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MINUTES

Ordinary Council Meeting

18 July 2023

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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, 18 JULY 2023 AT 6PM**

PRESENT: Cr Peter Walker - Mayor, Cr Steven Ruddell - Deputy Mayor, Cr Andrew Banfield, Cr Bob Kirk, Cr Carol James, Cr Jason Shepherd, Cr Daniel Strickland & 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), & Amy Croker (Office Manager to the 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 Deputy Mayor Steven Ruddell.

4 APOLOGIES

RESOLUTION 2023/141

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That the apology received from Cr Michael Prevedello be accepted.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2023/142

Moved: Cr Carol James

Seconded: Cr Steven Ruddell

That the application for leave of absence from Cr Michael Prevedello be accepted due to being absent from the region on annual leave.

CARRIED

6 ATTENDANCE BY AUDIO VISUAL LINK

Nil

7 LATE ITEMS / URGENT BUSINESS

Nil

8 DISCLOSURE OF INTERESTS

Cr Jason Shepherd declared a non-pecuniary/non-significant conflict of interest in Item 16.20 "Councils Operational Update - June 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 non-pecuniary/non-significant conflict of interest in Item 16.12 "Proposed 2024 Shibetsu Delegation" as he has expressed an interest in attending the proposed 2024 Shibetsu delegation. As the disclosure was not of a significant nature Cr Jason Shepherd remained in the meeting while discussion took place.

Deputy Mayor Steven Ruddell declared a non-pecuniary/significant conflict of interest in Item 16.6 "Request for Financial Assistance - Rotary Club of Goulburn" as he is the President of the Goulburn Rotary Club. Deputy Mayor Steven Ruddell will leave the meeting while discussion on this item takes place.

Deputy Mayor Steven Ruddell declared a non-pecuniary/significant conflict of interest in Item 16.8 "Requests for Financial Assistance - Christmas in the Park 2023" as he is a member of the events organising committee. Deputy Mayor Steven Ruddell will leave the meeting while discussion on this item takes place.

Deputy Mayor Steven Ruddell declared a non-pecuniary/significant conflict of interest in Item 16.9 "Requests for Financial Assistance - Goulburn Chamber of Commerce" as he is the Vice-President of the Goulburn Chamber of Commerce. Deputy Mayor Steven Ruddell will leave the meeting while discussion on this item takes place.

Deputy Mayor Steven Ruddell declared a pecuniary conflict of interest in Item 16.11 "Request for Financial Assistance - RSL Sub-Branch Goulburn" as he undertakes casual work for a local audio supplier who may be engaged to provide services for the RSL Sub-Branch Goulburn ANZAC Service. Deputy Mayor Steven Ruddell will leave the meeting while discussion on this item takes place.

Cr Bob Kirk declared a non-pecuniary/significant conflict of interest in Item 16.7 "Request for Financial Assistance - Country Universities Centre Goulburn" as he is the chairman of the board of the Country Universities Centre Goulburn. Cr Bob Kirk will leave the meeting while discussion on this item takes place.

Cr Carol James declared a non-pecuniary/non-significant conflict of interest in Item 16.6 "Request for Financial Assistance - Rotary Club of Goulburn" as she is a member of the Rotary Club of Goulburn. As the disclosure was not of a significant nature Cr Carol James remained in the meeting while discussion took place.

Cr Carol James declared a non-pecuniary/significant conflict of interest in Item 16.10 "Requests for Financial Assistance - Goulburn Lilac City Festival Inc" as she is the President of the Goulburn Lilac City Festival Inc. Cr Carol James will leave the meeting while discussion on this item takes place.

Cr Carol James declared a non-pecuniary/non-significant conflict of interest in Item 16.12 "Proposed 2024 Shibetsu Delegation" as she has expressed an interest in attending the proposed 2024 Shibetsu delegation. As the disclosure was not of a significant nature Cr Carol James remained in the meeting while discussion took place.

Mayor Peter Walker declared a non-pecuniary/non-significant conflict of interest in Item 16.6“ 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 Mayor Peter Walker remained in the meeting while discussion took place.

Mayor Peter Walker declared a non-pecuniary/non-significant conflict of interest in Item 16.12 “Proposed 2024 Shibetsu Delegation” as he has expressed an interested in attending the proposed 2024 Shibetsu delegation. As the disclosure was not of a significant nature Mayor Peter Walker remained in the meeting while discussion took place.

