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MINUTES

Ordinary Council Meeting

1 October 2019

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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, 1 OCTOBER 2019 AT 6PM**

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

IN ATTENDANCE: Warwick Bennett (General Manager), Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Kate Wooll (Acting Director Planning and Environment), Robbie Hughes (Acting Director Operations), Amy Croker (Executive Officer) & Caitlin Gifford (Executive Support 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 Councillor Alfie Walker.

4 APOLOGIES

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEM/URGENT BUSINESS

RESOLUTION 2019/371

MOVED: CR PETER WALKER

SECONDED: CR DENZIL STURGISS

THAT COUNCIL ACCEPTS THE LATE REPORT FROM THE GENERAL MANAGER ON THE ITEM 15.18 GOULBURN AQUATIC CENTRE REPAIRS AS THE LATE ITEMS/URGENT BUSINESS FOR CONSIDERATION AND DETERMINATION AT THIS MEETING BECAUSE THE REPAIRS TO THE ROOF OVER THE INDOOR POOL ARE OF AN EMERGENCY NATURE.

THAT COUNCIL ACCEPTS THE WRITTEN SUBMISSIONS TO SUPPORT THE PUBLIC FORUM PRESENTATIONS BY TREVOR LLOYD IN REGARD TO THE DRAFT URBAN AND FRINGE HOUSING STRATEGY AND FROM DANIEL MAENPAA IN REGARD TO ITEM 15.1 DA/0294/1819, PLACE OF WORSHIP AT LOT 55 DP 1220085, 10 STRAKER ROAD GOULBURN.

THAT COUNCIL WITHDRAW ITEM 15.2 DRAFT URBAN AND FRINGE HOUSING STRATEGY - POST EXHIBITION REVIEW FROM CONSIDERATION AND DETERMINATION ON THIS BUSINESS PAPER AND DEFER UNTIL THE 15TH OCTOBER 2019 COUNCIL MEETING TO ALLOW ALL SUBMISSIONS TO BE ADDRESSED. COUNCIL ADVISE THE PUBLIC FORUM SPEAKERS TO CONTINUE WITH THEIR PRESENTATIONS TONIGHT AS THEY WILL BE CONSIDERED WHEN THE STRATEGY IS ADDRESSED AT THE NEXT MEETING.

CARRIED

7 DISCLOSURE OF INTERESTS

Mayor Bob Kirk declared a non-pecuniary/non-significant conflict of interest in Item 15.10 "Requests for Financial Assistance - Goulburn Convoy for Kids" as he was a former committee member of the Convoy For Kids board, however he is no longer on this board. As the disclosure was not of a significant nature Mayor Bob Kirk remained in the meeting while discussion took place

Mayor Bob Kirk declared a non-pecuniary / significant conflict of interest in Item 15.15 "Shibetsu Japanese Garden Update" as his name is mentioned in the report to be a potential for the naming of the formal entrance. Mayor Bob Kirk will leave the meeting while discussion and determination on this item takes place

Councillor Andrew Banfield advised that he should have declared a non-pecuniary/non-significant conflict of interest at the Council meeting of the 20th August 2019 in relation to Item 15.1 the final review of zoning for Mistful Park. He works for Concrete4Goulburn who have from time to time had a contract to supply concrete to the owners of Mistful Park but they no longer have a contract with these owners, thus this was non-pecuniary / non-significant conflict of interest. He would have remained in the room but wishes to highlight that he was remiss in not declaring this non-pecuniary / non-significant conflict of interest at that meeting.

Councillor Andrew Banfield declared a non-pecuniary/significant conflict of interest in item 15.4 – Tender 1920T0001 - Capital Works Water Infrastructure as one of the tenderers is Denrith PTY Limited and his Brother in Law is the owner of this company. Councillor Andrew Banfield will therefore leave the room and take no part in the discussion or determination of this item

Councillor Margaret O'Neill declared a non-pecuniary/significant conflict of interest in Item 15.15 "Shibetsu Japanese Garden Update" as her name is mentioned in the report to be a potential for the naming of the gazebo. Councillor Margaret O'Neill will leave the meeting while discussion and determination on this item takes place.

