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MINUTES

Ordinary Council Meeting

1 September 2020

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**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 1 SEPTEMBER 2020 AT 6PM**

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

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

1 OPENING MEETING

Mayor Bob Kirk opened the meeting 6.00pm. 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 declared a pecuniary conflict of interest in Item 15.10 "1718T0010 Haulage of Bulk Materials Tender Extension" as one of the tenderers was from the Denrith Group of Companies in which his brother-in-law is a Director and he is an employee of. Cr Andrew Banfield will leave the meeting while discussion on this item takes place.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Nil

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18 AUGUST 2020

RESOLUTION 2020/333

Moved: Cr Sam Rowland

Seconded:Cr Denzil Sturgiss

That the Council minutes from Tuesday 18 August 2020 and contained in Minutes Pages No 1 to 13 inclusive and in Minute Nos 2020/313 to 2020/332 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 18 AUGUST 2020

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2020/334

Moved: Cr Peter Walker

Seconded:Cr Leah Ferrara

That Council notes the Task List 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 RETURNING OFFICER****RESOLUTION 2020/335****Moved: Cr Sam Rowland****Seconded: Cr Alfie Walker**

That the report of the General Manager on the Returning Officer for the Mayor and Deputy Mayor Elections be received.

CARRIED**15.2 MAYORAL ELECTION****RESOLUTION 2020/336****Moved: Cr Margaret O'Neill****Seconded: Cr Leah Ferrara****That:**

- 1. The report of the General Manager on the election of the Mayor be received.**
- 2. Following the close of nominations for the position of Mayor the method of electing the Mayor be determined by ordinary ballot in accordance with Schedule 7 Local Government (General) Regulation 2005 if there is more than one nomination.**

CARRIED

Mayor Bob Kirk vacated the chair at 6.07pm and the General Manager Chaired the meeting and undertook the election

The General Manager as Returning Officer called for nominations for the position of Mayor for the Goulburn Mulwaree Council for the period September 2020 to September 2021.

There were two nominations for Mayor.

- Cr Bob Kirk
- Cr Peter Walker

The General Manager closed nominations.

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

The meeting was adjourned at 6.29pm.

The meeting reconvened at 6.35pm.

Following the voting procedure the General Manager, as returning Officer declared Cr Bob Kirk as Mayor for the period September 2020 to September 2021.

15.3 DEPUTY MAYORAL ELECTION

RESOLUTION 2020/337

Moved: Cr Margaret O'Neill

Seconded: Cr Denzil Sturgiss

That

- 1. The report of the General Manager on the election of the Deputy Mayor be received**
- 2. Following the close of nominations for the position of Deputy Mayor the method of electing the Deputy Mayor be determined by way of Ordinary Ballot in accordance with Schedule 7 Local Government (General) Regulation 2005 if more than one nomination is received.**

CARRIED

The General Manager as Returning Officer called for nominations for the position of Deputy Mayor for the Goulburn Mulwaree Council for the period September 2020 to September 2021.

The General Manager as Returning Officer called for nominations for the position of Deputy Mayor for the Goulburn Mulwaree Council for the period September 2020 to September 2021.

There were three nominations for Deputy Mayor.

- Cr Leah Ferrara
- Cr Sam Rowland
- Cr Peter Walker

Cr Sam Rowland withdrew his nomination for Deputy Mayor.

The General Manager closed nominations.

Both Cr Leah Ferrara and Cr Peter Walker addressed the Council.

Mayor Bob Kirk adjourned the meeting at 6.43pm.

The meeting reconvened at 6.48pm.

Following the voting procedure the General Manager, as returning Officer declared Cr Peter Walker as Deputy Mayor for the period September 2020 to September 2021.

BALLOT PAPERS

MOTION

Moved: Cr Margaret O'Neill

Seconded: Cr Peter Walker

That the ballot papers be destroyed.

The motion was put and lost.

