



OUR VISION & VALUES ONE TEAM DELIVERING WITH

PRIDE

Passion | Respect | Innovation | Dedication | Excellence

OUR MISSION TO BE EASY TO DO BUSINESS WITH

BUSINESS PAPER

Ordinary Council Meeting

2 November 2021

Warwick Bennett
General Manager

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

Tuesday, 2 November 2021 at 6pm
in the Council Chambers, Civic Centre
184 - 194 Bourke Street, Goulburn

Order Of Business

1	Opening Meeting	5
2	Acknowledgement of Country	5
3	Councillors Declaration and/or Prayer	5
4	Apologies	5
5	Applications for a Leave of Absence by Councillors	5
	Nil	
6	Late Items / Urgent Business	5
7	Disclosure of Interests	5
8	Presentations	6
	Nil	
9	Public Forum	6
10	Confirmation of Minutes	7
	10.1 Minutes of the Ordinary Meeting of Council held on 19 October 2021	7
11	Matters Arising	28
	11.1 Matters Arising from Council Meetings Minutes from the 19 October 2021.....	28
	11.2 Outstanding Task List from All Previous Meetings.....	29
12	Mayoral Minute(s)	32
	Nil	
13	Notice of Motion(s)	32
	Nil	
14	Notice of Rescission(s)	32
	Nil	
15	Reports to Council for Determination	33
	15.1 DA/0419/2021 - Construction of six (6) attached town houses with seven (7) Lot Community Title subdivision at 10 Ben Bullen Place, Goulburn.....	33
	15.2 St Johns Orphanage - 52 Mundy Street, Goulburn.....	89
	15.3 Post Exhibition Report- Planning Proposal- Amendments to Goulburn Mulwaree LEP Schedule 1 Additional Permitted Uses at 14 & 16 George St, Marulan and 159 Rifle Range Road, Goulburn.....	107
	15.4 Optional Special Flood Considerations Clause for Goulburn Mulwaree LEP 2009.....	131
	15.5 Planning Proposal to Rezone Land Adjoining Council (Drinking) Water Treatment Plants, in Goulburn and Marulan	136
	15.6 2122T0003 Plant 9306 Sewer Jet Truck.....	145

15.7	VP252474 RFQ Replacement of Plant 90 Water Cart	147
15.8	VP270905 McDermott Drive Shared Path Construction	150
15.9	Multiquip Haulage Route Repairs - Status Update	153
15.10	Goulburn Agricultural, Pastoral & Horticultural Society Inc. Licence Renewal	155
15.11	Minutes of the Traffic Committee Meeting held on 7 October 2021	198
15.12	Sustainability Working Party Minutes - 11 October 2021	205
16	Closed Session	207
	There were no closed session reports for determination.	
17	Conclusion of the Meeting	207

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 19 OCTOBER 2021

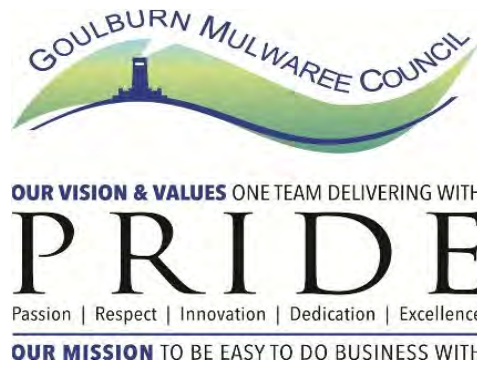
Author: General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Minutes of the Ordinary Meeting of Council held on 19 October 2021

RECOMMENDATION

That the Council minutes from Tuesday 19 October 2021 and contained in Minutes Pages No 1 to 21 inclusive and in Minute Nos 2021/469 to 2021/516 inclusive be confirmed.



MINUTES

Ordinary Council Meeting

19 October 2021

Order Of Business

1	Opening Meeting	5
2	Acknowledgement of Country	5
3	Councillors Declaration and/or Prayer	5
4	Apologies	5
5	Applications for a Leave of Absence by Councillors	5
6	Late Items / Urgent Business	6
7	Disclosure of Interests	6
8	Presentations	6
	Nil	
9	Public Forum	6
10	Confirmation of Minutes	7
	10.1 Minutes of the Ordinary Meeting of Council held on 5 October 2021	7
11	Matters Arising	7
	11.1 Matters Arising from Council Meetings Minutes from the 5 October 2021.....	7
	11.2 Outstanding Task List from All Previous Meetings.....	7
12	Mayoral Minute(s)	7
	Nil	
13	Notice of Motion(s)	7
	13.1 Notice of Motion - Street Lighting Clifford Street.....	7
	13.2 Notice of Motion - Disabled Car Park in Auburn Street.....	8
14	Notice of Rescission(s)	9
	14.1 Notice of Rescission - MODDA/0112/2021 - Dwelling and Detached Storage Shed, 35 Theatre Drive Goulburn.....	9
15	Reports to Council for Determination	11
	15.1 MODDA/0108/2021 - Modification to Multi-Unit Development, 17 Fenwick Crescent Goulburn	11
	15.2 Veolia Host Fee and Performing Arts Centre Grant.....	12
	15.3 Goulburn Mulwaree Award Working Party Expressions of Interest	13
	15.4 Road Closure Application between 31-37 Braidwood Road, Goulburn	14
	15.5 General Purpose Financial Statements and Special Purpose Statements 2020/21	15
	15.6 Demographic Trends - Goulburn Mulwaree	15
	15.7 Goulburn Performing Arts Centre: Operational Update.....	15
	15.8 Monthly Financial Report.....	15
	15.9 Statement of Investments & Bank Balances.....	16
	15.10 Debtors Outstanding	16
	15.11 Rates Outstanding Report.....	16
	15.12 Water Charges Outstanding Report	16

15.13	Quarterly Workers Compensation Report.....	16
15.14	Goulburn Performing Arts Centre - September 2021 Status Report	17
15.15	St Clair Conservation Works - Status Report.....	17
15.16	Towrang Bridge Replacement September Status Report	17
15.17	School Zone Safety Infrastructure - September 2021 Status Update.....	17
15.18	Windellama Road Fixing Local Roads Project - September 2021 Status Report	18
15.19	Carrick Road Fixing Local Roads Project - September 2021 Status Report	18
15.20	Mountain Ash Road Fixing Local Roads Project - September 2021 Status Report.....	18
15.21	Natural Disaster Essential Public Asset Restoration Project - September 2021 Status Report	18
15.22	Goulburn Regional Hockey Facility - September 2021 Status Report.....	19
15.23	Goulburn Aquatic Centre Redevelopment Stage 1 Construction - September 2021 Status Report	19
15.24	Growing Local Economies Common Street - September 2021 Status Report	19
15.25	ReUse Goulburn (RUG) Construction - September 2021 Status Report.....	19
15.26	Reuse Scheme Goulburn - September 2021 Status Report	20
15.27	Planning & Environment Directorate Report September 2021	20
15.28	Operations Directorate Report - September 2021	20
15.29	Utilities Directorate Report - September 2021	20
15.30	Corporate & Community Services Directorate Report September 2021	21
15.31	Minutes of the Recreation Area Committee Meeting held on 6 October 2021	21
16	Closed Session	21
	There were no closed session reports for determination.	
17	Conclusion of the Meeting	21

**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN & VIA ZOOM
ON TUESDAY, 19 OCTOBER 2021 AT 6PM**

PRESENT: Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), Cr Andrew Banfield, Cr Leah Ferrara, Cr Alfie Walker, Cr Margaret O'Neill & Cr Carol James

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

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 Cr Carol James.

4 APOLOGIES

RESOLUTION 2021/469

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

That the apologies received from Cr Sam Rowland & Cr Denzil Sturgiss be accepted.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2021/470

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

That the leave of absence be granted to Cr Sam Rowland due to work commitments ad Cr Denzil Sturgiss due to a technology failure.

CARRIED

6 LATE ITEMS / URGENT BUSINESS

RESOLUTION 2021/471

Moved: Cr Bob Kirk

Seconded: Cr Andrew Banfield

That the additional information including the legal opinion from Maddox dated 12 October 2021 attached in the General Managers email from the 12 October 2021 be included in this meeting as part of the consideration of the rescission motion being Item 14.1 Notice of Rescission - MODDA/0112/2021 - Dwelling and Detached Storage Shed, 35 Theatre Drive Goulburn.

CARRIED

7 DISCLOSURE OF INTERESTS

Cr Andrew Banfield declared a pecuniary conflict of interest in Item 15.4 "Road Closure Application between 31-37 Braidwood Road, Goulburn" as the adjacent properties and proposed purchaser is Goulburn Sand and Soil which is a company owned but the Denrith Group of Companies in which his brother-in-law is a Director of. Cr Andrew Banfield will leave the meeting while discussion and determination on this item takes place.

Mayor Bob Kirk declared a non-pecuniary/non-significant conflict of interest in Item 15.2 "Veolia Host Fee and Performing Arts Centre Grant" as he is a Council appointed Board member on the Veolia Mulwaree Trust and each time a Goulburn Mulwaree Council application is discussed by the Trust he leaves the Trust meeting. As the disclosure was not of a significant nature Mayor Bob Kirk will remain in the meeting while discussion and determination takes place.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Paul Kuster & John Woodman addressed Council on Item 14.1 Notice of Rescission - MODDA/0112/2021 - Dwelling and Detached Storage Shed, 35 Theatre Drive Goulburn.

Troy Cook addressed Council on Item 14.1 Notice of Rescission - MODDA/0112/2021 - Dwelling and Detached Storage Shed, 35 Theatre Drive Goulburn.

Kate Cartwright addressed Council on Item 15.1 MODDA/0108/2021 - Modification to Multi-Unit Development, 17 Fenwick Crescent Goulburn.

RESOLUTION 2021/472

Moved: Cr Andrew Banfield

Seconded: Cr Peter Walker

That Council allow an extension of time to Kate Cartwright to address Council.

CARRIED

Rodney Thompson addressed Council on Item 15.1 MODDA/0108/2021 - Modification to Multi-Unit Development, 17 Fenwick Crescent Goulburn.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 5 OCTOBER 2021

RESOLUTION 2021/473

Moved: Cr Carol James

Seconded: Cr Andrew Banfield

That the Council minutes from Tuesday 5 October 2021 and contained in Minutes Pages No 1 to 15 inclusive and in Minute Nos 2021/450 to 2021/468 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 5 OCTOBER 2021

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2021/474

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

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

CARRIED

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

13.1 NOTICE OF MOTION - STREET LIGHTING CLIFFORD STREET

RESOLUTION 2021/475

Moved: Cr Peter Walker

Seconded: Cr Margaret O'Neill

That Council investigate including funding the installation of street lights in Clifford Street (both sides) between Chisholm Ross building and Deccan Street for the purposes of community safety for hospital staff leaving after dark to get to their cars.

CARRIED

13.2 NOTICE OF MOTION - DISABLED CAR PARK IN AUBURN STREET

RESOLUTION 2021/476

Moved: Cr Peter Walker

Seconded: Cr Alfie Walker

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 6:57pm.

CARRIED

RESOLUTION 2021/477

Moved: Cr Peter Walker

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 7:00pm.

CARRIED

RESOLUTION 2021/478

Moved: Cr Peter Walker

Seconded: Cr Margaret O'Neill

That:

- 1. Council install a second disabled car space on the southern side of Auburn Street between Montague and Verner Street on the western side of the mid-block adjacent to the existing disabled car space.**
- 2. Council investigate if additional disabled car spaces are required in the Central Business District.**

CARRIED

14 NOTICE OF RESCISSION(S)

14.1 NOTICE OF RESCISSION - MODDA/0112/2021 - DWELLING AND DETACHED STORAGE SHED, 35 THEATRE DRIVE GOULBURN

RESOLUTION 2021/479

**Moved: Cr Margaret O'Neill
Seconded: Cr Peter Walker**

That the Rescission Motion be withdrawn.

CARRIED

RESOLUTION 2021/480

**Moved: Cr Margaret O'Neill
Seconded: Cr Leah Ferrara**

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:03pm.

CARRIED

RESOLUTION 2021/481

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

That Council move back into Open Council.

Council moved back into Open Council at 7:41pm.

CARRIED

RESOLUTION 2021/482

**Moved: Cr Margaret O'Neill
Seconded: Cr Leah Ferrara**

That:

- 1. Council acknowledges that DA/0275/1819 at 35 Theatre Drive Goulburn cannot be modified as requested by MODDA/0112/2021.**
- 2. The applicant be advised that a new Development Application proposing a change of use and rectification of unauthorised works would be required.**
- 3. The applicant be advised that a new Development Application that proposes vehicular access from the unformed Cathcart Street would need to take into consideration Council's Engineering Standards relating to road construction, the South Goulburn Endangered/Threatened Species Management Plan, the NSW Biodiversity Conservation Act 2016 and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, noting the presence of the critically endangered Box Gum Woodland and derived grasslands within the reserve.**
- 4. Any new development application will be assessed on its merits against the applicable State and Commonwealth legislation and standards as well as Council's adopted policies and standards.**

CARRIED

RESOLUTION 2021/483

Moved: Cr Alfie Walker
Seconded: Cr Leah Ferrara

That Council undertake a comprehensive review of the South Goulburn Endangered/Threatened Species Management Plan adopted by Council in November 2004.

CARRIED

The Mayor adjourned the meeting at 7.49pm.

At 8:20 pm, Cr Alfie Walker left the meeting.

The meeting resumed at 8.20pm

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 MODDA/0108/2021 - MODIFICATION TO MULTI-UNIT DEVELOPMENT, 17 FENWICK CRESCENT GOULBURN

RESOLUTION 2021/484

Moved: Cr Leah Ferrara
Seconded: Cr Margaret O'Neill

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 8:20pm.

CARRIED

At 8:21 pm, Cr Alfie Walker returned to the meeting.

RESOLUTION 2021/485

Moved: Cr Alfie Walker
Seconded: Cr Andrew Banfield

That Council move back into Open Council.

Council moved back into Open Council at 8:42pm.

CARRIED

RESOLUTION 2021/486

Moved: Cr Peter Walker
Seconded: Cr Andrew Banfield

That:

- 1. The staff assessment report for development application MODDA/0108/2021 for the proposed modification of approved multi-dwelling housing scheme to provide two (2) additional dwellings and alterations to the approved site layout and stormwater drainage be received.**
- 2. Consent be refused for MODDA/0108/2021 for a modification of approved multi-dwelling housing scheme to provide two (2) additional dwellings and alterations to the approved site layout and stormwater drainage located at 17 Fenwick Crescent, Goulburn because the modification will have a significant impact on neighbouring properties. Issues of noncompliance with the Development Control Plan 2009 include:**
 - Privacy**
 - Floor Area**
 - Private Open Space**
 - Over Shadowing**
 - Bulk, Scale and Density**
 - Setback**

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, Leah Ferrara, Alfie Walker, Margaret O'Neill and Carol James

Against: Nil

CARRIED

15.2 VEOLIA HOST FEE AND PERFORMING ARTS CENTRE GRANT

Cr Bob Kirk declared a non-significant interest in this item and remained in the meeting during discussion and determination.

COMMITTEE OF THE WHOLE

Moved: Cr Leah Ferrara

Seconded: Cr Peter Walker

That Council Move into Committee of the Whole.

The motion was put and lost.

RESOLUTION 2021/487

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That

1. The report of the General Manager on the Veolia Host Fee and Performing Arts Centre Grant be received.
2. Council notes that the grant from Veolia to the Goulburn Performing Arts Centre approved in principle in 2017 has been withdrawn. Council further notes that the loan requirements for the Goulburn Performing Arts Centre be confirmed at \$8,300,000 to be internally funded from the Council Water and Wastewater Fund balances.
3. Council allocate \$500,000 from the sale proceeds of the Hovell Street development be used for the capital development of the Goulburn Performing Arts Centre and thus reducing the overall loan commitments. The General Manager be requested to include this loan adjustment in the September quarterly Budget review.
4. Council endorses the payments from the Veolia Host fee being for the loan commitments to the Goulburn Performing art Centre, part capital instalment for the Goulburn Regional Hockey Facility and infrastructure in Tarago and require the General Manager to adjust the forward estimates accordingly.
5. Council endorse that \$200,000 of the annual capital purchase payments for the Goulburn Regional Hockey Facility be funded from the special reserves fund and require the General Manager to adjust the forward estimates accordingly.
6. Council write to the Managing Director of Veolia Mr Richard Kirkman & the Veolia Mulwaree Trust Chairperson Mr Justin Houghton expressing Council extreme disappointment at the withdrawal of the financial promise of \$2 Million which was increased to \$2.5 Million by a former Managing Director and seeking an explanation as to why they changed their mind.

CARRIED

15.3 GOULBURN MULWAREE AWARD WORKING PARTY EXPRESSIONS OF INTEREST

RESOLUTION 2021/488

Moved: Cr Bob Kirk

Seconded: Cr Carol James

That:

- 1. The report from the General Manager on Goulburn Mulwaree Award Working Party Expressions of Interest be noted.**
- 2. Council appoints Danae Vitnell, Richard Ernest and Gary Lourigan to the Goulburn Mulwaree Award Working Party and the working party be authorised to appoint two further suitable community representatives at their discretion.**
- 3. The Council acknowledges that these appointments are at a time close to the elections of a new Council and thus authorises the appointment of this working party until the end of the next term of Council being September 2024.**

CARRIED

15.4 ROAD CLOSURE APPLICATION BETWEEN 31-37 BRAIDWOOD ROAD, GOULBURN

Cr Andrew Banfield declared an interest in this item and took no part in the discussion or voting on the matter. At 9:04 pm, Cr Andrew Banfield left the meeting.

RESOLUTION 2021/489

Moved: Cr Peter Walker

Seconded: Cr Alfie Walker

That

- 1. The report from the Business Manager Property & Community Services on a proposed Road Closure Application for an unused road reserve between Lot 1 DP 804332 and Lot 1 DP 1170504, 31-37 Braidwood Road, Goulburn be received.**
- 2. Council prepares a Road Closure Application in accordance with the requirements referred to in this report to close approximately 809.5m² of redundant road reserve located in between Lot 1 DP 804332 and Lot 1 DP 1170504 at 31-37 Braidwood Road, Goulburn.**
- 3. Subject to there being no objections to this Road Closure Application from any of the immediate surrounding land owners, government agencies and utility providers, the owner of 31-37 Braidwood Road, Goulburn meet all costs associated with;**
 - Council's Road Closure Application fees**
 - Surveying including preparation and registration of a Plan of Proposed Road Closure consistent with point 2 above.**
 - Consultant valuation fees to determine market value for compensation payable and;**
 - Re-establishing any boundary fencing affected by this Road Closure Application if applicable.**
- 4. The General Manager be delegated to sign all documentation necessary to complete the sale of this unused road reserve when a new title is created, ensuring that the market value determined by the valuation consultant is non-negotiable.**

CARRIED

At 9:06 pm, Cr Andrew Banfield returned to the meeting.

15.5 GENERAL PURPOSE FINANCIAL STATEMENTS AND SPECIAL PURPOSE STATEMENTS 2020/21

RESOLUTION 2021/490

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

That

- 1. The report from the Director Corporate & Community Services on the General Purpose Financial Statements and Special Purpose Statements 2020/21 be received.**
- 2. The Statements under s413(2) Local Government Act 1993 be endorsed and signed off by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to enable the Independent Auditors reports to be issued**
- 3. Council approve the Financial Statements for lodgement with the Office of Local Government**
- 4. Council approve the Financial Statements to be placed on public exhibition with the Audited Financial Statements to be presented to Council at its meeting on 16 November 2021**

CARRIED

15.6 DEMOGRAPHIC TRENDS - GOULBURN MULWAREE

RESOLUTION 2021/491

**Moved: Cr Margaret O'Neill
Seconded: Cr Alfie Walker**

That the report from the Communications & Business Development Officer be received.

CARRIED

15.7 GOULBURN PERFORMING ARTS CENTRE: OPERATIONAL UPDATE

RESOLUTION 2021/492

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

That the report from the Communications & Business Development Officer be received.

CARRIED

15.8 MONTHLY FINANCIAL REPORT

RESOLUTION 2021/493

**Moved: Cr Carol James
Seconded: Cr Leah Ferrara**

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 2021/494****Moved: Cr Peter Walker****Seconded: Cr Alfie Walker****That the report by the Director Corporate & Community Services and the Accountant on the Statement of Investments and Bank Balances be received.****CARRIED****15.10 DEBTORS OUTSTANDING****RESOLUTION 2021/495****Moved: Cr Leah Ferrara****Seconded: Cr Alfie Walker****That the report from the Revenue Officer on debtor collections be received.****CARRIED****15.11 RATES OUTSTANDING REPORT****RESOLUTION 2021/496****Moved: Cr Leah Ferrara****Seconded: Cr Carol James****That the report from the Revenue Coordinator on Rates Outstanding be received.****CARRIED****15.12 WATER CHARGES OUTSTANDING REPORT****RESOLUTION 2021/497****Moved: Cr Leah Ferrara****Seconded: Cr Andrew Banfield****That the report from the Administration Team Leader on Water Outstanding be received.****CARRIED****15.13 QUARTERLY WORKERS COMPENSATION REPORT****RESOLUTION 2021/498****Moved: Cr Peter Walker****Seconded: Cr Leah Ferrara****That the report from the Recover at Work and Wellbeing Officer on quarterly workers compensation trends be noted.****CARRIED**

15.14 GOULBURN PERFORMING ARTS CENTRE - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/499

Moved: Cr Alfie Walker

Seconded: Cr Leah Ferrara

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

CARRIED

15.15 ST CLAIR CONSERVATION WORKS - STATUS REPORT

RESOLUTION 2021/500

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

15.16 TOWRANG BRIDGE REPLACEMENT SEPTEMBER STATUS REPORT

RESOLUTION 2021/501

Moved: Cr Andrew Banfield

Seconded: Cr Leah Ferrara

That the report from the Project Engineer – Operations on the Towrang Road Bridge Replacement September Status be received.

CARRIED

15.17 SCHOOL ZONE SAFETY INFRASTRUCTURE - SEPTEMBER 2021 STATUS UPDATE

RESOLUTION 2021/502

Moved: Cr Peter Walker

Seconded: Cr Alfie Walker

That the September 2021 status report on the School Zone Safety Infrastructure project from the Project Manager Grants be received.

CARRIED

15.18 WINDELLAMA ROAD FIXING LOCAL ROADS PROJECT - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/503

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

That the report from the Business Manager of Works on the Windellama Road Fixing Local Roads Project status updated be received.

CARRIED

15.19 CARRICK ROAD FIXING LOCAL ROADS PROJECT - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/504

**Moved: Cr Carol James
Seconded: Cr Andrew Banfield**

That the report from the Business Manager of Works on the Carrick Road Fixing Local Roads Project status updated be received.

CARRIED

15.20 MOUNTAIN ASH ROAD FIXING LOCAL ROADS PROJECT - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/505

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

That the report from the Business Manager of Works on the Mountain Ash Road Fixing Local Roads Project status updated be received.

CARRIED

15.21 NATURAL DISASTER ESSENTIAL PUBLIC ASSET RESTORATION PROJECT - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/506

**Moved: Cr Peter Walker
Seconded: Cr Alfie Walker**

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

CARRIED

15.22 GOULBURN REGIONAL HOCKEY FACILITY - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/507

Moved: Cr Andrew Banfield

Seconded: Cr Peter Walker

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

CARRIED

15.23 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/508

Moved: Cr Carol James

Seconded: Cr Leah Ferrara

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

CARRIED

15.24 GROWING LOCAL ECONOMIES COMMON STREET - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/509

Moved: Cr Peter Walker

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

15.25 REUSE GOULBURN (RUG) CONSTRUCTION - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/510

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

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

CARRIED

15.26 REUSE SCHEME GOULBURN - SEPTEMBER 2021 STATUS REPORT

RESOLUTION 2021/511

Moved: Cr Peter Walker

Seconded: Cr Carol James

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

CARRIED

15.27 PLANNING & ENVIRONMENT DIRECTORATE REPORT SEPTEMBER 2021

RESOLUTION 2021/512

Moved: Cr Andrew Banfield

Seconded: Cr Alfie Walker

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

CARRIED

15.28 OPERATIONS DIRECTORATE REPORT - SEPTEMBER 2021

RESOLUTION 2021/513

Moved: Cr Peter Walker

Seconded: Cr Andrew Banfield

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

CARRIED

15.29 UTILITIES DIRECTORATE REPORT - SEPTEMBER 2021

RESOLUTION 2021/514

Moved: Cr Alfie Walker

Seconded: Cr Peter Walker

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

CARRIED

15.30 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT SEPTEMBER 2021

RESOLUTION 2021/515

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

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

CARRIED

15.31 MINUTES OF THE RECREATION AREA COMMITTEE MEETING HELD ON 6 OCTOBER 2021

RESOLUTION 2021/516

**Moved: Cr Margaret O'Neill
Seconded: Cr Peter Walker**

That the report from Community Facilities Manager in regards to the Recreation Area Committee minutes from Wednesday 6 October 2021 be received.

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 9.45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 2 November 2021.

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

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

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 19 OCTOBER 2021

Author: General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

Author: General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Task List - 2 November 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>Community Centre Options</u></p> <p>Location of Community Centre deferred 18 months</p>	General Manager	Will be referred to the incoming Council
<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. Report will be presented to Council 16 November 2021
<p><u>Future of 2 Bourke Street</u></p> <p>Discussion to be held with Councillors at Briefing</p>	General Manager	Additional report to be presented to Council Briefing
<p><u>Second access to Run-O-Waters</u></p> <p>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</p>	General Manager	Report on future infrastructure requirements being prepared
<p><u>St John's Orphanage - 52 Mundy Street, Goulburn</u></p> <p>Report from General Manager on future of main building</p>	Director Planning & Environment	Report included in this Business Paper RECOMMEND COMPLETION
<p><u>Planning Proposal to Rezone Land at the Teneriffe Residential Subdivision, Marys Mount Road, Goulburn</u></p>	Director Planning & Environment	Draft Planning Proposal submitted to DPIE for Gateway. DPIE has issued the Gateway determination and Council will proceed with consultation as outlined in the Gateway.
<p><u>Zoning & Minimum Lot Size Anomaly - 100 Cathcart Street, Goulburn</u></p>	Director Planning & Environment	This zoning has been gazetted. RECOMMEND COMPLETION
<p><u>Zoning Anomaly at Mogo Road, Oallen</u></p> <p>Lot 862 DP 1045802 from part E3 Environmental Management and part E1 National Park and Nature Reserves to E3 Environmental Management</p>	Director Planning & Environment	This zoning has been gazetted. RECOMMEND COMPLETION



OUTSTANDING TASK LIST

Item/Task	Responsible Officer	Status
<u>2021T0023 - Roundabout Construction and Road Upgrade Works at Sydney Road and Common Street</u>	Director Operations	Discussions underway with tenderers and additional funding application to Federal Government
<u>Multiquip Haulage Route Status Update and Subsequent Recommendation</u>	General Manager	Report include in this Business Paper RECOMMEND COMPLETION
<u>DA 10 Ben Bullen Place</u> General Manager to negotiate with applicant re softened design and other matters	Director Planning & Environment	Report include in this Business Paper RECOMMEND COMPLETION
<u>NSW Government Energy from Waste Infrastructure Plan</u>	General Manager	Awaiting Veolia to lodge their EIS which is expected prior to Christmas. Unsure when public exhibition process will be commenced.
<u>Draft Tarago Village Strategy</u> Plan to be placed on public exhibition	Director Planning & Environment	Exhibition process has commenced and will continue until Mid-December 2021
<u>Street Lighting Clifford Street</u> Investigate new lights for Clifford Street and apply to Health Infrastructure or State Government	Director of Operations	Scope and costing to be prepared
<u>Disabled Parking</u> Review number of disabled parks in Goulburn CBD	Director of Operations	Investigations underway
<u>South Goulburn Threaten Species Master Plan</u> Review Master Plan	Director Planning & Environment	Report to be presented to Council in 2022.

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

Nil

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 DA/0419/2021 - CONSTRUCTION OF SIX (6) ATTACHED TOWN HOUSES WITH SEVEN (7) LOT COMMUNITY TITLE SUBDIVISION AT 10 BEN BULLEN PLACE, GOULBURN

Author: Development Assessment Officer
 Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. **Comparsion Image Streetscape**  
 2. **Applicant Reponse to Council meeting**  
 3. **Architectural Plans Amendment F**  

Reference to LSPS:	Planning Priority 4: Housing – Vision 2040 - A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.
DA Number:	DA/0419/2021
Address:	10 Ben Bullen Place, Goulburn (Lot 156 DP 248976)
Proposal Description:	Six (6) attached multi dwelling housing units (town houses with seven (7) Lot Community Title Subdivision
Type of Development:	Local
Zone:	R2 Low Density Residential
Variations to Policy:	Nil
Submissions:	Nine (9) Submissions
Key Issues:	Overshadowing, bulk and scale, traffic, stormwater

RECOMMENDATION

That:

1. The staff assessment report for development application DA/0419/2021 for the proposed six (6) attached multi dwelling housing units (town houses) with seven (7) Lot Community Title Subdivision be received.
2. Consent be granted for DA/0419/2021 for a Six (6) attached multi dwelling housing units (town houses) with seven (7) Lot Community Title Subdivision located at 10 Ben Bullen Place, Goulburn subject to the following conditions.

SECTION A: GENERAL CONDITIONS

1. Approved Development and Use

Development consent has been granted in accordance with this Notice of Determination for the purposes of construction of six (6) attached town houses and their subsequent seven Lot Community title subdivision under the *Goulburn Mulwaree Local Environmental Plan 2009*.

(Reason: To confirm the components of the approval)

2. Development in Accordance with Documentation

The development must only be carried out:

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

Architectural plans prepared by Tim Lee Architects			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE
0220-1205 A-02	F	Site Plan	14/10/2021
0220-1205 A-03	F	Ground Floor Plan	14/10/2021
0220-1205 A-04	F	First floor Plan	14/10/2021
0220-1205 A-05	F	Detail Ground Floor Plan	14/10/2021
0220-1205 A-06	F	Detail First Floor Plan	14/10/2021
0220-1205 A-07	F	Elevations 1	14/10/2021
0220-1205 A-08	F	Elevations 2	14/10/2021
0220-1205 A-09	F	Detail Elevations	14/10/2021
0220-1205 A-10	F	Detail Elevation 2	14/10/2021
0220-1205 A-11	F	Sections	14/10/2021
0220-1205 A-12	F	Roof Plan	14/10/2021
0220-1205 A-13	F	Landscape Plan	14/10/2021
0220-1205 A-14	F	Window & Door Schedule Unit 1	14/10/2021
0220-1205 A-15	F	Window & Door Schedule Unit 2 & 3	14/10/2021
0220-1205 A-16	F	Window & Door Schedule Unit 4 & 5	14/10/2021
0220-1205 A-17	F	Window & Door Schedule Unit 6	14/10/2021
0220-1205 A-18	A	Cut and Fill Plan	08/02/2021
0220-1205 A-19	A	Erosion Control Notes & Plan	08/02/2021
0220-1205 A-20	F	Shadow Diagrams	14/10/2021
0220-1205 A-21	F	Shadow Diagrams	14/10/2021
0220-1205 A-22	F	Shadow Diagrams	14/10/2021
0220-1205 A-23	F	Shadow Diagrams	14/10/2021
0220-1205 A-24	F	Shadow Diagrams	14/10/2021
0220-1205 A-25	F	Street Elevation	14/10/2021
0220-1205 A-26	F	Site context plan	14/10/2021
0220-1205 A-27	C	Proposed subdivision plan	03/05/2021
Documentation prepared by ACT Sustainable Systems			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE
1171892M	-	Basix Certificate (Multi Dwelling)	09 February 2021
SKW5OUB4V2	-	NatHERS Certificate Unit 6	25 Jan 2021
2JZIGG6Y5A	-	NatHERS Certificate Unit 5	25 Jan 2021
NBSKD3NK0H	-	NatHERS Certificate Unit 4	25 Jan 2021
3JLTAM1H8M	-	NatHERS Certificate Unit 3	25 Jan 2021
D1GGJTKGOR	-	NatHERS Certificate Unit 2	25 Jan 2021
UNIZSETOT6	-	NatHERS Certificate Unit 1	25 Jan 2021
Documentation prepared by Adams & Associates			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE
WCMS	-	Water Cycle Management Study	Undated

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

3. Documentation Inconsistency

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

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

4. Documentation to be Kept on Site

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

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

5. Changes to the lot layout - WaterNSW

The lot layout and works of the proposed dwelling construction and community title subdivision shall generally be as specified in the Statement of Environmental Effects (dated February 2021) and shown on the Site Plan (Job Number. 0220-1205; DWG. A-02; Amendment E; dated 07/07/2021) and Proposed Subdivision Plan (Job Number. 0220-1205; DWG. A-27; Amendment C; dated 03/05/2021) all prepared by Tim Lee Architects. No revisions to layout, works or staging of the subdivision that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

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

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

6. Building Code of Australia Compliance

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

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

7. Home Building Act Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the 'Principal Certifier' for the development to which the work relates (not being 'Council') has given 'Council' written notice of the following information:

- a) in the case of work for which a 'Principal Contractor' is required to be appointed:
 - i. the name and licence number of the 'Principal Contractor'; and
 - ii. the name of the insurer by which the work is insured under Part 6 of that Act, or
- b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder; and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to 'Council' in accordance with this conditions is out of date, work must not be carried out unless the 'Principal Certifier' for the development to which the work relates has given 'Council' written notice of the updated information.

Note: *A certificate of insurance that complies with the Home Building Act 1989 is in force in relation to that work in the name under which the person contracted to do the work is to be provided in relation to part 1a(ii).*

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

8. Construction Certificate Requirements

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

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

9. Issue of a Construction Certificate

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

(Reason: *Prescribed by legislation)*

10. Occupation Certificate Requirements
 A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.
(Reason: Prescribed by legislation)
11. Critical Stage Inspections
 Building work must be inspected by the **'Principal Certifier'** at the critical stage occasions prescribed by **'the Act'**, **'the Regulation'** and as directed by the appointed **'Principal Certifier'**.
 Critical stage inspections are defined as: -
 a) after excavation for, and prior to the placement of any footings; and
 b) prior to pouring any in-situ reinforced concrete building element; and
 c) prior to covering of the framework for any floor, wall, roof or other building element; and
 d) prior to covering waterproofing in any wet areas; and
 e) prior to covering any stormwater drainage connections; and
 f) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.
(Reason: Prescribed by legislation)
- SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**
12. Building within vicinity of Water Main
 Where a structure is to be constructed within the zone of influence of the water main, the weight of the building must be distributed away from the sewer main by pier and beam construction. The piers must be designed by a suitably qualified experienced professional Engineer and must be embedded on firm foundation at least 300mm below the zone of influence.
 Notwithstanding the above, a building must not be erected within 1.2m of the outside edge of a water manhole and unobstructed personal access of minimum width of 900mm must be provided to any manhole located upon private property.
 Plans and calculations demonstrating compliance with this condition must be submitted to **'Council'** as the Sewer and Water Authority for approval, prior to the issue of any Construction Certificate.
(Reason: To protect public infrastructure)
13. Foundations Adjacent to water and Drainage Easements
 The foundations for structures adjacent to a water and/or stormwater drainage easement must be constructed in such a manner that does not affect the integrity of the water main and stormwater drainage lines. Location of foundations must be in accordance with **'Council'** policy for *Clearance and Easement Requirements for Structures Adjacent to Sewer and Stormwater Mains*. Details demonstrating compliance with this condition must be submitted to, and approved by, **'Council'** as the Sewer and Water Authority prior to the issue of any Construction Certificate.
(Reason: To allow maintenance to vital infrastructure without affecting the integrity of the adjacent structure and public assets)
14. s.306 Compliance Certificate
 A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained from **'Council'** as the sewer and water authority prior to the issue of any Construction Certificate.
Note: s.64 of the *Local Government Act 1993* authorises **'Council'** to issue Certificates of Compliance under s.306 of the *Water Management Act 2000* and to impose pre-conditions to the issuing of Certificates of Compliance.
 To obtain a s.306, a s.305 application must be lodged with **'Council'**.
(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)
15. Damage to Public Infrastructure
 A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant/person which details the pre-developed condition of the existing public infrastructure in the vicinity of the development **'site'**. Attention must be paid to accurately recording any pre-development damage so that

'Council' is informed when assessing any future damage to public infrastructure caused as a result of the development. The dilapidation survey and report must be submitted to, and approved in writing by **'Council'** prior to the issue of any Construction Certificate.

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

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

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

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

16. Long Service Levy Payments

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986*, is required, proof that the levy has been paid, is to be submitted to **'Council'** prior to the issue of any Construction Certificate. **'Council'** acts as an agent for the Long Services Payment Corporation and the levy may be paid at **'Council'** office.

(Reason: Statutory requirement)

17. Constructional Environmental Management Plan

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

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

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

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

18. Construction Noise and Vibration Sub-Plan

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

- a) be prepared by a suitably qualified and experienced noise expert(s);
- b) describe procedures for achieving the noise management levels in EPA's Interim construction Noise Guideline;
- c) describe the measures to be implemented to manage high noise generating activities such as piling, jack hammering etc., in close proximity to sensitive noise receivers;
- d) include strategies that have been developed with the community for managing high noise generating activities;
- e) describe the community consultation undertaken to develop the strategies to be employed; and
- f) include a complaints management system that would be implemented for the duration of the **'works'**;

(Reason: *To ensure the development is undertaken in a manner that does not unreasonable inconvenience to the community)*

19. Construction Soil and Water Management Sub Plan

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

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

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

20. Vehicular Access Way Design - Residential

The person having the benefit of this Notice of Determination must design the sealed residential vehicular access way in compliance with the following: -

- a) the sealed vehicular access way must be designed to ensure that vehicles entering the **'site'** will not scrape/strike the surface of the carriageway, layback or vehicular access way;
- b) the sealed vehicular access way must be designed in accordance with Council's Standard Drawings SD-R06, SD-R07 and AS.2890
- c) the width of the vehicular layback shall be 5.7 metres (including the wings);and
- d) a cross section along the centre-line of each access way to the building at a scale of 1:50 to be taken from the centre of the road and must include all changes of grade both existing and proposed.

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

(Reason: *To facilitate appropriate vehicular access to residential sites, without disruption to pedestrian and vehicular traffic)*

21. Off Street Car Parking

A total of 13 off-street car-parking spaces, together with the access driveways, must be constructed, paved, line marked and identified in accordance with the **'NCC'**, AS.1428 and AS/NZS.2890. The plans must nominate the allocation of parking spaces for specific purposes as required by the conditions of this Notice of Determination.

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

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

22. Accessible Car Parking Provisions

A minimum of **two (2)** of the onsite car parking spaces provided as part of the total requirement must be accessible spaces.

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

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

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

23. Landscape Plan

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

- a) location of all existing and proposed landscape features including materials to be used;
- b) delineate and identify all trees to be retained, removed or transplanted;
- c) Include the location of six (6) new street trees within the road reserve, species are to be suited to the Goulburn climate and with a minimum plant out height of 1.5m;
- d) top and bottom wall levels for both existing and proposed retaining and free-standing walls;
- e) detailed plant schedule which includes appropriate proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity;
- f) trees to be removed are required to be replaced with trees of similar final mature height;
- g) soil treatment prior to planting out, and
- h) minimum twenty-four (24) month fertilizing and water maintenance and replacement schedule.

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

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

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

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

24. s.7.12 Contributions

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

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

- Section 94a Contribution Plan

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

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

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

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

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

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

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

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

25. Hydraulic Plans Stormwater

The following Hydraulic Engineering plans (coloured) and specifications must be prepared by a suitably qualified person, and be submitted to and approved by **'Certifier'** prior to issue of any Construction Certificate.

- a) the stormwater drainage and disposal system, including the layout of roof drainage / surface drainage / sub-surface drainage / raingardens; and
- b) the hydraulic design shall provide for compliance with-
 - i. Concurrence advice from Water NSW

- ii. Goulburn Mulwaree Council's Development Control Plan 2009;
- iii. Stormwater Drainage & Rainwater Collection Systems Policy;
- iv. the BASIX certificate; and
- v. the 88b Instrument.

Note: *Each dwelling must have its own separate stormwater service independent of any other dwelling.*

(Reason: *To ensure water and sewer reticulation are in accordance with 'Council's' standards)*

26. Potable Water Supply

Each dwelling must be provided with a dedicated potable water tank with a maximum storage capacity of 1,500 litres of water for domestic drinking water purposes only. The tank is to be configured to fill during the night periods from Council's water supply.

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

Note: *This is a separate tank to any required rainwater tank. Each required portable water outlet for the dwelling must be fed by this tank, no direct connection from the water main is permitted to any potable water outlet this must be demonstrated on the plans submitted for approval.*

(Reason: *To ensure adequate provisions are made for domestic water supply)*

27. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan incorporating the Erosion Control Notes (Job Number. 0220-1205; DWGs A-19; Amendment A; dated 08/02/2021) prepared by Tim Lee Architects, shall be prepared for all works required as part of the proposed development by a person with knowledge and experience in the preparation of such plans. The Plan shall:

- meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)
- be prepared prior to the issuance of a Construction Certificate and be to the satisfaction of Council, and
- include controls to prevent sediment or polluted water leaving the construction site or entering any natural drainage lines or stormwater drain.

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

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

28. Prior to Commencement

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

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

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

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

29. Temporary Site Fences

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

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

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

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

30. Damage Bond General

A public infrastructure damage deposit of \$4,780 for a single Lot frontage must be paid to **'Council'**.

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

Documentation demonstrating compliance with this condition must be submitted to, and approved by the **'Private Certifier'** prior works commencing on site.

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

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

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

31. Sediment and Erosion Control

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

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

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

32. Stabilised Access

Unless an existing stabilised **'site'** access is utilised, stabilised access to the **'site'** consisting of at least 200mm of aggregate at 30–60mm in size, be a minimum of three (3)m in width and must be provided from the road edge to the front of the building being constructed. The stabilised access must be fully maintained and removed from the **'site'** when a permanent driveway has been constructed.

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

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

33. Site Facilities

'Site' facilities must be provided as follow;

- a) if the development involves building work or demolition work the **'site'** must be fully enclosed by a temporary security fence (or hoarding) before **'works'** commence. Any such hoarding or fence is to be removed when the **'works'** have been completed;

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

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

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

34. Site Sign

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

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

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

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

(Reason: *Statutory requirement)*

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

35. Dust Emissions and Air Quality

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

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

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

36. Use of Road Reserve

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

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

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

37. Construction Hours

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

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

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

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

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

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

38. Excavation and Demolition

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

- a) all excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- b) all excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- c) demolition work must be undertaken in accordance with the provisions of AS.2601- Demolition of Structures.
- d) the builder is to ensure that persons working on the site comply with the SafeWork NSW requirements.

(Reason: *To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)*

39. Alterations to Utility Services

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

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

40. s.138 Approval Matters

Vehicular footway crossings must be constructed in accordance with Council’s Standard Drawings SD-R06 and SD-R07.

It is the applicant’s responsibility to ensure:

- a) Traffic control measures are installed and maintained in accordance with AS.1742.3 and the Roads and Traffic Authority Manual – ‘Traffic Control at Worksites’
- b) Public liability insurance to the value of \$20 million specific to the footway crossing; and workers compensation insurance, are both maintained for the duration of the works
- c) Whether the proposed works affects any Public Utility Authority installation. The following Authorities should be consulted:
 - i. Dial Before You Dig Ph.: 1100 (including telephone, gas, electricity)
 - ii. Council Ph (02) 4823 4417 (including water and sewer location diagrams).
 - iii. At the completion of work, the development proponent is to ensure that the area surrounding the driveway is backfilled and verge seeded to alleviate pedestrian hazard.

Vehicular footway crossings are that section of a driveway between the roadway and the property boundary. The applicant must arrange an inspection by ‘**Council**’ prior to pouring the concrete with formwork and reinforcement in position. Inspections can be booked in person at Customer Service or by phone on 02 4823 4444. Please note inspection fees apply and a minimum 48 hours’ notice is required.

‘**Council**’ retains the right to alter, repair, or in extreme cases, remove and replace any work for which approval has not been obtained, or that has not been carried out in accordance with this Notice of Determination. Any rectification works would be undertaken at the owner’s full cost, recoverable in accordance with s.218 of the *Roads Act 1993*.

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

41. Plumbing and Drainage Work

In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage Notice of Work must be completed and returned to ‘**Council**’ for its records, no later than two (2) business days before the work concerned is undertaken. The Notice of Work is to identify what plumbing and drainage work is to be carried out and must provide the details of the particular plumber/drainier.

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

42. Sanitary Drainage Inspections

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

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

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

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

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

43. Compliance with Conditions of Consent

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

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

44. Certification of Civil Works

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

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

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

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

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

45. Telecommunication Services

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

(Reason: *Provision of telecommunication facilities in a manner that facilitates the future underground provision of cable services)*

46. Disposal Information

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

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

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

47. House Numbering

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

DWELLING/UNIT OR LOT	ASSIGNED NUMBER	STREET ADDRESS
Rateable Property	10	Ben Bullen Place
Unit 1	1/10	Ben Bullen Place
Unit 2	2/10	Ben Bullen Place
Unit 3	3/10	Ben Bullen Place
Unit 4	4/10	Ben Bullen Place
Unit 5	5/10	Ben Bullen Place
Unit 6	6/10	Ben Bullen Place

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

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

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

48. Identification of Non-Potable Water

Prior to the issue of any Occupation Certificate signage in accordance with AS.3500.1 must be installed to all taps that are supplied by the rainwater tank where mains reticulated water supply is provided to the **'site'**.

(Reason: *To ensure non-reticulated water supplies are identified)*

49. Landscaping to Nature Strip

All disturbed and unvegetated areas of land to the front of the building line and the nature strip must be fully landscaped with grass turf and six (6) new street trees to prevent soil erosion and migration prior to the release of any Occupation Certificate.

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

50. Landscaping to Front of Building

All disturbed and unvegetated areas of land between the front of the building line and the front property boundary must be fully landscaped with plantings to prevent soil erosion and migration prior to the release of any Occupation Certificate.

Trees planted in this location shall have a minimum lot size of 25 Litres.

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

51. Allocation of Parking Areas

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

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

52. Redundant Vehicle Crossings

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

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

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

53. Installation of Driveways

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

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

(Reason: *To ensure driveway access to the property does not have any adverse impact on the public road network)*

54. Infrastructure Repair Prior to Completion of Works
 The person having the benefit of this Notice of Determination must fully complete all required **'works'** -
- a) to any footpath, verge, nature strip, road, kerb and guttering, driveway crossover, stormwater and utilities infrastructure within the road reserve;
 - b) must repair all damage caused by the **'works'** to any damaged public infrastructure caused as a result of any works relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired; and
 - c) all damage must be made good in accordance with **'Council's'** engineering standards and at no cost to **'Council'**
- Documentary evidence from **'Council'** as the roads authority confirming that this condition has been satisfied must be provided to the **'Principal Certifier'** Prior to the issue of any Occupation Certificate.
- (Reason:** *To ensure any damage to public infrastructure is rectified)*
55. Water Management Act
 A Compliance Certificate issued under s.307 of the *Water Management Act 2000* must be obtained from the Utilities Division of **'Council'** prior to the release of any Occupation Certificate.
- Documentary evidence issued by **'Council'** confirming that the final inspection was satisfactory must be provided to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.
- (Reason:** *To ensure compliance with the statutory requirements)*
56. Plumbing and Drainage Finalisation
 A final inspection of water plumbing and sewer drainage must be conducted by **'Council'** as the Water and Sewer Authority.
- Documentary evidence issued by **'Council'** confirming that the final inspection was satisfactory must be provided to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.
- (Reason:** *To ensure compliance with the statutory requirements)*
57. Certificate of Compliance
 A Compliance Certificate and a sewer service drainage diagram as issued by the plumber who submitted the Notice of Work must be issued to **'Council'** prior to the release of any Occupation Certificate.
- Documentary evidence confirming that the above requirements have been fulfilled must be provided to the **'Principal Certifier'** prior to the issuing of any Occupation Certificate.
- (Reason:** *To ensure compliance with the statutory requirements)*
58. Domestic Works as Executed Plans
 A scaled works as executed plan drawn on **'Council's'** approved template detailing the layout and location of the sewer and stormwater pipe work must be submitted to **'Council'**.
- Documentary evidence from **'Council'** as the roads authority confirming that this condition has been satisfied must be provided to the **'Principal Certifier'** Prior to the issue of any Occupation Certificate.
- (Reason:** *Prescribed – Statutory)*
59. Stormwater Management measures - WaterNSW
 All stormwater management measures as specified in Section 5 of the Water Cycle Management Study (dated March 2021) and shown on the Stormwater Disposal Plan (Ref: 01-36031, Issue A, dated 19-3-2021) both prepared by Adams & Associates Hydraulics, shall be implemented prior to the issue of any Occupation Certificate.
- (Reason:** *To ensure that the stormwater quality management measures and structures for the proposed development have a sustainable neutral or beneficial impact on water quality over the longer term)*
60. Installation of rainwater tanks - WaterNSW
 Each dwelling shall have rainwater tanks with a minimum total capacity of 5,000 litres above any volume required for mains top-up and ensure that the tanks are plumbed to toilets, laundry and other areas for non-potable use including use for gardens. Works are to be completed prior to the issue of any Occupation Certificate.
- (Reason:** *To ensure that the stormwater quality management measures and structures for the proposed development have a sustainable neutral or beneficial impact on water quality over the longer term)*

61. Installation of raingardens - WaterNSW

The raingardens shall also:

- be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne et al, 2015, Melbourne, CRC for Water Sensitive Cities)
- be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
- be constructed after all hardstand areas have been constructed and paved
- be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
- be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised.

The raingarden treating runoff from the concrete driveway shall be Association Property. Works are to be completed prior to the issue of an Occupation Certificate.

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

62. Confirmation of stormwater structures - WaterNSW

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

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

63. Operational Environmental Management Plan - WaterNSW

An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. The OEMP shall be prepared prior to the issuance of a Subdivision Certificate or an Occupation Certificate whichever occurs first after the construction of all stormwater structures. The OEMP shall:

- be provided to the Community Association and Lot owners
- include details on the location, description, and function of stormwater management structures such as pits, pipes, rainwater tanks, raingardens and any other stormwater structures and drainage works
- outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
- identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and
- include checklists for recording inspections and maintenance activities, particularly for raingardens.

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

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

64. Changes to stormwater treatment

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

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

65. Impact on Amenity of Locality

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

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

66. Visitor Sign

At all times a sign, legible from the street, must be permanently displayed to indicate that visitor parking is not available on the 'site' and the visitor car parking space(s) must be clearly marked as such.

(Reason: *To ensure that visitors are aware that parking is available on site and to identify those spaces to visitors)*

67. Stormwater Disposal

At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks and raingardens must be collected and disposed of by way of properly constructed stormwater lines to the kerb and gutter (piped). If concrete footpath exists; pipework is to be under bored to the existing kerb inlet.

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

68. Noise from Water Tanks

At all times pumps used in association with rainwater water supplies must not to exceed the ambient noise level by more than 5dB(A) when measured at the 'site' boundary.

(Reason: *To ensure noise generated by equipment does not result in offensive noise)*

SECTION I: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE69. Release of Subdivision Certificate

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

Notes: *A tabularised statement that separately identifies the conditions contained within the Notice of Determination, details how the conditions have been complied with and is provided with clear references to any supporting evidence being submitted to satisfy a condition is required.*

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

70. Subdivision Certification

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

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

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

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

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

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

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

- a) All 'Council' sewer and stormwater infrastructure;
- b) There shall be a public positive covenant under Section 88E of the *Conveyancing Act 1919*, the prescribed authority being Water NSW, placed over all proposed lots and Association Property requiring that:

- the rainwater tanks, raingardens and associated outlets be monitored, maintained, and managed as per the Operational Environmental Management Plan by the Community Association, and
- the raingardens be retained and protected from any development within one metre of the structure.

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

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

(Reason: *To ensure proper management of land)*

72. Allocation of Parking

Car-parking provided must only be used in conjunction with the units and tenancies contained within the development in the case of Community Title Subdivision, and must be individually allocated to residential units as part of their unit entitlement.

Visitor parking facilities required by this Notice of Determination are to be designated as common property on the Strata plan, and under no circumstances shall Strata By-Laws be created to grant exclusive use of nominated Visitors Parking spaces to occupants/owners of units or tenancies within the building.

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

(Reason: *Provision of adequate on-site parking facilities to service the development)*

SECTION J: CONCURRENCE AGENCY CONDITIONS

73. Water NSW Concurrence

Water NSW concurs with Council granting consent to the application, subject to the conditions within the concurrence letter dated 18 August 2021, which must be satisfied during the relevant stage of the development and prior to the issue of the Subdivision/Occupation Certificate (or at a time as otherwise stated in the condition).

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

Section 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

DA/0419/2021 was lodged with Council via the NSW Planning Portal on 31 March 2021, for the construction of six (6) attached town houses with an associated seven (7) Lot Community Title Subdivision at 10 Ben Bullen Place, Goulburn. The property was previously owned by Council and was used as the water reservoir before being decommissioned. The application was presented to the 7 September 2021 Council Meeting as item 15.6. Council through its resolution 2021/405 moved that the application be deferred pending staff having discussions with the applicant on the following matters:

- a) DCP setback requirements in relation to the front and rear of the block;
- b) Traffic movements in Ben Bullen Place;
- c) Visitor parking associated with the development;
- d) Streetscape and articulation/presentation to the street front; and
- e) Ability to soften the architectural impact upon the neighbourhood.

The applicant met with the General Manager and Council's Director Planning & Environment on 9 September 2021 to discuss the changes required as a result of resolution 2021/405 from the 7 September 2021 Council Meeting. The applicant has made a number of changes to the overall design and submitted amended plans to Council on 14 October 2021. These changes consist of:

1. Revised windows, roof and cladding;
2. Extended landscaping, provision of a gate and on-street parking; and
3. Additional treatment to the site entry.

These changes were reviewed by Council planning staff and it was considered that the design changes were not substantially different from the original design, therefore the plans were not required to be renotified.

REPORT

Proposed Development

The proposal has been changed to accommodate recommendations from resolution 2021/405. These include:

1. Visitor parking associated with the development:
 - One parking space has provided on-site; and
 - One parking space has been provided on the street.
2. Streetscape and articulation/presentation to the street frontage:
 - Additional tree planting to the east is provided, extending further along the building street frontage;
 - A gate to Lot 2 has been included to provide articulation of the fencing to the street frontage;
 - Revised windows to include larger windows to the street and changes to the roof formation have been incorporated;
 - The cladding has been changed to be vertically aligned; and
 - Additional treatment to the site entryway to include a roof over the mailbox area has been incorporated.

Marked out changes and comparisons are included in the **Attachment**.

The applicant has addressed the other matters in relation to the resolution 2021/405, being the traffic movements in Ben Bullen Place, setbacks and presentation of the buildings fronting Ben Bullen Place. These responses are provided in the letter of response by the applicant which is included in the **Attachment**.

In regard to the traffic movements in Ben Bullen Place, traffic generation will fall within the guidelines of the RTA Guide for Traffic Generating Development, that being 39 vehicle movements from Council's calculations as per the guide.

In regard to setbacks, the setbacks for the building are the same as was presented to Council on 7 September 2021.

