

# Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee  
on 20 June 2018, commencing at 5.50pm and concluding at 6.53pm.

PRESENT Cr P Shelley, Cr D Kennedy, Cr E Martens, Cr JP Thompson, Cr P Cavalier,  
Cr S Paine, Cr A Karavas, Cr R Holden.

IN ATTENDANCE General Manager (Brad Cam), Director Community (Simon Jones), Director  
Development (Julie Robertson), Acting Chief Financial Officer (Neil  
Bungate), Manager Governance (Tim Johnston) and Executive Assistant  
(Mette Sutton).

## Item 1: Apologies

An apology was received for Cr O'Neill.

**129/18 MOTION: Shelley / Martens**

**That the apology received for Cr O'Neill be accepted.**

*The motion was carried with the Councillors voting unanimously.*

## Item 2: Disclosure of Interest

Councillor Paine declared a significant non-pecuniary conflict of interest in item 8.1 as he is a board member of the applicant organisation.

Councillor Martens asked that, in relation to Item 9.1 point 2.33, that it be noted that Denise Jamieson was named on her election ticket but that no conflict exists.

## Item 3: Confirmation of Minutes

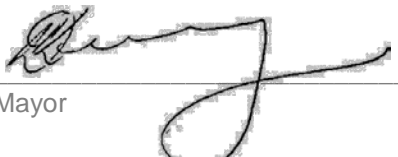
**130/18 MOTION: Cavalier / Holden**


**That the Minutes of the Ordinary Meeting held on 16 May 2018 be taken as read and confirmed.**

*The motion was carried with the Councillors voting unanimously.*

## Item 4: Matters in Progress

Nil

  
Mayor

  
General Manager

**Item 5: Mayoral Minute**

Nil

**Item 6: Notices of Motion or Rescission**

## 6.1 CREMATORIUM

GOV400066, A0100035

MOTION: Thompson / Martens

That Council pursue the possibility of having a crematorium in the region.

*The motion was put and lost with Councillors voting as follows:*

Councillors	Ayes	Nayes
Cr Shelley		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier		✓
Cr Paine		✓
Cr Karavas		✓
Cr Holden	✓	

## 6.2 BUS ACCESS TO RED HILL

GOV400066, A0100035

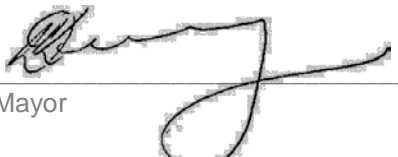
**131/18 MOTION: Thompson / Cavalier****That a report be brought back to Council on options for improving access for buses and coaches to the Red Hill Precinct.***The motion was carried with the Councillors voting unanimously.*

## 6.3 WATER MODELLING


GOV400066, A0100035

**132/18 MOTION: Holden / Shelley****Council obtain quotes with a view to engaging an independent consultant to provide a peer review of the modelling provided by WaterNSW on Windermere Dam, and provide assumptions on possible Blue Green Algae problems.***The motion was carried with the Councillors voting unanimously.*

## 6.4 COUNCIL REPRESENTATION AT FUNERALS



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Mayor



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General Manager

GOV400066, A0100035

**133/18 MOTION: Cavalier / Paine**

**That Council develops a Policy in relation to Council representation at Funerals.**

*The motion was put and carried with Councillors voting as follows:*

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Thompson		✓
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas		✓
Cr Holden	✓	

**Item 7: Office of the General Manager**

Nil

**Item 8: Development**

Councillor Paine declared a significant non-pecuniary conflict of interest in item 8.1 as he is a board member of the applicant organisation, left the room at 6.12pm and did not participate in discussion or vote in relation to this matter.

8.1 DA0139/2018 - COMMUNITY FACILITY AND HOUSING FOR PEOPLE WITH A DISABILITY - 153 BRUCE ROAD, MUDGEE  
GOV400066, DA0139/2018

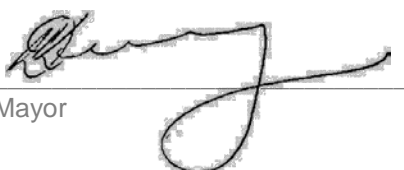
MOTION: Thompson / Martens

That Council:


- A. receive the report by the Senior Town Planner on the DA0139/2018 - Community Facility and Housing for People with a Disability - 153 Bruce Road, Mudgee;
- B. approve the request by the applicant to waive Section 64 developer contributions for Stage 1 in accordance with Section 64 of the Local Government Act 1993; and
- C. approve DA0139/2018 - Community Facility and Housing for People with a Disability - 153 Bruce Road, Mudgee be approved subject to the following conditions:

**CONDITIONS**

Stage 1: Community Facility



Mayor



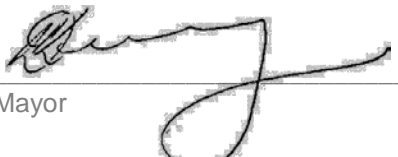
General Manager

## PARAMETERS OF CONSENT

1. Development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

Title/Name	Drawing Document Ref	No/ Revision/ Issue	Dated	Prepared by
Site Staging Plan	26053-A01	A	22.11.2017	Barnson
Partial Site Plan	26053-A02	-	Undated	Barnson
Floor Plan	26053-A04	A	22.11.2017	Barnson
Elevations	26053-A05	A	22.11.2017	Barnson
Sections	26053-A06	A	22.11.2017	Barnson
Erosion and Sediment Control Plan	26053-A07	A	22.11.2017	Barnson
Landscape Plan	26053-A08	A	22.11.2017	Barnson
Proposed Pavement Plan	26053-CD02	A	23.11.2017	Barnson
Proposed Sewer Plan	26053-CD03	A	23.11.2017	Barnson
Proposed Sewer Notes and Longsection	26053-CD04	A	23.11.2017	Barnson
Proposed Stormwater Plan	26053-CD05	A	23.11.2017	Barnson
Proposed Stormwater Details	26053-CD06	A	23.11.2017	Barnson
Proposed Water Reticulation Plan	26053-CD07	A	23.11.2017	Barnson
Figure 3.10: Acacia ausfeldii records in the study area and trees to be retained	-	-	-	Ecoplanning

2. This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.
3. This development consent does not include approval for any signage for the approved development. A separate Development Consent or Complying Development Certificate may be required for signage, if the signage is not exempt development.



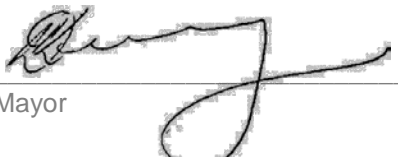
Mayor




4. This approval includes approval for:
- a) The erection of a building to be used as a Community Facility.
  - b) The construction of 16 car parking spaces, 1 ambulance parking space and a mini-bus parking space.
  - c) The construction of a 6m ingress/egress driveway.
  - d) Half road construction within Bruce Road.
  - e) Ancillary respite (ie. temporary) care accommodation.
  - f) Connection of water, sewer and stormwater services to the development.

#### GENERAL

5. All building work is to comply with the requirements of the Access to Premises Standard.
6. The development shall comply with the relevant General Terms of Approval issued by the NSW Rural Fire Service for this development.
7. Notwithstanding the approved plans, the structure is to be located clear of any easements and/or 1.5 metres from any water and sewer mains in accordance with Council Policy.
8. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
9. A maximum of two (2) respite care rooms is to be provided in the approved Community Facility. The respite care rooms are to be used for temporary short-term accommodation only. For the purpose of this condition, temporary short-term accommodation means a maximum length of stay of 6 weeks.
10. Metal roof/wall cladding shall be provided in a non-reflective colour scheme such as "Colorbond" steel sheeting. Zinalume, or similarly glary finishes, are not to be employed in roof or wall finishes.
11. All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
12. Costs associated with all development works including any necessary alterations, or relocations of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.

  
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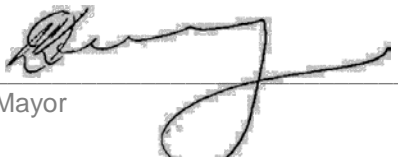
  
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13. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.
14. The development that is the subject of this consent, is to be used to provide overnight accommodation for only the following:
  - a) seniors or people who have a disability;
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people with a disability.

Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.

#### Threatened Species Protection

15. All *Acacia ausfeldii* (Ausfeld's Wattle) plants located within 10m of the top of the banks of the watercourses traversing the site are to be retained and conserved.
16. All *Acacia ausfeldii* (Ausfeld's Wattle) plants located within the areas mapped as *Acacia ausfeldii* conservation clumps as shown in Figure 3.10: *Acacia ausfeldii* records in the study area and large trees to be retained, are to be retained and conserved.
17. All large trees as shown in Figure 3.10: *Acacia ausfeldii* records in the study area and large trees to be retained, are to be retained and conserved.
18. A Construction Environmental Management Plan (CEMP) is to be submitted to and approved by Council, prior to the issue of a Construction Certificate. The CEMP is to include the following measures and/or comply with the following requirements:
  - a) The CEMP is to be prepared by a suitably qualified person.
  - b) The CEMP is to include an Erosion and Sediment Control Plan for the development prepared in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction – Managing Urban Stormwater".
  - c) The CEMP is to include the means of fencing or similarly marking/delineating:
    - (i) The edge between the construction areas and the bush fire Asset Protection Zone.
    - (ii) The drip line of large trees to be retained in the Asset

  
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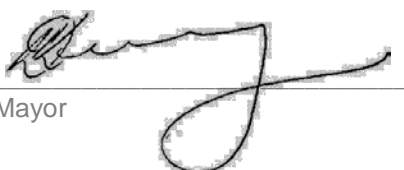
  
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## Protection Zone.

- (iii) The edge of the riparian buffer zone.
- (iv) The edge of conservation clumps.
- (v) Fencing is to be marked by peg and tape, or similar.

Note - the large trees, riparian buffer zone and conservation clumps are identified in the approved Figure 3.10: *Acacia ausfeldii* records in the study area and trees to be retained.

- d) Construction works are not to occur outside of the construction zone or within areas fenced in accordance with the previous sub-condition.
  - e) Stockpile areas shall be located outside riparian vegetation and at least 10m from native vegetation.
  - f) Wash down machinery and vehicles before entering the site and before leaving the site, to limit weed spread.
  - g) Areas proposed for disturbance where noxious weeds are present shall be managed according to the weed class.
19. A Vegetation Management Plan (VMP) is to be submitted to and approved by Council, prior to the issue of a Construction Certificate. The VMP is to include the following measures and/or comply with the following requirements:
- a) The VMP is to be prepared by a suitably qualified person.
  - b) Relocation of individuals of *Acacia ausfeldii*.
    - (i) Some individuals of *Acacia ausfeldii* removed from the building footprint and bush fire Asset Protection Zone are to be relocated and incorporated into the on-site landscaping for the site. The number of relocated plants is to be nominated in the VMP.
    - (ii) Details about where the relocated plants will be placed.
    - (iii) Relocation should be undertaken by a suitably qualified bush regenerator with previous experience in relocating *Acacia ausfeldii*.
    - (iv) Details of management and monitoring of these stems are to be included.
    - (v) Some individuals of *Acacia ausfeldii* may be propagated from seed collected on the site.
  - c) Collection of *Acacia ausfeldii* (AA) seed.
    - (i) The collection of *Acacia ausfeldii* (AA) seed is to be undertaken by a suitably qualified bush regenerator.
    - (ii) The collection of AA seed is to be undertaken prior to clearing to allow for germination of additional AA tube stock in the event of attrition of any relocated individuals or to propagate individuals for use in landscaping on the

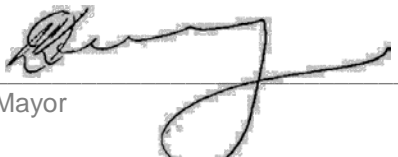



Mayor



- site.
- (iii) The bush regeneration company contracted for the seed collection must have the facilities to store the seed and the experience to germinate and grow additional tube stock, as required.
  - (iv) Some of the seed is to be provided to the Botanic Gardens.
  - (v) Appropriate OEH approvals must be obtained prior to collection.
- d) Management of riparian vegetation and conservation clumps.
- (i) Measures to preserve and enhance the vegetation within the riparian areas and conservation clumps are to be provided.
  - (ii) Consideration of the need for burning of the conservation areas and measures to control each burn over the long term. Measures to control each burn are required to stimulate germination of dormant AA seed while minimising damage/attrition rate of existing AA stems. The burning regime is to be determined in consultation with the Office of Environment and Heritage (OEH). It is recommended that any plans for burning areas supporting threatened species be discussed with and approved by OEH prior to each burn being undertaken, as there remains uncertainty regarding the impacts of burning regimes on some species and vegetation communities.
- e) Boundaries of riparian areas and conservation clumps.
- (i) The boundaries of the construction area, riparian zone and conservation clumps are to be clearly marked by fencing or similar.
  - (ii) The dripline of large trees to be retained are to be marked by peg and tape (or similar).
- f) No stockpiles of construction materials are to be placed within 10m of riparian buffers, conservation clumps or large trees to be retained.
- g) Sediment erosion control measures are to be employed to ensure the riparian zones, conservation clumps and large trees are not impacted.
- h) Provide a draft linen plan and draft terms of restriction to protect and manage *Acacia Ausfeldii* (Ausfeld's Wattle) conservation clumps, identified large trees to be retained, riparian vegetation and any transplanted *Acacia Ausfeldii* (Ausfeld's Wattle). The restriction is to be registered on title prior to issue of an Occupation Certificate.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

  
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General Manager



**Building**

The following conditions must be complied with prior to Council or an accredited Certifier issuing a Construction Certificate for the proposed building.

- 20. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Council.
- 21. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993, prior to the issue of a Construction Certificate.

Note: A separate fee is payable for the Section 138 application.

- 22. All building work is to comply with the requirements of the Access to Premises Standard. Details demonstrating full compliance with the Access to Premises Standard, including continuous path of travel from the entrance to the property, are to be submitted and approved as part of any Construction Certificate.

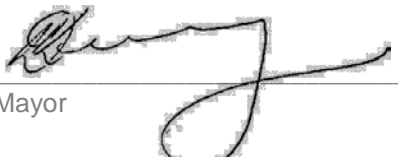
**Contributions and Levies**


- 23. Long service levy must be paid to the Long Service Payment Corporation, prior to the issue of any Construction Certificate. The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.
- 24. Prior to the issue of a Construction Certificate, the developer shall obtain a Certificate of Compliance under the Water Management Act 2000. This will require:

- a) Payment of a contribution for water and sewerage headworks at the following rate, subject to adjustment:

Section 64 Contributions			
Stage 1 – Community Facility			
	ET/Unit	Rate (2017-2018)	Contribution Payable
Water Headworks	3.01	\$8,780.00	\$26,427.80
Sewer Headworks	2.935	\$4,008.00	\$11,763.48
<b>Total Headworks</b>			<b>\$38,191.28</b>

- b) The adjustment of existing services or installation of new services and metres, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage

  
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Code. All costs associated with this work shall be borne by the developer.

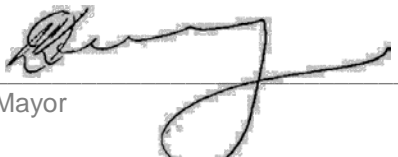
Note: Section 64 Developer Contributions are subject to Consumer Price Index increase at 1 July each year. Please contact Council's Planning and Development Department regarding any adjustments.


#### Threatened Species Protection

25. A Construction Environmental Management Plan (CEMP) is to be submitted to and approved by Council, in accordance with Condition 18, prior to the issue of a Construction Certificate.
26. A Vegetation Management Plan (VMP) is to be submitted to and approved by Council, in accordance with Condition 19, prior to the issue of a Construction Certificate.

#### Landscaping

27. Prior to the issue of any Construction Certificate that includes above ground works, a landscape plan shall be submitted to and approved by Council. This landscape plan shall be prepared by an appropriately qualified and experienced professional. The landscaping plan is to show and/or achieve the following:
  - a) A planting schedule (including a range of plant sizes).
  - b) A maintenance schedule.
  - c) Re-planting regime for any plants that are damaged, dead, or removed for any reason.
  - d) Reduce the visual impact of the car park on the streetscape.
  - e) Provision of landscaping adjacent to and between car parking areas to assist in visually breaking up the expanse of the car park.
  - f) Provide landscaping and fencing (if to be provided) within the front boundary landscaped setback that achieves the following:
    - (i) Allows for passive surveillance between the road reserve and the internal car park and entrance to the Community Facility building. This may be achieved by using shrubs that have a maximum height of 0.8m at maturity and trees that have a minimum canopy height of 1.7m at maturity.
    - (ii) Assists the development to blend in with the established streetscape and neighbourhood.
  - g) Utilise endemic species, where practicable, which are appropriate for the site.
  - h) Gardens to be planted with native species characteristic of the vegetation currently on site and using local native provenance as well as the relocated *Acacia ausfeldii*.
  - i) Landscaping to be consistent with the Vegetation Management Plan approved in accordance with the conditions

  
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Mayor

  
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General Manager

of this development consent.

#### Earthworks and Retaining Walls

28. All finished surface levels shall be shown on the plans submitted for a Construction Certificate. The finished surface levels shown on the plan are to demonstrate compliance with the following:
- a) Any retaining walls are to be located a minimum of 0.3m from the property boundary;
  - b) The depth of any fill must not exceed 0.6m; and
  - c) The finished floor level is to be no higher than 1.0m above natural ground level.
29. Details of all retaining walls shall be shown on the plans submitted for a Construction Certificate.

#### Sewer

30. Details of the sewer long-section, showing an adequate depth of cover over the sewer line, are to be submitted to and approved by Council, prior to the issue of a Construction Certificate. These details shall include finished surface levels and bedding details along the entire length of the sewer long-section.

#### Civil Works, Roads and Stormwater

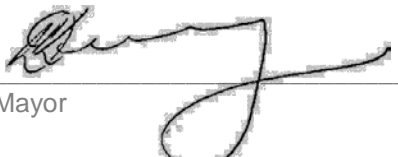
31. Detailed engineering designs for any civil works, including stormwater drainage, are to be submitted to and approved by Council prior to the issue of a Construction Certificate. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B1, B2 and D.


A Construction Certificate is required for, but not limited to, the following civil works:

- a) Sewer main extensions to provide connection to the proposed development.
- b) Stormwater drainage, including detention basins.
- c) Construction of pavement widening, kerb and channel and drainage within the Bruce Road reserve, for the length of property frontage directly in front of the proposed development (ie. all 3 stages).
- d) Drainage work associated with extending the existing road crossing.
- e) Kerb and gutter.
- f) Internal earthworks.
- g) Pavements and car parking areas.

All design must be supported by full and detailed calculations, technical reports, Auspsec and/or other acceptable specifications.

32. A Drainage Report and associated stormwater drainage plan

  
Mayor

  
General Manager

prepared in accordance with the Institution of Engineers publication Australian Rainfall and Runoff is to be submitted to and approved by Council, prior to the issue of a Construction Certificate. The Drainage Report and stormwater drainage plan are to comply with the following requirements:

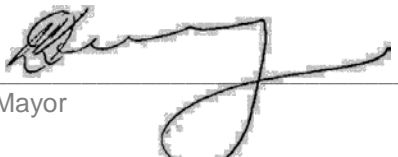
- a) Stormwater drainage design must limit the rate of runoff to Council's drainage system in Bruce Road to existing undeveloped levels.
  - b) All other stormwater runoff from roof surfaces is to be directed to a rainwater tank/s with overflow and other surface runoff being dispersed on-site and directed toward a creek line/natural drainage feature toward the rear of the property.
  - c) The stormwater drainage system must include appropriate methods to ensure that runoff carries no pollutants.
  - d) Outfall and soaking areas must include measures to prevent erosion and scouring.
  - e) All stormwater detention details including analysis are to be included in the report.
33. The submission to Council of engineering design plan for any road works shall include pavement and wearing surface investigation and design.


#### Erosion and Sediment Control

34. An Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction – Managing Urban Stormwater". Points to be considered include, but are not limited to:
- a) Single strip of turf to be laid behind kerb and gutter.
  - b) Saving available topsoil for re-use in the revegetation phase of the development.
  - c) Using erosion control measures to prevent on-site damage.
  - d) Rehabilitating disturbed areas quickly.
  - e) Maintenance of erosion and sediment control structures.
  - f) The Erosion and Sediment Control Plan is to minimise the impacts of the construction phase of the development on large trees to be conserved, riparian buffer areas and conservation clumps.
  - g) The Erosion and Sediment Control Plan will form part of the Construction Environmental Management Plan (CEMP) required by conditions of this consent.

#### Access and Parking

35. The aisle widths, internal circulation, ramp widths and grades of the car park are to conform to the Roads and Maritime Services (RMS) guidelines and Australian Standard AS 2890.1 – 1993. Details of compliance are to be shown on the relevant plans and specifications.

  
Mayor

  
General Manager

36. Each access provided must comply with Council's Access to Properties Policy, AUSTRROADS Part 4/4A and any associated RMS supplements.
37. The access is to have a minimum width of 6m to allow ingress and egress vehicle movements to occur simultaneously.

#### Trade Waste

38. A Liquid Trade Waste Application is to be submitted to and approved by Council, for the proposed development, prior to the issue of a Section 68 approval for water supply, stormwater and sewerage works.

#### Public Liability Insurance

39. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (twenty million dollars), is to be provided to Council, prior to issue of the Construction Certificate. The insurance cover shall include the following:
  - a) Mid-Western Regional Council is to be indemnified against any works carried out by the contractor.
  - b) Public Liability Insurance is to include Mid-Western Regional Council as an interested party.
  - c) The copy of the Contractor's public liability insurance cover is to include the Certificate of Currency.

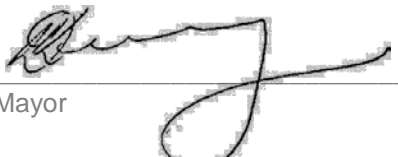
#### PRIOR TO THE COMMENCEMENT OF WORKS


40. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
  - a) the appointment of a Principal Certifier; and
  - b) the date on which work will commence.

Such notice shall include details of the Principal Certifier and must be submitted to Council at least two (2) days before work commences.

41. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.

**NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE.**

  
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General Manager

### Environmental

42. Prior to commencement of works, the approved means of fencing/delineating large trees to be conserved, the riparian buffer zone and conservation clumps are to be installed in accordance with the approved Construction Environmental Management Plan (CEMP).

### Civil

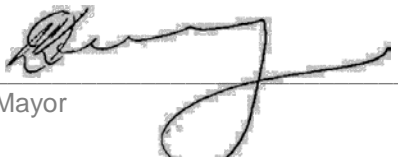
43. Prior to the commencement of works, erosion and sediment controls are to be installed in accordance with the approved Erosion and Sediment Control Plan for the development.
44. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Council prior to any work commencing.


### Building

45. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
- a) stating that unauthorised entry to the work site is prohibited;
  - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
  - c) the name, address and telephone number of the Principal Certifier for the work; and
  - d) the sign shall be removed when the erection or demolition of the building has been completed.
46. Prior to the commencement of works on site, the applicant shall advise Council's Operations Directorate, in writing, of any existing damage to Council property.
47. If the work involved in the erection/demolition of the building:
- a) Is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - b) Involves the enclosure of a public place.

A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

### DURING CONSTRUCTION

  
Mayor

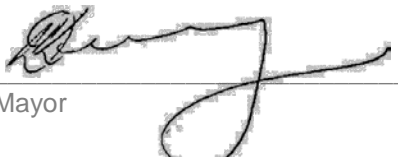
  
General Manager

## Environmental


48. All works are to be undertaken in accordance with the approved Construction Environmental Management Plan (CEMP).
49. All works/actions relevant to the construction phase of the development are to be undertaken in accordance with the approved Vegetation Management Plan (VMP).

## Building and General Works

50. All building, earth and pavement works must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
51. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
52. The applicant shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
53. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifier being carried out during the relevant stage of construction.
54. Construction work noise that is audible at other premises is to be restricted to the following times:
  - Monday to Saturday - 7.00am to 5.00pmNo construction work noise is permitted on Sundays or Public Holidays.
55. Structural members subject to attack by subterranean termites shall be protected by one of the methods outlined in AS 3660.1 and a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:
  - a) the method of protection; and
  - b) the date of installation of the system; and
  - c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
  - d) the need to maintain and inspect the system on a regular basis.
56. The strength of the concrete used for the reinforced concrete floor slab must be a minimum 25Mpa.
57. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or



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on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

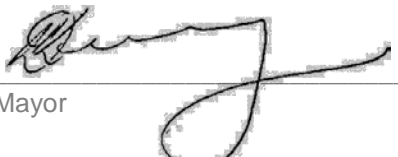
58. The development site is to be managed for the entirety of work in the following manner:
- a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
  - b) Appropriate dust control measures;
  - c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained; and
  - d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
59. Within three (3) months after the completion of construction all exposed surfaces caused by earthworks must be stabilised using established engineering methods and landscaping/planting to prevent erosion and scouring.
60. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the developer's/demolisher's expense.
61. No trees on public property (footpaths, roads, reserves etc) shall be removed or damaged during construction of the approved development, including the erection of any fences or hoardings.


#### Earthworks

62. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.
63. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination and be classified as VENM or ENM under the guidelines of the NSW Environmental Protection Authority by a qualified Geotechnical Engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.

#### Access and Parking

64. Vehicular entrances comprising kerb laybacks (where roll kerb and gutter does not exist) and concrete footway crossings are to be provided in accordance with the approved plans. These should be

  
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General Manager



constructed in accordance with Aus-Spec #1, Council's "Access to Properties" Policy and any approval issued in accordance with Section 138 of the Roads Act 1993.

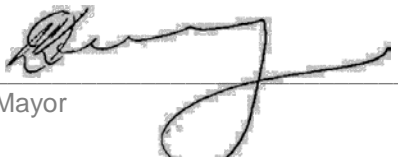
Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council's Operations Directorate between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice.


Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.

65. A total of 16 car parking spaces, one (1) ambulance parking space and a mini-bus parking space are to be provided within the site of the development and comply with AS 2890.1:2004 and AS2890.6:2009 and the following requirements:
- a) All vehicles must be provided adequate means to exit the lot in a forward direction.
  - b) Each car parking space is to have minimum dimensions of 5.4m x 2.6m;
  - c) Each disabled car parking space is to be in accordance with the provisions of AS 2890.6:2009;
  - d) All car parking spaces, accesses and vehicle manoeuvring areas are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;
  - e) The aisle widths, internal circulation, ramp widths and grades of the car park are to conform to the Roads and Traffic Authority Guide to Traffic Generating Developments 1992 and Australian Standard AS2890.1 – 2004.

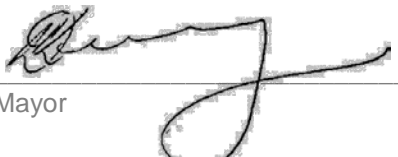
#### Civil Works – water, stormwater, sewer and road works

66. The civil works are to be inspected by Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
- a) Installation of sediment and erosion control measures
  - b) Water and sewer line installation prior to backfilling
  - c) Acceptance testing of water supply and sewerage infrastructure in accordance with Water Services Association of Australia and Water and Sewerage Codes
  - d) Establishment of line and level for kerb and gutter placement
  - e) Road Pavement construction
  - f) Road Pavement surfacing
  - g) Practical Completion
67. The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the civil works.

  
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General Manager

68. Any soil/water retention structures are to be constructed prior to the bulk stripping of topsoil, to ensure sediment from the whole site is captured.
69. Council does not permit other bodies to insert new junctions into "live" Sewer and water mains. Please contact Council's Operations Water and Waste Department by calling 02 6378 2850 or by emailing council@midwestern.nsw.gov.au to obtain a quote for the connection of the new sewer extension and water service (Private Works Order).
70. The developer is to extend and meet the full cost of water reticulations to service the development plus the cost of connecting to existing services. All water supply work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act 1993) and in accordance with the National Specification – Water Supply Code of Australia.
71. The developer is to extend and meet the full cost of sewer reticulations to service the development plus the cost of connecting to existing services. All sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act 1993) and in accordance with the National Specification – Sewerage Code of Australia.
72. The developer is to upgrade part of Bruce Road, from the existing kerbing in front of the Baptist Church to the eastern boundary of the subject site, such that it has the following characteristics:
- | Item                     | Requirement   |
|--------------------------|---|
| Half road pavement width | 5.5m (1 x 3.5m travel lane with 1 x 2m sealed shoulder)                             |
| Nature Strip             | 1 x 4.5m  |
| Concrete footpaths       | Nil   |
| Seal                     | Two-coat flush seal – 14/7mm (Double/Double) as required)                           |
| Kerb & gutter            | Roll back concrete kerb & gutter  |
| Subsoil drainage         | Behind kerb, if required.   |
| Underground Drainage     | Where gutter flows exceeding 2.5m during minor events or adjacent to intersections. |
73. All stormwater, water and sewer main infrastructure and road crossings must be installed prior to the addition of the base course and installation of kerb and gutter.
74. All utility crossings are to be perpendicular to the road centreline and pre-formed prior to the addition of the base course.
75. All required earthworks for roads associated with the development must have compaction testing in compliance with EMS Q4 and



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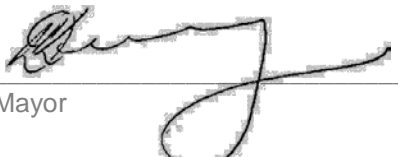


## AUS-SPEC CQS-A.


## PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

The following conditions are to be completed prior to occupation of the building and are provided to ensure that the development is consistent with the provisions of the Building Code of Australia and the relevant development consent.

76. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
77. Prior to the issue of an Occupation Certificate, the following works in relation to access, car parking and associated manoeuvring areas are to be completed:
  - a) Internal car parking spaces and associated manoeuvring areas are to be provided with an all-weather sealed surface.
  - b) The car parking area must be set out and clearly delineated in accordance with the requirements of AS 2890.1:2004 Parking Facilities Part 1: Off-street Car Parking.
  - c) Physical measures, such as wheel stops, shall be provided to ensure parked vehicles do not overhang and obstruct internal footpaths.
78. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of Fire and Rescue NSW and a copy is to be prominently displayed in the building.
79. Prior to the issue of the Occupation Certificate, a copy of a document certified by an accredited bushfire consultant, is to be submitted to Council. The document shall certify that all completed works fully comply with the conditions of the Bush Fire Safety Authority, issued pursuant to s100B of the Rural Fires Act 1997 by NSW Rural Fire Service, for the approved development.
80. Prior to the issue of an Occupation Certificate, for any buildings on site, the building is to be connected to reticulated water supply, stormwater and sewerage in accordance with the relevant section 68 approval/s.
81. All plants shown on the approved landscape plan/s are to be planted and all hard landscaping (eg. rocks, retaining walls, solid



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General Manager

garden bed edging) is to be installed prior to occupation of the development and/or commencement of the use.

82. Following completion of the civil works (including water and sewer connections to the property) and prior to the issue of an Occupation Certificate, work-as-executed plans (WAE) are to be provided to Council in the following formats:

- a) PDF
- b) Dwg format or "Autocad compatible"
- c) MapInfo Files

To accompany the WAE Drawings, Council also requires the completion of Asset Data Excel Spreadsheets (to be provided by Council) prior to the issue of an Occupation Certificate. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate

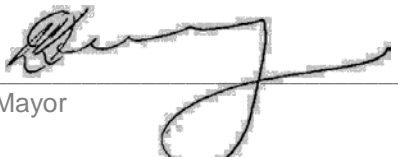
83. Following completion of the civil works and prior to the release of the Occupation Certificate, a defects liability bond of 5% of the construction costs for all civil engineering work (not carried out by Council) or \$2,000, whichever is the greater, shall be lodged with Council to ensure that any defects in such works are remedied by the developer.


The bond may be provided by way of a monetary deposit with the Council or a bank guarantee to the satisfaction of the Council. The bank guarantee must not specify any time limitations on the operation of the guarantee.

84. The developer is to ensure that any defects in the works that become apparent before and within the succeeding twelve (12) months after the issue of the Occupation Certificate, are remedied to Council's satisfaction. If these defects are not satisfactorily remedied, Council may use bond money to carry out rectification works.

Any unspent bond money will be returned to the developer at the end of the twelve (12) month period, less the cost of any rectification works carried out by Council.

85. Prior the issue of any Occupation Certificate, a restriction as to user is to be registered on the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the development consent relates to only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people who have a disability.

  
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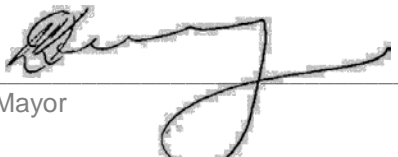
  
General Manager


Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.

86. Prior to the issue of an Occupation Certificate, a restriction as to user is to be registered on the title of the property, in accordance with section 88B (or similar) of the Conveyancing Act 1919, in accordance with the following:
- a) A restriction as to user is to be applied requiring preservation and maintenance of the riparian vegetation within 10m of either side of watercourses traversing the site.
  - b) With the exception of the riparian corridor, the whole of the site shall be maintained as an Inner Protection Area of a bush fire Asset Protection Zone, in perpetuity.
  - c) All vegetation is to be protected/managed on site, in accordance with the approved Vegetation Management Plan. The terms of restriction shall be constructed in such a way to ensure the ongoing protection of *Acacia Ausfeldii* (Ausfeld's Wattle) clumps, identified large trees, riparian vegetation and any transplanted *Acacia Ausfeldii*.
  - d) The restriction is to apply to the property and cover all three (3) phases of the development.

#### GENERAL / OPERATIONAL CONDITIONS

87. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.
88. Where any essential services are installed in the building, a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
89. The kitchen is not to be used for commercial purposes without the prior approval of Council.
90. A private transport service, such as a mini-bus, is to be made available to the residents who will occupy the proposed development, in accordance with the following requirements:
- a) The pickup point for the transport service is to be from within the internal driveway, or directly in front of the site on the

  
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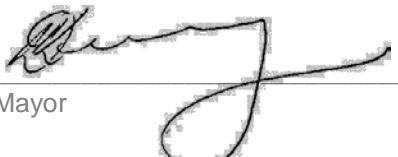
  
General Manager

- street;
- b) The transport service is to provide transport for residents to:
    - (i) Shops, bank service providers and other retail and commercial services that residents may reasonably require; and
    - (ii) Community services and recreation facilities; and
    - (iii) The practice of a general medical practitioner.
  - c) The transport service is to take those residents to a place that is located at a distance of no more than 400 metres from the facilities and services referred to in (b) above; and
  - d) The transport service is to be made available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive).
91. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site. Signage identifying the driveway and car park as low speed environments is also to be appropriately located within the site.
92. The pavement surface and wheel stops for the on-site car parking and associated manoeuvring areas are to be maintained in a workable condition at all times. Any damage to the pavement surface is to be repaired as soon as practicable.
93. All line-marking for the on-site car parking spaces and footpath areas are to be maintained in a visible condition, at all times.
94. All loading and unloading in connection with the premises shall be carried out wholly within the site. This condition does not apply to garbage collection.
95. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
96. Garbage areas are to be adequately screened from public view with an opaque fence and/or adequate landscaping.
97. The development is to be maintained in a clean and tidy manner, at all times.
98. Landscaping is to be maintained in accordance with the approved landscape plan and approved Vegetation Management Plan.


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#### Stage 2: Group Home and Car Parking

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General Manager

## PARAMETERS OF CONSENT

## Approved Plans

99. Development is to be carried out generally in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

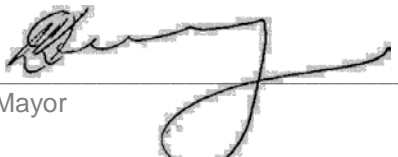
Title/Name	Drawing No/ Document Ref	Revision/ Issue	Dated	Prepared by
Site Staging Plan	26053-A01	A	22.11.201 7	Barnson
Erosion and Sediment Control Plan	26053-A07	A	22.11.201 7	Barnson

## Concept Approval Only

100. This development consent provides approval for the concept of Stage 2 – Group Home and Additional Parking, to be erected on the site only, in accordance with Section 4.22 of the Environmental Planning and Assessment Act 1979. This consent does not authorise the carrying out of the development for Stage 2 – Group Home and Additional Parking on the site, unless development consent is subsequently granted to a further development application in respect to Stage 2 – Group Home and Additional Parking.
101. The detailed development application for Stage 2 – Group Home and Additional Parking must be generally consistent with this concept approval for Stage 2 – Group Home and Additional Parking.
102. This concept approval includes approval for:
- The erection of a single building to be used as a Group Home/Hostel for seniors or people with a disability.
  - The construction of 15 car parkings spaces.
  - The construction of a second 6m ingress/egress driveway.
  - Connection of water, sewer and stormwater services to the development.

## GENERAL

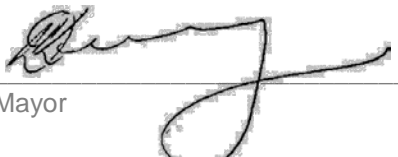
103. A further development application for Stage 2 – Group Home and Additional Parking is to be submitted to and approved by Council, prior to the issue of any further approvals in relation to Stage 2 – Group Home and Additional Parking. Consent must not be granted to any further development application for Stage 2 – Group Home and Additional Parking on the subject site, unless:



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- a) The Group Home is located:
  - (i) At least 5m from the side boundaries of the property; and
  - (ii) At least 15.54m from the front boundary of the property; and
  - (iii) Generally in accordance with the location indicated on the approved site plan.
- b) The Group Home is a maximum of 8.5m in height.
- c) The Group Home is designed to accommodate a maximum of five (5) clients and one (1) staff member.
- d) A BASIX certificate, based on the detailed floor plans, elevations and site plan provided in compliance with this condition is submitted with the development application.
- e) Detailed, scaled and dimensioned floor plans, elevations and a site plan accompany the subsequent development application for the Group Home.
- f) The Stage 2 – Group Home and Additional Parking development complies with the relevant requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or current equivalent.
- g) The design of Stage 2 – Group Home and Additional Parking is consistent with the principles of Crime Prevention Through Environmental Design.
- h) The group home and associated driveway and car parking works do not involve the removal of trees or shrubs, identified as being conserved or retained in Figure 3.10: *Acacia ausfeldii* records in the study area and trees to be retained.
- i) The plans show the provision of at least 15 additional on-site parking spaces within Stage 2, to bring the total number of parking spaces on the site to 31. Disabled parking spaces are to be provided in accordance with Australian Standard AS2890.6.
- j) Details of existing and proposed site levels, showing the extent of any earthworks for cut and fill accompany the subsequent development application for Stage 2 – Group Home and Additional Parking. Details of proposed methods for stabilisation of all disturbed surfaces are to be provided.
- k) Details of methods of control, storage and disposal of stormwater runoff from all developed surfaces (roof and pavements) accompany the subsequent development application for Stage 2 – Group Home and Additional Parking.

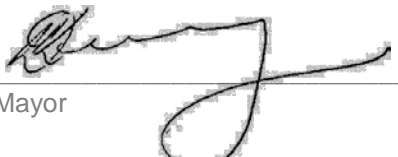


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- l) Details are provided to demonstrate that metal roof/wall cladding shall be provided in a non-reflective colour scheme such as "Colorbond" steel sheeting. Zincalume, or similarly glary finishes, are not to be employed in Stage 2 – Group Home and Additional Parking.
  - m) A Bushfire Assessment Report accompanies the application and General Terms of Approval have been issued for NSW Rural Fire Service for Stage 2.
  - n) Landscaping is provided to the site in accordance with the following requirements:
    - (i) All open spaces on the site are to be landscaped.
    - (ii) Landscaping enhances the development for acoustic and visual privacy, as well as shade.
    - (iii) Landscaping blends the development into the established streetscape and neighbourhood.
    - (iv) Landscaping is water efficient.
    - (v) Landscaping minimises over-shadowing within the development and neighbouring properties.
    - (vi) Landscaping utilises, where practicable, endemic species which are appropriate for the site.
    - (vii) Landscaping allows for continued casual surveillance of the internal driveway, car parking areas and street, where practicable, from within the living areas of the units.
    - (viii) Landscaping does not to provide opportunities for concealment of people.
    - (ix) Landscaping is consistent with the approved Vegetation Management Plan approved for Stage 1 of the proposed development.
  - o) Measures, such as window location and screen fencing, are provided to ensure the residents of the hostel/group home have sufficient privacy.
  - p) Vegetation management is undertaken in accordance with the Vegetation Management Plan approved in accordance with the conditions for Stage 1 of the development.
104. All building work is to comply with the requirements of the Access to Premises Standard.
105. The development that is the subject of this consent, is to be used to accommodate only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people who have a disability.



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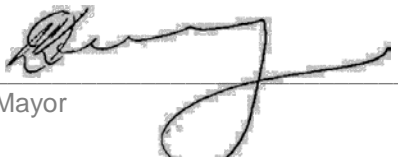
106. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning and Assessment Act 1979 and Regulations and all relevant Australian Standards.


#### PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING

107. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
108. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993, prior to the issue of a Construction Certificate.
109. Long service levy must be paid to the Long Service Payment Corporation, prior to the issue of any Construction Certificate. The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.

#### PRIOR TO THE COMMENCEMENT OF WORKS - BUILDING

110. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- a) the appointment of a Principal Certifier; and
  - b) the date on which work will commence.
- Such notice shall include details of the Principal Certifier and must be submitted to Council at least two (2) days before work commences.
111. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
- a) stating that unauthorised entry to the work site is prohibited;
  - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
  - c) the name, address and telephone number of the Principal Certifier for the work; and
  - d) The sign shall be removed when the erection or demolition of the building has been completed.
112. With the exception of work where there is in force an exemption under clause 187 and 188 of the Environmental Planning and Assessment Act 1979, all building work that involves residential

  
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General Manager

building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.

113. If the work involved in the erection/demolition of the building:
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - b) involves the enclosure of a public place,

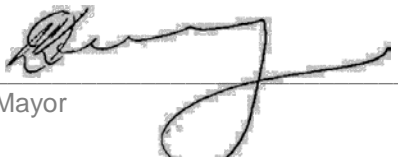
A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work, falling into a public place. Any such hoarding, fence or awning is to be removed when the work has been completed.


114. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the council) has given the council written notice of the following information:
- a) In the case of work for which a principal contractor is required to be appointed:
    - (i) The name and licence number of the principal contractor; and
    - (ii) The name of the insurer by which the work is insured under Part 6 of that Act;
  - b) In the case of work done by an owner-builder:
    - (i) The name of the owner-builder; and
    - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

115. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- a) protect and support the building, structure or work from possible damage from the excavation, and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

#### BUILDING CONSTRUCTION

116. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that

  
Mayor

  
General Manager

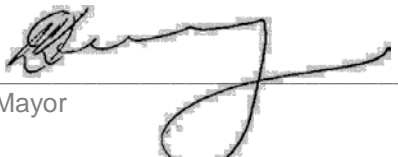
area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.


#### PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

117. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
118. Prior to the issue of an Occupation Certificate, a report, prepared by a suitably qualified person, providing a schedule demonstrating how the proposed development complies with each of the relevant detailed requirements of "Schedule 3 – Standards concerning the accessibility and useability for hostels and self-contained dwellings" of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 is to be submitted and approved by the Certifier.
119. Prior the issue of any Occupation Certificate, a restriction as to user is to be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the development consent relates to only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.

Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.

120. Prior to the issue of an Occupation Certificate, a restriction as to user is to be registered on the title of the property, in accordance with section 88B (or similar) of the Conveyancing Act 1919, in accordance with the following:
- a) A restriction as to user is to be applied requiring preservation and maintenance of the riparian vegetation within 10m of either side of watercourses traversing the site.
  - b) With the exception of the riparian corridor, the whole of the site shall be maintained as an Inner Protection Area of a bush fire Asset Protection Zone, in perpetuity.
  - c) All vegetation is to be protected/managed on site, in accordance with the approved Vegetation Management Plan. The terms of restriction shall be constructed in such a way to ensure the ongoing protection of *Acacia Ausfeldii* (Ausfeld's

  
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Mayor

  
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General Manager

Wattle) clumps, identified large trees, riparian vegetation and any transplanted Acacia Ausfeldii.

