

Goulburn Mulwaree Council

Development Application Assessment Report

For Southern Region Joint Planning Panel

Assessing Officer – Richard Davies – Manager Development Control

Assessing Officer – Stephanie Mowle - Principal Development Assessment Officer

DA No:	0093/1213/DA & 2012STH024
Location:	Lot 7302 in DP 1151976, 47 Braidwood Road, Goulburn
Proposal:	Construction of a two court indoor multi purpose hall and ancillary facilities and the construction of a multi function facility
Zoning:	RE1 Public Recreation
BCA Class:	Class 9b

Site Description

The development is proposed on Lot 7302 DP 1151976, No. 47 Braidwood Road, Goulburn and is known as the Goulburn Recreation Area Reserve No.72794 in the Parish of Goulburn. The site is Crown Land and is currently managed by Goulburn Mulwaree Council.

The site has a total area of approximately 45 hectares and has street frontage to Braidwood Road with four existing access points. Adjacent to the site is a mix of industrial and residential uses. A Locality Plan of the development site is included in the Attachment.

Lot 7302 known as 47 Braidwood Road is currently used for a variety of community and recreational uses. The major uses at the site are the race course and show facilities, greyhound racing and training facilities, harness racing, basketball stadium, pavilions and rodeo arena.

Proposal

A Development Application has been lodged for construction of a multi use facility.

The Development Application involves:

- The construction of a multi-purpose hall (floor area of 2076m²)
- The construction of a multi function facility Racing Community Centre (floor area of 838m²)
- On site car park for 88 vehicles plus an overflow parking area for a further 102 vehicles
- The installation of one building identification sign on the building façade.

Plans of the proposal are included in the Attachment.

The multi-purpose hall comprises change rooms, toilets, disabled access toilet, storerooms, office areas, administration areas, a staff area, control/kiosk and a first aid room. The multi function facility is adjacent to the racing track and will provide for gaming both harness and greyhounds and comprises dining and beverage/catering facilities, administration, control towers and camera facilities.

The multi-purpose hall is proposed to cater for sports including basketball, netball, indoor soccer, and badminton. The area is also proposed to be used for activities such as large conferences and performing arts. The multi function facility is proposed to cater for small conferences, food and beverage service and provide a viewing area for the centre ring and two race tracks.

The development has been considered in respect to the following EPIs and Plans:

- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No. 65 – Advertising and Signage;
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011;
- Goulburn Mulwaree Local Environmental Plan 2009 (GMLEP 2009);
- Goulburn Mulwaree Development Control Plan 2009 (GMDCP 2009).

Permissibility

LEP	<input checked="" type="checkbox"/>
SEPP	<input type="checkbox"/>
Existing use rights	<input type="checkbox"/>
Ancillary development	<input type="checkbox"/>

Type of Development

Local	<input checked="" type="checkbox"/>
Designated	<input type="checkbox"/>
Major infrastructure	<input type="checkbox"/>

Schedule 4A of the Environmental Planning & Assessment Act 1979 requires the proposal to be determined by the Southern Region Joint Planning Panel (SRJPP) and not Council, as the capital investment value is greater than \$5M and the council is a party to any agreement or arrangement relating to the development.

Other approvals required

Integrated	<input type="checkbox"/>	Reason: Not required
Concurrence	<input checked="" type="checkbox"/>	Reason: Chief Executive of SCA under <i>Drinking Water Catchments Regional Environmental Plan No 1</i>
S78A(5) Local Gov't Act 1993	<input checked="" type="checkbox"/>	Reason: Water, Sewer and Stormwater
S138 Roads Act	<input checked="" type="checkbox"/>	Reason: Property accessed via Braidwood Road <i>Works proposed in road reserve</i>
Site compatibility certificate	<input type="checkbox"/>	Reason: Not required
Environmental Protection and Biodiversity Conservation Act 1999	<input type="checkbox"/>	Reason: Not required no matter of national environmental significance

Neighbour Notification/Advertised Development

Notification was conducted with one public submission received. Refer to the Key Issues Section for further discussion and assessment.

SITE HISTORY AND INSPECTION			
Matters for consideration	Yes	No	Comments
Site inspected	x		Site inspection conducted.
GIS checked	x		
Any unusual features		x	
Flood prone land	x		Mapped as within Flood Planning Level. 1% event approx 632m AHD (SMEC Wollondilly River & Mulwaree Ponds Floodplain Risk Management Plan 2003).
Bush fire prone land		x	
Steep land (>18°)		x	
Within 40m of watercourse		x	
Water bores		x	
Overland flow path		x	Not identified as overland flow path.
Any native vegetation / threatened species		x	The site has been significantly disturbed No significant native vegetation or threatened species are present on the site.
Adjoining National / State Park		x	
Salinity issues		x	No known salinity issues.
Water / sewer mains	x		Water and sewer mains present on site.
Easements		x	No easements shown on title.
Type / condition of road access			
– Lane (Public)		x	
– Lane (Private)		x	
– Local		x	
– Regional		x	
– Arterial / Main / Classified	x		Braidwood Road is a classified road
– Crown		x	
Any history of traffic accidents		x	
Potential Contamination	x		Previous land uses included waste disposal site by Goulburn City Council.
Other	The proposed development is consistent with the Plan of Management for the Recreation Area. This plan has long recognised the addition of a multi use building at the site.		
Site characteristics	The site contains a number of existing buildings		
Locality characteristics	The site is located on the outskirts of the City of Goulburn and adjacent to Industrial and Residential properties.		

STATE PLANNING CONTROLS				
Compliance achieved?				
Matters for consideration	N/A	Yes	No	Comments
SEPP No. 6 - Number of Storeys in a Building	x			
SEPP No. 15 - Rural Land Sharing Communities	x			
SEPP No. 21 - Caravan Parks	x			
SEPP No. 22 - Shops and Commercial Premises	x			
SEPP No. 30 - Intensive Agriculture	x			
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	x			
SEPP No. 33 - Hazardous and Offensive Development	x			
SEPP No. 36 - Manufactured Home Estates	x			
SEPP 44 – Koala Habitat Protection	x			
SEPP No. 50 - Canal Estate Development	x			
SEPP No. 55 - Remediation of Land		x		<p>The site has previous been use as a landfill by Goulburn City Council.</p> <p>A Environmental Assessment including Groundwater Appraisal accompanying the DA which concluded that the site is considered suitable for the continued commercial/industrial land use with respect to soil and groundwater conditions. The Assessment recommended that should elevated concentrations of landfill gas be identified, a gas mitigation system may be required.</p> <p>A further Landfill Gas Monitoring assessment was requested. The report found all concentrations were found to be well within the adopted guidelines and the risks associated with landfill gas were low. The report concluded that the site is considered suitable for the proposed commercial landuse.</p> <p>There is a small but potential risk for the escape of vapour with a pathway of exposure being realised during the construction phase of the development. The Environmental Investigations prepared on a further Landfill Gas Monitoring assessment. The report found all concentrations were found to be well within the adopted guidelines and the risks associated with landfill gas were low. The report concluded that the site is considered suitable for the proposed commercial landuse.</p> <p>Refer to the Key Issues Section for further discussion and assessment.</p>

SEPP No. 64 - Advertising and Signage				<p>The proposal seeks approval for the installation of one building identification sign on the building façade. The wall sign contains the wording 'Goulburn Multi-Use Sports Centre' and is 5m x 1.8m. The building identification sign is proposed to be mounted on the entry awning parapet at the entry to the Multi-Purpose Hall.</p> <p>It is considered that the building identification sign is in accordance with the provisions of SEPP 64.</p> <p>Separate development approval shall be sought for any future advertising signs.</p>
SEPP No. 65 - Design Quality of Residential Flat Development	x			
SEPP (Housing for Seniors or People with a Disability) 2004	x			
SEPP (Building Sustainability Index: BASIX) 2004	x			
SEPP (Major Projects) 2005	x			
SEPP (Temporary Structure and Places of Public Entertainment) 2007	x			
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	x			
SEPP (Infrastructure) 2007 Refer to cl 101 & 102 for development on classified roads		x		<p>Braidwood Road is a classified road. The proposed development is classed as traffic generating development under clause 104 of the Infrastructure SEPP, as "recreation facilities" are listed in Column 1 of the Table to Schedule 3.</p> <p>Therefore before determining a development application for development to which this clause applies, the consent authority must take into consideration any submission of the RMS.</p> <p>The DA was referred to the RMS. The RMS requested additional information from the Applicant which was provided. The final comments of the RMS were received 19 November 2012.</p> <p>Refer to the Key Issues Section for further discussion and assessment.</p>
SEPP (Repeal of Concurrence and Referral Provisions) 2008	x			
SEPP (Exempt and Complying Development Codes) 2008	x			
SEPP (Sydney Drinking Water Catchment) 2011		x		<p>The SEPP provides that a consent authority must not grant consent on land in the Sydney drinking water catchment unless it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality. The Concurrence of the SCA has been received. Refer to Attachment.</p>

LOCAL PLANNING CONTROLS

Goulburn Mulwaree LEP 2009

Matters for consideration	N/A	Yes	No	Comments
Part 1				
Preliminary				
General Aims / Objectives		x		<p><i>The particular aims of this Plan are as follows:</i></p> <p><i>(a) to promote and co-ordinate the orderly and economic use and development of land in the area,</i></p> <p><i>(b) to provide a framework for the Council to carry out its responsibility for environmental planning provisions and facilitate the achievement of the objectives of this Plan,</i></p> <p><i>(c) to encourage the sustainable management, development and conservation of natural resources,</i></p> <p><i>(d) to promote the use of rural resources for agriculture and primary production and related processing service and value adding industries,</i></p> <p><i>(e) to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree,</i></p> <p><i>(f) to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,</i></p> <p><i>(g) to establish a framework for the timing and staging of development on certain land in Goulburn and Marulan,</i></p> <p><i>(h) to provide a range of housing opportunities, including large lot residential development in the vicinity of the villages,</i></p> <p><i>(i) to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,</i></p> <p><i>(j) to provide direction and guidance as to the manner in which growth and change are to be managed in Goulburn Mulwaree,</i></p> <p><i>(k) to protect and enhance watercourses, riparian habitats, wetlands and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.</i></p> <p>The proposal satisfies (a), (f) & (k) above</p>
Relevant Maps		x		Zoning and Flooding
Part 2				
Permitted or Prohibited Development				
Zone		x		Land zoned RE1 Public Recreation

Matters for consideration	N/A	Yes	No	Comments
Definition		x		<p>Various definitions potentially suitable including Community Facility, Kiosk, Recreation facility (indoor), recreation Facility (major), Recreation Facility (outdoor).</p> <p>Refer to Key Planning Issues for further discussion.</p> <p>Considered permissible with consent under the LEP.</p>
Cl 2.7 – Demolition requires development consent	x			The demolition of the two existing buildings was Consented to under 0076/1213/DA.
Landuse Table				
Objectives		x		The development will <i>'enable land to be used for public open space or recreational purposes' and 'provide a range of recreational settings and activities and compatible land uses'</i> .
Permitted without Consent	x			
Permitted with Consent		x		Development permitted with Consent.
Prohibited	x			
Part 3				
Exempt & Complying Development				
Exempt Development	x			
Complying Development	x			
Part 4				
Principal Development Standards				
Cl 4.1 - Minimum subdivision lot size	x			
Cl 4.1AA - Minimum subdivision lot size for community title schemes	x			
Cl 4.1A – Exceptions to minimum lot sizes for certain residential development	x			

