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MINUTES

Ordinary Council Meeting

17 September 2019

Order Of Business

1	Opening Meeting	5
2	Acknowledgement of Country	5
3	Councillors Declaration and/or Prayer	5
4	Apologies	5
5	Applications for a Leave of Absence by Councillors	6
	The Mayor notified the meeting that leave of absence was granted to Cr Alfie Walker and Cr Sam Rowland at the last meeting of Council.	
6	Late Items/Urgent Business	6
6	Disclosure of Interests	6
7	Presentations	6
	Nil	
8	Public Forum	6
9	Confirmation of Minutes	7
	10.1 Minutes of the Ordinary Meeting of Council held on 3 September 2019	7
10	Matters Arising	7
	11.1 Matters Arising from Council Meeting Minutes from the 3 September 2019.....	7
	11.2 Outstanding Task List from All Previous Meetings.....	7
11	Mayoral Minute(s)	7
	Nil	
12	Notice of Motion(s)	7
	Nil	
13	Notice of Rescission(s)	7
	Nil	
14	Reports to Council for Determination	8
	15.1 Proposed Quarry - 63 Curlewin Lane, Boxers Creek.....	8
	15.2 Potential Subdivision of 49-57 & 59-61 Hovell Street and access to adjoining property.....	9
	15.3 Unlawful Building Works - 111 Knowlman Road, Run-O-Waters	9
	15.4 Aquatic Centre Expression of Interest Evaluation.....	10
	15.5 Sloane Street Underpass Update.....	10
	15.6 Business Development Update	10
	15.7 Monthly Financial Report.....	11
	The Director of Corporate and Community Services did a Presentation to Council explaining the Monthly Financials.....	11
	15.8 Statement of Investments and Bank Balances	11
	15.9 External Meeting Minutes.....	11
	15.10 Corporate & Community Services Directorate Report August 2019.....	12
	15.11 Utilities Directorate Report - August 2019.....	12

15.12 Operations Departmental Report - August 2019..... 12

15.13 Planning and Environment Directorate Report - August 2019..... 12

15.14 Councillor Briefing Session Summary 12

15 Closed Session 13

There were no closed session reports for determination.

16 Conclusion of the Meeting 13

**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 17 SEPTEMBER 2019 AT 6PM**

PRESENT: Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), , Cr Leah Ferrara,
Cr Carol James & Cr Denzil Sturgiss

IN ATTENDANCE: Warwick L Bennett (General Manager), Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Sarah Ainsworth (Acting Director Planning and Environment), Matt O'Rourke (Director Operations), Amy Croker (Executive Officer) & Caitlin Gifford (Executive Support Officer).

1 OPENING MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Bob Kirk made the following acknowledgement.

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

3 COUNCILLORS DECLARATION AND/OR PRAYER

The declaration was read by Cr Carol James.

4 APOLOGIES

RESOLUTION 2019/353

Moved: Cr Denzil Sturgiss

Seconded:Cr Leah Ferrara

That apologies from Cr Sam Rowland, Cr Margaret O'Neill, Cr Andrew Banfield and Cr Alfie Walker be received.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

The Mayor notified the meeting that leave of absence was granted to Cr Alfie Walker and Cr Sam Rowland at the last meeting of Council.

RESOLUTION 2019/354

Moved: Cr Leah Ferrara

Seconded: Cr Denzil Sturgiss

That:

1. Council grants leave of absence to Cr Margaret O'Neill for this meeting for health reasons.
2. Council grants leave of absence to Cr Andrew Banfield for this meeting as his property has received storm damage from the snow this morning.

CARRIED

6 LATE ITEMS/URGENT BUSINESS**RESOLUTION 2019/355**

Moved: Cr Peter Walker

Seconded: Cr Denzil Sturgiss

That Council withdraw item 15.3 Unlawful Building Works - 111 Knowlman Road, Run-O-Waters from consideration of this meeting to give the applicant an opportunity to give reasons why the unlawful building should remain and what remedial works could be undertaken if Council was of the mind to allow the building to be retained. The information to be supplied in writing to Council prior to Friday 4 October 2019 and the matter be placed on the agenda on Tuesday 15 October 2019.

