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BUSINESS PAPER

Extraordinary Council Meeting

31 January 2023

Aaron Johansson
Chief Executive Officer

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

Tuesday, 31 January 2023 at 6pm
in the Council Chambers, Civic Centre
184 - 194 Bourke Street, Goulburn

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Cr Peter Walker
Mayor

Aaron Johansson
Chief Executive Officer

- 1 APOLOGIES**
- 2 OPENING PRAYER**
- 3 LATE ITEMS / URGENT BUSINESS**
- 4 DISCLOSURE OF INTERESTS**
- 5 PUBLIC FORUM / ADDRESSES TO COUNCIL**
- 6 MATTERS ARISING**

7 MAYORAL MINUTE(S)**7.1 MAYORAL MINUTE - VALE DAN TETLEY****Author: Mayor Peter Walker****Attachments: Nil****RECOMMENDATION**

That Council observe a minutes silence in remembrance of Council employee Dan Tetley who passed away recently.

MAYORAL MINUTE

It is with deep sadness I inform Council of the recent passing of Council staff member Dan Tetley.

Dan had suffered from illness for some time and passed away on 28 December 2022.

Dan served the community as a plant operator for 14 years and will be greatly missed by his friends and colleagues at Council.

I have written to Dan's family, on behalf of Council, to offer Council's condolences on their loss.

This Mayoral Minute is tabled to request a minute silences be observed in honour and remembrance of Dan Tetley.

Mayor Peter Walker

Goulburn Mulwaree Council

8 REPORTS TO COUNCIL FOR DETERMINATION**8.1 REV/0001/2223 - 77 CORRIDALE DRIVE, MARULAN**

Author: Senior Development Assessment Officer
Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. REV/0001/2223 Final Plan Set - 77 Corridale Drive  

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:	REV/0001/2223
Address:	77 Corridale Drive Marulan NSW 2579
Proposal Description:	Review of determination of Development Application DA/0449/2122
Type of Development:	Local
Zone:	R5 Large Lot Residential
Variations to Policy:	None sort
Submissions:	Nil

RECOMMENDATION

That:

1. The staff assessment report for Review Application REV/0001/2223 submitted for the consideration of the refusal of DA/0449/2122 be received.
2. The decision to determine DA/0449/2122 on 04 August 2022 by way of refusal be upheld with the removal of reasons 4, 5 part 1.2(2)(i) and Part 1, Clause 1.2(2)(k), 6, 7, 8, 10, 11, 12 and 13.

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

On 27 January 2022, DA/0449/2122 was lodged with Council seeking development consent for the construction of attached single storey primary and secondary dwellings at 77 Corriedale Drive, Marulan.

The Development Application (DA) was subject to a request on 16 February 2022 for the DA to be withdrawn as the Marulan Sewerage Treatment Plant has insufficient capacity to accommodate the two proposed dwellings with the Lot only being able to accommodate one (1) dwelling until such time as the Sewerage Treatment Plant is upgraded.

The Applicants provided a response on 23 February 2022 declining to withdraw the DA and receive a refund of the fees paid. Consequently, the DA proceeded though the internal and external referral process with an additional information request being issued on 11 March 2022. The additional information request raised sixteen (16) items to be addressed and a response from the Applicant was received in April 2022.

Following assessment of the information submitted in response to Council's additional information request of 11 March 2022 a further additional information request was issued on 9 June 2022 which raised nine (9) items to be addressed.

No response was received by the response date of 30 June 2022. Consequently, a determination by way of refusal was issued on 4 August 2022 under delegation, imposing the following reasons for refusal:

1. *The proposal does not satisfy Part 1 Section 1.3(c) of "the Act" as it has not been demonstrated that it will promote the orderly and economic use and development of the land and the area as a whole due to the number of non-compliances as stated in the reasons for refusal.*
2. *The proposal does not satisfy Part 1 Section 1.3(g) of "the Act" as it has not been demonstrated that it will promote good design and amenity of the built environment due to the number of non-compliances as stated in the reasons for refusal.*
3. *The proposal does not satisfy Part 1 Section 1.3(h) of "the Act" as it has not been demonstrated that it will promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants due to the number of non-compliances as stated in the reasons for refusal.*
4. *The proposal does not satisfy Part 4 Section 4.14 of "the Act" as the proposal has not demonstrated compliance with NSW Rural Fire Service document Planning for Bush Fire Protection, dated November 2019. The Bushfire report submitted has not adequately addressed the bushfire threat from adjoining land that is not considered to be "managed land". Therefore the proposal has not adequately addressed the provisions of the Planning for Bush Fire Protection 2019 in terms of the likely BAL and required boundary setbacks.*
5. *The proposal does not satisfy Part 1 Clause 1.2(2) of the "GM LEP 2009" as is inconsistent with the following aims of the "GM LEP 2009":*
 - *Part 1, Clause 1.2(2)(a) - The proposal has not demonstrated that it will be carried out in a manner that promotes the orderly and economic use and development of land in the area.*
 - *Part 1, Clause 1.2(2)(c) - The proposal has not demonstrated that it will be carried out in a manner that encourages the sustainable management, development and conservation of natural resources.*
 - *Part 1, Clause 1.2(2)(i) - The proposal has not demonstrated that it will be carried out in a manner that minimises risks due to environmental hazards, and does not minimise risks to important elements of the physical environment, including water quality.*
 - *Part 1, Clause 1.2(2)(k) - The proposal has not demonstrated that it will be carried out in a manner that will protect and enhance watercourses, riparian habitats, wetland and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.*
6. *The proposal as assessed has not demonstrated that it meets the objective as stated in bullet point 3 of the R5 Large lot residential zone as it has not been satisfied that development on the site will not unreasonably increase the demand for public services or public facilities, particularly in terms of the Marulan Waste Water Treatment Plant. The floor plan of the proposed dwelling has not been adequately revised to be a single dwelling house.*
7. *The proposal does not satisfy Part 3 Sections 3.5 (Landscaping) and 3.9 (Tree and vegetation preservation) of the "GM DCP 2009". The landscape plan submitted does not*

provide adequate compensatory landscaping, by way of appropriately sized replacement tree plantings of local species, for the proposed removal of a native large tree on the site.

8. *The proposal does not satisfy Part 4 Section 4.1.2 (Sheds and other ancillary structures) of the "GM DCP 2009", in that adequate architectural plans and details of the proposed detached shed were not provided which did not allow a proper assessment of the proposal.*
9. *The proposal does not satisfy Part 4 Section 4.1.7 (Solar access) of the "GM DCP 2009", in that the principal living spaces of the proposed dwelling are not adequately orientated to the north to enable the dwelling to achieve sufficient solar access, being at least three hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).*
10. *The proposal does not satisfy Part 4 Section 4.1.13 (Energy efficient siting and layout) of the "GM DCP 2009", in that the proposed dwelling has not been designed to ensure that all floor areas are within six (6) metres of an external window.*
11. *The proposal does not satisfy Part 4 Section 4.1.14 (External window shading and internal and external lighting) of the "GM DCP 2009", in that the principal living spaces of the proposed dwelling have not been designed or orientated with sufficient north facing windows in order to achieve improved energy efficiency and comfort, and to maximise natural light.*
12. *The proposal does not satisfy Part 7 Section 7.3.1 (Drainage - urban) of the "GM DCP 2009", in that an appropriate hydraulic engineer assessment has not been provided to demonstrate that the location of the proposed dwelling house is suitable in regards to the natural drainage path that passes through the property.*
13. *The proposal does not satisfy the provisions of the Water Supply, Sewerage (On-site and Reticulated), Stormwater and Trade Waste Policy in that the floor plan of the proposed dwelling has not been adequately revised to be a single dwelling house. Goulburn Mulwaree Council's Water Supply, Sewerage (On-site and Reticulated), Stormwater and Trade Waste Policy permits only a single dwelling house until the Marulan Waste Water Treatment Plant is upgraded, which is expected to be completed in 2024.*
14. *The proposal as assessed cannot be considered to be in the public interest due to the number of non-compliances as stated in the reasons for refusal.*

Following the determination of DA/0449/2122 on 4 August 2022 the Applicant submitted revised information for comment and the Senior Development Assessment Officer who determined the DA collated comments from Council's Landscape Planner, Biodiversity Officer and Development Engineer and provided a response to the revised information in relation to the reasons for refusal set out in Council's determination of 4 August 2022.

Review Application REV/0001/2122 was submitted on 20 October 2022. The Review Application proposed a single storey dwelling in the same configuration as the previously refused attached primary and secondary dwellings.

An initial review of the submitted documentation was undertaken and it was concluded that a number of the reasons for refusal would remain.

A request for additional information was issued to the Applicant on 14 November 2022 with all revised information to be submitted to Council by 9am on 28 November 2022 to enable the Review Application to be presented to the last available Council Meeting (20 December 2022) prior to the expiry of the review period on 4 February 2023 as prescribed by the *Environmental Planning and Assessment Act 1979*.

REPORT

Proposed Development

On 20 December 2022 a report was presented to the ordinary meeting of the Council to determine this Review (REV/0001/2223) of Development Application DA/0449/2122. The Council resolved to defer the determination of Review Application REV/0001/2223 to an Extraordinary Meeting of the Council on Tuesday 31 January 2023 to allow the Applicants time to submit additional information that addresses the reasons for refusal outline in DA/0449/2122.

On 22 December 2022 a meeting was held between Council Staff and the Applicant to discuss the reasons for refusal. Prior to the meeting, and as discussed at the meeting, the Council Staff provided detailed responses to the reasons for refusal outlining what was needed to enable the development to be determined favourably.

On the 13th and 16th January 2023 additional information was received via the NSW Planning Portal. This report to the Extraordinary Meeting of Council is based on the information received following the 20 December Meeting of Council, as well as the information previously submitted as part of the Review Application.

The following information was received from the Applicant on 13th and 16th January 2023:

- Cover letter from DA Busters including a request to vary GM DCP Control Part 4, section 4.1.7 Solar Access;
- Response from Southern Region Land Engineering (SRLE) in response to overland flood matters;
- Revised Architectural Plans; and
- Further stormwater information.

A copy of the revised plans submitted with the Review Application are included in the **Attachment**.

Site and Locality Description

The site is known as 77 Corridale Drive, Marulan and forms part of the subdivision known as Betley Park. The site is generally rectangular in shape, orientated south east to north west with Corriedale Drive located along the south eastern boundary. Site is laid to grass with some remnant native vegetation to the centre of the north eastern boundary. An overland flow path runs through the site from the north western corner to the south eastern corner, where a detention basin and culvert under Corriedale Drive are located.

The surrounding development to the north, south and east is formed residential lots comprising the Betley Park subdivision and to the west are large rural lots.

Assessment of Review Application

The Review Application must be determined within the period any appeal may be made to the Court. The period of appeal applicable to the Determined Development Application (DA) as set out at Section 8.10 of the *Environmental Planning and Assessment Act 1979* is six (6) months. As DA/0449/2122 was determined on the 4 August 2022 Council as the Consent Authority must determine the application by 4 February 2023.

The proposal submitted as part of the Review Application is for a single dwelling opposed to the primary and secondary dwelling previously considered by Council Staff as part of DA/0449/2122. The proposed single dwelling is of the same footprint and layout as that of previous primary and

secondary dwelling with a door added between the living spaces and the removal of cooking appliances from the kitchen of the secondary dwelling, now identified as a bar.

In accordance with Council's *Development Assessment and Decision Making Policy* this Review Application is to be determined at a meeting of Council.

The Review Application was notified to adjoining and adjacent residents, consistent with *Council's Community Participation Plan*. The Review Application was also advertised on Council's website. Public exhibition of the proposal did not result in any submissions being received during the notification period.

The planning assessment of the revised development proposal submitted with the Review Application identified several deficiencies including matters previously raised in the reasons for refusal of DA/0449/2122. Consideration of each of the reasons for refusal are addressed below.

1. *The proposal does not satisfy Part 1 Section 1.3(c) of "the Act" as it has not been demonstrated that it will promote the orderly and economic use and development of the land and the area as a whole due to the number of non-compliances as stated in the reasons for refusal.*

The proposed development would remain inconsistent with section 1.3(c) of the EP&A Act as it has not been satisfactorily demonstrated that the dwelling can achieve solar access compliance.

Consequently, Reason 1 of the Refusal remains.

2. *The proposal does not satisfy Part 1 Section 1.3(g) of "the Act" as it has not been demonstrated that it will promote good design and amenity of the built environment due to the number of non-compliances as stated in the reasons for refusal.*

The proposed development would remain inconsistent with section 1.3(g) of the EP&A Act as it would result in poor design and amenity of the built environment due to the non-compliances identified in this report.

Consequently, Reason 2 of the Refusal remains.

3. *The proposal does not satisfy Part 1 Section 1.3(h) of "the Act" as it has not been demonstrated that it will promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants due to the number of non-compliances as stated in the reasons for refusal.*

Councils Engineers have reviewed the revised design and additional information submitted by the Applicants and are satisfied that the proposed works to manage the overland flow experienced by the site and the on-site generate storm water.

Consequently, Reason 3 of the Refusal is removed.

4. *The proposal does not satisfy Part 4 Section 4.14 of "the Act" as the proposal has not demonstrated compliance with NSW Rural Fire Service document 'Planning for Bush Fire Protection', dated November 2019. The Bushfire report submitted has not adequately addressed the bushfire threat from adjoining land that is not considered to be "managed land". Therefore, the proposal has not adequately addressed the provisions of the Planning for Bush Fire Protection 2019 in terms of the likely BAL and required boundary setbacks.*

The Review Application has included a Bush Fire Report that meets the requirements of Planning for Bush Fire Protection 2019.

Consequently, Reason 4 of the Refusal is removed.

5. *The proposal does not satisfy Part 1 Clause 1.2(2) of the “GM LEP 2009” as is inconsistent with the following aims of the “GM LEP 2009”:*
- *Part 1, Clause 1.2(2)(a) - The proposal has not demonstrated that it will be carried out in a manner that promotes the orderly and economic use and development of land in the area.*
 - *Part 1, Clause 1.2(2)(c) - The proposal has not demonstrated that it will be carried out in a manner that encourages the sustainable management, development and conservation of natural resources.*
 - *Part 1, Clause 1.2(2)(i) - The proposal has not demonstrated that it will be carried out in a manner that minimises risks due to environmental hazards, and does not minimise risks to important elements of the physical environment, including water quality.*
 - *Part 1, Clause 1.2(2)(k) - The proposal has not demonstrated that it will be carried out in a manner that will protect and enhance watercourses, riparian habitats, wetland and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.*

The Review Application has satisfactorily demonstrated for the reasons outlined in this report that *Part 1, Clause 1.2(2)(i) and Part 1, Clause 1.2(2)(k)* of “GM LEP 2009” have been complied with.

For the reasons outlined in this report the proposed development remains non-compliant with *Part 1, Clause 1.2(2)(a) and Part 1 Clause 1.2(2)(c)*.

Consequently, Reason 5 remains amended to Remove Part 1, Clause 1.2(2)(i) and Part 1, Clause 1.2(2)(k).

6. *The proposal as assessed has not demonstrated that it meets the objective as stated in bullet point 3 of the R5 Large lot residential zone as it has not been satisfied that development on the site will not unreasonably increase the demand for public services or public facilities, particularly in terms of the Marulan Waste Water Treatment Plant. The floor plan of the proposed dwelling has not been adequately revised to be a single dwelling house.*

The development has been altered to a single dwelling from the proposed primary and secondary dwellings and consequently the single dwelling cannot be leased and occupied independently. Therefore, the demand on public facilities has been reduced.

Consequently Reason 6 of the Refusal is removed.