In relation to the buildings to be made to front Ben Bullen Place the following comments have been provided by the applicant:

1. Solar access – Orienting buildings North South advantages the first unit however throws the remaining units into shadow.
2. Overshadowing – Orienting the buildings North South creates a significant southern shadow footprint disadvantaging the two southern dwellings, as well as all units behind the northern most unit.
3. Private Open Space – Would not be accessible from the main vehicle access. Would be in shadow for the majority of the day during winter months. Would not allow clear separation of the utility and recreation spaces.
4. Parking – Each unit would need a garage significantly impacting the unit design reducing internal amenity. There would be six (6) driveways instead of one (1) to Ben Bullen Place. Visitor parking would not be possible on site.

In regard to these matters, Council staff are in agreement with this view as the site is constrained by a water main easement and having all buildings facing the street would result in overshadowing of the southern dwelling, and would not be in the public interest.

Suitability of the Site for the Proposed Development

The amended design as proposed is still compatible with the surrounding streetscape, the desired future character of the area and the objectives of the R2 Low Density Residential zone. Furthermore, the proposal as modified will integrate with existing infrastructure and will provide additional development opportunities for residential dwelling to be located within an existing locality. The constraints of the site have been appropriately considered and assessed as being satisfactory.

Policy Considerations

- Goulburn Mulwaree LEP 2009 (as amended)
- Goulburn Mulwaree DCP 2009 (as amended)
- Goulburn Mulwaree Section 94A Levy Plan 2009

Conclusion and Recommendation

The proposal has been considered against relevant Legislation and Policy. The proposed design and arrangements has been duly considered and is considered satisfactory in terms of the limitations of the site and the requirements of the controls. It is considered that all potential impacts of the proposal can be adequately managed through conditions of development consent.

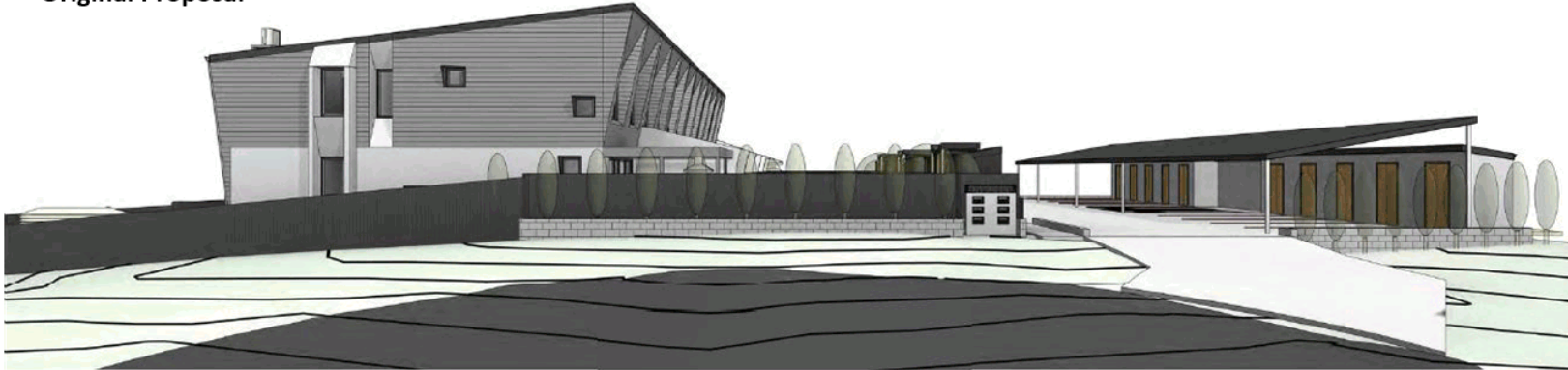
FINANCIAL IMPLICATIONS

Financial implications will occur if the Applicant chooses to appeal the determination through the Land and Environment Court. Furthermore, Council may also incur a financial cost if the application is appealed by an objector.

LEGAL IMPLICATIONS

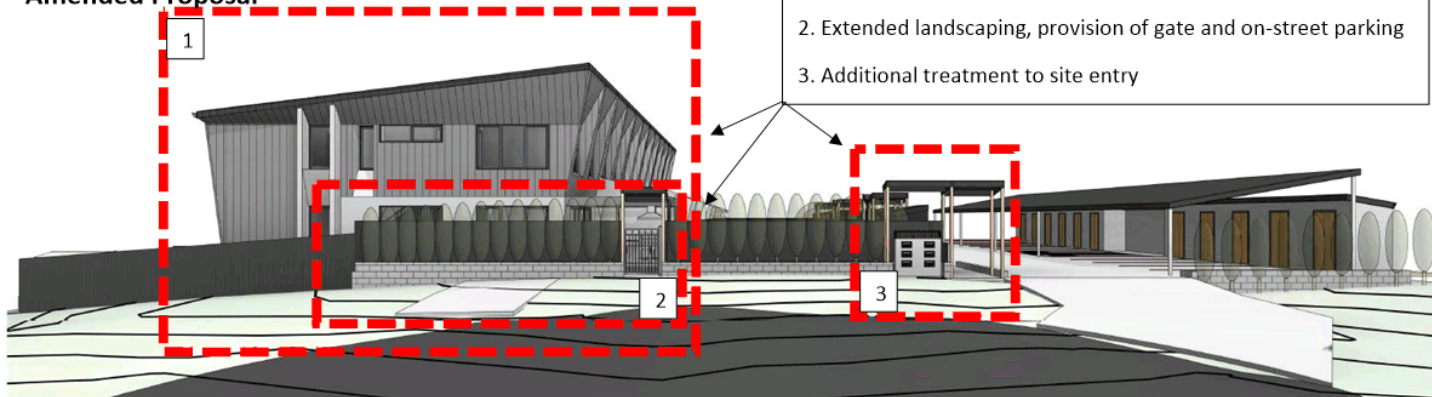
Council may be in a position where it may be required to defend an appeal made by the Applicant or objector to the Land and Environment Court.

Original Proposal



1 STREET PERSPECTIVE
@ A3

Amended Proposal



1 STREET PERSPECTIVE
@ A3

Comparison of Original Proposal with Amended Proposal



REF: 1019-1166

**Tim Lee Architects
P.O. Box 516
GOULBURN NSW 2580**

14th October 2021

The General Manager
Goulburn Mulwaree Council
Bourke Street,
GOULBURN NSW 2580

Attention: Ryan Gill

Dear Ryan

RE: DA/0419/2021 10 BEN BULLEN PLACE, GOULBURN

We refer to the above Development Application.

In accordance with Council's additional request we respond accordingly.

a) **DCP SET BACK REQUIREMENTS**

The proposed development has been sited to maximise the amenity of the units and neighbours specifically addressing:

- Solar access to the main living spaces
- Provision of usable private open space
- Position on the lot to minimise southern and south western overshadowing of the adjoining lots.
- Provide our clients with a building form that best addresses the restrictions of the numerous easements crossing the site.

To achieve these requirements we have reduced the eastern setback from 4.5m to 1.5m, increased the southern from 1m to 6m.

2.....

-2-

The buildings face due north as does the private open space.

Locating the garaging to the north addresses the constraints of the easements and separates vehicle/pedestrian movement.

We believe this configuration best addresses the intent of the DCP guidelines and provides the lowest impact on neighbours, privacy, solar access and general amenity. The 4.5m front setback to Ben Bullen Place would have greater relevance if there was a consistency to the overall streetscape. In this instance the existing street scape is disjointed and there is no consistency from or setback to the Place.

b) **TRAFFIC MOVEMENTS**

We maintain the addition of the units to the cul-de-sac will not significantly impact vehicle amenity or safety with Ben Bullen Place.

Traffic generation will fall well within the guidelines established in the RTA guide for traffic generating developments.

Presently, there is a single dwelling physically addressing Ben Bullen Place, with a further two dwellings utilising a single drive access to their lots. Four additional dwellings use the cul-de-sac for rear yard access and additional garaging.

The proposed development will generate approximately 54 movements per day.

We reiterate that this is considered acceptable and does not warrant an additional traffic study.

c) **VISITOR PARKING**

We have amended the onsite parking adding a space onsite and reconfigured the bin locations to remove potential conflicts with visitor parking to Ben Bullen Place as highlighted at the Council meeting.

d) **STREETScape**

We have provided amended elevational treatment modifying the address to Ben Bullen Place. See attached drawings.

3....

-3-

Please note with reference to the Mayor's comments around buildings fronting Ben Bullen Place, we have not pursued this approach for the following reasons:

- Solar access – Orienting buildings North South advantages the first unit and throws the remaining units into shadow.
- Overshadowing – Orienting the buildings North South creates a significant southern shadow footprint disadvantaging the two southern dwellings, as well as all units behind the northern most unit.
- Private Open Space – Would not be accessible from the main vehicle access. Would be in shadow for the majority of the day during winter months. Would not allow clear separation of the utility and recreation spaces.
- Parking – Each unit would need a garage significantly impacting the unit design reducing internal amenity. There would be 6 driveways instead of 1 to Ben Bullen Place. Visitor parking would not be possible on site.

e) **ABILITY TO SOFTEN THE ARCHITECTURAL IMPACT UPON THE NEIGHBOURHOOD**

Refer to previous comment under a) and d).

Should you require any further information please do not hesitate to call our office.

Yours sincerely



Tim Lee
Nominated Architect
NSW Registration N^o: 7304
ACT Registration N^o: 1030
ABN 71425067537

Ph: 4822 5934

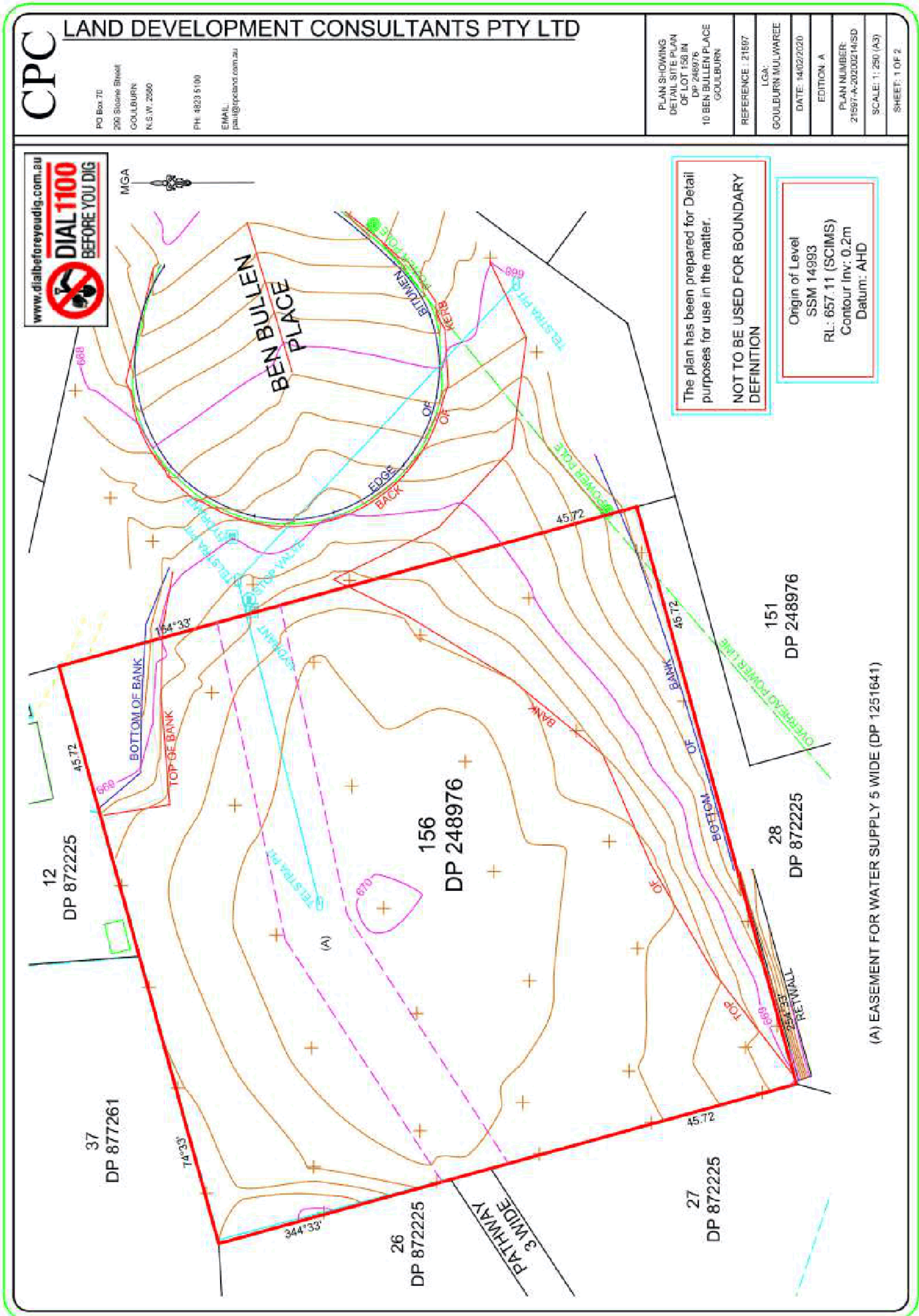
PROPOSED NEW 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT AT LOT 156 IN DP 248976 10 BEN BULLEN PLACE, GOULBURN, NSW, 2580

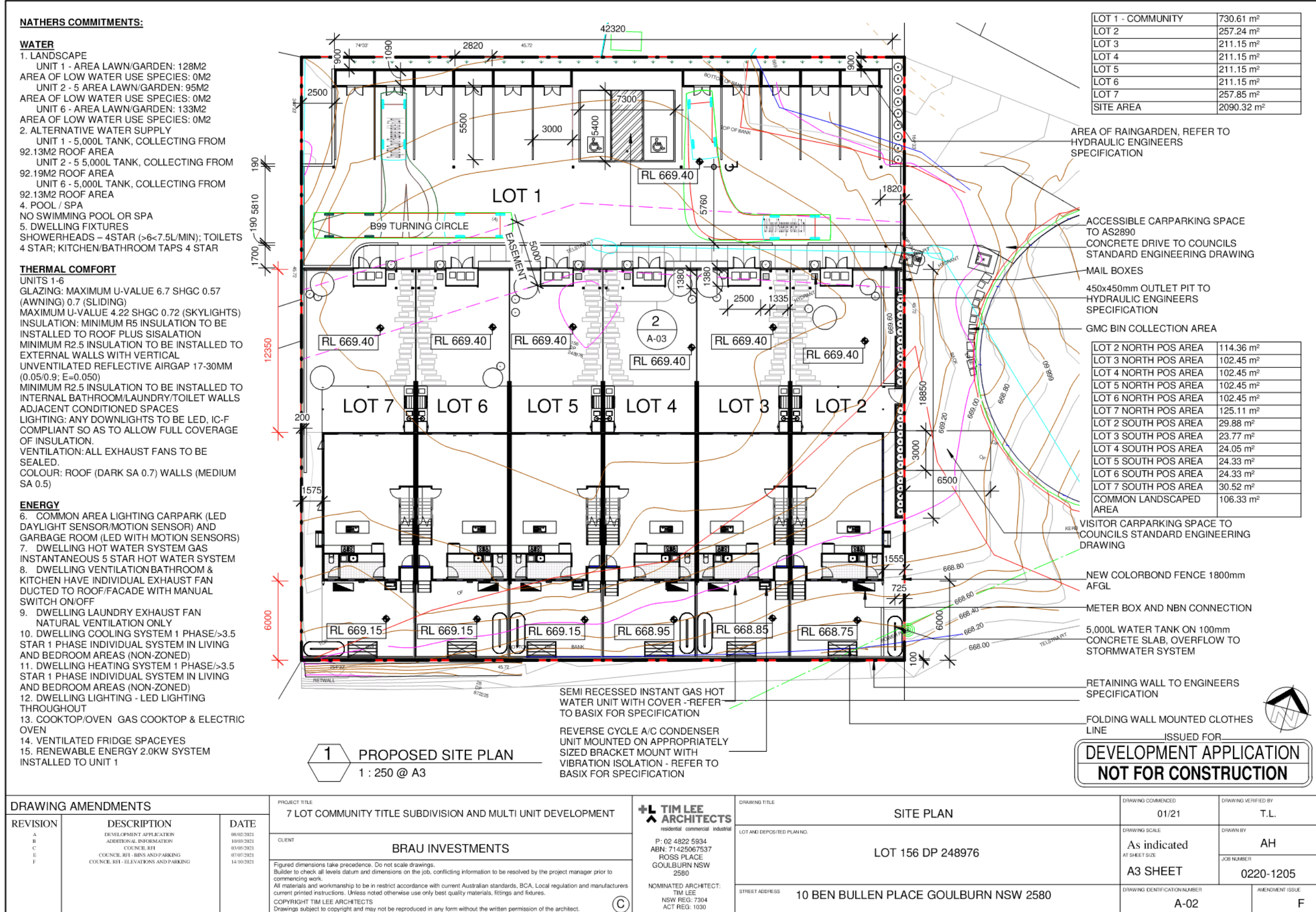
DWG #	REV #	TITLE OF DRAWING
A-00	F	TITLE
A-01	A	SURVEY
A-02	F	SITE PLAN
A-03	F	GROUND FLOOR PLAN
A-04	F	FIRST FLOOR PLAN
A-05	F	DETAIL GROUND FLOOR PLAN
A-06	F	DETAIL FIRST FLOOR PLAN
A-07	F	ELEVATIONS 1
A-08	F	ELEVATIONS 2
A-09	F	DETAIL ELEVATIONS
A-10	F	DETAIL ELEVATION 2
A-11	F	SECTIONS
A-12	F	ROOF PLAN
A-13	F	LANDSCAPE PLAN
A-14	F	WINDOW & DOOR SCHEDULE UNIT 1
A-15	F	WINDOW & DOOR SCHEDULE UNIT 2 & 3
A-16	F	WINDOW & DOOR SCHEDULE UNIT 4 & 5
A-17	F	WINDOW & DOOR SCHEDULE UNIT 6
A-18	A	CUT AND FILL PLAN
A-19	A	EROSION CONTROL NOTES & PLAN
A-20	F	SHADOW DIAGRAMS
A-21	F	SHADOW DIAGRAMS
A-22	F	SHADOW DIAGRAMS
A-23	F	SHADOW DIAGRAMS
A-24	F	SHADOW DIAGRAMS
A-25	F	STREET ELEVATION
A-26	F	SITE CONTEXT PLAN
A-27	C	PROPOSED SUBDIVISION PLAN

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		TIM LEE ARCHITECTS residential commercial industrial		DRAWING TITLE TITLE		DRAWING COMMENCED 01/21		DRAWING VERIFIED BY T.L.			
REVISION	DESCRIPTION	DATE	CLIENT BRAU INVESTMENTS		P: 02 4822 5934 ABN: 71425067537 ROSS PLACE GOULBURN NSW 2580		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976		DRAWING SCALE		DRAWN BY AH			
A	DEVELOPMENT APPLICATION	05/02/2021	<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA. Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect. ©</small>		<small>NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030</small>		AT SHEET SIZE		JOB NUMBER		AMENDMENT ISSUE			
B	ADDITIONAL INFORMATION	10/01/2021					A3 SHEET		0220-1205		DRAWING IDENTIFICATION NUMBER		A-00	
C	COUNCIL REF	03/05/2021					STREET ADDRESS		10 BEN BULLEN PLACE GOULBURN NSW 2580		DRAWING IDENTIFICATION NUMBER		A-00	
D	COUNCIL REF - SHADOWS	02/07/2021												
E	COUNCIL REF - BINS AND PARKING	07/07/2021												
F	COUNCIL REF - ELEVATIONS AND PARKING	14/10/2021												

14/10/2021 12:14:57 PM





NATHERS COMMITMENTS:

WATER

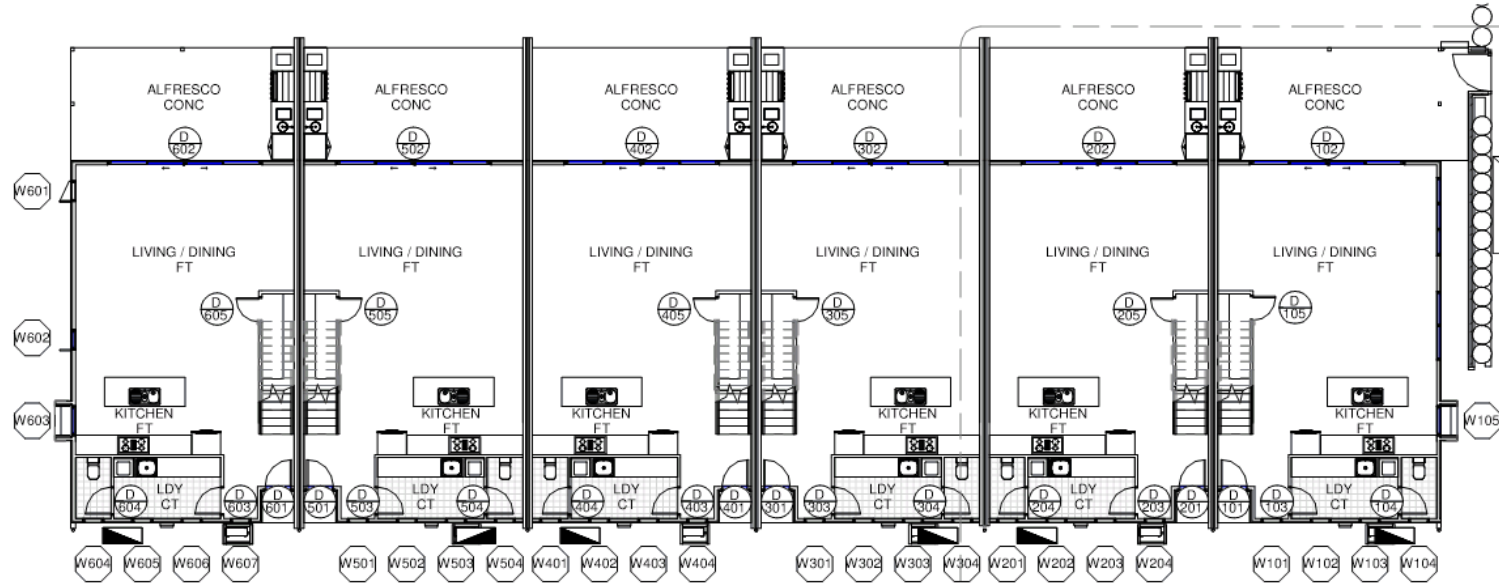
1. LANDSCAPE
 - UNIT 1 - AREA LAWN/GARDEN: 128M2
 - AREA OF LOW WATER USE SPECIES: 0M2
 - UNIT 2 - 5 AREA LAWN/GARDEN: 95M2
 - AREA OF LOW WATER USE SPECIES: 0M2
 - UNIT 6 - AREA LAWN/GARDEN: 133M2
 - AREA OF LOW WATER USE SPECIES: 0M2
2. ALTERNATIVE WATER SUPPLY
 - UNIT 1 - 5,000L TANK, COLLECTING FROM 92.13M2 ROOF AREA
 - UNIT 2 - 5 5,000L TANK, COLLECTING FROM 92.19M2 ROOF AREA
 - UNIT 6 - 5,000L TANK, COLLECTING FROM 92.13M2 ROOF AREA
4. POOL / SPA
 - NO SWIMMING POOL OR SPA
5. DWELLING FIXTURES
 - SHOWERHEADS - 4STAR (>6<7.5L/MIN); TOILETS 4 STAR; KITCHEN/BATHROOM TAPS 4 STAR

THERMAL COMFORT

- UNITS 1-6
- GLAZING: MAXIMUM U-VALUE 6.7 SHGC 0.57 (AWNING) 0.7 (SLIDING)
 - MAXIMUM U-VALUE 4.22 SHGC 0.72 (SKYLIGHTS)
 - INSULATION: MINIMUM R5 INSULATION TO BE INSTALLED TO ROOF PLUS SISALATION
 - MINIMUM R2.5 INSULATION TO BE INSTALLED TO EXTERNAL WALLS WITH VERTICAL UNVENTILATED REFLECTIVE AIRGAP 17-30MM (0.05/0.9; E=0.050)
 - MINIMUM R2.5 INSULATION TO BE INSTALLED TO INTERNAL BATHROOM/LAUNDRY/TOILET WALLS ADJACENT CONDITIONED SPACES
 - LIGHTING: ANY DOWNLIGHTS TO BE LED, IC-F COMPLIANT SO AS TO ALLOW FULL COVERAGE OF INSULATION.
 - VENTILATION: ALL EXHAUST FANS TO BE SEALED.
 - COLOUR: ROOF (DARK SA 0.7) WALLS (MEDIUM SA 0.5)

ENERGY

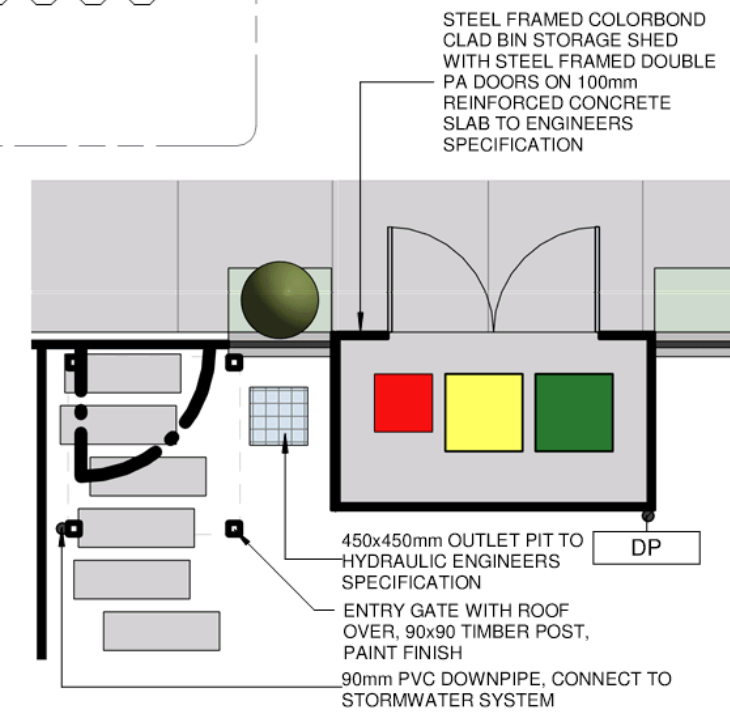
6. COMMON AREA LIGHTING CARPARK (LED DAYLIGHT SENSOR/MOTION SENSOR) AND GARBAGE ROOM (LED WITH MOTION SENSORS)
7. DWELLING HOT WATER SYSTEM GAS INSTANTANEOUS 5 STAR HOT WATER SYSTEM
8. DWELLING VENTILATION BATHROOM & KITCHEN HAVE INDIVIDUAL EXHAUST FAN DUCTED TO ROOF/FACADE WITH MANUAL SWITCH ON/OFF
9. DWELLING LAUNDRY EXHAUST FAN NATURAL VENTILATION ONLY
10. DWELLING COOLING SYSTEM 1 PHASE/>3.5 STAR 1 PHASE INDIVIDUAL SYSTEM IN LIVING AND BEDROOM AREAS (NON-ZONED)
11. DWELLING HEATING SYSTEM 1 PHASE/>3.5 STAR 1 PHASE INDIVIDUAL SYSTEM IN LIVING AND BEDROOM AREAS (NON-ZONED)
12. DWELLING LIGHTING - LED LIGHTING THROUGHOUT
13. COOKTOP/OVEN GAS COOKTOP & ELECTRIC OVEN
14. VENTILATED FRIDGE SPACEYES
15. RENEWABLE ENERGY 2.0KW SYSTEM INSTALLED TO UNIT 1



UNIT 1 ALFRESCO AREA	24.83 m ²	UNIT 1 CONDITIONED FIRST FLOOR AREA	63.09 m ²	UNIT 1 UNCONDITIONED FIRST FLOOR AREA	6.59 m ²
UNIT 1 FIRST FLOOR AREA	75.86 m ²	UNIT 1 UNCONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 2 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 1 GROUND FLOOR AREA	78.82 m ²	UNIT 2 UNCONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 2 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 1 REAR PATIO	1.14 m ²	UNIT 3 UNCONDITIONED FIRST FLOOR AREA	63.09 m ²	UNIT 3 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 2 ALFRESCO AREA	24.85 m ²	UNIT 3 UNCONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 3 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 2 FIRST FLOOR AREA	76.27 m ²	UNIT 4 UNCONDITIONED FIRST FLOOR AREA	63.07 m ²	UNIT 4 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 2 GROUND FLOOR AREA	78.88 m ²	UNIT 4 UNCONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 4 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 2 REAR PATIO	1.14 m ²	UNIT 5 UNCONDITIONED FIRST FLOOR AREA	63.07 m ²	UNIT 5 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 3 ALFRESCO AREA	24.85 m ²	UNIT 5 UNCONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 5 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 3 FIRST FLOOR AREA	76.27 m ²	UNIT 6 UNCONDITIONED FIRST FLOOR AREA	64.21 m ²	UNIT 6 UNCONDITIONED FIRST FLOOR AREA	6.59 m ²
UNIT 3 REAR PATIO	1.14 m ²	UNIT 6 UNCONDITIONED GROUND FLOOR AREA	65.72 m ²	UNIT 6 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 4 ALFRESCO AREA	24.85 m ²	TOTAL CONDITIONED FLOOR AREA	767.40 m ²	TOTAL UNCONDITIONED FLOOR AREA	92.52 m ²
UNIT 4 FIRST FLOOR AREA	76.27 m ²				
UNIT 4 GROUND FLOOR AREA	78.88 m ²				
UNIT 4 REAR PATIO	1.14 m ²				
UNIT 5 ALFRESCO AREA	24.85 m ²				
UNIT 5 FIRST FLOOR AREA	76.27 m ²				
UNIT 5 GROUND FLOOR AREA	78.88 m ²				
UNIT 5 REAR PATIO	1.14 m ²				
UNIT 6 ALFRESCO AREA	24.83 m ²				
UNIT 6 FIRST FLOOR AREA	75.86 m ²				
UNIT 6 GROUND FLOOR AREA	78.82 m ²				
UNIT 6 REAR PATIO	1.14 m ²				
TOTAL FLOOR AREA	1085.84 m ²				

1 GROUND FLOOR PLAN
1 : 200 @ A3

2 BIN STORE / ENTRY PLAN
1 : 50 @ A3



ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS

REVISION	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	08/02/2021
E	COUNCIL REF - BINS AND PARKING	07/07/2021
F	COUNCIL REF - ELEVATIONS AND PARKING	14/10/2021

PROJECT TITLE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT
CLIENT	BRAU INVESTMENTS
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.	

TIM LEE ARCHITECTS
residential commercial industrial

P: 02 4822 5934
ABN: 71 425067537
ROSS PLACE
GOULBURN NSW
2580

NOMINATED ARCHITECT:
TIM LEE
NSW REG: 7304
ACT REG: 1030

DRAWING TITLE	GROUND FLOOR PLAN
LOT AND DEPOSITED PLAN NO.	LOT 156 DP 248976
STREET ADDRESS	10 BEN BULLEN PLACE GOULBURN NSW 2580

DRAWING COMMENCED	01/21	DRAWING VERIFIED BY	T.L.
DRAWING SCALE	As indicated	DRAWN BY	AH
AT SHEET SIZE	A3 SHEET	JOB NUMBER	0220-1205
DRAWING IDENTIFICATION NUMBER	A-03	AMENDMENT ISSUE	F

14/10/2021 12:15:01 PM

NATHERS COMMITMENTS:

WATER

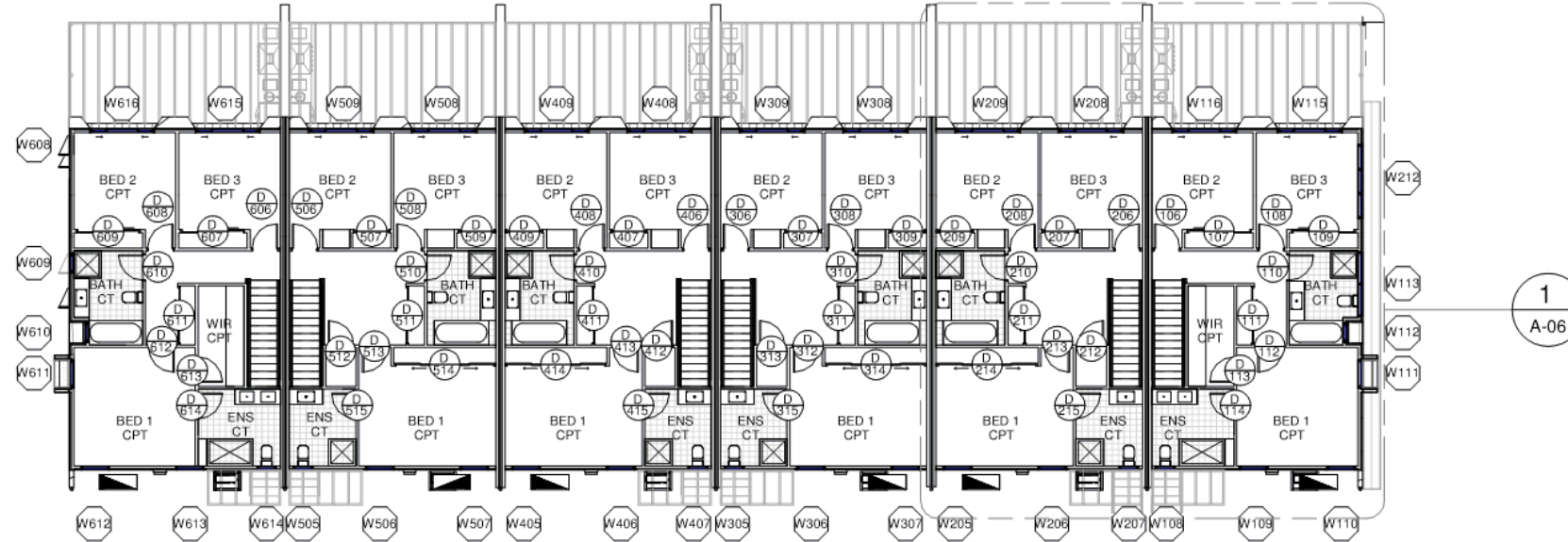
1. LANDSCAPE
 - UNIT 1 - AREA LAWN/GARDEN: 128M2
 - AREA OF LOW WATER USE SPECIES: 0M2
 - UNIT 2 - 5 AREA LAWN/GARDEN: 95M2
 - AREA OF LOW WATER USE SPECIES: 0M2
 - UNIT 6 - AREA LAWN/GARDEN: 133M2
 - AREA OF LOW WATER USE SPECIES: 0M2
2. ALTERNATIVE WATER SUPPLY
 - UNIT 1 - 5,000L TANK, COLLECTING FROM 92.13M2 ROOF AREA
 - UNIT 2 - 5 5,000L TANK, COLLECTING FROM 92.19M2 ROOF AREA
 - UNIT 6 - 5,000L TANK, COLLECTING FROM 92.13M2 ROOF AREA
4. POOL / SPA
 - NO SWIMMING POOL OR SPA
5. DWELLING FIXTURES
 - SHOWERHEADS – 4STAR (>6<7.5L/MIN); TOILETS 4 STAR; KITCHEN/BATHROOM TAPS 4 STAR

THERMAL COMFORT

- UNITS 1-6
- GLAZING: MAXIMUM U-VALUE 6.7 SHGC 0.57 (AWNING) 0.7 (SLIDING)
 - MAXIMUM U-VALUE 4.22 SHGC 0.72 (SKYLIGHTS)
 - INSULATION: MINIMUM R5 INSULATION TO BE INSTALLED TO ROOF PLUS SISALATION
 - MINIMUM R2.5 INSULATION TO BE INSTALLED TO EXTERNAL WALLS WITH VERTICAL UNVENTILATED REFLECTIVE AIRGAP 17-30MM (0.05/0.9; E=0.050)
 - MINIMUM R2.5 INSULATION TO BE INSTALLED TO INTERNAL BATHROOM/LAUNDRY/TOILET WALLS ADJACENT CONDITIONED SPACES
 - LIGHTING: ANY DOWNLIGHTS TO BE LED, IC-F COMPLIANT SO AS TO ALLOW FULL COVERAGE OF INSULATION.
 - VENTILATION: ALL EXHAUST FANS TO BE SEALED.
 - COLOUR: ROOF (DARK SA 0.7) WALLS (MEDIUM SA 0.5)

ENERGY

6. COMMON AREA LIGHTING CARPARK (LED DAYLIGHT SENSOR/MOTION SENSOR) AND GARBAGE ROOM (LED WITH MOTION SENSORS)
7. DWELLING HOT WATER SYSTEM GAS INSTANTANEOUS 5 STAR HOT WATER SYSTEM
8. DWELLING VENTILATION BATHROOM & KITCHEN HAVE INDIVIDUAL EXHAUST FAN DUCTED TO ROOF/FACADE WITH MANUAL SWITCH ON/OFF
9. DWELLING LAUNDRY EXHAUST FAN NATURAL VENTILATION ONLY
10. DWELLING COOLING SYSTEM 1 PHASE/>3.5 STAR 1 PHASE INDIVIDUAL SYSTEM IN LIVING AND BEDROOM AREAS (NON-ZONED)
11. DWELLING HEATING SYSTEM 1 PHASE/>3.5 STAR 1 PHASE INDIVIDUAL SYSTEM IN LIVING AND BEDROOM AREAS (NON-ZONED)
12. DWELLING LIGHTING - LED LIGHTING THROUGHOUT
13. COOKTOP/OVEN GAS COOKTOP & ELECTRIC OVEN
14. VENTILATED FRIDGE SPACEYES
15. RENEWABLE ENERGY 2.0KW SYSTEM INSTALLED TO UNIT 1



UNIT 1 ALFRESCO AREA	24.83 m ²	UNIT 1 CONDITIONED FIRST FLOOR AREA	63.09 m ²	UNIT 1 UNCONDITIONED FIRST FLOOR AREA	6.59 m ²
UNIT 1 FIRST FLOOR AREA	75.86 m ²	UNIT 1 CONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 1 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 1 REAR PATIO	1.14 m ²	UNIT 2 CONDITIONED FIRST FLOOR AREA	63.09 m ²	UNIT 2 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 2 ALFRESCO AREA	24.85 m ²	UNIT 2 CONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 2 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 2 FIRST FLOOR AREA	76.27 m ²	UNIT 3 CONDITIONED FIRST FLOOR AREA	63.09 m ²	UNIT 3 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 2 GROUND FLOOR AREA	78.88 m ²	UNIT 3 CONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 3 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 2 REAR PATIO	1.14 m ²	UNIT 4 CONDITIONED FIRST FLOOR AREA	63.07 m ²	UNIT 4 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 3 ALFRESCO AREA	24.85 m ²	UNIT 4 CONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 4 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 3 FIRST FLOOR AREA	76.27 m ²	UNIT 5 CONDITIONED FIRST FLOOR AREA	63.07 m ²	UNIT 5 UNCONDITIONED FIRST FLOOR AREA	7.04 m ²
UNIT 3 GROUND FLOOR AREA	78.88 m ²	UNIT 5 CONDITIONED GROUND FLOOR AREA	64.41 m ²	UNIT 5 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 3 REAR PATIO	1.14 m ²	UNIT 6 CONDITIONED FIRST FLOOR AREA	64.21 m ²	UNIT 6 UNCONDITIONED FIRST FLOOR AREA	6.59 m ²
UNIT 4 ALFRESCO AREA	24.85 m ²	UNIT 6 CONDITIONED GROUND FLOOR AREA	65.72 m ²	UNIT 6 UNCONDITIONED GROUND FLOOR AREA	8.53 m ²
UNIT 4 FIRST FLOOR AREA	76.27 m ²	TOTAL CONDITIONED FLOOR AREA	767.40 m ²	TOTAL UNCONDITIONED FLOOR AREA	92.52 m ²
UNIT 4 GROUND FLOOR AREA	78.88 m ²				
UNIT 4 REAR PATIO	1.14 m ²				
UNIT 5 ALFRESCO AREA	24.85 m ²				
UNIT 5 FIRST FLOOR AREA	76.27 m ²				
UNIT 5 GROUND FLOOR AREA	78.88 m ²				
UNIT 5 REAR PATIO	1.14 m ²				
UNIT 6 ALFRESCO AREA	24.83 m ²				
UNIT 6 FIRST FLOOR AREA	75.86 m ²				
UNIT 6 GROUND FLOOR AREA	78.82 m ²				
UNIT 6 REAR PATIO	1.14 m ²				
TOTAL FLOOR AREA	1085.84 m ²				

1 FIRST FLOOR PLAN
1 : 200 @ A3



ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS

REVISION	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	08/02/2021
F	COUNCIL RH - ELEVATIONS AND PARKING	14/10/2021

PROJECT TITLE
7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT

CLIENT
BRAU INVESTMENTS

Figured dimensions take precedence. Do not scale drawings.

Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work.

All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures.

COPYRIGHT TIM LEE ARCHITECTS

Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.

TIM LEE ARCHITECTS
residential commercial industrial

P: 02 4822 5934
ABN: 71 425067537
ROSS PLACE
GOULBURN NSW
2580

NOMINATED ARCHITECT:
TIM LEE
NSW REG: 7304
ACT REG: 1030

DRAWING TITLE
FIRST FLOOR PLAN

LOT AND DEPOSITED PLAN NO.
LOT 156 DP 248976

STREET ADDRESS
10 BEN BULLEN PLACE GOULBURN NSW 2580

DRAWING COMMENCED
01/21

DRAWING SCALE
As indicated

AT SHEET SIZE
A3 SHEET

DRAWING IDENTIFICATION NUMBER
A-04

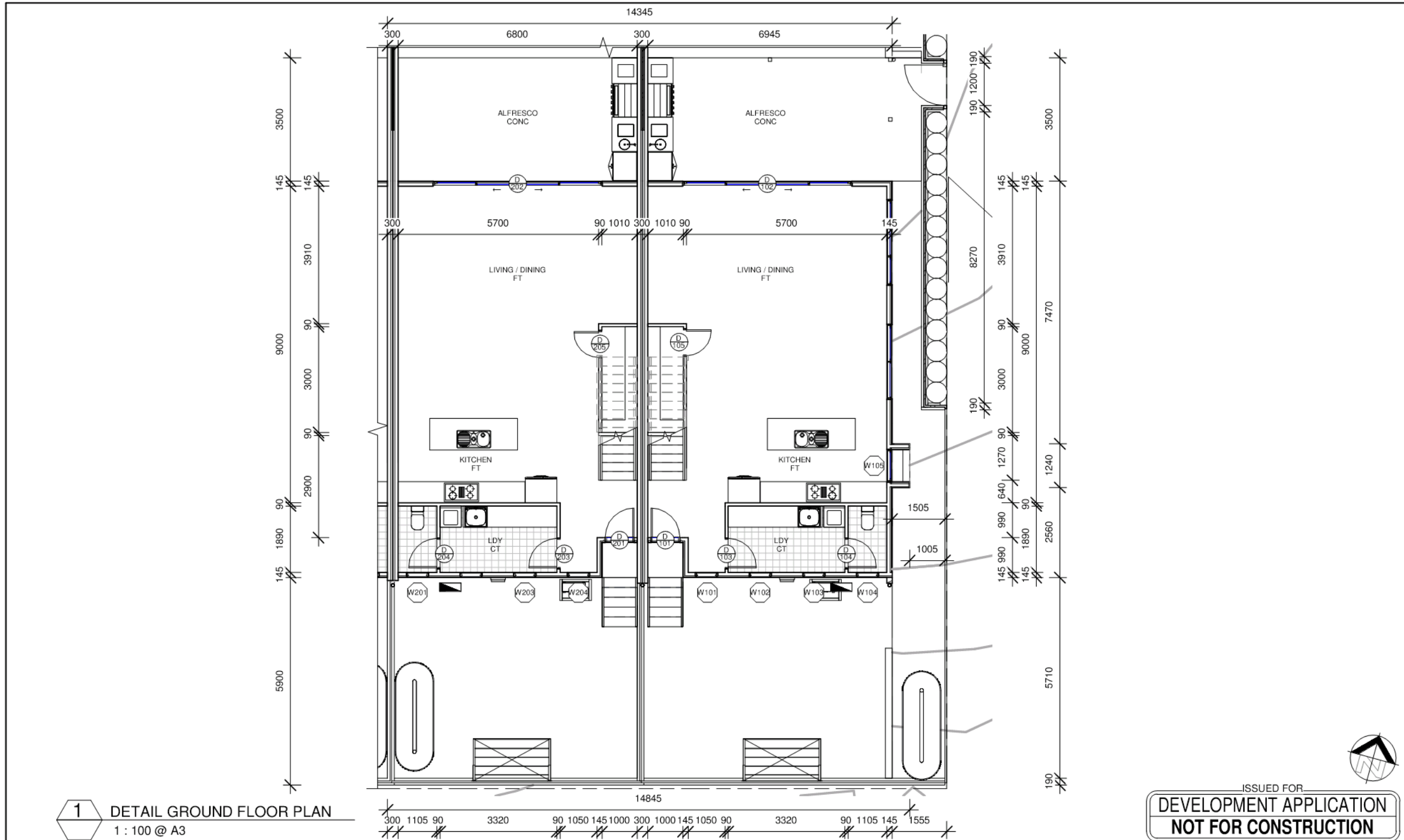
DRAWING VERIFIED BY
T.L.

DRAWN BY
AH

JOB NUMBER
0220-1205

AMENDMENT ISSUE
F

14/10/2021 12:15:03 PM

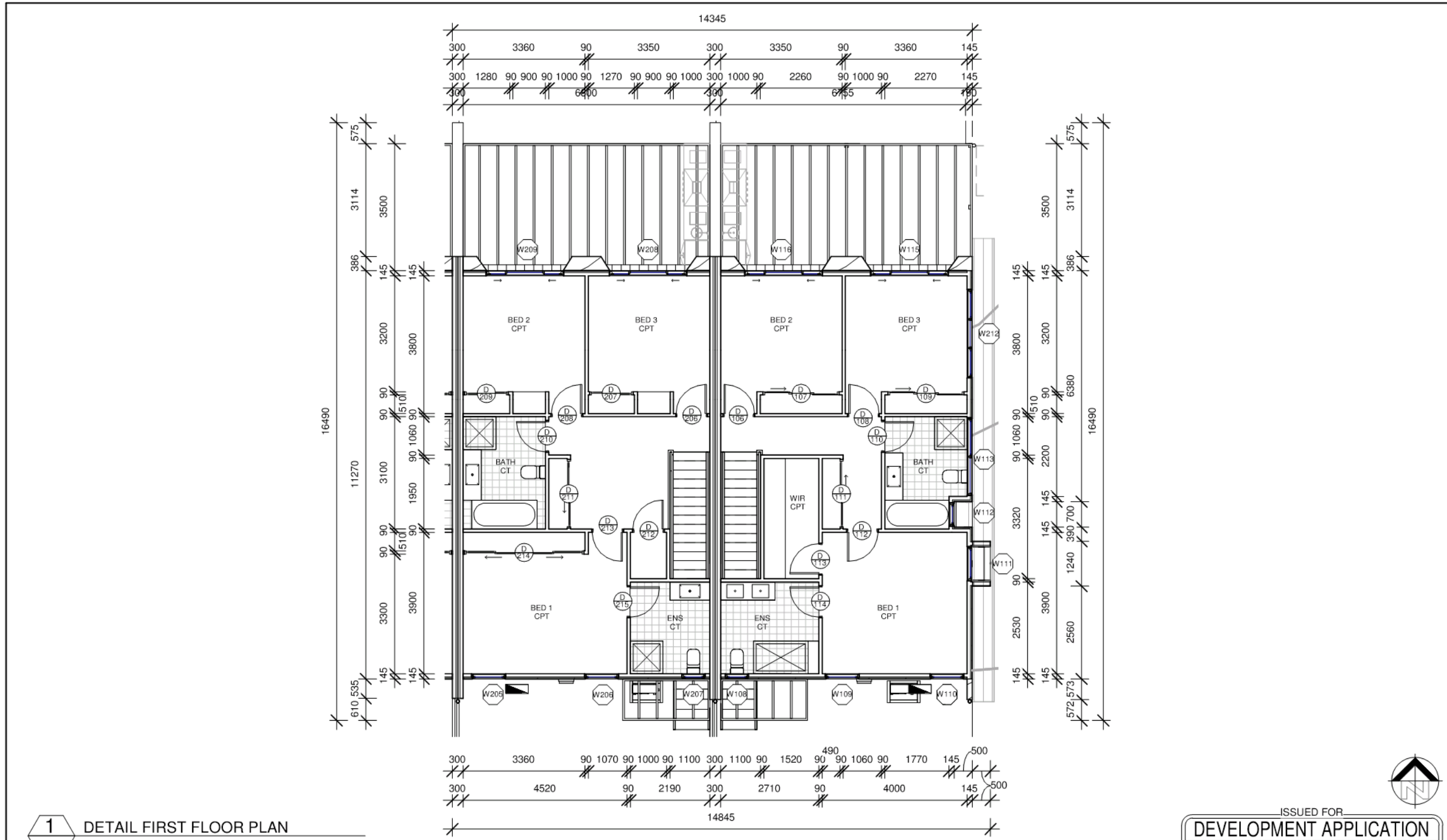


1 DETAIL GROUND FLOOR PLAN
1 : 100 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		DRAWING TITLE DETAIL GROUND FLOOR PLAN		DRAWING COMMENCED 01/21		DRAWING VERIFIED BY TL		
REVISION	DESCRIPTION	DATE	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976		DRAWING SCALE 1 : 100 AT SHEET SIZE A3 SHEET		DRAWN BY AH		
A	DEVELOPMENT APPLICATION	08/02/2021	Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.		TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030		STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		JOB NUMBER 0220-1205		AMENDMENT ISSUE F
B	ADDITIONAL INFORMATION	10/03/2021							DRAWING IDENTIFICATION NUMBER A-05		
F	COUNCIL RFI - ELEVATIONS AND PARKING	14/10/2021									

14/10/2021 12:15:04 PM



1 DETAIL FIRST FLOOR PLAN
1 : 100 @ A3

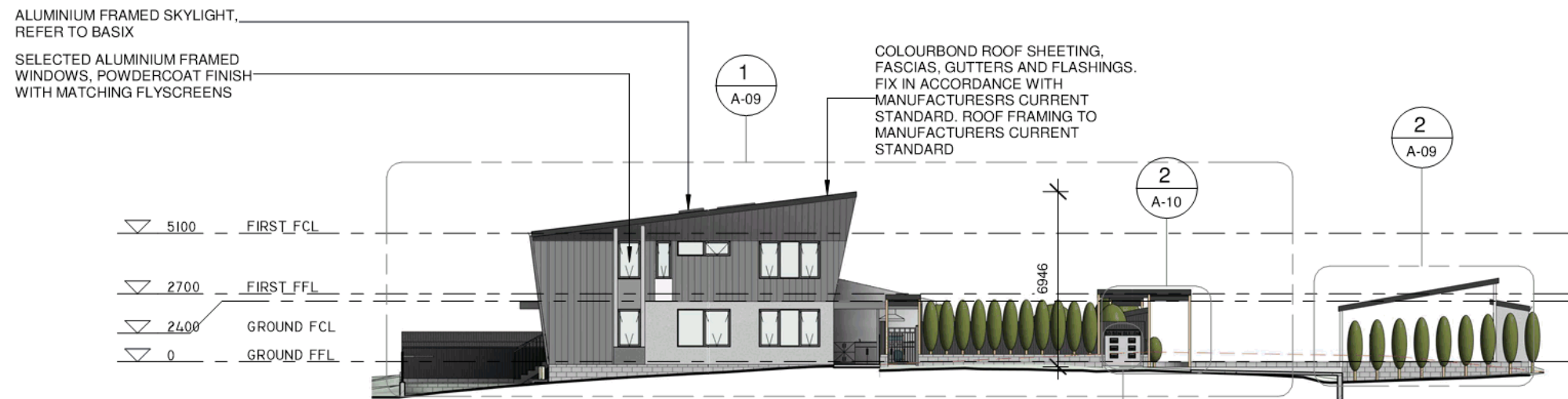
ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE DETAIL FIRST FLOOR PLAN	DRAWING COMMENCED 01/21	DRAWING VERIFIED BY T.L.
REVISION A F	DESCRIPTION DEVELOPMENT APPLICATION COUNCIL RH - ELEVATIONS AND PARKING	DATE 08/02/2021 14/10/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 100 AT SHEET SIZE A3 SHEET	DRAWN BY AH
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-06	AMENDMENT ISSUE F	

14/10/2021 12:15:05 PM



1 NORTH ELEVATION
1 : 200 @ A3

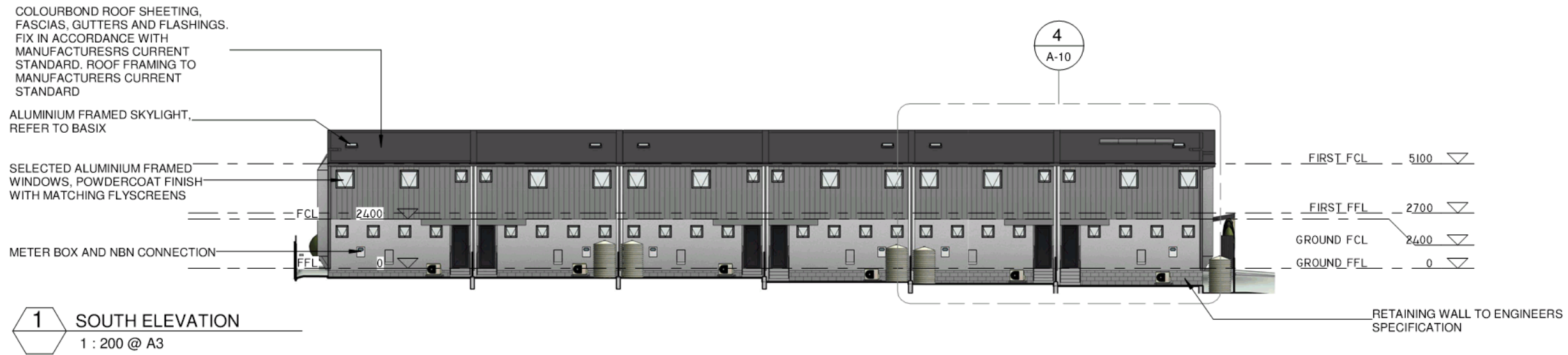


2 EAST ELEVATION
1 : 200 @ A3

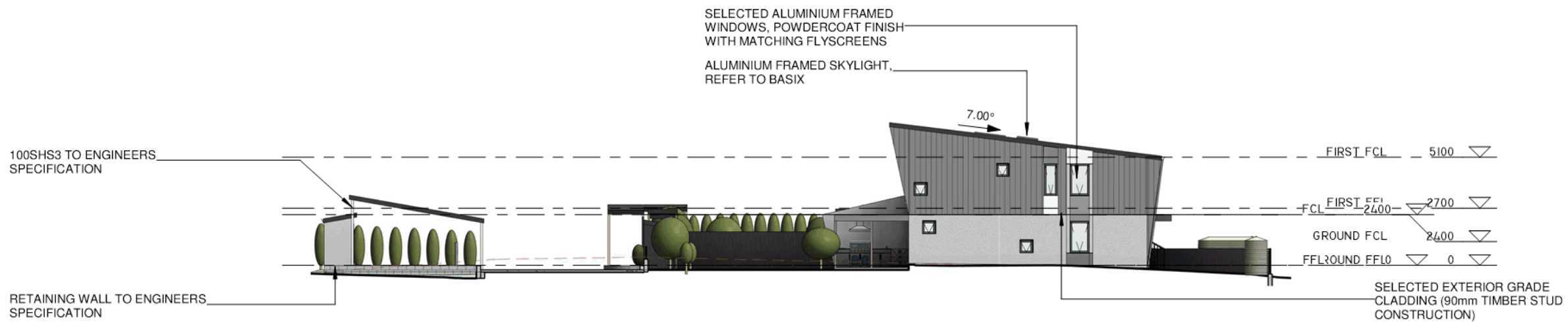
ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE	TIM LEE ARCHITECTS <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		ELEVATIONS 1	01/21	T.L.
A	DEVELOPMENT APPLICATION	08/02/2021	CLIENT BRAU INVESTMENTS <small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>	LOT AND DEPOSITED PLAN NO.	DRAWING SCALE	DRAWN BY	
B	ADDITIONAL INFORMATION	10/01/2021		LOT 156 DP 248976	1 : 200	AH	
E	COUNCIL REF - BINS AND PARKING	07/07/2021		STREET ADDRESS	AT SHEET SIZE	JOB NUMBER	
F	COUNCIL REF - ELEVATIONS AND PARKING	14/10/2021		10 BEN BULLEN PLACE GOULBURN NSW 2580	A3 SHEET	0220-1205	
					DRAWING IDENTIFICATION NUMBER	AMENDMENT ISSUE	
					A-07	F	

