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MINUTES

Ordinary Council Meeting

15 December 2020

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**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 15 DECEMBER 2020 AT 6PM**

PRESENT: Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), Cr Andrew Banfield, Cr Sam Rowland (arrived at 6.04pm), Cr Leah Ferrara, Cr Alfie Walker, Cr Margaret O'Neill, Cr Carol James, Cr Denzil Sturgiss (until 10.06pm)

IN ATTENDANCE: Warwick Bennett (General Manager), Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations) & Amy Croker (Office Manager).

1 OPENING MEETING

Mayor Bob Kirk opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Bob Kirk made the following acknowledgement.

"I would like to Acknowledge and pay our respects to the Aboriginal elders both past and present as well as emerging leaders, and Acknowledge the traditional custodians of the Land on which we meet today."

3 COUNCILLORS DECLARATION AND/OR PRAYER

The opening prayer was read by Cr Denzil Sturgiss.

4 APOLOGIES

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

Cr Andrew Banfield declared a pecuniary conflict of interest in Item 15.11 "Expressions of Interests for the Council Irrigation Farm 1920E2006 and the Future Use of the Council Farm" as his brother in law is a Director of Denrith Pty Limited who have lodged an expression of interest for the future use of the Waste Water farm. Cr Andrew Banfield will leave the meeting while discussion and determination on this item takes place.

Deputy Mayor Peter Walker declared a non-pecuniary conflict of interest in Item 15.12 "Endeavour Industries Recycling Contract Public Drop Off" as he is a Director of Endeavour Industries Limited. Deputy Mayor Peter Walker stated his conflict of interest was non-significant and he will be staying in the room while discussions and determination of the items takes place.

Cr Sam Rowland declared a pecuniary conflict of interest in Item 15.12 "Endeavour Industries Recycling Contract Public Drop Off" as his legal firm in which he is a partner acts for Endeavour Industries Limited. Cr Sam Rowland will leave the meeting while discussion and determination on this item takes place.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Anne Rowley addressed Council on Item 15.1 DA/0070/2021 Proposed Centre Based Child Care Facility at 24-28 Quiberon Way, Goulburn.

Greg Boydell addressed Council on Item 15.1 DA/0070/2021 Proposed Centre Based Child Care Facility at 24-28 Quiberon Way, Goulburn.

Steve Ruddell addressed Council on behalf of his mother Jill Greenlees on Item 15.2 DA/0277/1920, 33 lot residential subdivision, Lot 1 DP 1115448 and Lot E DP 161389, 10 Combermere Street Goulburn.

Oliver McGeachie addressed Council on Item 15.2 DA/0277/1920, 33 lot residential subdivision, Lot 1 DP 1115448 and Lot E DP 161389, 10 Combermere Street Goulburn.

Kevin Painter addressed Council on Item 15.5 DA/0101/2021, Truck Depot for six (6) Trucks, 31 Lockyer Street Goulburn.

Paul Lawton addressed Council on Item 15.5 DA/0101/2021, Truck Depot for six (6) Trucks, 31 Lockyer Street Goulburn.

Cr Andrew Banfield declared an interest in this item and left the meeting during this public forum presentation. At 6:55 pm, Cr Andrew Banfield left the meeting.

Julia McKay addressed Council on Item 15.11 Expressions of Interests for the Council Irrigation Farm 1920E2006 and the Future Use of the Council Farm.

At 7:02 pm, Cr Andrew Banfield returned to the meeting.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 1 DECEMBER 2020

RESOLUTION 2020/519

Moved: Cr Alfie Walker

Seconded: Cr Carol James

That the Council minutes from Tuesday 1 December 2020 and contained in Minutes Pages No 1 to 12 inclusive and in Minute Nos 2020/505 to 2020/518 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 1 DECEMBER 2020

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2020/520

Moved: Cr Alfie Walker

Seconded: Cr Denzil Sturgiss

That Council notes the Task List and authorises the deletion of completed tasks.

CARRIED

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

Nil

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 DA/0070/2021 PROPOSED CENTRE BASED CHILD CARE FACILITY AT 24-28 QUIBERON WAY, GOULBURN

RESOLUTION 2020/521

Moved: Cr Margaret O'Neill

Seconded: Cr Andrew Banfield

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:04 pm.

CARRIED

RESOLUTION 2020/522

Moved: Cr Alfie Walker

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 7:29 pm.

CARRIED

MOTION

Moved: Cr Margaret O'Neill
 Seconded: Cr Sam Rowland

That:

1. The matter be deferred until the 2 February 2021 Council Meeting pending a site inspection that the community and the proponents are invited to.
2. The proponent be requested consider an amendment to the application that would give consideration to access from Mary's Mount Road and the design to match the design aspects of the Tillage Subdivision.

The motion was put and lost.

In Favour: Crs Peter Walker, Sam Rowland and Margaret O'Neill

Against: Crs Bob Kirk, Andrew Banfield, Leah Ferrara, Alfie Walker, Carol James and Denzil Sturgiss

RESOLUTION 2020/523

Moved: Cr Alfie Walker
 Seconded: Cr Denzil Sturgiss

That:

1. The staff assessment report for development application DA/0070/2021 for the proposed Centre Based Child Care Facility be received.
2. Consent be granted for DA/0070/2021 for a Centre Based Child Care Facility located at 24-28 Quiberon Way, Goulburn subject to the following conditions.

SCHEDULE ONE:

SECTION A: GENERAL CONDITIONS

1. **Approved Development and Use**

Development consent has been granted in accordance with this Notice of Determination for the purposes of a Centre based Child Care Facility under the *Goulburn Mulwaree Local Environmental Plan 2009*.

(Reason: To confirm the components of the approval)

2. **Development in Accordance with Documentation**

The development must only be carried out:

- a) in compliance with the conditions of this Notice of Determination; and
- b) in accordance with the approved plans and documentation listed in the table below.

Architectural plans prepared by I2C			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
DA010	C	Site context plan	05/11/2020
DA100	B	Site Analysis	02/11/2020
DA200	C	Demolition Plan	13/11/2020
DA300	C	Site Plan	13/11/2020
DA301	C	Ground Floor Plan	04/11/2020
DA302	C	Lower Level Floor Plan	13/11/2020

DA310	C	Roof Plan	02/11/2020
DA400	C	External Elevations – Sheet 01	04/11/2020
DA401	C	External Elevations – Sheet 02	13/11/2020
DA500	C	Sections	04/11/2020
DA600	C	Compliance Area Summery	13/11/2020
DA601	B	Compliance Area shadow Diagrams – Winter	02/11/2020
DA602	B	Compliance Area Shadow Diagrams – Summer	02/11/2020
DA610	C	Shadow Diagrams	05/11/2020
Landscape plans prepared by Tessa Rose Play Space and Landscape Plan			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
1/2	2	Play space/landscape design plan – Ground	16/10/2020
2/2	2	Play space/landscape design plan – Lower Ground	16/10/2020
Documentation prepared by Town Plan			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
Statement of Environmental Effects		Statement of Environmental Effects	August 2020
Documentation prepared by GTK Consulting			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
Traffic and Parking Assessment		Traffic and Parking Assessment	May 2020
Response to Council Issues		Response to Council Issues	September 2020
Documentation prepared by Benchmark Geotechnical			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
Q010		Geotechnical Investigation	31/07/2020
Documentation prepared by PKA Acoustic Consulting			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
11890-R01	V1	DA Acoustic Report	11/08/2020
Documentation prepared by Lindsay Perry Access			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
LP_20155		Disability Access Report	22/09/2020
Documentation prepared by JN Responsive Engineering			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
XLTR-N0200563.01A		Engineering Response	13/11/2020
Documentation prepared by JN Responsive Engineering			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
20-215791_Wayaree_cap_Stat_R02		Building Code of Australia 2019 (Amendment 1) Review	09/11/2020

(Reason: To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)

3. Documentation Inconsistency

In the event of any inconsistency between the conditions of this Notice of

Determination, the drawings and any accompanying documentation referred to above, the conditions of this Notice of Determination prevail, to the extent of the inconsistency.

(Reason: To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)

4. **Documentation to be Kept on Site**

At all times, a complete set of all endorsed plans, specifications and any other documentation referenced by this Notice of Determination must be kept on 'site' and be readily available for perusal by any officer of 'Council' or the 'Principal Certifier' upon their request.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)

5. **Limits to Development Consent**

Alterations to, and demolition of, the existing building fabric and 'site' 'works' must be limited to that documented on the approved plans and amended by the conditions referenced by this Notice of Determination.

(Reason: To ensure compliance with the approved development)

6. **Amendments to Approved Plans**

The following amendments to the approved plans must be undertaken and the amended plans must be endorsed by 'Council' prior to the issue of any Construction Certificate:

- a) The gates within the fence facing Quiberon Way must be recessed within the site by at least one (1) meter.
- b) A gated pedestrian access must be shown including footpath at a grade allowing wheelchair access from Marys Mount Road to the car parking area.

Note: This involves a change to the development application plans as submitted to, and approved by 'Council'.

Any changes in this regard must be reflected in the form of amended plans to be submitted to the 'Certifier' endorsed by 'Council' prior to the issue of any Construction Certificate for the proposed development.

(Reason: To confirm and clarify the terms of the approval)

SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION

7. **Building Code of Australia Compliance**

All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by cl. 98 of 'the Regulation')

8. **Shoring and Structural Adequacy of Adjoining Property**

Where excavations associated with the development extend below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on an adjoining allotment of land to the 'site', the person having the benefit of this Notice of Determination must, at that person's own expense:

- a) must obtain a certified report prepared by an appropriately qualified and practising structural engineer, at no cost to 'Council', detailing the structural adequacy of adjoining properties and/or structure(s) and certifying their ability to withstand the proposed excavation and construction activities. The certified report must include all details of the methodology to be employed in construction phases to achieve the above requirements. The methodology in the certified report must be complied with at all times;
- b) must at all times preserve and protect the building(s) and/or structure(s) from damage during the course of the works;
- c) if necessary, must underpin and support the building(s) and/or structure(s) in an approved manner as part of the development works;
- d) must submit drawings prepared by an appropriately qualified and practising structural engineer, showing all details, including but not limited to the extent of underpinning required, encroachment on foundations, and the method of shoring, removal and de-stressing of shoring elements, to those owners; and
- e) must following the issue of a Construction or Subdivision Works Certificate at least seven (7) days before excavating below the level of the base of any footings, hardstanding or structure on an adjoining allotment of land, give details of the excavation to the owner of the adjoining allotment of land and to the owner of the building being erected; and
- f) must make good all damage caused by undertaking the 'works'.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Construction or Subdivision Works Certificate.

Note: In this clause, allotment of land includes a public road and any other public place.

(Reason: Prescribed by cl. 98E of 'the Regulation')

9. Construction Certificate Requirements

Building work, demolition or excavation in accordance with the Notice of Determination must not be commenced until a Construction Certificate required by s.6.3 of 'the Act' for the relevant part of the works has been issued in accordance with the provisions of 'the Act' and 'the Regulation'.

(Reason: Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

10. Issue of a Construction Certificate

In accordance with cl.145 of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a construction Certificate must not be inconsistent with this Notice of Determination.

(Reason: Prescribed by legislation)

11. Occupation Certificate Requirements

A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate required by s.6.3 of 'the Act' for the relevant part of the works has been issued in accordance with the provisions of 'the Act' and 'the Regulation'.

(Reason: Prescribed by legislation)

12. Critical Stage Inspections

Building work must be inspected by the 'Principal Certifier' at the critical stage occasions prescribed by 'the Act', 'the Regulation' and as directed by the appointed

'Principal Certifier'.

Critical stage inspections are defined as: -

- a) after excavation for, and prior to the placement of any footings; and
- b) prior to pouring any in-situ reinforced concrete building element; and
- c) prior to covering of the framework for any floor, wall, roof or other building element; and
- d) prior to covering waterproofing in any wet areas; and
- e) prior to covering any stormwater drainage connections; and
- f) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

(Reason: Prescribed by legislation)

13. s.138 Roads Act Requirements

Where works are proposed within the road reserve, the developer must obtain approval from 'Council' (as the Roads Authority and/or as required under s.138 of the *Roads Act 1993*) before any 'Works' are undertaken. 'Works' within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the *Roads Act 1993*.

The following details must be submitted to 'Council' in order to obtain the s.138 approval: -

- a copy of the endorsed approved plans related to the development and proposed works to be undertaken,
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, and
- insurance details - Public Liability Insurance to an amount of no less than \$20 million, to be held by applicant / contractor undertaking the works.

Advice: Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Traffic Authority for engineering design plans, Traffic Control Plans and approvals under s.138 of the Roads Act 1993.

(Reason: To ensure the necessary approvals are obtained from the roads authority)

SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

14. s.306 Compliance Certificate

A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained from 'Council' as the sewer and water authority prior to the issue of any Construction Certificate.

Note: s.64 of the Local Government Act 1993 authorises 'Council' to issue Certificates of Compliance under s.306 of the Water Management Act 2000 and to impose pre-conditions to the issuing of Certificates of Compliance.

To obtain a s.306, a s.305 application must be lodged with 'Council'.

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new

*developments)***15. Construction Soil and Water Management Sub Plan**

The Construction Soil and Water Management Sub-Plan must be prepared and submitted to, and approved in writing by 'Council' prior to the issue of any Construction Certificate. The plan must include, but not be limited to, the following: -

- a) be prepared by a suitably qualified and experienced person(s);
- b) be undertaken in consultation with Water NSW and 'Council';
- c) describe all erosion and sediment controls to be implemented during the works;
- d) provide plans and details of how the works will be managed in wet weather (i.e. storage of equipment, stabilisation of the site, inundation threats);
- e) the proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles must be directed to the sediment control system within the 'site';
- f) details all off site flows from the site and how they will be managed;
- g) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI;
- h) demonstrate how compliance with Water NSW conditions will be addressed and maintained.
- i) include a program to monitor and review the effectiveness of the soil and water management measures required by this condition;

(Reason: To ensure the development is undertaken in a responsible manner that minimises the use of raw materials)

16. Dilapidation Report Excavation

A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to and approved by 'Council' prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

The dilapidation survey and report must be prepared by an appropriately qualified person agreed to by both the applicant and the owner of any affected adjoining property. All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Notice of Determination.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to the satisfaction of 'Council' that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from 'Council' in such circumstances.

Note: This documentation is for record keeping purposes only and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

(Reason: To record the condition of property/ies prior to the commencement of construction)

SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

17. Long Service Levy Payments

The payment of a long service levy as required under Part 5 of the *Building and*

Construction Industry Long Service Payments Act 1986, is required, proof that the levy has been paid, is to be submitted to 'Council' prior to the issue of any Construction Certificate. 'Council' acts as an agent for the Long Services Payment Corporation and the levy may be paid at 'Council' office.

(Reason: Statutory requirement)

18. Damage Bond General

A public infrastructure damage deposit of \$4780 must be paid to 'Council'.

The damage bond will only be eligible for refund upon satisfactory completion of all 'works' and following the issue of the final Occupation Certificate. All costs associated with any reinstatement works required to be carried out by 'Council' to rectify any damage caused by the 'works', shall be deducted from the damage deposit.

Documentation demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

Note: A bond administration fees applies to the lodgement of this bond. Bond values and administration fees are calculated at time of actual lodgement in accordance with Council's adopted Fees and Charges and may differ from the above.

All required damage to Council property, however caused, by undertaking the 'works' must be reinstated on a like for like basis and in accordance with 'Council's' engineering standards prevailing at the time to the satisfaction of 'Council' as the roads authority and prior to the issue of an Occupation Certificate.

(Reason: Protection of Council infrastructure and to ensure any damage to public infrastructure is rectified)

19. Structural Engineering Plans

Structural engineering plans and details prepared by an experienced professional chartered practicing Structural Engineer are required for the following work: -

- a) reinforced concrete strip footings.
- b) reinforced concrete raft slab.
- c) suspended reinforced concrete slabs.
- d) structural steelwork.
- e) structural timber work exceeding the design parameters of AS.1684 "National Timber Framing Code".
- f) retaining walls.
- g) roof trusses.
- h) the existing structure is to be certified as being structurally adequate to carry out the proposed additional loadings.

Plans demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the release of any Construction Certificate.

Advice: The name, address and qualifications of the practising Structural Engineer certifying the design must be clearly indicated on the plans and any accompanying documentation. The engineer is to hold qualifications appropriate to the project as defined in the Building Code of Australia. The design shall relate to the particular site.

Any such Certificate is to set forth the extent to which the Engineer has relied on relevant Specifications, Rules, Codes of Practice or Publications in respect of the construction.

(Reason: To ensure the structural integrity of the building is achieved)

20. Noise from Mechanical Plant Adjacent to Residential Premises

The use of any air conditioner installed on the premises must comply with the

requirements of the *Protection of the Environment Operations (Noise Control) Regulations 2008* and *State Environmental Planning Policy (Infrastructure) 2007* and must not:

- a) emit a noise that is audible within a habitable room in any affected residence (regardless of whether any door or window to that room is open);
 - i. before 8.00am and after 10.00pm on any Saturday, Sunday or Public Holiday; or
 - ii. before 7.00am or after 10.00pm on any other day
- b) cause an LAeq(15min) which exceeds the RBL background noise level by more than 5dB when measured at the boundary of any affected residence. The modifying factor adjustments in Section 4 of the EPA Industrial Noise Policy will be applied.