Director Corporate and Community Service Brendan Hollands declared a non-pecuniary/non-significant conflict of interest in Item 16.12 “Proposed 2024 Shibetsu Delegation” as he has expressed an interest in attending the proposed 2024 Shibetsu delegation. As the disclosure was not of a significant nature Director Corporate and Community Service Brendan Hollands remained in the meeting while discussion took place.

Director Corporate and Community Service Brendan Hollands declared a non-pecuniary/significant conflict of interest in Item 16.22“ Goulburn Regional Hockey Centre Project” as he is the Treasurer of the Goulburn and District Hockey Association. Director Corporate and Community Service Brendan Hollands will leave the meeting while discussion on this item takes place.

Director Planning & Environment Scott Martin declared a non-pecuniary/non-significant conflict of interest in Item 16.12 “Proposed 2024 Shibetsu Delegation” as he has expressed an interest in attending the proposed 2024 Shibetsu delegation. As the disclosure was not of a significant nature Director Planning & Environment Scott Martin remained in the meeting while discussion took place.

Director Utilities Marina Hollands declared a non-pecuniary/non-significant conflict of interest in Item 16.12 “Proposed 2024 Shibetsu Delegation” as she has expressed an interest in attending the proposed 2024 Shibetsu delegation. As the disclosure was not of a significant nature Director Utilities Marina Hollands remained in the meeting while discussion took place.

Office Manager to Mayor and Chief Executive Officer Amy Croker declared a non-pecuniary/non-significant conflict of interest in Item 16.12 “Proposed 2024 Shibetsu Delegation” as she has expressed an interest in attending the proposed 2024 Shibetsu delegation. As the disclosure was not of a significant nature Office Manager to Mayor and Chief Executive Officer Amy Croker remained in the meeting while discussion took place.

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

9 PRESENTATIONS

Nil

10 PUBLIC FORUM

Toby Williams addressed Council regarding Item 16.1 DA/0209/2223 - 2 Salford Street, Goulburn - Demolish Existing Shed, 2 lot Torrens Title Subdivision and Construction of Detached Dwelling.

11 CONFIRMATION OF MINUTES

11.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20 JUNE 2023

RESOLUTION 2023/143

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

That the Council minutes from Tuesday 20 June 2023 and contained in Minutes Pages No 1 to 15 inclusive and in Minute Nos 2023/134 to 2023/149 inclusive be confirmed.

CARRIED

12 MATTERS ARISING

12.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 20 JUNE 2023

Nil

12.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2023/144

**Moved: Cr Steven Ruddell
Seconded:Cr Andy Wood**

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

CARRIED

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 DA/0209/2223 - 2 SALFORD STREET, GOULBURN - DEMOLISH EXISTING SHED, 2 LOT TORRENS TITLE SUBDIVISION AND CONSTRUCTION OF DETACHED DWELLING

RESOLUTION 2023/145

Moved: Cr Bob Kirk

Seconded: Cr Steven Ruddell

That:

1. The staff assessment report for development application DA/0209/2223 for the proposed demolition of an existing shed, 2 lot Torrens Title subdivision and construction of a detached dwelling be received.
2. Consent be granted for DA/0209/2223 for a demolition of existing shed and construction of Detached Dual Occupancy with two (2) lot Torrens Title Subdivision located at 2 Salford Street, Goulburn subject to the following conditions.

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 existing shed and construction of detached dual occupancy with two (2) lot Torrens 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.

Architectural plans prepared by Kitome			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
4015-624 WD1	A	Cover Page	28/04/2022
4015-624 WD2	A	General Notes	28/04/2022
4015-624 WD3	A	Safety Notes	28/04/2022
4015-624 WD4	A	Floor Plan	28/04/2022
4015-624 WD5	A	Roof Framing Plan	28/04/2022
4015-624 WD6	A	North-East and South-East Elevations	28/04/2022
4015-624 WD7	A	South-West and North-East Elevations	28/04/2022
4015-624 WD10	A	External Window & Door Schedule	28/04/2022
4015-624 WD21	D	Solar Diagrams	29/06/2023
4015-624 WD22	C	Shadow Projection Plan	16/06/2023
4015-624 WD23	C	Shadow Projection Plan	16/06/2023
Plans prepared by CPC Land Development Consultants-			

DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
22128-D-20230619-GWF Sheet 1 of 2	D	Plan Showing Landscape And Site Plan for Proposed Subdivision of Lot 1 in DP 578329 2 Salford Street, Goulburn	19/06/2023
22128-D-20230619-GWF Sheet 2 of 2	D	Plan Showing Landscape And Site Plan for Proposed Subdivision of Lot 1 in DP 578329 2 Salford Street, Goulburn	19/06/2023
Documentation prepared by APeart Building Design			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
1302824S_02	-	BASIX Certificate	15 September 2022
Documentation prepared by CPC Land Development Consultants			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
SoEE	-	Statement of Environmental Effects	August 2022
SHI	-	Heritage Impact Statement	Undated.

