



**COPY OF SUBMISSIONS RECEIVED**

# **Development Application**

**10.2016.17**

**Proposed new supermarket and liquor outlet**

**36W-40W Fitzroy Street, Walcha**

**Exhibition Period:**

**15 March 2017 – 12 April 2017**

# Submission A

████████████████████  
████████████████████  
Walcha, 2354

21<sup>st</sup> February 2017

WALCHA COUNCIL RECEIVED	
DATE	23/2/17
GDA REF	
TRIM	
DOC NO	
H/C FILE	

RE: Development Application 10.2016.17

We wish to address a few issues that involve the construction of the new IGA supermarket and the development application that is to go through council shortly. Firstly, while we support the construction and actually think the majority of the design is well-thought out and presented, we are surprised that we were not sent notification. This construction affects our property so we feel we deserve to be informed. We were surprised that as direct neighbours of this proposal that we weren't officially notified of this development. There also appears to be a lack of information on a building that is after all, a major construction for the town and its residents.

The plans and map have been shown to us by a neighbour and we have examined them and considered its impact. As residents who will look across the road at the development, we appreciate the fact that landscaping has been proposed. We hope that the current craft shop, which is currently quite an eyesore, is suitable restored.

Whilst we appreciate the overall design of the building and applaud the extra parking that will be provided to the CBD, our major concern is for the loading bay noise. Our concern is for the retired residents who live alongside the proposed loading bay and for ourselves and other residents in the street who will be disturbed by back-up alarms from reversing trucks at odd hours of the night. We are hoping that a suitable northern buffer wall will be provided to assist with the noise and cut back on any disturbance that will be created.

Thank you for considering our concerns.

Yours sincerely,

# Submission B

## PATTERSON, BYFIELD & BRYEN

SOLICITORS

(ABN 38 441 789 056)

Liability limited by a scheme approved under Professional Standards Legislation

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(Walcha not serviced by DX)

Email: pbbwalcha@northnet.com.au

OUR REFERENCE: ST:EH

22<sup>th</sup> February, 2017

Walcha Council  
Hamilton Street  
WALCHA NSW 2354

Attention: Lacey Latham

WALCHA COUNCIL RECEIVED	
DATE	23/02/17
GDA REF	
TRIM REF	
DOC NO	
H/C FILE	

Re: *Development Application No. 10.2016.17*  
*Land to which the application relates:*  
*36W-40W Fitzroy Street, Walcha NSW 2354*  
*Proposed Development: Demolish 2 existing sheds*  
*and part of a commercial building and construct*  
*new Supermarket*

We act for:

we refer to the Development Proposal Notification No. 10.2016.17.

██████████ received the development proposal notification on 15<sup>th</sup> February 2017. ██████████ also received by post the notification.

None of the other neighbours have received anything in writing from the Council.

We are instructed that this letter should be treated as our clients formal objection to the development based on the current information available.



Our clients makes the following comments in relation to the Development Application:-

1. What plans are in place to manage the following proposed changed traffic conditions:-
  - (a) the increased amount of traffic in Hamilton Street
  - (b) the reversing trucks in South Street
  - (c) the increased amount of traffic in South Street in a street that is particularly busy with school aged children

What, if any, are the time restraints put in for the deliveries by the trucks?

2. The loading bay appears to be directly opposite the living room of 10n South Street Walcha and 23w Hamilton Street.

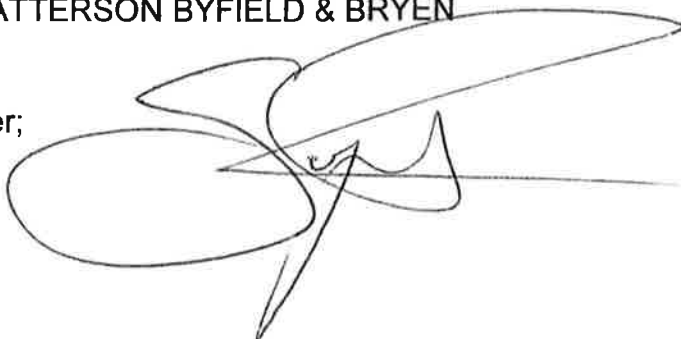
What will be in place in relation to noise, privacy and delivery times concerns?

3. Why is the development on the side where the residential buildings are? Is there any alternative?
4. Is there to be a buffer wall between the loading bay and the residential properties? Does the 6 metre wall, referred to, extend to the end of building?
5. In relation to the plant room that appears to be directly opposite the bedrooms of 10n South Street and 23w Hamilton Street, what will be in place to reduce the noise, light and heat from the industrial air conditioner required to run 24 hours a day?
6. The maps provided by Jeremy Allen Planning & Design, provide very little by way of detail in relation to the measurements.

Is there any other documentation that will assist our clients in clarifying the overall size of the development?

SOPHIE THOMSON  
PATTERSON BYFIELD & BRYEN

Per;

A handwritten signature in black ink, appearing to be 'S. Thomson', written over a horizontal line. The signature is stylized and somewhat abstract.

[REDACTED] Walcha

Firstly I wonder about the lack of information about this Development, as surely it will effect more than the two residences, who received the information only 8 days prior to the objections dead line date.

While we are not against the Development .

We bought [REDACTED] to retire to as it was quiet with little traffic noise

As we live right next to the development, I am concerned about the loading ramp which is directly next to our living area due to trucks unloading and reversing. Privacy will be lost and noise will be every day. The offered wall is far too low to exclude the possible noise.

But a greater worry is the plant room that will run 24/7 that is directly opposite our bedrooms, as my husband has health problems, the air-conditioner and plant room causes a greater worry We have all heard the health problems that have been caused by Air-conditioners in public places. Know there is allowance for a 6-metre wall but the height the plant area is shown as 8.2metre.

The constant noise from the plant room is something we never expected nor the fumes.

Having seen the full plans in detail I wonder is there any reason why the plant room cannot be located at the eastern end of the northern elevation above the Cool rooms, Meat room and Bakery etc

Little thought has been to the residents that will be affected by the increased noise and traffic which will not help our resale value. Maybe a weight limit on Hamilton Street /and or a roundabout on South Street /Hamilton Street which would mean the Trucks would not use the north end of South Street, past the School to bypass the Shopping area to the development.

How many of you would like expectantly, to live next to this development with no allowance being made for the health of the residences and constant noise of the plant room 24/7.