Note: *Affected residence includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation and hospitals.*

Boundary includes any window or elevated window of an affected residence.

Terms in this condition have the same meaning as in the Noise Guide for Local Government and the Industrial Noise Policy published by the NSW Environment Protection Authority.

Plans and or documentation prepared by qualified noise consultant demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: To maintain residential amenity)

21. Off Street Car Parking

A total of 20 off-street car-parking spaces, together with the access driveway, must be constructed, sealed, line marked and identified in accordance with the 'NCC', AS.1428 and AS/NZS.2890. The plans must nominate the allocation of parking spaces for specific purposes as required by the conditions of this Notice of Determination.

Detailed drawings prepared and certified by an appropriately qualified and practising Civil Engineer for the construction of these areas in accordance with this requirement must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles)

22. Accessible Car Parking Provisions

A minimum of one (1) of the onsite car parking spaces provided as part of the total requirement must be an accessible space.

These spaces must be constructed, line marked and identified in accordance with the 'NCC', AS.1428 and AS/NZS.2890 - Parking Facilities; Off-street parking for people with disabilities.

Detailed plans demonstrating compliance with this condition must be submitted to, and approved by the 'Certifier' prior to the issue of a Construction Certificate.

(Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)

23. Sediment and Erosion Control

Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction (latest edition, Landcom, 2004)* commonly referred to as the "Blue Book"

A sediment and erosion control plan must be prepared that is consistent with the Blue Book and include:

- a) all details of drainage to protect and drain the site during the construction processes;
- b) all required sediment control devices, barriers and the like;
- c) sedimentation tanks, ponds or the like;
- d) covering materials and methods;
- e) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and their ongoing maintenance and inspection; and
- f) methods for the temporary and controlled disposal of stormwater during construction.

Details demonstrating compliance with this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

24. External Service Ducts Prohibited

Service ducts must be provided within the building to keep external walls free of plumbing, drainage or any other utility installations. Plans and specifications which comply with this condition must be submitted to, and approved by the 'Certifier' for approval prior to the issue of any Construction Certificate.

(Reason: To ensure quality built form of the development).

25. Roofing and External Cladding Materials

Roofing materials must be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The selected roofing material must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties. Plans and specifications which comply with this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development)

26. Waste Management Plan

A detailed waste management plan is to be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate. The plan must include, but not be limited to, the estimated volume of waste and method of lawful disposal for the demolition, 'site' 'works', construction and operation phases of the development, all landfill removed from the 'site', haulage routes, design of on-site wind proof waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

The approved waste management plan must be complied with at all times in the carrying out of the development.

Note: A Waste Management Plan Template is available on Council's Website:

(Reason: To ensure the lawful management and recycling of waste)

27. s.7.11 Contributions

Under s.7.11 of 'the Act' 'Council' has determined that development contributions are applicable to this development, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Goulburn Mulwaree local government area.

The following Goulburn Mulwaree Council Section 94 Developer Contributions Plans are applicable to the development:

- **Marys Mount Precinct**
 - Roads & Traffic Facilities – Crookwell Road Zone calculated on 180 trips per day less credit for 3 existing lots
\$ 75,545
 - Administration Costs per additional lot \$ 67

The contributions in accordance with Council's Fees and Charges at the time of payment must be paid prior to the issue of any Construction Certificate.

Documentation as issued by 'Council' demonstrating that the contribution has been paid must be submitted to, and approved by the 'Certifier' prior to the issue of a Construction Certificate.

Note: *Copies of the Contributions Plans are available from 'Council' or alternatively, they can be downloaded from 'Council's' website.*

Payment is to be accompanied by the attached sheet entitled "Summary of Charges". If payment is by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)*

28. Rainwater Tanks

Rainwater tanks with a minimum capacity of 30,000 litres must be provided to collect all rainwater runoff from the development, the rainwater tank must be plumbed to service all toilets, laundry facilities, hot water services and the external taps. If the 'site' is on bush fire prone land the tank(s) must be non-combustible.

Detailed plans demonstrating compliance with the above requirements must be submitted to, and approved by, the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: *To ensure the development is water efficient and environmentally considerate)*

29. Skylight Projections

Skylight flashing(s) and frame(s) must be coloured to match the roofing material. Skylight(s) must not sit any higher than 100mm above roof plane when in a closed position. Plans and specifications which comply with this condition must be submitted to, and approved by, the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: *To minimise the visual impact of the skylight(s) on the roof plane)*

30. Site Consolidation

The 'site' must be consolidated into one (1) Lot.

A copy of the registered deposited plan as issued by NSW LRS demonstrating compliance with the requirements of this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: *To ensure the use of the land as one allotment is legally recognised and to prevent separate dealings in the existing allotments after the use commences)*

SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION, BUILDING OR SUBDIVISION WORKS**31. Prior to Commencement**

'Works' must not commence on **'site'** in connection with this Notice of Determination until:

- a) a Construction Certificate (where required) for the building work has been issued by:
 - i. the consent authority; or
 - ii. an **'Accredited Certifier'**; and
- b) the person having the benefit of the development consent has:
 - i. appointed a **'Principal Certifier'** for the building work, and
 - ii. notified the **'Principal Certifier'** that the person will carry out the building work as an owner-builder, if that is the case, and
- c) the **'Principal Certifier'** has, no later than two (2) days before the building work commences:
 - i. notified the **'Council'** of his or her appointment, and
 - ii. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) the person having the benefit of this Notice of Determination, if not carrying out the work as an owner builder, has:
 - i. appointed a **'Principal Contractor'** for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the **'Principal Certifier'** of such appointment, and
 - iii. unless that person is the **'Principal Contractor'** notified the **'Principal Contractor'** of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- e) the person having the benefit of this Notice of Determination has given at least two (2) days' notice to the **'Council'** of the person's intention to commence building work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to **'Council'** not less than two (2) days before any commencement of **'works'**.

(Reason: Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

32. Temporary Site Fences

A temporary timber hoarding or temporary construction **'site'** fence must be erected between the work **'site'** and adjoining lands before any commencement of works and must be maintained and be kept in place until after the completion of the works if the works:

- a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- b) could cause damage to adjoining lands by falling objects, or
- c) involve the enclosure of a public place or part of a public place.

The installation is to be confirmed by the **'Principal Certifier'** prior to any further commencement of **'site'** **'works'**.

(Reason: To ensure that the safety of the public is not compromised)

33. Public Liability Insurance

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within 'Council's' road reserve or public land, as approved by this Notice of Determination. The Policy is to note, and provide protection/full indemnification for Goulburn Mulwaree Council, as an interested party. A copy of the Policy must be submitted to 'Council' prior to the commencement of any works. The Policy must be valid for the entire period that the works will be undertaken.

Note: Applications for hoarding permits, vehicular crossings etc. will require evidence of insurance upon lodgement of the application.)

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

34. Sediment and Erosion Control

All required erosion and sedimentation techniques must be properly installed prior to the commencement of any 'site' 'works' and be maintained in a functional and effective condition throughout the construction activities until the 'site' is stabilised.

The installation is to be approved by the 'Principal Certifier' prior to further commencement of 'site' 'works'.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

35. Site Facilities

'Site' facilities must be provided as follow;

- a) if the development involves building work or demolition work the 'site' must be fully enclosed by a temporary security fence (or hoarding) before 'works' commence. Any such hoarding or fence is to be removed when the 'works' have been completed;
- b) a minimum width of 1.5m must be provided between the 'site' and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees;
- c) a garbage receptacle fitted with a tight-fitting windproof lid for the reception of all putrescible and all waste capable of being windblown from the work 'site' must be provided prior to 'works' commencing and must be maintained and serviced for the duration of the 'works'; and
- d) adequate toilet facilities must be provided on the work 'site'. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the 'Council', or an approved temporary chemical closet. The provision of toilet facilities must be completed before any other 'works' are commenced.

The installation of the site facilities must be approved by the 'Principal Certifier' prior to any further commencement of 'site' 'works' and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

36. Site Sign

A sign must be erected in a prominent position on any 'site' on which work involved in the erection or demolition of a building is being carried out:

- a) stating that unauthorised entry to the 'site' is prohibited;
- b) showing the name of the 'Principal Contractor' (or person in charge of the 'site'), and a telephone number at which that person may be contacted at any

- time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the '*Principal Certifier*' for the work.

Any such sign must be maintained while the '*works*' are being carried out and must be removed when the '*works*' have been completed.

The installation is to be approved by the '*Principal Certifier*' prior to any further commencement of '*site*' '*works*'.

(Reason: Statutory requirement)

37. Parking Restrictions

Existing public parking provisions in the vicinity of the '*site*' must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is strictly prohibited without the prior written consent of '*Council*'. Changes to existing public parking facilities/restrictions must be approved by the '*Council*'s Traffic Committee. The person having the benefit of this Notice of Determination will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by '*Council*' regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised during works)

38. Road Reserve Safety

All public footways and roadways in the vicinity off, fronting and adjacent to the '*site*' must at all times be maintained in a safe and unobstructed condition during the course of the '*works*'. Construction materials and plant must not be stored in the road reserve without approval of '*Council*'. No diversion of pedestrian circulation is to occur without the prior approval of '*Council*'. Construction vehicles must not cause adverse impact on existing residences and neighbouring properties of the locality.

(Reason: Public Safety)

SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION, BUILDING OR SUBDIVISION WORKS

39. No Changes to Openings

The windows / doors / fenestration must not be enlarged or relocated on any elevation of the development. The use of rooms served by windows must not be altered from that detailed on the approved plans.

(Reason: To ensure compliance with the terms of this Notice of Determination)

40. Progress Survey

To ensure compliance with approved plans, a Survey Certificate, to Australian Height Datum, must be prepared by a Registered Surveyor as follows: -

- a) at the initial footing/slab reinforcement inspection of the ground floor level indicating the level of that floor and the relationship of the building to the boundaries; and
- b) at completion, the relationship of the building, and any projections thereto, to the boundaries.

Progress certifications in response to points (a) and (b) must be provided to the '*Principal Certifier*' at the time of carrying out relevant progress inspections and be validated against the approved works. Under no circumstances must '*works*' be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed '*works*'.

The *'Principal Certifier'* is to provide written advice to *'Council'* within 48 hours when *'works'* undertaken are not in accordance with this Notice of Determination.

(Reason: To ensure compliance with approved plans)

41. Dust Emissions and Air Quality

Any person acting on this Notice of Determination must ensure that:-

- a) materials must not be burnt on the *'site'*;
- b) vehicles entering and leaving the *'site'* with soil or fill material must be covered;
- c) dust suppression measures as required must be carried out throughout the undertaking of the *'works'* to minimise wind-borne emissions;
- d) exposed surfaces and stockpiles are suppressed by regular watering or hydro mulching;
- e) odour suppression measures must be carried out where appropriate so as to prevent nuisance occurring at adjoining properties;
- f) public roads used by these trucks are kept clean; and
- g) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

(Reason: To protect the environment and the amenity of the surrounding area)

42. No Work on Public Open Space

The person entitled to act upon this Notice of Determination must not enter or undertake any *'works'* on any adjoining public lands (i.e. Parks, Reserves, Roads etc) without the prior written consent of *'Council'*.

(Reason: Protection of existing public infrastructure and land to ensure public safety and the proper management of public land)

43. Construction Hours

All *'works'* must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Note: Demolition work means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.

Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

44. Retaining Walls and Drainage

Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must: -

- a) ensure that all retaining walls to be constructed are wholly within the boundaries of the subject allotment including all associated drainage zones

- and earthworks.
 - b) have adequate provision for drainage in accordance with the provisions of AS.3500; and
 - c) obtain approval from 'Council' for all walls over 600mm in height and within 1000mm to 'site' boundaries.
 - d) be constructed immediately after the 'site' has been cut and filled;
- (Reason: To ensure the safety and amenity of the site and adjoining properties)

45. Sanitary Drainage Inspections

All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS.3500 and the *Plumbing and Drainage Act 2011*. The following stages of construction are to be inspected by 'Council' as the Water and Sewer Authority.

- Plumbing and Drainage before backfilling.
- Pressure testing of waterpipes within the building prior to fixing of linings.
- Final inspection of water plumbing and sewer drainage.

Inspections can be booked in person at Customer Service or by phone on 02 4823 4444. Please note inspection fees apply and a minimum 48 hours' notice is required.

(Reason: To ensure compliance with the statutory requirements)

46. Earthworks

Any earthworks (including any structural support or other related structure for the purposes of the development) must: -

- a) not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot;
- b) not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property;
- c) in the first instance be reused on 'site';
- d) ensure that any fill brought to the 'site' contains only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997* or any other waste-derived material the subject of a resource recovery exemption;
- e) ensure that any excavated soil to be removed from the 'site' is to be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*;
- f) ensure that documentation verifying the lawful disposal of all waste is to be kept by the applicant and provided to 'Council' on request.
- g) not permit fill to change existing ground levels at the property boundary. Cutting and filling is to be restricted to that shown on the approved plans. Any further cutting or filling will require separate approval.
- h) ensure that any excavation is carried out in accordance with *Excavation Work: Code of Practice (ISBN 978-0-642-785442)*, published in October 2013 by Safe Work Australia.

(Reason: To ensure structural safety and to ensure excavation and fill are handled correctly)

SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

47. Compliance with Conditions of Consent

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of Determination must demonstrate to the 'Principal Certifier' that all conditions required to be complied with, either at or before the occupation stage,

including conditions identified as at all times have been complied with. An Occupation Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

(Reason: To ensure compliance with the terms of this Notice of Determination)

- 47a. Prior to the issue of an occupation certificate, the 'No Stopping' traffic restriction on Quiberon Way south of the site shall be extended along the entire frontage of the proposed development at the developer's cost. The developer must obtain approval from Council as required under s138 of the Roads Act 1993 prior to any works being undertaken.

48. **Numbering**

An Occupation Certificate must not be issued until the approved street numbering has been installed to the kerb directly in front of each Lot.

DWELLING/UNIT OR LOT	ASSIGNED NUMBER	STREET ADDRESS
Centre Based Child Care Facility	24	Quiberon Way, Goulburn

Documentary evidence from confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Occupation Certificate.

Note: Street/unit identification numbers are at least 7 centimetres in height white in colour with blue background 130mm high and must to be displayed in a prominent location clearly visible from the street frontage

(Reason: To ensure that the property is correctly addressed and visible from the public road)

49. **Landscaping to Nature Strip**

All disturbed and unvegetated areas of land to the front of the building line and the nature strip must be fully landscaped to prevent soil erosion and migration prior to the release of any Occupation Certificate.

(Reason: To preserve the amenity of the streetscape and to prevent pollution of the environment)

50. **Allocation of Parking Areas**

All required parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas must be fully constructed, sealed, line marked, sign posted, and numbered in accordance with this Notice of Determination prior to the issue of any Occupation Certificate.

(Reason: To ensure that adequate facilities to service the development are provided on 'site')

51. **Installation of Driveways**

Prior to the issue of an Occupation Certificate the driveway access across the footpath reserve and any footway crossing must be constructed in accordance with 'Council's Engineering Standards and the approved plans. All works must be completed to the written satisfaction of 'Council'.

Documentary evidence from 'Council' as the roads authority confirming that this condition has been satisfied must be provided to the 'Principal Certifier' prior to the issue of any Occupation Certificate

(Reason: To ensure driveway access to the property does not have any adverse

impact on the public road network)

52. Water Management Act

A Compliance Certificate issued under s.307 of the *Water Management Act 2000* must be obtained from the Utilities Division of 'Council' prior to the release of any Occupation Certificate.

Documentary evidence issued by 'Council' confirming that the final inspection was satisfactory must be provided to the 'Principal Certifier' prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with the statutory requirements)

53. Plumbing and Drainage Finalisation

A final inspection of water plumbing and sewer drainage must be conducted by 'Council' as the Water and Sewer Authority.

Documentary evidence issued by 'Council' confirming that the final inspection was satisfactory must be provided to the 'Principal Certifier' prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with the statutory requirements)

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

54. Hours of Operation

At all times the Centre Based Child Care Facility must only operate within the following hours:-

- Monday - 07:00 – 19:00
- Tuesday - 07:00 – 19:00
- Wednesday - 07:00 – 19:00
- Thursday - 07:00 – 19:00
- Friday - 07:00 – 19:00
- Saturday - No trading
- Sunday - No trading
- Public Holiday - No trading
- Christmas Day – No trading

All required deliveries and operation of the 'site' must be conducted and concluded within the hours set out above.

(Reason: Information to ensure that amenity of the surrounding locality is maintained)

55. Obstruction of Parking Areas

At all times no parking spaces, loadings bays or vehicular access ways or access thereto must be restricted, constrained or enclosed by any form of structure such as fencing, bollards, chains or the like, without the prior consent from 'Council'.

(Reason: To ensure that minimum dimensions for parking spaces are not reduced and that vehicle manoeuvring is compliant with relevant standards)

56. Vehicle Egress Sign

At all times appropriate sign(s) must be provided and maintained within the 'site' at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.

