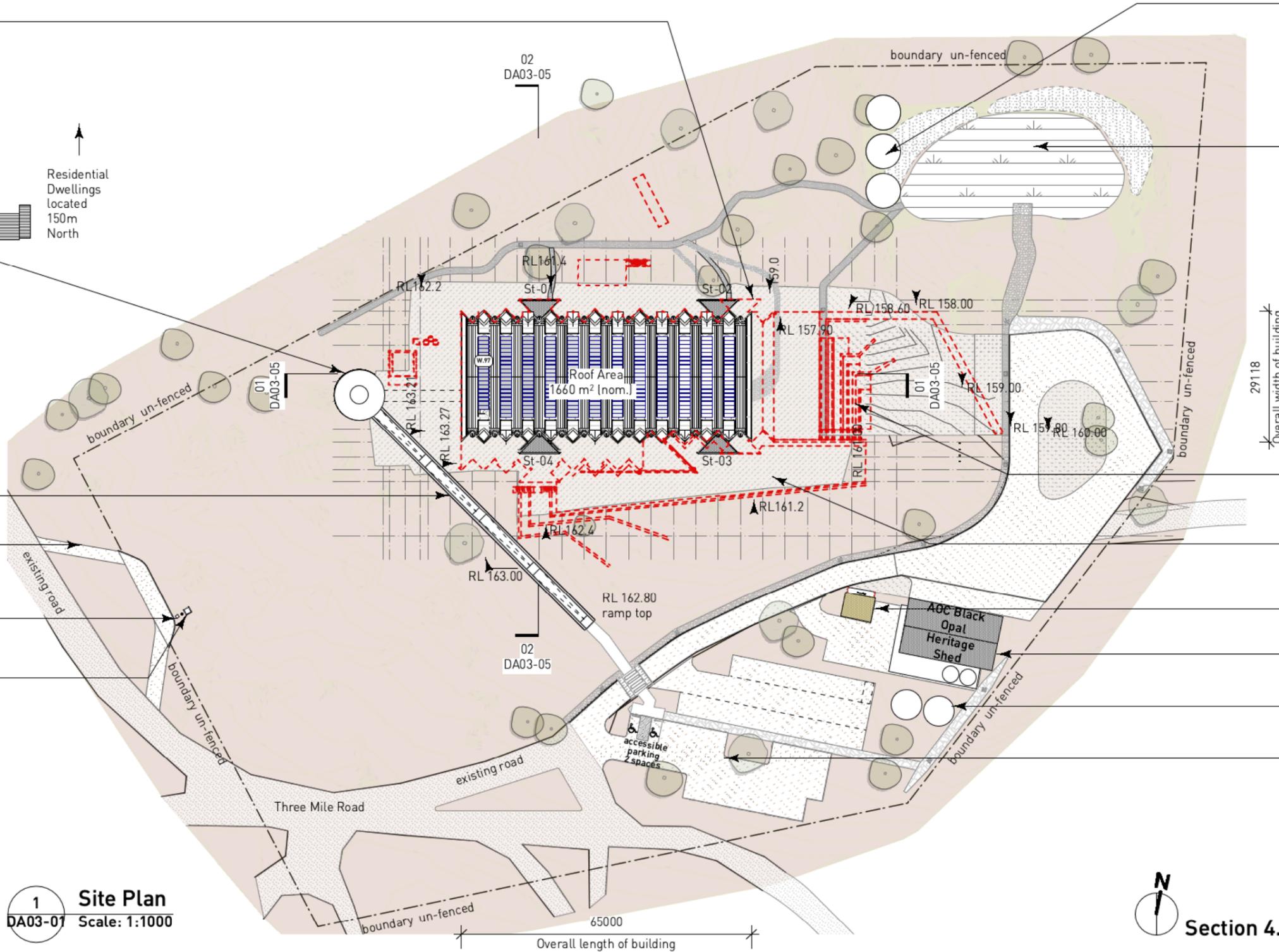
Issue **Development Approval**

Date Mon, 2 Aug 2021 Job No. 21\_301

Scale 1:1000 @A3 Drawn CV

Drawing Site Plan Rev.

Dwg No. DA03-01 Check JT



**Roof rainwater tanks:**  
Potable storage  
proprietary on ground steel tanks  
top of tank (and tank-bases) for  
gravity flow from down-pipes

**Detention Pond:**  
Surface RL nom. <154.00 (ref  
Landscape + Civil)  
potable tankage overflow  
discharge pipes at nom. RL  
157.25  
Pond to be fenced

**Roof Skylights:**  
vaulted multiwall polycarbonate

**Removed:**  
Eastern terrace, landscape,  
ramp and stairs

**Removed:**  
Entry court, stairs, walkway &  
landscape removed

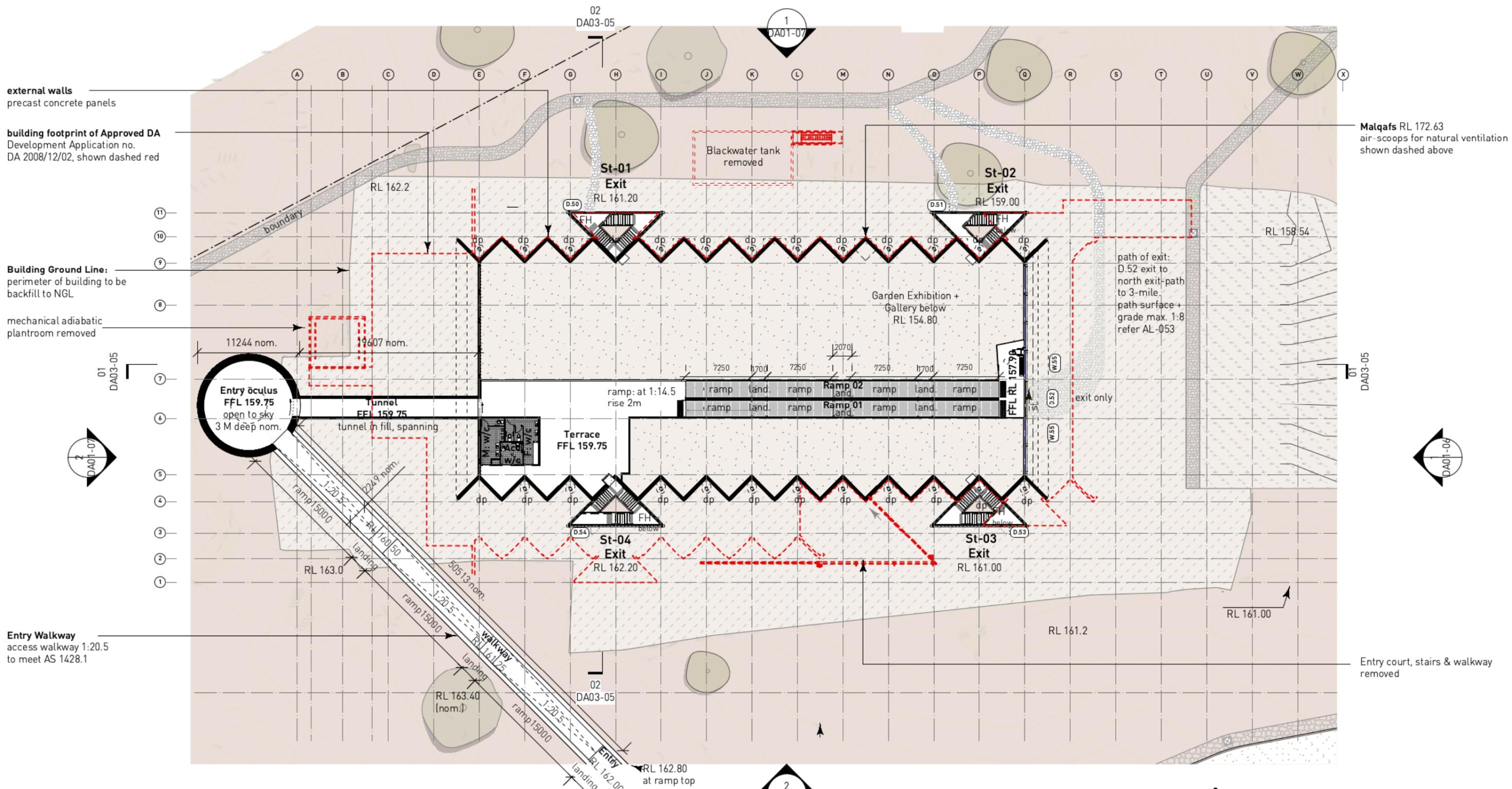
fire-booster pump  
room + hydrant  
booster

existing Black Opal Shed to  
remain

**fire storage tanks:** 130m<sup>3</sup> ea  
2 of 6.7 diameter x 3.6 H.

**carparking total area:**  
2 Accessible spaces  
51 Car-spaces  
Accessible spaces: hardstand,  
markings + pathways  
Car parking: compacted  
roadbase no marked areas