CARRIED

7 DISCLOSURE OF INTERESTS

Nil

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Nil

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 3 SEPTEMBER 2019

RESOLUTION 2019/356

Moved: Cr Carol James

Seconded: Cr Denzil Sturgiss

That the Council minutes from Tuesday 3 September 2019 and contained in Minutes Pages No 1 to 21 inclusive and in Minute Nos 2019/334 to 2019/352 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 3 SEPTEMBER 2019

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2019/357

Moved: Cr Denzil Sturgiss

Seconded: Cr Carol James

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 PROPOSED QUARRY - 63 CURLEWIN LANE, BOXERS CREEK****RESOLUTION 2019/358****Moved: Cr Denzil Sturgiss****Seconded: Cr Peter Walker****That:**

- 1. The report from Business Manager Planning & Development on Council's submission to the Department of Planning & Environment in relation to the proposed basalt quarry located at 63 Curlewin Lane, Boxers Creek be received.**
- 2. The Department of Planning & Environment be notified that the following matters are of particular importance to Council and the community and should be included as part of an Environmental Impact Statement:**
 - (a) Road and traffic Impacts**
 - (b) Sustainability**
 - (c) Visual Impacts**
 - (d) Noise, vibration and air quality impacts**
 - (e) Biodiversity impacts**
 - (f) Impacts on heritage**
 - (g) Suitability of the site and**
 - (h) Community consultation**
- 3. Concerns be raised within correspondence to the Department of Planning Industry and Environment with regards to the history of previous unsuccessful applications for extractive industries at this site. In particular this application may be considered an abuse of process and that Council considers the latest proposal as unreasonable and not in the public interest.**
- 4. A copy of the judgement made by the Land & Environment Court in May 2019 be attached to Council's response to the Department of Planning Industry and Environment.**

CARRIED

15.2 POTENTIAL SUBDIVISION OF 49-57 & 59-61 HOVELL STREET AND ACCESS TO ADJOINING PROPERTY**RESOLUTION 2019/359****Moved: Cr Leah Ferrara****Seconded: Cr Peter Walker****That:**

- 1. The report from the General Manager and Business Manager Property & Community Services on the potential Subdivision of 49-57 and 59-61 Hovell Street and access to adjoining property be received.**
- 2. Council approves in principle, without prejudice, to provide access to the land described as Lot 1 DP1099324 (30A Sloane Street Goulburn) and that the General Manager be authorised to enter into a draft Voluntary Planning Agreement negotiation that will be attached to any development application if approved for the land owned by John Ibrahim.**
- 3. The draft Voluntary Planning Agreement to include a cash contribution to Council for the cost of the land required for the road, the cost of the construction of 70 metres of road and a cash contribution to the spine road proposed in the subdivision being Lot 8 and 9 DP 832816 (49- 57 and 59-61 Hovell Street Goulburn).**
- 4. The draft Voluntary Planning Agreement be negotiated in draft form without prejudice by the General Manager and then reported to Council for approval and endorsement before being placed on public exhibition.**
- 5. Council acknowledges that the access road to Lot 1 DP1099324 (30A Sloane Street Goulburn) could be relocated to proposed Lot 7 of Council's proposed subdivision in exchange for the adjacent laneway and the General Manager to have this option in negotiations in the report back to Council.**

CARRIED**15.3 UNLAWFUL BUILDING WORKS - 111 KNOWLMAN ROAD, RUN-O-WATERS**

This matter was withdrawn from determination at this meeting.