Thank you very much for allowing me speak on what are the problems that worry us

**[REDACTED]**

# Submission 2

16th March, 2016

To the General Manager, Mr. Jack O'Hara  
Walcha Council  
[council@walcha.nsw.gov.au](mailto:council@walcha.nsw.gov.au)

**D2017/00080**

**Development Application 10.2016.17**

**Proposed New Supermarket 36w – 40w Fitzroy Street, Walcha, NSW**

## STATEMENT OF OBJECTION

As a current resident ratepayer and visitor to the town over the past 50 years I write to lodge an objection to the above proposed D.A. My objections to the development are primarily based on a lack of information within the documents submitted with the application, and consequently the detrimental effects it will have on the town through the part demolition of an early (possibly 1850's – 1860's) heritage building. As show in the attached documentation, Hardaker's General Store & Residence (possibly 150 – 160 yrs old) provides a unique and tangible link to Walcha's unique past and is a fantastic asset for the town to have. The fact that the building has survived to the present should be relished and the building should be treated with respect and cherished for future generations (both residents and visitors alike) to enjoy. This building and the history that goes with it is an irreplaceable asset that must be treated with the upmost care and respect that it deserves.

As you will see from my below points, I am not opposed to the development per se, as it is likely that it will bring benefits to the town. My objection is purely aimed at the Heritage aspect only.

Certain aspects of Council's public advertising of the Proposed D.A. are extremely concerning for omission, for instance, PUBLIC NOTICES, WALCHA ADVOCATE, 15<sup>TH</sup> March 2017 points out the fact that demolition of part of a commercial building is not stated. This has also occurred in the public notices in the WALCHA NEWS, March 16<sup>th</sup>. WHY was this very important aspect left out?

Firstly on Page 11 of the Council Report under the "Social" impacts heading, these comments should provide commentary on the social impacts associated with the loss of built European heritage in the town. I believe that the comments under this section are largely inferior for many reasons but, focusing on the heritage aspects alone, have not adequately assessed the impacts of the development. Assessing social impacts is a broad topic and should be afforded a commensurate level of discussion. The impacts that may occur from the development, purely

based on the heritage impacts alone should be detailed and the opinions provided should be well informed and based on research. I believe the loss of the building (even partial loss) will negatively impact upon the community in many and varying ways. The loss of an irreplaceable asset which may provide joy and pleasure to different part of the community in so many different ways should be taken seriously. The social impacts should be fully explored and I believe that the only way to provide an informed and accurate commentary on the social impacts of demolishing a tangible link to Walcha's past is via the completion of a detailed heritage study on the building.

On Page 12 of the Council Report the following comment was provided: "The site is currently occupied by Brady Saddlery in one building, and by a craft shop in the other (to be retained and beautified in keeping with their Heritage feel)".

I believe that this comment reflects my overriding sentiments that the building, in its entirety, has heritage value (or heritage feel). The recognition by the author that there is indeed heritage value in the craft shop building should be reason enough to consider that the buildings should be researched. I would further this point by questioning where the heritage value begins and ends. In the first instance I would argue that this comment should actually apply to the entire craft shop building because it is one entity. Without a sound argument being provided on why the rear section of the shop does not have 'heritage feel' there is no justification on why demolition should be permitted to occur.

The comment to retain and beautify the craft shop for heritage reasons (heritage feel) alone therefore confirms that it has some Heritage value, if only based on physical appearance alone. In this regard the assessment has not said that there is a wish to retain the craft shop for some other reason, instead the only reason being provided is because of the 'Heritage feel'. This comment alone I believe acknowledges that the building (and who is to say only the front half) has heritage significance, and therefore the partial demolition of the structure will have a detrimental impact on Walcha's European Heritage. On this basis a detailed heritage assessment, undertaken by a suitably qualified heritage consultant should have been requested during the DA period. It should be noted here that without having a detailed heritage assessment being undertaken it is quite possible that the rear section is older than the front part and potentially therefore of greater significance.

On Page 16 of the Council report, there is an incorrect statement regarding whether the development has any impact on nearby heritage items. The assessment has stated that there will be 'no' impact on any neighbouring development; however the development is indeed located within the close vicinity of an item of environmental heritage listed under the WALCHA LEP 2012, this item being: Item 1020 – WALCHA ANGLICAN CHURCH 1862. This fact alone renders the assessment of the development being incorrect and incomplete. A Heritage Impact Statement undertaken by a suitably qualified heritage consultant would be required to be



completed in order to determine the impacts of the proposed development on the nearby heritage listed Church.

The Environmental Planning and Assessment Act 1979 specifically requires development applications to consider the impact of development where it is within the vicinity of a listed item of heritage significance. As this has not been done, the development application is incomplete and cannot be approved until a Heritage Impact Statement is provided.

Further, because the assessment has confirmed that the Craft Shop has a “heritage feel” and because the assessment has acknowledged that the Craft shop should be retained for its “heritage feel” this therefore implies that it also has heritage value. Once again, without a heritage assessment being done what grounds is there to say that the rear portion does not also have similar level of, if not more, heritage value.

On page 19 of the report, it appears an assessment has been done against R.M.S. guidelines for car parking and it is acknowledged that it is more applicable for metro/regional areas. As Walcha does not have a Development Control Plan that specifies the numbers of car parking spaces required for each development the R.M.S. guidelines have been used. These guidelines specify that 78 spaces should be provided for the Development, however only 47 have been provided. Therefore a shortfall of 31 spaces has been accepted without any reasoning or justification.

I have no issues with the shortfall, neither I’m sure does the applicant nor the Council. Accordingly, on this basis, the further removal of 7 spaces should not have any adverse impact, and should not be of any concern, considering that a shortfall of 31 spaces has already been accepted without any rationale. (note: see below on suggestion for line marking in South Street as an alternative).

The demolition of a tangible piece of Walcha’s built European heritage for the construction of 7 car parking spaces needs to be put into perspective in terms of what is being lost to what is being gained. The removal of 7 car parking spaces may at first glance be a loss to the commercial development proposed, however is this worth the partial demolition of a (potentially) 150-160 year old structure? When weighing up this decision it is pertinent to remember that the provision of 7 car parking spaces is not going to bring any tourism to the town, an industry which has been demonstrated to benefit many small towns in a vast number of ways. A carpark, regardless of the fact that it is associated with a commercial development, does not attract tourists and passing visitors into Walcha and will not benefit the businesses that rely on (both directly and indirectly) the tourism industry. On the other hand, an asset to the community on so many levels has the potential to be lost. The retention, restoration and ultimately, the use of the craft shop building (in its entirety) will provide residents and visitors with an asset that will be of immense benefit to the town for many years to come.

In lieu of the 6-7 car parking spaces to be removed, I propose that the applicant be required to formalize (i.e. by undertaking line marking) 7 car parking spaces in South Street along the frontage of the development site. In this way the community is getting a material public benefit and the developer is saving money by:

1. Reduced costs associated with undertaking the earth works, paving, kerb and guttering and line-markings associated with providing the 7 car parking spaces on the site.
2. Reduced costs associated with demolition of the existing structure.
3. The same amount of parking is provided overall, only some are in the street.
4. It reduces the 'vast' size of the paved areas.
5. Council benefits, as there are more designated spaces on the street for use by residents and tourists/visitors when the I.G.A. is closed.