15.4 COMMITTEE APPOINTMENTS

RESOLUTION 2020/338

Moved: Cr Margaret O'Neill

Seconded: Cr Carol James

That

1. The report of the General Manager on the appointment of Councillors to Committees be received
2. Council confirms the following appointment to the Committees for the one year extension of this term of Council:-

Name of Committee	Council Representative
Sports Council	Cr O'Neill Cr Rowland
Recreation Area Committee	Cr O'Neill Cr Sturgiss Cr P Walker
Traffic Committee	Cr Banfield Cr P Walker
Sporting Hall of fame	Cr O'Neill Cr Rowland
Ray Harvey Sports Foundation Committee	Cr O'Neill Cr P Walker

3. Council confirms the following appointment to the Working Party's for the one year extension of this term of Council:-

General Managers Performance Review	Mayor Deputy Mayor Cr O'Neill Cr Rowland
Flood Management Study	Cr Rowland
Goulburn Street Tree	Mayor Kirk
Victoria Park Precinct	Cr James Cr O'Neil Cr Peter Walker
Fishing Working Party	Cr Banfield

	Cr Walker
Bungonia Village Discretionary Fund Working Party	Cr Ferrara Mayor (Alternate)
Tarago Village Discretionary Fund Working Party	Cr Sturgiss Mayor (Alternate)
Marulan Village Discretionary Fund Working Party	Cr Peter Walker Mayor (alternate)
Parkebourne Village Discretionary Fund Working Party	Cr James Mayor (alternate)
Towrang Village Discretionary Fund Working Party	Cr Banfield Mayor (alternate)

4. Council confirms the following appointment to the External Committees for the one year extension of this term of Council:-

Committee Name	Council Delegates
Ardmore Park Community Consultative Committee	Director Planning & Environment
Canberra Regional Joint Organisation*	Mayor General Manager
ClubGRANTS	Mayor Cr O'Neill Cr James Cr P Walker
Corrective Services Community Consultative Committee*	Mayor
Country Mayors Association*	Mayor
Goulburn Liquor Accord*	Cr Peter Walker
Gullen Range Wind Farm Community Fund S355 Community Committee	Director Planning & Environment
Gunlake Community Consultative Committee	Director Planning & Environment
Heron Resources Pty Limited Woodlawn Project Consultative Committee	Cr P Walker

Joint Regional Planning Panel	Cr O'Neill
Local Emergency Management	Cr Peter Walker Director Operations
Lynwood Consultative Committee	Cr A Walker
Marulan Hall	Cr Banfield Cr O'Neill
Pepper Tree Community Consultative Committee	Cr Sturgiss
South East Australian Transport Strategy (SEATS)	Cr Peter Walker Cr Sturgiss (Alternate)
Southern Tablelands Zone Bush Fire Management Committee	Cr Sturgiss
Southern Tablelands/South Coast Region Noxious Plants Committee	Cr Sturgiss
Veolia Mulwaree Trust*	Mayor
Veolia Woodlawn Bioreactor Community Liaison / Tarago Consultative Committee	Cr Sturgiss
Wakefield Park Community Consultative Committee	Mayor Bob Kirk Director Planning & Environment

CARRIED

At 6:52 pm, Cr Alfie Walker left the meeting.

15.7 PLANNING PROPOSAL - INCLUSION OF THE RU6 TRANSITION ZONE IN CLAUSES 4.1AA AND 4.2B OF GMLEP 2009

RESOLUTION 2020/339

Moved: Cr Andrew Banfield

Seconded: Cr Margaret O'Neill

That

- 1. The report from the Business Manager Strategic Planning regarding the planning proposal to include the RU6 Transition Zone into the provisions of clauses 4.1AA and 4.2B of GM LEP 2009 in relation to Community and Strata title subdivision be received.**
- 2. Council re-exhibit the planning proposal which seeks to include the RU6 transition zone within the provisions of clauses 4.1AA and 4.2B of GM LEP 2009 in relation to Community and Strata title subdivision.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Margaret O'Neill, Carol James and Denzil Sturgiss

Against: Nil

15.8 SALE OF COUNCIL LAND AT TARAGO

At 6:57 pm, Cr Alfie Walker returned to the meeting.

RESOLUTION 2020/340

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 6:58pm.

CARRIED

RESOLUTION 2020/341

Moved: Cr Sam Rowland

Seconded: Cr Alfie Walker

That Council move back into Open Council.

Council moved back into Open Council at 7:00pm.