15.4 AQUATIC CENTRE EXPRESSION OF INTEREST EVALUATION**RESOLUTION 2019/360****Moved: Cr Denzil Sturgiss****Seconded: Cr Carol James****That :**

- 1. The report from the Project Manager (Grants) on the status of the Redevelopment of the Goulburn Aquatic Centre – Construction Stage 1 Project Expression of Interest Process be received.**
- 2. Council notes that Request For Tender documentation will be issued to the following companies:**
 - 1 - ADCO Constructions Pty Limited.**
 - 2 - Haslin Construction Pty Ltd**
 - 3 - Zauner Construction Pty Ltd**
 - 4 - Icon SI (Aust) Pty Ltd**
 - 5 - Lahey Constructions Pty Ltd**

CARRIED**15.5 SLOANE STREET UNDERPASS UPDATE****RESOLUTION 2019/361****Moved: Cr Denzil Sturgiss****Seconded: Cr Peter Walker****That**

- 1. The report from the Director Operations on the Sloane Street Underpass update be received.**
- 2. Council install a vehicle activated height warning signs instead of height clearance bars at the Sloane Street rail underpass.**
- 3. \$28,000 be transferred from the Urban Road Construction budget to facilitate installation of vehicle activated height warning signs instead of \$50,000 approved at the 16 July 2019 Council meeting.**
- 4. Council accepts the change in direction from the 16 July 2019 decision of Council as this proposal will be more effective and less cost to Council.**

CARRIED**15.6 BUSINESS DEVELOPMENT UPDATE****RESOLUTION 2019/362****Moved: Cr Peter Walker****Seconded: Cr Carol James****That the report from the Communications & Business Development Officer be received and noted for information.****CARRIED**

15.7 MONTHLY FINANCIAL REPORT

The Director of Corporate and Community Services did a Presentation to Council explaining the Monthly Financials.

RESOLUTION 2019/363

Moved: Cr Denzil Sturgiss
Seconded: Cr Carol James

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Financial Statements to 31 August 2019 be received and noted for information.

CARRIED

15.8 STATEMENT OF INVESTMENTS AND BANK BALANCES**RESOLUTION 2019/364**

Moved: Cr Leah Ferrara
Seconded: Cr Peter Walker

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Statement of Investments and Bank Balances report for the month of July 2019 be received.

CARRIED

15.9 EXTERNAL MEETING MINUTES**RESOLUTION 2019/365**

Moved: Cr Carol James
Seconded: Cr Denzil Sturgiss

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

- 1. Peppertree Community Consultative Committee meeting held on 12 June 2019**
- 2. South East Australian Transport Strategy Inc annual general meeting held 15 August 2019**
- 3. South East Australian Transport Strategy Inc ordinary meeting held 15 and 16 August 2019**
- 4. Ardmore Park Quarry Community Consultative Committee meeting held on 16 August 2019**

CARRIED

15.10 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT AUGUST 2019

RESOLUTION 2019/366

Moved: Cr Leah Ferrara

Seconded: Cr Peter Walker

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

CARRIED

15.11 UTILITIES DIRECTORATE REPORT - AUGUST 2019

RESOLUTION 2019/367

Moved: Cr Carol James

Seconded: Cr Denzil Sturgiss

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

CARRIED

15.12 OPERATIONS DEPARTMENTAL REPORT - AUGUST 2019

RESOLUTION 2019/368

Moved: Cr Peter Walker

Seconded: Cr Leah Ferrara

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

CARRIED

15.13 PLANNING AND ENVIRONMENT DIRECTORATE REPORT - AUGUST 2019

RESOLUTION 2019/369

Moved: Cr Denzil Sturgiss

Seconded: Cr Carol James

That the activities report from the Director Planning and Environment be received and noted for information.

CARRIED

15.14 COUNCILLOR BRIEFING SESSION SUMMARY

RESOLUTION 2019/370

Moved: Cr Leah Ferrara

Seconded: Cr Denzil Sturgiss

That the report from the General Manager on Councillor Briefing Session Summary 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*.

There were no closed session reports for determination.

17 CONCLUSION OF THE MEETING

The Meeting closed at 6.39pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 1 October 2019.

.....
Cr Bob Kirk
Mayor

.....
Warwick Bennett
General Manager