To further bolster the above argument to remove 7 car parking spaces from the site, Page 5 of the Council report notes that, "The applicant has included an increase to the landscaping areas, the area is located along South Street between the boundary and the building. This has been included to attempt to soften the 'vast hard surfaced car parking area' and to enhance the streetscape. The work 'vast' in the report suggests that the size of the car-parking area is an issue for Council for other reasons apart from the demolition of a heritage building. The retention of the entire craft shop building and the removal of 7 car parking spaces will further help reduce the car parking area and will provide for further landscaping opportunity.

In addition to the above it is not clearly understood whether the very large tree on the west side of the building is to remain as it is not plotted on the site plan. It appears that it is located in the area of car-parking and will be removed. If so, compensatory tree planting should be required to be provided to offset the loss of the existing mature tree.

On page 21 of the report a submission was made requiring, among other things, that the Craft shop be retained and restored. The submission states that they, "Hope for current Craft shop to be suitably restored". When taken literally this can be interpreted to mean the whole building. The assessment comments state that part of the building will be beautified and part of the existing craft shop that is dilapidated is proposed to be demolished. However this response does not adequately address the submitters concerns as it could be argued that the 'Craft Shop' is the whole building. Thus, this makes it hard to argue that the partial demolition of the building is in fact providing what the submitter has requested.

Further to the above, the assessment comments have also noted that the applicant has outlined in their state of Environmental Effects submitted with the application that the remaining building is proposed to be beautified and that Council may wish to reinforce this issue by way of applying a relevant condition of consent requiring the building to be refurbished. When considering my point raised above, why should this comment not extend to the entire building. I believe that the refurbishment should cover the entire building and that there is no distinction between the two that should result in one section being restored

whilst the other section is permitted to be demolished. In this regard, the craft shop (in its entirety) should be restored as this submission has requested.

On page 22 of the report, in response to another submission, the following comment further bolsters the argument that the building should be retained in its entirety. The assessment comments that aim to address the submitters concern states that: 'the applicant has designed the development to maintain the existing craft shop as a landmark feature of the street'. This comment once again reiterates that the building has significant value. The craft shop, acknowledged as being a landmark feature of the street, cannot conceivably be separated into two components without proper justification. The craft shop is arguably the entrance to the CBD area of Walcha. It marks the true entrance to the commercial area of the town. Arriving into the CBD to a landmark building that has been sympathetically restored has the potential to be a truly memorable and distinct destination for tourists and locals alike. As mentioned repeatedly, why should the significance of the 'landmark feature' only apply to the front portion and not apply to the rear portion. For this reason the building should be retained and restored as this submission has requested. It is to be considered that the walls of the rear residence are solid double brick, rendered and wallpapered, flooring is solid hardwood t & g throughout, ceilings are for the most pressed metal and 'old time horsehair plaster', all windows, doors, architraves, skirtings are or appear to be red cedar. The kitchen (not accessible at this stage) is possibly a Tutankhamun type experience, nobody knows what exists in it at this stage

On page 23 of the report the 'Recommendations' states the following: 'This Development Application be approved subject to the conditions as scheduled to this report in Attachment 1, and to include any additional conditions that result from the conclusion of any outstanding consultation'.

I recommend that because of the outstanding consultation that has occurred (i.e. as a direct result of the recent Council meeting) and as a result of the points raised in this submission that the application only be determined once the plans show the removal of the 7 car parks and the retention of the entire building. The deferral of determination of the D.A. was requested by Councilors as acknowledgement of the outstanding issues that surrounded the development which had not been adequately addressed. Thus, as a result of the additional matters raised in this submission the entire building must be retained and a further assessment of the heritage impacts be undertaken prior to any restoration works being carried out to the craft shop.

To state that the building has no heritage significance is clearly based on an inferior assessment undertaken by the planning consultant. The planning consultants comments are largely misinformed are grossly inadequate. The claim by the consultant that the building has no heritage significance should be questioned for its total disregard of the issues and one could argue that it borders on incompetency. One cannot ignore that heritage is largely is a consequence of age, thus even a simple site inspection should have revealed the sheer wealth

of character and features that about in the craft shop building. In this regard I have provide some photographs of the building and a brief history of the site and its uses. I have no doubt that upon perusal of this information you will see that the building (in its entirety) is truly an item of heritage significance, not only in its physical form but also for the tangible link that it provides to many local Walcha families.

On page 34 of the report, the following condition has been added: 6.15. The existing Saddlery and Craft Shop buildings are to be refurbished (Beautified) in keeping with the 'Heritage Feel' of the buildings.

If the D.A. is proposed to be determined at the upcoming committee meeting (I strongly recommend that it isn't due to the reasons stated throughout this submission) I recommend that the abovementioned matter should be under section '3' of the consent. I also recommend that the condition be revised to state; *'The existing saddlery and Craft shop, includes the rear section occupied by P.W.A., shall be restored in accordance with the recommendations of a detailed restoration management plan, undertaken by a suitably qualified heritage architect consultant. The restoration management plan shall be submitted to Council for approval prior to any works commencing on the saddlery and Craft shop'*.

#### **STATEMENTS FOR CONSIDERATION**

If demolition is granted then this will set an unwanted precedent, i.e. the next development may not propose a brand new commercial development, it may just involve the demolition of a local heritage building for no net community gain. It is noted that this development is providing a new commercial development to a small rural community and that it may provide numerous benefits as a result. However this should not come at the cost of the loss of an irreplaceable part of Walcha's heritage.

As I am sure you are aware, cultural and heritage tourism is big business the world over, wherever these attributes are to be found and enjoyed, local communities have capitalized on such assets to enrich the tourist experience by promoting their ancient streetscapes, buildings, parks etc.

Even Walcha's tourist brochures makes the claim: 'Walcha, New England's Oldest Town'. We all need to comprehend the impacts that destroying heritage will do to the many sectors of the town that rely so heavily on the tourist industry that is based on cultural and heritage experiences that our tourist brochures strive to promote. Thus we need to relish in the fact that we still have this building, we need to embrace it, protect it, celebrate it, promote it and use any means possible to further embellish the fact that it truly is a unique and outstanding asset for the town to have.

Port Macquarie for instance, over many years especially during the 1950's, 60's and 70's allowed for a huge swathe of destruction of classic historic buildings, some convict built. It took the 1979 EP & A ACT to bring about a concerted plan to save what few gems were left. Today, it prides itself on what has been achieved and the heritage that Port Macquarie now enjoys provides countless benefits to the community and visitors alike.

By destroying Walcha's past we may well be destroying its future.