CARRIED

RESOLUTION 2020/342

Moved: Cr Denzil Sturgiss

Seconded: Cr Andrew Banfield

That

- 1. The report of the Business Manager Property & Community Services and the General Manager on the sale of Council land at Tarago be received.**
- 2. Council decline the requests to sell the land known as Lots 3 and 4 in DP 613877 at this time.**
- 3. Council proceeds with the closure of the adjacent road reserve and once closed to amalgamate that land with Lots 3 and 4 in DP 613877.**
- 4. Council approach Crown Land to determine if they would sell the small parcel of crown land adjacent to both parcels of Council land.**
- 5. Following the amalgamation of the parcels of land the General Manager be authorised to proceed with the sale of the land by calling for expression of interest by public advertisement and notifying the two interested parties included in this report. If the Crown land do not wish to sell their parcel land to Council then the General Manager still proceed with the sale of the balance of the Council land.**
- 6. A further report be presented to a Council Briefing Session at the conclusion of the Expression of Interest process. Then a recommendation for Council to make the sale decision.**

CARRIED

15.9 TARAGO LEAD CONTAMINATION**RESOLUTION 2020/343****Moved: Cr Denzil Sturgiss****Seconded: Cr Peter Walker****That:**

- 1. The report of the General Manager on the Tarago lead Contamination be received**
- 2. Council notes that the action taken by Transport for NSW on the remedial works at Tarago on the lead contamination is satisfactory and thus Council only maintains a watching brief on the actions proposed for those remedial works.**
- 3. Council communicates in the Tarago Times the agreed time frames for remedial works as contained in the Voluntary Management Proposal determined by the EPA.**

CARRIED**15.10 1718T0010 HAULAGE OF BULK MATERIALS TENDER EXTENSION**

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

RESOLUTION 2020/344**Moved: Cr Margaret O'Neill****Seconded: Cr Peter Walker****That:**

- 1. The report from the Business Manager of Works on the two (2) year extension of the 1718T0010 Haulage of Bulk Materials contract be received**
- 2. Council approve the extension of the current contract for a period of two (2) years for the Haulage of Bulk Materials to expire on the 24th September 2022 to Denrith Pty Ltd.**

CARRIED

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

15.11 1718T0004 LINE MARKING SERVICES TENDER PANEL EXTENSION**RESOLUTION 2020/345****Moved: Cr Margaret O'Neill****Seconded: Cr Carol James****That:**

- 1. The report from the Business Manager of Works on the two (2) year extension of the 17180004 Line Marking Services Panel be received**
- 2. Council extend the current contract for a period of two (2) years for Line Marking Services to expire on the 1st of September 2022 for the following companies**
 - Capital Lines & Signs.**
 - Complete Line Marking Services.**

CARRIED

15.12 MINUTES OF THE RECREATION AREA COMMITTEE MEETING HELD ON 5 AUGUST 2020

RESOLUTION 2020/346

**Moved: Cr Denzil Sturgiss
Seconded: Cr Margaret O'Neill**

That the report from the Business Manager Community Facilities in regards to the Recreation Area Committee minutes from Wednesday 5 August 2020 be received.

CARRIED

15.13 EXTERNAL MEETING MINUTES

RESOLUTION 2020/347

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

That the report from the General Manger on the below external reports be received:

- 1. Gunlake Quarry Community Consultative Committee Meeting held on the 17 July 2020**
- 2. Ardmore Park Community Consultative Committee Meeting held on 17 July 2020.**
- 3. Heron Woodlawn Community Consultative Committee Meeting held on 5 August 2020**

CARRIED

15.14 COUNCILLOR BRIEFING SESSION SUMMARY

RESOLUTION 2020/348

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

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*.

RESOLUTION 2020/349

Moved: Cr Denzil Sturgiss

Seconded: Cr Carol James

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 Working Party

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

Council resolved into Closed Session at 7.13pm.

Council resolved into Open Council at 7.42pm.

RESOLUTION 2020/350

Moved: Cr Alfie Walker

Seconded: Cr Andrew Banfield

- 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 WORKING PARTY**RESOLUTION 2020/351**

Moved: Cr Alfie Walker

Seconded: Cr Sam Rowland

That:

- 1. The report from the Mayor Bob Kirk from General Managers Performance Review Working Party be received.**
- 2. Council congratulates the General Manager on his performance, having exceeded requirements the majority of the time.**
- 3. The Council endorse the 2020/21 Performance Agreement for the General Manager with the following amendments:**
 - Strategic goal 1.7 – remove the words ‘provide a report to Council in November that gives Council comfort’ and replace with ‘ensure’**
 - Strategic Goal 1.11 – delete the word “outcomes” and replace with “discussion”**

CARRIED

17 CONCLUSION OF THE MEETING

The Meeting closed at 7.42pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 September 2020.

.....
Cr Bob Kirk
Mayor

.....
Warwick Bennett
General Manager