14/10/2021 12:15:08 PM



1 SOUTH ELEVATION
1 : 200 @ A3



2 WEST ELEVATION
1 : 200 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE	TIM LEE ARCHITECTS <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		ELEVATIONS 2	01/21	TL
A B F	DEVELOPMENT APPLICATION ADDITIONAL INFORMATION COUNCIL RH - ELEVATIONS AND PARKING	08/02/2021 10/03/2021 14/10/2021	CLIENT BRAU INVESTMENTS	LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 200 AT SHEET SIZE A3 SHEET	DRAWN BY AH	
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect. ©</small>			STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-08	JOB NUMBER 0220-1205	AMENDMENT ISSUE F	

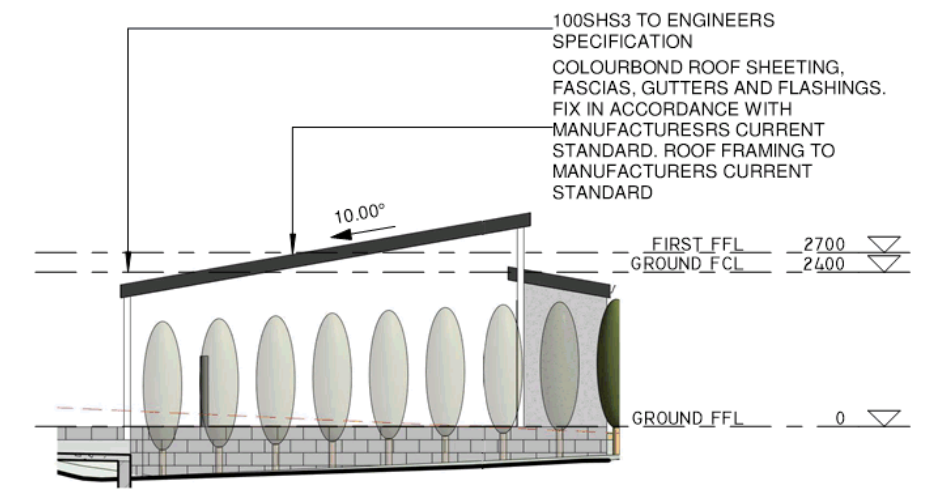
14/10/2021 12:15:12 PM



1 DETAIL EAST ELEVATION
1 : 100 @ A3



3 DETAIL NORTH ELEVATION
1 : 100 @ A3

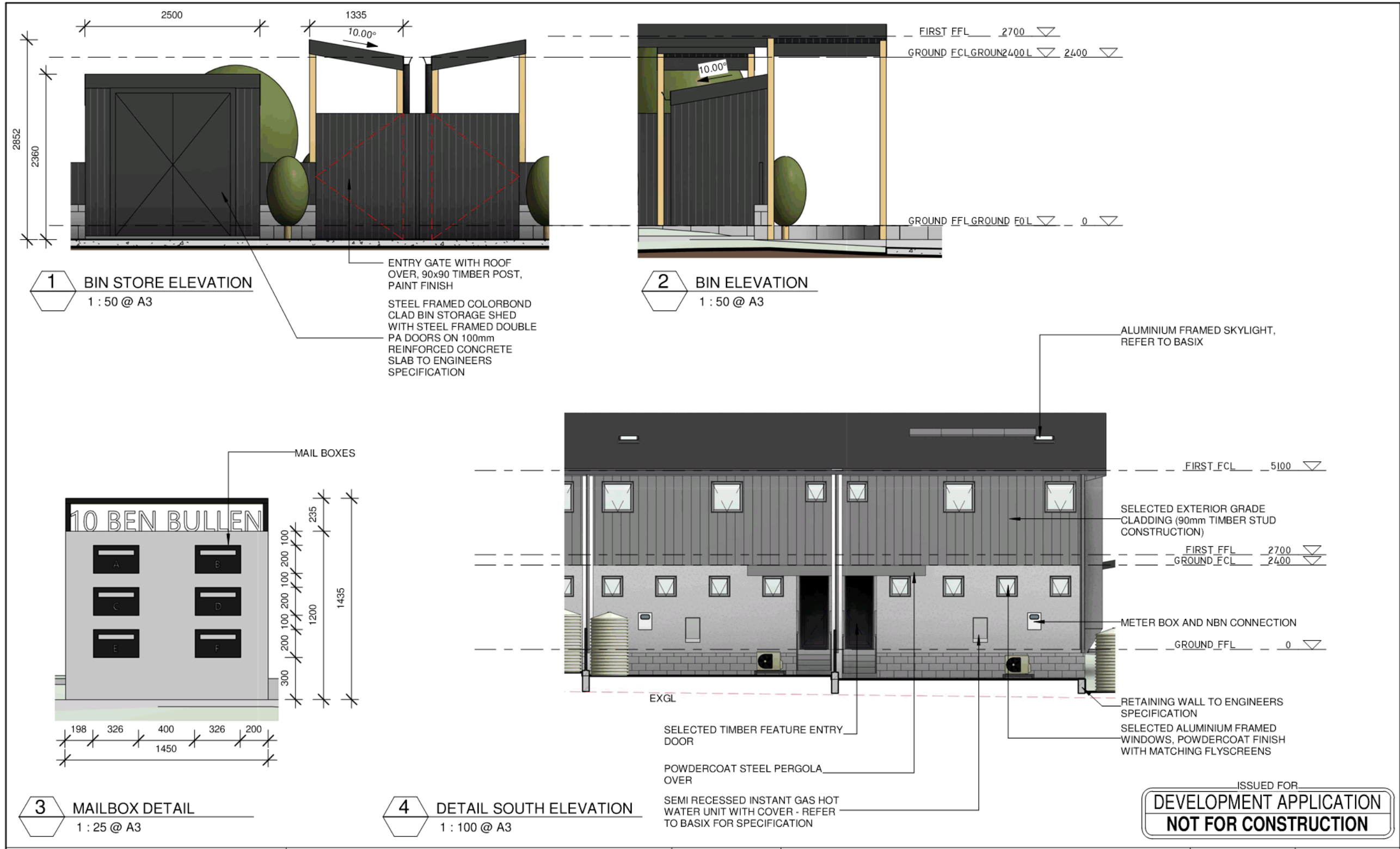


2 DETAIL PARKING EAST ELEVATION
1 : 100 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

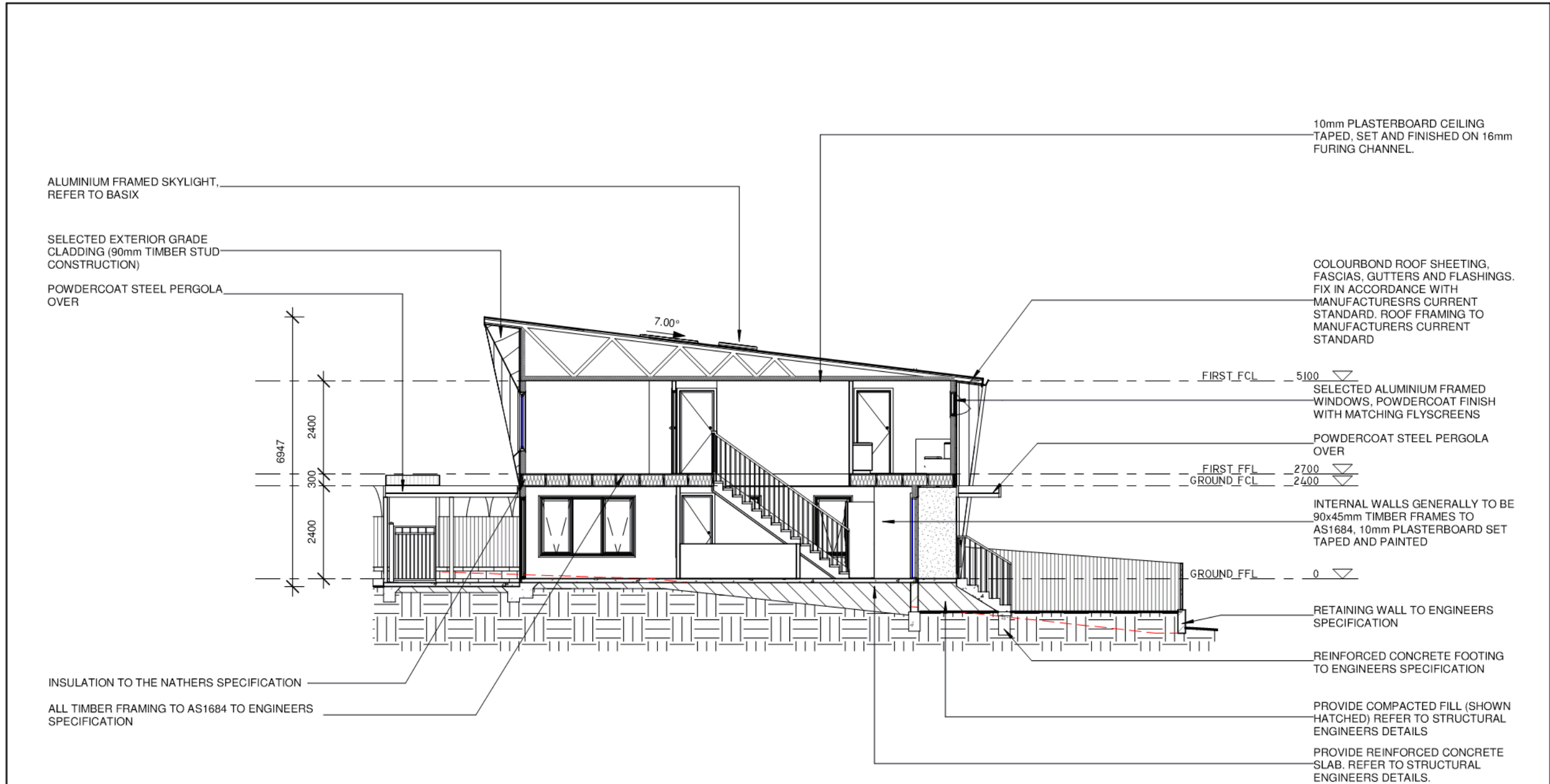
DRAWING AMENDMENTS			PROJECT TITLE	TIM LEE ARCHITECTS <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		DETAIL ELEVATIONS	01/21	TL
A	DEVELOPMENT APPLICATION	08/02/2021	CLIENT BRAU INVESTMENTS	LOT AND DEPOSITED PLAN NO.	DRAWING SCALE	DRAWN BY	
B	ADDITIONAL INFORMATION	10/03/2021		LOT 156 DP 248976	1 : 100	AH	
F	COUNCIL REF - ELEVATIONS AND PARKING	14/10/2021		STREET ADDRESS	A3 SHEET	JOB NUMBER	
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect. ©			10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER	AMENDMENT ISSUE		
				A-09	F		

14/10/2021 12:15:15 PM



DRAWING AMENDMENTS			PROJECT TITLE	TIM LEE ARCHITECTS residential commercial industrial	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580	DETAIL ELEVATION 2	01/21
A E F	DEVELOPMENT APPLICATION COUNCIL REF - BINS AND PARKING COUNCIL REF - ELEVATIONS AND PARKING	08/02/2021 07/07/2021 14/10/2021	CLIENT BRAU INVESTMENTS	NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE As indicated AT SHEET SIZE A3 SHEET	DRAWN BY AH JOB NUMBER 0220-1205
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-10	AMENDMENT ISSUE F	

14/10/2021 12:15:17 PM

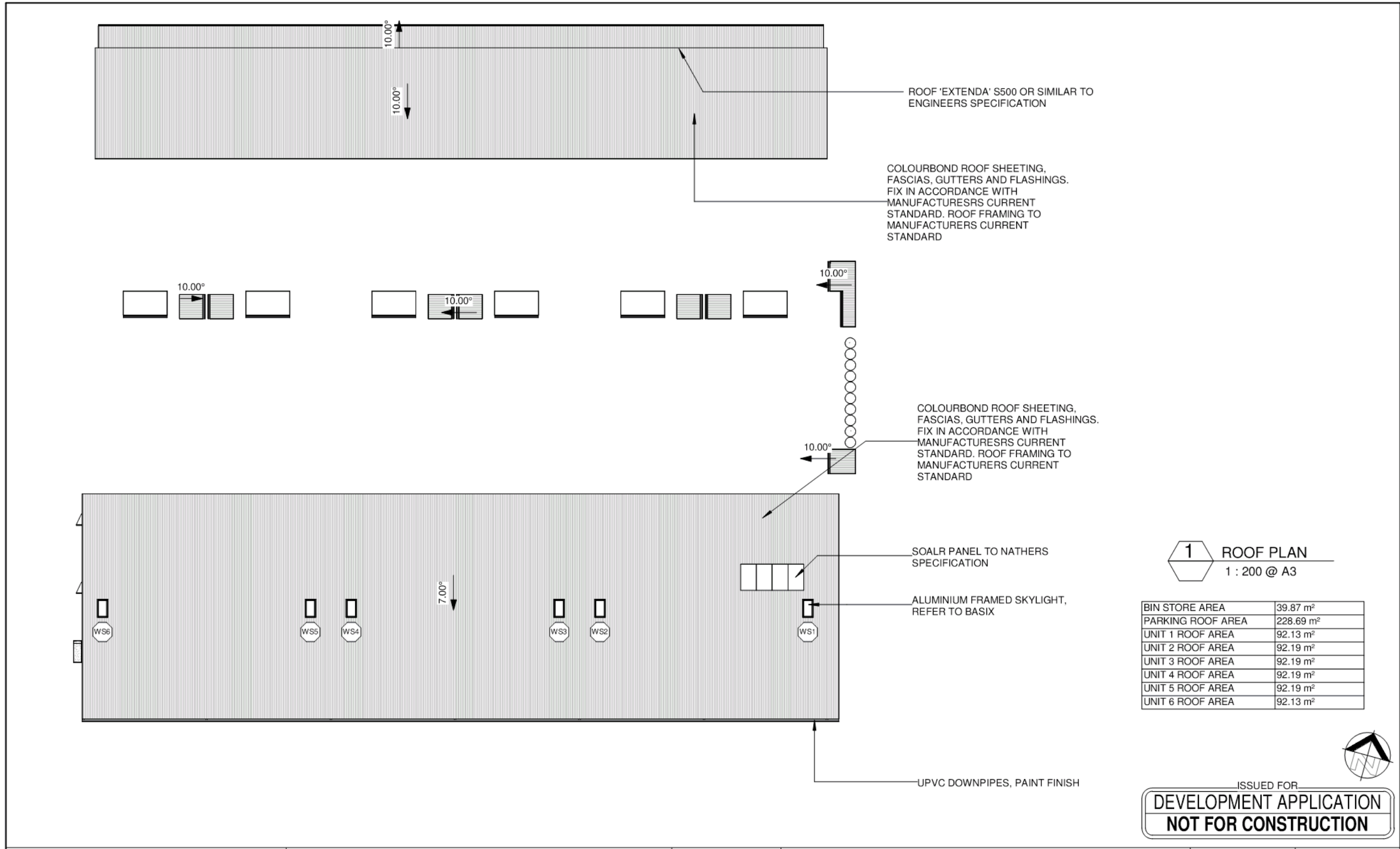



1 SECTION A-A
1 : 100 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE SECTIONS	DRAWING COMMENCED 01/21	DRAWING VERIFIED BY TL
REVISION A B F	DESCRIPTION DEVELOPMENT APPLICATION ADDITIONAL INFORMATION COUNCIL RH - ELEVATIONS AND PARKING	DATE 08/02/2021 10/03/2021 14/10/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 100 AT SHEET SIZE A3 SHEET	DRAWN BY AH
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-11	AMENDMENT ISSUE F	

14/10/2021 12:15:17 PM



DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		DRAWING TITLE ROOF PLAN		DRAWING COMMENCED 01/21		DRAWING VERIFIED BY TL	
REVISION	DESCRIPTION DEVELOPMENT APPLICATION COUNCIL REF - BINS AND PARKING COUNCIL REF - ELEVATIONS AND PARKING	DATE 08/02/2021 07/07/2021 14/10/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976		DRAWING SCALE 1 : 200 AT SHEET SIZE A3 SHEET		DRAWN BY AH	
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>			 TIM LEE ARCHITECTS <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030		STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		DRAWING IDENTIFICATION NUMBER A-12		JOB NUMBER 0220-1205	
					AMENDMENT ISSUE F					

14/10/2021 12:15:18 PM

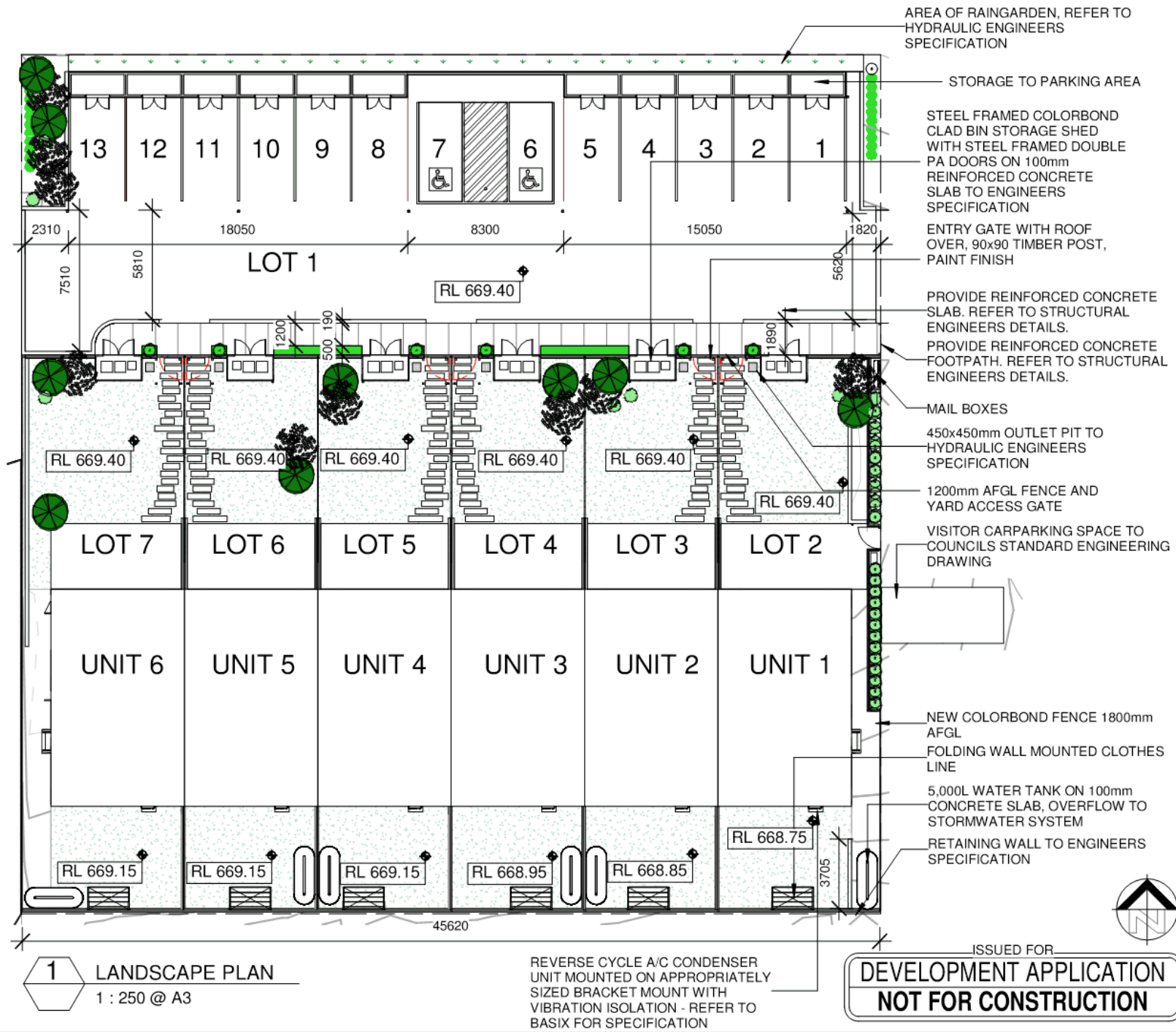
LANDSCAPING NOTES

- EXCAVATE TO A DEPTH OF 300mm. BREAK UP SUBGRADE A FURTHER 100mm AND BACKFILL WITH TOPSOIL MIXTURE. PROVIDE 1:100 FALL TO BASE OF BED WITH 100 PVC SUBSOIL DRAIN IN BLUE METAL CONNECTED TO ROOF AND YARD DRAINAGE SYSTEM.
- PROVIDE HOSE COCKS FOR WATERING AT 30cm CENTRES FAILURES TO BE REPLACED AND WEEDS REMOVED ON REGULAR BASIS.
- PLANT STOCK TO BE OF GOOD QUALITY, HARDENED OFF, NOT ROOT BOUND AND WITH A LEADING SHOOT IF A TREE SPECIES, FREE OF PESTS AND DISEASE.
- PLANTS TO BE SPACED TO ENSURE INTERLOCKING OF CANOPIES BY 10-20% FOR SHRUBS AND 30-40% FOR GROUND COVER.
- MULCHING OF PLANTING BED TO BE 75mm THICK TAKING CARE TO CLEAR MULCH FROM STEMS.
- SOIL TREATMENT: WHERE TOP SOIL HAS BEEN STRIPPED, APPLY GYPSUM 300g/m sq. AFTER REPLACING TOPSOIL TO 300mm DEEP. APPLY LIME AT 200g/m sq. AND ENSURE PH IS 5.5-6.5. APPLY A LOW 9NKPS FERTILISER AT 100g/m sq. AREAS INDICATED GRASSED TO BE ROTARY HOED THROUGH 100mm TOPSOIL AND FIRST QUALITY TURF TO BE ROLLED, TAMPED, WATERED AND TOP DRESSED. REMOVE IRREGULARITIES AND MOW AT FORTNIGHTLY INTERVALS.

LOT 1 - COMMUNITY	730.61 m ²	LOT 2 NORTH POS AREA	114.36 m ²
LOT 2	257.24 m ²	LOT 3 NORTH POS AREA	102.45 m ²
LOT 3	211.15 m ²	LOT 4 NORTH POS AREA	102.45 m ²
LOT 4	211.15 m ²	LOT 5 NORTH POS AREA	102.45 m ²
LOT 5	211.15 m ²	LOT 6 NORTH POS AREA	102.45 m ²
LOT 6	211.15 m ²	LOT 7 NORTH POS AREA	125.11 m ²
LOT 7	257.85 m ²	LOT 2 SOUTH POS AREA	29.88 m ²
SITE AREA	2090.32 m ²	LOT 3 SOUTH POS AREA	23.77 m ²
		LOT 4 SOUTH POS AREA	24.05 m ²
		LOT 5 SOUTH POS AREA	24.33 m ²
		LOT 6 SOUTH POS AREA	24.33 m ²
		LOT 7 SOUTH POS AREA	30.52 m ²
		COMMON LANDSCAPED AREA	106.33 m ²

SYMBOL	QTY	POT SIZE	COMMON	BOTANICAL
			CANTURF CANBERRA BLEND WITH CLOVER	TALL FINE FESCUE & KENTUCKY BLUEGRASS WITH 5% O'CONNOR'S STRAWBERRY CLOVER ADDED.
		4.5 LITRE POT, SPACED AT MAX. 900mm APART	'RED ROBIN'	PHOTINIA
	15	10 LITRE POT, SPACED AS SHOWN ON PLAN	'SILVER BIRCH'	BETULA PENDULA
	9	30 LITRE POT, SPACED AS SHOWN ON PLANS	'CHINESE PISTACHIO'	PISTACIA CHINENSIS
	9	4.5 LITRE POT, SPACED AT MAX. 1.5m WITHIN PLANT BED	'BRONZE RAMBLER'	PROTEACEAE GREVILLEA

NOTE: FINAL PLANTING OF PLANTS TO BE IN ACCORDANCE WITH SUPPLIER'S CURRENT RECOMMENDED INSTRUCTIONS & SPACINGS.



1 LANDSCAPE PLAN
1 : 250 @ A3

REVERSE CYCLE A/C CONDENSER UNIT MOUNTED ON APPROPRIATELY SIZED BRACKET MOUNT WITH VIBRATION ISOLATION - REFER TO BASIX FOR SPECIFICATION

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

REVISION	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	08/02/2021
B	ADDITIONAL INFORMATION	10/03/2021
C	COUNCIL RH	03/05/2021
E	COUNCIL RH - BINS AND PARKING	07/07/2021
F	COUNCIL RH - ELEVATIONS AND PARKING	14/10/2021

PROJECT TITLE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT
CLIENT	BRAU INVESTMENTS
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS. Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.	

TIM LEE ARCHITECTS
residential commercial industrial
P: 02 4822 5934
ABN: 71 425067537
ROSS PLACE
GOULBURN NSW
2580
NOMINATED ARCHITECT:
TIM LEE
NSW REG: 7304
ACT REG: 1030

DRAWING TITLE	LANDSCAPE PLAN
LOT AND DEPOSITED PLAN NO.	LOT 156 DP 248976
STREET ADDRESS	10 BEN BULLEN PLACE GOULBURN NSW 2580

DRAWING COMMENCED	01/21	DRAWING VERIFIED BY	T.L.
DRAWING SCALE	As indicated	DRAWN BY	AH
AT SHEET SIZE	A3 SHEET	JOB NUMBER	0220-1205
DRAWING IDENTIFICATION NUMBER	A-13	AMENDMENT ISSUE	F

14/10/2021 12:15:21 PM

DOOR SCHEDULE AUXILIARY					
DOOR NO.	DOOR TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT

B01	BIN ACCESS GATE	2040	1640	-150	1890
B02	BIN ACCESS GATE	2040	1640	-150	1890
B03	BIN ACCESS GATE	2040	1640	-150	1890
B04	BIN ACCESS GATE	2040	1640	-150	1890
B05	BIN ACCESS GATE	2040	1640	-150	1890
B06	BIN ACCESS GATE	2040	1640	-150	1890
B07	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G1	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G2	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G3	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G4	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G5	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G6	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G7	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G8	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G9	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890
G10	TIMBER FRAMED, HOLLOW CORE DOUBLE SWINGING DOOR	2040	1240	-150	1890


WINDOW SCHEDULE UNIT 1					
WINDOW NO.	WINDOW TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT

101	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100
102	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100
103	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100
104	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100
105	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	910	600	2100
106	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100
107	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2410	600	2100
108	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100
109	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100
110	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100
111	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	910	600	2100
112	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	610	600	2100
113	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	2110	1500	2100
115	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100
116	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100

DOOR SCHEDULE UNIT 1					
DOOR NO.	DOOR TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT

101	SELECTED TIMBER FEATURE ENTRY DOOR	2100	820	0	2100
102	SELECTED ALUMINIUM FRAMED SLIDING DOOR, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	2100	4800	0	2100
103	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
104	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
105	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	720	0	2100
106	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
107	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	2000	0	2040
108	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
109	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	2000	0	2040
110	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
111	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	1800	0	2040
112	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
113	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
114	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100


ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	 TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE WINDOW & DOOR SCHEDULE UNIT 1	DRAWING COMMENCED 01/21	DRAWING VERIFIED BY T.L.
REVISION A E F	DESCRIPTION DEVELOPMENT APPLICATION COUNCIL REF - BINS AND PARKING COUNCIL REF - ELEVATIONS AND PARKING	DATE 05/02/2021 07/07/2021 14/10/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE	DRAWN BY AH
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	AT SHEET SIZE A3 SHEET	JOB NUMBER 0220-1205	
14/10/2021 12:15:21 PM					DRAWING IDENTIFICATION NUMBER A-14	AMENDMENT ISSUE F	

WINDOW SCHEDULE UNIT 2						DOOR SCHEDULE UNIT 2					
WINDOW NO.	WINDOW TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DOOR NO.	DOOR TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT
201	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	201	SELECTED TIMBER FEATURE ENTRY DOOR	2100	820	0	2100
202	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	202	SELECTED ALUMINIUM FRAMED SLIDING DOOR, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	2100	4800	0	2100
203	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	203	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
204	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	204	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
205	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	205	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	720	0	2100
206	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	206	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
207	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	207	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
208	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	208	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
209	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	209	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
212	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2410	600	2100	210	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						211	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	1800	0	2040
						212	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						213	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						214	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	3200	0	2040
						215	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100

WINDOW SCHEDULE UNIT 3						DOOR SCHEDULE UNIT 3					
WINDOW NO.	WINDOW TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DOOR NO.	DOOR TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT
301	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	301	SELECTED TIMBER FEATURE ENTRY DOOR	2100	820	0	2100
302	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	302	SELECTED ALUMINIUM FRAMED SLIDING DOOR, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	2100	4800	0	2100
303	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	303	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
304	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	304	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
305	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	305	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	720	0	2100
306	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	306	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
307	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	307	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
308	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	308	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
309	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	309	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
						310	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						311	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	1800	0	2040
						312	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						313	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						314	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	3200	0	2040
						315	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION


DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	 TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG. 7304 ACT REG. 1030	DRAWING TITLE WINDOW & DOOR SCHEDULE UNIT 2 & 3	DRAWING COMMENCED 01/21	DRAWING VERIFIED BY TL
REVISION A F	DESCRIPTION DEVELOPMENT APPLICATION COUNCIL, RH - ELEVATIONS AND PARKING	DATE 08/02/2021 14/10/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE A3 SHEET	DRAWN BY AH
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-15	AMENDMENT ISSUE F	

14/10/2021 12:15:22 PM

WINDOW SCHEDULE UNIT 4						DOOR SCHEDULE UNIT 4					
WINDOW NO.	WINDOW TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DOOR NO.	DOOR TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT
401	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	401	SELECTED TIMBER FEATURE ENTRY DOOR	2100	820	0	2100
402	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	402	SELECTED ALUMINIUM FRAMED SLIDING DOOR, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	2100	4800	0	2100
403	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	403	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
404	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	404	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
405	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	405	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	720	0	2100
406	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	406	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
407	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	407	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
408	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	408	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
409	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	409	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
						410	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						411	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	1800	0	2040
						412	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						413	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						414	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	3200	0	2040
						415	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100

WINDOW SCHEDULE UNIT 5						DOOR SCHEDULE UNIT 5					
WINDOW NO.	WINDOW TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DOOR NO.	DOOR TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT
501	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	501	SELECTED TIMBER FEATURE ENTRY DOOR	2100	820	0	2100
502	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	502	SELECTED ALUMINIUM FRAMED SLIDING DOOR, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	2100	4800	0	2100
503	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	503	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
504	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	504	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
505	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	505	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	720	0	2100
506	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	506	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
507	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	507	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
508	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	508	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
509	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100	509	TIMBER SLIDING ROBE DOORS	2040	1100	0	2040
						510	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						511	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	1800	0	2040
						512	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						513	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
						514	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	3200	0	2040
						515	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100


ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		 residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE WINDOW & DOOR SCHEDULE UNIT 4 & 5		DRAWING COMMENCED 01/21		DRAWING VERIFIED BY TL	
REVISION A F	DESCRIPTION DEVELOPMENT APPLICATION COUNCIL, RH - ELEVATIONS AND PARKING	DATE 08/02/2021 14/10/2021	CLIENT BRAU INVESTMENTS			LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976		DRAWING SCALE A3 SHEET		DRAWN BY AH	
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>					STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		DRAWING IDENTIFICATION NUMBER A-16		AMENDMENT ISSUE F		

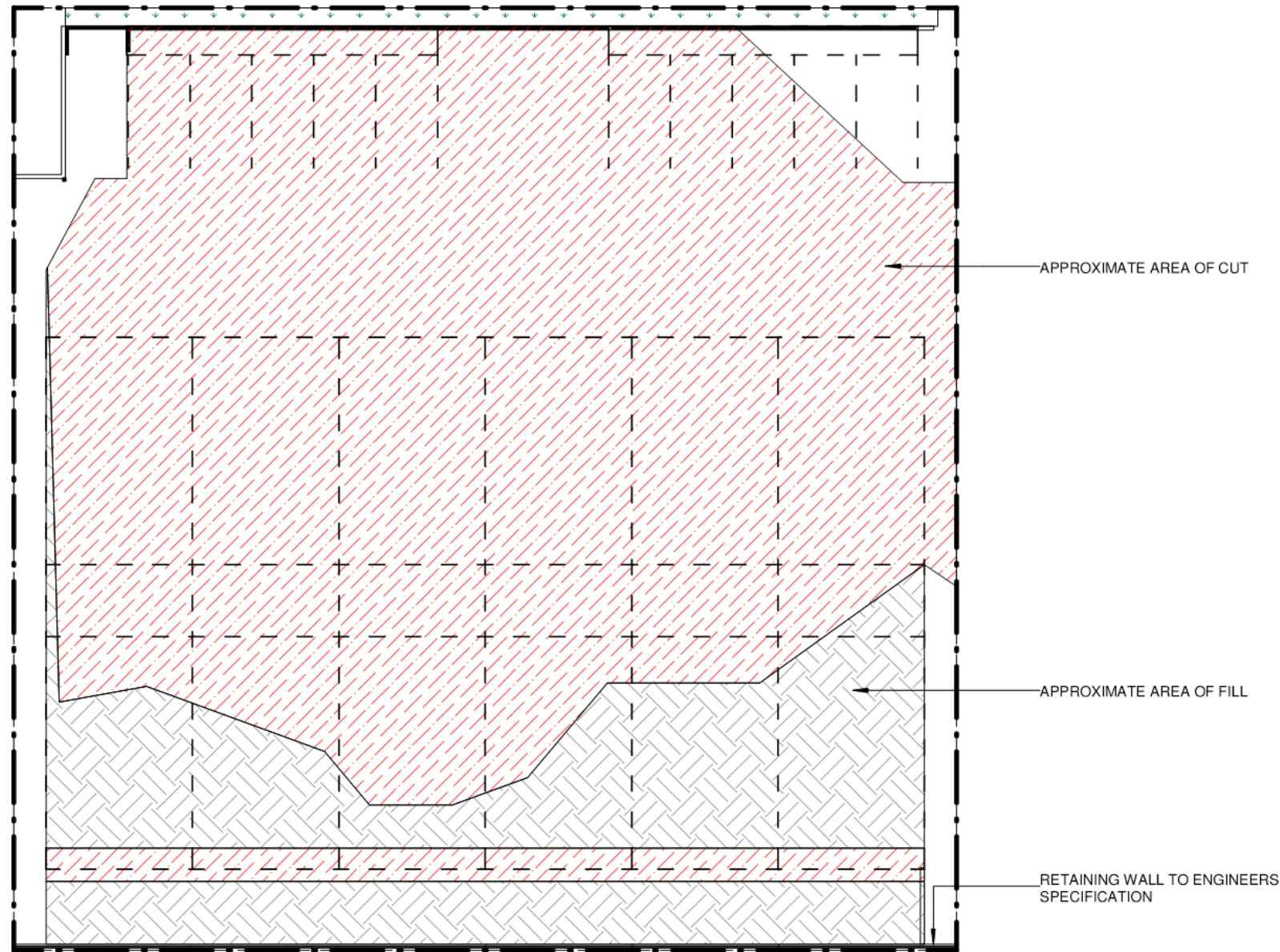
14/10/2021 12:15:22 PM

WINDOW SCHEDULE UNIT 6						DOOR SCHEDULE UNIT 6					
WINDOW NO.	WINDOW TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DOOR NO.	DOOR TYPE	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT
601	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	601	SELECTED TIMBER FEATURE ENTRY DOOR	2100	820	0	2100
602	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	600	1200	602	SELECTED ALUMINIUM FRAMED SLIDING DOOR, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	2100	4800	0	2100
603	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	910	600	2100	603	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
604	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	604	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
605	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	605	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	720	0	2100
606	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	606	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
607	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	607	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	2000	0	2040
608	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	600	1200	608	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
609	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	609	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	2000	0	2040
610	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	610	600	2100	610	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
611	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	910	600	2100	611	TIMBER FRAMED, SLIDING WARDROBE DOORS	2040	1800	0	2040
612	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	612	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
613	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	900	910	1200	2100	613	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
614	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	600	610	1500	2100	614	TIMBER FRAMED, HOLLOW CORE SWINGING DOOR	2100	820	0	2100
615	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100						
616	SELECTED ALUMINIUM FRAMED WINDOW, POWDERCOAT FINISH WITH MATCHING FLYSCREENS	1500	2110	600	2100						

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION


DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		 TIM LEE ARCHITECTS residential commercial industrial	DRAWING TITLE WINDOW & DOOR SCHEDULE UNIT 6		DRAWING COMMENCED 01/21	DRAWING VERIFIED BY TL	
REVISION A F	DESCRIPTION DEVELOPMENT APPLICATION COUNCIL, RH - ELEVATIONS AND PARKING	DATE 08/02/2021 14/10/2021	CLIENT BRAU INVESTMENTS			LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976		DRAWING SCALE A3 SHEET	DRAWN BY AH	JOB NUMBER 0220-1205
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>					NOMINATED ARCHITECT: TIM LEE NSW REG. 7304 ACT REG. 1030		STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		DRAWING IDENTIFICATION NUMBER A-17	AMENDMENT ISSUE F

14/10/2021 12:15:23 PM



1 CUT AND FILL PLAN
1 : 250 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	 residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG. 7304 ACT REG. 1030	DRAWING TITLE CUT AND FILL PLAN	DRAWING COMMENCED 01/21	DRAWING VERIFIED BY T.L.
REVISION A	DESCRIPTION DEVELOPMENT APPLICATION	DATE 08/02/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 250 AT SHEET SIZE A3 SHEET	DRAWN BY AH
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-18	AMENDMENT ISSUE A	

14/10/2021 12:15:23 PM

Temporary Construction Exit DIAGRAM 1
NOT TO SCALE

Geotextile Filter Fabric Drop Inlet Sediment Trap DIAGRAM 2
NOT TO SCALE

Sediment Fence DIAGRAM 3
NOT TO SCALE

Sandbag Kerb Inlet Sediment Trap DIAGRAM 4
NOT TO SCALE

Diversion Bank and Channel DIAGRAM 5
NOT TO SCALE

Level Spreader (or Sill) DIAGRAM 6
NOT TO SCALE

SITE PORT-A-LOO
MATERIAL STOCKPILE
SITE STORAGE SHED
BALLAST TO ENTRY
SITE FENCE TO BOUNDARY, STREET SIDE TO HAVE LOCKABLE ACCESS GATE
SILT FENCE

GENERAL NOTES:

- ALL WORK TO COMPLY WITH THE REQUIREMENTS OF COUNCIL & DEPT OF HOUSING MANUAL "MANAGING URBAN STORMWATER - SOILS & CONSTRUCTION"
- ALL DISTURBED AREAS ON VERGES & ALLOTMENTS SHALL BE RIPPED 100mm BELOW FINISHED SURFACE LEVEL, 100mm OF APPROVED SITE OR IMPORTED TOPSOIL ADDED & TRIMMED TO FINISHED LEVEL. THEN GRASSED WITH APPROVED SEED/ MULCHED WITHIN 14 DAYS AND WATERED UNTIL FULL ESTABLISHMENT OCCURS.
- ALL ADJOINING AREAS TO BE PROTECTED FROM SEDIMENT VIA SILT FENCE AS DETAILED. (IF FALL TO LAND OCCURS)
- ALL PROPOSED AND EXISTING KERB INLET SUMPS SHALL BE PROTECTED FROM SEDIMENT AS DETAILED. (GULLY PIT PROTECTION)
- ALL SURFACE INLET PITS (OFF ROAD) SHALL BE PROTECTED FROM SEDIMENT AS DETAILED. (SURFACE INLET PITS)
- ALL PAVEMENT & SUBGRADES TO BE PROTECTED FROM SCOUR/EROSION AS DETAILED. (PAVEMENT PROTECTION)
- ALL OUTLET PIPE'S SHALL BE FITTED WITH STAKED STRAW BALES & SILT FENCE IN A DAM PATTERN.
- ALL SWALE DRAINS (OPEN CHANNELS) TO BE TREATED AS PER PAVEMENT PROTECTION UNTIL GRASS IS ESTABLISHED.
- 300mm WIDE STRIP OF TURF TO BE LAID BEHIND KERB. 1m RETURNS AT 50m INTERVALS. TURF ALSO TO BE LAID AROUND ALL SURFACE INLET PITS.
- EXISTING GRASSED AREAS SHOWN ON SOIL AND WATER MANAGEMENT PLAN ARE TO BE MAINTAINED IN CURRENT CONDITION WHERE EVER POSSIBLE.
- TOPSOIL SHALL BE STRIPPED AND STOCKPILED OUTSIDE HAZARD AREAS SUCH AS DRAINAGE LINES. THIS TOPSOIL IS TO BE RESPREAD LATER ON AREAS TO BE REVEGETATED AND STABILISED ONLY. (ie. ALL FOOTPATHS, BATTERS, SITE REGRADING AREAS, DRAINAGE RESERVES AND CHANNELS) TOPSOIL SHALL NOT BE RESPREAD ON ANY OTHER AREA UNLESS SPECIFICALLY INSTRUCTED BY THE SUPERINTENDENT. IF THEY ARE TO REMAIN FOR LONGER THAN ONE MONTH STOCKPILES SHALL BE PROTECTED FROM EROSION BY COVERING THEM WITH A MULCH AND HYDROSEEDING AND, IF NECESSARY, BY LOCATING BARRIERS OR DRAINS UPSLOPE TO DIVERT THE RUNOFF AROUND THEM. IN SOME CIRCUMSTANCES IT MAY BE NECESSARY TO PLACE BARRIERS OR DRAINS DOWNSTREAM OF A STOCKPILE TO RETARD SEDIMENT LADEN RUNOFF.
- THE CONTRACTOR SHALL REGULARLY MAINTAIN ALL SEDIMENT AND EROSION CONTROL DEVICES AND REMOVE ACCUMULATED SILT FROM SUCH DEVICES BEFORE NO MORE THAN 60% OF THEIR CAPACITY IS LOST. ALL THE SILT REMOVED SHALL BE DISPOSED OF AS DIRECTED BY THE SUPERINTENDENT. NO SILT IS TO BE PLACED OUTSIDE THE LIMIT OF WORKS. THE PERIOD FOR MAINTAINING THESE DEVICES SHALL BE AT LEAST UNTILL ALL DISTURBED AREAS ARE REVEGETATED AND FURTHER AS MAY BE DIRECTED BY THE SUPERINTENDENT OR COUNCIL.
- VEHICULAR TRAFFIC SHALL BE CONTROLLED DURING CONSTRUCTION CONFINING ACCESS WHERE POSSIBLE TO PROPOSED OR EXISTING ROAD ALIGNMENTS.
- THE CONTRACTOR SHALL MAINTAIN DUST CONTROL UNTIL FINAL COMPLETION OF WORKS.
- THE CONTRACTOR'S RESPONSIBILITY IS TO ENSURE ALL NECESSARY MEASURES ARE TAKEN TO PROTECT ALL DISTURBED AREAS AS PER NOTE 1. ALL ADDITIONAL COSTS IS TO BE REFLECTED IN TENDER PRICE EVEN IF SUCH MEASURES ARE NOT INDICATED ON SEDIMENT AND EROSION CONTROL PLANS.

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		DRAWING TITLE EROSION CONTROL NOTES & PLAN		DRAWING COMMENCED 01/21		DRAWING VERIFIED BY T.L.		
REVISION A	DESCRIPTION DEVELOPMENT APPLICATION	DATE 08/02/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976		DRAWING SCALE As indicated AT SHEET SIZE A3 SHEET		DRAWN BY AH		
			<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>		STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		DRAWING IDENTIFICATION NUMBER A-19		JOB NUMBER 0220-1205		AMENDMENT ISSUE A

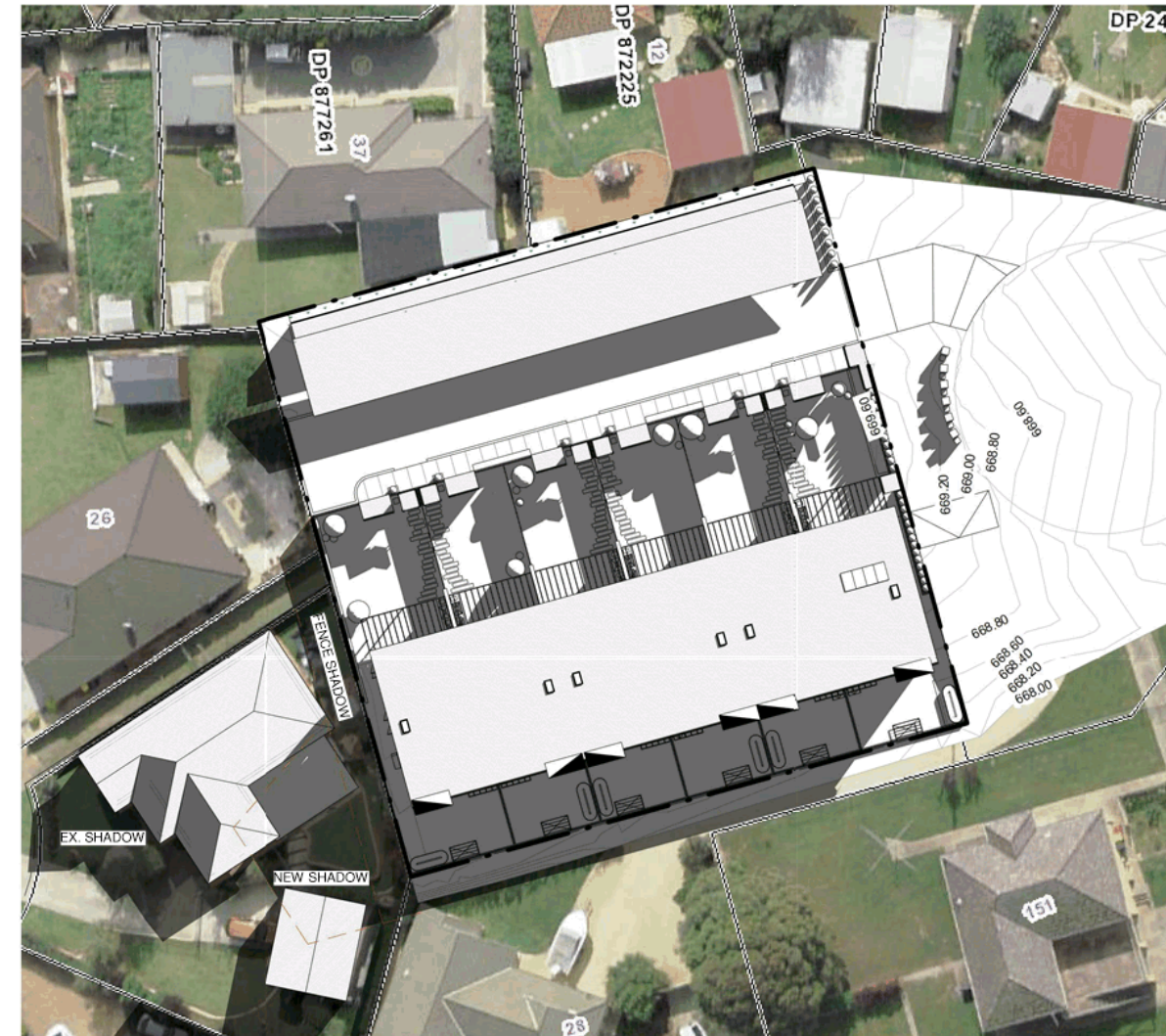
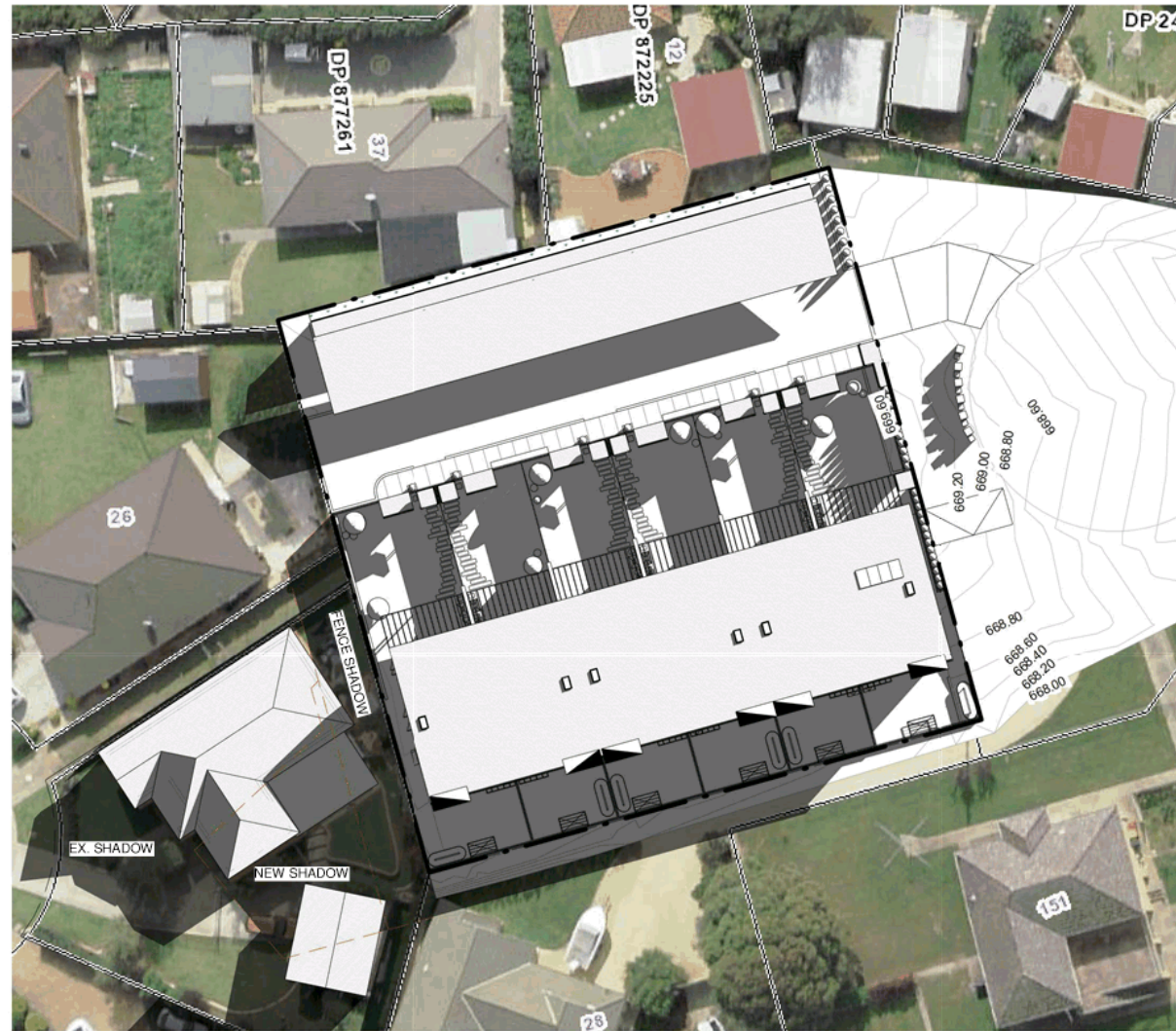
14/10/2021 12:15:23 PM

1 EROSION CONTROL PLAN
1 : 250 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

TIM LEE ARCHITECTS
residential commercial industrial
P: 02 4822 5934
ABN: 71 425067537
ROSS PLACE
GOULBURN NSW
2580
NOMINATED ARCHITECT:
TIM LEE
NSW REG: 7304
ACT REG: 1030





1 SHADOW DIAGRAM - WINTER SOLSTICE 9AM
1 : 500 @ A3

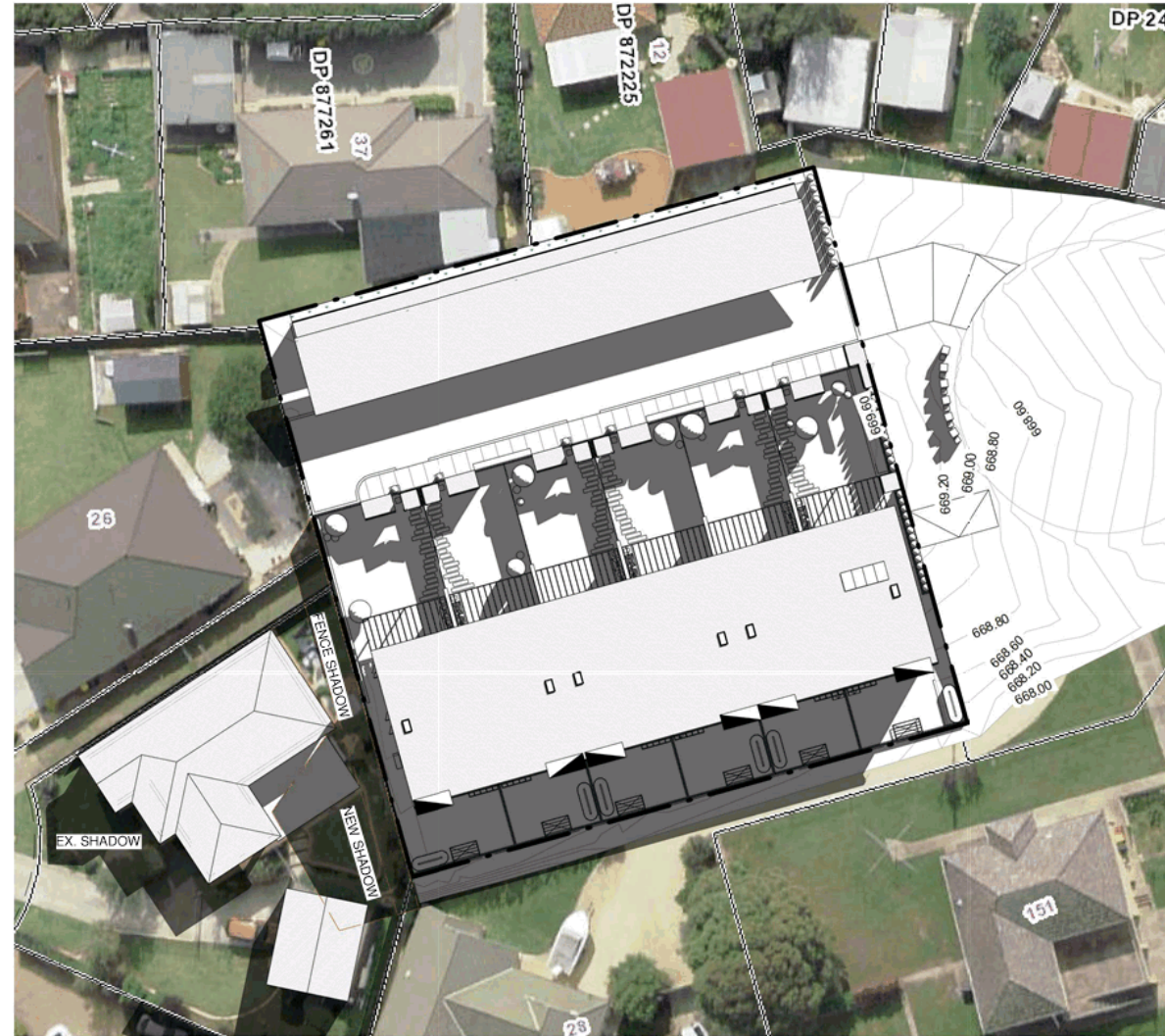
2 SHADOW DIAGRAM - WINTER SOLSTICE 9.30AM
1 : 500 @ A3