#### **SUMMARY OF REQUEST:**

- The D.A. plans be amended so that the 7 car parking spaces that will result in the part demolition of the craft shop be removed from the plans.
- The D.A. plans be amended so that the entire craft shop building is shown as being retained.
- The D.A. plans be amended to show the provision of 7 car parking spaces (via line marking) in South Street.
- A Heritage Impact Assessment be undertaken in order to determine the impacts on the nearby Anglican Church complex. This must be undertaken prior to issue of any development consent.
- The restoration of the craft shop building (in its entirety) be undertaken only after a heritage restoration management plan has been completed by a suitably qualified heritage architect consultant. This report to be submitted to Council for approval prior to any works being undertaken on the craft shop building.
- A heritage study be undertaken on the craft shop to understand the buildings history.

#### **HERITAGE FUNDING OPPORTUNITIES**

1. Up to \$10,000 (under current grant funding round) can be unlocked for restoration to private owners etc., but only when buildings are listed.
2. Funding is available for councils that doesn't even require matching funding. That's up to \$40,000 worth of free money from the Government that Walcha Council doesn't even have to match.
3. Funding up to \$10,000 is also available for a Heritage Adviser (only needed to be employed say, 1 day per month) to oversee and administer a heritage conservation plan adopted by Council once completed. I urge you to speak with your counterparts at Uralla & Inverell and at least 3 other adjoining New England local government areas for advice why this is a good idea.

Further information can be found at the following link:

<http://www.environment.nsw.gov.au/Heritage/funding/index.htm>

**Note: the above is provided for reference and is aimed at alerting Councilors of the fact that the government is providing free money to local government. This is unprecedented and is an opportunity not to be missed.**

Yours sincerely,

# Walcha history: Apsley Store

Bob Walsh

16 Nov 2016, 12:12 p.m.



Changing facade: The Apsley Store as it was in the early 1900s. The store's history dates back to 1850 - before Walcha was declared a village - and it has seen many changes since that time.

Walcha's first store, the Apsley Store, was set up on the northeast corner of present-day Fitzroy and Derby streets.

It began its life as the station store for Jamieson and Connal's Walcha Run and, in June 1850, it also became the tiny settlement's first official post office.

By this time, the station store was selling ironmongery, clothing, foodstuffs, wines and spirits to the local residents.

James Hill Daniel was the manager and postmaster when the business was offered for sale in December 1855, with his bid being accepted by Jamieson and Connal's agent in April 1856.

James was a young man when he died in December 1861. His widow Jane then took over until she retired in March 1867.

Thomas Oates Hardaker, who had married a daughter of the Daniel family, became the proprietor of the Apsley Store following his mother-in-law's retirement.

The original slab and shingle building was replaced by the shop and residence shown in the photo, which in turn has been altered and added to over the years.

Hardaker ceased giving credit and discounts from October 1, 1874 with advertisements in regional newspapers stating he would reduce all prices to the bare minimum and the business would henceforth be strictly a cash store, a title it kept for most of the next 100 years.

In 1822, the Hardaker family sold its interest in the store to Albert G. Elliott who was the proprietor from that time until his death in January 1946. Albert's daughter, Betty Firminger, then ran the store until 1954 at which time she returned to Sydney.

The Walcha Co-operative Society Ltd moved into the premises on March 1, 1956, with Gus Frankel in charge, and remained there until July 1, 1968, by which time Bill Martin was the store manager. The co-op sold groceries, clothing and hardware together with various other lines.

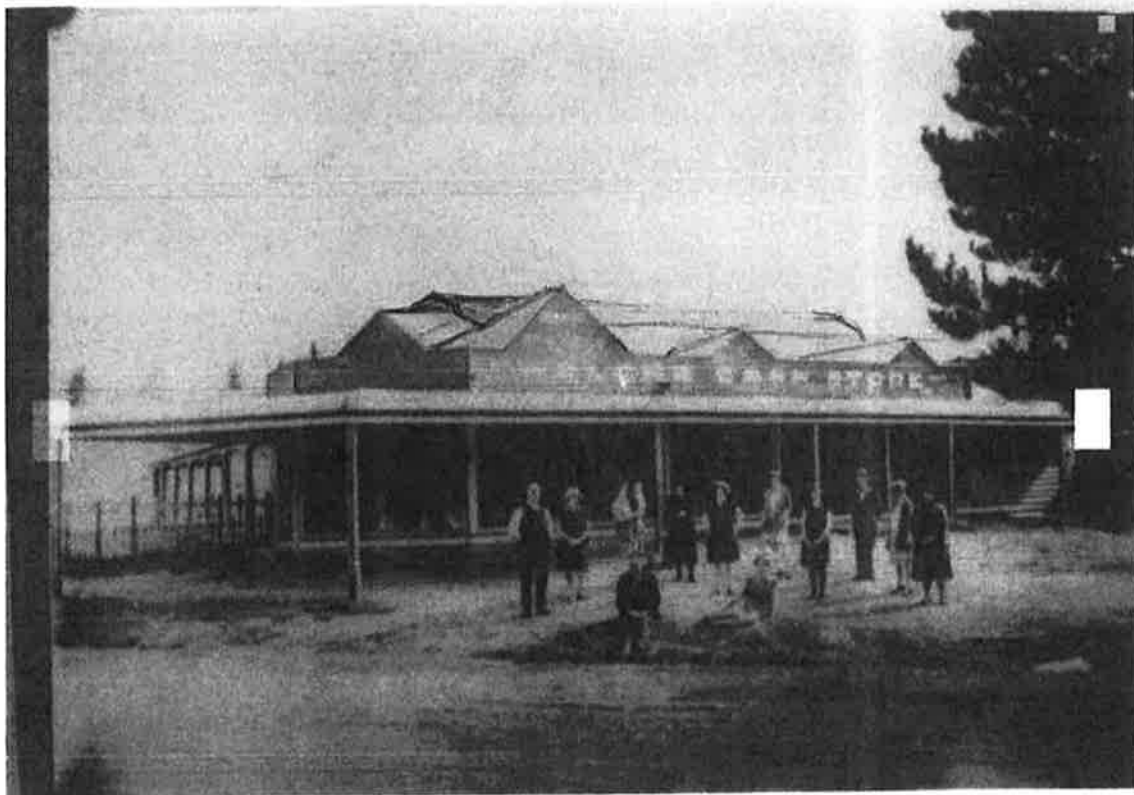
Walcha Creative Arts and the Presbyterian Women's Association Op Shop have been the building's occupants for many years now, but there have been other tenants in recent memory.

At one time, there was a dress shop in the rooms of the residence now home to the op shop and the same rooms were once occupied by an organisation making knitted garments.

The site has been home to a business of one type or another since before Walcha was declared a village in 1852, and with luck that may continue to be the case a few more years yet.