(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. Amendments to Approved Plans

The following amendments to the approved plans must be undertaken and the amended plans must be endorsed by 'Council' prior to the issue of any Construction Certificate:

- a) The floor level of the proposed dwelling is to be lowered 200mm from the proposed floor level.

Note: This involves a change to the development application plans as submitted to, and approved by 'Council'.

Any changes in this regard must be reflected in the form of amended plans to be submitted to the 'Certifier' endorsed by 'Council' prior to the issue of any Construction Certificate for the proposed development.

(Reason: To confirm and clarify the terms of the approval)

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

5. Building Code of Australia Compliance

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

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

6. 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 conditions 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')*

7. 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)*

8. 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)*

9. 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)*

SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

10. Building within vicinity of Sewer Main

Where a structure is to be constructed within the zone of influence of the sewer main, the weight of the building must be distributed away from the sewer main by pier and beam construction. The piers must be designed by a suitably qualified experienced professional Engineer and must be embedded on firm foundation at least 300mm below the zone of influence.

The area of influence of the sewer main is considered that area identified within *'Council's' Clearance & Easement Requirements for Structures Adjacent to Sewer & Stormwater Mains Policy*.

Notwithstanding the above, a building must not be erected within 1.2m of the outside edge of a sewer manhole and unobstructed personal access of minimum width of 900mm must be provided to any manhole located upon private property.

Plans and calculations demonstrating compliance with this condition must be submitted to *'Council'* as the Sewer and Water Authority for approval, prior to the issue of any Construction Certificate.

(Reason: To protect public infrastructure)

11. Foundations Adjacent to Sewer and Drainage Easements

The foundations for structures adjacent to a sewer and/or stormwater drainage easement must be constructed in such a manner that does not affect the integrity of the sewer main and stormwater drainage lines. Location of foundations must be in accordance with *'Council'* policy for *Clearance and Easement Requirements for Structures Adjacent to Sewer and Stormwater Mains*. Details demonstrating compliance with this condition must be submitted to, and approved by, *'Council'* as the Sewer and Water Authority prior to the issue of any Construction Certificate.

(Reason: To allow maintenance to vital infrastructure without affecting the integrity of the adjacent structure and public assets)

12. 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)

13. Construction Traffic and Pedestrian Management Sub-Plan

The Construction Traffic and Pedestrian Management Sub-Plan must be prepared and submitted to, and approved in writing by *'Council'* prior to the issue of any Construction Certificate. The plan must include, but not be limited to, the following: -

- a) be prepared by a suitably qualified and experienced person(s);
- b) be prepared in consultation with *'Council'* and Transport NSW if the road is a classified road;
- c) detail the measures that are to be implemented to ensure road safety and network efficiency during the *'works'* in consideration of all potential impacts on general traffic, cyclists, pedestrians and bus services;
- d) detail heavy vehicle routes, access and parking arrangements;
- e) the proposed methods of loading and unloading excavation and construction machinery, excavation and building materials, formwork etc. and the erection

- of any part of the structure within the 'site';
 - f) the location of any fixed or mobile crane. Crane operations should be located wholly within the 'site';
 - g) the proposed method of access to and egress from the 'site' for construction vehicles, including access routes through the 'Council' area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area with no access across public parks or reserves being allowed;
 - h) include a driver code of conduct to
 - i. minimise the impacts of the 'works' on the local and regional road network;
 - ii. minimise conflicts with other road users;
 - iii. minimise road traffic noise; and
 - iv. ensure drivers use specified routes;
 - i) detail procedures for notifying adjoining and nearby residents and the community of any potential disruption to routes; and
 - j) include a program to monitor the effectiveness of these measures.
- (Reason: To ensure the development is undertaken in a manner that is safe and does unreasonable inconvenience to the community)*

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

14. Vehicular Access Way Design - Residential

The person having the benefit of this Notice of Determination must design and construct the sealed residential vehicular access way in compliance with the following: -

- a) must be designed to ensure that vehicles entering the 'site' will not scrape/strike the surface of the carriageway, layback or vehicular access way;
- b) must be designed in accordance with accordance with Council's Standard Drawings SD-R06, SD-R07 and AS.2890 where not covered by Council's standards;
- c) the driveway levels shall match the existing levels at the property boundary;
- d) the width of the vehicle access way at the property boundary shall be 4.5 metres;
- e) the width of the vehicular layback shall be 4.5 metres (including the wings 700mm each side);
- f) any twisting of the driveway access must occur entirely within the 'site';
- g) the sealed vehicular access way and layback must be a minimum of 1000mm from any power or lighting pole, 750mm from any electrical pillar, from any kerb inlet pit lintel and 2.5m from any street tree; and
- h) any utility pit within the driveway and within 750mm must be provided with a trafficable lid.

Works within the road reserve are to be inspected by 'Council' as being satisfactory prior to pouring, all other 'works' within the Lot must be Certified by the 'Principal Certifier' as being compliant with this condition.

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

(Reason: To facilitate appropriate vehicular access to residential sites, without disruption to pedestrian and vehicular traffic)

15. 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;

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)

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

16. 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)

17. 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)

18. Damage Bond General

A public infrastructure damage deposit of \$2780 for a single Lot frontage 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)

19. 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)

20. Sediment and Erosion Control

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control must be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control.

All required erosion and sedimentation techniques must be properly installed prior to the commencement of any 'site' 'works' and 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 any further commencement of 'site' 'works'.

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

21. 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)

22. 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)

23. 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)

24. 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

25. 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)

26. 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)

27. Excavation and Demolition

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

- a) all excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- b) all excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- c) demolition work must be undertaken in accordance with the provisions of AS.2601- Demolition of Structures.
- d) the builder is to ensure that persons working on the site comply with the SafeWork NSW requirements.

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

28. Retaining Walls and Drainage

Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must: -

- a) ensure that all retaining walls to be constructed are wholly within the boundaries of the subject allotment including all associated drainage zones and earthworks.
- b) have adequate provision for drainage in accordance with the provisions of AS.3500; and
- c) obtain approval from 'Council' for all walls over 600mm in height and within 1000mm to 'site' boundaries.
- d) be constructed immediately after the 'site' has been cut and filled;

(Reason: To ensure the safety and amenity of the site and adjoining properties)

29. s.138 Approval Matters

Vehicular footway crossings must be constructed in accordance with Council's Standard Drawings SD-R06 and SD-R07

It is the applicant's responsibility to ensure:

- a) Traffic control measures are installed and maintained in accordance with AS.1742.3 and the Roads and Traffic Authority Manual – 'Traffic Control at Worksites'
- b) Public liability insurance to the value of \$20 million specific to the footway crossing; and workers compensation insurance, are both maintained for the duration of the works
- c) Whether the proposed works affects any Public Utility Authority installation.

The following Authorities should be consulted:

- i. Dial Before You Dig Ph.: 1100 (including telephone, gas, electricity)
- ii. Council Ph (02) 4823 4417 (including water and sewer location diagrams).
- iii. At the completion of work, the development proponent is to ensure that the area surrounding the driveway is backfilled and verge seeded to alleviate pedestrian hazard.

Vehicular footway crossings are that section of a driveway between the roadway and the property boundary. The applicant must arrange an inspection by 'Council' prior to pouring the concrete with formwork and reinforcement in position or sealing. 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.

'Council' retains the right to alter, repair, or in extreme cases, remove and replace any work for which approval has not been obtained, or that has not been carried out in accordance with this Notice of Determination. Any rectification works would be undertaken at the owner's full cost, recoverable in accordance with s.218 of the *Roads Act 1993*.

(Reason: To ensure compliance with the Roads Act 1993)

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

30. 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)

31. 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)

32. Landscaping to Nature Strip

All disturbed and unvegetated areas of land to the front of the building line and the nature strip must be fully landscaped with grass turf 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)

33. Redundant Vehicle Crossings

All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge to match existing surrounding materials. All costs must be borne by the person having the benefit of this Notice of Determination, and all works must be completed in accordance with *'Council's'* Engineering Standards and inspected by *'Council'* prior to pouring the concrete with formwork and reinforcement in position.

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 facilitate vehicular access to sites, without disruption to pedestrian and vehicular traffic, and the preservation of on street parking spaces)

34. Installation of Driveways

Prior to the issue of an Occupation Certificate the driveway access across the footpath reserve and to the garage and any footway crossing must be constructed in accordance with *'Council's'* Engineering Standards and the requirements of this notice of determination.