- d) The restriction is to apply to the property and cover all three (3) phases of the development.

#### GENERAL / OPERATIONAL CONDITIONS

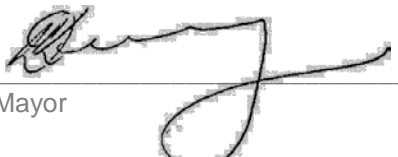
121. A private transport service, such as a mini-bus, is to be made available to the residents who will occupy the proposed development, in accordance with the following requirements:
- a) The pickup point for the transport service is to be from within the internal driveway, or directly in front of the site on the street;
  - b) The transport service is to provide transport for residents to:
    - (i) Shops, bank service providers and other retail and commercial services that residents may reasonably require; and
    - (ii) Community services and recreation facilities; and
    - (iii) The practice of a general medical practitioner.
  - c) The transport service is to take those residents to a place that is located at a distance of no more than 400 metres from the facilities and services referred to in (b) above; and
  - d) The transport service is to be made available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive).
122. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
123. The development is to be maintained in a clean and tidy manner, at all times.


#### Stage 3: Accommodation Units

#### PARAMETERS OF CONSENT

#### Approved Plans

124. Development is to be carried out generally in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

  
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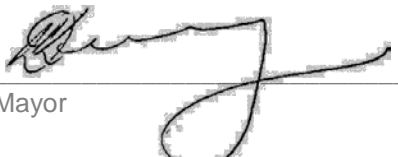
Title/Name	Drawing No/ Document Ref	Revision/ Issue	Dated	Prepared by
Site Staging Plan	26053-A01	A	22.11.2017	Barnson
Erosion and Sediment Control Plan	26053-A07	A	22.11.2017	Barnson

### Concept Approval Only


125. This development consent provides approval for the concept of Stage 3 – Accommodation Units, to be erected on the site only, in accordance with Section 4.22 of the Environmental Planning and Assessment Act 1979. This consent does not authorise the carrying out of the development for Stage 3 – Accommodation Units on the site, unless development consent is subsequently granted to a further development application in respect to Stage 3 – Accommodation Units.
126. The detailed development application for Stage 3 – Accommodation Units must be generally consistent with this concept approval for Stage 3 – Accommodation Units. Minor modifications may be made to address the bush fire constraints of the site.
127. This concept approval includes approval for:
- a) 14 self-contained accommodation units. The 14 units are to be provided as seven (7) individual buildings, with each building comprising 2 accommodation units.
  - b) The provision of any necessary additional vehicle access and parking areas to service the accommodation units.
  - c) Connection of water, sewer and stormwater services to the development.

### GENERAL

128. A further development application for Stage 3 – Accommodation Units is to be submitted to and approved by Council, prior to the issue of any further approvals in relation to Stage 3 – Accommodation Units. Consent must not be granted to any further development application for Stage 3 – Accommodation Units on the subject site, unless:
- a) The Accommodation Units are located:
    - (i) At least 5m from the side boundaries of the property; and
    - (ii) Beyond the Asset Protection Zone identified on the approved Site Staging Plan; and
    - (iii) Generally in accordance with the location indicated on the approved site plan.

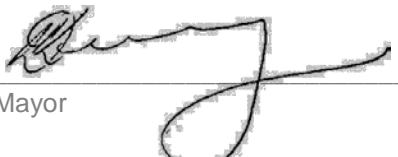


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General Manager

- b) The Accommodation Units are a maximum of 8.5m in height.
- c) BASIX certificates, based on the detailed floor plans, elevations and site plan provided in compliance with this condition are submitted with the development application.
- d) Detailed, scaled and dimensioned floor plans, elevations and a site plan accompany the subsequent development application for the Accommodation Units.
- e) The Stage 3 – Accommodation Units development complies with the relevant requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or current equivalent.
- f) The design of Stage 3 – Accommodation Units is consistent with the principles of Crime Prevention Through Environmental Design.
- g) The Accommodation Units and associated driveway and car parking works do not involve the removal of trees or shrubs identified as being conserved or retained in Figure 3.10: *Acacia ausfeldii* records in the study area and trees to be retained.
- h) Details of existing and proposed site levels, showing the extent of any earthworks for cut and fill accompany the subsequent development application for Stage 3 – Accommodation Units. Details of proposed methods for stabilisation of all disturbed surfaces are to be provided.
- i) Details of methods of control, storage and disposal of stormwater runoff from all developed surfaces (roof and pavements) accompany the subsequent development application for Stage 3 – Accommodation Units.
- j) Details are provided to demonstrate that metal roof/wall cladding shall be provided in a non-reflective colour scheme such as “Colorbond” steel sheeting. Zinalume, or similarly glary finishes, are not to be employed in Stage 3 – Accommodation Units.
- k) A Bushfire Assessment Report accompanies the application and General Terms of Approval have been issued by NSW Rural Fire Service for Stage 3.
- l) Landscaping is provided to the site in accordance with the following requirements:
  - (i) All open spaces on the site are to be landscaped.
  - (ii) Landscaping enhances the development for acoustic and visual privacy, as well as shade.
  - (iii) Landscaping blends the development into the

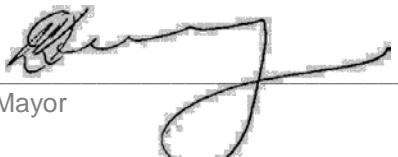


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General Manager

- established streetscape and neighbourhood.
- (iv) Landscaping is water efficient.
  - (v) Landscaping minimises over-shadowing within the development and neighbouring properties.
  - (vi) Landscaping utilises, where practicable, endemic species which are appropriate for the site.
  - (vii) Landscaping allows for continued casual surveillance of the internal driveway, car parking areas and street, where practicable, from within the living areas of the units.
  - (viii) Landscaping does not provide opportunities for concealment of people.
  - (ix) Landscaping is consistent with the approved Vegetation Management Plan (VMP) approved for Stage 1 of the development.
- m) Measures, such as window location and screen fencing, are provided to ensure the residents of the accommodation units have sufficient privacy.
- n) Vegetation management is undertaken in accordance with the Vegetation Management Plan approved in accordance with the conditions for Stage 1 of the development.
129. All building work is to comply with the requirements of the Access to Premises Standard.
130. The development that is the subject of this consent, is to be used to accommodate only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people who have a disability.
- Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.
131. Prior to the issue of an Occupation Certificate, a restriction as to user is to be registered on the title of the property, in accordance with section 88B (or similar) of the Conveyancing Act 1919, in accordance with the following:
- a) A restriction as to user is to be applied requiring preservation and maintenance of the riparian vegetation within 10m of either side of watercourses traversing the site.
  - b) With the exception of the riparian corridor, the whole of the site shall be maintained as an Inner Protection Area of a bush fire Asset Protection Zone, in perpetuity.



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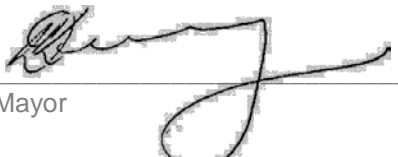
- c) All vegetation is to be protected/managed on site, in accordance with the approved Vegetation Management Plan. The terms of restriction shall be constructed in such a way to ensure the ongoing protection of Acacia Ausfeldii (Ausfeld's Wattle) clumps, identified large trees, riparian vegetation and any transplanted Acacia Ausfeldii.
  - d) The restriction is to apply to the property and cover all three (3) phases of the development.
132. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning and Assessment Act 1979 and Regulations and all relevant Australian Standards.


#### PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING

133. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
134. Long service levy must be paid to the Long Service Payment Corporation, prior to the issue of any Construction Certificate. The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.

#### PRIOR TO THE COMMENCEMENT OF WORKS - BUILDING

135. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- a) the appointment of a Principal Certifier; and
  - b) the date on which work will commence.
- Such notice shall include details of the Principal Certifier and must be submitted to Council at least two (2) days before work commences.
136. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
- a) stating that unauthorised entry to the work site is prohibited;
  - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
  - c) the name, address and telephone number of the Principal Certifier for the work; and
  - d) The sign shall be removed when the erection or demolition of

  
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General Manager

the building has been completed.

137. With the exception of work where there is in force an exemption under clause 187 and 188 of the Environmental Planning and Assessment Act 1979, all building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.

138. If the work involved in the erection/demolition of the building:

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- b) building involves the enclosure of a public place,

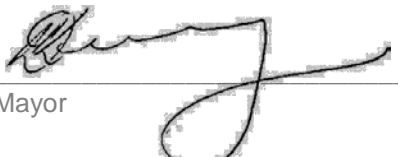
A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work, falling into a public place. Any such hoarding, fence or awning is to be removed when the work has been completed.


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

- a) In the case of work for which a principal contractor is required to be appointed:
  - (i) The name and licence number of the principal contractor; and
  - (ii) The name of the insurer by which the work is insured under Part 6 of that Act;
- b) In the case of work done by an owner-builder:
  - (i) The name of the owner-builder; and
  - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

140. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- a) protect and support the building, structure or work from possible damage from the excavation, and
- b) where necessary, underpin the building, structure or work to prevent any such damage.

  
Mayor

  
General Manager

**BUILDING CONSTRUCTION**

141. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

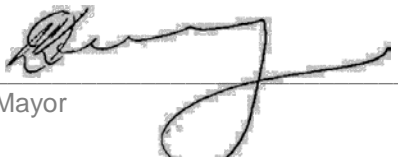
**PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

142. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
143. Prior to the issue of an Occupation Certificate, a report, prepared by a suitably qualified person, providing a schedule demonstrating how the proposed development complies with each of the relevant detailed requirements of "Schedule 3 – Standards concerning the accessibility and useability for hostels and self-contained dwellings" of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 is to be submitted and approved by the Certifier.
144. Prior the issue of any Occupation Certificate, a restriction as to user is to be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the development consent relates to only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.


Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.

**GENERAL / OPERATIONAL CONDITIONS**

145. A private transport service, such as a mini-bus, is to be made available to the residents who will occupy the proposed development, in accordance with the following requirements:
- a) The pick-up point for the transport service is to be from within the internal driveway, or directly in front of the site on the street;
  - b) The transport service is to provide transport for residents to:



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Mayor



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General Manager

- (i) Shops, bank service providers and other retail and commercial services that residents may reasonably require; and
  - (ii) Community services and recreation facilities; and
  - (iii) The practice of a general medical practitioner.
- c) The transport service is to take those residents to a place that is located at a distance of no more than 400 metres from the facilities and services referred to in (b) above; and
- d) The transport service is to be made available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive).
146. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
147. The development is to be maintained in a clean and tidy manner, at all times.

#### OTHER APPROVALS

#### GENERAL TERMS OF APPROVAL – NSW RURAL FIRE SERVICE

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

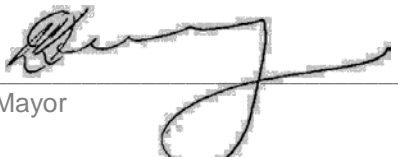
##### Asset Protection Zones


The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones', except for the 10 metre planned vegetation buffer either side of the creeks (riparian corridors) on the site.

##### Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

  
Mayor

  
General Manager

2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

#### Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. The proposed internal road network of the property shall comply with the following requirements:
  - Internal roads shall provide unobstructed vehicle access to all aspects of the building;
  - Vertical clearance to a height of 4 metres shall be provided from any overhanging vegetation.

#### Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

4. A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014' and Australian Standard AS3745 2010 'Planning for Emergencies in Facilities'.

#### Design and Construction

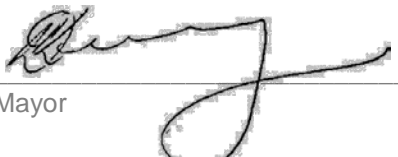
The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:


5. New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

#### Landscaping

6. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

General Advice – consent authority to note

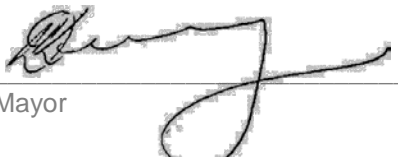
  
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- To ensure the proposed development can comply with the required setbacks as per Table A2.6 of 'Planning for Bush Fire Protection 2006', the building should be setback from the 20 metre wide riparian corridor on the site and the land to the east for a minimum distance of 50 metres.
- It is noted that the submitted plans indicate future development on land between the proposed group home and the riparian corridor. A preliminary NSW RFS assessment indicates that the indicative development shown may not be able to comply with 'Planning for Bush Fire Protection 2006' and would not therefore be supported by the NSW RFS.

#### ADVISORY NOTES

- 1 The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning – Public Places".
- 2 The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
- 3 Sections 8.2, 8.3, 8.4 and 8.5 of the Environmental Planning and Assessment Act 1979 gives you the ability to seek a review of the determination. This request is made to Council and must be made within 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Planning and Development Department for more information or advice.
- 4 If you are dissatisfied with this decision Sections 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.
- 5 To ascertain the date upon which the consent becomes effective, refer to Sections 4.20 and 8.13 of the Environmental Planning and Assessment Act 1979.
- 6 To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the Environmental Planning and Assessment Act 1979.
- 7 The development is to operate so as to not emit offensive noise, as defined in the Protection of the Environment Operations Act 1997.

  
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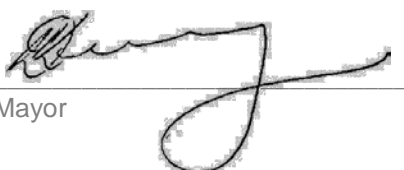
**AMENDMENT: Holden/Shelley****That Council:**

- A. receive the report by the Senior Town Planner on the DA0139/2018 - Community Facility and Housing for People with a Disability - 153 Bruce Road, Mudgee;
- B. decline the request by the applicant to waive Section 64 developer contributions for Stage 1 in accordance with Section 64 of the Local Government Act 1993; and
- C. approve DA0139/2018 - Community Facility and Housing for People with a Disability - 153 Bruce Road, Mudgee be approved subject to the following conditions:

**CONDITIONS****Stage 1: Community Facility****PARAMETERS OF CONSENT**

1. Development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

Title/Name	Drawing No/ Document Ref	Revision/ Issue	Dated	Prepared by
Site Staging Plan	26053-A01	A	22.11.2017	Barnson
Partial Site Plan	26053-A02	-	Undated	Barnson
Floor Plan	26053-A04	A	22.11.2017	Barnson
Elevations	26053-A05	A	22.11.2017	Barnson
Sections	26053-A06	A	22.11.2017	Barnson
Erosion and Sediment Control Plan	26053-A07	A	22.11.2017	Barnson
Landscape Plan	26053-A08	A	22.11.2017	Barnson
Proposed Pavement Plan	26053-CD02	A	23.11.2017	Barnson
Proposed Sewer Plan	26053-CD03	A	23.11.2017	Barnson
Proposed Sewer Notes and Longsection	26053-CD04	A	23.11.2017	Barnson
Proposed Stormwater Plan	26053-CD05	A	23.11.2017	Barnson



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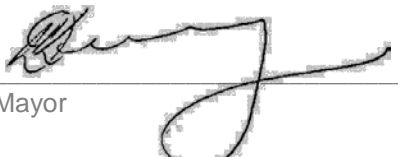


Proposed Stormwater Details	26053-CD06	A	23.11.2017	Barnson
Proposed Water Reticulation Plan	26053-CD07	A	23.11.2017	Barnson
Figure 3.10: Acacia ausfeldii records in the study area and trees to be retained	-	-	-	Ecoplanning

2. This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.
3. This development consent does not include approval for any signage for the approved development. A separate Development Consent or Complying Development Certificate may be required for signage, if the signage is not exempt development.
4. This approval includes approval for:
  - a) The erection of a building to be used as a Community Facility.
  - b) The construction of 16 car parking spaces, 1 ambulance parking space and a mini-bus parking space.
  - c) The construction of a 6m ingress/egress driveway.
  - d) Half road construction within Bruce Road.
  - e) Ancillary respite (ie. temporary) care accommodation.
  - f) Connection of water, sewer and stormwater services to the development.

#### GENERAL

5. All building work is to comply with the requirements of the Access to Premises Standard.
6. The development shall comply with the relevant General Terms of Approval issued by the NSW Rural Fire Service for this development.
7. Notwithstanding the approved plans, the structure is to be located clear of any easements and/or 1.5 metres from any water and sewer mains in accordance with Council Policy.
8. All building work must be carried out in accordance with the provisions of the National Construction Code, the



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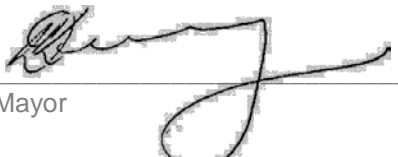
**Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.**

9. A maximum of two (2) respite care rooms is to be provided in the approved Community Facility. The respite care rooms are to be used for temporary short-term accommodation only. For the purpose of this condition, temporary short-term accommodation means a maximum length of stay of 6 weeks.
10. Metal roof/wall cladding shall be provided in a non-reflective colour scheme such as "Colorbond" steel sheeting. Zincalume, or similarly glary finishes, are not to be employed in roof or wall finishes.
11. All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
12. Costs associated with all development works including any necessary alterations, or relocations of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
13. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.
14. The development that is the subject of this consent, is to be used to provide overnight accommodation for only the following:
  - a) seniors or people who have a disability;
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people with a disability.

**Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.**

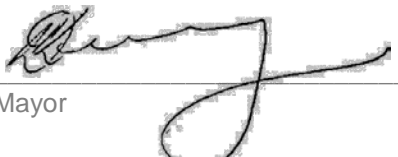
**Threatened Species Protection**

15. All *Acacia ausfeldii* (Ausfeld's Wattle) plants located within 10m of the top of the banks of the watercourses traversing the site are to be retained and conserved.


  
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16. All *Acacia ausfeldii* (Ausfeld's Wattle) plants located within the areas mapped as *Acacia ausfeldii* conservation clumps as shown in Figure 3.10: *Acacia ausfeldii* records in the study area and large trees to be retained, are to be retained and conserved.
17. All large trees as shown in Figure 3.10: *Acacia ausfeldii* records in the study area and large trees to be retained, are to be retained and conserved.
18. A Construction Environmental Management Plan (CEMP) is to be submitted to and approved by Council, prior to the issue of a Construction Certificate. The CEMP is to include the following measures and/or comply with the following requirements:
  - a) The CEMP is to be prepared by a suitably qualified person.
  - b) The CEMP is to include an Erosion and Sediment Control Plan for the development prepared in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction – Managing Urban Stormwater".
  - c) The CEMP is to include the means of fencing or similarly marking/delineating:
    - (i) The edge between the construction areas and the bush fire Asset Protection Zone.
    - (ii) The drip line of large trees to be retained in the Asset Protection Zone.
    - (iii) The edge of the riparian buffer zone.
    - (iv) The edge of conservation clumps.
    - (v) Fencing is to be marked by peg and tape, or similar.

Note - the large trees, riparian buffer zone and conservation clumps are identified in the approved Figure 3.10: *Acacia ausfeldii* records in the study area and trees to be retained.
  - d) Construction works are not to occur outside of the construction zone or within areas fenced in accordance with the previous sub-condition.
  - e) Stockpile areas shall be located outside riparian vegetation and at least 10m from native vegetation.
  - f) Wash down machinery and vehicles before entering the site and before leaving the site, to limit weed spread.
  - g) Areas proposed for disturbance where noxious weeds are present shall be managed according to the weed class.
19. A Vegetation Management Plan (VMP) is to be submitted to and



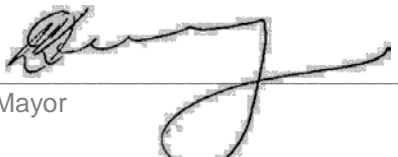
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General Manager

approved by Council, prior to the issue of a Construction Certificate. The VMP is to include the following measures and/or comply with the following requirements:

- a) The VMP is to be prepared by a suitably qualified person.
- b) Relocation of individuals of *Acacia ausfeldii*.
  - (i) Some individuals of *Acacia ausfeldii* removed from the building footprint and bush fire Asset Protection Zone are to be relocated and incorporated into the on-site landscaping for the site. The number of relocated plants is to be nominated in the VMP.
  - (ii) Details about where the relocated plants will be placed.
  - (iii) Relocation should be undertaken by a suitably qualified bush regenerator with previous experience in relocating *Acacia ausfeldii*.
  - (iv) Details of management and monitoring of these stems are to be included.
  - (v) Some individuals of *Acacia ausfeldii* may be propagated from seed collected on the site.
- c) Collection of *Acacia ausfeldii* (AA) seed.
  - (i) The collection of *Acacia ausfeldii* (AA) seed is to be undertaken by a suitably qualified bush regenerator.
  - (ii) The collection of AA seed is to be undertaken prior to clearing to allow for germination of additional AA tube stock in the event of attrition of any relocated individuals or to propagate individuals for use in landscaping on the site.
  - (iii) The bush regeneration company contracted for the seed collection must have the facilities to store the seed and the experience to germinate and grow additional tube stock, as required.
  - (iv) Some of the seed is to be provided to the Botanic Gardens.
  - (v) Appropriate OEH approvals must be obtained prior to collection.
- d) Management of riparian vegetation and conservation clumps.
  - (i) Measures to preserve and enhance the vegetation within the riparian areas and conservation clumps are to be provided.
  - (ii) Consideration of the need for burning of the conservation areas and measures to control each burn over the long term. Measures to control each burn are required to stimulate germination of dormant AA seed while minimising damage/attrition rate of existing AA stems. The burning regime is to be



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General Manager

determined in consultation with the Office of Environment and Heritage (OEH). It is recommended that any plans for burning areas supporting threatened species be discussed with and approved by OEH prior to each burn being undertaken, as there remains uncertainty regarding the impacts of burning regimes on some species and vegetation communities.

