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# **MINUTES**

## **Ordinary Council Meeting**

**17 November 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, 17 NOVEMBER 2020 AT 6PM**

**PRESENT:** Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), Cr Andrew Banfield (arrived at 6.06pm), Cr Sam Rowland, Cr Leah Ferrara, Cr Alfie Walker, Cr Margaret O'Neill, Cr Carol James, Cr Denzil Sturgiss

**IN ATTENDANCE:** Brendan Hollands (Acting General Manager), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations) & Amy Croker (Office Manager).

**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 declaration was read by Deputy Mayor Peter Walker.

**4 APOLOGIES**

Nil

**5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

Nil

**6 LATE ITEMS / URGENT BUSINESS**

Nil

**MOVING ITEM 15.4 TO CLOSED SESSION OF COUNCIL**

**RESOLUTION 2020/476**

**Moved:** Cr Peter Walker

**Seconded:** Cr Margaret O'Neill

**That Item 15.4 2021T0005 Cookbundoon Pavilion Upgrade Tender Evaluation be considered in Closed Session to enable clarification to be discussed surrounding the financial details contained within the evaluation report.**

**CARRIED**

**7 DISCLOSURE OF INTERESTS**

Nil

**8 PRESENTATIONS**

Nil

**9 PUBLIC FORUM**

Alyce Kliese of Shaw Reynold Lawyers (on behalf of client Twynam Pty Limited) addressed Council on Item 15.2 Post Exhibition Report - Planning Proposal to Include Wingello Park as an Item of Heritage.

Sloane Street Goulburn.

**EXTENSION OF TIME FOR SUE THERON****RESOLUTION 2020/477**

**Moved: Cr Sam Rowland**

**Seconded: Cr Carol James**

**That Sue Theron be granted an additional 2 minutes to address Council as part of the Public Forum.**

**CARRIED**

Greg Todd (on behalf of the applicant) addressed Council on Item 15.1 DA/0073/1920, 14 lot residential subdivision, 30b Sloane Street Goulburn.

Mason Thomas addressed Council on Wakefield Park.

**MASON THOMAS BE GRANTED 7 MINUTES****RESOLUTION 2020/478**

**Moved: Cr Alfie Walker**

**Seconded: Cr Peter Walker**

**That Mason Thomas be granted 7 minutes to address Council as part of the Public Forum.**

**CARRIED**

**10 CONFIRMATION OF MINUTES****10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 3 NOVEMBER 2020****RESOLUTION 2020/479**

**Moved: Cr Alfie Walker**

**Seconded: Cr Carol James**

**That the Council minutes from Tuesday 3 November 2020 and contained in Minutes Pages No 1 to 12 inclusive and in Minute Nos 2020/459 to 2020/475 inclusive be confirmed.**

**CARRIED**

**11 MATTERS ARISING****11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 3 NOVEMBER 2020**

Nil

**11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS****RESOLUTION 2020/480**

Moved: Cr Alfie 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

**15 REPORTS TO COUNCIL FOR DETERMINATION****15.1 DA/0073/1920, 14 LOT RESIDENTIAL SUBDIVISION, 30B SLOANE STREET GOULBURN****RESOLUTION 2020/481**

Moved: Cr Margaret O'Neill

Seconded: Cr Denzil Sturgiss

That:

1. The staff assessment report for development application DA/0073/1920 for the proposed 14 lot residential subdivision at 30b Sloane Street Goulburn be received.
2. Consent be granted for DA/0073/1920 for a 14 lot residential subdivision located at 30b Sloane Street Goulburn subject to the following conditions.

This is a deferred commencement consent under Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This deferred commencement consent does not become operative until the applicant has satisfied the requirements listed in Schedule 'A' of this consent. All issues must be satisfactorily resolved within a period of twelve (12) months from the 'Determination Date' that is shown on this Notice of Determination or the consent will lapse in accordance with Section 95 of the *Environmental Planning and Assessment Regulation 2000*.

Upon compliance with the issues under Schedule ‘A’, and written confirmation from ‘Council’ to that effect, then the consent shall become operative from a ‘Date of Endorsement’ (to be included on the written notification) subject to the conditions listed in Schedule ‘B’ and any additional conditions arising from the requirement of Schedule ‘A’.

**SCHEDULE A**

**A** The Planning Agreement offered by the developer in respect of the development proponent is required to be entered into in accordance with the Planning Agreement letter of offer submitted by Southern Region Land Engineering, dated 18/05/2020.

The Planning Agreement must incorporate the following requirements:

- Any retaining walls to be used shall be reinforced concrete with a minimum design life of 40 years, to ensure longevity.

**SCHEDULE B**

**SECTION A: GENERAL CONDITIONS**

**1. Approved Development and Use**

Development consent has been granted in accordance with this Notice of Determination for the purposes of a fourteen (14) Lot residential subdivision, drainage reserve Lot and public infrastructure under the *Goulburn Mulwaree Local Environmental Plan 2009*.

*(Reason: To confirm the components of the approval)*

**2. Development in Accordance with Documentation**

The development must only be carried out:

- a) in compliance with the conditions of this Notice of Determination; and
- b) in accordance with the approved plans and documentation listed in the table below.

Architectural plans prepared by Southern Region Land Engineering			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
T01807-SK001	4	Detailed Lot Layout	19/05/2020
T01807-SK002	3	Concept Drainage Plan	20/11/2019
T01807-SK003	4	Concept Sewer Plan	19/05/2020
T01807-SK005	4	Concept Erosion and Sediment Control Plan	19/05/2020
T01807-SK006	4	Existing Tree Survey Plan	19/05/2020
T01807-SK007	2	Landscape & Fencing Plan	19/05/2020
T01807-110	3	General Arrangement and Typical Sections	20/11/2019
T01807-111	3	Bio-Basin Typical Details	20/11/2019
T01807-130	3	Longitudinal Section MC01-Sloane Street	20/11/2019
T01807-140	3	Cross Section Sheet 1 of 7	20/11/2019
T01807-141	3	Cross Section Sheet 2 of 7	20/11/2019
T01807-142	3	Cross Section Sheet 3 of 7	20/11/2019
T01807-143	3	Cross Section Sheet 4 of 7	20/11/2019
T01807-144	3	Cross Section Sheet 5 of 7	20/11/2019
T01807-145	3	Cross Section Sheet 6 of 7	20/11/2019
T01807-146	3	Cross Section Sheet 7 of 7	20/11/2019
T01817	-	Proposed Planting Behind Wall	17/12/2019
T01817	-	Basin Detail	undated



Documentation prepared by Capital Ecology PTY LTD			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
Project No. 2861		Proposed subdivision of 30b Sloane Street Goulburn NSW (Lot 2 DP 1099324)- Ecological Impact Assessment	06/06/2019

*(Reason: To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

**3. Water NSW General**

The lot layout of the subdivision shall be as shown on the Detailed Lot Layout Plan (DRG. No T01807-SK001, Issue IF, Rev 3, dated 20.11.19) prepared by S.R.L.E. No revised site layout, staging or external works that will have any impacts on water quality shall be permitted without the agreement of Water NSW.

*(Reason: Water NSW has based its assessment under State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the subdivision)*

**4. Water NSW Stormwater Management**

No changes to stormwater treatment and management that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

*(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)*

**SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION**

**5. Issue of a Subdivision Works Certificate Requirements**

In accordance with cl.148F of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a Subdivision Works Certificate must not be inconsistent with this Notice of Determination.

*(Reason: Prescribed by legislation)*

**SECTION C: MATTERS REQUIRING COUNCIL'S SATISFACTION PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE**

**6. s.306 Compliance Certificate**

A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained from 'Council' as the Sewer and Water Authority prior to the issue of any Subdivision Works Certificate.

*Note: s.64 of the Local Government Act 1993 authorises 'Council' to issue Certificates of Compliance under s.306 of the Water Management Act 2000 and to impose pre-conditions to the issuing of Certificates of Compliance.*

*(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)*

**7. Fire Hydrant Provision**

Hydraulic Engineers details for water services which are to be approved by 'Council's' Utilities Department shall include fire hydrant location which show coverage to all allotments, with particular attention to coverage for the battle-axe

allotments.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any or Subdivision Works Certificate.

