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BUSINESS PAPER

Ordinary Council Meeting

1 June 2021

**Warwick Bennett
General Manager**

We hereby give notice that an Ordinary Meeting of Council will be held on:

Tuesday, 1 June 2021 at 6pm
in the Council Chambers, Civic Centre
184 - 194 Bourke Street, Goulburn

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There were no closed session reports for determination.

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Cr Bob Kirk
Mayor

Warwick Bennett
General Manager

1 OPENING MEETING

The Mayor will open the meeting and notify that this meeting is webcast live on the Council’s website.

2 ACKNOWLEDGEMENT OF COUNTRY

The following acknowledgement will be made by the Mayor or General Manager.

“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 Mayor will ask a Councillor to read either the following Declaration or Prayer on behalf of the Councillors present.

Declaration

“On behalf of the elected Councillors present here tonight I solemnly and sincerely declare and affirm that we will undertake the duties of the office of Councillor in the best interests of the people of Goulburn Mulwaree and that we will faithfully and impartially carry out the functions, powers, authorities and discretions vested in us to the best of our ability and judgement.”

OR

Prayer

“We thank thee, Lord, for this position of honour and trust. Give us the courage to serve our Council and community with honesty and integrity; and to discharge the duties entrusted to us for the common good of all mankind.”

4 APOLOGIES

The Mayor will call for any apologies.

Council will resolve to accept any apology.

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

The Mayor will call for any Late Items, Information or Urgent Business.

Council may resolve to accept any late item, information or urgent business to be discussed and/or determined at this meeting.

7 DISCLOSURE OF INTERESTS

With reference to Chapter 14 Local Government Act 1993, and Council’s Code of Conduct, Councillors are required to declare any conflicts of interest in the matters under consideration by Council at this meeting.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

- (1) In accordance with Council's Public Forum Guideline, Council permits members of the public to address Council meetings in open forum at every Ordinary Council meeting.
- (2) A person wishing to address a meeting must contact staff in Council's Executive Section by 5.00pm [either in writing or via telephone call] on the day of the meeting and provide their name, their contact details and summary details of the item they wish to speak about.
- (3) The Mayor or Chairperson will call members of the public to address the meeting in accordance with the order of business. The address should be for no more than 5 minutes duration.
- (4) Members of the public addressing Council must abide by similar standards that apply to Councillors under the Council's Code of Conduct and this Code of Meeting Practice.
- (5) If a member of the public addressing the meeting fails to comply with the Mayor or Chairperson's call to order, the Mayor or Chairperson may withdraw that person's right to address the meeting.
- (6) In making the address:
 - a. If the chairperson is the Mayor he or she should be addressed as 'Mr Mayor' or 'Madam Mayor' or 'Mayor Surname' or 'Mayor First Name'.
 - b. When the chairperson is not the Mayor they should be addressed as Mr. or Madam Chair or Mr. or Madam Chairperson.
 - c. Councillors must be addressed as 'Councillor Surname or Councillor First Name'.
 - d. Officers must be addressed as Mr. or Madam [job title or surname] e.g Mr. General Manager.

The general standards that apply in Council's Code of Conduct and Code of Meeting Practice (Section 4) are applicable to addresses made by the public in Public Forum.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18 MAY 2021

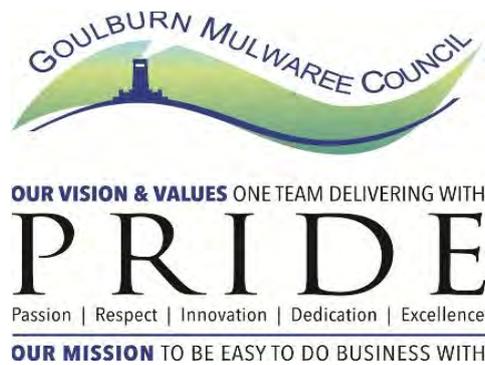
Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Minutes of the Ordinary Meeting of Council held on 18 May 2021

RECOMMENDATION

That the Council minutes from Tuesday 18 May 2021 and contained in Minutes Pages No 1 to 16 inclusive and in Minute Nos 2021/193 to 2021/221 inclusive be confirmed.



MINUTES

Ordinary Council Meeting

18 May 2021

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	Nil	
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	Nil	
13	Notice of Motion(s)	7
	Nil	
14	Notice of Rescission(s)	7
	Nil	
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	There were no closed session reports for determination.	
17	Conclusion of the Meeting	16

**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 18 MAY 2021 AT 6PM**

PRESENT: Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), Cr Andrew Banfield, Cr Sam Rowland, Cr Leah Ferrara, Cr Margaret O'Neill, Cr Carol James, Cr Denzil Sturgiss

IN ATTENDANCE: Warwick L. 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 declaration was read by Deputy Mayor Peter Walker.

4 APOLOGIES

RESOLUTION 2021/193

Moved: Cr Leah Ferrara

Seconded: Cr Denzil Sturgiss

That the apology received from Cr Alfie Walker be accepted.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2021/194

Moved: Cr Leah Ferrara

Seconded: Cr Denzil Sturgiss

That the leave of absence be granted to Cr Alfie Walker due to ill health.

CARRIED

6 LATE ITEMS / URGENT BUSINESS**RESOLUTION 2021/195**

Moved: Cr Peter Walker
Seconded: Cr Andrew Banfield

That Council accepts the letter from Mr and Mrs Fisher dated 14 May 2021 in relation to Item 15.1 B6 Enterprise Corridor and Currawang Planning Proposal - Post Public Exhibition Report be accepted into the meeting as late information for Councillors determination on this matter. **CARRIED**

7 DISCLOSURE OF INTERESTS

Cr Banfield made a statement in relation to the Business Paper. He has assessed the Business Paper and does not perceive any declaration of interest is required to be declared in relation to his employment with Denrith Group of Companies.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Nil

10 CONFIRMATION OF MINUTES**10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 4 MAY 2021****RESOLUTION 2021/196**

Moved: Cr Carol James
Seconded: Cr Denzil Sturgiss

That the Council minutes from Tuesday 4 May 2021 and contained in Minutes Pages No 1 to 13 inclusive and in Minute Nos 2021/173 to 2021/192 inclusive be confirmed.

CARRIED

11 MATTERS ARISING**11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 4 MAY 2021**

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS**RESOLUTION 2021/197**

Moved: Cr Peter Walker
Seconded: Cr Leah Ferrara

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 B6 ENTERPRISE CORRIDOR AND CURRAWANG PLANNING PROPOSAL - POST PUBLIC EXHIBITION REPORT****RESOLUTION 2021/198****Moved: Cr Andrew Banfield****Seconded: Cr Denzil Sturgiss****That:**

1. The post public exhibition report from the Senior Strategic Planner on the B6 Enterprise Corridor and Currawang Planning Proposal be received.
2. Council endorse the planning proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to:
 - (a) Zone land at 1716 and 1801 Currawang Road, Currawang to RU1 Primary Production with a minimum lot size of 100 hectares and include the land in the application map for the *Goulburn Mulwaree Local Environmental Plan 2009*.
 - (b) Rezone 2-26 Long Street, Goulburn from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m².
 - (c) Rezone land bordered by Arthur Street, Chiswick Street, Long Street and Hetherington Street, Goulburn from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU2 Rural Landscape with no floor space ratio and a minimum lot size of 20,000m².
 - (d) Rezone land at 138 George Street, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU6 Transition with no floor space ratio and a minimum lot size of 100 hectares.
 - (e) Rezone land at Station Street, George Street and Brayton Road, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m².
3. Council not proceed with any rezoning relating to 134 George Street, Marulan as part of this planning proposal on the basis of being contrary to the planning proposal objectives and the wishes of the landowner.
4. Council proceed with an outstanding objection from Heritage NSW and request that the Department of Planning, Industry and Environment make the amendment described above as soon as practicable.

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, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

15.2 ZONING AND MINIMUM LOT SIZE ANOMOLY AT WILSON DRIVE, MARULAN**RESOLUTION 2021/199****Moved: Cr Andrew Banfield****Seconded: Cr Margaret O'Neill****That:**

1. The report from the Senior Strategic Planner regarding the zoning and minimum lot size anomaly at Wilson Drive, Marulan be received.
2. Council request that the Department of Planning, Industry and Environment undertake following amendments to the *Goulburn Mulwaree Local Environmental Plan 2009* in accordance with s3.22 of the *Environmental Planning and Assessment Act 1979* as soon as practicable, without Council being subject to any of the requirements of the ordinary planning proposal process:
 - (a) Move the boundary of the RU2 Rural Landscape zone and 100 hectare minimum lot size from within the northeast corner of Lot 102 DP 1161331 to the perimeter of the lot.
 - (b) Extend the IN1 General Industrial zone, with no minimum lot size, to the boundary of Lot 102 DP 1161331 in place of the RU2 Rural Landscape zone and 100 hectare minimum lot size.
3. Council endorse a planning proposal to affect the above amendment in the event that the amendment cannot be undertaken using s3.22 of the *Environmental Planning and Assessment Act 1979*. This includes the following activities:
 - (a) The planning proposal, once drafted, be forwarded to the Department of Planning, Industry and Environment for a gateway determination in accordance with s3.34 of the *Environmental Planning and Assessment Act 1979*.
 - (b) In the event that the Department of Planning, Industry and Environment issues a gateway determination to proceed with the planning proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.

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, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

CARRIED

15.3 REQUEST FOR DA INFORMATION MATRIX POLICY**RESOLUTION 2021/200****Moved: Cr Andrew Banfield****Seconded: Cr Margaret O'Neill****That:**

- 1. The report from the Director Planning and Environment on the Request for DA Information Matrix Policy be received.**
- 2. The Draft Request for DA Information Matrix Policy as amended to account for calendar days and external agencies be endorsed and placed on public exhibition for a period of 28 days.**
- 3. Any submissions or recommended amendments as a result of the exhibition process be reported back to Council prior to the adoption of the Request for DA Information Matrix Policy.**

CARRIED**15.4 VILLAGE DISCRETIONARY FUNDS WORKING PARTY'S****RESOLUTION 2021/201****Moved: Cr Denzil Sturgiss****Seconded: Cr Carol James****That**

- 1. The report of the General Manager on the Village Discretionary Fund Working Parties be received**
- 2. Council notifies all the Village Discretionary Fund Working Parties that they will be dissolved at the 30th June 2021 as new Working parties will be established after the 2021 local Government Elections through an expression of interest process**
- 3. The Working Party members be thanked for their contribution to the community in their role in the Village Discretionary Fund Working Party and that they be encourage to renominate through the expression of interest process after the 2021 Local Government Elections**
- 4. The Tarago and Districts Progress Association Inc (TADPAI) be advised that they cannot expend any of the 2021/22 allocated funds until after the incoming Council determines if TADPAI is still the appropriate forum to distribute these funds.**
- 5. Any funds unallocated in the various discretionary funds be carried forward to the new working parties after the elections.**

CARRIED

15.5 DRAFT MARSDEN WEIR PARK & GOULBURN HISTORIC WATERWORKS PLAN OF MANAGEMENT**RESOLUTION 2021/202****Moved: Cr Sam Rowland****Seconded: Cr Peter Walker****That:**

- 1. The report from the Business Manager Property & Community Services on the draft Marsden Weir Park & Goulburn Historic Waterworks Plan of Management be received.**
- 2. Council endorse this community land into the categories of *Cultural Significance, Park, Natural Area – Bushland, Escarpment and Water Course*, in accordance with s36 (4) of the *Local Government Act 1993*.**
- 3. Council endorse the draft Marsden Weir Park & Goulburn Historic Waterworks Plan of Management in accordance with Section 36 of the *Local Government Act 1993*.**
- 4. Council endorse the Flora Survey and Management Strategies for Remnant Werriwa Cool Temperate Grassy Woodland in the South Eastern Highlands and South Eastern Corner Bioregions at the Goulburn Historic Waterworks (Biodiversity Condition Report), prepared in support of the draft plan of management.**
- 5. Council submit the draft plan of management to the following organisations for comment;**
 - Heritage NSW**
 - NSW Aboriginal Land Council**
 - Pejar Local Aboriginal Land Council and;**
 - Mulwaree Aboriginal Community Inc.**
- 6. The draft Marsden Weir Park & Goulburn Historic Waterworks Plan of Management be placed on public exhibition for 42 days with all submissions reported back to Council.**
- 7. A public hearing be held in accordance with Section 40A of the *Local Government Act 1993* while the draft plan of management is on exhibition for the purpose of considering the Community Land categories of Cultural Significance, Park, Natural Area – Bushland, Escarpment and Water Course.**

CARRIED

15.6 LOAN AGREEMENT GOULBURN AQUATIC CENTRE UPGRADE**RESOLUTION 2021/203****Moved: Cr Margaret O'Neill****Seconded: Cr Denzil Sturgiss****That**

- 1. The report from the Director Corporate & Community Services on the Loan Agreement Goulburn Aquatic Centre Upgrade be received**
- 2. Council approve the execution of the Loan Agreement with TCorp to borrow \$14,900,000 over a 15 year term**
- 3. All necessary documentation in relation to the agreement by signed by the Mayor and General Manager under the Seal of Council**

CARRIED**15.7 QUARTERLY BUDGET REVIEW****RESOLUTION 2021/204****Moved: Cr Denzil Sturgiss****Seconded: Cr Carol James****That:**

- 1. The report of the Director Corporate & Community Services on the March 2021 Quarterly Budget Review be noted.**
- 2. The budget variations contained within the March 2021 Quarterly Review be approved.**

CARRIED**15.8 MONTHLY FINANCIAL REPORT****RESOLUTION 2021/205****Moved: Cr Peter Walker****Seconded: Cr Andrew Banfield**

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**15.9 STATEMENT OF INVESTMENTS & BANK BALANCES****RESOLUTION 2021/206****Moved: Cr Andrew Banfield****Seconded: Cr Leah Ferrara**

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

15.10 REQUEST TO WRITE-OFF LEGAL FEES**RESOLUTION 2021/207**

Moved: Cr Leah Ferrara
Seconded: Cr Denzil Sturgiss

That:

- 1. The report of the Director of Corporate Community Services and the Revenue Co-Ordinator be noted.**
- 2. The request to write off legal fees for Property ID No 1018909 at Bungonia, be declined.**

CARRIED

15.11 ST CLAIR CONSERVATION WORKS - STATUS REPORT**RESOLUTION 2021/208**

Moved: Cr Peter Walker
Seconded: Cr Carol James

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

CARRIED

15.12 MOUNTAIN ASH ROAD BLACKSPOT PROJECT - APRIL 2021 STATUS REPORT**RESOLUTION 2021/209**

Moved: Cr Denzil Sturgiss
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

15.13 COOKBUNDOON PAVILION UPGRADE - APRIL 2021 STATUS REPORT**RESOLUTION 2021/210**

Moved: Cr Peter Walker
Seconded: Cr Leah Ferrara

That the report from the Business Manager Community Facilities on the Cookbundoon Pavilion Upgrade – April 2021 Status Report.

CARRIED

**15.14 NATURAL DISASTER ESSENTIAL PUBLIC ASSET RESTORATION PROJECT -
APRIL 2021 STATUS REPORT**

RESOLUTION 2021/211

**Moved: Cr Peter Walker
Seconded: Cr Carol James**

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

CARRIED

**15.15 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION -
APRIL 2021 STATUS REPORT**

RESOLUTION 2021/212

**Moved: Cr Margaret O'Neill
Seconded: Cr Denzil Sturgiss**

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

CARRIED

15.16 GOULBURN PERFORMING ARTS CENTRE - APRIL 2021 STATUS REPORT

RESOLUTION 2021/213

**Moved: Cr Peter Walker
Seconded: Cr Andrew Banfield**

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

CARRIED

15.17 GOULBURN REGIONAL HOCKEY FACILITY - APRIL 2021 STATUS REPORT

RESOLUTION 2021/214

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

That the report from the Business Manager Projects on the status of the Goulburn Regional Hockey Facility be received.

CARRIED

15.18 GROWING LOCAL ECONOMIES COMMON STREET - APRIL 2021 STATUS REPORT

RESOLUTION 2021/215

Moved: Cr Andrew Banfield

Seconded:Cr Leah Ferrara

That the report from the Project Manager - Grants on the status of the Growing Local Economies Common Street construction be received

CARRIED

15.19 REUSE SCHEME GOULBURN - APRIL 2021 STATUS REPORT

RESOLUTION 2021/216

Moved: Cr Sam Rowland

Seconded:Cr Andrew Banfield

That the report from the Business Manager Infrastructure on the Reuse Scheme Goulburn status update be received.

CARRIED

15.20 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT APRIL 2021

RESOLUTION 2021/217

Moved: Cr Peter Walker

Seconded:Cr Denzil Sturgiss

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

CARRIED

15.21 UTILITIES DIRECTORATE REPORT - APRIL 2021

RESOLUTION 2021/218

Moved: Cr Denzil Sturgiss

Seconded:Cr Andrew Banfield

That the report from the Director Utilities be received and noted for information.

CARRIED

15.22 PLANNING & ENVIRONMENT DIRECTORATE REPORT APRIL 2021

RESOLUTION 2021/219

Moved: Cr Leah Ferrara

Seconded:Cr Peter Walker

That the activities report by the Director Planning & Environment be received and noted for information.

CARRIED

15.23 OPERATIONS DIRECTORATE REPORT - APRIL 2021

RESOLUTION 2021/220

**Moved: Cr Peter Walker
Seconded: Cr Andrew Banfield**

That the activities report for April 2021 by the Director Operations be received and noted for information.

CARRIED

15.24 EXTERNAL MEETING MINUTES

RESOLUTION 2021/221

**Moved: Cr Andrew Banfield
Seconded: Cr Denzil Sturgiss**

That the report from the General Manger on the minutes below be received:

- 1. Holcim Lynwood Community Consultative Committee Meeting Minutes 30 October 2020**
- 2. Wakefield Park Community Consultative Committee Meeting Minutes 18 March 2021**

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 7.06pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 1 June 2021.

.....
**Cr Bob Kirk
Mayor**

.....
**Warwick Bennett
General Manager**

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 18 MAY 2021

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Task List - 1 June 2021 [↓](#) 

RECOMMENDATION

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

REPORT

Please find attached the Task List for matters resolved at previous Council meetings that are still currently under action.



OUTSTANDING TASK LIST

Item/Task	Responsible Officer	Status
<p><u>Ducks Lane and Run-O-Waters Traffic Management Plan</u></p> <p>1. The General Manager to commence without prejudice to the determination by the Council of their development application to commence discussions with developers in the Shannon Drive area to determine their intended dates to commence physical works and seek if there is any appetite for the developers to enter into a voluntary planning agreement (VPA) that would allow Council to undertake the physical works generally known as Shannon Drive extension in the 2018/19 financial year.</p>	General Manager	Awaiting for the applicant to address the outstanding State Government Department requirements.
<p><u>Mogo Road Hi Quality</u></p> <p>Council agreed to undertake work on Mogo Road using the Section 94 fees collected to date</p>	General Manager	Work is programmed for next financial year.
<p><u>Community Centre Options</u></p> <p>Location of Community Centre deferred 18 months</p>	General Manager	Will be referred to Council in December 2021.
<p><u>Veolia Host Fees</u></p> <p>The Mayor and General Manager to continue discussions with Veolia</p>	General Manager	We are awaiting response from Veolia
<p><u>Development Service Plan – Goulburn Stormwater</u></p> <p>To be placed on public exhibition for 30 working days</p>	Director Planning & Environment	Report attached to this Business Paper RECOMMEND COMPLETION
<p><u>Review of Heavy Haulage routes in the Goulburn Mulwaree area</u></p> <p>A structural assessment is carried out on bridge and drainage structures on Currawang Road, Taralga Road, and Cullerin Road as part of the 2021/222 budget with the outcome reported back to Council on the suitability of these road as future B-Double routes.</p>	Director Operations	Assessment being undertaken
<p><u>Truck Depot – 31 Lockyer Street</u></p> <p>DA deferred pending negotiations with applicant</p>	Director Planning & Environment	Discussions with applicant undertaken and he is looking at an alternate site



OUTSTANDING TASK LIST

Item/Task	Responsible Officer	Status
<u>Goulburn Lilac City Festival Markets</u> Consultation between Goulburn Rotary and the Goulburn Lilac City Festival is taking place.	General Manager	Report attached to this Business Paper RECOMMEND COMPLETION
<u>Planning Proposal –</u> Amendments to exempt development within Schedule 2 of the LEP and to the Goulburn Mulwaree DCP for private events	Director Planning & Environment	On public exhibition
<u>Review of Alcohol Free Zone</u> The alcohol free zone for the CBD is on public exhibition.	Director Planning & Environment	On public exhibition
<u>Goulburn Mulwaree Award</u> Establish Working Party after Council elections	General Manager	No action required at this time.
<u>Future of 2 Bourke Street</u> Discussion to be held with Councillors at Briefing	General Manager	Discussion held at Briefing on 25 May 2021
<u>Hovell Street</u> Sale of property by auction to occur without physical development	General Manager	Report to establish reserve price will be presented to Council at July 2021 Council Meeting.
<u>Second access to Run-O-Waters</u> Council discuss at the Council Briefing the future road link from Run-O-Waters to Gurrundah Road on to Middle Arm Road with potential access to the Hume Highway	General Manager	Programmed for Briefing for the 25 May 2021.
<u>B6 Enterprise Corridor</u> Planning Proposal on public exhibition	Director Planning & Environment	On public exhibition
<u>Wilson Drive Marulan Zoning Anomaly</u> Seeking approval for Planning Proposal Department of Planning	Director Planning & Environment	Request sent to Department of Planning
<u>DA Matrix Policy</u>	Director Planning & Environment	On public exhibition
<u>Marsden Weir Park – Plan of Management</u>	Director of Corporate and Community Services	To be placed on public exhibition including public hearing

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 REQUEST FOR REVIEW OF MODDA/0033/2021 - 65 FOORD ROAD, RUN-O-WATERS

Author: Scott Martin, Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. **Approved Plan of Subdivision** [↓](#) 
 2. **Submissions** [↓](#) 
 3. **Elton Consulting Request for review of determination** [↓](#) 
 4. **Southern Cross Consulting Surveyors Letter in support of MODDA_0033_2021** [↓](#) 

Link to Community Strategic Plan:	Strategy EN4 - Maintain a balance between growth, development and environmental protection through sensible planning.
Cost to Council:	Nil. Council may be subjected to legal costs should the determination be appealed in the Land and Environment Court.
Use of Reserve Funds:	N/A

RECOMMENDATION

That:

1. The staff assessment report for REV/0002/202, being a Review of Determination of MODDA/0033/2021 to amend and delete a number of conditions for an approved 2 lot subdivision be received.
2. In accordance with Section 8.4 of the Environmental Planning & Assessment Act that Council confirm the determination from 20 November 2020 to refuse MODDA/0033/2021 as the proposed lots will not be appropriately serviced with electricity and road access in accordance with the Council DCP.

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.

BACKGROUND

A request for review of determination application REV/0002/2021 was formally received by Council on 26 March 2021 in relation to MODDA/0033/2021 which was refused under delegated authority on 20 November 2020. The application sought to amend and delete a number of conditions for an approved 2 lot subdivision.

A copy of the approved plan of subdivision has been attached.

In accordance with section 8.3(4) of the Environmental Planning and Assessment Act, the review of a determination made by a delegate of a council is to be conducted:

- (a) by the council (unless the determination or decision may be made only by a local planning panel or delegate of the council), or
- (b) by another delegate of the council who is not subordinate to the delegate who made the determination or decision.

Accordingly, REV/0002/2021 is presented to Council for determination.

REPORT

Background

REV/0002/2021 is a review of determination for a two lot rural residential subdivision of Lot 10 DP625626, 65 Foord Road, Goulburn.

The notice of determination for DA/0437/0607 was issued 14 August 2007 granting consent subject to conditions for the two lot subdivision.

The approved plan endorsed the creation of proposed Lot 1 with an area of approximately 40ha accessed from Gurrundah road and Lot 2 approximately 60.1ha with access via a right of way from Ridge Street. In accordance with Clause 4.2A of the Goulburn Mulwaree Local Environmental Plan both proposed lots attract dwelling entitlement and the approved plan of proposed subdivision nominated a dwelling site for each lot.

Correspondence received from Southern Cross Consulting Surveyors demonstrated the completion of work to satisfy the commencement requirements of Section 4.53 of the Environmental Planning and Assessment Act 1979.

On 3 May 2018, notice of determination for MOD/0066/1718 was issued granting consent subject to conditions for a modification to the lot layout and access arrangements for the proposed subdivision, in particular:

- The area of proposed Lot 1 was reduced from 40ha to 10ha in accordance with the minimum lot size provisions applicable to the RU6 Transition zone;
- The deletion of Condition No. 9 regarding a Right of Way (ROW) as access to Lot 2 is now available from the recently constructed Pockley Road;
- The deletion of the reference to ROW in Conditions No. 10 and 11 as access to Lot 2 is now proposed from Pockley Road;
- Revise Condition No. 12 and 13 as access to Lot 2 is now proposed from Pockley Road;
- Revise Condition No. 20 by delete the requirement imposing developer contributions pursuant to the Mulwaree Council Section 94 Contributions Plan 2003-2008 and apply the reduced developer contributions under the provisions of Goulburn Mulwaree Section 94A levy Development Contributions Plan 2009;
- The deletion of the Condition No. 23 and 24 regarding a Right of Way (ROW) as access to Lot 2 is now available from the recently constructed Pockley Road.

On 16 April 2020, notice of determination for MODDA/0073/1920 was issued granting consent subject to conditions for a modification to Conditions No. 1. The modification comprised increasing the area of Lot 1 from 10ha to 6.18ha and the modification to Condition No. 1 endorsed this change as the change of the lot boundary was of a minimal environmental impact. The resulting area of proposed Lot 2 is approximately 38.3ha and is intended to be a super lot for future urban development. Although the application suggested no dwelling entitlement was being sought for Lot 2, the provisions of the Goulburn Mulwaree Local Environmental Plan grant dwelling entitlement to this Lot upon creation regardless of whether or not it is sought by the applicant.

Additional, the modification requested the deletion of Condition 21 in regards to the provision of electricity to proposed Lot 2. The request outlined the intention for Lot 2 to be a super lot for future rezoning and argued that any extension to the existing power network to satisfy power for one dwelling would be inappropriate and potentially conflict with unknown future development.

This component of the modification was not supported for a number of reasons, in particular conflicting with the Utilities provisions of the Goulburn Mulwaree Development Control Plan, resulting in the creation of a lot with dwelling entitlement not being serviced by electricity and being

contrary to the requirements of Essential Energy. Although at the time the proposal was not inconsistent with the Draft Urban and Fringe Housing Strategy, to support the creation of a lot not serviced by electricity sets an undesirable precedence and ultimately potentially defers the cost of the provision of this infrastructure from subdivision stage and to a future owner of the land. There are also risks that the rezoning may not proceed or not be approved by the NSW Department of Planning or other matters arise from the Planning proposal that was not foreseen.

The assessing officer further considered permitting the deletion of Condition No. 21 unfeasible as allowing a lot to not be serviced by electricity in the anticipation of the rezoning and redevelopment of the land to be not in the public interest. The potential result being that the land is sold and the onus put on a purchaser wishing to construct a future dwelling to fund the provision of electricity.

On 20 November 2020, MODDA/0033/2021 seeking amendment and deletion of a number of conditions for the approved 2 lot subdivision was refused under delegated authority. The following table outlines the conditions requested to be amended, reasons provided by the Applicant and the planning considerations resulting in the refusal determination.

