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MINUTES

Ordinary Council Meeting

2 June 2020

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**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 2 JUNE 2020 AT 6PM**

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

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

1 OPENING MEETING

Mayor Bob Kirk opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Bob Kirk made the following acknowledgement.

"I would like to Acknowledge and pay our respects to the Aboriginal elders both past and present as well as emerging leaders, and Acknowledge the traditional custodians of the Land on which we meet today."

3 COUNCILLORS DECLARATION AND/OR PRAYER

The opening prayer was read by Cr Carol James.

4 APOLOGIES

RESOLUTION 2020/195

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

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

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2020/196

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That:

1. The application from Cr Denzil Sturgiss and leave of absence granted due to health reasons.
2. The application from Cr Sam Rowland and leave of absence granted due to work commitments outside of the region.
3. The application from Cr Alfie Walker and leave of absence granted due to health reasons.

CARRIED

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

Cr Banfield made a statement in relation to the Business Paper. He has assessed the Business Paper and does not perceive any declaration of interest is required to be declared in relation to his employment with Denrith Group of Companies.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Gary Privett addressed Council on Item 15.2 Lansdowne Street Planning Proposal and Site Specific Development Control Plan Amendment - Post Public Exhibition Report.

Director Planning and Environment Scott Martin read Rachael Snape of Boral's addressed to Council on Item 15.2 Lansdowne Street Planning Proposal and Site Specific Development Control Plan Amendment - Post Public Exhibition Report.

Peter Granger addressed Council on Item 15.2 Lansdowne Street Planning Proposal and Site Specific Development Control Plan Amendment - Post Public Exhibition Report.

Robert Mowle of Laterals Planning addressed Council on Item 15.2 Lansdowne Street Planning Proposal and Site Specific Development Control Plan Amendment - Post Public Exhibition Report.

At 6:37pm, Cr Peter Walker left the meeting. At 6:39pm, Cr Peter Walker returned to the meeting.

Laurence Varga addressed Council on Item 15.3 DA/0287/1920 - 176 Sloane Street, Goulburn - application for Change of Use to Bed and Breakfast Accommodation with Alterations and Additions to the Existing Building.

Steve Ayling addressed Council on Item 15.3 DA/0287/1920 - 176 Sloane Street, Goulburn - application for Change of Use to Bed and Breakfast Accommodation with Alterations and Additions to the Existing Building.

Robert Gray addressed Council on Item 15.3 DA/0287/1920 - 176 Sloane Street, Goulburn - application for Change of Use to Bed and Breakfast Accommodation with Alterations and Additions to the Existing Building.

Director Planning and Environment Scott Martin read Ernest G Twist addressed to Council on Item 15.3 DA/0287/1920 - 176 Sloane Street, Goulburn - application for Change of Use to Bed and Breakfast Accommodation with Alterations and Additions to the Existing Building.

Calum Cooper addressed Council on Item 15.3 DA/0287/1920 - 176 Sloane Street, Goulburn - application for Change of Use to Bed and Breakfast Accommodation with Alterations and Additions to the Existing Building.

Craig Norris from the Southern Tablelands Football Association addressed Council on Item 15.7 2020-2021 Operational Plan Adoption - External Submissions.

Diana Moran addressed Council on Item 15.7 2020-2021 Operational Plan Adoption - External Submissions

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19 MAY 2020

RESOLUTION 2020/197

Moved: Cr Carol James

Seconded: Cr Leah Ferrara

That the Council minutes from Tuesday 19 May 2020 and contained in Minutes Pages No 1 to 22 inclusive and in Minute Nos 2020/157 to 2020/194 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 19 MAY 2020

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2020/198

Moved: Cr Peter Walker

Seconded: Cr Carol James

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

CARRIED

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

Nil

14 NOTICE OF RESCISSION(S)

Nil

The meeting was adjourned at 7.31pm for dinner. The meeting was reconvened at 8.00pm.

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 COVID-19 UPDATE

RESOLUTION 2020/199

Moved: Cr Carol James

Seconded: Cr Margaret O'Neill

That:

1. The report from the General Manager on COVID-19 Update be received.
2. The General Manager is only required to report to Council meetings on COVID-19 issues when there is a matter that needs to be addressed by Council.

CARRIED

15.2 LANSDOWNE STREET PLANNING PROPOSAL AND SITE SPECIFIC DEVELOPMENT CONTROL PLAN AMENDMENT - POST PUBLIC EXHIBITION REPORT

RESOLUTION 2020/200

Moved: Cr Margaret O'Neill

Seconded: Cr Peter Walker

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 8:08 pm.

CARRIED

RESOLUTION 2020/201

Moved: Cr Andrew Banfield

Seconded: Cr Leah Ferrara

That Council move back into Open Council.