(Reason: To ensure future residential development has adequate fire hydrant coverage)

8. **Constructional Environmental Management Plan**

A Construction Environmental Management Plan must be prepared and submitted to, and approved in writing by 'Council' prior to the issue of any Subdivision Works Certificate. The plan must be prepared by a suitably qualified or experienced person(s), and must include, but not be limited to, the following: -

a) Details of:

- i. 24-hour contact details of site manager;
- ii. the proposed phases of construction 'works' on the 'site', and the expected duration of each construction phase;
- iii. the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process; and
- iv. the proposed areas within the 'site' to be used for the storage of excavated materials, construction materials and waste containers during the construction period;

b) Construction Traffic and Pedestrian Management;

- i. be prepared in consultation with Council and Transport NSW if the road is a classified road;
- ii. detail the measures that are to be implemented to ensure road safety and network efficiency during the 'works' in consideration of all potential impacts on general traffic, cyclists, pedestrians and bus services;
- iii. detail heavy vehicle routes, access and parking arrangements;
- iv. the proposed methods of loading and unloading excavation and construction machinery, excavation and building materials, formwork etc. and the erection of any part of the structure within the 'site';
- v. detail procedures for notifying adjoining and nearby residents and the community of any potential disruption to routes; and
- vi. include a program to monitor the effectiveness of these measures

c) Construction Noise and Vibration Management;

- i. describe procedures for achieving the noise management levels in EPA's Interim construction Noise Guideline;
- ii. describe the measures to be implemented to manage high noise generating activities such as piling, jack hammering etc., in close proximity to sensitive noise receivers;
- iii. include strategies that have been developed with the community for managing high noise generating activities;
- iv. describe the community consultation undertaken to develop the strategies to be employed; and
- v. include a complaints management system that would be implemented for the duration of the 'works'.

d) Construction Soil and Water Management;

- i. be undertaken in consultation with Water NSW and 'Council';
- ii. describe all erosion and sediment controls to be implemented during the works;
- iii. provide plans and details of how the works will be managed in wet weather (i.e. storage of equipment, stabilisation of the site, inundation

- threats);
- iv. the proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles must be directed to the sediment control system within the 'site';
  - v. details all off site flows from the site and how they will be managed;
  - vi. describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI;
  - vii. demonstrate how compliance with Water NSW conditions will be addressed and maintained; and
  - viii. include a program to monitor and review the effectiveness of the soil and water management measures required by this condition.
- e) **Construction Waste Management;**
- i. details the quantities of each waste type generated during the 'works' including all forms of green waste and any proposed reuse, recycling and disposal locations; and
  - ii. removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards, and guidelines.
- f) **Unexpected Contamination Procedure** to ensure that any potentially contaminated material is appropriately managed. The procedure must provide for all disposal locations, quantities and test results to be submitted to 'Council' and the 'Certifier' 48 hours prior to removal from 'site'.

All work, excavation, demolition or construction activities must be undertaken in accordance with the approved Construction Environmental Management Plan and any conditions attached to the approved plan. A copy of the approved Construction Environmental Management Plan must be kept on the 'site' at all times and made available to any officer of 'Council' upon request.

*(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)*

## 9. Damage to Public Infrastructure

A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant/person which details the pre-developed condition of the existing public infrastructure in the vicinity of the development 'site'. Attention must be paid to accurately recording any pre-development damage so that 'Council' is informed when assessing any future damage to public infrastructure caused as a result of the development. The dilapidation survey and report must be submitted to, and approved in writing by 'Council' prior to the issue of any Subdivision Works Certificate.

The person entitled to act upon this Notice of Determination will be held liable for all damage to public infrastructure in the vicinity of the development 'site' where such damage is not accurately recorded and demonstrated as pre-existing under documentation provided by this condition.

*Note: Vicinity is defined as all public infrastructure immediately adjacent to the 'site' (full road reserve width) and to a minimum distance of 50m beyond the 'site' boundaries.*

*(Reason: To record the condition of public infrastructure prior to the*

*commencement of construction to the consent authority's satisfaction)*

10. **Structural Engineering Plans**

Structural engineering plans and details prepared by an experienced professional chartered practicing Structural Engineer are required for the following: -

- a) All retaining walls and footings with a minimum design life of 40 years. Retaining walls are not to exceed two (2) meters in height before the introduction of a stepped terrace retaining wall system with a minimum spacing of one (1) metre from retaining wall face to retaining wall face. All retaining walls including required drainage zones must be contained wholly within the boundaries of the subject Lot. A compliant handrail is required to be installed at the top of the retaining wall, where retaining wall/s incorporate a height of at least 1 metre.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

*Advice: The name, address and qualifications of the practising Structural Engineer certifying the design must be clearly indicated on the plans and any accompanying documentation. The engineer is to hold qualifications appropriate to the project as defined in the Building Code of Australia. The design shall relate to the particular site.*

*Any such Certificate is to set forth the extent to which the Engineer has relied on relevant Specifications, Rules, Codes of Practice or Publications in respect of the construction.*

*(Reason: To ensure the structural support of public infrastructure is achieved)*

11. **Water NSW- Construction Activities**

The Concept Erosion and Sediment Control Plan (DRG. No T01807-SK005, Issue IFA, Rev 3, dated 20.11.19) prepared by S.R.L.E shall be updated to a Soil and Water Management Plan in consultation with Water NSW for all works required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall:

- meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)
- be prepared prior to issuance of a Subdivision Works Certificate and be to the satisfaction of Council, and
- include controls to prevent sediment or polluted water leaving the construction site or entering any natural drainage lines or stormwater drain.

*(Reason: To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase)*

12. **Water NSW – Subdivision Road**

The subdivision road shall be located and constructed as shown on the proposed Subdivision Plans (DRG. No T01807-110, Issue IFA, Rev 3, dated 20.11.19; T01807-130, Issue IFA, Rev 3, T01807- 140 – 146, Issue IFA, Rev 3, all dated 20.11.19), all prepared by S.R.L.E. The subdivision road shall:

- be sealed and otherwise constructed in accordance with Council's engineering standards, and
- incorporate inlet filters (Enviropod 200 or Water NSW endorsed equivalent) on all inlet pits.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

*(Reason: To ensure that the proposed subdivision road and associated infrastructure will have a sustainable neutral or beneficial impact on water quality during the operational phase of the development)*

**13. Water NSW – Subdivision Road**

All stormwater structures and drainage works associated with the proposed subdivision road shall be wholly included in the road or drainage reserve or within suitably defined easements.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

*(Reason: To ensure that the proposed subdivision road and associated infrastructure will have a sustainable neutral or beneficial impact on water quality during the operational phase of the development)*

**14. Water NSW – Stormwater Management**

All stormwater management measures as shown on the Concept Drainage Plan (DRG. No T01807-SK002, Issue IFA, Rev 3, dated 20.11.19) prepared by S.R.L.E shall be incorporated in the final stormwater drainage plan. The final stormwater drainage plan shall be prepared in consultation with Water NSW, specifically the design of the main biobasin, and approved by Council.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

*(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)*

**15. Water NSW – Stormwater Management**

The biobasin in the final stormwater drainage plan shall also:

- be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne et al, 2015, Melbourne, CRC for Water Sensitive Cities)
- be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
- direct all discharge and overflow to Council's stormwater system such that discharge does not cause erosion
- be accessible from road by machinery to facilitate cleaning, monitoring and maintenance of the structures
- be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
- be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Council' prior to the issue of any Subdivision Works Certificate.

*(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)*

**SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A**

**SUBDIVISION WORKS CERTIFICATE****16. Street Lighting Requirements**

All areas within the development must comply with AS/NZS 1158.3.1:2010 (as amended) Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements. Where required, lighting must be upgraded/provided in accordance with AS/NZS 1158.3.1:2010.

Lighting for the pathway between proposed Lot 3 & 4 shall be low lying that does not result in adverse light spillage to future residential development within proposed Lots 3 & 4, whilst ensuring that the entire length of this path is adequately lit.

Details of the proposed lighting to the standard P5 Category and compliance with AS/NZS 1158.3.1:2010 (as amended) must be submitted to, and approved by the 'Certifier' prior to the issue of any Subdivision Works Certificate.