***The Walcha Historical Society is a not-for-profit organisation, run by a dedicated group of volunteers whose aim is to preserve the history of not only Walcha, but also the surrounding districts.***





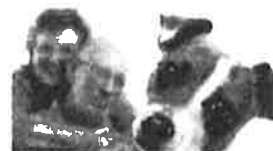
Mary Brearley Reme  
June 6, 2016

Like Comment

38



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20<sup>th</sup> March, 2017

To the General Manager, Mr. Jack O'Hara  
Walcha Council  
[council@walcha.nsw.gov.au](mailto:council@walcha.nsw.gov.au)

**D2017/00080**

**Development Application 10.2016.17**

**Proposed New Supermarket 36w - 40w Fitzroy Street, Walcha, NSW**

STATEMENT OF OBJECTION

AMENDMENTS TO PARAGRAPH 1, PAGE 1

To be inserted after the wording: (possibly 150 – 160 yrs old) Currently the rear section is occupied by the Presbyterian Womens' Auxiliary, Community Op-Shop for storage.

AMENDMENT TO PAGE 5. end of paragraph 2

To be inserted: And it is possible that under the roofing iron remains the Original Oak Shingles

AMENDMENT TO PAGE 7. Under the Heading Summary of Request, bullet point 2

To be inserted at end of sentence: (This includes the rear section of original residence).

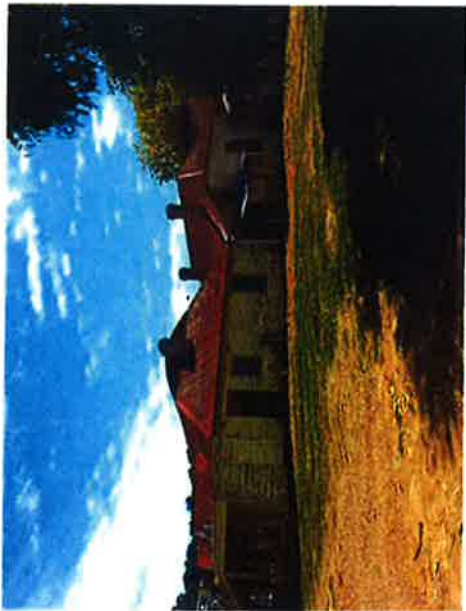












# Submission 3

8 March 2017

To the General Manager  
Walcha Council  
[council@walcha.nsw.gov.au](mailto:council@walcha.nsw.gov.au)

**D2017/00080**

**Development Application 10.2016.17**

**Proposed new Supermarket, 36W-40W Fitzroy Street, Walcha, NSW**

As the [REDACTED], Walcha and a resident in town, I wish to lodge this objection to the proposed new supermarket at 36W-40W Fitzroy Street.

The proposed supermarket is an over-development for Walcha and for the site and will result in a number of detrimental impacts on the community.

## Economic Sustainability

There is insufficient market demand in town to sustain the proposed supermarket, let alone sustain the new supermarket and other local retailers.

Given the size of the proposal the Council should require the applicant to prepare an Economic Impact Statement so that the economic sustainability of the proposal could be appropriately assessed by the Council and the community. Despite Section 5 of the EP&A Act requiring economic impacts to be assessed, the applicant has failed to undertake such an assessment.

Whilst the impact on a single retailer is not normally a legitimate planning concern, when the impact is more widespread, affecting many retailers, then the question of economic sustainability and the extent of economic impact become very relevant.

The decision before Council is significant in terms of the future of Walcha and should not be undertaken without adequate assessment. The community will live the consequences for a long time.

The Economic Impact Statement needs to consider:

- The size of the available market and whether it is sufficient to sustain the proposed development.
- The economic impact on the existing town centre.
- The likelihood that stores will close as a result of the development and the impact of this on the local economy.
- Any local economic multiplier impacts (eg if the butcher closes how then does this impact his local suppliers?)
- The impact of shop vacancies on property / business valuations.

All of these issues, and more, need to be adequately assessed before the Council can consider this permit application objectively.

### Township Character

The proposal does not fit into the character of Walcha. Its size, design and appearance does not contribute to the township character nor does it fit with the main street appearance.

The main street character in Walcha is created by small brick shops fronting the street, with verandas providing continuity along the streetscape. In this way pedestrian activity is encouraged along this strip. However, the proposed development detracts from this streetscape in a variety of ways:

- The new building is set well back from the main street, with a large car park facing the main street. This is inconsistent with the current streetscape of shops fronting the street.
- The continuity of shop frontages along the street is not maintained. The development creates a large hole along the streetscape.
- With the supermarket located at the rear, the main view of the site is that of a large unattractive and poorly landscaped car park.
- The continuity of verandas along the street is lost.
- It creates a busy vehicle crossover along the main street (Fitzroy Street), which creates an unwanted interruption along this streetscape and further discourages safe pedestrian movement along this retail strip.
- The size of the building is entirely out of scale with the streetscape.
- The choice of precast concrete is an inappropriate building material and fails to contribute to the prevailing streetscape and built environment.

### Car Parking

The development is significantly short of its required on-site car parking spaces.

Applying a rate of 6.1 spaces per 100 sqm of GLFA, the proposal should provide 122 car spaces. This is based on a GLFA of 1,997 sq m.

It is incorrect to calculate the GLFA as 75% of the gross floor area. GLFA is short for **Gross Leasable Floor Area** and includes all of the site that is capable of being leased and roughly equates to the gross floor area. Whereas the **net leasable floor** area roughly equates to 75% of the gross floor area and excludes common areas, stairwells etc.

The proposal is therefore short 75 car spaces, and provides less than half of the car spaces required (evidence of the over-development of the site). This will have dire implications for the main street. The overflow demand for car spaces will therefore take spaces along a large stretch of the main street, depriving other retailers of convenient car parking spaces for their customers. This is unfair and will significantly impact on the viability of existing businesses.



Landscaping and planting within the car park is minimal and also shows the over-development of the site and the inability to create an attractive space for the community without further compromising on-site car parking spaces.

Cars will inevitably attempt to enter the car park via the one-way exit along Fitzroy Street creating a potential traffic hazard. Likewise, cars will try to exit via the South Street entry. Single entry and exit points should be avoided for car parks catering for this many customers. Again if there was sufficient space on the site to adequately accommodate the development, combined entry/exit points would have been included.

### **Contaminated Site**

It is understood that the site is probably contaminated and due to its previous use as a fuel site it includes a number of underground fuel tanks.

What remediation requirements is the Council imposing on the developer?

### **Loading & Unloading**

Further evidence of the over-development of the site is the unsuitable arrangement for loading and unloading. In order to maximise the number of car spaces on the site (which are already grossly under-supplied), the applicant is proposing a loading treatment not in accordance with Safe Work Australia Traffic Management Guidelines for Shopping Centres.