Council moved back into Open Council at 8:31pm.

CARRIED

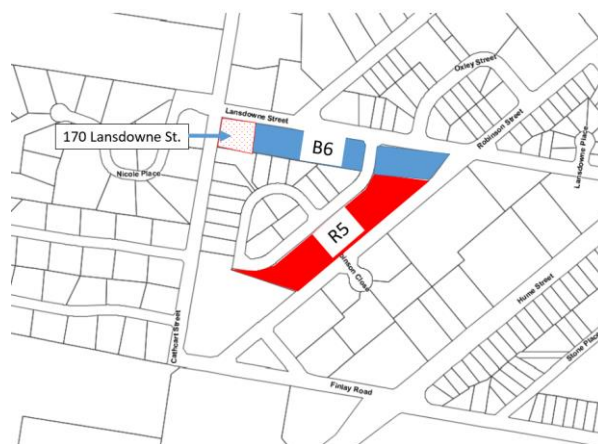
MOTION

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That

1. The post public exhibition report by the Strategic Planner regarding the zoning and site specific development controls relating to land on Lansdowne Street, Goulburn be received.
2. Council only proceed in rezoning the portion of Lot 10 DP 1247119 fronting Robinson Street, Goulburn indicated in paragraph 4 of this resolution to R5 Large Lot Residential with a minimum lot size of 1,000m² and no floor space ratio under the *Goulburn Mulwaree Local Environmental Plan 2009*.
3. Council not proceed in making any amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* for any portion of Lot 10 DP 1247119 fronting Lansdowne Street, Goulburn, as indicated in paragraph 4 of this resolution.
4. The zonings as discussed in paragraph 2 and 3 of this resolution be in accordance with this plan.



5. The General Manager use Council’s delegated plan-making authority to implement the proposed amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* above as soon as practicable.
6. The draft site specific amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report be adopted, with the following changes being incorporated to address submissions received and the recommendation to only partially endorse the planning proposal:
 - (a) Removal of the requirement to relocate the Lansdowne Street and Theatre Drive intersection.
 - (b) Introduction of controls to limit operational hours to between 7am and 6pm for the remaining B6 Enterprise Corridor zone on Lot 10 DP 1247119 and restrict noise generation.
 - (c) Insertion of a new control to require a footpath to be constructed along Robinson Street.
 - (d) Correction of any inconsequential spelling or grammatical errors.
7. Council consider the rezoning of 170 Lansdowne Street back to B6 Enterprise Corridor as part of its next overarching or miscellaneous amendment to the *Goulburn Mulwaree Local Environmental Plan 2009*.
8. Council investigate existing industrial traffic congestion, intersection design and on-street parking issues raised in relation to Lansdowne Street (west of Hume Street) and refer this matter to the Traffic Committee.

AMENDMENT**RESOLUTION 2020/202****Moved: Cr Bob Kirk****Seconded: Cr Peter Walker****That:**

1. **The post public exhibition report by the Strategic Planner regarding the zoning and site specific development controls relating to land on Lansdowne Street, Goulburn be received.**
2. **This planning proposal and DCP amendment be deferred pending further discussion with the applicant.**

The amendment was put and carried and became the motion. The motion was then put and carried.

CARRIED**15.3 DA/0287/1920 - 176 SLOANE STREET, GOULBURN - APPLICATION FOR CHANGE OF USE TO BED AND BREAKFAST ACCOMMODATION WITH ALTERATIONS AND ADDITIONS TO THE EXISTING BUILDING****RESOLUTION 2020/203****Moved: Cr Peter Walker****Seconded: Cr Andrew Banfield****That Council Move into Committee of the Whole.**

Council moved into Committee of the whole at 8:45pm.

CARRIED

At 8:50pm, Cr Andrew Banfield left the meeting.

At 8:53pm, Cr Andrew Banfield returned to the meeting.

RESOLUTION 2020/204**Moved: Cr Andrew Banfield****Seconded: Cr Carol James****That Council move back into Open Council.**

Council moved back into Open Council at 9:00pm.

CARRIED

At 9:00 pm, Cr Peter Walker left the meeting. At 9:02 pm, Cr Peter Walker returned to the meeting.

RESOLUTION 2020/205

Moved: Cr Leah Ferrara
Seconded: Cr Andrew Banfield

That:

1. The staff assessment report for development application DA/0287/1920 for the proposed change of use to bed and breakfast accommodation with alterations and additions to the existing building be received.
2. Consent be granted for DA/0287/1920 for a change of use to bed and breakfast accommodation with alterations and additions to the existing building located at 176 Sloane Street, Goulburn subject to the following conditions.