*(Reason: To ensure street lighting is provided in accordance with the applicable Australian Standards. To ensure that lighting does not result in any detrimental amenity impacts to future residential property occupiers)*

**17. Initial Geotechnical Report**

A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer that as a minimum but is not be limited to the following:

- a) extent and stability of proposed earthworks and embankments including those acting as stormwater basins;
- b) recommended geotechnical testing requirements;
- c) level of geotechnical supervision for each part of the works as defined under AS 3798 - *Guidelines on Earthworks for Commercial and Residential Developments*;
- d) recommended treatment of any unstable areas within privately owned allotments;
- e) requirement for subsurface drainage lines;
- f) overall assessment of the suitability of the engineering plans for the proposed subdivision development;
- g) risk analysis to existing structures of a contractor using vibratory rollers anywhere within the 'site' during the construction phase. The indicated hazardous areas must be identified on the geotechnical plans and specify the type of vibratory rollers allowed to be used in the area;
- h) the impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation; and
- i) any other and necessary geotechnical recommendations;

Details demonstrating compliance with the above requirements and certified by an appropriately qualified and practising civil engineer shall be submitted to, and approved by, the 'Certifier' prior to the issue of any Subdivision Works Certificate.

*(Reason: To ensure that infrastructure is designed in consideration of site constraints)*

**18. Engineered Stormwater Subdivision**

Plans and certification indicating all engineering details relevant to the 'site' regarding the collection and disposal of stormwater from the 'site', buildings, roads and adjacent catchments etc., must be procured and be in accordance with the following minimum specifications: -

- a) engineering stormwater management plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified practicing Chartered Professional Engineer;
- b) all drainage works must be designed and built in accordance with 'Council's' Engineering Standards, relevant Australian Standards, in conjunction with a geotechnical analysis of the 'site' soils;

- c) Engineering drawings must include an on-site and off-site catchment plan showing the layout and boundaries of road reserves, pathways, public reserves, lots and easements; adjacent contributing catchments with contributing area in hectares; existing and proposed drainage lines, both major and minor routes including inter allotment drainage lines; catchment and sub catchment limits with the contributing area in hectares; ultimate design of surface contours with 0.5m contour elevation difference; crests and sags in the road, and limit of inundation by the 1 in 100-year Average Recurrence Interval Flood.
- d) plans must include existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels, overland in lateral flow direction and proposed diameter and length of all pipelines;
- e) a piped stormwater drainage network contained within a 3m easement to the entire western boundary of Lots 7-13 to intercept overland flows for both minor and major storm events;
- f) the proposed development and stormwater drainage systems shall be designed to ensure that stormwater runoff is conveyed through the site by gravity to the bio basin in Lot 9 without adverse impact on the development or adjoining properties;
- g) the peak discharge from the 'site' must be no greater than the pre-developed peak discharge;
- h) any proposed fence is to be constructed must not impede the natural overland flow along the line of the easement and /or natural drainage line;

Details demonstrating compliance with the above requirements and certified by an appropriately qualified and practising civil or hydraulic engineer shall be submitted to, and approved by, the 'Certifier' prior to the issue of any Subdivision Works Certificate.

*(Reason: To ensure that stormwater drainage is of an appropriate standard and capacity to serve the proposed development, without adverse effect to properties or the environment)*

#### 19. Road Work Requirements

The person having the benefit of this consent must construct the carriageway to be 6000mm in width between internal kerb edges and provided with 4500mm wide verges. The works must be designed and constructed in compliance with the following: -

- a) all elements of the works within the road reserve must as a minimum be constructed in accordance with 'Council' engineering guidelines;
- b) be designed by a qualified geotechnical or civil engineer and certified to be satisfactory for the expected traffic loadings, ground conditions and structural capacity based on the pavement design recommendations and modelling;
- c) all elements of the 'works' must be designed in conjunction with a full geotechnical analysis of the soils;
- d) Lansdowne Street must be extended from the existing edge of the seal plus 1m;
- e) cul-de-sac head to have a minimum turning radius of 12m at kerb line;
- f) the geometric design of all other roads within the subdivision and the associated traffic facilities and entry features must permit a minimum 12.5-metre large rigid vehicle to enter, manoeuvre and leave travelling in a forward direction contained within the carriageway;
- g) the sight distance design drawings must be provided under AUSTRROADS "Guide to Road Design" requirements for all horizontal and vertical alignments of all streets and intersections within the development;
- h) the footpath pavement and grass verge shall be placed on a single straight grade of 3.0% falling to the top of kerb. The footpath pavement shall be 1200mm in width;
- i) footpath pavement transition works are required to ensure gentle changes in grade, drainage and no 'trip' hazards between the existing ground levels and

- the proposed pavement; and
- j) kerb/gutter transition works are required to ensure gentle changes in grade and longitudinal drainage between the existing ground level and proposed kerb and gutter.

A certificate and detailed drawings prepared by an appropriately qualified and practising Civil Engineer, must be submitted to, and approved by the 'Certifier' prior to the issue of any Subdivision Works Certificate

*(Reason: To facilitate suitable vehicular access to private sites, without disruption to pedestrian and vehicular traffic and to ensure appropriate access and infrastructure protection that is integral with infrastructure on surrounding sites)*

## 20. Landscape Plan

A landscape plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, with details at 1:20 & 1:50 conforming to all relevant conditions contained within this Notice of Determination and include the following information where required: -

- a) provision of street trees at a rate of no less than one tree per Lot. Corner Lots shall have a tree per frontage. The species of trees shall be one of either Callistemon Kings Park Special (bottlebrush tree) or Eucalyptus pauciflora (little snowman);
- b) the nature strip throughout the subdivision and to Lansdowne Street shall be grassed where not paved;
- c) pot size at planting out size min 1.5m in height, and staking requirements;
- d) soil treatment prior to planting out, and
- e) minimum twelve (24) month fertilizing and water maintenance and replacement schedule;
- f) Structural details of proposed retaining walls adjacent to No. 20 Lansdowne Street to demonstrate how there will be no impacts to the adjacent trees' Tree Protection Zone (TPZ) and therefore the structural integrity of the tree.
- g) details of manual excavation methods required for trenching adjacent to existing trees at the rear of proposed Lots 1-3 (i.e. no machinery to be used). If any roots need to be cut they must be no greater than 50mm in diameter and must be cut cleanly with a sharp saw.
- h) pre-coloured steel fencing to a height of 1.5 metres must be installed to the eastern boundary of proposed Lots 1-3. The fence shall be fixed and not incorporate any openable elements such as gates.
- i) All Poplar trees located within the land shall be removed, as they do not complement the locality or urban context.

Plans demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the release of any Subdivision Works Certificate.

*Note: Appropriate plant species for the Goulburn Mulwaree region are set out within the 'GM DCP 2009'*

*(Reason: To ensure appropriate landscaping treatments are applied to facilitate amenity)*

## 21. Noxious Weed Eradication

In accordance with the recommendations in the approved Ecological Impact Assessment, the person having the benefit of this Notice of Determination must compile a weed management program for the 'site' to control any species listed in the NSW WeedWise Priority Weeds for the South East region. The weed management program must be implemented, and control measures undertaken on the 'site' immediately after the sediment and erosion measures have been installed, throughout the development and during the maintenance period.

Details demonstrating compliance with this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Subdivision Works Certificate.

*Note: The priority weeds list is available from <https://weeds.dpi.nsw.gov.au>*



*(Reason: To ensure the appropriate weed management and control)*

## SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION, BUILDING OR SUBDIVISION WORKS

### 22. Prior to Commencement

**'Works'** must not commence on **'site'** in connection with this Notice of Determination until:

- a) a Subdivision Works Certificate for the subdivision work has been issued by:
  - i. the consent authority; or
  - ii. an **'Accredited Certifier'**; and
- b) the person having the benefit of this Notice of Determination has:
  - i. appointed a **'Principal Certifier'** for the subdivision work, and
- c) the **'Principal Certifier'** has, no later than two (2) days before the subdivision work commences:
  - i. notified the **'Council'** of his or her appointment, and
  - ii. notified the person having the benefit of the development consent of any inspections that are to be carried out in respect of the subdivision work, and
- d) the person having the benefit of this Notice of Determination has given at least two (2) days' notice to the **'Council'** and the **'Principal Certifier'** if not **'Council'** of the person's intention to commence subdivision work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to **'Council'** not less than two (2) days before any commencement of **'works'**.