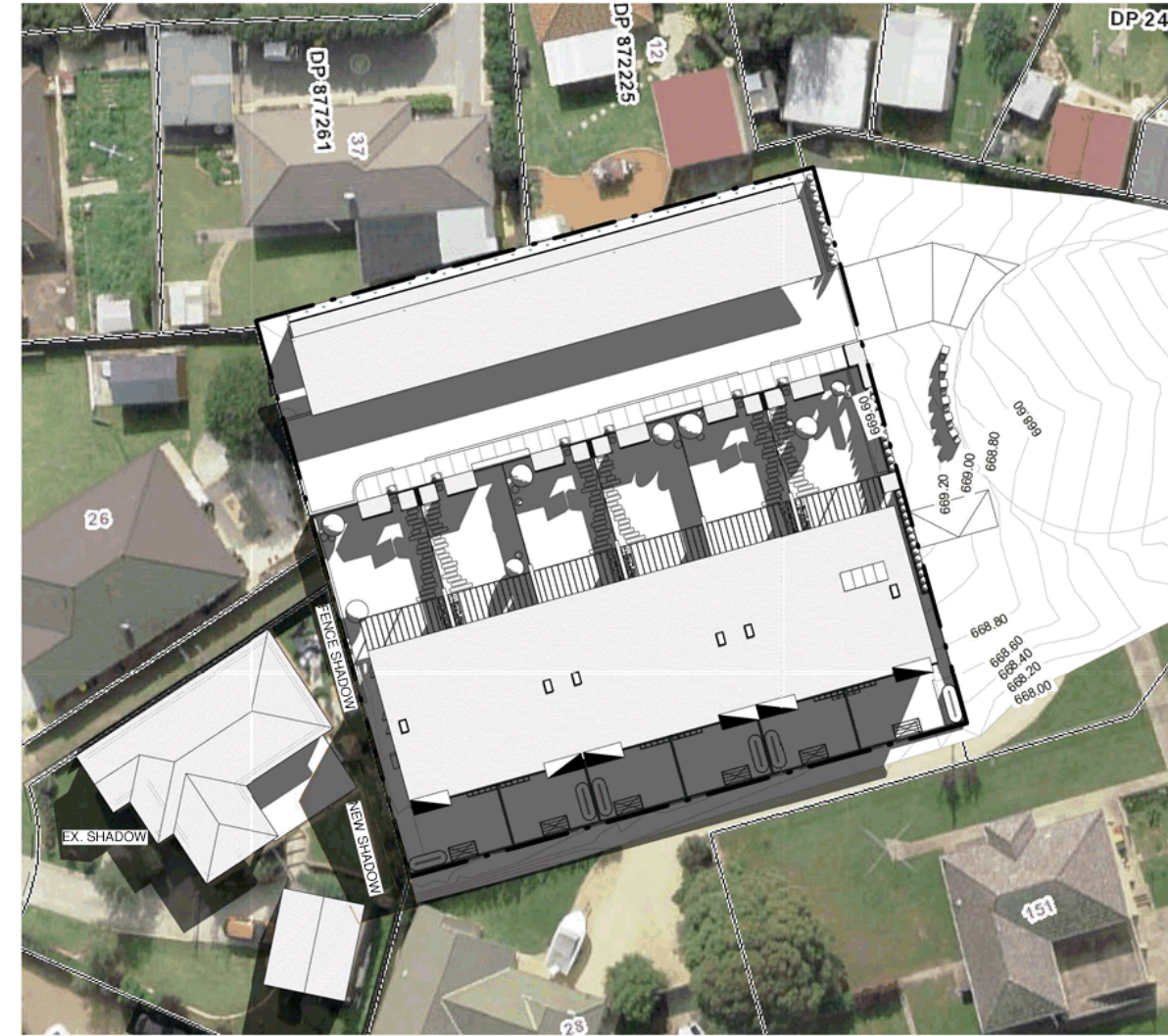
ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE	TIM LEE ARCHITECTS <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		SHADOW DIAGRAMS	01/21	TL
B D F	ADDITIONAL INFORMATION COUNCIL REF - SHADOWS COUNCIL REF - ELEVATIONS AND PARKING	10/01/2021 02/07/2021 14/10/2021	CLIENT BRAU INVESTMENTS	LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 500 AT SHEET SIZE A3 SHEET	DRAWN BY AH	
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-20	JOB NUMBER 0220-1205	
						AMENDMENT ISSUE F	

14/10/2021 12:15:26 PM




1 SHADOW DIAGRAM - WINTER SOLSTICE 10AM
1 : 500 @ A3



2 SHADOW DIAGRAM - WINTER SOLSTICE 10.30AM
1 : 500 @ A3



ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE	 TIM LEE ARCHITECTS <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		SHADOW DIAGRAMS	01/21	TL
B D F	ADDITIONAL INFORMATION COUNCIL REF - SHADOWS COUNCIL REF - ELEVATIONS AND PARKING	10/01/2021 02/07/2021 14/10/2021	CLIENT BRAU INVESTMENTS	LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 500 AT SHEET SIZE A3 SHEET	DRAWN BY AH	
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>			STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		JOB NUMBER 0220-1205	AMENDMENT ISSUE F	
					DRAWING IDENTIFICATION NUMBER A-21		

14/10/2021 12:15:28 PM



1 SHADOW DIAGRAM - WINTER SOLSTICE 11 AM
1 : 500 @ A3



2 SHADOW DIAGRAM - WINTER SOLSTICE 11.30AM
1 : 500 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION



DRAWING AMENDMENTS		
REVISION	DESCRIPTION	DATE
B	ADDITIONAL INFORMATION	10/01/2021
D	COUNCIL REF - SHADOWS	02/07/2021
F	COUNCIL REF - ELEVATIONS AND PARKING	14/10/2021

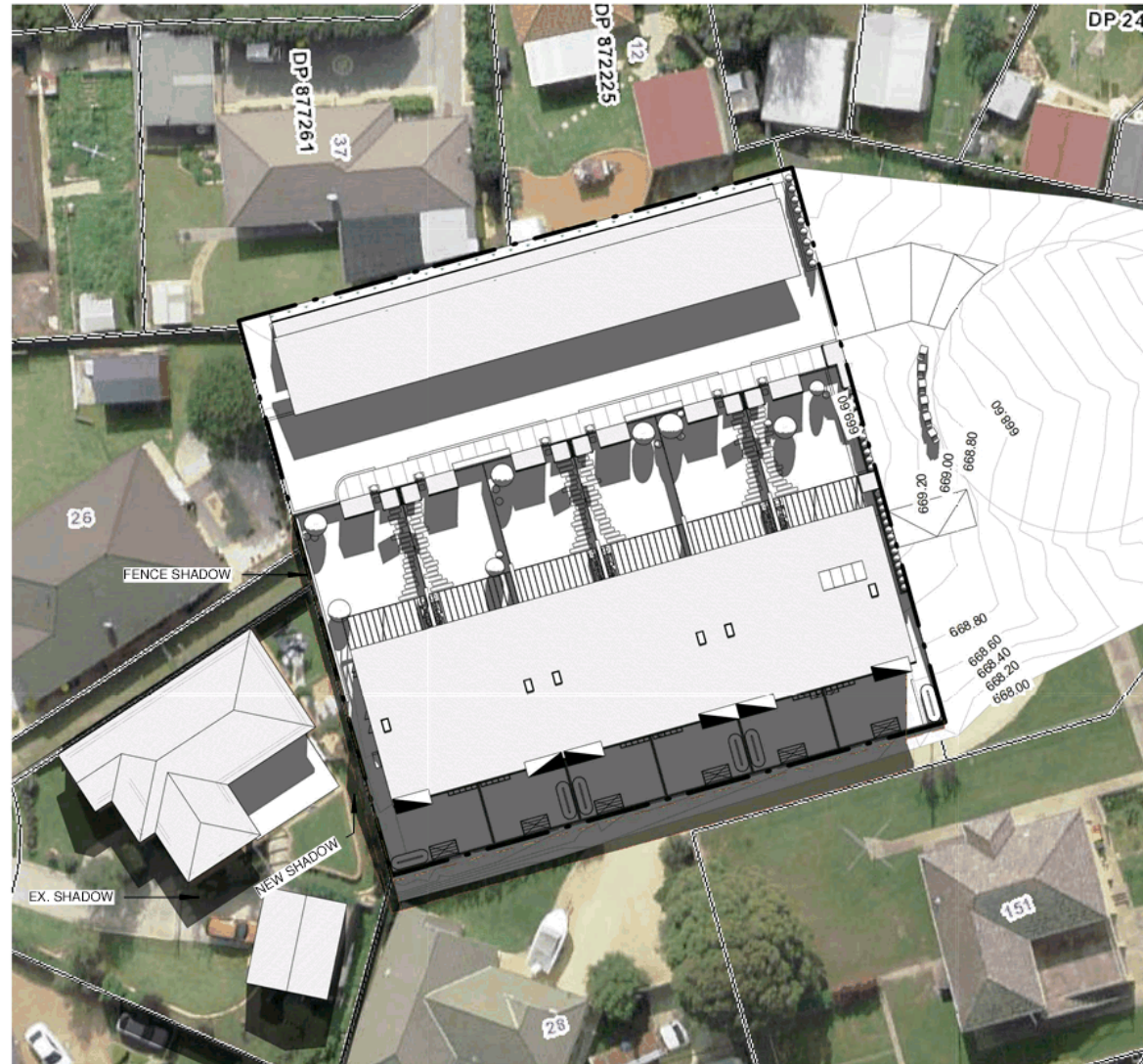
PROJECT TITLE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT
CLIENT	BRAU INVESTMENTS
<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>	

TIM LEE ARCHITECTS
residential commercial industrial
P: 02 4822 5934
ABN: 71 425067537
ROSS PLACE
GOULBURN NSW
2580
NOMINATED ARCHITECT:
TIM LEE
NSW REG: 7304
ACT REG: 1030

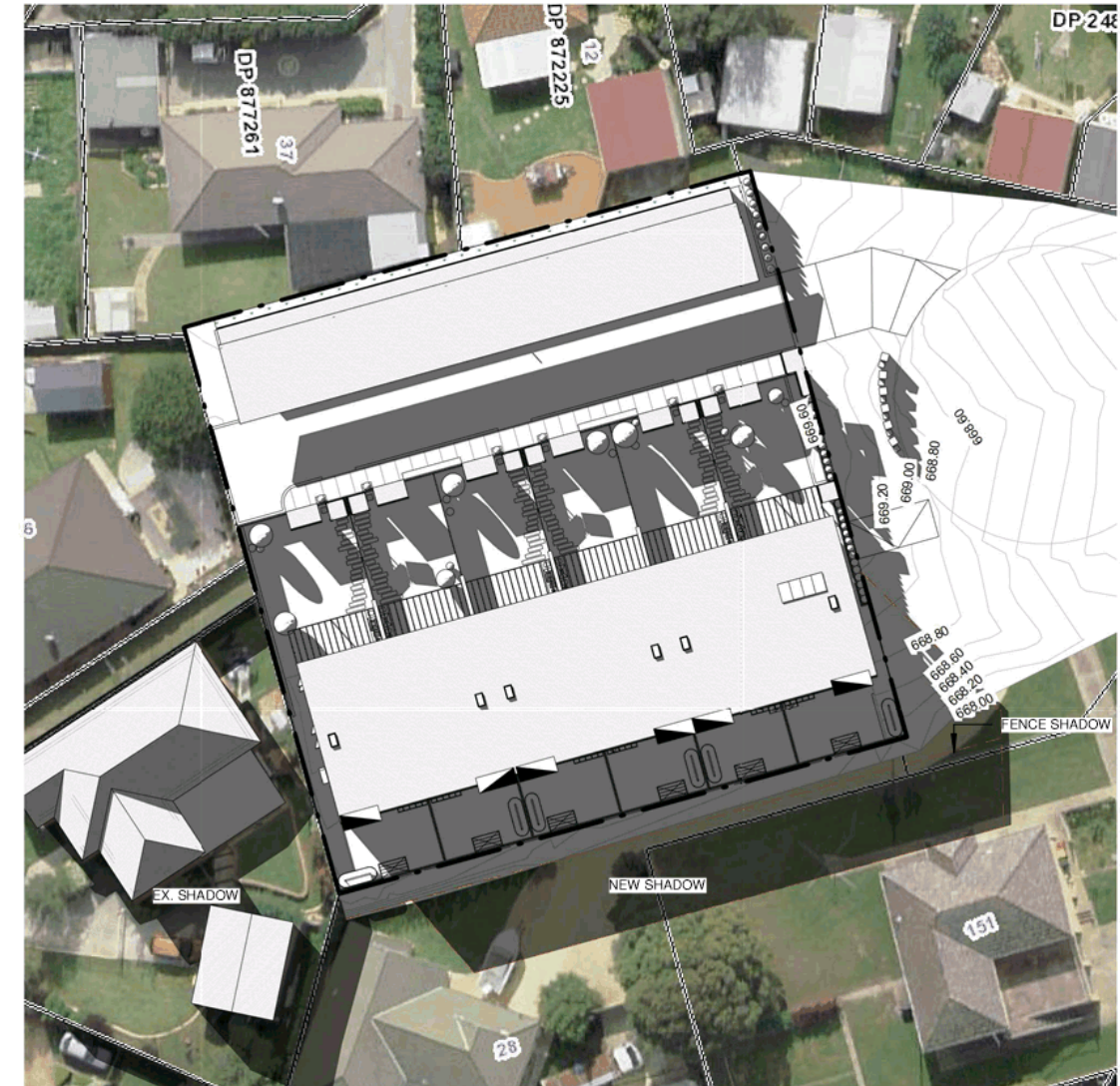
DRAWING TITLE	SHADOW DIAGRAMS
LOT AND DEPOSITED PLAN NO.	LOT 156 DP 248976
STREET ADDRESS	10 BEN BULLEN PLACE GOULBURN NSW 2580

DRAWING COMMENCED	01/21	DRAWING VERIFIED BY	TL
DRAWING SCALE	1 : 500	DRAWN BY	AH
AT SHEET SIZE	A3 SHEET	JOB NUMBER	0220-1205
DRAWING IDENTIFICATION NUMBER	A-22	AMENDMENT ISSUE	F

14/10/2021 12:15:30 PM



1 SHADOW DIAGRAM - WINTER SOLSTICE 12PM
1 : 500 @ A3



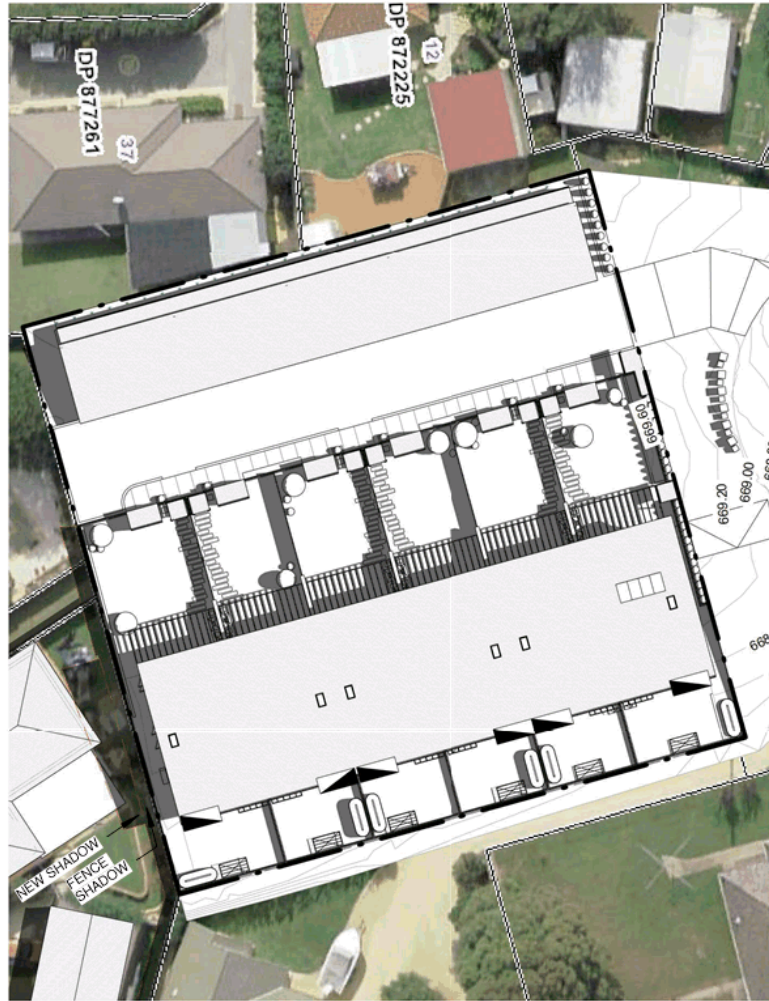
2 SHADOW DIAGRAM - WINTER SOLSTICE 3PM
1 : 500 @ A3



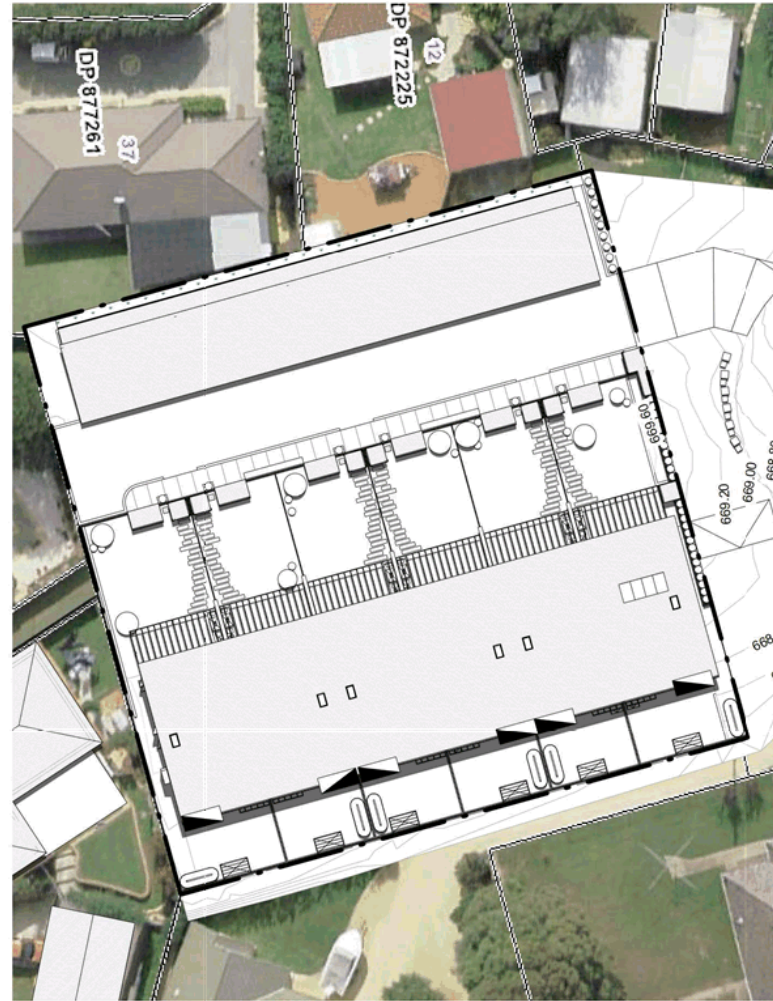
ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE		DRAWING TITLE		DRAWING COMMENCED		DRAWING VERIFIED BY	
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		SHADOW DIAGRAMS		01/21		TL	
B D F	ADDITIONAL INFORMATION COUNCIL REF - SHADOWS COUNCIL REF - ELEVATIONS AND PARKING	10/01/2021 02/07/2021 14/10/2021	CLIENT		LOT AND DEPOSITED PLAN NO.		DRAWING SCALE		DRAWN BY	
			BRAU INVESTMENTS		LOT 156 DP 248976		1 : 500 AT SHEET SIZE		AH	
			<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>		TIM LEE ARCHITECTS <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030		A3 SHEET		JOB NUMBER	
					STREET ADDRESS		DRAWING IDENTIFICATION NUMBER		AMENDMENT ISSUE	
					10 BEN BULLEN PLACE GOULBURN NSW 2580		A-23		F	

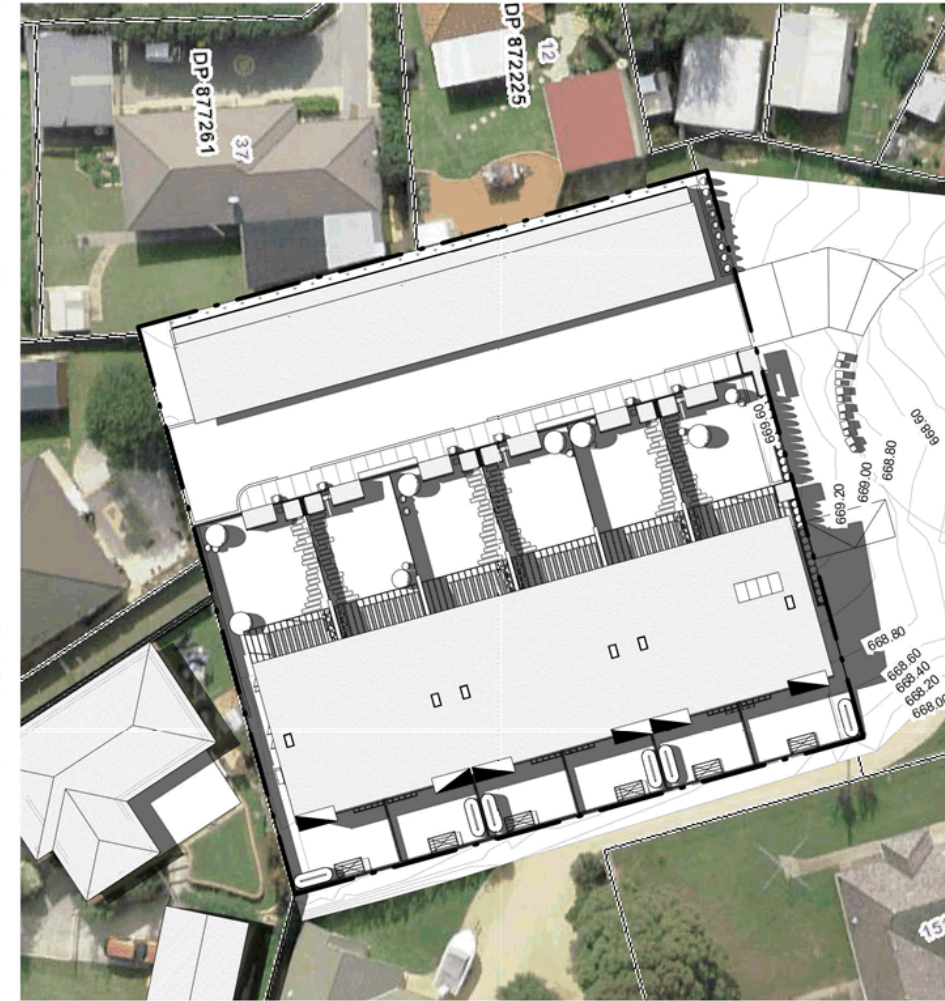
14/10/2021 12:15:33 PM



1 SHADOW DIAGRAM - SUMMER SOLSTICE 9AM
1 : 500 @ A3




2 SHADOW DIAGRAM - SUMMER SOLSTICE 12PM
1 : 500 @ A3



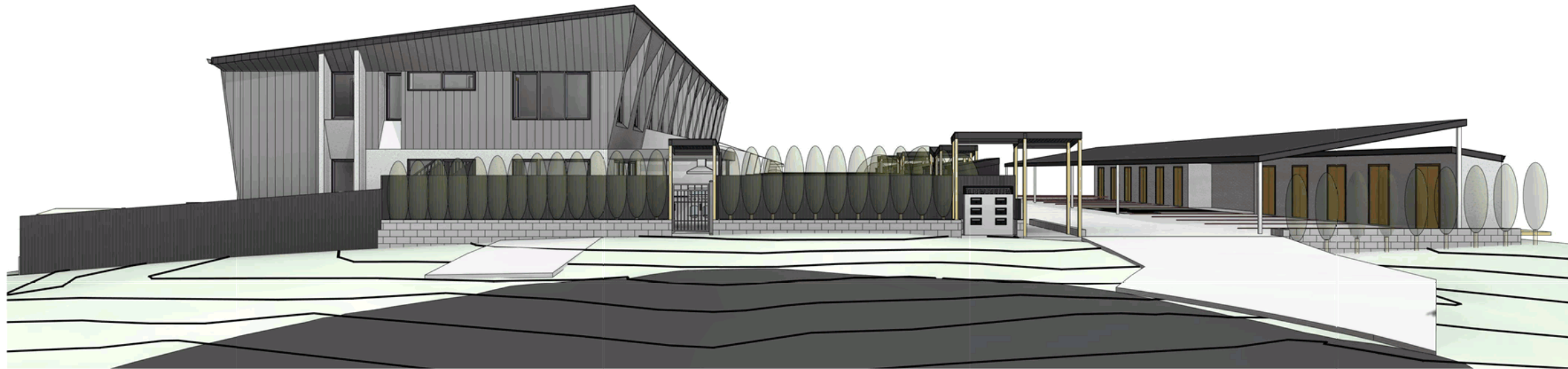
3 SHADOW DIAGRAM - SUMMER SOLSTICE 3PM
1 : 500 @ A3



ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION


DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		 residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE SHADOW DIAGRAMS		DRAWING COMMENCED 01/21	DRAWING VERIFIED BY TL
REVISION B D F	DESCRIPTION ADDITIONAL INFORMATION COUNCIL REF - SHADOWS COUNCIL REF - ELEVATIONS AND PARKING	DATE 10/01/2021 02/07/2021 14/10/2021	CLIENT BRAU INVESTMENTS			LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 500 AT SHEET SIZE A3 SHEET	DRAWN BY AH	JOB NUMBER 0220-1205
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect. ©			STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		DRAWING IDENTIFICATION NUMBER A-24	AMENDMENT ISSUE F			

14/10/2021 12:15:36 PM



1 STREET PERSPECTIVE
@ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	 TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE STREET ELEVATION	DRAWING COMMENCED 01/21	DRAWING VERIFIED BY TL
REVISION	DESCRIPTION	DATE	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE	DRAWN BY AH
B	ADDITIONAL INFORMATION	10/01/2021	Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect. ©	STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	AT SHEET SIZE A3 SHEET	JOB NUMBER 0220-1205	
C	COUNCIL RH	03/05/2021			DRAWING IDENTIFICATION NUMBER A-25	AMENDMENT ISSUE F	
E	COUNCIL RH - BINS AND PARKING	07/07/2021					
F	COUNCIL RH - ELEVATIONS AND PARKING	14/10/2021					

14/10/2021 12:15:39 PM



1 EXISTING SITE CONTEXT PLAN WINTER SOLSTICE 9AM
1 : 500 @ A3



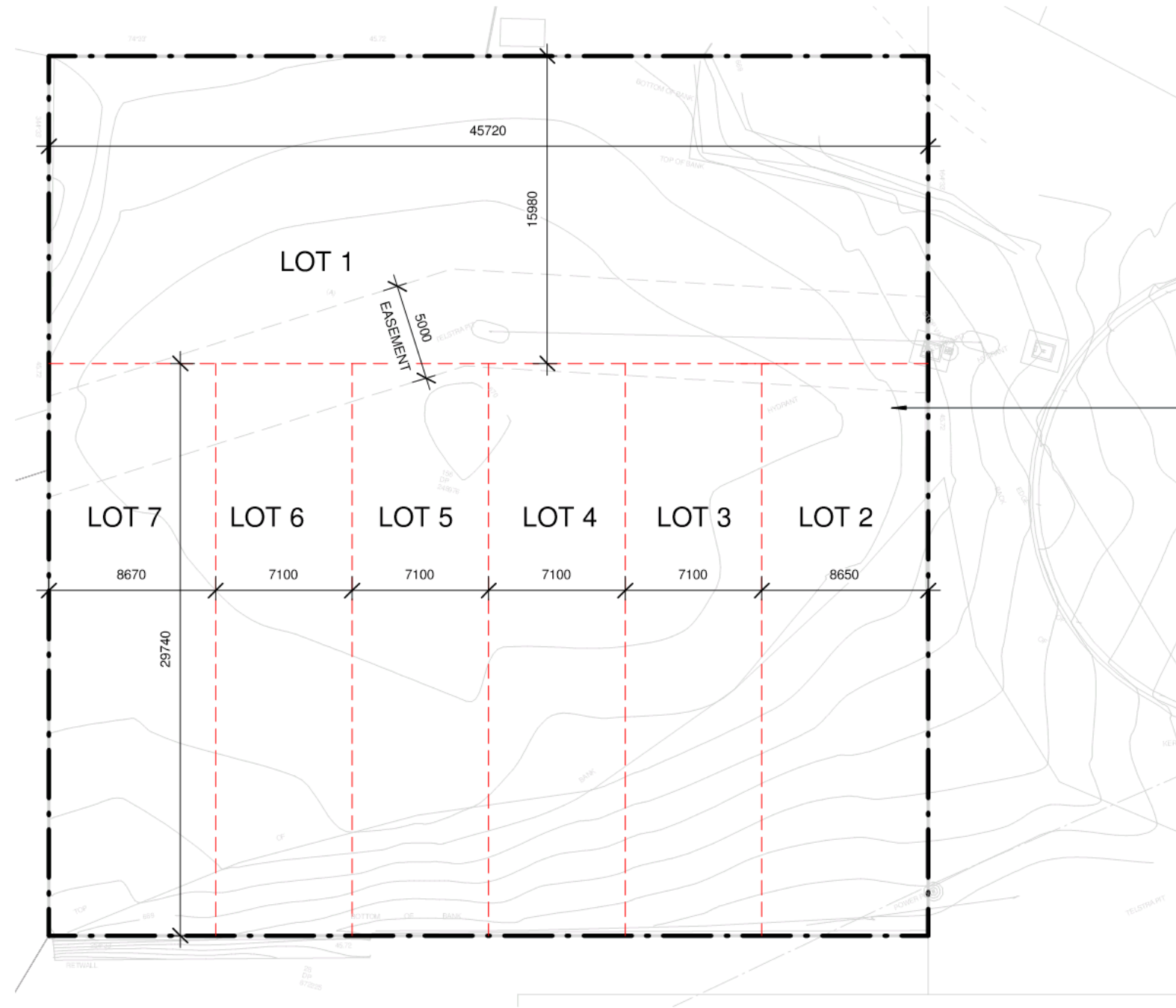
2 PROPOSED SITE CONTEXT PLAN
1 : 500 @ A3



ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE	TIM LEE ARCHITECTS	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580	SITE CONTEXT PLAN	01/21	TL
B F	ADDITIONAL INFORMATION COUNCIL, RH, ELEVATIONS AND PARKING	10/01/2021 14/10/2021	CLIENT BRAU INVESTMENTS	NOMINATED ARCHITECT: TIM LEE NSW REG. 7304 ACT REG. 1030	LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 500 AT SHEET SIZE A3 SHEET	DRAWN BY AH JOB NUMBER 0220-1205
			Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.		STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-26	AMENDMENT ISSUE F

14/10/2021 12:15:42 PM



LOT 1 - COMMUNITY	730.61 m ²
LOT 2	257.24 m ²
LOT 3	211.15 m ²
LOT 4	211.15 m ²
LOT 5	211.15 m ²
LOT 6	211.15 m ²
LOT 7	257.85 m ²
SITE AREA	2090.32 m ²

LOT 2 NORTH POS AREA	114.36 m ²
LOT 3 NORTH POS AREA	102.45 m ²
LOT 4 NORTH POS AREA	102.45 m ²
LOT 5 NORTH POS AREA	102.45 m ²
LOT 6 NORTH POS AREA	102.45 m ²
LOT 7 NORTH POS AREA	125.11 m ²
LOT 2 SOUTH POS AREA	29.88 m ²
LOT 3 SOUTH POS AREA	23.77 m ²
LOT 4 SOUTH POS AREA	24.05 m ²
LOT 5 SOUTH POS AREA	24.33 m ²
LOT 6 SOUTH POS AREA	24.33 m ²
LOT 7 SOUTH POS AREA	30.52 m ²
COMMON LANDSCAPED AREA	106.33 m ²

PROPOSED 7 LOT COMMUNITY TITLE SUBDIVISION

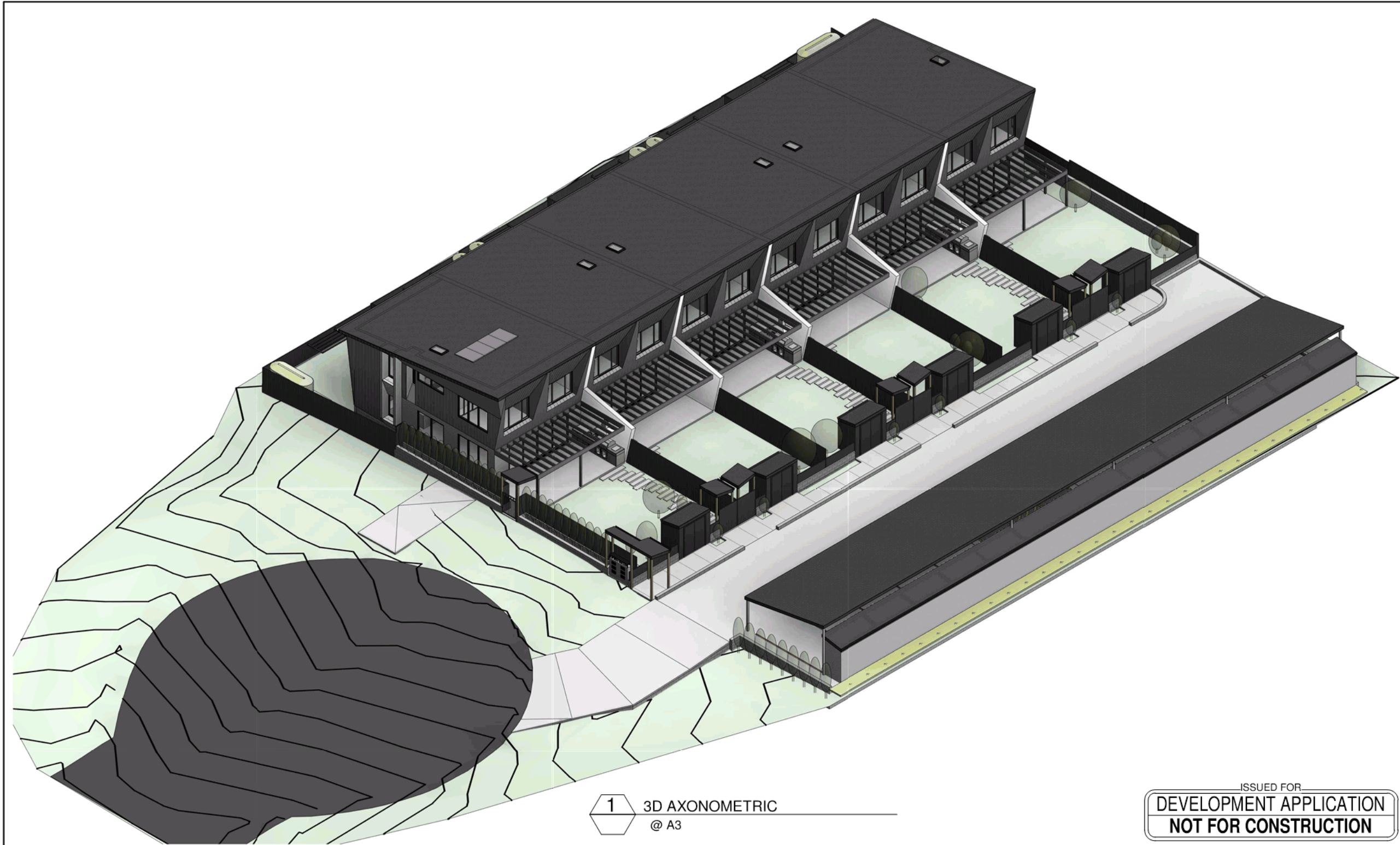
1 PROPOSED SUBDIVISION PLAN
1 : 250 @ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION



DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT	TIM LEE ARCHITECTS residential commercial industrial P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	DRAWING TITLE PROPOSED SUBDIVISION PLAN	DRAWING COMMENCED 01/21	DRAWING VERIFIED BY TL
REVISION C	DESCRIPTION COUNCIL BH1	DATE 03/01/2021	CLIENT BRAU INVESTMENTS		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE 1 : 250 AT SHEET SIZE A3 SHEET	DRAWN BY AH
Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.				STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	DRAWING IDENTIFICATION NUMBER A-27	AMENDMENT ISSUE C	

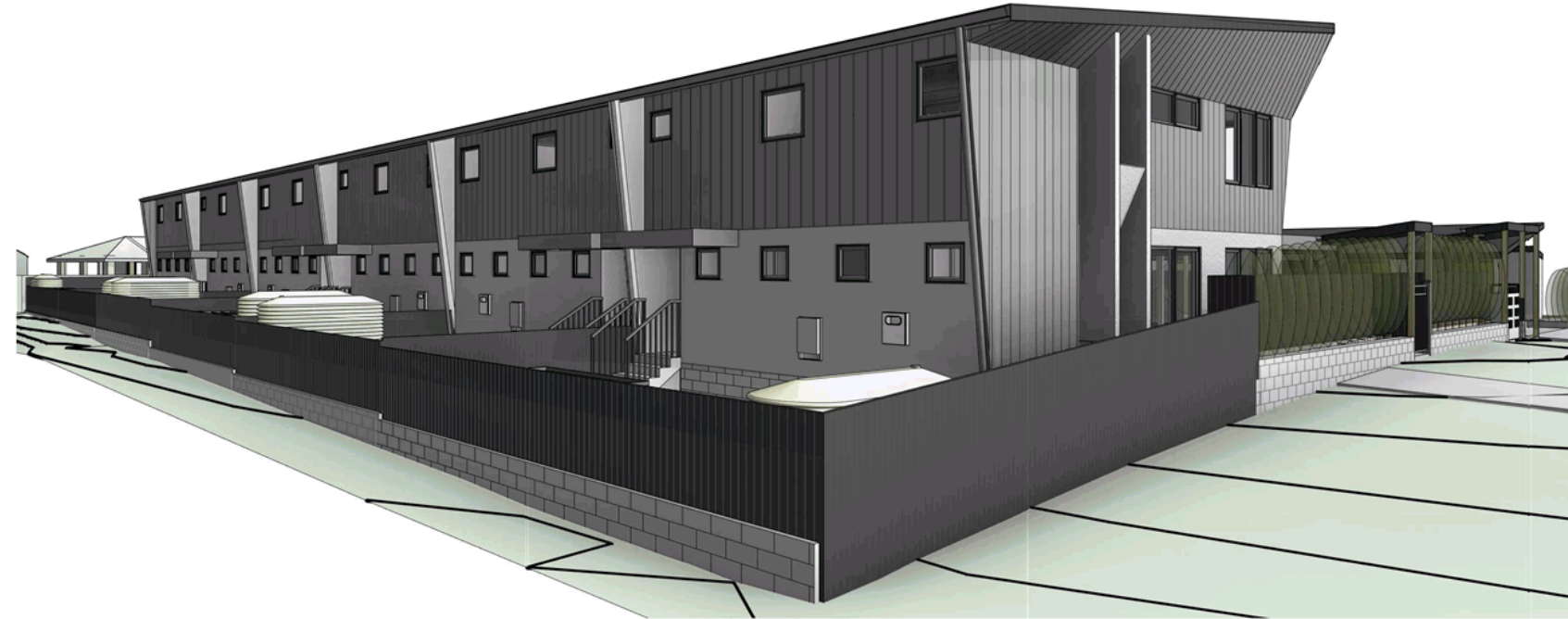
14/10/2021 12:15:42 PM



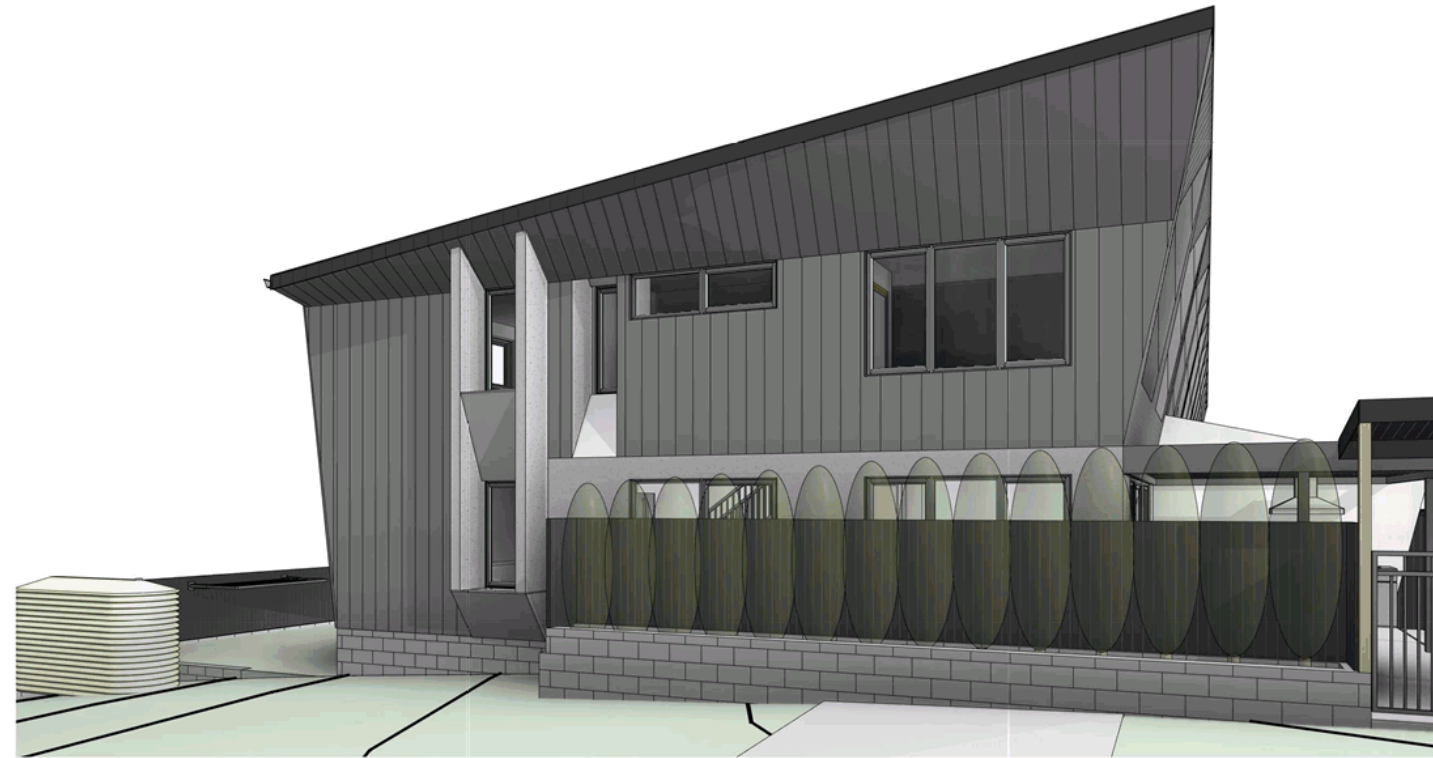
ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE 7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		TIM LEE ARCHITECTS residential commercial industrial		DRAWING TITLE 3DS1		DRAWING COMMENCED 01/21		DRAWING VERIFIED BY T.L.	
REVISION	DESCRIPTION	DATE	CLIENT BRAU INVESTMENTS		P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580		LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976		DRAWING SCALE		DRAWN BY AH	
A	DEVELOPMENT APPLICATION	08/02/2021	<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>		<small>NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030</small>		STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580		AT SHEET SIZE A3 SHEET		JOB NUMBER 0220-1205	
B	ADDITIONAL INFORMATION	10/03/2021					DRAWING IDENTIFICATION NUMBER CP01		AMENDMENT ISSUE F			
F	COUNCIL RH - ELEVATIONS AND PARKING	14/10/2021										

14/10/2021 12:15:47 PM




1 3D View 1
@ A3

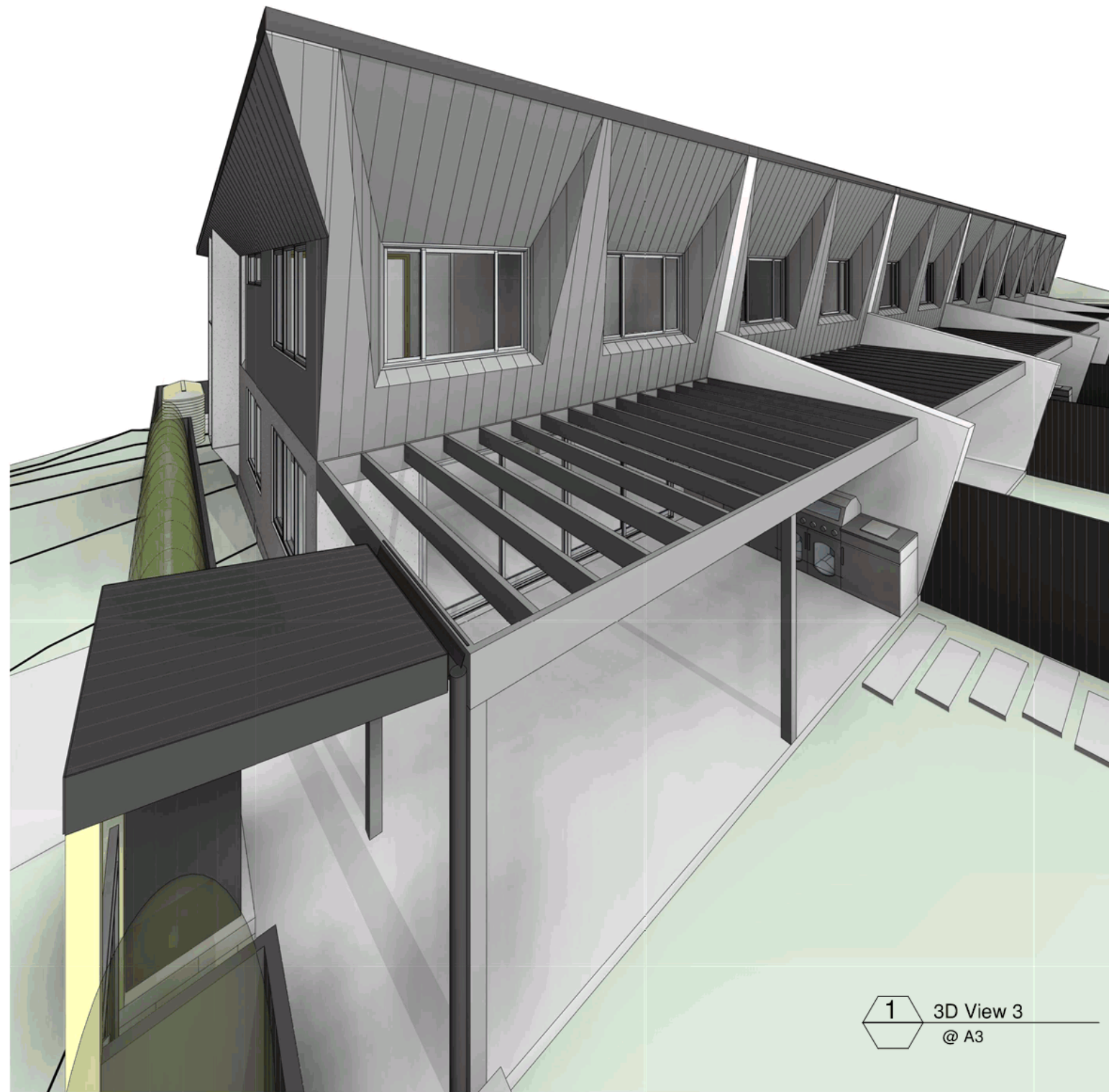


2 3D View 2
@ A3

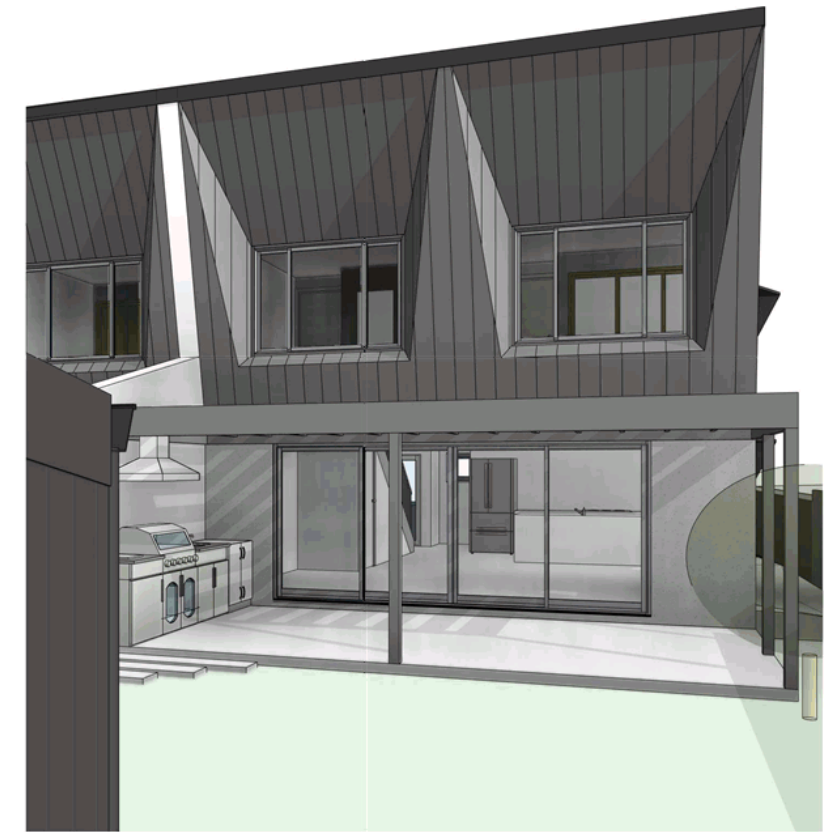
ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

DRAWING AMENDMENTS			PROJECT TITLE	 TIM LEE ARCHITECTS <small>residential commercial industrial</small>	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY	
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT			3DS2	01/21	TL
A B F	DEVELOPMENT APPLICATION ADDITIONAL INFORMATION COUNCIL RFI - ELEVATIONS AND PARKING	08/02/2021 10/03/2021 14/10/2021	CLIENT		LOT AND DEPOSITED PLAN NO.		DRAWN BY	
			BRAU INVESTMENTS		LOT 156 DP 248976		AH	
			<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect. ©</small>			AT SHEET SIZE	JOB NUMBER	
				<small>P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580</small>		A3 SHEET	0220-1205	
				<small>NOMINATED ARCHITECT: TIM LEE NSW REG. 7304 ACT REG. 1030</small>	STREET ADDRESS		DRAWING IDENTIFICATION NUMBER	AMENDMENT ISSUE
					10 BEN BULLEN PLACE GOULBURN NSW 2580		CP02	F

14/10/2021 12:15:54 PM




1 3D View 3
@ A3



2 3D View 5
@ A3

ISSUED FOR
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION




DRAWING AMENDMENTS			PROJECT TITLE	 TIM LEE ARCHITECTS <small>residential commercial industrial</small>	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	7 LOT COMMUNITY TITLE SUBDIVISION AND MULTI UNIT DEVELOPMENT		P: 02 4822 5934 ABN: 71 425067537 ROSS PLACE GOULBURN NSW 2580	3DS3	01/21
A B F	DEVELOPMENT APPLICATION ADDITIONAL INFORMATION COUNCIL RFI - ELEVATIONS AND PARKING	08/02/2021 10/03/2021 14/10/2021	CLIENT BRAU INVESTMENTS	NOMINATED ARCHITECT: TIM LEE NSW REG: 7304 ACT REG: 1030	LOT AND DEPOSITED PLAN NO. LOT 156 DP 248976	DRAWING SCALE	DRAWN BY AH
			<small>Figured dimensions take precedence. Do not scale drawings. Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work. All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures. COPYRIGHT TIM LEE ARCHITECTS Drawings subject to copyright and may not be reproduced in any form without the written permission of the architect.</small>		STREET ADDRESS 10 BEN BULLEN PLACE GOULBURN NSW 2580	AT SHEET SIZE A3 SHEET	JOB NUMBER 0220-1205
						DRAWING IDENTIFICATION NUMBER CP03	AMENDMENT ISSUE F

14/10/2021 12:16:00 PM

15.2 ST JOHNS ORPHANAGE - 52 MUNDY STREET, GOULBURN

Author: Business Manager Environment & Health
 Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. Letter to Owner St Johns Orphanage (52 Mundy Street) advising of resolution of Council from 20 July 2021 [↓](#) 
 2. Cover Letter - Emergency Demolition Order for 52 Mundy Street [↓](#) 
 3. Emergency Demolition Order - 52 Mundy Street Goulburn [↓](#) 

Link to Community Strategic Plan:	EN1 - Protect and enhance the existing natural environment, including flora and fauna native to the region. CO4 - Recognise and celebrate our diverse cultural identities, and protect and maintain our community's natural and built cultural heritage.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the Business Manager Environment & Health be received.
2. A Demolish Works Order for Building 'A' be issued, with a period of compliance concluding 5.00pm 31st March 2022.
3. As the existing Demolish Works Order for Buildings 'B', 'C' and 'D' have not been complied with in the specified timeframes contained within the Orders, Council commence prosecution proceedings against the owner of 52 Mundy Street, Goulburn in the Local Court.
4. For the purposes of enacting Items 2 and 3 above, the following map/image depicts each specific Building that is subject to an Order or proposed Order:



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

At the 20 July 2021 meeting of Council, a report was considered in relation to the former St John's Orphanage at 52 Mundy Street, Goulburn. At his meeting, Council resolved:

1. *That the report from the Business Manager Environment & Health in relation to St John's Orphanage be received.*
2. *A Demolish Works Order be issued in accordance with Schedule 5 of the Environmental Planning and Assessment Act 1979 for all outbuildings onsite, being items 'B', 'C' & 'D' in the map/image below:*



The period for compliance will be 30 days from the issuing of the Order.