Trucks will be required to reverse out of the site into South Street, creating a safety hazard for vehicles travelling both north and south along South Street. This is an unacceptable arrangement and demonstrates that the applicant is trying to fit too much into a small space. There is no doubt that the site needs to be completely redesigned to resolve this significant traffic hazard so that the safety of cars travelling along South Street is preserved.

It is also evident from the plans that the footpath along South Street will be blocked by trucks as they use the loading dock. This is unacceptable. All loading should be undertaken completely within the boundary of the site, not overhanging the public footpath. This is an over-development of the site!

### **Residential Interface**

The over-development of the site is further evidenced by the inappropriate siting of the building and the loading dock in close proximity to the residential properties to the north. If the site was of a sufficient size there would be space to:

- Accommodate all required car parking spaces on-site.
- Provide safe vehicle movements.
- Provide adequate and safe loading facilities.
- Position loading facilities and other noise generating plant and equipment away from residential areas.

- Locate large blank pre-cast concrete walls away from residential boundaries. The present design represents a very poor design solution for these neighbouring residential properties.

Whilst the Council believe that permit conditions can resolve these off-site impacts, in practice they will occur and will impact on the local residential amenity. A more appropriate design solution is required, rather than permit conditions that from time to time will be broken.

### **Social Impact**

The proposed development will result in a negative social impact. This will include:

- The closure of existing retailers along the main street.
- A net loss of employment.
- A less attractive and safe streetscape.
- Off-site impacts on neighbouring residential areas.
- Unsafe entry and exit points.
- Traffic hazards in South Street due to loading facilities.

### **Conclusion**

In conclusion the Council has an obligation to ensure the proposal:

1. Creates a safe and attractive environment for shoppers – which it doesn't.
2. Meets its on-site car parking requirements – which it doesn't.
3. Creates a safe environment for cars and pedestrians – which it doesn't.
4. Is in keeping with the character of the streetscape and enhances the shopping environment for pedestrians – which it doesn't.
5. Results in a net positive economic impact on the local economy – which it doesn't.
6. Has a net positive social impact – which it doesn't.
7. Has a net positive economic impact – which it doesn't.

For these reasons why strongly urge the Council to refuse the permit application for a supermarket at 36W-40W Fitzroy Street, Walcha.

Regards,

Submission 4

WALCHA COUNCIL RECEIVED	
DATE	24 / 03 / 17
GDA REF	
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H/C FILE	

The General Manager  
Walcha Council  
PO Box 2  
WALCHA NSW 2354

Enclosed is a submission for the IGA development application currently being assessed by Council.

*Ref.: IGA development application and Bradys Saddlery...*

Bernie Brady will be vacating this building in the near future.

There are no toilets/water/hand basins etc (sewerage) connected to the building (nor the Craft Shop); a Council requirement for occupied premises decades ago.

If allowed to remain, Bradys building could possibly only be used for storage so this is an opportunity to remove, and as far as I know, has no historical significance. This amendment could be raised with the developer.

The fuel tanks are a problem, if not now, certainly in the future, and especially on the water course.

At the recent meeting, Council claimed "no history" of the fuel tanks.

Not commonly known, there are probably fuel tanks at the front of building under the footpath where the connecting breather valves are visible.

This is why the building is set back.

There were two fuel pumps at front, and one at side.

These fuel tanks are over 70 years old.

Later, further fuel tanks were added nearer to the Craft Shop for the co-operative society.

There has been significant amounts of fill placed at rear of the Brady's building and the roadway, and the site generally.

This has raised the level and resulted in our building being "buried" or well below the original land level and we are subjected to all runoff from the block. The Brady's building experienced similar problems and a new cement floor was required to raise the level.

Most buildings' downpipes, guttering, and drainage are non existent.

Irrespective, of the outcome of the DA, addressing the drainage to divert all water is very important to us.

Regards

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POST OFFICE	

Walcha Council,

PO Box 79

Hamilton Street, Walcha 2354

Walcha 2354

## Submission 5

Dear Sir,

After regulatory soil testing is finalised, we fully support the building of the new IGA Supermarket.

It is so beneficial to Walcha and District that Carlo Cavallara wants to invest so much money in the future of our town.

People should feel privileged that a business man is willing and has the confidence to invest so much in Walcha.

Yours faithfully,

WALCHA COUNCIL RECEIVED	
DATE	29/03/17
GDA REF	
TRIM FILE	
DCR NO	
H/C FILE	

~~Walcha NSW 2354~~  
Walcha NSW 2354  
28th March 2017

The Walcha Council  
PO Box 2  
Walcha NSW 2354

## Submission 6

Re: Development Applications number 10.2016.17 - permission to demolish three sheds and construct a new 16A supermarket and liquor outlet at 36W - 40W Fitzroy Street, Walcha, NSW.

I wish to express my views regarding the abovementioned project.

I am a loyal customer of both Walcha's supermarkets, and am happy with their competitive prices and service. I very seldom source groceries out of town.

I feel that Walcha is being given the opportunity to embrace the 21st Century with a larger, more modern building which is, after all, replacing the current antiquated and inadequate 16A premises. A new facility will provide many improvements:

1. A larger floor space will:

- a) Allow for the expansion of the current range and variety of products to suit the modern shopper,
- b) allow for wider aisles to facilitate better customer traffic flow and adequately cater for wheelchairs, and
- c) see the reduction of the current clutter from temporary display stands and packing boxes, which should improve workplace safety for both employees and customers.

2. The installation of appropriate, easy to clean surfaces will help to maintain the general cleanliness of floors and fixtures, and enhance food hygiene and safety.

3. An inviting, modern appearance and comfortable, pleasant shopping environment will entice more travellers, and those locals who currently purchase

groceries from Burnside and Tarnworth, thus keeping more dollars in Walcha (see attached article from the Walcha news, September 15, 2016 - "Shop in Walcha and keep us alive")

4. There will be more opportunity for local employment, initially in the construction of the facility, and later in the conduction of the business.

5. The provision of a car park to cater for 47 car spaces will substantially add to the number of roadside parks currently available for shoppers who also have to contend with long and heavy vehicles using Fitzroy and Serby Street.

Regarding the concerns about the heritage value of the property, I see little value in the derelict sheds and residence attached to the back of the craft and op shops whose usage of the shops is the only reason that the whole building hasn't fallen into total disrepair. We have been assured that the shop and saddlery will be appropriately restored with sympathy to their heritage and further enhanced with landscaping. They are worth saving.

Progress requires change. Should we thwart progress in our shopping centre it may remain stagnant, and even regress. The worst scenario would be the closure of our MSA supermarket if it is unable to improve its accommodation. The repercussions would be disastrous for Walcha.

Thank you for this opportunity to submit my opinion regarding this proposed development.  
Yours faithfully.

# Shop in Walcha to keep us alive

## The shire's viability requires our support

### OPINION

BY ROCKY ROAD

I BET, like me, you've been in Armidale or Tamworth sometime and thought ... well ... while I'm here I might as well pick-up that magazine I like, or get that new shampoo I want, or buy a pressie for mum.