Condition to be amended and reasons put forward by applicant	Discussion
<p>Condition 3 states: The wastewater and effluent management for the proposed lots must be consistent with the recommendations of the <i>On-site Wastewater Management Study</i> prepared by Sowdes Pty Ltd dated 25 March 2007.</p> <p>Comment: It is submitted that Condition 3 requires modification. In this respect, our letter to Council of 14 February 2020 states that Lot 2 ‘.....is to be regarded as a ‘super lot’ for which no dwelling approval is sought in this consent’.</p> <p>Consequently, it is submitted that this condition should be modified to state: <i>‘The wastewater and effluent management for proposed Lot 1 must be consistent with the recommendations of the on-site Waste Water Management Study prepared by Sowdes Pty Ltd dated 25 March 2007’.</i></p>	<p>DA/0437/0607 sought approval for a two Lot subdivision to create Lot 1 40ha and Lot 2 60ha both of which would attract dwelling entitlement. The DA application nominated proposed dwelling sites and was supported by a waste water report to demonstrate the land could accommodate the necessary OSSM system.</p> <p>If the land is subdivided and the two Lots created then both Lots will have dwelling entitlement. The argument proposed by the applicant is erroneous as Council has no ability to remove dwelling entitlement where dwelling entitlement is lawfully obtained through mechanisms under the GM LEP 2009. Furthermore, the term super Lot is not a defined dictionary term and is merely a general reference to larger Lot beyond the nominal size of the applicable zoning that can be further subdivided into smaller Lots.</p> <p>The proposed changes to Condition 3 are not supported.</p>
<p>Condition 4 states: A Soil & Water Management Plan (SWMP) is required for works associated with the new public road and right of carriageway proposed as part of the subdivision. This plan is to be prepared by a person with knowledge and experience in the preparation of such plans and is to meet the requirements outlined in Chapter 2 of the NSW Landcom’s <i>Soils and Construction: Managing Urban Stormwater (2004) Manual</i> – the ‘Blue Book’. The SWMP is to be submitted to Council for approval prior to commencement of works.</p> <p>Consultants in Surveying, Planning, Mining, Mapping, Engineering and Project Management</p> <p>Comment: No public road has ever been required as part of this proposal and the need for a right of carriageway was extinguished vide MOD/0066/1718. It is submitted that this condition is not necessary and should be deleted.</p>	<p>The original application required a road to be constructed to provide access to one of the proposed Lots. Also the applicant at the time could have also extended Pockley Drive along it road reserve to meet the Lot 2 boundary thus the condition was valid in both aspects.</p> <p>A review of the current aerial imagery 2020 Pockley Drive would still require a short (35-45m) but necessary extension to allow for a proper road connection to be formed. Accordingly, the condition is still valid as Lot 2 does not have a direct connection to the sealed road.</p> <p>The proposed changes to Condition 4 are not supported.</p>
<p>Condition 5 states: Effective erosion and sediment controls are to be installed prior to any construction activity including site access in accordance with the approved SWMP, the controls must prevent sediment entering</p>	<p>This is a relatively standard condition that seeks to ensure that any activity that causes ground disturbance has appropriate controls in place before</p>

Condition to be amended and reasons put forward by applicant	Discussion
<p>drainage depressions and watercourses, and are to be regularly maintained and retained until works have been completed and groundcover established.</p> <p>Comment: No public road has ever been required as part of this proposal and the need for a right of carriageway was extinguished vide MOD/0066/1718. No construction works are required and it is submitted that this condition is not necessary and should be deleted.</p>	<p>those works start.</p> <p>As discussed above a road extension is still required which will cause disturbance of soils and a vehicle entrance to Lot 1 is also required.</p> <p>The proposed changes to Condition 5 are not supported.</p>
<p>Condition No. 6 states: Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land as follows:</p> <ul style="list-style-type: none"> • Divert uncontaminated run-off around cleared or disturbed areas; and • Erect a silt fence to prevent debris escaping into drainage systems or waterways; and • Prevent tracking of sediment onto roads, and stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site. <p>Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted.</p>	<p>This is a relatively standard condition that seeks to ensure that any activity that causes ground disturbance has appropriate controls in place before those works start.</p> <p>As discussed above a road extension is still required which will cause disturbance of soils and a vehicle entrance to Lot 1 is also required.</p> <p>The proposed changes to Condition 6 are not supported.</p>
<p>Condition No. 7 states: All relevant approvals under the Native Vegetation Act 2003 are to be obtained for the clearing of remnant vegetation or protected regrowth, which requires the approval of the Catchment Management Authority. Any clearing that is not exempt will require approval of the Southern Rivers Catchment Management Authority (CMA) under the Native Vegetation Act 2003.</p> <p>Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted.</p>	<p>This is a relatively standard condition that seeks to ensure that any activity that causes ground disturbance has appropriate controls in place before those works start. While it was more appropriate for the proposed ROW there is still vegetation that will be required to be cleared in a road extension and the creation of a new vehicle entrance to Lot 1.</p> <p>Notwithstanding this the Native Vegetation Act has been repealed and replaced with the Biodiversity conversation Act 2016.</p> <p>The proposed changes to Condition 7 are not supported.</p>
<p>Condition 8 states: In the event that any Aboriginal artefacts/objects are identified on the subject land during the carrying out of works, the applicant/owner/builder shall cease work immediately in the vicinity of the artefact(s) or object(s) and contact the Department of Environment and Conservation at Queanbeyan (NSW National Parks and Wildlife Service) (Tel 02 6298 9736 or 0417 270 415) and Pejar Aboriginal Land Council (Tel 4822 3552) to arrange for the assessment of the artefacts.</p> <p>All work associated with the proposed subdivision must be sited to avoid impact on the Aboriginal sites recorded within the proposed subdivision by Pejar LALC.</p> <p>Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted</p>	<p>In order to effect the two Lot subdivision a road extension will be required accordingly such a condition is perfectly valid as disturbance of the ground will occur which has the potential to unearth Aboriginal artefacts/objects. Additionally, the land is mapped as having the potential for Aboriginal artefacts.</p> <p>The inclusion of a precautionary condition is valid.</p> <p>The proposed changes to Condition 8 are not supported.</p>
<p>Condition 11 states: Any table drains and verges along the access ways are to be vegetated to mitigate against any sediment transport. Swales are to be stabilised.</p> <p>Consultants in Surveying, Planning, Mining, Mapping, Engineering and Project Management immediately following constructing with a geotextile matting such as jute matting and over-sown with grass. Swales are to have outlets stabilised with riprap to dissipate concentrated</p>	<p>The condition is applicable to any form of access and therefore would be appropriate for any road extension and new vehicle access to either Lot 1 or Lot 2 from the road reserve.</p> <p>The applicant states that there is no construction being undertaken by these works which is not correct as legal access from a road will be required.</p>

Condition to be amended and reasons put forward by applicant	Discussion
<p>flows.</p> <p>Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted.</p>	<p>The proposed changes to Condition 11 are not supported.</p>
<p>Condition 12 states: The gateway access to proposed Lot 2 is to sealed from the edge of the bitumen to the gate and constructed in accordance with Council’s standard drawing</p> <p>Comment: Lot 2 is proposed for future development and is to be regarded as a ‘super lot’ to align with future residential requirements identified in Council’s urban and fringe housing expansion strategy.</p> <p>As part of this application, its intended use is for on-going agricultural purposes and is to be accessed internally. It therefore does not require a gateway for regular access purposes to Pockley Drive. Until such time that the strategy has been legislated, there is no intention to either erect a dwelling upon or dispose of the lot. This was addressed in our letter to Council dated 14 February 2020 whereby Lot 2 ‘.....is to be regarded as a ‘super lot’ for which no dwelling approval is sought in this consent’.</p> <p>The subject access to proposed Lot 2 currently provides emergency access for the Parkesbourne rural fire service and meets their standards for moving tankers into the Run-O-Waters estate. Council also uses the access to monitor and maintain their water main which passes through the site. In so doing, there has never been any suggestion from Council that the access requires upgrading.</p> <p>Although the land has been identified in the housing strategy as ‘future residential’, Lot 2 is a rural lot and will continue to be used for grazing for the foreseeable future with no construction or dwelling approval sought.</p> <p>Further to the above, the subject gateway is a legacy of the construction and opening of Pockley Drive. It would appear that it met the development requirements for that consent at the time, and as such, construction of the access was not necessary until any future development of Lot 2 is proposed.</p> <p>The existing gateway is across a public road administered by Council (ie. the internal road within the subject site is not a Crown road). Transfer from the Crown to Council took place under the provisions of Section 151 of the Roads Act 1993 and was notified in Government Gazette dated 2 February 2004.</p> <p>To align with the purpose for the creation of Lot 2, construction of the access way is not necessary and should be deleted.</p>	<p>At this point in time the minimum Lot size is 10 hectares and therefore Lot 2 has the potential to be further subdivided under the current lot size requirements.</p> <p>The creation of Lot 2 will require a formalised access from the extension of Pockley Drive and will therefore require a sealed access to be provided in accordance with Council’s engineering standards to ensure safe and appropriate access is provided.</p> <p>The intention of the owner is not a valid consideration as the land can be sold and the new owner can then act upon the Notice of Determination. Council must consider only what has been approved and the impacts and requirements of that approved use. In this case it’s a two Lot subdivision each Lot requires safe vehicle access either for a future dwelling or farming activity.</p> <p>The proposed changes to Condition 12 are not supported.</p>
<p>Condition No. 13 states: The gateway access to proposed Lot 1 is to be sealed from the edge of the bitumen to the gate and constructed in accordance with Council’s standard drawing at the location of the existing gate.</p> <p>Consultants in Surveying, Planning, Mining, Mapping, Engineering and Project Management</p> <p>Comment: As result of a reduction in minimum lot sizes in the zone subsequent to the original development consent, proposed Lot 1 possesses potential for additional lots attracting dwelling entitlements. Whilst Lot 1 would attract a</p>	<p>At this point in time the minimum Lot size is 10 hectares and therefore Lot 1 has the potential to be further subdivided under the current lot size requirements.</p> <p>The creation of Lot 1 will require a formalised access from the Gurrundah Road which will therefore require a sealed access to be provided in accordance with Council’s engineering standards to ensure safe and appropriate access is provided.</p> <p>The intention of the owner is not a valid consideration</p>

Condition to be amended and reasons put forward by applicant	Discussion
<p>dwelling entitlement, approval for the subject lot is not sought for dwelling purposes but is to be regarded as a 'super' lot which can be further subdivided into dwelling lots at some future stage.</p> <p>Further, there is already a gateway access off Gurrundah Road to Lot 10 DP625626 which was constructed from an earlier approved subdivision that created that lot.</p> <p>In light of the above, it is submitted that this condition is not necessary and should be deleted.</p>	<p>as the land can be sold and the new owner can then act upon the Notice of Determination. Council must consider only what has been approved and the impacts and requirements of that approved use. In this case it's a two Lot subdivision each Lot requires a safe vehicle access either for a future dwelling or farming activity.</p> <p>This approval seeks to improve the vehicle access arrangements from Gurrundah Road as a consequence of the approved development because the vehicle access arrangements do not accord with Council's current controls or standards. The condition is considered appropriate and warranted.</p> <p>The proposed changes to Condition 13 are not supported.</p>
<p>Condition 14 states: The Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007), Figure 5, is to be identified and protected by the installation of exclusionary fencing.</p> <p>Exclusionary fencing is to consist of the following standard:</p> <ul style="list-style-type: none"> • 70/90/30 strong line ring lock and one barbed wire; • Strainers are to be installed at all angles and ends; • Strains of no greater than 200m lengths are to be undertaken with steel posts placed at five (5 metre intervals). <p>The construction of the exclusionary fencing must be completed to Council standards prior to the release of the Subdivision Certificate.</p> <p>Comment: The Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007) has already been protected by the installation of exclusionary fencing. This was constructed prior to the lapsing of the original development consent and was identified by Council as evidence that the original consent had not lapsed.</p> <p>It is submitted that the condition should thus read: 'The exclusionary fencing of the Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007) is to be maintained'.</p>	<p>Council does not go back and delete or modify conditions once they have been satisfied. If the fencing has been constructed in accordance with the referenced document then the condition has been complied with this will be ascertained at the time of lodgement and assessment of a subdivision certificate application.</p> <p>At the time this approval was originally granted consent 14.08.2007 the fencing had not been installed as is evidenced by Gilbert's email of 05.10.2017 which states the fencing works were undertaken in September 2007.</p> <p>Additionally, the Stat Dec only shows one area being fenced whereas the report prepared by woodlands requires two habitat protection areas to be established.</p> <p>The proposed changes to Condition 14 are not supported.</p>
<p>Condition 18 states: The access from the road to the gate of each lot shall be constructed to a Council standard at a location approved by the director of Engineering Services.</p> <p>Comment: In light of the purpose of the proposed lots, it is submitted that this condition is not necessary and should be deleted.</p>	<p>As discussed above the condition is warranted and required as each new lot should have safe vehicular access whether it is used for farming or residential use. Furthermore, each Lot of land should be readily identifiable to emergency services by way of a properly constructed access and rural addressing number.</p> <p>The proposed changes to Condition 18 are not supported.</p>
<p>Condition 19 states: The entrance gateways are to be set back from the road boundary fence line in accordance with Council's standard, and at a location determined by the</p>	<p>As discussed above the condition is warranted and required as each new lot should have safe vehicular access whether it is used for farming or residential</p>

Condition to be amended and reasons put forward by applicant	Discussion
<p>Director of Engineering Services. All work is to be carried out prior to the issue of a Subdivision Certificate.</p> <p>Comment: In light of the purpose of the proposed lots, it is submitted that this condition is not necessary and should be deleted.</p>	<p>use. Furthermore, each Lot of land should be readily identifiable to emergency services by way of a properly constructed access and rural addressing number.</p> <p>The proposed changes to Condition 19 are not supported.</p>
<p>Condition 21(a) and (b) state: Electricity in respect of the proposed lots at high or low voltage, is to be:</p> <p>(a) available in sufficient capacity from the existing high voltage distribution;</p> <p>(b) provided to each lot.</p> <p>Comment: Electricity is already available to both proposed lots from existing public road reserves. An Essential Energy power pole is located about 7 metres westerly from the boundary of proposed Lot 1 and within the Keatley Road reserve whilst a power pole is located southerly and less than 100 metres from the southern boundary of proposed Lot 2 and within the Pockley Road reserve.</p> <p>It is noted that these electricity supplies were extended subsequent to the issue of the original development consent.</p> <p>The provision of an additional power pole on Lot 1 to satisfy an existing out-dated electricity supply requirement, when there is a pole immediately adjacent (refer above) results in unnecessary duplication of effort and costs with the likely future development of that lot.</p> <p>In light of the urban and fringe housing expansion strategy, extension of the Essential Energy network to align with Council requirements to provide electricity to the boundary of Lot 2 is unnecessary to with regards to the intention of the applicant. In this regard your attention is again drawn to our letter to Council dated 14 February 2020, whereby Lot 2 '.....is to be regarded as a 'super lot' for which no dwelling approval is sought in this consent'.</p> <p>Inclusion of Conditions 21(a) and (b) in the development consent is unnecessary and it is submitted that this condition should be deleted.</p>	<p>The creation of new Lots requires the provision of adequate utility services infrastructure to be provided and demonstrated at the time of subdivision certificate release. Each Lot will have dwelling entitlement meaning a dwelling can be constructed on the land. Each Lot once created can then be sold on therefore, the cost of providing electrical infrastructure should not be borne by the purchaser but by the subdivider. This has been Council process and practice for many years and is reflective of best if not standard practice when creating new Lots where infrastructure is available.</p> <p>Council has provided advice to the applicant and owners on several occasions that Council will not remove this condition as it is part and parcel of subdividing land.</p> <p>The proposed changes to Condition 21 (a) and (b) are not supported.</p>
<p>Condition 21 (c) states: Electricity in respect of the proposed lots at high or low voltage is to be covered by an easement(s) as required by and in favour of Country Energy on the final subdivision plan.</p> <p>Comment: No power lines traverse the development site and none are proposed (refer Condition 21(a) and (b) above) – it is submitted that this condition should be deleted.</p>	<p>This is a standard condition to capture the need for electrical infrastructure to be contained within an easement. As discussed above Lots 1 & 2 must be serviced by electrical connection which may require the placement of electrical infrastructure on either Lot. Accordingly, the condition is valid.</p> <p>The proposed changes to Condition 21 (c) are not supported.</p>
<p>Condition No. 25 states: There is to be a public positive covenant under Section 88E of the Conveyancing Act 1919, the prescribed authority being the Sydney Catchment Authority, placed over proposed Lot 2 requiring all waste water to be treated to a secondary level as a minimum.</p> <p>Comment: Lot 2 is to be created a 'super' lot and a dwelling is not proposed. It is submitted that this condition should be deleted.</p>	<p>Upon creation Lot 2 will have dwelling entitlement meaning a dwelling may be constructed subject to obtaining the necessary approvals. A dwelling will require the provision of an onsite sewer management system as the land is unsewered. In their assessment Water NSW have concluded that the minimum treatment device must be a secondary system. Placement of this advice on the s.88E will ensure minimum effluent treatment is provided and further that NORBE is achieved. The super lot argument is irrelevant as the lot attract dwelling entitlement and can be developed. This condition routinely applied from Water NSW to ensure long term water quality is</p>

Condition to be amended and reasons put forward by applicant	Discussion
	<p>maintained.</p> <p>The proposed changes to Condition 25 are not supported.</p>
<p>Condition No. 26 states: Each lot in the subdivision is to be numbered in accordance with Council's adopted and implemented rural addressing systems.</p> <p>Consultants in Surveying, Planning, Mining, Mapping, Engineering and Project Management</p> <p>The applicant is to pay Council the amount of \$192 (at the rate of \$96 (17/18 financial year) [GST inclusive] for the Council to place the rural address number at the entrance to each lot in the subdivision.</p> <p>The rural address number is to be submitted for approval and is to be indicated on or as an attachment to the final plan of subdivision prior to release.</p> <p>Comment: The lots will continue to be part of property known as 'No. 65 Foord Road'. No separate lot numbers are required. It is submitted that this condition should be deleted.</p>	<p>The creation of Lot 1 & 2 will mean that they can be sold off accordingly each should have its own formalised access and each access gate should be numbered. Furthermore, ownership is not a consideration as the intent is to number each access to a property regardless if it is under one land holding.</p> <p>The number is a reference to the exact location of the access gate to the Lot along the road to which access is derived to enable it to be identified by visitors, emergency services etc.</p> <p>The proposed changes to Condition 26 are not supported.</p>

Proposed Development

A request for Review of Modification Application MODDA/0033/2021 was formally received by Council on 26 March 2021 (REV/0002/2021). MODDA/0033/2021 had previously been refused under delegated authority on 20 November 2020. The application sought to amend and delete a number of conditions for an approved 2 lot subdivision.

Clause 123I(1) requires that a Review of a modification decision be made not later than 28 days after the date on which the application for the modification of the development consent was determined. It has been established that a total of 126 days had passed since the refusal determination, therefore the Application for a Review is not technically in accordance with the relevant legislative provisions. Legally, the Application is invalid. Notwithstanding, staff have completed a thorough review which is hereby presented to Council in the interests of transparency. Council staff have given the applicant an indication that because of COVID 19 regulatory requirements that the modification review would be considered.

A letter of Elton Consulting was submitted to support the request for a review of determination which referred to the letter of Southern Cross Surveyors, submitted with to MODDA/0033/2021, to outline the extent of the request for a review of the determination.

Consultation and Submissions made in accordance with Act or Regulations

Public Submissions

In accordance with clause 113A *Public participation - application under section 8.3 of the Act for review of Council's determination* contained within the *Environmental Planning and Assessment Regulation 2000*, the proposed development was notified to adjoining and adjacent residents for a period of 14 days. It was also advertised on Council's website for the same period. The notification of the proposal resulted in three (3) submissions being received raising objection to the proposal (refer Attachment).

All the submissions repeated their original objection to DA/0378/1819 for two lot subdivision (stage 1) with concept approval for 92 community title residential lots of approximately 1780 - 2739m² in size (stage 2). As the REV/002/2021 does not relate to this DA the objections are not a

consideration of this application. It is noted DA/0378/1819 was refused under delegation on 6 September 2019.

A further concern raised in two of the objections relates to the lack of transparency around the Applicant's intention to develop the land for dwellings in the long term. This is not a planning consideration for REV/0002/2021 as only the development as presented can be considered.

Discussion

Council's Urban and Fringe Housing Strategy has identified this land for future residential development via a Planning Proposal to rezone the land and this is used as the basis for the deletion of the requested conditions. Regardless once registered with Land Titles Office the subdivision approval will create two Torrens Lots that will each attract dwelling entitlement under clause 4.2A of the Goulburn Mulwaree Local Environmental Plan. Restrictions on Titles are not a watertight mechanism that can be relied upon to prohibit development that would otherwise be permitted via the LEP.

As dwelling entitlements for each lot have already been established, regardless of whether they have been sought by the developer or not, both Lots are required to be serviced by electrical infrastructure. Accordingly a Notice of Arrangement (NOA) would need to be obtained from Essential Energy to comply with both Council and Essential Energy's long standing requirement in relation to the creation of new lots that attract dwelling entitlement. Any variation would therefore be creating an undesirable precedent especially for land in close proximity to Goulburn.

Furthermore, it is Council's current and long standing requirement that each Lot created is serviced by all relevant infrastructure in the given subdivision area i.e. practical and legal access, natural gas, electricity, telecommunications (now NBN), sewer, water etc. depending on availability. It would be negligent of Council to permit a Lot to be created that attracts dwelling entitlement without basic services being provided, as the cost of augmenting and providing such service would be passed on to the future owner when they should be undertaken by the subdivider and would remain unknown to a prospective buyer.

There is no guarantee in relation to the future development of this land and therefore the existing conditions must remain.

Conclusion and Recommendation

An endorsement of this request Council would be setting a dangerous precedent for future residential subdivisions particularly if Council were to endorse the subdivision of land without being properly serviced as dwelling entitlements will exist regardless of the intentions of the applicant due to the provisions of the LEP. Every other developer has been consistently held to this standard, therefore variation would not be in the public interest.

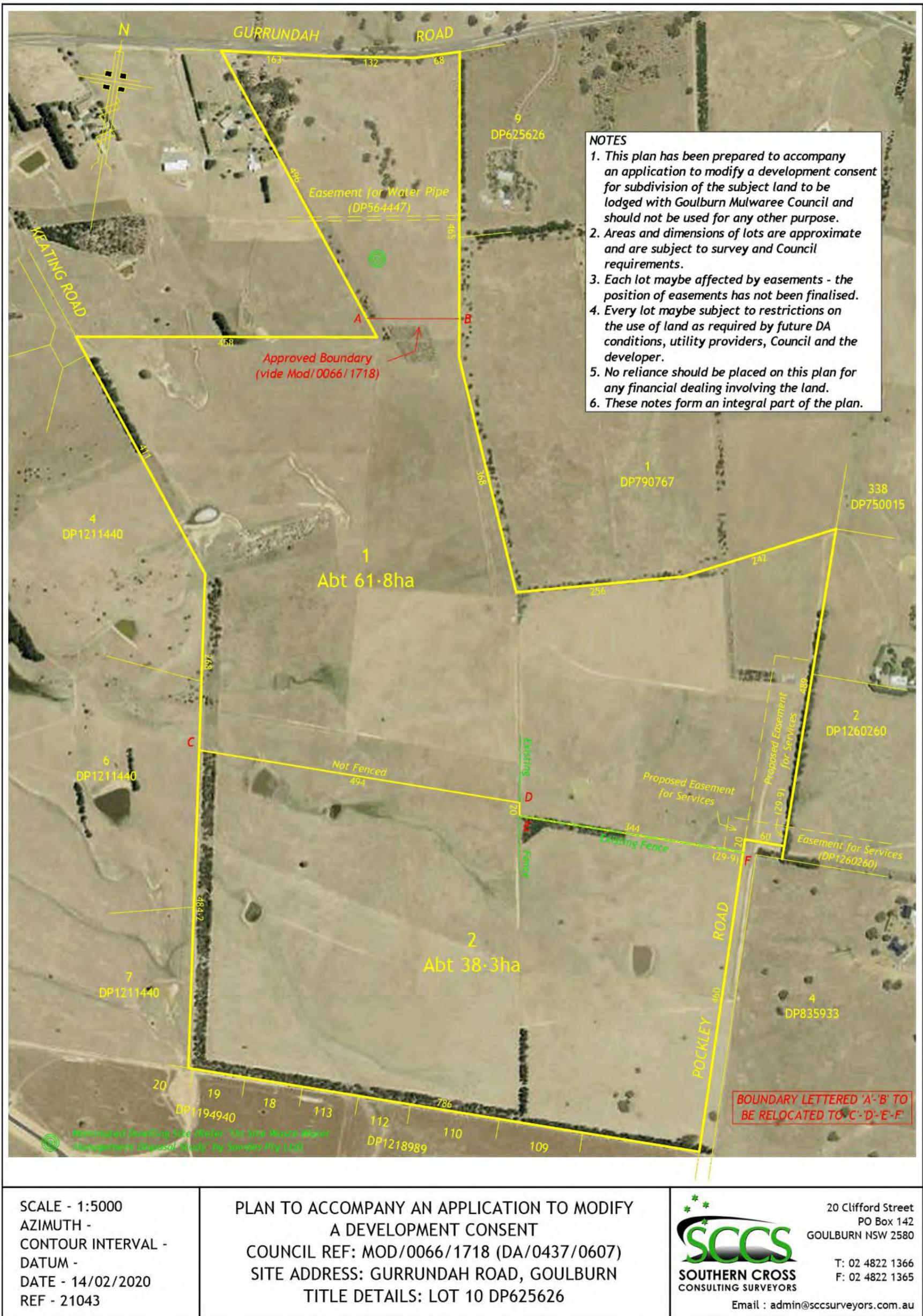
Having conducted the review of determination of MODDA/0033/2021, it is recommended that the refusal determination be *confirmed* in accordance with s8.4 of the EP&A Act.

FINANCIAL IMPLICATIONS

Financial implications are likely to Council if the applicant of the development proposal chooses to appeal the determination to the Land and Environment Court.

LEGAL IMPLICATIONS

Council may be in a position where it may be required to defend an appeal made by the Applicant to the Land and Environment Court.



Part B – To be Published

Important Information:

Prior to submitting this form, please read the *Guide to Making a Submission* on the back to help you understand how to make a submission, and what Council will be doing with any personal information you provide in your submission. Council's Privacy Management Policy may also help assist with your considerations when making a submission.

Your Details

Name:	SCOTT BARRA, REBECCA TAYLOR
Organisation (if applicable):	

Development application details

DA Number:	REV/0002/2021
DA Address:	65 FOORD RD RUN-O-WATERS

Political Donations and Gifts (Please refer to part 2 -Guide to Making a Submission)

Have you made a political donation or gift to a Councillor or Council employee within the last two years? Refer to Part 10.4 of the *Environmental Planning & Assessment Act 1979* for further information.

Yes No

Your Submission (please attach additional pages if required)

SEE ATTACHED DOCUMENTS

Council collects personal information only for a lawful purpose that is directly related to Council's planning functions and activities. For further information please contact Council's Privacy Officer or refer to Council's Privacy Management Policy at www.goulburn.nsw.gov.au

Submission to Development Application Form Effective from 1 July 2020 to 30 June 2021

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OBJECTION**To Development Application REV/0002/2021
65 FOORD ROAD RUN O WATERS NSW 2580
REVIEW OF DETERMINATION OF MODDA/0033/2021**

This letter of objection has been raised on behalf of the below persons who reside at 79 Knowlman Road, Run O Waters:

- Ms Rebecca Taylor and Mr Scott Barry – 79 Knowlman Road,
- email: Scott.barry@kongsbergsystems.com ph:0428 864 408

PURPOSE

To express and register our strong objection to the proposed Development Application REV/0002/2021.

Initial concerns:

- The lack of any real transparency surrounding MOD DA/0073/1920 to MOD/0066/1718 to DA/0437/0607 with no reference to DA/0378/1819.
- The effect and impact of the rezoning on the area (this has been supplied in our previous objection) which is attached and remains applicable.
- The subject Site and Proposed mark up as per the Development Application does not differ in intent from DA/0378/1819.

BACKGROUND

At the end of 2019, an objection to DA/0378/1819 was made by several residence and this has not been referenced. We believe it is relevant to this submission as it does outline our initial and continued concerns with this proposal in the short and longer term.

Attached is our original objection to this DA and the concerns that we submitted, still do have and was the unanimously rejected by council as they relate to this proposal.

While REV/0002/2021 does not include the detail that was submitted back with DA/0378/1819 this proposal does not differ in intent and goes as far to say that in the “near future” it will very well be the same as what was proposed in the earlier DA and therefore we strongly objected to.

IN SHORT

While REV/0002/2021 has an intent to redevelop and I quote “IT IS NOT INTENDED TO DEVELOP THE LAND FOR A DWELLING OR DWELLINGS IN THE SHORT TERM” and then references future development of 92, 700 sqm blocks, please refer to figure 1 in applicants Review of Determination letter to council dated 190321. It immediately raises concerns, that being what is short term? Is it 2 months, 2 years, or 20 years and has anything really changed other than trying another method to get something over the line by not providing the detail that would be needed to move to the next stage.

REV/0002/2021 makes comment about Legal Access, Power lines and the Habitat Conservation via Pockley Rd. One could reasonably be expected that this would all be irrelevant if dwellings were not

being considered in the short term. Why do they need power and service provisions to lots 2 and 1 if it is to be just grazing land? This suggest short term is very short based on what transpired with DA/0378/1819 and is another attempt in having something rezoned before moving to the next phase.

While comments are made about the validity of conditions and conditions to be modified these could be seen as another way of pushing something through in the short term for an outcome that does not differ in the longer term. A wolf in sheep's clothing has never rung truer.

CONCLUSION

We would strongly ask that Development Application REV/0002/2021 be reconsidered very carefully as infilling will ruin the character of the area while the development will also overwhelm the area. Assumptions should not be considered because of what they are and do not show any commitment to the area except for pure business reasons. I welcome future development in keeping with the Run O Waters estate but not to build over it.

