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# **MINUTES**

## **Ordinary Council Meeting**

**6 August 2019**



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**MINUTES OF GOULBURN MULWAREE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,  
GOULBURN  
ON TUESDAY, 6 AUGUST 2019 AT 6PM**

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

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

**1 OPENING MEETING**

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

**2 ACKNOWLEDGEMENT OF COUNTRY**

Mayor Bob Kirk made the following acknowledgement.

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

**3 COUNCILLORS DECLARATION AND/OR PRAYER**

The opening prayer was read by Cr Margaret O'Neill.

**4 APOLOGIES**

Nil

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

Nil

**6 LATE ITEMS / URGENT BUSINESS**

Nil

## **7 DISCLOSURE OF INTERESTS**

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.

Cr Carol James declared a non-pecuniary/significant conflict of interest in Item 15.7 "Requests for Financial Assistance" as the Goulburn Lilac City Festival Committee have made an application for financial assistance and Cr Carol James is the President of the Festival Committee. Cr Carol James will leave the meeting while discussion on this item takes place.

Cr Alfie Walker declared a non-pecuniary/non-significant conflict of interest in Item 15.7 "Requests for Financial Assistance" as the Lieder Theatre have made application for financial assistance and Cr Alfie Walker is a volunteer member of the Lieder Theatre. As his declaration was non-significant Cr Alfie Walker will remain in the meeting during discussions and voting on this item.

## **8 PRESENTATIONS**

Nil

## **9 PUBLIC FORUM**

Barry McDonald addressed Council on Item 15.2 CBD Enhancement - Actions required.

Tempi Hornibrook addressed Council on questioning Heritage City.

## **10 CONFIRMATION OF MINUTES**

### **10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 16 JULY 2019**

#### **RESOLUTION 2019/268**

**Moved: Cr Sam Rowland**

**Seconded: Cr Carol James**

**That the Council minutes from Tuesday 16 July 2019 and contained in Minutes Pages No 1 to 18 inclusive and in Minute Nos 2019/233 to 2019/267 inclusive be confirmed.**

**CARRIED**

## **11 MATTERS ARISING**

### **11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 16 JULY 2019**

Nil

### **11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS**

#### **RESOLUTION 2019/269**

**Moved: Cr Alfie Walker**

**Seconded: Cr Denzil Sturgiss**

**That Council notes the Matters Arising and authorises the deletion of completed tasks.**

**CARRIED**

**12 MAYORAL MINUTE(S)**

Nil

**13 NOTICE OF MOTION(S)**

Nil

**14 NOTICE OF RESCISSION(S)**

Nil

**15 REPORTS TO COUNCIL FOR DETERMINATION****15.1 MAYORAL DROUGHT RELIEF FUND****RESOLUTION 2019/270****Moved: Cr Bob Kirk****Seconded: Cr Denzil Sturgiss****That:**

- 1. The report from the General Manager on the Mayoral Drought Relief Fund be received.**
- 2. Council rename the current Mayoral Drought Relief Fund to the Mayoral Emergency Relief Fund.**
- 3. The funds currently in the Mayoral Drought Relief Fund be transferred to the Mayoral Emergency Relief Fund.**
- 4. Council determine by resolution on an event by event basis what event qualifies for assistance from the Mayoral Emergency Relief Fund.**
- 5. Council undertakes a promotion for the Mayoral Emergency Relief Fund to ensure that residents of the region suffering from stress due to drought can be assisted if requested.**

**CARRIED****AMENDMENT****Moved: Cr Margaret O'Neill****Seconded: Cr Sam Rowland****That:**

- 1. The report from the General Manager on the Mayoral Drought Relief Fund be received.**
- 2. Council retain the Mayoral Drought Relief Fund for drought purposes only.**

Cr Rowland withdrew his seconding of the amendment therefore the amendment lapsed as no other seconder was forthcoming.

**15.2 CBD ENHANCEMENT - ACTIONS REQUIRED**

**RESOLUTION 2019/271**

**Moved: Cr Leah Ferrara**

**Seconded: Cr Alfie Walker**

**That Council Move into Committee of the Whole.**

Council moved into Committee of the whole at 6:44pm.