(Reason: To ensure pedestrian safety)

57. No Illumination of Signage

At all times no consent is given or implied for any form of illumination or floodlighting to any sign.

(Reason: To ensure appropriate forms of signage that are consistent with the development controls and those that are desired for the locality)

SECTION I: CONCURRENCE AGENCY CONDITIONS**58. Erosion and Sediment Controls**

The applicant is to submit, to the satisfaction of 'Council', an Erosion and Sediment Control Plan in accordance with Chapter 2 of the NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual – the 'Blue Book', outlining the controls that will be used to prevent sediment entering dams, drainage depressions and watercourses and/or street stormwater drainage systems.

(Reason: To ensure the development has a neutral or beneficial effect on water quality)

SECTION J: ADVISORY INFORMATION

- a) Prior to commencing any building, subdivision or associated constructions works, the following provisions of 'the Act' are to be complied with:
 - (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of 'the Act'.
 - (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- b) Changes to the layout of the subdivision configuration may require the submission of a further modification under Section 4.55 of 'the Act'.

Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of 'the Act'.
- c) Prior to any 'Work' commencing on 'site' all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au
- d) 'Council's' fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.
- e) The mailbox erected to service the property must not encroach on the footpath or kerb area.
- f) Requirements for the submission of any electronic file or email to 'Council'
 - i. file formats for general documents should be .pdf, docx, .xlsx, jpeg.
 - ii. where s.88b instruments are provided these should be submitted in both .pdf and .docx formats.
 - iii. all files must be named in accordance with the following naming standard

examples

- APPLICATION NUMBER_TITLE OF DOCUMENT_ADDRESS OF PROPERTY_AUTHOR
 - DA_0058_2021_Proposed plans Rev A_184 Bourke Street Goulburn_Goulburn Architects
 - DA should be replaced where applicable with MODDA, CC, MODCC, SWC, SUB depending on what application the file relates to.
- iv. The subject title of any email sent to '*Council*' should be prefaced with the application number and address in the format noted above.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Andrew Banfield, Leah Ferrara, Alfie Walker, Carol James and Denzil Sturgiss

Against: Crs Peter Walker, Sam Rowland and Margaret O'Neill

The meeting was adjourned for dinner at 8.02pm.

The meeting reconvened at 8.39pm.

15.2 DA/0277/1920, 33 LOT RESIDENTIAL SUBDIVISION, LOT 1 DP 1115448 AND LOT E DP 161389, 10 COMBERMERE STREET GOULBURN.

RESOLUTION 2020/524

**Moved: Cr Peter Walker
Seconded: Cr Sam Rowland**

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 8:40 pm.

CARRIED

RESOLUTION 2020/525

**Moved: Cr Sam Rowland
Seconded: Cr Carol James**

That Council move back into Open Council.

Council moved back into Open Council at 9:01 pm.

CARRIED

MOTION

Moved: Cr Margaret O'Neill

Seconded: Cr Peter Walker

That the determination of development application DA/0277/1920 for the proposed 33 Lot residential subdivision be deferred pending the applicant considering a redesign with access to the cul-de-sac via Hovell Street.

The motion was put and lost.

In Favour: Crs Peter Walker, Andrew Banfield, Sam Rowland and Margaret O'Neill

Against: Crs Bob Kirk, Leah Ferrara, Alfie Walker, Carol James and Denzil Sturgiss

RESOLUTION 2020/526

Moved: Cr Alfie Walker

Seconded: Cr Carol James

That:

1. The staff assessment report for development application DA/0277/1920 for the proposed 33 Lot residential subdivision be received.
2. Council, as land owner, approves the use of part of the reserve on Lisgar Street for a storm water retention basin associated with DA/0277/1920 on the condition that the applicant enters into a planning agreement with Council based on the following requirements:
 - a) The developer is to provide embellishments, to the value of \$30,000, including outdoor gym equipment, pathways and/or seating within Ardgowan Park and the cost of the embellishments shall be offset from the payment of developer contributions under section 7.12 of the Environmental Planning and Assessment Act 1979.
 - b) The developer shall pay Council \$90,000 as a monetary contribution for use of the land within the reserve.
 - c) The treasury bond rate to be applied will be applicable as at the time of the final endorsement of the Planning Agreement, for a 30 year period.
 - d) The stormwater management facility within Lot 74 DP 35541 must incorporate the sand filter (as per the approved plan 212805-DA03 Sheet 3 of 11 Issue B dated 02/12/2020) immediately following the construction of 75% of new dwellings constructed on any of the proposed lots.
 - e) The above payments are to be paid in full prior to the issue of the Subdivision Certificate for the first stage of development.
3. Consent be granted for DA/0277/1920 for a 33 Lot residential subdivision located at Lot 1 DP 1115448, Lot 74 DP 35541 & Lot E DP 161389, 10 Combermere Street Goulburn subject to the following conditions.

DEFERRED COMMENCEMENT

This is a deferred commencement consent under Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This deferred commencement consent does not become operative until the applicant has satisfied the requirements listed in Schedule 'A' of this consent. All issues must be satisfactorily resolved within a period of twelve (12) months from the 'Determination Date' that is shown on this Notice of Determination or the consent will lapse in accordance with Section 95 of the *Environmental Planning and Assessment Regulation 2000*.

Upon compliance with the issues under Schedule ‘A’, and written confirmation from ‘Council’ to that effect, then the consent shall become operative from a ‘Date of Endorsement’ (to be included on the written notification) subject to the conditions listed in Schedule ‘B’ and any additional conditions arising from the requirement of Schedule ‘A’.

SCHEDULE A

A The applicant is to enter into a planning agreement with council, and it is to be executed prior to the consent becoming operational.

SCHEDULE B

SECTION A: GENERAL CONDITIONS

1. Approved Development and Use

Development consent has been granted in accordance with this Notice of Determination for the purposes of a thirty three (33) Lot residential subdivision, drainage reserve Lot and public infrastructure under the *Goulburn Mulwaree Local Environmental Plan 2009*, to be carried out in five stages.

The first stage must comprise the construction of:

- Bioretention basin and stormwater drainage for proposed Lot 1;
- The stormwater management facility within Lot 74 DP 35541;
- All services to each proposed lot in Stage 1; and
- The emergency vehicle access via Lisgar Street to the residential care facility on Lot 1.

(Reason: To confirm the components of the approval and ensure the proposal does not have unreasonable water quality impacts)

2. Proposed Easement A- Stage 1

The proposed easement for right of carriageway to benefit proposed lot 5 (shown as A on the approved plans) is not approved and must be removed from all plans in the Subdivision Works Certificate application.

(Reason: To prevent traffic conflict between the existing residential care facility and future use of land within proposed lot 5. The future use of Lot 5 will require ingress and egress provision considered independently of other development)

3. Development in Accordance with Documentation

The development must only be carried out:

- a) in compliance with the conditions of this Notice of Determination; and
- b) in accordance with the approved plans and documentation listed in the table below.

Architectural plans prepared by Land Team			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
212805-DA01-01	L	Plan of proposed subdivision of Lot 1 DP 1115448 & Lot E DP 161389	24/11/2020
212805-DA01-02	L	Plan of proposed subdivision of Lot 1 DP 1115448 & Lot E DP 161389	24/11/2020
212805-DA01-03	L	Plan of proposed subdivision of Lot 1 DP 1115448 & Lot E DP 161389 Stage 1 Plan	24/11/2020
212805-DA01-04	L	Plan of proposed subdivision of Lot 1 DP 1115448 & Lot E DP 161389 Stages 2-5 Plan	24/11/2020

212805-DA01-05	E	Plan of proposed Lots 2-5 with existing buildings	24/11/2020
212805-DA01-06	E	Plan of proposed Lots 7-8 with existing buildings	24/11/2020
212805-DA01-07	E	Plan of proposed Lots 1 & 2 with existing buildings	24/11/2020
Sheet 1 of 11 212805-DA01	B	Concept Engineering Overall Layout Plan	02/12/2020
Sheet 2 of 11 212805-DA02	B	Concept Engineering Drainage Plan	02/12/2020
Sheet 3 of 11 212805-DA03	B	Concept Engineering Basin & Water Quality Details	02/12/2020
Sheet 5 of 11 212805-DA05	B	Concept Engineering Access Road Plan	02/12/2020
Sheet 6 of 11 212805-DA06	B	Concept Engineering Access Way Plan	02/12/2020
Sheet 11 of 11 212805-DA11	B	Concept Engineering Staging Plan	02/12/2020

(Reason: To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)

4. Water NSW General

The lot layout, works and staging of the subdivision shall be as specified in Statement of Environmental Effects prepared by Ingham Planning Pty Ltd (dated March 2020) and shown on the Proposed Subdivision Plans (Drawing Nos. 212805-DA01-01, 03 and 04; all Issue L and dated 24/11/2020) prepared by LandTeam Australia Pty Ltd. No revisions to lot layout, works or staging of the subdivision that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

(Reason: Water NSW has based its assessment under State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the subdivision)

5. Water NSW Stormwater Management

No changes to stormwater treatment and management that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION

6. Issue of a Subdivision Works Certificate Requirements

In accordance with cl.148F of the Environmental Planning and Assessment Regulation 2000, the plans and specifications submitted with a Subdivision Works Certificate must not be inconsistent with this Notice of Determination.

(Reason: Prescribed by legislation)

SECTION C: MATTERS REQUIRING COUNCIL'S SATISFACTION PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE (FOR EACH STAGE) UNLESS OTHERWISE SPECIFIED

7. Subdivision Works Certificate compliance

The Subdivision Works Certificate application must be accompanied by a statement that

includes details as to how each condition of consent, required to be satisfied prior to the issuing of the Subdivision Works Certificate, has been satisfied.

(Reason: To ensure that the development proponent addresses compliance in relation to each condition that is required to be satisfied prior to the issuing of the Subdivision Works Certificate)

8. s.306 Compliance Certificate

A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 must be obtained from 'Council' as the Sewer and Water Authority prior to the issue of any Subdivision Works Certificate.

Note:s.64 of the Local Government Act 1993 authorises 'Council' to issue Certificates of Compliance under s.306 of the Water Management Act 2000 and to impose pre-conditions to the issuing of Certificates of Compliance.

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)

9. Constructional Environmental Management Plan

A Construction Environmental Management Plan must be prepared and submitted to, and approved in writing by 'Council' prior to the issue of any Subdivision Works Certificate. The plan must be prepared by a suitably qualified or experienced person(s), and must include, but not be limited to, the following: -

a) Details of:

- i. 24-hour contact details of site manager;**
- ii. the proposed phases of construction 'works' on the 'site', and the expected duration of each construction phase;**
- iii. the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process; and**
- iv. the proposed areas within the 'site' to be used for the storage of excavated materials, construction materials and waste containers during the construction period;**

b) Construction Traffic and Pedestrian Management;

- i. be prepared in consultation with Council and Transport NSW if the road is a classified road;**
- ii. detail the measures that are to be implemented to ensure road safety and network efficiency during the 'works' in consideration of all potential impacts on general traffic, cyclists, pedestrians and bus services;**
- iii. detail heavy vehicle routes, access and parking arrangements;**
- iv. the proposed methods of loading and unloading excavation and construction machinery, excavation and building materials, formwork etc. and the erection of any part of the structure within the 'site';**
- v. detail procedures for notifying adjoining and nearby residents and the community of any potential disruption to routes; and**
- vi. include a program to monitor the effectiveness of these measures**

c) Construction Noise and Vibration Management;

- i. describe procedures for achieving the noise management levels in EPA's Interim construction Noise Guideline;**
- ii. describe the measures to be implemented to manage high noise generating activities such as piling, jack hammering etc., in close proximity to sensitive noise receivers;**
- iii. include strategies that have been developed with the community for managing high noise generating activities;**

- iv. describe the community consultation undertaken to develop the strategies to be employed; and
 - v. include a complaints management system that would be implemented for the duration of the 'works'.
- d) **Construction Soil and Water Management;**
- i. be undertaken in consultation with Water NSW and 'Council';
 - ii. describe all erosion and sediment controls to be implemented during the works;
 - iii. provide plans and details of how the works will be managed in wet weather (i.e. storage of equipment, stabilisation of the site, inundation threats);
 - iv. the proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles must be directed to the sediment control system within the 'site';
 - v. details all off site flows from the site and how they will be managed;
 - vi. describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI;
 - vii. demonstrate how compliance with Water NSW conditions will be addressed and maintained; and
 - viii. include a program to monitor and review the effectiveness of the soil and water management measures required by this condition.
 - ix. Describe the measures that must be implemented to manage dust during construction.
- e) **Construction Waste Management;**
- i. details the quantities of each waste type generated during the 'works' including all forms of green waste, and any proposed reuse, recycling and disposal locations; and
 - ii. removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards, and guidelines.
- f) **Unexpected Contamination Procedure** to ensure that any potentially contaminated material is appropriately managed. The procedure must provide for all disposal locations, quantities and test results to be submitted to 'Council' and the 'Certifier' 48 hours prior to removal from 'site'.

All work, excavation, demolition or construction activities must be undertaken in accordance with the approved Construction Environmental Management Plan and any conditions attached to the approved plan. A copy of the approved Construction Environmental Management Plan must be kept on the 'site' at all times and made available to any officer of 'Council' upon request.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)

10. Damage to Public Infrastructure

A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant/person which details the pre-developed condition of the existing public infrastructure in the vicinity of the development 'site'. Attention must be paid to accurately recording any pre-development damage so that 'Council' is informed when assessing any future damage to public infrastructure caused as a result of the development. The dilapidation survey and report must be submitted to, and approved in

writing by 'Council' prior to the issue of any Subdivision Works Certificate.

The person entitled to act upon this Notice of Determination will be held liable for all damage to public infrastructure in the vicinity of the development 'site' where such damage is not accurately recorded and demonstrated as pre-existing under documentation provided by this condition.

Note: Vicinity is defined as all public infrastructure immediately adjacent to the 'site' (full road reserve width) and to a minimum distance of 50m beyond the 'site' boundaries.

(Reason: To record the condition of public infrastructure prior to the commencement of construction to the consent authority's satisfaction)

11. s.138 Roads Act Requirements

Where works are proposed within the road reserve, the developer must obtain approval from 'Council' (as the Roads Authority and/or as required under s.138 of the Roads Act 1993) before any 'Works' are undertaken. 'Works' within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the Roads Act 1993.

The following details must be submitted to 'Council' in order to obtain the s.138 approval: -

- a) a copy of the endorsed approved plans related to the development and proposed works to be undertaken,
- b) Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, and
- c) Insurance details - Public Liability Insurance to an amount of no less than \$20 million, to be held by applicant / contractor undertaking the works.

Advice: Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Traffic Authority for engineering design plans, Traffic Control Plans and approvals under s.138 of the Roads Act 1993.

(Reason: To ensure the necessary approvals are obtained from the roads authority)

12. Water NSW- Construction Activities

A Soil and Water Management Plan shall be prepared in consultation with Water NSW for all works required as part of the subdivision including the subdivision road and access by a person with knowledge and experience in the preparation of such plans.

The Plan shall:

- configure the OSD basin to act as a sediment basin with capacity to manage the sediment for 75% of housing construction on the proposed lots;
- meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004); and
- Be prepared prior to the issuance of a Subdivision Works Certificate, and be to the satisfaction of Council.

(Reason: To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase)

13. Water NSW – Subdivision Road

The subdivision road and access shall be located and constructed as shown on the Concept Engineering Overall Layout Plan prepared by LandTeam Australia Pty Ltd (Drawing

No. 212805-DA01; Sheet 1 of 11; Issue B; dated 02/12/2020). The subdivision road and access shall:

- Be sealed and otherwise constructed in accordance with Council's engineering standards;
- Ensure all runoff is collected via a series of pits and pipes and directed to various water quality treatment measures, and
- Incorporate inlet filters (Enviropod 200 or Water NSW endorsed equivalent) on all inlet pits.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure that the proposed subdivision road and associated infrastructure will have a sustainable neutral or beneficial impact on water quality during the operational phase of the development)

14. Water NSW – Subdivision Road

All stormwater structures and drainage works associated with the proposed subdivision road and access shall be wholly included in the road or drainage reserve or within suitably defined easements.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure that the proposed subdivision road and access and associated infrastructure will have a sustainable neutral or beneficial impact on water quality during the operational phase of the development)

15. Water NSW – Stormwater Management

All stormwater management measures as specified in the MUSIC Model Assessment Report (Revision 1; dated 25/03/20) and shown on the following Concept Engineering Plans, all prepared by LandTeam Australia Pty Ltd, shall be incorporated in the final stormwater drainage plans to be approved by Council.

- Concept Engineering Drainage Plan (Drawing Nos. 212805-DA02; Sheet 2 of 11; Issue B; dated 02/12/2020)
- Concept Engineering Basin and Water Quality Details (Drawing Nos. 212805-DA03; Sheet 3 of 11; Issue B; dated 02/12/2020), and
- Concept Engineering Staging Plan (Drawing Nos. 212805-DA11; Sheet 11 of 11; Issue B; dated 02/12/2020).