It is also concerning that this has come around in another format so quickly when the intent and future outcome remains the same as that in DA/0378/1819. Do myself and family have to go thru the stress of having to object to this development every 12 months until the council concedes to the obvious constant pressure from the applicant.

Please take this notice as a strong objection to the development and further consultation is requested. We would like the questions raised within this proposal to be addressed by the Council.

Sincerely Yours

Scott Barry and Rebecca Taylor

Scott Barry and Rebecca Taylor

79 Knowlman Road

Run-O-Waters NSW 2580

08 July 2019

To Whom It May Concern:

OBJECTION

To Development Application DA/0378/1819

Procedural Subdivision of Lot 10 DP 625626 Lot into 2 Lots and Concept Approval for Subdivision to Create a Community Title Scheme with 92 Residential Development Lots and Community Association Lot Containing Open Spaces Areas And Wildlife Corridors.

This letter of objection due on the 11th July 2019 has been raised by Scott Barry and Rebecca Taylor of 79 Knowlman Rd, Run-O-Waters in addition to joint neighbourhood objection.

Run-O Waters is as a unique suburb as any other in Australia, it is a beautiful diverse rural setting and all residents are extremely proud of its personality. It is because of this unique rural setting that our family settled here and invested heavily into the local community and continue to do so. It needs to be protected.

This letter of objection and request that the afore mention DA application is rejected in its current form for the following reasons:

This development is in absolute high contrast to Run O Waters character of predominately 5 acre lots and represents extreme over development. We live very much within view of this development and will impact us and our neighbours greatly. With respect to noise and light pollution but not limited to. Night sky is as important as sun light and shadow.

Increased traffic, according to the latest Australian census the average Australian house hold has 2.4 vehicles, this equates to some 250 vehicles for this development. Each car will perform at least 4 trips per day, not including delivery vehicles, couriers, trades people etc putting extreme pressure on Pockley Drive, a narrow rural road with no infrastructure to improve even mentioned. The Big Marino intersection is already inundated with tourism traffic (not a bad thing for the local economy) and with the impending opening of the "Brewery" this will only be magnified. I will also point out that Council accepts the need for an additional exit out of Run O Waters estate. We currently have two emergency exits out of Run O Waters under lock and key, see Council letter attached. This massive influx of traffic will only make our current evacuation situation even more dire and dangerous.

Natural Water Course and Storm Water. 79 Knowlman Rd and neighbouring properties have strong restrictions of building at the rear of our properties, due to the natural water course, and for good reason. I have recently measured water depths of over 900 mm running thru this course on the 11th January 2019 and again on the 31st March 2019, see picture below. The storm water runs into the dams mentioned in the DA, and that is why they are there, to catch this massive volume of water. In times of heavy rain this water course is a torrent. The DA application admits that lot 17 thru 32 will be affected by the water course. How can this DA application be allowed to build some 20 houses on the water course when my property is heavily restricted on building? The same restrictions that are applied to my property **must** be applied to this DA application. Council cannot have it both ways, it is the same water course.

As stated the application states that lots 17 thru 32 will be affected by the water course and therefore appropriate fencing needs to be erected to protect these lots. What exactly does that mean? Any fence or wall built to protect these affected lots will only course the storm water to back up and flood my property. More information must be supplied on this topic. I have asked council to inspect the water course and deliver a report on the potential effects, reference number **DE/0002/1920**. This at time of writing is outstanding.

900 mm water depths



With the previous mentioned Big Merino, opening of the Brewery, Rail Museum and the many other fantastic attractions our area has to offer, means that we have high tourist visitation, we therefore need to preserve as much originality of the area as possible to provide a real glimpse of Goulburn as a hole, and not just another over developed town, they can see that anywhere, and if that is what we are to become we will simply be a refuelling stop. Our local economy needs and deserves more than that.

We accept that we cannot stand in the way of progress and that Goulburn population is growing. We suggest that the development is re submitted with reduced lot quantities and increased lot sizes of 5 acres per lot that is in keeping with the Run o Waters estate and importantly to protect the wildlife that travels through, a wonderful sight to behold.

The residents know that we have a beautiful setting and a fantastic place to live and raise a family. We encourage developers to build in the estate *but not over it*.

Thank you for taking our objections and suggestions into account. Please notify us if any changes to this DA are submitted.

Sincerely yours

Scott Barry and Rebecca Taylor

OBJECTION**To Development Application DA/0378/1819****Procedural Subdivision of Lot 10 DP 625626 Lot into 2 Lots and Concept Approval For Subdivision to Create a Community Title Scheme with 92 Residential Development Lots and Community Association Lot Containing Open Spaces Areas And Wildlife Corridors.**

This letter of objection has been raised on behalf and in consultation with the following residents:

- Ms Marilee Farrer and Mr David Moufarrege – 69 Knowlman Road, email: dgmouf_1@bigpond.com ph: 0438816023
- Mr and Mrs Richie and Amy Mason – 73 Knowlman Road, email: amy84w@hotmail.com ph: 0400841236
- Mr Scott Barry and Ms Rebecca Taylor – 79 Knowlman Road, email: scottandrebb@skymesh.com.au ph: 040260235
- Ms Tracy Sampson – 91 Knowlman Rd ph: 0459728455
- Mr Chris Lockett and Mrs Shanelle Lockett – 47 Knowlman Road, email: silcoett82@gmail.com ph: 0412214401
- Mr Shane McCallum Mrs Jodie McCallum – 94 Knowlman Road, email: shane.mccallum@essentialenergy.com.au ph: 0459132642
- Mr Ron Woodgate and Mrs Lyn Woodgate – 55 Knowlman Road, email: ronwoodgate51@gmail.com ph: 0414649901
- Mr Nathan Troy and Mrs Melissa Troy- 12 Chalker Ridge, email: mel1111478@gmail.com

PURPOSE

To express and register our strong objection to the proposed Development Application DA/0378/1819 (DA) to create a community title scheme for 92 residential development lots.

Initial Concerns:

- The lack of detail in the DA
- The detracting of rural living by creating 92 residential lots
- Inadequate traffic management and infrastructure
- Sewer management
- Water management
- Other utilities
- Covenants
- Noise
- Rubbish
- Trees
- Infrastructure Upgrades.
- Potential impacts of lighting from proposal

BACKGROUND

Many of us moved to this area (development) to solely escape residential living. We were informed prior to purchasing and investing in the area, that the lots proposed in the DA, were 25 acre lots, and

that our views would not be interrupted. Knowing now what is proposed would have stopped many of us investing in this area and in the Goulburn Community. This type of infilling will ruin the character of the area and impact the visual outlook during the day and at night.

The proposed siting of the development is particularly ill-considered in that it is predominately on a greenfield site (all be it farming) and building here would diminish the striking views. The proposed design is out of keeping with the character of the area and while design issues might be solved by conditions or revised proposals, these will not remedy the siting problem.

IN SHORT

We disagree with the comment made in the Statement of Environmental Effects (SEE) in that the ecological values of the site can be retained and enhanced while enabling the land to be redeveloped. The SEE does not go into any detail in how this will be achieved, and we would argue that this is the contrary, as urban infill is a leading driver of land-use change, with important implications for biodiversity and ecosystem processes, and does not enhance the ecological values.

Comments about adverse impacts can be appropriately managed, is not acceptable. Full disclosure needs to be made to inform us of any adverse impacts and if the proposed methods of management will, in fact, reduce any associated risks and if the risks are in line with standard risk management principles.

Assumptions made in the proposal about the DA being in the public's best interest is another assumption as it can be argued that it is not in the best interests of those who have bought in the area and who disagree with the SEE and DA.

Comments about the urban development not detracting from rural living is also concerning. This type of development will impact rural living in many ways and is contradictory. We are miffed as to how 92 residential blocks (irrespective of what description they are given) that we will overlook can contribute to rural living. If anything, it detracts from it.

The lack of information around comments made about the cost-effective provision of services, and utilities that will not be impacted on, does not provide us with any information. This needs to be explained in full as it does not elaborate on how or what. We believe telecommunications will be one thing that will be affected, there are not enough data ports within Run-O-Waters to cope with the existing estate and many residents are not able to obtain a home phone line, NBN or Broadband services. The other concern would be the impact on together with stormwater and traffic management.

A resident in Knowlman Drive had to engage the assistance of the Federal Communications Minister to have a landline in December 2017 to receive a phone and poor ADSL internet as no communication cabling was provided.

The SEE makes comments about managed community open spaces but fails to show these. It also makes assumptions again about owned renewable energy and heating comments but fails to deliver on how this will be achieved or set any standards.

Furthermore, there is no need for this kind of development in this area.

CONCERNS

The SEE while it outlines many things and addresses specific council needs to get its proposal across the line such as:

- Aboriginal heritage
- Bushfire risk
- Construction impacts
- Ecological impacts, (Native grasses and wildlife corridors)

It fails in many areas to outline how other matters will be addressed or managed, other than saying they can be effectively managed. Comments like this are of concern.

SEE Lack of Detail

As commented the proposal lacks detail and fails to address many matters and makes assumptions. These assumptions can not be considered as they do not address how risks will be managed and if risks associated with this SEE can be managed or mitigated in a suitable manner.

While the SEE does describe blocks as 92 rural residential blocks it also refers to them as residential blocks and this is of concern especially with no restrictions outlined on what could or would be built.

Detraction of Rural Living

This development can only detract from rural living. Currently we have country views. How does 92 rural residential blocks, as described in the SEE contribute to rural living when we would be faced with views of roofs and backyards. This can only be described as impacting on rural living lifestyles. This together with light pollution, increased noise, traffic etc detract from rural living.

Inadequate Traffic and Road Infrastructure

The proposed road system does not sufficiently address the increased traffic use along Pockley Road and Ducks Lane. A visual risk assessment has been conducted and the increased congestion near Bunnings all the way through to Pockley Road will make it a dangerous road. Currently traffic cuts the corner at the intersection of Pockley and Ducks Lane and the increased traffic will only add to the increase chance of an accident. The road noise is also a matter that needs to be considered and not just with those who have property adjoining the proposed development but the wider community. I do not believe this has been addressed.

It should be noted that the visual risk assessment did identify how busy it gets around the Caltex Petrol Station especially over weekends, holidays and the ski season.

Based on the average Australian household having 2.24 vehicles as per the Australian Bureau of Statistics Census and adding a proposed 92 houses as outlined in the DA some 206 additional vehicles will impact the area. This does not include vehicle trips or multiple trips. This will inevitably impact on Ducks Lane and Pockley Road.

The proposal does not adequately take any of the this into account.

Run-O-Waters residents have previously met with the Council and the Mayor to express their extreme concern about the lack of access to and from Run-O-Waters in the event of an emergency e.g. bushfire or significant other event. We are aware that an access point was made to the highway to allow residents to exit however, this is locked at all times and only accessible by emergency personnel, and on that exit you would be exiting on to a highway where traffic would be travelling at 110 km/ph. According, to the current proposal the initial stage of this development being 92 lots would not have any other access to this area aside from Pockley Drive. Is it proposed that there will be a second exit for Run-O-Waters to Mary Street, Foord Road or Gurrundah Road? If so when will this occur? Has an emergency management plan been devised as part of this proposal? As you are

aware Run-O-Waters has large grassed areas and in the event of a fast moving grass fire or a fire which has been ignited by a highway accident many residents would not be able to flee the area, the lack of detail in the proposal also does not indicate the availability of fire hydrants. As part of the submission and states "The bushfire Prone map is currently in the process of being amended.....The draft map identifies the site as being a medium bush fire risk Vegetation Category 3" I think further consideration needs to be put into the associated risk of a fast moving grass fire and adequate access for residents to evacuate in an emergency and emergency personnel to access fire hydrants.

Recently in 2014 there was a grass fire that affected the Run-o-waters estate and as the fire came up quickly and from the highway it would have blocked residents exiting out the emergency exit or ducks lane.

Sewer management

The current provisions for Run-O-Waters indicate that the sewer mains will not extend beyond Bonnett Drive, as part of this proposal it states that "An analysis of the existing sewerage system would be required to determine whether there was sufficient capacity for the additional flows." It states that the sewer would be connected at the Mary Street area and would be supported by a pumping station. We think Council needs to strongly consider the impact of this and significant Council funds would be required to upgrade the existing system to cope with not only this proposal but the impact of the Bonnett Drive current subdivisions and the proposed Shannon Drive subdivision as well as the addition of the Brewery. It is understood that the council recently spent money to upgrade the existing sewerage system which was already overloaded attempting to keep up with the demands of the ever-growing subdivisions going in the Marys Mount estate area. Significant consideration would need to be given to this proposal as it would be operating on a pump-based system which would need to be continually upgraded and maintained and should the pump break down this and cause a significant environmental impact, most sewerage systems are gravity fed to avoid this. A future sewer management plan would need to be developed and be available for consultation with residents, including the future maintenance cost and how this would affect the rates for the area.

Water Management

Is a concern for most of us as the rear of our blocks are in a natural water course and no real water management brief has been prepared and any proposed works could also impact on the rear of some of the blocks that are on the boundary.

Many of us have areas along the proposed boundary that does not allow us to build on and in fact have been fenced off due to the water course that flows at the rear of our properties after rain. This area forms part of the catchment area. One would also believe that similar restrictions would also apply to the DA.

A lack of information and works is missing. The other concern is what impact the works would have to our properties if the water course is changed, obstructed and or altered in any way.

Has it also been considered that the properties on the boundary all have Enviro Systems that flow into the water course at the rear of our properties and any impacts on water course changes and catchment impacts could impact on the systems and the catchment.

See photo below, which indicates the water course in the event of heavy down pours, if the water flow is not managed correctly it could lead to flooding not only for the proposed blocks but for the residents of Knowlman Rd and Chalker Ridge. During a recent rain event in January 2019, a number

of residents along Chalker Ridge, and Knowlman Rd experienced flooding, to say that the excess what would be channelled into the existing water course or dams would lead to further flooding for the residents of Knowlman Rd and Chalker Ridge, as indicated by the photo below the dams are at full capacity and would be unable to cope with the extra water flow from a residential subdivision and there would be an impact on wildlife and stock that would be accessing water from dams as there could be the potential of contaminated water from run off storm water from the residential development.

If the current Flood Plain Mitigation Study has not been completed by Council, consideration needs to be given to the inclusion of this proposal and the Shannon Drive subdivisions as to how flooding would be mitigated and how the residents would be advised of their potential risk of flooding and the impact on flora, fauna and livestock.



Other utilities

Telephone and Internet services

As stated in the proposal “The recently completed Meadows subdivision to the south included the extension of gas and telecommunications into Pockley Road”. Telecommunications is not a viable option in some properties on Chalker Ridge, some properties have required high gain aerials to access both phone and internet services at a cost of more than \$2,000 for an aerial with Telstra Broadband or NBN not available to any properties within the Run-O-Waters area due to not enough data ports. How will this be improved? Will NBN be rolled out to all of Run-O-Waters including this new proposed area? If these services are to come from Pockley Road then there is insufficient infrastructure to meet the current demands.

The proposal states there are sufficient services available, evidence needs to be provided from the suppliers confirming this as when speaking to the providers they advise that telephone, Broadband or NBN services are not available to all properties.

Power

It states as part of the proposal that there will be a pole mounted transformer located in Knowlman Rd, further detail of the location and size of this transformer needs to be supplied to the residents of Knowlman road so they can adequately address their concerns. Consideration needs to be given to underground power supply.

Covenants

The proposal does not outline if there would be covenants on the proposed lots, if so would this be consistent with the area and the "Rural Lifestyle" would hinge joint fencing be maintained and what restrictions would be placed on having domestic animals as they could have an impact on the flora and fauna in the area, there already has been a number of instances of dog attacks on livestock and native wildlife. I think further detail of the covenants for the proposed area needs to be provided for the consideration of existing residents.

Noise

The increased noise associated with this type of proposed living and the increased noise associated with traffic does not contribute to a Rural Lifestyle but detracts from it. This has not been addressed in the SEE.

Rubbish

No rubbish management system has been discussed in the SEE or long-term management plans. Concerns are that the corridor between the proposed development and properties that share the boundary could become a corridor for waste disposal.

Trees

The SEE makes comment that no trees will be removed and that any trees that are to be removed will be part of another DA. Concerns are that the trees that boarder our property need to be managed and if required replaced and not subject to any removal. An upkeep plan has not been prepared.

Potential impact of lighting from proposed subdivision

As part of the Bonnett Drive subdivisions down to 2000sqm lots the developer had to put in street lighting and curb and guttering, the lack of detail within the proposal does not outline whether this would be part of the development application. If street lighting was to be put in it would have a significant impact on the existing residents of Chalker Ridge and Knowlman Road. This needs to be clearly identified as to the location and number of streetlights that would be added.

We also note that no comment is made about the loss of night sky (light pollution). One of the characteristics of rural living is the night sky that we enjoy. This SEE will have a major impact on the night sky and is not addressed in any way or discussed. We class the night sky as one of the major attractions and just as important as sunlight and shadow when being considered in any planning decision.

CONCLUSION

We would strongly ask that SEE be reconsidered very carefully as infilling could ruin the character of the area while the development could also overwhelm the area. Assumptions should not be considered in the SEE Proposal as these should be teased out before any consideration is given.

Please take this notice as a strong objection to the development and further consultation is requested. We would like the questions raised within this proposal to be addressed by the Council.

SCANNED

OBJECTION

Penrith Shire Council

Date Received: 19/04/21

To Development Application REV/0002/2021
 65 FOORD ROAD RUN O WATERS NSW 2580
 REVIEW OF DETERMINATION OF MODDA/0033/2021

This letter of objection has been raised on behalf of the below persons who reside at 63 Knowlman Road, Run O Waters:

- Ms Marilee Farrer and Mr David Moufarrege – 63 Knowlman Road, email: davemouf@gmail.com ph:0438816023

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To express and register our strong objection to the proposed Development Application REV/0002/2021.

Initial concerns:

- The lack of initial transparency surrounding MOD DA/0073/1920 to MOD/0066/1718 to DA/0437/0607 with no reference to DA/0378/1819.
- The effect and impact of the rezoning on the area (this has been supplied in our previous objection) which is attached and remains applicable.
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BACKGROUND

At the end of 2019, an objection to DA/0378/1819 was made by several residence and this has not been referenced. We believe it is relevant to this submission as it does outline our initial and continued concerns with this proposal in the short and longer term.

Attached is our original objection and the concerns that we had and still do have as they relate to this proposal.

While REV/0002/2021 does not include the detail that was submitted back with DA/0378/1819 this proposal does not really differ in intent and goes as far to say that in the near future it could very well be the same as what was proposed in the earlier DA and therefore we strongly objected too it.

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While REV/0002/2021 has an intent to redevelop and I quote **“IT IS NOT INTENDED TO DEVELOP THE LAND FOR A DWELLING OR DWELLINGS IN THE SHORT TERM”** it immediately raises concerns, that being what is short term? Is it 2 months, 2 years, or 20 years and has anything really changed other than trying another method to get something over the line by not providing the detail that would be needed to move to the next stage.

REV/0002/2021 makes comment about Legal Access, Power lines and the Habitat Conservation. One could reasonably be expected that this would all be irrelevant if dwellings were not being considered in the short term. This may suggest short term is very short based on what transpired with

DA/0378/1819 and is another attempt in having something rezoned before moving to the next phase.

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Regards

M. Farrer


D. Moufarrege

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- Inadequate traffic management and infrastructure
- Sewer management
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We moved to this area (development) to solely escape residential living. We were informed prior to purchasing and investing in the area, that the lots proposed in the DA, were 25 acre lots, and that our views would not be interrupted. Knowing now what is proposed would have stopped us from building in the area and we would have looked at other alternatives. This type of infilling will ruin the character of the area and impact the visual outlook during the day and at night.

The proposed siting of the development is particularly ill-considered in that it is predominately on a greenfield site (all be it farming) and building here would diminish the striking views. The proposed design is out of keeping with the character of the area and while design issues might be solved by conditions or revised proposals, these will not remedy the siting problem. We also note the detracting of the area with what is going on in Bonnet Drive/Ducks Lane. In that Duplex's are being built and the attraction to living in this area when we have not had two Christmas's in our new home is of a concern.

IN SHORT

We disagree with the comment made in the Statement of Environmental Effects (SEE) in that the ecological values of the site can be retained and enhanced while enabling the land to be redeveloped. The SEE does not go into any detail in how this will be achieved, and we would argue that this is the contrary, as urban infill is a leading driver of land-use change, with important implications for biodiversity and ecosystem processes, and does not enhance the ecological values.

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A resident in Knowlman Road had to engage the assistance of the Federal Communications Minister to have a landline in December 2017 to receive a phone and poor ADSL internet as no communication cabling was provided on their side of the street. Was this lack of infrastructure is unacceptable.

The SEE makes comments about managed community open spaces but fails to show these. It also makes assumptions again about owned renewable energy and heating comments but fails to deliver on how this will be achieved or set any standards.

Furthermore, there is no need for this kind of development in this area.

CONCERNS

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The proposal does not adequately take any of the this into account.

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Is a concern for most of us as the rear of our blocks are in a natural water course and no real water management brief has been prepared and any proposed works could also impact on the rear of some of the blocks that are on the boundary.

Many of us have areas along the proposed boundary that does not allow us to build on and in fact have been fenced off due to the water course that flows at the rear of our properties after rain. This area forms part of the catchment area. One would also believe that similar restrictions would also apply to the DA.

A lack of information and works is missing. The other concern is what impact the works would have to our properties if the water course is changed, obstructed and or altered in any way.

Has it also been considered that the properties on the boundary all have Enviro Systems that flow into the water course at the rear of our properties and any impacts on water course changes and catchment impacts could impact on the systems and the catchment.

See photo below, which indicates the water course in the event of heavy down pours, if the water flow is not managed correctly it could lead to flooding not only for the proposed blocks but for the residents of Knowlman Rd and Chalker Ridge. During a recent rain event in January 2019, a number of residents along Chalker Ridge, and Knowlman Rd experienced flooding, to say that the excess what would be channelled into the existing water course or dams would lead to further flooding for the residents of Knowlman Rd and Chalker Ridge, as indicated by the photo below the dams are at full capacity and would be unable to cope with the extra water flow from a residential subdivision and there would be an impact on wildlife and stock that would be accessing water from dams as there could be the potential of contaminated water from run off storm water from the residential development.

If the current Flood Plain Mitigation Study has not been completed by Council, consideration needs to be given to the inclusion of this proposal and the Shannon Drive subdivisions as to how flooding would be mitigated and how the residents would be advised of their potential risk of flooding and the impact on flora, fauna and livestock.

**Other utilities****Telephone and Internet services**

As stated in the proposal "The recently completed Meadows subdivision to the south included the extension of gas and telecommunications into Pockley Road". Telecommunications is not a viable option in some properties on Chalker Ridge, some properties have required high gain aerials to access both phone and internet services at a cost of more than \$2,000 for an aerial with Telstra Broadband or NBN not available to any properties within the Run-O-Waters area due to not enough data ports. How will this be improved? Will NBN be rolled out to all of Run-O-Waters including this new proposed area? If these services are to come from Pockley Road then there is insufficient infrastructure to meet the current demands.

The proposal states there are sufficient services available, evidence needs to be provided from the suppliers confirming this as when speaking to the providers they advise that telephone, Broadband or NBN services are not available to all properties.

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It states as part of the proposal that there will be a pole mounted transfer located in Knowlman Rd, further detail of the location and size of this transformer needs to be supplied to the residents of Knowlman road so they can adequately address their concerns. Consideration needs to be given to underground power supply.

Covenants

The proposal does not outline if there would be covenants on the proposed lots, if so would this be consistent with the area and the "Rural Lifestyle" would hinge joint fencing be maintained and what restrictions would be placed on having domestic animals as they could have an impact on the flora and fauna in the area, there already has been a number of instances of dog attacks on livestock and native wildlife. I think further detail of the covenants for the proposed area needs to be provided for the consideration of existing residents.

Noise

The increased noise associated with this type of proposed living and the increased noise associated with traffic does not contribute to a Rural Lifestyle but detracts from it. This has not been addressed in the SEE.

Rubbish

No rubbish management system has been discussed in the SEE or long-term management plans. Concerns are that the corridor between the proposed development and properties that share the boundary could become a corridor for waste disposal.

Trees

The SEE makes comment that no trees will be removed and that any trees that are to be removed will be part of another DA. Concerns are that the trees that boarder our property need to be managed and if required replaced and not subject to any removal. An upkeep plan has not been prepared.

Potential impact of lighting from proposed subdivision

As part of the Bonnett Drive subdivisions down to 2000sqm lots the developer had to put in street lighting and curb and guttering, the lack of detail within the proposal does not outline whether this would be part of the development application. If street lighting was to be put in it would have a significant impact on the existing residents of Chalker Ridge and Knowlman Road. This needs to be clearly identified as to the location and number of streetlights that would be added.

We also note that no comment is made about the loss of night sky (light pollution). One of the characteristics of rural living is the night sky that we enjoy. This SEE will have a major impact on the night sky and is not addressed in any way or discussed. We class the night sky as one of the major attractions and just as important as sunlight and shadow when being considered in any planning decision.

CONCLUSION

We would strongly ask that SEE be reconsidered very carefully as infilling could ruin the character of the area while the development could also overwhelm the area. Assumptions should not be considered because of what they are and do not show any commitment to the area except for pure business reasons.

Please take this notice as a strong objection to the development and further consultation is requested. We would like the questions raised within this proposal to be addressed by the Council.

From: Chris Lockett <clockett77@gmail.com>
Sent: Sunday, 18 April 2021 9:25 AM
To: Council
Cc: Shanelle Lockett
Subject: SUBMISSION TO DA REV/0002/2021
Attachments: Planning Rebuttle.docx

Categories: Paul, IT Check Complete

Good morning,

We wish to advise council of our objection to the Proposed Development Application REV/0002/2021, 65 Foord Road, Run-O-Waters.

Our grounds and reasons are based on our original objection to DA/0378/1819. We encourage council to peruse the objections outlined in the above original DA to assist them in determining this second DA.. (Please see attached rebuttal to the original DA)

If we can be of any further assistance, please don't hesitate to call us on 0412214401 or 0402481759.

Kind regards,

Chris and Shanelle LOCKETT
47 Knowlman Road
Run-O-Waters

OBJECTION**To Development Application DA/0378/1819****Procedural Subdivision of Lot 10 DP 625626 Lot into 2 Lots and Concept Approval for Subdivision to Create a Community Title Scheme with 92 Residential Development Lots and Community Association Lot Containing Open Spaces Areas And Wildlife Corridors.**

This letter of objection has been raised on behalf and in consultation with the following residents:

- Mr Christopher and Shanelle Jane LOCKETT – 47 Knowlman Road, Run-O-Waters, email clockett77@gmail.com. Ph 0412214401 / 0402481759

PURPOSE

To express and register our strong objection to the proposed Development Application DA/0378/1819 (DA) to create a community title scheme for 92 residential development lots.

Initial Concerns:

- The lack of detail in the DA
- The detracting of rural living by creating 92 residential lots
- Inadequate traffic management and infrastructure
- Sewer management
- Water management
- Other utilities
- Covenants
- Noise
- Rubbish
- Trees
- Infrastructure Upgrades.
- Potential impacts of lighting from proposal

BACKGROUND

We moved to this area (development) to solely escape residential living. We were informed prior to purchasing and investing in the area, that the lots proposed in the DA, were 25 acre lots, and that our views would not be interrupted. Knowing now what is proposed would have stopped us from building in the area and we would have looked at other alternatives. This type of infilling will ruin the character of the area and impact the visual outlook during the day and at night.

The proposed siting of the development is particularly ill-considered in that it is predominately on a greenfield site (all be it farming) and building here would diminish the striking views. The proposed design is out of keeping with the character of the area and while design issues might be solved by conditions or revised proposals, these will not remedy the siting problem. We also note the detracting of the area with what is going on in Bonnet Drive/Ducks Lane. In that Duplex's are being built and the attraction to living in this area when we have not had two Christmas's in our new home is of a concern.

IN SHORT

We disagree with the comment made in the Statement of Environmental Effects (SEE) in that the ecological values of the site can be retained and enhanced while enabling the land to be redeveloped. The SEE does not go into any detail in how this will be achieved, and we would argue that this is the contrary, as urban infill is a leading driver of land-use change, with important implications for biodiversity and ecosystem processes, and does not enhance the ecological values.

Comments about adverse impacts can be appropriately managed, is not acceptable. Full disclosure needs to be made to inform us of any adverse impacts and if the proposed methods of management will, in fact, reduce any associated risks and if the risks are in line with standard risk management principles.

Assumptions made in the proposal about the DA being in the public's best interest is another assumption as it can be argued that it is not in the best interests of those who have bought in the area and who disagree with the SEE and DA.