General Conditions

1. The development shall be carried out substantially in accordance with the approved stamped and signed plans and/or documentation listed below except where modified by any following condition.

Reference/Dwg No	Title/Description	Prepared By	Date
6443- SEE	Statement of Environmental Effects	Randall Dutailis Architects	October 2019
6443-SOHI	Statement of Heritage Impact	Randall Dutailis Architects	October 2019
6443-HMP	Heritage Management Plan	Randall Dutailis Architects	October 2019
6443-DA-001 Rev C	Site & Staging Plan	Randall Dutailis Architects	19 November 2019
6443-DA-002 Rev C	Erosion and Sediment Control Plan	Randall Dutailis Architects	19 November 2019
6443-DA-003-Rev C	Shadow Study	Randall Dutailis Architects	19 November 2019
6443-DA-004-Rev A	Shadow Study	Randall Dutailis Architects	19 May 2020
6443-DA-101-Rev C	Existing Demolition Plans & Stage 1	Randall Dutailis Architects	19 November 2019
6443-DA-102-Rev C	Proposed Plan - Stage 1	Randall Dutailis Architects	19 November 2019
6443-DA-103-Rev C	Demolition Plan - Stage 2	Randall Dutailis Architects	19 November 2019
6443-DA-104-Rev C	Proposed Plans - Stage 2	Randall Dutailis Architects	19 November 2019
6443-DA-201-Rev C	Existing, Demolition & Proposed Elevations	Randall Dutailis Architects	04 November 2019
6443-DA-202-Rev A	Side Elevations	Randall Dutailis Architects	01 May 2020
6443-DA-301-	Existing, Demolition	Randall Dutailis Architects	23 September

Rev C	& Proposed Elevations	Architects	2019
6443-DA-401-Rev A	Colours and Materials Board	Randall Dutailis Architects	19 May 2020
A355932-02	BASIX Certificate		7 May 2020

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

2. In accordance with clause 145 of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a construction certificate must not be inconsistent with this consent.
3. Pursuant to clause 97A of the *Environmental Planning and Assessment Regulation 2000* the commitments of the BASIX Certificates shall be fulfilled.
4. In accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* compliance with the following prescribed conditions are required:
 - Clause 98 Compliance with Building Code of Australia and insurance requirements under the *Home Building Act 1989*
 - Clause 98A Erection of signs
 - Clause 98B Notification of *Home Building Act 1989* requirements
 - Clause 98E Condition relating to shoring and adequacy of adjoining property.
5. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
6. The dwelling incorporating a bed and breakfast is approved under clause 5.10(10) of the Goulburn Mulwaree Local Environmental Plan.
7. This consent does not permit the erection or display of any signage other than signage that is specified by an environmental planning instrument as not requiring prior development consent.
8. The replacement of windows and doors on the Sloane Street elevation must be in the same style and material, and replicate features of the existing windows and doors.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

9. A Construction Certificate pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia is required prior to any works commencing.
10. A detailed photographic survey and written dilapidation report of adjoining properties No's. 174 and 178 Sloane Street, detailing the physical condition of those properties, both internally and externally, including, but not limited to, such items as walls, ceilings, roofs, structural members, finishes and other similar items, must be submitted to and approved by 'Council' prior to the issue of any Construction Certificate.

The survey and dilapidation report must be prepared by an appropriately qualified person agreed to by both the applicant and the owner(s) of the adjoining property. All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Notice of Determination.

In the event that access for undertaking the photographic survey and dilapidation report is denied by an adjoining owner, the applicant must demonstrate, in writing, to the satisfaction of 'Council' that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from 'Council' in such circumstances.

Note: *This documentation is for record keeping purposes only and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.*

11. Consent for this development is conditional upon satisfactory arrangements with the Goulburn Mulwaree Council for the provision of adequate facilities for water supply, the removal or disposal of sewage and the disposal of stormwater. An Application under Section 305 of the *Water Management Act 2000* is required and a Section 306 Notice of Requirements received prior to issue of a Construction Certificate. Note: the Section 306 notice of requirements may require works to be undertaken, payments to be made or plans submitted prior to a Construction Certificate being issued.
12. In accordance with the provision of s4.17 and s7.12 of the Environmental Planning and Assessment Act 1979 contributions are required toward the provision of community facilities and infrastructure in accordance with the Section 94A Levy Development Contributions Plan 2009. The contributions are to be paid prior to the release of the Subdivision Certificate.

