

Contact: Development Control
File: 84/0708/DA

11 February 2013

Southern Cross Consulting Surveyors
PO Box 142
GOULBURN NSW 2580



Dear Gilbert

**DEVELOPMENT APPLICATION NO. 84/0708/DA
686 TARALGA ROAD, GOULBURN**

I refer to your letter dated 8 February 2013 in relation to the Development Consent 84/0708//DA for a seven lot rural subdivision.

Clause 95 of the Environmental Planning and Assessment Act 1979, states that a development consent does not lapse if building, engineering or construction work relating to the building is physically commenced on the site before the date on which the consent is due to lapse.

Council considers the completed works outlined in your letter to satisfy that the development has 'commenced'. As such, the original consents will not lapse.

Please note that the issue of physical commencement is a question of law and Council's advice may be challenged in the Land and Environment Court by a third party.

Please note that no assessment of the completed work has taken place and this letter is for the purpose of physical commencement only. Your attention is drawn to Condition No. 49 which requires contiguous areas to be fenced-out.

For any further information or clarification please do not hesitate to contact Council's Environment & Planning Department on (02) 48234454.

Yours faithfully

A handwritten signature in black ink, appearing to read "Stephanie Mowle".

**STEPHANIE MOWLE
PRINCIPAL DEVELOPMENT ASSESSMENT OFFICER**



Civic Centre 184-194 Bourke Street Goulburn NSW
Telephone: (02) 4823 4444 • Facsimile: (02) 4823 4456 • www.goulburn.nsw.gov.au
Correspondence to: Goulburn Mulwaree Council Locked Bag 22 Goulburn NSW 2580

Contact: Development Control

22 February 2008

R Shorrock
C/- Southern Cross Consulting Surveyors
PO Box 142
GOULBURN NSW 2580

Dear Sir/Madam

SUBJECT: DEVELOPMENT APPLICATION NO. DA/0084/0708
LOCATION: LOT 42 DP 750037 PARISH NARRANGARRIL
LOT 43 DP 750037 PARISH NARRANGARRIL
LOT 44 DP 750037 PARISH NARRANGARRIL
LOT 45 DP 750037 PARISH NARRANGARRIL
LOT 110 DP 750037 PARISH NARRANGARRIL
LOT 114 DP 750037 PARISH NARRANGARRIL
LOT 43 DP 479 PARISH NARRANGARRIL
LOT 109 DP 1102529 PARISH NARRANGARRIL
686 TARALGA ROAD GOULBURN NSW 2580
PROPOSAL: SEVEN [7] LOT RURAL SUBDIVISION

I have assessed the proposal against the relevant planning requirements and policies and have determined to issue a Conditional Consent. Please find enclosed your Consent Notice.

If you require any further assistance or have any questions related the determination, please contact the Development Control Department during office hours on (02) 4823 4509.

Yours faithfully

TINA DODSON
SENIOR DEVELOPMENT ASSESSMENT OFFICER

Encl.



Civic Centre 184-194 Bourke Street Goulburn NSW
Telephone: (02) 4823 4444 • Facsimile: (02) 4823 4456 • www.goulburn.nsw.gov.au
Correspondence to: Goulburn Mulwaree Council Locked Bag 22 Goulburn NSW 2580

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Issued under Section 81(1)(a) of the *Environmental Planning and Assessment Act 1979*.

Applicant	Mr Robert Shorrock C/- Southern Cross Consulting Surveyors PO Box 142 GOULBURN NSW 2580
Development Application Number	84/0708/DA
Land to be Developed	Lots 42, 43, 44, 45, 110 and 114 DP 750037, Lot 43 DP 479, Lot 1 DP 660674, Lot 400 DP 133052, Lot 109 DP 1102529 and Lot 1 DP 102235 – 686 Taralga Road, Goulburn
Proposed Development	7 Lot Rural Subdivision
Building Code of Australia Classification	NA
Determination	22 February 2008
Consent granted subject to conditions in the attached schedule	
Consent to operate from	22 February 2008
Consent to lapse on	22 February 2013
Other Approvals	
Approvals granted under Section 78A(5)	NA
Integrated Development	Yes • Rural Fire Services • Roads and Traffic Authority

NOTE: PRIOR TO THE COMMENCEMENT OF ANY WORK A CONSTRUCTION CERTIFICATE IS TO BE ISSUED BY COUNCIL OR AN ACCREDITED CERTIFIER.


TINA DODSON

SENIOR DEVELOPMENT ASSESSMENT OFFICER

SCHEDULE OF CONDITIONS

PART 1 - GENERAL CONDITIONS

1. The development is to be carried out generally in accordance with the plans referenced 21131 (DWG1131F), dated 2 July 2007 prepared by Southern Cross Consulting Surveyors and details submitted with the application except where varied by the following conditions.

ADVISING

This Consent does not include approval for removal of native vegetation under the Native Vegetation Act 2003. Roads, dwelling house sites and internal accesses shall be located to ensure no tree removal is required. Separate approval is required from the relevant Catchment Management Authority for any clearing.

2. The lot layout of the subdivision is to be per the Plan of Proposed Subdivision (dated the 2/7/2007) prepared by Southern Cross Consulting Surveyors. Any revised lot layout or staging is to be agreed to by the Sydney Catchment Authority (SCA – Schedule 1).
3. The development proposal is to comply with the subdivision layout identified on the drawing prepared by Southern Cross Consulting Surveyors numbered DWG1131F dated the 2/07/2007.
4. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
5. The development is to be conducted in a manner to ensure that the environment of the surrounding locality is not adversely affected, disturbed or disrupted. Disturbing or disruption of the surround environment includes dust emissions, excessive noise or the like.