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 driveway access to the property does not have any adverse impact on the public road network)

35. 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)

36. Utility Services

All utility services must be adjusted, to the correct levels and/or location/s required by this consent, prior to issue of any Occupation Certificate. All required works must be undertaken at no cost to *'Council'*.

(Reason: To ensure the proper reticulation of utility services)

37. 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)

38. 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)

39. Trafficable utility pits

Any utility pit that is located in the driveway is to have a trafficable lid that is able to handle traffic movements.

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 infrastructure is not impacted by the development)

40. Subdivision Certificate

An Occupation Certificate must not be issued by a *'Principal Certifier'* unless the Subdivision Certificate for the site has been issued by the *'Council'*.

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 the development is undertaken in accordance with the conditions of the Notice of Determination)

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES**41. 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 to the kerb and gutter (piped). If concrete footpath exists; pipework is to be under bored to the existing kerb inlet.

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

SECTION I: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**42. Release of Subdivision Certificate**

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

Notes: A tabularised statement that separately identifies the conditions contained within the Notice of Determination, details how the conditions have been complied with and is provided with clear references to any supporting evidence being submitted to satisfy a condition is required.

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

43. Subdivision Certification

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

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

Notes: 'Council' will check the consent conditions on the relevant subdivision consent. Failure to submit the required information will delay endorsement of the plan of subdivision and may require payment of rechecking fees or refusing the certificate.

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

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

44. Water Management Act

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

(Reason: To ensure compliance with the statutory requirements)

45. Services within Lots

Prior to the issue of any Subdivision Certificate a Registered Surveyor must provide certification that all services (e.g. drainage, stormwater, water supply, gas, electricity, telephone etc.) as constructed are contained within each Lot or within appropriate easements to accommodate such services.

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

46. Electrical Supply Services

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

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

(Reason: To ensure adequate servicing of the development)

47. NBN Services within Lots

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

(Reason: To ensure adequate servicing of the development)

48. s.7.11 Contributions

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

Community facilities	\$1,908
Open space and recreation facilities	\$4,819
Roads and active transport facilities	\$12,891
Plan administration and management	\$ 295

The total contribution payable to Council under this condition is \$19,913 as calculated at the date of this consent, in accordance with the Goulburn Mulwara 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

Subdivision 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)*

SECTION J: CONCURRENCE AGENCY CONDITIONS**49. Erosion and Sediment Controls**

The applicant is to submit, to the satisfaction of 'Council', an Erosion and Sediment Control Plan in accordance with Chapter 2 of the NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual – the 'Blue Book', outlining the controls that will be used to prevent sediment entering dams, drainage depressions and watercourses and/or street stormwater drainage systems.

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

SECTION K: ADVISORY INFORMATION

- a) Prior to commencing any building, subdivision or associated constructions works, the following provisions of 'the Act' are to be complied with:
 - (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of 'the Act'.
 - (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.

- b) Changes to the layout of the subdivision configuration may require the submission of a further modification under Section 4.55 of 'the Act'.
Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of 'the Act'.

- c) Prior to any 'Work' commencing on 'site' all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au

- d) 'Council's' fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.

- e) The mailbox erected to service the property must not encroach on the footpath or kerb area.

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 Carol James, Bob Kirk, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Cr Andrew Banfield

16.2 PLANNING PROPOSAL - ZONING AND MINIMUM LOT SIZE AMENDMENT TO 407 & 457 CROOKWELL ROAD KINGSDALE

RESOLUTION 2023/146

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That:

- 1. The report from the Senior Strategic Planner regarding the proposed zoning and minimum lot size amendment to Goulburn Mulwaree Local Environmental Plan 2009 be received.**
- 2. Council prepare a Planning Proposal to amend the Goulburn Mulwaree Local Environmental Plan 2009 to rezone Lot 70, 73 & 77 DP 1006688 from RU6 Transition to R5 Large Lot Residential, R2 Low Density Residential, part C2 Environmental Conservation and RE1 Public Recreation, and to amend the minimum lot size from 10 hectares to 700m² (for the proposed R2 zone), and 4,000m² and 2 hectares (for the proposed R5 zone), with the C2 and RE1 zone having no minimum lot size.**
- 3. Council amend the Goulburn Mulwaree Local Environmental Plan 2009 to include Lot 70, 73 & 77 DP 1006688, 407 & 457 Crookwell Road Kingsdale as an Urban Release Area (URA).**
- 4. The development proponent is required to submit to Council, the following additional information, prior to the Planning Proposal being submitted to the Department of Planning and Environment for a gateway determination:**
 - a. An updated Detailed Site Investigation (DSI) that further considers and evaluates the likelihood of contamination on the land, and makes conclusions and recommendations as to whether or not the site is capable of accommodating future residential uses.**
 - b. An amended Water Cycle Management Study to address the requirement for unserviced future Large Lot Residential zoned land as applicable.**
 - c. An amended Traffic and Parking Assessment report to address the requirements of Transport for NSW.**
 - d. An amended Strategic Bushfire Study to address the impacts of potential road alterations to reflect an updated concept plan for road/access and staging and limitation of reticulated water servicing to south of the High Pressure Gas Pipeline.**
 - e. A revised concept layout and staging plan that addresses the concerns raised by Transport for NSW, relating to limiting new access points to Crookwell Road and providing internal road connections between this Planning Proposal and the Planning Proposal to the north (515 Crookwell Road, Kingsdale). The revised concept layout shall also incorporate revisions required because of the need to achieve compliance with Ministerial Directions relating to bushfire protection and water quality.**
- 5. The Planning Proposal is to be forwarded to the NSW Department of Planning and Environment for a gateway determination, with further community and government**

consultation undertaken in accordance with the directions of the gateway determination.

6. Council requests that the NSW Department of Planning and Environment make Council the delegated plan making authority for this Planning Proposal.
7. Council prepares a Precinct specific Chapter to the Goulburn Mulwaree Development Control Plan 2009 for the Sooley Precinct and place it on public exhibition with the Planning Proposal for a minimum of 28 days.
8. Council amends the Goulburn Mulwaree Development Control Plan (DCP) 2009 to include Urban Release Area (URA) provisions for the Sooley Precinct that address the relevant requirements of Part 6 of the Goulburn Mulwaree Local Environmental Plan (LEP) 2009.

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, Bob Kirk, Steven Ruddell, Daniel Strickland and Peter Walker

Against: Crs Jason Shepherd and Andy Wood

16.3 PLANNING PROPOSAL - 515 CROOKWELL ROAD KINGSDALE - AMENDMENT - URBAN RELEASE AREA PROVISIONS

RESOLUTION 2023/147

Moved: Cr Steven Ruddell

Seconded: Cr Andrew Banfield

That:

1. The report from the Senior Strategic Planner regarding the proposed Urban Release Area (URA) to the Goulburn Mulwaree Local Environmental Plan 2009 be received.
2. Council amends the Goulburn Mulwaree Local Environmental Plan 2009 to include Part Lot 103 & Lot 104 DP 1007433, 515 Crookwell Road, Kingsdale as an Urban Release Area (URA), by way of an amendment to the existing Planning Proposal.
3. Council amends the Goulburn Mulwaree Development Control Plan (DCP) 2009 to include Urban Release Area (URA) provisions for the Sooley Precinct that address the requirements of clause 6.2A(3) of the Goulburn Mulwaree Local Environmental Plan (LEP) 2009, by way of an amendment to the existing Planning Proposal.

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, Bob Kirk, Steven Ruddell, Daniel Strickland and Peter Walker

Against: Crs Jason Shepherd and Andy Wood

16.4 CONFLICT OF INTEREST POLICY - DEVELOPMENT APPLICATIONS RELATED TO COUNCIL, COUNCILLORS AND COUNCIL EMPLOYEES

RESOLUTION 2023/148

Moved: Cr Andy Wood

Seconded: Cr Daniel Strickland

That

- 1. The report from the Director Planning & Environment on the Conflict of Interest Policy – Development Applications related to Council, Councillors and Council Employees be received.**
- 2. Council places the Policy on public exhibition for 28 days and if no comments are received, it will be adopted as one of Council’s policies.**
- 3. Any submissions received will be considered and reported to Council for final adoption of the policy.**

CARRIED

16.5 COMMUNITY ENGAGEMENT STRATEGY

RESOLUTION 2023/149

Moved: Cr Jason Shepherd

Seconded: Cr Daniel Strickland

That:

- 1. The report from the Chief Executive Officer on the Community Engagement Strategy be noted.**
- 2. The Council endorse the Community Engagement Strategy.**

CARRIED

16.6 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF GOULBURN

Cr Steven Ruddell declared an interest in items 16.6, 16.8, 16.9 & 16.11 and took no part in the discussion or voting on the matters. At 6:33 pm, Cr Steven Ruddell left the meeting.