3. *Council, for public safety reasons require Building A (as identified within paragraph 2 above) be demolished.*
4. *The General Manager prepare a report after consultation with the land owner including the required period of compliance for the demolition of Building A.*
5. *Whilst the outcome of paragraph 3 is being determined the General Manager to serve an order that ensure security of the site.*
6. *In addition to Paragraph 2 and 3 of this resolution, and regardless of the outcome of any structural assessment of the main building, Council requires that any Demolition Order relating to this St John's Orphanage site will contain the following conditions with regards to heritage conservation:*
 - i. That the area in front of the main block, including the masonry boundary wall, driveway, forecourt area and remnant trees and shrubs be retained and restored to conserve the original setting for the building.*
 - ii. That the main building be professionally recorded by way of drawings and photographs for an archival record.*
 - iii. That significant features such as the crucifix, specific stone elements (as recommended by Council's Heritage advisor) and the foundation plaque be salvaged for future interpretation or relocation to an appropriate place.*
7. *The General Manager be required to investigate Council's legal options in relation to prosecution as its preferred alternative to the issuing of Penalty Infringement Notices in the event that the landowner fails to adhere to the terms of any Development Control Order imposed upon the site, or if the landowner commences demolition works without regard to*

statutory process. It is noted that the maximum Penalty Infringement Notice for non-compliance with either scenario is \$3000 for an individual.

REPORT

In accordance with the resolution, Council issued Development Control Orders for Buildings B, C and D. Copies have been attached.

Further information was also sought from the owner of the property in relation to ascertaining an appropriate period of compliance for Building A. A copy of this correspondence dated 26 August 2021 has been attached.

Whilst the owner had verbally advised that he had experienced difficulties obtaining trades and quotes, Council sought written confirmation and clarification on a number of occasions, including on 1 September 2021 and 22 September 2021 in regard to compliance with the Orders that had been issued and on an appropriate timeframe for compliance in relation to the demolition of Building A.

On 27 September 2021, an inspection of the site was carried out by Council, upon which it was established that the terms of the Emergency Order relating to public safety had not been complied with, and that items relating to the Demolish Works Order had not been complied with. In this regard it is important to note that by this point a considerable period of time had elapsed in which the public were exposed to a heightened risk.

Accordingly, the owner was issued with a \$3000 Penalty Infringement Notice for non-compliance with the Public Safety Order (loose iron, securing of the site, and securing of Building D individually). A second Penalty Infringement Notice could also have issued for non-compliance with the Demolish Works Order for failing to disconnect services (i.e. sewer and stormwater) and securing the site.

The following photos were taken during the inspection carried out on 27 September 2021:







As can be seen in the photographs, the site has remained unsecure generally, Building 'D' has not been individually secured, and loose roof iron has not been removed or secured on Building 'D'.

Current Status of Orders

Both Orders have been issued under Schedule 5 of the Environmental Planning & Assessment Act 1979. Both were issued on 2 August 2021, and contained terms that required immediate action under emergency provisions. Their current status is as follows:

Public Safety Order

All terms of the Public Safety Order were to be complied with by 5.00pm Thursday 5 August 2021. The required actions included:

- Restrict access to all structures and secure the site, including:
 - The replacement of all missing and damaged panels in the perimeter fence surrounding structures A, B and C;
 - The installation of a new separate perimeter fence to surround structure D.
 - The perimeter fences to be installed and secured in accordance with AS4687:2007 temporary fencing & hoardings for construction site fencing & Safework NSW requirements.

Following the issuing of the Penalty Infringement Notice, Council provided further advice to the owner seeking compliance by 5.00pm 22 October 2021. An inspection of the premises on 21 October 2021 revealed that the terms of this Order have now been complied with.

Demolish Works Order

The Demolish Works Order sought a staged compliance process in order to allow the owner to undertake works over a reasonable period of time, and prioritising matters that posed a risk to public safety accordingly. The required actions included:

- Prior to Demolition
 1. Hoardings are to be installed around the demolition site in accordance with AS 2601.
 2. A sign is to be erected on the site, which shows the contractors name and contact details, must include the words “Unauthorised entry to the work site is prohibited”.
 3. All loose or unsecured items including but not limited to roofing iron shall be appropriately secured to prevent these items becoming mobilised during wind events.
 4. Existing stormwater lines on site will need removal or to be otherwise made inoperable so as to prevent the conveyance of silt or sediments off the site into any street gutter or street drainage system.
 5. Water and sewer services if applicable are to be disconnected and capped, as required by Council’s Water Services Department, before any work commences. An inspection of the disconnected and capped services is to be arranged with Council’s Water Services Department.

Items 1, 2 and 3 were to be complied with immediately, whilst Items 4 and 5 were to be complied with by 5.00pm Friday 20 August 2021.

Items 1, 2 and 3 were complied with as of 21 October 2021, whilst information was provided to Council by the contracted plumber for the site advising Items 4 and 5 were actioned on 20 October 2021.

Further items in relation to the demolition stage and post-demolition stage require compliance by 31 October 2021 and 12 November 2021 respectively. This includes the demolition of Buildings B, C and D and remedial works and required reporting provisions.

In relation to Building A, the owner is yet to provide Council with any useful information that can be used to determine a suitable timeframe for compliance or the proposed schedule of works.

Options Moving Forward

At the time of writing this report, actions relating to the demolition and remediation of the site have been minimal considering compliance dates are imminent and the failure of the owner to comply with the terms of the Orders as demonstrated above has required further regulatory action to be taken.

The resolution of Council at its meeting held 20 July 2021 makes it clear that demolition with selected preservation work is the preferred outcome for the site. In order to achieve this, procedural fairness dictates that Council must provide the owner with an opportunity to wilfully comply with the terms of the Orders, or allow them to appeal the terms in the Land and Environment Court. To date, neither of these have occurred, although it is noted that a short period of time remains for the owner to take action in regards to demolition and remediation for buildings B, C & D.

In the event of non-compliance, it is important that Council has an understanding of the options available. In simple terms these are:

1. Seek prosecution in the Land and Environment Court for non-compliance with the Orders. The burden of proof for a Land and Environment Court prosecution is much higher, more costly than the Local Court, and significantly longer in its preparation.

2. Seek prosecution in the Local Court for non-compliance with the Orders, noting that whilst the penalties that can be imposed are much lower, the burden of proof is also significantly reduced and therefore action can be achieved in much shorter timeframe.
3. Seek Orders from the Land and Environment Court permitting Council to enact the terms of the Order (in this case, the demolition and remediation) and recover costs from the owner.

If Council were required to pursue one of the above options in the future, it would be recommended that Option 2 be the preferred pathway. This is based upon previous experience with matters that have proceeded to the Land and Environment Court, which have required a considerable volume of work to prepare the brief and supporting documentation, and also incurs a significant financial cost to Council for representation and staff resourcing.

Furthermore, the merits of pursuing Option 3 should be considered the last means of recourse once all other avenues have been exhausted. Council needs to be mindful that the costs associated with the demolition and remediation will be significant due to the sheer scale of the site, and the known presence of asbestos containing materials. Regardless of any Orders imposed by the Courts, the public funds that may be required to enact the terms of the Orders would be significant, and could potentially remain outstanding/unrecovered for many years.



Goulburn Mulwaree Council
 Locked Bag 22
 Goulburn NSW 2580

Civic Centre
 184 - 194 Bourke Street
 Goulburn NSW 2580
 t (02) 4823 4444
 e council@goulburn.nsw.gov.au
 www.goulburn.nsw.gov.au

26 August 2021

Contact:
 Reference: ST JOHN'S ORPHANAGE

Dear

Subject: St John's Orphanage – 52 Mundy Street, Goulburn

I refer to the Council Meeting held 20 July 2021, whereby Council resolved to authorise the demolition of the former St John's Orphanage via the issuance of a Development Control Order under Schedule 5 of the Environmental Planning & Assessment Act 1979.

The resolution of Council is as follows:

1. That the report from the Business Manager Environment & Health in relation to St John's Orphanage be received.
2. A Demolish Works Order be issued in accordance with Schedule 5 of the Environmental Planning and Assessment Act 1979 for all outbuildings onsite, being items 'B', 'C' & 'D' in the map/image below:



The period for compliance will be 30 days from the issuing of the Order.

3. Council, for public safety reasons require Building A (as identified within paragraph 2 above) be demolished.

4. The General Manager prepare a report after consultation with the land owner including the required period of compliance for the demolition of Building A.
5. Whilst the outcome of paragraph 3 is being determined the General Manager to serve an order that ensure security of the site.
6. In addition to Paragraph 2 and 3 of this resolution, and regardless of the outcome of any structural assessment of the main building, Council requires that any Demolition Order relating to this St John's Orphanage site will contain the following conditions with regards to heritage conservation:
 - i. That the area in front of the main block, including the masonry boundary wall, driveway, forecourt area and remnant trees and shrubs be retained and restored to conserve the original setting for the building.
 - ii. That the main building be professionally recorded by way of drawings and photographs for an archival record.
 - iii. That significant features such as the crucifix, specific stone elements (as recommended by Council's Heritage advisor) and the foundation plaque be salvaged for future interpretation or relocation to an appropriate place.
7. The General Manager be required to investigate Council's legal options in relation to prosecution as its preferred alternative to the issuing of Penalty Infringement Notices in the event that the landowner fails to adhere to the terms of any Development Control Order imposed upon the site, or if the landowner commences demolition works without regard to statutory process. It is noted that the maximum Penalty Infringement Notice for non-compliance with either scenario is \$3000 for an individual.

In accordance with Item 2 of the resolution, you have already been issued Development Control Orders in relation to securing the site and the demolition of Buildings B, C & D. However, prior to proceeding with a Demolish Works Order for Building A, Council is required to consult with you in relation to the proposed period of compliance for Building A. Based on the information available to Council, including previous assessments in relation to heritage and the presence of asbestos, it would be Council's intention to require a 120 day compliance period.

Council therefore respectfully requests a written response in relation to the proposed compliance period by Friday 17 September 2021.

In the meantime, should you require any further information or wish to discuss the matter, please contact either myself or Business Manager Environment & Health on 02 4823 4444.

Yours faithfully

Director Planning & Environment



Goulburn Mulwaree Council
 Locked Bag 22
 Goulburn NSW 2580

Civic Centre
 184 - 194 Bourke Street
 Goulburn NSW 2580
 t (02) 4823 4444
 e council@goulburn.nsw.gov.au
 www.goulburn.nsw.gov.au

2 August 2021

Contact: SA
 Reference: DE/0018/2122

Dear Sir/ Madam,

**COVER LETTER – EMERGENCY ORDER
 UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
 SCHEDULE 5 ORDER NUMBER 3 (Demolish Works Order) & ORDER NUMBER 7
 (Public Safety Order)**

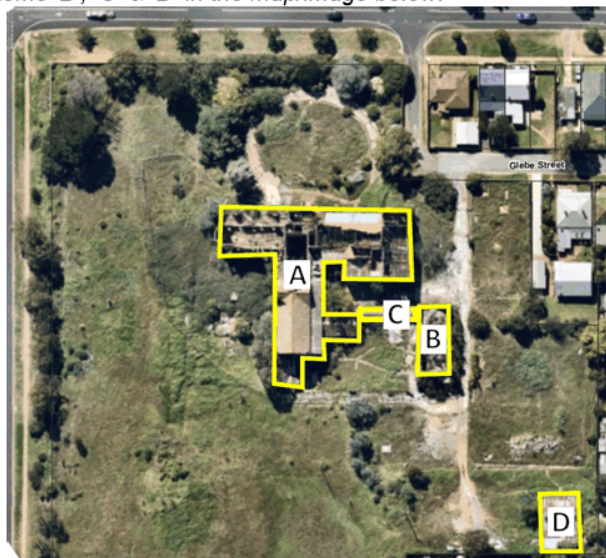
PREMISES: LOT 3 DP 583385, (No. 52) Mundy Street, Goulburn.

Background:

At its meeting held 20 July 2021 Council considered a report in relation to the future of the former St Johns Orphanage located at 52 Mundy Street, Goulburn. The report was presented to Council following 2 recent fires on the premises which has caused Council to reassess the risk to public health and safety that the fire-damaged buildings pose to the community.

Accordingly, the following resolution was made by Council:

1. *That the report from the Business Manager Environment & Health in relation to St John’s Orphanage be received.*
2. *A Demolish Works Order be issued in accordance with Schedule 5 of the Environmental Planning and Assessment Act 1979 for all outbuildings onsite, being items ‘B’, ‘C’ & ‘D’ in the map/image below:*



- The period for compliance will be 90 days from the issuing of the Order.*
3. *Council, for public safety reasons require Building 'A' (as identified within paragraph 2 above) be demolished.*
 4. *The General Manager prepare a report after consultation with the land owner including the required period of compliance for the demolition of Building 'A'.*
 5. *Whilst the outcome of paragraph 3 is being determined the General Manager to serve an order that ensure security of the site.*
 6. *In addition to Paragraph 2 and 3 of this resolution, and regardless of the outcome of any structural assessment of the main building, Council requires that any Demolition Order relating to this St John's Orphanage site will contain the following conditions with regards to heritage conservation:*
 - i. *That the area in front of the main block, including the masonry boundary wall, driveway, forecourt area and remnant trees and shrubs be retained and restored to conserve the original setting for the building.*
 - ii. *That the main building be professionally recorded by way of drawings and photographs for an archival record.*
 - iii. *That significant features such as the crucifix, specific stone elements (as recommended by Council's Heritage advisor) and the foundation plaque be salvaged for future interpretation or relocation to an appropriate place.*
 7. *The General Manager be required to investigate Council's legal options in relation to prosecution as its preferred alternative to the issuing of Penalty Infringement Notices in the event that the landowner fails to adhere to the terms of any Development Control Order imposed upon the site, or if the landowner commences demolition works without regard to statutory process. It is noted that the maximum Penalty Infringement Notice for non-compliance with either scenario is \$3000 for an individual.*

Emergency Demolish Works for Outbuildings and Public Safety Order

Further to the above resolution an inspection of the site undertaken on 26 July 2021 revealed that Building 'D', which has recently been damaged by fire is not secure and is readily accessible to people who are accessing the land (both with and without owners consent). The building also comprises loose roofing iron which is likely to become dislodged and airborne in windy conditions, which places occupants of adjoining premises at risk.

The inspection of the site also demonstrated that the site is not secure, and that the exclusion fence has not been maintained as per the requirements of the previous Order served 7 November 2016.

In accordance with the above resolution, please find attached an Emergency Demolish Works Order for Buildings 'B', 'C' and 'D' as depicted in the image contained within the resolution (Attachment A) and as per Item 5 of the resolution an Emergency Public Safety Order requiring the site to be made secure.

Please note that in accordance with the provisions of Schedule 5 of the Environmental Planning & Assessment Act 1979, the Order is given effect immediately as the matter constitutes a serious risk to health or safety.

It is recommended that you familiarise yourself with the content of the Emergency Demolish Works and Public Safety Order and comply with all requirements within the specified timeframes.

Demolish Works Order for Main Building

The resolution also requires a Demolish Works Order to be issued for Building 'A', being the Main Building. As per the resolution, staff are required to consult with you as the landowner prior to an Order being issued in order to determine an appropriate compliance period.

It is noted that a meeting is scheduled between Council staff and yourself on Tuesday 10 August 2021. A Draft Demolish Works Order for Building 'A' will be tabled at this meeting, noting that the matters listed in Item 6 of the Council resolution will be included in any forthcoming Order.

Should you require any further information or to discuss this matter please do not hesitate to contact the undersigned during normal business hours on 02 4823 4409.

Yours faithfully

Business Manager Environment & Health

Attachment A





Goulburn Mulwaree Council
Locked Bag 22
Goulburn NSW 2580

Civic Centre
184 - 194 Bourke Street
Goulburn NSW 2580
t (02) 4823 4444
e council@goulburn.nsw.gov.au
www.goulburn.nsw.gov.au

2 August 2021

Contact: SA
Reference: DE/0018/2122

Dear Sir,

EMERGENCY ORDER
UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
SCHEDULE 5 ORDER NUMBER 3 (Demolish Works Order) & ORDER NUMBER 7
(Public Safety Order)

PREMISES: LOT 3 DP 583385, (No. 52) Mundy Street, Goulburn.

Details of Orders

1. Order Number 3 (Demolish Works Order)

Council orders you to:

Demolish and remove the fire damaged outbuildings (as identified as structures B, C and D in attachment A) located at the above premises. The removal and/ or demolition of the structures is to be in accordance with the following:

Prior to Demolition:

1. Hoardings are to be installed around the demolition site in accordance with AS 2601.
2. A sign is to be erected on the site, which shows the contractors name and contact details, must include the words "Unauthorised entry to the work site is prohibited".
3. All loose or unsecured items including but not limited to roofing iron shall be appropriately secured to prevent these items becoming mobilised during wind events.
4. Existing stormwater lines on site will need removal or to be otherwise made inoperable so as to prevent the conveyance of silt or sediments off the site into any street gutter or street drainage system.
5. Water and sewer services if applicable are to be disconnected and capped, as required by Council's Water Services Department, before any work commences. An inspection of the disconnected and capped services is to be arranged with Council's Water Services Department.

Demolition:

6. Demolition work is to be carried out in accordance with AS 2601.
(Please note that the Australian Standard requires an assessment of the site to be undertaken by a competent person to ensure hazardous materials are identified and removed *prior* to demolition works commencing).
7. All demolition work shall be carried out only between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm. No demolition shall take place on Sundays or Public Holidays.
8. All excavations associated with the demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with SafeWork NSW requirements.
9. Demolition work must also be carried out in accordance with SafeWork NSW requirements.
10. 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;
 - Erect a silt fence to prevent debris escaping into drainage systems or waterways;
 - Prevent tracking of sediment by vehicles onto roads or over footpaths; and
 - Stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.
11. Building and demolition materials, waste receptacles and/ or machinery must NOT be placed or stored on the road or footpath.
12. Any person demolishing the building must upon identifying or suspecting that asbestos is present in the building, immediately notify SafeWork NSW. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.
13. All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a tip recommended by the NSW Environment Protection Authority (EPA). Upon completion of tipping operations the applicant must lodge with Council, if requested all receipts issued by the receiving tip as evidence of proper disposal.
14. Activities occurring at the site must be carried out in a manner that will minimise emissions of dust from the premises. Trucks entering and leaving the premises that are carrying excavated dusty materials, building or demolition materials must be covered at all times, except during loading and unloading.

Post Demolition:

15. Documentation verifying the lawful disposal of all waste (asbestos to be detailed specifically if applicable) is to be kept by the owner and provided to Council. Council shall be satisfied that no waste is present on site at the time of the completion of the demolition.

16. A clearance certificate if applicable is to be supplied to Council from a suitably qualified consultant to ensure the site has been cleared of hazardous contaminants including any asbestos, if identified, at the completion of the demolition works. If no hazardous materials or asbestos have been identified onsite an inspection of the completed demolition works by Council is all that is required to satisfy this condition.
17. The owner will be required to pay the full cost of restoration to the kerb and gutter, concrete footpath and/or street trees, should any damage occur during demolition.

2. Order Number 7 (Public Safety Order)

Council orders you to:

Restrict access to all structures and secure the site.

This includes the replacement of all missing and damaged panels in the perimeter fence surrounding structures A, B and C and the installation of a new separate perimeter fence to surround structure D.

The perimeter fences are to be installed and secured in accordance with *AS4687:2007 temporary fencing & hoardings for construction site fencing* & Safework NSW requirements.

Compliance Dates

1. Order Number 3 (Demolish Works Order)

The terms of this Order must be complied with as follows:

Items 1, 2 and 3 as described above under the heading Details of the Order, must be complied with **immediately**.

Items 4 and 5 as described above under the heading Details of the Order, must be complied with by **5.00pm Friday 20 August 2021**.

Items 6-14 as described above under the heading Details of the Order, must be complied with by **31 October 2021**.

Items 15, 16 and 17 as described above under the heading Details of the Order, must be complied with by **5.00pm Friday 12th November 2021**.

2. Order Number 7 (Public Safety Order)

The terms of this order must be complied with by **5pm Thursday 5 August 2021**.

Reasons for the Orders

The buildings onsite have been extensively damaged by a series of fires since 2016, with the most recent incident in June 2021 causing further damage and deterioration of the structures.

The premises have been assessed as having a range of Asbestos Containing Materials present on site and this combined with the inadequate restriction of access to the site which permits ongoing unauthorised entry presents an ongoing risk to the public which must be addressed.

An inspection of the site on 26 July 2021 identified that the site fencing is not being maintained, is unsecured and has missing/ damaged panels that allow unrestricted access to the site.

The structure shown as item D in Attachment A has incurred significant damage to its roof and unsecured roof sheeting presents a risk of complete detachment and may become airborne if it remains unsecured.

It is the position of Goulburn Mulwaree Council that:

1. The building/s is so dilapidated as to be prejudicial to its occupants or to persons or property in the neighbourhood; and
2. The building/s is dangerous to persons or property on or in a public place.

Appeal

You may appeal to the Land and Environment Court against the Order or a specified part of the Order within twenty-eight [28] days after the service of this Order upon you.

You are advised that it is an offence not to comply with an Order and the penalty for the offence is \$3000 (in the case of an individual) or \$6000 (in the case of a corporation).

If the Order is not complied with, the council may give effect to the Order and recover the costs of doing so from the person concerned.

Yours faithfully

Business Manager Environment & Health

Attachment A







15.3 POST EXHIBITION REPORT- PLANNING PROPOSAL- AMENDMENTS TO GOULBURN MULWAREE LEP SCHEDULE 1 ADDITIONAL PERMITTED USES AT 14 & 16 GEORGE ST, MARULAN AND 159 RIFLE RANGE ROAD, GOULBURN

Author: Senior Strategic Planner

Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. Targeted Detailed Site Investigation Report Sept 2021 (separately enclosed) 
 2. Marulan Truckstop Remedial Action Plan (separately enclosed) 
 3. Agency Referrals Revised (separately enclosed) 
 4. Public Submissions Combined (separately enclosed) 

Reference to LSPS:	Planning Priority 4: Housing – Vision 2040 - A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.
	Planning Priority 6: Industry and Economy – Vision 2040 – Local industry provides for the employment needs of the region within a thriving and diversified economy which is resilient to change.
Planning Proposal Reference:	REZ/0002/2021
Submissions:	5 Public Submissions

RECOMMENDATION

That:

1. The post exhibition report from the Senior Strategic Planner for the planning proposal to amend LEP Schedule 1 (Additional Permitted Uses) be received.
2. Council endorse the current planning proposal to amend Schedule 1: Additional Permitted Uses of the Goulburn Mulwaree Local Environmental Plan (LEP) 2009 to:
 - Provide permissibility for a fast food restaurant (food and drink premises) on Lot 2, DP 1053945 at 14 George Street, Marulan;
 - Provide permissibility for motel accommodation and pub with ancillary bottle shop on Lot 3, DP 1053945 at 16 George Street, Marulan; and
 - Provide permissibility for a single dwelling house including a 74ha minimum lot size restriction at Lot 1, DP 706477 at 159 Rifle Range Road, Goulburn.
3. A draft instrument be prepared that is consistent with the above amendments.
4. The General Manager, using Council’s delegated plan-making authority, prepare and finalise the LEP amendments 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.

BACKGROUND

Two separate council reports were submitted for consideration by Council at its meeting on 6 April 2021, where Council resolved to prepare a planning proposal to amend Schedule 1 of the *Goulburn Mulwaree Local Environmental Plan 2009* (Goulburn Mulwaree LEP) to include the following additional permitted uses:

- fast food restaurant (food and drink premises) on Lot 2 at 14 George Street, Marulan;
- motel/hotel accommodation and pub with ancillary bottle shop on Lot 3 at 16 George Street, Marulan; and
- single dwelling house including a 74ha minimum lot size restriction at 159 Rifle Range Road, Goulburn.

A planning proposal (REZ/0002/2021) was prepared which included amendments relating to both Goulburn and Marulan sites and a Gateway Determination to proceed was received on 22 July 2021 with delegated authority provided to the Council.

The public exhibition for the planning proposal ran for 29 days between 6 September 2021 and 5 October 2021 with late submissions accepted up until 28 October 2021 (which falls after the creation of the business paper for this meeting). Five (5) public submissions relating to the Marulan Truckstop element of the proposal were received with no public submissions relating to the 159 Rifle Range Road component. Agency submissions were received from Water NSW, Transport for NSW, NSW Rural Fire Service and the Biodiversity and Conservation Division of Department of Planning, Industry and Environment.

159 Rifle Range Road

The site is a large rural lot approximately 3km to the east of the Goulburn urban area, standing adjacent the Goulburn Rifle Club Shooting Range and divided by the Hume Highway. The adoption of the *Goulburn Mulwaree Local Environmental Plan 2009* (Goulburn Mulwaree LEP) applied separate land zones to the one lot separated by the Highway.

An E2 Environmental Conservation Zone was applied to the approximately 74.5 hectare northern land parcel with a minimum lot size of 100 hectares and a RU6 Transition Zone was applied to the 43 hectare southern parcel with a 20 hectare minimum lot size, as illustrated in **Figure 1**.

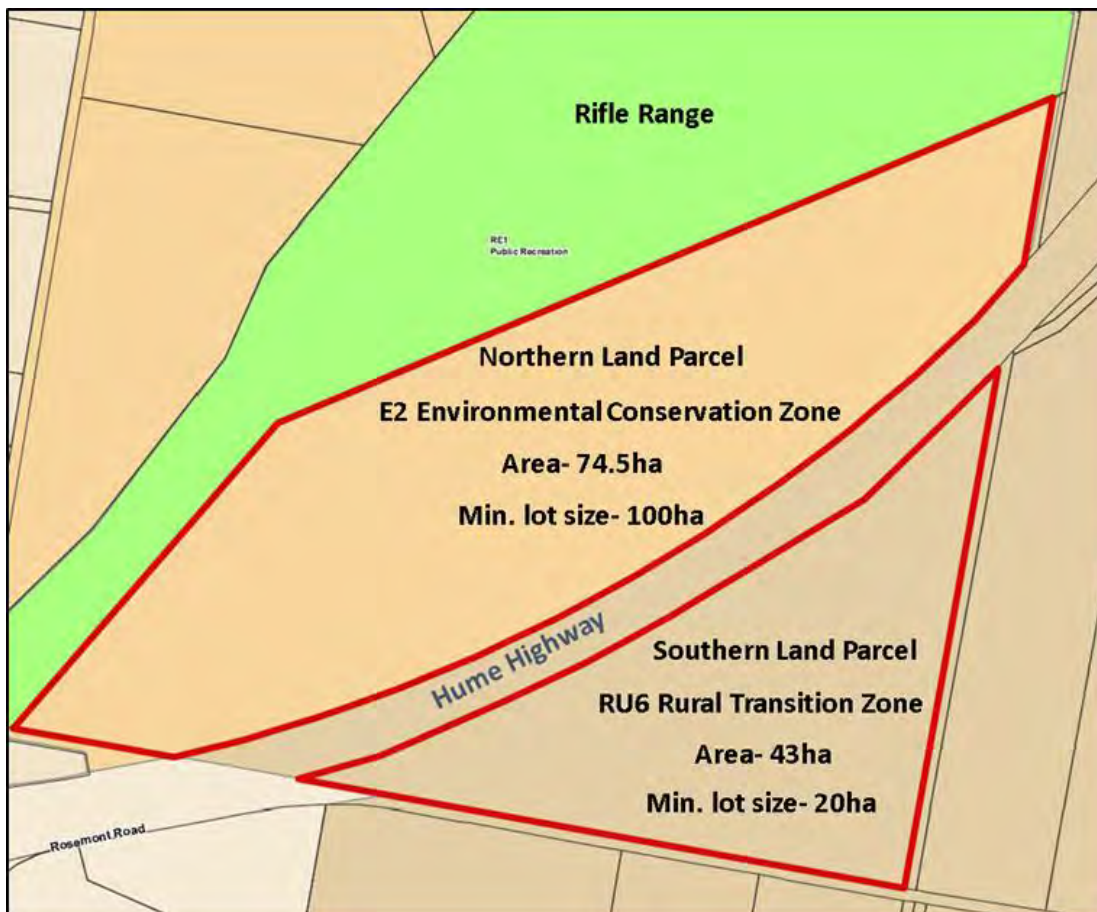


Figure 1: Land use zone, site area & minimum lot size for 159 Rifle Range Road

The current E2 Environmental Conservation zoning prevents the establishment of a dwelling and the minimum lot size prevents subdivision from the RU6 Transition zoned land to the south. These restrictions also prevent further subdivision of the RU6 Transition zoned land.

The *Urban and Fringe Housing Strategy* sought to rectify this zoning anomaly by identifying the:

“Opportunity to address zoning anomaly created between Environmental and RU6 Zones between Mt Gray and Mountain Ash Precincts”.

The strategy also included a high priority recommendation to:

“Amend the Goulburn Mulwaree LEP to address anomalies in split zone created by Highway”.

This element of the planning proposal is Council initiated and seeks to rectify this zoning anomaly and fulfil the recommendation of the *Urban and Fringe Housing Strategy*.

Marulan Truckstop 31

The *Local Strategic Planning Statement* identifies Goulburn and Marulan as the focus for residential and employment growth in the local government area. It identifies land use challenges to maximise opportunities to attract employment generating businesses to provide local employment and address the shortage of short term accommodation for fly in, fly out workers.

The *Urban and Fringe Housing Strategy* (the Strategy) directs the level and location of residential growth in Marulan and describes Marulan as a highway town which provides roadside services to passing traffic on the Hume Highway. It highlights strong recent population growth in Marulan with a 27% population increase between 2006 and 2016, which if maintained, would lead to an additional 450 dwellings by 2036. This strong population growth is supported by the Strategy

through the identification of existing undeveloped residential zoned land and land with residential rezoning potential.

This planned population growth also stands alongside additional employment opportunities in the local area, particularly relating to the extractive industries and the increase in traffic on the Hume Highway, with a 1.6% increase in traffic expected annually. The Marulan Truckstop planning proposal site comprises two lots with a total combined area of approximately 4 hectares, being lot 2 and lot 3, DP 1053945, as illustrated in **Figure 2**.



Figure 2: Marulan Truckstop lot identification map

Lot 1 does not form part of the planning proposal but is in the same ownership with indicative plans provided to Council for its redevelopment at a later stage. The site is located to the south west of Marulan approximately 600 metres south of the Marulan local centre and 150 metres from the north-bound (Sydney-bound) exit of the Hume Highway.

An existing service station (Truckstop 31) occupies Lot 2, which is the larger of the two lots, and currently includes a restaurant and fuel forecourt. A small residential structure is currently sited on adjacent Lot 3 and Lot 1 is currently vacant. The site is zoned IN1 General Industrial with a variety of other land zones surrounding the site as illustrated in **Figure 3**.

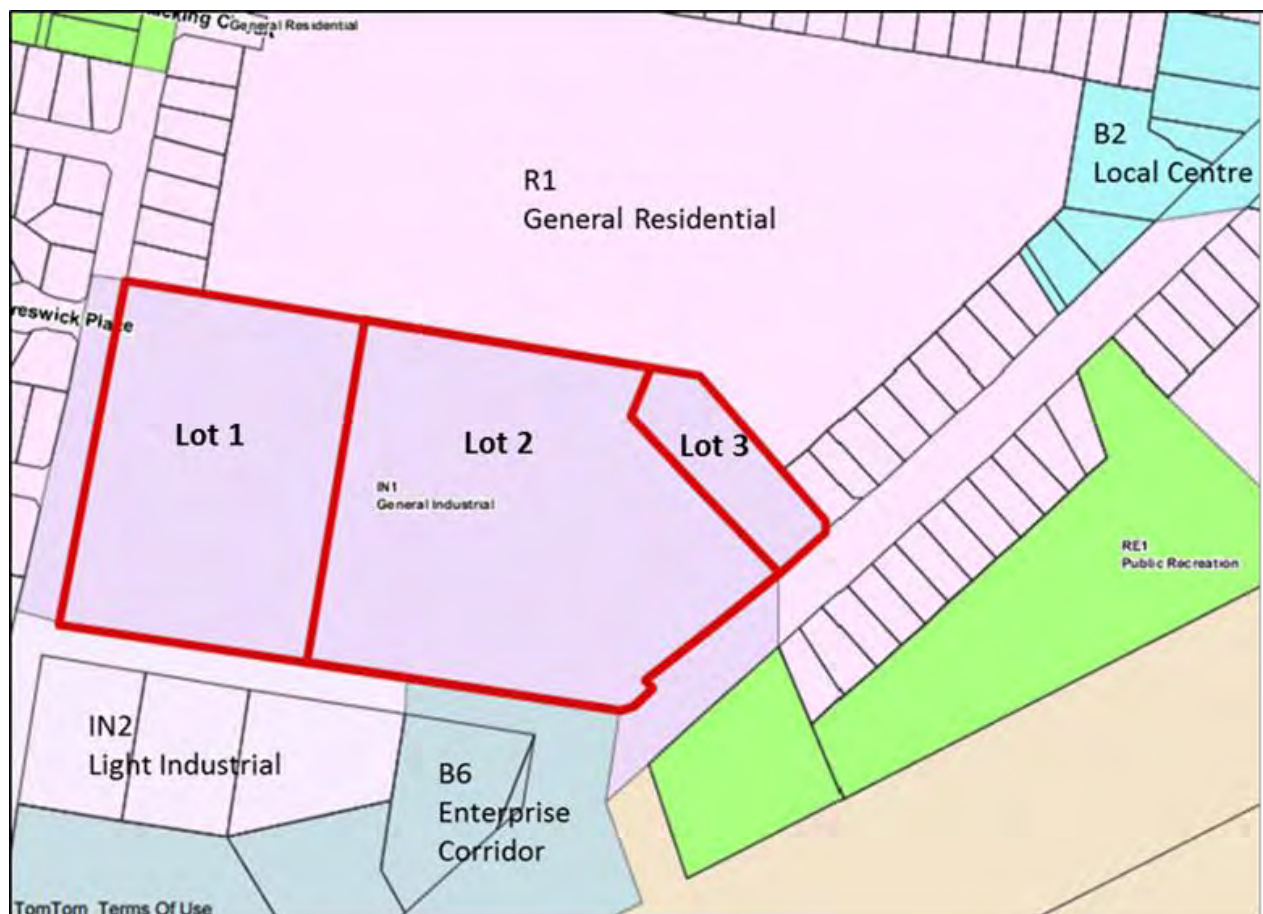


Figure 3: Marulan Truckstop zoning map

The site owner submitted a planning proposal to Council on 11 January 2021 seeking to amend the Goulburn Mulwaree LEP by permitting a fast food restaurant on Lot 2 and motel, pub and bottle shop on Lot 3.

This planning proposal is only one part of a wider redevelopment and upgrade proposal for the existing Truckstop and adjacent lots. A development application (DA/0299/2021) for a range of ancillary developments including a weighbridge and truck wash facility on the Truckstop site (Lot 2) was given consent on 27 May 2021 subject to a number of conditions. The improvements granted through this consent were permissible in the existing IN1 General Industrial zone without the need for a planning proposal.

The wider redevelopment of the Truckstop site including adjacent lots 1 and 3 is anticipated to be undertaken in the stages presented in **Table 1** below:

Table1: Indicative staging of Marulan Truckstop redevelopment

Stage	Applicable lot	Proposed	Approval Pathway
Stage 1	Lot 2	Redevelopment/improvement of existing service station including new fuel court canopy, truck wash and weighbridge.	DA/0299/2021 given consent on 27 May 2021- <i>Subject to condition preventing disposal of waste water until Marulan Water Treatment plant</i>

Stage	Applicable lot	Proposed	Approval Pathway
			<i>upgrade is complete</i>
Stage 2	Lot 2	Development of supporting services including a fast food drive-thru restaurant fronting George Street with an area of approximately 498m ² GFA, with: <ul style="list-style-type: none"> • Two drive thru ordering lanes and waiting bay lane, and • Car parking for 33 vehicles 	Subject to the Planning Proposal Subsequent DA required
	Lot 3	<ul style="list-style-type: none"> • A pub fronting George Street with an area of approximately 839m² GFA plus roof top seating of 281m² • An ancillary bottle shop as part of the pub, and • A three level, 48 room motel with an area of approximately 3,144m² GFA to the rear of the lot which includes a swimming pool. 	
Stage 3	Lot 1	Development of vacant site for warehousing/distribution	DA can be submitted as permissible use for the zone

The uses which are not currently permissible in the current IN1 General Industrial Zone are the motel and the pub. The Truckstop use and the IN1 General Industrial zone currently enable the establishment of a fast food restaurant without the need for a planning proposal and a restaurant stands on the site currently. This element has been included in the proposal to enable the creation of a Torrens title on the part of Lot 2 illustrated in **Figure 2**. Neighbourhood shops with a floor space not exceeding 250m² are also permissible within the current zone.

REPORT

159 Rifle Range Road

As highlighted above, this component of the planning proposal is seeking to enable the creation of a dwelling entitlement on the northern E2 Environmental Conservation land parcel and rectify the zoning anomaly created by the introduction of the Goulburn Mulwaree LEP in 2009 and earlier Hume Highway bypass.

The current zoning on the northern E2 land parcel prohibits the use of the site for a dwelling house and the 100 hectare minimum lot size restriction (on this 74.5 hectare site) prevents subdivision from the southern land parcel and the establishment of a dwelling entitlement.

Proposed Change

The planning proposal is seeking to amend Goulburn Mulwaree LEP 2009 Schedule 1 Additional Permitted Uses to enable, with consent, the development of a dwelling house on the northern part of Lot 1, DP 706477.

This is accompanied by additional sub-clauses restricting the minimum lot size to 74 hectares (for the E2 zoned portion), the siting of the dwelling to outside the Range Danger Area, preventing access to and from the Hume Highway and ensuring internal noise levels are attenuated to acceptable levels. The draft Schedule 1 wording is presented below:

7 Use of certain land at 159 Rifle Range Road, Goulburn

(1) This clause applies to land at Rifle Range Road, Goulburn, being part of Lot 1, DP 706477, and identified as Item 7 on the Additional Permitted Uses Map

(2) Development for the purposes of a dwelling house is permitted with consent with a minimum lot size of 74ha

(3) Development consent must not be granted under this clause unless the consent authority is satisfied the development

a. Ensures vehicular access is provided via Rifle Range Road with no access to and from the Hume Highway, and

b. Includes appropriate measures to ensure the following LAeq levels are not exceeded:

i. Internal noise levels in a bedroom of 35 (dB(A) at any time between 10pm and 7am

ii. Internal noise levels elsewhere in residential accommodation of 40 dB(A)(not including a garage, kitchen, bedroom or hallway)

c. Is sited outside of the Range Danger Area of the shooting range

The minimum lot size restriction is not proposed to be achieved through the usual amendment to the Minimum Lot Size Map of the Goulburn Mulwaree LEP but instead through a limitation within the wording of Schedule 1: Additional Permitted Uses. This approach would avoid the creation of a new lot size category (namely 74ha) which would apply to this site only.

Any development on this site requires a development application and will be subject to the relevant policies' within the *Goulburn Mulwaree Development Control Plan*.

Addressing Constraints

The primary constraints, particularly relating to the northern land parcel subject to change, are biodiversity and bushfire with the proximity of Goulburn Rifle Range Club Shooting Range and the Hume Highway raising issues of noise and safety. The availability of a suitable access has also been a consideration.

• *Bushfire*

The site is identified as Category 3 bushfire prone land (medium bushfire risk) as illustrated in Appendix 8 of the planning proposal. The northern land parcel includes significant areas of cleared land and ample space and opportunity to include bushfire protection measures, including suitable asset protection zones. These bushfire protection measures will be implemented through a subsequent development application.

▪ *Biodiversity*

The site historically comprised White-Box-Yellow Box-Blackley's Red Gum Grassy Woodland and Derived Native Grassland but this has been degraded by pasture improvements. Less than half of

the site now comprises native groundcover with significant cleared areas presenting an opportunity to site a single dwelling house without adversely affecting remnant critically endangered ecological communities as illustrated in appendix 24 of the planning proposal. The site is also sufficiently large to provide for revegetation and clearing offset areas for biodiversity.

A biodiversity assessment will be required at the development application stage with suitable provisions made to avoid adverse impacts on native flora and fauna.

- *Proximity to the Goulburn Rifle Club Shooting Range*

The northern land parcel adjoins the Goulburn Rifle Club Shooting Range with an established Range Danger Area which encroaches on to a small part of the subject site as illustrated in appendix 21 of the planning proposal. This Range Danger Area includes areas of land together with a specified air space, within which danger to life, limb and property may be expected to occur arising from the initiation of specified ammunition. A dwelling within the Range Danger Area would present concerns around safety of the dwellings` residents. This may be avoided/mitigated through appropriate siting of any proposed dwelling outside of the Range Danger Area (as identified in the considerations of the draft Schedule 1 clause).

- *Noise Impacts*

The northern parcel of the subject site is located between the Hume Highway to the east and the shooting range to the west with both creating noise impacts which may adversely affect the amenity of residents of any proposed dwelling. Clause 102 of *State Environmental Planning Policy (Infrastructure)* (the Infrastructure SEPP) sets maximum internal noise levels within residential properties in proximity to the Highway. Clause 5.16 of the Goulburn Mulwaree LEP requires a development application for the erection of a dwelling house on E2 Environmental Conservation zoned land to consider the dwellings compatibility with these adjacent uses.

These policy mechanisms ensure robust consideration of noise impacts on future residential amenity and are imbedded into the draft wording for Schedule 1 of the Goulburn Mulwaree LEP.

The onus is upon the applicant of any subsequent development application to adequately demonstrate development compliance with the LEP and in particular Schedule 1, the Goulburn Mulwaree DCP and the requirements of the Infrastructure SEPP. Measures used to reduce potential noise impacts could include appropriate siting of a dwelling, landscaping/earth mounds or built solutions such as double glazing/insulation.

- *Access*

An independent vehicular access is achievable from the northern E2 Environmental Conservation zoned section of the site to Rifle Range Road. This would provide an access separate from the existing primary access to the wider lot from Rosemount Road.

No access is proposed to or from the Hume Highway, further, to ensure highway safety, access is prohibited, an additional sub-clause has been included within draft wording to Schedule 1 which prevents access to and from the Hume Highway.

Marulan Truckstop 31

As highlighted above, this element of the planning proposal is seeking to enable the permissibility of a fast food restaurant on Lot 2 and motel and pub with ancillary bottle shop on Lot 3. These additional uses form part of the wider redevelopment plans for the Truckstop site and seeks to provide enhanced service provision for road users.

Proposed Change

The planning proposal is seeking to amend Schedule 1 Additional Permitted Uses of the Goulburn Mulwaree LEP to enable, with consent, a motel, pub and bottle shop on Lot 3 and food and drink premises on Lot 2, DP 1053945.

The draft Schedule 1 wording is presented below:

5 Use of certain land at 14 George Street, Marulan

- (1) *This clause applies to land at 14 George Street, Marulan, being Lot 2, DP 1053945, and identified as Item 5 on the Additional Permitted Uses Map*
- (2) *Development for the purpose of food and drink premises is permitted with development consent*

6 Use of certain land at 16 George Street, Marulan

- (1) *This clause applies to land at 16 George Street, Marulan, being Lot 3, DP 1053945 and identified as Item 6 on the Additional Permitted Uses Map*
- (2) *Development for the purpose of motel or hotel accommodation, pub and bottle-shop is permitted with development consent.*

The planning proposal is considered to reinforce the function of Marulan as a highway service town (as opposed to its separate function as a local centre), providing roadside services by redeveloping and expanding a site which already serves this purpose. The proposal seeks to maximise the sites' close proximity to the Hume Highway to provide a greater range and higher quality of services to road users than is currently available on the site. This would take advantage of a significant opportunity afforded by the sites' location adjacent the Hume Highway.

The proposal seeks to build upon the high traffic uses which are concentrated on the northbound exit on the Hume Highway which collectively provide a range of highway oriented services for road users. This also serves to keep higher traffic volumes from affecting the central section of George Street which predominantly services the local population (thereby having a lesser impact on the amenity of the main street).

Addressing Impacts

The primary constraints relative to this site are Marulan's sewerage capacity, contamination, residential amenity and the potential economic and social impacts of the scheme, including on the viability of Marulan Local Centre.

▪ *Marulan's Sewerage Capacity*

The Marulan sewerage treatment plant is currently at capacity and is unable to accommodate the additional sewerage generated from the proposed uses. The Marulan sewerage treatment plant upgrade is identified in the Council's Operation Plan and is scheduled for completion in 2023.

Any development application to permit construction of the proposed uses would include conditions which prevent disposal of wastewater into the local sewer system until the Marulan sewerage treatment plan has been upgraded and require compliance with an approved Water Cycle Management Plan. These conditions have already been placed on the development consent for stage 1 of the Truckstop redevelopment.

▪ *Contamination*

Ministerial Direction 2.6 Remediation of Contaminated Land requires the planning proposal authority to consider whether the land is contaminated, and the remediation required to make the land suitable for the purpose the land is to be used for.

The site's historic use as a service station indicated potential contamination could be present on site. Subsequent to the initial council report on 6 April 2021 the proponent provided a Preliminary Site Investigation which concluded that contaminants may be present and a Detailed Site Investigation would be required.

The Detailed Site Investigation (DSI) was prepared and submitted in June 2021 which focused on the suitability of Lot 3 for a motel and Lot 2 for food and drink premises.

This suitability was measured against National Environment Protection Measures (NEPM) assessment criteria, specifically against health investigation levels relating to industrial/commercial premises (HIL D).

Upon review of the DSI, Water NSW requested an additional level of assessment which compared the soil test results for Lot 3 (motel and pub) against more sensitive health investigation levels relating to residential with minimal opportunities for soil access (HIL B).

The updated DSI was submitted to Council on 8 October 2021 and forwarded to Water NSW on 12 October 2021. The updated DSI identified some categories of Total Recoverable Hydrocarbons (TRH) present within the soil samples for Lot 3 which exceeded the most sensitive health investigation levels relating to residential with garden/accessible soils (HIL A) (a slightly more sensitive level than requested by Water NSW). The groundwater sampling results identified one sample where copper and zinc exceeded this assessment criteria on Lot 3. These metals are not considered to be directly associated with the service station operations and can be attributed to naturally occurring levels of zinc and copper within groundwater.

The report concluded that the site can be made suitable for the proposed uses on Lots 2 and 3 providing the recommendations outlined are addressed. These recommendations include a Remedial Action Plan for Lot 3 to guide the remediation of the TRH contamination.

The updated DSI was accompanied by the Remedial Action Plan which in summary includes the following remedial actions to address the TRH contamination area:

- Excavate a pit at the sampling location and remove contaminated soil
- Stockpile the soil and physically remove off-site for disposal to an appropriate licensed landfill facility
- Excavated soil must be classified and removed off-site in accordance with the NSW EPA, Waste Classification Guidelines, Part 1:Classifying Waste (2014)

Water NSW confirmed these plans sufficiently addressed the concerns for the planning proposal stage but further comment and or detail maybe required about the remediation at DA stage.

The updated Detailed Site Investigation report is presented in **Attachment 1** and the Remedial Action Plan is presented in **Attachment 2**.

▪ *Residential Amenity*

The site is industrial zoned land which adjoins or is adjacent to existing residential properties to the north and east with vacant R1 Low Density Residential zoned land to the north. The proximity of the proposed uses could present some potential amenity impacts such as noise and light, particularly the evening uses, on the amenity of existing and future residents.

The Goulburn Mulwaree DCP provides a suite of controls relating to non-residential development (Section 4.2) and a specific chapter (Section 6.2) providing tailored controls for Service Centres. These relate to detailed requirements around visual impacts, acoustic impacts, lighting, traffic arrangements and noise amongst others. Any subsequent development application will be assessed against these chapters and other applicable requirements in the Goulburn Mulwaree DCP.

It must also be noted that the potential impacts on amenity for the proposed uses is considered to be of a lesser extent than other potential land uses currently permissible on this industrial zoned site.

▪ *Social Impacts*

Marulan is identified as an area with multiple indices of deprivation with lower than average educational levels and higher levels of disadvantage. The location and density of licensed premises can influence the health and well-being of people in the surrounding area, particularly disadvantaged areas, such as Marulan.

The proponent submitted a Social Impact Assessment to review both the positive and negative potential social impacts of the proposed uses which are listed in **Table 2** below and accompanied by proposed mitigations:

Table 2: Potential positive and negative social impacts and mitigations

Positive Social Impacts	Negative Social Impacts	Mitigations/how to be addressed
Provision of additional short term accommodation which seeks to address the shortage of fly in, fly out accommodation highlighted in the Council’s LSPS.	Reliance on private transport as a result of limited public transport options.	Proposed uses primarily seek to serve highway users with reliance on the private vehicle unavoidable. Marulan is considered a more sustainable and accessible settlement than most in the LGA due to existing bus and train services to nearby urban areas.
Increased opportunities for local residents to interact and enhance community cohesion.	Short term reduction in amenity during construction.	Mitigations to be included within a Construction Management Plan at the development application stage.
Creation of locally accessible jobs with opportunities to shorten commutes.	Low risk of an increase in crime and/or disorder.	Implementation of Crime Prevention through Environmental Design principles, ensuring secure access and dispersal of staff and staff training in the responsible service of alcohol.
Additional food and retail expenditure positively impacting livelihoods of residents and business.	Operational noise impacts.	An acoustic assessment submitted with the development application, application of noise mitigations and a Plan of Management for the sites operation.
	Operational traffic impacts.	Mitigations to be included within a Traffic Impact Assessment at the development application stage

In addition the Report highlights that there is no concentration of crime incidents around the site between July 2019 and June 2020 with crime rates remaining relatively stable.

The saturation of licensed premises within 1km of the site is currently 424.4 per 100,000 (*NSW Liquor LiveData*). The proposed additional use of a pub, when developed and licensed, will initially increase this saturation level due to the addition of a licensed premises within Marulan. This saturation level is expected to reduce alongside the planned increase in Marulan’s population over the next 20 years. The population of Marulan is not identified as at relatively higher risk from alcohol related harm. This is especially the case when considered in the context of economic activity and employment created by the proposal.

Overall it is considered that the negative social impacts of the proposed uses can be successfully managed with the implementation of the mitigation measures presented in the Social Impact Assessment and through the application of controls within the Goulburn Mulwaree Development Control Plan.

▪ *Economic Impacts*

The Marulan local centre serves as the commercial core of Marulan and is located approximately 600 metres from the Truckstop site.

The local centre includes around 40 operating business including small retail outlets, post office, bakery, café, pharmacy, pub and accommodation providers as well as large depots for trucks and service based industries.

The proponent has submitted an Economic Impact Assessment to accompany the planning proposal which examines both the positive and negative economic impacts of a new motel and pub with ancillary bottle shop on Marulan local centre. The economic benefits of the proposed uses are listed in **Table 3** below:

Table 3: Proposed economic benefits

Economic benefits of proposed uses on the Truckstop site
• \$23m in total economic activity generated by the construction of the proposed development
• 35 job years directly generated by the construction with the creation of approximately 32 jobs through their operation
• \$1.16m per year in total staff remuneration
• Approximately \$265,000 generated in additional local and state revenue through Section 7.12 levies and payroll tax during construction
• Creation of 13,000 additional room nights generated by the motel
• \$6.2 in gross value added
• Estimated revenue of \$1.56m per year from motel rooms
• Estimated \$900,000 per year additional visitor spend

The negative impacts of the proposed uses on the site are centred around the potential competitive impacts on individual business with a focus on accommodation providers and café`s/restaurants within the Marulan local centre.

The Economic Impact Assessment did highlight that the planning proposal would likely increase local competition for some related businesses such as accommodation providers, restaurants and pubs.

It should be noted that competitive impacts arise from most commercial developments and planning only considers such impacts as far as they relate to the overall viability of existing service centres. The role of this planning proposal is to examine the potential impacts of the proposed uses on the overall viability of Marulan local centre.

Whilst some adverse competitive impacts maybe experienced by some related businesses in the local centre, others are likely to experience higher levels of footfall from additional visitor numbers and greater associated levels of spend in the local area. Overall the limited scope of the proposed uses is not considered to result in an adverse impact on the Marulan local centre’s viability.

The planned increase in the residential population of Marulan over the next 20+ years, as presented in the *Urban and Fringe Housing Strategy*, will also lead to a greater number of patrons using the services of the local centre. This is expected to further off-set potential adverse competitive impacts on local businesses and further enhance the viability and vitality of Marulan local centre.

It is important to highlight that the southern part of Marulan which is located within close proximity to the highway junction is more focused on serving highway traffic than the local centre further to the north. The local centre tends to be more focused on providing services for the permanent resident population. Therefore these areas effectively serve different markets but also present opportunities for cross-over trade.

Consultation and Submissions made in accordance with Act or Regulations

Public Exhibition

The gateway determination included a requirement to exhibit the planning proposal for a minimum period of 28 days and consultation with the following agencies:

- NSW Rural Fire Service
- Water NSW
- Transport for NSW
- Department of Planning, Industry and Environment (Biodiversity and Conservation)

The public exhibition ran for 29 days between 6 September 2021 and 5 October 2021 with a total of five (5) formal submissions received from the public, all of which related to the Marulan Truckstop element of the planning proposal. No public submissions were received relating to 159 Rifle Range Road.

The public exhibition included a:

- notice on the Council website with documents available to view and download;
- notice on the NSW Planning Portal with documents available to view and download;
- notice in the Goulburn Post on 1, 8, 15, 22, 29 September 2021;
- notification email to Marulan Chamber of Commerce; and
- notification letter to adjoining and adjacent landowners.

Agency Referrals

Agency referrals were received from NSW Rural Fire Service, Water NSW, Transport for NSW and the Biodiversity and Conservation division of Department of Planning, Industry and Environment.

▪ *Water NSW*

The Water NSW exhibition response received on 29 September 2021 raised no objections to proposed amendments relating to 159 Rifle Range Road and identified sewerage management and land contamination risks as their main concerns for the Marulan Truckstop.

Water NSW highlight the importance of sewer connectivity for later developments to deliver a neutral or beneficial effect on water quality and believe this issue can be dealt with through the development application phase. This will primarily be achieved through the submission and approval of a Water Cycle Management Plan and a condition preventing the disposal of waste water in the local sewer system until the Marulan Sewerage treatment plant upgrade has been complete. Water NSW raised no objections with this approach.

The issue of potential contamination of the site has been addressed through the submitted Preliminary Site Investigation, the updated Detailed Site Investigation which included assessment of samples against a more sensitive health investigation level and the Remedial Action Plan. After reviewing the revised DSI and the Remedial Action Plan Water NSW consider the documents had sufficiently addressed their concerns for the planning proposal stage but further comment or detail may be required about the remediation plan at the DA stage.

The response reinforced that any future development of the site will need to have a neutral or beneficial effect on water quality and meet or exceed the standards in Water NSW Current Recommended Practices.

- *Department of Planning, Industry & Environment- Biodiversity & Conservation Division*

The Biodiversity & Conservation Division of Department of Planning, Industry & Environment response received on 21 September 2021 raised no objections to the planning proposal.

In relation to the Rifle Range Road site, the response supported the establishment of the minimum lot size restriction of 74ha to minimise impacts to critically endangered ecological communities.