PART 2 - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

6. Plans and details shall be submitted with the application for a Construction Certificate which shows compliance with this Consent.
7. The provision of engineering infrastructure will require detailed investigation and design. Three copies of detailed engineering plans prepared by a suitably qualified and experienced civil engineering professional are to be submitted to Council. These plans must be approved by Council prior to the issue of the Construction Certificate and shall comply with this Consent.
8. The construction works are to be supervised by a suitably qualified and experienced civil engineer on a daily basis (or as agreed to with the Principal Certifying Authority). This supervising engineer is to ensure compliance with the requirements of the specification, adherence to design plans and quality control of the works. Details of the supervising engineers shall be submitted with the application for the Construction Certificate.
9. The proposed new public road, providing access to the newly created allotments are to be designed and constructed in accordance with Austroads to an 8 metre wide formation with a 7 metre wide bitumen sealed pavement incorporating adequate drainage structures and soil erosion control measures at the applicants' full cost.
10. The proposed access road location shall have an adequate Safe Intersection Sight Distance to the RTA's standards in both directions (i.e. 225m for a 100km/h posted speed limit). (RTA – Schedule 2).
11. The proposed junction with Taralga Road shall be constructed to a sealed type BAL left turn configuration together with a sealed Type BAR right turn configuration as per Section 6 of the AUSTROADS Guide to Traffic Engineering Practices – Part 5 Intersections at Grade (RTA – Schedule 2).
12. The proposed new public road shall have a cul-de-sac head radius of 12 metres.
13. All lots shall be accessed from the proposed new public road.
14. All gateway accesses shall be sealed from the edge of the bitumen to the property line and have a minimum sight distance of 150m in both directions.

15. The intersection of the new public road and the proposed right of carriageway(s) shall be located to achieve a minimum sight distance of 150 metres in both directions.
16. The right of carriageway(s), including their intersection(s) at the junctions with the proposed new public road is to be designed and constructed to 4 metre wide gravel pavement incorporating adequate drainage structures and soil erosion control measures at the applicants' full cost.
17. It is noted that the proposed public road will require the approval of the Department of Water and Energy in the form of a Part 3A permit under the *Rivers and Foreshore Improvement Act 1948* for works within 40m of a watercourse. Prior to the issue of a Construction Certificate evidence is to be submitted to Council substantiating that a Part 3A permit required under the *Rivers and Foreshore Improvement Act 1948* has been issued. Three copies of the stamped plans and details shall be submitted to Council for approval prior to the issue of a Construction Certificate.
18. The proposed development should be designed such that road traffic noise from Taralga Road is mitigated by durable materials, in accordance with EPA criteria for new land use developments (The Environmental Criteria for Road Traffic Noise, May 1999). The RTA's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments (RTA – Schedule 2). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.
19. The developer shall be required to provide a suitable drainage treatment across the driveway to prevent water proceeding onto, or undermining, the travel lane of the Taralga Road (RTA – Schedule 2). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.
20. The subdivision road is to be upgraded to a sealed road and otherwise constructed to Council's engineering standards. (SCA – Schedule 1). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.
21. The new right-of-way across proposed Lot 5 to provide access to proposed Lot 6 is to be constructed with roadbase (aggregate) (SCA – Schedule 1).
22. A bus stopping area shall be provided to Taralga Road in accordance with the *RTA Road Design Guide* (RTA – Schedule 2). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.
23. Geometric road design shall be in accordance with *RTA Road Design Guide*. Pavement design shall be in accordance with the *AUSTROADS Pavement Design Guide* (RTA – Schedule 2). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.
24. Section 138 concurrence under the Roads Act, 1993 shall be obtained from the RTA prior to construction (RTA – Schedule 2). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.
25. The developer shall apply for a Road Occupancy Licence (ROL) from the RTA Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve or within 100m of traffic signals. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Direction to Restrict will also be required from TOU. Please allow 2 weeks prior to the commencement of work to process the Road Occupancy Licence (RTA – Schedule 2). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate. Note: An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by the RTA Project Manager.
26. Vegetated swales are to be provided, as appropriate, on the sides along the entire length of the subdivision road, and the right-of-way with appropriately spaced level spreaders, sills or mitre drains that divert water onto a stable surface capable of accepting concentrated water flow and which provides for efficient sediment trapping and energy dissipation (SCA – Schedule 1). Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.
27. All swales, table drains, batters and verges associated with the proposed subdivision roads are to be vegetated and stabilised with bitumen and jute matting as soon as possible after construction. (SCA – Schedule 1). Details are to be submitted to Council prior to the issue of a Construction Certificate.

28. All drainage works associated with the proposed subdivision roads must be wholly included in the road reserve or have suitable designed easements (SCA – Schedule 1). Details are to be submitted to Council prior to the issue of a Construction Certificate.
29. The subdivision road crosses a number of drainage depressions and a watercourse while the new right-of-way to proposed Lot 6 crosses a drainage depression. Each crossing shall be a properly engineered concrete causeway or pipe or box culvert consistent with the *Environmental Practices Manual for Rural Sealed and Unsealed Roads* (ARB transport Research Ltd. 2002), *Road Runoff and Drainage: Environmental Impacts and Management Options* (Austroads Inc. 2000). In the case of the subdivision road watercourse crossing this may need to be consistent with any 3A permit and GTA's under the Rivers and Foreshore Improvement Act (1948) issued by the Department of Water and Energy (SCA – Schedule 1). Details are to be submitted to Council prior to the issue of a Construction Certificate.
30. A Soil and Water Management Plan (SWMP) is required for all construction works proposed as part of the subdivision. The SWMP shall be prepared by a person with knowledge and experience in the preparation of such plans and is to meet the requirements outlined in Chapter 2 of the NSW Landcom's "Soils and Construction: Managing Urban Stormwater" (2004) manual – the "Blue Book" and is to be to the satisfaction of Council. Dispersive soils, particularly in the western part of the development, will require specific sediment and erosion control measures that need to be addressed in the SWMP (SCA – Schedule 1). Details are to be submitted to Council prior to the issue of a Construction Certificate.

PART 3 - PRIOR TO COMMENCEMENT OF WORK

31. Prior to commencing any construction works, the following provisions of the *Environmental Planning and Assessment Act 1979* (the 'Act') are to be complied with:
 - (a) A Construction Certificate is to be obtained in accordance with Section 81A(4)(a) of the Act.
 - (b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(4)(b) of the Act.
 - (c) Council is to be notified in writing, at least two days prior to the intention of commencing buildings works, in accordance with Section 81A(4)(c) of the Act.
32. The development must not commence until the applicant has subsequently given Council a "Commencement of Subdivision Work" Notice and advised that Council or an Accredited Certifier has been appointed as the Principal Certifying Authority.
33. A sign is to be erected on the development site, which shows the builders name and contact details, the details of the PCA and must include the words "*Unauthorised entry to the work site is prohibited*".
34. Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land in accordance with the approved plans.
35. All roadworks and/or traffic facilities associated with this development will be at no cost to the RTA and completed prior to occupation (RTA – Schedule 2).
36. Effective erosion and sediment controls as per the SWMP are to be installed prior to any construction activity including earthworks for the subdivision road, right-of-way, watercourse crossings and dwelling site access. The controls must prevent sediment entering drainage depressions and watercourses, and are regularly maintained and retained until works have been completed and groundcover established (SCA – Schedule 1).