**Section 4.55 Application - 02.08.21**



**2** Ground Floor Plan  
DA03-02 Scale: 1:400

**N** Section 4.55 Application - 02.08.21

**Wendy Lewin Architect**  
NSW ARB No. 4303  
**Glenn Murcutt AO Architect**  
NSW ARB No. 2448  
176 A Raglan Street Mosman Sydney,  
NSW 2088

---

**DUNN & HILLAM**  
ARCHITECTS

**Workshop 1 Pty Ltd t/a Dunn & Hillam Architects**  
ACN 098 309 196 ABN 17 098 309 196  
33 Salisbury St, Botany NSW 2019  
T +61 2 9316 7715  
E admin@dunnhillam.com.au  
Nominated architect: Ashley Dunn NSW ARB No. 7547

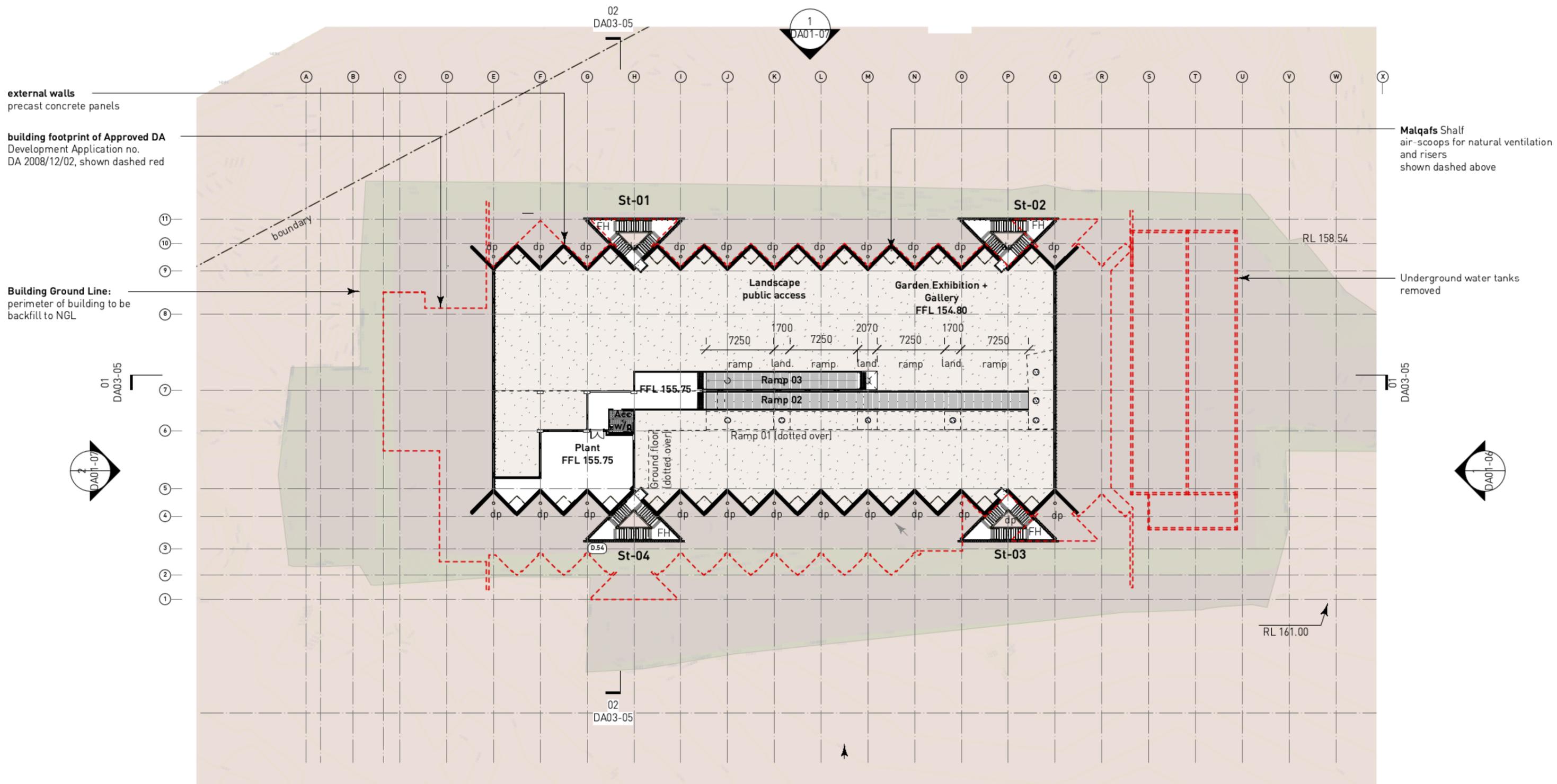
Revision	Note

Consultants	Notes
ESD - Atelier Ten contact ph: 02 9262 4500	Quantity Surveyor - mbm contact ph: 02 9270 1011
Structural/Civil - Northrop contact ph: 02 9241 4188	BCA/Access - Group DLA contact ph: 02 8004 6348
Mechanical Engineer - SEiD contact ph: 0450 122 335	Landscape Architect - Aspect Studio contact ph: 02 9699 7182
Hydraulic Engineer - Stantec contact ph: 02 8484 7000	Electrical/Lighting - Haron Robson contact ph: 02 7903 4567
Acoustic Engineer - SLR contact ph: 02 9427 8100	Geotechnical - Douglas Partners contact ph: 02 9809 0666

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<b>Client</b>	Australian Opal Centre		
<b>Project</b>	Australian Opal Centre Lightning Ridge		
<b>Issue</b>	Development Approval		
<b>Date</b>	Mon, 2 Aug 2021	<b>Job No.</b>	21_301
<b>Scale</b>	1:400 @A3	<b>Drawn</b>	CV
<b>Drawing</b>	Ground Floor Plan	<b>Rev.</b>	
<b>Dwg No.</b>	DA03-02	<b>Check</b>	JT



**3 Lower Ground Floor Plan**  
 DA03-03 Scale: 1:400

**Wendy Lewin Architect**  
 NSW ARB No. 4303  
**Glenn Murcutt AO Architect**  
 NSW ARB No. 2448  
 176 A Raglan Street Mosman Sydney,  
 NSW 2088