The final approved stormwater drainage plans shall be implemented.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

16. Water NSW – Stormwater Management- Stage 1

The bioretention basin for the access for proposed Lot 1 shall also:

- be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne et al, 2015, Melbourne, CRC for Water Sensitive Cities)
- have a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a

maximum total nitrogen concentration of 400 mg/kg

- be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
- be accessible from the access by machinery to facilitate cleaning, monitoring and maintenance of the structure
- be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
- be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

17. Water NSW – Stormwater Management- Stage 1

The On Site Stormwater Detention (OSD) basin shall:

- be configured as a sediment basin until 75% of the housing construction on the proposed lots is completed;
- have the sand filter installed as shown on Concept Engineering Basin and Water Quality Details (Drawing Nos. 212805-DA03; Sheet 3 of 11; Issue B; dated 02/12/2020) prepared by LandTeam Australia Pty Ltd, when 75% of the houses are constructed on the proposed lots;
- ensure discharge via an armoured discharge point such that discharge does not cause erosion;
- meet any requirements for Controlled Activity Approval under the Water Management Act 2000 issued by the Natural Resources Access Regulator (NRAR);
- be accessible from the access by machinery to facilitate cleaning, monitoring and maintenance of the structure, and
- be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE (FOR EACH STAGE) UNLESS OTHERWISE SPECIFIED

18. Street Lighting Requirements

All areas within the development must comply with AS/NZS 1158.3.1:2010 (as amended) Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements. Where required, lighting must be upgraded/provided in accordance with AS/NZS 1158.3.1:2010.

Details of the proposed lighting to the standard P5 Category and compliance with AS/NZS 1158.3.1:2010 (as amended) must be submitted to, and approved by the 'Certifier' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure street lighting is provided in accordance with the applicable Australian Standards. To ensure that lighting does not result in any detrimental amenity impacts to future residential property occupiers)

19. Earthworks

The extent of all proposed earthworks must be detailed on the proposed plans.

Details demonstrating compliance with the above requirements and certified by an appropriately qualified and practising civil engineer shall be submitted to, and approved by, the 'Certifier' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure that the extent of earthworks is quantified and that the sediment and erosion control measures account for proposed excavation)

20. Engineered Stormwater Subdivision

Plans and certification indicating all engineering details relevant to the 'site' regarding the collection and disposal of stormwater from the 'site', buildings, roads and adjacent catchments etc., must be procured and be in accordance with the following minimum specifications: -

- a) engineering stormwater management plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified practicing Chartered Professional Engineer.
- b) all drainage works must be designed and built in accordance with 'Council's' Engineering Standards, relevant Australian Standards, in conjunction with a geotechnical analysis of the 'site' soils;
- c) hydrology and hydraulic assessment is required to substantiate the minor and major system stormwater designs (modelling and calculations required). The assessment shall be based on the ultimate development of the lots and include external flows into the site. For the major system, assessment shall include consideration of the following:
 - (i) Assessment of the flow regime to ensure capacity of the open channels to safely convey flows;
 - (ii) Hydraulic assessments to ensure the velocities within a channel are within acceptable limits to minimise erosive forces;
 - (iii) Floor levels of future buildings shall be a minimum of 0.3 metres above the 100 Year Annual Recurrence Interval (ARI).
- d) plans must include existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels, overland in lateral flow direction and proposed diameter and length of all pipelines;
- e) the proposed development and stormwater drainage systems shall be designed to ensure that stormwater runoff is conveyed through the site by gravity to the proposed bio basin without adverse impact on the development or adjoining properties. In this regard, easements for stormwater overland flow in private property shall be sufficiently wide for the 100 year ARI.
- f) the peak discharge from the 'site' must be no greater than the pre-developed peak discharge;
- g) any proposed fence to be constructed must not impede the natural overland flow along the line of the easement and /or natural drainage line;

Details demonstrating compliance with the above requirements and certified by an appropriately qualified and practising civil or hydraulic engineer shall be submitted to, and

approved by, the 'Certifier' prior to the issue of any Subdivision Works Certificate.

(Reason: To ensure that stormwater drainage is of an appropriate standard and capacity to serve the proposed development, without adverse effect to properties or the environment)

21. Road Work Requirements

The person having the benefit of this consent must:

- a) Construct the proposed new road carriageway to be 6000mm in width between internal kerb edges and provided with 4500mm wide verges;
- b) all elements of the works within the road reserve must as a minimum be constructed in accordance with 'Council' engineering guidelines;
- c) be designed by a qualified geotechnical or civil engineer and certified to be satisfactory for the expected traffic loadings, ground conditions and structural capacity based on the pavement design recommendations and modelling;
- d) all elements of the 'works' must be designed in conjunction with a full geotechnical analysis of the soils;
- e) cul-de-sac head to have a minimum turning radius of 12m at kerb line;
- f) the sight distance design drawings must be provided under AUSTRROADS "Guide to Road Design" requirements for all horizontal and vertical alignments of all streets and intersections within the development;
- g) Footpaths must be installed along the frontages of:
 - (i) Mary Street (Combermere-Lisgar),
 - (ii) Hollis Avenue (subdivision frontage),
 - (iii) Hovell Street (subdivision frontage to existing footpath at Eldon Street), and
 - (iv) One side of the proposed new road.
- h) the footpath pavement and grass verge shall be placed on a single straight grade of 3.0% falling to the top of kerb. The footpath pavement shall be 1200mm in width;
- i) footpath pavement transition works are required to ensure gentle changes in grade, drainage and no 'trip' hazards between the existing ground levels and the proposed pavement; and
- j) kerb/gutter transition works are required to ensure gentle changes in grade and longitudinal drainage between the existing ground level and proposed kerb and gutter.
- k) The access to proposed Lot 1 from Lisgar Street to the internal road shall be constructed to a concrete standard. The internal road must incorporate a minimum trafficable width of 5 metres and be to a bitumen seal standard.
- l) The driveway within the road reserve that services proposed Lot 7 shall be reconstructed in accordance with Council's standards.

A certificate and detailed drawings prepared by an appropriately qualified and practising Civil Engineer, must be submitted to, and approved by the 'Certifier' prior to the issue of any Subdivision Works Certificate

(Reason: To facilitate suitable vehicular access to private sites, without disruption to pedestrian and vehicular traffic and to ensure appropriate access and infrastructure protection that is integral with infrastructure on surrounding sites)

22. Landscape Plan

A landscape plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200,

with details at 1:20 & 1:50 conforming to all relevant conditions contained within this Notice of Determination and include the following information where required: -

- a) Removal of existing street trees fronting the subdivision, and provision of street trees at a rate of no less than one tree per Lot. Corner Lots shall have a tree per frontage. The species of trees shall be as per the table below:

Street	Street tree
Combermere Street	Plum – Prunus cerasifera nigra
Eldon Street	Plum – Prunus cerasifera nigra
Hollis Ave	Plum – Prunus cerasifera nigra, Chinese Elm - Ulmus parvifolia
Hovell Street	Box Elder – Acer negundo
Lisgar Street	Callistemon viminalis Dawson River Weeper
Mary Street	Plum – Prunus cerasifera nigra
New Road	Pyrus salicifolia - Weeping Silver Pear

- b) the nature strip throughout the subdivision and to Lansdowne Street shall be grassed where not paved;
- c) weed control management to ground cover;
- d) pot size at planting out size min 1.5m in height, and three stakes including methods to secure each tree;
- e) soil treatment prior to planting out, and
- f) minimum twenty four (24) month fertilizing and water maintenance and replacement schedule.

Plans demonstrating compliance with the above must be submitted to, and approved by the ‘Certifier’ prior to the release of any Subdivision Works Certificate.

Note: Appropriate plant species for the Goulburn Mulwaree region are set out within the ‘GM DCP 2009’

(Reason: To ensure appropriate landscaping treatments are applied to facilitate amenity)

SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION, BUILDING OR SUBDIVISION WORKS

23. Prior to Commencement

‘Works’ must not commence on ‘site’ in connection with this Notice of Determination until:

- a) a Subdivision Works Certificate for the subdivision work has been issued by:
 - i. the consent authority; or
 - ii. an ‘Accredited Certifier’; and
- b) the person having the benefit of this Notice of Determination has:
 - i. appointed a ‘Principal Certifier’ for the subdivision work, and
- c) the ‘Principal Certifier’ has, no later than two (2) days before the subdivision work commences:
 - i. notified the ‘Council’ of his or her appointment, and
 - ii. notified the person having the benefit of the development consent of any inspections that are to be carried out in respect of the subdivision work, and
- d) the person having the benefit of this Notice of Determination has given at least two (2) days’ notice to the ‘Council’ and the ‘Principal Certifier’ if not ‘Council’ of the person’s intention to commence subdivision work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to ‘Council’ not less than two (2) days before any commencement of ‘works’.

(Reason: Statutory; to ensure appropriate safeguarding measures are in place prior to the

commencement of any subdivision work)

24. Public Liability Insurance

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within 'Council's' road reserve or public land, as approved by this Notice of Determination. The Policy is to note, and provide protection/full indemnification for Goulburn Mulwaree Council, as an interested party. A copy of the Policy must be submitted to 'Council' prior to the commencement of any works. The Policy must be valid for the entire period that the works will be undertaken.

Note: Applications for hoarding permits, vehicular crossings etc. will require evidence of insurance upon lodgement of the application.)

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

25. Site Facilities

'Site' facilities must be provided as follows;

- a) if the development involves building work or demolition work the 'site' must be fully enclosed by a temporary security fence (or hoarding) before 'works' commence. Any such hoarding or fence is to be removed when the 'works' have been completed;
- b) a minimum width of 1.5m must be provided between the 'site' and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees;
- c) a garbage receptacle fitted with a tight-fitting windproof lid for the reception of all putrescible and all waste capable of being windblown from the work 'site' must be provided prior to 'works' commencing and must be maintained and serviced for the duration of the 'works'; and
- d) adequate toilet facilities must be provided on the work 'site'. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the 'Council', or an approved temporary chemical closet. The provision of toilet facilities must be completed before any other 'works' are commenced.

The installation of the site facilities must be approved by the 'Principal Certifier' prior to any further commencement of 'site' 'works' and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

26. Site Sign

A sign must be erected in a prominent position on any 'site' on which work involved in the erection or demolition of a building is being carried out:

- a) stating that unauthorised entry to the 'site' is prohibited;
- b) showing the name of the 'Principal Contractor' (or person in charge of the 'site'), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the 'Principal Certifier' for the work.

Any such sign must be maintained while the 'works' are being carried out and must be removed when the 'works' have been completed.

The installation is to be approved by the 'Principal Certifier' prior to any further commencement of 'site' 'works'.

(Reason: Statutory requirement)

27. s.68 Local Government Act Requirements

Prior to the issue of any Subdivision Works Certificate, an application under s.68 of the Local Government Act 1993 must be made to, and an approval issued by, 'Council' for the following works, if in the event that any of the existing building's internal drainage lines are not wholly within proposed lots 1-9:

- Stormwater works;
- Sewerage plumbing; and
- Hot and cold-water reticulation.

Documentation demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the release of a Subdivision Works Certificate.

(Reason: To ensure approvals under the provisions of the Local Government Act 1993 are obtained before 'works' commence)

28. Water NSW- Construction Activities

The Soil and Water Management Plan shall be implemented and no works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained and retained until works have been completed and groundcover established.

(Reason: To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase)

SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION, BUILDING OR SUBDIVISION WORKS

29. Dust Emissions and Air Quality

Any person acting on this Notice of Determination must ensure that:-

- a) materials must not be burnt on the 'site';
- b) vehicles entering and leaving the 'site' with soil or fill material must be covered;
- c) dust suppression measures as required must be carried out throughout the undertaking of the 'works' to minimise wind-borne emissions;
- d) exposed surfaces and stockpiles are suppressed by regular watering or hydro mulching;
- e) odour suppression measures must be carried out where appropriate so as to prevent nuisance occurring at adjoining properties;
- f) public roads used by these trucks are kept clean; and
- g) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

(Reason: To protect the environment and the amenity of the surrounding area)

30. Construction Hours

All 'works' must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Note: *Demolition work means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.*

Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

31. Sediment and Erosion Control Signage

Durable signs must be erected during the 'works' in a prominent location on 'site' warning of penalties should appropriate erosion and sedimentation control devices not be utilised or maintained.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

32. Alterations to Utility Services

Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the 'Council' or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred to the public)

33. Use of Road Reserve

All 'works', processes, storage of materials, loading and unloading associated with the development must occur entirely within the property. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from 'Council' as the Roads Authority.

Note: *Works and /or activities required to be undertaken within the road reserve are controlled through the issue of an approval/permit under s.138 Roads Act 1993.*

(Reason: To ensure public safety and amenity on public land)

34. Unexpected Finds Protocol – Aboriginal Heritage

In the event that surface disturbance identifies a new Aboriginal object, all 'works' on 'site' must halt in the immediate area and to an outer radius of no less than twenty meters to prevent any further impacts of the object(s). A suitably qualified archaeologist and the registered Aboriginal Land Council representatives must be contacted to determine the significance of the object(s). The 'site' if required is to be registered in the Aboriginal Heritage Information Management System (AHIMS) along with the management outcome for the 'site'.

The person having the benefit of this Notice of Determination must consult with the Aboriginal Land Council community representatives, the archaeologist and Heritage NSW to develop and implement management strategies for all objects/sites. 'Works' must only recommence with the written approval of Heritage NSW and only after a copy of that approval has been forwarded to the 'Certifier' and 'Council'.

(Reason: To ensure the correct preservation and respect of aboriginal heritage)

35. Waste Derived Fill Material

The only waste derived fill material that may be received at the development 'site' is:

- a) Virgin excavated natural material (VENM) within the meaning of the *Protection of the*

Environment Operations Act 1997; and

- b) Any other waste derived material the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.

Any waste derived material the subject of a resource recovery exemption received at the development 'site' must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the 'Principal Certifier'.

(Reason: To ensure that imported fill that is of an acceptable standard for environmental protection purposes)

36. Engineering Construction

All engineering construction work shall be supervised on a weekly basis by a suitably qualified practicing Chartered Professional Civil Engineer. The supervising engineer must ensure that the construction complies with the requirements of the approved Subdivision Works Certificate plans.

Documentation demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the release of a Subdivision Certificate.

(Reason: To ensure that the construction work is in compliance with the approved Subdivision Works Certificate Plans and that the construction work is being inspected by a competent person)

37. Earthworks

Excess fill shall be conveyed to an approved waste management facility or otherwise utilised in accordance with a lawful Development approval. Evidence of lawful disposal shall be kept by the development proponent.

(Reason: To ensure that excess fill is lawfully managed)

SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE FOR EACH STAGE (UNLESS OTHERWISE SPECIFIED)**38. Release of Subdivision Certificate**

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of Determination must demonstrate to 'Council' that all conditions set out within this Notice of Determination have been complied with and all works completed. A Subdivision Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

(Reason: To ensure that the development is completed to an acceptable standard prior to registration)

39. Planning Agreement Work

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of Determination must demonstrate to 'Council' that all the work committed within the endorsed Planning Agreement has been completed.

(Reason: To ensure that the Planning Agreement works have been completed and meet the overall aim of provision of works having public benefit)

40. Subdivision Certification

A Subdivision Certificate that authorises the registration of a plan of subdivision at the NSW Land Registry Services must be obtained. The following must be submitted to 'Council' with any application for a subdivision certificate:

- a) the original plans of subdivision and administration sheets plus two (2) copies of each, and any original s.88B instrument to be endorsed, all enclosed in a protective sleeve (to prevent damage during transfer);
- b) an electronic version of all files being submitted including Word documents of all s.88 instruments;
- c) application for subdivision certificate form duly completed with payment of fees current at lodgement;
- d) written evidence in the form of a full condition compliance table that demonstrates how all the conditions contained within this Notice of Determination have been satisfied (including submission of all required certificates and/or information where required); and
- e) all other information required by the *'the Act'* and *'the Regulation'*.

Notes: *'Council'* will check the consent conditions on the relevant subdivision consent. Failure to submit the required information will delay endorsement of the plan of subdivision and may require payment of rechecking fees or refusing the certificate.

'Council' will not accept bonds in lieu of completing subdivision works.

(Reason: To ensure compliance with relevant legislative requirements and maintenance of up to date Council records)

41. Water Management Act

A Compliance Certificate issued under s.307 of the Water Management Act 2000 must be obtained from the Utilities Division of 'Council' prior to the issue of any Subdivision Certificate.

(Reason: To ensure compliance with the statutory requirements)

42. Gas Service Provision

Prior to the issue of the Subdivision Certificate, written evidence including works as executed plan(s) from the gas supply authority (i.e. Jemena) must be supplied to 'Council' to confirm that the gas network has been extended into and throughout the subdivision to service each new allotment.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to 'Council'.

(Reason: To ensure adequate servicing of the development)

43. Gas Supply Services

Prior to the issue of any Subdivision Certificate, a certificate of compliance shall be supplied from a licensed gasfitter or Jemena, indicating that if each proposed dwelling has been connected to gas, that each gas service has been provided separately for each dwelling and wholly within the lot this internal infrastructure services.