Councillor Alfie Walker declared a pecuniary conflict of interest in Item 15.1 "DA/0294/1819, Place of Worship at Lot 55 DP 1220085, 10 Straker Road Goulburn" as his wife is an employee of Tim Lee Architects, who is the architect for the applicant. Councillor Alfie Walker will leave the meeting while discussion and determination on this item takes place.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

At 6:10pm, Cr Alfie Walker left the meeting during the public forum presentations on Item 15.1 DA/0294/1819, Place of Worship at Lot 55 DP 1220085, 10 Straker Road Goulburn.

Deb Carey addressed Council on Item 15.1 DA/0294/1819, Place of Worship at Lot 55 DP 1220085, 10 Straker Road Goulburn

Daniel Maenpaa addressed Council on Item 15.1 DA/0294/1819, Place of Worship at Lot 55 DP 1220085, 10 Straker Road Goulburn

Tim Lee addressed Council on Item 15.1 DA/0294/1819, Place of Worship at Lot 55 DP 1220085, 10 Straker Road Goulburn

At 6:25pm, Cr Alfie Walker returned to the meeting.

Judy Micallef addressed Council on Item 15.2 Draft Urban and Fringe Housing Strategy - Post Exhibition Review

Trevor Lloyd addressed Council on Item 15.2 Draft Urban and Fringe Housing Strategy - Post Exhibition Review

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 17 SEPTEMBER 2019

RESOLUTION 2019/372

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

That the Council minutes from Tuesday 17 September 2019 and contained in Minutes Pages No 1 to 13 inclusive and in Minute Nos 2019/353 to 2019/370 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 17 SEPTEMBER 2019

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2019/373

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

That Council notes the Matters Arising.

CARRIED

At 6:40 pm, Cr Peter Walker left the meeting.

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/0294/1819, PLACE OF WORSHIP AT LOT 55 DP 1220085, 10 STRAKER ROAD GOULBURN

Cr Alfie Walker declared an interest in this item and took no part in the discussion or voting on the matter. At 6:40pm, Cr Alfie Walker left the meeting.

At 6:41 pm, Cr Peter Walker returned to the meeting.

RESOLUTION 2019/374

**Moved: Cr Peter Walker
Seconded: Cr Sam Rowland**

That:

1. The staff assessment report for development application DA/0294/1819 for the proposed Place of Worship be received.
2. Conditional consent be granted for DA/0294/1819 for a Place of Worship located at Lot 55 DP 1220085, 10 Straker Road 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
MOD2-101, Revision E	Overall Site Plan	Tim Lee Architects	11/09/2019
MOD2-102, Revision E	Proposed Site Plan	Tim Lee Architects	11/09/2019
MOD2-103, Revision E	Floor Plan	Tim Lee Architects	11/09/2019
MOD2-105, Revision E	Elevations 1	Tim Lee Architects	11/09/2019
MOD2-106, Revision E	Elevations 2	Tim Lee Architects	11/09/2019
MOD2-107, Revision B	Typical Section	Tim Lee Architects	29/07/2019
MOD2-108, Revision E	Site Sections	Tim Lee Architects	11/09/2019
MOD2-109, Revision E	Door & Window Schedule	Tim Lee Architects	11/09/2019
MOD2-110, Revision E	Cut & Fill Plan	Tim Lee Architects	11/09/2019
MOD2-112, Revision E	Erosion & Control Plan	Tim Lee Architects	11/09/2019
MOD2-113, Revision E	Landscape Plan	Tim Lee Architects	11/09/2019
0718-1025-MOD,	Statement of	Tim Lee	July

Rev C	Environmental Effects	Architects	2019
01-35943, Issue B	Site Hydraulics Stormwater Disposal	Adams and Associates	26/07/20 19
-	Water Cycle Management Study 10 Straker Road Goulburn	Adams and Associates	13/04/20 19

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. In accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* compliance with the following prescribed conditions is 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
4. An edge strip is required to be incorporated, between the grassed and planted areas of the proposed landscaping.
5. The site layout, staging and works shall generally be as specified in the Statement of Environmental Effects (dated July 2019) and shown on the Proposed Site Plan (Job Number 0718-1025; Drawing No. MOD2-102 of 15; Revision E; date 11/09/2019) both prepared by Tim Lee Architects. No revised site layout, staging or external works that will have impacts on water quality shall be permitted without the agreement of Water NSW.

