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MINUTES

Ordinary Council Meeting

20 October 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, 20 OCTOBER 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.

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 (Office Manager).

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 Councillor Declaration was read by Cr Carol James.

4 APOLOGIES

RESOLUTION 2020/417

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

That the apology received from Cr Denzil Sturgiss be accepted.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2020/418

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

That the leave of absence be granted to Cr Denzil Sturgiss due to health reasons.

CARRIED

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

Cr Margaret O'Neill declared a pecuniary conflict of interest in Item 15.5 "Challenge Foundation - Financial Assistance" as she is the CEO of the Challenge Foundation Goulburn Inc. Cr Margaret O'Neill will leave the meeting while discussion and determination on this item takes place.

Deputy Mayor Peter Walker declared a non-pecuniary/non-significant conflict of interest in Item 15.5 "Challenge Foundation - Financial Assistance" as he was a previous President of the Challenge Foundation Goulburn Incorporated. As the disclosure was not of a significant nature Deputy Mayor Peter Walker remained in the meeting while discussion and determination takes place.

Cr Alfie Walker declared a pecuniary conflict of interest in Item pecuniary conflict of interest in Item 15.5 "Challenge Foundation - Financial Assistance" as his wife is an employee of Tim Lee Architect firm who is undertaking the design works for the Challenge Foundation Goulburn Incorporated. Cr Alfie Walker will leave the meeting while discussion and determination on this item takes place.

Cr 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.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Cr Margaret O'Neill & Cr Alfie Walker declared an interest in this item and took no part in the discussion or voting on the matter. At 6:05 pm, Cr Margaret O'Neill & Cr Alfie Walker left the meeting.

Sharon Howe addressed Council on Item 15.5 Challenge Foundation - Financial Assistance.

At 6:17 pm, Cr Margaret O'Neill and Cr Alfie Walker returned to the meeting.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 6 OCTOBER 2020

RESOLUTION 2020/419

Moved: Cr Sam Rowland

Seconded: Cr Carol James

That the Council minutes from Tuesday 6 October 2020 and contained in Minutes Pages No 1 to 45 inclusive and in Minute Nos 2020/385 to 2020/416 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 6 OCTOBER 2020

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2020/420

Moved: Cr Alfie Walker

Seconded: Cr Peter Walker

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 RESIDENTIAL AND SUBDIVISION DEVELOPMENT CONTROLS - DEVELOPMENT CONTROL PLAN AMENDMENT

RESOLUTION 2020/421

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 6:29pm.

CARRIED

RESOLUTION 2020/422

Moved: Cr Sam Rowland

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 6:46pm.

CARRIED

RESOLUTION 2020/423

Moved: Cr Andrew Banfield

Seconded: Cr Peter Walker

That:

- 1. The report from the Senior Strategic Planner on residential and subdivision development controls be received.**
- 2. The proposed amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report be placed on public exhibition for 28 days.**

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, Alfie Walker, Margaret O'Neill and Carol James

Against: Nil

15.2 PROPOSED AMENDMENT TO DCP 2009 - VEGETATION CHAPTER**RESOLUTION 2020/424**

Moved: Cr Peter Walker
Seconded: Cr Sam Rowland

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 6:48pm.

CARRIED

RESOLUTION 2020/425

Moved: Cr Sam Rowland
Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 6:58pm.

CARRIED

RESOLUTION 2020/426

Moved: Cr Sam Rowland
Seconded: Cr Alfie Walker

That:

- 1. The report by the Business Manager Strategic Planning on a proposed amendment to *Development Control Plan 2009* in relation to vegetation provisions be received.**
- 2. The *draft Development Control Plan 2009 – Vegetation Chapter 3.9 Amendment* be publicly exhibited for a minimum of twenty eight (28) days.**

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, Alfie Walker, Margaret O'Neill and Carol James

Against: Nil

15.3 1718T0025 SAFETY BARRIER SYSTEMS SUPPLY AND INSTALLATION SERVICES PANEL EXTENSION**RESOLUTION 2020/427****Moved: Cr Leah Ferrara****Seconded: Cr Carol James****That**

- 1. The report from the Business Manager of Works on the two (2) year extension of the 1718T0025 Safety Barrier Systems Supply and Installation Panel Tender be received.**
- 2. Council extend the current contract for a period of two (2) years for the safety barrier systems supply and installation services panel to expire on the 31st October 2022 for the following companies**
 - Euro Civil Pty Ltd**
 - Western Safety Barriers Pty Ltd**