(Reason: To ensure that the gas service to each proposed lot is wholly located within the lot it services)

44. Electrical Supply Services

Prior to the issue of any Subdivision Certificate a Notification of Arrangements from the electricity supply authority (i.e. Essential Energy) must be supplied to 'Council' confirming that electrical infrastructure has been installed and that satisfactory arrangements have been made for the supply of low voltage reticulated electricity to each proposed Lot.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to 'Council'.

(Reason: To ensure adequate servicing of the development)

45. NBN Services within Lots

Prior to the issue of the Subdivision Certificate, a letter of practical completion from the telecommunications infrastructure provider (i.e. NBN) must be provided to 'Council' confirming that arrangements have been made for the provision of underground telecommunications at the front boundary of each allotment in the subdivision.

(Reason: To ensure adequate servicing of the development)

46. Section 68 Local Government Act

Prior to the issue of the Subdivision Certificate, all requirements of the s.68 approval under the Local Government Act 1993 must be satisfied, to enable the following internal service lines for the existing buildings to be wholly located within proposed lots 1-9:

- Stormwater works;
- Sewerage plumbing; and
- Hot and cold-water reticulation.

Documentation demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the release of a Subdivision Certificate.

(Reason: To ensure that before each lot is created its internal plumbing and drainage is wholly located within the lot it services)

47. Easements, Rights of Way and Restrictions as to User

All easements, rights-of-way, right-of-carriageway, and restrictions-as-to-user as indicated on the plans submitted with the application for a Subdivision Certificate, together with the following additional easements/rights-of-way/restrictions, naming Goulburn Mulwaree Council as the sole authority empowered to release or modify the same are to be prepared for registration on the title of the relevant Lots:

- a) All 'Council' sewer and stormwater infrastructure. Easements for stormwater overland flow in private property shall be sufficiently wide for the 100 year ARI flow. Fencing within the easement must provide for free flow of stormwater.
- b) To ensure that there is adequate fire separation, a restriction as to user to prevent the erection of buildings and a right of carriageway to enable access to be provided in the event of a fire emergency– Lots 5-7.
- c) To ensure that vehicular access is prohibited to the rear of proposed lots 23, 25-28 and 31 & 32, a restriction as to user requiring that vehicular access is restricted to the rear of these lots. No rear fencing must incorporate openable elements such as gates- Lots 23, 25-28 and 31 & 32.
- d) To ensure that the existing brick fence is retained due to its heritage value, a restriction as to user requiring that the existing brick fence along the entire boundary of Eldon Street, and the part boundaries of Hovell Street and Combermere Street, as shown in yellow on the approved plans, shall not be demolished- Lot 5

Documentary evidence in the form of an endorsed instrument for registration by 'Council' under section 88 of the Conveyancing Act 1919 must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

Note: Any reference to a plan must include the details of the title, author, drawing number, revision number and date of issue.

(Reason: To ensure proper management of land)

48. Lot 1 emergency access

Prior to the issue of the Subdivision Certificate, the proposed emergency access location for proposed Lot 1, in Lisgar Street, must incorporate a physical barrier such as a gate at the frontage, between the boundaries of proposed Lot 26 & 27, to enable the site to be secured outside the times when it is required for emergency access.

(Reason: To ensure that once all proposed lots are developed, that there is access restriction to proposed Lot 1 via Lisgar Street, reinforcing the bounds of the site and discouraging unauthorised entry)

49. Security lighting Lot 5

Prior to the issue of the Subdivision Certificate, flood/motion sensory lighting shall be installed at various locations around the proposed buildings within proposed Lot 5. The lighting shall be located so as to ensure that the lighting cannot be readily vandalised, all entrapments points are adequately lit and that there are no adverse amenity impacts to adjoining and adjacent residential property occupiers.

(Reason: To ensure that the unused buildings within proposed Lot 5 are provided with some security during evening periods)

50. Extinguish existing encumbrances

The existing dealing AD256439 registered on the land title of Lot 1 DP 1115448 restriction as to user shall be extinguished on proposed lots 2-32.

Documentary evidence provided in the form of an instrument proposing the release of each of these dealings for registration by 'Council' under section 88 of the Conveyancing Act 1919 must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: The requirements of the instrument are applicable to the existing Seniors Housing Development within Lot 1 DP 1115448)

51. Water NSW – Future Dwellings

There shall be a public positive covenant under Section 88E of the Conveyancing Act 1919, the prescribed authority being Water NSW, placed over proposed Lot 1 requiring that bioretention basin and kerb inlet filters:

- be monitored, managed and maintained in accordance with the Operational Environmental Management Plan;
- be retained and protected, and
- no development take place within one metre of the bioretention basin.

Documentary evidence in the form of an endorsed instrument for registration by 'Council' under section 88 of the Conveyancing Act 1919 must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

52. Final Geotechnical Report

A Geotechnical report shall be prepared by a suitably qualified and experienced Geotechnical Consultant at the completion of works and submitted to 'Council'. The report shall include:

- a) A classification for each proposed Lot for residential building construction in accordance with AS.2870-1996 (as amended) at the cost of the developer. Lot classifications must be based on test locations within each Lot. If cut and fill is carried out as part of the construction of the subdivision, this must be clearly documented on the works as executed plans.

Lot classification tests must be carried out after all cut and fill and compaction has

been completed. Classification test results demonstrating compliance with the above must be provided to 'Council' prior to the issue of any Subdivision Certificate for each construction stage.

- b) Certification that all earthworks within the site have complied with the approved Subdivision Works certificate plans; and
- c) The exact extent of any restricted building zones or any other restrictions affecting any of the allotments.

Documentary evidence from 'Council' confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure each allotment is capable of development for residential development in accordance with accepted Australian Standards)

53. Certification of Civil Works

An appropriately qualified and practising accredited Civil Engineer must certify to the 'Principal Certifier':

- a) that the stormwater drainage system has been constructed in accordance with this Notice of Determination, Subdivision Works Certificate and the provisions of the applicable Australian Standard;
- b) that the road infrastructure has been constructed in accordance with this Notice of Determination, Subdivision Works Certificate and the provisions of the applicable Australian Standard;
- c) that the footpath infrastructure has been constructed in accordance with this Notice of Determination, Subdivision Works Certificate and the provisions of the applicable Australian Standard;
- d) that all vehicular crossings and associated internal road works have been constructed in accordance with this Notice of Determination, Subdivision Works Certificate and any approval for 'works' in the road reserve issued by the 'Council' where those works by agreement of 'Council' have not been inspected by 'Council'; and
- e) that the internal driveway access has been constructed in accordance with this Notice of Determination, Subdivision Works Certificate and the provisions of the applicable Australian Standard.

Documentary evidence confirming that the above requirements have been fulfilled must be provided to the 'Principal Certifier' prior to the issuing of the Subdivision Certificate.

(Reason: To ensure compliance with the conditions of consent)

54. Disposal Information

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of determination must provide to the 'Principal Certifier' copies of all waste disposal receipts and documentation demonstrating that all demolition and construction waste has been lawfully disposed in accordance with the Waste Management Plan.

The 'Principal Certifier' must be satisfied that quantity of waste disposed of or recycle is commensurate to the quantity of waste actually generated by the 'works'.

(Reason: To ensure waste material is appropriately recycled and lawfully disposed)

55. Water NSW – Stormwater Management

A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and 'Council' prior to the issuance of a Subdivision Certificate for Stage 1 of the subdivision that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Principal Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

56. Water NSW – Stormwater Management

An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW and 'Council' by a person with knowledge and experience in the preparation of such plans. The OEMP shall be prepared prior to the issuance of a Subdivision Certificate for Stage 1 of the subdivision. The OEMP shall be provided to the owner of Lot 1 and 'Council' for the maintenance of the bioretention basin and OSD and sediment basin/sand filter respectively. The OEMP shall:

- include details on the location, description and function of stormwater management structures such as pits, pipes, inlet filters, bioretention basin, OSD basin and sediment basin/sand filter, and any other stormwater structures and drainage works;
- outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, before and after handing over OSD basin and sediment basin/sandfilter to Council and bioretention basin to owner of Lot 1, including the frequency of such activities;
- identify the individuals or positions responsible for inspection and maintenance activities, before and after handing over OSD basin and sediment basin/sandfilter to Council and bioretention basin to owner of Lot 1, including a reporting protocol and hierarchy, and
- include checklists for recording inspections and maintenance activities.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Principal Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

57. Infrastructure Repair Prior to Completion of Works

Prior to the issue of a Subdivision Certificate all damage caused by the 'works' -

- a) in the road reserve must be fully completed;
- b) must repair and make good any damaged public infrastructure caused as a result of any 'works' relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired; and
- c) must be made good in accordance with 'Council's' engineering standards and at no cost to 'Council'.

Documentary evidence from 'Council' as the roads authority confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure damage caused by the works is repaired at no cost to the public)

58. Vegetation Cover

Upon completion, all exposed and unvegetated areas throughout the site must be treated with a grass seed based emulsion (hydro seeding) for the purpose of establishing a vegetation cover over the site and must be completed prior to the issue of any Subdivision Certificate.

(Reason: To ensure vegetation growth post-development and to protect the environment)

59. Surrender of consent

Development consent 128/78 for the 'Brick Nursing Home and hostel' must be surrendered in accordance with clause 97 of the Environmental Planning and Assessment Regulation 2000.

Documentary evidence must be provided to 'Council' and written acceptance must be issued, prior to the issue of the Subdivision Certificate.

(Reason: The subdivision will result in the car parking required for development consent 128/78 to be located within an adjacent lot).

60. Use of Lot 9 - Stage 4

Prior to the issue of the Subdivision Certificate for proposed lot 9, a Development Application (DA) shall be made to Council for the change of the use of the building to a permissible use in the zone, or for the demolition of the building. A Subdivision Certificate must not be issued until such time an approval for the use of the building has been issued from Council, and each condition of that Development Consent has been satisfied.

Documentary evidence demonstrating compliance with this condition must be provided to 'Council' prior to the issue of the Subdivision Certificate.

(Reason: The building was approved as a shed for the storage of vehicles and goods as ancillary development to the existing development on the land. The creation of Lot 9 will result in the shed being on its own lot of land and therefore no longer an ancillary use)

61. Use of Lot 7- Stage 5

Prior to the issue of the Subdivision Certificate for Stage 5, a Development Application (DA) must be made to Council for a change of use and the alteration of the existing building to enable one dwelling to be located on each proposed lot, and to enable the building to meet the requirements of the Building Code of Australia (BCA). Alternatively, a DA must be made to demolish the building. A Subdivision Certificate must not be issued until such time an approval meeting the above requirements has been issued from Council, and each condition of that Development Consent has been satisfied.

Documentary evidence demonstrating compliance with this condition must be provided to 'Council' prior to the issue of any Subdivision Certificate.

(Reason: The requirements of the instrument are applicable to the existing Seniors Housing Development within Lot 1 DP 1115448)

62. Road Naming

The submission of a name(s) for the new road/s must be made to 'Council', prior to the issue of any Subdivision Certificate. The approved road name/s are to be written on the plan of subdivision. The applicant is to pay for the supply and erection of all the necessary signs to 'Council' prior to the issue of a Subdivision Certificate. Alternatively, the developer must carry out the works in accordance with AS.1742.

The proposed road name for the new road(s) will need to be submitted to Council for approval in accordance with 'Council's' Approved Names for Road and Public Place Naming Policy and the Geographical Names Board of NSW Guidelines for the Naming of Roads. The number of signs is to be determined in consultation with Council's Engineering Services.

The person having the benefit of this Notice of Determination can make a written application to 'Council' for a quote for the supply and installation of road signs in accordance with AS.1742.

For proposed street names that are not on the approved list, development proponents must follow the process within the above policy and first obtain approval before the Subdivision

Certificate application is made. Fees will apply for any advertising required for proposed new street names.

Documentary evidence from 'Council' confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

Note: Please note the process of selecting and having a road name approved can take up to six (6) months.

(Reason: To ensure that road names are to Council's standards)

63. Street Name Signs and Posts

Street name signage must be provided and installed prior to the issue of any Subdivision Certificate in accordance with Council's Standards for Engineering Works.

Note: Street name signage blades must not overhang the kerb edge.

(Reason: To ensure that 'Council' records are accurate, and that individual lot numbering complies with the requirements of the NSW)

64. Street Numbering

A Subdivision Certificate must not be issued until the approved street numbering has been installed on the kerb of each Lot. The street numbering has been allocated as follows:-

Lot No	Address	Lot No	Address
1	6 Combermere Street 15 Lisgar Street	18	6 new road
2	2 Mary Street	19	7 new road
3	10 Combermere Street	20	5 new road
4	8 Combermere Street	21	3 new road
5	2-4 Combermere Street 38 Eldon Street	22	1 new road
6	2 Hovell Street	23	19 Hollis Avenue
7/1	6 Hovell Street	24	17 Hollis Avenue 21 Lisgar Street
7/2	4 Hovell Street	25	19 Lisgar Street
8	8 Hovell Street	26	17 Lisgar Street
9	10 Hovell Street	27	13 Lisgar Street
10	12 Hovell Street	28	11 Lisgar Street
11	14 Hovell Street	29	9 Lisgar Street
12	16 Hovell Street	30	7 Lisgar Street 8 Mary Street
13	18 Hovell Street	31	6 Mary Street
14	20 Hovell Street	32	4 Mary Street
15	22 Hovell Street		
16	2 new road		
17	4 new road		

Documentary evidence from confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure that that each proposed Lot is addressed in accordance with NSW addressing standards)

65. Landscaping Finalisation

At the conclusion of all subdivision 'works' within each stage all landscaping 'works' that are to revert to the care and control of 'Council' must be offered up free from weeds, large rocks and stones and other foreign items, ground cover be fully established, be presented in a healthy condition and all trees supported by no less than two 50mm square hardwood stakes.

Documentary evidence from 'Council' as the roads authority confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure works reverting to the care and control of 'Council' have been finalised appropriately)

66. Landscaping Maintenance Period

The person acting upon this Notice of Determination must maintain all soft landscaping 'works' and landscaping features that are nominated to revert to the care and control of 'Council' for a minimum period of 24-months following the issue of a Subdivision Certificate.

A comprehensive landscape maintenance plan must be prepared or where previously approved by this Notice of Determination be updated and revised by a suitably qualified person in consultation with 'Council'. The agreed landscape maintenance plan must be accompanied by an unencumbered undertaking by the person having the benefit of this Notice of Determination to carry out the requirements of the maintenance plan for the duration of the maintenance period whether extended or not.

A street tree maintenance bond (per tree) and administration fee shall be paid prior to the issue of the Subdivision Certificate.

Documentation satisfying the requirements of this condition including evidence from 'Council' agreeing to the maintenance plan and copies of the maintenance plan must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

Note: Landscaping includes all soft landscaping and other items such as but not limited to, timber stakes, fencing, edging, benches, signs, tables.

(Reason: To ensure that landscaping works have been undertaken to an acceptable standard and allow for remedying of any defects that arise within 24-months after the work is completed)

67. Landscaping Maintenance Period Obligations

The person having the benefit of this Notice of Determination must maintain all landscaping 'works' dedicated to 'Council' during the maintenance period in accordance with the approved landscaping maintenance plan. An inspection of all landscaping 'works' dedicated to 'Council' including the procurement of a written report that identifies, current health, damage, defects, omissions, proposed remedial works and timing of those works must be provided to 'Council' at the following periods.

- a) Eight (8) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the eighth month;
- b) Sixteen (16) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the sixteenth month; and
- c) Twenty-three (23) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the twenty-third month.

'Council' may issue rectification notice(s) for any omission or defect in the work that existed at the time the notice was issued or at any time during the maintenance period or extension of that period.

Where the costs incurred by 'Council' for any works required to make good defects or

compliance with the person having the benefit of this Notice of Determination must reimburse 'Council' in full.

Note: The inspection and report must be undertaken and prepared by a suitably qualified person having regards to the nature of the dedicated works.

Where rectification works are required, they must be undertaken and completed within two (2) months of the report being submitted to 'Council'.

(Reason: To ensure that 'Council' infrastructure has been constructed to an acceptable standard)

68. Defects Engineering Bond

Prior to the release of the Subdivision Certificate the person acting upon this Notice of Determination is to lodge with 'Council' a Defects Bond for all 'works' that are nominated to revert to the care and control of 'Council', being a minimum of \$10,000 or 5% of the total cost of subdivision construction 'works' for each stage of the development, whichever is the greater. The bond must be in place prior to the release of any Subdivision Certificate and must remain in place for the required period of six (6) months from the date of endorsement of the Subdivision Certificate.

'Council' will accept a bank guarantee for the purpose of any bond required, however, the bank guarantee must be in a form acceptable to 'Council' and be unconstrained by time.

Where the costs incurred by 'Council' for any works required to make good defects exceeds the value of any bond held by 'Council' the person having the benefit of the consent will reimburse 'Council' the difference.

Note: Upon the expiration of the 6-month bond period, the applicant may apply for release of the bond. 'Council' may deduct from the bonded amount the cost of any maintenance work required to be undertaken by 'Council' as a result of incomplete or substandard works or the like.