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

6. No variation to stormwater treatment or management that will have any impacts on water quality shall be permitted without the agreement of Water NSW.

Reason for Condition – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

7. 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.
8. The rain garden structure must be designed so that it is impervious and will not permit water infiltration into natural ground. The rain garden must be lined throughout with high density polyethylene 1-2mm thickness. All joints must be of the waterproof welted type. Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.

9. The footway crossing shall be heavy duty to Council's standards. The car park shall be sealed to Council standards and line marked. Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.
10. An application under section 305 of the *Water Management Act 2000* is required and a section 306 Notice of Requirements received prior to the issue of a Construction Certificate. Note the section 306 notice of requirements may require works to be undertaken, fees to be paid or plans submitted, prior to a construction certificate being issued.
11. In order to ensure acceptable privacy can be achieved between the proposed building and the adjoining dwelling, the windows indicated in yellow highlighter on the approved floor plans shall incorporate privacy screening. The privacy screen shall cover the entire glazed area and incorporate fixed slats with a maximum aperture of 10mm. Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.
12. The proposed pedestrian access gate shall not incorporate any solid pre-coloured steel fencing. The gate shall be limited to a height of up to 1.3 metres and must open inwards. Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate but the pedestrian access be in accordance with the plans submitted by Daniel Maenpaa.
13. In order to alleviate light spillage to adjoining dwelling occupiers, proposed bollards must incorporate a height no greater than 1 metre and only emit light in a downward direction. Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.
14. In order to ensure that potential noise impacts are alleviated from within the building, the following sound damping measures shall be incorporated into the building:
 - Soundscreen wall batts
 - Sealed double glazed windows
 - R5.0 bulk insulation to whole of roof space
 - Sound check plasterboard linings to the hall
 - Acoustic seals to all windows and doors

Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.

15. All water reuse stormwater treatment and management measures shall be implemented as specified in the Water Cycle Management Study (dated 13 April 2019) and shown on the Site Hydraulics & Stormwater Disposal Plan (Drawing Number 01-35943; Issue B; dated 26/07/2019) both prepared by Adams & Associates - Hydraulics. Stormwater management measures as a minimum shall include:
 - pits, pipes
 - rainwater tank, and
 - rain garden/detention system to treat runoff from car parking area and building.

Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.

16. The rain garden /detention basin shall be located as specified in the Water Cycle Management Study (dated 13 April 2019) and shown on the Site Hydraulics & Stormwater Disposal Plan (Drawing Number 01-35943; Issue B; dated 26/07/2019) both prepared by Adams & Associates - Hydraulics. The rain garden/detention basin shall:

- be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne et al, 2015, Melbourne, CRC for Water Sensitive Cities)
- also incorporate the following:
 - a) a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
 - b) 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)
 - c) direct all discharge and overflow to Council's stormwater system
 - d) 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 constructed after all hardstand areas have been paved or sealed and all ground surfaces have been stabilised.

Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.

Reason for Condition No. 15 & 16 – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

17. An Erosion and Sediment Control Plan shall be prepared for the development by a person with knowledge and experience in the preparation of such plans for all works required as part of the development. 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 Construction Certificate, 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.

Details demonstrating compliance with this condition must be submitted to, and approved by the certifying authority prior to the release of the Construction Certificate.

PRIOR TO COMMENCEMENT OF BUILDING WORK

18. The erosion and Sediment Control Plan shall be implemented for the development, and effective erosion and sediment controls shall be installed prior to any construction activity. Erosion and sediment controls shall be regularly inspected, monitored, maintained and retained until works have been completed and ground surface stabilised or groundcover re-established.

Reason for Conditions 17 & 18 - 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.

DURING CONSTRUCTION

19. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
20. In accordance with Section 6.5 of the *Environmental Planning and Assessment Act* 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.