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Revision	Note

**Consultants**

ESD - Atelier Ten  
 contact ph: 02 9262 4500

Structural/Civil - Northrop  
 contact ph: 02 9241 4188

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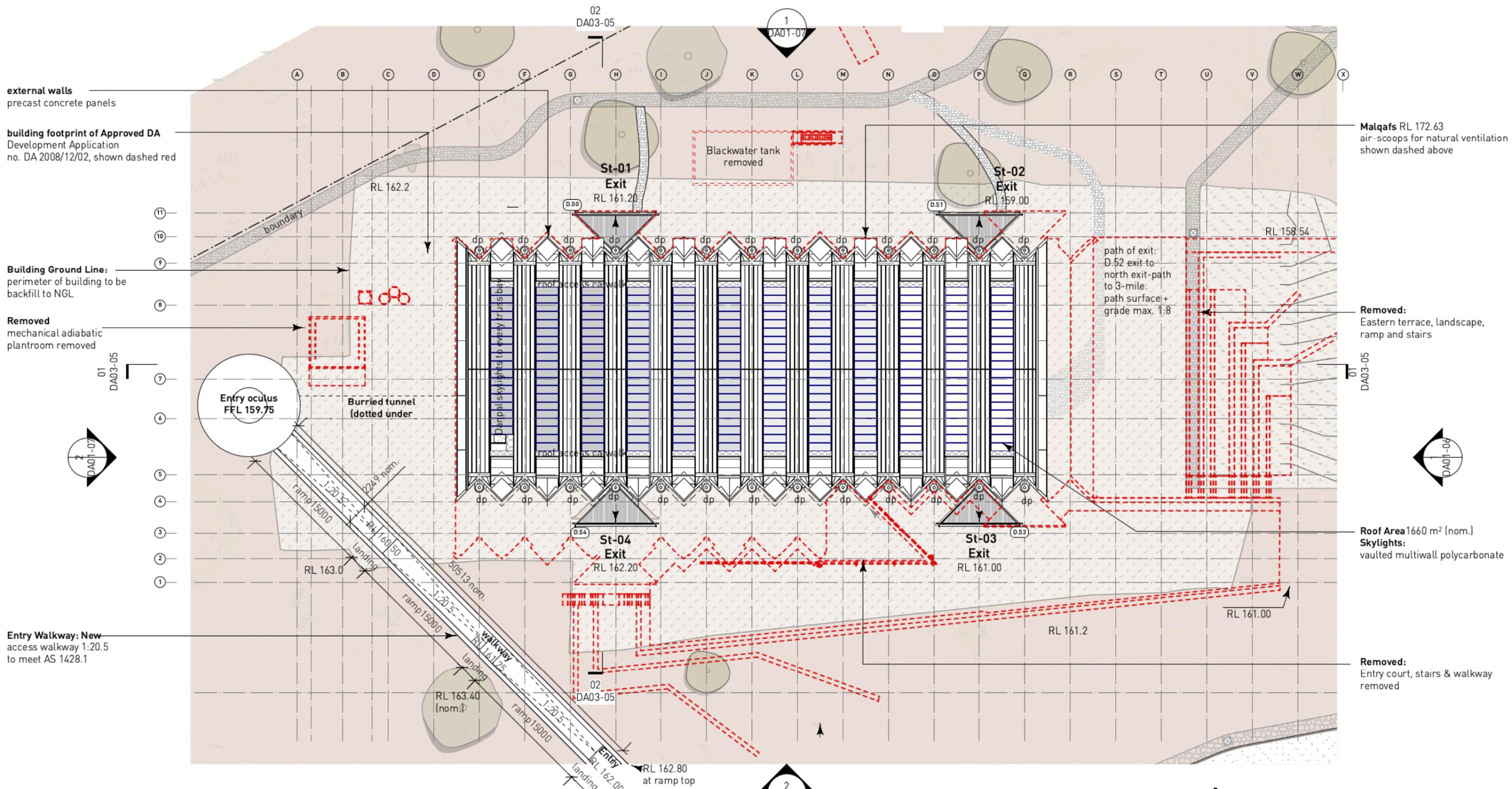
Geotechnical - Douglas Partners  
 contact ph: 02 9809 0666

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**Section 4.55 Application - 02.08.21**

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<b>Project</b>	Australian Opal Centre Lightning Ridge		
<b>Issue</b>	Development Approval		
<b>Date</b>	Mon, 2 Aug 2021	<b>Job No.</b>	21_301
<b>Scale</b>	1:400 @A3	<b>Drawn</b>	CV
<b>Drawing</b>	Lower Ground Floor Plan	<b>Rev.</b>	
<b>Dwg No.</b>	DA03-03	<b>Check</b>	JT



**2** Ground Floor Plan  
DA03-04 Scale: 1:400

**N** Section 4.55 Application - 02.08.21

**Wendy Lewin Architect**  
NSW ARB No. 4303  
**Glenn Murcutt AO Architect**  
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Nominated architect: Ashley Dunn NSW ARB No. 7547

Revision	Note

**Consultants**

ESD - Atelier Ten  
contact ph: 02 9262 4500

Structural/Civil - Northrop  
contact ph: 02 9241 4188

Mechanical Engineer - SEiD  
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Hydraulic Engineer - Stantec  
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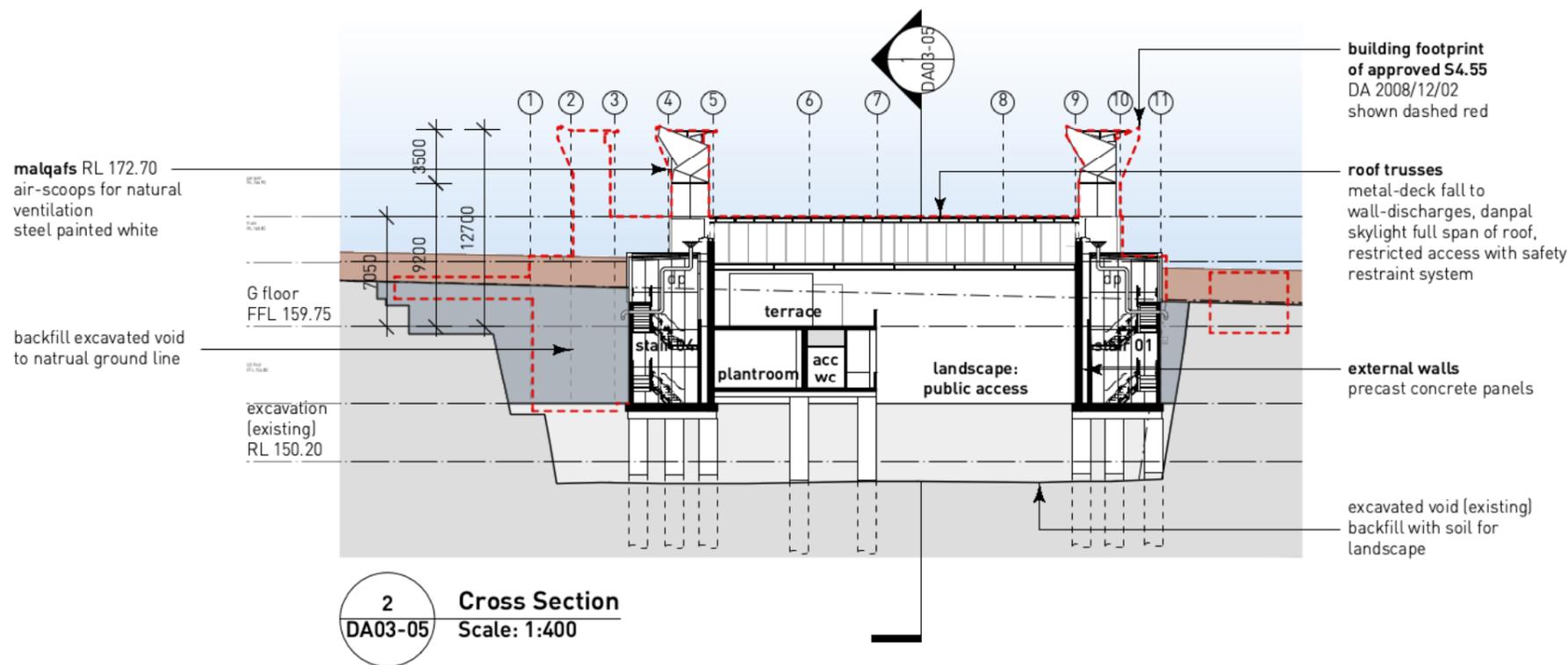
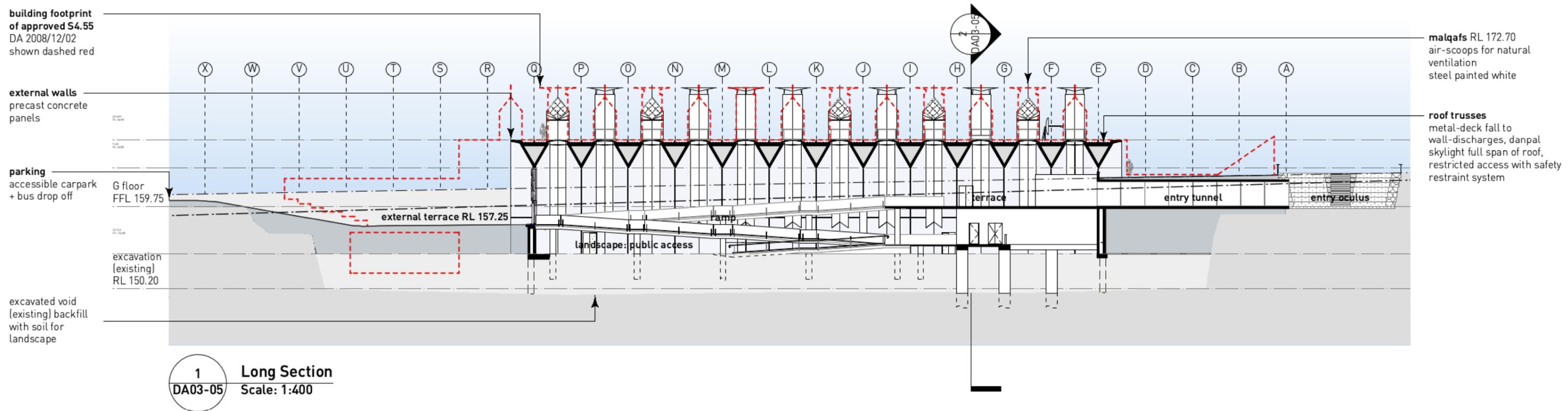
Electrical/Lighting - Haron Robson  
contact ph: 02 7903 4567