(Reason: To ensure that works have been constructed to an acceptable standard and allow for remedying any defects in any such public work that arise within 6-months after the work is completed)

69. Defects Period and Obligations

The person having the benefit of this Notice of Determination must maintain the public infrastructure and 'works' dedicated to 'Council' for a minimum period of twenty-four (24) months. An inspection of all public infrastructure and 'works' dedicated to 'Council' including the procurement of a written report that identifies all damage, defects, omissions, proposed remedial works and timing of those works must be provided to 'Council' at the following periods.

- a) Five (5) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the fifth month;
- b) Fourteen (14) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the fourteenth month; and
- c) Twenty-three (23) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the twenty-third month.

'Council' may issue rectification notice(s) for any omission or defect in the work that existed at the time the notice was issued or at any time during the maintenance period or extension of that period.

Where the costs incurred by 'Council' for any works required to make good defects or compliance with the person having the benefit of this Notice of Determination must reimburse 'Council' in full.

The requirement for the developer to rectify defects and omissions in accordance with this clause is applicable after the expiration of the maintenance period in the case that such

defects and omissions are undiscoverable by normal means but are discovered at a later time.

Note: The inspection and report must be undertaken and prepared by a suitably qualified person having regards to the nature of the bonded works.

Where rectification works are required, they must be undertaken and completed within two (2) months of the report being submitted to 'Council'.

(Reason: To ensure that 'Council' infrastructure has been constructed to an acceptable standard)

70. Works As Executed Drawings

The Developer must provide a copy of the Work As Executed (WAE) information on disk (PDF and DWG format) prior to the issue of the Subdivision Certificate.

The WAE plans are generally the design plans amended to indicate the as-built nature of the work and must include the following: -

- any departure from the approved plans;
- any additional work that has been undertaken;
- the location of council conduits, subsoil drains associated with road pavements;
- stop valves, hydrants, earthworks, sewer manholes, sewer junctions, interlot drainage inlet junctions and stormwater drainage pits;
- all other details of works to be handed over to Council; and
- certification by the developer's registered surveyor that the WAE drawings are a full and accurate representation of the constructed works. This may be achieved by the stamping and signing of each plan.

Documentation demonstrating compliance with the requirements of this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure Council has an accurate record of public infrastructure)

71. Provision of GIS Data

The GPS electronic data below is required to be provided to 'Council'. The provider must certify that the data provided complies with this clause.

- Survey Type/Standard - Real Time Kinematic (RTK) by registered surveyor
- Projection - GDA94 (MGA55)
- Position quality - Within 20mm horizontal, 30mm vertical
- File format - Co-ordinates to be provided in Excel *.xls spreadsheet or comma delimited *.txt or .csv; and line data to be provided in either MapInfo Tab or DWG formats
- Data required - Co-ordinates, AHD height, point codes and unique ID's, distinct lines connecting individual coordinate points clearly differentiated in colour for discrete assets. Levels in MGA (AHD)
- Code legend - Code legend to be provided

The following points, line and related tables are required: -

- Property - Individual lot boundary points;
- Roads - Kerb and gutter at invert to show line and length, including at tangent points. Footpaths on both edges to show line and length. Traffic island around the outside edge to show size and shape;
- Water Supply - Water mains at T-junctions and length. Hydrants at the centre of the cover. Stop valves at the centre of the cover. Meter boxes at the centre of the box;
- Sewer - Manholes at centre of lid. Property connections at the intersection point with the main and at the end of the junction;
- Stormwater - Pits at the centre of the lid. Headwalls at the centre of the headwall.

Property connections at the intersection point with the main and at the end of the junction. Water quality devices e.g. swales, bio-detention basins, at relevant points to provide the outline; and

- Other - Other significant infrastructure features.

Documentary evidence from 'Council' confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

(Reason: To ensure that GIS records are accurately maintained)

72. s.7.12 Contributions

Under s.7.12 of 'the Act' 'Council' has determined that development contributions are applicable to this development, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Goulburn Mulwaree local government area.

The following Goulburn Mulwaree Council developer contributions plans are applicable to the development:

- Section 94a Contribution Plan

The contributions in accordance with 'Council's Fees and Charges at the time of payment must be paid prior to the issue of any Subdivision Works Certificate.

The level of contributions is calculated on the cost of carrying out the works and in accordance with cl.25I of 'the Regulation' and 'Council's contribution plans at the time of payment.

A cost summary report must be completed for works under \$200,000. Where the value of the work exceeds \$200,000 the cost shall be certified by a Quantity Surveyor or an equivalent or acceptable alternative agreed to by Council.

Where staging of the 'works' occurs the value of the 'works' for each stage is to be calculated as a cumulative total.

Documentation as issued by 'Council' demonstrating that the contribution has been paid must be submitted to, and approved by the 'Certifier' prior to the issue of a Subdivision Certificate.

Note: Copies of the Contributions Plans are available from 'Council' or alternatively, they can be downloaded from 'Council's' website.

Payment is to be accompanied by the attached sheet entitled "Summary of Charges". If payment is by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)

SECTION H: CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

73. Water NSW – Stormwater Management

All stormwater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan.

(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)

SECTION I: CONCURRENCE AGENCY CONDITIONS

74. Water NSW Concurrence

Water NSW concurs with Council granting consent to the application, subject to the conditions within the concurrence letter dated 30 September 2020, which must be satisfied during the relevant stage of the development and prior to the issue of the Subdivision Certificate (or at a time as otherwise stated in the condition).

(Reason: To ensure the development has a neutral or beneficial effect on water quality)

SECTION J: ADVISORY INFORMATION

- a) Prior to commencing any building, subdivision or associated constructions works, the following provisions of *'the Act'* are to be complied with:
- i. A Subdivision Works Certificate is to be obtained in accordance with Section 6.3 of *'the Act'*.
 - ii. A Principal Certifier is to be appointed and *'Council'* is to be notified of the appointment in accordance with Section 6.12 of *'the Act'*.
 - iii. Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.12(2)(a) of *'the Act'*.
- b) Changes to the layout of the subdivision configuration may require the submission of a further modification under Section 4.55 of *'the Act'*.

Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of *'the Act'*.

- c) Prior to any *'Work'* commencing on *'site'* all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au
- d) *'Council's'* fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.
- e) *Requirements* for the submission of any electronic file or email to *'Council'*
- a) file formats for general documents should be .pdf, docx, .xlsx, jpeg.
 - b) where s.88b instruments are provided these should be submitted in both .pdf and .docx formats.
 - c) all files must be named in accordance with the following naming standard examples
 - APPLICATION NUMBER_DOCUMENT TITLE_PROPERTY ADDRESS_AUTHOR
 - DA_0058_2021_Proposed plans Rev A_184 Bourke Street Goulburn_Goulburn Architects
 - DA should be replaced where applicable with MODDA, CC, MODCC, SWC, SUB depending on what application the file relates to.
 - d) The *subject* title of any email sent to *'Council'* should be prefaced with the application number and address in the format noted above.

Section 375A of the Local Government Act 1993 requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Leah Ferrara, Alfie Walker, Carol James and Denzil Sturgiss

Against: Crs Peter Walker, Andrew Banfield, Sam Rowland and Margaret O'Neill

15.3 PLANNING AGREEMENT - 94 WILSON DRIVE, MARULAN**RESOLUTION 2020/527**

Moved: Cr Peter Walker
Seconded: Cr Andrew Banfield

That:

- 1. The staff report for draft Planning Agreement associated with DA/0334/1819 for a 126 residential Lots, two (2) drainage Lots and one (1) residual Lot be received.**
- 2. The draft Landscape Handover and Maintenance Protocol is included in the draft Planning Agreement.**
- 3. The draft Planning Agreement associated with DA/0334/1819 for a 126 residential Lots, two (2) drainage Lots and one (1) residual Lot be placed on public exhibition for a period of 28 days, in accordance with section 7.5(1) of the *Environmental Planning and Assessment Act 1979*.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

15.4 HEALTH HUB - DEVELOPMENT CONTROL PLAN AMENDMENT**RESOLUTION 2020/528**

Moved: Cr Andrew Banfield
Seconded: Cr Alfie Walker

That:

- 1. The report from the Senior Strategic Planner on the Health Hub Development Control Plan Amendment be received.**
- 2. The draft amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report be publicly exhibited simultaneously with the Health Hub Planning Proposal for a minimum period of 28 days.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

15.5 DA/0101/2021, TRUCK DEPOT FOR SIX (6) TRUCKS, 31 LOCKYER STREET GOULBURN

RESOLUTION 2020/529

Moved: Cr Denzil Sturgiss

Seconded: Cr Peter Walker

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 9:41 pm.

CARRIED

Cr Alfie Walker left the room at 9.44pm and returned to the room at 9.48pm.

RESOLUTION 2020/530

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 10:04 pm.

CARRIED

MOTION

Moved: Cr Denzil Sturgiss

Seconded: Cr Peter Walker

That:

1. The staff assessment report for development application DA/0101/2021 for the proposed Truck Depot be received.
2. Consent be granted for DA/0101/2021 for a Truck Depot located at 31 Lockyer Street, Goulburn subject to the following conditions:

This is a deferred commencement consent under Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This deferred commencement consent does not become operative until the applicant has satisfied the requirements listed in Schedule 'A' of this consent. All issues must be satisfactorily resolved within a period of six (6) months from the 'Determination Date' that is shown on this Notice of Determination or the consent will lapse in accordance with Section 95 of the *Environmental Planning and Assessment Regulation 2000*.

Upon compliance with the issues under Schedule 'A', and written confirmation from '**Council**' to that effect, then the consent shall become operative from a 'Date of Endorsement' (to be included on the written notification) subject to the conditions listed in Schedule 'B' and any additional conditions arising from the requirement of Schedule 'A'.

SCHEDULE A:

1. Noise Management Plan

A Noise Management Plan shall be prepared by a suitably qualified and experienced acoustic consultant and submitted to '**Council**' for consideration and approval. The Noise Management Plan shall include and address the following:

- a) the identification of all sensitive noise receivers potentially impacted by the proposal;
- b) the quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period shall be fully justified in accordance with Australian Standard AS.1055:1997 Acoustic - Description and Measurement of Environmental Noise and the former NSW Department of Environment and Climate Change's Noise Control Manual);
- c) the formulation of a suitable assessment criteria not giving rise to a sound level at the boundary of any adjoining premises or occupancy greater than 5dBa above the L90 background level. The source noise level shall be assessed as LAeq, 15 min. and adjusted in accordance with the NSW Department of Planning and Environment guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content;
- d) the identification of operational noise producing facets of the development and the subsequent prediction of resultant noise at the identified sensitive receiver locations from the operation of the premises. Where appropriate the prediction procedures shall be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation; and a statement indicating that the development is capable of complying with the criteria together with details of acoustic control measures that will be incorporated into the development;
- e) development of a comprehensive noise complaints handling procedure;
- f) verification mechanisms including post occupation verification to be undertaken between six and nine months following commencement of business trading; and
- g) proposed trigger mechanism for undertaking further noise modelling and implementation of additional attenuation measures.

2. Truck Movement Management Plan

A Truck Movement Management Plan shall be prepared and submitted to '**Council**' for consideration and approval. The Truck Movement Management Plan shall include and address the following:

- a) trucks are only permitted to access or exit the site during the hours of 6:00am and 10:00pm Monday to Saturday and 8:00am to 6:00pm on Sundays and Public Holidays.
- b) a driver code of conduct that requires all drivers to be instructed on the importance of keeping noise levels to a minimum at all times, including but not necessarily limited to:-
 - Shouting on site is prohibited;
 - Slamming of truck doors is prohibited;
 - Radios should be switched off until the tuck has departed;
 - Trucks are not to be left idling with engines running, any longer than is necessary to the warm the engine for departure;

- Drivers are prohibited from congregating on site after returning and must quietly and efficiently depart the site;
- c) trucks must park during the daytime and afternoon as such that there are no prime movers located within 30 metres of the northern boundary of the site.

3. Amended site plan

An amended site plan is to be prepared that includes a landscaped noise barrier comprising of an earth mound to a height of two (2) metres along the Finlay Road and the removal of the gateway off Sports Way. Amended plans will be required to include tree plantings at the top of the earth mound and the rain garden relocated to a suitable position. The earth mound must return along Lockyer Street and Sport Way a minimum of ten (10) metres. The toe of the landscaped earth mound must be no less than two (2) m from the inside of the perimeter fencing and be outside of the sewer easement. The existing entrance gates to Sports Way and the north gate on Lockyer Street are to be removed and perimeter fencing reinstated to match existing.

Landscaping planting shall include mixed height species from trees to shrubs to provide a dense visual screen. Planting out sizes must be advanced pot sizes types.

An acoustic timber fence to a height of 1.8m is to be installed on the top of the earth mound, located inside of the trees and shrubs.

4. Landscape Plan

A landscape plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, with details at 1:20 & 1:50 conforming to all relevant conditions contained within this Notice of Determination and include the following information where required: -

- a) location of all existing and proposed landscape features including materials to be used;
- b) delineate and identify all trees to be retained, removed or transplanted;
- c) existing and proposed finishes to ground levels;
- d) the laying of turf on the dirt sound mound;
- e) detailed plant schedule which includes appropriate proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity;
- f) trees to be removed are required to be replaced with trees of similar maturity height;
- g) pot size at planting out stage;
- h) soil treatment prior to planting out, and
- i) minimum twenty-four (24) month fertilizing and water maintenance and replacement schedule.

Consideration within the design must be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

Note: *Appropriate plant species for the Goulburn Mulwaree region are set out within the 'GM DCP 2009'*

5. Amended Watercycle Management Plans

An amended Watercycle Management Plan is to be prepared that considered the modified site plans. The Watercycle Management Plan will need to be designed to WaterNSW requirements and the Watercycle Management Plan is to be agreed to by WaterNSW.

Upon satisfaction of the deferred commencement condition/s, the following conditions apply:

SCHEDULE B:

SECTION A: GENERAL CONDITIONS

6. Approved Development and Use

Development consent has been granted in accordance with this Notice of Determination for the purposes of a Truck Depot under the *Goulburn Mulwaree Local Environmental Plan 2009*.

(Reason: *To confirm the components of the approval)*

7. Development in Accordance with Documentation

The development must only be carried out:

- a) in compliance with the conditions of this Notice of Determination; and
- b) in accordance with the approved plans and documentation listed in the table below.

DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
2005002E-R	A	Noise Impact Assessment	9 September 2020

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

8. Documentation Inconsistency

In the event of any inconsistency between the conditions of this Notice of Determination, the drawings and any accompanying documentation referred to above, the conditions of this Notice of Determination prevail, to the extent of the inconsistency.

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

9. No changes to the site layout

The site layout and works shall be as specified in the Statement of Environmental Effects (dated September 2020) and shown on the Site Development Plan (Plan No: 20007; Sheet 1; dated 26/8/2020) both prepared by Laterals Planning. No revised site layout, staging or external works that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

(Reason: *Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.)*

SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION

10. Construction Certificate Requirements

Any work in accordance with the Notice of Determination must not be commenced until a Construction Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: *Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)*

11. Issue of a Construction Certificate

In accordance with cl.145 of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a Construction Certificate must not be inconsistent with this Notice of Determination.

(Reason: *Prescribed by legislation)*

12. Occupation Certificate Requirements

A person must not commence occupation or use of the whole or any part of the site unless an Occupation Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: *Prescribed by legislation)*

13. s.138 Roads Act Requirements

Where works are proposed within the road reserve, the developer must obtain approval from **'Council'** (as the Roads Authority and/or as required under s.138 of the *Roads Act 1993*) before any **'Works'** are undertaken. **'Works'** within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the *Roads Act 1993*.

The following details must be submitted to **'Council'** in order to obtain the s.138 approval: -

- a copy of the endorsed approved plans related to the development and proposed works to be undertaken,
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, and
- insurance details - Public Liability Insurance to an amount of no less than \$20 million, to be held by applicant / contractor undertaking the works.

Advice: *Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Traffic Authority for engineering design plans, Traffic Control Plans and approvals under s.138 of the Roads Act 1993.*

(Reason: To ensure the necessary approvals are obtained from the roads authority)

SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

14. s.306 Compliance Certificate

A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained from '**Council**' as the sewer and water authority prior to the issue of any Construction Certificate.

Note: *s.64 of the Local Government Act 1993 authorises '**Council**' to issue Certificates of Compliance under s.306 of the Water Management Act 2000 and to impose pre-conditions to the issuing of Certificates of Compliance.*

*To obtain a s.306, a s.305 application must be lodged with '**Council**'.*

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)*

15. Constructional Environmental Management Plan

A Construction Environmental Management Plan must be prepared and submitted to, and approved in writing by '**Council**' prior to the issue of any Construction Certificate. The plan must include, but not be limited to, the following: -

- a) Details of:
 - i. 24-hour contact details of site manager
 - ii. the proposed phases of construction '**works**' on the '**site**', and the expected duration of each construction phase;
 - iii. the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
 - iv. the proposed areas within the '**site**' to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- b) Construction Traffic and Pedestrian Management Plan; and
- c) Construction Soil and Water Management Plan;

All '**works**' must be undertaken in accordance with the approved Construction Environmental Management Plan and any conditions attached to the approved plan. A copy of the approved Construction Environmental Management Plan must be kept on the '**site**' at all times and made available to any officer of '**Council**' upon request.