The current contributions (2019/2020) under the Section 94A Levy Development Contributions Plan 2009 are based on the cost of construction of the development as follows:

Cost of construction	Rate of levy
\$0 - \$100,000	0%
\$100,001 - \$200,000	0.5%
In excess of \$200,000	1%

Details of the cost of the construction of the development shall be submitted prior to the application for a Construction Certificate. A cost summary report must be completed for works with a value no greater than \$200,000. Where the value of the work is greater than \$200,000 the cost shall be certified by a Quantity Surveyor or an equivalent or acceptable alternative agreed to by Council. Refer to Appendix A of the Goulburn Mulwaree Section 94A Levy Development Contributions Plan 2009 for further details.

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

13. Pursuant to Clauses 94 of the Environmental Planning and Assessment Regulation 2000, the building shall have the following fire safety provisions incorporated into it. Details which show compliance with the following matters are to be submitted with the application for a Construction Certificate and approved by the Principal Certifying Authority. Or an alternative solution prepared by a C10 Building Professionals Board Accredited Certifier which achieves compliance with Building Code of Australia can be submitted to the Principal Certifying Authority for consideration, with respect to complying with this condition.
 - As the proposed rear elevated deck is considered to significantly increase the risk of spread of fire to adjoining properties it is to be a minimum of 900mm from the allotment boundaries.
 - Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected and fire blankets must be installed in the building in accordance with Australian Standard 2444 - Portable Fire Extinguishers.
 - The walls of the additions to the building, that are within 900mm of the allotment boundaries must have a FRL of 60/60/60 minutes in accordance with Part 3.7.1 of Volume 2 of the *Building Code of Australia* and are to be of masonry construction.
 - Combustible roof lights/skylights are to be a minimum of 900mm from the allotment side boundary in accordance with Part 3.7.1 of Volume 2 of the *Building Code of Australia*.

- **Smoke alarms are to be installed in all bedrooms, hallways and on each storey in accordance with Part 3.7.2 of Volume 2 of the *Building Code of Australia* for a Class 1b Building.**
 - **Evacuation lighting is to be installed in accordance with Part 3.7.2 of Volume 2 of the *Building Code of Australia* for a Class 1b Building.**
 - **The existing stairway and balustrade is to comply with Part 3.9 of Volume 2 of the *Building Code of Australia***
14. **Fit-out of the food preparation and storage areas are to be in accordance with the Food Standard 3.2.3 and AS4674-2004: Design, construction and fit-out of food premises. Plans detailing the fit-out and demonstrating compliance with the standards are to be approved by Council prior to the issue of a Construction Certificate. The details shall include floor coverings, provision of coving in food preparation and food display areas, mechanical ventilation system provisions, sink locations (including cleaning, food preparation, hand wash basins), plan sections through food display units and counters, cool rooms and refrigerated display units.**
15. **A photographic record that details the pre-developed condition of the footpath and road reserve must be submitted to Council prior to the issue of a Construction Certificate. If Council is not the Certifier, the Principal Certifying Authority must forward the photographic record to Council.**
16. **Prior to the issue of a Construction Certificate a Waste Management Plan must be prepared and submitted to the Certifier. The Waste Management Plan is to detail the quantities of each waste type including items of proposed reuse and recycling and the location of disposal to a licenced waste facility.**

PRIOR TO COMMENCEMENT OF BUILDING WORK

17. **Nominate a Principal Certifying Authority (PCA) and the PCA is to notify the consent authority and Council of their appointment, two (2) days prior to commencing work.**
18. **Sediment and erosion control measures shall be implemented within the site prior to the commencement of construction activities and are to be maintained, monitored and adapted throughout construction to prevent sediment moving off-site.**

DURING CONSTRUCTION AND DEMOLITION

19. **In accordance with Section 6.5 of the *Environmental Planning and Assessment Act 1979* and Clause 162A of the Regulations the following Mandatory, Critical Stage Inspections need to be carried out by the Principal Certifying Authority (PCA.)**
Forty-eight (48) hours notice is required prior to these inspections.
- a) **After excavation for, and prior to the placement of any footings; and**
 - b) **Prior to pouring any in-situ reinforced concrete building element; and**
 - c) **Prior to covering of the framework for any floor, wall, roof or other building element (truss and bracing details required prior to inspection); and**
 - d) **Prior to covering waterproofing in any wet areas; and**
 - e) **Prior to covering any stormwater drainage connections; and**
 - f) **After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.**
20. **Before any hoardings are erected or work is undertaken in the road reserve, an application to Council as the roads authority under Section 138 under the *Roads Act 1993* is required to be submitted to Council and an approval issued. A pedestrian management plan is to be submitted to and approved by Council as part of the S138 application.**
21. **The proposal is to be set out by a Registered Surveyor and a Survey Report is to be submitted to the Principal Certifying Authority to ensure compliance with the**

Development Application. No part of the building including eaves or guttering are to encroach over the boundaries or easements. If the Principal Certifying Authority has concerns with the set out of the building a Survey Report may be requested prior to pouring of the slab or once the outer wall location is determined.