7. *The proposal does not satisfy Part 3 Sections 3.5 (Landscaping) and 3.9 (Tree and vegetation preservation) of the “GM DCP 2009”. The landscape plan submitted does not provide adequate compensatory landscaping, by way of appropriately sized replacement tree plantings of local species, for the proposed removal of a native large tree on the site.*

As part of the Review Application the Applicants have submitted a tree condition report and Aboriginal Cultural Heritage Assessment.

The submitted reports have concluded that the native vegetation on site is either juvenile or of poor or very poor condition and contains no cultural modifications. Therefore,

removal as part of the proposed development would be satisfactory and whilst replacement native species would be desirable, the lack of replacement would not be sufficient reason to refuse the proposed development.

Consequently Reason 7 of the Refusal is removed.

8. *The proposal does not satisfy Part 4 Section 4.1.2 (Sheds and other ancillary structures) of the "GM DCP 2009", in that adequate architectural plans and details of the proposed detached shed were not provided which did not allow a proper assessment of the proposal.*

The Review Application contains basic architectural plans sufficient to allow assessment of the proposed shed.

Consequently Reason 8 of the Refusal is removed.

9. *The proposal does not satisfy Part 4 Section 4.1.7 (Solar access) of the "GM DCP 2009", in that the principal living spaces of the proposed dwelling are not adequately orientated to the north to enable the dwelling to achieve sufficient solar access, being at least three hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).*

As part of the Review Application submission the Applicants have sought to make the case that Part 4.1.7 of "GM DCP 2009" cannot be applied as the proposed development is a BASIX complying development.

Furthermore, the Applicant have sought a variation under Part 1.8 of "GM DCP 2009". The variation requested is not a variation but a request to be exempted from the need to comply with Part 4.1.7 of "GM DCP 2009" based on the unsupported conclusion that compliance has been alternatively achieved.

Each of these items in relation to Part 4.1.7 of "GM DCP 2009" are addressed separately as follows.

Application of SEPP (Building and Sustainability Index: BASIX) 2004.

Whilst the development being a BASIX-compliant development limits the effect of a Development Control Plan where that plan seeks to improve the thermal performance of a building or reduce greenhouse gases beyond the BASIX requirements, the Applicant's have incorrectly applied where the SEPP determines a development control plan does not apply.

Part 4.1.7 of "GM DCP 2009" does not within its control require the provision of a certain level of insulation, energy-rated appliance (i.e. star-rated), water saving devices such as shower/tap heads to reduce the flow rate of water, and does not require that a reduction in greenhouse gas emissions be achieved.

Whilst the control's objective includes the achievement of energy efficient urban housing through passive design resulting in year round comfort and a reduction in energy consumption, it does not limit the occupants of a building from using as much water or generating as many greenhouse gas emissions as they desire.

The BASIX/NatHERS model may require less insulation or heating and cooling for a correctly orientated building, but "GM DCP 2009" does not.

Therefore, Part 4.1.7 of "GM DCP 2009" is applicable and the proposed dwelling is required to comply with the requirements for three (3) hours of solar access to the principal living spaces and 50% of the Private Open Space (POS) between the hours of 9am and 3pm on the winter solstice.

Furthermore, BASIX doesn't consider the positive impacts of receiving natural light from good solar access in terms of public health and amenity.

Variation sought under Part 1.8 of "GM DCP 2009"

When determining whether a variation to a control can be supported the following items are of consideration.

- (a) Whether there will be any detrimental impact on the amenity of the existing and future residents.
- (b) Whether there will be any detrimental impact on the amenity of the area.
- (c) The nature and size of the departure.
- (d) The degree of compliance with other relevant requirements,
- (e) The circumstances of the case, including whether the particular provision is unreasonable and/or necessary.
- (f) Priorities identified in a site analysis of being of more importance than what is being departed from.
- (g) Whether non-compliance will prejudice the objectives of the zone and aims of this plan.

The variation is seeking not to comply with the control in any form through an exemption from the control in its entirety, opposed to requesting a minor variation of the control requirement, which is typically sought from time to time by applicants.

The Council has consistently applied Part 4.1.7 of "GM DCP 2009" and it would be unreasonable of Council to permit a development to abandon the control by way of a variation. The nature and size of the departure is excessive and unwarranted and will have a detrimental impact on the amenity of all future residents throughout the life of the property. The control is warranted and throughout the majority of both state and local legislation a minimum period of solar access is required.

Therefore, the requested variation cannot be supported.

Conclusion

Whilst it would be possible to achieve a compliant design through a re-design of the proposed development the Applicants have continued to promote the previously refused design as part of the Review Application that does not comply with the requirements of Part.4.1.7 of "GM DCP 2009".

Therefore, as the proposed dwelling does not achieve the required period of solar access, the Review Application does not meet the requirements of Part.4.1.7 of "GM DCP 2009".

Consequently Reason 9 of the Refusal remains.

10. *The proposal does not satisfy Part 4 Section 4.1.13 (Energy efficient siting and layout) of the "GM DCP 2009", in that the proposed dwelling has not been designed to ensure that all floor areas are within six (6) metres of an external window.*

The plan sets submitted to Council as a PDF file have not been submitted to scale and therefore, it is not possible for Council Staff to accurately determine whether all floor space is within six (6) meters of a window.

Notwithstanding the lack of ability to print an accurate scale copy of the submitted plans, It has been suitably demonstrated that a minor variation to the control would be required to enable the bench space of the proposed bar to be within six (6) meters of a window. Whilst the Applicant has not sought a formal variation, it would be possible for Council to support a minor variation such as this and therefore, the proposed development would not warrant refusal for the minor non-compliance.

Consequently Reason 10 of the Refusal is removed.

11. *The proposal does not satisfy Part 4 Section 4.1.14 (External window shading and internal and external lighting) of the "GM DCP 2009", in that the principal living spaces of the proposed dwelling have not been designed or orientated with sufficient north facing windows in order to achieve improved energy efficiency and comfort, and to maximise natural light.*

Since the determination of Development Application DA/0449/2122 Part 4 Section 4.1.14 has been re-numbered to Part 4 Section 4.1.15

The purpose of Part 4 Section 4.1.15 of "GM DCP 2009" is to ensure that during the summer, windows that receive solar access on the winter solstice as required by Part 4 Section 4.1.7 do not generate excessive heat gain during the summer months and that windows to the east and west are minimised where possible and where present are provided with suitable shading devices to avoid excessive heat gain during the summer months.

The proposed development provides porches to the predominantly east facing windows and those to the north are limited as the principal living spaces have not been orientated to achieve compliance with Part 4 Section 4.1.7. Therefore, the design presents as part of the Review does not warrant refusal under Part 4.1.15 as shading has been provided and the non-compliant living spaces do not warrant the addition of shading devices as they are not orientated towards the north and have limited access to sunlight.

Consequently, Reason 11 of the Refusal is removed.

12. *The proposal does not satisfy Part 7 Section 7.3.1 (Drainage - urban) of the "GM DCP 2009", in that an appropriate hydraulic engineer assessment has not been provided to demonstrate that the location of the proposed dwelling house is suitable with regard to the natural drainage path that passes through the property.*

Council's Development Engineers have reviewed the additional information provided as part of the review and have concluded that the proposed management of the overland flow path is acceptable.

Consequently, Reason 12 of the Refusal is removed.

13. *The proposal does not satisfy the provisions of the Water Supply, Sewerage (On-site and Reticulated), Stormwater and Trade Waste Policy in that the floor plan of the proposed dwelling has not been adequately revised to be a single dwelling house. Goulburn Mulwaree Council's Water Supply, Sewerage (On-site and Reticulated), Stormwater and Trade Waste Policy permits only a single dwelling house until the Marulan Waste Water Treatment Plant is upgraded, which is expected to be completed in 2024.*

The development submitted for the review has been amended to a single dwelling and therefore, it is deemed that no additional load on the Marulan Sewerage Treatment Plant is proposed over and above a typical single dwelling.

Consequently, Reason 13 of the Refusal is removed.

14. *The proposal as assessed cannot be considered to be in the public interest due to the number of non-compliances as stated in the reasons for refusal.*

The development based on the number of non-compliances that remain with the Review Application is considered for the reasons set out in this report to remain not in the public interest.

Consequently, Reason 14 of the Refusal remains.

Conclusions and recommendation

Notwithstanding the compliances that have been achieved through the revised design submission, significant compromises remain which results in the amenity of future occupants being negatively impacted.

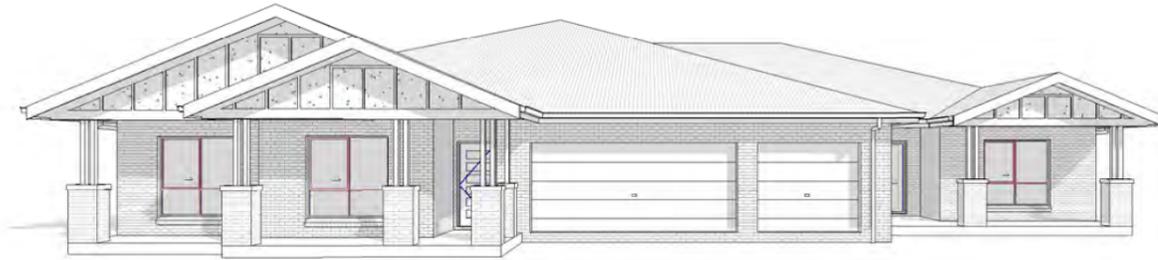
Therefore, based on the revised development proposal submitted to Council, it is recommended that the determination by way of refusal be upheld with the removal of Reasons 4, 5 part 1.2(2)(i) and part 1.2(2)(k), 6, 7, 8, 10, 11, 12 and 13.

FINANCIAL IMPLICATIONS

Financial implications to Council are likely if the Applicant of the Development Application seeks to appeal the determination through the Land and Environment Court.

LEGAL IMPLICATIONS

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



LEGEND	
AJ -	BRICK ARTICULATION JOINT
B.1200-	BENCH & LENGTH
C.T.-	COOKTOP
D.W.-	DISHWASHER
F.W. -	FLOOR WASTE
HWU-	HOT WATER UNIT
LOH-	LIFT OFF HINGES
MWS-	MICROWAVE SPACE
MH-	MANHOLE
MRLDR-	MIRROR SLIDING DOOR
REF-	REFRIGERATOR SPACE
R.H.-	RANGE HOOD
Ⓢ-	SMOKE DETECTOR
UPC-	UPRIGHT COOKER
UBO-	UNDERBENCH OVEN
V1200-	VANITY & LENGTH
W.O.-	WALL OVEN
W.M.-	WASHING MACHINE SPACE
1200 SQ. SET -	SQUARE SET OPENING AT 2100 HIGH.
75 S/D -	STEPDOWN IN SLAB

BASIX COMMITMENTS	
Certificate No - 13455775 obligations - Lot 19 No 77 CORRIEDALE DVE, MARULAN (RICHARDSON & LAING - Stroud Homes)	
FIXTURES	Showerheads minimum 4 Star Toilet to be 4 Star Taps to Development - 4 Star Taps to Bathroom - 4 Star
ALTERNATE WATER	Minimum Size Rainwater tank/s off whole house roof to be 50,000L Recirc pump instal to dwelling plumbing & RAINBIRD SYSTEM 200 sq.m of lawn and garden to be serviced by tank based water
THERMAL COMFORT & WINDOWS	Windows - single glazed aluminium shaded per certif details/plans
ENERGY COMMITMENTS	GAS INSTANTANEOUS 5 STAR hot water service A/C Cool - 1 phase to Living areas & bedroom areas - zone controlled day/night 5 star (new) Natural Light & Ventilation to Laundry, both Kitchens and all Bathrooms unless shown - Ventilation fans if provided - manual switch - Kitchen range duct to external See Certificate - manual - Skytube Kitchen listed All lighting to be LED committed except kitchen/bath Refrigerator space to be well ventilated External rotary clothes line to be installed.
PLANS USED FOR BASIX Prepared for STROUD Homes by 4FOUR Concepts (modified by DA Busters for BASIX)	

STROUD HOMES	
Sheet	Sheet Name
01/14	COVER
02/14	NOTES
03/14	OVERALL SITE PLAN / SITE MANAGEMENT
04/14	SITE PLAN
05/14	GROUND FLOOR
06/14	ELEVATION 1
07/14	ELEVATION 2
08/14	SECTION & WINDOW / DOOR SCHEDULE
09/14	ROOF PLAN
10/14	SLAB PLAN
11/14	BASIX NOTES
12/14	LANDSCAPE PLAN
13/14	SHED PLAN
14/14	3D PERSPECTIVES

ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES.

07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: @ A3 DRAWING: **COVER** 01/14



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BCA 2019 - SPECIFICATIONS FOR RESIDENTIAL (CLASS 1 AND 10) BUILDINGS

NOTE: THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE RELEVANT STANDARDS REFERRED TO BELOW, NOT ALL STANDARDS REFERENCED BELOW WILL BE APPLICABLE.

3.1.1 EARTHWORKS

· All earthworks will be carried out in accordance with relevant conditions of consent and Part 3.1.1 of the BCA or in accordance with details designed by a practising structural engineer.

3.1.2 EARTH RETAINING STRUCTURES

· All earth retaining structures will be carried out in accordance with AS 4678.

3.1.3 DRAINAGE

· All drainage works will be carried out in accordance with AS/NZS 3500.3 – Domestic Installations – Stormwater Drainage or in accordance with Parts 3.1.2.3 to 3.1.4.5 of the BCA.

3.1.4 TERMITE RISK MANAGEMENT

· Termite barriers will be installed to minimise the risk of termite attack to primary building elements in accordance with Part 3.1.3.3 of the BCA.

3.2 FOOTINGS AND SLABS

· Footings and slabs will be designed and installed in accordance with AS 2870 – Residential Slabs and Footings – Construction, except that for the purposes of Clause 5.3.3.1 of AS 2870 a damp-proofing membrane is required to be provided; or,
· Footings and slabs will be designed by a practising structural engineer in accordance with AS 2870 – Residential Slabs and Footings – Construction.

3.3 MASONRY

· Unreinforced masonry, reinforced masonry, masonry accessories and weatherproofing of masonry will be designed and installed in accordance with AS 3700 – Masonry Structures; or, AS 4773 – Masonry for Small Buildings, Parts 1 and 2.

3.4.1 SUBFLOOR VENTILATION

· Subfloor ventilation will be designed and installed in accordance with Part 3.4.1.2 (Acceptable Construction Practice) of the BCA)

3.4.2 STEEL FRAMING

· Steel framing will be designed and constructed by a practising structural engineer in accordance with one of the following manuals:
o AS 4100 – Steel structures.
o AS/NZS 4600 – Cold-formed steel structures.
· Residential and low-rise steel framing: NASH Standard 'Residential and Low-Rise Steel Framing' Part 1 or Part 2.

3.4.3 TIMBER FRAMING

· Design of timber structures AS 1720.1
· Design of nailed timber roof trusses AS 1720.5
· Residential timber-framed construction - non-cyclonic areas: AS 1684.2
· Residential timber-framed construction - cyclonic areas: AS 1684.3
· Residential timber-framed construction - non-cyclonic (simplified) areas: AS 1684.4
· Installation of particleboard flooring: AS1860.2
· Timber framing will be designed and constructed in accordance with details provided by a practising structural engineer.
· Prefabricated wall frames and roof trusses will be designed and constructed in accordance with structural engineer's details supplied by the manufacturer.

3.4.4 STRUCTURAL STEEL MEMBERS

· Structural steel members will be designed and constructed in accordance with the details provided by a practising structural engineer; or,
· Structural steel framing will be designed and constructed in accordance with Parts 3.4.4.1 to 3.4.4.4 (Acceptable Construction Practice) of the BCA.