- **After excavation for, and prior to the placement of any footings; and**
- **Prior to pouring any in-situ reinforced concrete building element; and**
- **Prior to covering of the framework for any floor, wall, roof or other building element (truss and bracing details required prior to inspection); and**
- **Prior to covering waterproofing in any wet areas; and**
- **Prior to covering any stormwater drainage connections; and**
- **After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.**

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. 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 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. All construction work shall be carried out only between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm. No construction or demolition work shall take place on Sundays or Public Holidays. No construction traffic or tradesman's vehicles are to use Straker Road for access during construction of this development.**
23. **No fill permitted to change existing ground levels at the property boundary. Any proposed fencing is to be on existing ground level. Cutting and filling is to be restricted to that shown on the Development Consent approved plans. Any further cutting or filling will require approval.**
24. **The applicant or developer will be required to pay the full cost for any alterations or extension of restoration to the kerb and gutter, concrete footpath, services and/or street trees, should any damage occur during construction.**
25. **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.**
26. **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.

27. **Building materials must NOT be placed or stored on the road or footpath.**
28. **Rainwater tanks and stormwater disposal must be installed in accordance with the Goulburn Mulwaree Council's Stormwater Drainage & Rain water Collection Systems Policy, and meet the requirements of the Positive Covenant registered on land title.**

PRIOR TO OCCUPATION

29. 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.
30. 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.
31. A Compliance Certificate under Section 307 of the *Water Management Act 2000* is to be obtained from Council prior to issue of the Occupation Certificate.
32. 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.
33. The proposed landscaping approved in this development consent shall be installed prior to the issue of any Occupation Certificate.
34. Prior to the issue of any Occupation Certificate, all work indicated on the approved plans and all requirements of this development consent shall be completed/satisfied.
35. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Principal Certifying Authority, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

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

36. Prior to the issue of any Occupation Certificate a detailed maintenance schedule shall be submitted to the Principal Certifying Authority for all proposed landscaping to ensure the on-going longevity of the landscaping for the life of the development. The maintenance schedule shall include protection requirements for Tree No. 1 as recommended by Jim Laity. The maintenance schedule shall include the following details:
 - Pest, weed and plant disease control
 - Hedging and pruning as required
 - Irrigation & lighting system and maintenance
 - Lawn mowing and edging
 - Mulch renewal of garden beds
 - Replacement of dead plants
 - Fertiliser application
37. All security measures required by this consent such as lighting and access control shall be installed and commissioned prior to the issue of any Occupation Certificate.
38. A works as executed drawing of all stormwater drainage work shall be submitted to the Council at final inspection stage and prior to the issue of an Occupation Certificate.
39. In recognition that the proposed use will be utilised infrequently, prior to the issue of any Occupation Certificate, the development proponent shall provide to each adjoining property occupier the name and contact phone number of a person that can be contacted in case there is any adverse impact to the property. The principal operator shall keep a record of any contact that is made, including the matters raised and the resolution to action the matter.

40. An Operational Environmental Management Plan shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to the issuance of an Occupation Certificate.

The Plan shall:

- outline details about the location and nature of stormwater management structures such as pits, pipes, rain garden/detention basin, and rainwater collection system
 - identify 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, and
 - include checklists for recording inspections and maintenance activities.
41. All stormwater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan.
42. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council prior to the issuance of an Occupation Certificate that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

Reason for Conditions 40-42: To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

ONGOING OPERATION

43. At all times, the owner of the building shall ensure that the approved landscaping is maintained in accordance with the maintenance schedule required by this consent.
44. In order to alleviate potential amenity impacts to adjoining residential uses, the following conditions must be complied with at all times:
- (a) The Place of Worship shall operate only within the following hours:
 - Monday: 6pm-7:30pm
 - Friday: 8am- 7:30pm
 - Saturday: 8am-8pm
 - Sunday: 6am to 8am, 2pm- 6pmThe above hours shall include arrivals and departures of those attending services.
 - (b) Cleaning and maintenance of the proposed development shall be limited to Monday to Saturday, 9am -5pm.
 - (c) No ancillary activities to the proposed place of worship shall be carried out (e.g. fetes, funerals, weddings, or other functions).
 - (d) Activities associated with the proposed place of worship shall occur only within the building.
45. At all times, all vehicles utilising the place of worship shall park only within designated car parking spaces within the site. There shall be no car parking on Straker Road and no pedestrian access via Straker Road to access the site.
46. At all times, the proposed Place of Worship shall accommodate up to 50 persons at any one time.
47. Any existing water meter on the site is to be maintained and not removed unless it is upgraded to a larger meter and upgrading is approved by Council.
48. At all times, the operation of the premises is not to create a noise nuisance in the area.