CARRIED**15.4 VP119363 SPRAYED BITUMINOUS SURFACING LGP213-2 CONTRACT****RESOLUTION 2020/428****Moved: Cr Peter Walker****Seconded: Cr Alfie Walker****That**

- 1. That the report from the Business Manager of Works on the Sprayed Bituminous Surfacing contract be received.**
- 2. Council approve to establish Roadworx Surfacing Pty Ltd as the bitumen surfacing service provider to Council for a period of twenty (20) months. With the option to extend for an additional two (2) one (1) extensions**
- 3. Council delegate authority to the General Manager to extended this contract by up to two (2) one (1) year extensions subject to satisfactory performance.**

CARRIED

15.5 CHALLENGE FOUNDATION - FINANCIAL ASSISTANCE

Cr Margaret O'Neill & Cr Alfie Walker declared an interest in this item and took no part in the discussion or voting on the matter. At 7:00 pm, Cr Margaret O'Neill & Cr Alfie Walker left the meeting.

RESOLUTION 2020/429

Moved: Cr Sam Rowland

Seconded: Cr Leah Ferrara

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:01pm.

CARRIED

RESOLUTION 2020/430

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 7:21pm.

CARRIED

RESOLUTION 2020/431

Moved: Cr Sam Rowland

Seconded: Cr Leah Ferrara

That:

- 1. The report from the General Manager on Request for Financial Assistance – Challenge Foundation Goulburn Incorporated be received.**
- 2. Council sets the Section 64 Fees for the Challenge Foundation Goulburn Inc development at 20 Mary's Mount Road Goulburn at fees applicable at June 2017 fees and the balance required to be refunded and returned at the time of the issue of the Occupation Certificate. The reason for this deliberate decision is that the original application was approved in 2017 and the delays in the final approval was because of NDIS changed requirements and not necessarily the fault of the Challenge Foundation Goulburn Inc.**

CARRIED

At 7:22 pm, Cr Margaret O'Neill and Cr Alfie Walker returned to the meeting.

15.6 PARKING IN STREETS ADJACENT TO GOULBURN BASE HOSPITAL

At 7:23 pm, Cr Sam Rowland left the meeting.

At 7:24 pm, Cr Sam Rowland returned to the meeting.

RESOLUTION 2020/432

Moved: Cr Alfie Walker

Seconded: Cr Peter Walker

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:23pm.

CARRIED

RESOLUTION 2020/433

Moved: Cr Andrew Banfield

Seconded: Cr Peter Walker

That Council move back into Open Council.

Council moved back into Open Council at 7:47pm.

CARRIED

RESOLUTION 2020/434

Moved: Cr Andrew Banfield

Seconded: Cr Leah Ferrara

That

- 1. The report of the General Manager on Parking in Streets adjacent to Goulburn Base Hospital be received.**
- 2. Council impose and/or amend the following parking restrictions:**
 - a) The four(4) hour parking restrictions on Goldsmith Street between Faithful Street and Cowper Street be reduced to two (2) hours parking**
 - b) The four(4) hour parking restrictions on Goldsmith Street between Albert Street and Deccan Street (both sides) be reduced to two (2) hour parking**
 - c) Clifford Street between Faithful Street and Cowper Street (both sides) have two hour parking restrictions imposed**
 - d) Faithful Street between Clifford Street and Montague Street (both sides) have two hour parking restrictions imposed**
- 3. Parking exemption permits be issued to all registered vehicles at each residence in the additional timed parking areas plus an additional permit be issued for each residence for a visitor. All additional permits to be funded by Health Infrastructure**
- 4. New parking exemption permits be issued to Goulburn Hospital Staff, Good Start Early Child Care Centre and staff and students at Goulburn High School that gives exemptions for all restricted parking except the 2 hour parking on Prell Street and Goldsmith Street between Faithful Street and Deccan Street. All amended permits to be funded by Health Infrastructure.**
- 5. All Timed Parking Restrictions be applied from 6:00am to 6:00pm Monday to Friday for the duration of the construction period. Including those area previously approved by Council**
- 6. The full cost of all restricted parking signage including amended signage and**

installation be met by Health Infrastructure.