The referral also recommended the dwelling building envelope and bushfire asset protection zones be located within cleared areas of the site to avoid a future development application exceeding the threshold for the Biodiversity offsets scheme. The extensive area of the site and volume of cleared vegetation enable a dwelling to be sited away from ecologically sensitive parts of the site. The exact location of any proposed dwelling will be addressed in detail through a subsequent development application.

- *NSW Rural Fire Service*

The NSW Rural Fire Service exhibition response received on 8 September 2021 raised no objections to the planning proposal.

- *Transport for NSW*

The Transport for NSW exhibition response received on 3 September 2021 raised no objections to the planning proposal on the proviso the requirements stipulated in their pre-exhibition response are adequately addressed.

The Transport for NSW pre exhibition response received on 2 August 2021 stipulated no objection to the provisions relating to 159 Rifle Range Road subject to access to and from the Hume Highway being prevented and noise levels identified in the Infrastructure SEPP being satisfied.

These requirements have been addresses through additional subclauses in the draft wording of Schedule 1 of the Goulburn Mulwaree LEP and were subject to this public exhibition.

In relation to the Marulan Truckstop, the pre-exhibition response stipulated that a development application (DA) for the proposed uses must be accompanied by a Traffic Impact Study. This study must include an assessment on the suitability of retention of the current access across the Hume Highway median. It is noted that any future DA for this area would be referred to Transport for NSW under the Infrastructure SEPP.

A copy of all the agency referral responses throughout the planning proposal process are presented in **Attachment 3**.

Public Submissions

No public submissions were received relating to 159 Rifle Range Road.

Five public submissions were received objecting to the additional permitted uses sought for the Marulan Truckstop site.

Summary of responses to Marulan Truckstop

Five (5) formal public submissions were received during the exhibition period including four local residents and a local business owner. All submissions were objections to the proposed uses sought through this planning proposal and a number related to issues which are more appropriately addressed through a DA. Full submissions are available in **Attachment 4**.

Tables 4 to 8 below provide a summary of the five submissions for the Marulan Truckstop.

Table 4: Submission summary and response Donna Ryall

Submitter	Address	Submission date
1. Donna Ryall	15 George Street, Marulan	10 September 2021
Summary of Submission		
<ul style="list-style-type: none"> Concerns raised regarding the driveway location of the proposed uses due to increased traffic resulting in noise and headlights shining into front windows of residential properties opposite Concerns over the provision of adequate on-site parking to avoid the impacts of on-street parking on George Street Existing and additional litter/rubbish generated by the site blowing into residential gardens. High fences proposed to be erected around the fast food site and a request for an increase in the front fence height from the current 1.2m to mitigate this impact and ensure privacy Questions raised over proposed hours of operation of the pub and bottle shop (licensed premises). Statement made that the area is zoned residential, not industrial 		
Council's Response		
<p>The preparation and assessment of planning proposals is dictated by the following legislation, regulation and guidance:</p> <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulations 2000, Local Environmental Plans: A guide to preparing Local Environmental Plans, and Planning Proposal: A Guide to preparing planning proposals <p>A guide to preparing planning proposals` stipulates a planning proposal:</p> <p><i>` Only relates to an LEP amendment. It is not a development application nor does it consider specific detailed matters that should form part of a development application. `</i></p> <p>A planning proposal is therefore not able to address detailed considerations such as the location of driveways, the provision of on-site parking, waste management arrangements, boundary fencing and hours of operation. These are all factors which require consideration at the development application stage.</p> <p>A development application will also consider the potential noise impacts of the proposed uses with mitigations sought to reduce a schemes impacts on nearby residential properties. This will however be considered in the context of the existing industrial zoning of the site, its existing operation as a Truckstop and the proximity and existing impacts from the nearby Hume Highway.</p> <p>Any request by the submitter for an adjustment to their fence height which exceeds the 1.2m height permissible as Exempt Development should be submitted as a development application.</p> <p>The submitter`s property is zoned R1 General Residential directly opposite the subject site which is zoned IN1 General Industrial- illustrated in Figure 3 of this council report</p>		

Table 5: Submission summary and response Julie Graham

Submitter	Address	Submission date
2. Julie Graham	26 Station Street, Marulan	5 October 2021
Summary of Submission		
<ul style="list-style-type: none"> Impact of the additional noise generated by the motel and pub, particularly at night, both from the venue and patrons travelling to and from the venue with a resulting long term impact on the community. Rooftop bar is something one would expect in a more densely populated community. An additional venue for the sale/consumption of alcohol on top of the two existing venues is considered a disproportionate number for a village location. The applicant showcasing a `hoarders` home in the heritage conservation area is offensive, particularly when the local community has contributed so much to retaining Marulan`s beautiful buildings. A series photos are provided illustrating examples of historic Marulan buildings. Goulburn to Marulan train and bus services are limited and not well patronised with 30-45 minute car ride to Goulburn, Moss Vale and Mittagong. 		

- The current volume of litter in the local area and its potential increase as a result of this proposal.
- Suggestion that renewable energy technologies be integrated with the development.
- Reference to Marulan being ranked in the bottom 40% of all localities in the Index of Economic Resources through 2016

Council's Response

As identified in the response above (submitter 1), consideration of the range of potential impacts from a proposed development and suitable mitigations will be considered at the development application stage.

The proponent submitted indicative plans and illustrations with their planning proposal submission which included a roof top bar to the pub. These plans only seek to illustrate how a potential scheme could be accommodated on site and represent the early concept stages of a development proposal. Design and siting considerations and the indicative plans do not form part of the determination of this planning proposal. Formal plans and relevant technical studies must be submitted with a development application upon which a determination will be made.

The number of licensed premises and the potential impacts on community well-being has been assessed through the Social Impact Assessment submitted with the planning proposal. The site is considered to be at low risk from an increase in levels of crime in an area with very low crime rates.

The Social Impact Assessment also examined community vulnerability to alcohol. It concluded that Marulan was not at relatively higher risk of alcohol related harm than the rest of NSW. Community vulnerability to alcohol related harm is considered to be low in the context of the additional economic activity and employment proposed.

The number of liquor licenses and associated licensing conditions are a function of Liquor and Gaming NSW.

The council prepared the contents of the planning proposal subject to exhibition and provided any photographs included within it. Reference to the 'hoarders' home' relates to Figure 6 of the planning proposal at 42 George Street. This property was illustrated in the planning proposal to identify the heritage item which stands in closest proximity to the site. The photograph selection is in no way seeking to diminish the contribution historic buildings make to the character of Marulan or their importance to the local community.

Marulan benefits from bus and train services to local service centres. Whilst they are relatively limited in their frequency their availability contributes to a more sustainable settlement and a wider range of transport options than most other areas in the LGA.

Notwithstanding, the proposed uses of a fast food restaurant, motel and pub with ancillary bottle shop directly relate to the operation of the site as an existing highway service station. A highway service centre primarily serves passing highway users reaching the site by car or truck.

Waste management considerations, including litter will be considered at the development application stage.

Energy efficiency measures are prescribed through Part J of the Building Code of Australia and assessed at the DA stage.

The Social Impact Assessment has referred to a number of datasets, including socio-economic indices for areas (SEIFA) provided by the Australian Bureau of Statistics (ABS) to provide an overview of the social and economic well-being of Marulan. This provides the background information to assess potential impacts of the proposal on the community. This is objective, publicly available data is not intended to offend. The 2016 Census is the most definitive dataset available until the 2021 Census data is released.

Table 6: Submission summary and response G. Spicer & S. Atkinson

Submitter	Address	Submission date
3. Gary Spicer & Samantha Atkinson	17 George Street, Marulan	5 October 2021
Summary of Submission		
<ul style="list-style-type: none"> • Proposal at 16 George Street (motel and pub) will not benefit the area as there are already two venues for purchasing alcohol in relative close proximity and Marulan is not big enough to warrant another. • There are already a number of accommodation providers on George Street which always have vacancies. • There are already a number of fast food drive through options in the local area • Concerns over additional traffic and noise generated by the proposed uses, particularly affecting the front of residential properties. • Concerns over the impact on property prices • The location is inappropriate 		
Council's Response		
<p>The commercial viability of the proposed uses is a matter for the proponent. Marulan is located on the Hume Highway and provides a suitable location for roadside services which is reflected in the number of fast food drive thru options and accommodation providers in the area, largely supported by users of the highway.</p> <p>Increasing the choice of potential service providers for road users is only one benefit of the planning proposal. Additional local employment opportunities, increased economic activity and enhancement of an existing under-utilised truckstop are also benefits accrued from the proposed additional uses on this site.</p> <p>The planning system does not take into consideration the impact of development on property prices. Property prices are affected by a wide range of variables, most of which stand outside the scope planning.</p> <p>As identified in the response above (submitter 1), consideration of the range of potential impacts from a proposed development and suitable mitigations will be considered at the development application stage.</p> <p>The subject site already serves as a Truckstop. Its location directly off the Hume Highway is considered a suitable and logical place to further enhance and support this existing use and provide greater choice to roadside users.</p>		

Table 7: Submission summary & response Jos Roberts

Submitter	Address	Submission date
4. Jos Roberts	Not stated	5 October 2021
Summary of Response		
<ul style="list-style-type: none"> • Personal wishes and benefits should not influence the overall considerations • Regulations should ensure a result which is good for Marulan with consideration for the long term and not just quick returns • Proposal will lead to two town centres and result in the hollowing out of the town centre, likely followed by other local spot rezoning's • Proposal will create a disincentive for investment and result in a less commercially attractive town/retail centre • Residential areas are growing and traffic on the Hume highway is increasing so shopping and employment in a vibrant centre is to be encouraged • Concern the proposal will stifle existing offerings. • Proposal will have long term negative effects on Marulan as a whole and does not contribute to addressing the current incoherent planning in the area. • Council must consider what is best for the town in the longer term • Proposal not supported as it seeks to amend regulation to suit this site but not the whole of Marulan. 		
Council's Response		

The purpose of the planning proposal process is to ensure adequate justification and strategic merit of a proposed change to the LEP. The benefits of a scheme contribute to this justification.

The range of benefits of the proposed uses are identified in this council report. A number of these benefits are considered to lead to long term benefits to the Marulan local area including additional local employment opportunities, increased economic activity and the physical enhancement of an underutilised site.

The Marulan local centre enables an extensive range of permissible uses including:

- Commercial uses (broad definition, highly inclusive)
- Community facilities
- Educational establishments
- Entertainment facilities
- Tourist and visitor accommodation

This proposal relates to enabling the permissibility of the specific uses of a motel, pub with ancillary bottle shop and fast food drive thru on this site only. These uses directly relate to and support the services of the existing Truckstop and serve users of the Hume Highway. The site is not able to provide for the same range or concentration of permissible uses as Marulan local centre, thereby ensuring the primacy of the local centre.

The Economic Impact Assessment identifies there may be some competitive impacts on some related local businesses but the overall viability of Marulan local centre would not be adversely affected. The proposed uses, located adjacent the Hume Highway, are tailored to serve highway users whereas the local centre primarily serve the needs of the local resident population. In addition, any competitive impacts are expected to be off-set by the planned increase in Marulan’s population and the greater number of patrons using the services of the local centre.

Table 8: Submission summary & response Lee Environmental Planning on behalf of Ken McCourt

Submitter	Address	Submission date
5. Lee Environmental Planning on behalf of Ken McCourt	Landowner of Terminus Hotel, George Street, Marulan	2 October 2021
Summary of Response		
<ul style="list-style-type: none"> • Public engagement process has been unsuccessful as demonstrated by the large proportion of the affected community being unaware of the proposed changes. Council may not have satisfied its obligations to the community which could call into doubt the procedural fairness of the process. • Proposal is an opportunistic spot rezoning aimed at adding market value to the land that the proponent believes will be profitable, but this does not necessarily translate into solid reason for a planning proposal. • The current land use zoning in the Goulburn Mulwaree LEP reflects Marulan’s position as an important service centre along the Hume Highway and a local centre serving the local population. This makes the spot rezoning approach somewhat confusing. • Planning proposal not linked to any strategic study or report and lacks strategic merit. • Current IN1 General Industrial zoning for the site enables a wide range of land uses that can contribute in the long term to the Marulan economy and community and no compelling case has been presented as to why the current zoning is deficient. • The Marulan local centre (B2 zoned land) provides the building blocks for a vibrant and successful town with existing business which can consolidate and expand and sufficient zoned land for new opportunities. Unaware of a case presented that insufficient commercial land is available or current B2 zoned land is unsuitable for the needs of the area. • The support for the dislocation of the motel, pub and bottle shop, which are key town centre uses, outside the town centre is a failure of strategic planning. • Request for Council to pause the planning proposal in favour of a more comprehensive and collaborative strategic planning exercise for Marulan. • The generation of positive economic numbers is not surprising but such potential benefits should not be stripped out of the town centre as this approach stands at odds with the long term strategic planning for Marulan. • Site suitability is questionable when the potential negative impacts on the town centre are considered. • The social impact assessment is unconvincing. The greatest positive social impact accrues through a 		

- strong cohesive town centre which is being undermined by this planning proposal.
- Overall the Planning Proposal lacks strategic merit and should not proceed, particularly without first being subject to meaningful public scrutiny and comment.

Council's Response

Public engagement requirements for planning proposals are set out in legislation and guidance and required to be undertaken in accordance with the requirements of the Gateway determination. As highlighted in the Council report the public exhibition ran for more than the required timescale and included the following:

- A notice on the Council website with documents available to view and download
- A notice on the NSW Planning Portal with documents available to view and download
- A notice in the Goulburn Post on 1, 8, 15, 22, 29 September 2021
- A direct notification to Marulan Chamber of Commerce
- A direct notification to adjacent landowners

Council has exceeded its regulatory requirements in terms of public engagement, met the conditions of the Gateway determination and satisfied its legal obligations.

A planning proposal can be submitted by anyone and Council has a legal obligation to assess any given proposal's merits. The reasons for a change in planning controls is often instigated by a profit motive. A proponents motivations to increase the value of their land is not sufficient justification for a planning proposal. However there are number of benefits of the proposal which extend beyond increased land value and serve to justify the proposed uses on this site.

The site's location in relation to a precinct largely dedicated to highway service functions is also a key consideration in this proposal.

The proposed uses on this site are not explicitly identified in a strategic study but the planning proposal is consistent with required strategic documents, SEPP's and Ministerial Directions as outlined in this report and the planning proposal. In addition, Department of Planning, Industry and Environment, through the gateway determination considered the proposal to have some strategic merit to continue in the process. There are no outstanding objections from agencies engaged in the process.

The contribution industrial zoned land makes to the Marulan economy is recognised. However Marulan has approximately 291 hectares of vacant industrial zoned land. The proposed additional permitted uses on Lot 3 would reduce the overall available industrial land by approximately 0.18%. This reduction would not reduce the long term contribution industry makes to Marulan's economy.

The proposed additional permitted uses do not seek to replace the Marulan local centre as the focus for service provision to the local resident population. The range of permissible uses proposed directly relate to providing supporting services for the existing Truckstop use and users of the Hume Highway. These areas essentially function as different markets with the Truckstop serving highway users and the Local Centre serving local residents. The range of permissible uses on the Truckstop are significantly more commercially limited than the range of uses permissible in Marulan local centre, ensuring the primacy of the local centre for service provision for local residents.

It is recognised that Marulan local centre has adequate commercial land and B2 zoned land to accommodate a fast food drive thru, motel and pub. However, the relocation of these uses from the Truckstop site to the local centre would uncouple the operational use of the service station with the ancillary and supporting uses of motel, pub and drive thru restaurant and dislocate their highway supporting function away from direct access to the Hume Highway.

The planning proposal and this council report highlight the economic benefits of the proposal. These benefits arise from the proposed uses supporting the existing Truckstop and the sites proximity to the Hume Highway. The proposed uses and the benefits they bring are specific to this site and are not considered transferable to the local centre.

The site is considered suitable for the proposed uses due to its proximity to the Hume Highway, its ability to support the existing Truckstop business, alongside the benefits of the scheme and minimal impacts on the viability of Marulan local centre. No evidence has been presented which demonstrates a long term impact on the viability of Marulan local centre or significant adverse impacts on community well-being and social cohesion as a result of this planning proposal.

Addressing Marulan Truckstop public exhibition comments

A planning proposal is not able to address detailed considerations around the siting and design of a scheme nor seek to resolve in detail how potential amenity impacts will be addressed. These detailed considerations would form part of the determination of a subsequent development application. A guide to preparing planning proposals` stipulates a planning proposal:

“Only relates to an LEP amendment. It is not a development application nor does it consider specific detailed matters that should form part of a development application.”

It is the role of the planning proposal to identify relevant environmental, social, economic and other site-specific considerations and to establish whether in principle, adverse impacts can be mitigated and/or justified by the benefits and strategic merit of the proposal.

- *Design, siting and amenity*

A number of the issues raised by the four local residents relate to detailed considerations which should be addressed at the development application stage. These include additional traffic generation which will be examined through a Traffic Impact Assessment (as per Transport for NSW advice), parking provision and boundary fencing as outlined in submitted DA plans and noise implications arising from the final scheme identified and mitigated through an acoustic assessment.

These factors will be considered in the context of the existing industrial zoning of the site, its existing operation as a Truckstop and the proximity and existing impacts from the nearby Hume Highway. All potential impacts will be considered against the requirements of the Goulburn Mulwaree DCP at the development application stage.

Concerns raised over the management of waste and particularly litter from the proposed uses will be addressed through a Waste Management Plan submitted with a subsequent development application.

Hours of operation of the proposed pub/bottle shop have not been established. These would be set out as a condition of a subsequent development application. Licensing hours for the service of alcohol will be determined through a liquor license issued by NSW Liquor and Gaming.

The planning system does not take into consideration the impact of development on property prices. Property prices are affected by a wide range of variables, most of which stand outside the scope planning.

Other issues raised focus on the potential impact the proposed uses may have on the vibrancy and vitality of Marulan local centre and businesses operating with it and concerns the proposal would not lead to long term benefits for Marulan, these are addressed below.

- *Competition & Viability of Marulan Local Centre*

Competitive impacts and the effects on the overall viability of Marulan local centre are examined through the Economic Impact Assessment and addressed under *‘Addressing Impacts’* in this report.

Whilst there are likely to be competitive impacts on some related local businesses the overall viability of Marulan local centre is not considered to be adversely affected as a result of the proposal. Any competitive impacts are expected to be off-set by the planned increase in Marulan`s residential population and the greater number of patrons using the services of the local centre.

These are further off-set by the focus of the proposed uses to serve users of the Hume Highway.

No evidence has been presented which demonstrates a long term, impact on the overall viability of the Marulan local centre.

- *Benefits of the proposed uses*

The potential benefits of the proposed additional uses are listed in **Table 2** and **Table 3** of this report. Some of these benefits are short term and/or site specific such as construction employment and revenue generation. However a number of benefits are considered to lead to long term benefits to the Marulan local area including additional local jobs, additional visitor spend, and the physical enhancement of an under-utilised site.

- *Public Engagement Process*

The preparation, assessment and public consultation of planning proposals is dictated by the following legislation, regulation and guidance:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulations 2000, and
- Local Environmental Plans- A guide to preparing local environmental plans
- Planning Proposal: A guide to preparing planning proposals

These documents require community consultation to be undertaken in accordance with the requirements of the Gateway determination. The gateway determination stipulates a public exhibition be undertaken for a minimum of 28 days and be made publicly available in accordance with *section 6.6.2 of A guide to preparing local environmental plans*. This guide states the following:

Public exhibition of the planning proposal is generally undertaken in the following manner:

- *Notification in a newspaper that circulates in the area affected by the planning proposal*
- *Notification on the website of the PPA (Planning Proposal Authority)*
- *Notification in writing to affected and adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them.*

As noted above the public exhibition for this planning proposal ran for 29 days with the following undertaken in accordance with the regulatory requirements:

- A notice on the Council website with documents available to view and download
- A notice on the NSW Planning Portal with documents available to view and download
- A notice in the Goulburn Post on 1, 8, 15, 22, 29 September 2021
- A direct notification to Marulan Chamber of Commerce
- A direct notification to adjacent landowners

In addition late submissions were accepted and included within this report up to 28 October 2021 with the public and proponent able to address councillors directly through the 2 November 2021 Council meeting.

The Council has exceeded its regulatory requirements in terms of public engagement on the planning proposal and satisfied its legal obligations. Further community engagement will be undertaken as part of any subsequent Development Application.

- *Strategic Merit of Proposal*

The strategic merit of a planning proposal, in large part, relates to the degree to which the proposed amendments are consistent with the objectives and actions within the following:

- South East and Tablelands Regional Plan;
- The Tablelands Regional Community Strategic Plan;
- Goulburn Mulwaree Local Strategic Planning Statement;
- Goulburn Mulwaree Urban and Fringe Housing Strategy;
- State Environmental Planning Policy; and
- Ministerial S.9.1 Directions.

The planning proposal has thoroughly detailed the degree of consistency of the proposal to the objectives and actions with these strategic documents, state policies and Ministerial Directions and these are summarised, as they relate to the Truckstop, in **Table 9**.

Table 9: Applicable strategic documents, State Environmental Planning Policy (SEPP) and s9.1 Ministerial Directions

Applicable Strategic Documents, State Environmental Planning Policy (SEPP) and s9.1 Ministerial Directions	Consistency
South East and Tablelands Regional Plan	Consistent
The Tablelands Regional Community Strategic Plan	Consistent
Goulburn Mulwaree Local Strategic Planning Statement	Consistent
Goulburn Mulwaree Urban and Fringe Housing Strategy	Consistent
Sydney Drinking Water Catchment SEPP	Consistent
SEPP 55 Remediation of land	Consistent
Infrastructure SEPP	Consistent
Direction 1.1 Business and Industrial Zones	Consistent
Direction 2.3 Heritage Conservation	Consistent
Direction 2.6- Remediation of Contaminated Land	Consistent
Direction 3.4- Integrating Land Use and Transport	Consistent
Direction 4.3- Flood Prone Land	Consistent
Direction 5.2- Sydney Drinking Water Catchment	Consistent
Direction 5.10- Implementation of Regional Plans	Consistent
Direction 6.1- Approval and Referral Requirements	Consistent
Direction 6.3- Site Specific Provisions	Consistent

In addition to Council's assessment, it is the role of the gateway determination assessment by the State to ensure there is sufficient justification for a proposal and to stop planning proposals which lack strategic merit early in the process. This planning proposal has thoroughly assessed the consistency of the planning proposal against the above listed strategic documents, policies and directions. In addition the planning proposal was granted its gateway determination in July 2021 with no indication from the Department of Planning, Industry and Environment of a lack of consistency with related strategic objectives and actions.

No information has been presented which provides detail that the proposed uses are not consistent with the above listed documents.

- *Current zoning, availability of commercial land in Marulan, dislocation of Town Centre uses and site suitability*

This planning proposal does not propose to change the current IN1 General Industrial zoning of the site but to include the additional permissibility of a fast food drive thru, motel and pub with ancillary bottle shop on the existing Marulan Truckstop site.

The existing Truckstop operation is sited on Lot 2 and isn't available for industrial development. Lot 3 is vacant with only a derelict residential structure on site. The suitability of Lot 3 for industrial development is questionable. The lot is narrow, 0.5 hectares in size and is located between the existing Truckstop and residential development. The limited size of the lot combined with its location adjoining and adjacent to residential properties lends itself more to the proposed uses than those permissible in the industrial zone.

These uses seek to directly support the redevelopment and enhancement of service provision for an existing business in close proximity to the Hume Highway. The range of uses permissible is specific and limited to those which have a supporting function to the operation of the Truckstop and the Hume Highway. The planning proposal does not enable the range of commercial uses permissible in the B2 zoned Marulan local centre, thereby ensuring the primacy and focus of the local centre for commercial activity and investment.

The proposed uses of a drive thru, motel and pub are considered uses which are most often located with a local centre. The Marulan local centre has sufficient zoned land for a motel, pub and fast food restaurant. However, the relocation of these proposed services/uses from the Truckstop site to the local centre would uncouple the operational use of the service station with the ancillary and supporting uses of a motel, pub and drive-thru restaurant and the proximity to the highway. This would have the effect of:

- Not taking full advantage of the sites proximity to the Hume Highway
- Preventing users of the Truckstop and Hume Highway benefiting from direct access to these supporting services
- Would not achieve the objectives of the planning proposal
- Additional off-site provision unlikely to be developed by proponent
- Site likely to remain underutilised

It is also noted that the proposed uses, particularly a motel, seek to serve predominately the needs of highway users with a particular focus on providing short term accommodation for fly in fly out workers. The dislocation of this use to the local centre would likely result in significant additional heavy vehicles traveling up the main thoroughfare of George Street with little opportunity to park their vehicles other than on the street. Highway safety and parking along George Street has already be identified as concern of local residents.

The planning proposal does not seek to provide a compelling case that the current zoning is deficient or require demonstration that other sites zoned B2 are more suitable for the proposal. The Council is required to determine the suitability of the site for the proposed uses and the related strategic merit of the proposed amendment before them. Notwithstanding, Marulan has extensive levels of unoccupied industrial zoned land, providing opportunities for industrial development in more suitable locations, which stand a greater distance from residential properties.

The site is considered suitable for the proposed uses due to its proximity to the Hume Highway its ability to support an existing Truckstop alongside the benefits of the scheme and the minimal impacts on the viability of Marulan local centre. No evidence has been presented which demonstrates a long term impact on the viability of Marulan local centre or significant adverse impacts on community well-being and social cohesion as a result of this planning proposal.

Support for the proposed uses in this location is not a failure of strategic planning but is a flexible response to the needs of a local landowner for the enhancement of an existing business which will generate economic activity and provide local employment.

Internal Consultation

Council's Communication & Business Development Officer reviewed the proposal and their comments are summarised below:

- No negative impacts identified that haven't already been addressed. Potential impacts regarding noise, light and construction will be addressed through development applications and these are likely to generate community submissions;
- Proposal would lead to an improved use of an underutilised site which stands at a key entry point to Marulan, in close proximity to the highway;
- Very supportive of the creation of construction and operation roles and the \$900,000 additional visitor spend estimated to be generated. This is considered to have a positive effect on Marulan;

- Concurrence with the proponents consideration of social impacts on the community of Marulan, and
- Likely competitive impacts on other local businesses is noted but it is considered the proposal will attract the vast majority of its customers from the highway and this will have associated benefits for Marulan as identified in the proponents Economic Impact Assessment.

Conclusion

In conclusion the planning proposal presents proposed changes to the Goulburn Mulwaree LEP Schedule 1 (Additional Permitted Uses) for two different sites. This report recommends proceeding with the making of the LEP amendment for each site as follows:

159 Rifle Range Road

The proposed permissibility of a dwelling through an addition to Schedule 1 Additional Permitted uses of the Goulburn Mulwaree LEP on the northern parcel of 159 Rifle Range Road would rectify the current zoning anomaly and address the related action in the *Urban and Fringe Housing Strategy*. The Minimum lot size restriction would ensure no further subdivision of the site and the highway access restriction would ensure highway safety. The large site area at 74.5ha combined with extensive areas of non-native vegetation enables the siting of a dwelling which is able to:

- Avoid adverse impacts on biodiversity
- Accommodate bushfire protection measures
- Accommodate on-site effluent management systems, and
- Be sited away from dangers posed by the adjacent shooting range.

Marulan Truckstop

The proposed additional permissibility within Schedule 1 of the Goulburn Mulwaree LEP for a fast food restaurant, motel and pub with ancillary bottle shop for the Marulan Truckstop site will facilitate the redevelopment of an underutilised existing service station site in close proximity to the Hume Highway.

This proximity to the highway creates a suitable location for these supporting uses and potential amenity, traffic and parking impacts can be adequately addressed at the development application stage.

Concerns relating to Marulan sewer capacity and contamination have been adequately addressed. Whilst some competitive impacts are expected as a result of the proposed uses this is not considered to result in adverse impacts on the overall viability of Marulan local centre. The proposed uses are not considered to result in adverse impacts on the health and well-being of the community. The proposed uses will create jobs locally, generate economic activity and meet the identified shortfall in short term accommodation within the local government area.

Recommendation

That the planning proposal for additions to Schedule 1 Additional Permitted uses of the Goulburn Mulwaree LEP 2009 be endorsed by Council and proceed to finalisation.

FINANCIAL IMPLICATIONS

There are no known financial implications.

LEGAL IMPLICATIONS

There are no known legal implications.

15.4 OPTIONAL SPECIAL FLOOD CONSIDERATIONS CLAUSE FOR GOULBURN MULWAREE LEP 2009

Author: Business Manager Strategic Planning

Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Reference to LSPS:	Planning Priority 8: Natural Hazards – Vision 2040 – Natural hazards are identified, planned for and mitigated where possible throughout the planning process.
Cost Implications:	Nil – however, the introduction of this clause may reduce “red tape” and provide cost savings in future by avoiding planning proposals.
Key Issues:	Reducing planning restrictions to the replacement of lawfully constructed dwellings in the event of a natural disaster.

RECOMMENDATION

That:

1. The report by the Business Manager Strategic Planning in relation to an optional clause for *Goulburn Mulwaree Local Environmental Plan 2009* addressing special flood considerations be received.
2. Council request that the Department of Planning, Industry and Environment include the special flood considerations clause 5.22 within *Goulburn Mulwaree Local Environmental Plan 2009* with the clause to only apply to the following land uses: correctional centres, hospitals, hazardous industries, hazardous storage establishments and emergency service facilities.

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

The Department of Planning, Industry and Environment commenced its Flood Prone Land Package on 14 July 2021. This resulted in:

- revised Ministerial Direction on flooding for planning proposals;
- a new flood planning circular;
- new flood planning guideline;
- a new standard clause for flooding being introduced to all local environmental plans; and
- changes to Planning Certificates in relation to flood questions.

An additional part of the package was the introduction of an optional “opt in” special flood consideration clause.

The optional clause has already been included in the *Standard Instrument Local Environmental Plan*. Councils have been invited by Department of Planning, Industry and Environment to opt in to having the clause added to their LEPs without having to undertake a planning proposal. Interested councils have been asked by Department of Planning, Industry and Environment to consider this matter prior to the caretaker period commencing in relation to Local Government elections (as the intended changes are to occur by March 2022).

This report considers the inclusion of the “opt- in” clause to the Goulburn Mulwaree LEP 2009.

REPORT

Intention of the Special Flood Consideration Clause

Currently Clause 5.21 of the Goulburn Mulwaree LEP only applies to development that is within the “flood planning area” typically this is defined as being the area below the flood planning level. The flood planning level is currently the 1% annual exceedence probability or informally known as the 1% flood level or 1 in 100 year flood level plus 0.5m freeboard (which allows for wave action and debris).

The intention of the special flood consideration clause is to ensure appropriate planning around sensitive uses and infrastructure within flood affected areas up to the probable maximum flood event (which is the largest flood event that could conceivably occur at a particular location). Generally it is not physically or economically possible to provide complete protection against a probable maximum flood event. These additional considerations could be around matters such as:

- evacuation (where this may be difficult due to occupant’s health or need for assistance) alongside the capacity of emergency services to assist during a flood;
- the potential for environmental damage due to flood waters accessing polluting material; and
- the impact on flood behaviour due to the presence of a structure or land use.

The proposed clause does not prohibit the listed land uses but does require that additional consideration of specific matters be undertaken by the consent authority as a part of development assessment.

Assessment of development applications

Where the clause applies, it will mean that a development application will be assessed against the special considerations contained within the clause.

DPIE has already included the Special Flood Considerations Clause in the Standard Instrument Local Environmental Plan (SI LEP) as follows:

5.22 Special flood considerations [optional]

- (1) The objectives of this clause are as follows—
 - (a) to enable the safe occupation and evacuation of people subject to flooding,
 - (b) to ensure development on land is compatible with the land’s flood behaviour in the event of a flood,
 - (c) to avoid adverse or cumulative impacts on flood behaviour,
 - (d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,
 - (e) to avoid adverse effects of hazardous development on the environment during flood events.
- (2) This clause applies to—
 - (a) for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and
 - (b) for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may—
 - (i) cause a particular risk to life, and
 - (ii) require the evacuation of people or other safety considerations.

- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—
- (a) will not affect the safe occupation and efficient evacuation of people in the event of a flood, and
 - (b) incorporates appropriate measures to manage risk to life in the event of a flood, and
 - (c) will not adversely affect the environment in the event of a flood.
- (4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.

- (5) In this clause—

Considering Flooding in Land Use Planning Guideline—see clause 5.21(5).

flood planning area—see clause 5.21(5).

Floodplain Development Manual—see clause 5.21(5).

probable maximum flood has the same meaning as it has in the Floodplain Development Manual.

sensitive and hazardous development means development for the following purposes—

- (a) [list land uses]

Direction—

Only the following land uses are permitted to be included in the list—

- (a) boarding houses,
- (b) caravan parks,
- (c) correctional centres,
- (d) early education and care facilities,
- (e) eco-tourist facilities,
- (f) educational establishments,
- (g) emergency services facilities,
- (h) group homes,
- (i) hazardous industries,
- (j) hazardous storage establishments,
- (k) hospitals,
- (l) hostels,
- (m) information and education facilities,
- (n) respite day care centres,
- (o) seniors housing,
- (p) sewerage systems,
- (q) tourist and visitor accommodation,
- (r) water supply systems.

The application of the clause could cause some difficulty for existing development located within the probable maximum flood if identified as sensitive or hazardous. Essentially to expand an existing operation these uses will need to demonstrate that the any proposed development:

- will not affect the safe occupation and efficient evacuation of people in the event of a flood;
- incorporates appropriate measures to manage risk to life in the event of a flood; and
- will not adversely affect the environment in the event of a flood.

The application of this clause could be difficult where existing facilities are seeking to expand.

Where developments are proposed by the Crown/public authorities, generally development may proceed (i.e. Council cannot refuse or issue conditions on these developments without the agreement of the authority involved and the relevant Minister if escalated). Given that this is the case, the implications of this clause on private developers will be more significant. The list of suggested land uses to which this clause will apply in the next section of this report is mindful of this distinction in light of existing land uses such as private schools, hostels, tourist and visitor accommodation and child care centres which are already located within the probable maximum flood (PMF) mapped extent.

Proposed Zones to be included in the Special Flood Considerations Clause

Should Council wish to include this clause in GM LEP 2009 the following is a list of suggested land uses to which it should be applied (**Table 1**), the list includes consideration of reasons for inclusion and exclusion with recommendations.

Table 1 – Proposed land uses for Inclusion/Exclusion in Special Flood Consideration Clause

Land Uses	Reasons for Clause Application or Exclusion
<p>Correctional centres Hospitals</p>	<p>Risk to life for potentially vulnerable occupants.</p> <p>Potentially difficult to evacuate as occupants may need assistance or specialist medical care following evacuation, or otherwise very specific alternate accommodation (which may not be readily available).</p> <p>Consideration of the capacity for emergency services to assist in a timely manner would be required.</p> <p>The existing public and private hospital are outside the PMF level so the application of this clause would largely add considerations for the appropriate location/planning around any new facilities.</p> <p>The Correctional Facility is within the probable maximum flood (PMF) but is a Crown/public authority development. Therefore there is capacity for the clause to add consideration of the identified risks without actually preventing further expansion if deemed necessary.</p> <p>Recommendation: Inclusion of these uses in the application of this clause.</p>
<p>Boarding houses Early education and care facilities Educational establishments Group homes Hostels Information and education facilities Respite day care centres Seniors housing</p>	<p>Risk to life for potentially vulnerable occupants.</p> <p>Potentially difficult to evacuate as occupants may need assistance.</p> <p>Consideration of the capacity for emergency services to assist in a timely manner would be required.</p> <p>There are a number of each of these uses currently within the probable maximum flood (PMF) therefore application of this clause may be problematic.</p> <p>Recommendation: Exclusion of these uses from the clause for the time being and pending future review once the clause has been in use for a while.</p>
<p>Eco tourist facilities Tourist and visitor accommodation</p>	<p>Risk to life of occupants potentially unfamiliar with local risks.</p> <p>Potentially difficult to evacuate as occupants may need assistance.</p> <p>Consideration of the capacity for emergency services to assist in a timely manner would be required.</p> <p>Cumulative impact of development on flood behaviour.</p> <p>There are a number of each of these uses currently within the probable maximum flood (PMF) therefore application of this clause may be problematic.</p> <p>Recommendation: Exclusion of these uses from the clause for the time being and pending future review once the clause has been in use for a while.</p>

<p>Hazardous industries Hazardous storage establishments</p>	<p>Risk to facility Pollution risk to environment. Cumulative impact of development on flood behaviour. Recommendation: Inclusion of these uses in the application of this clause.</p>
<p>Emergency services facilities</p>	<p>Risk to an emergency facility Consideration of the capacity for emergency services to access facility in a flood event would be required. Some emergency services facilities are within the probable maximum flood (PMF) but are Crown/public authority development. Therefore, there is capacity for the clause to add consideration of the identified risks without actually preventing further expansion if deemed necessary. Recommendation: Inclusion of these uses in the application of this clause.</p>
<p>Sewerage Systems Water Supply Systems</p>	<p>The new Goulburn sewerage treatment plant is located within the probable maximum flood (PMF) area. Whilst the clause does not prohibit development it does include an environmental impact test in the case of a PMF event. Such an impact would be unavoidable for this site and for the broader network. Council's water supply system services a broad network of properties which are within the PMF. The application of this clause to this infrastructure is not considered to be achieving the objectives of the clause. Recommendation: Exclusion of these uses from the application of the clause.</p>

CONCLUSION

In conclusion, the addition of the special flood consideration clause in the *Goulburn Mulwaree Local Environmental Plan 2009* would facilitate the development assessment process to identify land uses where additional flood considerations for those sensitive or hazardous land uses may be appropriate.

It is recommended that Council request the inclusion of the special flood considerations clause in *Goulburn Mulwaree Local Environmental Plan* to apply to the land uses identified in this report being: correctional centres, hospitals, hazardous industries, hazardous storage establishments and emergency service facilities.

15.5 PLANNING PROPOSAL TO REZONE LAND ADJOINING COUNCIL (DRINKING) WATER TREATMENT PLANTS, IN GOULBURN AND MARULAN

Author: Business Manager Strategic Planning

Director Planning & Environment

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Reference to LSPS:	Planning Priority 1: Infrastructure - Vision 2040 – Infrastructure meets the needs of a growing community
Cost to Council:	Nil anticipated – the land is already in Council ownership and it is presumed no site specific technical studies will be required for Marulan. A Biodiversity Assessment Method will be required for the Goulburn site but it is being undertaken in-house. Future costs associated with the development of either site are not considered in this report.

RECOMMENDATION

That:

1. The report from the Business Manager Strategic Planning on the planning proposal to rezone Council land (adjoining the Goulburn and Marulan Water Treatment Plants) at 234 Wheeo Road, Goulburn and 189 Brayton Road, Marulan be received.
2. Council prepare a planning proposal/s to amend the *Goulburn Mulwaree Local Environmental Plan 2009 (GM LEP 2009)* by rezoning:
 - a) No. 234 Wheeo Road, Goulburn (Lot 1 DP 1030749) from RE1 Public Recreation to SP2 Special Uses (Infrastructure).
 - b) No. 189 Brayton Road, Marulan (Lot 10 DP 1067488) from R5 Large Lot Residential with a minimum lot size of 2000m² to SP2 Special Uses (Infrastructure) with no minimum lot size.
3. The planning proposal/s once prepared, be submitted to the Department of Planning, Industry and Environment (DPIE) for a gateway determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
4. The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the planning proposal/s.
5. In the event that the Department of Planning, Industry and Environment issues a gateway determination to proceed with the planning proposal/s, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.
6. In the event that the one of the sites holds up processing of the planning proposal for the other site, that the planning proposal be split into separate proposals given the urgency to upgrade Marulan’s water treatment facility.

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

This matter has not previously been reported to Council.

REPORT

Introduction

Council's Business Manager Water Operations has made two requests that Council rezone land in its ownership which is adjacent to the current water treatment plants (WTPs) at Goulburn and Marulan. The request has been made in order to facilitate the expansion of the existing facilities.

Council's Business Manager Water Operations has advised in relation to Goulburn:

The Utilities department are looking to construct two new sludge lagoons at the Goulburn water filtration plant. Unfortunately this work will encroach on the neighbouring block of land (Lot 1 DP 1030749) which is currently zoned RE1 Public Recreation. The proposed lagoons will not add capacity to the existing treatment plant or process, rather it will formalise an existing process that has been expanded ad hoc to ensure Council can manage and dispose of its sludge. The new lagoons will work alternately, with one lagoon filling while the other will be offline, allowing the sludge within to dry. The lagoons will also allow for easier collection and disposal of the sludge [effective through this improved dewater process], with the sludge and backwash water being transported to a single lagoon (that is currently online) rather than constantly pumping it between various lagoons on site.

The Utilities team are seeking to rezone the land in question from RE1 to SP2 (Infrastructure) which will allow the construction of these lagoons without consent [but would be subject to a review of environmental factors- REF].

Council's Business Manager Water Operations has advised in relation to Marulan:

The Utilities department are looking to upgrade the Marulan water filtration plant within the next few years and are aiming to rezone the land neighbouring the existing site (189 Brayton Road). The water quality in Marulan is not meeting residents' expectations, with regular complaints being received by Council. We have identified some issues with the water supply, and the likely outcome will involve upgrading the existing treatment plant and adding additional treatment processes. Given the constrained nature of the existing parcel of land, it is likely Council will need to construct infrastructure on the neighbouring block at 189 Brayton Road. Nothing is definite at this stage, however given the current options proposed to Council at the very least the construction of sludge lagoons will be required which will not be possible on the existing water treatment site. [Council has since been advised by Department of Planning Industry and Environment that further treatment will be required and cannot be accommodated onsite.]

This report supports both requests from the Utilities Directorate as the zoning change will be required to allow for the required upgrades on both sites thereby benefiting existing and future residents of Goulburn and Marulan.

Water Operations has indicated that the Marulan upgrade is more urgent/time sensitive as the water quality issues are current, whilst the upgrades to Goulburn whilst necessary are not as pressing. On this basis it may be necessary to process the rezoning of each site as a separate planning proposal.

Council's Legislative Public Health Requirements for Drinking Water

Under the *NSW Public Health Act 2010* Council is required as a water authority to provide drinking water which is fit for human consumption, with the relevant State Minister having the authority to intervene should drinking water be considered to be unfit for human consumption. Furthermore, under the Act, water suppliers must have a quality assurance program (Council's Drinking Water Management Plan) which identifies Council's roles and responsibilities regarding drinking water quality such as health based and aesthetic limits to ensure customers can safely and comfortably drink the water provided.

Subject Sites

Goulburn Site

The subject site for Goulburn is No. 234 Wheeo Road (Lot 1 DP 1030749), Goulburn and is located to the north and north-west of the existing water treatment plant (WTP) (Refer map in **Figure 1** below).

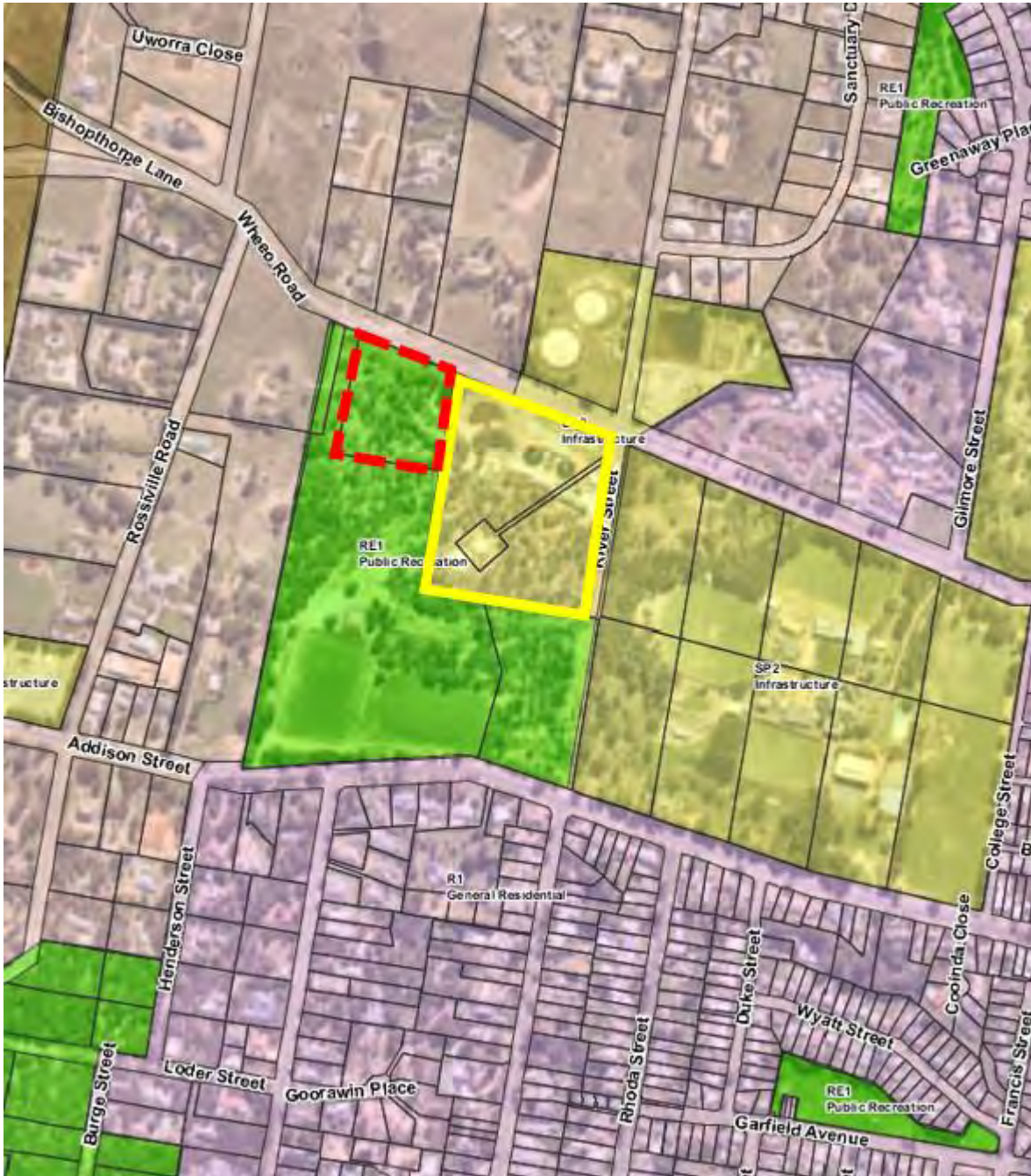


Figure 1: Zone map showing boundary of Lot 1 DP 1030749 outlined in red with the location of the existing water treatment plant (WTP) outlined in yellow.

Marulan Site

The subject site for Marulan is No. 189 Brayton Road (Lot 10 DP 1067488), Marulan and is located to the north and north-west of the existing water treatment plant (WTP) (Refer map in **Figure 2** below).

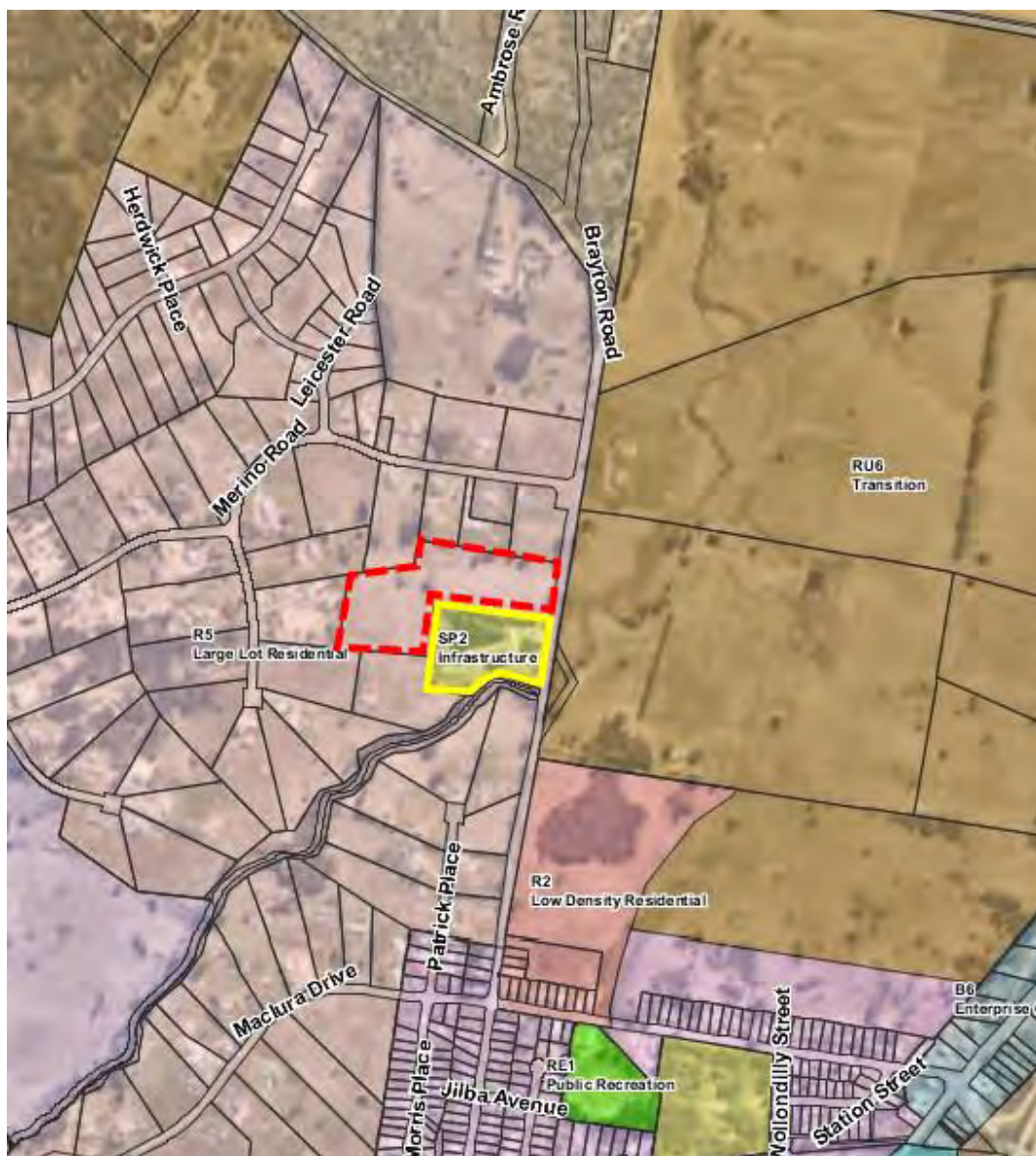


Figure 2: Zone map showing boundary of Lot 10 DP 1067488 outlined in red with the location of the existing water treatment plant (WTP) outlined in yellow.

- *Zoning and Land Use - Goulburn*

The site is currently zoned RE1 Public Recreation under *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP 2009). Under the RE1 Public Recreation Zone “water supply systems” are listed as a prohibited use.

State Environmental Planning Policy (SEPP) (Infrastructure) provides an alternate pathway for approvals for some development/activities which fall under the definition of water supply systems. However, this alternate pathway is mainly applicable to “prescribed zones” listed under the SEPP. Unfortunately the RE1 Public Recreation Zone is not a prescribed zone under the SEPP. Therefore, in this case the proposed sludge ponds are actually prohibited given the current zoning.

It is noted that the ownership of this site dates back to the former Goulburn City Council and that its location adjoining the current WTP suggests that the land was strategically acquired by Council to allow for the future expansion of the existing WTP. The site already contains an existing sludge lagoon that dates back to sometime between 1975 and 1985 (based on aerial photography).

It would appear that the RE1 Public Recreation zoning of the site is an anomaly which should have been corrected with GM LEP 2009 when prepared.

- *Zoning and Land Use - Marulan*

The site is currently zoned R5 Large Lot Residential under GM LEP 2009 with a minimum lot size of 2000m². Under the R5 Large Lot Residential zone “water supply systems” are listed as a prohibited use.

State Environmental Planning Policy (SEPP) (Infrastructure) provides an alternate pathway for approvals for some development/activities which fall under the definition of water supply systems. However, this alternate pathway is mainly applicable to “prescribed zones” listed under the SEPP. Unfortunately the R5 Large Lot Residential zone is not a prescribed zone under the SEPP. Therefore, in this case the proposed sludge ponds are actually prohibited given the current zoning.

It is noted that the ownership of this site dates back to Greater Argyle Council and that its location adjoining the current WTP suggests that the land was strategically acquired by Council to allow for the future expansion of the existing WTP. It would appear that the R5 Large Lot Residential zoning of the site is an anomaly which should have been corrected with Goulburn Mulwaree LEP 2009 when prepared.

- *Aboriginal Cultural Heritage*

An Aboriginal Heritage Information Management System (AHIMS) search has been undertaken for both of the sites and has not identified any Aboriginal sites or places on or near the site. Should the land be rezoned to SP2 (infrastructure), a review of environmental factors (REF) will be required prior to construction of the ponds or further works at either site.

- *Biodiversity Goulburn*

The site is not mapped as terrestrial biodiversity under GM LEP 2009. However, a preliminary investigation by Council’s Environment and Biodiversity Assessment Officer has found it is likely to contain a Critically Endangered Ecological Community being Box Gum Woodland and Derived Grasslands. Accordingly, site survey using the Biodiversity Assessment Method under the *Biodiversity Conservation Act 2016* has commenced.

Strictly speaking, the planning proposal process should be used to avoid impacts on endangered biodiversity where possible (i.e. avoiding zones which increase the development capability of a site or sensitive portion of a site). In this instance, however, impacts upon biodiversity may be unavoidable. Water Operations has considered the feasibility of using other land around the WTP but found that this is limited due to other factors such as the:

- presence of the same plant community as the subject site;
- location of existing infrastructure such as pipework and reservoirs;
- need for the lagoon to be located within close proximity of the treatment plant;
- location of the existing lagoons/sludge ponds; and
- extent of land in Council ownership.

Given the biodiversity issues associated with the Goulburn site this may delay the processing of the planning proposal for this site. Accordingly, given the time sensitivity of the Marulan upgrade, it may be required to separate the two proposals at a later date. Initial discussion with DPIE (Biodiversity and Conservation) would suggest that it will not be possible to expedite the planning proposal for the Goulburn site.

- *Biodiversity Marulan*

The site is not mapped as terrestrial biodiversity under GM LEP 2009.

Council’s Environment and Biodiversity Assessment Officer has recently advised (in a pre-DA lodgement meeting) that:

- The site is not currently located on the Biodiversity Values Map (please review as you are preparing information to support your application as these maps may be revised periodically).
- Site inspection on 25th August, 2021 found that the site has been previously cleared and only a few remnant Cabbage Gums *Eucalyptus amplifolia* are present. The groundcover layer is largely dominated by exotic pasture species and weed species, including Phalaris *Phalaris aquatica*, Cock's Foot Grass *Dactylis glomerata*, Prairie Grass *Bromus catharticus*, Yorkshire Fog *Holcus lanatus*, Sheep's Sorrel *Acetosella vulgaris*, St John's Wort *Hypericum perforatum*, Sub Clover *Trifolium subterraneum*, Flatweed *Hypochoeris radicata* and Paterson's Curse *Echium plantagineum*. Parts of the site are very boggy, with some Rushes *Juncus* spp.
- The land is currently used for grazing by horses.
- No evidence was found of any threatened species, ecological communities or habitats at the time of the site inspection. It is unlikely that the proposed activity will have a significant impact on any threatened species, populations or habitats, but this will need to be verified by a more detailed site survey prior to commencing any works or lodgement of a Development Application.