It should be noted that noise nuisances and impacts are regulated under the Protection of the Environment Operations Act, 1997.

49. At all times, to preserve residential amenity, there is to be no use of sound amplification equipment (music or voice) within the site.
50. All security lighting shall remain operable within the hours of operation.
51. In order to alleviate potential traffic impacts to Marys Mount Road, the proposed access gates shall be opened prior to the peak arrival time and remain open until such time all visitors have left the site after each service. Gates shall remain closed to secure the site outside operational hours.
52. At all times, the privacy screens required by this consent, for the windows shall be maintained to ensure on-going privacy impacts are alleviated.
53. At all times, the rain garden must be maintained in a water tight condition and remain impermeable to the natural ground.
54. The owner of the building shall:
 - Furnish to the Council an Annual Fire Safety Statement in respect to each essential service installed in the building:
 - Ensure that essential services installed within the building are performing to a standard no less than to which the measure was originally designed;
 - Ensure the safety of fire exits;
 - Ensure doorways and paths of travel are not obstructed;
 - Ensure that offences relating to fire exits do not occur within the building.

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

Against: Nil

At 7:04 pm, Cr Alfie Walker returned to the meeting.

15.2 DRAFT URBAN AND FRINGE HOUSING STRATEGY - POST EXHIBITION REVIEW

In accordance with the earlier resolution from Council in this meeting this matter is deferred until the 15th October 2019

15.3 UNZONED LAND AT CURRAWANG ROAD, CURRAWANG**RESOLUTION 2019/375****Moved: Cr Andrew Banfield****Seconded: Cr Denzil Sturgiss****That**

1. The report from the Graduate Strategic Planner regarding unzoned land at Currawang Road, Currawang be received.
2. A planning proposal be prepared to zone Lot 1 DP 590583 and Lots 131, 141, 150, 154, 190 and 204 DP 750047 to RU1 Primary Production with a minimum lot size of 100 hectares under the *Goulburn Mulwaree Local Environmental Plan 2009*.
3. The planning proposal, once drafted, be forwarded to the Department of Planning, Industry and Environment for a gateway determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*.
4. The Department of Planning, Industry and Environment be advised that the preferred zone for the site is RU1 Primary Production, while noting that Council is willing to instead rezone part or all of the land to E3 Environmental Management with the same minimum lot size if it is required in order to proceed with the planning proposal.
5. The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for this planning proposal.
6. In the event that the Department of Planning, Industry and Environment issues a gateway determination to proceed with the planning proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.
7. The planning proposal will not incur a fee/charge to the landowner as it is Council initiated to rectify a zoning anomaly.

CARRIED**15.4 TENDER 1920T0001 CAPITAL WORKS – WATER INFRASTRUCTURE**

Cr Andrew Banfield declared an interest in this item and took no part in the discussion or voting on the matter. At 7:05pm, Cr Andrew Banfield left the meeting.

RESOLUTION 2019/376**Moved: Cr Leah Ferrara****Seconded: Cr Sam Rowland****That**

1. The report from the Director Utilities be received on the Tender 1920T0001 Capital Works – Water Infrastructure.
2. The Tender from Killard Excavation Pty Ltd is accepted for the Capital Works – Water Infrastructure Contract in accordance with the specification and documents for Tender No 1920T0001. This acceptance is based on the unit rates tendered.
3. The General Manager be delegated to approve any extension of the contract at the conclusion of the three year contract as per the conditions of contract.

CARRIED

At 7:06 pm, Cr Andrew Banfield returned to the meeting.

15.5 1819T0018 ROADSIDE VEGETATION AND GREEN SPACE MANAGEMENT PANEL TENDER

RESOLUTION 2019/377

Moved: Cr Denzil Sturgiss

Seconded: Cr Carol James

That:

1. The report of the Business Manager of Works on the Roadside Vegetation and Green Space Management panel be received.
2. Council approve to establish a panel of eight (8) suitably qualified and equipped vegetation and green space management contractors, being Wolfcom Pty Ltd, NP & MN Clancy Partnership, M.J Bates & G.I Thompson T/A Coastal Weed Control Services, JCF Contracting, GTS Tree Services, Goulburn Tree Services, Environmental and Agricultural Services Pty Ltd and Asplundh Tree Expert to provide services on an as required basis under the 1819T0018 Roadside Vegetation and Green Space Management Panel Tender.
3. Council delegate authority to the General Manager to extended these contracts by up to three (3) one (1) year extensions subject to satisfactory performance.