Matters for consideration	N/A	Yes	No	Comments
CI 4.1B – Minimum lot sizes for multi dwelling housing and residential flat buildings	x			
CI 4.1C – Lot averaging subdivision in certain residential and environmental zones	x			
CI 4.2 - Rural Subdivision	x			
CI 4.2A - Rural Dwelling Permissibility	x			
CI 4.2B – Minimum subdivision lot size for strata subdivision of residential or tourist and visitor accommodation in certain zones	x			
CI 4.3 - Height of Buildings	x			Not applicable to the site
CI 4.4 - Floor Space Ratio	x			Not applicable to the site
CI 4.5 – Calculation of FSP and site area	x			
CI 4.6 - Exceptions to Development Standards	x			
Part 5				
Miscellaneous Provisions				
CI 5.1 – Relevant acquisition authority	x			
CI 5.2 - Classification & Reclassification of public land	x			
CI 5.3 - Development near zone boundaries	x			
CI 5.4 - Controls relating to permissible uses	x			
CI 5.6 - Architectural roof features	x			
CI 5.8 - Conversion of fire alarms	x			
CI 5.9 - Preservation of trees or vegetation	x			
CI 5.9AA - Trees or vegetation not prescribed by DCP	x			
CI 5.10 - Heritage conservation	x			A number of heritage items are located with the vicinity of the property. The development is not considered to have any adverse impact on these listed items.
CI 5.11 – Bush fire hazard reduction	x			
CI 5.12 – Infrastructure development & use of existing buildings of the Crown	x			
CI 5.13 – Eco-tourist facilities	x			

Matters for consideration	N/A	Yes	No	Comments
Part 6 Urban Release Areas				
Not applicable to the site				
Part 7 Additional Local Provisions				
CI 7.1 - Flood Planning Land		x		Located within the flood planning level. Refer to the Key Issues Section for further discussion and assessment.
Cl. 7.1A Earthworks		x		The development has been conditioned to address 3(a) – (g) including dust, access, sedimentation and contamination.
CI 7.2 – Terrestrial biodiversity	x			
CI 7.3 - Subdivision for Residential Purposes in RU5 & R5	x			
CI 7.4 - Restrictions on development adjoining mineral resource areas	x			
Schedule 1				
Additional Permitted Uses	x			
Schedule 2				
Exempt Development	x			
Schedule 3				
Complying Development	x			
Schedule 4				
Classification & Reclassification of public land	x			
Schedule 5				
Environmental Heritage	x			

Goulburn Mulwaree DCP 2009				
Matters for consideration	N/A	Yes	No	Comments
Definitions		x		Complies with “community facility” and “recreation facility (major)” definitions
Part 2 - Plan Objectives				
General		x		<p>The development satisfies the provision of ensuring non-residential land uses don't impact on the amenity of the area and sensitive land uses.</p> <p>Flooding – the development has determined the flood planning level however the proposed floor levels of the two new buildings are below this level. Conditions recommended.</p> <p>Co-siting of the facilities at the Recreation Area with related uses assist to minimise additional trips and parking facilities.</p> <p>SCA requirements will provide safeguards to protect water quality.</p>
Locality – Goulburn				
				<p>Development respects the topography of the area.</p> <p>The large scale of the development is reduced by the existing separate buildings located within the site and future landscaping.</p>
Locality – Marulan	x			
Rural Development	x			
Bungonia Objectives	x			
Lake Bathurst Objectives	x			
Tallong Objectives	x			
Tarago Objectives	x			
Part 3 - General Development Controls				
European Heritage Conservation	x	x		Not a Heritage Item or located in a Heritage Conservation Area. Minimal impact to other known Heritage Items.
Indigenous Heritage & Archaeology	x			Precautionary condition applied in case Indigenous Heritage & Archaeology discovered. Not identified as place of Aboriginal significance.
Landscaping		x		A landscape plan was not submitted with the DA. Conditioned to require quality landscape design to complement the buildings and surrounding landscape.
Vehicular Access & Parking		x		<p>The development fronts a classified road and triggers referral to Roads & Maritime Services. No changes to the existing access arrangements are proposed.</p> <p>Under Council's DCP the proposal is requires 73 car spaces to be provided. A sealed car park on site with capacity for 88 spaces along with .an over flow area for 102 spaces is proposed. A further 87 on-street spaces are already provided at the front of the Recreation Area. This is considered adequate for the proposal.</p>

Matters for consideration	N/A	Yes	No	Comments
Disability Standards for Access		x		Conditioned to comply
Crime Prevention		x		No response received by Local Police Service. Landscaping and lighting conditioned to comply with the requirements and principles of CPTED.
Flood Affected Lands				Refer to the Key Issues Section for further discussion and assessment.
Tree & Vegetation Preservation	x			
Dryland Salinity	x			
Waterbody & Wetland Protection	x			
Groundwater	x			
Riparian Rights for Subdivision	x			
Biodiversity Management	x			
Stormwater Pollution		x		Refer to SCA conditions
Impacts on Drinking Water Catchments		x		The development has been assessed as being able to achieve a neutral or beneficial effect on water quality and would therefore not appear to have a negative impact on natural resources. Refer to SCA conditions.
Bushfire Risk Management	x			
Heavy Vehicle Generating Development	x			
Change of use involving 'existing use' provisions	x			
Part 4 – Principal Development Controls - Urban				
<u>Residential Development</u>	x			
Site Facilities	x			
Site planning, bulk & scale	x			
No. of storeys	x			
Solar access	x			
Privacy	x			
Private Open Space	x			
Setbacks	x			
Views	x			
Traffic safety and management	x			
Site facilities	x			
Energy efficient siting and layout	x			
External window shading and internal and external lighting	x			
Insulation	x			
Space heating and cooling	x			
Water pollution	x			
Working hours – Residential and Business	x			
Subdivision	x			
Requirements for a Local Structure Plan				
<u>Non-residential Development</u>	x			
Retail and Commercial	x			
Design Principles – Industrial	x			
Visual quality - Industrial	x			
Building Setbacks – Industrial	x			
Height – Industrial	x			

Matters for consideration	N/A	Yes	No	Comments
External materials and finishes – Industrial	x			
Noise and vibration		x		Existing uses to be continued on-site. Hours of operation and insulated materials of the new development considered adequate for minimising noise impacts. Standard conditions regarding control of offensive noise recommended.
Air pollution – Industrial		x		Minimal impact
Water pollution – Industrial	x			
Mixed Use Development – Industrial & Residential	x			
Part 5 - Principal Development Controls – Rural				
Intensive Agriculture	x			
Subdivision	x			
Rural Dwellings	x			
Rural Sheds	x			
Rural Industries	x			
Boarding &/or breeding kennels	x			
Hazardous chemicals	x			
Rural land use conflict	x			
Public Entertainment in Rural Zones	x			
Rural Worker's Dwellings in RU1	x			
Part 6 - Special Development Types				
Poultry farms	x			
Service centres	x			
Wind farms	x			
Advertising and signage				<p>The proposal seeks approval for the installation of one building identification sign on the building façade. The wall sign contains the wording 'Goulburn Multi-Use Sports Centre' and is 5m x 1.8m. The building identification sign is proposed to be mounted on the entry awning parapet at the entry to the Multi-Purpose Hall.</p> <p>It is considered that the building identification sign is in accordance with the provisions of DCP.</p>
Sex Service Premises	x			
Outdoor dining	x			
Telecommunications	x			
Large lot residential – Zone R5	x			
Relocatable homes	x			
Development in the Enterprise Corridor – Zone B6	x			
Extractive Industries	x			
Dual Occupancy	x			
Stables in Residential & Recreation Zones	x			
Manfred Park Block	x			
Part 7 – Engineering Requirements				
Utility Services			x	Refer to discussion on services below. A variation of policy is considered reasonable in this instance.
Roads		x		Conditioned to comply

Matters for consideration	N/A	Yes	No	Comments
Drainage & Soil & Water Management		x		Conditioned to comply
Site Specific Provisions	x			
Easements		x		Conditioned to comply
Staging of development in Urban release areas	x			

Services

There are two sewer mains on site which the new structures are proposed to be built over. Council's *Clearance Requirements for Structures Adjacent to Sewer and Stormwater Mains Policy* only permits the sewer to be built over in the CBD area subject to engineering requirements to protect the sewer line.

Existing buildings at the Recreation Area are built over the sewer main and the site constraints prevent relocation of the proposed buildings. The applicant suggests that the use of 'screw' piers should enable flexible pier placement and depth to ensure loads are not placed on Council's infrastructure. A variation of policy is considered reasonable in this instance.

Matters for consideration	N/A	Yes	No	Comments
Part 8 - Site Specific Provisions				
Marys Mount	x			
Common Street	x			
Clyde Street	x			
Marulan	x			
Long Street "Charles Valley"	x			
Part 9 – Contributions		x		Refer below

Developer Contributions

Council's *Section 94A Levy Development Contributions Plan* stipulates that:

"Council may consider exempting other development, or components of developments from the section 94A levy on a case by case basis. For such claims to be considered, a development application will need to include a comprehensive submission arguing the case for exemption".

The project is being fully funded from Council resources (other than s94 contributions) and user contributions. The s94A levy is applied to new development to contribute toward the provision of needed community infrastructure. This facility will form part of this suite of community infrastructure and in itself does not generate the need for a contribution. Therefore the application of the levy is not needed in this instance.

Infrastructure Contributions

The existing Racing Community Centre is being replaced therefore there is no additional demand upon Council water and sewer services for infrastructure contributions. However the new works (i.e. Multi-Purpose Hall) will attract development charges.

Matters for consideration	N/A	Yes	No	Comments
Appendix A - Significance of Aboriginal Sites	x			No known sites – precautionary condition applied
Appendix B – Preferred Planting Species				Landscaping plan required prior to the issue of a Construction Certificate.
Appendix C – Notification Procedures		x		One submission received. Refer to the Key Issues Section for further discussion and assessment.
Appendix D – DA Checklist		x		Completed
Appendix E – Rainwater Tank Policy		x		Conditioned to require rainwater tanks
Appendix F – Telecommunications Policy	x			Not Applicable
Appendix G – Landscaping Policy		x		Landscaping conditioned
Appendix H – HIS Requirements	x			Not Applicable
Appendix I – Good Design Statement	x			Not Applicable

Other controls / approvals				
Compliance achieved?				
Matters for consideration	N/A	Yes	No	Comments
Local Approvals Policy	x			
Integrated approvals				
– DECC (NPWS)	x			
– DECC (EPA)	x			
– RMS		x		Conditions to be imposed
– RFS	x			
– DPI	x			
– DWE	x			
– Heritage Branch	x			
Concurrence provided				
– SCA		x		Conditions to be imposed
– DECC (NPWS)	x			
– DoP	x			
BCA check		x		As conditioned
Ecological Sustainable Development		x		
Rainwater Tank Policy		x		
Department of Planning – Development Assessment Guidelines		x		
Sydney-Canberra Corridor Strategy		x		Consistent with vision and concepts for Goulburn
Goulburn-Mulwaree Demographic Profile		x		

Matters for consideration	N/A	Yes	No	Comments
Mulwaree Settlement Strategy	x			
CBD Master Plan	x			
Marulan Structure Plan	x			