Sure, it doesn't seem like a big deal to buy a few things out of town - we've all done it - but think about this: if only twenty Walcha folk buy one item a week outside town - that could be bought in Walcha - that's 1,040 purchases a year.

By the way, I'm not knocking Armidale or Tamworth. They're both great towns and I visit them regularly to do things (and buy things I can't get here). What I'm talking about is making the most of the goods and services available locally, before we use other towns ... or the internet.

In small rural towns like Walcha, the CBD is more than a place to buy our essentials. It's the heart of our community but the vitality we have in our town cannot be taken for granted.

In suggesting that it's in the interest of everyone to shop locally - when pos-

sible - I am certainly not proposing that we should shop locally no matter what. I believe the responsibility to keep our little CBD thriving is equally shared between the businesses and the customers. Like any enterprise anywhere, if a local business isn't up to scratch, people will rightly go elsewhere.

We're lucky in Walcha. There are some great businesses in town. I admire people who try different things. An interesting town is more pleasant to live in, also appeals to visitors, who stop, enjoy and spend a little money. Some visitors go so taken with the town they decide to move here ... and what a boost to our vitality that is, in so many ways.

And a final thought: Most of our local business people have to pre-pay for the goods they get into their stores. That means that leading-up to Christmas, a lot of money and time, is invested in trying to predict and provide what we'd like to give each other under the Christmas tree. I'm going to do my best to make it a Walcha Christmas this year.

By the way, I don't own a business in Walcha. I'm just lucky enough to live here.



27 March 2017

Submission 7

WALCHA COUNCIL RECEIVED	
DATE	29/03/17
TIME	
BY NO	
BY NAME	

To the General Manager, Mr Jack O'Hara  
Walcha Council

D2017/00080

Dev. App 10.2016.17

Proposed new Supermarket 36W Fitzroy Street Walcha NSW 2354

I wish to make a submission concerning tree preservation, landscaping and heritage relevance.

#### *Tree Preservation*

There is only one tree which must be preserved, an old Acer Negundo (Dioecious, male) Box Elder. It is located at the rear of the Craft Centre (Apsley House residence) see photo 1 - 2.

#### *Shade Provision for Car Park*

There is a need to provide shade in Walcha's sweltering summers. I recommend Platanus digitata, the Cut Leaf Plane and Platanus orientalis insularis "Autumn Glory", which has intense Autumn colour and leaves persist many weeks into winter. It provides excellent shade, (see photo 3 - 4). Planting of six large trees and several smaller species required. Platanus are available from the Advanced Tree Farms, Prahan, Melbourne, Victoria. The cut leaf plane tree is an old world tree and would harmonise with the site.

#### *Residents objections re noise pollution*

Residents living adjacent to the new building, (Trish Carter, Col King) have complained about the constant noise from heavy machinery and vehicle traffic.

This noise can be eliminated or reduced by planting Holm Oaks along the perimeter wall. Holm Oaks (Quercus ilex) can be clipped to form a tall hedge and are useful in urban settings, such as this D.A (see photo 5).

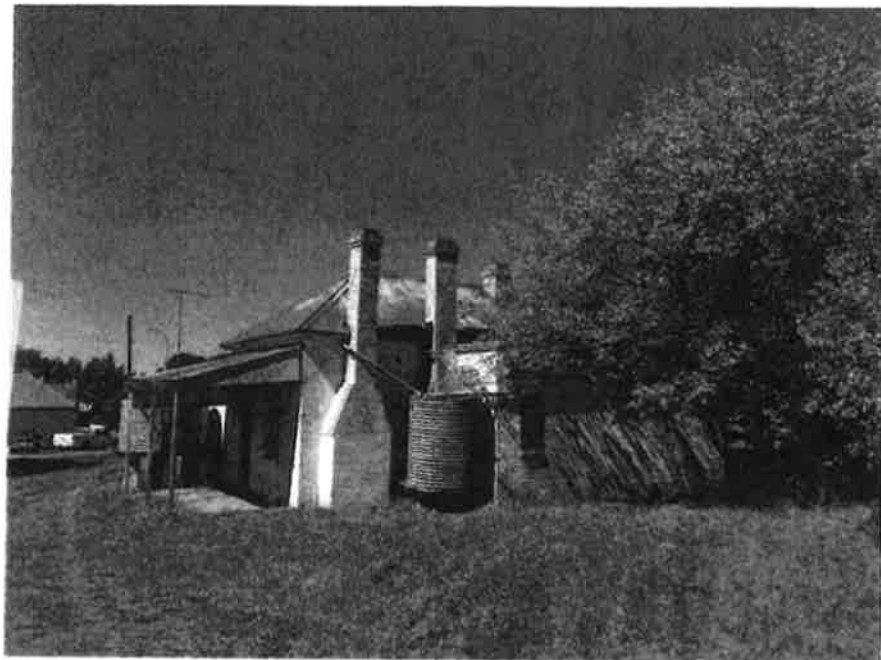
#### *Heritage*

The Craft Centre and residence (Apsley House) has been a landmark for the entrance to town for many years. Other landmarks have long gone, eg workers cottages on the east side of Fitzroy Street, the avenue of Pine Trees in Derby Street and Darjeeling Homestead with its connections to British India.

The original Apsley House was the residence of the Duke of Wellington in London. Walcha's Apsley House is probably the only grand merchant's town residence to survive, with its fine joinery, cedar woodwork, ceilings, wide hallways, original fireplaces, fanlights and as yet, undiscovered 'wonderful things' in the old sealed kitchen (to reprise Lord Carnarvan's words)

By way of the conflict between building retention or parking space, there are large "add on", or tacked on building parts or sections which could be demolished while leaving the original Craft Centre and Apsley House in tact. (see photo 6) Craft Centre in 1880's.

1



2



3



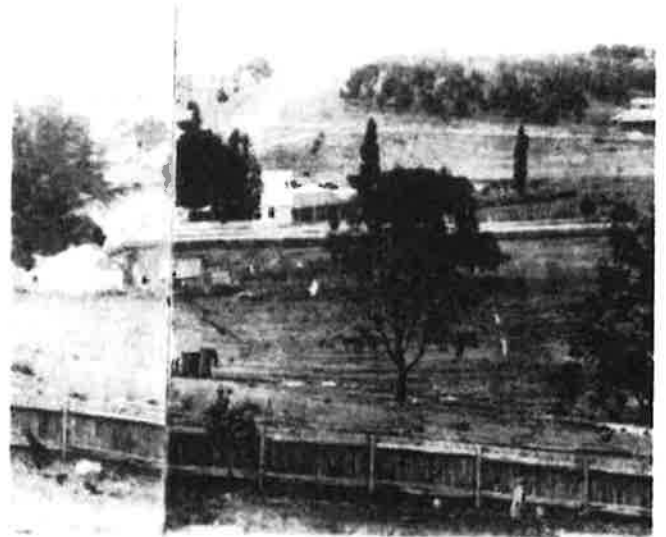
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5



6



WALCHA COUNCIL RECEIVED	
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~~\_\_\_\_\_~~ S  
Walcha 23

Submission 8

The General Manager  
Walcha Council  
Darnelton St  
Walcha

Dear Jack,

~~\_\_\_\_\_~~ would like to

note our complete support for the  
proposed new IGA complex.