CARRIED

15.6 SUMMER TREE WATERING PROGRAM

RESOLUTION 2019/378

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That

1. The report from the Director of Operations on the summer tree watering program be received.
2. Council consider as part of the September quarterly budget review an allocation of \$100,000 for additional tree watering and grass mowing, comprised of \$60,000 for watering plus \$40,000 for grass mowing.

CARRIED

15.7 REQUESTS FOR FINANCIAL ASSISTANCE - GOULBURN & DISTRICT ART SOCIETY

RESOLUTION 2019/379

Moved: Cr Margaret O'Neill

Seconded: Cr Sam Rowland

That

1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance – Goulburn & District Art Society be received.
2. Council provide a cash donation of \$2,500 toward the Goulburn & District Art Society Annual Art Prize event funded from the Financial Assistance budget.

CARRIED

15.8 REQUESTS FOR FINANCIAL ASSISTANCE - GOULBURN A P & H SOCIETY**RESOLUTION 2019/380****Moved: Cr Sam Rowland****Seconded: Cr Margaret O'Neill****That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance – Goulburn A P & H Society be received.**
- 2. Council provide support to the Goulburn A P & H Society in the form of a cash contribution of \$2,000 for the annual Goulburn Show to be funded from the Financial Assistance budget.**

CARRIED**15.9 REQUESTS FOR FINANCIAL ASSISTANCE - MARULAN KITE FESTIVAL****RESOLUTION 2019/381****Moved: Cr Sam Rowland****Seconded: Cr Peter Walker****That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance – Marulan Kite Festival be received.**
- 2. Council endorse the provision of in kind support totalling \$729.50 for the Marulan Kite Festival to cover hire of the Marulan Hall/Tony Onions Park (50% of fees), bin hire, delivery and pick-up to be funded from the Financial Assistance budget**
- 3. Council also approve a \$700 cash contribution towards the hire of a generator to be funded from the Financial Assistance Budget**
- 4. Council endorse the provision of traffic control for the event at a cost of \$500 to be funded from the Events Traffic Control budget.**
- 5. The Marulan Region Chamber of Commerce be advised that in future years they make any application for financial assistance well in advance of the event if they wish Council to be a funding provider**

CARRIED

15.10 REQUESTS FOR FINANCIAL ASSISTANCE - GOULBURN CONVOY FOR KIDS**RESOLUTION 2019/382****Moved: Cr Peter Walker****Seconded: Cr Alfie Walker****That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance – Goulburn Convoy for Kids be received.**
- 2. Council approve in-kind support for the Convoy for Kids event totalling \$1,376.36 representing 50% of the hire fees for the Goulburn Recreation Area and Grace Millsom Centre funded through the Financial Assistance budget.**
- 3. Council also approve traffic control for the event totalling \$5,023.44 from the Events Traffic Control budget.**

CARRIED**15.11 REQUESTS FOR FINANCIAL ASSISTANCE - RSL SUB-BRANCH GOULBURN****RESOLUTION 2019/383****Moved: Cr Andrew Banfield****Seconded: Cr Denzil Sturgiss****That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance –RSL Sub-Branch Goulburn be received.**
- 2. Council provide a \$4,600 cash contribution to the RSL Sub-Branch Goulburn to cover the cost of hiring a public address system for its ANZAC Day Service to be funded from the Financial Assistance budget.**

CARRIED

15.12 ELECTION ARRANGEMENT WITH NSW ELECTORAL COMMISSION TO CONDUCT 2020 COUNCIL ELECTIONS**RESOLUTION 2019/384**

Moved: Cr Leah Ferrara
Seconded: Cr Sam Rowland

That

- 1. The report by the Business Manager Governance on the Election Arrangement with NSW Electoral Commission to Conduct 2020 Council Elections be received.**
- 2. The Goulburn Mulwaree Council (“the Council”) resolves:**
 - (a) Pursuant to s.296(2), (3) and (5A) of the *Local Government Act 1993* (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.**
 - (b) Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a council poll arrangement (if required) be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.**
 - (c) Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a constitutional referendum arrangement (if required) be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.**