- e) **Boundaries of riparian areas and conservation clumps.**
  - (i) **The boundaries of the construction area, riparian zone and conservation clumps are to be clearly marked by fencing or similar.**
  - (ii) **The dripline of large trees to be retained are to be marked by peg and tape (or similar).**
- f) **No stockpiles of construction materials are to be placed within 10m of riparian buffers, conservation clumps or large trees to be retained.**
- g) **Sediment erosion control measures are to be employed to ensure the riparian zones, conservation clumps and large trees are not impacted.**
- h) **Provide a draft linen plan and draft terms of restriction to protect and manage *Acacia Ausfeldii* (Ausfeld's Wattle) conservation clumps, identified large trees to be retained, riparian vegetation and any transplanted *Acacia Ausfeldii* (Ausfeld's Wattle). The restriction is to be registered on title prior to issue of an Occupation Certificate.**

#### **PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE**

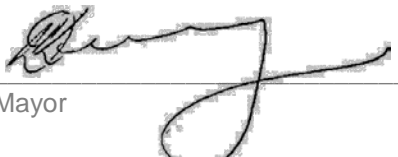
##### **Building**


The following conditions must be complied with prior to Council or an accredited Certifier issuing a Construction Certificate for the proposed building.

- 20. **Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Council.**
- 21. **Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993, prior to the issue of a Construction Certificate.**

**Note: A separate fee is payable for the Section 138 application.**

- 22. **All building work is to comply with the requirements of the Access to Premises Standard. Details demonstrating full**

  
Mayor

  
General Manager

compliance with the Access to Premises Standard, including continuous path of travel from the entrance to the property, are to be submitted and approved as part of any Construction Certificate.

**Contributions and Levies**

- 23. Long service levy must be paid to the Long Service Payment Corporation, prior to the issue of any Construction Certificate. The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.
- 24. Prior to the issue of a Construction Certificate, the developer shall obtain a Certificate of Compliance under the Water Management Act 2000. This will require:
  - a) Payment of a contribution for water and sewerage headworks at the following rate, subject to adjustment:

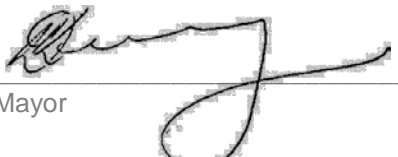
Section 64 Contributions			
Stage 1 – Community Facility			
	ET/Unit	Rate (2017-2018)	Contribution Payable
Water Headworks	3.01	\$8,780.00	\$26,427.80
Sewer Headworks	2.935	\$4,008.00	\$11,763.48
<b>Total Headworks</b>			<b>\$38,191.28</b>


- b) The adjustment of existing services or installation of new services and metres, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.

**Note:** Section 64 Developer Contributions are subject to Consumer Price Index increase at 1 July each year. Please contact Council’s Planning and Development Department regarding any adjustments.

**Threatened Species Protection**

- 25. A Construction Environmental Management Plan (CEMP) is to be submitted to and approved by Council, in accordance with Condition 18, prior to the issue of a Construction Certificate.
- 26. A Vegetation Management Plan (VMP) is to be submitted to and approved by Council, in accordance with Condition 19, prior to the issue of a Construction Certificate.

  
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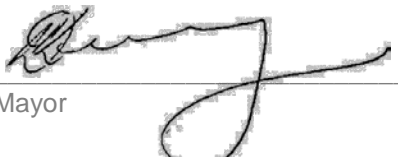
  
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## Landscaping

27. Prior to the issue of any Construction Certificate that includes above ground works, a landscape plan shall be submitted to and approved by Council. This landscape plan shall be prepared by an appropriately qualified and experienced professional. The landscaping plan is to show and/or achieve the following:
- a) A planting schedule (including a range of plant sizes).
  - b) A maintenance schedule.
  - c) Re-planting regime for any plants that are damaged, dead, or removed for any reason.
  - d) Reduce the visual impact of the car park on the streetscape.
  - e) Provision of landscaping adjacent to and between car parking areas to assist in visually breaking up the expanse of the car park.
  - f) Provide landscaping and fencing (if to be provided) within the front boundary landscaped setback that achieves the following:
    - (i) Allows for passive surveillance between the road reserve and the internal car park and entrance to the Community Facility building. This may be achieved by using shrubs that have a maximum height of 0.8m at maturity and trees that have a minimum canopy height of 1.7m at maturity.
    - (ii) Assists the development to blend in with the established streetscape and neighbourhood.
  - g) Utilise endemic species, where practicable, which are appropriate for the site.
  - h) Gardens to be planted with native species characteristic of the vegetation currently on site and using local native provenance as well as the relocated *Acacia ausfeldii*.
  - i) Landscaping to be consistent with the Vegetation Management Plan approved in accordance with the conditions of this development consent.

## Earthworks and Retaining Walls

28. All finished surface levels shall be shown on the plans submitted for a Construction Certificate. The finished surface levels shown on the plan are to demonstrate compliance with the following:
- a) Any retaining walls are to be located a minimum of 0.3m from the property boundary;
  - b) The depth of any fill must not exceed 0.6m; and
  - c) The finished floor level is to be no higher than 1.0m above natural ground level.

  
Mayor

  
General Manager

29. Details of all retaining walls shall be shown on the plans submitted for a Construction Certificate.

#### Sewer

30. Details of the sewer long-section, showing an adequate depth of cover over the sewer line, are to be submitted to and approved by Council, prior to the issue of a Construction Certificate. These details shall include finished surface levels and bedding details along the entire length of the sewer long-section.

#### Civil Works, Roads and Stormwater

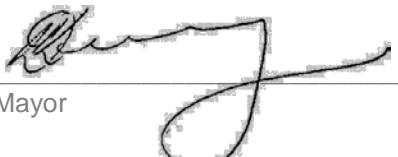
31. Detailed engineering designs for any civil works, including stormwater drainage, are to be submitted to and approved by Council prior to the issue of a Construction Certificate. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B1, B2 and D.


A Construction Certificate is required for, but not limited to, the following civil works:

- a) Sewer main extensions to provide connection to the proposed development.
- b) Stormwater drainage, including detention basins.
- c) Construction of pavement widening, kerb and channel and drainage within the Bruce Road reserve, for the length of property frontage directly in front of the proposed development (ie. all 3 stages).
- d) Drainage work associated with extending the existing road crossing.
- e) Kerb and gutter.
- f) Internal earthworks.
- g) Pavements and car parking areas.

All design must be supported by full and detailed calculations, technical reports, Auspsec and/or other acceptable specifications.

32. A Drainage Report and associated stormwater drainage plan prepared in accordance with the Institution of Engineers publication Australian Rainfall and Runoff is to be submitted to and approved by Council, prior to the issue of a Construction Certificate. The Drainage Report and stormwater drainage plan are to comply with the following requirements:
- a) Stormwater drainage design must limit the rate of runoff to Council's drainage system in Bruce Road to existing undeveloped levels.
  - b) All other stormwater runoff from roof surfaces is to be

  
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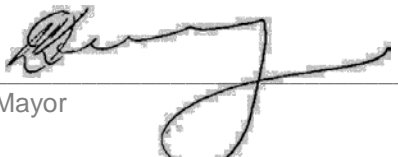
- directed to a rainwater tank/s with overflow and other surface runoff being dispersed on-site and directed toward a creek line/natural drainage feature toward the rear of the property.
- c) The stormwater drainage system must include appropriate methods to ensure that runoff carries no pollutants.
  - d) Outfall and soaking areas must include measures to prevent erosion and scouring.
  - e) All stormwater detention details including analysis are to be included in the report.
33. The submission to Council of engineering design plan for any road works shall include pavement and wearing surface investigation and design.


#### **Erosion and Sediment Control**

34. An Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction – Managing Urban Stormwater". Points to be considered include, but are not limited to:
- a) Single strip of turf to be laid behind kerb and gutter.
  - b) Saving available topsoil for re-use in the revegetation phase of the development.
  - c) Using erosion control measures to prevent on-site damage.
  - d) Rehabilitating disturbed areas quickly.
  - e) Maintenance of erosion and sediment control structures.
  - f) The Erosion and Sediment Control Plan is to minimise the impacts of the construction phase of the development on large trees to be conserved, riparian buffer areas and conservation clumps.
  - g) The Erosion and Sediment Control Plan will form part of the Construction Environmental Management Plan (CEMP) required by conditions of this consent.

#### **Access and Parking**

35. The aisle widths, internal circulation, ramp widths and grades of the car park are to conform to the Roads and Maritime Services (RMS) guidelines and Australian Standard AS 2890.1 – 1993. Details of compliance are to be shown on the relevant plans and specifications.
36. Each access provided must comply with Council's Access to Properties Policy, AUSTRROADS Part 4/4A and any associated RMS supplements.
37. The access is to have a minimum width of 6m to allow ingress and egress vehicle movements to occur simultaneously.

  
Mayor

  
General Manager



**Trade Waste**

38. A Liquid Trade Waste Application is to be submitted to and approved by Council, for the proposed development, prior to the issue of a Section 68 approval for water supply, stormwater and sewerage works.

**Public Liability Insurance**

39. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (twenty million dollars), is to be provided to Council, prior to issue of the Construction Certificate. The insurance cover shall include the following:
- a) Mid-Western Regional Council is to be indemnified against any works carried out by the contractor.
  - b) Public Liability Insurance is to include Mid-Western Regional Council as an interested party.
  - c) The copy of the Contractor's public liability insurance cover is to include the Certificate of Currency.

**PRIOR TO THE COMMENCEMENT OF WORKS**

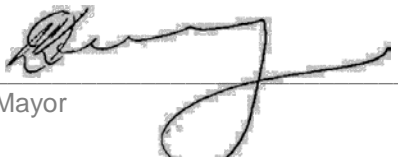
40. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- a) the appointment of a Principal Certifier; and
  - b) the date on which work will commence.

Such notice shall include details of the Principal Certifier and must be submitted to Council at least two (2) days before work commences.

41. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.  
**NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE.**

**Environmental**

42. Prior to commencement of works, the approved means of fencing/delineating large trees to be conserved, the riparian buffer zone and conservation clumps are to be installed in accordance with the approved Construction Environmental Management Plan (CEMP).

  
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General Manager

**Civil**

43. Prior to the commencement of works, erosion and sediment controls are to be installed in accordance with the approved Erosion and Sediment Control Plan for the development.
44. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Council prior to any work commencing.

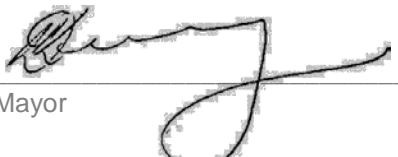

**Building**

45. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
- a) stating that unauthorised entry to the work site is prohibited;
  - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
  - c) the name, address and telephone number of the Principal Certifier for the work; and
  - d) the sign shall be removed when the erection or demolition of the building has been completed.
46. Prior to the commencement of works on site, the applicant shall advise Council's Operations Directorate, in writing, of any existing damage to Council property.
47. If the work involved in the erection/demolition of the building:
- a) Is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - b) Involves the enclosure of a public place.

A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

**DURING CONSTRUCTION****Environmental**

48. All works are to be undertaken in accordance with the approved Construction Environmental Management Plan

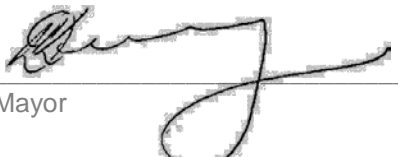
  
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General Manager

(CEMP).

49. All works/actions relevant to the construction phase of the development are to be undertaken in accordance with the approved Vegetation Management Plan (VMP).

**Building and General Works**

50. All building, earth and pavement works must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
51. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
52. The applicant shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
53. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifier being carried out during the relevant stage of construction.
54. Construction work noise that is audible at other premises is to be restricted to the following times:  
• Monday to Saturday - 7.00am to 5.00pm  
No construction work noise is permitted on Sundays or Public Holidays.
55. Structural members subject to attack by subterranean termites shall be protected by one of the methods outlined in AS 3660.1 and a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:  
a) the method of protection; and  
b) the date of installation of the system; and  
c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and  
d) the need to maintain and inspect the system on a regular basis.
56. The strength of the concrete used for the reinforced concrete floor slab must be a minimum 25Mpa.
57. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the

  
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**Environmental Planning and Assessment Regulation 2000.**

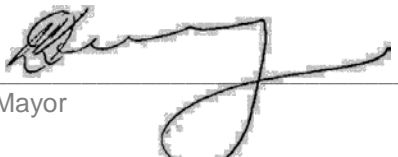
58. The development site is to be managed for the entirety of work in the following manner:
- a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
  - b) Appropriate dust control measures;
  - c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained; and
  - d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
59. Within three (3) months after the completion of construction all exposed surfaces caused by earthworks must be stabilised using established engineering methods and landscaping/planting to prevent erosion and scouring.
60. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the developer's/demolisher's expense.
61. No trees on public property (footpaths, roads, reserves etc) shall be removed or damaged during construction of the approved development, including the erection of any fences or hoardings.

**Earthworks**

62. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.
63. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination and be classified as VENM or ENM under the guidelines of the NSW Environmental Protection Authority by a qualified Geotechnical Engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.

**Access and Parking**

64. Vehicular entrances comprising kerb laybacks (where roll kerb and gutter does not exist) and concrete footway crossings are



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to be provided in accordance with the approved plans. These should be constructed in accordance with Aus-Spec #1, Council's "Access to Properties" Policy and any approval issued in accordance with Section 138 of the Roads Act 1993.

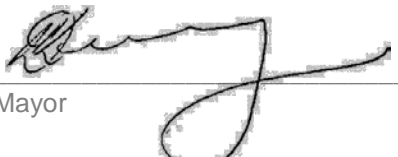
Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council's Operations Directorate between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours' notice.


Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.

65. A total of 16 car parking spaces, one (1) ambulance parking space and a mini-bus parking space are to be provided within the site of the development and comply with AS 2890.1:2004 and AS2890.6:2009 and the following requirements:
- a) All vehicles must be provided adequate means to exit the lot in a forward direction.
  - b) Each car parking space is to have minimum dimensions of 5.4m x 2.6m;
  - c) Each disabled car parking space is to be in accordance with the provisions of AS 2890.6:2009;
  - d) All car parking spaces, accesses and vehicle manoeuvring areas are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;
  - e) The aisle widths, internal circulation, ramp widths and grades of the car park are to conform to the Roads and Traffic Authority Guide to Traffic Generating Developments 1992 and Australian Standard AS2890.1 – 2004.

#### Civil Works – water, stormwater, sewer and road works

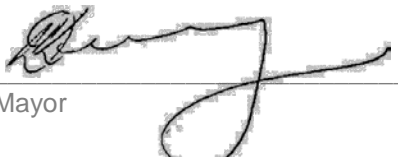
66. The civil works are to be inspected by Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
- a) Installation of sediment and erosion control measures
  - b) Water and sewer line installation prior to backfilling
  - c) Acceptance testing of water supply and sewerage infrastructure in accordance with Water Services Association of Australia and Water and Sewerage Codes
  - d) Establishment of line and level for kerb and gutter placement
  - e) Road Pavement construction
  - f) Road Pavement surfacing
  - g) Practical Completion

  
Mayor

  
General Manager

67. The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the civil works.
68. Any soil/water retention structures are to be constructed prior to the bulk stripping of topsoil, to ensure sediment from the whole site is captured.
69. Council does not permit other bodies to insert new junctions into “live” Sewer and water mains. Please contact Council’s Operations Water and Waste Department by calling 02 6378 2850 or by emailing council@midwestern.nsw.gov.au to obtain a quote for the connection of the new sewer extension and water service (Private Works Order).
70. The developer is to extend and meet the full cost of water reticulations to service the development plus the cost of connecting to existing services. All water supply work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act 1993) and in accordance with the National Specification – Water Supply Code of Australia.
71. The developer is to extend and meet the full cost of sewer reticulations to service the development plus the cost of connecting to existing services. All sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act 1993) and in accordance with the National Specification – Sewerage Code of Australia.
72. The developer is to upgrade part of Bruce Road, from the existing kerbing in front of the Baptist Church to the eastern boundary of the subject site, such that it has the following characteristics:

Item	Requirement
Half road pavement width	5.5m (1 x 3.5m travel lane with 1 x 2m sealed shoulder)
Nature Strip	1 x 4.5m
Concrete footpaths	Nil
Seal	Two-coat flush seal – 14/7mm (Double/Double) as required)
Kerb & gutter	Roll back concrete kerb & gutter
Subsoil drainage	Behind kerb, if required.
Underground Drainage	Where gutter flows exceeding 2.5m during minor events or adjacent to intersections.



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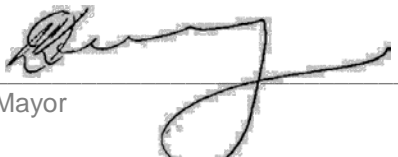


73. All stormwater, water and sewer main infrastructure and road crossings must be installed prior to the addition of the base course and installation of kerb and gutter.
74. All utility crossings are to be perpendicular to the road centreline and pre-formed prior to the addition of the base course.
75. All required earthworks for roads associated with the development must have compaction testing in compliance with EMS Q4 and AUS-SPEC CQS-A.

#### **PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

The following conditions are to be completed prior to occupation of the building and are provided to ensure that the development is consistent with the provisions of the Building Code of Australia and the relevant development consent.

76. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
77. Prior to the issue of an Occupation Certificate, the following works in relation to access, car parking and associated manoeuvring areas are to be completed:
  - a) Internal car parking spaces and associated manoeuvring areas are to be provided with an all-weather sealed surface.
  - b) The car parking area must be set out and clearly delineated in accordance with the requirements of AS 2890.1:2004 Parking Facilities Part 1: Off-street Car Parking.
  - c) Physical measures, such as wheel stops, shall be provided to ensure parked vehicles do not overhang and obstruct internal footpaths.
78. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of Fire and Rescue NSW and a copy is to be prominently displayed in the building.
79. Prior to the issue of the Occupation Certificate, a copy of a document certified by an accredited bushfire consultant, is to be submitted to Council. The document shall certify that all

  
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completed works fully comply with the conditions of the Bush Fire Safety Authority, issued pursuant to s100B of the Rural Fires Act 1997 by NSW Rural Fire Service, for the approved development.

80. Prior to the issue of an Occupation Certificate, for any buildings on site, the building is to be connected to reticulated water supply, stormwater and sewerage in accordance with the relevant section 68 approval/s.
81. All plants shown on the approved landscape plan/s are to be planted and all hard landscaping (eg. rocks, retaining walls, solid garden bed edging) is to be installed prior to occupation of the development and/or commencement of the use.
82. Following completion of the civil works (including water and sewer connections to the property) and prior to the issue of an Occupation Certificate, work-as-executed plans (WAE) are to be provided to Council in the following formats:
  - a) PDF
  - b) Dwg format or "Autocad compatible"
  - c) MapInfo Files

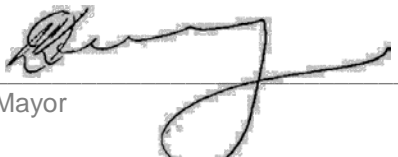
To accompany the WAE Drawings, Council also requires the completion of Asset Data Excel Spreadsheets (to be provided by Council) prior to the issue of an Occupation Certificate. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate

83. Following completion of the civil works and prior to the release of the Occupation Certificate, a defects liability bond of 5% of the construction costs for all civil engineering work (not carried out by Council) or \$2,000, whichever is the greater, shall be lodged with Council to ensure that any defects in such works are remedied by the developer.

The bond may be provided by way of a monetary deposit with the Council or a bank guarantee to the satisfaction of the Council. The bank guarantee must not specify any time limitations on the operation of the guarantee.

84. The developer is to ensure that any defects in the works that become apparent before and within the succeeding twelve (12) months after the issue of the Occupation Certificate, are remedied to Council's satisfaction. If these defects are not satisfactorily remedied, Council may use bond money to carry out rectification works.

Any unspent bond money will be returned to the developer at the end of the twelve (12) month period, less the cost of any rectification works carried out by Council.

  
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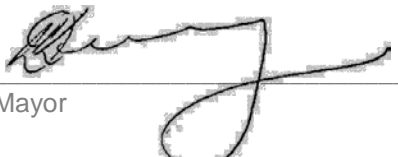
85. Prior the issue of any Occupation Certificate, a restriction as to user is to be registered on the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the development consent relates to only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people who have a disability.


Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.

86. Prior to the issue of an Occupation Certificate, a restriction as to user is to be registered on the title of the property, in accordance with section 88B (or similar) of the Conveyancing Act 1919, in accordance with the following:
- a) A restriction as to user is to be applied requiring preservation and maintenance of the riparian vegetation within 10m of either side of watercourses traversing the site.
  - b) With the exception of the riparian corridor, the whole of the site shall be maintained as an Inner Protection Area of a bush fire Asset Protection Zone, in perpetuity.
  - c) All vegetation is to be protected/managed on site, in accordance with the approved Vegetation Management Plan. The terms of restriction shall be constructed in such a way to ensure the ongoing protection of Acacia Ausfeldii (Ausfeld's Wattle) clumps, identified large trees, riparian vegetation and any transplanted Acacia Ausfeldii.
  - d) The restriction is to apply to the property and cover all three (3) phases of the development.

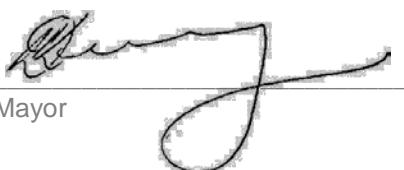
#### GENERAL / OPERATIONAL CONDITIONS

87. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.

  
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General Manager

88. Where any essential services are installed in the building, a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
89. The kitchen is not to be used for commercial purposes without the prior approval of Council.
90. A private transport service, such as a mini-bus, is to be made available to the residents who will occupy the proposed development, in accordance with the following requirements:
- a) The pick up point for the transport service is to be from within the internal driveway, or directly in front of the site on the street;
  - b) The transport service is to provide transport for residents to:
    - (i) Shops, bank service providers and other retail and commercial services that residents may reasonably require; and
    - (ii) Community services and recreation facilities; and
    - (iii) The practice of a general medical practitioner.
  - c) The transport service is to take those residents to a place that is located at a distance of no more than 400 metres from the facilities and services referred to in (b) above; and
  - d) The transport service is to be made available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive).
91. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site. Signage identifying the driveway and car park as low speed environments is also to be appropriately located within the site.
92. The pavement surface and wheel stops for the on-site car parking and associated manoeuvring areas are to be maintained in a workable condition at all times. Any damage to the pavement surface is to be repaired as soon as practicable.
93. All line-marking for the on-site car parking spaces and footpath areas are to be maintained in a visible condition, at all times.
94. All loading and unloading in connection with the premises shall be carried out wholly within the site. This condition does



Mayor



not apply to garbage collection.