Environmental impacts		
Acceptable impact and/or suitable control measures?		Comments
Context and Setting Landscape, streetscape & land use. Impact on adjacent properties	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	A positive impact is expected from the contemporary forms and modern colour scheme of the proposed buildings. Conditioned to require quality landscape design to complement the buildings and surrounding landscape.
Access, Transport & Traffic Traffic consideration, public transport & parking arrangements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	RMS requirements have been provided. Refer to the Key Issues Section for further discussion and assessment.
Public Domain Impact on the amount, opportunity and use of public space & pedestrian links	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Positive impacts expected
Utilities Water, sewer, electricity and gas - availability, capacity & effect on environment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Conditioned imposed relating to provision of services. As noted in the prelodgement meeting, there are two sewer mains on site and the buildings are proposed to be built over both. This is a variation of Council's policy "Clearance Requirements for Structures Adjacent to Sewer and Stormwater Mains". In this occasion the variation is supported.
Heritage Local / state listed items, Aboriginal significant area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Minimal impact to other known Heritage Items. Precautionary condition included should any archaeological artefacts be identified/disturbed during construction.
Other Land Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Water Requirements and use of water saving devices. Flooding & drainage. Quality, pollution, treatment and reuse	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Suitable arrangements proposed. Refer to the Key Issues Section for further discussion and assessment.
Soils Quality, erodability, contamination etc Instability and sedimentation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Suitable conditions to be imposed
Air and Microclimate Any pollutants / dust emissions, odours etc	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	No significant issues identified.
Flora and Fauna Critical habitat, threatened species/population/communities, wildlife corridors, remnant vegetation. Distance and clearance of native vegetation & fauna	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No significant flora or fauna on site.
Waste Types generated - solid, liquid, gas, litter, recycling, disposal and storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	

Acceptable impact and/or suitable control measures?		Comments
Energy Passive solar design, BASIX, Part J of BCA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	To satisfy Part J of the BCA.
Noise and Vibration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Standard conditions regarding control of offensive noise and hours of operation recommended.
Natural Hazards Site instability, flooding & bushfire	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Refer to the Key Issues Section for further discussion and assessment.
Technological Hazards Hazardous Industry, contamination etc	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Refer to the Key Issues Section for further discussion and assessment.
Safety, Security and Crime Prevention Potential for accident, injury or criminal activity	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Positive impacts expected.
Social Impact on the Locality Health & safety of the community. Community facilities	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Positive impacts expected
Economic Impact in the Locality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Positive impacts expected
Site Design and Internal Design Appearance, siting and landscaping. Access for disabled. BCA compliance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Conditioned to satisfy the BCA
Construction Safety and minimisation of impacts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	No significant issues identified.
Cumulative Impacts Time & space crowded effects Nibbling and synergistic effects	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	

Internal referrals

Engineering requirements / conditions supplied	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Building requirements / conditions supplied	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Planning requirements / conditions supplied	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Suitability of site

Does the proposal fit within the locality?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are the attributes of the site conducive to the proposed development?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Public interest

Does the proposal comply with planning requirements/objectives?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Any Federal, State or Local Government and/or Community interests?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

A consultant town planner has also been engaged to review Council's assessment, process and conclusions.

Council considered the development at its Planning meeting held 7 November 2012 and key planning issues and impacts were identified. Council resolved "That Development Application No 0093/1213/DA for the construction of a Multi Purposed Facility at recreation Area, 47 Braidwood Road, Goulburn be supported and draft conditions be provided to the Southern Region Planning Panel."

Key planning issues:

Landuse/Permissibility:

The development site is part of an existing regional facility with a range of recreational activities. The RE1 Public Recreation has limited permissibility list however Community Facilities, Entertainment facilities, Kiosks, Markets, recreation areas, Recreation facilities (indoor), (major) and (outdoor) are all permitted with consent.

It is noted that part of the development is proposing to replace the existing dining and betting facility and that this structure has been approved for demolition in development application 76/1213/DA.

Based on the existing and future uses, the dominant use appears best described as a recreation facility (major) defined in the LEP as:

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

Alternatively the definition of Community Facility is considered an appropriate description of the development:

community facility means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

With these uses and definitions, the proposed development is considered permissible with consent. The above definitions also appear to site well with the Plan of Management for the site.

The assessment of the new development has been undertaken with the above intended use in mind. There are some potential issues with Building Code compliance when different calculations are made with facilities and egress requirements however ultimately this is a Building Code assessment task to be conducted at the Construction Certificate application stage.

Flooding:

The site is identified as being flood affected and the provisions of the LEP and DCP apply. Relevant extracts from Council policies are provided as follows:

Goulburn Mulwaree Local Environmental plan 2009 (Am. 3)

7.1 Flood planning

- (1) The objectives of this clause are as follows:
 - (a) to maintain the existing flood regime and flow conveyance capacity,
 - (b) to enable safe occupation and evacuation of land subject to flooding,
 - (c) to avoid significant adverse impacts on flood behaviour,
 - (d) to avoid significant effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,
 - (e) to limit uses to those compatible with flow conveyance function and flood hazard.
- (2) This clause applies to land identified as “Flood Planning Area” on the Flood Planning Map.
- (3) Development consent is required for any development on land to which this clause applies.
- (4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development will not:
 - (a) adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, or
 - (b) significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain, or
 - (c) affect the safe occupation or evacuation of the land, or
 - (d) significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, or
 - (e) be likely to result in unsustainable social and economic costs to the community as a consequence of flooding, or
 - (f) if located in a floodway:
 - (i) be incompatible with the flow conveyance function of the floodway, or
 - (ii) cause or increase a flood hazard in the floodway.

Goulburn Mulwaree Development Control Plan 2009 (Amendment 2)

Flood affected lands

Objective

This plan aims to minimise the impacts of flooding on development within the flood planning area.

Controls

Definitions

Flood planning level (FPL) – is land at or below a one percent annual exceedance probability flood level plus 0.5 metres.

Flood planning area – The area of land below the FPL and thus subject to flood related controls.

Controls for development at or below the flood planning level

- applicants must have regard to the provisions of clause 7.1 LEP 2009
- **construction** – pier and beam construction or suspended reinforced concrete slabs must be used, as these minimise the requirement for cut and fill and allow floodwaters to flow under the building
- **cut and fill** – cut and fill should be minimised for all development within the floodplain. Filling can result in a reduction in flood storage or change flow patterns and is not permitted unless it can be demonstrated that there is no decrease in storage capacity on the property and that flow characteristics will not significantly be changed. Cutting can result in an increase in flood depths and potentially, an increase in flood hazard and/or extent of inundation, and is not permitted unless it can be demonstrated that flood behaviour will not be altered
- **flood storage** – no development is permissible in areas designated as flood storage, unless it can be demonstrated that there will be no decrease in net flood storage available on the site
- **building materials and construction methods** – all buildings at or below the flood planning level must be constructed of flood compatible materials
- **structural soundness** – all development applications must demonstrate that the proposed structure can withstand the force of floodwater, debris and buoyancy.
- **fencing** – solid fences that impede the flow of floodwaters are not permissible. Fences must be at least 50% open to allow the progress of floodwaters
- **residential floor levels** – all habitable rooms within residential development must be at or above the flood planning level
- **commercial and industrial development:**
- **flood evacuation and management** – all development applications for industrial and commercial development must be supported by a flood emergency plan. Appropriate warning and advisory signage must be prominently visible at entry/exit points.
- **parking** – no excavated underground car parking is permitted on land at or below the flood planning level. Undercroft parking is however appropriate.

Following recommendations from Wollondilly River and Mulwaree Chain of Ponds Floodplain Risk Management Study and Plan (the SMEC Report March 2003):

Recommended permissible and prohibited uses in relation to flood hazard categories:

LAND USE	HAZARD CATEGORY					
	Low Hazard Flood Fringe	Low Hazard Flood Storage	Low Hazard Floodway	High Hazard Flood Fringe	High Hazard Flood Storage	High Hazard Floodway
Agricultural Uses	✓ ¹	✓ ¹	✓ ²	✓ ¹	✓ ^{1, 4}	✓ ²
Residential Uses	✓ ³	✓ ³	✗	✗	✗	✗
Commercial Uses	✗	✗	✗	✗	✗	✗
Industrial Uses	✓	✓	✗	✓	✓ ⁴	✗
Special Uses	✗	✗	✗	✗	✗	✗
Open Space /Recreation	✓	✓	✓ ²	✓	✓ ⁴	✓ ²

☑ Permissible

✗ Prohibited

Key:

- ¹ A single dwelling is permissible, subject to the Flood DCP, on a rural allotment in these hazard category areas, where residency is essential for operational or security purposes.
- ² No development or building, such as a dwelling, clubhouse, barn facilities block, shed etc, is permissible in a floodway.
- ³ Only development of single dwellings is permissible. Any development that would increase density (dual occupancies, multi-unit developments, etc) is not permissible. Subdivision is not permissible.
- ⁴ Development is permissible in areas designated as flood storage, only if it can be shown that there will be no decrease in net flood storage available on the site.

Non-habitable buildings:

- Class 10 buildings and structures in association with a permissible / existing use are permitted in a flood-affected area other than a floodway hazard category.
- Engineering details for the effect of flooding are not required for non-habitable buildings and structures.
- Advisory Note to be included in any approval indicating:
 - Flood Hazard Category
 - Flood levels (1%, 5%, Extreme)
 - Any site levels for the property
 - Building / structure may be damaged by floodwaters

Discussion:

According to Council policies, the development area is:

- Located in the “High Hazard Flood Storage” area (although close to the boundary to the “Low Hazard Flood Storage”
- Has flood level for at the following levels (metres Australian Height Datum):

Cross Section	5%	1%	0.5%	0.2%	Extreme
24	630.4	632.0	633.4	635.2	640.1

- Has flood Average total velocities (m/s):

Cross Section	5%	1%	0.5%	0.2%	Extreme
24	0.44	0.46	0.38	0.37	0.37

Percentages represent the annual Exceedance Probability (AEP), the likelihood of occurrence of a flood of a given size or larger in any one year. Eg. A 1% AEP flood has a 1% chance of happening each and every year.

There are similar activities already conducted on site as to that proposed with this development. The site is outside of the floodway but within the flood storage area. The plan of management for the existing development mentions flooding issues but does not appear to have a detailed flood emergency or evacuation plan. It is not considered that this DA should resolve all issues for the site, however a level of safety is implied in the LEP objectives and expected for the community and Recreation Area users. The DA information is limited on this subject, however it is considered reasonable that conditions of consent could resolve this matter in a satisfactory manner. It is recommended that an emergency evacuation plan for the new development (including flooding) be required prior to occupation of the development.

The proposed new development will be better placed in regards to flooding when compared to the existing similar development. The proposed Racing Community Centre is proposed at 631.0 when compared to the existing facility at 630.72. The new Multi Purpose Hall is proposed at 631.7 when compared to 631.02 to 631.01 of the existing basketball facility. There is no minimum floor level for this type of development, therefore the proposed finished floor levels while within the 1% AEP event, with appropriate precautions is considered acceptable.

While the SEE is brief in regards to flooding, based on the site limitation and proposed development, the following observations/assessment is made for compliance with clause 7.1(4) of the GMLEP 2009:

The development is **not** considered to:

- (a) adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, or
- (b) significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain, or
- (c) affect the safe occupation or evacuation of the land, or
- (d) significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, or
- (e) be likely to result in unsustainable social and economic costs to the community as a consequence of flooding, or
- (f) be located in a floodway.

In forming this assessment/opinion, reference to the existing development is made. As identified earlier, a detailed emergency/evacuation plan should form part of any determination to address Clause 7.1(4)(c).

Development Control Plan

The development has largely been designed in a manner consistent with clause 3.7.1.2 of the Goulburn Mulwaree Development Control Plan 2009 Amendment No 2. The more significant design requirements of an elevated floor, minimal cut and fill and identification of flood compatible materials have been addressed and complied with. The applicant has provided detailed estimates in regards to building volume that may impact on the site effectively reducing the flood storage and there is a small net decrease in flood storage from the construction materials, estimated to be in the order of 345m³. This may not be consistent with the requirement that:

- ☐ **flood storage** – no development is permissible in areas designated as flood storage, unless it can be demonstrated that there will be no decrease in net flood storage available on the site

As mentioned the 345m³ is for building materials only as the designs have accommodated the flow of flood and surface waters under the buildings. It would be potentially possible to remove small

amounts of fill in other areas to offset this small decrease in volume, however this is not supported given the desire also within the DCP not to alter flow patterns and reduce cut and fill. It is noted that quite significant flood events (greater than the 5% event) will be required to occur before any loss of volume will occur. Therefore the reduced volume will only occur when approaching the 1% event where 345m³ is considered to be an undetectable difference in change to the flood storage both on-site and off-site.