Comments about the urban development not detracting from rural living is also concerning. This type of development will impact rural living in many ways and is contradictory. We are miffed as to how 92 residential blocks (irrespective of what description they are given) that we will overlook can contribute to rural living. If anything, it detracts from it.

The lack of information around comments made about the cost-effective provision of services, and utilities that will not be impacted on, does not provide us with any information. This needs to be explained in full as it does not elaborate on how or what. We believe telecommunications will be one thing that will be affected, there are not enough data ports within Run-O-Waters to cope with the existing estate and many residents are not able to obtain a home phone line, NBN or Broadband services. The other concern would be the impact on together with stormwater and traffic management.

A resident in Knowlman Road had to engage the assistance of the Federal Communications Minister to have a landline in December 2017 to receive a phone and poor ADSL internet as no communication cabling was provided on their side of the street. Was this lack of infrastructure is unacceptable.

The SEE makes comments about managed community open spaces but fails to show these. It also makes assumptions again about owned renewable energy and heating comments but fails to deliver on how this will be achieved or set any standards.

Furthermore, there is no need for this kind of development in this area.

CONCERNS

The SEE while it outlines many things and addresses specific council needs to get its proposal across the line such as:

- Aboriginal heritage
- Bushfire risk
- Construction impacts
- Ecological impacts, (Native grasses and wildlife corridors)

It fails in many areas to outline how other matters will be addressed or managed, other than saying they can be effectively managed. Comments like this are of concern.

SEE Lack of Detail

As commented the proposal lacks detail and fails to address many matters and makes assumptions. These assumptions can not be considered as they do not address how risks will be managed and if risks associated with this SEE can be managed or mitigated in a suitable manner.

While the SEE does describe blocks as 92 rural residential blocks it also refers to them as residential blocks and this is of concern especially with no restrictions outlined on what could or would be built.

Detraction of Rural Living

This development can only detract from rural living. Currently we have country views. How does 92 rural residential blocks, as described in the SEE contribute to rural living when we would be faced with views of roofs and backyards. This can only be described as impacting on rural living lifestyles. This together with light pollution, increased noise, traffic etc detract from rural living.

Inadequate Traffic and Road Infrastructure

The proposed road system does not sufficiently address the increased traffic use along Pockley Road and Ducks Lane. A visual risk assessment has been conducted and the increased congestion near Bunnings all the way through to Pockley Road will make it a dangerous road. Currently traffic cuts the corner at the intersection of Pockley and Ducks Lane and the increased traffic will only add to the increase chance of an accident. The road noise is also a matter that needs to be considered and not just with those who have property adjoining the proposed development but the wider community. I do not believe this has been addressed.

It should be noted that the visual risk assessment did identify how busy it gets around the Caltex Petrol Station especially over weekends, holidays and the ski season.

Based on the average Australian household having 2.24 vehicles as per the Australian Bureau of Statistics Census and adding a proposed 92 houses as outlined in the DA some 206 additional vehicles will impact the area. This does not include vehicle trips or multiple trips. This will inevitably impact on Ducks Lane and Pockley Road.

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SYDNEY 02 9387 2600

Level 27, 680 George Street Sydney NSW 2000

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Sydney | Brisbane | Canberra | Darwin | Melbourne | Perth

ABN 56 003 853 101

19 March 2021

Mr Warwick Bennett
General Manager
Goulburn-Mulwaree Council
Locked Bag 22
Goulburn NSW 2580



Via email: Warwick.bennett@goulburn.nsw.gov.au; council@goulburn.nsw.gov.au

Copy Uploaded to Planning Portal 19 March 2021

Dear Mr Bennett

Request for Review of Determination – MOD DA/0033/2021 to (MOD DA/0073/1920 to MOD/0066/1718 to DA/0437/0607)

The letter has been prepared by Elton Consulting on behalf of Stewart and Jane Thompson to support a formal request for a Review of Determination of a Modification under Division 8.2 of the *Environmental Planning and Assessment Act, 1979*.

The Modification was prepared by Southern Cross Surveyors and dated 22 September 2020 was determined under delegated authority by Mr Chris Hargood, Team Leader Development Assessment by way of refusal on 20 November 2020.

Under section 8.3(4) the review of a determination made by a delegate of a council is to be conducted by either the council, or another delegate of the council who is not subordinate to the delegate who made the determination. In this instance, we confirm that, based on correspondence via email dated 10 March 2021 from you to Mr Thompson, the review will be determined by the Council.

This letter sets out the scope of the Modification proposed in the original application (attached) which outlined a number of conditions of consent that are considered onerous, unnecessary or have no work to do in the context of the subdivision. We have added additional commentary as to the reasoning and justification for omission or modification.

The letter also addresses the reasons for refusal themselves, providing a comment against each of these, again in the context of the proposal.

Modification

The Modification was conceived following the adoption of the Urban and Fringe Housing Strategy (UFHS). The UFHS has included the site as an opportunity for serviced residential land, providing a western front for urban development adjoining the existing residential area (refer **Figure 1**). The reasoning in the UFHS is to avoid fragmentation of this area into unserviced 2ha lots which would make future re-subdivision difficult and likely unfeasible.

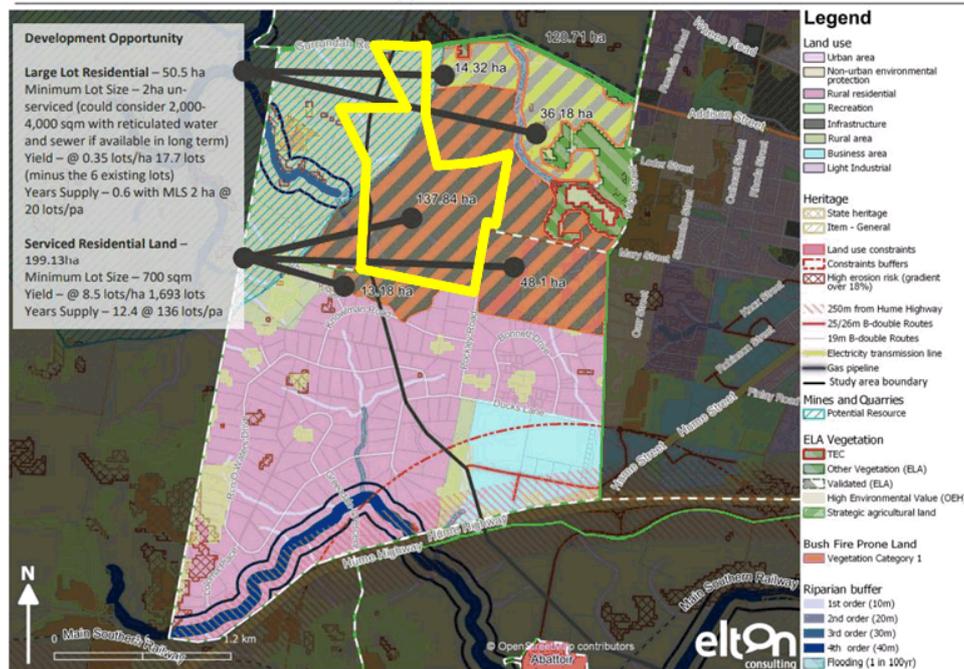
While it is acknowledged that the site would still need to be subject to a Planning Proposal to rezone the land to accommodate residential development, the inclusion of the land in the UFHS provides a level of security not previously enjoyed on the site.

1



Figure 1: Subject Site (extract UFHS)

1/2 - Run 'O' Waters constraints and opportunities



Source: GMC, UFHS, 2020.

The Modification to which this review applies does not propose to alter the approved layout (refer **Figure 2**), rather recognises the opportunity created through the UFHS for the proposed subdivision of Lot 10 DP 625626 to be considered as two 'super lots' for future rezoning and ultimately serviced urban development. Based on this premise it is not intended to develop the land for a dwelling or dwellings in the short term. To this end, the land owner would consider the inclusion of a restriction on the title to prevent a dwelling on proposed Lot 2, although we believe that this is unnecessary given that a dwelling would itself require a Development Application and the formalisation of access arrangements could be required at that time.

In addition to the UFHS, since the original approval in 2007, the documentation by Southern Cross Surveyors includes the following observations:

- » *Pockley Drive has been created and constructed and provides legal access to the south eastern corner of proposed Lot 2. Day to day access to proposed Lot 2 is through existing internal tracks within the subject property.*
- » *Power lines have been extended along Keating and Pockley Roads thus providing power to proposed Lot 1 and Lot 2 respectively.*
- » *The Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007) has been protected by the installation of exclusionary fencing (Condition 14). This was constructed prior to the lapsing of the original development consent and was identified by Council as evidence that the original consent had not lapsed.*

Refer MOD MODDA/0033/2021 prepared by Southern Cross Surveyors.



Figure 2: Modified Subdivision Plan



Source: Southern Cross Consulting Surveyors



Validity of conditions

The legal test of validity of conditions of consent is found in the *House of Lords decision of Newbury District Council v Secretary of State for the Environment [1981] AC 578*. This authority espouses three basic tests for valid conditions:

- (i) Conditions must be for a planning purpose;
- (ii) Conditions must reasonably relate to the development to which they are addressed; and
- (iii) Conditions must themselves be reasonable.

Accordingly, in (i), a condition must be for a planning purpose - generally, if a condition can be tied to a matter arising under s4.17(1), it will be for a planning purpose. The Courts have traditionally given a wide interpretation to the notion of a 'planning purpose'.

In (ii) where the condition must relate to the development - there must be a nexus or very clear relationship between the development and the condition. Further, the condition must have work to do. Conditions that pre-empt an impact of a yet to be lodged application, for example condition 3 of the subject consent (see below) are considered invalid as the nexus cannot be clearly made.

In (iii), the condition must be reasonable - the Court has found conditions that have no nexus to the development, or which are contrary to the public interest, to be unreasonable and have declined to impose the condition.

Conditions to be modified

The application requested that the modification and/or deletion of Condition Nos. 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 18, 19, 20, 21 (a), (b) and (c), 25 and 26 from MOD DA/0073/1920. The reasoning for the modification or deletion of the conditions has been well established in the text of the application (this has been attached to the letter for reference). The additional comments are made and should be read in the context of the information already provided.

Condition 3 – Effluent Management is not a condition relevant to land subdivision but a dwelling. The condition is unnecessary. It could be provided as advice on the consent rather than a condition.

Conditions 4 and 5 – Unnecessary, does not relate to the proposal.

Condition 6 - Unnecessary, no construction is required. It is inanimate.

Condition 7 – Relates to legislation that has been repealed. The subdivision application does not propose clearing of vegetation. Current legislation applies and will operate, where necessary regardless of the subdivision application.

Condition 8 – It has been established by the court that this is advice, not a condition that can be implemented or acted on. As with comment on Condition 7, the legislation operates outside the EP&A Act.

Condition 12 – Access to proposed Lot 2 – refer Modification documentation (refer **Figures 3 and 4**).



Figure 3: Termination of Pockley Road



Figure 4: Internal track





Condition 13 – Access to proposed Lot 1 - refer Modification documentation (refer **Figure 5**). We would reiterate that the legal access has already been established. The opportunity for Council to formalise the construction of the access consistent with the most recent development standards can be achieved through a future DA for a dwelling.

Condition 14 – has been complied with under the previous consent.

Condition 18 – Only becomes critical at dwelling stage. Given the future residential land zoning opportunity, undertaking costly engineering works that will be superfluous in the short to medium term is onerous.

Condition 19 – as above.

Conditions 21 (a) (b) & (c) - While electricity is essential infrastructure is not in dispute, the requirement of the provision as framed in the conditions 21 (a) and (b) that it must be provided by the existing networks and provided to each lot is onerous. In the first instance, the site is not remote. As noted above, electricity is available adjacent to the site. Connection will not be problematic, however, providing poles and wire at this stage, given the potential urban development is premature and unnecessary. Further, it is now well accepted practice on rural land, that alternative electricity generation systems/options are available.

Condition 25 – refer Modification documentation.

Figure 5: Gurrundah Road Access





Reasons for Refusal

The reasons for refusal are outlined below:

Reasons for Refusal:

1. The proposal does not satisfy Part 1 Section 1.3(c) of “the Act” as it does not to promote the orderly and economic use and development of land.
2. The proposal does not satisfy Part 1 Section 1.2 of the Goulburn Mulwaree Local Environmental Plan 2009 “GM LEP 2009” as it does not promote and co-ordinate the orderly and economic use and development of land in the area.
3. The proposal would result in adverse environmental impacts as it proposes the removal of environmental controls required to ensure that the development if carried out will not have an adverse impact on the environment.
4. The proposal seeks removal of provisions that ensure the proposed lots which attract dwelling entitlement when created will be appropriately serviced by electrical utility infrastructure.
5. The proposal having regard to the provisions of Section 4.15 of “the Act”, is considered to be unsatisfactory and therefore, is not in the public interest.

Comment – in relation to reasons 1 and 2 we hold an opposing view. In the context of the recently adopted UFHS the proposal will facilitate the orderly and economic delivery of the site. It is difficult to understand how proposed rural lots of this size on land zoned for rural purposes with a 10ha minimum lot size could inhibit orderly and economic development of the land.

In relation to reason 3, the ‘environmental’ controls have no work to do. No other land uses or construction is proposed. Further, the relevant *Biodiversity Conservation Act* and *National Parks and Wildlife Act* continue to operate outside the EP&A Act. Controls in relation the effluent disposal are not matters for the subdivision as the works are only triggered by a DA for a dwelling.

In relation to reason 4, fixed electricity is available adjacent to the site if required for future residential subdivision and development. Alternative electricity supply options have been accepted as a reasonable solution for rural land.

In relation to reason 5, section 4.15 relates to the evaluation of a DA. Reasons of refusal must be clear and transparent. This reason is considered too broad to be a genuine, defensible reason to refuse any development application.

Conclusion

The subject land is now a key development site on the western edge of the existing urban area of Goulburn. The land is zoned RU6 Transition with a 10ha minimum lot size under the Goulburn Mulwaree LEP 2009. The land owners are looking to ensure that the property can be efficiently titled into two lots of approximately 60ha and 40ha that will satisfy personal succession planning outcomes and also create distinct super lots in preparation for a future rezoning application consistent with the UFHS adopted by Council and endorsed by the NSW Department of Planning Industry and Environment. The proposal meets the objectives of the RU6 zone.

The request to modify the development consent is reasonable and well-articulated. Your review of the determination is therefore sought.



Thank you for your consideration of this matter. Should you require further information as to any of the matters raised above, please contact the undersigned.

Yours sincerely

A handwritten signature in blue ink that reads "Nita Scott".

Nita Scott
Senior Project Manager
nita.scott@elton.com.au

About Elton Consulting

We've been delivering trusted advice, contemporary services and practical solutions to government, the private sector and community organisations for more than 25 years.

We work strategically and collaboratively to make a difference to cities and regions, communities and organisations.



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Your Ref: MOD/0073/1920

Our Ref: 21043

22 September 2020

The General Manager
Goulburn Mulwaree Council
Bourke Street
Civic Centre
GOULBURN NSW 2580

Dear Sir,

Re: Application for Modification of Conditions of an Approved Two (2) Lot Subdivision

Council Ref: MOD/0073/1920

Site Address: 65 Foord Road, Run-O-Waters

Title Details: Lot 10 DP625626

Registered Proprietors: Stewart Sidney and Dorothy Jane Thompson

We refer to the above and advise that we act for the registered proprietors in this matter and have been instructed to prepare and lodge with Council a request for modification of the most recently issued modified consent.

The request for the modification relates to the evolution of the LEP since the issue of the original development consent and the re-visiting of conditions of consent that relate to the original and subsequent modified consents. The modification is sought to reflect changes available under current planning opportunities and, at the same time, to maintain and preserve current planning approvals.

Lot sizes and layout approved vid MOD DA/0073/1920 are to remain unaltered. The land will continue to be used for extensive agriculture - this is a permitted use under the LEP.

The conditions of approval contained in MOD DA/0073/1920 imply a higher land uses which require further consent from Council. In this respect, Council's determination described the proposed development as a subdivision to create two rural residential lots. Now, as result of a reduction in minimum lot sizes in the zone since the original development consent, Lots 1 and 2 are more suitably regarded as 'super' lots. The 'super' lots have further development opportunities under current zoning opportunities.

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Our client submits that the most recently issued modification consent includes items that have been overlooked and inconsistent with the intended and desired development outcomes and now seeks modification and/or deletion of Condition Nos. 3,4, 5, 6, 7, 8, 11, 12, 13, 14, 18, 19, 20, 21 (a),(b) and (c), 25 and 26 from MOD DA/0073/1920.

The intention of the current modification is for succession planning purposes to create two (2) parcels - Lot 1 in this proposed modification (approx. 60 hectares) and Lot 2 (approx. 40 hectares). Each of the parcels will continue to be used for grazing purposes for the conceivable future with no construction proposed.

Since the original approval dated 14 August 2007, the following relevant events have occurred:

- Pockley Drive has been created and constructed and provides legal access to the south eastern corner of proposed Lot 2. Day to day access to Lot 2 is through existing internal tracks within the subject property.
- Power lines have been extended along Keating and Pockley Roads thus providing power to Lot 1 and Lot 2 respectively.
- The Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007) has been protected by the installation of exclusionary fencing (Condition 14). This was constructed prior to the lapsing of the original development consent and was identified by Council as evidence that the original consent had not lapsed.

We accordingly submit the following for attention appurtenant to the attached modification application:

Condition 3 states: The wastewater and effluent management for the proposed lots must be consistent with the recommendations of the *On-site Wastewater Management Study* prepared by Sowdes Pty Ltd dated 25 March 2007.

Comment: It is submitted that Condition 3 requires modification. In this respect, our letter to Council of 14 February 2020 states that Lot 2 ‘.....is to be regarded as a ‘super lot’ for which no dwelling approval is sought in this consent’.

Consequently, it is submitted that this condition should be modified to state: ‘The wastewater and effluent management for proposed **Lot 1** must be consistent with the recommendations of the *on-site Waste Water Management Study* prepared by Sowdes Pty Ltd dated 25 March 2007’.

Condition 4 states: A Soil & Water Management Plan (SWMP) is required for works associated with the new public road and right of carriageway proposed as part of the subdivision. This plan is to be prepared by a person with knowledge and experience in the preparation of such plans and is to meet the requirements outlined in Chapter 2 of the NSW Landcom’s *Soils and Construction: Managing Urban Stormwater (2004) Manual* - the ‘Blue Book’. The SWMP is to be submitted to Council for approval prior to commencement of works.

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Comment: No public road has ever been required as part of this proposal and the need for a right of carriageway was extinguished vide MOD/0066/1718. It is submitted that this condition is not necessary and should be deleted.

Condition 5 states: Effective erosion and sediment controls are to be installed prior to any construction activity including site access in accordance with the approved SWMP, the controls must prevent sediment entering drainage depressions and watercourses, and are to be regularly maintained and retained until works have been completed and groundcover established.

Comment: No public road has ever been required as part of this proposal and the need for a right of carriageway was extinguished vide MOD/0066/1718. No construction works are required and it is submitted that this condition is not necessary and should be deleted.

Condition No. 6 states: Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land as follows:

- Divert uncontaminated run-off around cleared or disturbed areas; and
- Erect a silt fence to prevent debris escaping into drainage systems or waterways; and
- Prevent tracking of sediment onto roads, and stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted.

Condition No. 7 states: All relevant approvals under the Native Vegetation Act 2003 are to be obtained for the clearing of remnant vegetation or protected regrowth, which requires the approval of the Catchment Management Authority. Any clearing that is not exempt will require approval of the Southern Rivers Catchment Management Authority (CMA) under the Native Vegetation Act 2003.

Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted.

Condition 8 states: In the event that any Aboriginal artefacts/objects are identified on the subject land during the carrying out of works, the applicant/owner/builder shall cease work immediately in the vicinity of the artefact(s) or object(s) and contact the Department of Environment and Conservation at Queanbeyan (NSW National Parks and Wildlife Service) (Tel 02 6298 9736 or 0417 270 415) and Pejar Aboriginal Land Council (Tel 4822 3552) to arrange for the assessment of the artefacts.

All work associated with the proposed subdivision must be sited to avoid impact on the Aboriginal sites recorded within the proposed subdivision by Pejar LALC.

Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted.

Condition 11 states: Any table drains and verges along the access ways are to be vegetated to mitigate against any sediment transport. Swales are to be stabilised

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immediately following constructing with a geotextile matting such as jute matting and over-sown with grass. Swales are to have outlets stabilised with riprap to dissipate concentrated flows.

Comment: No construction works are proposed in this development and it is submitted that this condition is not necessary and should be deleted.

Condition 12 states: The gateway access to proposed Lot 2 is to sealed from the edge of the bitumen to the gate and constructed in accordance with Council's standard drawing.

Comment: Lot 2 is proposed for future development and is to be regarded as a 'super lot' to align with future residential requirements identified in Council's urban and fringe housing expansion strategy. As part of this application, its intended use is for on-going agricultural purposes and is to be accessed internally. It therefore does not require a gateway for regular access purposes to Pockley Drive. Until such time that the strategy has been legislated, there is no intention to either erect a dwelling upon or dispose of the lot. This was addressed in our letter to Council dated 14 February 2020 whereby Lot 2 '.....is to be regarded as a 'super lot' for which no dwelling approval is sought in this consent'.

The subject access to proposed Lot 2 currently provides emergency access for the Parkesbourne rural fire service and meets their standards for moving tankers into the Run-O-Waters estate. Council also uses the access to monitor and maintain their water main which passes through the site. In so doing, there has never been any suggestion from Council that the access requires upgrading.

Although the land has been identified in the housing strategy as 'future residential', Lot 2 is a rural lot and will continue to be used for grazing for the foreseeable future with no construction or dwelling approval sought.

Further to the above, the subject gateway is a legacy of the construction and opening of Pockley Drive. It would appear that it met the development requirements for that consent at the time, and as such, construction of the access was not necessary until any future development of Lot 2 is proposed.

The existing gateway is across a public road administered by Council (ie. the internal road within the subject site is not a Crown road). Transfer from the Crown to Council took place under the provisions of Section 151 of the Roads Act 1993 and was notified in Government Gazette dated 2 February 2004.

To align with the purpose for the creation of Lot 2, construction of the access way is not necessary and should be deleted.

Condition No. 13 states: The gateway access to proposed Lot 1 is to be sealed from the edge of the bitumen to the gate and constructed in accordance with Council's standard drawing at the location of the existing gate.

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Comment: As result of a reduction in minimum lot sizes in the zone subsequent to the original development consent, proposed Lot 1 possesses potential for additional lots attracting dwelling entitlements. Whilst Lot 1 would attract a dwelling entitlement, approval for the subject lot is not sought for dwelling purposes but is to be regarded as a ‘super’ lot which can be further subdivided into dwelling lots at some future stage.

Further, there is already a gateway access off Gurrundah Road to Lot 10 DP625626 which was constructed from an earlier approved subdivision that created that lot.

In light of the above, it is submitted that this condition is not necessary and should be deleted.

Condition 14 states: The Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007), Figure 5, is to be identified and protected by the installation of exclusionary fencing.

Exclusionary fencing is to consist of the following standard:

- 70/90/30 strong line ring lock and one barbed wire;
- Strainers are to be installed at all angles and ends;
- Strains of no greater than 200m lengths are to be undertaken with steel posts placed at five (5 metre intervals).

The construction of the exclusionary fencing must be completed to Council standards prior to the release of the *Subdivision Certificate*.

Comment: The Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007) has already been protected by the installation of exclusionary fencing. This was constructed prior to the lapsing of the original development consent and was identified by Council as evidence that the original consent had not lapsed.

It is submitted that the condition should thus read:

‘The exclusionary fencing of the Habitat Conservation Zone identified in the Environmental Assessment (Flora and Fauna) by Woodlands Environmental Management (dated March 2007) is to be maintained’.

Condition 18 states: The access from the road to the gate of each lot shall be constructed to a Council standard at a location approved by the director of Engineering Services.

Comment: In light of the purpose of the proposed lots, it is submitted that this condition is not necessary and should be deleted.

Condition 19 states: The entrance gateways are to be set back from the road boundary fence line in accordance with Council’s standard, and at a location determined by the Director of Engineering Services. All work is to be carried out prior to the issue of a *Subdivision Certificate*.

Comment: In light of the purpose of the proposed lots, it is submitted that this

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condition is not necessary and should be deleted.

Condition 21(a) and (b) state: Electricity in respect of the proposed lots at high or low voltage, is to be:

- (a) available in sufficient capacity from the existing high voltage distribution;
- (b) provided to each lot.

Comment: Electricity is already available to both proposed lots from existing public road reserves. An *Essential Energy* power pole is located about 7 metres westerly from the boundary of proposed Lot 1 and within the Keatley Road reserve whilst a power pole is located southerly and less than 100 metres from the southern boundary of proposed Lot 2 and within the Pockley Road reserve. It is noted that these electricity supplies were extended subsequent to the issue of the original development consent.

The provision of an additional power pole on Lot 1 to satisfy an existing out-dated electricity supply requirement, when there is a pole immediately adjacent (refer above) results in unnecessary duplication of effort and costs with the likely future development of that lot.

In light of the urban and fringe housing expansion strategy, extension of the *Essential Energy* network to align with Council requirements to provide electricity to the boundary of Lot 2 is unnecessary to with regards to the intention of the applicant. In this regard your attention is again drawn to our letter to Council dated 14 February 2020, whereby Lot 2 ‘.....is to be regarded as a ‘super lot’ for which no dwelling approval is sought in this consent’.

Inclusion of Conditions 21(a) and (b) in the development consent is unnecessary and it is submitted that this condition should be deleted.

Condition 21 (c) states: Electricity in respect of the proposed lots at high or low voltage is to be covered by an easement(s) as required by and in favour of Country Energy on the final subdivision plan.

Comment: No power lines traverse the development site and none are proposed (refer Condition 21(a) and (b) above) - it is submitted that this condition should be deleted.

Condition No. 25 states: There is to be a public positive covenant under Section 88E of the Conveyancing Act 1919, the prescribed authority being the Sydney Catchment Authority, placed over proposed Lot 2 requiring all waste water to be treated to a secondary level as a minimum.

Comment: Lot 2 is to be created a ‘super’ lot and a dwelling is not proposed. It is submitted that this condition should be deleted.

Condition No. 26 states: Each lot in the subdivision is to be numbered in accordance with Council’s adopted and implemented rural addressing systems.

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The applicant is to pay Council the amount of \$192 (at the rate of \$96 (17/18 financial year) [GST inclusive] for the Council to place the rural address number at the entrance to each lot in the subdivision.

The rural address number is to be submitted for approval and is to be indicated on or as an attachment to the final plan of subdivision prior to release.

Comment: The lots will continue to be part of property known as 'No. 65 Foord Road'. No separate lot numbers are required. It is submitted that this condition should be deleted.

The above conditions are submitted to Council for modification with regards to the most recently issued modified development consent.

Recent emailed correspondence has indicated that the application needs to be notified to neighbours etc. Since the original development application did not require notification, we are not convinced that the subject proposal requires notification or advertising.

This rationale is deduced from Council's 'Community Participation Plan' where, with regards to modifications made under Section 4.55 (1A) (as per the subject application) of the EP&Act it is stated:

'No requirement, unless the original development was approved by the Court on appeal, where the court must be notified in addition and the same notification/advertising method used as for the original development.'

Should you wish to discuss the above please contact our Gilbert Flood. In the meantime, we look forward to a timely determination of our clients' review.

Yours faithfully,



SOUTHERN CROSS CONSULTING SURVEYORS

15.2 COUNCILLOR REMUNERATION 2021/2022

Author: Brendan Hollands, Director Corporate & Community Services

Authoriser: Warwick Bennett, General Manager

Attachments: 1. **Circular 2021_22 Determination of the Local Government Remuneration Tribunal** [!\[\]\(41ce11edeec1381a4e9c966de16a76b8_img.jpg\)](#) [!\[\]\(a32731de486cc8e95d82051d4a315628_img.jpg\)](#)

Link to Community Strategic Plan:	Delivery Plan Action CL1.2 - Ensure the long term financial sustainability of Council through effective and prudent financial management (CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community)
Cost to Council:	Councillor remuneration is funded in the 2021/22 budget.
Use of Reserve Funds:	N/A

RECOMMENDATION

That:

1. The report from the Director Corporate & Community Services in relation to Councillors' 2021/22 Remuneration be noted
2. The annual Councillor and Mayoral fee be increased to \$20,690 and \$45,140 (respectively) effective from 1 July 2021 in accordance with the Local Government Remuneration Tribunal Annual Report and Determination of 23 April 2021.

BACKGROUND

The purpose of this report is to determine Councillor fees for 2021/22 in accordance with a recent determination of the Local Government Remuneration Tribunal.