22. All construction and demolition work shall be carried out in accordance with the 'Noise Guide for Local Government' published by the NSW EPA as amended from time to time. That all construction and demolition work shall be carried out only between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm. No construction work shall take place on Sundays or Public Holidays.
23. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with SafeWork NSW requirements. It will necessary to ensure that the excavation is not within the zone of influence on the footings of buildings on the adjoining properties.
24. Demolition work must also be carried out in accordance with SafeWork NSW requirements and AS2601.
25. Any person demolishing the building must upon identifying or suspecting that asbestos is present in the building, immediately notify the SafeWork NSW the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.
26. Any asbestos removal to be carried out in accordance with the current SafeWork NSW requirements and in accordance with the NSW Government guidelines.
27. Documentation verifying the lawful disposal of all waste and asbestos is to be kept by the applicant and provided to Council on request.
28. In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage *Notice of Work (NoW)* must be completed and returned to Council for its records, no later than 2 business days before the work concerned is carried out. The *Notice of Work* is to identify what plumbing and drainage work is carried out by a particular plumber/drainer. On completion of the plumbing and drainage work and prior to Council's Final Inspection of the plumbing and drainage work, the plumber/drainer is to submit to Council a *Certificate of Compliance (CoC)* and a *Sewer Service Diagram*.
29. All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS 3500 and the *Plumbing and Drainage Act 2011* and the following stages of construction are to be inspected by Council as the Water and Sewer Authority.

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

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

Inspection fees for plumbing and sanitary are to be paid to Council prior to commencing plumbing and drainage work.

30. Where requested a works as executed drawing of all sewer plumbing, sewer drainage and stormwater drainage work shall be submitted to the Council at final inspection stage.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

31. The applicant must obtain an Occupation Certificate, pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, from either Council or an accredited certifying authority, prior to occupation of the building/commencement of the use.

32. A satisfactory inspection from an authorised Council Environmental Health Officer is required prior to the issue of any Occupation Certificate to ensure compliance with the Food Act 2003. The owner is to contact Council's Environment and Health Business Unit to organise an inspection and pay any applicable fee.
33. Prior to the issue of an Occupation Certificate, a works as executed drawing of all stormwater drainage work shall be submitted to Council as the Water and Sewer Authority at final inspection stage.
34. A final inspection of water plumbing and sewer drainage must be conducted by Council as the Water and Sewer Authority. Only after advice that the final water and sewer inspection has been completed in a satisfactory manner may an Occupation Certificate be issued.
35. A 307 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* for water management works shall be obtained prior to the issuing of any Occupation Certificate.
36. A Certificate of Compliance (CoC) and a Sewer Service Diagram prepared by the plumber(s) who submitted the Notice of Work must be issued to Council prior to issue of the Occupation Certificate.
37. Prior to the issue of an Occupation Certificate for stage two (2), a privacy screen must be installed on both sides of the terrace with upward facing louvers. The privacy screen must be designed to block approximately 80% of the view to the adjoining properties.
38. Prior to the issue of an Occupation Certificate, any damage to the kerb and gutter and concrete footpath that occurred during the construction is to be restored to the pre-development condition. The full cost of the restoration borne by the applicant or developer and at no cost to Council.
39. Prior to the issue of an Occupation Certificate, the street number of the property is to be placed on the front façade of the property in a location that is easily viewable from the street.
40. Prior to the issue of an Occupation Certificate, the person(s) acting on this Notice of Determination must provide to the Certifier copies of all waste disposal receipts and documentation demonstrating that all demolition and construction waste has been lawfully disposed to a licenced facility.
41. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Certifier, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated that the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and that, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

ONGOING MANAGEMENT

42. The approved use of a Bed and Breakfast must not commence until the proposed development has been completed in accordance with this consent and an Occupation Certificate. Any other Council approvals which may be required and an Occupation Certificate for Stage 1 has been obtained.
43. The Bed and Breakfast shall be operated as per the following:
 - Maximum guest accommodation per room shall not be more than two adults and one child under 2 years of age per bedroom at any one time.