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<b>Project</b>	Australian Opal Centre Lightning Ridge		
<b>Issue</b>	Development Approval		
<b>Date</b>	Mon, 2 Aug 2021	<b>Job No.</b>	21_301
<b>Scale</b>	1:400 @A3	<b>Drawn</b>	CV
<b>Drawing</b>	Roof Plan	<b>Rev.</b>	
<b>Dwg No.</b>	DA03-04	<b>Check</b>	JT



**Section 4.55 Application - 02.08.21**

**Wendy Lewin Architect**  
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Revision	Note
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**Client** Australian Opal Centre

**Project** Australian Opal Centre  
**Lightning Ridge**

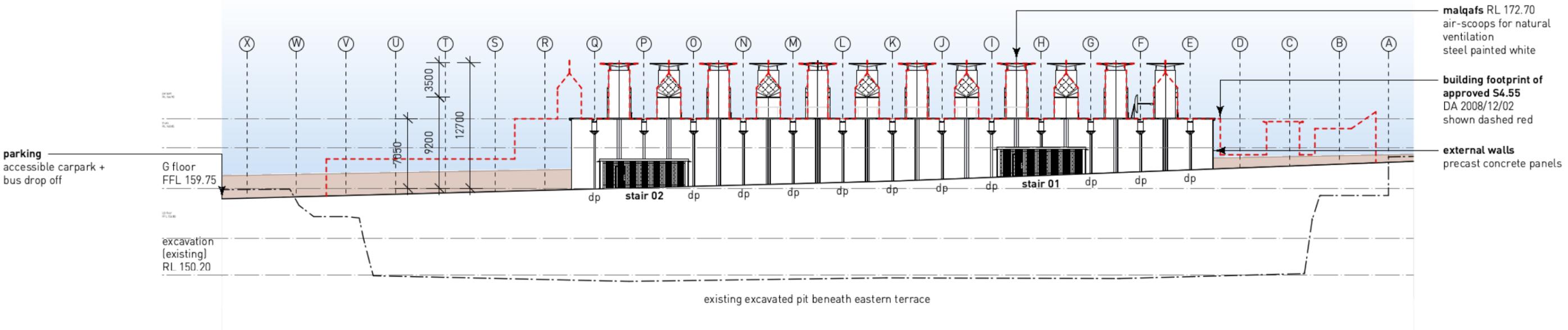
**Issue** Development Approval

**Date** Mon, 2 Aug 2021 **Job No.** 21\_301

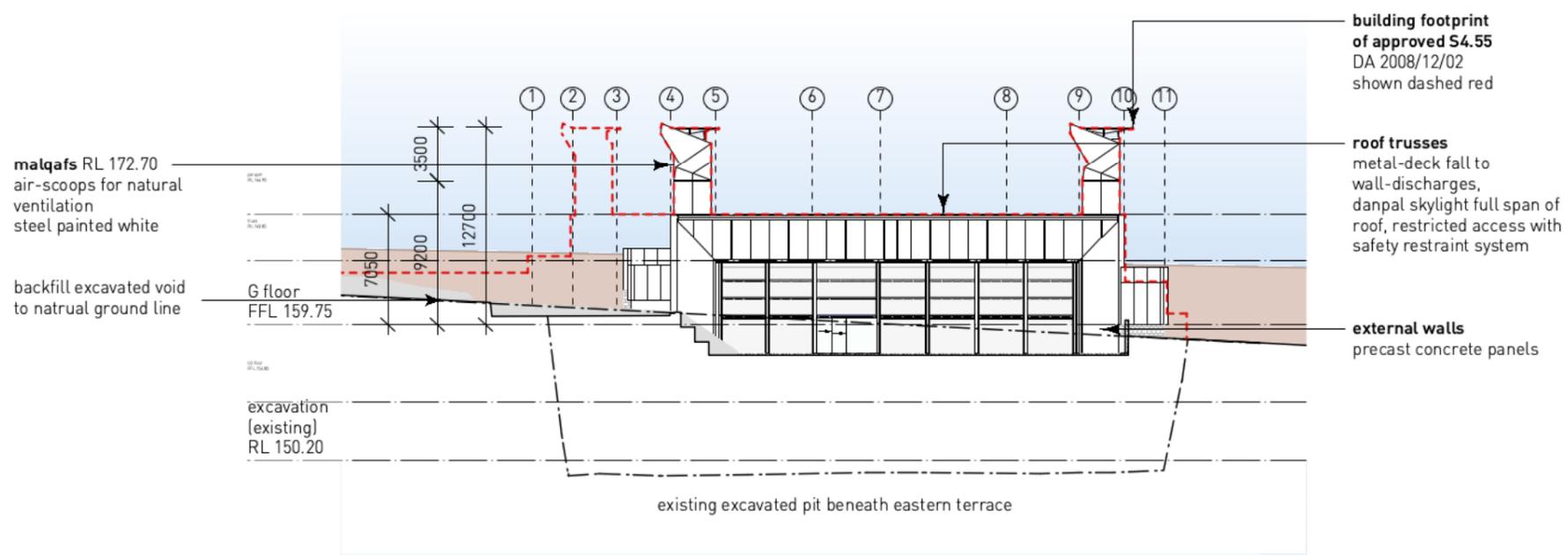
**Scale** 1:400 @A3 **Drawn** CV

**Drawing** Sections **Rev.**

**Dwg No.** DA03-05 **Check** JT



**1 North Elevation**  
DA03-06 Scale: 1:400



**2 East Elevation**  
DA03-06 Scale: 1:400

**Section 4.55 Application - 02.08.21**

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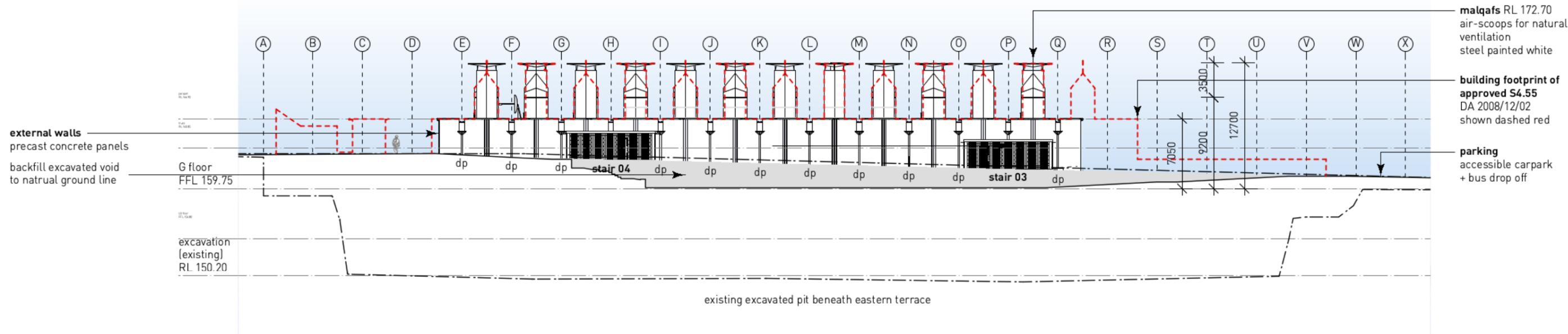
Revision	Note