- 95. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
- 96. Garbage areas are to be adequately screened from public view with an opaque fence and/or adequate landscaping.
- 97. The development is to be maintained in a clean and tidy manner, at all times.
- 98. Landscaping is to be maintained in accordance with the approved landscape plan and approved Vegetation Management Plan.

**Stage 2: Group Home and Car Parking**

**PARAMETERS OF CONSENT**

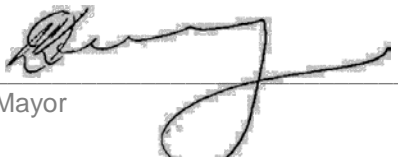
**Approved Plans**


- 99. Development is to be carried out generally in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

Title/Name	Drawing No/ Document Ref	Revision /Issue	Dated	Prepared by
Site Staging Plan	26053-A01	A	22.11.2017	Barnson
Erosion and Sediment Control Plan	26053-A07	A	22.11.2017	Barnson

**Concept Approval Only**

- 100. This development consent provides approval for the concept of Stage 2 – Group Home and Additional Parking, to be erected on the site only, in accordance with Section 4.22 of the Environmental Planning and Assessment Act 1979. This consent does not authorise the carrying out of the development for Stage 2 – Group Home and Additional Parking on the site, unless development consent is subsequently granted to a further development application in respect to Stage 2 – Group Home and Additional Parking.
- 101. The detailed development application for Stage 2 – Group Home and Additional Parking must be generally consistent

  
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with this concept approval for Stage 2 – Group Home and Additional Parking.

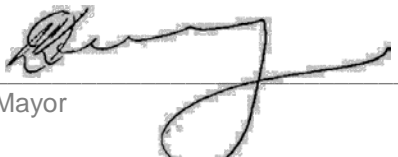
102. This concept approval includes approval for:


- a) The erection of a single building to be used as a Group Home/Hostel for seniors or people with a disability.
- b) The construction of 15 car parkings spaces.
- c) The construction of a second 6m ingress/egress driveway.
- d) Connection of water, sewer and stormwater services to the development.

#### GENERAL

103. A further development application for Stage 2 – Group Home and Additional Parking is to be submitted to and approved by Council, prior to the issue of any further approvals in relation to Stage 2 – Group Home and Additional Parking. Consent must not be granted to any further development application for Stage 2 – Group Home and Additional Parking on the subject site, unless:

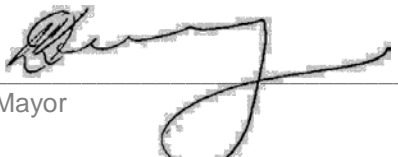
- a) The Group Home is located:
  - (i) At least 5m from the side boundaries of the property; and
  - (ii) At least 15.54m from the front boundary of the property; and
  - (iii) Generally in accordance with the location indicated on the approved site plan.
- b) The Group Home is a maximum of 8.5m in height.
- c) The Group Home is designed to accommodate a maximum of five (5) clients and one (1) staff member.
- d) A BASIX certificate, based on the detailed floor plans, elevations and site plan provided in compliance with this condition is submitted with the development application.
- e) Detailed, scaled and dimensioned floor plans, elevations and a site plan accompany the subsequent development application for the Group Home.
- f) The Stage 2 – Group Home and Additional Parking development complies with the relevant requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or current equivalent.
- g) The design of Stage 2 – Group Home and Additional Parking is consistent with the principles of Crime Prevention Through Environmental Design.

  
Mayor

  
General Manager

- h) The group home and associated driveway and car parking works do not involve the removal of trees or shrubs, identified as being conserved or retained in Figure 3.10: *Acacia ausfeldii* records in the study area and trees to be retained.**
- i) The plans show the provision of at least 15 additional on-site parking spaces within Stage 2, to bring the total number of parking spaces on the site to 31. Disabled parking spaces are to be provided in accordance with Australian Standard AS2890.6.**
- j) Details of existing and proposed site levels, showing the extent of any earthworks for cut and fill accompany the subsequent development application for Stage 2 – Group Home and Additional Parking. Details of proposed methods for stabilisation of all disturbed surfaces are to be provided.**
- k) Details of methods of control, storage and disposal of stormwater runoff from all developed surfaces (roof and pavements) accompany the subsequent development application for Stage 2 – Group Home and Additional Parking.**
- l) Details are provided to demonstrate that metal roof/wall cladding shall be provided in a non-reflective colour scheme such as “Colorbond” steel sheeting. Zincalume, or similarly glary finishes, are not to be employed in Stage 2 – Group Home and Additional Parking.**
- m) A Bushfire Assessment Report accompanies the application and General Terms of Approval have been issued for NSW Rural Fire Service for Stage 2.**
- n) Landscaping is provided to the site in accordance with the following requirements:**

  - (i) All open spaces on the site are to be landscaped.**
  - (ii) Landscaping enhances the development for acoustic and visual privacy, as well as shade.**
  - (iii) Landscaping blends the development into the established streetscape and neighbourhood.**
  - (iv) Landscaping is water efficient.**
  - (v) Landscaping minimises over-shadowing within the development and neighbouring properties.**
  - (vi) Landscaping utilises, where practicable, endemic species which are appropriate for the site.**
  - (vii) Landscaping allows for continued casual surveillance of the internal driveway, car parking areas and street, where practicable, from within the living areas of the units.**



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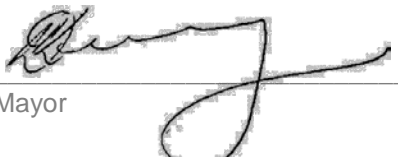



- (viii) Landscaping does not to provide opportunities for concealment of people.
  - (ix) Landscaping is consistent with the approved Vegetation Management Plan approved for Stage 1 of the proposed development.
  - o) Measures, such as window location and screen fencing, are provided to ensure the residents of the hostel/group home have sufficient privacy.
  - p) Vegetation management is undertaken in accordance with the Vegetation Management Plan approved in accordance with the conditions for Stage 1 of the development.
104. All building work is to comply with the requirements of the Access to Premises Standard.
105. The development that is the subject of this consent, is to be used to accommodate only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people who have a disability.
106. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning and Assessment Act 1979 and Regulations and all relevant Australian Standards.

#### **PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING**

107. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
108. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993, prior to the issue of a Construction Certificate.
109. Long service levy must be paid to the Long Service Payment Corporation, prior to the issue of any Construction Certificate. The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.

#### **PRIOR TO THE COMMENCEMENT OF WORKS - BUILDING**

  
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General Manager

**110. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:**

- a) the appointment of a Principal Certifier; and
- b) the date on which work will commence.

Such notice shall include details of the Principal Certifier and must be submitted to Council at least two (2) days before work commences.

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

- a) stating that unauthorised entry to the work site is prohibited;
- b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
- c) the name, address and telephone number of the Principal Certifier for the work; and
- d) The sign shall be removed when the erection or demolition of the building has been completed.

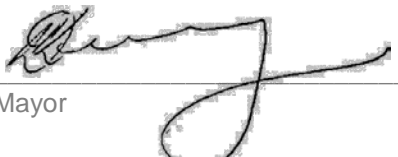
**112. With the exception of work where there is in force an exemption under clause 187 and 188 of the Environmental Planning and Assessment Act 1979, all building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.**


**113. If the work involved in the erection/demolition of the building:**

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- b) involves the enclosure of a public place,

A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work, falling into a public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

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

  
Mayor

  
General Manager

**following information:**

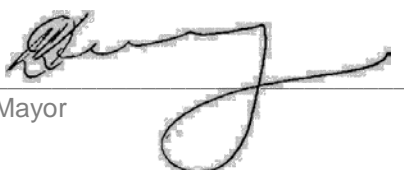
- a) In the case of work for which a principal contractor is required to be appointed:
    - (i) The name and licence number of the principal contractor; and
    - (ii) The name of the insurer by which the work is insured under Part 6 of that Act;
  - b) In the case of work done by an owner-builder:
    - (i) The name of the owner-builder; and
    - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
115. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- a) protect and support the building, structure or work from possible damage from the excavation, and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

**BUILDING CONSTRUCTION**

116. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

**PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

117. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
118. Prior to the issue of an Occupation Certificate, a report, prepared by a suitably qualified person, providing a schedule demonstrating how the proposed development complies with each of the relevant detailed requirements of "Schedule 3 – Standards concerning the accessibility and useability for hostels and self-contained dwellings" of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 is to be submitted and approved by the



Mayor





**Certifier.**

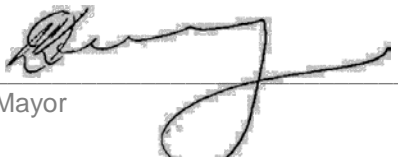
119. Prior the issue of any Occupation Certificate, a restriction as to user is to be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the development consent relates to only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.

Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.

120. Prior to the issue of an Occupation Certificate, a restriction as to user is to be registered on the title of the property, in accordance with section 88B (or similar) of the Conveyancing Act 1919, in accordance with the following:
- a) A restriction as to user is to be applied requiring preservation and maintenance of the riparian vegetation within 10m of either side of watercourses traversing the site.
  - b) With the exception of the riparian corridor, the whole of the site shall be maintained as an Inner Protection Area of a bush fire Asset Protection Zone, in perpetuity.
  - c) All vegetation is to be protected/managed on site, in accordance with the approved Vegetation Management Plan. The terms of restriction shall be constructed in such a way to ensure the ongoing protection of Acacia Ausfeldii (Ausfeld's Wattle) clumps, identified large trees, riparian vegetation and any transplanted Acacia Ausfeldii.
  - d) The restriction is to apply to the property and cover all three (3) phases of the development.

**GENERAL / OPERATIONAL CONDITIONS**

121. A private transport service, such as a mini-bus, is to be made available to the residents who will occupy the proposed development, in accordance with the following requirements:
- a) The pick up point for the transport service is to be from within the internal driveway, or directly in front of the site on the street;



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General Manager

- b) The transport service is to provide transport for residents to:
- (i) Shops, bank service providers and other retail and commercial services that residents may reasonably require; and
  - (ii) Community services and recreation facilities; and
  - (iii) The practice of a general medical practitioner.
- c) The transport service is to take those residents to a place that is located at a distance of no more than 400 metres from the facilities and services referred to in (b) above; and
- d) The transport service is to be made available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive).
122. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
123. The development is to be maintained in a clean and tidy manner, at all times.

### Stage 3: Accommodation Units

#### PARAMETERS OF CONSENT

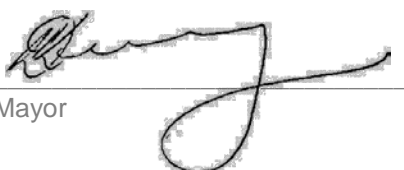
##### Approved Plans

124. Development is to be carried out generally in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

Title/Name	Drawing No/ Document Ref	Revision /Issue	Dated	Prepared by
Site Staging Plan	26053-A01	A	22.11.201 7	Barnson
Erosion and Sediment Control Plan	26053-A07	A	22.11.201 7	Barnson

##### Concept Approval Only

125. This development consent provides approval for the concept



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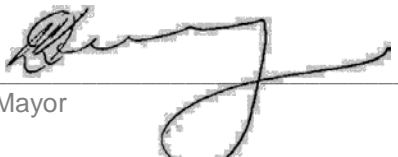


of Stage 3 – Accommodation Units, to be erected on the site only, in accordance with Section 4.22 of the Environmental Planning and Assessment Act 1979. This consent does not authorise the carrying out of the development for Stage 3 – Accommodation Units on the site, unless development consent is subsequently granted to a further development application in respect to Stage 3 – Accommodation Units.

126. The detailed development application for Stage 3 – Accommodation Units must be generally consistent with this concept approval for Stage 3 – Accommodation Units. Minor modifications may be made to address the bush fire constraints of the site.
127. This concept approval includes approval for:
- a) 14 self-contained accommodation units. The 14 units are to be provided as seven (7) individual buildings, with each building comprising 2 accommodation units.
  - b) The provision of any necessary additional vehicle access and parking areas to service the accommodation units.
  - c) Connection of water, sewer and stormwater services to the development.

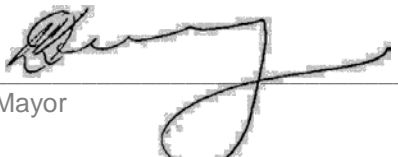
#### GENERAL

128. A further development application for Stage 3 – Accommodation Units is to be submitted to and approved by Council, prior to the issue of any further approvals in relation to Stage 3 – Accommodation Units. Consent must not be granted to any further development application for Stage 3 – Accommodation Units on the subject site, unless:
- a) The Accommodation Units are located:
    - (i) At least 5m from the side boundaries of the property; and
    - (ii) Beyond the Asset Protection Zone identified on the approved Site Staging Plan; and
    - (iii) Generally in accordance with the location indicated on the approved site plan.
  - b) The Accommodation Units are a maximum of 8.5m in height.
  - c) BASIX certificates, based on the detailed floor plans, elevations and site plan provided in compliance with this condition are submitted with the development application.
  - d) Detailed, scaled and dimensioned floor plans, elevations and a site plan accompany the subsequent development application for the Accommodation Units.

  
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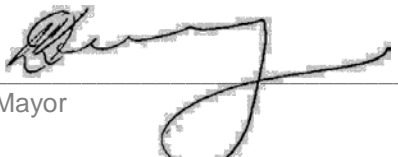
- e) **The Stage 3 – Accommodation Units development complies with the relevant requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or current equivalent.**
- f) **The design of Stage 3 – Accommodation Units is consistent with the principles of Crime Prevention Through Environmental Design.**
- g) **The Accommodation Units and associated driveway and car parking works do not involve the removal of trees or shrubs identified as being conserved or retained in Figure 3.10: Acacia ausfeldii records in the study area and trees to be retained.**
- h) **Details of existing and proposed site levels, showing the extent of any earthworks for cut and fill accompany the subsequent development application for Stage 3 – Accommodation Units. Details of proposed methods for stabilisation of all disturbed surfaces are to be provided.**
- i) **Details of methods of control, storage and disposal of stormwater runoff from all developed surfaces (roof and pavements) accompany the subsequent development application for Stage 3 – Accommodation Units.**
- j) **Details are provided to demonstrate that metal roof/wall cladding shall be provided in a non-reflective colour scheme such as “Colorbond” steel sheeting. Zinalume, or similarly glary finishes, are not to be employed in Stage 3 – Accommodation Units.**
- k) **A Bushfire Assessment Report accompanies the application and General Terms of Approval have been issued by NSW Rural Fire Service for Stage 3.**
- l) **Landscaping is provided to the site in accordance with the following requirements:**
  - (i) **All open spaces on the site are to be landscaped.**
  - (ii) **Landscaping enhances the development for acoustic and visual privacy, as well as shade.**
  - (iii) **Landscaping blends the development into the established streetscape and neighbourhood.**
  - (iv) **Landscaping is water efficient.**
  - (v) **Landscaping minimises over-shadowing within the development and neighbouring properties.**
  - (vi) **Landscaping utilises, where practicable, endemic species which are appropriate for the site.**
  - (vii) **Landscaping allows for continued casual surveillance of the internal driveway, car parking areas and street, where practicable, from within the**




Mayor



- living areas of the units.
- (viii) Landscaping does not to provide opportunities for concealment of people.
  - (ix) Landscaping is consistent with the approved Vegetation Management Plan (VMP) approved for Stage 1 of the development.
- m) Measures, such as window location and screen fencing, are provided to ensure the residents of the accommodation units have sufficient privacy.
  - n) Vegetation management is undertaken in accordance with the Vegetation Management Plan approved in accordance with the conditions for Stage 1 of the development.
129. All building work is to comply with the requirements of the Access to Premises Standard.
130. The development that is the subject of this consent, is to be used to accommodate only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to seniors or people who have a disability.
- Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.
131. Prior to the issue of an Occupation Certificate, a restriction as to user is to be registered on the title of the property, in accordance with section 88B (or similar) of the Conveyancing Act 1919, in accordance with the following:
- a) A restriction as to user is to be applied requiring preservation and maintenance of the riparian vegetation within 10m of either side of watercourses traversing the site.
  - b) With the exception of the riparian corridor, the whole of the site shall be maintained as an Inner Protection Area of a bush fire Asset Protection Zone, in perpetuity.
  - c) All vegetation is to be protected/managed on site, in accordance with the approved Vegetation Management Plan. The terms of restriction shall be constructed in such a way to ensure the ongoing protection of Acacia Ausfeldii (Ausfeld's Wattle) clumps, identified large trees, riparian vegetation and any transplanted Acacia Ausfeldii.



Mayor



General Manager

- d) The restriction is to apply to the property and cover all three (3) phases of the development.

132. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning and Assessment Act 1979 and Regulations and all relevant Australian Standards.

**PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING**

133. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.

134. Long service levy must be paid to the Long Service Payment Corporation, prior to the issue of any Construction Certificate. The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.

**PRIOR TO THE COMMENCEMENT OF WORKS - BUILDING**

135. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:

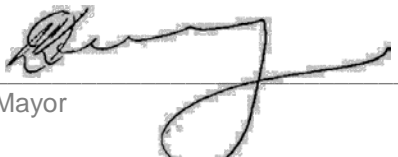
- a) the appointment of a Principal Certifier; and  
b) the date on which work will commence.


Such notice shall include details of the Principal Certifier and must be submitted to Council at least two (2) days before work commences.

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

- a) stating that unauthorised entry to the work site is prohibited;  
b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;  
c) the name, address and telephone number of the Principal Certifier for the work; and  
d) The sign shall be removed when the erection or demolition of the building has been completed.

137. With the exception of work where there is in force an exemption under clause 187 and 188 of the Environmental

  
Mayor

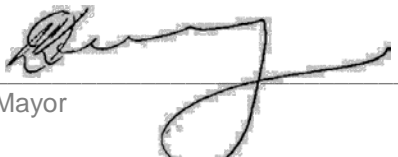
  
General Manager


**Planning and Assessment Act 1979, all building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.**

- 138. If the work involved in the erection/demolition of the building:**
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or**
  - b) building involves the enclosure of a public place,**

**A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work, falling into a public place. Any such hoarding, fence or awning is to be removed when the work has been completed.**

- 139. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the council) has given the council written notice of the following information:**
- a) In the case of work for which a principal contractor is required to be appointed:**
    - (i) The name and licence number of the principal contractor; and**
    - (ii) The name of the insurer by which the work is insured under Part 6 of that Act;**
  - b) In the case of work done by an owner-builder:**
    - (i) The name of the owner-builder; and**
    - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.**
- 140. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:**
- a) protect and support the building, structure or work from possible damage from the excavation, and**
  - b) where necessary, underpin the building, structure or work to prevent any such damage.**

  
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General Manager

**BUILDING CONSTRUCTION**

141. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

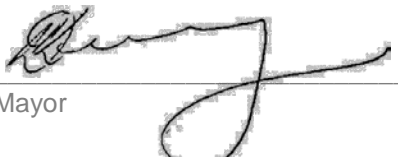

**PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

142. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
143. Prior to the issue of an Occupation Certificate, a report, prepared by a suitably qualified person, providing a schedule demonstrating how the proposed development complies with each of the relevant detailed requirements of "Schedule 3 – Standards concerning the accessibility and useability for hostels and self-contained dwellings" of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 is to be submitted and approved by the Certifier.
144. Prior the issue of any Occupation Certificate, a restriction as to user is to be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the development consent relates to only the following:
- a) seniors or people who have a disability; and
  - b) people who live within the same household with seniors or people who have a disability; and
  - c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.

Note - the terms seniors and people with a disability are defined in State Environmental Planning Policy (Housing of Seniors or People with a Disability) 2004.

**GENERAL / OPERATIONAL CONDITIONS**

145. A private transport service, such as a mini-bus, is to be made available to the residents who will occupy the proposed development, in accordance with the following requirements:
- a) The pick-up point for the transport service is to be from within the internal driveway, or directly in front of the site

  
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Mayor  
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General Manager



on the street;

- b) The transport service is to provide transport for residents to:
  - (i) Shops, bank service providers and other retail and commercial services that residents may reasonably require; and
  - (ii) Community services and recreation facilities; and
  - (iii) The practice of a general medical practitioner.
- c) The transport service is to take those residents to a place that is located at a distance of no more than 400 metres from the facilities and services referred to in (b) above; and
- d) The transport service is to be made available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive).

146. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".

147. The development is to be maintained in a clean and tidy manner, at all times.

#### **OTHER APPROVALS**

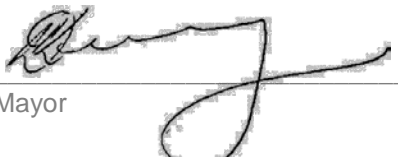
#### **GENERAL TERMS OF APPROVAL – NSW RURAL FIRE SERVICE**

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

#### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones', except for the 10 metre planned vegetation buffer either side of the creeks (riparian corridors) on the site.

  
Mayor



### **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

### **Access**

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. The proposed internal road network of the property shall comply with the following requirements:
  - Internal roads shall provide unobstructed vehicle access to all aspects of the building;
  - Vertical clearance to a height of 4 metres shall be provided from any overhanging vegetation.

### **Evacuation and Emergency Management**

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

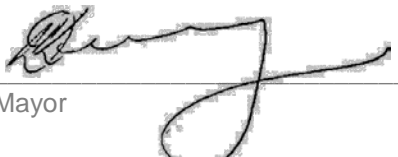
4. A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014' and Australian Standard AS3745 2010 'Planning for Emergencies in Facilities'.

### **Design and Construction**

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

5. New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

### **Landscaping**

  
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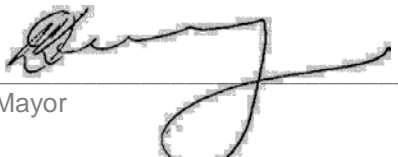
6. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.