**CARRIED**

**RESOLUTION 2019/272**

**Moved: Cr Alfie Walker**

**Seconded: Cr Andrew Banfield**

**That Council move back into Open Council.**

Council moved back into Open Council at 7:04pm.

**CARRIED**

**RESOLUTION 2019/273**

**Moved: Cr Alfie Walker**

**Seconded: Cr Andrew Banfield**

**That**

- 1. The report from the General Manager on the CBD Enhancement – Actions required to be noted.**
- 2. Council reduce the proposed parallel parking in Clinton Street between Sloane Street and Auburn Street to the area on the north side of Clinton Street between the entrance ways to Aldi Supermarket and Woolworth Supermarket. For clarity purposes the area adjacent to the Caltex Service Station.**
- 3. Council priorities the CBD Enhancement budget in the following order:**
  - (a) Heritage Building Facades – Painting subsidies - \$20,000**
  - (b) Replacement of median strip with landscaping - \$320,000**
  - (c) Line marking changes from reducing taxi stands and removing one bus stop - \$10,000**
- 4. Council allocates an additional \$50,000 as part of the September quarterly review to undertake the work highlighted in paragraph 3 of the motion above,**
- 5. Council remove the taxi stand in Clinton Street adjacent to Kennard’s Hire and ensure that all other taxi stands in the CBD are of a size to cater for only two parallel parked cars.**
- 6. Council removes the bus stop in Montague Street adjacent to the Court House and reverts that area to 45 degree angle parking for cars. Prior to implementation, bus operators be notified to utilise other bus stops in the CBD to drop off passengers for no longer than 15 minutes and for longer term stay, park outside of the designated CBD area. Council to designate a road outside Apex Park, or other alternative locations, for long term bus parking.**
- 7. All heritage building subsidies be set at a maximum of \$5,000 and the applicant must as a minimum match Council’s subsidy dollar for dollar.**

**CARRIED**



**15.3 RIVERSIDE PARK CONSULTATION****RESOLUTION 2019/274****Moved: Cr Sam Rowland****Seconded: Cr Carol James****That:**

- 1. The report from the Business Manager Projects be received.**
- 2. The responses from the Community Consultation process regarding the Riverside Park are noted.**
- 3. Construction of the integrated walking and cycling pathway proceed based on the attached plan, due to the following:**
  - (a) The location of the footpath is consistent with the location of other footpaths within Goulburn**
  - (b) The location of footpath has been selected due to the local topography and to ensure full disability access around the park.**
  - (c) Changes to the footpath alignment would lead to a significant increase in the capital construction costs.**

**CARRIED****15.4 PIGEON AND PEST BIRD POLICY****RESOLUTION 2019/275****Moved: Cr Peter Walker****Seconded: Cr Andrew Banfield****That:**

- 1. The report from the General Manager on the Draft Pigeon and Pest Bird Policy be received.**
- 2. Council adopts the draft Pigeon and Pest Bird Policy with the amendment to the last paragraph, second line, replace the words “unless there is” with the words “unless Council is satisfied that there is a majority level of”.**
- 3. The draft Pigeon and Pest Bird Policy be placed on public exhibition for a period of 28 days and if no submissions and/or comments are received then it becomes formal policy of Council. If any submissions and/or comments are received then the draft policy be reported back to Council with those submissions and/or comments.**

**CARRIED**

**15.5 SISTER CITY AND FRIENDSHIP REGION RELATIONSHIP POLICY****RESOLUTION 2019/276****Moved: Cr Margaret O'Neill****Seconded: Cr Alfie Walker****That:**

- 1. The report from the General Manager on the Sister City and Friendship Region Relationship Policy be received.**
- 2. Council endorse the draft Sister City and Friendship Region Relationship Policy to be placed on public exhibition for a period of 28 days and if no submissions or comments are received than the draft policy become formal policy of Council.**
- 3. The Mayor writes to the city's El Cajon in the USA and Jiangdu in China and seek their views on continuing a sister city relationship with Goulburn Mulwaree and if so how would those city's consider the relationship to be developed.**
- 4. The Mayor write to the City of Geluwe, Belgium to seek if they would be consider a Sister City relationship with Goulburn Mulwaree because of the historical connections between the two Cities associated with Mr William Thomas Leggett.**
- 5. The Mayor write to the City of Goleniow, Poland to seek if they would be consider a Friendship City relationship with Goulburn Mulwaree because of the cultural connections between the two Cities associated with the Lieder Theatre and the theatre community in Goleniow.**