PART 4 - DURING CONSTRUCTION

37. All works to be undertaken in accordance with approved documentation.
38. No heavy vehicles and equipment associated with the subdivision are to access the site outside of the specified construction hours, that is, between the hours of 7.00am and 6.00pm Monday to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm.

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

39. Vehicles and equipment associated with the subdivision construction are to be located to ensure there is no adverse impact on existing residences in the locality.
40. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.
41. Trucks entering and leaving the premises that are carrying excavated dusty materials, including clays, sands and soils, must be covered at all times, except during loading and unloading.
42. The Taralga Road and proposed new public road shall be fenced to at least the following standard to the limit of the development:
 - (i) A minimum height of 1.27 metres; and
 - (ii) Star steel posts at a maximum of five metre intervals; and
 - (iii) One barb wire on top of fence; and
 - one plain wire and 75cm high ringlock or hingejoint attached with three plain wires (top, middle and bottom); or
 - 90cm high ringlock or hingejoint attached with three plain wires (top, middle and bottom).
 - (iv) Strainer post/s are to be provided at end of lines and change of direction points.
43. All gateway accesses are to be located to achieve a minimum sight distance of 150m in both directions.
44. The entrance gateways to each proposed lot are to be set back from the road boundary fenceline in accordance with Council's standard, and at a location determined by the Manager Technical Services. All work is to be carried out prior to the issue of the Subdivision Certificate.
45. To ensure that access to the lot is constructed and provided to the Council standard enabling vehicles to enter and leave the property in an effective and safe manner the access from the road to the gate of each Lot shall be constructed to Council Standard at a location approved by the Manager Technical Services. The applicant shall submit to Council, for approval, 3 copies of a sketch showing the proposed location of the access and the inclusion or otherwise of drainage pipes (including pipe size).

ADVISING

To comply with this requirement the applicant may make the following arrangements:

- (i) a. The applicant may engage Council to install the access. A quotation may be obtained from Council for this work. Payment to Council shall be made prior to the commencement of work; or

The applicant may carry out the work or engage a contractor (other than Council) to carry out the work. A copy of the installers public liability insurance shall be submitted to Council for approval attached to the abovementioned sketch. The access is to be completed prior to the commencement of work unless security is provided to cover the work required.

The applicant may provide security to cover the work required. The security may be the lodgement of a bank guarantee or cash bond with Council equal to the amount required for Council to install the access [shown in (i) above].

The bond amount is refunded to the applicant when the work is completed and approved by Council. The lodgement of security shall be made prior to the commencement of work.

46. Access ways to dwelling sites are to be constructed with roadbase (aggregate) and are to be located so as to minimise watercourse or drainage depression crossings, minimise cut and fill, minimise length, avoid the need for the clearing of vegetation and are not to exceed 8 % slope unless they are armoured

and zigzagged up the slope (SCA – Schedule 1).

47. All swales, batters and verges associated with the access ways to the lots are to be vegetated and stabilised with bitumen and jute matting as soon as possible after construction. In the steeper areas where the slope is in excess of 10% the swales need to be armoured with coarse gravel, cobbles or rock (SCA – Schedule 1).
48. 48 hours notice is to be given to Council for an inspection for the following components of construction:
Roadworks:
 - i. Sub-grade earthworks prior to gravel
 - ii. Kerb and gutter completed
 - iii. Gravel test results available
 - iv. Compacted gravel base completed
 - v. Sealing completed
49. All native vegetation, including any regrowth on proposed Lots 5, 6 and 7 forming contiguous areas of 1 hectare or greater are to be fenced-out with a stock proof fence and delineated on the approved plan of subdivision as "native vegetation" (SCA – Schedule 1).
50. A minimum of 2 hectares of native vegetation is to be planted consistent with Section 5.5 of the Water Cycle Management Study prepared by Morse McVey and Associates P/L (dated August 2007). The new plantings area shall be fenced out with a stock-proof fence and delineated on the approved plan of subdivision as "native vegetation" (SCA – Schedule 1).
51. The revegetation referred to in the above condition is to consist of a mixture of locally-native tree and shrub species planted at 3 metre spacings in the proposed revegetated areas. The plants are to be tube stock and staked and protected to ensure a higher survival potential. If 6 months after planting less than 50% of plantings have become established, a further round of planting will be required (SCA – Schedule 1).
52. All existing erosion works on proposed Lots 1, 4, 5, 6 and 7 consisting of sediment dams, flumes, erosion gully structures, tree lots and associated fencing are to be retained and maintained (SCA – Schedule 1).
53. There is to be no clearing of native vegetation including regrowth other than the minimum clearing required for road construction and any future dwelling, access way construction and fire asset protection zone purposes. Services such as phone lines, electricity lines and the like shall be installed along existing cleared areas and/or road access ways without additional clearing of vegetation (SCA – Schedule 1).
54. Vegetated swales are to be provided, as appropriate, on the sides along the entire length of the subdivision road, and the right-of-way to proposed Lot 6 with appropriately spaced level spreaders, sills or mitre drains that divert water onto a stable surface capable of accepting concentrated water flow and which provides for efficient sediment trapping and energy dissipation. Where outlets discharge into drainage depressions or watercourses they are to be stabilised by an energy dissipater (SCA – Schedule 1).
55. Landscaping and fencing should not restrict vehicular sight lines on the Taraiga Road (RTA – Schedule 2).
56. If, at any time, impact on TRIF 1 cannot be avoided, a Section 90 Heritage Impact Permit must be obtained from the Director-General of the NSW Department of Environment and Climate Change prior to any impact. The aboriginal stakeholder/s may request artefact salvage prior to impact.
57. In the event of any Aboriginal objects/artefacts are uncovered or identified during construction works on the subject land, the applicant shall cease work immediately in the vicinity of the artefact/s or object/s and contact the Department of Environment and Conservation and Pejar Aboriginal Land Council to arrange for the assessment of the artefacts/objects.

ADVISING

The subdivision is located near waterways/lagoons. Care is required to ensure procedures are in place to make the necessary notifications in the event any objects are identified.

Department of Environment and Conservation at Queanbeyan (NSW National Parks and Wildlife Service) can be contacted on ph 6298-9736 or mob: 0417 270415.