**General Advice – consent authority to note**

- To ensure the proposed development can comply with the required setbacks as per Table A2.6 of 'Planning for Bush Fire Protection 2006', the building should be setback from the 20 metre wide riparian corridor on the site and the land to the east for a minimum distance of 50 metres.
- It is noted that the submitted plans indicate future development on land between the proposed group home and the riparian corridor. A preliminary NSW RFS assessment indicates that the indicative development shown may not be able to comply with 'Planning for Bush Fire Protection 2006' and would not therefore be supported by the NSW RFS.

**ADVISORY NOTES**

- 1 The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning – Public Places".
- 2 The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
- 3 Sections 8.2, 8.3, 8.4 and 8.5 of the Environmental Planning and Assessment Act 1979 gives you the ability to seek a review of the determination. This request is made to Council and must be made within 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Planning and Development Department for more information or advice.
- 4 If you are dissatisfied with this decision Sections 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.
- 5 To ascertain the date upon which the consent becomes effective, refer to Sections 4.20 and 8.13 of the Environmental Planning and Assessment Act 1979.
- 6 To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the Environmental Planning and

  
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Mayor

  
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General Manager

**Assessment Act 1979.**

- 7 The development is to operate so as to not emit offensive noise, as defined in the Protection of the Environment Operations Act 1997.**

*The amendment was put and won with Councillors voting as follows:*

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy		✓
Cr Martens		✓
Cr Thompson		✓
Cr Cavalier	✓	
Cr Karavas	✓	
Cr Holden	✓	

*The amendment on becoming the motion was put and carried with Councillors voting as follows:*

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier	✓	
Cr Karavas	✓	
Cr Holden	✓	

Cr Paine returned to the room at 6.14pm

8.2 MA0020/2017 (DA0214/2014) - MODIFICATION TO  
SUBDIVISION AND INDUSTRIAL DEVELOPMENT - 36B  
SYDNEY ROAD, MUDGEE

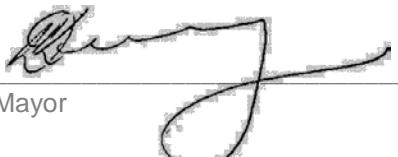
GOV400066, DA0214/2014


135/18

**MOTION: Holden / Shelley**

**That Council:**

- A. receive the report by the Senior Town Planner and Manager, Statutory Planning on the MA0020/2017 (DA0214/2014) - Modification to Subdivision and Industrial Development - 36B Sydney Road, Mudgee;**
- B. approve MA0020/2017 (DA0214/2014) - Modification to Subdivision and Industrial Development - 36B Sydney Road, Mudgee to do the following:**
- I. Amend the approved plans, principally changing the road layout and drainage concept.**

  
Mayor

  
General Manager

- II. Amend Condition 29, so that asphalt hot mix is only required in the cul-de-sac head, and the remainder of the Depot Road extension being a two (2) coat seal.
- III. Add a condition to provide kerbing around landscape areas, in order to deter vehicles driving over them.
- IV. Add conditions in relation to landscaping of the development.
- V. Add or amend various conditions in response to the modified proposal.

Subject to the following conditions:

**CONDITIONS**

**PARAMETERS OF CONSENT**

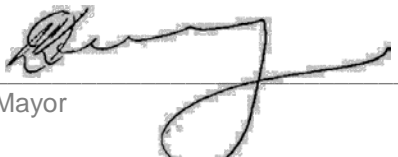
**Approved Plans**


1. ~~Development is to be carried out generally in accordance with stamped plans 3312-A01 to 3312-A09 and BK041.dwg Pages 1 to 4 and the Application received by Council on 16 December 2013 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.~~

**(DELETED MA0020/2017)**

1A. The development is to be carried out in accordance with the following plans endorsed with Council's stamp as well as the documentation listed below, except as varied by the conditions listed herein and/or any plan notations.

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date:	Prepared by:
Site Plan (Lot 6)	3312-A01	A	April 2013	Giselle Denley Drafting Services
Ground Floor Plan (Lot 6)	3312-A02	B	Nov 2017	Giselle Denley Drafting Services
Elevations (Lot 6)	3312-A03	B	Nov 2017	Giselle Denley Drafting

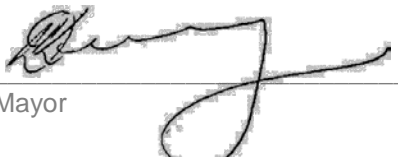
  
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 Mayor

  
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 General Manager


				<b>Services</b>
Site Plan (Lots 1-4)	3312-A04	C	Nov 2017	Giselle Denley Drafting Services
Ground Floor Plan, South East Elevation and South West Elevation (Lot 1)	3312-A05	B	Nov 2017	Giselle Denley Drafting Services
Ground Floor Plan & South East Elevation (Lots 2 and 3)	3312-A06	B	Nov 2017	Giselle Denley Drafting Services
Ground Floor Plan & South East Elevation (Lot 4)	3312-A07	B	Nov 2017	Giselle Denley Drafting Services
Master Plan	3312-A08	A	April 2013	Giselle Denley Drafting Services
Storage Shed Typical Floor Plan & Storage Shed Front Elevation	3312-A09	A	April 2013	Giselle Denley Drafting Services
Proposed subdivision Showing Existing Improvements	BK041.dwg Sheet 1 of 4	-	14/10/2013	Jabek Pty Ltd
Layout Industrial Development Lots 1-6 (Stage 2)	BK041.dwg Sheet 2 of 4	-	14/10/2013	Jabek Pty Ltd
Service Layout	BK041.dwg Sheet 3 of 4	-	14/10/2013	Jabek Pty Ltd
Detail Lot 7	BK041.dwg Sheet 4 of 4	-	14/10/2013	Jabek Pty Ltd

The following plans/drawings supersede the above listed plans/drawings in relation to the road layout, stormwater drainage concept, proposed lot boundaries, boundary setbacks, car parking layout and landscaping.

<b>Title / Name:</b>	<b>Drawing No / Document Ref</b>	<b>Revision / Issue:</b>	<b>Date:</b>	<b>Prepared by:</b>
Concept	MX-10284.01-	B	17/11/17	Triaxial



Mayor



General Manager

Stormwater Plan	C2.0			Consulting
Concept Stormwater Plan Basin Details	MX-10284.01-C2.1	B	17/11/17	Triaxial Consulting
Turning Circle Plan Sheet 1 of 2	MX-10284.01-C3.0	B	17/11/17	Triaxial Consulting
Turning Circle Plan Sheet 2 of 2	MX-10284.01-C3.1	B	17/11/17	Triaxial Consulting
Landscaping Plan	MX-10284.01-C4.0	C	23/03/18	Triaxial Consulting

(ADDED MA0020/2017)

- 2. Notwithstanding the approved plans the structure is to be located clear of any easements and/or any water and sewer mains in accordance with Council Policy.
- 2A. The following limits apply to the proportion of the building on proposed Lot 6 that may be used for industrial premises or warehouse purposes:
  - a) A maximum of 2,000m<sup>2</sup> of the building on proposed Lot 6 may be used as industrial premises, with the remainder able to be used for warehouse/storage purposes; or
  - b) Any amount of the building less than the cumulative total of 2,000m<sup>2</sup> may be used as industrial premises, with the remainder able to be used for warehouse/storage purposes; or
  - c) The total floor area of the building on proposed Lot 6 may be used for warehouse/storage purposes.

Note – this condition is applied to ensure that the use of the building matches the number of car parking spaces shown on the approved plans.

(ADDED MA0020/2017)

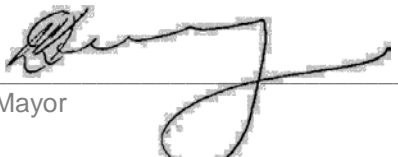
- 2C. Landscaping is to be provided in all areas identified as landscaping within the following plan:


Landscaping Plan	MX-10284.01-C4.0	C	23/03/18	Triaxial Consulting
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(ADDED MA0020/2017)

**AMENDMENTS TO APPROVED PLANS**

- 3. The maximum fill permitted to be placed on proposed Lot 1 is

  
 Mayor

  
 General Manager

limited to 500mm above the existing natural ground level as shown on Plan No.BK041.dwg, Sheet 3 of 4.

4. No roller-doors are to be constructed in the north-western wall of the proposed workshop on Lot 1 in the subdivision of Lot 210 DP775001.
5. A 1.8 metre high lapped and capped timber fence is to be provided along the western and southern boundaries (Golf Club land and adjoining industrial development to the south) of the development prior to the commencement of any works on the site.
- 5A. All lots in the approved subdivision shall have a minimum lot size of 2,000m<sup>2</sup>.

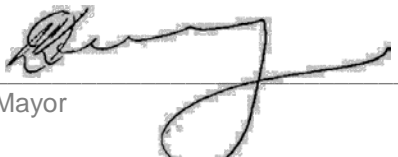
Note – proposed Lot 5 on the approved plans has a lot size of 1,870m<sup>2</sup>. Lot 5 may be readily increased to 2,000m<sup>2</sup> by adjusting the boundary between Lots 4 and 5. Amended plans demonstrating compliance shall be provided prior to the issue of a Subdivision Certificate involving Lot 5.


(ADDED MA0020/2017)

- 5B. Amended plans are to be submitted to and approved by Council, indicating that a minimum of 16 parking spaces are provided on proposed Lot 4. Such plans are to be approved by Council prior to the issue of a Construction Certificate for any development on proposed Lot 4.
- (ADDED MA0020/2017)

#### PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE - CIVIL

6. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design, sedimentation and erosion control plans, and a detailed construction plan. These plans are to be approved by the Council prior to the issue of a Construction Certificate.
7. A detailed engineering design (including sediment and erosion control) supported by plans, and an “Autocad compatible” Plan, (in dwg format including pen-map), material samples, test reports and specifications are to be prepared in accordance with AUS-SPEC #1 (as modified by Mid Western Regional Council) and the conditions of this development consent. The engineering design is to be submitted to and approved by Council or an Accredited Certifier prior to the issue of a Construction Certificate.
8. Engineering plans of the sewer mains extension are to be submitted to and approved by Council or an accredited certifier prior to the issue of a Construction Certificate

  
Mayor

  
General Manager



**Note 1: Council will quote on connecting any sewer or water main extension to the existing "live" main on receipt and approval of engineering plans.**

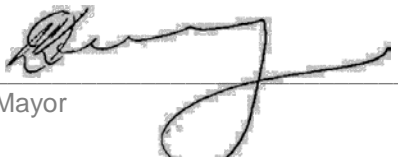
**Note 2: Council does not permit other bodies to insert new junctions into 'live' sewer mains.**


- 9. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5 year ARI. All storm water detention details including analysis shall be included with the drainage report.**
- 10. The Cul-de-sac proposed at the end of Depot road must be designed pursuant to "AUSTROADS Design Vehicles and Turning Path Templates Guide 2013" to accommodate at least a B-Double turning radius (15m) when travelling between 5-15km/hr. The turning path plan must be submitted to Council prior to the issue of the Construction Certificate.**
- 11. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.**

#### **PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE - BUILDING**

**The following conditions must be compiled with prior to Council or an accredited Certifier issuing a Construction certificate for the proposed building.**

- 12. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.**
- 13. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.**
- 14. The developer shall obtain a Certificate of Compliance under the Water Management Act. This will require:**
  - (a) Payment of a contribution for water and sewerage headworks at the following rate:**

  
Mayor

  
General Manager

<b>Water Headworks</b>	<b>\$55,426.00</b>
<b>Sewerage Headworks</b>	<b>\$26,959.00</b>
<b>Total Payable</b>	<b>\$82,385.00</b>

**Note: Section 64 Developer Contributions are subject to Consumer Price Index increase at 1 July each year. Please contact Council's Planning and Development Department regarding any adjustments.**

- (b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.**

**(AMENDED MA0020/2017)**

- 14A. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan (the Section 94A Plan), a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of public facilities, prior to the issue of a Construction Certificate.**

**The value of the works is to be calculated in accordance with Section 9.0 and the procedure outlined in Appendix 1 of the Section 94A Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the final levy amount following submission of the documents.**

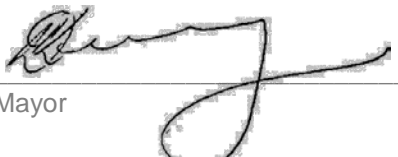
**Note – the levy amount will be adjusted by the Consumer Price Index, if not paid in the same financial year it was calculated. Based on the cost of the proposed development submitted with the DA (\$2,450,000), an indicative total levy of \$24,500 is payable.**


**A pro-rata portion of the Section 94A contribution may be paid prior to the issue of a Construction Certificate for only part of the total development.**

**(ADDED MA0020/2017)**

- 14B. Prior to the issue of any Construction Certificate that includes above ground works, a landscape plan shall be submitted to and approved by Council. This landscape plan shall be prepared by an appropriately qualified and experienced professional. The landscaping plan is to show and/or achieve the following:**

- a) A planting schedule (including a range of plant sizes).**
- b) A maintenance schedule.**
- c) Re-planting regime for any plants that are damaged, dead, or removed for any reason.**
- d) Provision of landscaping adjacent to and between car**

  
 Mayor

  
 General Manager

parking areas to assist in visually breaking up the expanse of the car park.

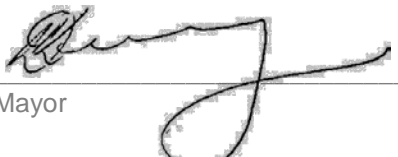
- e) Provide landscaping and fencing (if to be provided) within the front boundary landscaped setback that achieves the following:
- (i) Allows for passive surveillance between the road reserve and the internal car park and entrance to buildings. This may be achieved by using shrubs that have a maximum height of 0.8m at maturity and trees that have a minimum canopy height of 1.7m at maturity.
  - (ii) Includes a mixture of trees, shrubs and groundcovers to create mass of vegetation with an average height of 2m at maturity, within the approved landscaped areas.
- f) Utilise endemic species, where practicable, which are appropriate for the site.
- g) Details of an irrigation system connecting to the on-site rainwater tanks.
- (ADDED MA0020/2017)

- 14C. A landscaping bond of \$1,500 is to be paid to Council prior to the issue of a Construction Certificate for above ground building works. Such bond is to be refunded upon satisfactory completion of the landscaping in accordance with the approved landscaping plan.
- (ADDED MA0020/2017)

#### **PRIOR TO THE COMMENCEMENT OF WORKS – CIVIL**

15. Prior to development the applicant shall advise Council's ~~Development and Community Services Department~~ Operations Directorate, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.
- (AMENDED MA0020/2017)
16. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid-Western Regional Council prior to any work commencing.
17. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council as an interested party. All work is to be at no cost to Council.

#### **PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING**

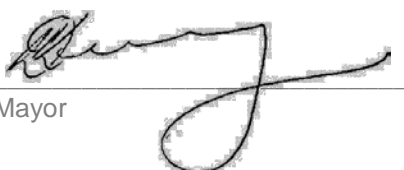
  
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Mayor

  
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18. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority and
  - the date on which work will commence.
- Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
19. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.
- NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE**
20. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
- stating that unauthorised entry to the work site is prohibited, and
  - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
  - the name, address and telephone number of the principal certifying authority for the work,
  - The sign shall be removed when the erection or demolition of the building has been completed.
21. Prior to the commencement of works on site, the applicant shall advise Council's ~~Development and Community Services Department~~ Operations Directorate, in writing, of any existing damage to Council property.  
(AMENDED MA0020/2017)

#### CIVIL CONSTRUCTION

- 21A. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.  
(NUMBERED MA0020/2017)
22. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.
23. The developer is to grant Council (or an Accredited Certifier on



Mayor



General Manager

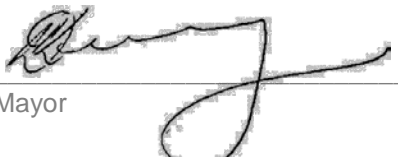
behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the subdivision works.


24. The subdivision works are to be inspected by the Council (or Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
- Installation of sediment and erosion control measures
  - Water and sewer line installation prior to backfilling
  - Establishment of line and level for kerb and gutter placement
  - Road and driveway pavement construction (including excavation, formwork and reinforcement)
  - Road pavement surfacing
  - Practical completion
25. The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.30am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.
26. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.
27. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.
28. The requirements for stormwater quality, as specified in the DCP, shall be addressed in the design prior to issue of the Construction Certificate. The design shall be such that there is no increased maintenance burden on Council.
29. ~~The Developer must upgrade Depot road for the full frontage of the subdivision to the following standard:~~

Item	Requirement
Road Reserve Width	12 m
Pavement Width	2 x 3.5m travel lanes
Seal	Asphalt (Hot mix)
Drainage	To centre median swale

~~(DELETED MA0020/2017)~~

- 29A. The developer must construct the full length of the proposed new extension of Depot Road located in Lot 210 DP775001, to the following standard:

  
Mayor

  
General Manager

Item	Requirement
Road Reserve Width	21.6 m
Pavement Width	13m (invert to invert)
Court Bowl/ Cul-de-sac Head	15m radius to invert
Seal	(i) All parts of the cul-de-sac head that is wider than 18m: Asphalt (Hot mix) (ii) The remainder of the Depot Road extension: Two coat bitumen seal
Drainage	Direct stormwater runoff to subdivision drainage design in accordance with Section 5.3 of the Development Control Plan

(ADDED MA0020/2017)

**30. Car parking for lots 1-6 must comply with the following standards:**

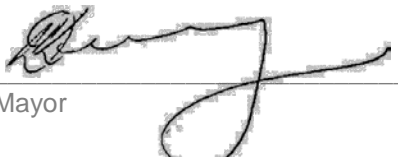
- All vehicles must be provided adequate means to exit the lot in a forward direction.
- Each parking space is to have minimum dimensions of 5.5m x 2.4m;
- Each disabled car parking space is to be in accordance with the provisions of Clause D3.5 of the Building Code of Australia and Australian Standard as 2890.6 – 2004;
- All car parking spaces are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;
- The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Traffic Authority Guide to Traffic Generating Developments 1992 and Australian Standard AS2890.1 – 2004. Details of compliance are to be shown on the relevant plans and specifications.


**31. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.**

**Note:** The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.

**32. Runoff and erosion controls shall be installed prior to clearing and incorporate:-**

- diversion of uncontaminated upsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
- sediment control fences at the downslope perimeter of the

  
Mayor

  
General Manager

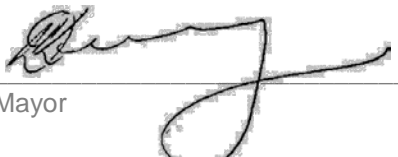
- cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water;
- maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.


#### **WATER AND SEWER**

33. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act,1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.
34. The applicant is to provide separate water and sewer reticulation services to each lot.
35. Three metre wide easements, including associated Section 88B Instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.

#### **BUILDING CONSTRUCTION**

36. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
37. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
38. Construction work noise that is audible at other premises is to be restricted to the following times:  
Monday to Saturday - 7.00am to 5.00pm  
No construction work noise is permitted on Sundays or Public Holidays.
39. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
40. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa.

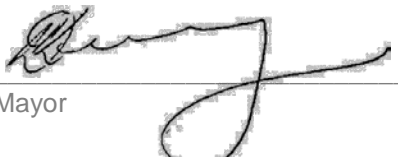
  
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General Manager

41. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

**PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE**

42. Under the Environmental Planning & Assessment Act, 1979, a Subdivision Certificate is required before the linen plan of subdivision can be registered with the Land Titles Office.  
Note: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges
43. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
44. If the Subdivision Certificate is not issued, for any reason whatsoever, by the end of the financial year immediately following the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
45. Underground electricity, street lighting and telecommunications are to be supplied to the subdivision.
46. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
  - A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.
  - all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or an agreement be made between the developer and Council;
  - as to the security to be given to Council that the works will be completed or the contribution paid, and
  - as to when the work will be completed or the contribution paid.
47. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an "Autocad compatible" work-as-executed Plan, (in dwg format including pen-map), is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

  
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General Manager



48. The developer must provide Council and land purchasers with a site classification for each lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause of AS2870 - 2011. Results are to be submitted to Council prior to issue of the Subdivision Certificate.

49. ~~In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan, a levy of 1% of the cost of carrying out the development shall be paid to Council in accordance with this condition for the purpose of:~~

~~The levy is: \$24,500 based on the estimated cost of development of \$ 2,450,000.00  
(DELETED MA0020/2017 – AMENDED CONDITION MOVED TO CONDITION 14A)~~

50. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

TOTAL PAYABLE            6            x   \$1650    =   \$9,900

Note: Council does not permit other bodies to connect to ‘live’ water mains.

OR

51. Where the water service has been provided by the developer. The developer is to provide a water meter for each lot in the subdivision. This can be achieved through providing a water service ending with a lockable ball valve to each lot and make a payment to Council of \$370.00 per lot to cover the cost of a 20mm meter and installation.

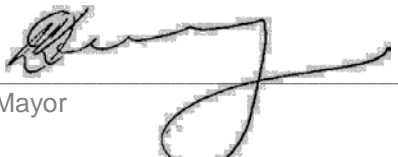
TOTAL PAYABLE            6            x   \$370      =   \$2,220


Note: Council does not permit other bodies to connect to ‘live’ water mains.

52. The developer is to provide a sewer junction for each dwelling in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.

TOTAL PAYABLE            6            x   \$1,450.00   =   \$8,700

Note: Council does not permit other bodies to insert new

  
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General Manager

junctions into “live” sewer mains.

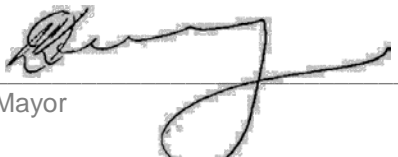
#### **PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

The following conditions are to be completed prior to occupation of the building and are provided to ensure that the development is consistent with the provisions of the Building Code of Australia and the relevant development consent.

53. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
54. All car parking and associated driveway works are to be completed prior to occupation of the development.
- 54A. All plants shown on the approved landscape plan/s are to be planted and all hard landscaping (eg rocks, retaining walls, solid garden bed edging) are to be installed prior to the issue of an Occupation Certificate.  
(ADDED MA0020/2017)

#### **CONDITIONS RELATED TO THE ONGOING USE OF THE SITE**

55. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.
56. All loading and unloading in connection with the premises shall be carried out wholly within the site.
57. Garbage areas are to be adequately screened from public view with an opaque fence and / or adequate landscaping.
58. All waste generated by the proposed development shall be disposed of to an approved location in accordance with the Waste Minimization & Management Act 1995.
59. All security fencing is to be pre-coloured or powder coated. Security fencing to the public road frontage is to be erected on or behind the front building line. Full details of proposed fencing is to be included on the landscaping plan.
60. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 “Control of the Obtrusive Effects of Outdoor Lighting”.
61. No display or sale of goods is to take place from public areas or footpaths fronting the premises.

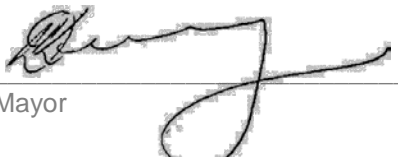
  
Mayor




62. All 'Colorbond' material for the proposed sheds is to be non-reflective.
63. Hours of operation of the industrial buildings are restricted to the following times;  
Monday to Saturday 7.00am to 6.00pm  
No work is permitted on Sundays or Public Holidays
64. The combined maximum permitted noise level for all activities within the subject industrial development is 5dB(A) above the background noise level of 39dB(A) as measured at the property boundary of Lot 210 DP 775001 and the Mudgee Golf Course and the residentially zoned land.
65. Measures, such as raised kerb edges, bollards and/or fencing, are to be installed and maintained around all approved landscape areas in order to prevent vehicles driving over them.  
(ADDED MA0020/2017)
66. Landscaping is to be maintained in accordance with the approved landscape plan.  
(ADDED MA0020/2017)

#### ADVISORY NOTES

- 1 The removal of trees within any road reserve requires separate approval of Council in accordance with the policy "Tree Removal and Pruning Public Places".
- 2 The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
- 3 Section 82A of the Environmental Planning and Assessment Act (EP&A Act) provides the ability to seek a review of the determination. This request is made to Council and must be made within 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee. Please contact Council's Planning and Development Department for more information or advice.
- 4 If you are dissatisfied with this decision, section 97 of the EP&A Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.
- 5 To ascertain the date upon which the consent becomes effective, refer to section 83 of the EP&A Act.

  
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Mayor

  
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General Manager

- 6 To ascertain the extent to which the consent is liable to lapse, refer to section 95 of the EP&A Act.
- 7 The development is to operate so as to not emit offensive noise, as defined in the Protection of the Environment Operations Act 1997.  
(ADDED MA0020/2017)

*The motion was put and carried with Councillors voting as follows:*

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr Holden	✓	

8.3 RV FRIENDLY TOWNS

GOV400066, PAR300009

136/18

**MOTION: Shelley / Cavalier**

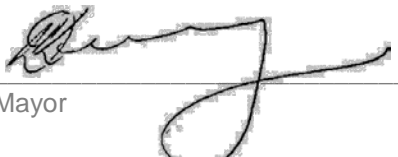
**That Council:**


1. receive the report by the Manager Economic Development on the RV Friendly Towns;
2. endorse the Letter of Understanding between Mid-Western Regional Council and the Caravan and Motorhome Club of Australia to establish Gulgong as an RV Friendly Town;
3. endorse a Letter of Understanding between Mid-Western Regional Council and Caravan and Motorhome Club of Australia to establish Rylstone as an RV Friendly Town should the new lessee agree to operational terms which meet RV Friendly Town criteria; and
4. authorise the Mayor and General Manager to execute the Letters of Understanding with the Caravan and Motorhome Club of Australia.

*The motion was carried with the Councillors voting unanimously.*

8.4 EVENTS ASSISTANCE APPLICATIONS

GOV400066, ECO800009; FIN3000181

  
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Mayor

  
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General Manager

MOTION: Karavas/ Cavalier

That Council:

1. receive the report by the Events Coordinator on the Events Assistance Applications;
2. provide Events Assistance funding of \$1,000 to the Gulgong Folk Club Inc.; and
3. decline the application to provide Events Assistance to Mudgee Junior Rugby League.

The motion was withdrawn by Cr Cavalier.

**137/18** MOTION: Kennedy / Martens

That Council:

1. receive the report by the Events Coordinator on the Events Assistance Applications;
2. provide Events Assistance funding of \$1,000 to the Gulgong Folk Club Inc.; and
3. approve the application to provide Events Assistance funding of \$1,276 to Mudgee Junior Rugby League

*The motion was carried with the Councillors voting unanimously.*

The following recommendations (item 8.5 to item 8.7) were adopted as a whole, being moved by Cr Shelley, seconded by Cr Holden and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 137/18 and concluding with Resolution No. 139/18.

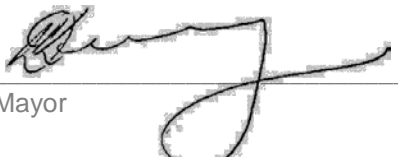
8.5 TEMPORARY SUSPENSION OF ALCOHOL FREE ZONE  
MARKET STREET MUDGEE FOR FLAVOURS OF MUDGEE  
2018


GOV400066, GOV400054, GAV400043, A0130008

**138/18** MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager, Health and Building on the Temporary Suspension of Alcohol Free Zone Market Street Mudgee for Flavours of Mudgee 2018; and
2. suspend the Alcohol Free Zone for the nominated locations

  
Mayor

  
General Manager

**within Market Street and Church Street between the hours of 4pm to 9pm on Saturday 22 September for the purposes of the Flavours of Mudgee Street Festival 2018.**

*The motion was carried with the Councillors voting unanimously.*

8.6 STREET BANNER USAGE POLICY

GOV400066, ROA100011

139/18

**MOTION: Shelley / Holden**

**That Council:**

- 1. receive the report by the Events Coordinator on the Street Banner Usage Policy; and**
- 2. adopt the updated Street Banner Usage policy.**

*The motion was carried with the Councillors voting unanimously.*

8.7 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED

GOV400066, A100055, A100056

140/18

**MOTION: Shelley / Holden**

**That Council receive the report by the Director Development on the Monthly Development Applications Processing and Determined.**

*The motion was carried with the Councillors voting unanimously.*

**Item 9: Finance**

9.1 DELIVERY PROGRAM 2017/18 - 2020/21 AND OPERATIONAL PLAN 2018/19

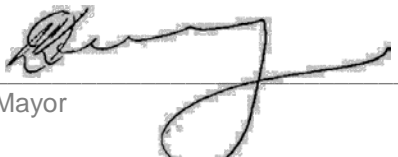
GOV400066, FIN300179


141/18

**MOTION: Karavas / Shelley**

**That Council:**

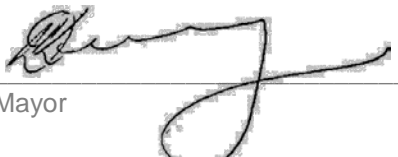
- 1. receive the report by the Acting Chief Financial Officer on the Delivery Program 2017/18 - 2020/21 and Operational Plan 2018/19;**
- 2. receive and give thanks to all public submissions to the Draft**

  
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Mayor

  
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General Manager

**Delivery Program 2017/18 - 2020/21 and Draft Operational Plan 2018/19 as listed below, with the General Manager required to respond to each submission as follows:**

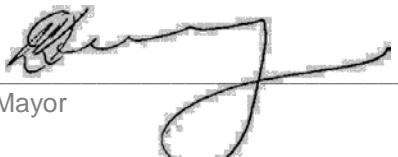
- 2.1. Gulgong Holtermann Museum Inc - Council has supported the request to assist with improvements for the Red Hill precinct including the construction of toilets, with \$55,000 recommended for 2018/19 as part of the March Quarterly Budget Review rolled budgets. This is contingent on grant funding yet to be secured of \$45,000;**
- 2.2. Mudgee Fine Foods – Council has supported the request to commit financial support for the organisations continued operations, with an additional \$2,000 in 2018/19, \$5,000 in 2019/20 and \$5,000 in 2020/21 funded from the Community Grants Program;**
- 2.3. Jackie Perring - Council has supported the request for the investigation and implementation of a barrier across the entrance to Wells Park and will fund this work out of existing budgets in 2018/19;**
- 2.4. Brian Gudgeon - Council has supported the request for the installation of lights at Victoria Park Gulgong, with \$500,000 in 2019/20. This is contingent on grant funding yet to be secured of \$250,000;**
- 2.5. Tim Papworth - Council has supported the request for the installation of lights at Victoria Park Gulgong, with \$500,000 in 2019/20. This is contingent on grant funding yet to be secured of \$250,000;**
- 2.6. Jeff Rayner - Council has supported the request for the installation of lights at Victoria Park Gulgong, with \$500,000 in 2019/20. This is contingent on grant funding yet to be secured of \$250,000;**
- 2.7. Steve Clark - Council has supported the request for the installation of lights at Victoria Park Gulgong, with \$500,000 in 2019/20. This is contingent on grant funding yet to be secured of \$250,000;**
- 2.8. Hayley Morrow - Council has supported the request for the installation of lights at Victoria Park Gulgong, with \$500,000 in 2019/20. This is contingent on grant funding yet to be secured of \$250,000;**
- 2.9. Gulgong Chamber of Commerce - Council decline the request for a dedicated parking area for buses and coaches at Red Hill;**
- 2.10. Brian Hobson, for, and on behalf of the Friends of the Historic Camping Tree - Council decline the request for improvements to the “Historic Camping Tree Reserve”, situated along Wilbertree Road;**
- 2.11. Coralene Forshaw - Council decline the request for**



Mayor



- improvements to dedicated off leash dog areas;
- 2.12. Owen Rogerson - Council decline the request for the sealing of Tucklan Road;
  - 2.13. David O'Rourke - Council decline the request for the sealing of Short Street, Gulgong;
  - 2.14. Nathan Coates - Council decline the request for the sealing of Gundowda and Black Willow roads;
  - 2.15. Mean Warn - Council decline the request for the sealing of a section of Bruce Road between Melton and Robertson Road;
  - 2.16. Local Traffic Committee - Council decline the request for an investigation and construction of dedicated compliant disabled parking spaces in Kandos and Rylstone;
  - 2.17. Leigh & Ilona McMaster - Council decline the request for sealing the rest of Black Springs Road;
  - 2.18. Jackie Perring - Council decline the request for the installation of additional signage at roundabouts;
  - 2.19. Jackie Perring - Council decline the request for zig zag line marking before all pedestrian crossings in Mudgee;
  - 2.20. Daryl Croake - Council decline their request for the sealing of Pyramul Road;
  - 2.21. Gulgong Holtermann Museum Inc - Council decline the request for the provision of street lighting for "The Greatest Wonder of the World" and "The American Tobacco Warehouse" buildings;
  - 2.22. Janet De Rooy - Council decline the request for a footpath along Mulgoa Way, Mudgee;
  - 2.23. Martin Charlton, for, and on behalf of Kandos, Rylstone Fishing Club- Council decline the request for replenishment of fish stocks in Lake Windamere;
  - 2.24. Jennifer Duff - Council decline the request for the sealing of Iron Barks Road;
  - 2.25. Roy Walsh - Council decline the request for the sealing of Iron Barks Road;
  - 2.26. Ian McMaster - Council decline the request for a footpath from Wentworth Avenue and Church Street, Mudgee;
  - 2.27. Edwina McEgan - Council decline the request for funding to be directed towards Kandos hosting the Triple J One Night Stand concert;
  - 2.28. Barry Astill - Council decline the request for a walking track in Rylstone;
  - 2.29. Dianne Mudey - Council decline the request for the main sewerage line to Charbon and Clandulla, repairs to Angus Avenue from McDonald Street to Noyes Street, extended



Mayor





footpath on the corner of Angus Ave Kandos and McDonald Street to the car parking area at Kandos IGA, kerb and guttering for Noyes Street and many other streets in Kandos;

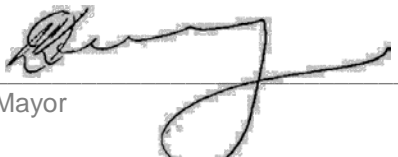
- 2.30. Helen Lawson - Council decline the request for the sealing of Triamble Road and Gundowda Road;
  - 2.31. Drago Sestic - Council decline the request for the sealing of Triamble Road and Gundowda Road;
  - 2.32. Bob and Di Page - Council has supported the request for a Pedestrian Bridge in Rylstone, with \$450,000 proposed for 2019/20. This is contingent on grant funding yet to be secured of \$250,000;
  - 2.33. Denise Jamieson - Council decline the request for a Pedestrian Bridge at Hall Street, Rylstone;
3. give thanks to all public submissions and make the following amendments to the Draft Delivery Program 2017/18 - 2020/21 and Draft Operational Plan 2018/19 budget as exhibited, and listed in the report below, with the General Manager required to respond to each public submission as follows:


### 3.1. Public Submissions

- 3.1.1. Gulgong Chamber of Commerce - Council has supported the request to rehabilitate Industrial Avenue, Gulgong, \$100,000 will be funded from the existing urban road rehabilitation budget in 2019/20;
- 3.1.2. Mudgee Bushwalking & Bike Riding Club Inc - Council has supported the request for a walking track/cycleway between Rylstone and Kandos, \$40,000 will be budgeted in 2019/20. This is contingent on grant funding yet to be secured of \$20,000. The Council contribution is to be funded from unrestricted cash;
- 3.1.3. Jo loane - Council has supported the request for a Pedestrian crossing on Douro Street, south of the railway crossing, \$34,000 will be budgeted in 2019/20. This is contingent on grant funding yet to be secured of \$17,000. The Council contribution is to be funded from S94 Developer Contributions;

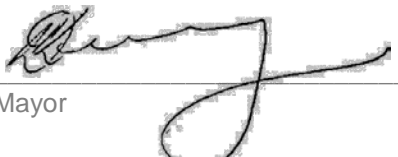
### 3.2. Management Submissions

- 3.2.1. Amendment in 2018/19 to change the location of Henry Lawson Drive rehabilitation, from St Fillans Road (Segment 140) to Rosemount entry (Segment 220);
- 3.2.2. \$25,000 in 2018/19 for the decommission of fuel tanks in Rylstone, funded from unrestricted cash;
- 3.2.3. \$130,000 in 2018/19 for erosion works at Cooyal Creek,


  
Mayor

  
General Manager

- funded from unspent grants;
- 3.2.4. \$20,000 in 2018/19 for major events at Glen Willow, funded from unrestricted cash;
  - 3.2.5. \$20,676 in 2018/19 for the implementation of an Audit, Risk and Improvement Committee;
  - 3.2.6. \$25,000 in 2018/19 for the assessment of the Mudgee airport runway for potential reseal, funded from unrestricted cash;
  - 3.2.7. \$160,000 in 2018/19 for a new scoreboard at Glen Willow, funded \$80,000 from the Capital Program Reserve and \$80,000 from grant income;
  - 3.2.8. \$10,000 in 2018/19 to increase the budget for the construction of a skate park in Gulgong, funded from VPA;
  - 3.2.9. \$200,000 in 2019/20 for widening part of Mt Vincent Road, funded from unrestricted cash;
  - 3.2.10. \$72,400 in 2018/19 for the construction of a Rylstone Library branch, funded from grant income;
  - 3.2.11. \$320,000 in 2018/19 to increase the budget for the construction of an Adventure Playground in Gulgong, funded from S94 Developer Contributions;
  - 3.2.12. increase to rating revenue from supplementary valuations of \$70,946 in 2018/19, \$72,614 in 2019/20, \$74,321 in 2020/21 and \$76,068 in 2021/22;
- 3.3. March 2018 Quarterly Budget Review Statement rolled budgets – amendments to the 2018/19 Operational Plan (funding splits provided in the body of the report)
- 3.3.1. \$4,764,000 Mortimer Street Development
  - 3.3.2. \$700,000 Plant Replacement program
  - 3.3.3. \$450,000 Goodiman Creek Bridge Replacement
  - 3.3.4. \$214,000 Mudgee Skate Park construction
  - 3.3.5. \$200,000 Solar installation projects
  - 3.3.6. \$115,000 Demolition of Mudgee Showground Grandstand
  - 3.3.7. \$110,000 Glen Willow netball courts
  - 3.3.8. \$150,000 Rylstone Kandos preschool extension
  - 3.3.9. \$140,000 Flood Study – Mudgee floodplain management study
  - 3.3.10. \$65,000 Mudgee Depot Wash Bay capital works
  - 3.3.11. \$32,000 Stormwater Asset Survey
  - 3.3.12. \$46,000 Community Transport Vehicle replacement

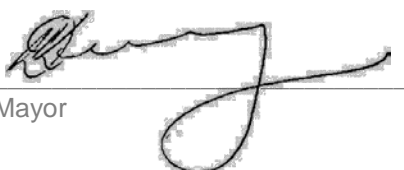


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Mayor




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General Manager

- 3.3.13. \$22,500 Rylstone Library Branch capital works
- 3.3.14. \$10,700 Glen Willow sporting ground lights
- 3.3.15. \$55,000 Redhill public toilets
- 3.3.16. \$1,600,000 Wollar road seal extension
- 3.3.17. \$550,000 Henry Lawson Drive Bridge widening
- 3.3.18. \$390,000 Saleyards Lane Subdivision
- 3.3.19. \$1,332,000 Mudgee Water Headworks project
- 3.3.20. \$1,500,000 Ulan Road Water Main Extension project
- 3.3.21. \$415,000 Water Meter Replacement program
- 3.3.22. \$207,000 Water Pump stations renewal
- 3.3.23. \$130,000 Rylstone Dam project
- 3.3.24. \$110,000 Chlorine Disinfection at Gulgong
- 3.3.25. \$500,000 Construction of new tip infrastructure
- 3.3.26. \$250,000 Construction of new leachate pond
4. make the following changes to the 2018/19 Fees and Charges as exhibited:
- 4.1. Community Services – Family Day Care parents administration fee, calculation based on ‘Subsidised/Partial Cost Recovery’ \$1.10 per hour
- 4.2. Community Services – Meals on Wheels - NDIS Participants - “NDIS plans only cover costs of meal preparation and delivery (two thirds of the total price per meal). Ingredients (one third of the total price per meal) will be invoiced to the client directly.”
- 4.3. Planning & Development – Developer Contributions – s94 Contributions Plant 2005-2021
- |  |                  |
|--|------------------|
| Catchment 1 Mudgee Town Centre -         | \$7,220 Per lot  |
| Catchment 2 Mudgee Residential Area -    | \$7,220 Per lot  |
| Catchment 2A Mudgee Residential Sth/West | \$12,727 Per lot |
| Catchment 3 Gulgong -                    | \$6,644 Per lot  |
| Catchment 4 all Other Areas -            | \$4,631 Per lot  |
- 4.4. From 1 July 2018 cat and dog lifetime registration fees will increase in line with the Consumer Price Index as required by the Companion Animals Regulation 2008 and outlined in Circular to Councils 13-54. The new fees are:
- Desexed animal: \$57 (from \$55)
- Non-desexed animal: \$207 (from \$201)
- Breeder (Recognised) concession: \$57 (from \$55)
- Pensioner concession (desexed animal only): \$24 (from \$23)
- Pound/Shelter animal 50% discount (desexed): \$28.50 (from



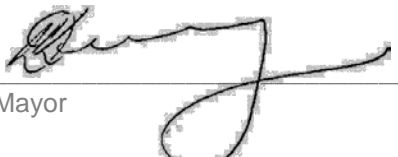
Mayor



General Manager

\$27.50)

5. place on public exhibition for 28 days, the following new Fees and Charges. If no submissions are received following public exhibition Council adopt the Fees and Charges below and include them in the Fees and Charges Schedule:
  - 5.1. **Animal & Stock Control – Companion Animals – Impound & Release Fees – Sale of impounded companion animal**  
The pricing policy for this fee is reference and the price will be on application. Noting that “Impounded animals not claimed by owners will be sold by public sale, proceeds less any outstanding charges will be returned to the animal owner if they can be identified”.
  - 5.2. **Animal & Stock Control – Stock Impounding – Sale of impounded stock**  
The pricing policy for this fee is reference and the price will be on application. Noting that “Impounded stock not claimed by owners will be sold at auction and sale proceeds, less any outstanding charges will be returned to the stock owner if they can be identified”.
  - 5.3. **Parks – Active & Passive - Glen Willow not-for-profit sporting groups, a calculation based on ‘Subsidised/Partial Cost Recovery’**  
Field 1 to 6 (inclusive), facility hire Monday to Friday \$1,389.00  
Field 2 to 6 (inclusive), facility hire Monday to Friday \$496.00  
Field 3 to 6 (inclusive), facility hire Monday to Friday \$234.00
6. hereby makes the following rates and charges for the 2018/19 financial year:
  - 6.1. **A Residential Rural Rate of 0.654123 cents in the dollar on the land value as at 1 July 2018 of all land so categorised as Residential, with a minimum rate of \$659.47;**
  - 6.2. **A Residential Urban Rate of 0.654123 cents in the dollar on the land value as at 1 July 2018 of all land so categorised as Residential and further subcategorised as Residential Urban, with a minimum rate of \$659.47;**
  - 6.3. **A Farmland Rate of 0.614634 cents in the dollar on the land value as at 1 July 2018 of all land so categorised as Farmland, with a minimum rate of \$659.47;**
  - 6.4. **A Business Rate of 0.982504 cents in the dollar on the land value as at 1 July 2018 of all land so categorised as Business, with a minimum rate of \$659.47;**
  - 6.5. **A Business Rylstone Aeropark Rate of 0.982504 cents in the dollar on the land value as at 1 July 2018 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of**



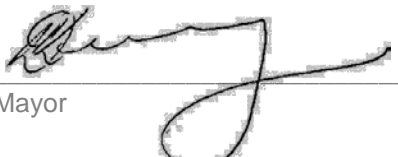
Mayor



**\$216.49;**

- 6.6. A Mining Rate of 8.445008 cents in the dollar on the land value as at 1 July 2018 of all land so categorised as Mining, with a minimum rate of \$659.47;
- 6.7. A Mining Coal Rate of 8.445008 cents in the dollar on the land value as at 1 July 2018 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$659.47;
- 6.8. A Hunter Valley Catchment Special Rate of 0.0111 cents in the dollar on the land value as at 1 July 2018 of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the Local Government Act 1993. Council contributes to the provision of watercourse management in the area controlled by Hunter Local Land Services. A Hunter Valley Catchment Special Rate, which is determined by the authority, is to be applied for the purposes of the Local Land Services Regulation 2014.
- 6.9. The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 7.5% per annum, on a daily simple interest basis;
- 6.10. A Domestic Waste Management Charge of \$275 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;
- 6.11. A General Waste Disposal Charge of \$225.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- 6.12. A Business Waste Management Charge of \$212 for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;
- 6.13. Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Detail	Amount
	20mm meter	\$154
	25mm meter	\$241
Service availability	32mm meter	\$394
	40mm meter	\$616
	50mm meter	\$963
	80mm meter	\$2,464



Mayor



	100mm meter	\$3,850
	150mm meter	\$8,663
Usage – per kL	Residential	\$3.03
	Business	\$3.03
	Raw Water	\$0.66
	Standpipe	\$5.55

In relation to any multi-unit residential development, including any strata development, each unit will be levied a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge.