Consultants	
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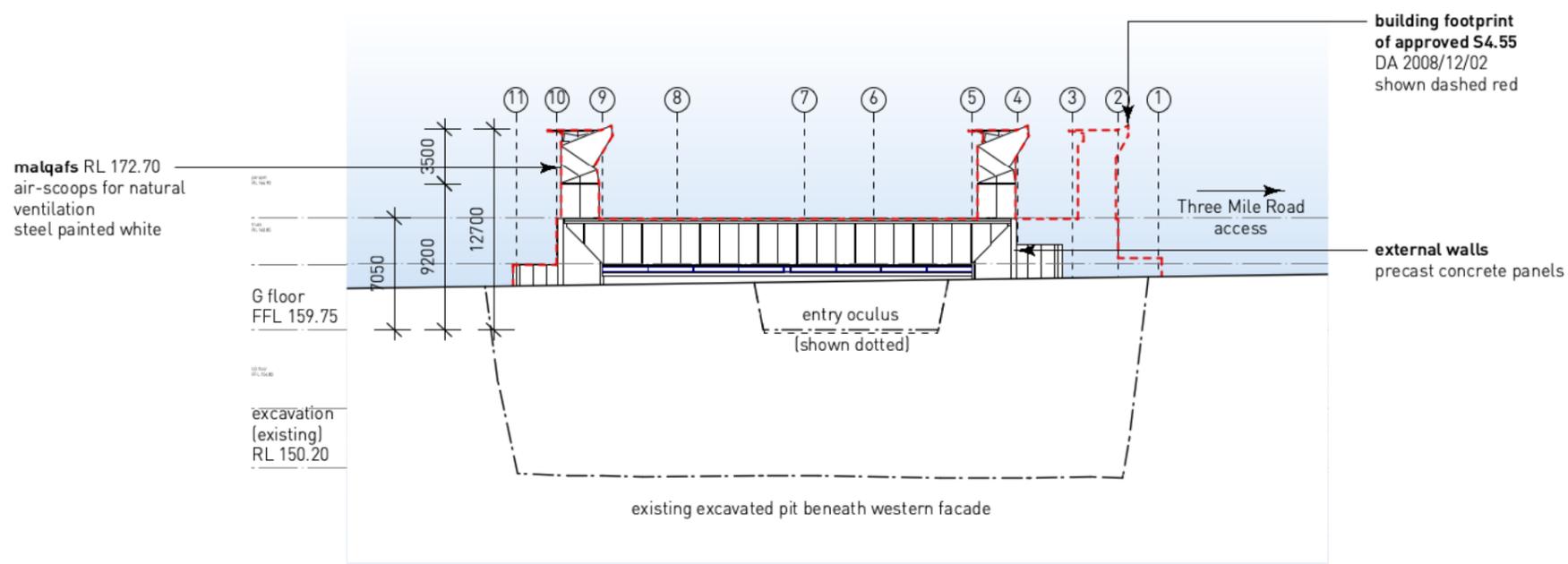
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<b>Client</b>	Australian Opal Centre		
<b>Project</b>	Australian Opal Centre Lightning Ridge		
<b>Issue</b>	Development Approval		
<b>Date</b>	Mon, 2 Aug 2021	<b>Job No.</b>	21_301
<b>Scale</b>	1:400 @A3	<b>Drawn</b>	CV
<b>Drawing</b>	Elevations 01		<b>Rev.</b>
<b>Dwg No.</b>	DA03-06	<b>Check</b>	JT



**3 South Elevation**  
DA03-07 Scale: 1:400



**4 West Elevation**  
DA03-07 Scale: 1:400

**Section 4.55 Application - 02.08.21**

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<b>Client</b>	Australian Opal Centre		
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<b>Issue</b>	Development Approval		
<b>Date</b>	Mon, 2 Aug 2021	<b>Job No.</b>	21_301
<b>Scale</b>	1:400 @A3	<b>Drawn</b>	CV
<b>Drawing</b>	Elevations 02		<b>Rev.</b>
<b>Dwg No.</b>	DA03-07	<b>Check</b>	JT



# Walgett Shire Council

ABN 88 769 076 385

**Council Reference:** DA2008/012/3

**Council Contact:** Environmental Services Department

**Date:** 28 September 2021

Lightning Ridge Opal & Fossil Centre Incorporated  
PO Box 229  
LIGHTNING RIDGE NSW 2834

Dear Sir/Madam,

## Notice of Determination of Modification to Development Approval

<b>Reference:</b>	DA2008/12/3
<b>Location:</b>	Three Mile Road Lightning Ridge
<b>Proposal:</b>	Class 9b - Assembly Building - Construction and Operation of the Australian Opal Centre Including Public Museum, Souvenir Shop, Car Park and Associated Facilities.

I am pleased to advise that a development consent and stamped supporting documentation for your proposal has been granted and that a copy of the consent document is enclosed.

Please note all conditions of consent must be read carefully to ensure matters required to be addressed prior to commencement have been satisfied.

Should you have further enquiries please contact Council's Environmental Services Department on 02 6828 1399 or email [admin@walgett.nsw.gov.au](mailto:admin@walgett.nsw.gov.au)

Yours Sincerely

**Michael Urquhart**  
**General Manager**

**Encl.**

# Notice of Determination

## NOTICE OF DETERMINATION OF STAGED MODIFIED DEVELOPMENT APPLICATION

DA2008/12/3

Issued under section 4.18 of the *Environmental Planning and Assessment Act 1979*

### APPLICANT

<b>APPLICANT NAME:</b>	Lightning Ridge Opal & Fossil Centre Incorporated
<b>APPLICANT ADDRESS:</b>	PO Box 229 LIGHTNING RIDGE NSW 2834

### LAND TO BE DEVELOPED

<b>PROPERTY ADDRESS:</b>	Three Mile Road, LIGHTNING RIDGE
<b>LEGAL DESCRIPTION:</b>	Lot: 1 DP: 1103508 WLL: 14607
<b>RATES ASSESSMENT:</b>	57349

### PROPOSED DEVELOPMENT

*(This consent is issued in respect of the following matters)*

<b>DEVELOPMENT DESCRIPTION:</b>	Construction and Operation of the Australian Opal Centre including public museum, souvenir shop, car park and associated facilities.
<b>APPROVED MODIFICATION:</b>	<ul style="list-style-type: none"><li>• Reduction of roofed area 2,106m<sup>2</sup> to 1,961m<sup>2</sup>.</li><li>• Change to access way, from the southern façade, to now be via a landscaped, ramped walkway from the south leading to a western sunken courtyard, via a secure, horizontal tunnel.</li><li>• Ground level is raised along the southern wall, as excavation is no longer required to allow for the previous entry stair and foyer.</li><li>• Informal parking – no marking of the parking spaces.</li><li>• Landscaping has been deleted.</li><li>• Deletion of the blackwater treatment system, and replaced by pumpout and off-site removal of waste water.</li><li>• Deletion of the Geothermal bore field.</li><li>• Deletion of stages.</li><li>• Replacement of double glazed roof lights with a twin wall polycarbonate meeting the same thermal and solar performance as the double glazing.</li></ul>
<b>BUILDING CLASSIFICATION:</b>	9B

# Notice of Determination

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<b>DETERMINATION:</b>	Approved by Council
<b>MADE ON:</b>	28/09/2021
<b>CONSENT TO OPERATE FROM:</b>	15/07/2008
<b>CONSENT TO LAPSE ON:</b>	15/07/2013

# Notice of Determination

## CONDITIONS ATTACHED TO DEVELOPMENT CONSENT DA/2008/12/2

Please read all conditions carefully. The applicant/developer may arrange to meet with Council to review and clarify, if necessary, the precise requirements of the conditions of this consent

### RELEVANT PRESCRIBED CONDITIONS (under the Environmental Planning and Assessment Regulation 2000)

#### 98. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

- (1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
  - (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
  - ~~(b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.~~
- (2) This clause does not apply:
  - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
  - (b) to the erection of a temporary building.
- (3) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

#### 98a. Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by

# Notice of Determination

that date.

**Note.** Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

## GENERAL CONDITIONS

**Gen 001** Deleted Condition DA2008/12/3

Additional Condition DA2008-12-2

~~This development is to be staged as per the following:~~

**Stage 1:**

- ~~• Building the complete structure of walls and roof and fitting out the ground floor entry level for public access. This would include a cafe, shop, ticketing, exhibition areas, toilets, internal courtyard garden and office space.~~
- ~~• Pit void – external to walls covered/enclosed~~
- ~~• The Malqaf and natural ventilation system would be completed along with all required fire safety and Australian Building Code compliance requirements~~
- ~~• Rain water collection tanks.~~
- ~~• Toilets for stage 2 installed~~
- ~~• Carparking~~
- ~~• Temporary landscaping~~

**Stage 2:**

- ~~• Completion of lower ground floor~~
- ~~• Eastern terrace and gardens~~

~~Staging of this application will require a separate Construction Certificate to be submitted for each stage. This will also require a separate Occupation Certificate to be issued for each stage, prior to occupation of the building.~~

**Gen 010.** Deleted Condition DA2008-12-2

~~It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.~~

~~**Reason:** To avoid breaching the requirements of any covenant.~~

**Gen 020.** Any future development on the subject site or use of the subject land in a manner inconsistent with this development consent (approval) will require separate development consent to be obtained from council in writing prior to the commencement of any work.

**Reason:** To ensure compliance with the Environmental Planning and Assessment Act 1979.

**Gen 030.** Council is to be immediately informed in writing if arrangements for work are changed.

**Reason:** To enable Council to maintain an accurate record of approvals granted.

**Gen 040.** Prior to commencing any building works a Construction Certificate must be obtained from Council to authorise construction.

**Reason:** To ensure compliance with the Environmental Planning and Assessment Act 1979.

**Gen 055** Modified Condition DA2008-12-2

In addition to plans, elevations and sections, the application for a Construction Certificate is to include the following information:

- The location of all fire safety, smoke detection and alarm systems together with a installation details and,
- ~~Details of the proposed method of termite treatment showing that compliance will be~~

# Notice of Determination

achieved with AS 3660,

- (c) All structural details including specifications, tie-down and bracing plans and slab design details.

**Reason:** To ensure compliance with the Building Code of Australia.

**Gen** Additional Condition DA2008-12-2

**055-1** A report by an accredited access consultant must be prepared and lodged with the Construction Certificate application showing compliance with all relevant legislation.

**Reason:** To ensure compliance with the Building Code of Australia.

**Gen 056** Where it is proposed to use performance based (alternative) solutions for compliance with the Building Code of Australia, the developer is to provide detailed evidence of compliance together with all necessary calculations and expert witness statements.

**Reason:** To ensure compliance with the Building Code of Australia.

**Gen** Additional Condition DA2008-12-2

**056-1** A report by an accredited Fire Engineer must be lodged with the Construction Certificate application. If alternate solutions are required these must be accompanied by a peer review report by an accredited certifier and if required, sign off by NSW Fire and Rescue.

**Reason:** To ensure compliance with the Building Code of Australia.

**Gen 065.** The use or occupation of the premises is not to commence until such time as the terms of Development Consent have been complied with and a final occupation certificate issued.

**Reason:** To restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building

**Gen 066** Inserted Condition DA2008-12-3

*Prior to construction of the development, a landscaping plan shall be submitted to Council for approval.*

## APPROVED PLANS

**Pln 010.** The development shall be implemented in accordance with:

- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
- (b) the details set out on the plans approved and stamped by authorised officers of Council,

except as amended by the conditions of this development consent.

**Reason:** To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

## SITE PROTECTION, FENCING AND LANDSCAPING

**Fen 010.** Details of any boundary fencing and landscaping works are to be submitted to Council for approval prior to commencement of works.

**Reason:** To ensure the appearance of the development is sympathetic with the existing landscape.

**Fen 015.** A security fence is to be erected around the site whilst construction is in progress.

**Reason:** To prevent access to the site by unauthorised persons.

**Fen 025.** Appropriate barriers are to be established and maintained around all excavation works.

**Reason:** To minimise the risk of people falling down vertical faces.

**Fen 026.** Inserted Condition DA2008-12-3

# Notice of Determination

*A fence is to be erected around the Retention Basin before an Occupation Certificate is provided.*

## SITING/SETOUT

- Set 015.** The developer of the property is to ensure that any building constructed is located within the confines of the lot.  
**Reason:** *To avoid any buildings being erected in a location where it would be inappropriate.*

## CONSTRUCTION

- Con 010.** The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-  
Weekdays 7.00 a.m. to 7.00 p.m.  
Weekends & Public Holidays 8.00 a.m. to 7.00 p.m.  
**Reason:** *To ensure that public amenity is not unduly affected by noise.*
- Con 020.** All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.  
**Reason:** *To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.*
- Con 030.** The builder shall provide a temporary sanitary service to the building site before building operations are commenced.  
**Reason:** *To provide effective sanitation of the site during building construction.*
- Con 045.** All construction materials, sheds, skip bins, spoil, temporary water closets etc, shall be kept wholly within the property and not placed on public land.  
**Reason:** *To preserve the amenity of the locality.*
- Con 070.** All footings and/or slabs shall be constructed as per engineer's details.  
**Reason:** *To ensure compliance with the Building Code of Australia.*
- Con 080.** All timber framing shall comply with the NSW Timber Framing Manual and the Building Code of Australia.  
**Reason:** *To ensure compliance with the Building Code of Australia.*
- Con 090.** All steel framing shall comply with Part B1 of the Building Code of Australia and associated standards.  
**Reason:** *To ensure compliance with the Building Code of Australia.*
- Con 110.** Engineer's detail of the roof trusses with a truss layout plan, are to be submitted and approved by Council prior to any roof construction work commencing.  
**Reason:** *To ensure structural efficiency of the roof trusses.*
- Con 120.** All glass installation shall comply with the requirements of Australian Standard 1288 and 2047 as applicable. The installer shall provide certification that the glazing complies with the requirements of AS 1288 and AS 2047 immediately following installation.  
**Reason:** *To ensure compliance with the Building Code of Australia.*
- Con 130.** All wet areas are to be waterproofed in accordance with Australian Standard 3740.  
**Reason:** *To ensure that the waterproofing of the wet areas comply with the relevant Australian Standards and the Building Code of Australia.*
- Con 140.** All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.

# Notice of Determination

**Reason:** To prevent the intrusion of light onto adjoining premises.

- Con 205.** The door to fully enclosed sanitary compartments must:
- Slide, or
  - Open outward, or
  - Be readily removable from the outside of the compartment.

**Reason:** To ensure compliance with the Building Code of Australia.

**Note:** If lift-off hinges are used adequate space is to be provided between the top of the door and the doorway to allow the door to be removed from the hinges.

- Con 210.** All electrical work must be carried out by a licensed electrician in accordance with Australian Standard 3000 – SAA Wiring Rules and Australian Standard 3002.

**Reason:** To ensure compliance with Australian Standards.

## DISABLED ACCESS

- Dis 010.** Deleted Condition DA2008-12-2

~~Disabled access and facilities are to be provided in accordance with the Building Code of Australia and Australian Standard 1428.1 to 4. Design for Access and Mobility – New building work.~~

~~**Reason:** To ensure compliance with the Building Code of Australia and the Disability Discrimination Act 1992.~~

- Dis 040.** Modified Condition DA2008-12-2

At least two (2) disabled car parking spaces shall be provided within the proposed car park. The parking spaces are to have minimum width of 3.8m, with the signage and marking complying with the requirements of AS 2890.1-2004. A continuous accessible path of travel complying with the requirements of AS 1428.1 is to be provided from the parking space to the building. All accessible car-parking shall comply with AS2890.6.