RESOLUTION 2023/150

Moved: Cr Jason Shepherd

Seconded: Cr Andy Wood

That

- 1. The report from the Director Corporate & Community Services on Request for Financial Assistance – Rotary Club of Goulburn be received.**
- 2. Council support the 2023 Southern Tablelands Science and Engineering Challenge with the following funding from the 2023/24 Financial Assistance Budget:**
 - A cash contribution of \$3,000.00**
 - 50% venue hire costs of \$224.00**

CARRIED

MOVE AN ITEM**RESOLUTION 2023/151**

Moved: Cr Andrew Banfield

Seconded: Cr Andy Wood

That Item 16.8, 16.9 & 16.11 be dealt with directly after item 16.6.

CARRIED

16.8 REQUESTS FOR FINANCIAL ASSISTANCE - CHRISTMAS IN THE PARK 2023**RESOLUTION 2023/152**

Moved: Cr Andy Wood

Seconded: Cr Jason Shepherd

That

- 1. The report of the Director of Corporate & Community Services on the Request for Financial Assistance - Christmas in the Park 2023 be received.**
- 2. Council contributes a cash donation of \$5,750 towards Christmas in the Park 2023 to be funded from the Financial Assistance budget.**

CARRIED

16.9 REQUESTS FOR FINANCIAL ASSISTANCE - GOULBURN CHAMBER OF COMMERCE**RESOLUTION 2023/153****Moved: Cr Andrew Banfield****Seconded: Cr Carol James****That**

- 1. The report of the Director of Corporate & Community Services on the request for Financial Assistance - Goulburn Chamber of Commerce be received.**
- 2. Council contributes a cash donation of \$5,000 to the Goulburn Chamber of Commerce towards the *Explore Local Business Expo* to be funded from the Financial Assistance budget.**

CARRIED**16.11 REQUEST FOR FINANCIAL ASSISTANCE - RSL SUB-BRANCH GOULBURN****RESOLUTION 2023/154****Moved: Cr Carol James****Seconded: Cr Jason Shepherd****That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance –RSL Sub-Branch Goulburn be received.**
- 2. Council provides a \$5,000 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

At 6:51pm, Cr Steven Ruddell returned to the meeting.

16.7 REQUEST FOR FINANCIAL ASSISTANCE - COUNTRY UNIVERSITIES CENTRE GOULBURN

Cr Bob Kirk declared an interest in this item and took no part in the discussion or voting on the matter. At 6:52 pm, Cr Bob Kirk left the meeting.

RESOLUTION 2023/155**Moved: Cr Andrew Banfield****Seconded: Cr Andy Wood****That**

- 1. The report from the Director Corporate & Community Services on Request for Financial Assistance – Country Universities Centre Goulburn be received.**
- 2. Council supports the Country Universities Centre Goulburn with a cash contribution of \$4,990 towards the costs of their new teleconferencing facilities funded from the Financial Assistance budget.**

CARRIED

At 6:56 pm, Cr Bob Kirk returned to the meeting.

16.10 REQUESTS FOR FINANCIAL ASSISTANCE - GOULBURN LILAC CITY FESTIVAL INC.

Cr Carol James declared an interest in this item and took no part in the discussion or voting on the matter. At 6:57 pm, Cr Carol James left the meeting.

RESOLUTION 2023/156

Moved: Cr Andrew Banfield

Seconded: Cr Daniel Strickland

That

- 1. The report of the Director of Corporate & Community Services on the Request for Financial Assistance – Goulburn Lilac City Festival be received.**
- 2. Council provides a cash donation of \$5,000 towards the running of the 2023 Lilac City Festival**
- 3. Council provide traffic control for road closures required for the Festival.**

CARRIED

At 6:59 pm, Cr Carol James returned to the meeting.

16.12 PROPOSED 2024 SHIBETSU DELEGATION**RESOLUTION 2023/157**

Moved: Cr Bob Kirk

Seconded: Cr Andy Wood

That

- 1. The report by the Director Corporate & Community Services on the Proposed 2024 Shibetsu Delegation be received.**
- 2. Council endorse a visit to Council's sister city of Shibetsu, Japan in April 2024 as a Council authorised activity.**
- 3. Council staff liaise with staff from the Shibetsu Council to commence the planning for the visit.**
- 4. All Councillors and staff who participate in the delegation do so at their cost.**
- 5. Due to the timing of the visit, the April 2024 Council meeting be held on the 2nd Tuesday of the Month (9 April 2024).**

CARRIED

16.13 SALE OF LAND FOR UNPAID RATES**RESOLUTION 2023/158****Moved: Cr Andy Wood****Seconded: Cr Carol James****That:**

- 1. The report by the Director Corporate & Community Services on the sale of land for unpaid rates be received.**
- 2. The Chief Executive Officer and Mayor affix the Council seal to all documentation necessary to complete settlements for 6 Mistful Park, Goulburn and 24 Railway Parade, Tallong, pursuant to Reg 400 of *Local Government (General) Regulation 2021*.**

CARRIED**16.14 GRANTS UPDATE****RESOLUTION 2023/159****Moved: Cr Andrew Banfield****Seconded: Cr Bob Kirk****That the report on the grants update from the Senior Grants Officer and the Director of Corporate and Community Services be received and noted.****CARRIED****16.15 MONTHLY FINANCIAL REPORT****RESOLUTION 2023/160****Moved: Cr Steven Ruddell****Seconded: Cr Jason Shepherd****That the report by the Director Corporate & Community Services on the Monthly Financial Report be received.****CARRIED****16.16 STATEMENT OF INVESTMENTS & BANK BALANCES****RESOLUTION 2023/161****Moved: Cr Steven Ruddell****Seconded: Cr Bob Kirk****That the report on the Statement of Investments and Bank Balances be noted.****CARRIED**

16.17 RATES OUTSTANDING REPORT

RESOLUTION 2023/162

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That the report from the Revenue Coordinator on Rates Outstanding be received.

CARRIED

16.18 DEBTORS OUTSTANDING

RESOLUTION 2023/163

Moved: Cr Bob Kirk

Seconded: Cr Andy Wood

That the report from the Revenue Officer on Debtor Collections be received.

CARRIED

16.19 WATER CHARGES OUTSTANDING REPORT

RESOLUTION 2023/164

Moved: Cr Daniel Strickland

Seconded: Cr Andy Wood

That the report from the Administration Team Leader on Water Outstanding be received.

CARRIED

16.20 COUNCIL'S OPERATIONAL UPDATE - JUNE 2023

RESOLUTION 2023/165

Moved: Cr Steven Ruddell

Seconded: Cr Andrew Banfield

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

CARRIED

16.21 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 1 JUNE 2023**RESOLUTION 2023/166****Moved: Cr Steven Ruddell****Seconded: Cr Daniel Strickland****That:**

- 1. The report from Director Operations in regard to the Traffic Committee minutes from Thursday 1 June 2023 be received.**
- 2. An Apology from Cr Andrew Banfield and Acting Inspector Matthew Donoghue be accepted and leave of absence granted.**
- 3. The Traffic Committee minutes from Thursday 6 April 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 April to May 2023 be received and noted.**
- 6. The report from the Road Safety and Traffic Officer on the request to install speed cushions at the roads entering the roundabouts on Bourke and Clifford and Bourke and Goldsmith Streets be received.**
- 7. The report from the Road Safety and Traffic Officer on the traffic documentation for the Goulburn Duathlon 2023 be received and be endorsed.**

CARRIED

16.22 GOULBURN REGIONAL HOCKEY CENTRE PROJECT

Director Corporate and Community Services Brendan Hollands declared an interest in the item and left the room at 7.20pm.

RESOLUTION 2023/167

Moved: Cr Andrew Banfield

Seconded: Cr Steven Ruddell

That:

1. Council approve the following items to be undertaken to complete the works at the Goulburn Regional Hockey Centre as a variation to the current contract (2122T0007):
 - (a) construction of pedestrian access from Finlay Road up to the Hockey Centre including required approvals and reports;
 - (b) amendments to the internal paths and access ramps to satisfy accessibility requirements including required approvals and reports;
 - (c) Removal of unexpected find of asbestos;
 - (d) Consultation fees required for Construction Certificate;
 - (e) Completion of additional accessible amenity;
 - (f) Installation of rubber flooring in common areas;
 - (g) Additional painting in the existing and new amenity structure.
2. Council approves additional expenditure of up to \$660,000 (GST Inc) to be funded from 7.11 Funds to complete above work.

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 7.22pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 August 2023.

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Cr Peter Walker
Mayor

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Aaron Johansson
Chief Executive Officer