- The building must be maintained in a clean and tidy manner at all times,
 - Maximum occupation of the dwelling is not to exceed nine (9) persons.
 - The bed and breakfast must only be operated by the permanent resident(s) of the dwelling.
 - All guest and visitor access to the property must be via the front entryway.
 - All waste bins must be stored at the rear of the dwelling.
 - Cooking facilities for the preparation of meals are not provided within guest rooms.
 - Meals are provided for guests only.
 - Dormitory style accommodation is not to be provided.
44. At all times following the issue of an Occupation Certificate, the building must be maintained in accordance with the approved Heritage Management Plan dated October 2019.
45. At all times whilst the Bed and Breakfast is being used, the guests must be provided with guest welcome information pack that includes as a minimum:
- House rules and expectations,
 - Emergency Contact Details (Hospital, Doctors, Pharmacy, etc.),
 - List of local services, and
 - List of local attractions.
46. At all times the rear parking space must not be used by guests or visitors to the property.
47. To protect the amenity of the area, the proposed bed and breakfast shall be managed so that disturbance from guest and visitors does not exceed that of a residential dwelling in ways of nuisance, noise or emission of any other kind. Noise must be controlled to normally accepted hours. The use of the balcony by guests shall be restricted to 7am to 10pm.
48. The owner of the building must:
- furnish to the Council an Annual Fire Safety Statement in respect to each essential service installed in the building;
 - ensure that essential services installed within the building are performing to a standard no less than to which the measure was originally designed;
 - ensure the safety of fire exits;
 - ensure doorways and paths of travel are not obstructed;
 - ensure that offences relating to fire exits do not occur within the building.
- The owner of the building shall:
- cause a copy of the certificate to be furnished to Fire and Rescue NSW it is preferred this is done electronically via the following email address afss@fire.nsw.gov.au; and
 - cause a further copy of the certificate to be kept at the building.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Leah Ferrara, Margaret O'Neill and Carol James

Against: Nil

15.4 DRAFT LOCAL STRATEGIC PLANNING STATEMENT

RESOLUTION 2020/206

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That:

- 1. The report on the Local Strategic Planning Statement by Council's Business Manager Strategic Planning be received.**
- 2. The Draft Local Strategic Planning Statement be placed on public exhibition for a minimum of 28 days.**

CARRIED

15.5 ENFORCEMENT POLICY

RESOLUTION 2020/207

Moved: Cr Andrew Banfield

Seconded: Cr Peter Walker

That

- 1. The report from the Business Manager Environment & Health be received.**
- 2. The Draft Enforcement Policy be placed on public exhibition for a period of 28 days.**
- 3. Any submissions or recommended amendments as a result of the exhibition process be reported back to Council for the adoption of the Enforcement Policy.**

CARRIED

15.6 2020-2021 OPERATIONAL PLAN ADOPTION - INTERNAL SUBMISSIONS

RESOLUTION 2020/208

Moved: Cr Margaret O'Neill

Seconded: Cr Andrew Banfield

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 9:04pm.

CARRIED

RESOLUTION 2020/209

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 9:44pm.

CARRIED

RESOLUTION 2020/210

Moved: Cr Peter Walker
Seconded: Cr Carol James

That

1. The following changes be made to the draft Operational Plan as a result of the internal submissions

- (a) An allocation of \$10,000 (a total of \$20,000) be made in each of the 2020/21 and 2021/22 budget years for Council’s contribution towards the CRJO Contaminated Lands Project funded in both years from the Strategic Planning Reserve (38165)**
- (b) The 4 year operational budget for the Goulburn Performing Arts centre be updated as follows:**

	2020/21	2021/22	2022/23	2023/24
Salaries & Wages	\$46,042	\$95,307	\$98,643	\$102,095
Oncost Expenses	\$18,066	\$37,396	\$38,705	\$40,060
Materials	\$50,000	\$200,000	\$206,000	\$212,180
Advertising	\$20,000	\$25,000	\$25,750	\$26,523
Subs & Pubs	\$1,000	\$1,030	\$1,061	\$1,093

- (c) The budget for the Towrang Bridge Replacement project be amended to read as follows:**
 - (i) 2020/21 – Contracts-Tendered Work - \$153,000**
 - (ii) 2021/22 – Contracts-Tendered Work - \$4,000,000**
 - (iii) 2021/22 – Capital Grants-Roads & Bridges - \$2,000,000**
 - (iv) 2021/22 – Loan Borrowing income - \$2,000,000**
- (d) The loan repayments for the Towrang Bridge Replacement project be amended as per the new drawdown year**
- (e) Any further funding for the Towrang Bridge Replacement project be considered once the final estimates for the project are known**
- (f) The projects approved for deferral to the 2020/21 budget as part of Council Resolution 2020/150 on 5 May 2020 be included in the budget as follows:**
 - (i) Fitzroy Street Drainage - \$100,000 – Funded from s94 Citywide Drainage Reserve (38104)**
 - (ii) Repetitive Heavy Load Collector Road - \$122,512 – Funded from s94 Veolia Reserve (38139)**
 - (iii) Blackspot Mountain Ash Road - \$170,000 – Funded from Capital Grants & Contributions**
- (g) The budgets for the following projects be reduced due to the amounts being transferred into the 2019/20 budget as a result of Council Resolution 2020/149 on 5 May 2020**
 - (i) R2R Forbes Street Reconstruction - \$13,308**
 - (ii) Urban Road Reconstruction (Blackshaw Road) - \$13,947**
 - (iii) Urban Resealing (Clifford Street) - \$7,717**
 - (iv) Urban Resealing (Faithfull Street) - \$7,287**