**Reason:** To ensure compliance with the Building Code of Australia..

## TERMITE CONTROL

- Ter010.** Deleted Condition DA2008-12-2

~~Treatment against termites is to be carried out in accordance with AS 3660.1. Upon completion of the selected method of treatment:~~

- ~~a certificate is to be issued to Council by the licensed installer of the system certifying that the system installed is in accordance with the specific requirements of Council and AS3660.1.~~
- ~~A durable notice must be permanently fixed within the meter box indicating:
  - ~~• The method of protection~~
  - ~~• The date of installation of the system~~
  - ~~• Where a chemical barrier is used, it's life expectancy as listed on the National Registration Authority label and~~
  - ~~• The need to maintain and inspect the system on a regular basis.~~~~

~~**Reason:** To ensure compliance with the Building Code of Australia.~~

## VENTILATION

- Ven 010.** Provide an approved system of mechanical ventilation in accordance with the requirements of Part F4.5(b) of the Building Code of Australia.

**Reason:** To provide adequate ventilation and to ensure that there are no adverse affects on the occupants or the building.

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## WATER, SEWER, AND STORMWATER

- Plu 015.** Before any plumbing, stormwater or sewer drainage works are commenced an Activity Application and Annexure accompanied by a diagram of proposed works and the appropriate fees is to be submitted and approval granted in accordance with the requirements of Section 68 of the Local Government Act 1993.
- Reason:** *To ensure compliance with the Local Government Act 1993, Council's On-Site Sewage Management Guidelines, Australian Standard 3500.1-4 and the NSW Code of Practice, Plumbing and Drainage-2006.*
- Plu 080.** Modified Condition DA2008-12-3
- Under Section 68 Local Government Act 1993, Council requires a separate application for a new waste water management system designed to meet the requirements set-out by AS/NZS 1547-2012.*
- ~~All plumbing and drainage works are to be completed in accordance with Australian Standard AS/NZS 3500-2003.1-4 Plumbing and drainage and the NSW Code of Practice, Plumbing and Drainage-2006.~~
- Reason:** *To ensure that plumbing and drainage works are completed in a professional manner.*
- Plu 105.** Reticulated water is not available to the site. The developer is to engage the services of an accredited Hydraulic Engineer for preparation of water storage and reticulation details, for fire services, external use and potable supply. The system design must include details of tanking, pumping methods, tank cleaning and filtration required to ensure maintenance of potable water.
- Reason:** *To ensure water supply system is suitable for it's intended uses.*
- Plu 106.** Arrangements are to be made for the regular testing of the potable water supply to ensure compliance with the Australian Drinking Water Guidelines-2004.
- Reason:** *To ensure that water services are maintained in a healthy condition.*
- Plu 107.** Deleted Condition, New Advice Note – Under Council Advice Only. DA2008-12-3
- ~~An On-site waste water (sewerage) management system must be established and maintained on the site to catch and hold all waste water in accordance with relevant Australian Standards and AS 3500-2003 Plumbing and Drainage. Details of the proposed system are to be submitted to Council for approval before the commencement of any construction.~~
- An On-site waste water (sewerage) management system must be established and maintained on the site to catch and hold all waste water in accordance with relevant Australian Standards and AS 3500-2003 *Plumbing and Drainage*. Details of the proposed system are to be submitted to Council for approval before the commencement of any construction.
- Reason:** *To ensure that the facilities are maintained at a level of hygiene appropriate for their approved use and to comply with Section 68 of the Local Government Act 1993, Council's On-site Sewerage Management Guidelines.*
- Plu 135.** The land surrounding the completed building is to have a drainage system so that:-
- surface water is diverted clear of structures on site; and
  - which will not create any nuisance to adjoining properties.
- Reason:** *To minimise the potential for detrimental impacts to buildings or neighbouring properties.*
- Plu 150.** All new heated water installations shall, at the outlet of all sanitary fixtures used primarily for personal hygiene (shower and hand basins) deliver heated water not exceeding 50° C.

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**Reason:** Temperature limits are required to minimise the risk of scalding.

Notes:

1. Temperature control devices require routine maintenance and performance testing. Information on maintenance can be found in AS 4032.2
2. It is the property owner's responsibility to ensure that the routine maintenance is carried out.

**Plu 190.** A minimum of 10000 litres water storage capacity is to be reserved in the main water storage tank for fire fighting purposes. The main water storage tank is to be fitted with a 65mm Stortz fitting and valve and pump set capable of being connected to the rural fire service equipment.

**Reason:** To ensure a sufficient supply of water for fighting purposes.

**Plu 191** Inserted Condition DA2008-12-3

An Operation Management Plan is to be submitted to Council which outlines the details of the off-site removal of waste water.

## PARKING & TRAFFIC

**Par 015.** Modified Condition DA2008-12-3

*The parking area is to be constructed of all weather<sup>1</sup> material and maintained so that it is trafficable, free of pot holes, corrugations, and erosion and does not interfere with stormwater runoff or create a dust nuisance.*

~~The off street car parking area is to be constructed of all weather material and maintained so that it is trafficable, free of pot holes, corrugations, erosion and does not interfere with stormwater runoff. Parking spaces are to be clearly marked to comply with AS 2890.1-2004, Parking Facilities. Part 1. Off-street car parking.~~

**Reason:** So adequate off street parking is provided for the development and it is maintained in an appropriate manner.

**Par 030.** Parking facilities for people with disabilities are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – *Parking Facilities – Off Street Car Parking*.

**Reason:** To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.

**Par 040.** All loading and unloading activities relating to the use of the premises are to be carried out wholly within the site.

**Reason:** To ensure the amenity of the area is maintained and minimise the potential for interference with traffic flow on public streets.

## ACCESS ROADS

**Rds 035.** Road access to the site shall be from "Three Mile Road".

**Reason:** To ensure that road access is provided via a designated route.

**Rds 036.** If subsequently requested by the General Manager of Walgett Shire Council, the developer shall take such steps that are specified to minimise the generation of dust from the unsealed portion of the access road.

**Reason:** Significant traffic movements may generate significant additional dust from the unsealed portion of the road. To reduce the risk of nuisance or health problems, Council may require the developer to take action to address this issue.

**Rds 037.** The developer is to take all necessary actions during construction to minimise the creation of dust by vehicles accessing the site.

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**Reason:** To ensure that the effects of dust on the surrounding properties is minimised.

## ENVIRONMENTAL MANAGEMENT

- Env 005.** The developer must keep a legible record of all complaints made to the developer, or any employee or agent of the developer, in relation to dust, noise, light or any activity to which this development consent relates. The record must be kept for a period of 3 years after the complaint was made and be available on demand to authorised officers of Council. Details to be recorded as follows:
- (a) the date and time of the complaint;
  - (b) the method by which the complaint was made;
  - (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - (d) the nature of the complaint;
  - (e) the action taken by the developer in relation to the complaint, including any follow-up contact with the complainant; and
  - (f) if no action was taken by the developer, the reason why no action was taken.

**Reason:** To ensure that complaints are recorded, considered and dealt with in an appropriate manner.

- Env 010.** Run-off and erosion controls must be implemented before construction, and maintained to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- (a) divert uncontaminated run-off around cleared or disturbed areas,
  - (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
  - (c) stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

**Reason:** To prevent pollution from detrimentally affecting the public or environment.

- Env 040.** No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

**Reason:** To prevent pollution from detrimentally affecting the public or environment.

- Env 050.** Noise from the development (LA10) shall not exceed the background (LA90) by more than 5dB (A) at any time including any allowance for impulsiveness and tonal characteristics, when measured at the most affected residence.

**Reason:** To prevent the generation of a noise nuisance.

- Env 065.** Photovoltaic systems used on the premises must not cause glare that would have a detrimental impact upon surrounding premises.

**Reason:** To ensure protection of amenity of surrounding properties.

## OPAL MINING DISTURBANCE

- Min 015.** On completion of site excavation works, the developer must:
- (a) engage a suitably qualified and experienced geotechnical engineer to provide an evaluation report which assesses whether there is evidence of significant prior mining activity which may have an impact on the integrity of the walls or foundations of the proposed building.
  - (b) Provide a copy of the geotechnical engineer's evaluation report to Walgett Shire Council prior to the issue of a Construction Certificate and commencement of construction of the building.

**Reason:** There are no official records of the extent of opal mine workings within the Lightning Ridge area. Voids and backfilled areas resulting from mining activity may have an adverse impact on building stability and public safety. Council accepts that for design reasons the void for the building must be excavated prior to finalisation of the building's structural design.