*(Reason: Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any subdivision work)*

### 23. Public Liability Insurance

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within **'Council's'** road reserve or public land, as approved by this Notice of Determination. The Policy is to note, and provide protection/full indemnification for Goulburn Mulwaree Council, as an interested party. A copy of the Policy must be submitted to **'Council'** prior to the commencement of any works. The Policy must be valid for the entire period that the works will be undertaken.

**Note:** Applications for hoarding permits, vehicular crossings etc. will require evidence of insurance upon lodgement of the application.)

*(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)*

### 24. Site Facilities

**'Site'** facilities must be provided as follow;

- a) if the development involves building work or demolition work the **'site'** must be fully enclosed by a temporary security fence (or hoarding) before **'works'** commence. Any such hoarding or fence is to be removed when the **'works'** have been completed;
- b) a minimum width of 1.5m must be provided between the **'site'** and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees;
- c) a garbage receptacle fitted with a tight-fitting windproof lid for the reception of all putrescible and all waste capable of being windblown from the work **'site'**

must be provided prior to 'works' commencing and must be maintained and serviced for the duration of the 'works'; and

- d) adequate toilet facilities must be provided on the work 'site'. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the 'Council', or an approved temporary chemical closet. The provision of toilet facilities must be completed before any other 'works' are commenced.

The installation of the site facilities must be approved by the 'Principal Certifier' prior to any further commencement of 'site' 'works' and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

25. Site Sign

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

- a) stating that unauthorised entry to the 'site' is prohibited;
- b) showing the name of the 'Principal Contractor' (or person in charge of the 'site'), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the 'Principal Certifier' for the work.

Any such sign must be maintained while the 'works' are being carried out and must be removed when the 'works' have been completed.

The installation is to be approved by the 'Principal Certifier' prior to any further commencement of 'site' 'works'.

(Reason: Statutory requirement)

26. Sediment and Erosion Control

All required erosion and sedimentation techniques must be properly installed prior to the commencement of any 'site' 'works' and be maintained in a functional and effective condition throughout the construction activities until the 'site' is stabilised.

The installation is to be approved by the 'Principal Certifier' prior to further commencement of 'site' 'works'.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

27. s.68 Local Government Act Requirements

Prior to the issue of any Subdivision Works Certificate, an application under s.68 of the *Local Government Act 1993* must be made to, and an approval issued by, 'Council' for the following works, if in the event that the existing dwelling's internal drainage lines are no longer wholly within proposed lot 6:

- Stormwater works;
- Sewerage plumbing; and
- Hot and cold-water reticulation.

Documentation demonstrating compliance with the above must be submitted to, and approved by the 'Certifier' prior to the release of a Subdivision Works Certificate.

(Reason: To ensure approvals under the provisions of the *Local Government Act 1993* are obtained before 'works' commence)

28. Water NSW- Construction Activities

The Soil and Water Management Plan shall be implemented, and effective erosion

and sediment controls shall be installed prior to any construction activity. The controls shall be regularly inspected, monitored and maintained until works have been completed and groundcover established.

*(Reason: To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase)*

## SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION, BUILDING OR SUBDIVISION WORKS

### 29. Public Liability Insurance

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within 'Council's' road reserve or public land, as approved by this Notice of Determination. The Policy is to note, and provide protection/full indemnification for Goulburn Mulwaree Council, as an interested party. A copy of the Policy must be submitted to 'Council' prior to the commencement of any works. The Policy must be valid for the entire period that the works will be undertaken.

*Note: Applications for hoarding permits, vehicular crossings etc. will require evidence of insurance upon lodgement of the application.)*

*(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)*

### 30. Dust Emissions and Air Quality

Any person acting on this Notice of Determination must ensure that:-

- a) materials must not be burnt on the 'site';
- b) vehicles entering and leaving the 'site' with soil or fill material must be covered;
- c) dust suppression measures as required must be carried out throughout the undertaking of the 'works' to minimise wind-borne emissions;
- d) exposed surfaces and stockpiles are suppressed by regular watering or hydro mulching;
- e) odour suppression measures must be carried out where appropriate so as to prevent nuisance occurring at adjoining properties;
- f) public roads used by these trucks are kept clean; and
- g) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

*(Reason: To protect the environment and the amenity of the surrounding area)*

### 31. Construction Hours

All 'works' must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

*Note: Demolition work means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.*

*Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like,*

*regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.*

*(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)*

32. **Sediment and Erosion Control Signage**

Durable signs must be erected during the 'works' in a prominent location on 'site' warning of penalties should appropriate erosion and sedimentation control devices not be utilised or maintained.

*(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)*

33. **Alterations to Utility Services**

Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the 'Council' or the relevant public authority.

*(Reason: To ensure costs associated with the development are not transferred to the public)*

34. **Use of Road Reserve**

All 'works', processes, storage of materials, loading and unloading associated with the development must occur entirely within the property. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from 'Council' as the Roads Authority.

*Note: Works and /or activities required to be undertaken within the road reserve are controlled through the issue of an approval/permit under s.138 Roads Act 1993.*

*(Reason: To ensure public safety and amenity on public land)*

35. **Unexpected Finds Protocol – Aboriginal Heritage**

In the event that surface disturbance identifies a new Aboriginal object, all 'works' on 'site' must halt in the immediate area and to an outer radius of no less than twenty meters to prevent any further impacts of the object(s). A suitably qualified archaeologist and the registered Aboriginal Land Council representatives must be contacted to determine the significance of the object(s). The 'site' if required is to be registered in the Aboriginal Heritage Information Management System (AHIMS) along with the management outcome for the 'site'.

The person having the benefit of this Notice of Determination must consult with the Aboriginal Land Council community representatives, the archaeologist and Heritage NSW to develop and implement management strategies for all objects/sites. 'Works' must only recommence with the written approval of Heritage NSW and only after a copy of that approval has been forwarded to the 'Certifier' and 'Council'.

*(Reason: To ensure the correct preservation and respect of aboriginal heritage)*

36. **Waste Derived Fill Material**

The only waste derived fill material that may be received at the development 'site' is:

- a) Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997*; and
- b) Any other waste derived material the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.

Any waste derived material the subject of a resource recovery exemption received at the development 'site' must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the 'Principal Certifier'.

*(Reason: To ensure that imported fill that is of an acceptable standard for environmental protection purposes)*

**37. Earthworks**

Excess fill shall be conveyed to an approved waste management facility or otherwise utilised in accordance with a lawful Development approval. Evidence of lawful disposal shall be kept by the development proponent.

*(Reason: To ensure that excess fill is lawfully managed)*

**SECTION G: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES**

**38. Water NSW – Stormwater Management**

At all times all the stormwater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan.

*(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)*

**SECTION H: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

**39. Release of Subdivision Certificate**

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of Determination must demonstrate to 'Council' that all conditions set out within this Notice of Determination have been complied with and all works completed. A Subdivision Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

*(Reason: To ensure that the development is completed to an acceptable standard prior to registration)*

**40. Planning Agreement Work**

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of Determination must demonstrate to 'Council' that all the work committed within the endorsed Planning Agreement has been completed.

*(Reason: To ensure that the Planning Agreement works have been completed and meet the overall aim of provision of works having public benefit)*

**41. Subdivision Certification**

A Subdivision Certificate that authorises the registration of a plan of subdivision at the NSW Land Registry Services must be obtained. The following must be submitted to 'Council' with any application for a subdivision certificate:

- a) the original plans of subdivision and administration sheets plus two (2) copies of each, and any original s.88B instrument to be endorsed, all enclosed in a protective sleeve (to prevent damage during transfer);
- b) an electronic version of all files being submitted including Word documents of all s.88 instruments;
- c) application for subdivision certificate form duly completed with payment of fees current at lodgement;
- d) written evidence in the form of a full condition compliance table that demonstrates how all the conditions contained within this Notice of Determination have been satisfied (including submission of all required certificates and/or information where required); and
- e) all other information required by the 'the Act' and 'the Regulation'.