- (v) RRBG – Taralga Road – Urban (Union Street) - \$18,569
- (vi) RRBG – Taralga Road – Urban (Taralga Road) - \$11,497
- (vii) R2R Auburn/Mundy Roundabout - \$8,800
- (viii) R2R Windellama Road Rehabilitation - \$17,050
- (ix) Blackspot Bourke/Addison Roundabout - \$14,135
- (h) A transfer of \$112,760 be made to the Roads Reserve (38179) to recoup the above amounts that were funded from this reserve in 2019/20.
- (i) To make correction to the anomaly in the Governance budget, the following changes be made to the budget:
 - (i) Within the project for Corporate Governance, the transfer from the Insurance Premium Reserve (38211) of \$15,000 be removed in 2020/21, 2021/22 and 2022/23.
 - (ii) In the project for the Delegations Database Subscription Project, \$10,000 be added for Subscriptions and Publications fully funded from the Insurance Premium Reserve (38211)
 - (iii) These amounts (Subscriptions & Publications and Transfer from Reserve) both be increased by CPI from 2021/22 onwards.
- (j) An amount of \$4,000 be included in the 2020/21 budget for the replacement of the chairs in the dining area at the rear of the Community Centre with chairs that are more easily cleaned and maintained.
- (k) The following changes be made to the Fees & Charges
 - (i) The file storage fee on page D18 be reduced from \$42 to \$40
 - (ii) The market stallholder fee on page D52 be changed from \$25-\$30 to \$25-\$60
 - (iii) The food stallholder fee on page D52 be changed from \$30-\$50 to \$30-\$60
 - (iv) The description of the fee “Council installed street tree and Maintain for 12 months” on page D19 be changed to “Bond for unplanted street trees” with a note stating “where it is not practical to plant tree due to season. Upon planting \$150 per tree can be refunded and \$350 per tree retained by Council for the 12 months maintenance period”
 - (v) A new fee of \$150.00 for “Flood Certificate” be added with an attached note of “Applicable where flood data is available”
- (l) Council acknowledge the changing environment in Local Government mainly due to the impacts of the COVID-19 pandemic and commit to a critical review of the Capital Works program at each quarterly budget review in light of:
 - (i) Potential ongoing impacts on Councils operating revenue
 - (ii) Increased cost shifting from the State Government through the Emergency Services Levy.
 - (iii) The Outcomes of Council’s Asset Management Planning and revaluation of its Transport Assets.
 - (iv) The likely reduced grant funding available due to the COVID-19 pandemic and the recent bushfire crisis.
 - (v) The affordability of increased loan funding if grant funding is not available.
- (m) The fees in relation to the Backflow Device annual fee on page D63 of the draft fees & charges appendix be removed and these fees be included as a table in Appendix C – Statement of Revenue Policy to enable the fees to be levied as part of the quarterly/monthly Water accounts

- (n) An amount of \$30,000 be included in the budget as revenue from the RMCC Contract (increased by CPI in forward years)
- (o) An amount of \$28,500 be included in the budget for Contracts under the RMCC Contract (also increased by CPI in forward years)
- (p) Council set the interest on overdue rates and charges at 0% from 1 July to 31 December 2020 and then 7% from 1 January 2021 for the remainder of the 2020/21 financial year
- (q) The Maximum Interest on Overdue Rates & Charges as set by the Office of Local Government be applied for all future financial years.
- (r) The budgets in each fund be adjusted to reflect reduced anticipated interest from overdue rates and charges in 2020/21