Pejar Local Aboriginal Land Council can be contacted on ph: 4822 3552

For any bones contact NSW Police Service on ph 4821 2344

It is suggested that the owner/applicant/developer also contact Goulburn Mulwaree Council Customer Service Centre on ph 48234444 to inform them of the find and process.

PART 5 - PRIOR TO ISSUE OF THE SUBDIVISION CERTIFICATE

58. A Subdivision Certificate must be applied for and released prior to the registration of the Plan of Subdivision with Land and Property Information New South Wales. A Subdivision Certificate will only be signed when each condition has been satisfied. Compliance with conditions must be achieved either by completion of the required physical works, meeting requirements or compliance with Council procedures (eg. lodging a bond or bank guarantee for incomplete works).

ADVISING

Current fee (2007/08) for the Subdivision Certificate is \$250.00.

59. The Subdivision Certificate application must be accompanied by the Final Plan of Subdivision together with at least nine (9) copies and be submitted to Council. Location of all easements and/or other permanent improvements must be indicated on one print.
60. In accordance with the provisions of S94 *Environmental Planning and Assessment Act 1979* contributions are required toward the provision of community facilities and infrastructure in accordance with the Mulwaree Council Section 94 Contributions Plan 2003-2008 to financially assist in the provision of community services and facilities identified as necessary as a result of the development.

ADVISING

The current contributions under the Mulwaree Council Section 94 Contributions Plan 2003-2008 for 6 entitlements for the 2007/2008 financial year are as follows:

Road Upgrading	\$42,480
Bush Fire Fighting Facility	\$1,212
S94 Plan Administration	\$1,644

In accordance with Clause 2.11 of the Mulwaree Section 94 Contributions Plan 2003-2008. The above contributions are current at the time of consent and will be indexed at twelve monthly intervals in accordance with any increase in the Consumer Price Index (All Groups) Sydney following publication by the Australian Bureau of Statistics.

61. Electricity, in respect of all lots at high or low voltage, is to be:
- (a) Available in sufficient capacity from the existing high voltage distribution;
 - (b) Provided to each lot, and
 - (c) Covered by an easement(s) as required by and in favour of Country Energy on the final subdivision plan, centred on:
 - (i) All existing power lines which cross the subdivision; and
 - (ii) All proposed power lines, structures, stays etc which the developer is having constructed to provide electricity to the lots within the subdivision; and
 - (iii) All proposed power lines for which the developer is not required to make a capital contribution, but which would be required to be constructed in the future to provide power to

the boundary of each lot (staged and proposed developments).

62. Prior to the release of the Subdivision Certificate, it will be necessary to provide written evidence from Country Energy or a suitably certified or accredited person that satisfactory arrangements have been made for the supply of electricity to each lot.

ADVISING

The provision of power and other utilities should be achieved with no further clearing than is required for the establishment of the road access, i.e. power lines should be sited in/along clear access routes, or be placed underground with minimal disturbance to the native vegetation.

63. A maximum of one access point to Taralga Road from the subject property will be permitted. A Section 88B Instrument shall be placed on all lots fronting Taralga Road to prohibit additional access points (RTA – Schedule 2).
64. Any additional access points to Taralga Road must be permanently closed and returned to match existing (RTA – Schedule 2).
65. The proposed "Right-of-Carriageway" is to be legally certified on the titles of the burdened lots (RTA – Schedule 2).
66. All vehicles must enter and exit the site in a forward manner (RTA – Schedule 2).
67. No advertising signs or structures would be allowed within the Taralga Road reserve. The erection of advertising structures shall be in accordance with SEPP 64 (RTA – Schedule 2).
68. There is to be a public positive covenant under Section 88E of the Conveyancing Act 1919, the prescribed authority being the Sydney Catchment Authority, placed over all Lots 5, 6 and 7 in relation to areas of "native vegetation" and any additional lots that include replanted "native vegetation" as referred to in Condition No 50 requiring that:
- The fences around "native vegetation" areas are to be retained and maintained and no livestock grazing permitted in these fenced off areas;
 - There is to be no clearing or harvesting of the vegetation in areas identified as "native vegetation" other than weed management without the written approval of the Sydney Catchment Authority;
 - There is to be no clearing of "native vegetation" associated with boundary fencing.
- (SCA – Schedule 1).
69. There is to be a public positive covenant under Section 88E of the Conveyancing Act 1919, the prescribed authority being the Sydney Catchment Authority, requiring that all existing soil conservation works as identified in Condition No 52 are to be retained and maintained and not disturbed without the written consent of the Sydney Catchment Authority (SCA – Schedule 1).
70. This concurrence advice does not cover the any re-opening or reactivation of the existing quarry on proposed Lot 5, which will require separate development approval prior to such activities being carried out (SCA – Schedule 1).
71. Conditions 20, 21, 26, 27, 28, 29 and 49, 50, 51, 52, 53, 68, 69 are to be complied with prior to the issuance of a subdivision certificate for this development (SCA – Schedule 1).
72. There is to be a public positive covenant under Section 88E of the Conveyancing Act 1919, the prescribed authority being the Goulburn Mulwaree Council, requiring that the structures contained within TRH 1 (contained with the report prepared by Archaeological Heritage Surveys dated July 2007) are not to be disturbed or destroyed without the written consent of the Goulburn Mulwaree.
73. If, at any time, impact on historic site TRH 1 cannot be avoided, a Section 140 of the Heritage Act 1977 must be obtained from the NSW Heritage Council and written approval from the Goulburn Mulwaree Council prior to any disturbance or destruction.
74. Payment of the fee for examination of engineering drawings, inspection of subdivision works and release of Final Plans.

ADVISING

The current rate (2007/2008 Financial Year) under Council's fees and charges is \$75 per lot.

75. If in the event that following survey it is found that the public road encroaches on the land which is to be subdivided, the affected land is to be dedicated as public road.
76. Each lot in the subdivision is to be numbered in accordance with Council's adopted rural addressing systems. A plan of the draft rural address numbers is to be submitted for approval of the Manager of Technical Services and is to be indicated on or as an attachment to the final plan of subdivision or synopsis plan prior to release.

ADVISING

The current 2007/08 Financial Year fee for the Council to place the rural address number at the entrance to each lot in the subdivision \$35 (ie \$210.00 [GST inclusive] per entrance for 6 entrances). For details to calculate rural addresses you are requested to contact Council's Officer Russell Medway on 48234 582

77. At the conclusion of the construction works, works-as-executed (WAE) drawings must be submitted to Council. These drawings are required before the subdivision plans will be released. The preferred format for WAE drawings is on computer disk using Autocad software.
78. The submission of a name(s) for the proposed new public road(s) to Council prior to the issue of a Subdivision Certificate. The approved road name(s) is/are to be written on the plan of subdivision. The applicant is to pay for the supply and erection of each sign to Council prior to the issue of a Subdivision Certificate.