It will be a wonderful thing  
for Walcha to have a new clean modern  
grocery shop. The car parking close to shop  
will have huge benefits for elderly people  
and those with small children. Progress like this  
proposed building is a marvellous opportunity for  
Walcha, we have transition a lot through Australia,  
towns, there are very few small towns that have  
new modern grocery shops.

The points of opposition that  
we have heard raised in our opinion are a lot of  
obscure. With 40 days modern building and executive  
standards, the fuel tanks should not be a problem.  
Usually we think the people in houses near by should be  
less not protesting, it will probably add value to their  
houses. Sincerely ~~\_\_\_\_\_~~

Submission 9



**Growing  
the best**

WALCHA COUNCIL RECEIVED	
DATE	12-4-17.
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NSW Farmers

Walcha Branch

Mr Jack O'Hara

General Manager

Walcha Shire Council

Dear Jack,

At a recent meeting of the Walcha Branch of the NSW Farmers Association the members present resolved unanimously to support the proposed development of a new IGA supermarket in Walcha.

The viability of our town is extremely important to the farmers in the district.

There is currently a range of businesses in Walcha that support the growth and productivity of our primary producers as well as the township. These businesses are owned by local families that require the provision of some basic services to maintain an acceptable standard of living. One of these is an adequate supermarket.

It would seem that the proponent has a firm business case for wanting to expand and improve his current business and our members see that as a very positive move for Walcha overall.

We would generally be supportive of any improvement to local businesses but especially when the business is meeting the basic needs of the community.

Kind regards,

A handwritten signature in black ink, appearing to be 'M. O'Hara'.

~~XXXXXXXXXXXX~~

Secretary



File No: NTH17/00029/01  
Your Ref: 10.2016.17

The General Manager  
Walcha Council  
PO Box 2  
WALCHA NSW 2345

Attention: Lacey Latham – Environmental Services Manager

Dear Sir / Madam,

**Development Application No. 10.2016.17 – Demolish Sheds and Construct New Supermarket  
Lot 2 DP 779495, 36W-40W Fitzroy Street, Walcha**

I refer to your letter of 24 February 2017 requesting comment from Roads and Maritime Services in relation to the abovementioned development application.

**Roles and Responsibilities**

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure and the integration of land use and transport.

Fitzroy Street forms part of the Oxley Highway (HW11) and is a classified (State) road. In accordance with Section 7 of the *Roads Act 1993* (the Act) Walcha Council is the Roads Authority for this road and all other public roads in the subject area. Roads and Maritime has responsibilities for classified roads in accordance with the Act.

In accordance with Clause 101 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) the Consent Authority is to have consideration for the safety, efficiency and ongoing operation of the classified road. Roads and Maritime is given the opportunity to provide comment pursuant to Clause 104 of the ISEPP as the development application is for a traffic generating development listed under Schedule 3.

**Roads and Maritime Response**

Roads and Maritime has reviewed the development application and provides the following comments to assist Council in making a determination;

1. The Statement of Environmental Effects (SoEE) has not identified or addressed the likely impacts of the proposed development on the safety and efficiency of the road network.
2. It is recommended that Council require the applicant to provide additional information in a Traffic Impact Assessment (TIA) prepared by a suitably qualified person in accordance with the *Austrroads Guide to Traffic Management* and the *RTA Guide to Traffic Generating Developments*. The TIA should provide an assessment of the following issues and recommend appropriate measures to address the impacts of the proposed development;
  - The total impact of existing and proposed development on the surrounding road network with consideration for a 10 year horizon.

- Daily traffic flows on the frontage roads.
  - The volume and distribution of traffic generated by the proposed development.
  - Available sight distances at proposed access points having consideration for sight lines to footpaths.
  - Proposed design of access driveways, internal manoeuvring and car parking areas prepared in accordance with relevant requirements of AS2890 and Council's engineering requirements.
  - Assessment of proposed on-site parking provision addressing the impact of any shortfall in spaces.
  - Details of servicing and parking arrangements.
  - Connectivity to public transport services, pedestrian and bicycle networks.
3. The proposal for all light vehicles to enter from South Street and leave via Fitzroy Street is supported. The Local Traffic Committee (LTC) should be consulted in relation to any proposed regulatory signage necessary to facilitate the proposed access arrangement.
  4. The proposed loading bay and service vehicle access will result in heavy vehicles reversing within the public road and across the public footpath. Further consideration should be given to on-site servicing arrangements that enable all vehicles to enter and leave the site in a forward direction and provide suitable separation to pedestrians. Where site constraints do not permit such an arrangement, Council may wish to request the submission of a detailed Traffic Management Plan (TMP), prepared by a suitably qualified person in consultation with the Local Traffic Committee (LTC). The plan will need to identify appropriate measures / procedures to manage any proposed servicing arrangement for the life of the proposed development.
  5. Any advertising signs should be consistent with the provisions of the *State Environmental Planning Policy No. 64 – Advertising and Signage* and the current *Transport Corridor Outdoor Advertising and Signage Guidelines*, in particular in regard to *Section 3 – Advertisements and Road Safety*.
  6. All works within the Fitzroy Street road reserve are to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and RMS Supplements.
  7. Where works required by Council impact on the travel lanes of the Oxley Highway, the Developer will be required to enter into a Works Authorisation Deed (WAD) with Roads and Maritime prior to the issue of any construction certificate and/or the commencement of works on the classified road. All works under the WAD are to be completed to the satisfaction of Roads and Maritime prior to the issue of any Occupation Certificate. The Developer will be responsible for all the costs associated with the works and administration for the WAD process.

It is recommended that the developer familiarise themselves with the requirements of the WAD process and contact our office to obtain further advice where necessary. Further information on undertaking private developments adjacent to classified roads can be accessed at:

<http://www.rms.nsw.gov.au/projects/planning-principles/index.html>

If you have any further enquiries regarding the above comments please do not hesitate to contact Liz Smith, Manager Land Use Assessment on (02) 6640 1362 or via email at: [development.northern@rms.nsw.gov.au](mailto:development.northern@rms.nsw.gov.au)

Yours faithfully



For Monica Sirol  
Network & Safety Manager, Northern Region  
6 March 2017