REPORT

Annual fees for Councillors are fixed in accordance with s248 *Local Government Act 1993* i.e. –

- (1) *A council must pay each councillor an annual fee.*
- (2) *A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- (3) *The annual fee so fixed must be the same for each councillor.*
- (4) *A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.*

The Mayoral fee (paid in addition to the Councillor fee) is similarly set in accordance with s249 of the Act.

As indicated above, the annual fee must be fixed in accordance with the appropriate determination of the NSW Local Government Remuneration Tribunal.

The Remuneration Tribunal, taking into account key economic data, all submissions received and the views of the assessors, determined that an increase of 2% in fees for Councillors and Mayors to be appropriate. The increases are effective on and from 1 July 2021.

The Tribunal's determination of 23 April 2021 provides for minimum and maximum fees for Mayors and Councillors is outlined below. Goulburn Mulwaree Council continues to be categorised as a Regional Rural Council.

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,190	41,340	172,480	226,960
	Major CBD	18,800	34,820	39,940	112,520
	Metropolitan - Large	18,800	31,020	39,940	90,370
	Metropolitan - Medium	14,100	26,310	29,950	69,900
	Metropolitan - Small	9,370	20,690	19,970	45,110
General Purpose Councils – Non-Metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370
	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s249(2)).

Council needs to consider whether or not to fix the annual fee in accordance with the determination of the Tribunal. If Council does not fix the fee then the minimum fee determined by the Tribunal will apply. In 2020/21, Council fixed the annual fee at the maximum permitted by the Tribunal.

Circular Details	21-06 / 12 May 2021 / A768995
Previous Circular	20-23 2020/2021 Determination of the Local Government Remuneration Tribunal
Who should read this	Councillors / General Managers
Contact	Council Governance / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Councils to Implement

2021/22 Determination of the Local Government Remuneration Tribunal

What's new or changing

- The Local Government Remuneration Tribunal (the Tribunal) has determined an increase of 2% to mayoral and councillor fees for the 2021-22 financial year, with effect from 1 July 2021.
- The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every 3 years under section 239 of the *Local Government Act 1993* (the Act). The Tribunal last undertook a significant review of the categories as part of its 2020 review and will next review these categories in 2023.
- The Tribunal found that the allocation of councils into the current categories continued to be appropriate having regard to the 2020 review, the current category model and criteria and the evidence put forward in the submissions received.

What this will mean for your council

- Sections 248 and 249 of the Act require councils to fix and pay an annual fee to councillors and mayors from 1 July 2021 based on the Tribunal's determination for the 2021-22 financial year.

Key points

- The level of fees paid will depend on the category the council is in.
- A council cannot fix a fee higher than the maximum amount determined by the Tribunal.
- If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

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Where to go for further information

- The Tribunal's report and determination is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Luke Walton
A/Deputy Secretary
Local Government, Planning and Policy

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15.3 STRONGER COUNTRY COMMUNITIES FUND

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. Letter to Mayor from John Barilaro MP regarding allocation for LGA for Stronger Country Communiites Round 4 [↓](#) 
 2. Southern Tablelands Football Association Lighting proposal [↓](#) 
 3. Goulburn Recreation Area Cattle Yard Roof Extension Quote [↓](#) 
 4. Bungonia Crown Reserve [↓](#) 

Link to Community Strategic Plan:	IN4 Maintain and update existing community facilities, and support the development of new community infrastructure as needed.
Cost to Council:	The State Government funding is for \$946,853 and application requests for under \$1M do not require matching Council funding. At least 50% of the funds available must be used for women’s sports with the balance for community and sporting infrastructure. The minimum project cost is \$50,000.
Use of Reserve Funds:	This report is recommending that \$100,000 be allocated from the Special Capital Projects Reserve

RECOMMENDATION

That

1. The report from the General Manager on the Stronger Country Communities Fund be received.
2. Council make application to the Stronger Country Communities Fund – Round 4 – for three project namely:-
 - Resurfacing of the netball courts at Carr Confoy – Estimated \$700,000
 - Emergency access, landscaping, toilets, signage and tiered seating at North Park- Approximately - \$350,000
3. That Council approves the addition of \$100,000 from the Special Capital Reserves Fund to supplement the \$946,853 allocated by the Stronger Country Communities Fund that will ensure the true intent of the State Government criteria for Women’s sport is fully supported by this Council and community
4. Council does not support, for this round of the Stronger Country Communities Fund, the funding of lights at Cookbundoon and North Park, a new pavilion at North Park, Bungonia Tennis Courts, the upgrade of the Netball amenities and cattle and sheep yard roof at the Goulburn Recreation Area.

BACKGROUND

The State Government is now seeking funding applications for Round 4 of the Stronger Country Communities Fund.

REPORT

The State Government is now seeking funding applications for the Stronger Country Communities Fund Round 4. Please find attached a letter from the Deputy Premier The Hon John Barilaro inviting Councils to apply for the funds allocated to this Council area, being \$946,853. \$50 Million has been allocated for projects that enhance female sporting facilities and increase female participation in sport. A further \$50 Million is available for other local community and sporting infrastructure. Applications close on the 25th June 2021.

The fund's guidelines specify that eligible projects under the Female Participation in Sport stream must directly improve and support participation and performance opportunities in female sports at all levels through enhanced infrastructure and programs. Focus areas include encouraging engagement, fostering a sense of safety, improving accessibility and boosting capability.

General community amenity projects must be for either:

- Construction of new, or upgrades to existing, local community infrastructure
- Capital works related to street beautification and other public places
- Programs that benefit the local community
- Infrastructure to assist the delivery of general community programs, and/or
- Infrastructure of community projects or programs which improve and promote accessibility and inclusion.

Assessment criteria for these funds include:

1. Viability - whether the project has a realistic budget and is considered value for money, can be delivered within two years and demonstrates effective operation and maintenance.
2. Community Support – has evidence of support through Council's Community Strategic Plan, online surveys, letters of support or other documentation. Engages with local, regional, state or national sporting organisations.
3. Aligns with Fund Objectives – clearly demonstrates that anticipated community benefits will directly contribute to the objectives of the fund. Female sporting facilities and programs aligns with at least one focus areas e.g. encouraging engagement.

The Goulburn Mulwaree Local Government Area allocation of \$946,853 is available to all applications by community and sporting groups and Council.

In past years the funding body has, at times, undertaken to fund part of the requested application amount. Applicants requesting over \$1M in grant funding for an individual project are required to make at least a 25% confirmed co-contribution to the project.

There are a number of projects that are requesting funding from this fund. They are:-

- Resurfacing and lights at the netball courts at Carr Convoy
- Replace/upgrade amenities building at Carr Convoy which is joint used by Netball and touch football
- New lights at Cookbundoon – see attached
- Extension of covered yards at Recreation Area – see quote attached
- New lights at North Park
- Emergency access, landscaping, toilets, park signage at North Park
- New pavilion at North Park
- Bungonia Tennis Courts – see attached

This report will be recommending that the following projects be promoted for funding from the Stronger Country Communities Fund Round 4:

1. Netball court resurfacing – Carr Confoy Park - \$700,000
The proposal is to fill in the depressions with a corrective course of asphalt and then a high quality asphalt coverage of the whole courts. Following that the courts will be acrylic surface painted and line marked. This work is being carried out in liaison with Netball NSW.
2. Emergency access, landscaping, toilets, signage and tiered seating at North Park - \$350,000

The work being recommended at North Park is a priority in the endorsed Master Plan and includes:-

- | | |
|------------------------------|-----------|
| ○ Moving emergency entrances | \$50,000 |
| ○ Landscaping | \$50,000 |
| ○ Toilet Facilities | \$193,000 |
| ○ Identification signage | \$7,000 |
| ○ Tiered seating | \$50,000 |

Please note that if Council approves these projects as recommended then an additional \$100,000 from Council own reserve funds will be required. The State Government also needs to be advised that if the full allocation to these projects is not made then Council reserves the right to review the scope to ensure affordability.



The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales
Minister for Industry and Trade

CM9 Ref: RVF21/665

Clr Bob Kirk
Mayor, Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580
E: council@goulburn.nsw.gov.au

CC: Mr Warwick Bennett, General Manager, warwick.bennett@goulburn.nsw.gov.au

Dear Clr Kirk

Stronger Country Communities Fund – Round Four

I am pleased to confirm the NSW Government's commitment to a new \$100 million Round Four of the Stronger Country Communities Fund (SCCF) as part of the recharged \$2 billion Regional Growth Fund.

The Fund was introduced by the NSW Liberal and Nationals Government in 2017. To date, the Fund has invested \$400 million into over 1,500 projects across every corner of regional NSW. These projects have boosted the liveability of the towns we call home.

Round Four will provide an additional \$100 million for community projects in regional NSW, including up to \$50 million for projects that increase female participation in sport and enhance female sporting facilities. This brings the total funding for the SCCF to \$500 million.

The funding available for projects in the Goulburn Mulwaree Local Government Area (LGA) is \$946,853.

Round Four is open to regional councils and Joint Organisations, eligible community organisations and Local Aboriginal Land Councils.

Funding will be allocated to projects that meet the program assessment criteria which includes Community Support, Viability and Alignment to the Program Objectives. It is strongly encouraged that applications totalling up to fifty percent of the Round Four funding allocation for each LGA are for projects that increase female participation in sport and enhance female sporting facilities. Council is encouraged to partner with community groups as the lead applicant where the project involves council owned infrastructure.

I encourage Council to start consulting with the community and preparing applications for Round Four as early as possible.

Round Four of the SCCF opened on 1 May 2021

Round Four of the SCCF opened to all eligible applicants on 1 May 2021 will close at 12pm on 25 June 2021.

How to apply

Visit <https://regionaldevelopment.smartygrants.com.au/SCCF4> to submit an application to the Stronger Country Communities Fund Round Four.

GPO Box 5341 Sydney NSW 2001 ▪ P: (02) 8574 5150 ▪ F: (02) 9339 5558 ▪ W: nsw.gov.au/deputypremier

Assistance to prepare applications

The Program Guidelines and other resources are available on the SCCF website at nsw.gov.au/sccf. A webinar will be held during the application open period to assist in application development.

Council is encouraged to work with the Department of Regional NSW to put forward eligible projects and/or programs that align with the program's objectives to boost the liveability of communities in regional NSW and remove barriers to female participation in sport.

Your local Business Development Manager is Rhonda Lawrie who can be contacted on rhonda.lawrie@regional.nsw.gov.au or 0407 960 667 to provide information on the program to assist you to develop applications.

Thank you for your support of SCCF for Rounds One, Two and Three. I look forward to seeing your community's Round Four project applications.

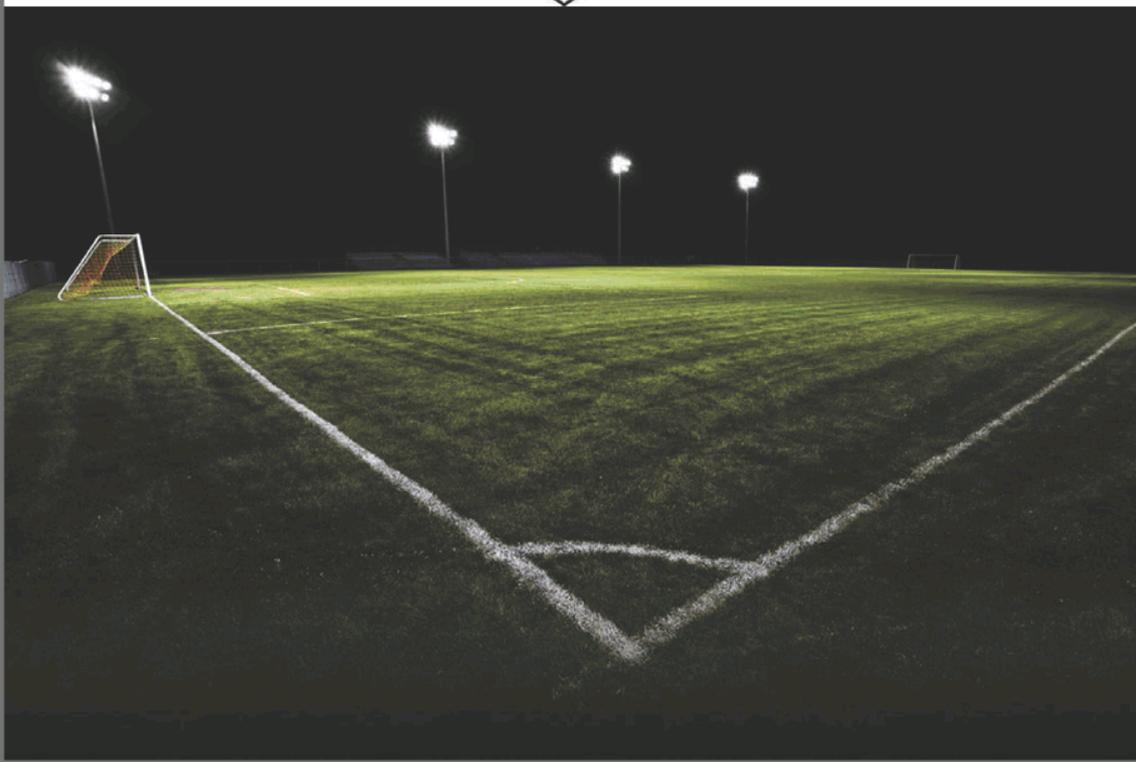
Yours sincerely



The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales
Minister for Industry and Trade

CC: The Hon. Bronnie Taylor MLC, Minister for Mental Health, Regional Youth and Women
CC: Mrs Wendy Tuckerman MP, Member for Goulburn

LIGHT UP FOOTBALL



The plan to light up Cookbundoon Sport round (CSG) has been discussed for many years as football continues to grow and the STFA continues to push ahead. Engaging with the wider footballing community, the need has become more important. Football currently uses the old Eastgrove South Park as its training base, but the sheer volume of players makes it somewhat impractical for most sides to train properly. An added bonus is Cookbundoon would not be affected by floods.

Installing lights at Cookbundoon will have an instant impact, allowing the local footballing community to train in a larger, more open area on a better quality surface than is currently available, have access to all their training equipment centrally located with the CSG sheds and be able to use the conference room for more detailed training.

- Host mid-week competition such as
- Ladies Social Football
- Over 35s community football
- Walking football (aimed at the over 50s)
- FFA Cup Matches
- NPL league games

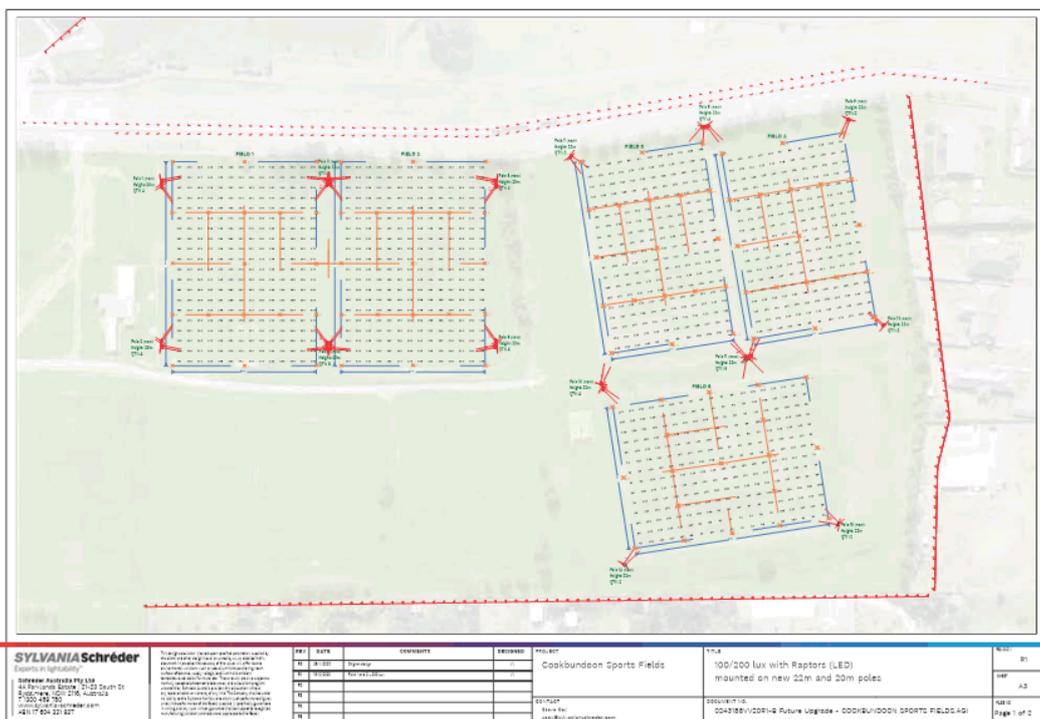
Costing

Council Staff have flagged initial set-up costs as follows:

- Power Upgrade \$150,000
- Review of Environmental Factors \$5,000
- Geotech \$10,000

Recent quotes for the scope of the project are between \$530,000 and \$660,000.





The plan would have the two many fields would be lit up to Nation Premier League (NPL) standard which would allow the STFA to host Matches such as NPL, The FA Cup , State League matches as well as local matches the remaining 3 fields would be lit to Community football standards which would allow match play and training for local teams.

The STFA currently have players involved in the NSW Talented Support Program these are currently held in The Southern Highlands, however with our new building coming on board if we were to improve our lighting we would be able to lobby to have the regional hub moved here.

The STFA foot print as a nursery for Talent is growing at a steady rate current with have 16 players involved the The Australian Nation Premier League system 5 in the next tier down The Association Youth League as well as 10 players involved in high performance training through the NSW Talent Support program

Our aim is to turn Cookbundoon into a regional hub for these talented country kids and to bring more football events to our region.



QUOTE

Daryl Holder
 Goulburn Show Grounds
 GOULBURN NSW 2580

Date
 8 May 2021
Expiry
 22 May 2021
Quote Number
 QU-0152
ABN
 92 161 328 230

Desire Constructions Pty
 Ltd
 ABN: 92 161 328 230
 GOULBURN NSW 2580
 Licence No. 280066C

Goulburn Recreation Area - Cattle yard roof extension

Description	GST	Amount AUD
Supply one (1) Widespan kit building being 36m x 21m x 4m with Right roof only lean-to 5m x 24m x 3.47m in accordance with plan #SNoble2104124-1		
Supply reinforcement, concrete and labour for concrete works being; 19 pier holes @ approximately 600mm x 1500mm with 4 x 12mm reinforcement starter bars per hole. (based on flat level site with soil classification of A, S or M)		
Supply labour to install one (1) Widespan kit building in accordance with ref #SNoble2104124-1		
Hire equipment required to complete construction being; Bobcat 8m diesel all-terrain scissor lift Crane including transport	10%	109,915.00
	Subtotal	109,915.00
	TOTAL GST 10%	10,991.50
	TOTAL AUD	120,906.50

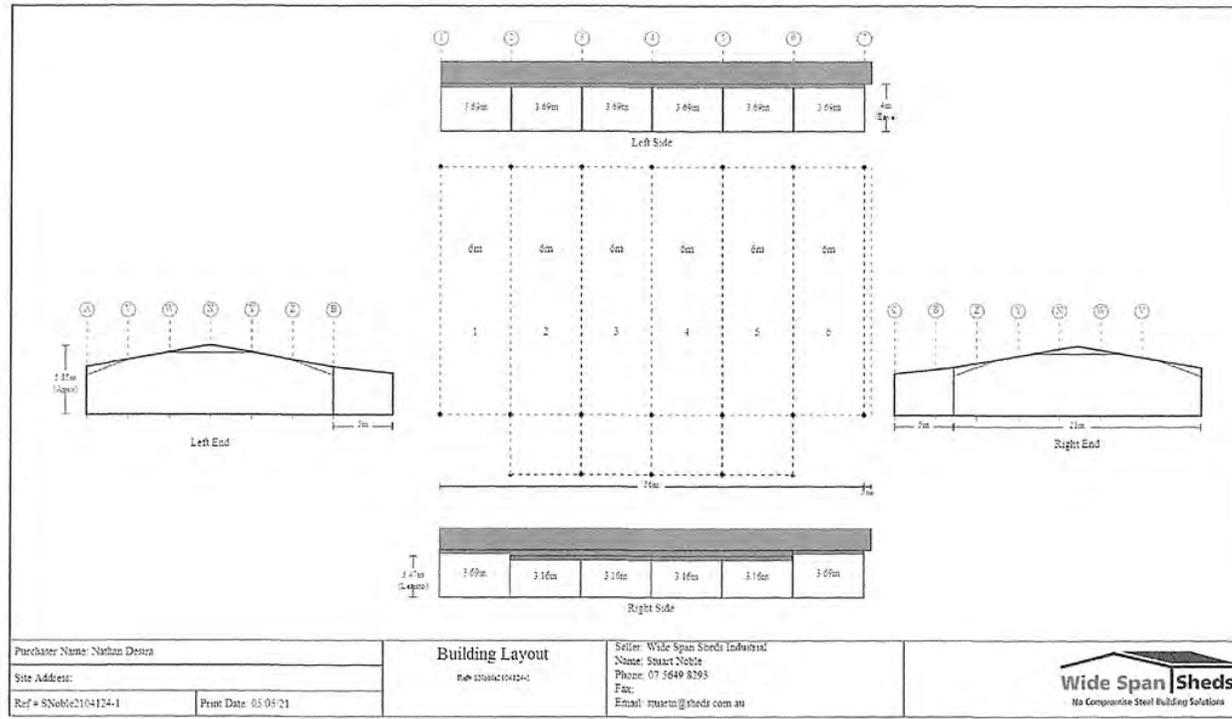
Terms

Terms and Conditions

- Client to ensure kit is complete Desire Constructions Pty Ltd is not responsible for any missing parts.

2. Client may be responsible for any costs associated with down time due to missing components.
3. If any components are missing Desire Constructions Pty Ltd reserves the right to continue with another job which may be completed prior to returning to site.
4. Site must be clear and accessible with at least 2m clearance within a 40mm tolerance of level on all sides or 3 to 4 meters within a 40mm tolerance of level on all sides if equipment is needed such as Scissor Lift, Scaffold or Crane or additional costs may be incurred unless otherwise discussed and arranged with Desire Constructions Pty Ltd.
5. Desire Constructions Pty Ltd is not responsible for the cleaning of components, e.g. mud or moisture damage unless caused by their neglect.
6. All components must be within 6m of the building area and readily accessible or carrying charges may apply.
7. On acceptance of this quotation a contract will be issued.
8. Final payment is not subject to council approval and must be paid upon practical completion.
9. Costs involved in loss of discount on hire equipment or labour due to interruption by missing components or extra work required by client will be charged to client.
10. Any decision made by Desire Constructions Pty Ltd regarding site safety or work method statement will be discussed with client; however, site and personnel safety will be our priority.
11. Any component supplied by the client will not be covered in the quotation unless they have been inspected as to suitability and safety for inclusion./
12. De-bogging of any plant or equipment is at owners cost.
13. Desire Constructions Pty Ltd will clean up the site; however, rubbish removal is the owner's responsibility unless otherwise stated.
14. In the case of a contract supply/build all materials are the property of Desire Constructions Pty Ltd and retained at their option.
15. Storm water disposal is the clients' responsibility unless otherwise stated.
16. Any damage to underground facilities not designated or sited by the client are at client's expense.
17. Any requirements by government, statutory or supervisory bodies after the quotation will be at the client's expense.
18. It is assumed toilet facilities will be available on site. If not, toilets will be hired at the client's expense.
19. Power supply readily available to site, or a suitable generator will be supplied at the clients expense.
20. Payments are to be made within 48 hours after stage completion. By any of the approved methods.
21. Any Deposit paid is not refundable if Desire Constructions Pty Ltd is unable to complete works due to no fault of our own.
22. All hire equipment not included in the quotation is to be paid by the client to the provider within a timely manner.
23. All additional materials that are ordered for the construction works such as flooring are subject to price change and provider availability.
24. No unauthorised person is to be within 5 meters of the construction site at any time throughout the construction process Desire Constructions Pty Ltd will not be held responsible for any injuries and/or accidents that occurs within the construction area.
25. This quotation covers entirely our offer. Anything that has been discussed or implied that is not covered specifically in this quote, has not been allowed for and is not covered by this quotation. If we have missed something that you require, then please contact our office via email: desireconstructions@hotmail.com or Phone 4822 1868
By accepting this quotation, you have agreed to all of Desire Constructions Pty Ltd terms and conditions.

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 EASY TO INSTALL
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www.sheds.com.au



Purchaser Name: Nathan Debra	Building Layout no: 225002104124-1	Seller: Wide Span Sheds Industrial Name: Stuart Noble Phone: 07 5649 8293 Fax: Email: stuartn@sheds.com.au	 No Compromise Steel Building Solutions
Site Address:			
Ref: SNoble2104124-1	Print Date: 05/05/21		

Building Layout

Amy Croker

From: Anne Wiggan [REDACTED]
Sent: Friday, 21 May 2021 2:09 PM
To: Linus Nesbitt-Hawes; Warwick L Bennett
Subject: Bungonia CR35559 Adaptive re-use of tennis courts.
Attachments: sean harris Env 03.02.2020 BPLM waste water amenities site plan 2020.pdf; 2020 037 TLA BUNGONIA TENNIS COURTS CP ISSUE D4 3 court Final A4 (1).pdf; 21605 DETAIL 20200219 (3) BPLM survey of infrastructure site.pdf; boosting economy with quality park infrastructure.docx; 21605 TOILETS BED 2020.04.30-detail (3).pdf; BUngonia Payground wombat.docx; Aboriginal group consultations POM.docx; Bungonia Park submission 1.doc; Reception Tharawal response.docx; Bungonia Tennis Courts Advice David Hobbes GMC Heritage adviser (1) (1).pdf; James Caddey review Water Infrastructure Project may14 2020.docx; Adapative re-use Bungonia Tennis courts BPLM Mulwarree Oct 2020.docx; MCGQUA~1.PDF; Village Plan 2 NOV2009.doc; SWOT (2)analysis results 2009.doc

Hi Linus,

Thankyou for seeing me this week . It was a pleasure.

We are requesting that the Council will agree to be a partner in the Adaptive re-use of the Bungonia Crown Reserve 35559 site and assist us through the steps needed to achieve our common goals.

We would be especially grateful for both Grant writing and project supports.

Thanks to the Council which has provided some allocation in the forward estimates , I believe we are in a better situation with Council assistance, to apply for such a significant infrastructure project than at any time previously.

We have just received information that we are allowed to apply for Grant funding BEFORE the POM consultation and signoff completed. Crown Lands Ms Mandy Franklin has advised us that we can have a letter of owner permission from their Crown Lands office in Goulburn to cover a grant application.

We see Bungonia as a destination of growing importance not only for its constant use and management by its guardian First Nations groups , Its unique and impressive Natural Heritage- Bungonia National Park and the Bungonia Slot Canyon in the Shoalhaven Gorge country, Its exceptionally early Built European heritage -settlers 1812-18 are recorded, but also for its very favourable tourist location 2 hours from Sydney 90 mins from the Coast and from Canberra.

As a District with a wonderful history of warmth and a can-do approach to Volunteering and Community Support we want to strengthen this community to be more resilient as it faces the economic and climate changes , the population changes and the impacts on mental health that these bring with them .

We have 5 Not for profit organisations in Bungonia and these support the community development and lifestyle, drive the improvements in Bungonia and are a social 'glue ' in the district .

Please find the attachments relating to the Bungonia Infrastructure Adaptive Re-use of the Tennis courts. [We probably need a much more attractively 'Grant Worthy' name for this !!! with your help]

Note:-

1/The Bungonia Park Submission was put together when we were fighting the proposed Multiquip [Ardmore Park] Quarry intention to use the King street [Bungonia Village's main street] as a Primary Haul route .However ,although some material is dated , it covers much of the background that would be useful for someone new to the district, about the park: So that is why I have included it.

2/The POM is still in draft form being corrected at Crown lands so cant provide a copy yet .

3/Despite several requests, no reply yet in writing from Pejar LALC but the information sent to the Aboriginal groups contains much more detail on the previous uses of the site to be adapted, and 1 reply so far.

Thankyou again for your interest and oversight of this material .
Please contact me as soon as I can be of any assistance .

--

Anne Wiggan

 Bungonia 2580

<https://www.facebook.com/Bungonia-Heritage-and-Conservation-576073996193548/>

15.4 GOULBURN LILAC CITY FESTIVAL MARKETS

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Lilac City Festival and Rotary Meeting notes 3 May 2021 and invoice [↓](#) 

Link to Community Strategic Plan:	Our Community CO3 Foster community connectivity
Cost to Council:	No cost to Council
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The report of the General Manager on the Goulburn Lilac City Festival Markets be received
2. Council approve the Goulburn Lilac City Festival to operate markets in Montague Street if they wish to proceed subject to the following:-
 - The hours of operation be from 7.00am to 1.00pm
 - The Goulburn Lilac City Festival be held on a Saturday at least two weeks apart from the Goulburn Rotary Club Markets
 - Road closure applications and Traffic Management Plan to be filed by Goulburn Lilac City Festival Inc in accordance with Council policy
 - All traffic management operations on the day of the markets to be managed and funded by the Goulburn Lilac City Festival Inc

REPORT

Council will recall at its meeting on the 2 February 2021 that decision on the establishment of markets for the Goulburn Lilac City Festival be deferred pending negotiations with the Goulburn Rotary Club.