**6.14.Sewer charges for rateable and non-rateable properties within the sewer service area of:**

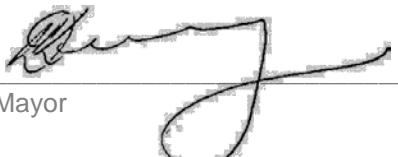
Charge Type	Detail	Amount
Service availability	Residential	\$839
	Non Residential	\$468
Usage – Non Residential	Based on kLs of water used that would reasonably be deemed to enter MWRC sewer schemes	\$2.68
Liquid Trade Waste – Annual Charge	Category 1 Discharger	\$95
	Category 2 Discharger	\$190
	Large Discharger	\$630
	Industrial Discharger	\$190- \$630
Liquid Trade Waste – Usage Charge	Re-inspection Fee	\$90
	Per kilolitre	\$1.76

142/18


**SUPPLEMENTARY MOTION: Thompson / Martens**

That Council consider the following items in the next Quarterly Budget Review:

- Installation of lights at Victoria Park Gulgong be brought forward to 2018/19;
- Approve the request for a dedicated parking area for buses and coaches at Red Hill;
- Approve the request for the provision of street lighting for “The Greatest Wonder of the World” and “The American Tobacco Warehouse” buildings;
- investigate suitable sites for dedicated compliant disabled parking spaces in Rylstone and Kandos included;
- support the request to replenish fish stocks in Lake Windermere be considered;



Mayor



General Manager

- include sewerage in Charbon and Clandulla to be brought forward;
- Angus Avenue, Kandos – repairs in the vicinity of the IGA building
- Resume the bitumen sealing program in our Shire

*The Supplementary Motion was put and carried with Councillors voting unanimously.*

**143/18 SUPPLEMENTARY MOTION: Holden / Cavalier**

That the staff engage with the members of Ironbarks Road and bring back report on the best way to deal with their concerns regarding this road.

*The Supplementary Motion was put and carried with Councillors voting unanimously.*

## 9.2 COMMUNITY GRANTS PROGRAM - JUNE 2018

GOV400066, FIN300138

**144/18 MOTION: Holden / Cavalier**

**That Council:**

1. receive the report by the Acting Manager Financial Planning on the Community Grants Program - June 2018; and
2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Program Policy, subject to those requirements being met;

<b>Mudgee Lions Club Inc.</b>	<b>\$225</b>
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*The motion was carried with the Councillors voting unanimously.*

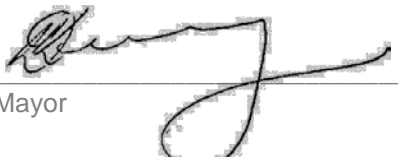
## 9.3 MONTHLY STATEMENT OF INVESTMENT AND BANK BALANCES AS AT 31 MAY 2018


GOV400066, FIN300053

**145/18 MOTION: Martens / Paine**

**That Council:**

1. receive the report by the Acting Chief Financial Officer on the Monthly Statement of Investment and Bank Balances as

  
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 Mayor

  
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 General Manager

at 31 May 2018; and

2. note the certification of the Responsible Accounting Officer.

*The motion was carried with the Councillors voting unanimously.*

9.4 MONTHLY BUDGET REVIEW APRIL 2018

GOV400066, FIN300065

**146/18 MOTION: Cavalier / Martens**

**That Council receive the report by the Acting Manager Financial Planning on the Monthly Budget Review April 2018.**

*The motion was carried with the Councillors voting unanimously.*

9.5 WRITE-OFF OF DEBTS - PERIOD 8/6/2017 TO 4/6/2018

GOV400066, A0140197, A0340005

**147/18 MOTION: Cavalier / Holden**

**That Council:**

1. receive the report by the Assistant Manager Revenue and Property on the Write-off of Debts - Period 8/6/2017 to 4/6/2018;
2. note the write-offs totalling \$9,370.64 made under delegated authority as stipulated in Attachment 1 to this Report for the period 8/6/2017 to 4/6/2018; and
3. authorise the write-off of those debts greater than \$2,500 and totalling \$69,338.69 as stipulated in Attachment 1 to this Report for the period 8/6/2017 to 4/6/2018.

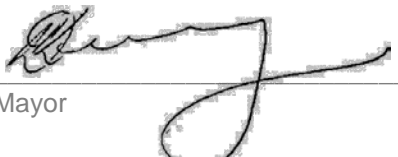
*The motion was carried with the Councillors voting unanimously.*


9.6 SUMMARY OF THE OUTCOMES FROM THE SALE OF LAND TO RECOVER RATES AND CHARGES CONDUCTED ON 6 APRIL 2018

GOV400066, A0340011

**148/18 MOTION: Cavalier / Karavas**

**That Council:**

  
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Mayor

  
\_\_\_\_\_  
General Manager



1. receive the report by the Revenue and Property Manager on the Summary of the Outcomes from the Sale of Land to Recover Rates and Charges Conducted on 6 April 2018; and
2. note the outcomes of the Sale of Land to Recover Overdue Rates and Charges process for each of the following properties:
  - 2.1 Property 21150 – Sold at auction, outstanding balance written off
  - 2.2 Property 21642 – Sold at auction, outstanding balance written off
  - 2.3 Property 20822 - Sold at auction, outstanding balance written off
  - 2.4 Property 21377 – Withdrawn, partial payment and arrangement entered into for payment in full by 31/12/2018

*The motion was carried with the Councillors voting unanimously.*

9.7 PROPOSED ROAD CLOSURE OF AN UNFORMED PART OF  
A COUNCIL ROAD RESERVE - PART OF MELROSE ROAD  
GOV400066, ROA100007, R0028003

149/18

**MOTION: Holden / Cavalier**

**That Council:**

1. receive the report by the Property Officer on the Proposed Road Closure of an Unformed Part of a Council Road Reserve - Part of Melrose Road; and
2. consent to Deon Giles Moore making a road closure application to NSW Department of Industry - Lands in connection with the unformed part of the Melrose Road reserve within Lot 2 DP 1029859 at Mount Frome.

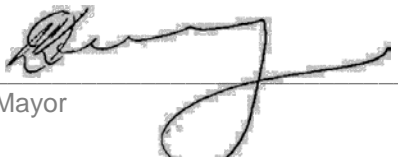
*The motion was carried with the Councillors voting unanimously.*


9.8 PROPOSED ROAD CLOSURE OF AN UNFORMED PART OF  
A COUNCIL ROAD RESERVE - ROAD SOUTH OF ANZAC  
AVENUE KANDOS

GOV400066, R0790007

150/18

**MOTION: Martens / Cavalier**

  
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Mayor

  
\_\_\_\_\_  
General Manager

**That Council:**

1. receive the report by the Property Officer on the Proposed Road Closure of an Unformed Part of a Council Road Reserve - Road South of Anzac Avenue Kandos; and
2. do not consent to Mr Gary Francis Burnside making a road closure application to NSW Department of Industry - Lands in connection with the unformed and unmaintained Council road south of Anzac Avenue in Kandos.

*The motion was carried with the Councillors voting unanimously.*

9.9 RENAMING OF AN UNDEVELOPED DISCONTINUOUS SECTION OF BURGUNDY ROAD, MUDGEE

GOV400066, R0790141

151/18

**MOTION:** Karavas / Paine

**That Council:**

1. receive the report by the Property Support Officer on the Renaming of an undeveloped discontinuous section of Burgundy Road, Mudgee; and
2. formally approve the name of Quinn Place for this street.

*The motion was carried with the Councillors voting unanimously.*

9.10 NAMING OF AN UNNAMED LANE OFF WENONAH STREET, GULGONG

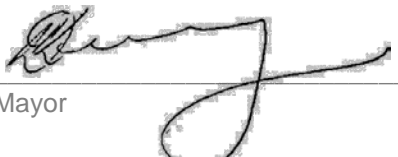
GOV400066, R0790141


152/18

**MOTION:** Thompson / Cavalier

**That Council:**

1. receive the report by the Property Support Officer on the Naming of an unnamed lane off Wenonah Street, Gulgong;
2. endorse the naming of this lane as Reddish Lane and place this on public exhibition for a period of 21 days; and
3. approve Hubert, Pecan, Plum and Mariposa for inclusion in the Pre-Approved Names List for future use in the Council area.

  
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Mayor

  
\_\_\_\_\_  
General Manager

*The motion was carried with the Councillors voting unanimously.*

9.11 NAMING OF UNNAMED ROAD OFF CAMPBELLS CREEK  
ROAD, WINDEYER

GOV400066, R0790041

**153/18 MOTION: Cavalier / Martens**

**That Council:**

1. receive the report by the Property Support Officer on the Naming of unnamed road off Campbells Creek Road, Windeyer; and
2. endorse the naming of this road as Sorata Lane and place this on public exhibition for a period of 21 days.

*The motion was carried with the Councillors voting unanimously.*

9.12 NAMING OF AN UNNAMED ROAD OFF RIDOUT LANE  
GULGONG

GOV400066, R0790041

**154/18 MOTION: Martens / Paine**

**That Council:**

1. receive the report by the Property Support Officer on the Naming of unnamed road off Ridout Lane Gulgong; and
2. formally approve the name of Koongarra Lane for this unnamed road.

*The motion was carried with the Councillors voting unanimously.*

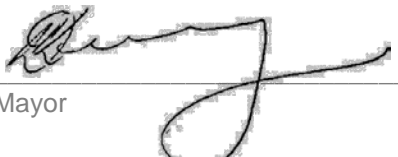
9.13 NAMING OF AN UNNAMED ROAD OFF WHITE HOUSE  
ROAD, GULGONG


GOV400066, R0790041

**155/18 MOTION: Thompson / Cavalier**

**That Council:**

1. receive the report by the Property Support Officer on the Naming of unnamed Road off White House Road, Gulgong;

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager

**and**

- 2. formally approve the name of Egans Lane for this unnamed road.**

*The motion was carried with the Councillors voting unanimously.*

9.14 NAMING OF AN UNNAMED ROAD OFF GOOLMA ROAD TO BERGALIN ROAD, GULGONG

GOV400066, R0790041

**156/18 MOTION: Thompson / Cavalier**

**That Council:**

- 1. receive the report by the Property Support Officer on the Naming of an unnamed road off Goolma Road to Bergalin Road, Gulgong; and**
- 2. formally approve the name of Williams Road for this unnamed road.**

*The motion was carried with the Councillors voting unanimously.*

9.15 NAMING OF AN UNNAMED ROAD OFF SPRING RIDGE ROAD, BERYL

GOV400066, R0790041

**157/18 MOTION: Paine / Karavas**

**That Council:**

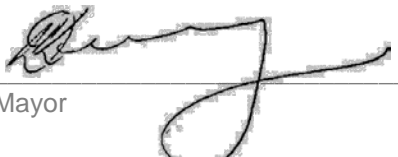
- 1. receive the report by the Property Support Officer on the Naming of an unnamed road off Spring Ridge Road, Beryl; and**
- 2. formally approve the name of Cuthel Lane for this unnamed road.**


*The motion was carried with the Councillors voting unanimously.*

**Item 10: Operations**

10.1 SEALING OF 250M BUNBURY ROAD

GOV400066, ROA100368

  
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Mayor

  
\_\_\_\_\_  
General Manager

**158/18 MOTION: Holden / Karavas**

**That Council:**

1. receive the report by the Senior Works Engineer on the Sealing of 250m of Bunbury Road;
2. approve the sealing of 250m of Bunbury Road with a contribution from the applicants for the cost of the seal and a condition that payment is received prior to any works commencing; and
3. amend the 2018/19 Operational Plan to include the sealing of Bunbury Road for \$18,000, funded from \$8,000 contribution from the applicant, and an additional \$10,000 from existing resheeting budgets.

*The motion was carried with the Councillors voting unanimously.*

**Item 11: Community**

11.1 LGNSW ANNUAL CONFERENCE 2018

GOV400066, COR400021

**159/18 MOTION: Holden / Cavalier**

**That Council:**

1. receive the report by the Director Community on the LGNSW Annual Conference 2018;
2. approve the Mayor and General Manager to attend the Local Government NSW Annual Conference in Albury from Sunday 21 October to Tuesday 23 October 2018; and
3. provide details of any motions that Council would like to introduce to the Conference by the end of the August Council meeting so that they can be submitted by the deadline.

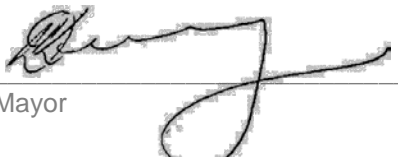
*The motion was carried with the Councillors voting unanimously.*


11.2 ACCESS TO INFORMATION POLICY REVIEW AND AGENCY INFORMATION GUIDE UPDATE

GOV400066, A0220040

**160/18 MOTION: Cavalier / Karavas**

**That Council:**

  
Mayor

  
General Manager

1. receive the report by the Manager Governance on the Access to Information Policy Review and Agency Information Guide Update; and
2. place the Access to Information Policy and Agency Information Guide on public exhibition for 28 days and endorse the Access to Information Policy and Agency Information Guide if no submissions are received.

*The motion was carried with the Councillors voting unanimously.*

### 11.3 COMPLAINTS POLICY

GOV400066, GOV400047

**161/18 MOTION: Paine / Holden**

**That Council:**

1. receive the report by the Manager Customer Service and Records on the Complaints Policy; and
2. adopt the revised Complaints Policy.

*The motion was carried with the Councillors voting unanimously.*

## **Item 12: Reports from Committees**

The following recommendations (item12.1 to item 12.3) were adopted as a whole, being moved by Cr Paine, seconded by Cr Cavalier and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 158/18 and concluding with Resolution No. 160/18.

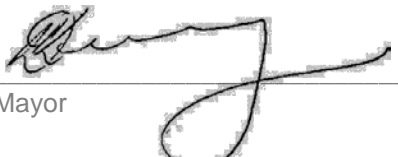
### 12.1 RED HILL COMMITTEE MEETING 9 MAY 2018


GOV400066, P0860011

**162/18 MOTION: Paine / Cavalier**

**That Council:**

1. receive the report by the Director Community on the Red Hill Committee Meeting 9 May 2018;
2. note the minutes of the Red Hill Committee meeting held on the 9 May 2018; and
3. investigate the heritage listing of Red Hill.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager

*The motion was carried with the Councillors voting unanimously.*

12.2 MINUTES - COMMUNITY SAFETY COMMITTEE 7 MAY 2018  
GOV400066, A0100054

**163/18 MOTION: Paine / Cavalier**

**That Council:**

- 1. receive the report by the Director Community on the Minutes - Community Safety Committee 7 May 2018;**
- 2. note the minutes from the Community Safety Committee meeting held 7 May 2018; and**
- 3. endorse the Terms of Reference for the Community Safety Committee.**

*The motion was carried with the Councillors voting unanimously.*

12.3 MUDGEE SHOWGROUND MANAGEMENT COMMITTEE  
GOV400066, F0650007

**164/18 MOTION: Paine / Cavalier**

**That Council:**

- 1. receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management Committee; and**
- 2. note the contents of the minutes of the Mudgee Showground Management Committee Meeting held on 1 May 2018.**

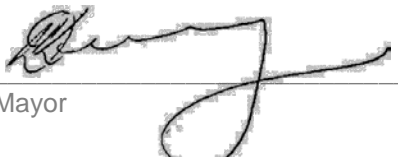
*The motion was carried with the Councillors voting unanimously.*


12.4 LOCAL TRAFFIC COMMITTEE MEETING - SPECIAL REQUEST  
GOV400066, A0100009

**165/18 MOTION: Holden / Karavas**

**That Council approve the amendment to the Traffic Management Plan for the Mudgee Small Farm Field Days, including an amendment to the wording of diagram no.422, point B, which should read:**

**From 6am to 8am on Friday and Saturday of the field days - no exhibitor entry.**

  
Mayor

  
General Manager

*The motion was carried with the Councillors voting unanimously.*

**Item 13: Urgent Business Without Notice**

Nil

**Item 14: Confidential Session**

166/18 MOTION: Cavalier / Martens

**That pursuant to the provisions of Section 10 of the Local Government Act, 1993, the meeting be closed to the public.**

*The motion was carried with the Councillors voting unanimously.*

Following the motion to close the meeting being moved and seconded, the General Manager announced that the following matters would be considered in confidential session and the reason why it was being dealt with in this way.

**14.1 Introduction of Smart Water Metering Systems**

***The reason for dealing with this report confidentially is that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business in accordance with Section 10A(2)(c) of the Local Government Act, 1993.***

***Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of Has financial information regarding a Tender.***

**14.2 Commercial Property Opportunity**

***The reason for dealing with this report confidentially is that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business in accordance with Section 10A(2)(c) of the Local Government Act, 1993.***

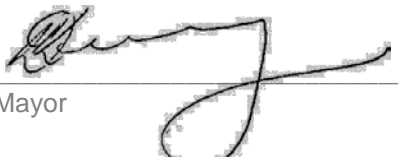
***Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of a commercial property opportunity for Council to consider.***


**14.3 Information for Council regarding proposed Class Action relating to Council insurance**

***The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(d)(i) and (g) of the Local Government Act, 1993.***

***Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of advice concerning confidentiality deeds.***

Following an enquiry from the Mayor, the General Manager advised that there were no written representations in respect of this matter and that no person in the gallery wished to make verbal

  
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Mayor

  
\_\_\_\_\_  
General Manager



representations.

14.1 INTRODUCTION OF SMART WATER METERING SYSTEMS  
GOV400066, COR400176

167/18

**MOTION:** Holden / Karavas

**That Council:**

1. receive the report by the Engineering Officer - Water on the RFT 2018/02 - Supply and Installation of Smart Water Metering System;
2. not accept any of the tenders due to a budget shortfall of \$630,000;
3. enter into negotiations with Taggle Systems Pty Ltd with a view to amend the extent or timeframe of the contract to fit within available funds;
4. note fresh tenders will not be invited as all known smart water metering companies have submitted tenders and fresh tenders would be unlikely to identify new complying tenderers or lower prices;
5. note the reason for determining to negotiate with Taggle Systems Pty Ltd is that this tenderer has received the highest complying tender ranking in the tender assessment process; and
6. bring a report back to Council upon completion of negotiations for Council to consider entering into a contract.

*The motion was carried with the Councillors voting unanimously.*

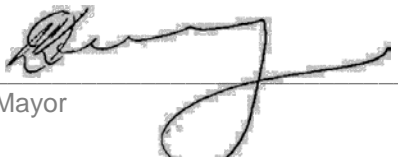
14.2 COMMERCIAL PROPERTY OPPORTUNITY  
GOV400066, COM100008


168/18

**MOTION:** Karavas / Paine

**That Council:**

1. receive the report by the Director Development on the Commercial Property Opportunity;
2. agree to purchase the commercial property identified in this report for the purchase price noted in the report,

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager

subject to due diligence and a valuation confirming that the purchase price identified in the report reflects the market value or less of the property;

3. amend the 2018/19 Operational Plan and Delivery Program to allocate the purchase price noted in the report from existing Land Development Reserves to fund the purchase in 2018/19, and allocate an expenditure budget of \$20,000 in 2018/19 to undertake due diligence and conveyancing matters to be funded from unrestricted cash;
4. notify the NSW Office of Local Government in accordance with its Capital Expenditure Guidelines 2010; and
5. authorise the Mayor and General Manager to negotiate and execute the completion of the property purchase, including signing of a purchase contract and any relevant documents.

*The motion was carried with the Councillors voting unanimously.*

#### 14.3 INFORMATION FOR COUNCIL REGARDING PROPOSED CLASS ACTION RELATING TO COUNCIL INSURANCE

GOV400066, GOV400070

**169/18 MOTION: Shelley / Paine**

**That Council:**

1. receive the report by the Manager Governance on a proposed class action relating to Council insurance; and
2. attends a meeting to be called regarding the class action.

*The motion was carried with the Councillors voting unanimously.*

#### **Item 15: Urgent Confidential Business Without Notice**

Nil

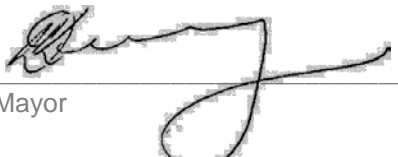
#### **Item 16: Open Council**


**170/18 MOTION: Holden / Martens**

**That: Council move to Open Council.**

*The motion was carried with the Councillors voting unanimously.*

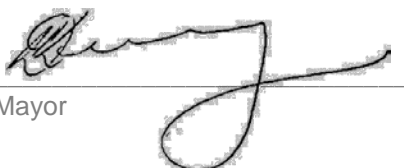
The General Manager announced the decisions taken in Confidential Session.


  
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Mayor

  
\_\_\_\_\_  
General Manager

**Item 17: Closure**

There being no further business the meeting concluded at 6.53pm.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager