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# **MINUTES**

## **Ordinary Council Meeting**

**19 September 2023**



**Order Of Business**

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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, 19 SEPTEMBER 2023 AT 6PM**

**PRESENT:** Cr Andrew Banfield, Cr Carol James OAM, Cr Bob Kirk, Cr Michael Prevedello, Cr Steven Ruddell, Cr Daniel Strickland, Cr Jason Shepherd, Cr Peter Walker, Cr Andy Wood

**IN ATTENDANCE:** Aaron Johansson (Chief Executive Officer), Brendan Hollands (Director Corporate and Community Services), Scott Martin (Director Planning and Environment), Marina Hollands (Director Utilities), George Angelis (Director Operations), & Bec O'Neill (Communications Manager), Amy Croker (Office Manager to Mayor and Chief Executive Officer)

**1 OPENING MEETING**

Mayor Peter Walker opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

**2 ACKNOWLEDGEMENT OF COUNTRY**

Mayor Peter Walker 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 Cr Steve Ruddell.

**4 APOLOGIES**

Nil

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

Nil

**6 ATTENDANCE BY AUDIO VISUAL LINK**

Nil

**7 LATE ITEMS / URGENT BUSINESS**

Nil

## 8 DISCLOSURE OF INTERESTS

Cr Andrew Banfield declared a pecuniary conflict of interest in Item 16.16 “VP 368071 Mountain Ash Rd - Natural Disaster Roadside Erosion repairs and restoration project” as he is an employee of the Denrith Group of companies. Cr Banfield’s brother-in-law is also a Director of the Denrith Group of Companies. Cr Andrew Banfield will leave the meeting while discussion on this item takes place.

Cr Jason Shepherd declared a non-pecuniary/non-significant conflict of interest in Item 16.32 “Councils Operational Update - July 2023” as the report mentions Marulan Quarry who have engaged his employer GHD to undertake consultancy work for them. However Cr Shepherd is not involved in the project and the Marulan Quarry is not the focus of the report. As the disclosure was not of a significant nature Cr Jason Shepherd remained in the meeting while discussion took place.

Cr Jason Shepherd declared a pecuniary conflict of interest in Item 16.11 “Goulburn Community Solar Farm (Bridge St) - DA/0023/1617; MODDA/0137/2122 and MODDA/0083/2223” as he is a share holder in the project. Cr Jason Shepherd will leave the meeting while discussion on this item takes place.

Cr Steven Ruddell declared a significant/non-pecuniary conflict of interest in Item 16.23 “Request for Financial Assistance - Rotary Club of Goulburn” as he is the current president of the Rotary Club of Goulburn. Cr Steven Ruddell will leave the meeting while discussion on this item takes place.

Cr Carol James OAM declared a significant/non-pecuniary conflict of interest in Item 16.23 “Request for Financial Assistance - Rotary Club of Goulburn” as she is a member of the Rotary Club of Goulburn. Cr Carol James OAM will leave the meeting while discussion on this item takes place.

Cr Daniel Strickland declared a pecuniary conflict of interest in Item 16.21 “2023/2024 Goulburn Central Business District Grants” as his employer RJ Sidney Craig are mentioned in this item. Cr Daniel Strickland will leave the meeting while discussion on this item takes place.

Cr Bob Kirk declared a significant/non-pecuniary conflict of interest in Item 16.25 “Request for Financial Assistance - Community Plus Inc” as he is the Chair of the newly formed Community Foundation Southern Tablelands Community Foundation, which is to be the beneficiary of funds raised through this proposal. Cr Bob Kirk will leave the meeting while discussion on this item takes place.

Cr Peter Walker declared a non-pecuniary/non-significant conflict of interest in Item 16.23 Request for Financial Assistance - Rotary Club of Goulburn” as he is a member of the Rotary Club of Goulburn. As the disclosure was not of a significant nature Cr Peter Walker remained in the meeting while discussion took place.

## MINUTES SILENCE FOR LOUISE PORTER

Council’s Casual Customer Service Officer Louise Porter suddenly passed away recently.

Louise has been an employee at the Aquatic Centre since 2016.

Louise was a valued member of Council’s Team and will be missed by her colleagues and Aquatic Centre patrons.

A letter of condolence has been sent to Louise’s family.

As a mark of respect a minutes silence was observed in honour of Louise Porter.

**9 PRESENTATIONS**

Nil

**10 PUBLIC FORUM**

Cr Bob Kirk declared an interest in this item and took no part in the discussion or voting on the matter. At 6:09 pm, Cr Bob Kirk left the meeting.

Dick Kearins from Community Plus addressed Council in relation to Item 16.25 Request for Financial Assistance - Community Plus Inc.

At 6:19 pm, Cr Bob Kirk returned to the meeting.

Darren Plumb, member of the Rail Trail Working Party addressed Council in relation to Item 16.6 Goulburn Rail Trail Steering Committee – Final Report.

**11 CONFIRMATION OF MINUTES****11.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15 AUGUST 2023****RESOLUTION 2023/200**

**Moved: Cr Jason Shepherd**

**Seconded: Cr Steven Ruddell**

**That the Council minutes from Tuesday 15 August 2023 and contained in Minutes Pages No 1 to 15 inclusive and in Minute Nos 2023/168 to 2023/192 inclusive be confirmed.**

**CARRIED**

**11.2 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 22 AUGUST 2023****RESOLUTION 2023/201**

**Moved: Cr Carol James OAM**

**Seconded: Cr Steven Ruddell**

**That the Council minutes from Tuesday 22 August 2023 and contained in Minutes Pages No 1 to 6 inclusive and in Minute Nos 2023/193 to 2023/199 inclusive be confirmed.**

**CARRIED**

**12 MATTERS ARISING****12.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 15 & 22 AUGUST 2023**

Nil

**12.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS**

Nil

**13 MAYORAL MINUTE(S)**

Nil

**14 NOTICE OF MOTION(S)**

Nil

**15 NOTICE OF RESCISSION(S)**

Nil

**16 REPORTS TO COUNCIL FOR DETERMINATION****16.1 RETURNING OFFICER****RESOLUTION 2023/202****Moved: Cr Jason Shepherd****Seconded: Cr Andy Wood****That the report of the Chief Executive Officer on the Returning Officer for the Mayor and Deputy Mayor Elections be received****CARRIED**

Mayor Peter Walker vacated the Chair for the election of the Mayor.

Chief Executive Officer Aaron Johansson took the Chair.

**16.2 ELECTION OF MAYOR****RESOLUTION 2023/203****Moved: Cr Andy Wood****Seconded: Cr Steven Ruddell****That**

- 1. The report of the Chief Executive Officer on the election of the Mayor be received.**
- 2. Council elects the Mayor for the period from 19 September 2023 to 14 September 2024.**
- 3. Following the close of nominations for the position of Mayor the method of electing the Mayor be determined as open voting in accordance with *Schedule 7 Local Government (General) Regulation 2005*.**

**CARRIED**

The Chief Executive Officer as Returning Officer called for nominations for the position of Mayor for the Goulburn Mulwaree Council for the period 19 September 2023 to 14 September 2024.

There were two (2) nominations for Mayor.

- Cr Bob Kirk
- Cr Peter Walker

The Chief Executive Officer closed nominations.



The Chief Executive Officer as Returning Officer to draw nominees from the barrel to ascertain the order of the tally sheet, public address and order of voting.

Both Cr Bob Kirk & Cr Peter Walker addressed the Council.

The Chief Executive Officer then conducted the election by Open Voting with the results being as follows:

- Cr Bob Kirk                    3 votes  
Votes for Cr Bob Kirk are recorded as follows:
  1. Cr Carol James OAM
  2. Cr Bob Kirk
  3. Cr Michael Prevedello
  
- Cr Peter Walker            6 votes  
Votes for Cr Peter Walker are recorded as follows:
  1. Cr Andrew Banfield
  2. Cr Steve Ruddell
  3. Cr Jason Shepherd
  4. Cr Daniel Strickland
  5. Cr Andy Wood
  6. Cr Peter Walker

**Following the voting the Chief Executive Officer, as returning Officer declared Cr Peter Walker as Mayor for the period 19 September 2023 to 14 September 2024.**

### **16.3 DEPUTY MAYORAL ELECTION**

The Chief Executive Officer as Returning Officer called for nominations for the position of Deputy Mayor for the Goulburn Mulwaree Council for the period 19 September 2023 to 14 September 2024.

There were one nominations for Deputy Mayor.

- Cr Steve Ruddell

The Chief Executive Officer closed nominations.

**Being that there was only one nomination for the role of Deputy Mayor, Chief Executive Officer, as returning Officer declared Cr Steve Ruddell as Deputy Mayor for the period 19 September 2023 to 14 September 2024.**

Council took a recess at 6.48pm.

Council resume into open Council at 6.55pm.

**16.4 SPECIAL RATE VARIATION (SRV)****RESOLUTION 2023/204****Moved: Cr Michael Prevedello****Seconded: Cr Andy Wood****That**

- 1. Council endorse the revised 2023-34 Long Term Financial Plan for public exhibition and community consultation until 3 November 2023.**
- 2. Council endorse the revised Delivery Plan for public exhibition and community consultation until 3 November 2023**
- 3. Council endorse the undertaking of community consultation on a potential application to the Independent Pricing and Regulatory Tribunal (IPART) for a proposed permanent Special Rate Variation (SRV) of either a one year SRV of 43.5% in 2024-25 (including the forecasted rate peg of 3.5 per cent) or a two year SRV of 25.5% in 2024-25 (including the forecasted rate peg of 3.5 per cent) and 20.5 per cent in 2025-26 (including the forecasted rate peg of 2.5 per cent), representing a cumulative Special Rate Variation of 51.2 per cent over two years. These proposed increases would apply to the minimum rates in Council's rating structure.**
- 4. Receive a further report at its meeting on 21 November 2023 regarding community consultation undertaken to determine any final application to be made to IPART for a Special Variation.**
- 5. Council notify IPART of its intention to invite community feedback on two SRV options and its intention to apply for an SRV.**

**CARRIED****16.5 COMMUNITY CENTRE WORKING PARTY - FINAL REPORT****RESOLUTION 2023/205****Moved: Cr Andrew Banfield****Seconded: Cr Jason Shepherd****That**

- 1. Work commences immediately on preparation and lodgment of a Change of Use Development Application for 2 Bourke Street, including the engagement of consultants to undertake the necessary reports required for the Development Application process.**
- 2. Estimates be prepared for all works that may be needed to bring the current buildings at 2 Bourke Street up to code with a further report to be provided to Council.**
- 3. The immediate future location of the current Community Services programs be determined in accordance with a separate report in this Business Paper.**

**CARRIED**

**16.6 GOULBURN RAIL TRAIL STEERING COMMITTEE - FINAL REPORT**

**RESOLUTION 2023/206**

**Moved: Cr Michael Prevedello**

**Seconded: Cr Bob Kirk**

**That:**

- 1. The report which includes the Goulburn Rail Trail feasibility study and business case be received and noted.**
- 2. The Goulburn Rail Trail Project be endorsed by Council and added to Council's Priority Project list to assist with advocating for funding.**
- 3. Council pursues funding opportunities as they may arise.**
- 4. The Goulburn Rail Trail Steering Committee be held in abeyance until such time as further involvement in development of the project is required.**

**CARRIED**

**MOVE ITEM 16.11**

**RESOLUTION 2023/207**

**Moved: Cr Steven Ruddell**

**Seconded: Cr Bob Kirk**

**That Item 16.11 be dealt with directly after item 16.6.**

**CARRIED**

**16.11 GOULBURN COMMUNITY SOLAR FARM (BRIDGE ST) - DA/0023/1617; MODDA/0137/2122 AND MODDA/0083/2223**

Cr Jason Shepherd declared an interest in this item and took no part in the discussion or voting on the matter. At 7:35 pm, Cr Jason Shepherd left the meeting.

**RESOLUTION 2023/208**

**Moved: Cr Bob Kirk**

**Seconded: Cr Michael Prevedello**

**That:**

1. The report of the Director Planning and Environment be received.
2. Council support the request for exemption relating to the payment of Section 94A levies for the proposed Community Solar Farm located at 3 Bridge Street, Goulburn (DA/0023/1617, MODDA/0137/2122 and MODDA/0083/2223). For the purposes of the consent, the relevant condition is considered to be discharged.

**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 Andrew Banfield, Carol James OAM, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Peter Walker

Against: Cr Andy Wood (Abstained)

At 7:40 pm, Cr Jason Shepherd returned to the meeting.

Council took at recess at 7.39pm.

Council resumed into open Council at 8.03pm.

**16.7 COMMUNITY SAFETY WORKING PARTY****RESOLUTION 2023/209**

**Moved: Cr Steven Ruddell**

**Seconded: Cr Daniel Strickland**

**That**

1. The report Community Safety Working Party by the Business Manager Governance be received.
2. Council endorse Cr Steve Ruddell as the Councillor representative to the Community Safety Working Party.
3. An additional Councillor representative in place of a Community Representative be nominated to the Community Safety Working Party for a temporary period of twelve (12) months.
  - (a) Council endorse Cr Daniel Strickland as the Community Representative for a period of twelve (12) months.
4. Council seek expressions of interest for community representatives at the end of the twelve (12) month period.

**CARRIED**

**16.8 DETERMINATION OF NUMBER OF COUNCILLORS FOR THE 2024 ORDINARY LOCAL GOVERNMENT ELECTIONS****RESOLUTION 2023/210****Moved: Cr Bob Kirk****Seconded: Cr Andy Wood****That**

- 1. The report by the Business Manager Governance on the Determination of Number of Councillors for the 2024 Ordinary Local Government Elections be received.**
- 2. Council confirm that the number of Councillors for the 2024 Ordinary Local Government Elections remain the same as the current term, that being a total of nine (9) Councillors.**

**CARRIED****16.9 UPDATE TO MODEL CODE OF MEETING PRACTICE****RESOLUTION 2023/211****Moved: Cr Steven Ruddell****Seconded: Cr Carol James OAM****That**

- 1. The report Update to Model Code of Meeting Practice by Business Manager Governance be received.**
- 2. Council adopt the updated Model Code of Meeting Practice without public exhibition.**

**CARRIED****16.10 DA/0433/2122 - DEMOLITION OF 6 HOUSES AND CONSTRUCTION OF 35 SENIORS TOWNHOUSES AT 10-20 GOULBURN STREET, MARULAN****RESOLUTION 2023/212****Moved: Cr Michael Prevedello****Seconded: Cr Daniel Strickland****That:**

- 1. The staff assessment report for development application DA/0433/2122 for the proposed demolition of six (6) houses and construction of 35 seniors townhouses with associated works be received.**
- 2. Deferred Commencement Consent be granted for DA/0433/2122 for a demolition of six (6) houses and construction of thirty-five (35) seniors townhouses with associated works located at 10-20 Goulburn Street Marulan 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 'One' of this consent. All issues must be satisfactorily resolved within a period of five (5) years from the 'Determination Date' that is shown on this Notice of Determination or the consent will lapse in accordance with Section 76 of the *Environmental Planning and Assessment Regulation 2021*.**

Upon compliance with the issues under Schedule 'One', 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 'Two' and any additional conditions arising from the requirement of Schedule 'One'.

#### **SCHEDULE ONE:**

##### **A. s.68 Local Government Act Requirements**

Prior to the issue of an operational consent, 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:

- Stormwater works
- Sewerage work
- Water supply work
- Any Hoarding within road reserve
- Private fire hydrant network

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

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

##### **B. Landscaping Plans**

Prior to the issue of an operational consent, a revised landscaping plan must be submitted that reflects the approved architectural plans.

*(Reason: To ensure the landscaping and Architectural plans are consistent)*

##### **C. Fire Pump Enclosure**

Prior to the issued of an operational consent, engineering drawings for the fire pump enclosure must be submitted to 'Council'. The engineering drawings must include the floor plan, site plan, elevation and street scape plans.

*(Reason: To confirm the scale of the fire pump enclosure)*

##### **D. Stormwater Construction**

Prior to the issue of an Operational Consent hydrologic and hydraulic modelling is required to demonstrate that the discharge from the 'site' does not increase the flow from the 'site' to Goulburn Street and the catchment.

The modelling must include an ensemble of storm durations and temporal patterns to adequately design and assess the performance of stormwater drainage and detention. The modelling should include the following storms as a minimum and up to and including the critical storm for the catchment.

- 30 minutes
- 45 minutes
- 60 minutes
- 120 minutes
- 180 minutes

The study should assess the impact of the development on a catchment to the sag point in Goulburn Street 107 metres east of the Portland Avenue road boundary.

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

- a) Goulburn Mulwaree Council’s Design and Construction Specifications.
- b) Goulburn Mulwaree Standard Drawings
- c) the peak discharge from the ‘site’ must be no greater than the pre-developed peak discharge;
- d) conveyed by gravity (not a charged or pumped system)
- e) Piped stormwater drainage system in Goulburn Street to the northern end of Portland Avenue
- f) Kerb inlet pits in Goulburn Street

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 in writing by “Council”.

*(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)*

**E. Station Access**

Prior to the issue of an operational consent, it must be demonstrated that the footpath along Thoroughfare Street is at the grade required by s.93(4) State Environmental Planning Policy (SEPP) (Housing) where:

- a) The overall average gradient must be not more than 1:14 and the gradients along the pathway must be not more than-
  - i. 1:12 for a maximum length of 15m at a time, or
  - ii. 1:10 for a maximum length of 5m at a time, or
  - iii. 1:8 for a maximum length of 1.5m at a time.

Where the path cannot comply, a engineering plans must be prepared by a suitably qualified professional to a scale of 1:100 or 1:200, with details at 1:20 & 1:50.

The Footpath Plan must include:

- pathways on the site side of road for the length of the site termination in accordance with Council’s *Standards for Engineering Works*;
- pathways to be a minimum width of 1.2m;
- kerb ramp locations;
- footpath marking for any shared pathway proposed; and
- signage i.e. ‘Shared Pathway’, ‘Bike Path’, ‘Pedestrians Only’ and their locations.

*(Reason: To confirm compliant access to Marulan Station can be obtained from the development)*

**SCHEDULE TWO:**

**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 Demolition of six (6) houses and construction of thirty-five (35) Seniors Townhouses with associated works and strata title subdivision 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.

<b>Architectural plans prepared by Walsh Architect</b>			
<b>DRAWING NO.</b>	<b>REV</b>	<b>TITLE OF PLAN OR DOCUMENT</b>	<b>DATE.</b>
DA100	C	Site Plan	23/09/2022
DA110	C	Ground Floor Plan	23/09/2022
DA112	C	Level 1 Plan	23/09/2022
DA113	B	Rood Plan	23/09/2022
DA200	B	Sections	23/09/2022
DA201	B	Sections	23/09/2022
DA300	C	Elevations – Sheet 1	23/09/2022
DA301	C	Elevations – Sheet 2	23/09/2022
DA302	B	Elevations – Sheet 3	23/09/2022
DA400	B	Area Calculations	23/09/2022
DA401	B	Area Calculations – Landscape	23/09/2022
DA450	B	Unit Types – Sheet 1	23/09/2022
DA451	B	Unit Types – Sheet 2	23/09/2022
DA460	A	Electrical Plans – Sheet 1	23/09/2022
DA461	A	Electrical Plans – Sheet 2	23/09/2022
DA910	A	Private Space Calculation	18/05/2022
DA911	A	9.5m Height Plane	18/05/2022
DA960	A	Fire Spatial	18/05/2022
<b>Lighting plan prepared by Centric Building Services Engineers</b>			
<b>DRAWING NO.</b>	<b>REV</b>	<b>TITLE OF PLAN OR DOCUMENT</b>	<b>DATE.</b>
E000	P2	DA – Site Lighting Layout	29/09/2022
<b>Documentation prepared by BCA Access</b>			
<b>DOCUMENT REF.</b>	<b>REV</b>	<b>TITLE OF PLAN OR DOCUMENT</b>	<b>DATE.</b>
113138-SEPP	R4	Access Assessment Report (SEPP)	07/10/2022
<b>Documentation prepared by Centric Building Services Engineers</b>			
<b>DOCUMENT REF.</b>	<b>REV</b>	<b>TITLE OF PLAN OR DOCUMENT</b>	<b>DATE.</b>
Letter 06/10/2022		Letter 06/10/2022 – Project 21034	06/10/2022

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

### 3. Documentation Inconsistency

In the event of any inconsistency between the conditions of this Notice of Determination, the drawings and any accompanying documentation referred to above, the conditions of this Notice of Determination prevail, to the extent of the inconsistency.

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

### 4. Limits to Development Consent

Alterations to, and demolition of, the existing building fabric and 'site' 'works' must be limited to that documented on the approved plans and amended by the conditions referenced by this Notice of Determination. *(Reason: To ensure compliance with the approved development)*

### 5. Compliance with Disability Discrimination Act 1992

This approval does not protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act*



1992, and the person having the benefit of this Notice of Determination is advised to investigate their liability under this Act.

**Note:** *Disability (Access to Premises - Buildings) Standards 2010.*

*(Reason: To inform of relevant access requirements for persons with a disability.)*

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

### **6. Building Code of Australia Compliance**

All building work must be carried out in accordance with the provisions of the National Construction Code Series (NCC).

*(Reason: Prescribed by sl. 69 of 'the Regulation')*

### **7. Home Building Act Requirements**

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

- a) in the case of work for which a '*Principal Contractor*' is required to be appointed:
  - i. the name and licence number of the '*Principal Contractor*'; and
  - ii. the name of the insurer by which the work is insured under Part 6 of that Act, or
- b) in the case of work to be done by an owner-builder:
  - i. the name of the owner-builder; and
  - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to '*Council*' in accordance with this condition is out of date, work must not be carried out unless the '*Principal Certifier*' for the development to which the work relates has given '*Council*' written notice of the updated information.

**Note:** *A certificate of insurance that complies with the Home Building Act 1989 is in force in relation to that work in the name under which the person contracted to do the work is to be provided in relation to part 1a(ii).*

*(Reason: Prescribed by cl. 71 &69 of 'the Regulation')*

### **8. Construction Certificate Requirements**

Building work, demolition or excavation in accordance with the Notice of Determination must not be commenced until a Construction Certificate required by s.6.3 of '*the Act*' for the relevant part of the works has been issued in accordance with the provisions of '*the Act*' and '*the Regulation*'.

*(Reason: Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)*

### **9. Issue of a Construction Certificate**

In accordance with cl.19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, the plans and specifications submitted with a Construction Certificate must not be inconsistent with this Notice of Determination.

*(Reason: Prescribed by legislation)*

**10. Occupation Certificate Requirements**

A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate required by s.6.3 of 'the Act' for the relevant part of the works has been issued in accordance with the provisions of 'the Act' and 'the Regulation'.

*(Reason: Prescribed by legislation)*

**11. 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)*

**12. Critical Stage Inspections**

Building work must be inspected by the 'Principal Certifier' at the critical stage occasions prescribed by 'the Act', 'the Regulation' and as directed by the appointed 'Principal Certifier'.

Critical stage inspections are defined as: -

- a) after excavation for, and prior to the placement of any footings; and
- b) prior to pouring any in-situ reinforced concrete building element; and
- c) prior to covering of the framework for any floor, wall, roof or other building element; and
- d) prior to covering waterproofing in any wet areas; and
- e) prior to covering any stormwater drainage connections; and
- f) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

*(Reason: Prescribed by legislation)*

**SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE****13. Fire Hydrants Minor Residential Developments**

Prior to the issue of any Construction Certificate, detailed plans and specifications shall be provided to the 'Certifier' and 'Council' to demonstrate compliance with *Fire and Rescue NSW (FRNSW) Fire hydrants for minor residential development - Fire Safety Guideline*.

This may include demonstrating the provision of vehicular access for FRNSW fire appliances and water to allow firefighting operations to be undertaken at the development.

Evidence of consultation with FRNSW is to be provided if flow rates required by Section 7.2.4 of the Fire Safety Guideline are not achieved.

*Note: This may require separate approvals under Section 68 of the Local Government Act and Section 138 of the Roads Act for the extension of Councils mains water supply where necessary.*

*(Reason: To ensure the provision of vehicular access and water for firefighting is provided to the development)*

**14. 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 Construction 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.*

*To obtain a s.306, a s.305 application must be lodged with 'Council'.*

**(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)*

**15. 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 Construction 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 distance of 20m beyond the 'site' boundaries.*

**(Reason:** *To record the condition of public infrastructure prior to the commencement of construction to the consent authority's satisfaction)*

**SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE****16. Long Service Levy Payments**

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986*, is required, proof that the levy has been paid, is to be submitted to 'Council' prior to the issue of any Construction Certificate. 'Council' acts as an agent for the Long Services Payment Corporation and the levy may be paid at 'Council' office.

**(Reason:** *Statutory requirement)*

**17. Landscaping Maintenance Plan**

A detailed landscaping maintenance plan must be prepared in consultation with 'Council' that provides for the care, nurturing and maintenance of all landscaping 'works' that will revert to the care and control of 'Council'. The plan must address short to long-term maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning, mowing frequency and plant replacement.

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

*(Reason: To ensure that all landscaping will be given the opportunity to fully establish and flourish)*

**18. Sediment and Erosion Control**

Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction (latest edition, Landcom, 2004)* commonly referred to as the “Blue Book”

A sediment and erosion control plan must be prepared that is consistent with the Blue Book and include:

- a) all details of drainage to protect and drain the site during the construction processes;
- b) all required sediment control devices, barriers and the like;
- c) sedimentation tanks, ponds or the like;
- d) covering materials and methods;
- e) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and their ongoing maintenance and inspection; and
- f) methods for the temporary and controlled disposal of stormwater during construction.

Details demonstrating compliance with this condition must be submitted to, and approved by the ‘Certifier’ prior to the issue of any Construction Certificate.

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

**19. Underground Electricity**

The development must be serviced by underground electrical distributions mains supply and network to the entire development. Documentary evidence demonstrating compliance with this condition is to be submitted to the ‘Certifier’ prior to the issue of any Construction Certificate.

*(Reason: To ensure adequate electricity service is provided to the development)*

**20. Electricity Substation**

Any required electricity substation must be located within the boundaries of the ‘site’ and covered by an appropriate s.88B instrument or easement under the *Conveyancing Act 1919*.

Documentation demonstrating compliance with this condition must be submitted to, and approved by the ‘Certifier’ prior to the issue of any Construction Certificate.

*(Reason: To ensure adequate provisions are made for utility infrastructure)*

**21. s.7.11 Contributions**

Prior to the issue of a Construction Certificate the person having the benefit of this Notice of Determination must pay the following contributions to ‘Council’ for:

Community facilities	\$24,974.34
Open space and recreation facilities	\$63,089.36
Roads and active transport facilities	\$79,833.12
Plan administration and management	\$2,508.03

The total contribution payable to Council under this condition for 29 additional dwellings is \$170,404.85 as calculated at the date of this consent, in accordance with the Goulburn Mulwaree Local Infrastructure Contributions Plan 2021.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the plan.

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 Construction Certificate.

**Note:** *Copies of the Contributions Plans 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)*

## **22. Rainwater Tanks**

Rainwater tanks with a minimum capacity of 2000 litres must be provided for each dwelling to collect all rainwater runoff from the development, the rainwater tank must be plumbed to service all toilets, laundry facilities, hot water services and the external taps. If the 'site' is on bush fire prone land the tank(s) must be non-combustible.

Detailed plans demonstrating compliance with the above requirements must be submitted to, and approved by, the 'Certifier' prior to the issue of any Construction Certificate.

**(Reason:** *To ensure the development is water efficient and environmentally considerate)*

## **23. Basix Commitments**

Under clause 75 of 'the Regulation' the commitments listed in each relevant BASIX Certificate for the development must be fulfilled. Details and plans demonstrating compliance with these requirements must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

In this condition:

- a) relevant BASIX Certificate means:
  - i. a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
  - ii. if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and
- b) BASIX Certificate has the same meaning as defined under 'the Regulation'

**(Reason:** *To ensure the proposed development will meet the Government's requirements for sustainability and statutory requirements)*

## **24. Garbage and Recycling Facilities**

Adequate provision must be made for the storage of waste and recyclable material

generated by the development. Plans and specifications which comply with this condition must be submitted to the 'Certifier' for approval prior to the issue of any Construction Certificate.

The development must include as a minimum five 1100 litre rubbish tubs and eight 1100 litre recycling mobile garbage bins. All bins must be stored within the dedicated bin storage buildings located adjacent to Goulburn Street as shown on the approved plans.

The 'Certifier' must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

*(Reason: To ensure the provision of appropriate waste storage facilities and to ensure efficient collection of waste by waste contractors)*

## **25. Boundary Alignment Levels**

Except where otherwise approved by 'Council', the property boundary alignment levels must match the levels which existed prior to the commencement of 'works'. Plans and specifications which accurately document existing and proposed levels adjacent to the 'site' boundaries in compliance with this condition must be submitted to the 'Certifier' for approval prior to the issue of any Construction Certificate.

*(Reason: To ensure interface between individual properties and/or public land remains uniform)*

## **26. Asbestos and Hazardous Material Survey**

In relation to the demolition or alteration of the existing building (or part of a building) on the 'site':

- a) a report prepared by an appropriately qualified person (such as an Occupational Hygienist or Environmental Consultant) must be submitted to the 'Certifier' with the Construction Certificate application, detailing whether asbestos or hazardous materials exist on the 'site' that will be or likely to be affected by the proposed works and if they exist on 'site' their location and quantity.

*Note: Hazardous materials include but shall not be limited to lead in paints, ceiling dust, glass fibre insulation and asbestos based products.*

*If no hazardous materials are identified, the works may proceed in accordance with AS.2601 and the following conditions, including dust control and SafeWork NSW requirements.*

- b) should any hazardous materials be identified as per item (a), a Work Plan must be submitted to the Certifying Authority with the Construction Certificate application and must be set out in accordance with AS.2601 – Demolition of Buildings. The report shall contain details regarding:
  - i. the type of hazardous material;
  - ii. the level or measurement of the hazardous material in comparison to National Guidelines;
  - iii. proposed methods of containment;
  - iv. proposed methods of disposal; and
  - v. details of signage to be provided on the site to comply with the provisions of the *Work Health and Safety Regulation 2017* to ensure persons are warned, by the use of signs, labels or other similar measures, of the presence of asbestos or asbestos-containing material in a place at which construction work is being carried out.
- c) where unacceptably high levels of lead are found in a premises to be demolished soil samples from 'site' are to be tested by a NATA Registered laboratory before and after demolition and submitted to 'Council'. This will determine whether remediation of the 'site' is necessary.

- d) the demolition must be undertaken in accordance with AS.2601.
- e) any works involving asbestos based products must be undertaken in accordance with the requirements of the SafeWork NSW in relation to removal, handling and disposing of material, and the Work Safe Australia Asbestos Code of Practice. (Refer to the information publications provided in your approvals package for more specific information).
- f) all work involving lead removal must not cause lead contamination of air or ground, and the Work Plan submitted must comply with the requirements of AS.4361.2-1998 : *Guide to lead paint management - Residential and commercial buildings*. Particular attention must be given to the control of dust levels on the 'site'.

Details demonstrating compliance with these requirements must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

*(Reason: To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily)*

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

### 27. Prior to Commencement

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

- a) a Construction Certificate (where required) for the building work has been issued by:
  - i. the consent authority; or
  - ii. an 'Accredited Certifier'; and
- b) the person having the benefit of the development consent has:
  - i. appointed a 'Principal Certifier' for the building work, and
  - ii. notified the 'Principal Certifier' that the person will carry out the building work as an owner-builder, if that is the case, and
- c) the 'Principal Certifier' has, no later than two (2) days before the building 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 critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) the person having the benefit of this Notice of Determination, if not carrying out the work as an owner builder, has:
  - i. appointed a 'Principal Contractor' for the building work who must be the holder of a contractor licence if any residential building work is involved, and
  - ii. notified the 'Principal Certifier' of such appointment, and
  - iii. unless that person is the 'Principal Contractor' notified the 'Principal Contractor' of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- e) the person having the benefit of this Notice of Determination has given at least two (2) days' notice to the 'Council' of the person's intention to commence building 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 building work, demolition or excavation)*

### 28. Temporary Site Fences

A temporary timber hoarding or temporary construction 'site' fence must be erected between the work 'site' and adjoining lands before any commencement of works and must be maintained and be kept in place until after the completion of the works if the works:

- a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- b) could cause damage to adjoining lands by falling objects, or
- c) involve the enclosure of a public place or part of a public place.

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

*(Reason: To ensure that the safety of the public is not compromised)*

### **29. Damage Bond General**

A public infrastructure damage deposit of \$15,000 must be paid to 'Council'.

The damage bond will only be eligible for refund upon satisfactory completion of all 'works' and following the issue of the final Occupation Certificate. All costs associated with any reinstatement works required to be carried out by 'Council' to rectify any damage caused by the 'works', shall be deducted from the damage deposit.

Documentation demonstrating compliance with this condition must be submitted to, and approved by the 'Private Certifier' prior works commencing on site.

*Note: A bond administration fees applies to the lodgement of this bond. Bond values and administration fees are calculated at time of actual lodgement in accordance with Council's adopted Fees and Charges and may differ from the above.*

*All required damage to Council property, however caused, by undertaking the 'works' must be reinstated on a like for like basis and in accordance with 'Council's' engineering standards prevailing at the time to the satisfaction of 'Council' as the roads authority and prior to the issue of an Occupation Certificate.*

*(Reason: Protection of Council infrastructure and to ensure any damage to public infrastructure is rectified)*

### **30. 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)*

### **31. Stabilised Access**

Unless an existing stabilised 'site' access is utilised, stabilised access to the 'site' consisting of at least 200mm of aggregate at 30–60mm in size, be a minimum of three (3)m in width and must be provided from the road edge to the front of the building being constructed. The stabilised access must be fully maintained and removed from the 'site' when a permanent driveway has been constructed.

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

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



### **32. 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)**

### **33. 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)**

### **34. Water Meter**

A water meter as issued and installed by Goulburn Mulwaree Council Utilities department must be connected to the town's reticulated water supply prior to any commencement.

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

**(Reason: To ensure an adequate supply of potable water is provided to the site)**

### **35. Parking Restrictions**

Existing public parking provisions in the vicinity of the **'site'** must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or

other device in the road shoulder or kerbside lane is strictly prohibited without the prior written consent of 'Council'. Changes to existing public parking facilities/restrictions must be approved by the 'Council's Traffic Committee. The person having the benefit of this Notice of Determination will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by 'Council' regulatory officers.

*(Reason: To ensure that existing kerbside parking provisions are not compromised during works)*

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

### **36. No Changes to Openings**

The windows / doors / fenestration must not be enlarged or relocated on any elevation of the development. The use of rooms served by windows must not be altered from that detailed on the approved plans.

*(Reason: To ensure compliance with the terms of this Notice of Determination)*

### **37. No Removal of Trees on Public Property**

Trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in this Notice of Determination must not be removed or damaged during the 'works' including for the erection of any fences, hoardings or other temporary 'works'.

*(Reason: Protection of existing environmental infrastructure and community assets)*

### **38. 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)*

### **39. Dust Emissions and Air Quality**

Any removal of contaminated solids from the 'site' must comply with applicable laws for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed of on land without:

- a) permission of the landowner;
- b) development consent from the relevant local Council (if required);
- c) an environment protection licence from the NSW Environment Protection Authority; and
- d) compliance with the provisions of the Protection of the Environment and Operations Act.

All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by 'Council' and any other government agency.

*(Reason: To protect the environment from contaminated material from development sites)*

#### **40. 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)*

#### **41. 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)*

#### **42. Demolition and Removal of Buildings**

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

- a) demolition must be carried out in accordance with AS.2601–1991, *Demolition of structures*.
- b) demolition materials shall not be burnt or buried on the work site.
- c) a person having the benefit of this certificate must ensure that all vehicles leaving the work site carrying demolition materials have their loads covered and do not track soil or waste material onto the road.
- d) if demolition work obstructs or inconveniences pedestrians or vehicular traffic on an adjoining public road or reserve, a separate application must be made to 'Council' to enclose the public place with a hoarding or fence.
- e) erosion and sediment controls be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the 'site' and must be maintained in a functional condition throughout the construction activities until the 'site' is fully stabilised.
- f) the 'site' must be left free of waste and debris when 'works' have been completed.

*(Reason: To ensure that work is undertaken in a professional and responsible manner and to protect adjoining property and persons from potential damage)*

#### **43. 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)*

#### **44. Plumbing and Drainage Work**

In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage Notice of Work must be completed and returned to 'Council' for its records, no later than two (2) business days before the work concerned is undertaken. The Notice of Work is to identify what plumbing and drainage work is to be carried out and must provide the details of the particular plumber/drainer.

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

#### **45. Sanitary Drainage Inspections**

All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS.3500 and the *Plumbing and Drainage Act 2011*. The following stages of construction are to be inspected by 'Council' as the Water and Sewer Authority.

- 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.

Inspections can be booked in person at Customer Service or by phone on 02 4823 4444. Please note inspection fees apply and a minimum 48 hours' notice is required.

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

#### **46. Waste Derived Fill and 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)*

#### **47. Earthworks**

Any earthworks (including any structural support or other related structure for the purposes of the development) must: -

- a) not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot;
- b) not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property;
- c) in the first instance be reused on 'site';
- d) ensure that any fill brought to the 'site' contains only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997* or any other waste-derived material the subject of a resource recovery exemption;
- e) ensure that any excavated soil to be removed from the 'site' is be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*;
- f) ensure that documentation verifying the lawful disposal of all waste is to be kept by the applicant and provided to 'Council' on request.
- g) not permit fill to change existing ground levels at the property boundary. Cutting and filling is to be restricted to that shown on the approved plans. Any further cutting or filling will require separate approval.
- h) ensure that any excavation is carried out in accordance with *Excavation Work: Code of Practice (ISBN 978-0-642-785442)*, published in October 2013 by Safe Work Australia.

*(Reason: To ensure structural safety and to ensure excavation and fill are handled correctly)*

## SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

### 48. Compliance with Conditions of Consent

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of Determination must demonstrate to the 'Principal Certifier' that all conditions required to be complied with, either at or before the occupation stage, including conditions identified as at all times have been complied with. An Occupation Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

*(Reason: To ensure compliance with the terms of this Notice of Determination)*

### 49. Thoroughfare Street Upgrade

Prior to the issue of any Occupation Certificate, any upgrade required to Thoroughfare Street must be completed and signed-off in writing by 'Council'.

*(Reason: To ensure access to Marulan Train Station is provided)*

### 50. Telecommunication Services

Prior to the issue of any Occupation 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 to each dwelling.

*(Reason: Provision of telecommunication facilities in a manner that facilitates the future underground provision of cable services)*

### 51. House Numbering

The person acting upon this Notice of Determination must apply to 'Council' and receive written confirmation of the allocated street address(es) or house number(s) for the completed project. These are the numbers that will be recorded in 'Council'

records and must be permanently displayed at the property in accordance with the provisions of AS/NZS.4819:2003 – Geographic information – Rural and urban addressing.

Details demonstrating compliance with this condition must be submitted to the 'Principal Certifier' prior to the issue of any Occupation Certificate.

*(Reason: To ensure that Council records are accurate, and that house numbering complies with the requirements of the Australian Standards. Proper house numbering also assists emergency services in readily locating properties)*

#### **52. Way-Finding Signage**

Prior to the issue of any Occupation Certificate way-finding signage must be installed throughout the 'site' that provides clear and visible directional signage to the dwelling from the public road entrance.

Details demonstrating compliance with this condition must be submitted to the 'Principal Certifier' prior to the issue of any Occupation Certificate.

*(Reason: To ensure the public and emergency services can properly access the site)*

#### **53. Identification of Non-Potable Water**

Prior to the issue of any Occupation Certificate signage in accordance with AS.3500.1 must be installed to all taps that are supplied by the rainwater tank where mains reticulated water supply is provided to the 'site'.

*(Reason: To ensure non-reticulated water supplies are identified)*

#### **54. Landscaping to Front of Building**

All disturbed and unvegetated areas of land between the front of the building line and the front property boundary must be fully landscaped with plantings to prevent soil erosion and migration prior to the release of any Occupation Certificate.

*(Reason: To preserve the amenity of the streetscape and to prevent pollution of the environment)*

#### **55. Vehicle Access to Dwelling**

Prior to the issue of any Occupation Certificate vehicle access to the proposed dwellings must be fully constructed with a sealed surface.

Details demonstrating compliance with this condition must be submitted to the 'Principal Certifier' prior to the issue of any Occupation Certificate.

*(Reason: To provide suitable vehicle access)*

#### **56. Infrastructure Repair Prior to Completion of Works**

The person having the benefit of this Notice of Determination must fully complete all required 'works' -

- a) to any footpath, verge, nature strip, road, kerb and guttering, driveway crossover, stormwater and utilities infrastructure within the road reserve;
- b) must repair all damage caused by the 'works' to 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) all damage 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 *'Principal Certifier'* Prior to the issue of any Occupation Certificate.

*(Reason: To ensure any damage to public infrastructure is rectified)*

**57. 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 release of any Occupation Certificate.

Documentary evidence issued by *'Council'* confirming that the final inspection was satisfactory must be provided to the *'Principal Certifier'* prior to the issue of any Occupation Certificate.

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

**58. Boundary Fencing**

Prior to the issue of any Occupation Certificate, 1.8m hardwood lapped and capped fencing must be provided to the property boundary. The fence must be tapered down at 45 degrees to 1.2m forward of the front building line.

*(Reason: To ensure consistency with adjoining approved fencing and to improve amenity in the neighbourhood)*

**59. Domestic Works as Executed Plans**

A scaled works as executed plan drawn on *'Council's'* approved template detailing the layout and location of the sewer and stormwater pipe work must be submitted to *'Council'*.

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

*(Reason: Prescribed – Statutory)*

**60. Access**

Prior to the issue of any Occupation Certificate a suitably qualified person shall certify in writing to the *"Certifier"* that the access requirements outlined in Access Assessment Report have been provided.

*(Reason: To ensure the development is consistent with the requirements of the approval)*

**61. Lighting and Electrical**

Prior to the issue of any Occupation Certificate a suitably qualified person shall certify in writing to the *"Certifier"* that the electrical services to dwellings and lighting to the communal spaces have been installed as approved.

*(Reason: To ensure the development is consistent with the requirements of the approval)*

**62. Plumbing and Drainage Finalisation**

A final inspection of water plumbing and sewer drainage must be conducted by *'Council'* as the Water and Sewer Authority.

Documentary evidence issued by *'Council'* confirming that the final inspection was satisfactory must be provided to the *'Principal Certifier'* prior to the issue of any Occupation Certificate.

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

**63. Certificate of Compliance**

A Compliance Certificate and a sewer service drainage diagram as issued by the plumber who submitted the Notice of Work must be issued to 'Council' prior to the release of any Occupation Certificate.

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

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

**64. 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, 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 must be submitted to and approved in writing by 'Council' prior to the issue of any Occupation Certificate:

- a) The on-site stormwater detention system and infrastructure will be adequately managed and repaired to ensure the system is fully operational at all times; and
- b) All stormwater must be discharged via the on-site detention and treatment devices.

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)*

**65. Site Consolidation**

The 'site' must be consolidated into one (1) Lot.

A copy of the registered deposited plan as issued by NSW LRS demonstrating compliance with the requirements of this condition must be submitted to, and approved by the 'Certifier' prior to the issue of any Occupation Certificate.

*(Reason: To ensure the use of the land as one allotment is legally recognised and to prevent separate dealings in the existing allotments after the use commences)*

**66. NBN Services**

Prior to the issue of the Occupation 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 to each dwelling in the development.

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

**SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES****67. Obstruction of Parking Areas**

At all times no parking spaces, loadings bays or vehicular access ways or access thereto must be restricted, constrained or enclosed by any form of structure such as fencing, bollards, chains or the like, without the prior consent from 'Council'.

*(Reason: To ensure that minimum dimensions for parking spaces are not*



*reduced and that vehicle manoeuvring is compliant with relevant standards)*

**68. Vehicle Egress Sign**

At all times appropriate sign(s) must be provided and maintained within the 'site' at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.

*(Reason: To ensure pedestrian safety)*

**69. No Illumination of Signage**

At all times no consent is given or implied for any form of illumination or floodlighting to any sign.

*(Reason: To ensure appropriate forms of signage that are consistent with the development controls and those that are desired for the locality)*

**70. Stormwater Disposal**

At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks and raingardens must be collected and disposed of by way of properly constructed stormwater lines.

*(Reason: To ensure the suitable disposal of stormwater generated by the development)*

**71. Noise from Water Tanks**

At all times pumps used in association with rainwater water supplies must not to exceed the ambient noise level by more than 5dB(A) when measured at the 'site' boundary.

*(Reason: To ensure noise generated by equipment does not result in offensive noise)*

**72. Maintenance of Landscaping**

At all times the landscaped area of the approved 'works' is to be maintained in accordance with the approved landscape plan.

Any replacement plants required must be advanced in growth and be selected to maintain the anticipated mature height, canopy density and nature of those plant species as originally approved.

*(Reason: To ensure the visual amenity of the streetscape is maintained)*

**73. Use of Garage**

Access to and within the garage must at all times remain unobstructed to enable and facilitate the parking of a registered motor vehicle.

*(Reason: To ensure the development provides adequate on site car parking)*

**SECTION I: CONCURRENCE AGENCY CONDITIONS**

**74. Water NSW Concurrence**

Water NSW concurs with Council granting consent to the application, subject to the conditions within the concurrence letter dated 11 July 2023, which must be satisfied during the relevant stage of the development and prior to the issue of the Occupation 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 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 Andrew Banfield, Carol James OAM, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

#### **16.12 TENDER 2324T0003 GOULBURN RUG CONSTRUCTION - FITOUT PACKAGE**

##### **RESOLUTION 2023/213**

**Moved: Cr Carol James OAM**

**Seconded: Cr Michael Prevedello**

- 1. The report from the Director Utilities on Tender 2324T0003 Goulburn RUG Construction – Fitout Package be received.**
- 2. The Tender from ARW Multigroup Pty Ltd is accepted for the Goulburn RUG Construction – Fitout Package Contract in accordance with the specification and documents for Tender 2324T0003 for the lump sum price of \$350,472.**
- 3. The Chief Executive Officer be given a delegated authority for variations up to 10% of the contract lump sum. This being \$35,047.20.**

**CARRIED**

#### **16.13 TENDER 2223T0018 GOULBURN MULWAREE EMERGENCY OPERATIONS CENTRE**

##### **RESOLUTION 2023/214**

**Moved: Cr Bob Kirk**

**Seconded: Cr Steven Ruddell**

**That:**

- 1. The report from the Business Manager Community Facilities on Tender 2223T0018 Goulburn Mulwaree Operations Centre be received.**
- 2. Council decline to accept any of the tenders submitted for the proposed contract for the Design and construction of the Goulburn Mulwaree Emergency Operations Centre and SES Building for the reasons set out in Confidential Attachment 2 to the subject report, under Clause 178.3 (a) of the Local Government (General) Regulation 2021.**
- 3. Council, under Clause 178.3 (e) of the Local Government (General) Regulation 2021 enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender;**
- 4. Council note the reasons for declining to invite tenders or fresh applications are: that doing so would not attract additional suitable service providers over and above those that have submitted a tender;**
- 5. The Chief Executive Officer be given delegated authority to award the contract after negotiations have been finalised.**

**CARRIED**

**16.14 TENDER 2223T0016 UPGRADE OF CARR CONFOY NETBALL COURT SURFACE AND LIGHTING AND MARULAN SOCCER FIELD LIGHTING****RESOLUTION 2023/215****Moved: Cr Michael Prevedello****Seconded: Cr Jason Shepherd****That:**

- 1. The report from the Business Manager Community Facilities on Tender 2223T0016 Upgrade of Carr Confoy Netball and Marulan Soccer be received.**
- 2. The tender from ARW Multigroup is accepted in accordance with the specification and documents for Tender 2223T0016 Upgrade of Carr Confoy Netball and Marulan Soccer for the lump sum price of \$1,635,070.29 (GST Exclusive) for:**
  - a) Resurfacing of the Carr Confoy Netball Courts**
  - b) Upgrade the Carr Confoy Netball Court Lighting**
  - c) Upgrade the Marulan Soccer Field Lighting**
- 3. The Chief Executive Officer be given a delegated authority for variations up to 10%, \$163,507.03 (GST Exclusive).**

**CARRIED****16.15 VP365887 BRAIDWOOD ROAD & CLINTON STREET AC PATCH WORKS****RESOLUTION 2023/216****Moved: Cr Andrew Banfield****Seconded: Cr Steven Ruddell****That:**

- 1. The report from the Contracts & Civil Works Coordinator on the VP365887 for Patch Works be received.**
- 2. The Request for Quotation from Downer EDI Works Pty Ltd be accepted for the MR79 Segment 560, 570 & 590 AC Patch Works on Braidwood Road and Clinton Street, at a tender price of \$254,682.72 (GST inclusive) as outlined in the specification and documents in VP365887.**
- 3. The Chief Executive Officer is authorised to approve variations of up to 10% \$25,468.27 (GST Inclusive) for this project.**

**CARRIED**

**16.16 VP 368071 MOUNTAIN ASH RD - NATURAL DISASTER ROADSIDE EROSION REPAIRS AND RESTORATION PROJECT**

Cr Andrew Banfield declared an interest in this item and took no part in the discussion or voting on the matter. At 8:18 pm, Cr Andrew Banfield left the meeting.

**RESOLUTION 2023/217**

**Moved: Cr Daniel Strickland**

**Seconded: Cr Bob Kirk**

**That**

- 1. The report from the Business Manager Community Facilities on the Request for Quotation (RFQ) VP368071 Mountain Ash Rd Natural Disaster Restoration Works be received.**
- 2. The RFQ from Coopers Earthmoving and Haulage Pty Ltd for \$312,772.68 (Inclusive of GST) is accepted in accordance with the specifications and tender documents for Vendor Panel VP 368071.**
- 3. The Chief Executive Officer is authorised to approve variations of up to 10% of the contract amount being \$31,277.27.**

**CARRIED**

At 8:19 pm, Cr Andrew Banfield returned to the meeting.

**16.17 FLUORIDATION OF THE MARULAN TOWN WATER SUPPLY****RESOLUTION 2023/218**

**Moved: Cr Jason Shepherd**

**Seconded: Cr Daniel Strickland**

**That:**

- 1. The report from the Business Manager Water Operations and Director Utilities on the Fluoridation of the Marulan Town Water Supply be received.**
- 2. Council include fluoridation in the treatment process for the new Marulan Water Treatment Plant and obtain the required approvals for future operations.**

**CARRIED**

**16.18 TRIBE BREWERIES SECTION 64 DEVELOPER CHARGES ANNUAL REPORT****RESOLUTION 2023/219**

**Moved: Cr Bob Kirk**

**Seconded: Cr Andy Wood**

**That the report from the Director of Utilities on the Tribe Breweries Section 64 Developer Charges Annual Report be received.**

**CARRIED**

**16.19 SHIBETSU STUDENT EXCHANGE PROGRAM 2024**

**RESOLUTION 2023/220**

Moved: Cr Steven Ruddell  
 Seconded: Cr Carol James OAM

That

1. The report of the Director Corporate & Community Services on the Shibetsu Student Exchange Program 2024 be received.
2. Council endorses a visit to Shibetsu in July 2024 by students from High Schools within the Goulburn Mulwaree Council area and agree to provide \$1,250 financial support for up to seven students toward their travel expenses.
3. Council also agrees to provide each student with the equivalent of 2,500 yen (approximately \$32.00) per day to help cover expenses incurred by their host families in Shibetsu.
4. Council agrees to fund the travel and accommodation costs of a chaperone.
5. An expression of interest process be undertaken to select a chaperone for the exchange.
6. Discussions be held with representatives of the local high schools and an expression of interest process undertaken to select the students to join the program.
7. Interviews be conducted by a panel comprising the Mayor and Cr Carol James, the selected chaperone and the Director Corporate & Community Services to determine the successful applicants.

**CARRIED**

**16.20 2023/2024 LOCAL HERITAGE GRANT PROGRAM**

**RESOLUTION 2023/221**

Moved: Cr Carol James OAM  
 Seconded: Cr Jason Shepherd

That:

1. The report on the 2023/2024 Local Heritage Grant Program be received.
2. The following grant applicants be offered heritage funding in the amounts shown with conditions where relevant:

Application	Address	Grant to be offered
1/2023-2024	34 King Street, Bungonia	No (Previous heritage grant)
2/2023-2024	119 Bradley Street	\$2,500
3/2023-2024	118 Reynolds Street	\$2,500
4/2023-2024	26 Prince Street	\$2,500
5/2023-2024	42 Mulwaree Street	\$2,500
6/2023-2024	128 Addison Street	\$2,500
7/2023-2024	98 Clifford Street	\$1,000

8/2023-2024	100 Clifford Street	No
9/2023-2024	Windellama Road, Windellama	No
10/2023-2024	92 Bradley Street	No (Previous heritage grant)
11/2023-2024	458 Auburn Street	\$2,500
12/2023-2024	219 Faithfull Street	\$2,500
13/2023-2024	115 Grafton Street	\$2,500
14/2023-2024	1114 Carrick Road, Carrick	\$2,500
15/2023-2024	8 Ben Street	No
16/2023-2024	19 Marble Hill Road, Kingsdale	\$2,500
17/2023-2024	128 Clifford Street	No
18/2023-2024	166 Bourke Street	\$2,500
19/2023-2024	63 Clinton Street	No
20/2023-2024	160 Bourke Street	\$2,500
21/2023-2024	550 Inverary Road, Bungonia	\$1,000
22/2023-2024	92 Coromandel Street	\$1,000
23/2023-2024	85 Bradley Street	No - Late application
<b>Totals</b>		<b>\$33,000</b>

**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 Andrew Banfield, Carol James OAM, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

**16.21 2023/2024 GOULBURN CENTRAL BUSINESS DISTRICT GRANTS**

Cr Daniel Strickland declared an interest in this item and took no part in the discussion or voting on the matter. At 8:28 pm, Cr Daniel Strickland left the meeting.

**RESOLUTION 2023/222**

**Moved: Cr Bob Kirk**  
**Seconded: Cr Michael Prevedello**

**That:**

1. The report on the 2023/2024 CBD Grants be received.
2. The following grant applications be offered funding in the amounts and conditions as shown:

Application	Location	Offer \$2,272 Grant
1/2023-2024	95 Bourke Street	No
2/2023-2024	90-94 Auburn Street	Yes
3/2023-2024	96 Auburn Street	Yes
4/2023-2024	170 Sloane Street	Yes
5/2023-2024	19 Market Street	No (Previous CBD grant)
6/2023-2024	61 Verner Street	Yes
7/2023-2024	129 Auburn Street	No (Withdrawn)
8/2023-2024	282-284 Auburn Street	Yes
9/2023-2024	210 Auburn Street	Yes
10/2023-2024	56-58 Clifford Street	Yes
11/2023-2024	60 Clifford Street	Yes
12/2023-2024	6-8 McKell Place	No
13/2023-2024	84 Auburn Street	Yes
14/2023-2024	298 Sloane Street	Yes
15/2023-2024	344 Auburn Street	Yes

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 Andrew Banfield, Carol James OAM, Bob Kirk, Michael Prevedello, Steven Ruddell, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

At 8:34 pm, Cr Daniel Strickland returned to the meeting.

**16.22 COMMUNITY CENTRE OPTION TO RENEW LEASE - 1/155-157 AUBURN STREET, GOULBURN****RESOLUTION 2023/223****Moved: Cr Jason Shepherd****Seconded: Cr Andy Wood****That:**

1. The report of the Business Manager Property & Community Services on the Community Centre Option to Renew Lease – 1/155-157 Auburn Street, Goulburn be received.
2. Council endorses the new terms and conditions associated with renewal of the Community Centre Lease for continued exclusive occupation of 706m<sup>2</sup> of space at 1/155-157 Auburn Street, Goulburn, for a period of five years (backdated to 1 July 2023) to include the following payment structure:
  - (a) The current rent remains unchanged from 1 July 2023 to 30 June 2024;
  - (b) CPI increases to be capped at 5% for years 2 and 3;
  - (c) CPI increases to be capped at 3% in years 4 and 5 and;
  - (d) A further 5 Year Option to Renew at expiry be included.
3. The Chief Executive Officer be authorised to sign the new lease as Council's authorised delegate under s377 of the *Local Government Act 1993*.

**CARRIED****16.23 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF GOULBURN**

Cr Carol James OAM & Cr Steve Ruddell declared an interest in this item and took no part in the discussion or voting on the matter. At 8:35 pm, Cr Carol James OAM & Cr Steve Ruddell left the meeting.

**RESOLUTION 2023/224****Moved: Cr Michael Prevedello****Seconded: Cr Daniel Strickland****That**

1. The report from the Director Corporate & Community Services on the Request for Financial Assistance – Rotary Club of Goulburn be received.
2. Council provides in-kind support of \$1,317.00 (inc. GST), representing 50% of the quoted fees for the use of the Peden Pavilion at the Recreation Area, to be funded via transfer from the Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy budget.

**CARRIED**

At 8:37 pm, Cr Carol James OAM & Cr Steve Ruddell returned to the meeting.



**16.24 REQUEST FOR FINANCIAL ASSISTANCE - RIGHT TO WORK GOULBURN****RESOLUTION 2023/225**

**Moved: Cr Daniel Strickland**  
**Seconded: Cr Michael Prevedello**

**That**

- 1. The report from the Director Corporate & Community Services on the Request for Financial Assistance – Right to Work Goulburn be received.**
- 2. Council provides in-kind support of \$1,500 (inc. GST), representing 50% of the hire fees for the Goulburn Community Centre, to be funded via transfer from the Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy budget.**

**CARRIED**

**16.25 REQUEST FOR FINANCIAL ASSISTANCE - COMMUNITY PLUS INC.**

Cr Bob Kirk declared an interest in this item and took no part in the discussion or voting on the matter. At 8:38 pm, Cr Bob Kirk left the meeting.

**RESOLUTION 2023/226**

**Moved: Cr Steven Ruddell**  
**Seconded: Cr Jason Shepherd**

**That**

- 1. The report from the Director Corporate & Community Services on the Request for Financial Assistance – Community Plus Inc. be received.**
- 2. Council provides support in the form of a \$5,000 cash donation, to Community Plus Inc. for the Goulburn Monopoly Project to be funded via transfer from the Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy budget.**

**CARRIED**

At 8:43 pm, Cr Bob Kirk returned to the meeting.

**16.26 MONTHLY FINANCIAL REPORT****RESOLUTION 2023/227**

**Moved: Cr Andrew Banfield**  
**Seconded: Cr Michael Prevedello**

**That the report by the Director Corporate & Community Services on the Monthly Financial Report be received.**

**CARRIED**

**16.27 STATEMENT OF INVESTMENTS & BANK BALANCES****RESOLUTION 2023/228****Moved: Cr Steven Ruddell****Seconded: Cr Bob Kirk****That the report on the Statement of Investments and Bank Balances be noted.****CARRIED****16.28 MINUTES OF THE RECREATION AREA COMMITTEE MEETING HELD ON 2 AUGUST 2023****RESOLUTION 2023/229****Moved: Cr Steven Ruddell****Seconded: Cr Bob Kirk****That the report from Business Manager Community Facilities in regards to the Recreation Area Committee from 7 August 2023 be received.****CARRIED****16.29 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 3 AUGUST 2023****RESOLUTION 2023/230****Moved: Cr Andrew Banfield****Seconded: Cr Steven Ruddell****That:**

- 1. The report from the Director Operations regarding the Traffic Committee minutes from Thursday 3 August 2023 be received.**
- 2. An Apology from Ms Stacey Scott be accepted and leave of absence granted.**
- 3. The Traffic Committee minutes from Thursday 3 August 2023 be confirmed.**
- 4. The report from the Road Safety and Traffic Officer on the Ongoing Task List be received and the information noted. Items marked as completed will be removed from the task list.**
- 5. The report on the programs and activities of the Road Safety and Traffic Officer for June to July 2023 be received and noted.**
- 6. The report from Councils Road Safety and Traffic Officer on the request for a pedestrian crossing at Goulburn East Public School, Park Road be received.**
- 7. The proposal to allocate motorcycle only parking on Clifford Street, adjacent to 205 Auburn Street be approved as a trial for a 12-month period with a review back to the Traffic Committee at the end of the trial.**
- 8. The request for the report on 'STOP' signs on Sandy Point Road and Windellama Road intersections with Oallen Ford Road has been deferred to the October 2023 Traffic Committee meeting, pending request for further information.**
- 9. The Traffic Guidance Scheme for the closure of Auburn Street, starting from 11am on 1 October 2023, be endorsed.**
- 10. The request for a 'No Stopping' sign to be placed on Faithfull Street, at the**

intersection of Mundy Street be received and endorsed.

11. The Traffic Guidance Scheme for Convoy for Kids be received and endorsed.
12. The Traffic Guidance Scheme for Goulburn Waterworks Steampunk event was received and endorsed.
13. The current temporary pedestrian crossing at Market Street set up under Street as Shared Spaces project be made a permanent fixture.

**CARRIED**

#### **16.30 MINUTES OF THE SPORTS COUNCIL MEETING HELD ON 7 AUGUST 2023**

##### **RESOLUTION 2023/231**

**Moved: Cr Andrew Banfield  
Seconded: Cr Daniel Strickland**

**That the report from George Angelis Director Operations in regards to the Sports Council minutes from Monday 7 August 2023 be received.**

**CARRIED**

#### **16.31 ADVOCACY WORKING PARTY MEETING MINUTES - 18 AUGUST 2023**

##### **RESOLUTION 2023/232**

**Moved: Cr Andrew Banfield  
Seconded: Cr Andy Wood**

**That the report from the Chief Executive Officer in relation to the Advocacy Working Party Meeting Minutes held on the 18 August 2023 be received.**

**CARRIED**

#### **16.32 COUNCIL'S OPERATIONAL UPDATE - AUGUST 2023**

##### **RESOLUTION 2023/233**

**Moved: Cr Carol James OAM  
Seconded: Cr Steven Ruddell**

**That the report from the Chief Executive Officer on the Council's Operational Update for August 2023 be received and noted.**

**CARRIED**

#### **17 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.

#### **18 CONCLUSION OF THE MEETING**

**The Meeting closed at 8.59pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 October 2023.**

.....  
**Cr Peter Walker**  
**Mayor**

.....  
**Aaron Johansson**  
**Chief Executive Officer**