3.5.1 SHEET ROOFING

· Roof tiles will be installed in accordance with AS 2049 – Roof Tiles & AS 2050 – Installation of Roof Tiles.
· Metal sheet roofing will be installed in accordance with AS 1562.1 – Design and installation of sheet roof and wall cladding – Metal.

· Corrugated fibre-reinforced cement roofing will be installed in accordance with AS/NZS 1562.2 – Design and Installation of Sheet Roof and Wall Cladding.

· Asphalt shingles will be installed in accordance with ASTM D3018-90 - Asphalt shingles.
· A pliable membrane underlay will be installed in accordance with AS/NZS 4200 – Installation of pliable membrane underlay.

3.5.2 ROOF TILES AND SHINGLES

3.5.3 GUTTERS AND DOWNPIPES

· Gutters and downpipes will be designed and installed in accordance with Part 3.5.2.0 (Acceptable Construction Manuals) of the BCA, or, in accordance with Parts 3.5.2.1 to 3.5.2.5 (Acceptable Construction Practice) of the BCA.

3.5.4 TIMBER AND COMPOSITE WALL CLADDING

· Metal wall cladding will be designed and constructed in accordance with AS 1562.1 – Design and Installation of Sheet Roof & Wall Cladding – Metal.
· Timber weatherboard cladding will be installed in accordance with Part 3.5.3.2 (Acceptable Construction Practice) of the BCA. Openings in cladding will be flashed in accordance with Part 3.5.3.6
· Fibre cement and hardboard wall cladding boards will be installed in accordance with Part 3.5.3.3 (Acceptable Construction Practice) of the BCA. Openings in cladding will be flashed in accordance with Part 3.5.3.6.
· Fibre cement, hardboard and plywood sheet cladding will be installed in accordance with Part 3.5.3.4 (Acceptable Construction Practice) of the BCA. Openings in cladding will be flashed in accordance with part 3.5.3.6.
· Eaves and soffit linings will be designed and installed in accordance with part 3.5.3.5 (Acceptable Construction Practice) of the BCA.

3.5.5 METAL WALL CLADDING

3.6 GLAZING AND WINDOWS

a) Glazing and windows will be designed and constructed in accordance with AS 2047 for the following glazed assemblies in an external wall:
i. Windows excluding those listed in (b).
ii. Sliding and swinging glazed doors with a frame, including french and bi-fold doors with a frame.
iii. Adjustable louvres.
iv. Window walls with one piece framing. The following glazed assemblies will be designed and constructed in accordance with AS 1288 – Glass in buildings – Selection and Installation:
o All glazed assemblies not in an external wall
o Hinged doors including French doors and bi-fold doors
o Revolving doors
o Fixed Louvres
o Skylights and roof lights and windows in other than the vertical plane
o Sliding doors without a frame
o Windows constructed on-site and architectural one-off windows that are not design tested in accordance with AS 2047
o Second hand, reused, recycled, and replacement windows
o Heritage windows
b) Glazing will be designed and constructed in accordance with AS 1288 for all glazed assemblies not covered by (a) and the following glazed assemblies:
i. All glazed assemblies not in an external wall.
ii. Revolving doors.
iii. Fixed louvres.
iv. Skylights, roof lights and windows in other than the vertical plane.
v. Sliding and swinging doors without a frame.
vi. Windows constructed on site and architectural one-off windows, which are not design tested in accordance with AS 2047.
vii. Second-hand windows, re-used windows and recycled windows.
viii. Heritage windows.
ix. Glazing used in balustrades and sloping overhead glazing.

3.7.1 FIRE PROPERTIES FOR MATERIALS AND CONSTRUCTION

· Fire separation will be designed and constructed in accordance with parts 3.7.1.1 to 3.7.1.11 (Acceptable Construction Practice) of the BCA.

3.7.2 FIRE SEPERATION OF EXTERNAL WALLS

3.7.3 FIRE SEPERATION OF WALLS AND FLOORS

3.7.4 SMOKE ALARMS

· Smoke alarms will be designed and constructed in accordance with Parts 3.7.2.1 to 3.7.2.5 (Acceptable Construction Practice) of the BCA.

3.7.5 SMOKE ALARMS AND EVACUATION LIGHTING

· Smoke alarms and lighting to assist evacuation will be located and installed in accordance with Parts 3.7.5.1 to 3.7.5.6 (Acceptable Construction Practice) of the BCA.

3.8.1 WET AREAS & EXTERNAL WATERPROOFING

· Wet areas will be constructed to be waterproof or water resistant in accordance with AS3740 – Waterproofing of domestic wet areas.
· Waterproofing for external above ground membranes will comply with AS4654 Parts 1 & 2.

3.8.2 ROOM HEIGHTS

· Facilities will be provided and constructed in accordance with Part 3.8.2 (Acceptable Construction Practice) of the BCA.

3.8.3 FACILITIES

· Sanitary compartments will be constructed in accordance with Parts 3.8.3.1 to 3.8.3.3 (Acceptable Construction Practice) of the BCA.

3.8.4 LIGHT

· Lighting will be provided in accordance with Part 3.8.4 (Acceptable Construction Practice) of the BCA.

3.8.5 VENTILATION

· Ventilation will be provided in accordance with Part 3.8.5 (Acceptable Construction Practice) of the BCA.

3.8.6 SOUND INSULATION

· Sound insulation will be provided in accordance with part 3.8.6 (Acceptable Construction Practice) of the BCA.

3.8.7 CONDESATION MANAGEMENT

· Pliable building membrane in an external wall will be provided in accordance with Part 3.8.7.2 (Acceptable Construction Practise) of the BCA.
· Flow rate and discharge of exhaust systems will be installed in accordance with Part 3.8.7.3 (Acceptable Construction Practise) of the BCA.
Ventilation of roof spaces provided will be in accordance with Part 3.8.7.4 (Acceptable Construction Practise) of the BCA.

3.9.1 STAIRWAYS, RAMPS AND THRESHOLDS

· Stairways, ramps and thresholds will be constructed in accordance with Part 3.9.1.1 to 3.9.1.6 (Acceptable Construction Practice) of the BCA.
· Stair treads will have a slip resistance classification in accordance with Table 3.9.1.1 of the BCA.

3.9.2 BARRIERS & HANDRAILS

· Barriers and handrails will be constructed in accordance with Part 3.9.2.1 to 3.9.2.4 (Acceptable Construction Practice) of the BCA.

3.9.2.5 PROTECTION OF OPENABLE WINDOWS

· Openable windows will be constructed and protected in accordance with Part 3.9.2.5 (Acceptable Construction Practice) of the BCA.

3.10.1 SWIMMING POOLS

· Child proof barriers around the swimming pool will comply with the Swimming Pools Act 1992 (NSW) and regulations and AS 1926.1 - Swimming Pool Safety, Part 1: Safety Barriers for Swimming Pools and AS 1926.2 - Swimming Pool Safety, Part 2: Location of Safety Barriers for Swimming Pools.
· Swimming pool water recirculation systems shall comply with AS 1926.3 – Water Recirculation and Filtration Systems.

3.10 ADDITIONAL CONSTRUCTION REQUIREMENTS

· Where relevant the entire building will be designed and constructed in accordance with Part 3.10.1 (High Wind Areas) of the BCA.
· Where relevant the entire building will be designed and constructed in accordance with Part 3.10.2 (Earthquake Zones) of the BCA.
· Where relevant the entire building will be designed and constructed in accordance with Part 3.10.4 (Construction in alpine areas) of the BCA.
· Where relevant the entire building will be designed and constructed in accordance with Part 3.10.4 (Construction in alpine areas) of the BCA.

3.10.5 CONSTRUCTION IN BUSHFIRE PRONE AREAS

· The building/s will be constructed in accordance with the following:
o AS 3959, except for Section 9 Construction for Bushfire Attack Level FZ (BAL-FZ); or
o NASH Standard 'Steel Framed Construction in Bushfire Areas'; except for buildings subject to Bushfire Attack Level FZ (BALFZ);
or
o the requirements of (c) or (d) above as modified by the development consent following consultation with the NSW Rural Fire Service under section 79BA of the Environmental Planning and Assessment Act 1979; or
o the requirements of (c) or (d) above as modified by development consent with a bushfire safety authority issued under section 100B of the Rural Fires Act 1997 for the purposes of integrated development.

3.10.6 (Attachment of decks and balconies to external walls of buildings) of the BCA.

3.10.7 (Boilers, pressure vessels, heating appliances, fireplaces, chimneys and flues) of the BCA.

· Domestic solid-fuel burning appliances shall be installed in accordance with AS/NZS 2918 – Domestic solid fuel burning appliances – Installation.
· Open fireplace construction and chimney construction will be designed and constructed in accordance with parts 3.10.7.2 to 3.10.7.3 (Acceptable Construction Practice) of the BCA.
· Insert fireplace and flues will be designed and constructed in accordance with parts 3.10.7.4 (Acceptable Construction Practice) of the BCA.
· Free standing appliances will be designed and constructed in accordance with Parts 3.10.7.5 (Acceptable Construction Practice) of the BCA.
· Boilers and pressure vessels will be designed and constructed in accordance with Parts 3.10.7.6 (Acceptable Construction Practice) of the BCA.
Part 3.10.6 (Attachment of decks and balconies to external walls of buildings) of the BCA.
Part 3.10.7 (Boilers, pressure vessels, heating appliances, fireplaces, chimneys and flues) of the BCA.

NSW 1.1 GARAGE TOP DWELLINGS ACCEPTABLE CONSTRUCTION PRACTICE

· Garage top dwellings will be designed and installed in accordance with NSW Parts 1.1.0 to 1.1.4 of the BCA.

3.12.1.1 INSULATION

· Thermal insulation will be installed in the building fabric in accordance with NSW Parts 3.12.1.1 to 3.12.1.1 of the BCA. 3.12.3 BUILDING SEALING
· The building will be sealed in accordance with NSW Part 3.12.3.1 of the BCA.

3.12.5 BUILDING SERVICES

· Building services (the hot water service) will be designed and installed in accordance with NSW Part 3.12.5.1 of the BCA

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07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: @ A3 DRAWING: **NOTES** 02/14



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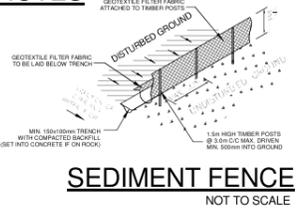
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SEDIMENT CONTROL NOTES

1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES, INCLUDING REVEGETATION AND STORAGE OF SOIL AND TOPSOIL, SHALL BE IMPLEMENTED TO THE STANDARDS OF THE SOIL CONSERVATION OF NSW AND INSPECTED DAILY BY THE SITE MANAGER.
2. ALL DRAINAGE WORKS SHALL BE CONSTRUCTED AND STABILIZED AS EARLY AS POSSIBLE DURING DEVELOPMENT.
3. SEDIMENT TRAPS SHALL BE CONSTRUCTED AROUND ALL INLET PITS, CONSISTING OF 300mm WIDE x 300mm DEEP TRENCH.
4. ALL SEDIMENT BASINS AND TRAPS SHALL BE CLEANED WHEN THE STRUCTURES ARE A MAXIMUM OF 60% FULL OF SOIL MATERIALS, INCLUDING THE MAINTENANCE PERIOD.
5. ALL DISTURBED AREAS SHALL BE REVEGETATED AS SOON AS THE RELEVANT WORKS ARE COMPLETED.
6. SOIL AND TOPSOIL STOCKPILES SHALL BE LOCATED AWAY FROM DRAINAGE LINES AND AREA WHERE WATER MAY CONCENTRATE. ALL ROADS AND FOOTPATHS TO BE SWEEPED DAILY.
7. FILTER SHALL BE CONSTRUCTED BY STRETCHING A FILTER FABRIC (PROPEX OR APPROVED EQUIVALENT BETWEEN POST AT 3.0m CENTRES. FABRIC SHALL BE BURIED 150mm ALONG ITS LOWER EDGE.
8. DUST PREVENTION MEASURES TO BE MAINTAINED AT ALL TIMES.

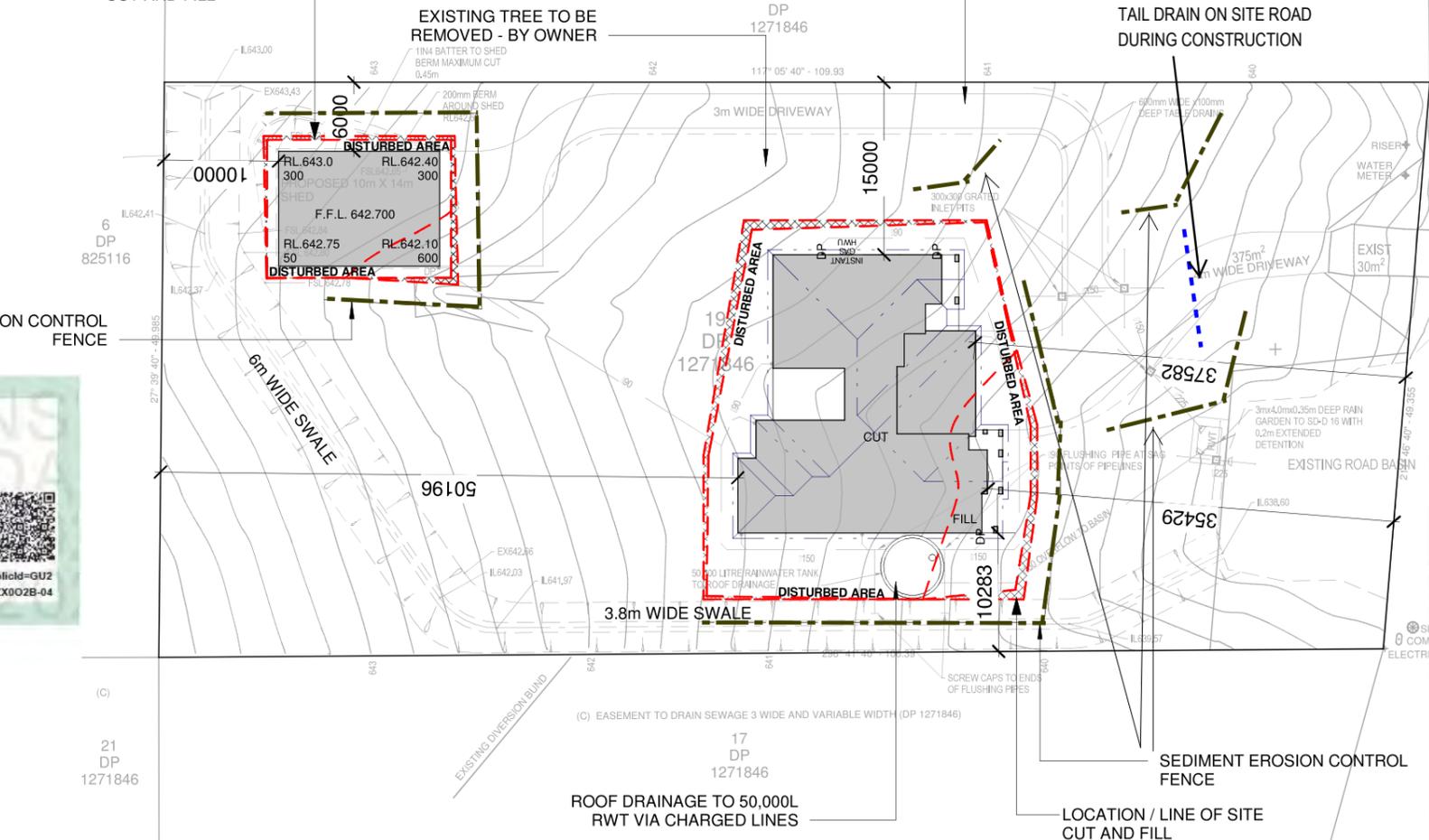


NOTE:
TEMPORARY SECURITY FENCING TO THE PERIMETER OF BOUNDARY WHERE REQUIRED TO PREVENT PUBLIC ACCESS ONTO SITE.