CARRIED

15.7 2020-2021 OPERATIONAL PLAN ADOPTION - EXTERNAL SUBMISSIONS

RESOLUTION 2020/211

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That

1. The report by the Director Business Services on the 2020-2021 Operational Plan Adoption – External Submissions be received.
2. In relation to the submission by the Bungonia & District Historical Association in relation to the Village Streetscape project:
 - (a) No changes be made to the draft budget
 - (b) The Bungonia & District Historical Society be encouraged to explore the external funding opportunities for the project, making a separate application to Council for funding should an identified funding opportunity require any form of co-contribution.
3. In relation to the submission by the Bungonia Park Land Manager and Bungonia Progress Association Council in relation to the development of a Plan of Management for Bungonia Village Park, Council agree to contribute 50% of the cost of the development of the Plan of Management & Site Development Plan (\$3,250 + GST) from the Financial Assistance budget with the other 50% to be funded from the Bungonia Village Discretionary Fund.
4. In relation to the submission by the Bungonia Park Land Manager in relation to the Bungonia Infrastructure Development Project - Bungonia Village Park, no changes be made to the budget due to:
 - (a) The lack of a final costing for the project
 - (b) There being no Plan of Management in place for the Bungonia Village Park.
5. In relation to the submission by Phillip Toparis no changes be made to the draft Operational Plan
6. The above submitters be thanked for their submissions and be notified of the outcomes of their submissions
7. In relation to the submission by Southern Tablelands Football Association (STFA) no changes be made to the draft Budget and a letter be sent to the STFA thanking them for their support of the proposed project.
8. In relation to the submission by NSW Farmers Association no changes be made to the

draft Revenue Policy and a letter be sent to the NSW Farmers Association outlining Council's rate setting process as requested in their submission

9. In response to the Council Contribution Assessment Notice from Revenue NSW
 - (a) The budget for the Emergency Services Levy be increased to \$543,000 in the 2020/21 budget (an increase of \$54,986 to the draft budget)
 - (b) The proposed subsequent increases not be incorporated into the 2021/22 budget and beyond with only a 3% indexation being applied for future years.
 - (c) Council continue to object to the increases through the Canberra Region Joint Organisation due to the adverse impact that the cost shifting is having on, not just Council's budget but those of our smaller neighbours.
10. In response to the letter from Transport for NSW in relation to the successful Blackspot Funding Program application, the following changes be made to the draft budget:
 - (a) Bourke/Addison Street Roundabout
 - (i) 2020/21 - \$50,000 for planning activities (contracts) funded fully through Capital Grants
 - (ii) 2021/22 - \$353,245 for construction works (contracts) funded fully through Capital Grants
 - (b) Taralga Road Upgrade – 2020/21 - \$804,403 for construction works (contracts) funded fully through Capital Grants.
11. The 2020/21 Operational Plan be adopted with the amendments approved as a result of both the internal and external submissions received.

CARRIED

15.8 GOULBURN PERFORMING ARTS CENTRE - MAY 2020 STATUS REPORT

RESOLUTION 2020/212

Moved: Cr Leah Ferrara

Seconded: Cr Peter Walker

That

1. The report from the Business Manager Projects on the status of the Goulburn Performing Arts Centre construction be received.
2. Council notes the delay in the completion date due to bush fire and COVID 19 crises circumstances beyond Councils control and the delays do not increase the contract amount.

CARRIED

15.9 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION - MAY 2020 STATUS REPORT

RESOLUTION 2020/213

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

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

CARRIED

15.10 EXTERNAL MEETING MINUTES

RESOLUTION 2020/214

**Moved: Cr Margaret O'Neill
Seconded: Cr Carol James**

That the report from the General Manger on the minutes below be received:

- 1. Marulan Quarry Community Consultative Committee Meeting minutes from 16 April 2020**
- 2. Gullen Range Wind Farm Community Consultative Committee Meeting Minutes 29 April 2020**

CARRIED

15.11 555 FOREST SIDING RD - COMPLIANCE UPDATE

RESOLUTION 2020/215

**Moved: Cr Leah Ferrara
Seconded: Cr Andrew Banfield**

That

- 1. The report of the Director Planning & Environment and Business Manager Environment & Health be received.**
- 2. Council authorises the General Manager to commence the appropriate legal action against the property owner of 555 Forest Siding Road to ensure compliance with the relevant laws and regulations should it be determined that the property owner has acted contrary to Councils previous resolution.**

CARRIED

15.12 NSW DEPARTMENT OF PLANNING INDUSTRY & ENVIRONMENT REVIEW OF INFRASTRUCTURE CONTRIBUTIONS SYSTEM

RESOLUTION 2020/216

**Moved: Cr Leah Ferrara
Seconded: Cr Andrew Banfield**

That:

- 1. The report of the Director Planning & Environment be received.**
- 2. That Council make submissions to the NSW Department of Planning Industry & Environment in relation to the following discussion papers:**
 - (a) Draft planning agreements policy framework**
 - (b) Improving the review of local infrastructure contributions plans discussion paper**
 - (c) Criteria to request a higher section 7.12 percentage discussion paper**
 - (d) Proposed amendments to the Environmental Planning & Assessment Regulation**
- 3. That the submissions reflect the matters and commentary provided within the report.**

CARRIED

16 CLOSED SESSION

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

There were no closed session reports for determination.

17 CONCLUSION OF THE MEETING

The Meeting closed at 10.00pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 June 2020.

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

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