CARRIED

15.13 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN**RESOLUTION 2019/385**

Moved: Cr Alfie Walker
Seconded: Cr Denzil Sturgiss

That

- 1. The report from the Business Manager Governance on Disclosures by Councillors and Designated Persons Return be received.**
- 2. That the Register of Returns by Councillors and Designated Persons, as tabled, be noted.**

CARRIED

15.14 VALUE OF GIFTS THRESHOLD

RESOLUTION 2019/386

Moved: Cr Peter Walker

Seconded: Cr Carol James

That:

- 1. The report from the General Manager on Value of Gifts Threshold be received.**
- 2. Council makes a submission to the Minister for Local Government seeking that the value of gift threshold for attending functions in the role of official duties be increased to \$250 but to exclude materials or personal gifts.**

CARRIED

15.15 SHIBETSU JAPANESE GARDEN UPDATE

Mayor Bob Kirk and Cr Margaret O'Neill declared an interest in this item and took no part in the discussion or voting on the matter. At 7:34pm, Mayor Bob Kirk and Cr Margaret O'Neill left the meeting.

Deputy Mayor Peter Walker assumed the Chair for this item at 7.34pm

RESOLUTION 2019/387

Moved: Cr Sam Rowland
Seconded: Cr Denzil Sturgiss

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:40pm.

CARRIED

RESOLUTION 2019/388

Moved: Cr Sam Rowland
Seconded: Cr Leah Ferrara

That Council move back into Open Council.

Council moved back into Open Council at 7:42pm.

CARRIED

RESOLUTION 2019/389

Moved: Cr Andrew Banfield
Seconded: Cr Sam Rowland

That

- 1. The report of the Director Corporate & Community Services on the Shibetsu Japanese Garden Update be received.**
- 2. The Gazebo that is being constructed as part of stage one of the project be named the Takariko-O'Neill Gazebo in recognition of Mayors Susumu Takariko and Margaret O'Neill who were signatories on the original sister city agreement.**
- 3. The formal entrance be named the Makino-Kirk Entrance in recognition of Mayors Yuji Makino and Bob Kirk, the two mayors at the 20th Anniversary Shibetsu Delegation visit.**

CARRIED

At 7:43pm, Mayor Bob Kirk and Cr Margaret O'Neill returned to the meeting.

Mayor Bob Kirk resumed the Chair.

15.16 GOULBURN MULWAREE YOUTH COUNCIL MEETING NOTES - 30 AUGUST 2019**RESOLUTION 2019/390**

Moved: Cr Sam Rowland
Seconded: Cr Carol James

That the report from Cr Carol James in relation to the Goulburn Mulwaree Youth Council Meeting Notes held on the 30 August 2019 be received.

CARRIED

15.17 EXTERNAL MEETING MINUTES

RESOLUTION 2019/391

Moved: Cr Andrew Banfield

Seconded: Cr Peter Walker

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

- 1. Gullen Range Community Fund s355 Committee Minutes from the meeting held 24 July 2019**
- 2. Bungonia Village Discretionary Fund Working Party Notes from the meeting held 28 August 2019.**
- 3. Council brings forwards \$2451.00 from the 2020/21 Bungonia Village Discretionary Fund allocation to cover the additional costs of the BBQ and picnic table project.**

CARRIED

15.18 AQUATIC CENTRE REPAIRS

RESOLUTION 2019/392

Moved: Cr Peter Walker

Seconded: Cr Denzil Sturgiss

That

- 1. The report from the General Manager on the Goulburn Aquatic Centre – Repairs be received**
- 2. Council acknowledges the repairs required at the Goulburn Aquatic Centre Indoor pool roof is emergency work and authorises the General Manager to take the appropriate steps to ensure the safety of the building and carry out the necessary remedial works to have the indoor pool opened as soon as practicable.**
- 3. The General Manager to report back to Council when final costs are known with recommendation of how these emergency works can be funded.**

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 7.55pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 October 2019.

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**Cr Bob Kirk
Mayor**

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**Warwick Bennett
General Manager**