NOTE:
ALL GROUND LINES ARE APPROXIMATE. EXTENT OF CUT AND FILL BATTERS WILL BE DETERMINED ON SITE. SEDIMENT BARRIERS ARE TO BE CUSTOMISED SITE SPECIFIC.

NOTE:
FOR SITES LESS THAN 3000m², DEVELOPMENT COMPLIES WITH THE ENVIRONMENT PROTECTION AUTHORITY, ENVIRONMENTAL PROTECTION GUIDELINES FOR CONSTRUCTION AND LAND DEVELOPMENT, AUGUST 2007

LOCATION / LINE OF SITE CUT AND FILL



6.2
NATIONWIDE ENERGY RATING SCHEME
156.2 MJ/m²

GU2RX002B-04 5 Oct 2022
Assessor: Ian Heddle
Accreditation No. 101476
Address: 77 Corriedale Dr, Marulan, NSW 2579

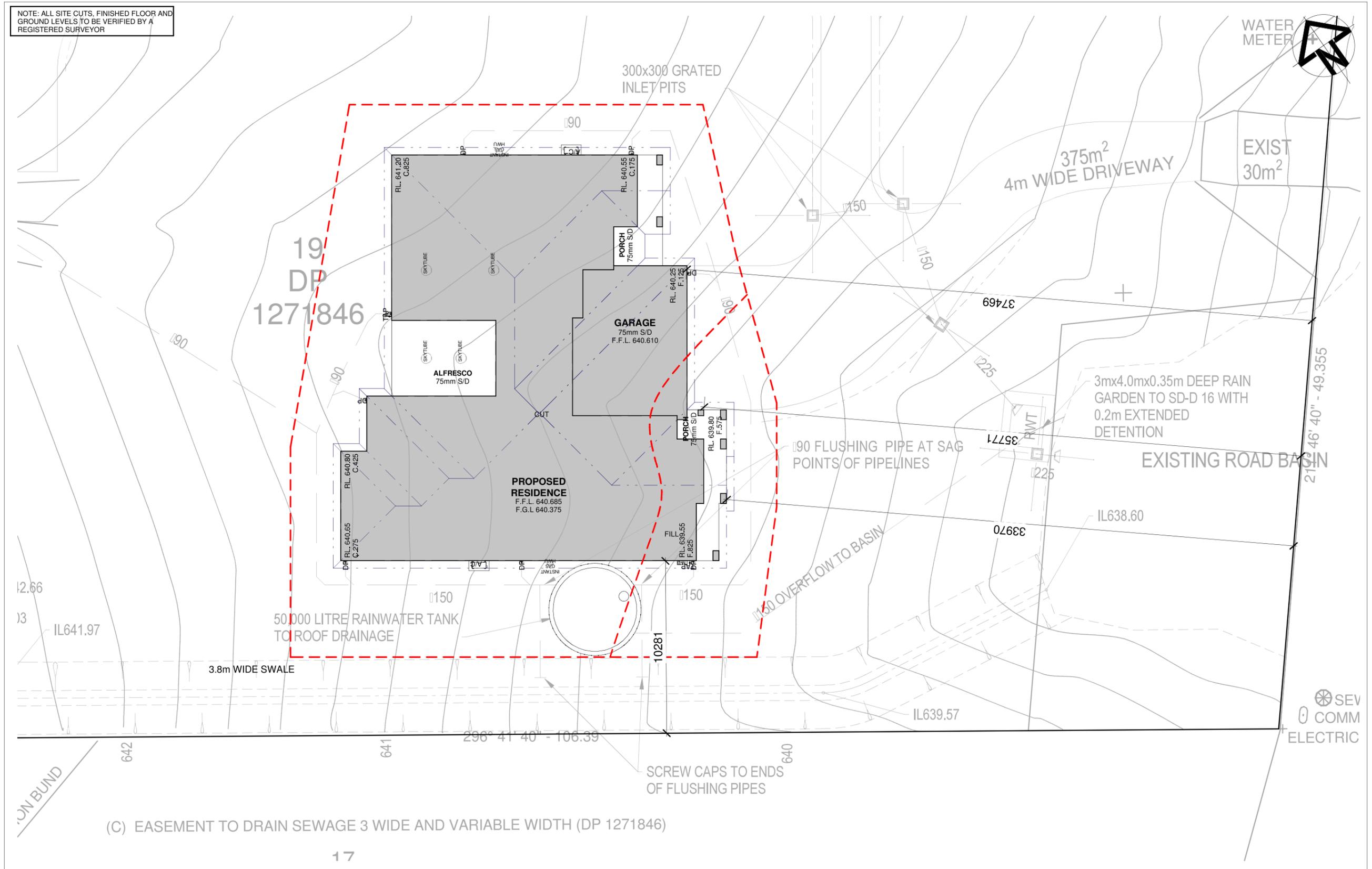
ABSA
Australian Building Sustainability Association
Accreditation Period: 31/03/2022-31/03/2023
Assessor Name: Ian Heddle
Assessment Number: 101476

TREE PROTECTION ZONE
WORKS IN TREE PROTECTION ZONE ARE TO BE CARRIED OUT IN A MANNER WHICH REQUIRES MINIMAL SITE EARTH DISTURBANCE ONLY MINIMAL ISOLATED FOOTINGS OCCUR IN THIS ZONE.
TREE PROTECTION ZONE TO BE PROTECTED BY 1.8m CYCLONE FENCE
FOOTINGS DUG IN THIS ZONE ARE TO BE DUG BY HAND. NO ROOTS GREATER THAN 50mm ARE TO BE CUT. AN ARBORIST IS TO BE PRESENT ON SITE WHILE WORKS ARE UNDERTAKEN IN THE TREE PROTECTION ZONE

BASIX COMMITMENTS	
Certificate No - 1345577s obligations - Lot 19 No 77 CORRIEDALE DVE, MARULAN (RICHARDSON & LAING - Stroud Homes)	
FIXTURES	Showerheads minimum 4 Star Toilet to be 4 Star Taps to Development - 4 Star Taps to Bathroom - 4 Star
ALTERNATE WATER	Minimum Size Rainwater tank/s off whole house roof to be 50,000L Recirc pump instal to dwelling plumbing & RAINBIRD SYSTEM 200 sq.m of lawn and garden to be serviced by tank based water
THERMAL COMFORT & WINDOWS	Windows - single glazed aluminium shaded per certif details/plans
ENERGY COMMITMENTS	GAS INSTANTANEOUS 5 STAR hot water service A/C Cool - 1 phase to Living areas & bedroom areas - zone controlled day/night 5 star (new) Natural Light & Ventilation to Laundry, both Kitchens and all Bathrooms unless shown - Ventilation fans if provided - manual switch - Kitchen range duct to external See Certificate - manual - Skytube Kitchen listed All lighting to be LED committed except kitchen/bath Refrigerator space to be well ventilated External rotary clothes line to be installed.
PLANS USED FOR BASIX Prepared for STROUD Homes by 4FOUR Concepts (modified by DA Busters for BASIX)	

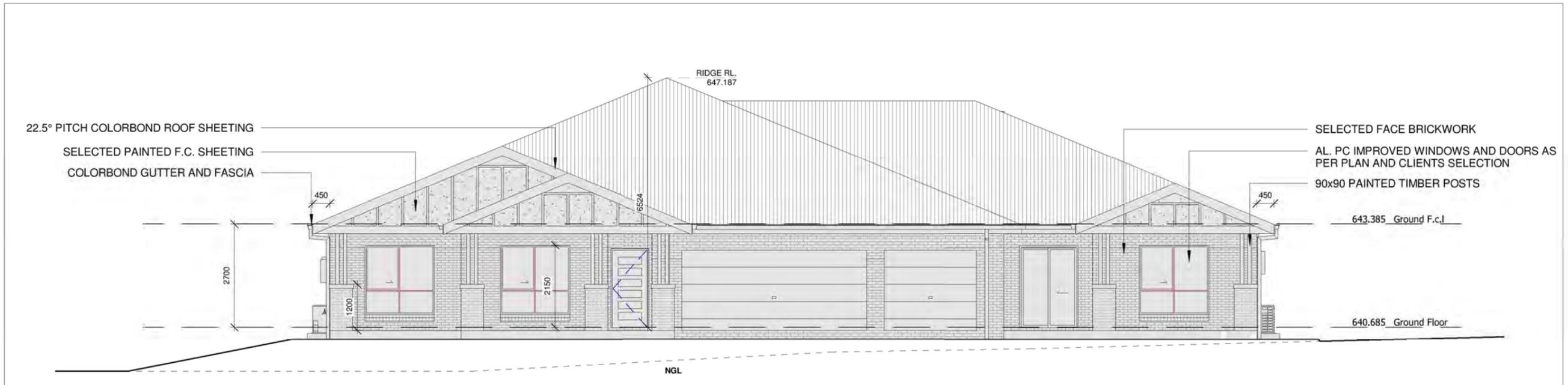
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07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: **As indicated** DRAWING: **OVERALL SITE PLAN / SITE MANAGEMENT** 03/14

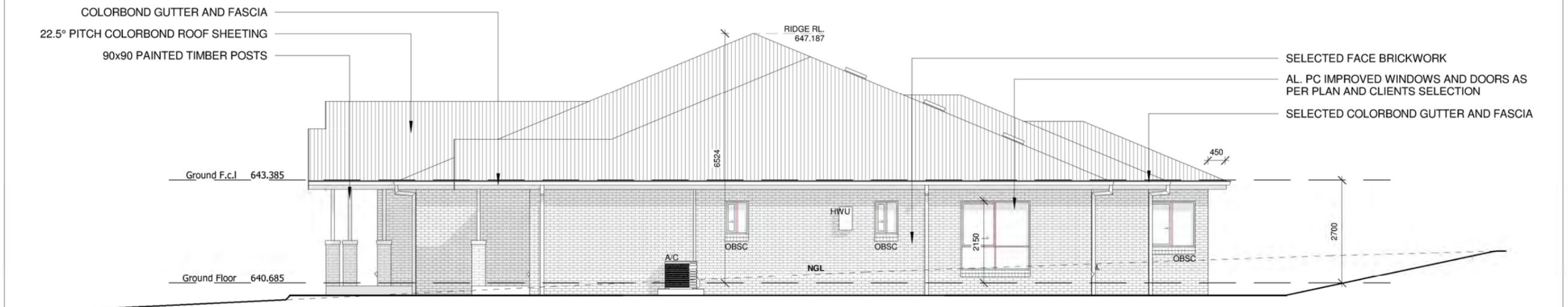


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07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: **1 : 200@ A3** DRAWING: **SITE PLAN** **04/14**



ELEVATION 1



ELEVATION 2

NOTE:
 - FLYSCREENS TO ALL WINDOWS
 - SECURITY SCREENS TO SLIDING DOORS

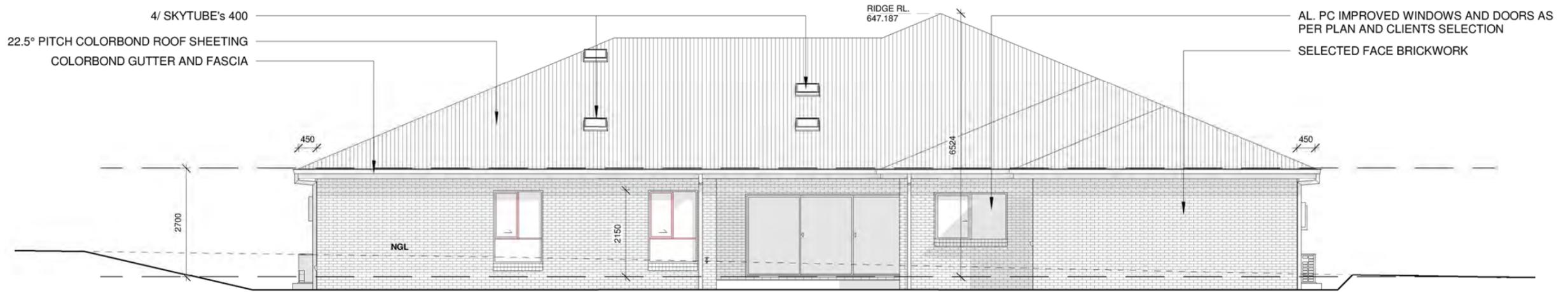
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07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: 1 : 100@ A3 DRAWING: **ELEVATION 1** 06/14

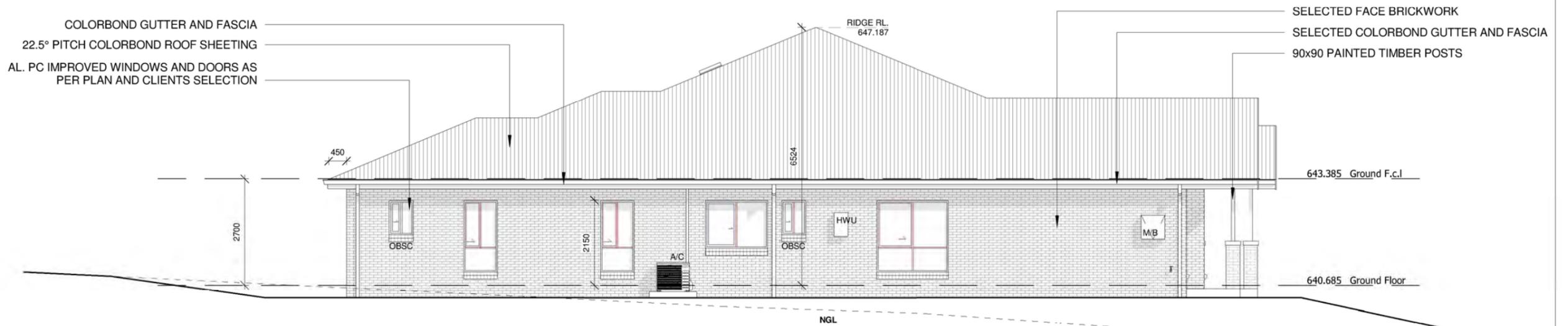
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STROUD HOMES
 Feels like home
GreenSmart
 PROFESSIONAL
CLY G



ELEVATION 3



ELEVATION 4

NOTE:
 - FLYSCREENS TO ALL WINDOWS
 - SECURITY SCREENS TO SLIDING DOORS

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07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: 1 : 100@ A3 DRAWING: **ELEVATION 2** 07/14

NOTES:
ROOF TRUSSES
 ROOF TRUSSES ROOF TRUSSES ROOF TRUSSES
 TIMBER ROOF TRUSSES@ 600C. BY UNIVERSAL
 TRUSSES. MANUFACTURED TO BCA &
 AUST.STANDARD.

LINTEL
 SIZE TO TRUSS MANUFACTURERS CHART. COLORBOND
 FASCIA AND GUTTER AS SELECTED. PROVIDE ROOF
 LIGHTS & VENTILATION TO COMPLY WITH BCA.
 ROOF PLUMBING, FLASHING & THE LIKE TO COMPLY
 WITH AUSTRALIAN STANDARDS

INTERNAL LININGS
GYPROCK TO ALL ROOMS.
FIBROUS CEMENT SHEET WALL LINING TO WET AREAS.
WALL FRAMES: TIMBER WALL FRAMES BY UNIVERSAL
 TRUSSES. MANUFACTURED TO BCA & AS 1684.2-2010
FLOOR TRUSSES TIMBER FLOOR TRUSSES BY
 UNIVERSAL TRUSSES. MANUFACTURED TO BCA &
 AUST.STANDARD

FOOTINGS ALL CONCRETE FOOTINGS AND SLABS TO
 BE IN ACCORDANCE WITH S.A.A CODE 2870.1 &
 ENGINEER'S SPECIFICATION. PROVIDE CONTINUOUS
 DAMPROOF MEMBRANE UNDER SLAB. PROVIDE
 DAMPROOF COURSE AT BEARER SEATING LEVELS.
 PROVIDE STEPPED CAVITY FLASHING WITH WEEP
 HOLE AT 1200MM CENTERS TO THE EXTERNAL BRICK
 SKIN AT GROUND FLOOR LEVEL, UNDER WINDOW SILLS
 AND BRICKWORK ABOVE WINDOWS.