On the above basis a Biodiversity Assessment Method (BAM) survey is not proposed to be undertaken for the Marulan site.

- *Water Quality*

Both sites are located within the Sydney Drinking Water Catchment.

Goulburn: the site does not contain any creeks or natural drainage paths, although the site would drain to the Wollondilly River via a nearby drainage line/water course that connects to the river. The site contains an existing sludge lagoon.

Marulan: the Marulan site contains two water courses which drain to Jaorimin Creek to the south (via the existing WTP site).

- *Bushfire*

Both the Goulburn and Marulan sites are located on bushfire prone land, however, the proposed zoning is not seeking to add any additional residential potential accordingly a bushfire assessment is not required.

- *Contamination*

Both the Goulburn and Marulan sites are not identified on Council's Contamination Register and the proposed use/zoning is not facilitating the development of a sensitive use so no further contamination assessment is required.

The Marulan site is vacant land with no known history of a potentially contaminating land use.

The Goulburn site does partly contain an existing sludge lagoon. Consideration of potential contaminants in the existing sludge lagoon would be undertaken in any future review of environmental factors as a part of the proposed expansion of the lagoons. Management of any construction or decommissioning of the existing sludge pond would also need to consider water quality impacts.

- *Noise/Odour*

The proposed expansion of the WTPs is for the construction of additional sludge lagoons and it is noted that the Marulan site adjoins a large lot residential area. There is no anticipated noise generation associated with this use beyond the construction phase.

In relation to odour, Council has never received any odour complaints for the sludge lagoons at the Goulburn and Marulan WTP sites.

- *Local Government Act – Land Classification*

Both the Goulburn and Marulan sites are currently classified as “operational land” under the *Local Government Act, 1993* and therefore do not require reclassification prior to or during the planning proposal.

Strategic Context Assessment

The request from Council’s Business Manager Water Operations is to facilitate the upgrade essential Council water supply infrastructure to meet the existing and future needs of Goulburn and Marulan for clean potable water supply. As previously discussed this aligns with Council’s legislative responsibilities for the provision of drinking water under the NSW Public Health Act.

Council’s Local Strategic Planning Statement (LSPS) has a vision for 2040 being “Infrastructure meets the need of a growing community”, the proposed rezoning aligns with this vision as it is providing for expansion of water supply infrastructure to meet the needs of the community.

Goulburn is identified in Council’s *Urban and Fringe Housing Strategy (Figure 3)* as an area which will be subject to further growth and expansion based on the availability of reticulated water and sewer systems. The provision of potable water for existing and future residents is considered to be critical.

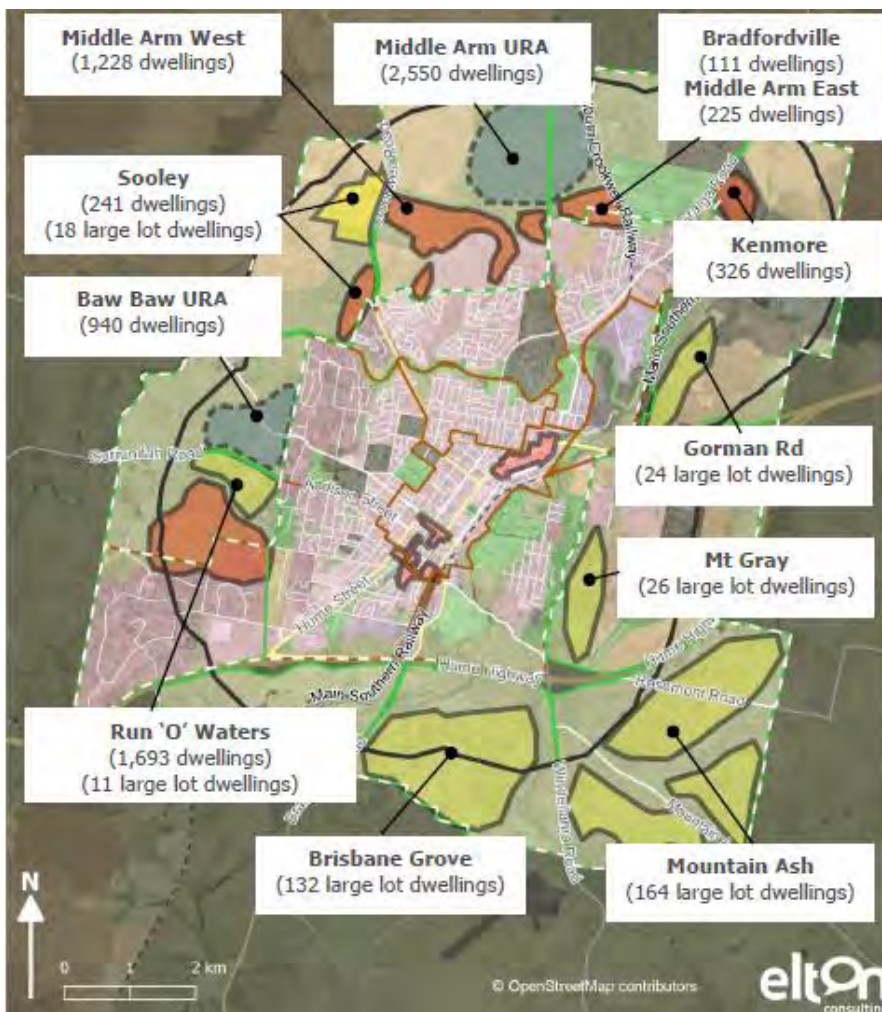


Figure 3: Extract from *Urban and Fringe Housing Strategy* with the approximate location of the urban release areas in Marulan.

Marulan is identified in Council's *Urban and Fringe Housing Strategy* (**Figure 4**) as an area which will be subject to further growth and expansion based on the availability of reticulated water and sewer systems. The provision of potable water for existing and future residents is considered to be critical.

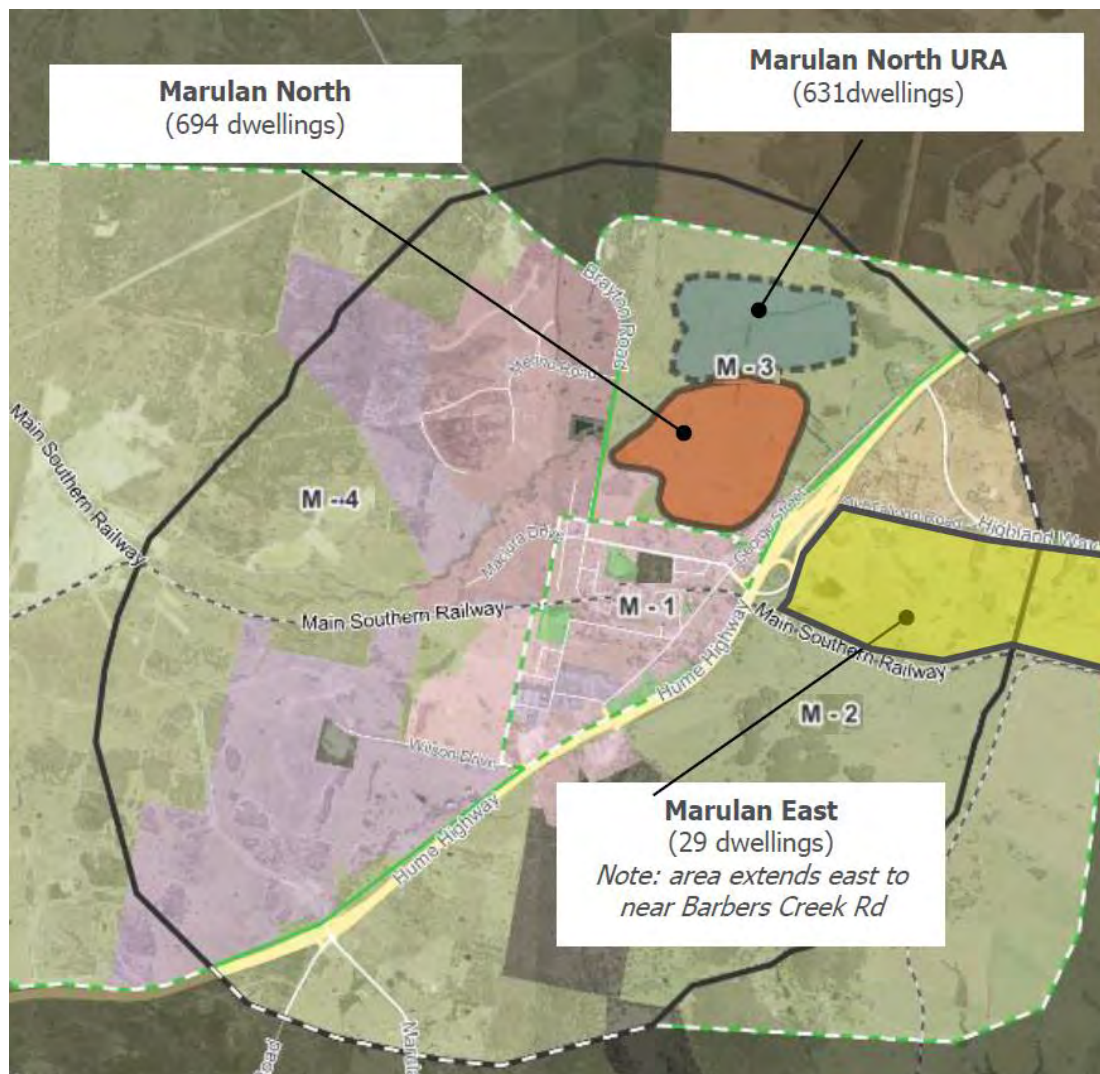


Figure 4: Extract from *Urban and Fringe Housing Strategy* with the approximate location of the urban release areas in Marulan.

Both of the identified sites are located next to the existing water treatment facilities and are best positioned in terms of the technical requirements for expansion.

There are no identified environmental constraints in relation to the Marulan site, although biodiversity will be a significant potential constraint in relation to the Goulburn site. The difference between the environmental constraints, and urgency in relation to the public health issues for the two sites, will make it likely that the amendments to the GM LEP 2009 will be processed separately.

Conclusion and Recommendation

It is recommended that the requests from Water Services to rezone both Lot 1 DP 1030749 from RE1 Public Recreation to SP2 (Infrastructure) and Lot 10 DP 1067488 from R5 Large Lot Residential with a minimum lot size of 2000m² to SP2 (Infrastructure) with no minimum lot size be supported by Council. If the recommendation is supported, the planning proposal/s will be reported back to Council for final consideration after agency consultation and public exhibition is completed in accordance with the gateway determination.

As identified earlier in the report, the biodiversity issues for the Goulburn site will be likely to complicate the planning proposal process for this site. The issues around water quality in Marulan are identified as being urgent and as such Council will be seeking to have the planning proposal for the Marulan site expedited. It is likely therefore that this will result in separate planning proposals for each site.

15.6 2122T0003 PLANT 9306 SEWER JET TRUCK

Author: Operations Centre Manager

Director Operations

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. 2021T0003 Signed Evaluation Report Plant 9306 Sewer Jet Truck 20211012.pdf - Confidential
 2. 2021T0003 Signed Evaluation Spreadsheet Plant 9306 Sewer Jet Truck 20211012.pdf - Confidential

Link to Community Strategic Plan:	EN2.3 Effectively manage the sewage treatment systems to minimise impact to the environment.
Cost to Council:	The cost for this purchase is for \$276,716.00 (excl. GST). This is within the budget allocations from the 2021/22 Heavy Plant Replacement Program.
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the Operations Centre Manager on 2122T0003 Plant 9306 Sewer Jet Truck be received.
2. Council approve the purchase of Plant 9306 Sewer Jet Truck from Sewerquip Group Pty Ltd T/as Enviroline at a cost of \$276,716.00 excluding GST.
3. Any unexpended funds from this purchase to be carried forward to 2022-23 if this purchase is not finalised by 30 June 2022.

BACKGROUND

This report summarises tenders received for the supply of a Sewer Jet Truck to replace the current unit (Plant 9306) that is at the end of its useful life.

Annually Council replaces and purchases new plant as part of the Heavy Plant Replacement Program. Included in the program for the 2021/22 financial year is the replacement of Plant 9306 Sewer Jet Truck for Council’s Utilities Directorate.

An analysis of Council’s plant and equipment utilisation concluded that the optimum replacement criteria for a Medium Rigid Truck is 8 years and/or 200,000kms. Plant 9306 is currently 12 years old and has worked for approx.13,000 hours during that time. Annual utilisation of this item of plant is approximately 1,083 hours per year, which is amongst Council more highly utilised plant items.

REPORT

The Request for Tender process was issued via the Tenderlink portal on the 31st August 2021 under 2122T0003 Plant 9306 Sewer Jet Truck. The tender process was conducted in accordance with Section 55 of the Local Government Act, 1993, Local Government (General) Regulation, 2005 and Tendering Guidelines of NSW Local Government (General) Regulation, 2009.

Two submissions were received from the following two companies by the closing date of 21st September 2021.

Company	Address
Sewerquip Group Pty Ltd T/as Enviroline	52 Vallance Street, ST MARY'S NSW 2760
DCS Manufacturing Pty Ltd	33 Bazalgette Crescent, DANDENONG SOUTH VIC 3175

A tender evaluation panel (TEP) was established comprising of:

- Operations Centre Manager (Chair);
- Water Network Supervisor;
- Workshop Fleet Officer; and
- Infrastructure Engineer

The evaluation process was carried out in accordance with panel following the process as outlined in the tender plan. The plan was completed and signed prior to advertisement by all panel members.

The TEP met on the 28th September 2021 to carry out a detailed evaluation of the submissions, checking for conformity and suitability to carry out the work as outlined in the request for quotation documents. The following evaluation criteria and weightings were applied to the assessment of each submission:

- Specification and compliance 30%
- Workshop 20%
- Operator 20%
- Price 30%

The final tender evaluation report is attached to this Council report.

Upon completion of the detailed assessment of each submission the TEP established the following value for money rankings based on the individual scores and applied weightings for each category.

VFM Ranking	Tenderer
1	Sewerquip Group Pty Ltd T/as Enviroline
2	DCS Manufacturing Pty Ltd

Following the completion of the tender evaluation process, the TEP recommended that submission from Sewerquip Group Pty Ltd T/as Enviroline be approved as the approved tenderer in accordance with the documentation for 2122T0003 Plant 9306 Sewer Jet Truck.

The delivery time for this item of plant is approx. 3 months, and is deemed a suitable timeline based on the current industry standards for supply and delivery. As there is a risk that this item of plant will not be finalised until after the 30th June 2022, it is requested that unexpended funds from this purchase be carried forward to 2022-2023 if the purchase is not finalised by the end of the current financial year.

The Tender Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) *Local Government Act 1993* as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

15.7 VP252474 RFQ REPLACEMENT OF PLANT 90 WATER CART

Author: Operations Centre Manager

Director Operations

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. VP 252474 Signed Evaluation Report Plant 0090 Water Cart 20211015 - Confidential
 2. VP 252474 Signed Evaluation Spreadsheet Plant 0090 Water Cart 20211015 - Confidential

Link to Community Strategic Plan:	IN2.1 – Maintain and upgrade GMC regional road network IN2.2 – Eliminate networks safety hazards when identified IN3.2 – Implement road infrastructure capital works and maintenance programs
Cost to Council:	This purchase is for \$278,142.00 (excl. GST) and to be funded from the 2021/22 Heavy Plant Replacement Program.
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report of the Operations Centre Manager on the replacement of Plant # 90 Water Cart be received
2. Council approve the purchase of from Canberra Trucks for an Isuzu FXY 240-350 Truck with AllQuip Poly Tank, at a cost of \$278,142.00, excluding GST
3. Any unexpended funds from this purchase be carried forward to 2022-23, if this purchase is not finalised by 30 June 2022

BACKGROUND

This report summarises quotations received for the supply of a Water Cart to replace the current unit (Plant 90) that is at the end of its useful life.

Annually Council replaces and purchases new plant as part of the Heavy Plant Replacement Program. Included in the program for the 2021/22 financial year is the replacement of Plant 90 Water Cart for Council’s Works Business Unit.

Plant 90 is currently 11 years old and currently has over 280,000kms and an hour meter reading of 12,017 hours. Annual utilisation of this item of plant is approximately 1,100 hours per year.

REPORT

The Request for Quotation process was issued via the Vendorpanel (LGP Contractors) portal on the 5th August 2021 under VP252474 Plant 90 Water Cart. The request for quotation process was conducted in accordance with Section 55 of the Local Government Act, 1993, Local Government (General) Regulation, 2005 and Tendering Guidelines of NSW Local Government (General) Regulation, 2009. For this contract the prescribed person was responsible for the contract was Local Government Procurement.

Nineteen (19) submissions were received from the following six companies by the closing date of 26th August 2021.

Company	Address
Fuso Truck & Bus C/- Hartwigs	156 Uriarra Road, CRESTWOOD NSW 2620
Fuso Truck & Bus C/- Hartwigs	156 Uriarra Road, CRESTWOOD NSW 2620
Hino Motor Sales Australia Pty Ltd C/- Southern Truck Centre	6-10 Parraweena Road, CARINGBAH NSW 2229
Isuzu Australia Limited C/- Canberra Trucks	2 Lorn Road, QUEANBEYAN NSW 2620
DAF Trucks Australia C/- Paccar DAF	64 Canterbury Road, BAYSWATER VIC 3153
UD Trucks (Volvo) C/- Southern Truck Centre	223-225 Berkeley Road, UNANDERRA NSW 2526

An evaluation panel was established comprising of:

- Operations Centre Manager (Chair);
- Construction Engineer;
- Construction Supervisor;
- Water Cart Operator;
- Workshop Fleet Officer; and
- Workshop Team Leader

The evaluation process was carried out in accordance with panel following the process as outlined in the request for quotation plan. The plan was completed and signed prior to advertisement by all panel members.

The evaluation panel met on the 2nd September 2021 to carry out a detailed evaluation of the submissions, checking for conformity and suitability to carry out the work as outlined in the request for quotation documents. The following evaluation criteria and weightings were applied to the assessment of each submission:

- | | |
|--------------------------------|-----|
| • Specification and compliance | 40% |
| • Workshop | 20% |
| • Operator | 20% |
| • Price | 20% |

After the initial evaluation, submission VP 456495 from Fuso Truck & Bus C/- Hartwigs was deemed as non-conforming as it did not meet the minimum requirements of a 300 horsepower engine as per the specification. As a result, these submissions did not progress for Workshop or Operator evaluation.

The final evaluation report is attached to this Council report.

Upon completion of the detailed assessment of each submission the evaluation panel established the following value for money rankings based on the individual scores and applied weightings for each category.

VFM Ranking	Tenderer
1	Isuzu Australia - Canberra Trucks VP 457078 with Barry Burrows Tank and Remote
2	Isuzu Australia - Canberra Trucks VP 457078 with All Quip Poly Tank

3	Fuso Truck and Bus - Hartwigs VP 456563 with All Quip Poly Tank
4	Isuzu Australia - Canberra Trucks VP 457078 with Barry Burrows Steel Tank
5	Isuzu Australia - Canberra Trucks VP 457078 with All Quip Steel Tank
6	Fuso Truck and Bus - Hartwigs VP 456563 with All Quip Steel Tank
7	Hino Motor Sales - Southern Trucks VP456491 with TTI Tank
8	Hino Motor Sales - Southern Trucks VP456491 with All Quip Steel Tank
9	UD Trucks - Southern Trucks VP 455871 with All Quip Poly Tank
10	Fuso Truck and Bus - Hartwigs VP 456563 with All Quip Alum Tank
11	Isuzu Australia - Canberra Trucks VP 457078 with All Quip Alum Tank
12	UD Trucks - Southern Trucks VP 455871 with All Quip Steel Tank
13	UD Trucks - Southern Trucks VP 455871 with All Quip Alum Tank
14	Paccar DAF VP 455012 with TTI Tank

Following

the

completion of the request for quotation evaluation process, the panel recommended that submission VP 457078 Isuzu Australia - Canberra Trucks with All Quip Poly Tank be approved as the approved tenderer in accordance with the documentation for VP 252474 – Plant # 90 Water Cart as the poly tank allowed for more capacity in litres, therefore allowing more efficiency from an operational perspective whilst within the requirements of Chain of Responsibility, overall GVM and axle weights of the cab chassis and a warranty period of 20 years for the tank.

The delivery time for this item of plant is six to eight months, and is deemed a suitable timeline based on the current industry standards for supply and delivery.

As there is a risk that this item of plant will not be finalised until after the 30th June 2022, it is requested that unexpended funds from this purchase be carried forward to 2022-2023 if the purchase is not finalised by the end of the current financial year.

The Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) *Local Government Act 1993* as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

15.8 VP270905 MCDERMOTT DRIVE SHARED PATH CONSTRUCTION

Author: Project Manager - Grants

Director Operations

Authoriser: Warwick Bennett, General Manager

Attachments: 1. VP270905 RFQ Evaluation Report.pdf - Confidential

Link to Community Strategic Plan:	IN4.2 Upgrade facilities to improve service provision
Cost to Council:	The available budget for McDermott Drive is \$ 445,000 excl. GST. Works are jointly funded by Australian Government and NSW Government under the School Zone Safety Infrastructure Sub Program. A maximum total amount of \$ 3,937,500 excl. GST is allocated for this program. The cost for this section is \$352,272.73 excl. GST and therefore, within the available budget.
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the Projects Manager Operations on VP270905 McDermott Drive Shared Path construction be received.
2. The quote from Form and Pour Constructions be accepted for \$352,272.73 excl. GST in accordance with the RFQ documents) for the shared path construction at McDermott Drive.
3. The General Manager is authorised to approve variations of up to ten (10) percent of the contract amount being \$35,272. (excl. GST)

BACKGROUND

The School Zone Infrastructure sub-program is part of the \$540 million Federal Stimulus NSW Road Safety Program, which was announced on 4 March 2021. The aim of the program is to deliver improvements to pedestrian facilities around schools such as footpaths, raised pedestrian crossings, pedestrian refuges and signage.

The Road Safety Program funding will prioritise the development and delivery of road safety infrastructure projects across NSW, support jobs and stimulate local economies.

The scope of works is to construct a 2.5m wide concrete shared path at McDermott Drive starting from the junction of Middle Arm Road to the Victoria Street bridge over the Wollondilly River, a total length of 1250m.

REPORT

This report is to summarise quotes received for the construction of shared path at McDermott Drive under VP270905 (Concrete Services Panel) and recommend a successful respondent to undertake the proposed works.

1	Form and Pour Constructions
2	Planet Civil Pty Ltd
3	South Syd Concrete Pty Ltd
4	Denrith Pty Ltd

Following the completion of the evaluation process the Evaluation Panel recommends Form and Pour Constructions as the preferred contractor in accordance with the documentation for VP270905. This recommendation is based on Form and Pour Constructions having the highest VFM ranking at the completion of the evaluation process.

Form and Pour Constructions have undertaken similar works for Council and they are considered suitable to carry out these works.

The Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) *Local Government Act 1993* as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

15.9 MULTQUIP HAULAGE ROUTE REPAIRS - STATUS UPDATE

Author: Director Operations
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	IN2.2 Eliminate network safety hazards when identified. IN3.2 Implement road infrastructure capital works and maintenance programs.
Cost to Council:	The cost of legal action is part of the operation budget and will be presented to Council as part of quarterly budget reviews.
Use of Reserve Funds:	Multiquip s94 Reserve 38155 & 38156.

RECOMMENDATION

That

1. The report from the Director of Operations of the status of repairs for the Multiquip haulage Route be received.
2. Council commences immediate legal action against Multiquip that is focused upon immediate repair works on the Multiquip haulage route (Oallen Ford and Jerrara Roads) to ensure that compliance with the conditions on the Development consent are being met.
3. The General Manager be delegated authority to proceed with the legal actions needed to ensure compliance.
4. Council notify the Bungonia/Jerrara Road community through the media of Multiquip’s reluctance to undertake the repair work in a timely manner and that Council is now undertaking legal action.

BACKGROUND

This report is to update Council on the progress with commencing repairs along the Multiquip haulage route since the previous status update at the 21 September 2021 Council Meeting.

REPORT

There have been several meetings with the relevant stakeholders since the 21 September 2021 Council Meeting. The stakeholders include Multiquip, GMC staff, representatives from the construction contractor and Multiquip’s technical consultants. The objective of these meetings has been to provide Multiquip with Council’s feedback on initial project documentation submitted to achieve better alignment between the design plans, the geotechnical investigation and construction methodology.

Following is a brief update of the activities since the previous update to Council on 21 September 2021:

- GMC staff have reviewed initial project documentation provided by Multiquip, with updated versions expected but not received when the report was drafted.
- Repairs have been separated into two components, drainage and pavement repairs. Drainage works are expected to commence early November with pavement repairs to follow.

- GMC staff and a Multiquip representative have met on site to agree the extent of drainage works required.
- Two meetings have been held between the project stakeholders to consider technical and materials handling aspects of the repairs.
- GMC staff and Multiquip have considered commercial aspects of the repairs, with a draft agreement outlining payment responsibilities to be drafted.
- GMC has engaged a contractor to carry out further temporary pavement repairs in advance of repair works commencing.

This report is recommending that the Council commence the appropriate legal action to ensure compliance with the approved development application. It is becoming clear that Multiquip are using delaying tactics to undertake the essential repairs needed to remediate their substandard works undertaken in the first instance.

Because of the delays in commencing repairs Council could consider that we may be required to consider risk mitigation measures such as a load limit or establishing single lane traffic in areas where the road shoulders continue to deteriorate. These areas would be controlled by traffic lights.

We do not believe that further risk mitigation works will be acceptable to the community and other road users. Multiquip need to undertake these works urgently and if this means the strongest possible legal action then management believe that is the appropriate course of action. The slow progress in commencing works by Multiquip is no longer acceptable. is concerning to Council.

The implementation of risk mitigation measures may become necessary for road safety as the pavement continues to deteriorate. Traffic is expected to increase along Jerrara Road and Oallen Ford Road over the summer months due to increased traffic travelling to the south coast, therefore road safety will be paramount considering some road users will be unfamiliar with rural roads. However let's have trust in the integrity of Multiquip that they will undertake the repairs in accordance with their legal requirement and their consistent promised commitments.

15.10 GOULBURN AGRICULTURAL, PASTORAL & HORTICULTURAL SOCIETY INC. LICENCE RENEWAL

Author: Business Manager Property & Community Services
 Director Corporate & Community Services

Authoriser: Warwick Bennett, General Manager

Attachments: 1. AP & H Society Inc. Licence Renewal 2021-2031  

Link to Community Strategic Plan:	C04.1 - Create a cultural environment that contributes socially and economically to the community. IN4.1 - Operate community facilities to maximise use. IN4.1.5 - Operate Recreation Area in accordance with Plan of Management and committee direction.
Cost to Council:	Licence fee contributes to revenue for maintenance and upkeep of the Goulburn Recreation Area as a community asset.
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the Business Manager Property & Community Services on the Goulburn Agricultural, Pastoral & Horticultural Society Inc. Licence renewal for occupancy of facilities at Goulburn Recreation Area be received.
2. Council endorse the Terms & Conditions negotiated for the new Licence as set out in this report, including an increase in licence fee from \$3,372.40 to \$3,700 per annum (inclusive of GST), and grant authority for the General Manager to sign the new Licence in accordance with s377 of the *Local Government Act, 1993*.
3. The General Manager also signs a Deed of Licence Variation Agreement with the Goulburn Greyhound Racing Club Inc. in accordance with s377 of the *Local Government Act 1993* in relation to their current Licence to;
 - add the words ‘*operation and management of the commercial kitchen 362 days per year at the Grace Millsom Centre which excludes Friday, Saturday and Sunday of the Goulburn Show each year*’ to Schedule 1, Item 16, Clause 6 – Permitted Use, Column 2 and;
 - include a new subclause 35.1 (b) to read as follows;

“Notwithstanding any other term of condition contained in this Agreement, where the Licensor requires occupation of any part of the Premises for its own event or function (the Licensor’s Event Area) and instructs or requests the Licensee to provide catering services, the Licensor irrevocably assumes the sole and absolute responsibility for all claims, demands, suits, proceedings, damages, costs (including for death and personal injury) arising from the use of the Licensor’s Event Area. When provided, the Licensee will maintain full and absolute responsibility for any liability arising out of the provision of catering services to the Licensor’s Event area”.

BACKGROUND

Goulburn Recreation Area Crown Reserve 72794 is a reserve for the public purposes of showground, public recreation and athletic sport. Council was appointed Reserve Trust Manager of the Recreation Area by notification in a Government Gazette Notice published on 30 July 1948.

The former Goulburn Agricultural, Pastoral & Horticultural Society Inc.'s (AP&H Society Inc.) Licence ran from 1 July 2016 to 30 June 2021 and has now technically expired. The proposed new AP&H Society Inc. Licence was discussed at the Councillor Briefing Session on 19 October 2021.

REPORT

Over the past six months negotiations have been undertaken with the AP&H Society Inc. to finalise the Terms and Conditions of their new Licence.

A copy of the negotiated Licence Agreement is attached to this report.

A summary of the Terms and Conditions in the AP&H Society Inc.'s new Licence is provided below:

- Term extended from 5 years to 10 years
- Annual Licence fee increased to \$3,700.00 (inclusive of GST) per annum
- A CPI or 2% increase in fee (whichever is the greater) at each anniversary date along with a market rental review four years from commencement date of new licence and every 3 years thereafter.
- New fee includes carpet flooring installation and removal in the Veolia Arena by Council staff and providing the AP&H Society Inc. with advice to assist them with preparing a mandatory Traffic Management Plan.
- New fee includes partial use of the commercial kitchen facility in the Grace Millsom Centre for the Friday, Saturday and Sunday of the Goulburn Show weekend each year i.e. use of cool room, oven, dishwashing facilities and servery only.
- Reference to camping grounds with AP&H Society Inc. required to pay Council up front for all booked camping fees and collecting these fees independent from Council
- AP&H Society Inc. responsible for floor protection in the Ross Whittaker Basketball Stadium during the Goulburn Show, including dismantling, at their cost.

As part of the considerations for renewal of this Licence, discussions were also held with representatives from the Goulburn Greyhound Racing Club Inc. (GGRC) in terms of the GGRC and the AP&H Society Inc.'s previous limited 'Shared Use' of the commercial kitchen at the Grace Millsom Centre. Following discussions with both parties, GGRC has agreed to let the AP&H Society Inc. continue to have limited use of the commercial kitchen facility in the Grace Millsom Centre for the Friday, Saturday and Sunday of the Goulburn Show weekend each year i.e. use of cool room, oven, dishwashing facilities and servery only. The AP&H Society Inc.'s proposed new Licence fee also takes this into consideration.

In light of GGRC agreeing to allow the AP&H Society Inc. to have limited use of the commercial kitchen facility in the Grace Millsom Centre as part of their new Licence, and also GGRC's ongoing concerns relating to them catering for Council events in the Grace Millsom Centre, their solicitor has written to Council requesting agreement to execute a Deed of Licence Variation Agreement relating to their current Licence (running from 1 June 2020 to 31 May 2040). This comes as a result of GGRC's public liability insurer directing them to seek Council's consent to amend their Licence arising from concerns with the fact that clause 35 (Indemnities and Insurance) and Schedule 2, Clause 3.2 in their Licence would likely expose them to liability for personal injury, death or property damage in circumstances where they are merely catering for a Council event but the insurable event occurred on that part of the Licenced premises used exclusively by Council. Accordingly, it is recommended Council approve the insertion into the current Licence (by means of executing a Deed of Licence Variation Agreement) of the following subclause 35.1 (b);

"Notwithstanding any other term of condition contained in this Agreement, where the Licensor requires occupation of any part of the Premises for its own event or function (the Licensor's Event Area) and instructs or requests the Licensee to provide catering services, the Licensor irrevocably assumes the sole and absolute responsibility for all claims, demands, suits, proceedings, damages, costs (including for death and personal injury) arising from the use of the Licensor's

Event Area. When provided, the Licensee will maintain full and absolute responsibility for any liability arising out of the provision of catering services to the Licensor's Event area".

It is recommended the Deed of Licence Variation Agreement also includes reference to adding the following words in relation to Schedule 1, Item 16, Clause 6 – Permitted Use, Column 2 of GGRC's current Licence;

'Operation and management of the commercial kitchen 362 days per year at the Grace Millsom Centre which excludes Friday, Saturday and Sunday of the Goulburn Show each year'.

**GOULBURN RECREATION AREA
RESERVE NUMBER 72794**

And

**GOULBURN AGRICULTURAL PASTORAL AND
HORTICULTURAL SOCIETY INCORPORATED**
(Goulburn AP & H Society Inc.)

**LICENCE AGREEMENT FOR
OCCUPATION OF LAND FOR
SITES FOR GOULBURN SHOW**

1 JULY 2021 – 30 JUNE 2031

Doc ID: 1375925

AGREEMENT dated 1st July 2021

BETWEEN Goulburn Recreation Area (R72794), appointed under the *Crown Land Management Act 2016* (herein after referred to as the "CLM Act 2016"), as Crown Land Manager of Reserve Goulburn Recreation Area Reserve 72794, as notified in the Government Gazette of 30 July 1948 as being for the public purposes of Showground, Racecourse, Public Recreation, and Athletic Sport, the affairs of which are managed by Goulburn Mulwaree Council, 184-194 Bourke Street, Goulburn (hereinafter called the "Licensor").

AND Goulburn AP&H Society Inc. of PO Box 484, Goulburn NSW 2580, and hereinafter called the 'Licensee'

THE PARTIES AGREE AS FOLLOWS.

This Licence authorises the Licensee to have use of the areas outlined in Schedule 1, Item 15, Clause 6, Columns 1 and 2 – Permitted Use.

1 INTERPRETATIONS, DEFINITIONS AND ADMINISTRATION**Authority for grant of Licence**

- 1.1 The Licensor warrants that it is the Crown Land Manager responsible for the care, control and management of the Premises under the *CLM Act 2016*.

2 DEFINITIONS

In this Licence unless the contrary intention appears:

Access Plan means the drawing annexed to each Premises Appendix depicting the Premises and a description of the route of access to an Enclosed Area.

Base Annual Rent means:

- (a) the Initial Rent where the rent has not been redetermined or adjusted in accordance with sub-clauses 14.4 or 14.5; or
- (b) in any other case - the Rent as last redetermined or adjusted in accordance with those provisions;

Business Day means any day which is not a Saturday, Sunday or Public Holiday in New South Wales;

CLM Act 2016 means the *Crown Land Management Act 2016*;

Commencement Date means the date referred to in Column 2 of Item 16 of Schedule 1;

Consumer Price Index Number in relation to a quarter, means the number for that quarter appearing in the Consumer Price Index (All Groups Index) for Sydney published by the Australian Statistician.

Due Date means the date for payment of Rent under this Licence as is specified in Column 2 of Item 6, of Schedule 1;

Enclosed Area means the fenced area (which comprises the Premises and Third Party Exclusive Areas) described in each Premises Appendix as the Enclosed Area and shown on the Plan annexed to each Premises Appendix where land is, or is intended to be fenced;

Environment has the same meaning given to that term in the *Protection of the Environment Operations Act 1997*;

Environmental Law means any Law relating to the protection of the Environment;

Expiry Date means the date referred to in Column 2 of Item 17 of Schedule 1;

"GST", "taxable supply", "consideration", "tax invoice" and "GST amount" have the meanings given to those terms in *A New Tax System (Goods and Services Tax) Act 1999* (Cth);

Hazardous Substance means a substance that because of its quality, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, flammability, physical, chemical or infectious characteristics, may pose a hazard to property, human health or the environment when improperly treated, stored, disposed of or otherwise managed;

Improvements means any structure of a permanent nature attached to the land;

Initial Rent means the Rent payable under this Licence in respect of each Premises as is specified in Column 2 of Item 5 of Schedule 1;

Law includes the provisions of any statute, rule, regulation, proclamation, ordinance or by-law, present or future, whether state, federal or otherwise;

Licence means this licence including all Schedules and Annexures hereto;

Licensee means the licensee referred to in Column 2 of Item 2, of Schedule 1;

Licensor means the licensor referred to in Column 2 of Item 1 of Schedule 1 and includes its assigns and for the purpose of clauses 35, 36, 37, 38, 39, 40, 41, and 42 includes Her Majesty the Queen, the State of New South Wales and the Minister and their heirs, successors, agents, servants, employees and contractors;

Market Rent means the Rent as specified in Column 2 of Item 3, of Schedule 1 that would reasonably be expected to be paid for the site if it were offered for the same or a substantially similar use to which the site may be put under the Licence;

Market Rent Review Date means the date described as such in Column 2 of Item 8, of Schedule 1 and expressed as an absolute dollar or as a percent of the Market Rent;

Minister means the Minister administering the *Crown Land Management Act 2016*;

Party/Parties means the parties to this Licence;

Premises means the land and/or the buildings described in the Premises Appendix and on the plan annexed thereto;

Permitted Use means the use shown in Column 2 of Item 15, of Schedule 1;

Regulations means the *Crown Land Management Regulation 2018*, as amended or replaced from time to time; or the Local Government (General) Regulation 2005;

Rent means the Base Annual Rent calculated and payable upon each Due Date less any Rent Rebate granted to the Licensee together with all other payments due to be paid by the Licensee as Rent under this Licence;

Rent Rebate means such amount as specified in Column 2 of Item 4 of Schedule 1 given to the Licensee from the Licensor as per clause 14.6 as expressed either as an absolute dollar value or a percentage of the market value;

Sub-Licensee means a person who holds a sub-licence of any part of the Premises from the Licensee in accordance with the provisions of this Licence;

Tenant Fixtures means any plant or equipment, fittings or improvements in the nature of fixtures brought onto the Premises by, or on behalf of, or at the request of, the Licensee;

Term means the term of operation of this Licence in relation to the Premises;

Term of Agreement means the figure set out in Column 2 of Item 18, of Schedule 1;

Third Party Exclusive Areas means those areas that are exclusively for the use of third parties as shown on the Plan annexed to each Premises Appendix.

3 CONSTRUCTION

3.1 This Licence must be constructed in accordance with this clause unless the context requires otherwise;

3.1.1 Plurals

Words importing the singular include the plural and vice versa;

3.1.2 Gender

Words importing any gender include the other gender;

3.1.3 Persons

A reference to a person includes:

(a) an individual, a firm, unincorporated association, corporation and a government;

and

(b) the legal personal representatives, successors and assigns of that person;

3.1.4 Headings

Headings (including any headings described as parts and sub-headings within clauses) wherever appearing will be ignored in constructing this Licence;

3.1.5 Clauses and sub-clauses

- (a) A reference to a clause includes all sub-clauses, paragraphs, sub-paragraphs and other components which form part of the clause referred to;
- (b) A reference to a sub-clause includes any sub-paragraphs and other components of the sub-clause referred to;

3.1.6 Time

A reference to time is a reference to local Sydney time;

3.1.7 Money

A reference to \$ or dollars is a reference to the lawful currency of Australia;

3.1.8 Defined Terms

If a word or phrase is defined cognate words and phrases have corresponding definitions. A defined term, unless inconsistent with the context of its use, is denoted by the appearance of that word using a capital letter at the beginning of that word;

3.1.9 Writing

A reference to writing includes any mode of representing or reproducing words in tangible and permanently visible form;

3.1.10 Contra Preferentum

No rules of construction will apply to the disadvantage of any Party responsible for preparation of this Licence or any part of it;

3.1.11 Statutes

A reference to a Statute, Act, legislation, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them made by any legislative authority;

3.1.12 Licence

A reference to this Licence will include any extension or variation of this Licence;

3.1.13 Priority

If an inconsistency occurs between the provisions of this Licence and the provisions of a licence granted in accordance with this Licence, the provisions of this Licence will prevail.

3.2 Warranties and Undertakings

- (a) The Licensee warrants that it:
 - (i) has relied only on its own inquiries about this Licence; and

(ii) has not relied on any representation or warranty by the Licensor or any person acting or seeming to act on the Licensor's behalf.

(b) The Licensee must comply on time with undertakings given by or on behalf of the Licensee.

3.3 Further Assurances

Each Party must do everything necessary to give full effect to this Licence.

3.4 Relationship of Licensor and Licensee

Nothing contained or implied in this Licence will be deemed or construed to create the relationship of partnership or of principal and agent or of joint venture between the Licensor and the Licensee. Specifically, the Parties understand and agree that neither the method of computation of Rent, nor any other provision, nor any acts of the Licensee and the Licensor or either of them will be deemed to create any relationship between them other than the relationship of Licensor and Licensee upon the terms and conditions only as provided in this Licence.

3.5 Time to be of the Essence

Where in any provision of this Licence a Party is given or allowed a specified time within which to undertake or do any act or thing or any power is conferred or any event occurs after the lapsing of a specified time, time shall be the essence of the contract in that regard.

4 SEVERABILITY

Any provision of this Licence which is prohibited or unenforceable in any jurisdiction shall as to such jurisdiction, be ineffective to the extent of such prohibition or inability to enforce without invalidating the remaining provisions of such provisions in any other jurisdiction.

5 ESSENTIAL CONDITIONS OF LICENCE

The Licensor and the Licensee agree that the clauses specified in Column 2 of Item 19 of Schedule 1 are essential conditions of this Licence.

6 PERMITTED USE

6.1 Grant of Licence

The Licensor grants to the Licensee a right to occupy the area delineated on the plan annexed to the Premises Appendix "A" for the Permitted Use.

6.2 Permitted Use only

The Licensee must not:

- (a) use the Premises;
- (b) or allow them to be used (except pursuant to a Licence lawfully granted by the Licensor),

for any purpose other than the Permitted Use specified or referred to in Column 2 of Item 15 of Schedule 1.

6.3 No exclusive possession

The Licensee acknowledges that this Licence does not confer exclusive possession of the Premises upon the Licensee.

7 COMMENCEMENT OF LICENCE AND TERM

This Licence will commence on the date (and where a time is specified or referred to at that time) specified or referred to in Column 2 of Item 16, of Schedule 1 and subject to clauses 10 and 11 will continue in force until the Expiry Date (and where a time is specified or referred to at that time) specified or referred to in Column 2 of Item 17, of Schedule 1.

8 NO RIGHT TO PURCHASE OR TRANSFER OF LICENCE RIGHTS

8.1 In respect of this Licence, and without limitation, the grant of this Licence does not confer upon the Licensee:

- (a) a right to purchase or lease any part of the Premises; or
- (b) any tenancy or other estate or interest in any part of the Premises other than contractual rights as Licensee under this Licence.

8.2 Subject to any other provisions of this Licence the Licensee must not during the Term of this Licence, sub-licence, part with possession of the Premises, transfer or create any interest in the Licence or authorise or permit any person to occupy the Premises without the prior written consent of the Licensor.

9 LICENSEE TO YIELD UP

9.1 The Licensee must forthwith upon the termination of this Licence or any extension of it peaceably vacate the Premises at the Licensee's expense.

9.2 The Licensee must:

- (a) unless otherwise provided for in this Licence, remove all Licensee Fixture/s, signs, names, advertisements, notices or hoardings erected, painted, displayed, affixed or exhibited upon, to or within the Premises by or on behalf of the Licensee (other than a notice displayed by the Licensor); and
- (b) unless otherwise provided for in this Licence, rehabilitate the Premises, (to the extent to which it has been altered or affected by the Licensee's occupation and use of the Premises) as nearly as practicable to the original condition before the installation of the Licensee's Fixtures to the reasonable satisfaction of the Licensor; and
- (c) ensure that when it vacates the Premises in relation to its occupation of the Premises under this Licence, the Premises comply with any Environmental Law to the extent applicable at the time of granting of this Licence; and
- (d) leave the Premises in a clean and tidy condition.

9.3 Sub-clause 9.2 does not apply unless the Licensor permits the Licensee to carry out any works on the Premises reasonably required in order to comply with that clause.

10 TERMINATION OF LICENCE - S. 3.43 OF CLM ACT 2016 TO APPLY

- 10.1 Without limiting the Licensee's statutory or other rights apart from this Licence, the Parties acknowledge that subject to subclause 10.2 this Licence will terminate under section 3.43 of the CLM Act 2016 if the reservation or dedication over that part of the Reserve that comprises the whole or part of the Premises is revoked, unless the revocation notification otherwise provides.
- 10.2 Where only part of the Premises is affected by the revocation or proposed revocation the Parties undertake to consult to determine if an agreement under section 3.43(2) can be reached for the continuation of this Licence in respect to that part of the Premises not affected by the revocation.
- 10.3 The Licensee expressly acknowledges that as provided by section 3.43(4) of the CLM Act 2016 no compensation will be payable in respect of the Termination of this Licence by the operation of section 3.43.

11 TERMINATION OF LICENCE ON DEFAULT

- 11.1 The Licensor may terminate this Licence in the manner set out below in the following circumstances:
- (a) if the Rent or any part of it or any moneys owing to the Licensor under the Licence is or are in arrears for one month, whether formally demanded or not;
 - (b) if the Licensee breaches an essential condition of this Licence or any rule or regulation made under this Licence;
 - (c) if defects notified under a provision of this Licence are not remedied within the time specified in the notice;
 - (d) if the Licensee is a corporation and an order is made or a resolution is passed for its winding up except for reconstruction or amalgamation;
 - (e) if the Licensee is a company and ceases or threatens to cease to carry on business or goes into liquidation, whether voluntarily or otherwise, or is wound up or if a liquidator or receiver (in both cases whether provisional or otherwise) is appointed;
 - (f) if the Licensee is a company and is placed under official management under corporations law or enters a composition or scheme of arrangement;
 - (g) if the interest the Licensee has under this Licence is taken in execution;
 - (h) if the Licensee or any person claiming through the Licensee conducts any business from the licensed Premises after the Licensee has committed an act of bankruptcy.
- 11.2 In the circumstances set out in sub-clause 11.1 the Licensor may end this Licence by:
- (a) notifying the Licensee that it is ending the Licence; or

- (b) re-entering the Premises, with force if necessary, and ejecting the Licensee and all other persons from the Premises and repossessing them; or
 - (c) doing both.
- 11.3 If the Licensor ends this Licence under this clause, the Licensee will not be released from liability for any prior breach of this Licence and other remedies available to the Licensor to recover arrears of Rent shall not be prejudiced.
- 11.4 If the Licensor ends this Licence under this clause or the Licence terminates under clause 10, the Licensor may remove the Licensee's property and store it at the Licensee's expense without being liable to the Licensee for trespass, detinue, conversion or negligence. After storing it for at least one month, the Licensor may sell or dispose of the property by auction or private sale. It may apply any proceeds of the auction or sale towards any arrears of Rent or other moneys or towards any loss or damage or towards the payment of storage and other expenses.

12 ACCEPTANCE OF RENT NOT WAIVER

Demand or acceptance of Rent or any other moneys due under this Licence by the Licensor after termination does not operate as a waiver of the termination.

13 HOLDING OVER BY LICENSEE

- (a) At the end of the Term of Agreement as specified in Column 2 of Item 18 of Schedule 1, the Licensee will be entitled with the consent of the Licensor to remain in possession of the Premises on the following terms and conditions:
 - (i) the Licensee will become a monthly tenant of the Licensor at a monthly rental equivalent to one twelfth proportion of the annual Rent payable at the time of expiration or sooner determination of this Licence;
 - (ii) the Licensee must comply with and be bound by the terms and conditions of this Licence insofar as the terms and conditions are applicable, provided that the Licensor may from time to time by notice in writing served on the Licensee direct that any particular condition not apply or be amended in the manner set out in the notice.
- (b) The Licensor and the Licensee expressly agree that where any provision of this Licence confers any right, duty, power or obligation on a Party upon the expiration or determination of this Licence or on the Expiry Date and the Licensee is authorised to remain in possession of the Premises pursuant to a consent granted under this clause the emergence of the right, duty, power or obligation shall be postponed until such time as the Licensee ceases to be entitled to possession pursuant to this clause.
- (c) The tenancy created by operation of this clause may be determined by the Licensor serving on the Licensee a notice to quit. The notice shall take effect at the expiration of the period of one month from the date of service of the notice or such further period as may be specified in the notice.
- (d) The tenancy created by operation of this clause may be determined by the Licensee serving on the Licensor a notice stating that as from a date specified in the notice the tenancy is surrendered.

14 LICENSEE'S RENT AND OUTGOINGS**14.1 Licensee to Pay Rent**

The Licensee covenants with the Licensor that the Licensee must, during the whole of the Term of Agreement and any extension of it, pay the Rent to the Licensor in accordance with the provisions of this clause without demand free of exchange and without deduction whatsoever.

14.2 Goods and Services Tax

- (a) The Parties agree that all payments to be made and other consideration to be provided by the Licensee under the Licence are GST exclusive unless explicitly expressed otherwise. If any payment or consideration to be made or provided by the Licensee to the Licensor is for a taxable supply under the Licence on which the Licensor must pay GST and the Licensor gives the Licensee a tax invoice, the Licensee must pay to the Licensor an amount equal to the GST payable ("the GST Amount") by the Licensor for that taxable supply upon receipt of that tax invoice.
- (b) The Parties agree that they are respectively liable to meet their own obligations under the GST Law. The GST Amount shall not include any amount incurred in respect of penalty or interest or any other amounts payable by the Licensor as a result of default by the Licensor in complying with the GST Law.

14.3 Rent and Adjusted Rent

The Licensee must pay to the Licensor on the Commencement Date the Initial Rent and thereafter must pay on each Due Date, Rent in advance adjusted as provided in sub-clauses 14.4 and 14.5.

14.4 Calculation of Annual Rental Adjustment

- (a) On each anniversary of the Due Date the Rent will be adjusted in accordance with the following formula:
- $$R = B \times \frac{C}{D}$$
- where:
- R represents the Base Annual Rent following adjustment under this clause;
 - B represents the Base Annual Rent before adjustment under this clause;
 - C represents the Consumer Price Index Number for the last quarter for which such a number was published before the Due Date; and
 - D represents the Consumer Price Index Number for the last quarter of the last adjustment of Rent for which such a number was published.
- (b) In the event that such index be discontinued or abolished the Minister may at his absolute discretion nominate another Index.
- (c) Any Rent adjusted under this sub-clause shall be adjusted to the nearest whole dollar.
- (d) An adjustment of Rent made under this clause shall take effect on its Due Date, notwithstanding that any Rent notice to the Licensee is not issued until after that date specified or referred to in Column 2 of Item 6 of Schedule 1.

14.5 Market Rent Review

- (a) In addition to the Rent adjustment provided for in clause 14.4 the Rent may, subject to the following provisions of this clause, be redetermined to an amount that is the Market Rent in accordance with Division 6.3 of the CLM Act 2016 on that date with effect on and from each Market Rent Review Date by the Licensor;
- (b) A redetermination of Rent for the purposes of sub-clause 14.5(a) will be taken to have been made on the Market Rent Review Date if it is made at any time within the period of six months before and up to six months after that Market Rent Review Date specified or referred to in Column 2 of Item 8 of Schedule 1.
- (c) Where the Licensor does not redetermine the Rent as provided for in sub-clause 14.5(a) it may subsequently redetermine the Rent at any time before the next Market Rent Review Date. No succeeding Market Rent Review Date shall be postponed by reason of the operation of this clause.
- (d) A redetermination of Rent made under sub-clause 14.5(a) or 14.5(c) will take effect and be due and payable on the next Due Date following the date of issue of the notice of redetermination (or where the said Due Date and the date of issue of the notice of redetermination are the same, then that date) even if the Licensee wishes to dispute the redetermination.

14.6 Rebate for Charitable or Non Profit Organisations

- (a) At the absolute discretion of the Licensor, the Licensor may determine that the Licensee is entitled to a Rent Rebate on the basis that the Licensee is a recognised charitable or non-profit organisation;
- (b) Subject to sub-clause 14.6(a), the Rent is calculated by subtracting the Rent Rebate from the Base Annual Rent, but the Rent must exceed the statutory minimum rental applicable to tenures under the CLM Act;
- (c) Where the Licensee is not entitled to a Rent Rebate, the Base Annual Rent applies.

15 CONTINUING OBLIGATION

The obligation of the Licensee to pay Rent is a continuing obligation during the Term of Agreement and any extension of it and shall not abate in whole or in part or be affected by any cause whatsoever.

16 NO REDUCTION IN RENT

Subject to this Licence the Licensee must not without the written consent of the Licensor by any act, matter or deed or by failure or omission impair, reduce or diminish directly or indirectly the Rent reserved or imposed by this Licence. However, if at any time during the Licence:

- (a) some natural disaster or other serious event occurs which is beyond the reasonable control of the Licensee; and
- (b) as a result of the damage caused by the natural disaster or other serious event, the Licensee is not able to use the Premises in a reasonable manner,

the Licensee's obligations to pay Rent will abate to the extent proportional to the effect on the Licensee's ability to occupy and use the Premises until the Premises are restored to a condition in which the Licensee is able to conduct the Licensee's activities and/or occupy the Premises in a reasonable manner.

17 LICENSEE TO PAY RATES

- 17.1 The Licensee must when the same become due for payment pay all (or in the first and last year of the Term of Agreement the appropriate proportionate part) rates, taxes, assessments, duties, charges and fees whether municipal, local government, parliamentary or otherwise which are at any time during the currency of this Licence separately assessed and lawfully charged upon, imposed or levied in respect of the Licensee's use or occupation of the Premises to the extent referable to the Licensee's use or occupation of the Premises.
- 17.2 Where the Licensor requires evidence for such payments the Licensee must produce such evidence within ten Business Days after the respective due dates for payment.
- 17.3 In the case where such rates, taxes, duties and fees so covenanted to be paid by the Licensee are not paid when they become due the Licensor may if it thinks fit pay the same and any such sum or sums so paid may be recovered by the Licensor as if such sums were Rent.

18 LICENSEE TO PAY OTHER CHARGES

The Licensee must pay all other fees, charges and impositions for which it may properly be liable which are imposed by an authorised third party and which are at any time during the Term of Agreement payable in respect of the Premises or on account of the use and occupation of the Premises by the Licensee.

19 LICENSEE TO PAY FOR SERVICES

The Licensee must as and when the same become due for payment pay to the Licensor or to any other person or body authorised to supply the same all proper charges for gas, electricity, water or other services supplied to the Licensee or consumed in or on the Premises, by the Licensee.

20 LICENSEE TO PAY COST OF WORK

Whenever the Licensee is required under this Licence to do or effect any act, matter or thing then the doing of such act matter or thing shall unless this Licence otherwise provides be at the sole risk, cost and expense of the Licensee.

21 COSTS PAYABLE BY LICENSEE TO LICENSOR

Except when law limits costs being recovered from a Licensor by a Licensee, the Licensee must pay in full the Licensor's reasonable legal costs, the fees of all consultants and all duties fees, charges and expenses incurred reasonably, properly and in good faith by the Licensor in consequence of or in connection with or incidental to:

- (a) the preparation and completion of this Licence;
- (b) any variation of this Licence made otherwise than at the request of the Licensor;

- (c) any application for the consent of the Licensor and the Minister if applicable under this Licence;
- (d) any and every failure to comply breach or default by the Licensee under this Licence;
- (e) the exercise or attempted exercise of any right power privilege authority or remedy of the Licensor under or by virtue of this Licence;
- (f) the examination of plans, drawings and specifications of any improvement erected or constructed or to be erected or constructed on the Premises by the Licensee and the inspection of it, in this case the costs to be mutually agreed;
- (g) any entry, inspection, examination, consultation or the like which discloses a breach by the Licensee of any covenant of this Licence;
- (h) the Licensee requiring the Licensor to do any act, matter or thing under this Licence, unless otherwise provided for in this Licence.