*Notes: 'Council' will check the consent conditions on the relevant subdivision*

*consent. Failure to submit the required information will delay endorsement of the plan of subdivision and may require payment of rechecking fees or refusing the certificate.*

*'Council' will not accept bonds in lieu of completing subdivision works.*

*(Reason: To ensure compliance with relevant legislative requirements and maintenance of up to date Council records)*

**42. Water Management Act**

A Compliance Certificate issued under s.307 of the *Water Management Act 2000* must be obtained from the Utilities Division of 'Council' prior to the issue of any Subdivision Certificate.

*(Reason: To ensure compliance with the statutory requirements)*

**43. Gas Service Provision**

Prior to the issue of the Subdivision Certificate, written evidence including works as executed plan(s) from the gas supply authority (i.e. Jemena) must be supplied to 'Council' to confirm that the gas network has been extended into and throughout the subdivision to service each new allotment.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to 'Council'.

*(Reason: To ensure adequate servicing of the development)*

**44. Electrical Supply Services**

Prior to the issue of any Subdivision Certificate a Notification of Arrangements from the electricity supply authority (i.e. Essential Energy) must be supplied to 'Council' confirming that electrical infrastructure has been installed and that satisfactory arrangements have been made for the supply of low voltage reticulated electricity to each proposed Lot.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to 'Council'.

*(Reason: To ensure adequate servicing of the development)*

**45. NBN Services within Lots**

Prior to the issue of the Subdivision Certificate, a letter of practical completion from the telecommunications infrastructure provider (i.e. NBN) must be provided to 'Council' confirming that arrangements have been made for the provision of underground telecommunications at the front boundary of each allotment in the subdivision.

*(Reason: To ensure adequate servicing of the development)*

**46. Easements, Rights of Way and Restrictions as to User**

All easements, rights-of-way, right-of-carriageway, and restrictions-as-to-user as indicated on the plans submitted with the application for a Subdivision Certificate, together with the following additional easements/rights-of-way/restrictions, naming Goulburn Mulwaree Council as the sole authority empowered to release or modify the same are to be prepared for registration on the title of the relevant Lots:

- a) All 'Council' sewer and stormwater infrastructure.
- b) To ensure that there is no additional vehicular access to the rear laneway, a restriction as to user preventing vehicular access to the rear of the lots via the rear laneway. The pre-coloured steel fence must not be altered to install an opening to enable any access– Lots 1-3.
- c) To minimise earthworks for future dwelling proposals and to utilise the site benching provided as part of the subdivision works, future residential development shall be constructed only within those areas that are benched. The restriction as to user must show the benched areas as building envelopes on the Deposited Plan– Lots 1-4, and 9-12

Documentary evidence in the form of an endorsed instrument for registration by 'Council' under section 88 of the *Conveyancing Act 1919* must be provided to the

**'Certifier'** prior to the issue of any Subdivision Certificate.

**Note:** *Any reference to a plan must include the details of the title, author, drawing number, revision number and date of issue.*

*(Reason: To ensure proper management of land)*

**47. Extinguish existing encumbrances**

The existing rights of way and restriction as to user currently registered on Lot 2 DP 1099234 shall be extinguished.

Documentary evidence provided in the form of an instrument proposing the release of each of these dealings for registration by **'Council'** under section 88 of the **Conveyancing Act 1919** must be provided to the **'Certifier'** prior to the issue of any Subdivision Certificate.

*(Reason: The existing dealings registered on the land title are obsolete and must be removed to ensure that there are no implications to future lots. Proposed lot 1 shall not be accessed via the existing lane)*

**48. Water NSW – Future Dwellings**

There shall be a public positive covenant under Section 88E of the **Conveyancing Act 1919**, the prescribed authority being Water NSW, placed over all proposed lots requiring that future dwellings have a rainwater collection and reuse system that:

- have rainwater tanks with a minimum total capacity of 10,000 litres above any volume required for mains top-up
- ensure roofs and gutters are designed to maximise the capture of rainwater in the tanks
- ensure that the tanks are plumbed to toilets, laundry and other areas for non-potable use including use for gardens, and
- ensure rainwater tank overflow is directed to street stormwater drainage system.

Documentary evidence in the form of an endorsed instrument for registration by **'Council'** under section 88 of the **Conveyancing Act 1919** must be provided to the **'Certifier'** prior to the issue of any Subdivision Certificate.

*(Reason: To ensure stormwater runoff from the future dwellings and associated infrastructure is appropriately managed and maintained so as to ensure an overall and sustainable neutral or beneficial impact on water quality over the longer term)*

**49. Final Geotechnical Report**

A Geotechnical report shall be prepared by a suitably qualified and experienced Geotechnical Consultant at the completion of works and submitted to **'Council'**. The report shall include:

- a) A classification for each proposed Lot for residential building construction in accordance with AS.2870-1996 (as amended) at the cost of the developer. Lot classifications must be based on test locations within each Lot. If cut and fill is carried out as part of the construction of the subdivision, this must be clearly documented on the works as executed plans.

Lot classification tests must be carried out after all cut and fill and compaction has been completed. Classification test results demonstrating compliance with the above must be provided to **'Council'** prior to the issue of any Subdivision Certificate for each construction stage.

- b) Certification that all earthworks within the site have complied with the approved Subdivision Works certificate plans;
- c) Certification that all recommendations contained in geotechnical reports lodged in support of the development have been satisfied; and
- d) The exact extent of any restricted building zones or any other restrictions affecting any of the allotments.

Documentary evidence from 'Council' confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

*(Reason: To ensure each allotment is capable of development for residential development in accordance with accepted Australian Standards)*

**50. Certification of Civil Works**

An appropriately qualified and practising accredited Civil Engineer must certify to the 'Principal Certifier':

- a) that the stormwater drainage system has been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard;
- b) that the road infrastructure has been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard; and
- c) that the footpath infrastructure has been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard;

A copy of the certificate(s) must be submitted to 'Council' upon completion of the 'works' and prior to the issue of any Subdivision Certificate.

Documentary evidence confirming that the above requirements have been fulfilled must be provided to the 'Principal Certifier' prior to the issuing of any Subdivision Certificate.

*(Reason: To ensure compliance with the conditions of consent)*

**51. Disposal Information**

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of determination must provide to the 'Principal Certifier' copies of all waste disposal receipts and documentation demonstrating that all demolition and construction waste has been lawfully disposed in accordance with the Waste Management Plan.

The 'Principal Certifier' must be satisfied that quantity of waste disposed of or recycle is commensurate to the quantity of waste actually generated by the 'works'.

*(Reason: To ensure waste material is appropriately recycled and lawfully disposed)*

**52. Water NSW – Stormwater Management**

A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and 'Council' prior to the issuance of a Subdivision Certificate that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Principal Certifier' prior to the issue of any Subdivision Certificate.

*(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)*

**53. Water NSW – Stormwater Management**

An Operational Environmental Management Plan shall be prepared in consultation with Water NSW and 'Council' by a person with knowledge and experience in the preparation of such plans. The Plan shall be prepared prior to the issuance of a Subdivision Certificate. The Plan shall be provided to 'Council' when the management and maintenance of the biobasin is handed over to 'Council'. The Plan shall:

- include details on the location, description and function of stormwater



management structures such as pits, pipes, interallotment drainage, bioretention basin, and any other stormwater structures and drainage works

- outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
- identify the individuals or positions responsible for inspection and maintenance activities, including a reporting protocol and hierarchy
- identify detailed requirements and measures for the protection of bioretention basins from future upstream construction works i.e. construction of dwellings on future lots, and
- include checklists for recording inspections and maintenance activities.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by 'Principal Certifier' prior to the issue of any Subdivision Certificate.

*(Reason: To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term)*

**54. Infrastructure Repair Prior to Completion of Works**

Prior to the issue of a Subdivision Certificate all damage caused by the 'works' -

- a) in the road reserve must be fully completed;
- b) must repair and make good any damaged public infrastructure caused as a result of any 'works' relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired; and
- c) must be made good in accordance with 'Council's' engineering standards and at no cost to 'Council'.