**CARRIED****15.6 WORKERS COMPENSATION QUARTERLY REPORT****RESOLUTION 2019/277****Moved: Cr Peter Walker****Seconded: Cr Margaret O'Neill****That the report from the General Manager on Workers Compensation be noted and all staff be commended for their great effort to ensure safety in the workplace.****CARRIED**

**15.7 REQUESTS FOR FINANCIAL ASSISTANCE**

**RESOLUTION 2019/278**

**Moved: Cr Peter Walker**

**Seconded: Cr Alfie Walker**

**That each financial assistance application in report 15.7 be dealt with separately.**

**CARRIED**

Cr Carol James declared an interest in this Goulburn Lilac City Festival grant and took no part in the discussion or voting on the matter. At 7:30 pm, Cr Carol James left the meeting.

**RESOLUTION 2019/279**

**Moved: Cr Alfie Walker**

**Seconded: Cr Leah Ferrara**

**That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance be received.**
- 2. Council provide the following in-kind support to the value of \$4,458.60 for the Goulburn Lilac City Festival Inc to be funded from the Financial Assistance budget:**
  - 50% Hire fees for Belmore Park \$ 740.00**
  - Temporary road closure – Montague Street \$2,151.60**
  - Belmore Park Amenity Cleaning \$ 501.00**
  - Belmore Park waste bin emptying, pickup, delivery \$ 346.00**
  - Provision of Electricity \$ 720.00**
- 3. Council also provide in-kind traffic control for the Goulburn Lilac City Festival to the value of \$3,541.40 to be funded from the Event Traffic Control budget.**

**CARRIED**

**AMENDMENT**

**Moved: Cr Peter Walker**

**Seconded: Cr Leah Ferrara**

**That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance be received.**
- 2. Council provide the following in-kind support to the value of \$5,198.60 for the Goulburn Lilac City Festival Inc to be funded from the Financial Assistance budget:**
  - Hire fees for Belmore Park \$1,480.00**
  - Temporary road closure – Montague Street \$2,151.60**
  - Belmore Park Amenity Cleaning \$ 501.00**
  - Belmore Park waste bin emptying, pickup, delivery \$ 346.00**
  - Provision of Electricity \$ 720.00**
- 3. Council also provide in-kind traffic control for the Goulburn Lilac City Festival to the value of \$3,541.40 to be funded from the Event Traffic Control budget**

The amendment was put and lost.

At 7:46 pm, Cr Carol James returned to the meeting.

The meeting was adjourned at 7.46pm for a dinner break.

The meeting reconvened at 8.20pm

**MOTION**

Moved: Cr Alfie Walker

Seconded: Cr Leah Ferrara

That Council approve a cash contribution of \$5,500 to the Lieder Theatre funded from the Financial Assistance budget.

The motion was put and lost.

**RESOLUTION 2019/280**

Moved: Cr Margaret O'Neill

Seconded: Cr Sam Rowland

That Council approve a cash contribution of \$4,000 to the Lieder Theatre funded from the Financial Assistance budget.

**CARRIED**

**RESOLUTION 2019/281**

Moved: Cr Margaret O'Neill

Seconded: Cr Peter Walker

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 8:35pm.

**CARRIED**

**RESOLUTION 2019/282**

Moved: Cr Andrew Banfield

Seconded: Cr Margaret O'Neill

That Council move back into Open Council.

Council moved back into Open Council at 8:42pm.

**CARRIED**

**RESOLUTION 2019/283**

Moved: Cr Margaret O'Neill

Seconded: Cr Andrew Banfield

That Council provide the following support to Regional Development Australia Southern Inland for their Southern Inland Agriculture Gala Dinner to the value of \$230.00 funded from the Financial Assistance Budget:

- 50% Hire fees for Grace Milsom Centre \$ 230.00

**CARRIED**

**RESOLUTION 2019/284**

**Moved: Cr Carol James**  
**Seconded: Cr Alfie Walker**

**That Council provide the following in-kind support to Lynton Horse Inc to the value of \$1,226.80 for their upcoming trial weekend to be funded from the Financial Assistance budget:**

- **Lawn mowing and slashing by Council staff** **\$614.00**
- **Supply and removal of waste bins** **\$612.80**

**CARRIED**

**RESOLUTION 2019/285**

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

**That Council provide the following in-kind support to the NSW Cancer Council's Relay For Life event to the value of \$2,540.94 to be funded from the Financial Assistance budget**

- **50% Hire Fees for Eastgrove South Park** **\$ 698.00**
- **Amenity Cleaning, bin hire, waste removal** **\$1,842.94**

**CARRIED**

**15.8 U3A GOULBURN MULWAREE RENTAL ASSISTANCE REQUEST**

At 8:49 pm, Cr Andrew Banfield left the meeting and returned to the meeting at 8.50pm.

**RESOLUTION 2019/286**

**Moved: Cr Peter Walker**  
**Seconded: Cr Leah Ferrara**

**That Council Move into Committee of the Whole.**

Council moved into Committee of the whole at 8:52 pm.

**CARRIED**

**RESOLUTION 2019/287**

**Moved: Cr Margaret O'Neill**  
**Seconded: Cr Andrew Banfield**

**That Council move back into Open Council.**

Council moved back into Open Council at 9:02pm.

**CARRIED**

**RESOLUTION 2019/288****Moved: Cr Peter Walker****Seconded: Cr Leah Ferrara****That:**

- 1. The report from the General Manager on U3A Goulburn Mulwaree Rental Assistance Request be received.**
- 2. Council enters into a ten year lease agreement with a five year right of renewal with U3A Goulburn Mulwaree Inc for 246 sqm at the Bourke Street Community Centre site at \$10 per sqm being an annual rental of \$2,460. The rental amount to be increased annually by the same rate of the Council rate cap.**
- 3. The lease agreement to include a clause that states “that Council may cancel this lease at any time by giving six months’ notice in writing if the current area leased by U3A is required for capital development as part of the Councils community centre project. If that relocation is required Council will lease an alternate area for the U3A purposes”.**

**CARRIED****AMENDMENT****Moved: Cr Margaret O'Neill****That:**

- 1. The report from the General Manager on U3A Goulburn Mulwaree Rental Assistance Request be received.**
- 2. Council enters into a five year lease agreement with a five year right of renewal with U3A Goulburn Mulwaree Inc for 246 sqm at the Bourke Street Community Centre site at \$10 per sqm being an annual rental of \$2,460. The rental amount to be increased annually by the same rate of the Council rate cap.**
- 3. The lease agreement to include a clause that states “that Council may cancel this lease at any time by giving six months’ notice in writing if the current area leased by U3A is required for capital development as part of the Councils community centre project. If that relocation is required Council will lease an alternate area for the U3A purposes”.**

**The amendment lapsed for the want of a seconder.**

**15.9 GOULBURN AND DISTRICT ART SOCIETY LEASE AGREEMENT****RESOLUTION 2019/289****Moved: Cr Peter Walker****Seconded: Cr Denzil Sturgiss****That:**

- 1. The report from the General Manager on the Goulburn and District Art Society Lease Agreement be received.**
- 2. Council confirm the lease agreement with the Goulburn & District Arts Society for the lease of 213.7sqm at the annual lease agreement of \$1,500 per annum at the Bourke Street Community Centre site. The rental amount to be increased annually by the same rate of the Council rate cap.**
- 3. The General Manager to ensure that all capital works undertaken by Goulburn & District Arts Society are completed in a professional manner to the value of \$20,000 and that all necessary approvals are in place before any works commence.**

**CARRIED**

At 9:18 pm, Cr Sam Rowland left the meeting.

At 9:21 pm, Cr Sam Rowland returned to the meeting.