BRICKWORK AS SELECTED. BONDED IN STRETCHER
 BOND. MORTAR TO COMPLY RELEVANT CODES AND
 AUSTRALIAN STANDARDS.

LINTELS FOR BRICKWORK ALL BEAMS & LINTELS
 WORK AS PER ENGINEER'S SPECIFICATION &
 MANUFACTURER'S TABLE.

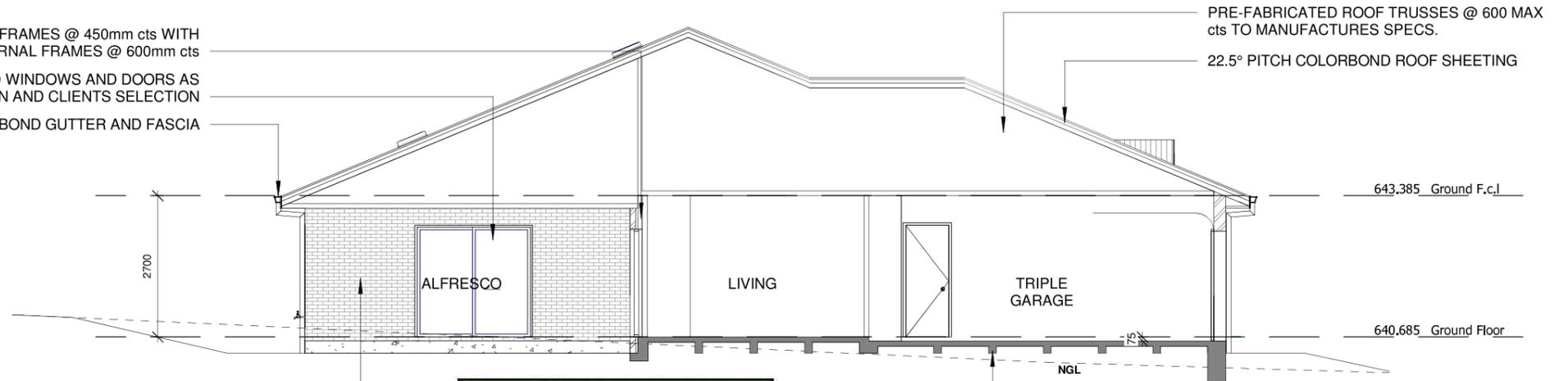
STAIRS, BALUSTRADES AND HANDRAILS THE HEIGHT
 OF THE BALUSTRADE ON A FINISHED FLOOR LEVEL,
 BALCONY, LANDING OR PATH MUST BE ABOVE 1000MM.
 OPENINGS IN THE BALUSTRADES MUST BE
 CONSTRUCTED SO THAT ANY OPENING DOES NOT
 PERMIT A 125MM SPHERE TO PASS THROUGH IT. THIS
 SPACE IS TESTED ABOVE THE NOSING LINE ONLY. A
 HANDRAIL SHOULD BE PROVIDED ALONG AT LEAST
 ONE SIDE OF THE STAIRS. THE HANDRAILS SHOULD BE
 CONTINUOUS. ALL STAIRS, BALUSTRADES AND
 HANDRAILS SHALL COMPLY WITH AS AND BCA.

WATER SENSITIVE URBAN DESIGN REQUIREMENTS
 PROVIDE A MINIMUM RAINWATER TANK SIZE AS
 INDICATED ON THE PLANS, WHICH IS TO BE
 CONNECTED TO ALLOW RAINWATER HARVEST FROM A
 MINIMUM ROOF AREA AS PER THE TERRITORY PLAN
 REQUIREMENTS, OF THE ENTIRE RESIDENCE ROOF
 AREA. THE TANK IS TO BE CONNECTED TO SUPPLY
 WATER TO TOILETS, LAUNDRY COLD WATER AND ALL
 EXTERNAL USE OUTLETS, THE TANK IS CONNECTED TO
 AT LEAST A TOILET, LAUNDRY COLD WATER AND ALL
 EXTERNAL TAPS. THE CONNECTION WILL REQUIRE A
 PUMP WHERE IT CANNOT BE ELEVATED SUFFICIENTLY
 TO GIVE ADEQUATE PRESSURE.

CONDENSATION MANAGEMENT BUILDING MEMBRANES
 INSTALLED IN THE BUILDING MUST COMPLY WITH
 SECTION 3.8.7 OF THE BCA

BUILDING SEALING ALL AREAS OF THE BUILDING MUST
 BE SEALED IN ACCORDANCE WITH SECTION 3.12.3 OF
 THE BCA

EXTERNAL FRAMES @ 450mm cts WITH
 INTERNAL FRAMES @ 600mm cts
 AL. PC IMPROVED WINDOWS AND DOORS AS
 PER PLAN AND CLIENTS SELECTION
 COLORBOND GUTTER AND FASCIA



SELECTED FACE BRICKWORK

PRE-FABRICATED ROOF TRUSSES @ 600 MAX
 cts TO MANUFACTURES SPECS.
 22.5° PITCH COLORBOND ROOF SHEETING

REINFORCED CONCRETE
 SLAB/FOOTINGS TO ENG. DETAILS

SECTION 1

BASIX COMMITMENTS

Certificate No - 1345577s obligations -
 Lot 19 No 77 CORRIEDALE DVE, MARULAN
 (RICHARDSON & LAING - Stroud Homes)

FIXTURES
 Showerheads minimum 4 Star
 Toilet to be 4 Star
 Taps to Development - 4 Star
 Taps to Bathroom - 4 Star

ALTERNATE WATER
 Minimum Size Rainwater tank/s off whole house roof to be 50,000L
 Recirc pump instal to dwelling plumbing & RAINBIRD SYSTEM
 200 sq.m of lawn and garden to be serviced by tank based water

THERMAL COMFORT & WINDOWS
 Windows - single glazed aluminium shaded per certf details/plans

ENERGY COMMITMENTS
 GAS INSTANTANEOUS 5 STAR hot water service
 A/C Cool - 1 phase to Living areas & bedroom areas - zone controlled day/night 5
 star (new)
 Natural Light & Ventilation to Laundry, both Kitchens and all Bathrooms unless
 shown - Ventilation fans if provided - manual switch - Kitchen range duct to
 external See Certificate - manual - Skytube Kitchen listed
 All lighting to be LED committed except kitchen/bath
 Refrigerator space to be well ventilated
 External rotary clothes line to be installed

PLANS USED FOR BASIX
 Prepared for STROUD Homes by 4FOUR Concepts
 (modified by DA Busters for BASIX)

6.2
 NATIONWIDE
 HOUSE
 ENERGY RATING

156.2
 MJ/m²

GU2RZX002B-04 5 Oct 2022
 Assessor Ian Heddlie
 Accreditation No. 101476
 Address 77 Corriedale Dr
 Marulan NSW 2579
<https://www.nsw.gov.au/QRCodeLanding?PublicId=GU2RZX002B-04>

ABSA
 Accredited Building Surveyor

Accreditation Period: 31/03/2022-31/03/2025
 Assessor Name: Ian Heddlie
 Assessor Number: 101476
 Assessor Signature: [Signature]

Window Schedule

No.	Type	Height	Width	Comments
1	ASW1818	1800	1810	
2	ASW1818	1800	1810	
3	ASW1818	1800	1810	
4	ASW0906 OBSC	860	610	
5	ASW1215 OBSC	1200	1570	
6	ASW1809	1800	850	
7	ASW1809	1800	850	
8	ASW0906 OBSC	860	610	
9	ASW1212 OBSC	1200	1210	
10	ASW1218	1200	1810	
11	ASW1812	1800	1210	
12	ASW1812	1800	1210	
13	ASW1818	1800	1810	
14	ASW0906 OBSC	860	610	
15	ASW0906 OBSC	860	610	
16	ASW1818	1800	1810	
17	AWN0812	790	1270	

Door Schedule

No.	Type	Height	Width	Comments
1	SF2115	2100	1450	
2	920	2040	920	
3	AST2130	2060	3010	
4	AST2139	2060	3970	
5	SF2121	2100	2170	

FINAL WINDOW / DOOR DIMENSIONS SUBJECT TO
 MAN. SPECIFICATIONS.

NOTES:
 ALL WORK MUST BE CARRIED OUT IN ACCORDANCE WITH
 THE CURRENT VERSION OF THE BCA AND THE RELEVANT
 AUTHORITIES REQUIREMENTS.

INSULATION:
 EXTERNAL WALLS R2.5 BATTS PLUS
 R0.5 PERFORATED
 SISALATION.
 INTERNAL GARAGE WALLS R2.0 BATTS
 CEILING R5.0 BATTS
 SHEET METAL ROOF WITH SISALATION UNDER R1.0

WEATHERSTRIPS TO ALL EXTERNAL DOORS
 NO UNSEALED VENTED DOWNLIGHTS
 SELF-SEALING DAMPERS TO ALL EXHAUST FANS

ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES.

07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: **1 : 100@ A3** DRAWING: **SECTION & WINDOW / DOOR SCHEDULE** **08/14**

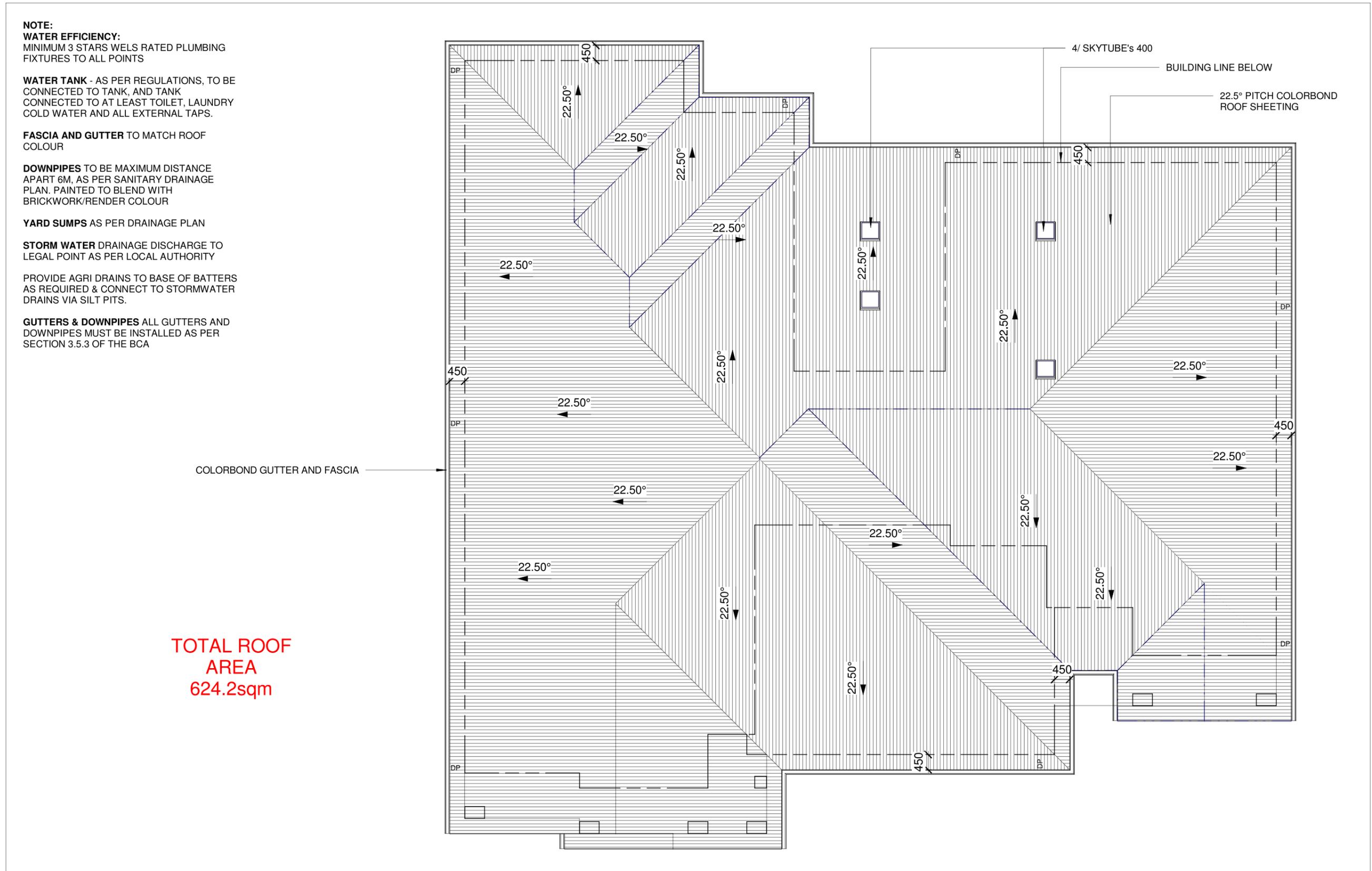


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 4 CONCEPTS ARCHITECTURE STUDIO OR THEIR PERSONNEL





NOTE:
WATER EFFICIENCY:
 MINIMUM 3 STARS WELS RATED PLUMBING FIXTURES TO ALL POINTS

WATER TANK - AS PER REGULATIONS, TO BE CONNECTED TO TANK, AND TANK CONNECTED TO AT LEAST TOILET, LAUNDRY COLD WATER AND ALL EXTERNAL TAPS.