7. All restricted parking signage in the Goulburn Hospital Precinct to include the words 'nose to kerb at 45 degrees' and that non-compliant parking be subject to infringement notices.

CARRIED

Council took a 30 minute recess at 7.48pm for dinner.

Council reconvened at 8.23pm.

15.7 COPFORD REACH WORKING PARTY MEMBERSHIP

RESOLUTION 2020/435

Moved: Cr Margaret O'Neill

Seconded: Cr Carol James

That

1. The report from the General Manager on the Copford Reach Working Party Membership be received.
2. The Goulburn Lions Club Inc. be added to the membership of the Copford Reach Working Party membership and that Club be invited to nominate a representative to the working party.
3. Council nominates the following three community representatives on to the Copford Reach Working Party:
 - a. Dale Godber
 - b. Karen Whitaker
 - c. Brian Spilsbury
4. Council accepts Mr Sam Bell as the Goulburn Barefoot Waterski Club representative on the Copford Reach Working Party.

CARRIED

15.8 DAM SAFETY NSW 2020 REFORM - PROPOSED DAM LEVY

RESOLUTION 2020/436

Moved: Cr Sam Rowland

Seconded: Cr Peter Walker

That

1. The report from the Director Utilities on Dams Safety NSW 2020 Reform - Proposed Dam Levy be received.
2. Council submit strong feedback on the proposed funding model detailing that we do not support the introduction of a dam levy to dam owners as outlined in the report of the Director of Utilities at the 20th October Council meeting

CARRIED

15.9 QUARTERLY WORKERS COMPENSATION

RESOLUTION 2020/437

Moved: Cr Sam Rowland
 Seconded: Cr Margaret O'Neill

That the report from the Recover at Work and Wellbeing Officer on Quarterly Workers Compensation be noted.

CARRIED

15.10 GENERAL PURPOSE FINANCIAL STATEMENTS AND SPECIAL PURPOSE STATEMENTS 2019/20

RESOLUTION 2020/438

Moved: Cr Leah Ferrara
 Seconded: Cr Sam Rowland

That

1. The report from the Director Corporate & Community Services on the General Purpose Financial Statements and Special Purpose Statements 2019/20 be received.
2. The Statements under s413(2) Local Government Act 1993 be endorsed and signed off by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to enable the Independent Auditors reports to be issued
3. Council approve the Financial Statements for lodgement with the Office of Local Government
4. Council approve the Financial Statements to be placed on public exhibition with the Audited Financial Statements to be presented to Council at its meeting on 17 November 2020

CARRIED

15.11 MONTHLY FINANCIAL REPORT

RESOLUTION 2020/439

Moved: Cr Alfie Walker
 Seconded: Cr Sam Rowland

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Monthly Financial Report be received and noted for information.

CARRIED

15.12 STATEMENT OF INVESTMENTS & BANK BALANCES

RESOLUTION 2020/440

Moved: Cr Sam Rowland

Seconded: Cr Alfie 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 be received.

CARRIED

15.13 RATES OUTSTANDING REPORT

RESOLUTION 2020/441

Moved: Cr Peter Walker

Seconded: Cr Sam Rowland

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

CARRIED

15.14 DEBTORS OUTSTANDING REPORT

RESOLUTION 2020/442

Moved: Cr Alfie Walker

Seconded: Cr Leah Ferrara

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

CARRIED

15.15 WATER CHARGES OUTSTANDING REPORT

RESOLUTION 2020/443

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

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

CARRIED

15.16 ST CLAIR CONSERVATION WORKS - STATUS REPORT

RESOLUTION 2020/444

Moved: Cr Peter Walker

Seconded: Cr Sam Rowland

That the report from the Business Manager Marketing, Events & Culture on the status of the St Clair Conservation Works be received.

CARRIED

15.17 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION - SEPTEMBER 2020 STATUS REPORT

RESOLUTION 2020/445

**Moved: Cr Carol James
Seconded: Cr Sam Rowland**

That

- 1. The report from the Director of Operations on the status of the Goulburn Aquatic Centre Redevelopment Stage 1 construction works be received.**
- 2. The General Manager be delegated authority to approve the variation request for \$347,960 for removal of contaminated material which is in addition to the delegated authority to approve project variations up to \$500,000 granted at the 17 March 2020 Council Meeting**

CARRIED

15.18 GOULBURN PERFORMING ARTS CENTRE - SEPTEMBER 2020 STATUS REPORT

RESOLUTION 2020/446

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

That the report from the Director of Operations on the status of the Goulburn Performing Arts Centre construction be received.