The resolution read as follows:

That

1. *The report of the General Manager on the Goulburn Lilac City Festival Markets be received.*
2. *The item Goulburn Lilac City Festival Markets be deferred pending discussion between the Goulburn Rotary Club and the Goulburn Lilac City Festival Inc and the matter be brought back to Council when those discussions are concluded.*
3. *Council in principle supports the Goulburn Lilac City Festival Markets to be held in Montague Street to be able to raise funds for the Lilac City Festival.*

Please find attached the meeting notes between the Goulburn Lilac City Festival and Goulburn Rotary Club held on the 3 May 2021.

The outcome of the meeting is that the Goulburn Lilac City Festival will not hold regular markets and that their festival will be sponsored by Goulburn Rotary Club. However if in future they do hold markets then there be at least a two week interval between the Goulburn Rotary Club markets.

The recommendation in this report gives approval to the Goulburn Lilac City Festival to conduct markets if they so wish subject to the conditions imposed but those markets only allowed to be held if they are two weeks apart from the Goulburn Rotary Club markets.

**MEETING OF REPRESENTATIVES OF THE ROTARY CLUB OF GOULBURN
AND THE GOULBURN LILAC CITY FESTIVAL COMMITTEE**

DATE: MONDAY, 03 MAY 2021
TIME: 11.30am to 12 noon
VENUE: GOULBURN WORKERS CLUB
ATTENDING: AMANDA CHALMERS & DANIEL STRICKLAND (GLCF)
 DICK KEARINS & BRUCE HAMMOND (RCG)

It was agreed that those present had the authority to act on behalf of their relevant organisations.

BACKGROUND AND SUMMARY OF KEY POINTS:

- Presentation to meeting of the Goulburn Mulwaree City Council
 - Market agreement in place until 2023
 - Volunteer Hours acknowledged
 - Need for a strong market in Montague Street
- Letter from General Manager of Goulburn Mulwaree Council to GLCF (04/02/2021) with copy to GRC
- Letter from GLCF to GRC (14/02/2021)
- Letter from Goulburn Rotary Club to GLCF (16/02/2021)
- Meeting between members of the newly merged Board of the Rotary Club of Goulburn and members of the Goulburn Lilac City Festival Committee at the Goulburn Workers Club on 22 February 2021 (Chaired by Mr Don Elder)
- Summary notes from meeting distributed to both groups
- Letter from GLCF Committee to GRC (05/04/2021)
- Letter from GRC to GLCF (16/04/2021)

DISCUSSION AND POINTS FOR CONSIDERATION:

- In accordance with the request from the General Manager of Goulburn Mulwaree Council that the two groups work together, the Rotary Club of Goulburn has offered the GLCF a site at the markets at no charge so that they have an opportunity to promote the Lilac Festival and fund-raise.
- The Rotary Club of Goulburn has offered the GLCF a place on the Markets BBQ Roster for the purposes of fund raising (\$600 to \$800 per market can be raised).

1

- Rotary Club of Goulburn has no intention to apply to conduct the Montague Street Parkside Markets when the Lilac City Festival is being conducted over the 2021 October long weekend.
- Rotary Club of Goulburn is prepared to make a financial contribution to the 70th anniversary Lilac City Festival in 2021.
- The suggestion of a second market conducted by GLCF in Montague Street remains a matter for discussion between GLCF and Goulburn Mulwaree Council. However, it is the position of RCG that such a market should be conducted on the 4th Saturday of each month as the date for the Goulburn Rotary Club Parkside Markets is well established in the Goulburn Community.

OUTCOMES:

It was agreed by those present that:

- In accordance with the request from the General Manager of Goulburn Mulwaree Council that the two groups work together, the Rotary Club of Goulburn has offered the GLCF a site at the markets at no charge so that they have an opportunity to promote the Lilac Festival and fund-raise. That offer remains open.
- The Rotary Club of Goulburn has offered the GLCF a place on the Markets BBQ Roster for the purposes of fund raising. That offer remains open.
- The Rotary Club of Goulburn has no intention to apply to conduct the Montague Street Parkside Markets when the Lilac City Festival is being conducted over the 2021 October long weekend. *and the Goulburn multicultural Festival in February each year.*
- The Rotary Club of Goulburn undertakes to make a financial contribution amounting to \$4,000.00 to the 70th anniversary Lilac City Festival in 2021 rather than enter into a Sponsorship Package.
- The suggestion of a second market conducted by GLCF in Montague Street remains a matter for discussion between GLCF and Goulburn Mulwaree Council. However, it is the position of RCG that such a market should be conducted on the 4th Saturday of each month as the date for the Goulburn Rotary Club Parkside Markets is well established in the Goulburn Community.

Those listed hereunder agreed on Monday 03 May 2021 that the above outcomes have been agreed to on behalf of their relevant organisations, The Goulburn Lilac City Festival Committee and The Rotary Club of Goulburn. The outcomes will be presented to the Management Committee of GCLF and the Board of RCG.

AMANDA CHALMERS (GLCF)



DANIEL STRICKLAND (GLCF)



DICK KEARINS (RCG)

Bruce Hammond

BRUCE HAMMOND (RCG)

INVOICE

Invoice Date: 16 April 2021
 Invoice Number: 202121

Goulburn Lilac City Festival Inc

PO Box 121
 Goulburn NSW 2580
 0448 211 839
 goulburnlilaccityfestival2580@gmail.com
 ABN 94 788 146 728

To:	
Company name:	Rotary Club of Goulburn NSW
Contact name:	Dick Kearins
Address:	PO Box 140, Goulburn NSW 2580

Description	Total
Sponsorship of Goulburn Lilac City Festival 2021	4,000.00
GRAND TOTAL:	4,000.00

Payment Methods

Direct Debit:
 Account Name: Goulburn Lilac City Festival
 BSB: 062 545
 Account Number: 0080 0381

Please note that Goulburn Lilac City Festival Inc is not registered for GST and the above invoice contains no GST.

15.5 KINGHORNE STREET LOAD LIMIT - FEASIBILITY OF TRAFFIC CALMING MEASURES

Author: Martin Wragge-Morley, Business Manager Design & Asset Management

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Link to Community Strategic Plan:	IN2.2 Eliminate networks safety hazards when identified
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the Business Manager of Design & Asset Management be received.
2. The proposed threshold treatments for the load limited section of Kinghorne Street are not required at this time.

BACKGROUND

Kinghorne Street is a sealed road that runs East West through Goulburn City and has been used as a short cut by large trucks travelling through town.

On the 5th of May 2020 Council recommended to impose a 12 tonne weight limit on Kinghorne Street between Victoria Street and Fitzroy Street, and recommended that a feasibility study be carried out into the installation of traffic calming measures to assist with the implementation of the load limit.

REPORT

The heavy vehicle movements on Kinghorne Street between Victoria Street and Fitzroy Street were measured for 2 weeks in February 2019 before the load limit was introduced. After the load limit was introduced the traffic counters were installed for 2 weeks in September 2020, and once more in January 2021 to allow a six month time frame from installation of the load limit for drivers to establish alternate practices. These counts show that large heavy vehicle usage (5 axles or more) reduced from 25 movements per day in 2019 to 0 movements per day in 2020 and 2021.

Smaller heavy vehicles movements (3 to 4 axles) have increased over the same period from 8 per day in 2019 to 18 vehicles per day in 2020, this would include garbage trucks and delivery vehicles. These figures remained consistent into 2021.

The findings show that the problematic large heavy vehicles with 5 axles or more have stopped using this route, and hence additional signage of traffic calming measures is not required at this time.

15.6 PROPOSED AMENDMENTS TO ROAD WIDTHS

Authors: Matthew O'Rourke, Director Operations
 Scott Martin, Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Link to Community Strategic Plan:	EN4.2 Review and monitor the Local Environmental Plan and Development Control Plan
Cost to Council:	N.A.
Use of Reserve Funds:	N.A.

RECOMMENDATION

That

1. The report from the Director of Operations and Director Planning and Environment on the proposed amendments to road widths be received.
2. The following proposed amendments be placed on public exhibition for 28 days to receive community feedback.

Revised Extract from Table D.1.5A Characteristics of Roads in Residential Road Networks

Road Type	Number of lots or dwellings (whichever is greater)	Carriageway Width (m)	Road Reserve Width (m)	Kerb Type	Footpath Requirement	Verge Width	Turn Head Requirement (for roads longer than 30m)	Parking
Cul-de-sac (maximum length 100m)	8	6	15	Rollover or layback	One side	4.5m each side	Cul-de-sac head of 10m radius at kerb line	Parking bay in verge
Access Street (including cul-de-sacs greater than 100m)	Up to 20 in each direction	11	18	Rollover or layback	One side	3.5m each side	Cul-de-sac head of 10m radius at kerb line	On street
Local Street	More than 20 in each direction	11	20	Rollover, layback or barrier	Both sides	4.5m each side	Cul-de-sac head of 10m radius at kerb line	On street

3. A follow up report be presented to Council on the feedback received on the proposed road width amendments following the public exhibition period.

BACKGROUND

During the preparation of Council's Urban and Fringe Housing Strategy, Councillors identified a number of issues relating to its adopted development standards for new residential subdivisions. The issues were identified as limiting the aesthetic opportunities, functionality and overall feeling of space generally associated with country living. One of the principal factors identified at the time

was the appropriateness of Council’s adopted road width standards, noting that some road widths had decreased to a point where they were no longer considered by the community to be functional.

The report is to follow up a presentation to the 9 March 2021 briefing session outlining a proposal to increase the width of some road reserves to improve the movement of vehicles and pedestrians along the road reserve.

Road networks are typically comprised of a road hierarchy that distribute traffic and pedestrians across and through rural and urban areas. An urban road hierarchy consists of arterial, collector, local roads and cul-de-sacs. Regional roads connect urban centres such as towns and villages.

For example, in the Marys Mount area the road hierarchy can be illustrated with the following roads and streets:

- Crookwell Road (Regional);
- Marys Mount Road (Arterial);
- Mistful Park Road (Collector);
- Hunter Street (Local); and
- Fox Close (Cul-de-sac).

Council’s Development Control Plan (DCP) and Engineering Standards inform dimensions of the road hierarchy within the Goulburn Mulwaree Council LGA. Specifically, Table D.1.5A of Council’s design specification provide dimensions for the various road categories within the urban road hierarchy.

As local development has progressed some road width dimensions have decreased to facilitate greater yield from development sites. While this has increased development density a consequence of reduced road widths has impacted the movement of vehicles and pedestrians along roads. Given households generally have multiple vehicles, on street parking has evidently increased in residential streets. However, in narrow streets there can be insufficient space for two vehicles to pass simultaneously, garbage trucks and emergency vehicles may be hindered in moving along streets and pedestrians can be forced to walk along the road where there is insufficient room for footpaths. Examples of this can be seen in recent larger subdivision developments.

In addition to reviewing the width of the road formation to improve functionality and safety of road users and pedestrians, opportunities also exist to review the widths of road reserve or corridor to increase the aesthetic qualities of new release areas. Additional width not only provides for a feeling of space generally associated with country and rural living, but also provides opportunities for additional landscaping and tree planting.

The proposal to address this outcome and to provide appropriate space for on street parking for safe pedestrian movement is to increase the widths of road formations and road reserves of local streets, access streets and cul-de-sacs. The width of collector and industrial streets is considered sufficient to provide a footpath each side, an on street parking lane plus two way unhindered traffic. The table included in the report outlines the proposed amendments to the design specification for local development, which is also outlines as follows:

Road Type	Existing road reserve width	Proposed road reserve width	Existing road width	Proposed road width
Local Street	18	20	9	11
Access Street	15	18	6	11
Cul-de-sac	8	15	5	6

The advantages to increased road widths are:

- Maintain a rural environment with wider streets;
- Opportunity for on street parking (not on verge);
- Reduces conflict between vehicle and pedestrian movement;
- Enhanced landscaping opportunity in road reserve; and
- Improved movement between garbage trucks, emergency vehicles and light vehicles.

To facilitate the proposed increases in road widths, an amendment to the DCP and Engineering Standards are required. A public consultation process, including public exhibition is also required before the proposed increases are adopted.

Further, a transition period would allow for current development applications which have progressed into the pre-lodgement phase to continue under the existing dimensions.

Extract from Table D.1.5A Characteristics of Roads in Residential Road Networks								
Road Type	Number of lots or dwellings (whichever is greater)	Carriageway Width (m)	Road Reserve Width (m)	Kerb Type	Footpath Requirement	Verge Width	Turn Head Requirement (for roads longer than 30m)	Parking
Internal Driveway for Multi Unit Development (Private Road)	Undefined	5m, plus adequate turning areas. (3.5 for less than 40m long or one way)	N/A		Nil		Provide adequate turning area	
Urban Right of Way (Private Road)	Maximum 3 in addition to road frontage lot	As above	N/A		Nil		As above	
<i>Cul-de-sac Access Lane</i> <i>(maximum length 100m)</i>	8	5	8	<i>Rollover, layback or concrete edge strip</i>	<i>Nil</i>	<i>Typically 1.5m each side</i>	<i>3 point turn facility for single unit truck</i>	
<i>Access Street</i>	<i>Up to 20 in each direction</i>	6	15	<i>Rollover or layback</i>	<i>One side</i>	<i>4.5m each side</i>	<i>Cul-de-sac head of 10m radius at kerb line</i>	<i>On street</i>
<i>Local Street</i>	<i>More than 20 in each direction</i>	9	18	<i>Rollover, layback or barrier</i>	<i>Both sides</i>	<i>4.5m each side</i>	<i>Cul-de-sac head of 10m radius at kerb line</i>	<i>On street</i>
Collector Street	N.A.	11	20	Barrier	Both sides	4.5m each side	Cul-de-sac head of 10m radius at kerb line	On street
Industrial Street	N.A.	11 - 13	20	Barrier	Both sides	Minimum 3.5m each side	Cul-de-sac head of 12m radius at kerb line	On street

Proposed amendments to Cul-de-sac, Access Street & Local Street widths								
Cul-de-sac (maximum length 100m)	8	6	15	Rollover or layback	One side	4.5m each side	Cul-de-sac head of 10m radius at kerb line	Parking bay in verge
Access Street (including cul-de-sacs greater than 100m)	Up to 20 in each direction	11	18	Rollover or layback	One side	3.5m each side	Cul-de-sac head of 10m radius at kerb line	On street
Local Street	More than 20 in each direction	11	20	Rollover, layback or barrier	Both sides	4.5m each side	Cul-de-sac head of 10m radius at kerb line	On street

15.7 HURST STREET HERITAGE CONSERVATION AREA

Author: Scott Martin, Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Reference to LSPS:	Planning Priority 9: Heritage – Vision 2040 – Goulburn Mulwaree’s cultural heritage is conserved, actively adapted for use (where appropriate) and celebrated.
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<p>RECOMMENDATION</p> <p>That:</p> <ol style="list-style-type: none"> 1. The report by the Director Planning & Environment be received. 2. No further action in relation to listing 22 Hurst Street as an Item of Environmental Heritage in Schedule 5 of the Goulburn Mulwaree Local Environmental Plan 2009 be undertaken.

BACKGROUND

On 1 October 2020 Council received a Development Application (DA/0137/2021) seeking consent for the demolition of an existing dwelling and construction of a new 2-storey dwelling at 22 Hurst Street, Goulburn. The Development Application was determined as refused by Council resolution on 2 March 2021.

Prior to the determination, Council received a report at its meeting held 16 February 2021 to consider whether or not the site should be listed as a specific Item of Environmental Heritage. Council consequently resolved:

That Council defer any consideration to list 22 Hurst Street Goulburn as an Item of Environmental Heritage under Schedule 5 of the Goulburn Mulwaree Local Environmental Plan because adequate protection is currently in place due to this property being located within the Heritage Conservation Area.

This matter has since remained as an outstanding task on Council’s Task List.

REPORT

Following the determination of Development Application DA/0137/2021, advice was sought from Council’s Heritage Advisor, Mr David Hobbes in relation to exploring the merits of pursuing an individual listing of 22 Hurst Street, Goulburn as an Item of Environmental Heritage.

The advice that has been received suggests that an individual listing is not necessary to prevent inappropriate development of the site given the level of protection afforded by the overarching Heritage Conservation Area. This was subsequently proven during the assessment and determination of DA/0137/2021.

Furthermore, the assessment of DA/0137/2021 found evidence to suggest that the building has changed significantly since the construction of the original dwelling, which most likely pre-dates the creation of Hurst Street itself. For example, it has been established that the original dwelling had an Eastern-orientation, but has been reorientated to address Hurst Street at an unknown point in time.

Numerous alterations and additions over the years have effectively resulted in a dwelling that is vastly different from that originally constructed. This includes (but is not limited to) matters such as a vastly different floor plan, differing use of various spaces, and the replacement of original building fabric.

Whilst this may be the case, it is clear that the dwelling and its curtilage provide a positive contribution to the broader streetscape. In recognition of this, it has been suggested that a Hurst Street-specific reference be incorporated into future iterations of Council's Development Control Plan in order to place greater emphasis on the preservation of the streetscape and its importance to the Goulburn community. That being said, this is not considered an urgent task nor something that would leave a 'loophole' if left un-actioned. It is therefore recommended that the task be listed as 'complete'.

15.8 COUNCILLOR BRIEFING SESSION SUMMARY

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	Cost of Councillor Briefings is funded from Councils operation budget
Use of Reserve Funds:	Not applicable

RECOMMENDATION

That the report from the General Manager on Councillor Briefing Session Summary be received.

REPORT

The following is a summary of the issues discussed at Councillor Briefing Sessions and the attendance of Councillors at these Briefing Sessions for the past month.

Tuesday 11 May 2021

Items discussed:

- Summary of Submissions to the Operation Plan
- Goulburn to Crookwell Rail Trail
- Climate Change & Loss of Biodiversity Working Party
- Long Term Financial Strategy
- Development Application Matrix
- Concept design for Marulan Waste Water Treatment Plant
- Wakefield Park Development Application – Update
- March Quarterly Budget Review
- Development Application to be reviewed on Council request 10 Ben Bullen Place

Councillor Name	Attendance
Mayor Bob Kirk	Present
Cr Alfie Walker	Present
Cr Andrew Banfield	Present
Cr Leah Ferrara	Present
Cr Carol James	Present
Cr Margaret O'Neill	Present
Cr Sam Rowland	Present
Cr Denzil Sturgiss	Present
Deputy Mayor Peter Walker	Present

15.9 GOULBURN MULWAREE YOUTH COUNCIL MEETING NOTES - 30 APRIL 2021

Author: Carol James, Councillor

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Youth Council Meeting 30 April 2021 [↓](#) 

Link to Community Strategic Plan:	Our Civic Leadership
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report from Cr Carol James in relation to the Goulburn Mulwaree Youth Council Meeting Notes held on the 30 April 2021

BACKGROUND

A meeting of the Goulburn Mulwaree Youth Council Meeting Notes held on the 30 April 2021

Please find attached the notes from this meeting. There are no recommendations from this meeting that require a resolution from Council.

Meeting Details

Friday, 30th April
Council Chambers

Attendees

Millie, Sophie, Blake, Leah, Izzy, Holly & Chloe.

Apology

Cole

Discussion Items

- Thanked everyone who attended ANZAC Day and represented the Youth Council.
 - 1.
- Update on NSW Youth Conference we confirmed entertainment, food, merchandise, keynote speakers.
 - 2.
- We have a meeting with Kane from KD Solutions on 19 May to finalise workshop sessions.
 - 3.
- Hoping to complete our wellness garden in the next few months, so we can showcase at the conference.
 - 4.
- Discussions about Victoria park and youth needs:
 - o Better Toilets
 - o Terraced lawn seating in front of stage
 - o Improve men to kiddies bike area
 - o Push button lights u to 11pm at night (20min)
 - o A teenager boulder and containers play area
 - 5.
- Remind Comic Con 25th September
 - 6.
- Continue to work on our winter project with date set 10th July
 - 7.
- Discussions to support the Japanese Friendship Club at their meetings the first being 21st May 2021.

Next Meeting: 4pm, Friday 28th May

Don't forget 19th May all to come.

15.10 EXTERNAL MEETING MINUTES

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. **Holcim Lynwood Community Consultative Committee meeting notes 13 May 2021** [↓](#) 
 2. **Heron Resources Community Consultative Committee email update in lieu of the meeting scheduled for 26 May 2021.** [↓](#) 

Link to Community Strategic Plan:	CL3 – our Civic Leadership
Cost to Council:	There are no financial implications for this report
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The minutes from the Holcim Lynwood Quarry Community Consultative Committee Meeting held on the 13 May 2021 be received.
2. The Heron Resources Community Consultative Committee email update for 26 May 2021 be received.

REPORT

Please find attached the minutes from the Holcim Lynwood Quarry Community Consultative Committee Meeting held on the 13 May 2021 and the Heron Resources Community Consultative Committee email update in lieu of the meeting scheduled for 26 May 2021.

These minutes are attached for your information and no Council decision is required other than noting the minutes.

Holcim

Meeting notes



Meeting	Community Consultative Committee	No.	25
Project	Lynwood Quarry	Date	Thursday 15 May 2021
Venue	Onsite at Lynwood Quarry	Time	12.00pm – 1.15pm
Chaired by	Brendan Blakeley	Recorded by	Jacinta Spies
Purpose	To provide an update on the Holcim Lynwood Quarry project.		

Attendees

Peter Hewson	Holcim	David Humphries	Marulan Region Chamber of Commerce
Rebecca MacLean	Holcim	John Nicastri	Marulan Progress Association
Fred Adams	Holcim	Susan Pearson	Towrang Valley Progress Group
Lee Attard	Holcim	Peter Simpson	Site neighbour
Brendan Blakeley	Elton Consulting	Rosemary Turner	Marulan and District Historical Society
Jacinta Spies	Elton Consulting		

Apologies

Clr Alfie Walker	Councillor, Goulburn Mulwaree Council	Warwick Bennett	General Manager, Goulburn Mulwaree Council
Dennis Isbister	Cookbundoon Preservation Society		

Discussion points

1 Welcome and introduction

Brendan Blakeley welcomed CCC members and acknowledged the traditional custodians of the land Lynwood is located upon.

Apologies were noted including Dennis Isbister’s resignation from the CCC due to moving away from the area.

The meeting's agenda was briefly outlined.

Brendan took the group through the actions from the last CCC meeting:

- Holcim to outline the vegetation to be planted on the amenity bund at the next CCC meeting.
 - Rebecca presented a map of the site layout highlighting the amenity bund and emplacement area to receive new vegetation. This included a list of plant species to be used for the vegetation in both the areas. See Appendix B and C.

David Humphries referenced notes from the previous minutes stating Holcim would advertise new activities for re-appraisal for those who wanted different jobs.

- Rebecca said no activity or major tenders have been advertised as nothing has been reviewed as yet.
- David Humphries asked if anyone accepted the donation of surplus materials from Johnnyfields Quarry?*
- Rebecca said no one took it up.
 - David Humphries suggested that there was a need for gravel to be placed in the driveway in front of the church.
 - Holcim noted they would be open to review an application to making material available.

Actions

- None noted.

2 Site operations update

Peter Hewson updated the committee on site operations (see presentation attached). The main points discussed were as follows:

- Changes to the internal staff including Declan Close and Richard Gray leaving Lynwood Quarry and new positions including Lee Attard, Peter Hewson and Fred Adams. There is ongoing advertising to fill remaining gaps.
- COVID-19 impacts resulted in a fluctuating construction market. However, going forward Holcim expect steady sales.
- Re-evaluation of contractor engagement to preserve local resources.
- Since the CCC meeting in October last year, there was one reportable incident with a broken leg. There were major learnings from the incident resulting in changes to management and supervision practices with a renewed vigour to examine safety and contractors on site.
- The next six months will be more of the same work as the first half of the year.

Dust Management Improvement Plan

- Lynwood continues to see outstanding improvements from the dust controls put in place last year including a second foaming unit. This second foaming unit reduces the in-building dust significantly, resulting in lower dust emissions externally.
- Due to the dust reduction, site personnel are now permitted to enter an operational building with the plant still running for up to half of their shift.
- Dust reduction correlates to the significant rain events and breaking of the drought resulting in improved greenery, but also from the improvements Lynwood has made.
- *John Nicastrri mentioned there is a lot of westerly wind. If there is no rain, the dust will show.*
 - Peter said Holcim is using the water carts and sealing exposed areas. Dust monitoring continues with evidence of no exceedances.
- *Peter Simpson said he has noticed an improvement to the dust present on his table outside, noting the heavier rainfall this year.*

Actions

- None noted.

3 Granite pit update

Peter Hewson noted the following points about the granite pit:

- The five-year mine plant is progressing as per the development consent.
- The amenity bund construction is progressing with vegetation planting planned for Spring.
- Peter presented a 2021 pit plan, explaining the need for larger blasts was lessened with help from Mother Nature.
- *Susan Pearson asked what was meant by help from Mother Nature?*
 - Peter explained they could take advantage of the existing fractures in the rock seams and the direction these travel in.
- *David Humphries said he heard on the news that Australia has invented a process for lower noise explosions. Could Holcim use this technique?*
 - Peter noted this was an interesting innovation but was suited to small scale operations.

Actions

- None noted.

4 Community update

Rebecca Maclean gave an update on Holcim's community engagement program (see presentation attached). The main points discussed were as follows:

Community Investment Fund (CIF)

- Due to the COVID-19 pandemic, Lynwood had to delay the CIF roll out in 2020. There was one application received, which will be placed into the 2021 rounds.
- Lynwood Quarry will continue to support local businesses and the community.
- As there have been no additional community investment since the last meeting, the overall community investment funding figure remains the same.
- *Peter Simpson asked when is it likely for new community investment to open?*
 - Rebecca said Holcim will advertise this in Discover Marulan and on their website. The CCC members will also be notified.
- *David Humphries extended his thanks to Holcim. As the Kite Festival was cancelled last year, there was a street Christmas event in its place later in the year. This included face painting, stalls etc. Holcim thankfully transferred what was meant for the Kite Festival to the Christmas event instead.*
 - Rebecca said that event funding came out of the community engagement program.

Community Engagement

- Holcim continues to support community initiatives, with a list provided on slide 13. To date, Lynwood Quarry has funded hundreds of thousands of dollars through the Community Engagement Program and Community Investment Fund.
- *John Nicastrì also thanked Holcim for their input for the Christmas event.*
- *Rosemary Turner asked to share this information in the Discover Marulan newsletter.*
 - Rebecca will liaise with Rosemary to provide a simplified version to present in the newsletter once it has been through Holcim's communication review.

Engagement of local businesses

- Holcim continues to engage local businesses wherever possible. A full list was provided on slide 15.
- Peter Hewson noted the extractive industry generally was invigorating the town.
- *David Humphries noted the primary economic driver in Marulan is the quarry industry.*

Complaints

- Since October, five complaints were received including, one air complaint, two blasting complaints and two transport complaints – one while driving in the area, and one out of the area.
- *David Humphries asked if trucks have GPS monitoring?*
 - Fred confirmed trucks have GPS monitoring. If a complaint is raised, we can track the specifics of where and when. Holcim also monitors speed, corners, braking and acceleration of all trucks.
 - Rebecca noted all trucks have cameras.
- *David Humphries mentioned that the proposal for the waste incinerator on Jerrara Rd states upgrades to the overpass will be needed. Is Holcim aware of this?*
 - Peter clarified Jerrara Road is an RMS asset and Holcim are not aware of any proposed upgrade to the Jerrara Road overpass.
- *Susan Pearson said she saw more lights on last night at Lynwood Quarry, when there is usually only one. They appear to be on the conveyor.*
 - Rebecca will liaise with Susan to investigate the sources of this additional light.
 - Susan tabled the letter noting Holcim's commitments about managing light within the quarry. See Appendix D.
 - Peter thanked Susan for raising her concern and noted that these commitments are part of the development consent.

Actions

-
- Rebecca to liaise with Rosemary Turner on presenting an overview of Holcim's community engagement initiatives and figures in the Discover Marulan newsletter.
 - Rebecca to liaise with Susan Pearson to resolve the new source of light.

5 Environmental update

Rebecca MacLean presented an update on Holcim's environmental compliance, monitoring and management plans (see presentation attached). The main points discussed were as follows:

Compliance

- Holcim has demonstrated compliance with blasting, dust deposition, PM10, noise, ground water and surface water requirements.
- Holcim upgraded the Hi-Volume sampler to a BAM Exactus monitor. It runs on solar energy and provides live data.
- Holcim hopes to upgrade the second Hi-Volume sampler located on Brayton Road to assist in real-time updates in that area.