FASCIA AND GUTTER TO MATCH ROOF COLOUR

DOWNPIPES TO BE MAXIMUM DISTANCE APART 6M, AS PER SANITARY DRAINAGE PLAN. PAINTED TO BLEND WITH BRICKWORK/RENDER COLOUR

YARD SUMPS AS PER DRAINAGE PLAN

STORM WATER DRAINAGE DISCHARGE TO LEGAL POINT AS PER LOCAL AUTHORITY

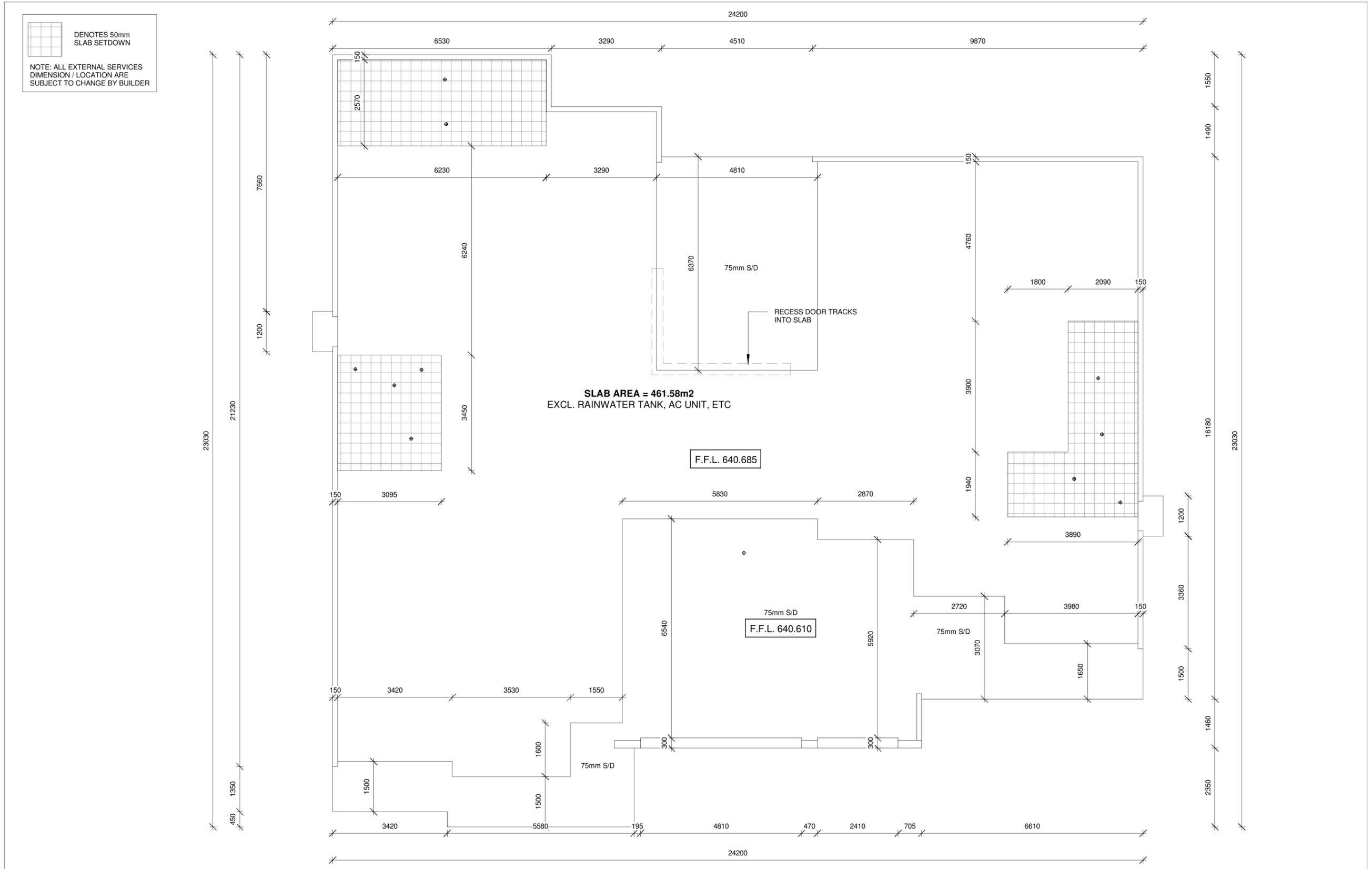
PROVIDE AGRI DRAINS TO BASE OF BATTERS AS REQUIRED & CONNECT TO STORMWATER DRAINS VIA SILT PITS.

GUTTERS & DOWNPIPES ALL GUTTERS AND DOWNPIPES MUST BE INSTALLED AS PER SECTION 3.5.3 OF THE BCA

TOTAL ROOF AREA
624.2sqm

ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES.

07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: **1 : 100@ A3** DRAWING: **ROOF PLAN** 09/14



ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES.

07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: **1 : 100@ A3** DRAWING: **SLAB PLAN** 10/14

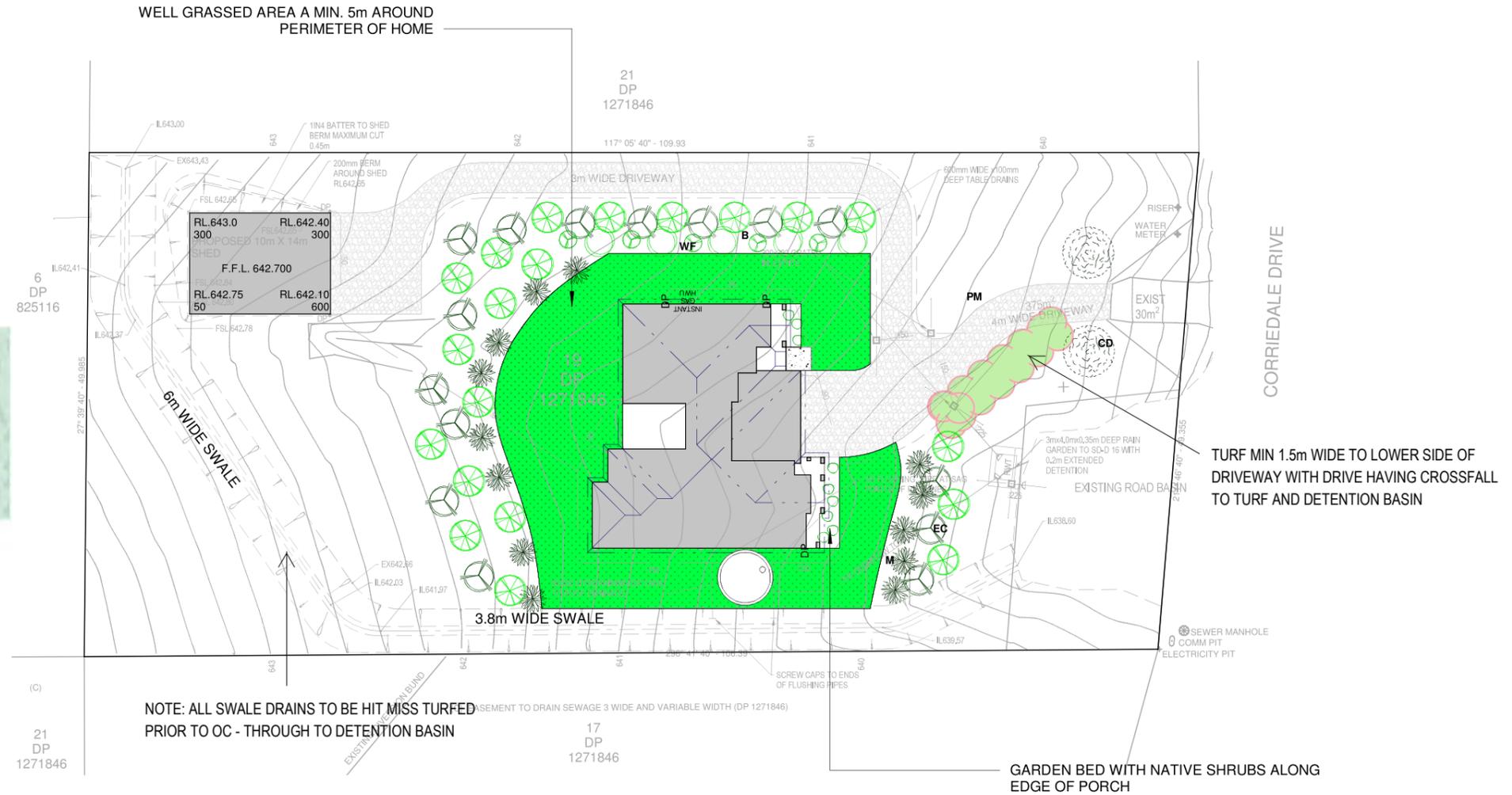


BASIX COMMITMENTS
Certificate No - 1345577S obligations - Lot 19 No 77 CORRIEDALE DVE, MARULAN (RICHARDSON & LAING - Stroud Homes)
FIXTURES Showerheads minimum 4 Star Toilet to be 4 Star Taps to Development - 4 Star Taps to Bathroom - 4 Star
ALTERNATE WATER Minimum Size Rainwater tank/s off whole house roof to be 50,000L Recirc pump instal to dwelling plumbing & RAINBIRD SYSTEM 200 sq.m of lawn and garden to be serviced by tank based water
THERMAL COMFORT & WINDOWS Windows - single glazed aluminium shaded per certif details/plans
ENERGY COMMITMENTS GAS INSTANTANEOUS 5 STAR hot water service A/C Cool - 1 phase to Living areas & bedroom areas - zone controlled day/night 5 star (new) Natural Light & Ventilation to Laundry, both Kitchens and all Bathrooms unless shown - Ventilation fans if provided - manual switch - Kitchen range duct to external See Certificate - manual - Skytube Kitchen listed All lighting to be LED committed except kitchen/bath Refrigerator space to be well ventilated External rotary clothes line to be installed.
PLANS USED FOR BASIX Prepared for STROUD Homes by 4FOUR Concepts (modified by DA Busters for BASIX)

ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES.

07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: @ A3 DRAWING: **BASIX NOTES** 11/14

NOTE:
 - ALL PLANTING IS TO TAKE PLACE IN SUITABLY PREPARED PLANT BEDS. PREPARATION IS TO INCLUDE WEED REMOVAL AND CULTIVATION OF THE SOIL.
 - ALL PLANT BEDS ARE TO BE MULCHED WITH ORGANIC OR GRAVEL MULCH TO A MIN. DEPTH OF 75mm.
 - AN EDGE IS TO BE PROVIDED BETWEEN GARDEN AREAS AND GRASSED AREAS TO FACILITATE MAINTENANCE AND PLANT ESTABLISHMENT. SUITABLE MATERIALS INCLUDE TIMBER, CONCRETE, BRICK OR PVC.

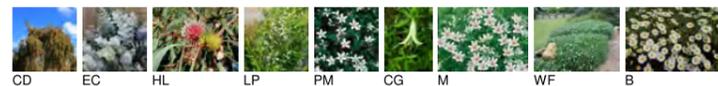


6.2
 NATIONWIDE HOUSE ENERGY RATING SCHEME
 156.2
 GU2RZX02B-04 5 Oct 2022
 Assessor: Ian Heddie
 Accreditation No. 101476
 Address: 77 Corriedale Dr, Marulan NSW 2579
 https://www.fr5.com.au/QRCodeLanding?PublicId=GU2RZX02B-04

ABSA
 Australian Building Sustainability Association
 Accreditation Period: 31/03/2022-31/03/2023
 Assessor Name: Ian Heddie
 Assessor Number: 101476
 Assessor Signature: [Signature]

PLANT SCHEDULE

ABRV.	BOTANICAL NAME	COMMON NAME	HEIGHTxWIDTH
CD	CALLISTEMON DAWSON	RIVER WEEPER	5 x 5m
EC	EUCALYPTUS CINEREA	BABY BLUE/SILVER DOLLAR	3 x 3m
HL	HAKEA LAURINA	PIN CUSHION HAKEA	2.5-6 x 2-5m
LP	LEPTOSPERMUM PETERSONII	LEMON SCENTED TEA TREE	3-5 x 1-2m
PM	PHILOTHECA MYOPOROIDES	LONG-LEAF WAXFLOWER	2 x 1m
CG	CORREA GLABRA WINTER GLOW	ROCK CORREA	1-2 x 1-2m
M	MYOPORUM	PINK STAMPEDE	0.2 x 3m
WF	WESTRINGIA FRUTICOSA	COASTAL ROSEMARY	0.1 x 1.5m
B	BRACHYSCOME	WHITEWASH	0.2 x 1m



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07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: **As indicated** DRAWING: **LANDSCAPE PLAN** 12/14

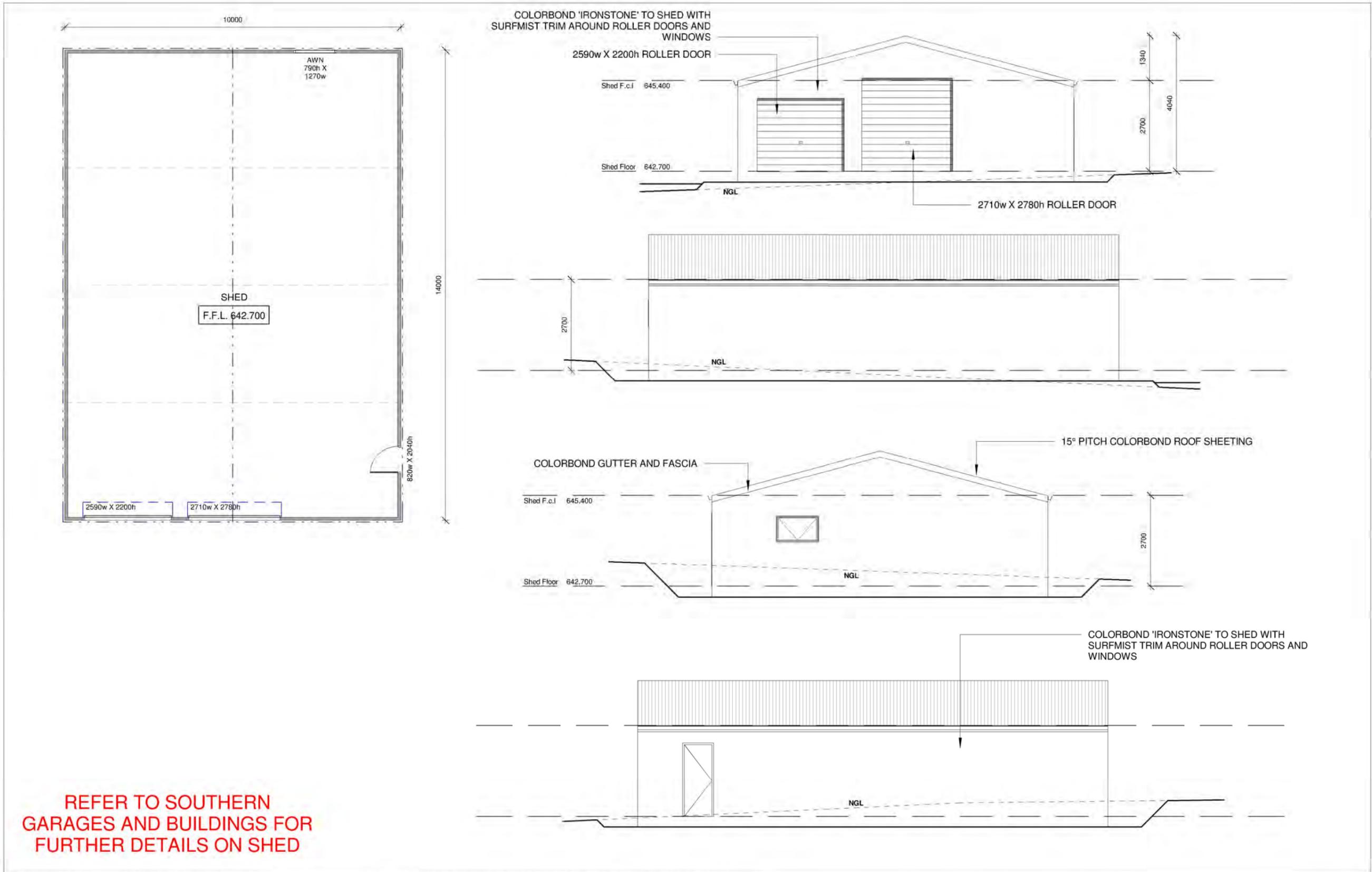


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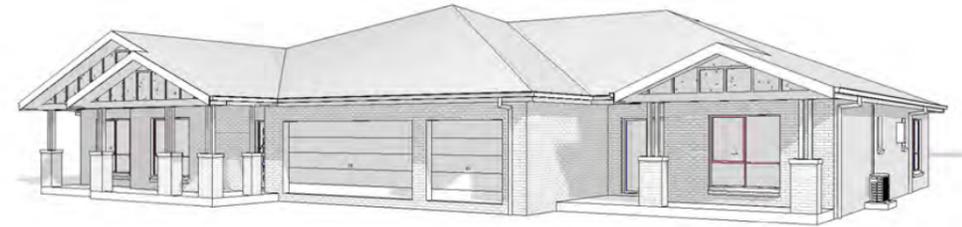




REFER TO SOUTHERN GARAGES AND BUILDINGS FOR FURTHER DETAILS ON SHED

ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES.

07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: 1 : 100@ A3 DRAWING: **SHED PLAN** 13/14



ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES.