CARRIED

15.19 NATURAL DISASTER ESSENTIAL PUBLIC ASSET RESTORATION PROJECT - AUGUST AND SEPTEMBER 2020 STATUS REPORT

RESOLUTION 2020/447

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

That the combined August and September 2020 status report for the Natural Disaster Essential Public Asset Restoration Project from the Business Manager of Works be received.

CARRIED

15.20 MOUNTAIN ASH ROAD BLACKSPOT PROJECT - SEPTEMBER 2020 STATUS REPORT

RESOLUTION 2020/448

**Moved: Cr Alfie Walker
Seconded: Cr Peter Walker**

That the monthly status report on Mountain Ash Road Blackspot project from the Business Manager of Works be received.

CARRIED

15.21 COOKBUNDOON PAVILION UPGRADE SEPTEMBER 2020 STATUS REPORT

RESOLUTION 2020/449

Moved: Cr Andrew Banfield

Seconded: Cr Sam Rowland

That the report form the Business Manager Community Facilities on Cookbundoon Pavilion Upgrade September 2020 Status Report be received and the information noted.

CARRIED

15.22 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 1 OCTOBER 2020

RESOLUTION 2020/450

Moved: Cr Sam Rowland

Seconded: Cr Andrew Banfield

That the report from Director Operations in regards to the Traffic Committee minutes from Thursday 1 October 2020 be received.

CARRIED

15.23 EXTERNAL MEETING MINUTES

RESOLUTION 2020/451

Moved: Cr Margaret O'Neill

Seconded: Cr Sam Rowland

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

- 1. Veolia Woodlawn Community Consultative Committee Meeting Minutes 13 August 2020**

CARRIED

15.24 OPERATIONS DIRECTORATE REPORT SEPTEMBER 2020

RESOLUTION 2020/452

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That the activities reported for September 2020 by the Director Operations be received and noted for information.

CARRIED

15.25 UTILITIES DIRECTORATE REPORT - SEPTEMBER 2020

RESOLUTION 2020/453

Moved: Cr Sam Rowland

Seconded: Cr Carol James

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

CARRIED

15.26 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT SEPTEMBER 2020

RESOLUTION 2020/454

Moved: Cr Sam Rowland

Seconded: Cr Margaret O'Neill

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

CARRIED

15.27 PLANNING & ENVIRONMENT DIRECTORATE REPORT SEPTEMBER 2020

RESOLUTION 2020/455

Moved: Cr Peter Walker

Seconded: Cr Margaret O'Neill

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

CARRIED

16 CLOSED SESSION

Government Act 1993.

RESOLUTION 2020/456

Moved: Cr Alfie Walker

Seconded: Cr Sam Rowland

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 Museum of Applied Arts & Sciences - Maudslay Beam Engine

This matter is considered to be confidential under Section 10A(2) - di 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

Council resolved into Closed Session at 9.22pm.

Council resolved into Open Council at 9.33pm.

RESOLUTION 2020/457

Moved: Cr Andrew Banfield

Seconded: Cr Alfie Walker

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 MUSEUM OF APPLIED ARTS & SCIENCES - MAUDSLAY BEAM ENGINE

RESOLUTION 2020/458

Moved: Cr Andrew Banfield

Seconded: Cr Leah Ferrara

That:

1. The report from the General Manager on Museum of Applied Arts & Sciences - Maudslay Beam Engine be received.
2. The Council approve in principle to accept the permanent loaning of the Maudslay Beam Engine from the Museum of Applied Arts & Sciences and the General Manager continue with the negotiations for the relocation of this Engine to the Goulburn Waterworks Museum
3. The General Manager to prepare a separate report to Council on the cost of building extension and relocation costs to have the Maudslay Beam Engine relocated to Goulburn and the Waterworks Museum

CARRIED

17 CONCLUSION OF THE MEETING

The Meeting closed at 9.35pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 3 November 2020.

.....
Cr Bob Kirk
Mayor

.....
Warwick Bennett
General Manager