ADVISING

The proposed road name for the new road(s) will need to be submitted to Council for approval in accordance with the Geographical Names Board of NSW "Guidelines for the Naming of Roads". The current fee (2007/08) for street signs is \$220.00 per sign.

79. The provision of a plan that is approximately A4 size showing the subdivision layout, road names, lot numbers, gateways, lot sizes, rural address numbers, perennial and intermittent waterways and stream buffers, road setbacks, house site effluent disposal areas and restrictions, restrictions on the title for clearing, identification of any Endangered Ecological Communities, identified aboriginal artefacts and effected areas of erosion and revegetation.

The plan and any required statements are to be incorporated into a subdivision synopsis providing details of the subdivision and land use. The synopsis is to be made available to any person making an enquiry to Council, to agents and any person involved in the marketing and sale of the lots in the subdivision.

The plan shall also include future conditions of development identified in Schedules 1 to 3.

80. Any right-of-carriageway(s) created for access purposes shall also be covered by an easement for services, and noted on the subdivision plan.
81. The section of the proposed new public road which is over a crown road shall be transferred to Council.

ADVISING

The land has been classified as "Operation" in accordance with the Local Government Act. The fee for the transfer of the crown road should be confirmed with the Department of Lands.

82. Any works bonded shall be completed by the applicant within 12 months from the date of release of the Subdivision Certificate, or Council shall utilise the bond to undertake the required outstanding works.

PART 6 - AGENCY CONDITIONS

Sydney Catchment Authority – (Refer to Schedule 1)

83. The applicant shall comply with all requirements of the Sydney Catchment Authority as detailed in the Authority's letter dated 18 September 2007.

Roads and Traffic Authority – (Refer to Schedule 2)

84. The applicant shall comply with all the requirements of the Roads and Traffic Authority as detailed in the Authority's letter dated 14 September 2006.

Rural Fire Service – (Refer to Schedule 3)

85. The applicant shall comply with all the requirements of the Rural Fire Service as detailed in the Authority's letter dated the 8 October 2007.

ANNEXURE "A"
THIS ANNEXURE IS PROVIDED AS ADVICE TO THE APPLICANT

1. Any subsequent applications for dwellings and/or other developments on the proposed lots will be subject to the provisions of the Drinking Water Catchments Regional Environmental Plan No 1 and will need to be assessed according to the Neutral or Beneficial Effects test (NorBE) in relation to the potential effect of the development on water quality.
2. Only essential clearing will take place. That is, only that required for road and right-of-carriageway construction. Where possible roads will meander between trees rather than clearing them. Home sites must be located a suitable distance from woodland so that no further clearing is required for asset protection.
3. Soil disturbance should be kept to an absolute minimum, to reduce the potential for weed invasion and the spread of soil fungi.
4. Weeds must be continually managed following approved removal techniques.
5. The site is habitat to a suite of native animals, many of which are vulnerable to predation by cats and foxes. Feral cats and foxes must be managed on the property.
6. The Aboriginal site (TRIF 1) recorded on proposed Lot 7 should remain undisturbed (report prepared by Archaeological Heritage Surveys dated July 2007).
7. Any future development impact outside the areas surveyed in this investigation and shown in Figure 3 (report prepared by Archaeological Heritage Surveys dated July 2007) of this report would require an archaeological survey by a qualified consultant and an Aboriginal representative.

REASONS FOR CONDITIONS

Conditions have been imposed in accordance with the requirements of section 80A of the *Environmental Planning and Assessment Act, 1979*, in particular having regard to the relevant provisions of Section 79C.

- To comply with the provisions of relevant Environmental Planning Instruments (including drafts) regulations and development control plans. (S79C(1)(a)(i)-(iii)).
- To ensure that there is no adverse effect caused by the development. (S79C(1)(b)).
- To ensure that the site is suitable for the development. (S78C(1)(c)).
- To protect the public interest. (S79C(1)(e)).

Regulation 2000 Clause 101 requirements for Section 94 condition/s:

The following Contribution Plans are application to this Consent –

Contribution Plan	
Mulwaree s94 Contributions Plan 2003-2008	• Roads • Bushfire Fighting • Administration

All Contributions Plans are available for inspection free of charge at the Goulburn Mulwaree Council, Civic Centre, Bourke Street Goulburn during usual office hours.

NOTES:**Construction Certificate**

Where construction work is proposed development consent is the first step. **Before construction commences, a Construction Certificate must be obtained** from Council or an accredited certifier.

Lapsing of Development Consent

Development consent does not lapse if the approved use has actually commenced or the proposed work is physically commenced before the consent lapse date, except where a condition specifies a limit to the duration of the consent.

Right of Appeal**If you are the applicant:**

You can appeal against this decision in the Land and Environment Court within twelve (12) months of the date of this notice (section 97 of the *Environmental Planning and Assessment Act, 1979*). You cannot appeal, however, if a Commission of Inquiry was held and the development is designated development or state significant development.

Review

An applicant may request the Council to review this determination within one (1) year after the date the applicant received this notice. The prescribed fee must be paid with the request for a review. Once the review is completed the Council may confirm or change the determination.

If there is an appeal, the period of time within which Council may undertake a review is extended up to the time the Court hands down its decision.

Notes:

A Review cannot be requested for:

- a determination to issue or refuse to issue a complying development certificate, or
- a determination in respect of designated development, or
- a determination in respect of integrated development, or
- a determination in respect of integrated development, or a determination made by Council under Section 116E in respect of an application by the Crown.

Charges

Charges are reviewed each financial year. Any charges payable for this consent should be confirmed prior to payment. A copy of Council's fees and charges is available free of charge at the Council offices.