(Reason: *To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)*

SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

16. s.68 Local Government Act Requirements

Prior to the issue of any Construction Certificate, an application under s.68 of the *Local Government Act 1993* must be made to, and an approval issued by, '**Council**' for the following works:

- Stormwater works.

Documentation demonstrating compliance with the above must be submitted to, and approved by the '**Certifier**' prior to the release of a Construction Certificate.

(Reason: *To ensure approvals under the provisions of the Local Government Act 1993 are obtained before '**works**' commence)*

17. Damage Bond General

A public infrastructure damage deposit of \$4780 for a corner Lot must be paid to '**Council**'.

The damage bond will only be eligible for refund upon satisfactory completion of all '**works**' and following the issue of the final Occupation Certificate. All costs associated with any reinstatement works required to be carried out by '**Council**' to rectify any damage caused by the '**works**', shall be deducted from the damage deposit.

Documentation demonstrating compliance with the above must be submitted to, and approved by the '**Certifier**' prior to the issue of any Construction Certificate.

Note: *A bond administration fees applies to the lodgement of this bond. Bond values and*

administration fees are calculated at time of actual lodgement in accordance with Council's adopted Fees and Charges and may differ from the above.

All required damage to Council property, however caused, by undertaking the 'works' must be reinstated on a like for like basis and in accordance with 'Council's' engineering standards prevailing at the time to the satisfaction of 'Council' as the roads authority and prior to the issue of an Occupation Certificate.

(Reason: *Protection of Council infrastructure and to ensure any damage to public infrastructure is rectified)*

18. Off Street Car Parking

A total of six (6) off-street car-parking spaces, together with the access driveways, must be constructed, paved, line marked and identified in accordance with the 'NCC', AS.1428 and AS/NZS.2890. The plans must nominate the allocation of parking spaces for specific purposes as required by the conditions of this Notice of Determination.

Detailed drawings prepared and certified by an appropriately qualified and practising Civil Engineer for the construction of these areas in accordance with this requirement must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: *To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles)*

19. Construction of road base

The internal sealed road base is to be of concrete construction, or similar hard wearing and all-weather surface and be designed to Council's engineering standards. Bitumen seal is not permitted.

Plans demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the release of any Construction Certificate.

(Reason: *To ensure the development is undertaken to Councils engineering standards.)*

20. Landscaping Maintenance Plan

A detailed landscaping maintenance plan must be prepared in consultation with 'Council' that provides for the care, nurturing and maintenance of all landscaping 'works' that will revert to the care and control of 'Council'. The plan must address short to long-term maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning, mowing frequency and plant replacement.

Documentation demonstrating compliance with the requirements of this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: *To ensure that all landscaping will be given the opportunity to fully establish and flourish)*

21. Sediment and Erosion Control

Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction (latest edition, Landcom, 2004)* commonly referred to as the "Blue Book"

A sediment and erosion control plan must be prepared that is consistent with the Blue Book and include:

- a) all details of drainage to protect and drain the site during the construction processes;
- b) all required sediment control devices, barriers and the like;
- c) sedimentation tanks, ponds or the like;
- d) covering materials and methods;
- e) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and their ongoing maintenance and inspection; and
- f) methods for the temporary and controlled disposal of stormwater during construction.

Details demonstrating compliance with this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: *To protect the environment from the effects of sedimentation and erosion from development sites)*

22. s.7.12 Contributions

Under s.7.12 of 'the Act' 'Council' has determined that development contributions are applicable to this development, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Goulburn Mulwaree local government area.

The following Goulburn Mulwaree Council developer contributions plans are applicable to the development:

- Section 94a Contribution Plan

The contributions in accordance with **'Council's'** Fees and Charges at the time of payment must be paid prior to the issue of any Construction Certificate.

The level of contributions is calculated on the cost of carrying out the works and in accordance with cl.25I of **'the Regulation'** and **'Council's'** contribution plans at the time of payment.

A cost summary report must be completed for works under \$200,000. Where the value of the work exceeds \$200,000 the cost shall be certified by a Quantity Surveyor or an equivalent or acceptable alternative agreed to by Council.

Where staging of the **'works'** occurs the value of the **'works'** for each stage is to be calculated as a cumulative total.

Documentation as issued by **'Council'** demonstrating that the contribution has been paid must be submitted to, and approved by the **'Certifier'** prior to the issue of a Construction Certificate.

Note: *Copies of the Contributions Plans are available from **'Council'** or alternatively, they can be downloaded from **'Council's'** website.*

Payment is to be accompanied by the attached sheet entitled "Summary of Charges". If payment is by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)*

23. On-Site Stormwater Detention

On site detention must be provided to ensure that the maximum discharge of stormwater collected from the undeveloped **'site'** which would occur during a 1 in 5 year storm of 1-hour duration is not exceeded. All other stormwater run-off from the **'site'** for all storms up to a 1 in 20 year storm event is to be retained on the site for gradual release to the kerb and gutter or piped drainage system. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.

For small areas up to 0.5 hectares, determination of the required cumulative storage may be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Runoff Volume 1, 1987 later re published in a modified form in 1997.

Engineering calculations, design and certification demonstrating compliance with this condition shall be certified by an appropriately qualified and practising Hydraulic Engineer and be submitted to, and approved by the **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure that public infrastructure in Council's care and control is not overloaded)*

SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION, BUILDING OR SUBDIVISION WORKS

24. Prior to Commencement

'Works' must not commence on **'site'** in connection with this Notice of Determination until:

- a) a Construction Certificate (where required) for the building work has been issued by:
 - i. the consent authority; or
 - ii. an **'Accredited Certifier'**; and
- b) the person having the benefit of the development consent has:
 - i. appointed a **'Principal Certifier'** for the building work, and
 - ii. notified the **'Principal Certifier'** that the person will carry out the building work as an owner-builder, if that is the case, and
- c) the **'Principal Certifier'** has, no later than two (2) days before the building work commences:
 - i. notified the **'Council'** of his or her appointment, and
 - ii. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) the person having the benefit of this Notice of Determination, if not carrying out the work as an owner builder, has:
 - i. appointed a **'Principal Contractor'** for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the **'Principal Certifier'** of such appointment, and

- iii. unless that person is the '**Principal Contractor**' notified the '**Principal Contractor**' of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- e) the person having the benefit of this Notice of Determination has given at least two (2) days' notice to the '**Council**' of the person's intention to commence building work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to '**Council**' not less than two (2) days before any commencement of '**works**'.

(Reason: *Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)*

25. Site Sign

A sign must be erected in a prominent position on any '**site**' on which work involved in the erection or demolition of a building is being carried out:

- a) stating that unauthorised entry to the '**site**' is prohibited;
- b) showing the name of the '**Principal Contractor**' (or person in charge of the '**site**'), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the '**Principal Certifier**' for the work.

Any such sign must be maintained while the '**works**' are being carried out and must be removed when the '**works**' have been completed.

The installation is to be approved by the '**Principal Certifier**' prior to any further commencement of '**site**' '**works**'.

(Reason: *Statutory requirement)*

26. Road Reserve Safety

All public footways and roadways in the vicinity off, fronting and adjacent to the '**site**' must at all times be maintained in a safe and unobstructed condition during the course of the '**works**'. Construction materials and plant must not be stored in the road reserve without approval of '**Council**'. No diversion of pedestrian circulation is to occur without the prior approval of '**Council**'. Construction vehicles must not cause adverse impact on existing residences and neighbouring properties of the locality.

(Reason: *Public Safety)*

SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION, BUILDING OR SUBDIVISION WORKS

27. Dust Emissions and Air Quality

Any person acting on this Notice of Determination must ensure that:-

- a) materials must not be burnt on the '**site**';
- b) vehicles entering and leaving the '**site**' with soil or fill material must be covered;
- c) dust suppression measures as required must be carried out throughout the undertaking of the '**works**' to minimise wind-borne emissions;
- d) exposed surfaces and stockpiles are suppressed by regular watering or hydro mulching;
- e) odour suppression measures must be carried out where appropriate so as to prevent nuisance occurring at adjoining properties;
- f) public roads used by these trucks are kept clean; and
- g) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

(Reason: *To protect the environment and the amenity of the surrounding area)*

28. Use of Road Reserve

All '**works**' and processes associated with the development must occur entirely within the property. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from '**Council**' as the Roads Authority.

Note: *Works and /or activities required to be undertaken within the road reserve are controlled through the issue of an approval/permit under s.138 Roads Act 1993.*

(Reason: *To ensure public safety and amenity on public land)*

29. Construction Hours

All '**works**' must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Note: *Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.*

(Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community)*

30. s.138 Approval Matters

A vehicular footway crossing must be constructed in accordance with Council's Standard Drawings SD-R06 and SD-R07.

(Reason: *To ensure compliance with the Roads Act 1993)*

31. Earthworks

Any earthworks (including any structural support or other related structure for the purposes of the development) must: -

- a) not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot;
- b) not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property;
- c) in the first instance be reused on **'site'**;
- d) ensure that any fill brought to the **'site'** contains only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997* or any other waste-derived material the subject of a resource recovery exemption;
- e) ensure that any excavated soil to be removed from the **'site'** is to be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*;
- f) ensure that documentation verifying the lawful disposal of all waste is to be kept by the applicant and provided to **'Council'** on request.
- g) not permit fill to change existing ground levels at the property boundary. Cutting and filling is to be restricted to that shown on the approved plans. Any further cutting or filling will require separate approval.
- h) ensure that any excavation is carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442), published in October 2013 by Safe Work Australia.

(Reason: *To ensure structural safety and to ensure excavation and fill are handled correctly)*

SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

32. Compliance with Conditions of Consent

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of Determination must demonstrate to the **'Principal Certifier'** that all conditions required to be complied with, either at or before the occupation stage, including conditions identified as at all times have been complied with. An Occupation Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

(Reason: *To ensure compliance with the terms of this Notice of Determination)*

33. Certification of Civil Works

An appropriately qualified and practising accredited Civil Engineer must certify to the **'Principal Certifier'**:

- a) that the stormwater drainage system has been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard;
- b) that any vehicular crossing and associated road works have been constructed in accordance with this Notice of Determination and any approval for **'works'** in the road reserve issued by the **'Council'** where those works by agreement of **'Council'** have not been inspected by **'Council'**; and
- c) that the internal driveway access and onsite parking areas have been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard.

A copy of the certificate(s) must be submitted to **'Council'** upon completion of the **'works'** and prior to the issue of any Occupation Certificate.

Documentary evidence confirming that the above requirements have been fulfilled must be provided to the **'Principal Certifier'** prior to the issuing of any Occupation Certificate.

(Reason: *To ensure compliance with the conditions of consent)*

34. Landscaping to Nature Strip

All disturbed and unvegetated areas of land to the front of the building line and the nature strip must be fully landscaped to prevent soil erosion and migration prior to the release of any Occupation Certificate.

(Reason: *To preserve the amenity of the streetscape and to prevent pollution of the environment)*

35. Redundant Vehicle Crossings

All redundant lay-backs vehicular crossings within Sports Way must be reinstated to conventional kerb and gutter, foot-paving or grassed verge to match existing surrounding materials. All costs must be borne by the person having the benefit of this Notice of Determination, and all works must be completed to the written satisfaction of **'Council'**.

Documentary evidence from **'Council'** as the roads authority confirming that this condition has been satisfied must be provided to the **'Principal Certifier'** Prior to the issue of any Occupation Certificate.

(Reason: *To facilitate vehicular access to sites, without disruption to pedestrian and vehicular traffic, and the preservation of on street parking spaces)*

36. Redundant Gateway and Fencing

All redundant gateways must be removed and replaced with fencing that is matching the existing fencing. All costs must be borne by the person having the benefit of this Notice of Determination, and all works must be completed to the written satisfaction of **'Council'**.

Documentary evidence from **'Council'** as the roads authority confirming that this condition has been satisfied must be provided to the **'Principal Certifier'** Prior to the issue of any Occupation Certificate.

(Reason: *To restrict access to the site from Sports Way)*

37. Water Management Act

A Compliance Certificate issued under s.307 of the *Water Management Act 2000* must be obtained from the Utilities Division of **'Council'** prior to the release of any Occupation Certificate.

Documentary evidence issued by **'Council'** confirming that the final inspection was satisfactory must be provided to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

38. Stormwater Management - WaterNSW

All stormwater treatment and management measures shall be implemented as specified in the Water Cycle Management Study (Project No. 20000236; Drawings WCMS01 to WCMS04; Rev 00; dated 25/08/20) all prepared by SEEC.

Documentary evidence issued by **'Council'** confirming that the final inspection was satisfactory must be provided to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

39. Stormwater Pits - WaterNSW

The driveway and truck hardstand areas shall drain to a stormwater pit fitted with inlet filters (Enviropod 200 or Water NSW endorsed equivalent) and a sediment trap before being directed to the bioretention basin on the site.

Documentary evidence issued by **'Council'** confirming that the final inspection was satisfactory must be provided to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

40. Bioretention Basin - WaterNSW

The bioretention basin shall also:

- be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne et al, 2015, Melbourne, CRC for Water Sensitive Cities)

- be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
- direct all discharge and overflow to Council's stormwater drainage system
- be accessible by machinery to facilitate cleaning, monitoring and maintenance of the structures, and
- be permanently protected from heavy vehicle damage by guardrails, castellated kerb, bollards, or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

41. Certification of stormwater management structures – WaterNSW

A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council prior to the issuance of an Occupation Certificate that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

42. Operational Environmental Management Plan - WaterNSW

An Operational Environmental Management Plan based on the Water Cycle Management Study (Project No. 20000236; Drawings WCMS05; Rev 00; dated 25/08/20) prepared by SEEC, shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to the issuance of an Occupation Certificate. The Plan shall:

- include details on the location, description and nature of stormwater management structures such as pits, pipes, inlet filters, sediment trap, and biofiltration basin
- outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
- identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and
- include checklists for recording inspections and maintenance activities.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

43. Monitoring of stormwater treatment devices - WaterNSW

All stormwater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

44. Noise management Plan measures

After completion of the works and prior to the issue of any Occupation Certificate, the developer shall submit to the 'Council', a report from a suitably qualified and experienced acoustic consultant, verifying that any required acoustic control measures have been installed and they meet the requirements of the Noise Management Plan the works as installed meet the above design conditions.

(Reason: *To ensure that the outcomes of the Noise Management Plan are implemented)*

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

45. Hours of Operation

At all times the Truck Depot business must only operate within the following hours:-

- Monday to Saturday - 07:00 – 22:00
- Sundays and Public Holidays - 08:00 – 18:00
- Christmas Day – No operations

All required deliveries and operation of the 'site' must be conducted and concluded within the hours set out above.

(Reason: *Information to ensure that amenity of the surrounding locality is maintained)*

46. Impact on Amenity of Locality

At all times the implementation and intensity of this development must not adversely affect the amenity of the locality by reason of excessive levels of illumination (internal or external), solar glare arising from the building materials utilised in any construction processes or fit-out, the emission of noises, noxious fumes, odours and waste.

(Reason: *To ensure that the amenity of the surrounding locality is not adversely affected by the nature of the approved activity)*

47. Loading Within Site

No loading or unloading operations are authorised to be carried out within the confines of the 'site' at any time.

(Reason: *To ensure that deliveries can occur safely within the site and does not adversely affect public traffic or pedestrian amenity)*

48. Maintenance of entrance gateway

At all times, the entrance gates are to be maintained in full working order without defect or emission of noise during any form of operation.

(Reason: *To ensure the development does not have an impact on the amenity of the locality)*

49. Stormwater Disposal

At all times, all stormwater from the development, including all hard standings and overflows from rainwater tanks and raingardens must be collected and disposed of by way of properly constructed stormwater lines to the registered stormwater easement that services the property.

(Reason: *To ensure the suitable disposal of stormwater generated by the development)*

50. Maintenance of Landscaping

At all times the landscaped area of the approved 'works' is to be maintained in accordance with the approved landscape plan.

Any replacement plants required must be advanced in growth and be selected to maintain the anticipated mature height, canopy density and nature of those plant species as originally approved.

(Reason: *To ensure the visual amenity of the streetscape is maintained)*

51. Cleanliness of the site

At all times the site must be free from rubbish a wind proof enclosures must be maintained on site in a full and functional state and be emptied when required.

(Reason: *To ensure the visual amenity of the streetscape is maintained)*

52. Truck washing and maintenance - WaterNSW

No truck washing or truck maintenance shall occur on the site at any time.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

53. Variation to Stormwater

No variation to stormwater treatment or management that will have any impact on water quality shall be permitted without prior agreement of Water NSW.

(Reason: *To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term)*

54. Truck Movement Management Plan

At all times the operation of the 'site' is to be in accordance with the approved Truck Movement Management Plan

(Reason: *To ensure the development does not have an impact on the surrounding amenity)*

55. Truck Movements on Lockyer Street

At all times, truck movements are to be via Finlay Road and Hume Street. The use of Lockyer Street, Sowerby Street or Sports Way for truck movement is prohibited.

(Reason: *To ensure the development does not impact the road network surrounding the Big Merino*

complex)

56. Flood Lighting

At all times, no flood lighting is to be provided to the site.