22 COSTS PAYABLE BY LICENSOR

The Licensor must pay its own direct and external consultants costs in relation to any rental redetermination matter without reimbursement from the Licensee.

23 INTEREST ON OVERDUE MONEYS

The Licensee must pay interest to the Licensor on any moneys due and payable under this Licence or on any judgment in favour of the Licensor in an action arising from this Licence until all outstanding moneys including interest are paid in full. The rate of interest applicable is the rate set by the Licensor's Bank for the time being as its benchmark rates for overdrafts of one hundred thousand dollars (\$100,000.00) or more. Interest shall accrue and be calculated daily.

24 MANNER OF PAYMENT OF RENT AND OTHER MONEYS

The Rent and other moneys payable in accordance with this Licence must be paid to the address or bank account specified in Column 2 of Item 9, of Schedule 1 or to such other person or at such other address as the Licensor may from time to time direct by notice in writing served on the Licensee.

25 OBLIGATIONS AND RESTRICTIONS RELATING TO PREMISES

25.1 Access

Subject to the sub-clauses hereunder the Licensor confirms that the Licensee will have unfettered and free access to and from, the Premises at all times, provided however that:

- (a) The Licensee must strictly observe the reasonable directions and requirements of the Licensor at all times regarding the methods and routes of access to the Premises taken by the Licensee;

- (b) If the Licensee has shown the position of its intended access on the Access Plan “A” and described the nature of the activity to be conducted on the land at those positions, then in respect of that access, the Licensor will not require further notice;
- (c) The Licensee as far as is practicable, must use existing access tracks to, from, within and surrounding the Premises;

25.2 **Entry by the Public**

The Licensee must allow the public to have right of access over that part of the Premises as specified in Column 2 of Item 20, of Schedule 1 and any such part of the Premises shall be suitably signposted. Otherwise the Licensee may prohibit unauthorised entry to the remainder of the Premises. If required by the Licensor plans showing the areas where public access is authorised and unauthorised shall be displayed in a prominent location at the entrance to the Premises.

25.3 **Additions and Alterations**

The Licensee shall not make any additions or alterations to the Premises without first obtaining the written consent of the Licensor, the Minister (unless it has been deemed to have been given under section 2.23 of the CLM Act 2016) and any development consent required under the *Environmental Planning & Assessment Act 1979*. Any additions or alterations consented to by the Licensor and the Minister shall be carried out at the Licensee's expense.

25.4 **Maintenance of Premises and Enclosed Areas**

The Licensee must keep the Premises clean and tidy and in good order and condition.

25.5 **Licensee to erect barricades etc**

Where the Premises or any part of the Premises become to the knowledge of the Licensee (or which ought reasonably to be in the knowledge of the Licensee) unsafe, hazardous or dangerous the Licensee shall forthwith erect such warning signs, fences and barricades as may be necessary until the Premises are rendered safe.

25.6 **No residence on Premises**

The Licensee must not reside or permit any other person to reside on the Premises, unless Schedule 2, Special Conditions, permit otherwise.

25.7 **Licensee not to remove materials**

- (a) The Licensee must not mine, remove, extract, dig up or excavate any sand, stone, gravel, clay, loam, shell or similar substance from, on or in the Premises or permit any other person to undertake such action without the prior consent in writing of the Licensor and the Minister and subject to such conditions as the Licensor or the Minister may determine.
- (b) Sub-clause 25.7(a) does not apply to any removal, digging up or excavation as may be necessary to construct or undertake any Improvement authorised by or under this Licence provided that any such removal, digging up or excavation is undertaken in accordance with the requirements of that authorisation.

- (c) A failure by the Licensee to comply with any condition imposed pursuant to sub-clause 25.7(a) constitutes a failure by the Licensee to comply with a provision or covenant of this Licence.

25.8 Licensee not to burn off

The Licensee must not carry out any burning off on the Premises except with the prior consent of the Licensor in writing, which consent shall not be unreasonably withheld, and after compliance with the requirements of the *Rural Fires Act 1997*. Any consent granted in accordance with this clause shall be subject to such reasonable conditions as the Licensor may impose.

25.9 Rodents and Vermin

The Licensee must take all reasonable precautions to keep the Premises free of rodents, vermin, insects and pests and shall in the event of failing to do so if required by the Licensor employ from time to time a duly certified pest exterminator at cost of the Licensee and as approved by the Licensor whose approval will not be unreasonably withheld. In performing its obligations pursuant to this clause the Licensee and any one acting on the Licensee's behalf shall not use any substance or undertake any activity prohibited by any legislation.

26 ADVERTISING

- (a) The Licensee must not permit to be displayed or placed on the Premises or any part of them any sign, advertisement or other notice without first obtaining the Licensor's written consent other than safety signs, in respect of which the Licensor's consent shall not be required; and
- (b) The Licensor may at any time by notice in writing require the Licensee to discontinue to use any piece or mode of advertising to which the Licensor has granted consent under sub-clause 26(a) which in the opinion of the Licensor has ceased to be suitable or has become unsightly or objectionable and the Licensee on receipt of the notice shall comply accordingly.

27 NOTIFICATION OF ACCIDENT

The Licensee must give to the Licensor prompt notice in writing of any serious accident or serious defect at or in the Premises or any part of them unless the defect or accident is capable of being and is promptly remedied by the Licensee.

28 LICENSEE NOT TO COMMIT NUISANCE ETC

The Licensee must not:

- (a) carry on or permit to be carried on at the Premises any noxious, nuisance or offensive trade or business; or
- (b) carry on or permit to be carried on at the Premises any act, matter or thing which results in nuisance damage or disturbance to the Licensor or owners or occupiers of adjoining or neighbouring lands or buildings; or
- (c) use the Premises for any illegal activity.

29 HAZARDOUS SUBSTANCES

The Licensee must not keep any Hazardous Substance on the Premises without prior consent of the Licensor, which consent shall not be unreasonably withheld.

30 RELICS

- (a) Unless authorised to do so by a permit under section 87 or a consent under section 90 of the *National Parks and Wildlife Act 1974* and subject to observance and compliance with any conditions imposed on the grant of such permit or consent the Licensee must not knowingly disturb, destroy, deface or damage any aboriginal relic or place or other item of archaeological significance within the Premises and shall take every reasonable precaution in drilling excavating or carrying out other operations or works in the Premises against any such disturbance, destruction, defacement or damage.
- (b) If the Licensee becomes aware of any aboriginal relic or place or other item of archaeological significance within the Premises the Licensee must within 24 hours notify the Licensor and the Chief Executive of the Office of Environment and Heritage of the existence of such relic place or item.
- (c) The Licensee must not continue any operations or works on the Premises likely to interfere with or disturb any relic, place or item referred to in sub- clause 30(b) without the approval of the Chief Executive of the Office of Environment and Heritage and the Licensee shall observe and comply with all reasonable requirements of the said Director-General in relation to carrying out the operations or works.

31 ARTEFACTS

All fossils, artefacts, coins, articles of value, articles of antiquity, structure and other remains or things of geological historical or archaeological interest discovered on or under the surface of the Premises shall be deemed to be the absolute property of the Licensor and the Licensee must as authorised by the Licensor watch or examine any excavations and the Licensee must take all reasonable precautions to prevent such articles or things being removed or damaged and shall as soon as practicable after discovery thereof notify the Licensor of such discovery and carry out the Licensor's orders as to the delivery up to or disposal of such articles or things at the Licensor's expense.

32 OWNERSHIP AND REMOVAL OF TENANT FIXTURES AND IMPROVEMENTS

- (a) During the Term of Agreement and any extension of it, ownership of Tenant Fixtures vests in the Licensee. Notwithstanding anything contained in this Licence, so long as any Rent or other moneys are due by the Licensee to the Licensor or if the Licensee has committed any breach of this Licence which has not been made good or remedied and whether the Licensee is still in possession or not, the Licensee shall not be entitled to remove any of the Tenant Fixtures, fittings or equipment from the Licensed property.
- (b) Upon expiry of the Licence all Improvements undertaken by the Licensee become the property of the Licensor.

33 GENERAL REQUIREMENT TO REPAIR

Without prejudice to the specific obligations contained in this Licence the Licensee must to the satisfaction of the Licensor at all times keep the Premises in good repair and properly maintained in all respects.

34 BREAKAGES

The Licensee must, immediately at the Licensee's expense, make good any breakage defect or damage to the Premises (including but not limited to broken glass) or to any adjoining premises or to any facility or appurtenance of the Licensor occasioned by want of care, misuse or abuse on the part of the Licensee or the Licensor's other Licensees occupants occupiers or other persons claiming through or under the Licensee or otherwise occasioned by any breach or default of the Licensee hereunder.

35 INDEMNITIES AND INSURANCE**35.1 Indemnity for use of Premises**

- (a) The Licensee indemnifies and keeps indemnified the Licensor from and against all actions, suits, claims, demands, proceedings, losses, damages, compensation, sums of money, costs, legal costs, charges and expenses whatsoever to which the Licensor will or may be or becomes liable for or in respect of the Licensee's occupation operation and use of the Premises or for or in respect of all losses, damages, accidents or injuries of whatsoever nature or kind and howsoever sustained or occasioned (and whether to any property or to any person or resulting in the destruction of any property or the death of any person or not) at or upon the Premises or originating on the Premises although occurring or sustained outside the same except to the extent that any such claims and demands:
- (i) arise from or are contributed to by the negligence or wilful act or omission on the part of the Licensor; or
 - (ii) arise from the occupation, operation or use of the Premises by any other occupier, or the acts of any person who has access to the Premises with the consent of another occupier, and the Licensor is adequately indemnified by that other occupier in respect of the relevant claim or demand, and the Licensor must use its reasonable endeavours to ensure that an indemnity in this form is contained in any agreement with any other occupier of the Premises.

35.2 Indemnity Continues After Expiration of Licence

The obligations of the Licensee under this clause continue after the expiration or other determination of this Licence in respect of any act, deed, matter or thing happening before such expiration or determination for the period limited by the Statute of Limitations.

35.3 Exclusion of Consequential Loss

Despite any other provision of this Licence, both Parties exclude, and agree that they will have no rights against the other for liability for consequential or indirect loss arising out of this Licence including (without limitation) in respect of loss of profits or loss of business. This clause does not apply in respect of wilful acts by either Party.

36 INSURANCE - PUBLIC RISK

The Licensee must effect and maintain with a reputable and solvent insurer with respect to the Premises and the activities carried on in the Premises public risk insurance for an amount not less than the amount set out in Column 2 of Item 12, of Schedule 1 or such other amount as the Licensor may from time to time reasonably require as the amount payable in respect of liability arising out of any one single accident or event. The Licensor acknowledges that the Licensee may effect the public risk insurance pursuant to an insurance policy which is not specific as to the location of risk.

37 PROVISIONS RE POLICIES

- (a) All insurance policies required to be effected by the Licensee pursuant to this Licence are specified in Schedule 2, Special Conditions and shall be in place prior to the Licensee occupying the Premises.
- (b) The Licensee must produce to the Licensor, once per calendar year or once per period of insurance (whichever first occurs), a certificate of insurance and/or a certificate of currency in respect of the insurance policies required to be effected by the Licensee pursuant to this Licence.
- (c) The Licensee must not at any time during the Term of Agreement do or bring upon the Premises anything which it ought reasonably believe may render void or voidable any policy of insurance. If the Licensee brings anything onto the Premises whereby the rate of premium on such insurance is liable to be increased, the Licensee must obtain insurance cover for such increased risk and pay all additional premiums on the Premises required on account of the additional risk caused by the use to which the Premises are put by the Licensee.
- (d) The Licensee must use all reasonable endeavours to ensure that full, true and particular information is given to the office or company with which the said insurances are effected of all matters and things the non-disclosure of which might in any way prejudice or affect any such policy or policies of insurance or the payment of all or any moneys there under.

38 INDEMNITY FOR NON-COMPLIANCE WITH LEGISLATION

The Licensee indemnifies and keeps indemnified the Licensor from and against any and all actions, suits, claims, demands, proceedings, losses, damages, compensation, sums of money, costs, legal costs, charges and expenses whatsoever arising from the non-compliance by the Licensee with any New South Wales or Commonwealth legislation that may apply to the Licensee's use, occupation of and access to the site and the Licensee's operation of their business from and access to the site.

This clause does not merge on the expiration or other determination of this Licence in respect of any act, deed, matter or thing happening before such expiration or determination.

39 INDEMNITY FOR BREACH OF ENVIRONMENTAL LAW

Without prejudice to any other indemnity granted by this Licence, the Licensee indemnifies and keeps the Licensor indemnified against all claims whatsoever arising from a breach by the Licensee of any Environmental Law which breach is in relation to the Premises.

This clause shall not merge on expiration or other determination of this Licence in respect of any act, deed, matter or thing happening before such expiration or determination.

40 NO LIABILITY FOR FAILURE OF SERVICES

The Licensor is not liable for any loss, injury or damage sustained by the Licensee or any other person at any time as a result of or arising in any way out of the failure of the electricity, telephones, gas, water supply, sewerage, drainage or any other services or facilities provided by the Licensor or enjoyed by the Licensee in conjunction with the Premises or this Licence provided that such failure is not due to the negligent or wilful act or omission of the Licensor its servants or agents.

41 LICENSEE NOT TO IMPOSE LIABILITY ON LICENSOR

Subject to any other provision of this Licence, the Licensee must not without the written consent of the Licensor by any act, matter or deed or by failure or omission cause or permit to be imposed on the Licensor any liability of the Licensee under or by virtue of this Licence even though the Licensee is entitled to do so under any law present or future or otherwise.

42 RELEASE OF LICENSOR FROM LIABILITY

- (a) The Licensee occupies, uses and keeps the Premises at the risk of the Licensee and hereby releases to the full extent permitted by law the Licensor from all claims and demands of every kind resulting from any accident, damage or injury occurring therein but excluding such claims and demands to the extent that such claims and demands arise out of the negligent or wilful acts omissions or default of the Licensor. The Licensor has no responsibility or liability for any loss of or damage to fixtures and/or personal property of the Licensee or any agent or servant of the Licensee or of any member of the public whilst in or upon the Premises (but excluding such loss or damage claims and demands to the extent that such loss or damage, claims and demands arise out of the negligent acts or wilful omissions or default of the Licensor).
- (b) The obligations of the Licensee under this clause continue after the expiration or other determination of this Licence in respect of any act, deed, matter or thing happening before such expiration or determination for which the Licensee is responsible. Such obligation is to be governed by the Statute of Limitations.

43 LICENSOR'S WARRANTIES AND COVENANTS

43.1 Hazardous Chemicals

The Licensor warrants that it has not received any notices pursuant to the *Contaminated Land Management Act 1997* (NSW).

44 LICENSOR'S POWERS AND FUNCTIONS

44.1 Approval by Licensor

- (a) In any case where pursuant to this Licence the doing or executing of any act, matter or thing by the Licensee is dependent upon the approval or consent of the Licensor such approval or consent is not effective unless given in writing

and may be given or withheld (unless the context otherwise requires) by the Licensor and may be given subject to such conditions as the Licensor may determine unless otherwise provided in this Licence provided such consent or approval is not unreasonably withheld or such terms and conditions are not unreasonable.

- (b) Any failure by the Licensee to comply with a condition imposed by the Licensor pursuant to sub-clause 44.1(a) constitutes a failure by the Licensee to comply with a condition of this Licence.

45 APPLICATION OF CERTAIN STATE AND COMMONWEALTH LAWS

45.1 Proportionate Liability

Part 4 of the Civil Liability Act 2002 (NSW) does not apply to this Licence.

45.2 Licensee to Comply with all Commonwealth and NSW State Laws

- (a) The Licensee must comply with the requirements of all Statutes, regulations or by-laws and requirements of all relevant public and local authorities in so far as they apply in relation to the use and occupation of the Premises to the extent to which the Licensee is bound at law to comply with the same and nothing in this Licence affects this obligation.
- (b) The Licensee must forthwith on being served with a notice by the Licensor comply with any notice or direction served on the Licensor by a competent authority relating to the destruction of noxious animals or plants or pests or the carrying out of repairs alterations or works on or to the Premises.

45.3 Licensee to Comply with Environmental Laws

In relation to its use of the Premises, the Licensee shall, during the Term of Agreement, and in relation to the Premises:

- (a) comply with relevant Environmental Law;
- (b) use its best endeavours to prevent a breach of any Environmental Law;
- (c) report any breach even if accidental; and
- (d) provide to the Licensor as soon as reasonably practicable details of notices received by or proceedings commenced against the Licensee pursuant to an Environmental Law:
 - (i) relating to a breach or alleged breach by the Licensee of an Environmental Law; or
 - (ii) requiring the Licensee to carry out works to decrease the affectation of the Premises by any Hazardous Substance.

45.4 Licensee's Failure to Comply with Statutory Requirements

Where the Licensee breaches any law in relation to its use of the Premises it is taken to breach a condition of the Licence, provided that:

- (a) the Licensee has been found guilty of the breach, and
- (b) the Licensor determines that the breach warrants the Termination of the Licence.

46 NOTICES

46.1 Service of Notice on Licensee

Any notice served by the Licensor on the Licensee must be in writing and is sufficiently served if:

- (a) served personally or left addressed to the Licensee at the address stated in Column 2 of Item 10, of Schedule 1 or such other address as the Licensee notifies in writing to the Licensor; or
- (b) sent by email to the Licensee's email address stated in Column 2 of Item 10, of Schedule 1 or such other address as the Licensee notifies in writing to the Licensor;
- (c) forwarded by prepaid security mail addressed to the Licensee at the address stated in Column 2 of Item 10, of Schedule 1;

and every such notice must also be served on the Licensee's solicitors as they may be nominated from time to time, or such other address as the Licensee's solicitors notify in writing to the Licensor, by any methods identified in subclauses 46.1 (a) and (b).

46.2 Service of Notice on Licensor

Any notice served by the Licensee on the Licensor must be in writing and is be sufficiently served if:

- (a) served personally or left addressed to the Licensor at the address stated in Column 2 of Item 11, of Schedule 1 or such other address as the Licensor notifies in writing to the Licensee; or
- (b) sent by email to the Licensor's email address stated in Column 2 of Item 11, of Schedule 1 or such other address as the Licensor notifies in writing to the Licensee;
- (c) forwarded by prepaid security mail addressed to the Licensor at the address stated in Column 2 of Item 11, of Schedule 1

and every such notice must also be served on the Licensor's solicitors, as they may be nominated from time to time, or such other address as the Licensor's solicitors notify in writing to the Licensee, by any methods identified in subclauses 46.2 (a) and (b).

46.3 Notices

- (a) Any notice served by the Licensor or the Licensee under this Licence is effective if signed by a director or secretary or the solicitors for the Party giving the notice or any other person or persons nominated in writing from time to time respectively by the Licensor or by the Licensee to the other.

- (b) Any notice sent by prepaid security mail is deemed to be served at the expiration of 2 Business Days after the date of posting.

47 PROCEDURE - DISPUTE RESOLUTION

- (a) In the event that the Licensor and the Licensee are in dispute regarding any matter relating to or arising under this Licence or in respect of any approvals or consents to be granted by the Licensor (except those approvals or consents where the Licensor has an obligation to act reasonably) to the Licensee hereunder or where it is acting in its statutory capacity, then either the Licensor or the Licensee may give notice and particulars of such dispute to the other Party.
- (b) Where a notice of dispute is served pursuant to this clause the Parties agree to enter into informal negotiations to try and resolve the dispute in good faith and in an amicable manner.
- (c) If the dispute is not resolved informally within 21 days of service of written notification, the Parties may confer with a mutually agreed third party whose role will be to assist in the resolution of the dispute by mediation or expert appraisal of the dispute. The Parties agree to provide all information and assistance reasonably requested by such third party, including access to any accounting or other business records relating to or arising out of the Licence.
- (d) A third party appointed in accordance with this clause may decide in which proportions any fees will be borne by the respective Parties. In the absence of any such decision by the third party fees shall be borne equally by the Parties.
- (e) Neither Party shall be entitled to commence or maintain any proceedings in any court or tribunal until negotiations or mediations have taken place pursuant to this clause except where either Party seeks urgent interlocutory relief.
- (f) Either Party may at any time bring negotiations or mediation to an end by serving upon the other Party written notice stating that the dispute has failed to be resolved. Upon service of such notice both Parties shall be entitled to pursue any legal remedies available to them in relation to the dispute. This sub-clause does not in any way limit a mediator's power to apportion fees under sub-clause 47(d).
- (g) Notwithstanding the existence of a dispute under this or any other clause of this Licence the Parties must, unless acting in accordance with an express provision of this Licence, continue to perform their obligations under this Licence.

MISCELLANEOUS

48 NO MORATORIUM

Any present or future legislation which operates to vary obligations between the Licensee and the Licensor, except to the extent that such legislation is expressly accepted to apply to this Licence or that its exclusion is prohibited, is excluded from this Licence.

49 NO WAIVER

No waiver by a Party of any breach of any covenant obligation or provision in this Licence either express or implied shall operate as a waiver of another breach of the same or of any other covenant obligation or provision in this Licence contained or implied. None of the provisions of this Licence shall be taken either at law or in equity to have been varied waived discharged or released by a Party unless by express consent in writing.

50 NO MERGER

Nothing in this Licence merges, postpones, extinguishes lessens or otherwise prejudicially affects the rights and remedies of the Parties under this Licence or under any other agreement.

51 COUNTERPARTS

- (a) A Party may execute this Licence by signing any counterpart.
- (b) All counterparts constitute one document when taken together.

52 CONTACT PERSON

The Licensor and the Licensee each must nominate a person to contact about matters arising under this Licence. The person so nominated is the person referred to in Column 2 of Items 13 and 14, of Schedule 1 or such other person as the Licensor nominates in writing to the Licensee and the Licensee nominates in writing to the Licensor from time to time.

53 APPLICABLE LAW

This Licence shall be construed and interpreted in accordance with the law of New South Wales.

54 NO HOLDING OUT

- (a) The Licensee must not in connection with the Premises or otherwise directly or indirectly hold out or not permit to be held out to any member of the public any statement, act, deed, matter or thing indicating that the Premises or the business conducted or operated thereon or any parts or parts thereof are or is being carried on or managed or supervised by the Licensor.
- (b) The Licensee must not act as or represent itself to be the servant or agent of the Licensor.

55 WHOLE AGREEMENT

- (a) The provisions contained in this Licence expressly or by statutory implication cover and comprise the whole of the agreement between the Parties.
- (b) No further or other provisions whether in respect of the Premises or otherwise will be deemed to be implied in this Licence or to arise between the Parties hereto by way of collateral or other agreement by reason or any promise representation warranty or undertaking given or made by any Party hereto to another on or prior to the execution of this Licence.

- (c) The existence of any such implication or collateral or other agreement is hereby negated.

56 SPECIAL CONDITIONS

The Special Conditions set out in Schedule 2 apply and form part of this Licence.

SCHEDULE 1

Item	Clause	Column 1	Column 2
1	2	Licensor	Goulburn Recreation Area Reserve Trust (R72794)
2	2	Licensee	Goulburn AP& H Society Inc.
3	2	Market Rent	Refer to Item 8 Schedule 1.
4	2	Rent Rebate	69%
5	2	Initial Rent	<p>Total licence fee for use of approved areas is \$3,700.00 (inclusive of GST) This fee includes carpet flooring installation and removal in the Veolia Arena by Council staff and providing advice to assist with preparing a mandatory Traffic Management Plan.</p> <p>In addition to the annual licence fee, the Society will be invoiced for any extra services provided by Council, in excess of ordinary services, if applicable (eg. Waste Management, electricity use, cleaning (refer to Schedule 2 Item 1.14).</p>
6	2	Due Date	1 July 2021 and each anniversary of this date in each year of the Term of Agreement and any holding over period. Day usage fees are to be paid quarterly.
7	14.4	Annual Rental Adjustment	12 months from commencement i.e. CPI adjustments or a 2% increase each year thereafter, whichever is the greater.
8	14.5	Market Rent Review Date	4 years from Commencement Date of Licence and every 3 years thereafter.
9	24	Address for Payment of Rent [OPTIONAL] Electronic Funds Transfer details for payment of rent	Goulburn Mulwaree Council 184-194 Bourke Street, Goulburn NSW 2580 Name of financial institution: Commonwealth Bank BSB: 062 545 Acc no: 28021117 Account in name of: Goulburn Mulwaree Council
10	46.1	Licensee's address for Service of Notices	Goulburn Agricultural Pastoral and Horticultural Society Incorporated, PO Box 484, Goulburn NSW. Attention: Jacki Waugh - President Phone: 0428 298157

			Facsimile: N/A
			Email: info@goulburnshow.com.au
11	46.2	Licensor's address for Service of Notices	Goulburn Mulwaree Council Locked Bag 22, Goulburn NSW 2580 Attention: The General Manager Phone: 4823 4486 Email: council@goulburn.nsw.gov.au
12	36	Public Risk Insurance amount	\$20 Million

13	52	Licensors' Contact Person	The General Manager
14	52	Licensee's Contact Person	Jacki Waugh – President

15	6	<p>Permitted Use</p>	<p>Access to the Goulburn Show Office (building L on the attached site map). Such access to be on the most direct route with use of the adjacent carpark for parking purposes only.</p> <p>Access to the two (2) storage sheds located in the Peden pavilion (building P on the attached site map). Access is through Gate 6 off Braidwood Road and through the Skillion (building Q on the attached site map).</p> <p>Use of the commercial kitchen in the Grace Millsom Centre is permitted on the Friday, Saturday and Sunday of the Goulburn Show each year in terms of use of the cool room, oven, dishwashing facilities and servery only.</p> <p>Use of the Recreation Area during the Goulburn Show period except the areas specifically excluded below;</p> <ul style="list-style-type: none"> • Grace Millsom Centre – offices, judging towers and tab room. • Greyhound Tracks, except for dedicated crossing points outlined in Annexure B. • Harness Track as outlined in Annexure B. • Harness Day Stalls (adjacent to Hewitt Stables) unless negotiated otherwise with the Goulburn Harness Racing Club. • Any other areas not listed that are permanently occupied <p>The site may be booked for use by the Goulburn AP & H Society Inc. at times other than for the Goulburn Show period, subject to site availability.</p> <p>Poultry Pavilion</p> <p>Use of the Poultry Pavilion is only permitted subject to consultation and booking with the Goulburn Poultry Fanciers Association, with all costs associated with relocating the pens to be</p>
----	---	-----------------------------	--

		<p>met by the Goulburn AP & H Society Inc. It is noted that there is general agreement for the pens to be moved and stored inside the poultry pavilion during the Goulburn show.</p> <p>Ross Whittaker Basketball Stadium</p> <p>Use of the Ross Whittaker Basketball Stadium is only permitted subject to appropriate consultation and booking with the Goulburn Basketball Association Inc. Costs associated with installation of floor protection are to be covered by the AP&H Society Inc. independent from Goulburn Mulwaree Council.</p> <p>Booking Procedure</p> <p>The Goulburn AP & H Society Inc. is to book the annual show with Council's Recreation Facility Manager as agreed at the Agricultural Societies Council of NSW Group 7 meeting that determines when all shows in this region are to be held. The Goulburn AP & H Society to include in the booking requests the days needed before and after the actual show days for establishment and removal of exhibitions and attractions</p> <p>Recreation Area Plan of Management</p> <p>The Goulburn AP & H Society Inc. acknowledges that a new Plan of Management exists for the Goulburn Recreation Area (adopted 6 April 2021) and agrees to comply with this Plan.</p> <p>Recreation Area Management Committee</p> <p>The Goulburn AP & H Society Inc. agrees to advise the Recreation Area Management Committee in writing of any major changes to its operations (prior to any changes occurring) and agrees to abide by any decisions of the Committee.</p> <p>Security</p> <p>The licensee acknowledges that there are no formal security arrangements at</p>
--	--	--

			<p>the Recreation Area, and that security of any facilities and their fittings is the responsibility of the licensee.</p> <p>The licensee may prohibit unauthorised public access or entry to its facility, as required by any relevant industry standards, Code of Practices or legislation etc; this restriction should be signposted by the licensee.</p> <p>Cover of Veolia Arena Floor</p> <p>See Schedule 2 'Responsibilities' for further information in relation to the covering of the stadium court floor.</p>
16	7	Commencement Date	1 July 2021
17	7	Expiry Date	30 June 2031
18	2	Term of Agreement	Initial period of Ten (10) years and to be reviewed on expiry
19	5	Essential Conditions of Licence	Clauses 1.1, 6.2, 6.3, 8, 14, 33, 35, 36, 37, 38, 39, 41, 42, 45.2, 45.3, 45.4
20	25.2	Entry by the public	<p>Reserve 72794 is open to the public during booked events</p> <p>The licensee (with the agreement of the licensor) may prohibit unauthorised public access or entry to its facility, as required by any relevant industry standards, Code of Practices or legislation etc; this restriction should be signposted by the licensee.</p>

End of Schedule 1

Schedule 2 Special Conditions

Schedule 2 Special Conditions
Special conditions listed below.

1. Responsibilities:

The Licensee is responsible for the following in regards to the Goulburn Show:

- 1.1 The Goulburn Recreation Area is run under the prescription of the Goulburn Recreation Area Plan of Management (adopted 6 April 2021). The licensee agrees to comply with the Goulburn Recreation Area Plan of Management.
- 1.2 The Licensee must obtain names and dates of events that exclude the Licensee from operating in the licensed areas, from the Recreation Facility Manager.
- 1.3 Bookings taken must be consistent and appropriate for the area used as per licence and must be accompanied by a completed booking application form and associated documentation as requested.
- 1.4 The Recreation Facility Manager takes bookings for a range of Annual, Regular or extraordinary Community and Private Events. Dependant on the type of event, attendance or facilities usage, the Recreation Facility Manager reserves the right to exclude the Licensee if it is deemed unsafe for shared use of any of the Premises during such Booked Events. The Recreation Facility Manager is responsible to provide the Licensee with suitable notice of such Booked Events.
- 1.5 All booking fees payable must be made at the licensor's (i.e. Council's) address prior to the event.
- 1.6 Site inspection pre and post event are to be held with the Recreation Facility Manager and other allocated Council staff and representatives of the show.
- 1.7 To take all steps required to prevent damage to any race tracks, indoor buildings and any other infrastructure at the expense of the licensee.
- 1.8 To make good any damage to infrastructure as a result of the operation of the Goulburn Show.
- 1.9 Floor protection must be installed on the Veolia Arena flooring prior to use.
- 1.10 Obtaining written consent from Goulburn Harness Racing Club and Goulburn Greyhound Racing Club to cross tracks for centre ring activities (refer Annexures A and B). Protection of the tracks must be in accordance with the Greyhound NSW Standards, at the expense of the licensee.
- 1.11 To ensure harness training between 6:00am and 8:00am is not interrupted during the Goulburn Show (refer Annexure B).
- 1.12 To obtain approval from Council prior to installing any additional locks to secure the grounds and provide a copy to Council of any keys and locks used.

- 1.13 To provide Goulburn Mulwaree Council for consideration any proposal that may alter the grounds, its immediate surrounds, or affects the adjoining buildings or their licensees or lessees.
- 1.14 To pay, where required, for any services that may be used, including waste management and disposal, electricity and if the Show requires Council to undertake additional cleaning of public amenities standard fees and charges will apply, including the cost of any cleaning products supplied by Council.
- 1.15 To arrange for a first aid kit to be kept and maintained on-site.
- 1.16 To hold appropriate permits and licences as required (including industry registration, sale of alcohol, Responsible Serving of Alcohol etc) and supply copies to Council.
- 1.17 To conduct its operations in accordance with the Goulburn Recreation Area Plan of Management, and any other relevant Council policies and guidelines, industry codes of practice or best practice agreements, and State and Federal legislation including compliance with relevant animal welfare legislation.
- 1.18 With regards to Pest control, please refer to clause 25.9 of this agreement.
- 1.19 To clean all buildings and premises and grounds after use, including vacuuming and mopping of all floors and surfaces.
- 1.20 Ongoing maintenance of areas used by the Licensee.
- 1.21 To prepare a Risk Assessment Plan and a Traffic Management Plan (TMP) in consultation with Council and obtain Council's written acknowledgement of the plans at least one month prior to the show each year.
- 1.22 Provide satisfactory parking, traffic and pedestrian management during the show. The Risk Assessment Plan and TMP submitted to Council prior to the show is fully implemented by the AP&H society, including providing copies of completed risk assessments and other relevant documentation at the conclusion of the show.
- 1.23 Supervise the Showman's Guild before and after the show.
- 1.24 **Camping Fees - Organisers and Businesses Associated With Events**

All organisers and businesses associated with running an event and providing facilities for an event are provided with free camping for three (3) nights prior to the commencement of the event, the night(s) of the event, and one (1) night after the event. It will be the responsibility of the licensee to collect any additional camping fees. The licensee will be invoiced by Council for any additional and/or outstanding camping fees.

All visitors, spectators and participants not directly associated with the above will be charged standard rates for camping by Council.

- 1.25 To provide Council with a list of all persons camping on site directly associated with an event (prior to commencement of event) and ensure they comply with the provisions of clause 1.24 above.

1.26 Goulburn Show Food Vendors & Showman's Guild Representatives

- To inform Council in writing of Food Vendors and Showman's Guild Representatives (i.e. applies to all carnival rides), including contact details, attending the show.
- To provide Council with photographic records of the facilities and areas intended to be used prior to the show each year.
- To request that all food vendors and Showman's Guild Representatives have photographic identification at all times.
- To ensure Showman's Guild Representatives provide Council with Certificates of Currency for their Public Liability Insurance policies, with a minimum cover of \$20 million.
- To provide Council with copies of structural certification for amusement rides to be used at the show.
- To inform Council immediately of any incident/s that arises during the show.
- Failure to comply with any of the above requirements may result in the Goulburn Show Food Vendors and Showman's Guild (i.e. applies to all carnival rides) not being authorised to commence activities.

1.27 To provide an annual report to the Recreation Area Committee of Management at the conclusion of each anniversary of the licence demonstrating how licence conditions have been met and identifying any significant issues that may affect the facilities.

1.28 To direct all enquiries to the Recreation Facility Manager.

1.29 To set up for the Goulburn Show in accordance with Annexure C Access to Facilities for the Goulburn Show.

2. Rules & Regulations

2.1. The Licensee shall not do anything on the property or bring or keep anything on it which would increase the insurance premiums on the property or any property kept in it.

2.2. The Licensee will not obstruct or interfere with the right of other users of the property or in any way injure or annoy them or conflict with the regulations of any public authority or with the terms of any insurance policy upon the property or its contents.

3. Insurances

3.1. The Licensee will hold Public Risk insurance as per clause 36 in the amount set out in column 2 of Item 12 of schedule 1 and furnish Council with a Certificate of Currency upon renewal of this insurance policy each year.

3.2. The Licensee will ensure all applications for use of the site are fully insured against public risk.

4. Future Developments

4.1. Any future developments at the Goulburn Recreation Area similar to the Veolia Arena and Grace-Millsom Centre may affect the authorised licensed areas as per this document.

Please note, all permanent structures at the Goulburn Recreation Area are owned by the Trust Manager on behalf of the State of New South Wales.

Dated this 1st day of July, 2021

Goulburn Agricultural Horticultural and Pastoral Society Incorporated was affixed in the presence of:

Signature

Print Name

Office Held

Signed by the **Licensee** in the presence of

Signature of Witness

Print Name

Signed on behalf of **Goulburn Mulwaree Council** by its authorised delegate under s377 of the *Local Government Act, 1993*.

First Signatory

Warwick Bennett

Print Name

General Manager, Goulburn Mulwaree Council

Office Held

Second Signatory

Ken Wheeldon

Print Name

Business Manager Property & Community Services, Goulburn Mulwaree Council

Office Held

PREMISES APPENDIX

THIS IS A PREMISES APPENDIX REFERRED TO AND DEFINED IN THE LICENCE AGREEMENT BETWEEN THE GOULBURN RECREATION AREA (R72794) RESERVE TRUST AND GOULBURN AGRICULTURAL, HORTICULTURAL AND PASTORAL SOCIETY INCORPORATED IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL GOVERNMENT ACT 1993 AND CLM ACT 2016 FOR THE PERMITTED USE OF PUBLIC RECREATION, THIS PREMISES APPENDIX VARIES AND FORMS PART OF THE LICENCE AND ITS TERMS ARE INCORPORATED IN THEIR ENTIRETY INTO THE LICENCE

Description of Licenced Premises:

Reserve Number	<i>R72794</i>
Parish	<i>Goulburn</i>
County	<i>Argyle</i>
Locality	<i>Goulburn</i>
Lot in Deposited Plan	<i>Part Lot 370 DP 750015 and Lot 7049 DP 1005051 Lot 7302 DP 1151976</i>
Area of licence	<i>Refer Schedule 1, Item 15, Clause 6, Columns 1 and 2 – Permitted Use</i>
Commencement Date	<i>1 July 2021</i>
Expiry Date	<i>30 June 2031</i>
Initial Rent	<i>\$3,700 (inclusive of GST) Refer Schedule 1, Item 5, Clause</i>
Plan	<i>Plan attached and marked as "A"</i>
Description of any structures	<i>Plan attached and marked as "A"</i>
Third Party Exclusive Area	<i>N/A</i>
Enclosed Area <i>(where land is, or is intended to be fenced)</i>	<i>N/A</i>

Annexure "A"

GOULBURN RECREATION AREA

BRAIDWOOD ROAD, GOULBURN

SITE MAP



LEGEND					
ZANTIS STABLES	A	SKILLION	Q	DOG OBEDIENCE AREA	FF
COTTAGE	B	POULTRY PAVILLION	R	DRESSAGE ARENAS	GG
MACHINERY SHED	C	TOILETS AND SHOWERS	S	SAND TRACK	HH
LOADING RAMP	D	PEDEN CARPARK	T	SLIPPING TRACK	II
SHOWMANS GUILD PARKING	E	CATTLE YARDS	U	CAMPING GROUND	JJ
TOILET BLOCK	F	PICNIC AREA	V	VEOLIA ARENA	KK
LEASED STABLES AND DAY STABLES	G	CAR PARK AND STORAGE	W	FUNCTION CENTRE	LL
PICNIC AREA	H	RODEO ARENA	X	GATE 1	1
GRANDSTAND	I	HARNESS TRACK	Y	GATE 2	2
CARPARK AND SIDESHOW AREA	J	OUTER RING	Z	GATE 3	3
TOILET BLOCK	K	GREYHOUND TRACK	AA	GATE 4	4
GOULBURN SHOW OFFICE	L	BORE	BB	GATE 5	5
BASKETBALL STADIUM	M	CENTRE RING	CC	GATE 6	6
GREYHOUND KENNELS	N	HORSE POOL	DD	GATE 7	7
PEDEN PAVILLION	P	CRUISE CIRCUIT	EE	GATE 8	8

Annexure "B"

Harness Racing Training**Goulburn Harness Racing Club Inc.**

PO Box 503 • Goulburn NSW 2560
Mobile 0418252239
Telephone (02) 4821 6665
Fax (02) 4821 0400
www.goulburnpaceway.com.au
Email: goulburnpaceway@bigpond.com

Mr Robert Hughes
Business Manager Community Facilities

Goulburn Harness Racing Club response to Jacki Waugh on behalf of the Goulburn Show for access to centre ring during Goulburn Show

The Goulburn Harness Racing Club is in receipt of a request by Jacki Waugh on behalf of the Goulburn Show for permission to cross the Goulburn Paceway race track to gain access to the centre ring during the Goulburn Show.

The harness racing club has no objection for access to the centre ring being gained by crossing the harness race track under the following conditions:

- Access for all vehicles must be through the general gate entrance on the bend nearest Bungonia Road and the race day tie up stalls.
- Pedestrian access is also allowed through other gates situated along the home straight and on the bend nearest the rodeo grounds.
- Given the work that goes into preparing the racing surface of the harness track, we ask that vehicles not be driven around, or parked on the track, nor any events be conducted on the racing surface of the main track.
- Trainers will be made aware that the training of Standardbreds must cease by 8am on the Saturday and Sunday of the Goulburn Show weekend.

Mark Croatto
Secretary
Goulburn Harness Racing Club
0458013399

"Goulburn Paceway" Braidwood Road, Goulburn

Annexure "B" - Continued**Protection of Greyhound Track when access to Centre Ring Area at Recreation Area is needed****Aim:**

This is an outline of the protection requirements needed by users when the area inside the greyhound track, known as the Centre Ring is used and requires access over the greyhound track.

Background:

The greyhound Track consists of a sand mixture which must be maintained to the highest standard and must be protected by external contaminants like gravel, soil to protect the integrity of racing and the welfare of the greyhounds racing on the track.

Procedure:

- Inside greyhound Track lure rail to be removed by greyhound staff only
- Lure cable to be covered by rubber so not to be damaged by horses and heavy machinery
- Sand on track to be covered by rubber or carpet to protect the sand from contamination.
- Both sides of the greyhound track entry to be partitioned with barriers to prevent access onto the greyhound track.
- Gates to the track, including catching pen to be padlocked by Greyhound Club to prevent horse access onto the track.
- Restraining horses to the track fencing is strictly prohibited.
- Electrical outlets and controls on starting boxes should not be used and will be turned off and locked by the greyhound club staff.
- All reasonable measures should be made to prohibit horses, machinery and people from walking onto the Greyhound Race Track to reduce any potential damage or contamination.

Emergency Contact Details:

Club Manager Patrick Day: 0421245054

Track Curator/caretaker David George: 0468401958

Annexure “C”

Access to Facilities for the Goulburn Show

FACILITY	ACCESS DATE	VACATE DATE
Veolia Arena & Foyer	Sunday prior to the show weekend (this excludes the offices within the building, with access to these offices not to be obstructed at anytime).	Monday following the show weekend
Ross Whittaker Stadium	Monday prior to the show weekend	Monday following the show weekend
Peden Pavilion & Skillion	Monday prior to the show weekend	Thursday following the show weekend
Poultry Pavilion	Monday prior to the show weekend (access may be given earlier subject to other booked events and in consultation with licence holder)	Thursday following the show weekend
Rodeo Arena	Monday prior to the show weekend (access may be given earlier subject to other booked events and in consultation with licence holder)	Thursday following the show weekend
Dog Training Arena	Monday prior to the show weekend (access may be given earlier subject to other booked events and in consultation with licence holder)	Monday following the show weekend
Centre Ring	Wednesday prior to the show weekend (access may be given earlier subject to other events and in consultation with Harness & Greyhound Clubs)	Monday following the show weekend
Gate 3 Car Park & Picnic Area	Wednesday prior to the show weekend (access may be given earlier subject to other events)	Tuesday following the show weekend
Showman’s Guild Parking	Wednesday prior to the show weekend	Tuesday following the show weekend
Gate 6 Car Park & Picnic Area	Monday prior to the show weekend (access may be	Wednesday following the show weekend

	given earlier subject to other events)	
Grace Millsom Function Centre	Thursday prior to the show weekend	Monday following the show weekend

15.11 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 7 OCTOBER 2021**Author:** Director Operations**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Minutes of the Traffic Committee Meeting held on 7 October 2021**RECOMMENDATION**

That

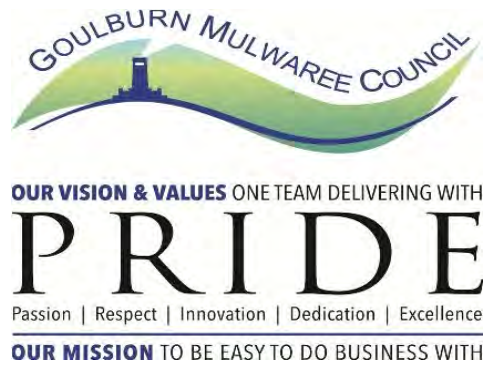
1. The report from Director Operations in regards to the Traffic Committee minutes from Thursday 7 October 2021 be received.
2. That Traffic Committee minutes from Thursday 5 August 2021 be confirmed.
3. The items marked as completed be removed from the tasks list.
4. The documentation including the traffic control plan for the Goulburn Duathlon to be held on July 16 2022 be approved and carried out in compliance with the Traffic Control Work Site manual
5. The request for Council to install “No Stopping” signs on the Northern side of Sydney Road for 330 meters from Common Street to Gorman Road be endorsed as a temporary solution.
6. A review to be carried out regarding the site distance for each intersection on Sydney Road from Common Street and Gorman Road and then to be presented at next meeting.
7. The report from the Road Safety and Traffic Officer on programs and activities be received.
8. The relocation of the bus stop near the NAB Auburn Street be referred to Council for community consultation with stakeholders for feedback. Once feedback is received forward to Council for endorsement.

REPORT

Please find attached the minutes of the Traffic Committee from its meeting 7 October 2021 .

The recommendations from the Committee meeting are as follows and come to Council because the Committee does not have delegated authority:

1. The report from Director Operations in regards to the Traffic Committee minutes from Thursday 7 October 2021 be received.
2. That Traffic Committee minutes from Thursday 5 August 2021 be confirmed.
3. The report from the Road Safety and Traffic Officer on programs and activities be received
4. The documentation including the traffic control plan for the Goulburn Duathlon to be held on July 16 2022 be approved and carried out in compliance with the Traffic Control Work Site manual
5. The request for Council to install “No Stopping” signs on the Northern side of Sydney Road for 330 meters from Common Street to Gorman Road be endorsed as a temporary solution.
6. A review to be carried out regarding the site distance for each intersection on Sydney Road from Common Street and Gorman Road and then to be presented at next meeting.
7. The report from the Road Safety and Traffic Officer on programs and activities be received.
8. The relocation of the bus stop near the NAB Auburn Street be referred to Council for community consultation with stakeholders for feedback. Once feedback is received forward to Council for endorsement.



MINUTES

Traffic Committee Meeting

7 October 2021

Order Of Business

1	Apologies	4
2	Late Items / Urgent Business	4
3	Disclosure of Interests	4
4	Confirmation of Minutes	4
4.1	Minutes of the Traffic Committee Meeting held on 5 August 2021	4
5	Items for Consideration	5
5.1	Ongoing Task List	5
5.2	Goulburn Duathlon	5
5.3	Safety issue with Trucks parking on Sydney Road	5
5.4	Road Safety and Traffic Officers Report for Programs August to September 2021	6

**MINUTES OF GOULBURN MULWAREE COUNCIL
TRAFFIC COMMITTEE MEETING
HELD AT THE HETHERINGTON STREET WORKS DEPOT, WINDELLAMA ROOM
ON THURSDAY, 7 OCTOBER 2021 AT 9.00AM**

PRESENT: Mr Matt O'Rourke Director of Operations, Cr Peter Walker - Deputy Mayor, Cr Andrew Banfield, Ms Jayd Marsh -Transport for NSW Representative, Mr Matthew Hinton - Inspector In Charge The Hume District Police, Snr Constable Terry George, Ms Stacey Scott – PBC Bus Service, Mrs Tracey Norberg - Road Safety and Traffic Officer GMC, Mr Martin Wragge-Morley - Goulburn Mulwaree Council

IN ATTENDANCE: Kayleen Pagett – Administration Support

1 APOLOGIES

Nil

2 LATE ITEMS / URGENT BUSINESS

ACCEPT LATE ITEM

COMMITTEE RESOLUTION 2021/23

Moved: Cr Andrew Banfield

Seconded:Cr Matthew Hinton - Inspector In Charge

That the report on the relocation of the bus stop near NAB Auburn Street in relation to Item 5.5 be accepted into the meeting as late information.

CARRIED

3 DISCLOSURE OF INTERESTS

Nil

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 5 AUGUST 2021

COMMITTEE RESOLUTION 2021/24

Moved: Mr Matthew Hinton - Inspector In Charge

Seconded:Cr Peter Walker - Deputy Mayor

That the Traffic Committee minutes from Thursday 5 August 2021 be confirmed.

CARRIED

5 ITEMS FOR CONSIDERATION

5.1 ONGOING TASK LIST

COMMITTEE RESOLUTION 2021/25

Moved: Mrs Tracey Norberg - Road Safety Officer GMC

Seconded: Cr Peter Walker - Deputy Mayor

That:

1. The report from the Road Safety and Traffic Officer on the Ongoing Task List be received and the information noted.
2. Items marked as completed will be removed from the Task List.

Responsible Officer	Task	Report by/Status
Road Safety & Traffic Officer TfNSW	Investigation of speed zones around the perimeter of Goulburn TfNSW to provide criteria. GMC to provide list of roads Report back to Traffic Committee meeting October 2021	To be removed as no response from school
Road Safety & Traffic Officer	Forward Public Liability from Cycle club to Constable George	Complete
Road Safety & Traffic Officer	Discuss current TCP with Convoy for Kids team and review to consider incoming traffic from side streets. Forward TMP for Convoy for Kids to TfNSW for review	Complete
Road Safety & Traffic Officer	ROL and TMP for Goulburn Car & Motorcycle Show to be requested and forwarded to committee members	Complete
Road Safety & Traffic Officer	Updated design of roundabout at Bourke & Addison Streets be discussed with school and forwarded to TfNSW	Complete
Road Safety & Traffic Officer	Moving location of the flashing school lights regarding the plan for the roundabout at Bourke & Addison Streets.	Complete

CARRIED

5.2 GOULBURN DUATHLON**COMMITTEE RESOLUTION 2021/26****Moved: Cr Matthew Hinton - Inspector In Charge****Seconded: Cr Snr Constable Terry George****That:**

- 1. The report from the Road Safety and Traffic Officer on the Goulburn Duathlon event be received.**
- 2. The documentation including the traffic control plan for the Goulburn Duathlon to be held on July 16 2022 be approved and carried out in compliance with the Traffic Control Work Site manual.**

CARRIED**5.3 SAFETY ISSUE WITH TRUCKS PARKING ON SYDNEY ROAD****COMMITTEE RESOLUTION 2021/27****Moved: Cr Andrew Banfield****Seconded: Ms Transport for NSW Representative****That**

- 1. The report from the Road Safety and Traffic Officer regarding the Safety Issues with Trucks Parking on Sydney Road opposite The Gateway Service Station be received.**
- 2. The request for Council to install “No Stopping” signs on the Northern side of Sydney Road for 330 meters from Common Street to Gorman Road be endorsed as a temporary solution.**
- 3. A review to be carried out regarding the site distance for each intersection and then to be presented at next meeting.**

CARRIED**5.4 ROAD SAFETY AND TRAFFIC OFFICERS REPORT FOR PROGRAMS AUGUST TO SEPTEMBER 2021****COMMITTEE RESOLUTION 2021/28****Moved: Cr Andrew Banfield****Seconded: Cr Peter Walker - Deputy Mayor****That the report on the program and activities of the Road Safety and Traffic Officer for August to September 2021 be reviewed.****CARRIED**

5.5 RELOCATION OF BUS STOP NEAR NAB AUBURN STREET**COMMITTEE RESOLUTION 2021/29****Moved: Cr Andrew Banfield****Seconded: Cr Matthew Hinton - Inspector In Charge****That**

1. The report from the Relocation of Bus Stop near NAB Auburn Street be received.
2. The item be referred to Council for community consultation with stakeholders for feedback. Once received then to be endorsed by Council.

CARRIED**6 TASK LIST FROM THIS MEETING**

Responsible Officer	Task	Report by/Status
Road Safety & Traffic Officer	Investigation new site distances from each intersection Common Street/Sydney Road and Gorman Road/Sydney Road. Report back to Traffic Committee meeting December 2021	2 December 2021

7 GENERAL BUSINESS

Cr Peter Walker – Deputy Mayor would like an additional Disabled Car Park be added to Auburn Street out the front of 152 Auburn Street. Advised that this can be side by side with existing space. A Notice of Motion was recommended to be allocated to the next Council Meeting.

Ms Jayd Marsh – Rep of Traffic NSW Office thanked committee and advised that this was her last Traffic Meeting in this capacity. A new representative will be announced at a later date.

The Meeting closed at 9.55am.

The minutes of this meeting were confirmed at the Traffic Committee Meeting held on 2 December 2021.

.....
CHAIRPERSON

15.12 SUSTAINABILITY WORKING PARTY MINUTES - 11 OCTOBER 2021

Author: Director Utilities

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Minutes Sustainability Working Party - 11 October 2021 [↓](#) 

Link to Community Strategic Plan:	CO1 – Access to Community Infrastructure
Cost to Council:	Nil at this stage
Use of Reserve Funds:	Nil at this stage

RECOMMENDATION

That the Sustainability Working Party Minutes dated 11 October 2021 report from the Director Utilities be noted.

BACKGROUND

Council has established a Working Party to investigate 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 Council Meeting on the 6 April 2021 Council passed a resolution to set up a Sustainability Working Party. This Working Group had their first meeting on the 11 October 2021 by zoom. The minutes from that meeting are attached. There are no resolutions required from Council as a result of these minutes.

**Sustainability Working Party
Working Party Discussion Items & Action List**

Meeting Details

Monday, 11th October 2021 at 6pm.
Meeting via Zoom.

Attendees

Sam Rowland (Chairperson), Marina Hollands, Darrell Weekes, Molly De Cseuz, Hannah Davey, Chloe Regterschot, Penny Ackery, Ray Shiel, Roger Grice, Sonya Reyes, Danielle Marsden-Ballard

Discussion Items

- All members were present during the meeting and brief introduction was provided by Councillor Rowland and all party members.
- Councillor Rowland noted the working party is not for debate, rather to focus on practical strategies and solutions for the community and future generations.
- Marina gave a brief on the current Council sustainability policy and Council’s in-house sustainability plan. It is intended the working party will complement the current documents and develop practical strategies to encourage buy-in from the community.
- Marina outlined the brief and intentions of the working group. Councillor Rowland advised that there are currently a multitude of grants available for some of our ideas and strategies.
- It was discussed and noted that working party members are required to refrain from emailing all members. Members are to email Hayley with information and ideas to be entered into a spreadsheet and supplied for future meetings to ensure all ideas are considered.
- Whilst utilising Zoom, members agreed to stay muted and utilities the raise hand function to avoid talking over the top of one another.
- Members agreed to research ideas and strategies they are passionate about to discuss at the next meeting. These ideas will be emailed to Hayley and an agenda will be distributed prior to the next meeting.
- Hayley will collate all ideas and information supplied by working party members and distribute to members prior to the next meeting.
- Members agreed meeting in person was the preferred option. It was agreed meetings will take place once a month on a Monday at 6pm. The next meeting will take place Monday, 1st November 2021 at 6pm in the Council Chambers.

Action List

No	Description	Responsible Person	Target Date	Completion Date
1.	Investigation into other Council sustainability initiatives and action items.	Marina Hollands	1/11/2021	
2.	Organise a guest speaker from another Council to discuss sustainability policies and strategies currently in place.	Marina Hollands	1/11/2021	
3.	Organise a guest speaker from NSW Government to discuss grants available for sustainability action items and eligibility criteria.	Marina Hollands	1/11/2021	
4.	Look at electronic sharing services (eg. Objective Connect) for the sharing of data amongst members.	Hayley Chapman	1/11/2021	
5.	Research ideas to advocate for to present at next meeting.	Everyone	1/11/2021	
6.	Update Molly and Hannah’s email address in working party register.	Hayley Chapman	1/11/2021	

Meeting closed: 6.40pm

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.