07/09/22 CLIENT: **STROUD HOMES** PROJECT: **77 CORRIEDALE DRIVE, MARULAN - LOT 19 - DP 1271846 -** DRAWN: 4 CONCEPTS SCALE: @ A3 DRAWING: 3D PERSPECTIVES 14/14

8.2 ELECTORAL SIGNAGE POLICY

Author: Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments:

1. [Submission](#)  
2. [SEPP \(Exempt and Complying Development Codes\) Amendment \(Display of Electoral Material\)](#)  
3. [Amended Draft Electoral Sign Policy](#)  

Link to Community Strategic Plan:	4. Our Environment EN4 Maintain a balance between growth, development and environmental protection through sensible planning.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report of the Director Planning & Environment be received.
2. The Electoral Signage Policy be adopted as per the amended draft Policy.

BACKGROUND

On 6 December 2022, Council resolved to place a draft Electoral Signage Policy on public exhibition.

The purpose of the draft Policy is to support decision making in relation to the application of Clauses 2.106 and 2.107 of the *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008* (Codes SEPP) and Clause 3.26 of the of the *State Environmental Planning Policy (Industry and Employment) 2021* (I & E SEPP).

REPORT

The exhibition period for the draft Electoral Signage Policy concluded on 11 January 2023, with one (1) public submission being received. A copy of this submission is attached.

In addition to the single public submission, *the Codes SEPP* was amended on 16 December 2022. A copy of the amendment instrument is attached.

Submission

One (1) submission was received as a consequence of the public exhibition period. The following table summarises the submission and provides a response for each key issue raised:

Issue Raised	Response
Enforceability of 1-day timeframes for compliance. Council should simply remove the offending sign and invoice for the cost of removal and disposal.	Council must be able to demonstrate procedural fairness in its compliance dealings. There are very few instances where immediate action can be undertaken, and this primarily relates to instances where life or property are being put at risk.

	<p>If signage is creating an unnecessary risk, the 9th dot point under “Enforcement and Compliance” in the draft Policy provides Council with the ability to take immediate action.</p> <p>Council must also be mindful of the regulations contained within the Public Spaces (Unattended Property) Act 2021, which dictates how matters are to be impounded and managed. The exhibited Policy was drafted to reflect this legislation.</p> <p>Council’s experience is that the responsiveness of parties and candidates during election periods is typically quick due to the availability of volunteers and campaign workers.</p> <p>Outcome: No further action necessary.</p>
<p>Clarification should be sought from the NSW Electoral Commission in relation to Council’s ability to enforce signage requirements on private property.</p>	<p>This was confirmed by the Australian Electoral Commission during the 2022 federal election.</p> <p>Council’s authority to regulate signage is derived from the Environmental Planning & Assessment Act 1979 (the Act). Under the Act, signage is considered to be a form of development, for which consent is typically required. The Codes SEPP specifies types of development that can be undertaken as either exempt development (eg. without consent) or as complying development (code-based assessment), of which election signage is a specified development type.</p> <p>The Act and Codes SEPP applies to all land in NSW, including public and private property.</p> <p>Council’s authority extends to standards such location of a sign and its size, but generally not content. Content is managed under the various election legislation which is subsequently managed by the Australian Electoral Commission (AEC - federal government), and the NSW Electoral Commission (NSWEC - state and local government).</p> <p>Outcome: No further action necessary.</p>
<p>The specific wording of “5 weeks preceding” and “1 week following” should be replaced by “within the regulated period”. There is nothing stopping anyone engaging in political advertising at present.</p>	<p>This matter was originally considered as the Policy document was being drafted. The intent of the Policy is to provide parties, candidates and their volunteers with as much detail as is practical to assist them in remaining compliant with any signage they wish to display.</p> <p>Ultimately it was, and still is, considered important to provide the specific timeframe within the Policy so that all stakeholders are familiar with the requirements.</p> <p>Outcome: No further action necessary.</p>

<p>Potential overlapping of legislation for road registered trailers that are legally parked on a road or road-related area.</p>	<p>This section of the Policy is guided by Clause 3.26 of the I & E SEPP. The SEPP specifically states:</p> <ul style="list-style-type: none"> • A person must not display an advertisement on a trailer parked on a road or road related area. • A person must not display an advertisement on a trailer parked on land other than a road or road related area, but visible from a road or road related area, except with the consent of the consent authority. <p>Under the SEPP, the only exceptions are:</p> <ul style="list-style-type: none"> • If the advertisement is ancillary to the dominant purpose of the trailer (eg. a builder's trailer advertising the name of the builder), or • If the advertisement is on a trailer parked by or on behalf of a public authority in the exercise of its functions. <p>Outcome: No further action necessary.</p>
--	--

In accordance with the responses provided in the table above, it is recommended that no further action be taken in relation to the public submission.

Amendment to the State Environmental Planning Policy (Exempt & Complying Development Codes) 2008

During the exhibition period for the draft Policy, the NSW Government published the *State Environmental Planning Policy (Exempt & Complying Development Codes) Amendment (Display of Electoral Material) 2022* (the Amendment). The effect of the Amendment is generally minor, and can be summarised as follows:

- Removal of the term “poster” and replacing it with “sign”;
- Updating a reference from the former *Parliamentary Electorates and Elections Act 1912* to the current *Electoral Act 2017*;
- A new definition for “electoral matter”; and
- An extension of the prescribed period preceding an election from 5 weeks to 8 weeks.

The only impact that the Amendment has upon the draft Policy is in relation to the extension of the prescribed period preceding the election from 5 weeks to 8 weeks. Accordingly, it is recommended that the draft Policy be amended to reflect the *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008*. As discussed above in response to the public submission, consideration was given to replacing this reference to “within the regulated period”. This would provide inbuilt flexibility to the Policy in the event that the timeframe was subject to further amendments.

However, given the that the overall intent of the Policy is to ensure that all parties, candidates and their volunteers are aware of the extent of electoral signage regulation, it is considered that it would be in the best interests of these stakeholders by retaining a direct reference the specific timeframe.

Recommendation

Upon consideration of the single public submission and the *State Environmental Planning Policy (Exempt & Complying Development Codes) Amendment (Display of Electoral Material) 2022*, it is recommended that Council adopt the Electoral Signage Policy subject to the following amendment:

- The 2nd dot point under Enforcement and Compliance, be amended to reflect recent changes to the *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008* as follows:
 - Election signage must only be displayed for eight weeks preceding election day.

A copy of the amended draft Policy has been attached.

SUBMISSION TO GOULBURN MULWAREE COUNCIL**(DRAFT) ELECTION SIGNAGE POLICY**

I understand Council wants to manage proper control of election signage which appears prolifically every election but some parts of the draft Election Signage Policy may not be enforceable from what I can see. I don't believe Council can exceed the requirements of the NSW Electoral Act 2017 (the Act) administered by the Electoral Commission of New South Wales (the ECNSW).

My submission below outlines my comments regarding:-

1. Council owned and managed properties and land;
2. Private property and land; and
3. Other matters

1. Council owned and managed properties, including land.

I have no issue with Council prohibiting election signage on Council owned and managed land and properties and section 184(2)(a)(ii) of the Act strengthens this by prohibiting posters (signage) on Council property during the regulated election period:

184 Display of posters

- (1)
- (2) A person must not, during the regulated period, display or permit or cause to be displayed a poster—
 - (a) on or within any premises occupied or used by, or under the control or management of—
 - (i)
 - (ii) any council or county council,

The '*Public land/space*' definition in the draft policy adequately covers what s184 stipulates from what I can see.

I feel there will be a problem with the draft policy proposal to include a notice and 1 day timelines for compliance to the person/s who placed the signage. It will be bureaucratic and cumbersome to administer. Offenders who comply with notices can take 23 hours and 59 minutes to comply with removal of the signage and some will do so.

Just remove and dispose of the unauthorised signage / posters. Council should bill the subject person/s a Tax invoice for the cost of removal and disposal. These words should be added to the draft policy. A few cases getting this publicity will soon stop it.

2. Private Property

I suggest Council seek clarification / authorisation in writing from the ECNSW to be delegated authority to enforce compliance with posters and election signage on private property. Otherwise refer any complaints to the ECNSW.

If so authorised, Council might also ask for a payment from the ECNSW to offset the cost of staff time involved in this activity.

Local Govt GMC / Submission Election Signage policy Jan 2023

Section 16 of the Act sets out delegations the ECNSW and its Commissioner may approve, but it is not clear if this includes local government.

Enforcement of the Act is primarily the role of the ECNSW and the Act sets out various requirements for compliance with advertising signage and posters but Council’s draft policy appears to differ from this in some instances which I doubt is enforceable.

For example, sections 183 and 184 of the Act set out requirements for posters “during the regulated period”. The “regulated period” is defined under section 4 of the Act as:-

4 Definitions

(1) In this Act—

.....

regulated period for an election—

(a) means the period starting on the date of the issue of the writ for the election and ending at 6pm on election day,

Council’s draft policy wants to restrict advertising to “5 weeks preceding” and “1 week following election day”. This is similar wording in the SEPP but it differs from the “regulated period” defined in the Act. I feel the wording of Council’s Election Signage Policy should be altered to align with the Act.

There is nothing stopping anyone engaging in political advertising from now until the writ is issued (i.e. signed by the Governor). A person or organisation could advertise on large billboards right now if they wanted to prior to the issue of the writ.

3. Other Comments

I question the proposed rules for prohibiting advertising on (road registered) trailers that are legally parked on a roadway or road related area. The overlapping legislation (reference to other acts of Parliament & regulations) are not clear on this.

Section 184(3) of the Act stipulates:

184 Display of posters

(1).....

(2).....

(3) Subsection (2) (a) does not apply in relation to a poster—

(a)

(b)

(c) on a vehicle on a road or road related area (within the meaning of section 4 (1) of the [Road Transport Act 2013](#))

So I doubt there is anything illegal about signage on trailers if it complies with any size restrictions during the regulated period.

Summary and Recommendations:

1. Strengthen enforcement: Council can prohibit election signage on Council owned and managed properties and lands at any time and I have no issue with this. Unauthorised signage can be removed and the person/s who placed it there should be billed for the cost of removal and disposal – these words should be added to the draft policy. Notices to offenders and timelines can be bureaucratic and cumbersome to administer so I recommend just remove and dispose of unauthorised signs or posters.

2. Align with the Act: The wording of “5 weeks preceding” and “1 week following election day” in the draft policy should be replaced by “within the regulated period as defined in the Electoral Act 2017” – or similar wording to that effect.

3. Written authorisation: Council should seek authority / clarification from the ECNSW to enforce compliance with posters and election signage on private property and a payment from the ECNSW to offset Council staff time in carrying out such enforcement activities. If the ECNSW declines then refer any complaints for non compliance to the ECNSW.

4. Doubtful matter: I doubt the Council can enforce a ban on (road registered) trailers that are legally parked displaying election signage. The Act says s184 restrictions don't apply to a vehicle on a road or road related area.

.....

I am happy to discuss any of the issues I have raised.

(sent electronically)
Barry McDonald
9 January 2023



New South Wales

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Display of Electoral Material) 2022

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP
Minister for Planning

Published LW 16 December 2022 (2022 No 821)

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Display of Electoral Material) 2022 [NSW]

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Display of Electoral Material) 2022

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Display of Electoral Material) 2022*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of Policy

This Policy is repealed at the beginning of the day following the day on which this Policy commences.

4 Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

(1) Clause 2.106 Specified development

Omit “any poster” from clause 2.106(1). Insert instead “a sign”.

(2) Clause 2.106(1)

Omit “*Parliamentary Electorates and Elections Act 1912*”.

Insert instead “*Electoral Act 2017*”.

(3) Clause 2.106(2)

Omit the subclause. Insert instead—

(2) In this clause—

electoral matter means—

- (a) matter that is intended, calculated or likely to affect, or is capable of affecting, the result of an election or that is intended, calculated or likely to influence, or is capable of influencing, an elector in relation to the casting of the elector’s vote at an election, or
- (b) the name of a candidate at an election, the name of the party of a candidate and a picture of a candidate, including a photograph of the candidate and a drawing or printed matter that purports to depict the candidate or to be a likeness or representation of the candidate.

sign includes a poster, banner, placard and other similar material.

(4) Clause 2.107 Development standards

Omit “5 weeks” from clause 2.107(c)(i). Insert instead “8 weeks”.



Electoral Signage Policy



GOULBURN MULWAREE COUNCIL ELECTORAL SIGNAGE POLICY

POLICY OBJECTIVE

The purpose of this Policy is to outline the requirements in relation to the placement of election signage within the Goulburn Mulwaree Local Government Area (LGA) during Federal, State and Local Government elections.

Political advertising on Council owned, controlled or managed land or infrastructure is prohibited. This allows Council to remain impartial during election campaigns and ensures that all candidates and political parties have equal opportunity to display election signage.

LEGISLATIVE PROVISIONS

Electoral Act 2017

Commonwealth Electoral Act 1918 (Cth)

Local Government Act 1993

Parliamentary Electorates and Elections Act 1912

Public Spaces (Unattended Property) Act 2021

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Industry and Employment) 2021

POLICY STATEMENT

This Policy applies to the placement, erection and display of election and/or referenda signs and signage erected in the LGA for any Federal, State or Local Government election or referenda.

This Policy outlines Council's intention to implement the requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP)*, *State Environmental Planning Policy (Industry and Employment) 2021* and other relevant legislative provisions.

The specifications regarding placement and display of election signage which are stated in the SEPP are not replicated in this Policy. Details of the specifications for election signage should be obtained directly from the SEPP.

Definitions

For the purposes of this Policy:

- Candidate - a person who has nominated for election
- Registered political party – a body or organisation that promotes endorsed candidate/s for election and is registered with the respective electoral commission
- Public land/space – Council owned, controlled or managed land or infrastructure including:
 - telephone/power poles
 - trees, shrubs or plants
 - street signs, traffic control signs or parking signs
 - footpath areas
 - parks and nature reserves
 - any structures within a road reserve
 - median strips, traffic islands or roundabouts
 - any place that causes a sight obstruction or hazard/danger to the public.



GOULBURN MULWAREE COUNCIL
ELECTORAL SIGNAGE POLICY

Enforcement and Compliance

In addition to the requirements of the SEPP and in accordance with Council’s Enforcement Policy, the following are points of clarification and interpretation:

- Election signage must not be attached to a heritage item.
- Election signage must only be displayed for eight weeks preceding election day.
- Election signage must only be displayed for one week following election day.
- Election signage must not be displayed on a trailer parked on a road or road-related area.
- Election signage must not be displayed on a trailer parked on land other than a road or road related area, but visible from a road or road-related area, without development consent.
- Development consent is required to be sought for signage on private property in excess of 0.8m2 in area.
- Where signage is to placed on a corner block or lots with multiple frontages, Council will allow one sign per candidate/political party per frontage, not more than 0.8m2 in area.
- No signage is permitted on public land/space, property and or infrastructure.
- Signage will be immediately removed in circumstances where sight obstruction or hazard/danger to the public exists.
- Where Council can validate a non-compliance with the SEPP and/or this Policy, Council will issue a single warning to the candidate and their associated political party, if applicable.
- Following the single warning, Council will require that the sign be removed within an appropriate timeframe as determined by the Business Manager Environment & Health. Decision as to the appropriate timeframe will be subject to:
 - Risk to public or property
 - Traffic obstruction/impediment
 - Repeated non-compliances

Regardless of the above, a maximum of 24 hours will be given to facilitate compliance.