THIS FORM MUST BE PRESENTED WITH PAYMENT OF CHARGES**SUMMARY OF CHARGES**

DA Number: 84/0708/DA
Applicant: Robert Shorrock
Owner: Robert Shorrock
Subject Land: Lots 42, 43, 44, 45, 110 and 114 DP 750037, Lot 43 DP 479, Lot 1 DP 660674, Lot 400 DP 133052, Lot 109 DP 1102529 and Lot 1 DP 102235 – 686 Taralga Road, Goulburn
No. Of Lots: 7 Lot Rural Subdivision

Description	GL No	Rate	Amount	Comments
Mulwaree Scheme				
Roads	4305-1031-3142	\$7,080	\$42,480.00	
Bush Fire Protection	4515-1031-3135	\$202	\$1,212.00	
Administration	2200-1025-2147	\$274	\$1,644.00	
Non Plan Payments				
Subdivision Certificate	6033-1010-0355		\$250.00	
Accesses		By Quotation		Debtor account for a bond amount OR GL No. TBA for Council to do works
Gateways & Fencing	To be provided by the applicant at their cost			
Examination of engineering drawings, inspection of subdivision works	900-55-0003	\$75	\$450.00	
Rural Addressing	3300-1010-766	\$35	\$210.00	

ADVISING

These contributions are reviewed annually (effectively 1 July each year) and the contribution rates are to be confirmed prior to payment.

OFFICE USE ONLY

Receipt No.
 Date

Original E&P Dept
 Copies to Engineering Services Manager
 Parks Manager
 Facilities Manager
 Goulburn Water Services Manager
 Finance Manager



SUNSHINE
PO Box 323 Penrith NSW 2751
Level 2, 311 High Street
Penrith NSW 2750
Tel 1300 722 468 Fax 02 4732 3666
Email info@sca.nsw.gov.au
Website www.sca.nsw.gov.au

16 November 2007

Our Reference: 07437
Your Reference: 0084/0708

The General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN 2580

Attention: Tina Dodson

Dear Sir/Madam

**Subject: Drinking Water Catchments Regional Environmental Plan (REP) No. 1
DA No 0084/0708 Lot 109 DP 1102529, Lots 42, 43, 44, 45, 110 & 114 DP 750037, Lot 43
DP 479 - 686 Tarauga Road, Goulburn**

I refer to your letter received 14 September 2007 requesting the concurrence of the Chief Executive under the Drinking Water Catchments Regional Environmental Plan (REP) No 1 with a proposal for a 7-lot subdivision.

The subject property, which has been inspected by Authority staff, is located within the Warragamba catchment that forms part of Sydney's water supply. During this inspection, it was noted that there is an inactive quarry on the subject property. It should be noted that this advice does not cover the re-opening or re-activation of this quarry.

It is understood that the subdivision road will upgrade the existing track, while the existing right-of-way providing access to properties east of the current development, will utilise the existing track without significant construction work or upgrading of this section of road. Should this change, the SCA requests being involved with future assessment and requirements in regards to water quality outcomes.

The Statement of Environmental effects prepared by Southern Cross Consulting Surveyors (undated) and Water Cycle Management Study prepared by Morse McVey & Associates Pty Ltd (dated August 2007) have been considered in the assessment of the application.

The Morse McVey report has identified the constraints for each proposed lot with regard to wastewater effluent disposal, however, as suitable sites for effluent disposal have been identified, no specific wastewater conditions will be required at this stage.

The Chief Executive would concur with Council granting consent to the application, subject to the following conditions:

General

1. The lot layout of the subdivision is to be as per the Plan of Proposed Subdivision (dated 2/7/2007) prepared by Southern Cross Consulting Surveyors. Any revised lot layout or staging is to be agreed to by the Sydney Catchment Authority;

Reason for Condition 1 – The SCA's assessment and concurrence advice is based on this version of the subdivision;

Subdivision Road and new Right-of-Way

2. The subdivision road is to be upgraded to a sealed road and otherwise constructed to Council's engineering standards and the requirements below;
3. The new right-of-way across proposed Lot 5 to provide access to proposed Lot 6 is to be constructed with roadbase (aggregate);
4. Vegetated swales are to be provided, as appropriate, on the sides along the entire length of the subdivision road, and the right-of-way with appropriately spaced cross drains, level spreaders, sills or mitre drains that divert water onto a stable surface capable of accepting concentrated water flow and which provide for efficient sediment trapping and energy dissipation. Where outlets discharge into drainage depressions or watercourses they are to be stabilised by an energy dissipater;
5. All swales, table drains, batters and verges associated with the proposed subdivision roads and new right-of-way are to be vegetated and stabilised with bitumen and jute matting as soon as possible after construction;
6. All drainage works associated with the proposed subdivision road and new right-of-way must be wholly included in the road reserve or have suitably defined easements;
7. The subdivision road crosses a number of drainage depressions and a watercourse, while the new right-of-way to proposed Lot 6 crosses a drainage depression. Each crossing shall be a properly engineered concrete causeway or pipe or box culvert consistent with the *Environmental Practices Manual for Rural Sealed and Unsealed roads* (ARRB Transport Research Ltd. 2002), *Road Runoff & Drainage: Environmental Impacts and Management Options* (Austroads Inc. 2000). In the case of the subdivision road watercourse crossing this may also need to be consistent with any 3A permit and GTAs under the Rivers & Foreshores Improvement Act (1948) issued by the Department of Water & Energy;

Reason for Conditions 2 to 7 - To ensure the subdivision road and right-of-way and associated drainage works, water quality control measures and watercourse and drainage depression crossings have a minimal impact on water quality at all stages of the development and can be maintained over the longer-term;

Access Ways to Dwelling Sites

8. Access ways to dwelling sites are to be constructed with roadbase (aggregate) and are to be located so as to minimise watercourse or drainage depression crossings, minimise cut and fill, minimise length, and avoid the need for the clearing of vegetation;
9. Vegetated swales are to be provided, as appropriate, on the sides along the entire length of the subdivision road, and the right-of-way to proposed Lot 6 with appropriately spaced cross drains, level spreaders, sills or mitre drains that divert water onto a stable surface capable of accepting concentrated water flow and which provide for efficient sediment trapping and energy dissipation. Where outlets discharge into drainage depressions or watercourses they are to be stabilised by an energy dissipater;

- the fences around the "native vegetation" areas are to be retained and maintained and no livestock grazing permitted in these fenced-off areas at any time;
- there is to be no clearing or harvesting of the vegetation in areas identified as "native vegetation" other than weed management without the written approval of the Sydney Catchment Authority;
- there is to be no clearing of "native vegetation" associated with boundary fencing;

Reason for Conditions 13 to 17 – To ensure that any water quality impacts of the proposed development in an area with highly erodible and dispersive soils are minimised and to ensure that appropriate measures are taken to offset the water quality impact of the increased intensity of the proposed development so as to have a neutral or beneficial effect on water quality and be sustainable over the long term;