(Reason: *To ensure residential amenity is maintained)*

SECTION I: CONCURRENCE AGENCY CONDITIONS

57. Water NSW Concurrence

Water NSW concurs with Council granting consent to the application, subject to the conditions within the concurrence letter dated 25 November 2020, which must be satisfied during the relevant stage of the development and prior to the issue of the Occupation Certificate (or at a time as otherwise stated in the condition).

(Reason: *To ensure the development has a neutral or beneficial effect on water quality)*

SECTION J: ADVISORY INFORMATION

- a) Prior to commencing any building, subdivision or associated constructions works, the following provisions of **'the Act'** are to be complied with:
- (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of **'the Act'**.
 - (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- b) Changes to the layout of the subdivision configuration may require the submission of a further modification under Section 4.55 of **'the Act'**.
Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of **'the Act'**.
- c) Prior to any **'Work'** commencing on **'site'** all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au
- d) **'Council's'** fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.

The motion was withdrawn.

RESOLUTION 2020/531

Moved: Cr Denzil Sturgiss

Seconded: Cr Peter Walker

That:

1. **The staff assessment report for development application DA/0101/2021 for the proposed Truck Depot be received.**
2. **Without prejudice the determination be deferred for DA/0101/2021 for a Truck Depot located at 31 Lockyer Street, Goulburn pending the General Manager negotiating potential conditions for the use of the site for a truck depot for consideration at a future Council Meeting.**

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

At 10:06 pm, Cr Denzil Sturgiss left the meeting and did not return.

15.6 POST EXHIBITION REPORT - PROPOSED AMENDMENT TO DCP 2009 VEGETATION CHAPTER

RESOLUTION 2020/532

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That:

- 1. The report by the Business Manager Strategic Planning on a proposed amendment to *Development Control Plan 2009* in relation to vegetation provisions be received.**
- 2. The *Development Control Plan 2009 – Vegetation Chapter 3.9 Amendment* be adopted.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill and Carol James

Against: Nil

15.7 RESIDENTIAL AND SUBDIVISION DEVELOPMENT CONTROLS - POST PUBLIC EXHIBITION REPORT**RESOLUTION 2020/533****Moved: Cr Andrew Banfield****Seconded: Cr Carol James****That:**

- 1. The post public exhibition report from the Senior Strategic Planner on residential and subdivision development controls be received.**
- 2. The amendment to the *Goulburn Mulwaree Development Control Plan 2009* which amends residential and subdivision development controls adopted effective from 15 February 2021.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill and Carol James

Against: Nil

15.8 OPTIONAL NATURAL DISASTER CLAUSE FOR GOULBURN MULWAREE LEP 2009**RESOLUTION 2020/534****Moved: Cr Leah Ferrara****Seconded: Cr Alfie Walker****That:**

- 1. The report by the Business Manager Strategic Planning in relation to an optional clause for *Goulburn Mulwaree Local Environmental Plan 2009* addressing the replacement of lawfully constructed dwellings following a natural disaster be received.**
- 2. Council request that the Department of Planning, Industry and Environment include the optional natural disaster clause within *Goulburn Mulwaree Local Environmental Plan 2009* with the clause to apply to the following land use zones:**
 - RU1 Primary Production**
 - RU2 Rural Landscape**
 - RU6 Transition**
 - B1 Neighbourhood Centre**
 - B2 Local Centre**
 - B3 Commercial Core**
 - B4 Mixed Use**
 - B6 Enterprise Corridor**
 - IN1 General industrial**
 - IN2 Light Industrial**

- **E2 Environmental Conservation**
- **E3 Environmental Management**
- **RE1 Public Recreation**
- **RE2 Private Recreation**
- **SP 2 Infrastructure**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill and Carol James

Against: Nil

15.9 PROPOSED LOCAL CHARACTER PROVISION

RESOLUTION 2020/535

Moved: Cr Alfie Walker

Seconded: Cr Leah Ferrara

That

1. **The report by the Senior Strategic Planner on the Proposed Local Character Provision be received.**
2. **Council make a submission to the Department of Planning, Industry and Environment in relation to the Local Character Provision Explanation of Intended Effect in relation to the following matters:**
 - a. **Council generally support the concept of the Proposed Local Character Provision overlays**
 - b. **Council hold a number of concerns relating to the proposed implementation requirements, specifically:**
 - i. **The additional workload this would burden Council with if Council chose to implement the Provisions;**
 - ii. **The requirement for a standalone Planning Proposal to be made by Council; and**
 - iii. **The onus of proof currently falling back to Council to demonstrate why the Low Rise Housing Diversity Code should not be imposed, as opposed to DPIE demonstrating why it should.**

CARRIED

15.10 EXTRA-ORDINARY MEETING - WAKEFIELD PARK DEVELOPMENT APPLICATION**RESOLUTION 2020/536****Moved: Cr Sam Rowland****Seconded: Cr Peter Walker****That**

- 1. The report of the General Manager on an Extra-Ordinary Meeting for the Wakefield Park Development application be received**
- 2. Council hold an Extra-Ordinary Council Meeting to determine the development application for Wakefield Park**
- 3. Council delegate the authority to the General Manager to call the Extra-Ordinary Meeting when the development application for Wakefield Park has been assessed as is ready for determination**
- 4. Council suspends Clause 4.4 & 4.9 of the Code of Meeting Practice for the public forum part of the Extra-Ordinary Council meeting to allow up to 10 minutes for members of the public to make presentations to Council**
- 5. Council hold a special Councillor briefing to seek clarification on all issues for the Wakefield Park Development Application and request the noise consultant to be available at this briefing to answer questions of clarification.**

CARRIED**15.11 EXPRESSIONS OF INTERESTS FOR THE COUNCIL IRRIGATION FARM 1920E2006 AND THE FUTURE USE OF THE COUNCIL FARM**

Cr Andrew Banfield declared an interest in this item and took no part in the discussion or voting on the matter. At 10:18 pm, Cr Andrew Banfield left the meeting.

At 10:19 pm, Cr Sam Rowland left the meeting.

At 10:21 pm, Cr Sam Rowland returned to the meeting.

RESOLUTION 2020/537**Moved: Cr Peter Walker****Seconded: Cr Carol James****That Council Move into Committee of the Whole.**

Council moved into Committee of the whole at 10:19pm.

CARRIED**RESOLUTION 2020/538****Moved: Cr Alfie Walker****Seconded: Cr Leah Ferrara****That Council move back into Open Council.**

Council moved back into Open Council at 10:31pm.

CARRIED

RESOLUTION 2020/539**Moved: Cr Peter Walker****Seconded: Cr Alfie Walker****That:**

1. **The report of the Director of Utilities on the Expressions of Interest for the Council Irrigation Farm 1920E2006 and the Future Use of the Council Farm be received.**
2. **The Council declines all Expressions of Interest for the future use of the Wastewater farm and notifies all the applicants accordingly.**
3. **Council contact all three expression of interest applicants to seek a lease proposals from these groups for the lease of the land on eastern side of the railway line, without effluent irrigation, for a period of five years with a clause that Council can break the lease with six months' notice if the rezoning process has progressed sufficiently. The land at 534 Taralga Road will also be included in this lease on an annual basis.**
4. **Council proceed with an investigation into rural residential development (minimum lot size of 10 hectares) on all the land on the east side of the railway land between Gorman Road and Murray Flats Road.**
5. **Council places on the open market for sale the flood prone land west of the rail-line. This portion of land to be leased while the sale process is undertaken for grazing only.**

CARRIED

At 10:34 pm, Cr Andrew Banfield returned to the meeting.

15.12 ENDEAVOUR INDUSTRIES RECYCLING CONTRACT PUBLIC DROP OFF

Cr Sam Rowland declared an interest in this item and took no part in the discussion or voting on the matter. At 10:34 pm, Cr Sam Rowland left the meeting.

RESOLUTION 2020/540**Moved: Cr Peter Walker****Seconded: Cr Margaret O'Neill****That**

1. **The report from the Business Manager Waste and Recycling on the Endeavour Industries Contract for Recycling be received**
2. **Council agree to the contract variation requested by Endeavour Industries to remove the resident drop-off point and reduce the contract price accordingly by 1%, which is currently a reduction of \$6155.53pa (ex GST).**
3. **That Council immediately commence public relations activities to communicate the service change to residents.**

CARRIED

At 10:36 pm, Cr Sam Rowland returned to the meeting.

Council took a recess at 10.36pm.

Council meeting resumed at 10.45pm

RESOLUTION 2020/541**Moved: Cr Andrew Banfield****Seconded: Cr Sam Rowland**

That the Business Paper be approved in total adopting the recommendations as listed excluding Items 15.16, 15.23, 15.24 & 15.32.

CARRIED**15.13 VP198825 PRIME MOVER REPLACEMENT RECOMMENDATION****RESOLUTION 2020/542****Moved: Cr Andrew Banfield****Seconded: Cr Sam Rowland****That:**

- 1. The report of the Business Manager of Works on the replacement of Plant #97 Prime Mover be approved.**
- 2. Council approve the purchase of Kenworth T410SAR from Canberra Isuzu Trucks, at a cost of \$228,250.73 excluding GST.**
- 3. Any unexpended funds from this purchase be carried forward to 2021-22 if this purchase is not finalised by 30 June 2021.**

CARRIED**15.14 VP208670 SUPPLY ASPHALT SERVICES LGP213-2 CONTRACT****RESOLUTION 2020/543****Moved: Cr Andrew Banfield****Seconded: Cr Sam Rowland****That:**

- 1. That the report from the Business Manager of Works on the Supply Asphalt Services contract be received.**
- 2. Council approve to establish Downer EDI Works Pty Ltd as the Asphalt Services provider to Council for a period of two (2) years. With the option to extend for an additional two (2) one (1) extensions.**
- 3. Council delegate authority to the General Manager to extended this contract by up to two (2) one (1) year extensions subject to satisfactory performance.**

CARRIED

15.15 REQUEST FOR MINOR BOUNDARY ADJUSTMENTS**RESOLUTION 2020/544****Moved: Cr Andrew Banfield****Seconded: Cr Sam Rowland****That**

- 1. The report from the Director Corporate & Community Services on the Request for Minor Boundary Adjustments be received**
- 2. Council approve the making of a joint application with Queanbeyan Palerang Council to the Minister for Local Government and Governor for a boundary adjustment to achieve the following:**
 - (a) Transferring the land known as *Parish: Willeroo Pt Lot 1 DP 1230792* from Goulburn Mulwaree Council to Queanbeyan Palerang Regional Council**
 - (b) Transferring the land known as *Lot 2 DP 1236465* from Queanbeyan Palerang Regional Council to Goulburn Mulwaree Council**
- 3. Council agree to write off any outstanding or future rates on the property known as *Parish: Willeroo Pt Lot 1 DP 1230792* until the boundary adjustment application has been assessed**

CARRIED**15.16 FINANCIAL ASSISTANCE - GOULBURN AGRICULTURAL, PASTORAL AND HORTICULTURAL SOCIETY INC****MOTION****Moved: Cr Peter Walker****Seconded: Cr Sam Rowland****That**

- 1. The report of the General Manager in regard to financial assistance for the Goulburn Agriculture, Pastoral and Horticulture Society Inc be received.**
- 2. Council allocates \$5,000 to the Goulburn Agriculture, Pastoral and Horticulture Society Inc as financial assistance for the 2021 Goulburn Show to be funded from the Financial Assistance budget.**

The motion was withdrawn.

RESOLUTION 2020/545**Moved: Cr Leah Ferrara****Seconded: Cr Andrew Banfield****That**

- 1. The report of the General Manager in regard to financial assistance for the Goulburn Agriculture, Pastoral and Horticulture Society Inc be received.**
- 2. Council allocates \$2,500 to the Goulburn Agriculture, Pastoral and Horticulture Society Inc as financial assistance for the 2021 Goulburn Show to be funded from the Financial Assistance budget.**
- 3. Council will consider a further request up to a maximum of \$2,500 after the 2021 show has been completed and the final financial position is known with regard to the**

additional costs associated with COVID 19 restrictions have been identified.

CARRIED

15.17 2021 COUNCIL MEETING DATES

RESOLUTION 2020/546

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That:

- 1. The report from the General Manager on 2021 Council Meeting Dates be received.**
- 2. The 2021 Council Meetings be held at 6pm in the Council Chambers on the first and third Tuesdays of each month except for the following:**
 - a) No meeting in January 2021**
 - b) There will be one meeting held and in July being on the third Tuesday of July 2021.**
 - c) Only one meeting in September 2021 to be determined by the General Manager depending on the election results being completed.**

CARRIED

15.18 MONTHLY FINANCIAL REPORT

RESOLUTION 2020/547

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Monthly Financial Report be received and noted for information.

CARRIED

15.19 STATEMENT OF INVESTMENTS & BANK BALANCES

RESOLUTION 2020/548

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Statement of Investments and Bank Balances be received.

CARRIED

15.20 BUSINESS DEVELOPMENT QUARTERLY UPDATE

RESOLUTION 2020/549

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the report from the Communications & Business Development Officer be received and noted for information.

CARRIED

15.21 ST CLAIR CONSERVATION WORKS - STATUS REPORT

RESOLUTION 2020/550

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the report from the Business Manager Marketing, Events & Culture on the status of the St Clair Conservation Works be received.

CARRIED

15.22 GROWING LOCAL ECONOMIES COMMON STREET - OCTOBER & NOVEMBER 2020 STATUS REPORT

RESOLUTION 2020/551

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the report from the Project Engineer (Operations) on the status of the Growing Local Economies Common Street construction be received

CARRIED

15.23 GOULBURN PERFORMING ARTS CENTRE - NOVEMBER 2020 STATUS REPORT

RESOLUTION 2020/552

Moved: Cr Peter Walker

Seconded: Cr Carol James

That the report from the Director of Operations on the status of the Goulburn Performing Arts Centre construction be received.

CARRIED

15.24 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION - NOVEMBER 2020 STATUS REPORT

RESOLUTION 2020/553

**Moved: Cr Peter Walker
Seconded: Cr Sam Rowland**

That the report from the Director of Operations on the status of the Goulburn Aquatic Centre Redevelopment Stage 1 construction works be received.

CARRIED

15.25 MOUNTAIN ASH ROAD BLACKSPOT PROJECT - NOVEMBER 2020 STATUS REPORT

RESOLUTION 2020/554

**Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland**

That the report from the Business Manager of Works on the Mountain Ash Road Blackspot project status updated be received.

CARRIED

15.26 COOKBUNDOON PAVILION UPGRADE - NOVEMBER 2020 STATUS REPORT

RESOLUTION 2020/555

**Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland**

That the report from the Business Manager Community Facilities on Cookbundoon Pavilion Upgrade status be received.

CARRIED

15.27 NATURAL DISASTER ESSENTIAL PUBLIC ASSET RESTORATION PROJECT - NOVEMBER 2020 STATUS REPORT

RESOLUTION 2020/556

**Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland**

That the report from the Business Manager Works on the status for the Natural Disaster Essential Public Asset Restoration Project received.

CARRIED

15.28 MINUTES OF THE RAY HARVEY SPORTS FOUNDATION COMMITTEE MEETING HELD ON 23 NOVEMBER 2020

RESOLUTION 2020/557

**Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland**

That the report from Robert Hughes, Manager Community Facilities in regards to the Ray Harvey Sports Foundation Committee minutes from Monday 23 November 2020 be received.

CARRIED

15.29 MINUTES OF THE RECREATION AREA COMMITTEE MEETING HELD ON 2 DECEMBER 2020

RESOLUTION 2020/558

**Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland**

That the report from Mr Robert Hughes Business Manager Community Facilities in regards to the Recreation Area Committee minutes from Wednesday 2 December 2020 be received.

CARRIED

15.30 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 3 DECEMBER 2020

RESOLUTION 2020/559

**Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland**

That the report from the Director Operations in regards to the Traffic Committee minutes from Thursday 3 December 2020 be received.

CARRIED

15.31 COPFORD REACH WORKING PARTY MINUTES - 3 DECEMBER 2020

RESOLUTION 2020/560

**Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland**

That the Copford Reach Working Party Minutes dated 3 December 2020 report from the General Manager be noted.

CARRIED

15.32 OPERATIONS DIRECTORATE REPORT - NOVEMBER 2020

RESOLUTION 2020/561

**Moved: Cr Peter Walker
Seconded: Cr Leah Ferrara**

That the activities report for November 2020 by the Director Operations be received and noted for information.

CARRIED

15.33 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT NOVEMBER 2020

RESOLUTION 2020/562

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the activities report by the Director Corporate & Community Services be received and noted for information.

CARRIED

15.34 UTILITIES DIRECTORATE REPORT - NOVEMBER 2020

RESOLUTION 2020/563

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the report from the Director Utilities be received and noted for information.

CARRIED

15.35 PLANNING & ENVIRONMENT DIRECTORATE REPORT OCTOBER 2020

RESOLUTION 2020/564

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the activities report by the Director Planning & Environment be received and noted for information.

CARRIED

16 CLOSED SESSION

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

There were no closed session reports for determination.

17 CONCLUSION OF THE MEETING

The Meeting closed at 11.11pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 2 February 2021.

.....
Cr Bob Kirk
Mayor

.....
Warwick Bennett
General Manager