**15.10 ANNUAL FOOD PREMISES REGULATION REPORT****RESOLUTION 2019/290****Moved: Cr Leah Ferrara****Seconded: Cr Andrew Banfield****That the report from the Business Manager Environment & Health be received.****CARRIED****15.11 ROCKY HILL WAR MEMORIAL MUSEUM STRATEGIC PLAN 2019-2022****RESOLUTION 2019/291****Moved: Cr Leah Ferrara****Seconded: Cr Carol James**

- 1. That the report of the Business Manager Marketing, Events & Culture on the Rocky Hill War Memorial Strategic Plan 2019-2022 be received.**
- 2. Council endorse the Rocky Hill War Memorial Strategic Plan 2019-2022.**

**CARRIED**

**15.12 2019 AUSTRALIAN BLUES MUSIC FESTIVAL EVALUATION**

**RESOLUTION 2019/292**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Peter Walker**

**That**

- 1. The report from the Coordinator Marketing & Events on the 2019 Australian Blues Music Festival Evaluation be received.**
- 2. Council writes to Laing Entertainment to acknowledge their efforts in delivering the Australian Blues Music Festival for the past 10 years.**

**CARRIED**

**15.13 NORTH PARK WORKING PARTY ACTION LIST - 15 JULY 2019**

**RESOLUTION 2019/293**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Sam Rowland**

**That the report from the Business Manager Community Facilities in relation to the North Park Working Party Action List – 15 July 2019 be received.**

**CARRIED**

**15.14 HERON WOODLAWN COMMUNITY CONSULTATION COMMITTEE MEETING MINUTES - 17 JULY 2019**

**RESOLUTION 2019/294**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Alfie Walker**

**That the report from the General Manger on the minutes from Heron Woodlawn Community Consultative Committee Meeting Minutes held on the 17 July 2019 be received**

**CARRIED**



**16 CLOSED SESSION**

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

**RESOLUTION 2019/295**

**Moved:** Cr Margaret O'Neill

**Seconded:** Cr Alfie Walker

**That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:**

**16.1 General Managers Performance Review Minutes - 30 July 2019**

**This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).**

**16.2 General Managers Performance Agreement 2019/20**

**This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).**

**CARRIED**

At 9.27pm, Scott Martin, Matt O'Rourke, Marina Hollands & Brendan Hollands left the meeting and did not return.

Council resolved into Closed Session at 9.25pm.

Council resolved into Open Council at 9.54pm.

**RESOLUTION 2019/296**

**Moved:** Cr Leah Ferrara

**Seconded:** Cr Carol James

- 1. That Council moves out of Closed Council into Open Council.**
- 2. That the resolutions of the Closed Session meeting which were submitted to Closed Session in accordance with s10A Local Government Act 1993 be adopted.**

**CARRIED**

**16.1 GENERAL MANAGERS PERFORMANCE REVIEW MINUTES - 30 JULY 2019**

**RESOLUTION 2019/297**

**Moved: Cr Peter Walker**  
**Seconded: Cr Margaret O'Neill**

**That:**

- 1. The report from Mayor Bob Kirk on the General Managers Performance Review Committee minutes held 30 July 2019 be received.**
- 2. Council endorse the recommendation of the General Managers Performance Review Committee that assesses the General Managers Performance as satisfactory (at 2.2) by meeting expected requirements.**

**CARRIED**

**16.2 GENERAL MANAGERS PERFORMANCE AGREEMENT 2019/20**

**RESOLUTION 2019/298**

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

**That:**

- 1. That the report from Mayor Bob Kirk on the General Managers Performance Agreement 2019/20 be received.**
- 2. The Council endorse the General Managers Performance Review Committee Performance Agreement for the 2019/20 financial year with the assessment scale to read as follows:**
  - 1 Unsatisfactory – Requirements have not been met**
  - 2 Minor Short Comings – Generally meets requirements, some improvements needed**
  - 3 Satisfactory – Performance meets expected requirements**
  - 4 Very Satisfactory – The performance exceeds requirements majority of the time**
  - 5 Excellent – Performance consistently exceeds requirements**

**CARRIED**

**17 CONCLUSION OF THE MEETING**

The Meeting closed at 9.54pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 August 2019.

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

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