Monitoring

- Rebecca presented a map of the dust monitoring locations as seen on slide 19.
- Rebecca presented a graph of the depositional dust monitoring results showing a decline.

Environmental audits

- The Independent Environmental Audit was released in December 2020 showing only 11 non-complaint consent conditions, down from 24 items in the 2018 audit.
- The Annual Aboriginal Heritage Site Audit took place in November 2020 showing no negative impacts.

Management plans

- The Water Management Plan and Air Quality Management Plans were approved and are now available on the Lynwood Quarry website.
- There were four Management Plans recently reviewed. Refer to slide 22 for the list.
- The Aboriginal Heritage Management Plan is about to commence a review.
 - Two Aboriginal parties have formally removed their interest.
 - Some of the compliant sites will be moved from annual monitoring to triennial monitoring.
- *David Humphries asked what was the update with the Aboriginal Keeping Place?*
 - Rebecca said the Aboriginal Keeping Place is still being progressed.

Actions

- None noted.
-

6 Next six months

Rebecca gave an overview of Holcim's planned activities for the next six months. Activities listed were as follows:

- Ongoing dust improvement trails
- Management Plan reviews and submission to DPIE
- Granite pit works and ongoing Amenity bund work
- Annual Aboriginal Heritage Site Monitoring in November
- Upgrade the second Hi-Vol unit to a BAM unit
- Preparation for Summer weather including reviewing bushfire plans and water storage for excessive rain events
- The "Keeping Place" project progression and the Aboriginal Culture centre building to be in front of the gate. Once the works are in progress it will be shared with the community. At the moment it is in the planning stage and Holcim are yet to submit a DA.
- Marulan Town sign is still awaiting progress.
- *Peter Simpson asked for an update on the EPA review.*
 - Rebecca said an independent health assessment was undertaken by the EPA and released to the

public late last year. Holcim do not have input to the report, and the EPA is looking to consult with the community before it is finalised.

- Peter Simpson said he received a letter to discuss the findings from the report. He believes only one test was undertaken and more should be carried out.
- Rebecca clarified Holcim had had general conversations with EPA about dust management at the quarry but had no input to the findings.
- Peter Hewson encouraged Peter Simpson to speak with EPA and discuss the findings with them directly.

Actions

- None noted.

7 Other matters

Brendan Blakeley asked the group if there were any other matters to discuss:

- *Rosemary Turner said the Kite Festival this year will instead be named Spring on Meridian to be held on 18 September. It would be appreciated if Holcim could provide input. Rosemary will send a letter to organise this assistance.*
- *Rosemary said the Marulan and District Historical Society would also like material from the Jonnyfields Quarry if it is still available.*
 - Peter Hewson encouraged Rosemary to send a formal request to Rebecca for the, adding Holcim would be happy to help where possible.
- *John Nicastrri mentioned a few years ago a BBQ was held at the Quarry with an organised bus bringing the community from Marulan. Will this be organised again within the next two years?*
 - Peter Hewson said the first event was when Lynwood Quarry was not yet fully operation. Today the event would be a high-risk operation. If people are interested in a site tour they can request and receive a tour.
 - Rosemary suggested once the Keeping Place is built, an open day could be incorporated with Holcim to involve the community.
 - Peter Hewson agreed with this suggestion as it is outside the mining area and requires less risk management now that the quarry is fully operational.
- *Peter Simpson referred to a letter from the Progress Association about upgrading the skate park.*
 - Rebecca said Holcim responded to the letter. They are unable to provide funding as the request was received from a different working group and not sent from council.
 - David Humphries clarified that Rosemary, John and himself are part of the working group for this project which is funded by Council. The skate park upgrade is needed as the park could be safer than it currently is.

Actions

- None noted.

10 Close

It was agreed the next meeting will be tentatively scheduled for the end of October 2021 dependent on Peter and Fred's availability.

Brendan reminded the group there are only two CCC meetings a year, but if there are urgent matters, to raise them with Rebecca as soon as possible or Brendan can be contacted to arrange an extra meeting.

Brendan thanked the group for their attendance and the meeting was closed.

Actions

- None noted

Appendices

- A PowerPoint presentation
- B Amenity bund construction plan
- C Amenity bund vegetation information
- D Letter of Holcim's commitments

A **PowerPoint Presentation**

DRAFT



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Community Consultation Committee Meeting: May 2021



Agenda

- 1. Operations Update - Peter Hewson**
- 2. Granite Pit Update - Peter Hewson**
- 3. Community Update - Rebecca MacLean**
- 4. Environmental Update - Rebecca MacLean**



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1. Operations Update



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1. Operations Update

Internal Staff Changes

- Declan Close & Richard Gray have left the business.
- Lee Attard has undertaken the role of Interim Quarry Manager.
- Peter Hewson has expanded his role of the NSW/ACT Area Manager to encompass Lynwood Quarry and other quarries in the Southern NSW region.
- Fred Adams has undertaken the role of NSW/ACT Aggregate General Manager.
- Zeb Dubokovich has undertaken the role in Acting Maintenance Manager.
- Quarry Manager interviews are underway.

1. Operations Update cont.

- COVID-19 impacts since October 2020
 - Yield
 - Sales figures

- Reevaluation of contractor engagement
 - Review of resources to suit quarry output
 - Strengthened key local suppliers
 - Job preservation for full time Holcim employees

- One reportable incident
- Outlook for the next 6 months



1. Operations Update cont.

Ongoing Dust Improvement

Lynwood continues to see outstanding improvements from the dust controls put in place last year.

The second foaming unit has continued to perform, reducing the in-building dust significantly, resulting in lower dust emissions externally.

Due to these improvements in dust reduction, site personnel are now permitted to enter an operational building (for up to half of their shift time) with the plant still running. Previous to this, personnel were not permitted to enter an operational building whilst running.

This outcome was commended by the Mines Department and a positive way forward for Lynwood.





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2. Granite Pit Update



Photo taken April
2021

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1. Granit Pit Update

Current Pit Development

- Progressing as per the development consent and 5 Year Mine plan.
- Overburden removal is steady and forecast as per our production demands.
- Amenity bund construction progressing in conjunction with the Divall's Earthmoving stripping contract. We have had some setbacks with the rain, but progressing toward vegetation planting in Spring.



1. Granit Pit Update cont.

2021 Pit Plan





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3. Community Update



legal entity

3. Community Update

Community Investment Fund

- Due to the COVID-19 pandemic and pending global issues, Lynwood had unfortunately had to delay in the CIF role out in 2020. All applications received in 2021 will be placed into the 2021 rounds as they are released.
- Lynwood Quarry will continue to support the local community and local business as much as possible through this difficult time by utilising the services of local people and business as much as possible.



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3. Community Update cont.

Community Investment Fund - Funding to Date

PROJECT NAME	PROGRESS	TOTAL APPROVED
Bungonia: Sustaining the present through the past	Complete	\$ 8,000
Marulan Community Hall Upgrade	Complete	\$ 2,500
Marulan School Projects Room	Complete	\$ 15,000
Restoration of historical culvert	Complete	\$ 12,010
Computer hardware for archiving and cataloguing	Complete	\$ 2,500
Meridian mosaic installation	Complete	\$ 2,000
Tallong Memorial Hall Refurbishment	Complete	\$ 13,318
Marulan Road Safety	Complete	\$ 1,770
Towrang Hall Floor Refurbishment	Complete	\$ 14,230
Extension to GMC Road Safety Day	Complete	\$ 2,000
Insectivorous Bat Flight Centre	Complete	\$ 15,912
Increase in funds for GMC project - Road Sfatay	Complete	\$ 2,000
Thermal Imaging Camera	Complete	\$ 1,890
Tallong Community Memorial Walk	Complete	\$ 8,323
Tallong Hall project	Complete	\$ 5,133
Toilet Block for RFS	Complete	\$ 15,790
Sign at Towrang	Complete	\$ 11,923
Local Schools Co creating a sustainable future	Update pending	\$ 4,000
Bungonia Community Engagement Program	Update pending	\$ 4,500
Marulan Highway Signage	DA to be submitted	\$ 8,190
Promotions for Australia Day Committee	Complete	\$ 2,613
Muulii Murra (beautiful place)	Complete	\$ 2,800
MHS Archive & Research Facility	Complete	\$ 15,862
Marulan Public School Playground Upgrade	In Progress	\$ 15,000
Tallong Public School Playground Upgrade	In Progress	\$ 15,000
Marulan RFS - Training Room Extension	In Progress	\$ 10,000
Big Hill RFS - Thermal Imaging Camera	In Progress	\$ 2,403
Tallong Community Focus Group - Defibrillator	In Progress	\$ 2,572
	TOTAL	\$ 217,239

12

3. Community Update cont.

Community Engagement Program

Since October 2020, Holcim have supported the below community initiatives:

- Marulan Christmas event (\$4,000)
- Tony Onion's Park seating
- Marulan Kids School Holiday Trip (\$660)
- Goulburn Mulwaree Council Australia Day BBQ (\$500)
- Gunning Campdraft (\$500)
- Marulan Football Club (\$3,500)
- Goulburn & District Showjumping Comp. (\$1,000)
- Goulburn Agricultural, Pastoral & Horticultural Society (\$2,000)
- Towrang Valley Progress Association Australia Day BBQ (\$500)



3. Community Update cont.

2021 CEP Budget

ACTIVITY	Cost Description	TOTAL
Marulan Kite Festival Sponsorship	Sponsorship / Attendance	\$3,000
Marulan Pony Club	Sponsorship	\$1,500
Goulburn & District Show Jumping	Major Sponsor	\$1,000
Tallong Apple Festival	Sponsor Rock Wall	\$2,000
Chamber of Commerce	Joining fee and Newsletters	\$575
Marulan Christmas Carols	Plants, stickers, sponsorship	\$3,500
Goulburn District Hockey	Sponsorship	\$3,000
Goulburn Cricket	Sponsorship	\$3,000
Marulan Soccer Club	Sponsorship	\$3,500
Goulburn Rugby	Sponsorship	\$3,000
Mayoral Golf Day	Major Sponsor / Attendance	\$5,000
Goulburn Australia Day BBQ	Sponsorship / Attendance	\$500
Towrang Australia Day BBQ	Sponsorship / Attendance	\$500
Tallong PS Father's Day BBQ	Sponsorship	\$600
Promotional Items/ Additional requests	Sponsorship	\$5,000
Lions Club BBQ December	Sponsorship	\$500
Gunning Campdraft	Sponsorship	\$500
	Total	\$36,175



3. Community Update cont.

Engagement of Local Businesses

- Pirtek (Hydraulic repairs)
- Southern Cross Surveying
- Divalls (equipment/operator hire & civil construction)
- Neville Skelly (grounds maintenance)
- Marima Medical Clinic
- The Marulan Cafe (catering)
- Marulan Butcher (catering)
- Marulan Bakery (catering)
- Marulan Rural Supplies (grounds materials)
- EMMS (Electrical Maintenance & Operator)
- Mechanika Motors Goulburn
- Orica
- Southern Explosives
- Truck Stop 31
- Gary Breeze (potable water)
- Subway Marulan (catering)
- The Posthouse (accommodation)
- KFC Marulan (catering)
- Marulan Post Office (small items)
- Marulan IGA (general groceries)
- Domino's Goulburn (catering)
- The Green Grocer
- Roses Cafe
- Concrete 4 Goulburn
- Days Industrial (small tools/PPE)
- Queanbeyan Industrial Supplies (PPE/small items)
- CREW (Mechanical maintenance)
- Hollingworth's Cranes
- A1 Septic
- Pejar LALC



3. Community Update cont.

Complaints

Since October 2020, Lynwood has received 5 community complaints:

- 1 x Air Complaint - White dust on vehicle
- 2 x Blasting Complaints - Over-pressure at Marulan residence
- 2 x Road Transport Complaints - highway calls regarding driving





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4. Environmental Update



oxygen

4. Environmental Update

Compliance

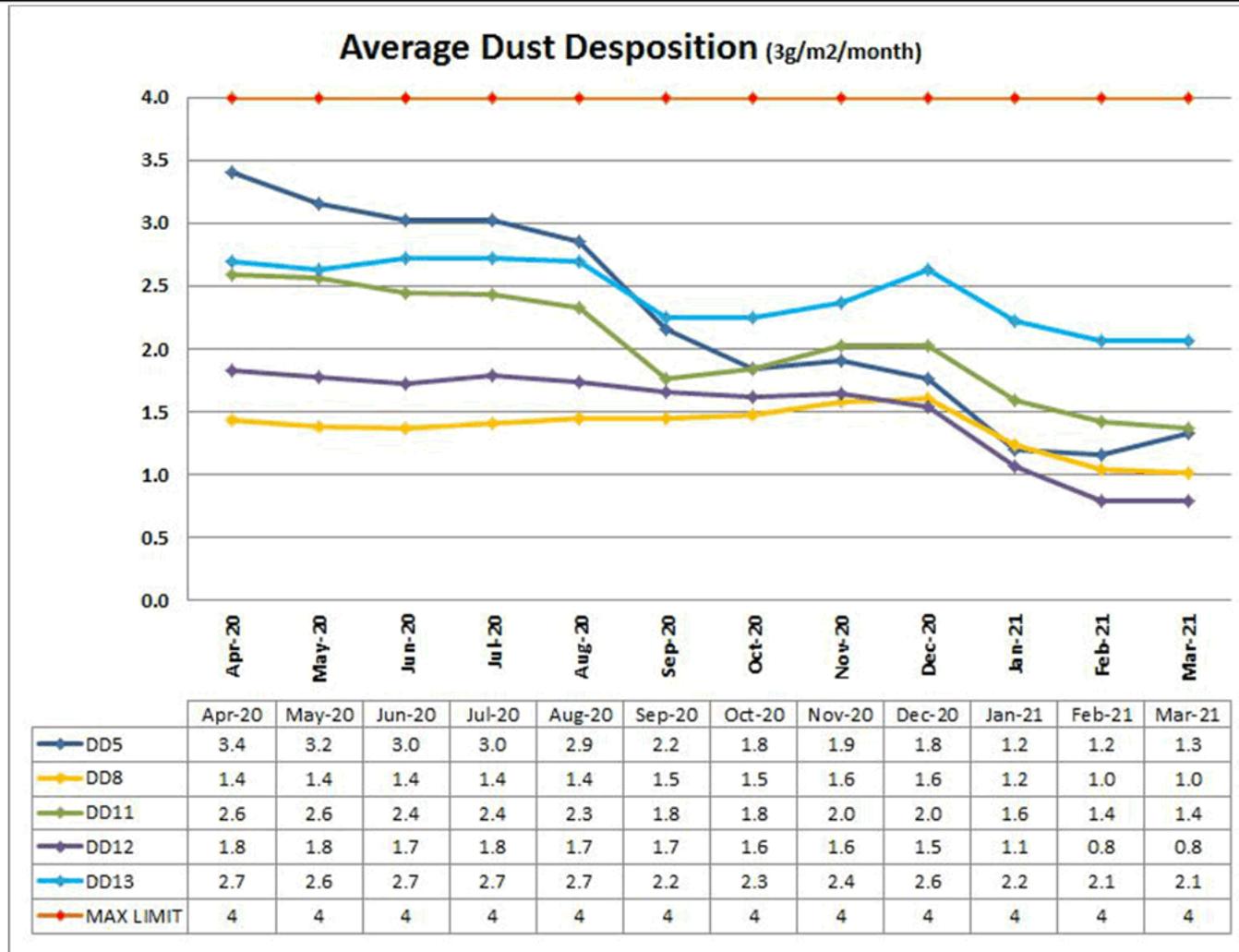
- Blasting - Compliant
- Dust Deposition - Compliant
- PM10 - Compliant
- Noise - Compliant
- Ground Water - Compliant
- Surface Water - Compliant

- Upgrade to the Hi-Volume samplers progressing - 1 of 2 now commissioned

EXACTUS BAM



Depositional Dust Monitoring Results



4. Environmental Update cont.

Environmental Audits

- Independent Environmental Audit report released in December 2020 - now available on the Lynwood Quarry website.
 - From 500 consent conditions audited, only 11 were non-compliant. This is a reduction from non-compliant 24 items in the 2018 audit.

- The Annual Aboriginal Heritage Site Audit was undertaken in November 2020.
 - No impacts from quarrying activities identified
 - Ground cover increase limited visibility of artefacts
 - 19 sites and 5 pads were audited with 16 sites and 3 pads found fully compliant
 - Increase in compliance from previous years audits

4. Environmental Update cont.

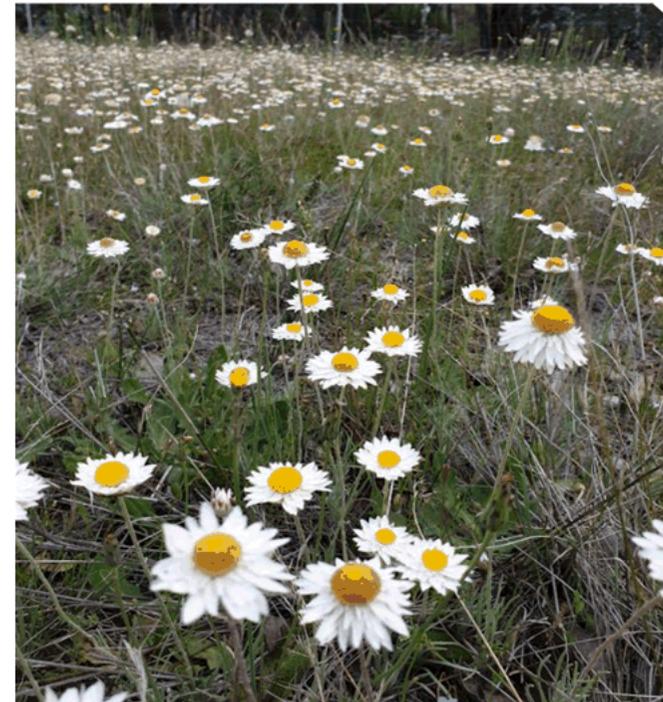
Management Plans

- Minimal updates made to the Water Management Plan and Air Quality Management Plans with submission to DPIE in 2020. These have now approved and available on the Lynwood Quarry website.

- Management Plans recently reviewed, with submission to the DPIE for review by end of May:
 - Marulan Creek Riparian Management Plan
 - Lockyersleigh Creek Riparian Management Plan
 - Joarimin Creek Riparian Management Plan
 - Box Gum Woodland Management Plan

4. Environmental Update cont.

- The Aboriginal Heritage Management Plan is about to commence a review. Key changes to include:
 - Updated heritage site compliance
 - Removal of inclusion of two previously registered Aboriginal parties who have formally removed their interest
 - Update to monitoring timing for some site that are now compliant. They will be monitored during the triennial monitoring rather than annually. This has been approved by the Aboriginal Heritage Management Committee



Hoary Sunray (*Leucochrysum albicans* var. *tricolor*) Endangered

Next 6 months

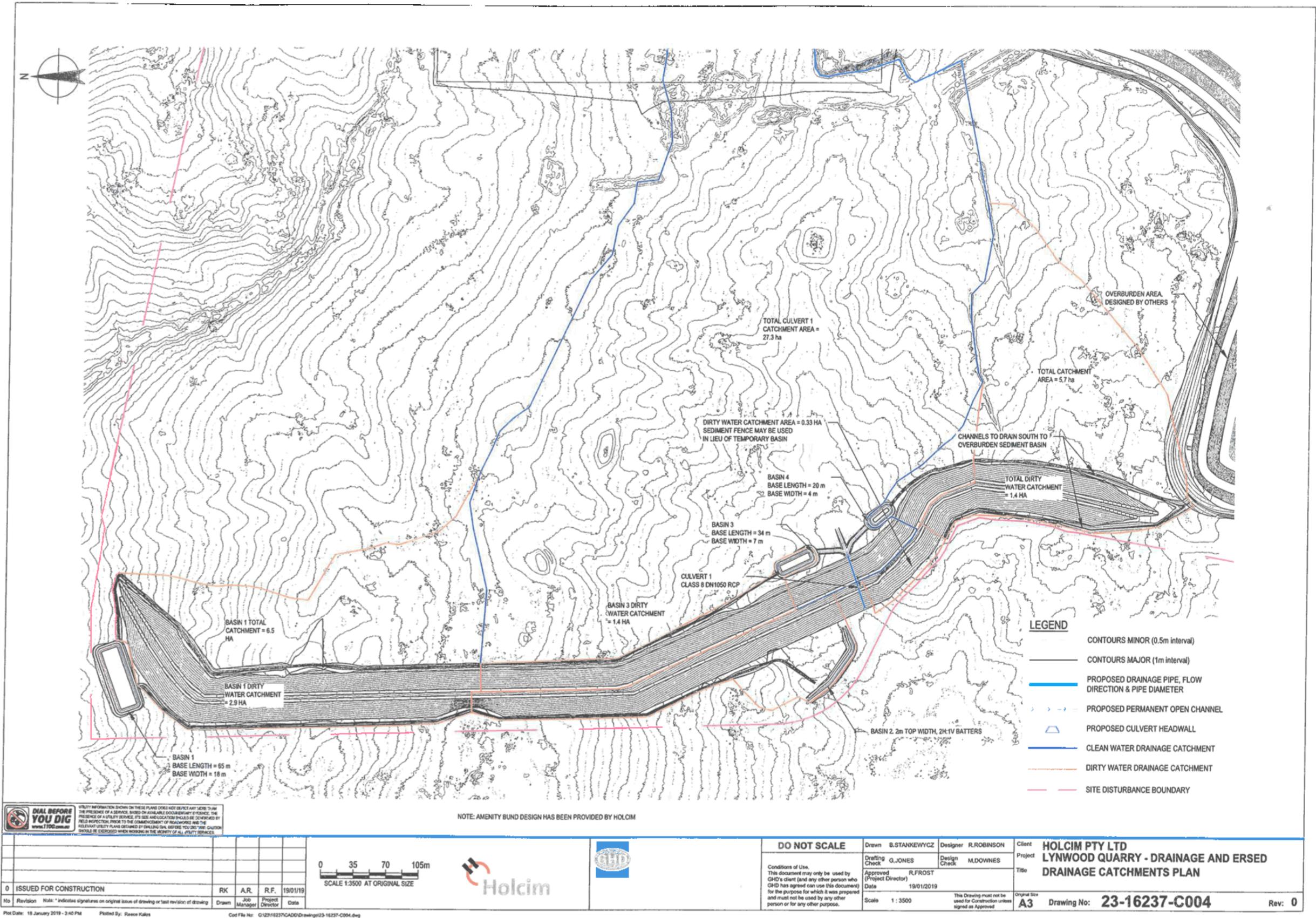
- Ongoing dust improvement trails
- Management Plan reviews - submission to DPIE
- Granite pit works - Ongoing Amenity bund work
- Annual Aboriginal Heritage Site Monitoring November
- Upgrade the second Hi-Vol unit to a BAM unit
- Preparation for Summer weather - review bushfire plans and water storage for excessive rain events
- The “Keeping Place” project progression
- Marulan town sign - DA submission





B Amenity bund construction plan

DRAFT



DIAL BEFORE YOU DIG
 QUALITY INFORMATION SHOWN ON THESE PLANS DOES NOT GUARANTEE THE PRESENCE OF A SERVICE. BASED ON AVAILABLE GEOGRAPHIC EVIDENCE, THE PRESENCE OF A UTILITY SERVICE, ITS SIZE AND LOCATION SHOULD BE CONFIRMED BY FIELD INSPECTION PRIOR TO THE COMMENCEMENT OF ROADWORK AND THE RELEVANT UTILITY PLANS OBTAINED BY DIALLING 000 000 0000. CAUTION SHOULD BE EXERCISED WHEN WORKING IN THE VICINITY OF ALL UTILITY SERVICES.

No	Revision	Note	Drawn	Job Manager	Project Director	Date
0	ISSUED FOR CONSTRUCTION		RK	A.R.	R.F.	19/01/19



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Drawn	B.STANKEWYCZ	Designer	R.ROBINSON
Drafting Check	G.JONES	Design Check	M.DOWNES
Approved (Project Director)	R.FROST	Date	19/01/2019
Scale	1:3500	This Drawing must not be used for Construction unless signed as Approved	

Client Project	HOLCIM PTY LTD LYNWOOD QUARRY - DRAINAGE AND ERSED DRAINAGE CATCHMENTS PLAN
Original Size	A3
Drawing No:	23-16237-C004
Rev:	0

C Amenity bund vegetation information

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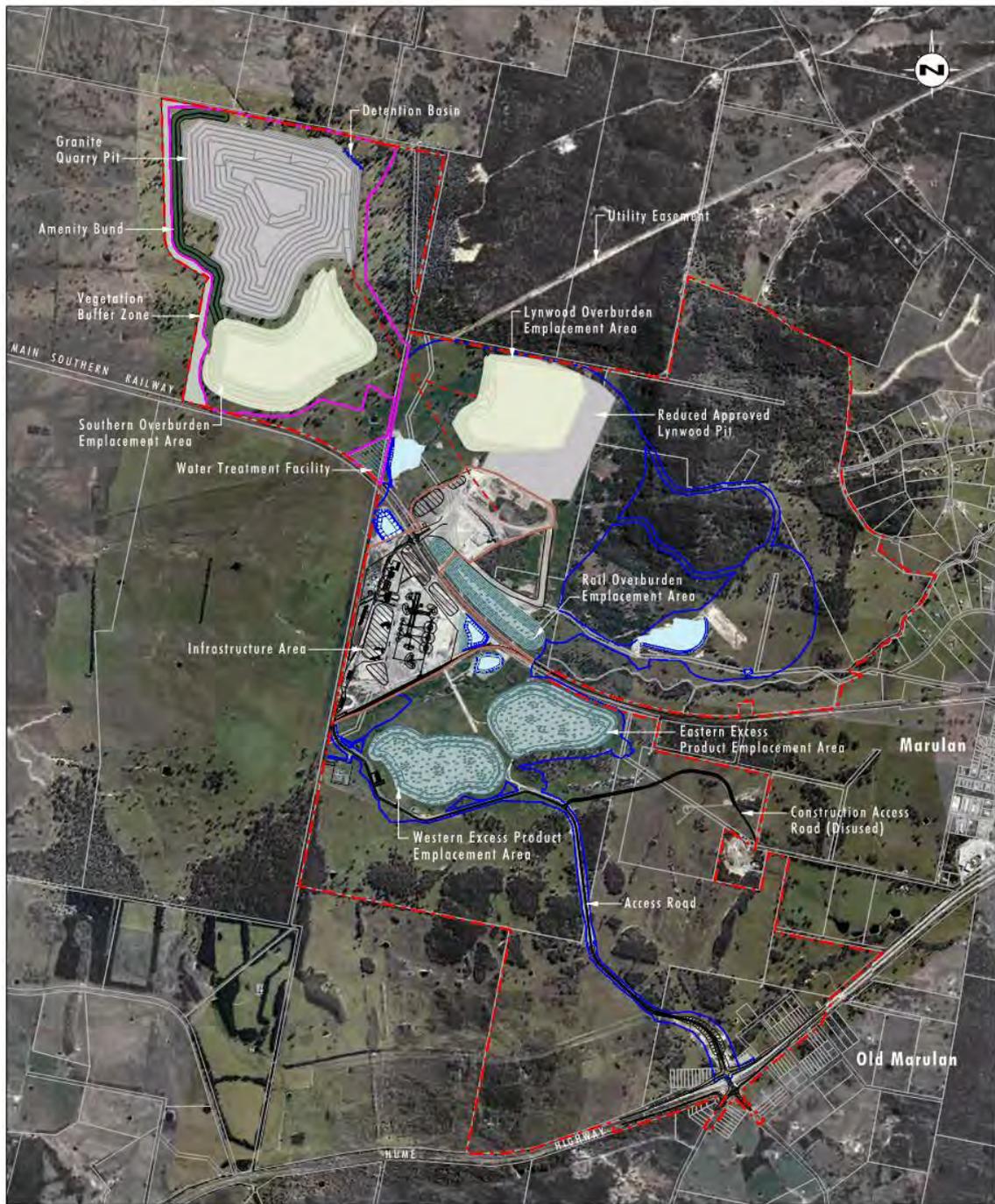


Image Source: Google Earth (2012), Holcim (2012, 2014)
 Data Source: LPI (2014), Holcim Australia (2015)

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Legend

- | | | |
|-----------------------------------|-----------------------------|--------------------------|
| Approved Project Area | Emplacement Area | Water Treatment Facility |
| Lynwood Infrastructure Area | Dam | |
| Approved Disturbance Footprint | Overburden Emplacement Area | |
| Granite Pit Disturbance Footprint | Vegetation Buffer Zone | |
| Lynwood Infrastructure Layout | Amenity Bund | |
| Quarry Pit | Haul Road | |

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FIGURE 3.3

Extraction Area Modification Project
 Conceptual Stage 6 (Life of Project)



The progressive rehabilitation of the emplacement areas is shown on **Figures 3.1 to 3.3** with the conceptual final Year 30 rehabilitation progress shown on **Figure 3.4**. The conceptual final land use for the majority of the Lynwood Quarry is to provide areas of native vegetation and native fauna habitat. The rehabilitated area will be suitable for managed low intensity grazing; however, the area will be managed predominantly for its habitat values, particularly the area north of the Main Southern Railway.