Other

18. Conditions 2 to 7 and 11 to 17 above are to be complied with prior to the issuance of a subdivision certificate for the development;
19. This concurrence advice does not cover the any re-opening or reactivation of the existing quarry on proposed Lot 5, which will require separate development approval prior to such activities being carried out;

Reason for Conditions 18 & 19 - To ensure that appropriate measures are taken to ensure that the water quality impact resulting from the increased intensity of the proposed development will have a sustainable neutral or beneficial effect on water quality at all stages of the development;

Construction Activities

20. A Soil & Water Management Plan (SWMP) is required for all construction works proposed as part of the subdivision. The SWMP shall be prepared by a person with knowledge and experience in the preparation of such plans and is to meet the requirements outlined in Chapter 2 of the NSW Landcom's *Soils and Construction : Managing Urban Stormwater* (2004) manual - the "Blue Book" and is to be to the satisfaction of Council. Dispersive soils, particularly in the western part of the development, will require specific sediment and erosion control measures that need to be addressed in the SWMP;
21. Effective erosion and sediment controls as per the SWMP are to be installed prior to any construction activity including earthworks for the subdivision road, right-of-way, watercourse crossings and dwelling site access. The controls must prevent sediment entering drainage depressions and watercourses, and are to be regularly maintained and retained until works have been completed and groundcover established.

Reason for Conditions 20 & 21 – To manage adverse environmental and water quality impacts during the construction stages of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during these construction phases.

Subsequent Development Approvals & Advice to Council

Any subsequent applications for dwellings and/or other developments on the proposed lots will be subject to the provisions of the Drinking Water Catchments Regional Environmental

Plan No 1 and will need to be assessed according to the Neutral or Beneficial Effects test (NorBE) in relation to the potential effect of the development on water quality.

Under the REP, Council must provide the Authority with a copy of its determination of the application within 10 days after the determination is made. This application should also be included in the quarterly report as required under clause 29 of the REP.

The Authority also requests that Council provide it with a copy of the final approved Plan of Subdivision.

If you wish to discuss this matter further please contact Richard Davies on 4823 4210.

Yours sincerely

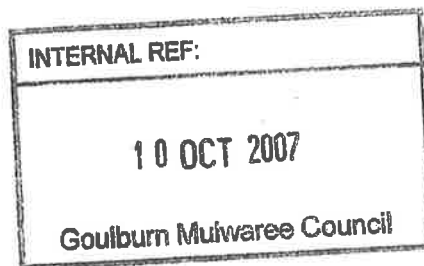
A handwritten signature in black ink, appearing to read 'Malcolm Hughes', with a stylized flourish at the end.

Malcolm Hughes
A/Manager Statutory Planning

Our Ref: 185DA86-1 (07/1190)

Contact: Nicole Stevenson (4221 2523)

Your Ref: DA/0084/0708



The General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN 2580

05 OCT 2007

GOULBURN MULWAREE COUNCIL - DA/0084/0708 - MR256, 686 TARALGA ROAD, SEVEN LOT SUBDIVISION, PARISH OF NARRANGARRIL

Dear Sir/Madam

I refer to your letter dated 30 August 2007 regarding the subject development application forwarded to the RTA for consideration.

The RTA has reviewed the information provided and will not object to the development application subject to the following comments being included in the *Consent Authority's* (Goulburn Mulwaree Council) conditions of development consent:

- A maximum of one access point to Taralga Road from the subject property will be permitted. A Section 88B Instrument shall be placed on all lots fronting Taralga Road to prohibit additional access points.
- Any additional access point(s) to Taralga Road must be permanently closed and returned to match existing.
- The proposed junction with Taralga Road shall be constructed to a sealed type BAL left turn configuration together with a sealed Type BAR right turn configuration as per Section 6 of the AUSTROADS Guide to Traffic Engineering Practices - Part 5 Intersections at Grade.
- The proposed access location shall have adequate Safe Intersection Sight Distance to the RTA's standards in both directions (i.e. 225m for a 100km/h posted speed limit)
- The proposed "Right-of-Carriageway" is to be legally certified on the titles of the burdened lots.
- Landscaping and fencing should not restrict vehicular sight lines on Taralga Road.
- All vehicles must enter and exit the site in a forward manner.
- No advertising signs or structures would be allowed within Taralga Road reserve. The erection advertising structures shall be in accordance with SEPP64.



- The proposed development should be designed such that road traffic noise from Taralga Road is mitigated by durable materials, in accordance with EPA criteria for new land use developments (The Environmental Criteria for Road Traffic Noise, May 1999). The RTA's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.
- The developer shall be required to provide a suitable drainage treatment across the driveway to prevent water proceeding onto, or undermining, the travel lane of Taralga Road.
- A bus stopping area shall be provided on Taralga Road in accordance with the *RTA Road Design Guide*.
- Geometric road design shall be in accordance with *RTA Road Design Guide*. Pavement design shall be in accordance with the *AUSTROADS Pavement Design Guide*.
- All roadworks and/or traffic control facilities associated with this development will be at no cost to the RTA and completed prior to occupation.
- Section 138 concurrence under the Roads Act, 1993 shall be obtained from the RTA prior to construction.
- The developer shall apply for a Road Occupancy Licence (ROL) from the RTA Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve or within 100m of traffic signals. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Direction to Restrict will also be required from the TOU. Please allow 2 weeks prior to commencement of work to process the Road Occupancy Licence.

Note: An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by the RTA Project Manager.

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

It is requested that Council advise the applicant that conditions of development consent set by Council do not guarantee the RTA's final consent to the specific road work, traffic control facilities and other structures and works on the classified road network. The RTA must provide a final consent for each specific change to the classified road network prior to the commencement of any work.

Note: The RTA will not issue its Section 138 concurrence to commence works within the classified road reserve until all design requirements have been met.

In this regard the applicant is required to submit detailed design plans and all relevant additional information for approval under Section 138 of the Roads Act. The developer will need to pay all RTA fees and charges associated with works. In the first instance the applicant should contact Janneth Baquero-Robles on 4221 2564.

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

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

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Trish McClure', is written over a faint, larger signature.