The balance of the DCP issues (for flooding) are considered to be satisfied or capable of being conditioned in a determination. Some of such assessment will take place as part of the Construction Certificate process eg. Structural soundness.

Council considered the development at its Planning meeting held 7 November 2012 and flood levels and impacts were identified. Council resolved "That Development Application No 0093/1213/DA for the construction of a Multi Purposed Facility at recreation Area, 47 Braidwood Road, Goulburn be supported and draft conditions be provided to the Southern Region Planning Panel."

In the above circumstances a variation of policy is supported as it is considered that the intent and major aspects of the flooding requirements have been addressed within the design elements.

Summary:

The development will be prone to flooding during significant flood events. The development is permitted in the flood storage areas and the DA information has identified that building will be constructed to resist flood events. When compared to the existing development and Council policies, the proposed development considered to be permissible and reasonable is regards to flooding issues. Conditions regarding flooding are recommended.

Submissions:

The proposal was notified to 45 adjoining and nearby property owners along with a notice in the newspaper. The various user groups of the Recreation Area were consulted during the design phase of the project. The application was also referred to Sydney catchment Authority (SCA) and the Roads and Maritime Services (RMS). Council has received concurrence from the SCA and no objection subject to conditions from the RMS. Copies of the advice from the two Agencies is attached.

One public submission was received requesting Council to incorporate best practice sustainability measures into the development. This submission was not an objection. It is noted that the development proposes to satisfy water quality and water recycling measures as concurred to by the SCA and satisfy the Building Code of Australia in regards to Part J for energy efficiency which includes insulation. As a consent authority, there does not appear any policy support for requiring additional sustainability measures. As the Trustee for the Recreation Area, Council may carry out the measures recommended in the submission outside of the DA process. Based on the legislation and policy position at this time, it is not recommended that further efficiency requirements form part of a consent.

Traffic and Car Parking

Braidwood Road is a classified road. The proposed development is classed as traffic generating development under clause 104 of the Infrastructure SEPP, as "recreation facilities" are listed in Column 1 of the Table to Schedule 3.

Therefore before determining a development application for development to which this clause applies, the consent authority must take into consideration any submission of the RMS.

104 Traffic-generating development

- (1) *This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves:*
 - (a) *new premises of the relevant size or capacity, or*
 - (b) *an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.*
- (2) *In this clause, **relevant size or capacity** means:*
 - (a) *in relation to development on a site that has direct vehicular or pedestrian access to any road—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or*
 - (b) *in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.*
- (3) *Before determining a development application for development to which this clause applies, the consent authority must:*
 - (a) *give written notice of the application to the RTA within 7 days after the application is made, and*
 - (b) *take into consideration:*
 - (i) *any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - (ii) *the accessibility of the site concerned, including:*
 - (A) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
 - (iii) *any potential traffic safety, road congestion or parking implications of the development.*
- (4) *The consent authority must give the RTA a copy of the determination of the application within 7 days after the determination is made.*

Discussion:

The DA was referred to the Roads and Maritime Services (RMS). The information provided with the DA was lacking and initially, the RMS requested further detailed in correspondence dated 23 October 2012. These issues have now been addressed and subsequently the RMS stated in correspondence dated 19 November 2012 that it does not object to the development application in principle subject to specified conditions being included in the development consent. The RMS correspondence is included in the Attachment.

RMS has stipulated that any redundant driveways on the Braidwood Road shall be physically closed with vegetation and fencing and that the proposed 87 car parks at the Braidwood Road frontage be suitably line marked and signposted.

Under Council's DCP the proposal is requires 73 car spaces to be provided. A sealed car park on site with capacity for 88 spaces along with .an over flow area for 102 spaces is proposed. A further 87 on-street spaces are already provided at the front of the Recreation Area. This is considered adequate for the proposal.

Traffic and Carparking Conditions shall be imposed requiring:

- The sealed parking area and driveways shall be constructed to council's document "Standards for Carparks and Driveways".
- The proposed car parks at the Braidwood Road frontage shall be sealed, linemarked and signposted;
- The parking spaces on internal sealed surfaces shall be linemarked;
- Parking spaces on internal unsealed surfaces shall be marked with marker plates;
- Traffic flow into, out of, and through the site shall be designed and signposted.

When compared to the existing development and Council policies, the potential traffic and transport impacts of the proposed development is considered to be minimal and would be able to operate within the capability of the existing road network without impacting negatively on current efficiency and safety. Conditions regarding traffic and car parking are recommended.

Contamination

The site is considered is contaminated, and the reports have satisfied that the land is suitable in its contaminated state for the purpose for which the development is proposed to be carried out.

Clause 7 of SEPP 55 provides the following:

- (1) A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) The land concerned is:*
 - (a) land that is within an investigation area,*
 - (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

The site has previous been use as a landfill by the former Goulburn City Council. The Environmental Assessment prepared on behalf of the applicant comprised the construction of eleven, separate test boreholes and four groundwater monitoring bores across the site using a mixed judgemental/systematic, triangular sampling pattern as well as targeting the areas of environmental concern.

The Environmental Assessment including Groundwater Appraisal states that the site is considered suitable for the continued commercial/industrial land use. The Assessment recommends that should elevated concentrations of landfill gas be identified, a gas mitigation system may be required.

A further Landfill Gas Monitoring assessment was conducted. The report found all concentrations were found to be well within the adopted guidelines and the risks associated with landfill gas were low. The report concluded that the site is considered suitable for the proposed commercial landuse.

The submitted Reports do not specifically address the recreational use of the multi-purpose facility, or the proposed development in the recommendation, however the report has considered the existing and proposed uses and shows these on attached documentation.

The site is considered is contaminated, and the reports have satisfied that the land is suitable in its contaminated state for the purpose for which the development is proposed to be carried out.

Recommendation

The proposal is consistent with the existing multiple recreational use of the site and consolidates this role. It is consistent with the forward planning for the site as recognised in the Plan of Management for the site. It has the potential to provide for a range of sporting and non-sporting activities at the site including those that currently do use the site.

Consequently it is recommended that the SRJPP consider the above assessment and be supportive subject to appropriate Consent conditions as set out in the Attachment to this Report.

Refer to draft conditions of consent

Assessing Officers: Richard Davies & Stephanie Mowle

Date: 20 November 2012

ATTACHMENT

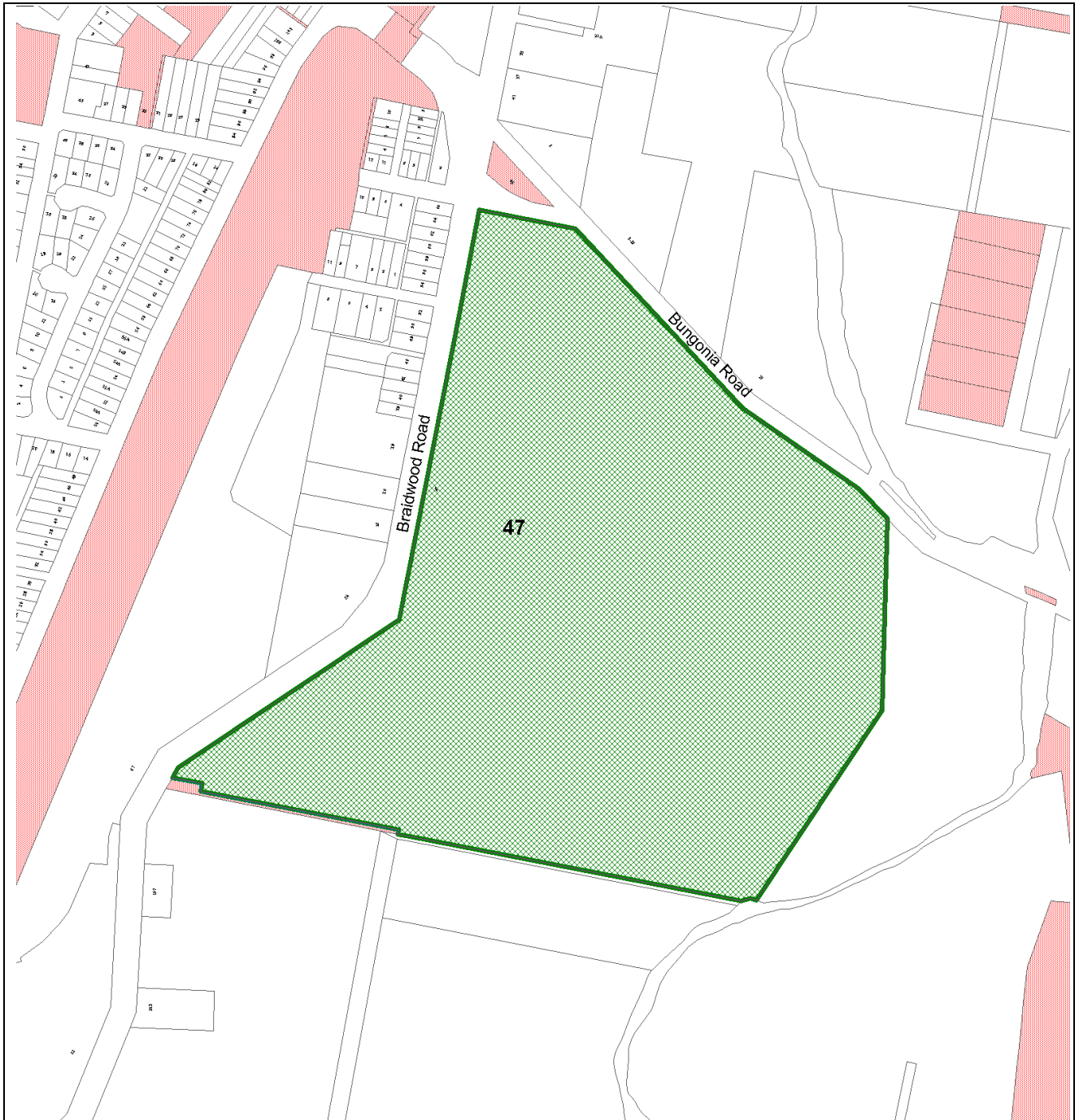
93/1213/DA – Multi-Use Complex, 47 Braidwood Road, Goulburn