Documentary evidence from 'Council' as the roads authority confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

*(Reason: To ensure damage caused by the works is repaired at no cost to the public)*

**55. Vegetation Cover**

Upon completion, all exposed and unvegetated areas throughout the site must be treated with a grass seed based emulsion (hydro seeding) for the purpose of establishing a vegetation cover over the site and must be completed prior to the issue of any Subdivision Certificate.

*(Reason: To ensure vegetation growth post-development and to protect the environment)*

**56. Road Naming**

The submission of a name(s) for the new road/s must be made to 'Council', prior to the issue of any Subdivision Certificate. The approved road name/s are to be written on the plan of subdivision. The applicant is to pay for the supply and erection of all the necessary signs to 'Council' prior to the issue of a Subdivision Certificate. Alternatively, the developer must carry out the works in accordance with AS.1742.

The proposed road name for the new road(s) will need to be submitted to Council for approval in accordance with 'Council's' Approved Names for Road and Public Place Naming Policy and the Geographical Names Board of NSW Guidelines for the Naming of Roads. The number of signs is to be determined in consultation with Council's Engineering Services.

The person having the benefit of this Notice of Determination can make a written application to 'Council' for a quote for the supply and installation of road signs in

accordance with AS.1742.

For proposed street names that are not on the approved list, development proponents must follow the process within the above policy and first obtain approval before the Subdivision Certificate application is made. Fees will apply for any advertising required for proposed new street names.

Documentary evidence from ‘Council’ confirming that this condition has been satisfied must be provided to the ‘Certifier’ prior to the issue of any Subdivision Certificate.

**Note:** *Please not the process of selecting and having a road name approved can take up to six (6) months.*

**(Reason:** *To ensure that road names are to Council’s standards)*

**57. Street Name Signs and Posts**

Street name signage must be provided and installed prior to the issue of any Subdivision Certificate in accordance with *Council’s Standards for Engineering Works*.

**Note:** *Street name signage blades must not overhang the kerb edge.*

**(Reason:** *To ensure that ‘Council’ records are accurate, and that individual lot numbering complies with the requirements of the NSW)*

**58. Street Numbering**

A Subdivision Certificate must not be issued until the approved street numbering has been installed on each Lot. The street numbering has been allocated as follows:-

Lot No.	Street Address	Lot No.	Street Address
1	1 New Road	8	12 New Road
2	3 New Road	9	10 New Road
3	5 New Road	10	8 New Road
4	7 New Road	11	6 New Road
5	9 New Road	12	4 New Road
6	11 New Road	13	2 New Road
7	14 New Road	14	30b Sloane Street

Documentary evidence from confirming that this condition has been satisfied must be provided to the ‘Certifier’ prior to the issue of any Subdivision Certificate.

**(Reason:** *To ensure that that each proposed Lot is addressed in accordance with NSW addressing standards)*

**59. Landscaping Finalisation**

At the conclusion of all subdivision ‘works’ within each stage all landscaping ‘works’ that are to revert to the care and control of ‘Council’ must be offered up free from weeds, large rocks and stones and other foreign items, ground cover be fully established, be presented in a healthy condition and all trees supported by no less than two 50mm square hardwood stakes.

Documentary evidence from ‘Council’ as the roads authority confirming that this condition has been satisfied must be provided to the ‘Certifier’ prior to the issue of any Subdivision Certificate.

**(Reason:** *To ensure works reverting to the care and control of ‘Council’ have been finalised appropriately)*

**60. Landscaping Maintenance Period**

The person acting upon this Notice of Determination must maintain all soft landscaping 'works' and landscaping features that are nominated to revert to the care and control of 'Council' for a minimum period of 24-months following the issue of a Subdivision Certificate.

A comprehensive landscape maintenance plan must be prepared or where previously approved by this Notice of Determination be updated and revised by a suitably qualified person in consultation with 'Council'. The agreed landscape maintenance plan must be accompanied by an unencumbered undertaking by the person having the benefit of this Notice of Determination to carry out the requirements of the maintenance plan for the duration of the maintenance period whether extended or not.

A street tree maintenance bond (per tree) and administration fee shall be paid prior to the issue of the Subdivision Certificate.

Documentation satisfying the requirements of this condition including evidence from 'Council' agreeing to the maintenance plan and copies of the maintenance plan must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

*Note: Landscaping includes all soft landscaping and other items such as but not limited to, timber stakes, fencing, edging, benches, signs, tables.*

*(Reason: To ensure that landscaping works have been undertaken to an acceptable standard and allow for remedying of any defects that arise within 24-months after the work is completed)*

#### 61. Landscaping Maintenance Period Obligations

The person having the benefit of this Notice of Determination must maintain all landscaping 'works' dedicated to 'Council' during the maintenance period in accordance with the approved landscaping maintenance plan. An inspection of all landscaping 'works' dedicated to 'Council' including the procurement of a written report that identifies, current health, damage, defects, omissions, proposed remedial works and timing of those works must be provided to 'Council' at the following periods.

- a) Eight (8) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the eighth month;
- b) Sixteen (16) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the sixteenth month; and
- c) Twenty-three (23) months from issue of the Subdivision Certificate, the report must be supplied to 'Council' by the expiry of the twenty-third month.

'Council' may issue rectification notice(s) for any omission or defect in the work that existed at the time the notice was issued or at any time during the maintenance period or extension of that period.

Where the costs incurred by 'Council' for any works required to make good defects or compliance with the person having the benefit of this Notice of Determination must reimburse 'Council' in full.

*Note: The inspection and report must be undertaken and prepared by a suitably qualified person having regards to the nature of the dedicated works.*

*Where rectification works are required, they must be undertaken and completed within two (2) months of the report being submitted to 'Council'.*

*(Reason: To ensure that 'Council' infrastructure has been constructed to an acceptable standard)*

#### 62. Defects Engineering Bond

Prior to the release of the Subdivision Certificate the person acting upon this Notice of Determination is to lodge with 'Council' a Defects Bond for all 'works' that are nominated to revert to the care and control of 'Council', being a minimum of \$10,000

or 5% of the total cost of subdivision construction *'works'* for each stage of the development, whichever is the greater. The bond must be in place prior to the release of any Subdivision Certificate and must remain in place for the required period of six (6) months from the date of endorsement of the Subdivision Certificate.

*'Council'* will accept a bank guarantee for the purpose of any bond required, however, the bank guarantee must be in a form acceptable to *'Council'* and be unconstrained by time.

Where the costs incurred by *'Council'* for any works required to make good defects exceeds the value of any bond held by *'Council'* the person having the benefit of the consent will reimburse *'Council'* the difference.

**Note:** *Upon the expiration of the 6-month bond period, the applicant may apply for release of the bond. 'Council' may deduct from the bonded amount the cost of any maintenance work required to be undertaken by 'Council' as a result of incomplete or substandard works or the like.*

**(Reason:** *To ensure that works have been constructed to an acceptable standard and allow for remedying any defects in any such public work that arise within 6-months after the work is completed)*

### 63. Defects Period and Obligations

The person having the benefit of this Notice of Determination must maintain the public infrastructure and *'works'* dedicated to *'Council'* for a minimum period of twenty-four (24) months. An inspection of all public infrastructure and *'works'* dedicated to *'Council'* including the procurement of a written report that identifies all damage, defects, omissions, proposed remedial works and timing of those works must be provided to *'Council'* at the following periods.

- a) Five (5) months from issue of the Subdivision Certificate, the report must be supplied to *'Council'* by the expiry of the fifth month;
- b) Fourteen (14) months from issue of the Subdivision Certificate, the report must be supplied to *'Council'* by the expiry of the fourteenth month; and
- c) Twenty-three (23) months from issue of the Subdivision Certificate, the report must be supplied to *'Council'* by the expiry of the twenty-third month.

*'Council'* may issue rectification notice(s) for any omission or defect in the work that existed at the time the notice was issued or at any time during the maintenance period or extension of that period.

Where the costs incurred by *'Council'* for any works required to make good defects or compliance with the person having the benefit of this Notice of Determination must reimburse *'Council'* in full.