The quarry pit itself will be rehabilitated through the establishment of trees on the final quarry benches. Rehabilitation of the Ignimbrite Pit will also be progressed, with each of the benches treated and seeded with native trees as discussed in **Section 3.2.2**.

3.3.2 Emplacement Area and Amenity Bund Rehabilitation

Overburden and Excess Product Emplacement Areas

Once bulk dumping and reshaping has occurred, the surface of the all overburden and excess product emplacement areas will be shaped to allow for rehabilitation.

As a priority, recently stripped topsoil will be used and the areas will be seeded with native species listed in **Appendix 2** to achieve a woodland/open forest vegetation community. The excess product emplacement areas to the south of the Main Southern Railway are expected to be seeded with species from the Tableland Low Woodland vegetation community while the overburden emplacement areas to the north of the Main Southern Railway are expected to be seeded with a mixture of Tableland Grassy Box-Gum Woodland and Western Tablelands Dry Forest vegetation communities (refer to **Appendix 2**). Locally sourced seed will be used wherever practicable for rehabilitation works.

The overburden emplacement areas will typically be constructed in 2 m lifts by emplacement of material by truck and spreading and track rolling by dozer. A 5 to 10 m high outer shell will be maintained on the western, southern and northern edge of the Southern Overburden Emplacement Area during its construction to reduce potential noise impacts and to reduce the duration of visibility of working equipment as the dump nears its maximum height.

The completion of timely rehabilitation, particularly on the western face of the amenity bund, and the western, southern and northern faces of the southern overburden emplacement area are a key part of the visual impact mitigation strategy. The face of each 'lift' of the southern overburden emplacement area will be constructed and then rehabilitated as the first priority. This will allow rehabilitation to progress whilst the remainder of that lift is being emplaced (refer to **Figure 1.1**). This will also reduce the total extent of disturbed area and the visual impact of the quarry operations.

Rehabilitation of the Southern Overburden Emplacement Area is provided conceptually on **Figure 3.4**. Rehabilitation of this area will aim to establish PCT1330 Yellow Box – Blakely's Red gum grassy woodland on the tablelands, South Eastern Bioregion which aligns with a plant community type (PCT) that occurs naturally in the locality. The species mix that will be considered as part of this conceptual rehabilitation approach will aim to include the characteristic species outlined for PCT1330 in OEH's Vegetation Information System (VIS) (OEH 2018). If a Year 30 closure occurs, the remaining sections of emplacement areas not yet rehabilitated will be revegetated. Vegetated corridors will be established to connect these areas to rehabilitated infrastructure areas and surrounding remnant vegetation. Native woodland vegetation with a primarily native grass groundcover will be established on the rehabilitated emplacement areas and decommissioned infrastructure areas.



Amenity Bund

Adjacent to the western boundary and along the northern boundary of the granite pit a 12 m high amenity bund will be constructed (**see Figure 1.1**). The northern section will terminate before it intersects with the tributary flowing from the northern extent of Lynwood Quarry. At spot locations the bund may be extended to 14 m in height if required.

Rehabilitation of the amenity bund is provided conceptually on **Figure 3.4**. Rehabilitation of this area will aim to establish PCT1330 Yellow Box – Blakely's Red gum grassy woodland on the tablelands, South Eastern Bioregion which aligns with a plant community type (PCT) that occurs naturally in the locality. The species mix that will be considered as part of this conceptual rehabilitation approach will aim to include the characteristic species outlined for PCT1330 in OEH's Vegetation Information System (VIS) (OEH 2018).

Species selection will ensure a thick, evergreen, robust screen can be achieved. These species have been identified and are included in **Appendix 3**. All bund vegetation will be appropriately maintained, watered, fertilized and where required, replaced or replanted from time to time to ensure the objective of the bund and vegetation is achieved.

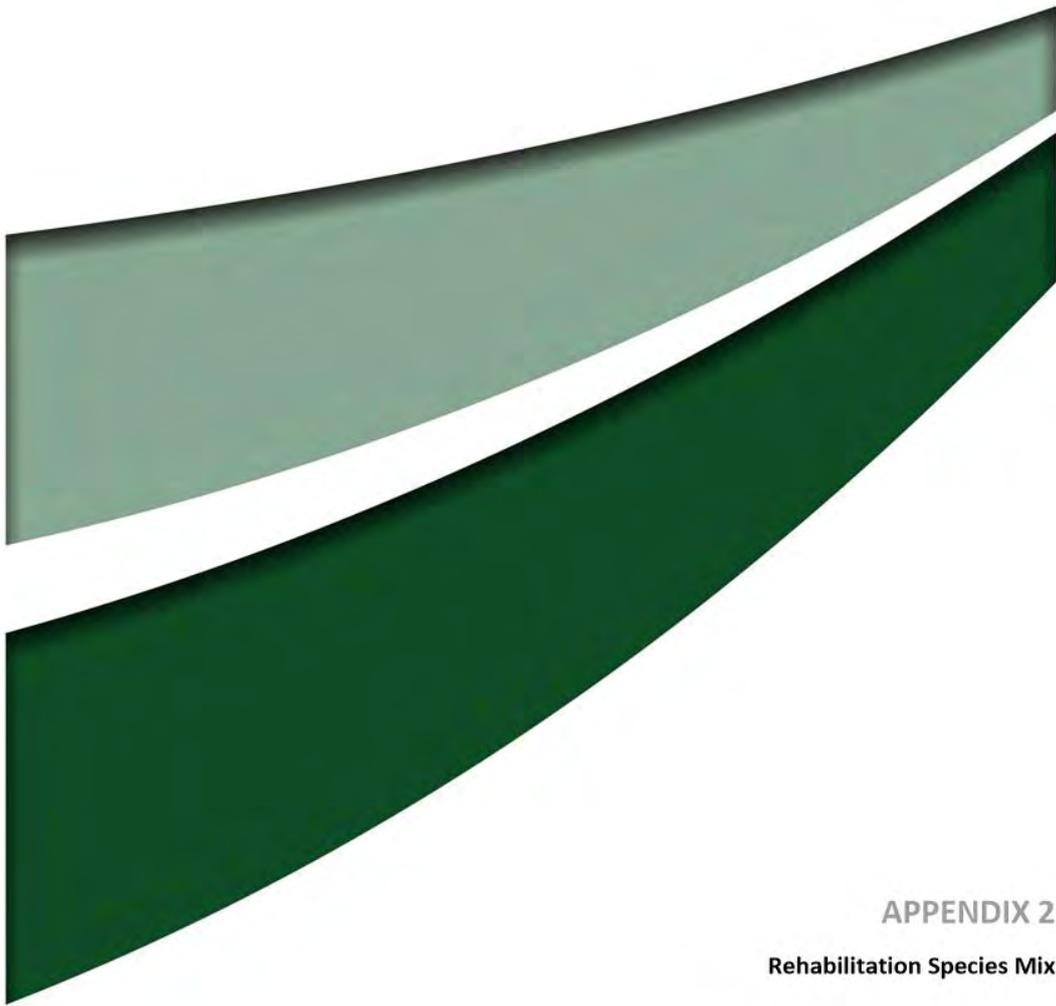
3.3.3 Topsoil Management

Topsoil will be stripped in all areas to be disturbed for infrastructure and quarry activities. Topsoil stripping will be managed to ensure maximum recovery of topsoil, protect its quality and enhance rehabilitation outcomes. Where possible, as the granite pit development occurs, topsoil will be in demand for the amenity bund, ignimbrite and Southern Overburden Emplacement Area. It is intended that works will be coordinated to ensure stripping will coincide directly with topsoil emplacement in these areas. This will reduce the deterioration of the topsoil by reducing movement. Quick successive and progressive rehabilitation will be a part of the works program.

Initial topsoil derived from the first stages of granite pit and haul road development will need to be stored for a period of time as rehabilitation activities will have not yet begun.

All topsoil stockpiles will be shaped and grassed immediately, have a 3:1 slope and be no taller than 3 m. All stockpiles will be signposted to ensure they are clearly identified. All topsoil managed through windrows, shaped areas and haul roads will be grassed within 6 weeks of being established. Across all topsoil areas noxious weeds will be managed. Appropriate erosion controls will be installed at the base of stockpiles to prevent sedimentation issues in the receiving environment. Erosion controls may include construction of earthen banks upslope of stockpiles to divert water around the stockpile and the utilisation of sediment fencing down slope of the stockpile. Temporary stockpiles can be protected from erosion via the use of geofabric with longer term stockpiles to be revegetated with a cover crop.

A topsoil stripping plan will be implemented for each individual package of construction works for the site. Following stripping of topsoil, soil characterisation will take place to determine the topsoils suitability for its use in rehabilitation. To enable topsoil to be utilised within rehabilitation works, Holcim may import local topsoil or a topsoil alternative to assist with the rehabilitation at Lynwood Quarry. Thorough soil testing in accordance with legislative requirements will be undertaken prior to any foreign soil material being imported to site. In addition, a weed free certificate will be provided.



APPENDIX 2
Rehabilitation Species Mix



Family/Subfamily	Scientific Name	Common Name	Tableland Grassy Box-Gum Woodland	Tableland Low Woodland	Western Tablelands Dry Forest	Riparian Gum-Box-Apple Woodland	Camden Woollybutt Low Open Woodland
JUNCEAE	<i>Juncus usitatus</i>	a rush				X	
LOMANDRACEAE	<i>Lomandra longifolia</i>	spiny-headed mat-rush				X	
LOMANDRACEAE	<i>Lomandra obliqua</i>	twisted mat-rush	X				
POACEAE	<i>Aristida ramosa</i>	wire grass	X	X	X	X	X
POACEAE	<i>Austrodanthonia laevis (syn. Danthonia laevis)</i>	a wallaby grass	X	X	X	X	X
POACEAE	<i>Austrodanthonia racemosa var. racemosa (syn. Danthonia racemosa var. racemosa)</i>	white top	X	X	X	X	X
POACEAE	<i>Austrodanthonia tenuior (syn. Danthonia tenuior)</i>	a wallaby grass	X	X	X	X	X
POACEAE	<i>Austrostipa scabra subsp. falcata (syn. Stipa scabra ssp. falcata)</i>	speargrass	X	X	X	X	X
POACEAE	<i>Austrostipa scabra subsp. scabra (syn. Stipa scabra ssp. Scabra)</i>	corkscrew grass	X	X	X	X	X
POACEAE	<i>Cynodon dactylon</i>	couch	X	X	X	X	X
POACEAE	<i>Dichelachne micrantha</i>	shorthair plumegrass	X	X	X	X	X
POACEAE	<i>Echinopogon caespitosus var. caespitosus</i>	tufted hedgehog grass	X	X	X	X	X
POACEAE	<i>Elymus scaber</i>	wheatgrass	X	X	X	X	X
POACEAE	<i>Entolasia marginata</i>	bordered panic		X			
POACEAE	<i>Eragrostis brownii</i>	Brown's lovegrass	X	X	X	X	X
POACEAE	<i>Microlaena stipoides var. stipoides</i>	weeping grass	X	X	X	X	X
POACEAE	<i>Poa sieberiana</i>	snow grass	X	X	X	X	X
POACEAE	<i>Themeda australis</i>	kangaroo grass	X	X	X	X	X
XANTHORRHOACEAE	<i>Xanthorrhoea glauca subsp. angustifolia</i>			X			
Magnoliopsida (Flowering Plants) – Magnoliidae (Dicots)							



Family/Subfamily	Scientific Name	Common Name	Tableland Grassy Box-Gum Woodland	Tableland Low Woodland	Western Tablelands Dry Forest	Riparian Gum-Box-Apple Woodland	Camden Woollybutt Low Open Woodland
ASTERACEAE	<i>Olearia viscidula</i>	wallaby weed	X	X	X		
CASUARINACEAE	<i>Allocasuarina littoralis</i>	black sheoak	X	X	X		
CHENOPODIACEAE	<i>Einadia trigonos</i>	fishweed	X	X	X	X	X
DILLENIACEAE	<i>Hibbertia obtusifolia</i> complex	hoary guinea flower	X	X	X		
EPACRIDACEAE	<i>Leucopogon muticus</i>	blunt beard-heath	X	X	X		
EPACRIDACEAE	<i>Lissanthe strigosa</i>	peach heath	X	X	X		
EPACRIDACEAE	<i>Melichrus erubescens</i>	ruby urn heath	X	X	X		
EUPHORBIACEAE	<i>Phyllanthus virgatus</i>	a spurge	X	X	X	X	X
FABACEAE - FABOIDEAE	<i>Hardenbergia violacea</i>	false sarsaparilla	X	X	X	X	X
FABACEAE - MIMOSOIDEAE	<i>Acacia brownii</i>	prickly Moses	X	X	X	X	X
FABACEAE - MIMOSOIDEAE	<i>Acacia decurrens</i>	black wattle	X	X	X	X	X
FABACEAE - MIMOSOIDEAE	<i>Acacia dealbata</i>	Silver / blue wattle	X	X	X	X	X
FABACEAE - MIMOSOIDEAE	<i>Acacia mearnsii</i>	black wattle	X	X	X	X	X
FABACEAE - MIMOSOIDEAE	<i>Acacia obtusata</i>			X			
FABACEAE - MIMOSOIDEAE	<i>Acacia stricta</i>	straight wattle			X		
GERANIACEAE	<i>Geranium solanderi</i> var. <i>solanderi</i>	native geranium	X	X	X	X	X
GOODENIACEAE	<i>Goodenia hederacea</i> subsp. <i>hederacea</i>	ivy goodenia	X	X	X	X	X
MYRTACEAE	<i>Eucalyptus agglomerata</i>	blue-leaved stringybark	X	X	X	X	
MYRTACEAE	<i>Eucalyptus amplifolia</i> subsp. <i>amplifolia</i>	cabbage gum				X	
MYRTACEAE	<i>Eucalyptus blakelyi</i>	Blakely's red gum	X				



Family/Subfamily	Scientific Name	Common Name	Tableland Grassy Box-Gum Woodland	Tableland Low Woodland	Western Tablelands Dry Forest	Riparian Gum-Box-Apple Woodland	Camden Woollybutt Low Open Woodland
MYRTACEAE	<i>Eucalyptus bridgesiana</i>	apple box				X	
MYRTACEAE	<i>Eucalyptus cinerea</i>	Argyle apple		X		X	
MYRTACEAE	<i>Eucalyptus dives</i>	broad-leaved peppermint					X
MYRTACEAE	<i>Eucalyptus eugenioides</i>	thin-leaved stringybark			X		
MYRTACEAE	<i>Eucalyptus globoidea - eugenioides</i>				X		
MYRTACEAE	<i>Eucalyptus goniocalyx</i>	bundy	X	X	X		
MYRTACEAE	<i>Eucalyptus macarthurii</i>	Camden woollybutt					X
MYRTACEAE	<i>Eucalyptus macrorhyncha</i>	red stringybark	X	X	X	X	X
MYRTACEAE	<i>Eucalyptus mannifera</i> subsp. <i>mannifera</i>	brittle gum		X			
MYRTACEAE	<i>Eucalyptus melliodora</i>	yellow box	X			X	
MYRTACEAE	<i>Eucalyptus moluccana</i>	grey box				X	
MYRTACEAE	<i>Eucalyptus ovata</i>	swamp gum				X	
MYRTACEAE	<i>Eucalyptus radiata</i>	narrow-leaved peppermint				X	
MYRTACEAE	<i>Eucalyptus rossii</i>	inland scribbly gum				X	
MYRTACEAE	<i>Kunzea parvifolia</i>		X	X	X		
MYRTACEAE	<i>Leptospermum polygalifolium</i>	yellow tea tree				X	
MYRTACEAE	<i>Leptospermum trinervium</i>	flaky-barked tea tree	X	X	X	X	
PITTOSPORACEAE	<i>Bursaria spinosa</i> subsp. <i>spinosa</i> (syn. <i>B. spinosa</i> var. <i>spinosa</i>)	blackthorn	X	X	X	X	
PROTEACEAE	<i>Persoonia linearis</i>	narrow-leaved geebung	X	X	X		
ROSACEAE	<i>Acaena novae-zelandiae</i>	bidgee-widgee	X	X	X	X	X
SANTALACEAE	<i>Exocarpos cupressiformis</i>	native cherry	X	X	X	X	
SCROPHULARIACEAE	<i>Veronica plebeia</i>	trailing speedwell	X	X	X	X	X



APPENDIX 3

Species to be utilised in Amenity Bund Landscaping



Appendix 3 – Amenity bund rehabilitation species list

Family/Subfamily	Scientific Name	Common Name
Myrtaceae	<i>Eucalyptus melliodora</i>	Yellow Box
Myrtaceae	<i>Eucalyptus bridgesiana</i>	Apple Box
Myrtaceae	<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
Myrtaceae	<i>Eucalyptus dives</i>	Broad-leaved Peppermint
Myrtaceae	<i>Eucalyptus macrorhyncha</i>	Red Stringybark
Myrtaceae	<i>Eucalyptus rubida</i> subsp. <i>rubida</i>	Candlebark
Myrtaceae	<i>Eucalyptus pauciflora</i>	Snow Gum
Myrtaceae	<i>Eucalyptus mannifera</i>	Brittle Gum
Myrtaceae	<i>Eucalyptus viminalis</i>	Ribbon Gum, Manna Gum
Ericaceae	<i>Lissanthe strigosa</i>	Peach Heath
Ericaceae	<i>Melichrus urceolatus</i>	Um-Heath
Haloragaceae	<i>Gonocarpus tetragynus</i>	N/A
Goodeniaceae	<i>Goodenia hederacea</i>	forest goodenia, ivy goodenia
Araliaceae	<i>Hydrocotyle laxiflora</i>	Stinking Pennywort
Lomandraceae	<i>Lomandra filiformis</i> subsp. <i>coriacea</i>	N/A
Poaceae	<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping grass
Poaceae	<i>Themeda australis</i>	Kangaroo Grass
Poaceae	<i>Bothriochloa macra</i>	Red Grass, Red-leg Grass

D Letter of Holcim's commitments

DRAFT



October 30, 2015

Dear Towrang Community Members,

Holcim Australia Pty Ltd (Holcim) operates the Lynwood Quarry. Holcim is proposing to modify the Lynwood development consent through Modification 4 and open a new granite pit on Holcim owned land. The granite pit will replace the ignimbrite material currently being extracted. The granite material is better suited to providing consistent aggregate products for the life of the quarry. Throughout the assessment process Holcim has actively engaged with the surrounding communities to present the proposed changes contained in Modification 4 and listened to community feedback and concerns.

In response to concerns raised by members of the Towrang community regarding aspects of the operations at the Lynwood Quarry and potential impacts from the Modification 4, Holcim has developed a set of objectives and commitments which we believe will minimise potential impacts to the Towrang community. Holcim recognize that it is up to Holcim to develop the systems to achieve the objectives

Holcim propose the following;

Proposed Granite Pit

Objectives

Holcim will do everything practicable to ensure operational elements for the proposed granite quarry pit and associated works, including haul roads, trucks, plant and machinery are fully screened from sight from all existing residences in the Towrang Valley and surrounds.

Holcim will do everything practicable to ensure operational elements of the proposed granite quarry pit and associated works, including haul road traffic, plant and machinery do not impact the existing residences in the Towrang Valley and surrounds as far as is practicable in relation to noise, dust and vibration.

It is understood that the building of the bunds, haul roads, and overburden mounds will be visible during construction and maintaining vegetation, however Holcim will undertake these activities in a way to limit the offsite visual, noise and dust impacts.

Holcim's Commitments

Holcim proposes to achieve the objectives through commitments included in our Environmental Assessment and project description lodgment to the State Government.

These commitments include:



- A 12 metre high amenity bund will be constructed adjacent to the western boundary of the proposed granite pit. A 12 metre high amenity bund connecting with the western amenity bund will be constructed adjacent the northern boundary of the proposed granite pit. The northern amenity bund will extend from the western boundary and will terminate before it intersects with the tributary which flows from the northern extent of the project area toward Lockyersleigh Creek. At spot locations the bund may be extended to 14 metres in height if required.
- Holcim will re-vegetate the granite pit eastern overburden bench as soon as practicable.
- Holcim will plant suitable native species to thickly vegetate the western and northern faces of the amenity bunds to grow to a height of 2-3 metres above the bund height.
- Holcim will engage a suitably qualified botanist/horticulturalist to ensure appropriate plants are chosen to ensure a thick, evergreen, robust screen can be achieved.
- In addition to the amenity bund, where required, Holcim propose to use semi-permanent visual screens to shield the overburden removal activities. The screens will be of sufficient height to obscure vision of mobile plant undertaking top soil and overburden removal activities. The screens will be repositioned as the overburden removal activities progress through the development stages.
- Holcim will construct bunding along the western and southern faces of the haul road to screen vehicle movements leaving the pit and traveling to the established primary crusher. The proposed bunding will be of a height of 5 metres where required to screen vehicle movements, entering and leaving the pit and travelling to and from quarry processing facilities.
- Holcim will ensure that noise escaping from the granite pit operation will be minimised as far as practicable and will undertake noise attenuation measures as required, including, if necessary, the use of rubberised liners in the truck bodies.
- All crushing of material from the granite pit will be conducted at the existing crushing facilities. Holcim will only use machinery required to undertake extraction as per our development conditions, including drilling, blasting, loading, hauling, dust suppression, overburden removal and activities related to these operations.
- Overburden will only be removed during daylight hours.

**Required Maintenance:**

- Holcim will ensure that the amenity bund is properly maintained to ensure its efficacy for the duration of the quarry license.
- Holcim will ensure all bund vegetation is appropriately maintained, watered, fertilized and where required replaced or replanted from time to time to ensure the objective of the bund and vegetation is continually achieved.
- When from time to time during the quarry license period improved technical innovations emerge that would deliver an improved outcome to the above objective Holcim will promptly adopt those innovations where practicable.
- Trucks will be maintained to ensure noise reduction measures do not diminish over time.

Off Site Lighting Impacts**Objective**

Holcim will do everything practicable to prevent and or minimise any off site lighting impacts from the Lynwood Quarry to all existing residences in the the Towrang Valley and surrounds.

Holcim's Commitments

- Holcim will build a light proof fence with a minimum height of 9 metres along the full length of the western boundary of the car park access road and car park, shielding from view all road lighting and car park lighting fittings.
- Holcim will reduce the height of all light fittings used to illuminate the car park access road and car park to a height no greater than 8.5 metres above ground level. Holcim will cut off the surplus length of all light poles along the car park access road and in the car park just above the light fittings at 8.5 metres and ensure the light fitting cannot be moved to a greater height.
- All conveyor lights above the lighting screens are to be by default turned off and only illuminate when required maintenance or repair. When such maintenance or repair has been completed the conveyor lights will be turned off again.
- All conveyor lights above the lighting screen will be fitted with appropriate screens or light shades to reduce as far as is practicable any off site lighting impacts
- Holcim has committed to re-examine the Webb lighting report and to review the lights on the upper sections of the conveyor system. If additional screening is possible and practicable Holcim will modify accordingly.



- The list of recommendations made by Webb, presented and discussed at meeting 24 April 2015, includes a number of activities including adjusting light angles, reducing some 400w luminaires with 150w luminaires etc. Holcim will update the list of adjustments and attached to the Statement of Commitments with agreement that these light reduction modifications not be diminished or reduced, but they can be, by agreement, improved upon when the opportunity arises.

Maintenance:

- Holcim will maintain and repair when necessary the light proof fence so that for the duration of the licence period, and during any renewed licence period, the fence will achieve the stated objective.
- Holcim will ensure that at no time light fittings are mounted at a height greater than that of the light proof fence, with the exception of the current conveyor lights which exist above the lighting screen. Holcim have committed to installing switches controlling the upper half of the conveyor lights which exist above the lighting screens. Holcim commit to only using the lights to undertake emergency maintenance at night time as required.
- When from time to time during the quarry license period improved technical innovations emerge that would deliver an improved outcome to the above objective Holcim will promptly adopt those innovations where practicable.

I believe the objectives Holcim are committing to will be achieved by the means we are proposing.

Yours sincerely

Subject: FW: Woodlawn Mine CCC Meeting

From: Tim Dobson [mailto:TDobson@HeronResources.com.au]

Sent: Friday, 21 May 2021 9:26 AM

Subject: RE: Woodlawn Mine CCC Meeting

Woodlawn CCC members,

I have had feedback that an email update is preferred in lieu of a meeting if there is no material new information to report. I am happy to do that (see below) and also happy to take Q&A via email. I will also cancel next week's meeting, and David and I will propose a new meeting date in due course.

Woodlawn Update

Strategic Process

Heron's strategic process remains in progress and although we have not yet announced a transaction, I note that both the base metals and equity markets have strengthened significantly since we last met. Heron's intention is to take advantage of the strong market conditions and we are pursuing a scenario that could potentially result in a restart of operations at Woodlawn. The process remains confidential at this time and a positive outcome is certainly not guaranteed. However, if a successful outcome is achieved it will be announced to the market on the ASX platform ([ASX:HRR](#)), in which case we will convene a CCC meeting soon thereafter to discuss Heron's plans.

Site Care & Maintenance

The Woodlawn Mine site remains in active care and maintenance with the small site team, led by site manager Tim Brettell, doing a great job managing water, keeping the underground mine ventilated and dewatered, and carrying out preventative maintenance on plant and equipment. There have been no injuries or significant safety incidents, and no security incidents.

Legacy Tailings Dam Rehabilitation Trial

A rehabilitation trial has commenced on "Tailings Dam North", one of 3 tailings dams created during historical operations between 1978 and 1998. The trial is a cooperative arrangement involving Heron, Veolia and a third party expert consultants Pelican Head Resources. The trial is aimed at testing vegetation growth performance under a range of scenarios utilising Veolia's Woodlawn Organic Output (WOO), a product from their Mechanical & Biological Treatment (MBT) facility, effectively converting household putrescible waste from Sydney into a long term land rehabilitation product. These trials will take some years to complete with the aim of providing a rehabilitation solution once reprocessing of the tailings has been completed.

Questions?

Please address any questions directly to me and I will provide responses with all CCC members in cc.

Thanks & regards, Tim

Tim Dobson

CEO



Heron Resources Limited

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15.11 SUSTAINABILITY WORKING PARTY

Author: Marina Hollands, Director Utilities
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	EN2 – Adopt environmental sustainability practices. CL1 – Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	The cost of operating this working party will be from operating expenses. There is no financial delegations being recommended to this working party
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the Director Utilities on the Sustainability Working Party be received.
2. Council approve the recommended composition and brief of the working party. Direct appointments be sought from the Chamber of Commerce and the four high schools for their representatives. Expressions of interest for the community representatives be advertised for 2 weeks with the recommendation for membership to be resolved by Council.

BACKGROUND

Council resolved to establish a Sustainability Working Party to determine options and actions for the community as a whole to address climate change and the loss of biodiversity in our community.

REPORT

At the 6 April 2021 Council meeting, Council resolved to establish a Community Sustainability Working Party. The aim of the Working Party is to develop common sense and affordable options to reduce our local contribution to climate change and the loss of biodiversity in the Goulburn Mulwaree area.

The aim of the working party is to discuss climate change and biodiversity loss locally to develop strategies and options to address these issues at a local level. The aim of the working party is not to debate the science of climate change or biodiversity loss but rather to develop achievable, affordable and practical options that can be implemented in our community to start to address these issues.

It is recommended that the working party consist of 11 participants to include:

- Councillor Sam Rowland
- One senior student from each of the four local high schools
- One direct appointment from the Goulburn Chamber of Commerce
- Up to five community representatives selected by Council from an Expression of Interest process.

If any of the schools of the Chamber of Commerce do not nominate a representative then additional community representatives may be selected to fill those vacancies, noting the maximum of eleven participants in the Working Party. The staff representative will be Marina Hollands.

Expressions of Interest will be sought to invite the community to nominate for membership to the working party. The schools and the Chamber of Commerce will be directly contacted to nominate their representative. Expressions of interest will be advertised for the community representatives, with the nominations and recommendations for membership to be resolved by Council. The expression of interest will be advertised for a period of two weeks.

All nominees will be asked to answer the following question:

- What is your interest in joining this Working Party?

This working party will develop strategies and will aim to have their final report to Council in March 2022.

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 Mayor will close the meeting.