Trish McClure
Manager, Road Safety and Traffic Management
Southern Operations & Engineering Services

All communications to be addressed to:

Headquarters
NSW Rural Fire Service
Locked Mail Bag 17
GRANVILLE NSW 2142

Telephone: (02) 8741 5555
e-mail: developmentcontrol@rfs.nsw.gov.au

Headquarters
NSW Rural Fire Service
15 Carter Street
HOMEBUSH BAY NSW 2127

Facsimile: (02) 8741 5550

INTERNAL REF:

15 OCT 2007



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

Attention: Tina Dodson

Your Ref: DA 0084/0708

Our Ref: D07/1680
DA07083143738 MM

8 October 2007

Dear Sir/Madam,

Integrated Development: Subdivision, 42, 43, 44, 45, 110//750037, 686 Taralga Road, Tarlo NSW 2580

I refer to your letter dated 27 August 2007 seeking the NSW Rural Fire Service general terms of approval for the above integrated development proposal under section 91 of the *Environmental Planning and Assessment Act 1979*.

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:

1. The development proposal is to comply with the subdivision layout identified on the drawing prepared by Southern Cross Consulting Surveyors numbered DWG1131F dated 2/07/2007.

General Advice – Council to Note

Any further development application for class 1, 2 & 3 buildings as identified by the Building Code of Australia must be subject to separate application under section 79BA of the EP & A Act and address the requirements of Planning for Bush Fire Protection 2006.

For any enquiries regarding this correspondence please contact Michael Murrell on 8741 5555.

Yours faithfully,



Nika Fomin
Development Control Co-ordinator

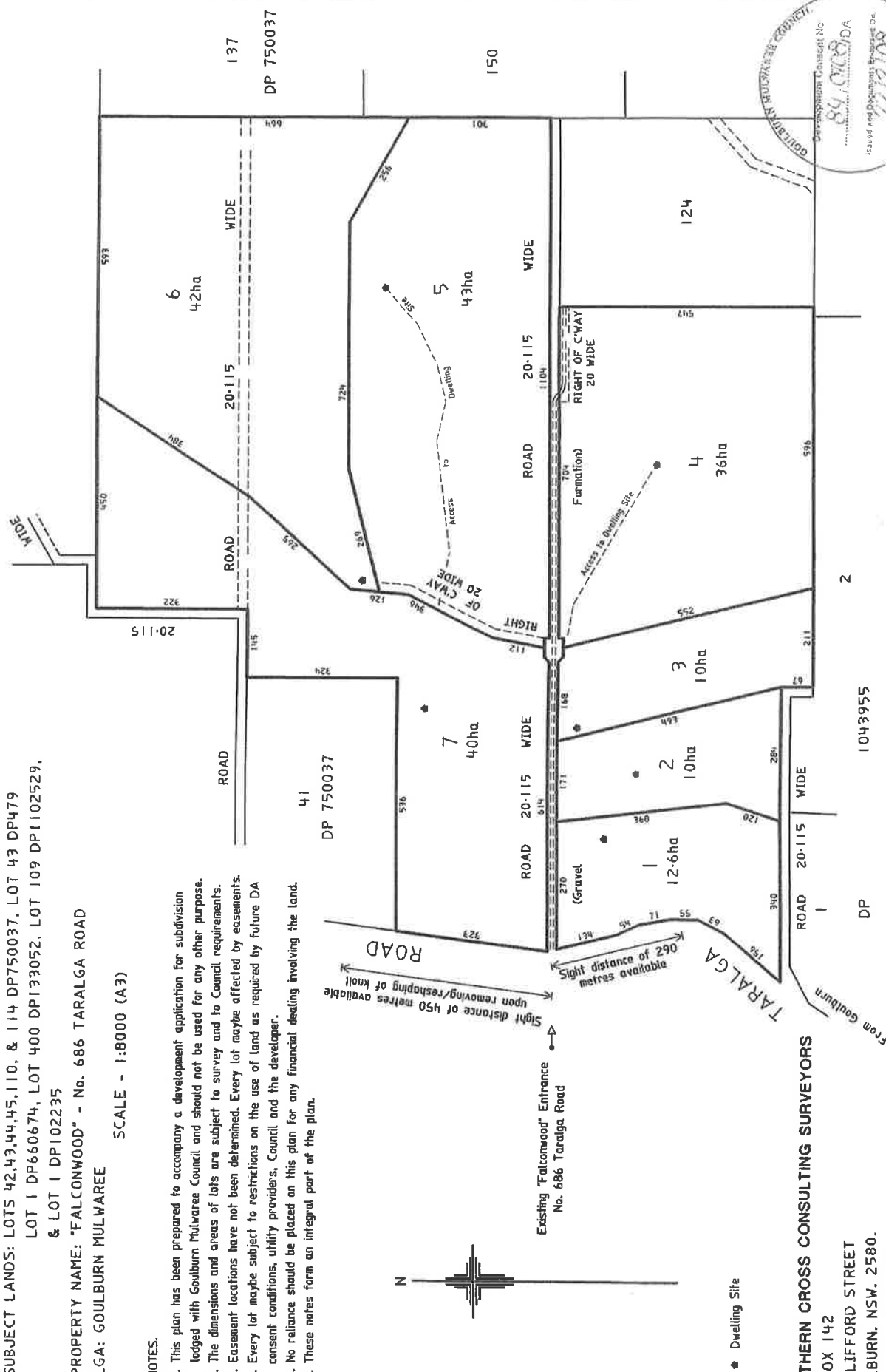
The RFS has made getting additional information easier. For general information on *Planning for Bush Fire Protection 2006*, visit the RFS web page at www.rfs.nsw.gov.au and search under *Planning for Bush Fire Protection 2006*.

SUBJECT LANDS: LOTS 42,43,44,45,110, & 114 DP750037, LOT 43 DP479
LOT 1 DP660674, LOT 400 DP133052, LOT 109 DP1102529,
& LOT 1 DP102235

PROPERTY NAME: "FALCONWOOD" - No. 686 TARALGA ROAD
LGA: GOULBURN MULWAREE

NOTES.

1. This plan has been prepared to accompany a development application for subdivision lodged with Goulburn Mulwaree Council and should not be used for any other purpose.
2. The dimensions and areas of lots are subject to survey and to Council requirements.
3. Easement locations have not been determined. Every lot maybe affected by easements.
4. Every lot maybe subject to restrictions on the use of land as required by future DA consent conditions, utility providers, Council and the developer.
5. No reliance should be placed on this plan for any financial dealing involving the land.
6. These notes form an integral part of the plan.



SOUTHERN CROSS CONSULTING SURVEYORS

PO BOX 142

20 CLIFFORD STREET

GOULBURN. NSW. 2580.

TEL. (02) 4822 1366

FAX: (02) 4822 1365

OUR REF: 21131 (DWG1131F)

DATE: 2/07/2007