**Note:** *The inspection and report must be undertaken and prepared by a suitably qualified person having regards to the nature of the bonded works.*

*Where rectification works are required, they must be undertaken and completed within two (2) months of the report being submitted to 'Council'.*

**(Reason:** *To ensure that 'Council' infrastructure has been constructed to an acceptable standard)*

### 64. Works As Executed Drawings

The Developer must provide a copy of the Work As Executed (WAE) information on disk (PDF and DWG format) prior to the issue of the Subdivision Certificate.

The WAE plans are generally the design plans amended to indicate the as-built nature of the work and must include the following: -

- any departure from the approved plans;
- any additional work that has been undertaken;
- the location of council conduits, subsoil drains associated with road

pavements;

- stop valves, hydrants, earthworks, sewer manholes, sewer junctions, interlot drainage inlet junctions and stormwater drainage pits;
- all other details of works to be handed over to Council; and
- certification by the developer's registered surveyor that the WAE drawings are a full and accurate representation of the constructed works. This may be achieved by the stamping and signing of each plan.

Documentation demonstrating compliance with the requirements of this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Subdivision Certificate.

*(Reason: To ensure Council has an accurate record of public infrastructure)*

#### 65. Provision of GIS Data

The GPS electronic data below is required to be provided to 'Council'. The provider must certify that the data provided complies with this clause.

- Survey Type/Standard - Real Time Kinematic (RTK) by registered surveyor
- Projection - GDA94 (MGA55)
- Position quality - Within 20mm horizontal, 30mm vertical
- File format - Co-ordinates to be provided in Excel \*.xls spreadsheet or comma delimited \*.txt or .csv; and line data to be provided in either MapInfo Tab or DWG formats
- Data required - Co-ordinates, AHD height, point codes and unique ID's, distinct lines connecting individual coordinate points clearly differentiated in colour for discrete assets. Levels in MGA (AHD)
- Code legend - Code legend to be provided

The following points, line and related tables are required: -

- Property - Individual lot boundary points;
- Roads - Kerb and gutter at invert to show line and length, including at tangent points. Footpaths on both edges to show line and length. Traffic island around the outside edge to show size and shape;
- Water Supply - Water mains at T-junctions and length. Hydrants at the centre of the cover. Stop valves at the centre of the cover. Meter boxes at the centre of the box;
- Sewer - Manholes at centre of lid. Property connections at the intersection point with the main and at the end of the junction;
- Stormwater - Pits at the centre of the lid. Headwalls at the centre of the headwall. Property connections at the intersection point with the main and at the end of the junction. Water quality devices e.g. swales, bio-detention basins, at relevant points to provide the outline; and
- Other - Other significant infrastructure features.

Documentary evidence from 'Council' confirming that this condition has been satisfied must be provided to the 'Certifier' prior to the issue of any Subdivision Certificate.

*(Reason: To ensure that GIS records are accurately maintained)*

#### 66. s.7.12 Contributions

Under s.7.12 of 'the Act' 'Council' has determined that development contributions are applicable to this development, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Goulburn Mulwaree local government area.

The following Goulburn Mulwaree Council developer contributions plans are applicable to the development:

- Section 94a Contribution Plan

The contributions in accordance with *'Council's Fees and Charges at the time of payment must be paid prior to the issue of any Subdivision Works Certificate.*

The level of contributions is calculated on the cost of carrying out the works and in accordance with cl.25I of *'the Regulation'* and *'Council's contribution plans at the time of payment.*

A cost summary report must be completed for works under \$200,000. Where the value of the work exceeds \$200,000 the cost shall be certified by a Quantity Surveyor or an equivalent or acceptable alternative agreed to by Council.

Where staging of the *'works'* occurs the value of the *'works'* for each stage is to be calculated as a cumulative total.

Documentation as issued by *'Council'* demonstrating that the contribution has been paid must be submitted to, and approved by the *'Certifier'* prior to the issue of a Subdivision Certificate.

**Note:** *Copies of the Contributions Plans are available from 'Council' or alternatively, they can be downloaded from 'Council's' website.*

*Payment is to be accompanied by the attached sheet entitled "Summary of Charges". If payment is by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).*

**(Reason:** *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)*

## SECTION I: CONCURRENCE AGENCY CONDITIONS

### 67. Water NSW Concurrence

Water NSW concurs with Council granting consent to the application, subject to the conditions within the concurrence letter dated 24 December 2019, which must be satisfied during the relevant stage of the development and prior to the issue of the Subdivision Certificate (or at a time as otherwise stated in the condition).

**(Reason:** *To ensure the development has a neutral or beneficial effect on water quality)*

## SECTION J: ADVISORY INFORMATION

- a) Prior to commencing any building, subdivision or associated constructions works, the following provisions of *'the Act'* are to be complied with:
  - (i) A Subdivision Works Certificate is to be obtained in accordance with Section 6.3 of *'the Act'*.
  - (ii) A Principal Certifier is to be appointed and *'Council'* is to be notified of the appointment in accordance with Section 6.12 of *'the Act'*.
  - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.12(2)(a) of *'the Act'*.
  
- b) Changes to the layout of the subdivision configuration may require the submission of a further modification under Section 4.55 of *'the Act'*.  
Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of *'the Act'*.
  
- c) Prior to any *'Work'* commencing on *'site'* all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising

[www.1100.com.au](http://www.1100.com.au)

- d) **'Council's' fees and charges are adjusted annually on the 1<sup>st</sup> July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.**
- e) **Requirements for the submission of any electronic file or email to 'Council'**
- a) **file formats for general documents should be .pdf, docx, .xlsx, jpeg.**
  - b) **where s.88b instruments are provided these should be submitted in both .pdf and .docx formats.**
  - c) **all files must be named in accordance with the following naming standard examples**
    - **APPLICATION NUMBER\_DOCUMENT TITLE\_PROPERTY ADDRESS\_AUTHOR**
    - **DA\_0058\_2021\_Proposed plans Rev A\_184 Bourke Street Goulburn\_Goulburn Architects**
    - **DA should be replaced where applicable with MODDA, CC, MODCC, SWC, SUB depending on what application the file relates to.**
  - d) **The subject title of any email sent to 'Council' should be prefaced with the application number and address in the format noted above.**

**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, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss**

**Against: Nil**

## **15.2 POST EXHIBITION REPORT - PLANNING PROPOSAL TO INCLUDE WINGELLO PARK AS AN ITEM OF HERITAGE**

### **RESOLUTION 2020/482**

**Moved: Cr Sam Rowland**

**Seconded: Cr Leah Ferrara**

**That**

- 1. The post exhibition report on the Planning Proposal to amend the provisions of Schedule 5 – Items of Environmental Heritage in *Goulburn Mulwaree Local Environmental Plan 2009* by adding “Wingello Park” by the Business Manager Strategic Planning be received.**
- 2. Council amend the Planning Proposal to:**
  - a) **Clarify that it applies only to that portion of the site located within the Goulburn Mulwaree local government area.**
  - b) **The map identifying the extent of the listing over the entirety of the subject site be replaced with a map indicating the extent of the listing being within the areas indicated in the following map, and that associated descriptions of the proposal within the Planning Proposal document reflect this change.**



3. Council endorse the Planning Proposal (as amended by Part 2 above) to amend Schedule 5 of *Goulburn Mulwaree Local Environmental Plan 2009* to include “Wingello Park” 14597 Hume Highway, Marulan (Lot 2 DP 1138469) as an item of environmental heritage.
4. A Draft Instrument be prepared that is consistent with the above amendment.
5. The Planning Proposal and relevant documentation be forwarded to the Department of Planning and Environment for plan making.

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, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

### 15.3 POST EXHIBITION REPORT - PLANNING PROPOSAL TO INCLUDE THE RU6 TRANSITION ZONE WITHIN CLAUSES 4.1AA AND 4.2B OF GM LEP 2009

#### RESOLUTION 2020/483

**Moved:** Cr Andrew Banfield  
**Seconded:** Cr Peter Walker

**That:**

1. The post exhibition report from the Senior Strategic Planner regarding the inclusion of the RU6 Transition Zone within Clauses 4.1AA and 4.2B be received.
2. Council endorse the current Planning Proposal to amend the Goulburn Mulwaree (GM) Local Environmental Plan (LEP) 2009 to include the RU6 Transition Zone in Clause 4.1AA (2) and Clause 4.2B (2) as a zone to which these Clauses apply.