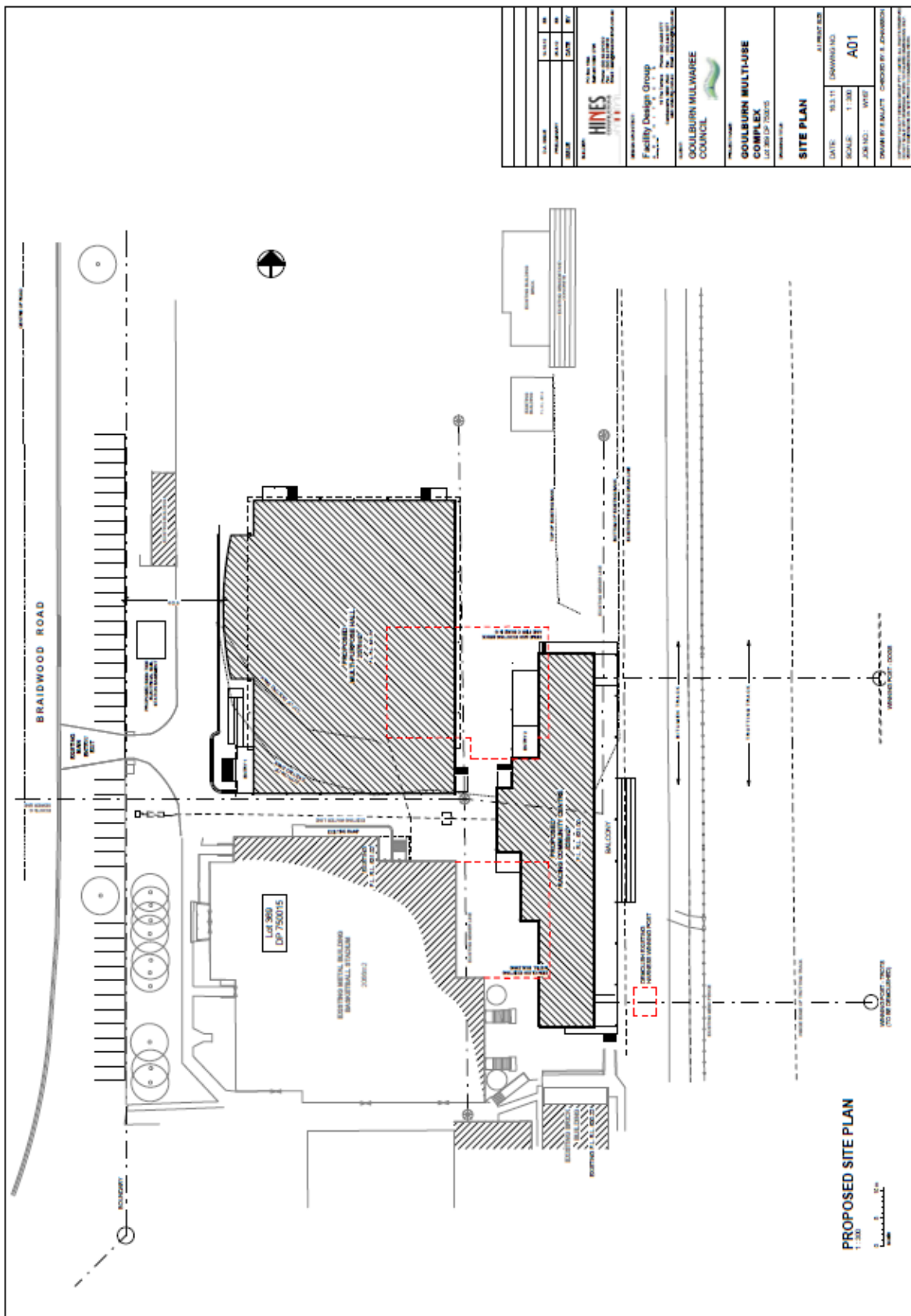
Reporting Officer

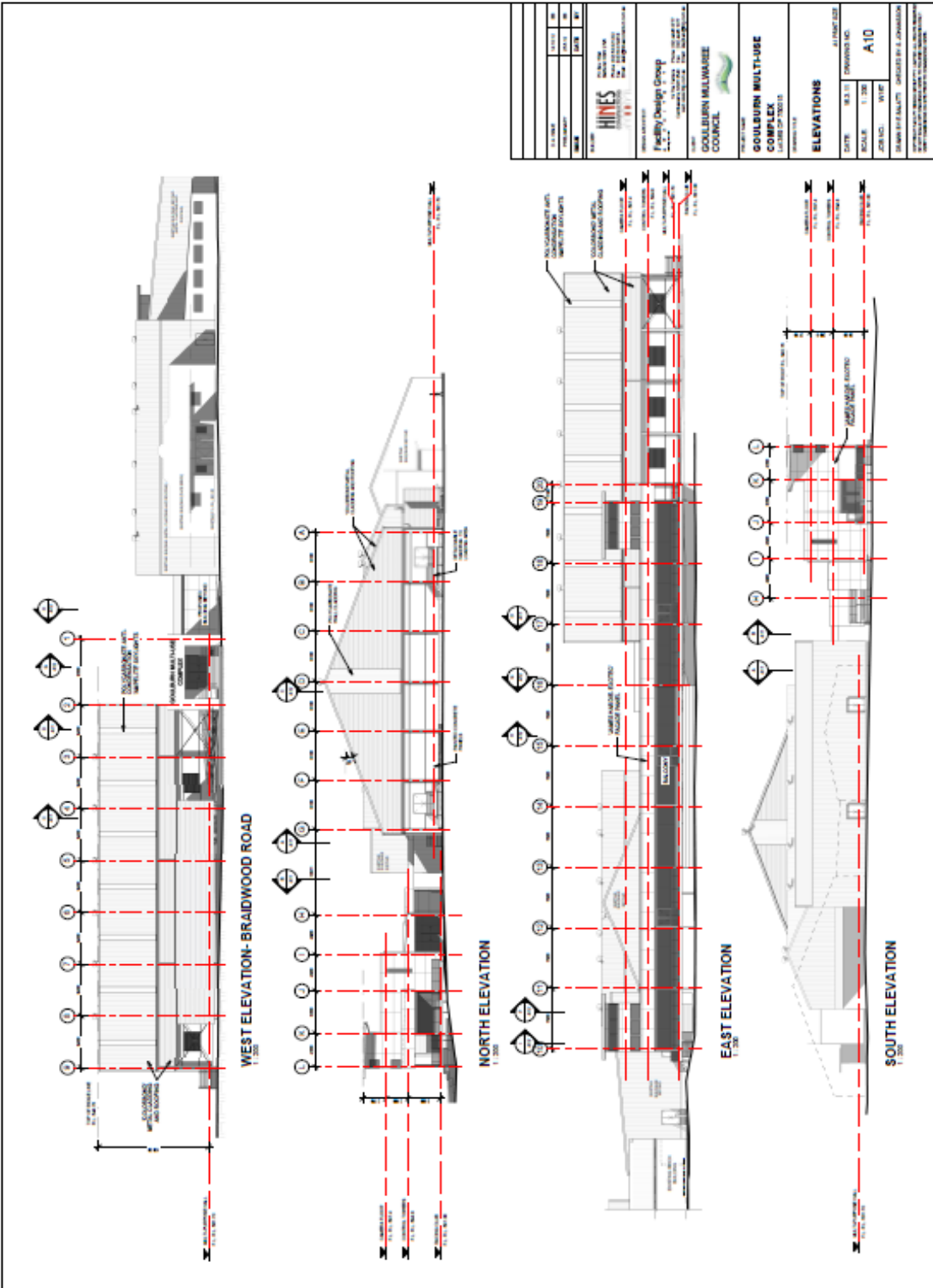
Principal Development Assessment Officer – Stephanie Mowle
Manager Development Control – Richard Davies

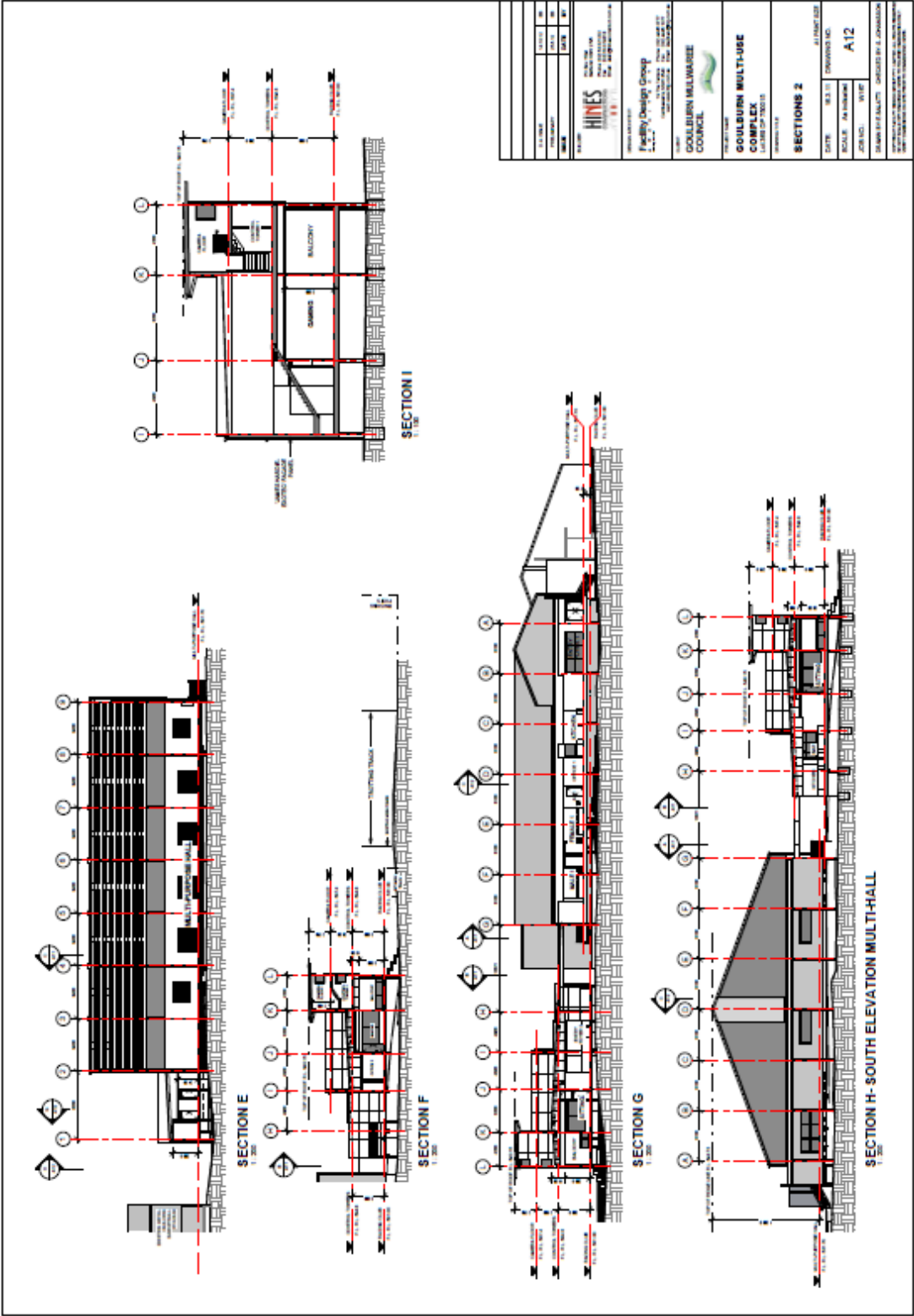
Application Summary

DEVELOPMENT APPLICATION NO:	93/1213/DA
LOCATION	47 Braidwood Road, Goulburn
ZONING	Public Recreation
PROPOSAL	Multi-Use Complex
BCA CLASSIFICATION	Class 9b
COUNCIL MEETING	6 November 2012
ATTACHMENTS	Locality Plan Submitted Plans State Government Agency Comments Submission Sydney Catchment Authority's Concurrence Roads and Maritime Services Letter Draft Conditions









THE GOULBURN GROUP (TGG)

17th October, 2012

Mr Richard Davies
Manager of Development Control
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN 2580

Dear Mr Davies,

Re: DA/0093/1213: Multi Use Hall, Function Facility and Associated Services
On behalf of The Goulburn Group (TGG) I would like to make a submission regarding Development Application 0093/1213 Multi Use Hall, Function Facility and Associated Services at 47 Braidwood Rd Goulburn.

While we find that there are many points that commend this development to Goulburn, we have some concerns that we feel are reasonable to address by Council in its role as the Development Consent Authority.

Having read through all the documentation contained within the DA, I found that what was presented seemed to be 'adequate' according to the current rules and regulations. The Goulburn Group basically would like Council to look beyond 'adequate' so that this development represents best practice Environmental Sustainable Design.

Section 3:15 lists Natural ventilation, 3 x 20000 litre water tanks for toilet cistern flushing and electrical and mechanical services that comply with Part J requirements of BCA. Other than waste minimisation there are not many listed descriptors that are relevant to this development.

Given that Council and community are now considering a Sustainability Charter, Policy and Action Plan it would seem relevant that this major development reflect the aims of these documents. By utilising the considerable roof surface to collect solar energy, Council will not only be contributing to their emission reduction target but they will be modelling and reinforcing their commitment to sustainability.

Solar Panels, Solar Hot Water heaters, Natural lighting and heating through large areas of glazing on north facing walls, LED interior lighting are some of the features that could be incorporated in this complex.

Catherine Falk (Secretary)

for

Urs Walterlin,
President, The Goulburn Group(TGG)

The Goulburn Group Inc. trading as THE GOULBURN GROUP (TGG), ABN: 37 788 112 749

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Ref: 12210-a1
Your Ref: DA/0093/1213

Chris Berry
General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN 2580

Attention: Stephanie Mowle

Dear Mr Berry

Subject: Sydney Drinking Water Catchment SEPP
DA No DA/0093/1213; Lot 369 DP 750015; 47 Braidwood Road, Goulburn

I refer to your letter received 8 October 2012 requesting the concurrence of the Chief Executive under Clause 11 of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) with a proposal for a multi purpose hall, multi function entertainment facility and associated services.

The subject property, which has been inspected by the Sydney Catchment Authority (SCA), is located within the Warragamba catchment which forms part of Sydney's water supply.

The following documents have been considered in the assessment of the application:

- a Statement of Environmental Effects (dated September 2012) and the Site Plans (dated 16 March 2011) both prepared by Facility Design Group Architects, and
- a Stormwater Quality Report and associated MUSIC stormwater quality modelling prepared by Eclipse Consulting Engineers Pty Ltd (dated September 2012).

Based on the SCA's site inspection and the information provided, the proposed development has been assessed by the SCA as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented. The Chief Executive would therefore concur with Council granting consent to the application subject to the following conditions being imposed:

General

1. The site layout and works shall be as shown on the Site Plans prepared by Facility Design Group Architects (Job No W167; Dwg Nos A01 and A02; dated 16.3.11). Any revision to the site layout or works shall be agreed to by the Sydney Catchment Authority.

Reason for Condition 1- The Sydney Catchment Authority has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

Stormwater Management

2. All stormwater treatment and management measures shall be implemented as specified in the Stormwater Quality Report and shown on Concept Stormwater Plan and Stormwater Drainage Details Plan (Project No. 7273-001; Dwg. No. C03-A and C04-A; Rev A; dated 21.09.2012) prepared by Eclipse Consulting Engineers Pty Ltd, except where varied by these conditions.

3. All parking, driveway or other hardstand area around and associated with the buildings shall be sealed. All runoff from the hardstand areas via two gross pollutant traps (Enviropod 200 or approved equivalent) shall be directed to an existing swale to the south of the development.
4. Rainwater tanks shall be installed to collect roof runoff from the buildings and shall meet the following specific requirements:
 - a minimum three tanks, each with a minimum capacity of 30,000 litres
 - be plumbed to toilets, showers and areas of non potable use, including landscape irrigation
 - the roof and gutters of the buildings shall be designed such that roof runoff is captured in the rainwater tanks, and
 - all rainwater tank overflow shall be directed to the existing swale to the south of the development.
5. The entrance to the existing swale shall be constructed as shown on Stormwater Drainage Details Plan (Project No 7273; Sheet C04-A; dated 21.09.2012) prepared by Eclipse Consulting Engineers Pty Ltd. The discharge from the existing swale to the open drainage channel shall be constructed and armoured in a manner so as not to cause erosion.
6. Any variation to stormwater treatment and management measures shall be agreed to by the Sydney Catchment Authority.
7. All stormwater management measures shall be inspected and certified, by consultants approved by the Sydney Catchment Authority, as having been constructed or undertaken as specified in these conditions.

Reason for Conditions 2 to 7 – To ensure that the proposed development and associated stormwater quality management works have a sustainable neutral or beneficial impact on water quality over the longer term.

Construction Activities

8. Construction shall occur in such a manner to ensure that there is minimal disturbance of soil on the site.
9. A detailed Erosion and Sediment Control Plan is required for all works proposed or required as part of the development. The Plan shall incorporate the principles shown on the Sediment and Erosion Control Plan prepared by Eclipse Consulting Engineers Pty Ltd (Project No 7273; Sheet C02-A; dated 21.09.2012). The Plan shall be prepared by a person with knowledge and experience in the preparation of such plans and shall meet the requirements outlined in Chapter 2 of NSW Landcom's 'Soils and Construction: Managing Urban Stormwater' (2004) manual - the "Blue Book" and shall be to the satisfaction of Council.
10. Effective erosion and sediment controls shall be installed prior to all construction works including earthworks for the building. The controls shall prevent sediment and contaminated water leaving the construction site or entering roadside drains, and shall be regularly maintained and retained until works have been completed and groundcover established or ground stabilised.

Reason for Conditions 8 to 10 - To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.

Under Clause 11 of the SEPP, Council must provide the SCA with a copy of its determination of the application within 10 days of the determination.

If you wish to discuss this matter further please contact James Caddey on 48243401.

Yours sincerely



MALCOLM HUGHES
Manager Planning & Assessments

31/10/12

Our Ref: STH08/02229/03
Contact: Rachel Nicholson 4221 2769
Your Ref: DA/0093/1213



Transport
Roads & Maritime
Services

The General Manager
Goulburn Mulwaree Council
Locked Bag 22
Goulburn NSW 2580

Attention: Stephanie Mowle

**GOULBURN MULWAREE COUNCIL – DEVELOPMENT APPLICATION DA/0093/1213 –
LOT 369 DP 750015, MR79, 47 BRAIDWOOD ROAD, GOULBURN, MULTI USE HALL,
FUNCTION FACILITY AND ASSOCIATED SERVICES**

Dear Sir/Madam

Reference is made to your letter dated 12 November 2012 regarding the subject development application forwarded to Roads and Maritime Services (RMS) for consideration.

RMS has reviewed the submitted information and provides the following comments on the subject development:

- RMS has a vital interest in minimising the number of vehicular access points to the classified road network. RMS generally does not support multiple access points for developments to a classified road as research shows that increased access density has a strong correlation with increased accident rates. This position is supported by Clause 101 of the Infrastructure State Environmental Planning Policy. Specifically, clause 101 (2)(a) states "where practicable, vehicular access to the land is provided by a road other than the classified road".
- Given that the site has access via Bungonia Road, a local road to the north of the site, RMS would usually require all vehicular access via this road and all access to Braidwood Road to be closed.
- It is noted however, that the proposed development comprises the redevelopment of only a small portion of the established development on site, which is not expected to generate a significant increase in traffic to the site, and access to the subject development is via the existing accesses.

Therefore, RMS will not object to the proposed access arrangement in principle, subject to the following conditions being included in the development consent:

- The driveway/s shall be designed in accordance with Council standards.

Roads & Maritime Services

- Any redundant driveways on Braidwood Road shall be physically closed with vegetation and fencing.
- The proposed 87 car parks at the Braidwood Road frontage (within the road reserve) shall be suitably line marked and signposted to indicate the parking arrangements (i.e. perpendicular to kerb) to avoid ad hoc parking along the frontage of the site, which appears to occur at present. The linemarking plan shall be submitted to Council's Traffic Committee for review and acceptance prior to undertaking the works in the road reserve.
- The proponent shall undertake necessary works to achieve Safe Intersection Sight Distance at the access in accordance with Austroads *Guide to Road Design – Part 4a: Unsignalised and Signalised Intersections* Table 3.2, in both directions, i.e. 114m in both directions for a design speed of 60km/h. In this regard, landscaping and fencing at the site frontage shall not restrict sightlines to Braidwood Road from the site access.
- Council should ensure that post development storm water discharge from the subject site into the RMS drainage system does not exceed the pre-development application discharge.
- All roadworks will be at no cost to RMS. All works shall be completed prior to occupation.
- The developer shall apply for, and obtain a Road Occupancy Licence (ROL) from the RMS Traffic Operations Unit (TOU) prior to commencing works that impact a travel lane of a State Road or impact the operation of traffic signals on any road. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU. The developer shall submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependant upon RMS receiving an accurate and compliant TMP.
- Conditions of development consent relating to road work, traffic control facilities and other structures on the classified road network contrary to those outlined above are unlikely to receive RMS consent under the Roads Act, 1993.
- Provided the above works are completed RMS issues its concurrence under Section 138 of the Road Act, 1993. In this regard, Council as the roads authority will be responsible for issuing Section 138 consent for the works within the classified road reserve and ensuring that the works are designed and constructed in accordance with relevant standards.

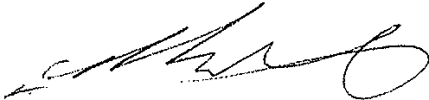
In accordance with Section 79C(1)(b) of the EP&A Act, Council as the Consent Authority, is responsible to consider any likely impacts on the natural or built environment in the road reserve fronting this proposed development. For instance there could be traffic noise impacts on adjacent residences, impacts on indigenous or non-indigenous heritage items or threatened species. RMS will not be making a separate Part 5 environmental assessment of the environmental impacts in the road reserve for this proposal.

Roads & Maritime Services

Upon Council's determination of this matter, it would be appreciated if Council could forward a copy of the Notice of Determination to RMS within the appellant period for advice and consideration.

If you have any questions please contact Rachel Nicholson on 4221 2769.

Yours faithfully



19 NOV 2012

Joanne Parrott
Road Safety and Traffic Manager
Network Management, Southern Region

Roads & Maritime Services

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PART 1. GENERAL CONDITIONS

1. The development is to be carried out generally in accordance with the plans and details submitted with the application except where varied by the following conditions of Consent. The development consent incorporates the plans and documents stamped and detailed below:
 - Statement of Environmental Effects prepared by Facility Design Group – Architects dated September 2012
 - Plans prepared by Facility Design Group – Architects dated 16.3.11 Job No W167, Drawing Numbers A00, A01, A01a, A01b, A02, A03, A04, A05, A06, A10, A11, and A12
 - Plans prepared by Eclipse Consulting Engineers dated Sep 2012, Dwg No. C02-A, C03-A, C04-A
 - Unreferenced Plans providing perspective views
 - Stormwater Quality Report prepared by Eclipse Consulting Engineers dated September 2012 Rev A
 - Environmental Assessment including Groundwater Appraisal prepared by Environmental Investigations dated 24 September 2012
 - Landfill Gas Monitoring Assessment prepared by Environmental Investigations dated 9 November 2012
 - Statement of Environmental Effects Addendum No. 1, 11 A4 Sheets, received 12 November 2012.

In the event of any inconsistency between conditions of this approval and the plans and documentation referred to above, the conditions of this approval prevail.

ADVISING:

No advertising signs are approved as part of this Development Consent. Any signs not complying with Council's Exempt Development provisions will require separate development consent.

2. The Recreation Area is considered to be a **Recreation Facility (Major)**. The proposed development subject to this consent is considered a **Community Facility** under the Goulburn Mulwaree Local Environmental Plan 2009 Amendment 3. All activities of the development shall comply with these LEP definitions.

ADVISING:

Further approvals eg. *Liquor Act 2007* may be required for use of this development.

Definitions from the Goulburn Mulwaree Local Environmental Plan 2009 Amendment 3 are:

- **recreation facility (major)** means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.
- **community facility** means a building or place:
 - (a) Owned or controlled by a public authority or non-profit community organisation, and
 - (b) Used for the physical, social, cultural or intellectual development or welfare of the community, But does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

3. Approved advertising signs are to be limited to the sign(s) detailed on the above Plans. Only signs that have been approved under this Development Application or are exempt under Goulburn Mulwaree Local Environmental Plan 2009 or State Environmental Planning Policy (Exempt and Complying Codes) 2008 may be affixed to the external fabric of the building.
4. The site layout and works shall be as shown on the Site Plans prepared by Facility Design Group Architects (Job No W167; Dwg Nos A01 and A02; dated 16.3.11). Any revision to the site layout or works shall be agreed to by the Sydney Catchment Authority (Schedule 1 – SCA).

Reason for Condition - The Sydney Catchment Authority has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

5. Any variation to stormwater treatment and management measures shall be agreed to by the Sydney Catchment Authority (Schedule 1 – SCA).

Reason for Condition – To ensure that the proposed development and associated stormwater quality management works have a sustainable neutral or beneficial impact on water quality over the longer term.

6. All stormwater treatment and management measures shall be implemented as specified in the Stormwater Quality Report and shown on Concept Stormwater Plan and Stormwater Drainage Details Plan (Project No. 7273-001; Dwg. No. C03-A and C04-A; Rev A; dated 21.09.2012) prepared by Eclipse Consulting Engineers Pty Ltd, except where varied by these conditions (Schedule 1 – SCA).

Reason for Condition – To ensure that the proposed development and associated stormwater quality management works have a sustainable neutral or beneficial impact on water quality over the longer term.

7. All parking, driveway or other hardstand area around and associated with the buildings shall be sealed. All runoff from the hardstand areas via two gross pollutant traps (EnviroPod 200 or approved equivalent) shall be directed to an existing swale to the south of the development (Schedule 1 – SCA).

Reason for Condition – To ensure that the proposed development and associated stormwater quality management works have a sustainable neutral or beneficial impact on water quality over the longer term.

8. Rainwater tanks shall be installed to collect roof runoff from the buildings and shall meet the following specific requirements:

- a minimum three tanks, each with a minimum capacity of 30,000 litres
- be plumbed to toilets, showers and areas of non potable use, including landscape irrigation
- the roof and gutters of the buildings shall be designed such that roof runoff is captured in the rainwater tanks, and
- all rainwater tank overflow shall be directed to the existing swale to the south of the development (Schedule 1 – SCA).

Reason for Condition – To ensure that the proposed development and associated stormwater quality management works have a sustainable neutral or beneficial impact on water quality over the longer term.

9. The entrance to the existing swale shall be constructed as shown on Stormwater Drainage Details Plan (Project No 7273; Sheet C04-A; dated 21.09.2012) prepared by Eclipse Consulting Engineers Pty Ltd. The discharge from the existing swale to the open drainage channel shall be constructed and armoured in a manner so as not to cause erosion (Schedule 1 – SCA).

Reason for Condition – To ensure that the proposed development and associated stormwater quality management works have a sustainable neutral or beneficial impact on water quality over the longer term.

10. The driveway/s shall be designed in accordance with Council standards (Schedule 2 – Roads & Maritime Services RMS).

11. Any redundant driveways on Braidwood Road shall be physically closed with vegetation and fencing (Schedule 2 - RMS).

ADVISING:

The details of any closures are to be provided in the application under Section 138 of the Road Act 1993 to Council or the RMS.

12. The proposed 87 car parks at the Braidwood Road frontage (within the road reserve) shall be suitably line marked and signposted to indicate the parking arrangements (i.e. perpendicular to kerb) to avoid ad hoc parking along the frontage of the site, which appears to occur at present. The linemarking plan shall be submitted to Council's Traffic Committee for review and acceptance prior to undertaking the works in the road reserve (Schedule 2 - RMS).
13. The proponent shall undertake necessary works to achieve Safe Intersection Sight Distance at the access in accordance with Austroads *Guide to Road Design – art 4a: Unsignalised and Signalised Intersections* Table 3.2, in both directions, i.e. 114m in both directions for a design speed of 60km/h. In this regard, landscaping and fencing at the site frontage shall not restrict sightlines to Braidwood Road from the site access (Schedule 2 - RMS).
14. Council should ensure that post development storm water discharge from the subject site into the RMS drainage system does not exceed the pre-development application discharge (Schedule 2 - RMS).
15. All roadworks will be at no cost to RMS. All works shall be completed prior to occupation (Schedule 2 - RMS).
16. The developer shall apply for, and obtain a Road Occupancy Licence (ROL) from the RMS Traffic Operations Unit (TOU) prior to commencing works that impact a travel lane of a State Road or impact the operation of traffic signals on any road. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU. The developer shall submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business period is dependant upon RMS receiving an accurate and compliant TMP (Schedule 2 - RMS).

ADVISING:

Conditions of development consent relating to road work, traffic control facilities and other structures on the classified road network contrary to those outlined above are unlikely to receive RMS consent under the Roads Act 1993 (Schedule 2 - RMS).

Provided the above works are completed RMS issues its concurrence under Section 138 of the Road Act 1993. In this regard, Council as the roads authority will be responsible for issuing Section 138 consent for the works within the classified road reserve and ensuring that the works are designed and constructed in accordance with relevant standards (Schedule 2 - RMS).

PART 2. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

17. Plans and specifications demonstrating compliance with the Building Code of Australia are to be submitted with the application for a Construction Certificate.

ADVISING:

If Council is the nominated Principal Certifying Authority (PCA), the builder or applicant is to ensure compliance with the following Codes and Standards and parts of the Building Code of Australia. Plans, details and specifications, which show compliance with the Building Code of Australia, are to be submitted with the application for a Construction Certificate.

- F2.5 - Doors to sanitary compartments
- F2.3 – Sanitary Facilities.
- F2.4 - Facilities for people with a disability
- D2.13 & D2.16 – Stairs & Balustrades
- Section C of the BCA – Fire Resistance
- Section D of the BCA – Access and Egress and Access for People with a Disability
- Section E of the BCA - Services and Equipment
- Section F of the BCA – Health & Amenities
- Section J of the BCA – Energy Efficiency. A report showing compliance with all parts of this section is to be provided with the application for a Construction Certificate.

- AS 1288 - Glazing Materials
- AS 3660.1 – Termites
- AS 1668 - Mechanical Ventilation

18. Hydraulic Engineers details of the sewer, stormwater drainage, water service including backflow prevention and fire service which have been approved by Council shall be submitted with the application for a Construction Certificate.
19. Stormwater
- The proposal is for drainage to be via open channels as indicated on dwg C02-A and C04-A. These channels shall be concrete lined.
 - The existing small pumped stormwater pit near the southeast corner of the proposed racing community centre shall be decommissioned.
 - Measures shall be taken so that the proposed 'vee' drain between the existing basketball stadium and new multipurpose hall will not present a trip hazard.
- Details shall be approved by Council prior to the issue of the Construction Certificate.
20. Lighting is required to provide security to the facility. Details of any external lighting are to be submitted and approved by the Principal Certifying Authority prior to issue of the Construction Certificate. For the purpose of residential amenity any external lighting is not to adversely impact adjacent properties by way of excessive light. The intensity of the lighting shall be able to be redirected if excessive to adjacent properties.
21. A schedule of proposed colours and materials is to be submitted and approved by Council prior to the issue of a Construction Certificate. These colours and materials should be sympathetic with the character of the locality.
22. A detailed landscaping plan is to be submitted with the application for a Construction Certificate. This plan is to indicate species, height and location of plantings and be approved by Council prior to the issue of the Construction Certificate.

ADVISING:

Council's Landscape Planner can provide a list of suitable plant species upon request.

The character of the rest of the site is planting along Braidwood Road and occasional trees in open areas. Some plantings of large scale trees to the north of the proposed hall would assist to reduce the bulk of the building.

Some planting on the west of the building would improve the appearance of the building.

23. Amplification Charges

In accordance with the provisions of s64 Local Government Act 1993 and s306 Water Management Act 2000 for Water and Sewerage contributions are required toward the provision of community facilities and infrastructure in accordance with the City-Wide Infrastructure Contributions Plan.

ADVISING:

The current contributions under the City-Wide Infrastructure Policy for the 2012/2013 financial year are as follows:

Water Supply: Additional 4.4 ET	\$9,447
Sewerage: Additional 6.6 ET	\$29,410
Stormwater: Additional 0 sqm impervious area	\$Nil
TOTAL	\$38,857

These contributions are reviewed annually and the contribution rates are to be confirmed prior to payment.

Payment must be made in full prior to issue of the Construction Certificate or with other agreed terms with Council approval.

24. A detailed Erosion and Sediment Control Plan is required for all works proposed or required as part of the development. The Plan shall incorporate the principles shown on the Sediment and Erosion Control Plan prepared by Eclipse Consulting Engineers Pty Ltd (Project No 7273; Sheet C02-A; dated 21.09.2012). The Plan shall be prepared by a person with knowledge and experience in the preparation of such plans and shall meet the requirements outlined in Chapter 2 of NSW Landcom's 'Soils and Construction: Managing Urban Stormwater' (2004) manual - the "Blue Book" and shall be to the satisfaction of Council (Schedule 1 – SCA).

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

25. Construction details of the food premises which show compliance with the requirements AS 4674-2004, Design, Construction and Fit-out of Food Premises shall be approved by Council prior to the issue of a Construction Certificate.
26. Prior to the issuance of any Construction Certificate, it must be demonstrated and have Council agreement that Council infrastructure will not have any additional loads from the development. This shall be supported by appropriately qualified and experienced Structural Engineers details of the footings, flooring and structural components of the buildings.
27. The Construction certificate information must demonstrate the construction methods and materials are suitable for flooding events and comply with Part 3.7 of the Goulburn Mulwaree Development Control Plan (2009) Amendment No.2.
28. An application under Section 68 of the Local Government Act is to be submitted to and approved by Council for the Trade Waste Facility prior to the issue of the Construction Certificate. The following information shall accompany the Application:
- a) Details of proposed grease arrestor including manufacturer and model number;
 - b) Details of proposed in sink and floor waste basket arrestors;
 - c) Hydraulic plans showing location of grease arrestor and all drainage and fixtures connected to the arrestor; and
 - d) Details of all proposed backflow prevention devices.
29. An activity within the footway requires Council approval under Section 138 of the Roads Act 1993. An application must be submitted to and approved by Council before any work within the road reserve is commenced.

PART 3. PRIOR TO COMMENCEMENT OF BUILDING WORK

30. Nominate a Principal Certifying Authority (PCA) and the PCA is to notify the consent authority and Council of their appointment, two (2) days prior to commencing work.
31. Toilet facilities are to be provided and made available to construction workers at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.
32. A sign is to be erected on the development site, which shows the Builder's name and contact details and the Principal Certifying Authority for the development.
33. Prior to the commencement of work the applicant shall contact the relevant utility and service providers to ensure there are no services within the proposed works site and avoid damage to any existing services. Any costs in relocation, adjustment or support of services are to be the responsibility of the applicant.
34. Effective erosion and sediment controls shall be installed prior to all construction works including earthworks for the building. The controls shall prevent sediment and contaminated water leaving the construction site or entering roadside drains, and shall be regularly maintained and retained until works have been completed and groundcover established or ground stabilised (Schedule 1 – SCA).

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

35. Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land as follows:
- Divert uncontaminated run-off around cleared or disturbed areas, and
 - Erect a silt fence to prevent debris escaping into drainage systems or waterways, and
 - Prevent tracking of sediment by vehicles onto roads, and
 - Stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

PART 4. DURING CONSTRUCTION and DEMOLITION

36. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

ADVISING

If Council is the nominated Principal Certifying Authority, Council requires the following extra stages of construction to be inspected. Forty-eight (48) hours notice is required prior to these inspections.

- Inspection of the screw piers and confirmation from a suitable structural engineer that these have been installed to satisfy the BCA.
- Steel reinforcing before pouring of concrete slab.
- Framework before cladding or lining is fixed.
- Sealing of the wet areas before wall linings are fixed and before floor and wall tiling is fixed.

37. Access

The driveway and car park must be constructed in accordance with Council document "Standards for Access Driveways and Parking Areas".

Heavy vehicular footway crossings are to be constructed in accordance with Council's drawings SD-R06 and SD-R08 in terms of profile and configuration.

It is the applicant's responsibility to ensure:

All traffic control measures are to be installed and maintained in accordance with AS1742.3 and the Roads and Traffic Authority Manual – 'Traffic Control at Worksites':

- Public liability insurance to the value of \$20 million specific to the footway and workers compensation insurance is maintained for the duration of the works; and
- Sufficient Public liability insurance and workers compensation insurance is maintained for the duration of the works; and
- Whether the proposed works affects any Public Utility Authority installation. The following Authorities should be consulted:
 - Dial Before You Dig Ph.: 1100 (*for telephone, gas, electricity*)
 - Council Ph (02)4823 4417 (*for water and sewer location diagrams*).

ADVISING

Vehicular footway crossings are that section of a driveway between the roadway and the property boundary.

An inspection must be carried out prior to pouring the concrete and after all excavation is complete, and formwork and reinforcement in position. Inspections shall be booked at Customer Service and at least 48 hours notice is to be given of readiness for inspection.

The current charge at 2012/13 Financial year is \$185 per crossing.

Council retains the right to alter, repair, or in extreme cases, remove and replace any work for which approval has not been obtained, or that has not been carried out in accordance with these

conditions. The work would be undertaken at the owner's full costs, recoverable in accordance with s218 *Roads Act 1993*.

All work on/within the footway requires Council approval under s138 *Roads Act 1993*. An application must be submitted to and approved by Council before any work is commenced. The appropriate form is available from Customer Service.

The developer shall obtain a Section 138 Approval from Council with RMS concurrence for works within the Classified Road Reserve prior to the issue of a Construction Certificate.

38. In accordance with s109E(3) *Environmental Planning and Assessment Act 1979* and Clause 162A Regulation the following Mandatory, Critical Stage Inspections need to be carried out by the Principal Certifying Authority. (PCA)

Forty-eight (48) hours notice is required prior to these inspections.

- In the case of a Class 2, 3, 4, 5, 6, 7, 8 or 9 building, after the commencement of the excavation for, and before the placement of, the first footing;
- Prior to covering any stormwater drainage connections; and
- After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

ADVISING

The Stormwater and external sewer inspections can be linked as one inspection when Council is the PCA.

39. All construction and demolition work shall be carried out only between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm.

No construction or demolition work shall take place on Sundays or Public Holidays. A written application shall be made to the Council if a variation of these hours is required. The application shall indicate the reasons for the variation. The Council shall, if it so desires, grant any variation in writing.

40. If any unidentified historical archaeological remains or deposits are exposed during the works, excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with Section 146 of the *NSW Heritage Act 1977*.
41. Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately. Work may only be resumed following written consent being obtained from the Office of Environment and Heritage.
42. Any person demolishing the building must upon identifying or suspecting that asbestos is present in the building, immediately notify the WorkCover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engage in asbestos removal.
43. Any existing stormwater lines from the building shall be removed or otherwise made inoperable so as to prevent the conveyance of silt or sediments off the site into any drainage system.
44. Arrangements are to be made with Council's Engineering Department regarding required disconnection and capping of water and sewer connections from the building.
45. Construction shall occur in such a manner to ensure that there is minimal disturbance of soil on the site (Schedule 1 – SCA).

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

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46. Activities occurring at the site must be carried out in a manner that will minimise emissions of dust from the premises. Trucks entering and leaving the premises that are carrying excavated dusty materials, including clays, sands and soils, must be covered at all times, except during loading and unloading.
 47. Building materials must NOT be placed or stored on the road or footpath.
 48. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with WorkCover requirements. It will necessary to ensure that the excavation is not within the zone of influence on the footings of buildings on the adjoining properties.
 49. In the erection or demolition of a building, if the soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided and adequate provision for drainage must be made. Approval is required for any retaining walls over 600mm in height or within 900mm over the boundary.
 50. The applicant or developer will be required to pay the full cost of restoration to the kerb and gutter, concrete footpath and/or street trees, should any damage occur during construction.
 51. All plumbing and drainage work shall be undertaken to Council's satisfaction and details of all plumbing and drainage work carried out shall be submitted to Council for its records.
 52. The following stages of construction are to be inspected by Council as the Water and Sewer Authority.

Forty-eight (48) hours notice is required prior to these inspections.

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

ADVISING

Inspections fees must be paid prior to commencing any plumbing and drainage work. If Council is not the nominated Principal Certifying Authority (PCA) it will be necessary to pay plumbing and drainage fees.

53. All new hot water installations shall deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50 degrees Celsius and 43.5 degrees Celsius (facility for persons with a disability) in accordance with AS 3500.
54. The top level of the sewerage service yard gully shall be located a minimum of 150mm below the lowest fixture level and a minimum of 75mm above ground level and in a manner to prevent the impact of flooding on the sewer system and in accordance with the requirements of Council.

Where it is not practicable to locate the top of the yard gully 150mm below the lowest fixture level or 75mm above the surrounding ground level then a reflux valve shall be fitted to the sewer drainage system so as to prevent the backflow from the sewer entering the building.

PART 5. PRIOR TO OCCUPATION

55. An Occupation Certificate must be obtained from the Principal Certifying Authority and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.
56. All physical works are to be completed in accordance with the conditions of this Development Consent, or alternative arrangements made to the satisfaction of Council, prior to the issue of an Occupation Certificate.

57. Evidence shall be submitted to Council demonstrating that all works required by the RMS are completed in accordance with the conditions of this Development Consent, prior to the issue of an Occupation Certificate. Any variation to these requirements will require written consent from Council.
58. Fit-out of the premises is to be in accordance with the Food Standard 3.2.3 and AS4874-2004. Design, construction and fit-out of food premises.
59. Prior to commencing operations a certified Food Safety Supervisor shall be appointed to the premises.
60. All stormwater management measures shall be inspected and certified, by consultants approved by the Sydney Catchment Authority, as having been constructed or undertaken as specified in these conditions (Schedule 1 – SCA).

Reason for Condition – To ensure that the proposed development and associated stormwater quality management works have a sustainable neutral or beneficial impact on water quality over the longer term.

61. Landscaping is to be completed in accordance with the approved Landscape Plan prior to the issue of an Occupation Certificate.
62. Prior to occupation, the car parking must be completed in accordance with Council document “Standards for Carparks and Driveways”, which includes the surfacing of the car parking spaces, driveways and manoeuvring areas. This shall include provision of disabled car parking spaces.
63. The proposed car parks at the Braidwood Road frontage shall be sealed, line marked and signposted.
64. Traffic flow into, out of, and through the site shall be designated and signposted.
65. The parking spaces on internal sealed surfaces shall be linemarked.
66. Parking spaces on internal unsealed surfaces shall be marked with marker plates
67. Where requested a works as executed drawing of all water plumbing, sewer drainage and stormwater drainage work shall be submitted to the Council at final inspection stage.
68. Prior to occupation or use of the development, a Emergency Response plan shall be developed for all users of the subject development. This shall include evacuation measure/plans in the event of flooding.

ADVISING

It is recommended this emergency response plan be incorporated into the plan of management (or equivalent) for the whole site and users of the site.

69. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Principal Certifying Authority, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:

- That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and
- That, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

ADVISING

Matters requiring attention and consideration if Council is the nominated Principal Certifying Authority:

Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected must be installed in the building in accordance with Australian Standard 2444 - Portable Fire Extinguishers - Selection and Location, as required by E1.6 of the *Building Code of Australia*.

An emergency lighting system must be installed within the building as required by E4.2 of the *Building Code of Australia*.

Exit signs must be installed in the building as required by E4.5 and E4.6 of the *Building Code of Australia*.

The Fire Safety Certificate is to include the following fire safety measures listed in the Schedule.

Schedule of Fire Safety Measures (Draft)

Essential Service	Performance Standard
Emergency Lighting	AS 2293.1-2005, BCA 2012 E4.2, E4.4
Exit Signs	AS 2293.1-2005, BCA 2012 E4.5, E4.6, E4.8
Fire Hose Reels	AS 2441-2005, BCA 2012 E1.4
Fire Hydrants	AS 2419.1-2005, BCA 2012 E1.3
Smoke Hazard Management	BCA 2012 E2
Portable Fire Extinguishers	AS 2444-2001 BCA 2012 E1.6
Occupant Warning System	AS 1670.1-2004, BCA 2012 Spec E2.2a Clause 6
Electricity Supply	BCA 2012 C2.13
Smoke Seals (Switch/Dist. boards)	BCA 2012 D2.7
Fire Doors	BCA 2012 Spec C3.4
Materials	BCA 2012 C1.10
Mechanical Ventilation	BCA 2012

The exit doors shall satisfy the requirements of D2.19, D2.20 and D2.21 of the *Building Code of Australia*

Any person who fails to comply with the provisions of the s124 *Local Government Act 1993* and/or clause 121B *Environmental Planning and Assessment Regulation*, the Principal Certifying Authority is entitled to make an order against the owner or manager of a premises (in the case where adequate fire safety is not promoted or maintained).

PART 6. ONGOING OPERATION

70. The owner and operators of the development shall ensure that the building is maintained in a clean and tidy manner at all times.
71. To protect the amenity of the area, hours of operation for the Multipurpose Hall and Racing Community Centre shall be limited to 8.00am to 10.00pm weekdays and between 8.00am and 9.00pm Saturday, Sundays and Public Holidays. Any variation to these approved hours will require written consent from Council.
72. All activity at the complex shall not create an offensive noise as defined in the *Protection of the Environment Operations Act 1997* and Industrial Noise Policy. The use of the multi purpose hall and Racing Community Centre shall not exceed Suburban Recommended Maximum noise levels in Table 2.1 Amenity Criteria from the NSW Noise Industrial Policy when measured at the boundary of any receiving residential property.
73. Lighting is required to provide security to the facility. For the purpose of amenity any external lighting is not to adversely impact adjacent properties by way of excessive light.
74. The driveway, car parking spaces and manoeuvring areas shall be maintained in accordance with Council's Standards.
75. The owner of the building shall:
 - Furnish to the Council an Annual Fire Safety Statement in respect to each essential service installed in the building:

- Ensure that essential services installed within the building are performing to a standard no less than to which the measure was originally designed;
- Ensure the safety of fire exits;
- Ensure doorways and paths of travel are not obstructed;
- Ensure that offences relating to fire exits do not occur within the building.
- Cause a copy of the certificate to be furnished to the NSW Fire Brigades; and
- Cause a further copy of the certificate to be kept at the building.

PART 7. AGENCY CONDITIONS

Sydney Catchment Authority

76. The applicant shall comply with all requirements of the Sydney Catchment Authority as detailed in the Authority's letter dated 31 October 2012 (Schedule 1) and incorporated into this consent.

Roads & Maritime Services

77. The applicant shall comply with all requirements of the Roads & Maritime Services (RMS) as detailed in their dated 19 November 2012 (Schedule 2) and incorporated into this consent.