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- Min 025.** If the geotechnical engineer's evaluation report shows that prior mining activity may have an impact on the integrity of the walls or foundations of the proposed building, then the developer must also:
- Engage a suitably qualified and experienced structural engineer to document how stability issues associated with mining activity will be managed.
  - Provide a copy of the structural engineer's documentation to Walgett Shire Council prior to the commencement of construction.

*Reason: Building design must be managed to ensure building stability and public safety.*

## PLAYGROUND

- Pla 010.** Any playground equipment incorporated in the building shall comply with 'Australian Standard 4685.1-6 2004 Playground equipment safety requirements'.

*Reason: To ensure that playground equipment is suitable for use by children.*

## PUBLIC ENTERTAINMENT

- Pub 005.** Deleted Condition DA2008-12-2

~~If 'public entertainment' is to be conducted in the building or part thereof, then the developer is to ensure that the building complies with the Building Code of Australia. (Note: In particular, NSW Part 101 Places of Public Entertainment other than Temporary Structures and Drive in Theatres).~~

~~*Reason: The application documentation indicates that the facility will include a "cinema", which is a place of public entertainment.*~~

## FOOD PREMISES

- Foo 010.** The fit out and operations of the food premises must comply with the requirements of:
- Food Safety Standards.
  - Australian Standard 4674-2004 Design Construction and Fit Out of Food Premises.
  - The NSW Food Act 2003.

*Reason: To ensure that the building conforms to the relevant performance requirements of the Building Code of Australia and Food Act 2003.*

- Foo 020.** Plans and specifications showing floor layout and design of all food preparation, food service, food storage, dining area, garbage disposal area, construction and method of installation of all fittings and fixtures, together with floor, wall and ceiling finishes are required prior to Council issuing a Construction Certificate.

*Reason: To comply with AS 4674 and Building Code of Australia.*

- Foo 030.** Arrangements are to be put in place by the developer for the collection, storage, and removal of garbage from site on a regular basis. All garbage is to be stored in animal proof containers screened from public view and situated so as not to cause a nuisance to the occupants of the building or neighbouring properties.

*Reason: To maintain the amenity of the site and surrounds.*

- Foo 040.** All commercial kitchens must be provided with a kitchen exhaust hood that complies with the provisions of AS/NZS 1668.1 and AS 1668.2 as applicable.

*Reason: To ensure compliance with the Building Code of Australia.*

## INSPECTIONS

Deleted Requirement DA2008-12-2

The applicant is to advise Council of the name and address of the body nominated to act as the Principal Certifying Authority, on the "Notice of Commencement Form" forty eight (48) hours prior to work

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commencing.

Inspections at the completion of stages as indicated below are required to be carried out by the Principal Certifying Authority. **Work must not proceed past any inspection stage until approval is given by the Certifier.**

## **Critical Stage Inspections – Class 9**

- ~~At the commencement of the building work, and~~
- ~~On set out of the works and prior to any excavation.~~
- ~~Footings after excavation and before pouring of any concrete~~
- ~~Footings/piers and slab after placement of moisture barrier, reinforcement and prior to pouring of any concrete.~~
- ~~Underfloor drainage prior to pouring concrete.~~
- ~~On completion of blockwork/brickwork and prior to core filling.~~
- ~~On completion of framing prior to covering.~~
- ~~On completion of plumbing pipe installation (hot & cold water service) prior to covering.~~
- ~~On completion of waterproofing of wet areas and prior to commencement of wall and floor tiling.~~
- ~~Prior to covering any sewer or stormwater drainage pipe work and connection points.~~
- ~~First floor slabs after placement of reinforcement and prior to the pouring of any concrete.~~
- ~~Installation of sewerage system and effluent lines prior to backfilling.~~
- ~~All external sewer drainage prior to covering in trenches, clearly visible and under hydrostatic test.~~
- ~~Final Inspection before use of installed equipment.~~
- ~~Final Inspection of Fire service installations~~
- ~~Prior to covering any stormwater drainage connections, and~~
- ~~After the building work has been completed and prior to any occupation certificate being issued in relation to the building.~~

**Reason:** *Occupation Certificates cannot be issued if the Principal Certifying Authority does not carry out the designated inspections, and to ensure compliance with the approved plans.*

## **FIRE SAFETY**

**Fir 060.** Fire Safety Equipment as per the attached Fire Safety Schedule, shall be installed and maintained on the premises and be the subject of the required annual Fire Safety Statement

**FIRE SAFETY SCHEDULE** - The following fire safety services are to be installed in the building;

- a) **Fire Hose Reels** complying with the requirements of Part E1.4 of the building code of Australia and AS 1121 "Fire Hose Reels", and AS 2441 "Fire Hose Reels Installation".
- b) **Portable Fire Extinguishers** complying with the requirements of Part E1.6 of the Building Code of Australia and AS 2444 "Fire Extinguishers Selection".
- c) **Exit Signs** complying with the requirements of Part E4.5 of the Building Code of Australia and AS 2293. "Emergency Evacuation Lighting". Such lighting to be located at each designated exit from the buildings.
- d) **Emergency Lighting** complying with the requirements of Part E4.2 of the Building Code of Australia and AS 2293.1 "Emergency Evacuation Lighting".
- e) **Fire Hydrants and On-site Pump Set** complying with Part E1.3 of the Building Code of Australia and AS2419.1 *Fire Hydrant Installations*
- f) **Automatic Smoke Detection and Alarm System** complying with the requirements of Specification E2.2a (Clauses 3 or 4 as applicable) of the Building Code of Australia and AS 1670.1 and AS 3786.
- g) **Fire Sprinkler System** complying with Part E1.5 and Part H1 of the Building Code of Australia and AS 2118.1 *Automatic Fire Sprinkler Systems*.

**On completion of the building and at least once in each period of twelve months following completion, the owner shall cause council to be furnished with Certification that each essential fire service installed in the building is capable of performing to a standard not less than they were**

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originally required to achieve and perform to a standard not less than that determined using the corresponding Part I.1 Building Code of Australia provisions.

## **COUNCIL ADVICE ONLY**

Modified Condition DA2008-12-3

1. Inserted Condition DA2008-12-3

*The application requires a 'pump out' OSMS system, which will require routine servicing and monitoring. Details to be provided to Council for approval prior to the commencement of construction.*

2. Inserted Condition DA2008-12-3

*The access road is not a Council responsibility to maintain, it is the responsibility of Crown Land.*

## **OTHER APPROVALS**

The following approvals have been granted:

Nil

## **COMMISSION OF INQUIRY**

A Commission of Inquiry has not been held.

## **REASONS FOR CONDITIONS**

Given Council's duty to consider the matters set out in Section 4.15 of the *Environmental Planning & Assessment Act 1979*, the above conditions have been placed on the consent in accordance with Section 4.17 of the *Environmental Planning and Assessment Act 1979* to:

1. To ensure compliance with the provisions of the *Environmental Planning & Assessment Act 1979*.
2. To confirm and clarify the terms of Council's approval.
3. To comply with all relevant legislation

## **REVIEW OF DETERMINATION**

Under the provisions of Sections 8.2, 8.3, 8.4 and 8.5 of the *Environmental Planning and Assessment Act 1979*, an applicant may request the Council to review the determination. The request for a review must be made within six (6) months of the date of determination, or if there is an appeal to the Land and Environment Court, up to the time when the court hands down its decision. Upon payment of the prescribed fees Council will review the determination. *Note: This does not apply to Integrated Development Applications, applications determined by the Joint Regional Planning Panel.*

## **ARE YOU DISSATISFIED WITH THE CONDITIONS OF CONSENT**

If you are unhappy with the conditions of consent discuss with the officer who dealt with your application. You may submit an application to Council to modify the consent under Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*.

You will need to provide reasons why the conditions should be changed or deleted. You may lodge a Section 4.55 application at any time after the notice of determination. If you are not happy with the Council's decision on your request for modification, then you may appeal to the Land and Environment Court within six (6) months of the notification by Council.

## **RIGHT OF APPEAL**

If you are dissatisfied with this decision, Sections 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

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Michael Urquhart  
**General Manager**

Date: 23 September 2020