3. A draft instrument be prepared that is consistent with the above amendment.
4. The General Manager use Council's delegated plan-making authority to implement the amendment described above as soon as practicable.

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, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

## 15.5 2019/20 AUDITED FINANCIAL STATEMENTS

### RESOLUTION 2020/484

Moved: Cr Carol James

Seconded: Cr Leah Ferrara

That

1. The report from the Director Corporate & Community Services on the 2019/20 Audited Financial Reports be received.
2. The Audited Financial Statements for the year ending 30 June 2020 be received and the Financial Position of Council be noted.

**CARRIED**

## 15.6 2019/20 STATUTORY ANNUAL REPORT

### RESOLUTION 2020/485

Moved: Cr Peter Walker

Seconded: Cr Andrew Banfield

That

1. The report by the Director Corporate & Community Services on the 2019/20 Statutory Annual Report be received.
2. Council endorse the 2019/20 Statutory Annual Report as required by the Local Government Act 1993.

**CARRIED**

**15.7 QUARTERLY BUDGET REVIEW****RESOLUTION 2020/486****Moved: Cr Denzil Sturgiss****Seconded: Cr Carol James****That:**

- 1. The report of the Director Corporate & Community Services on the September 2020 Quarterly Budget Review be noted.**
- 2. The budgeted variations contained within the September 2020 Quarterly Review be approved.**

**CARRIED****15.8 MONTHLY FINANCIAL REPORT****RESOLUTION 2020/487****Moved: Cr Peter Walker****Seconded: Cr Alfie Walker**

**That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Monthly Financial Report be received and noted for information.**

**CARRIED****15.9 STATEMENT OF INVESTMENTS & BANK BALANCES****RESOLUTION 2020/488****Moved: Cr Alfie Walker****Seconded: Cr Denzil Sturgiss**

**That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Statement of Investments and Bank Balances be received.**

**CARRIED****15.10 ST CLAIR CONSERVATION WORKS - STATUS REPORT****RESOLUTION 2020/489****Moved: Cr Andrew Banfield****Seconded: Cr Carol James**

**That the report from the Business Manager Marketing, Events & Culture on the status of the St Clair Conservation Works be received.**

**CARRIED**

**15.11 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION - OCTOBER 2020 STATUS REPORT**

**RESOLUTION 2020/490**

**Moved: Cr Peter Walker  
Seconded: Cr Alfie Walker**

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

**CARRIED**

**15.12 GOULBURN PERFORMING ARTS CENTRE - OCTOBER 2020 STATUS REPORT**

**RESOLUTION 2020/491**

**Moved: Cr Carol James  
Seconded: Cr Denzil Sturgiss**

**That the report from the Director of Operations on the status of the Goulburn Performing Arts Centre construction be received.**

**CARRIED**

**15.13 NATURAL DISASTER ESSENTIAL PUBLIC ASSET RESTORATION PROJECT - OCTOBER 2020 STATUS REPORT**

**RESOLUTION 2020/492**

**Moved: Cr Peter Walker  
Seconded: Cr Andrew Banfield**

**That the report from the Business Manager Works on the status for the Natural Disaster Essential Public Asset Restoration Project received.**

**CARRIED**

**15.14 MOUNTAIN ASH ROAD BLACKSPOT PROJECT - OCTOBER 2020 STATUS REPORT**

**RESOLUTION 2020/493**

**Moved: Cr Andrew Banfield  
Seconded: Cr Sam Rowland**

**That the monthly status report on Mountain Ash Road Blackspot project from the Business Manager of Works be received.**

**CARRIED**

**15.15 COOKBUNDOON PAVILION UPGRADE - OCTOBER 2020 STATUS REPORT**

**RESOLUTION 2020/494**

**Moved: Cr Andrew Banfield**

**Seconded: Cr Peter Walker**

**That the report from the Business Manager Community Facilities on Cookbundoon Pavilion Upgrade Status Report be received.**

**CARRIED**

**15.16 CANBERRA REGION JOINT ORGANISATION BOARD MINUTES - 26 OCTOBER 2020**

**RESOLUTION 2020/495**

**Moved: Cr Denzil Sturgiss**

**Seconded: Cr Alfie Walker**

**That the minutes from the Canberra Region Joint Organisation Board meeting of the 26 October 2020 be noted.**

**CARRIED**

**15.17 GOULBURN MULWAREE YOUTH COUNCIL MEETING NOTES - 30 OCTOBER 2020**

**RESOLUTION 2020/496**

**Moved: Cr Carol James**

**Seconded: Cr Denzil Sturgiss**

**That the report from Cr Carol James in relation to the Goulburn Mulwaree Youth Council Meeting Notes held on the 30 October 2020 be received.**

**CARRIED**

**15.18 COPFORD REACH WORKING PARTY MINUTES - 5 NOVEMBER 2020**

**RESOLUTION 2020/497**

**Moved: Cr Peter Walker**

**Seconded: Cr Sam Rowland**

**That the Copford Reach Working Party Minutes dated 5 November 2020 report from the General Manager be noted.**

**CARRIED**

**15.19 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT OCTOBER 2020**

**RESOLUTION 2020/498**

**Moved: Cr Sam Rowland**

**Seconded: Cr Carol James**

**That the activities report by the Director Corporate & Community Services be received and noted for information.**

**CARRIED**

**15.20 OPERATIONS DIRECTORATE REPORT - OCTOBER 2020**

**RESOLUTION 2020/499**

**Moved: Cr Sam Rowland**

**Seconded: Cr Alfie Walker**

**That the activities report for October 2020 by the Director Operations be received and noted for information.**

**CARRIED**

**15.21 UTILITIES DIRECTORATE REPORT - OCTOBER 2020**

**RESOLUTION 2020/500**

**Moved: Cr Sam Rowland**

**Seconded: Cr Carol James**

**That the report from the Director Utilities be received and noted for information.**

**CARRIED**

**15.22 PLANNING & ENVIRONMENT DIRECTORATE REPORT OCTOBER 2020**

**RESOLUTION 2020/501**

**Moved: Cr Alfie Walker**

**Seconded: Cr Leah Ferrara**

**That the activities report by the Director Planning & Environment be received and noted for information.**

**CARRIED**

The meeting was adjourned at 7.51pm for dinner and will reconvene in 30 minutes.

The meeting reconvened in Open Council at 8.25pm.



**16 CLOSED SESSION**

*Government Act 1993.*

**16 CLOSED SESSION****RESOLUTION 2020/502**

**Moved: Cr Denzil Sturgiss**

**Seconded: Cr Alfie Walker**

**That Council discuss Item 15.4 2021T0005 Cookbundoon Pavilion Upgrade Tender Evaluation in Closed Session to discuss Financial Information contained within the evaluation report which was part of a Closed Session attachment.**

**This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.**

**CARRIED**

Council resolved into Closed Session at 8.27pm.

Council resolved into Open Council at 9.08pm.

**RESOLUTION 2020/503**

**Moved: Cr Alfie Walker**

**Seconded: Cr Sam Rowland**

**That Council moves out of Closed Council into Open Council.**

**CARRIED**

**15.4 2021T0005 COOKBUNDOON PAVILION UPGRADE TENDER EVALUATION**

Cr Sturgiss left the meeting at 9.12pm and did not return.

**RESOLUTION 2020/504**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Carol James**

**That:**

- 1. The report from the Business Manager Community Facilities on 2021T0005 Cookbundoon Pavilion Upgrade Tender Evaluation be received;**
- 2. The tender from ARW Multigroup for \$1,008,672.06 (incl. GST) is accepted in accordance with the specification and documents for Tender No 2021T0005 due to them scoring the highest value for money ranking in the evaluation process.**
- 3. The General Manager is authorised to approve a variation of up to \$45,814 (incl. GST) for this project.**
- 4. Unexpended funds from the 2020/21 budget allocation be carried forward to 2021/22.**
- 5. The name Ray Harvey be retained on the new pavilion.**

**CARRIED**

**17 CONCLUSION OF THE MEETING**

**The Meeting closed at 9.14pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 1 December 2020.**

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

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