- If an election sign/s is impounded the candidate or an authorised representative of the associated political party must retrieve the sign/s within 7 days. Candidates and/or political parties that fail to retrieve the sign/s within this timeframe may be subject to a penalty infringement notice for development without consent in accordance with the EPA Act 1979 and associated disposal costs to the Goulburn Waste Management Centre.
- Where Council determines that the proliferation of a number and/or density of signage may cause a safety risk to the public, Council will use its discretion to remove the signage.

Related Documents

Council’s Enforcement Policy
NSW Transport Corridor Outdoor Advertising and Signage Guidelines

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Planning & Environment

BUSINESS UNIT: Environment & Health

8.3 ADVOCACY PLAN - 2023 STATE GOVERNMENT ELECTION**Author:** Chief Executive Officer**Authoriser:** Aaron Johansson, Chief Executive Officer**Attachments:** 1. Draft Advocacy Plan - 2023 State Government Election [↓](#) 

Link to Community Strategic Plan:	28. Our Civic Leadership CL4 Actively investigate and communicate funding sources and collaboration opportunities that can strengthen the region.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That Council endorses the Advocacy Plan – 2023 State Government Election.

BACKGROUND

The Advocacy Plan has been drafted to articulate the six highest priority areas requiring action from the State Government if successful at the 25 March 2023 election.

REPORT

The past year has been a challenging year for local government in NSW with Goulburn Mulwaree Council experiencing extreme financial pressure. Compounding factors include: Rate pegging determination by IPART; inflation reaching 7%; an increase in operating expenses; delivery of infrastructure and maintenance projects; energy price increases and shortage of skilled employees particularly in the industries of quarrying, health and hospitality.

Goulburn Mulwaree Council is an organisation that strives for continuous improvement in our service delivery to the community. Council has adopted a Community Strategic Plan, Towards 2042 that reflects where we as a community would like to be in 2042. Council also has in place both a four year Delivery Plan and our annual Operation Plan.

Our mission is to advocate and lobby on relevant State Government issues by working with the State Government to further the priorities of our community. People should have the same rights and opportunities, regardless of where they live within the state and country.

This document articulates the six highest priority areas requiring action from the State Government. Within this document, Goulburn Mulwaree Council have listed real positive solutions that will, if actioned, make meaningful generational change. These priority areas are:

1. Transport Infrastructure Funding
2. Goulburn Mulwaree – A No “Waste to Energy” LGA
3. Supporting a Sustainable Motorsport Industry
4. Housing – Social, Affordable and Affordability
5. Marulan Growth and Infrastructure
6. Planning Process Simplification

This report is recommending that the draft Advocacy Plan – 2023 State Government Election document be endorsed by Council.



Goulburn Mulwaree Council **Advocacy Plan**

2023 State Government Election

JANUARY 2023

Doc No 1681125

Goulburn Mulwaree Council Advocacy Plan



Introduction

OUR LOCAL GOVERNMENT AREA

Goulburn Mulwaree Council is a local government area located in the Southern Tablelands of New South Wales, about 200 kilometres south-west of the Sydney CBD, and 95 kilometres north-east of the Canberra CBD. Goulburn Mulwaree Council encompasses the city of Goulburn and the villages of Marulan, Tarago, Towrang, Tallong, Parkesbourne, Windellama, Bungonia, Lake Bathurst and Middle Arm. The Council area resident population for 2021 was 32,138, with a population density of 9.97 persons per square km.

An analysis of the jobs held by the resident population in the Goulburn Mulwaree Council area in 2021 shows the three most popular industry sectors were:

Health Care and Social Assistance
(2,246 people or 15.7%)

Public Administration and Safety
(1,533 people or 10.7%)

Construction
(1,507 people or 10.5%)



Being so close to Sydney and Canberra – yet proudly independent of these major centres – the region is ideally situated for businesses and individuals from diverse fields such as IT, communications, retail, distribution and logistics, engineering, mining, renewable energy and construction.

Goulburn Mulwaree Council Advocacy Plan

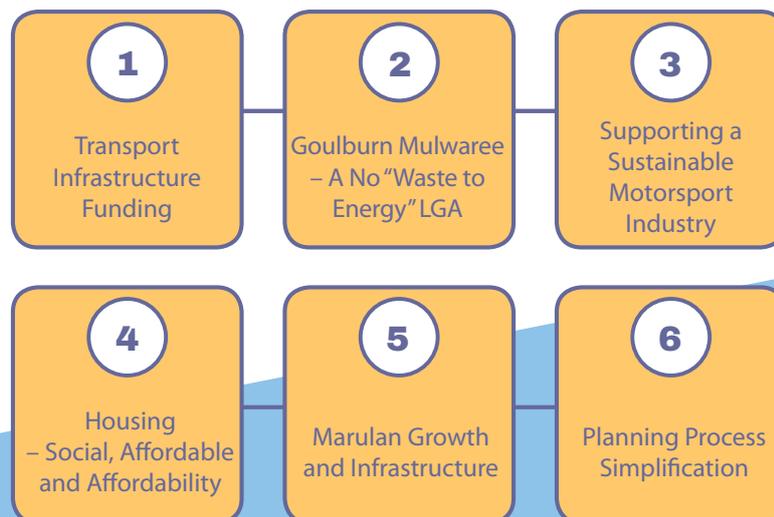
The Objective

The past year has been a challenging year for local government in NSW with Goulburn Mulwaree Council experiencing extreme financial pressure. Compounding factors include: Rate pegging determination by IPART; inflation reaching 7%; an increase in operating expenses; delivery of infrastructure and maintenance projects; energy price increases and shortage of skilled employees particularly in the industries of quarrying, health and hospitality.

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Goulburn Mulwaree Council Advocacy Plan

Goulburn Mulwaree Council is responsible for a road network comprising 802km of sealed and 435km of unsealed roads.

1 Transport Infrastructure Funding

ISSUE

Due to the ongoing impacts of climatic conditions over the past several years, the road network within the Goulburn region has experienced significant degradation and deterioration.

Deterioration has been accelerated on key routes such as Windellama Road, Bungendore Road and Cullulla Road by a number of factors, including increased traffic between the ACT and Nowra, and the transportation of bushfire-affected waste and timber resources.

Council local roads are also used by at least four State significant-scale quarrying operations that supply key construction materials for the Sydney basin, including the north-west and south-west growth centres, and the Western Sydney International Airport.

Locally controlled roads are also used for the transport of waste to privately owned waste facilities within the Goulburn Mulwaree region which is causing significant degradation to the regions road network.

A significant proportion of Goulburn's population transit between the cities of Sydney and Canberra. This has long term impacts on to road infrastructure networks.

PROPOSED SOLUTION

- That the State Government commit to a significant and regular funding of both the State controlled and Council controlled road network within the region.
- The State Government consider the reclassification of local roads that have evolved into regional transport routes for both freight and passenger users.
- The State Government in conjunction with their ACT counterparts plan, develop and fund a fast rail solution between Sydney and Canberra.

Goulburn Mulwaree Council Advocacy Plan

Goulburn Mulwaree Council opposes Energy-from-Waste in our Local Government Area.

2 Goulburn Mulwaree: A No “Waste to Energy” LGA

ISSUE

The Goulburn Mulwaree LGA has seemingly become a focal point for Energy-from-Waste (EfW) proposals. The location of such facilities in the LGA is strongly opposed by Council and its residents. This has been clearly evident during both the Jerrara Power proposal at Bungonia and Veolia’s Woodlawn ARC proposal at Tarago.

With EfW now banned in Sydney, Regional NSW appears destined to carry the burden of delivering at least four such facilities by 2030. Additional and unwanted responsibilities have now been placed on the Southern Goulburn Mulwaree Precinct due to the gazetted removal of the West Lithgow Precinct from the NSW Government Energy from Waste Infrastructure Plan in late October 2022.

PROPOSED SOLUTION

- If EfW is not good enough for Sydney, it shouldn’t be good enough for regional areas of NSW. The ban on EfW facilities should extend to all of NSW, and investment diverted to true resource recovery and waste management practices.
- Advocate for the removal of Southern Goulburn Mulwaree from the NSW Government Energy from Waste Infrastructure Plan.
- In the unwanted circumstance of Veolia’s Woodlawn ARC proposal gaining approval, Council will push for a cap of one EfW facility in each precinct.
- The State Government impose a moratorium on all EfW proposals in NSW until a Government-funded plebiscite can be held. The plebiscite would be used to determine the true community sentiment in relation to EfW in NSW and guide future policy.

Goulburn Mulwaree Council Advocacy Plan

Goulburn has a long and proud history of motorsport.

3 Supporting a Sustainable Motorsport Industry

ISSUE

Goulburn has a long and proud history of motorsport, and is home to one of only two permanent facilities approved for motor racing in NSW. Of these, Wakefield Park is the only facility of this kind in Regional NSW. In addition to Wakefield Park, the Goulburn Mulwaree LGA contains numerous other high-profile venues including the Pheasant Wood Circuit driver training facility, Goulburn Motorcycle Club's High View Motocross track, Goulburn Speedway and the Toyota Land Cruiser Club of Australia's Willowglen 4x4 training facility.

Current Planning and Environmental frameworks fail to adequately support Motorsport as an industry that brings economic, social and recreational benefits to the region. As a result, the potential to grow the industry (including supporting industries and trades) is extremely limited, and therefore stymieing further investment and employment.



PROPOSED SOLUTION

- Legislative recognition is required for permanent motorsport and motor racing facilities in NSW.
- Clear guidance from relevant State agencies, such as the EPA and Office of Sport is required for Council's, applicants, residents and existing facility owners/managers.
- A long-term framework, from which legislative reform can take direction, should be facilitated by the State Government by way of a Motorsports Future Forum (or similar) to plan the long-term vision and objectives for motorsport in Regional NSW. The Forum should include representatives from State Government and Opposition, DPE, EPA, Motorsport Australia, Australian Auto Sport Alliance, Motorcycling Australia and any other relevant stakeholders.

Goulburn Mulwaree Council Advocacy Plan

Social, affordable and affordability housing boost required for Goulburn Mulwaree.

4 Housing: Social, Affordable and Affordability

ISSUE

There is a significant deficiency of rental properties within the Region which is limiting the ability for the region to meet the needs of not only those intending to move to the area, but also those already residing here. In the Goulburn Mulwaree Region, this issue is being exacerbated by the construction phases of large-scale State Significant Development projects (eg. wind farms, solar farms and quarries) and short-term rental accommodation providers absorbing the majority of affordable housing stock.

Goulburn is also seeing a steady increase in homelessness, due in part to a combination of housing affordability and lack of appropriate social housing stock. Existing social housing stock is no longer fit for purpose and does not match Goulburn's social housing demographic. For example, approximately half of Goulburn's social housing tenants are single occupants, whereas at least 80% of housing stock contains 2+ bedrooms. Additionally, over one-third of social housing tenants require their home to be accessible.

Covid restrictions and adaptations, coupled with lifestyle opportunities and affordability relative to the Sydney and Canberra markets has seen residential growth outpacing infrastructure development, such as in Marulan, which is currently awaiting the development of a new wastewater treatment facility. This has flow-on effects in reducing capacity for new commercial and industrial developments.

PROPOSED SOLUTION

- State Significant Development proposals must be required to better demonstrate how their proposals will minimise impacts on the local housing market prior to gaining consent.
- Agencies such as NSW Land and Housing Corporation require additional State and Federal investment to deliver fit for purpose and the efficient distribution of tenancies.
- Social support services require improved resourcing and additional infrastructure to provide alternatives to homelessness.
- A reduction in red-tape from State Government agencies is required to enable Council's to fast-track the delivery of core infrastructure that is critical to supporting sustained growth.

Goulburn Mulwaree Council Advocacy Plan

Marulan’s population more than doubled between 2016 and 2021.

5 Marulan Growth and Infrastructure

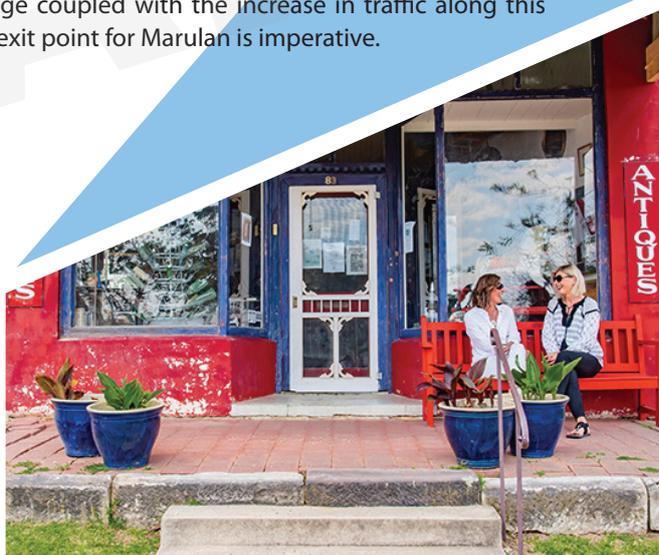
ISSUE

The village of Marulan has experienced a significant increase in population and development. For the period between 2016 to 2021 the population has more than doubled from 685 to 1,428 and projections indicate that the population will continue to increase significantly. In Council’s Urban & Fringe Housing Strategy an additional 694 dwellings have been projected to be built by 2036 and this could increase to approximately 1,000 dwellings. As the village grows there is a need for services to be made available to meet the requirements of residents.

Marulan is currently serviced by one entrance and exit point from the Hume Highway. With the expansion in both the population of the village coupled with the increase in traffic along this important domestic route a second entry and exit point for Marulan is imperative.

PROPOSED SOLUTION

- The State Government commit to planning and developing the necessary services to meet the needs of the Marulan community. This planning is to include the provision for new Emergency Services facilities such as the Police and Ambulance and an education facility that caters for high school students. The establishment of medical services is also imperative for positive health outcomes for the residents of Marulan. With close proximity to the Hume Highway, these new Emergency Services facilities will accommodate not only the growth in Marulan itself but will also assist to provide positive road safety outcomes for the motoring public of NSW.
- The State Government commit to establishing a second entry and exit from the Hume Highway for the village of Marulan.



Goulburn Mulwaree Council Advocacy Plan

The planning process in NSW isn't user friendly.



6 Planning Process Simplification

ISSUE

The planning process in NSW has become increasingly complex and less user friendly for all stakeholders. Despite the presence of Complying Development opportunities and the ability for applicants to utilise private certifiers, the majority of developers still opt for traditional Development Applications as the process is better understood. This slows down approvals and places additional pressure on Council's to sufficiently resource its planning departments, as well as adding unnecessary cost to the developer due to the need to engage consultant planners for simple projects.

The complexity of the NSW Planning System is compounded by the lack of front-end and back-end user friendliness of the NSW Planning Portal. Applicants and Council officers are frequently encountering technical issues, whilst the absence of a State-led integration platform has led to many processes requiring duplication, and therefore increasing costs to Council and reducing overall efficiency within Council Planning departments.

Finally, the ability for Council to deliver timely development approvals is being compromised by a lack of resourcing within a number of State Government Agencies, such as the NSW RFS and Water NSW, among others. This is leading to delays of up to several months and is a major impediment to increasing housing supply.

PROPOSED SOLUTION

- Planning processes in NSW need to be simplified. Complying Development must be made less complex and attractive to developers. This will have immediate benefits to creating efficient Council Planning departments, leading to faster approvals and the unlocking of much-needed housing supply.
- The NSW Government must provide ongoing resourcing (including funding) to Councils to manage the additional workload associated with the Planning Portal. This can be partially achieved by facilitating common implementation systems for Councils rather than all Councils having to individually source and fund the stages of implementation, API's, etc.
- When providing training on Planning Portal functionality a DPE Planner should also be available for questions and feedback, as opposed to IT specialists who don't seem to appreciate the intricacies of the planning system.
- The State Government invest the necessary resources within referral agencies to ensure that Councils can meet the needs and timeframes of developers within our region.