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MINUTES

Ordinary Council Meeting

7 September 2021

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**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN & VIA ZOOM
ON TUESDAY, 7 SEPTEMBER 2021 AT 6PM**

PRESENT: Cr Bob Kirk (Mayor).

PRESENT VIA ZOOM:

Cr Peter Walker (Deputy Mayor), Cr Carol James, Cr Andrew Banfield, Cr Sam Rowland, Cr Leah Ferrara, Cr Alfie Walker, Cr Margaret O'Neill & Cr Denzil Sturgiss.

IN ATTENDANCE: Warwick Bennett (General Manager) & Amy Croker (Office Manager) (Present).

IN ATTENDANCE VIA ZOOM:

Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations)

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 Leah Ferrara.

4 APOLOGIES

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

Cr Alfie Walker declared a pecuniary conflict of interest in Item 15.6 “DA/0419/2021 - Construction of six (6) attached town houses with seven (7) lot community title subdivision at 10 Ben Bullen Place, Goulburn” as his wife is employed by the architect who is the applicant for this proposal. Cr Alfie Walker will leave the meeting (placed in Zoom waiting room) while discussion and determination on this item takes place.

Cr Margaret O'Neill declared a non-significant/pecuniary conflict of interest in Item 15.6 “DA/0419/2021 - Construction of six (6) attached town houses with seven (7) lot community title subdivision at 10 Ben Bullen Place, Goulburn” as the organisation she is employed by employs the applicant as a consultant. Cr Margaret O'Neill will leave the meeting (placed in Zoom waiting room) while discussion and determination on this item takes place.

Cr Carol James declared a non-pecuniary conflict of interest in Item 15.12 “Request for Financial Assistance - Goulburn Car & Motorcycle Show” as a member of Rotary who are involved in this Show. Cr Carol James will leave the meeting (placed in Zoom waiting room) while discussion and determination on this item takes 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.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

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

Gina Drummond addressed Council on Item 15.6 DA/0419/2021 - Construction of six (6) attached town houses with seven (7) lot community title subdivision at 10 Ben Bullen Place, Goulburn.

Tim Lee from Tim Lee Architects addressed Council on Item 15.6 DA/0419/2021 - Construction of six (6) attached town houses with seven (7) lot community title subdivision at 10 Ben Bullen Place, Goulburn.

At 6:34 pm, Cr Alfie Walker & Cr Margaret O'Neill returned to the meeting.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 17 AUGUST 2021

RESOLUTION 2021/394

Moved: Cr Carol James

Seconded: Cr Peter Walker

That the Council minutes from Tuesday 17 August 2021 and contained in Minutes Pages No 1 to 13 inclusive and in Minute Nos 2021/374 to 2021/393 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 17 AUGUST 2021

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2021/395

Moved: Cr Leah Ferrara

Seconded: Cr Margaret O'Neill

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 2021/396

Moved: Cr Leah Ferrara

Seconded: Cr Margaret O'Neill

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

CARRIED

15.2 DEPUTY MAYORAL ELECTION

RESOLUTION 2021/397

Moved: Cr Margaret O'Neill

Seconded: Cr Andrew Banfield

That

- 1. The report of the General Manager on the election of the Deputy Mayor be received**
- 2. Cr Peter Walker retain the position of Deputy Mayor for the remainder of the current term of Council.**

CARRIED

15.3 COMMITTEE APPOINTMENTS

RESOLUTION 2021/398

Moved: Cr Margaret O'Neill

Seconded: Cr Denzil Sturgiss

That

- 1. The report of the General Manager on the appointment of Councillors to Committees be received**
- 2. Council determines the following appointment to the Committees for the remainder 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

CARRIED

15.4 WORKING PARTY MEMBERSHIP

RESOLUTION 2021/399

Moved: Cr Carol James

Seconded: Cr Andrew Banfield

That:

- 1. The report of the General Manager on the Councillor membership for working parties be received.**
- 2. Council determines the following appointment to the Working Party's for the remainder of this term of Council:-**

General Managers Performance Review	Mayor Deputy Mayor Cr O'Neill Cr Rowland
Flood Management Study	Cr Rowland
Sustainability Working Party	Cr Rowland
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)

- 3. That letters of thanks be sent to the Goulburn Street Tree, Victoria Park Precinct and Fishing Working Parties to thank them for their work to date, notify them of their achievements and to advise what the Council process will be from here to implement their working party findings.**

CARRIED

15.5 EXTERNAL COMMITTEE APPOINTMENTS

RESOLUTION 2021/400

Moved: Cr Margaret O'Neill

Seconded: Cr Alfie Walker

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 6:54 pm.

CARRIED

RESOLUTION 2021/401

Moved: Cr Peter Walker

Seconded: Cr Alfie Walker

That Council move back into Open Council.

Council moved back into Open Council at 7:05 pm.

CARRIED

RESOLUTION 2021/402

Moved: Cr Margaret O'Neill

Seconded: Cr Peter Walker

That:

1. The report of the General Manager on appointments to external Committees be received.
2. Council determines the following appointment to the External Committees for the remainder 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	General Manager
Marulan Hall	Cr Banfield Cr O'Neill
Pepper Tree Community Consultative Committee	Deputy Mayor Peter Walker Director Planning & Environment or Nominee
Regional Cities NSW	Mayor
South East Australian Transport Strategy (SEATS)	Cr Peter Walker Cr Sturgiss (Alternate)
Southern Tablelands Zone Bush Fire Management Committee	Director of Operation or Nominee
Southern Tablelands/South Coast Region Noxious Plants Committee	Deputy Mayor Peter Walker Director Planning & Environment or nominee
Veolia Mulwaree Trust*	Mayor
Veolia Woodlawn Bioreactor Community Liaison / Tarago Consultative Committee	Cr Sturgiss Cr O'Neill (alternate)

CARRIED

15.6 DA/0419/2021 - CONSTRUCTION OF SIX (6) ATTACHED TOWN HOUSES WITH SEVEN (7) LOT COMMUNITY TITLE SUBDIVISION AT 10 BEN BULLEN PLACE, GOULBURN

Cr Alfie Walker & Cr Margaret O'Neill declared an interest in this item and took no part in the discussion or voting on the matter.

At 7:06 pm, Cr Alfie Walker & Cr Margaret O'Neill left the meeting and went into the Zoom waiting room.

RESOLUTION 2021/403

Moved: Cr Peter Walker
Seconded: Cr Sam Rowland

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:07pm.

CARRIED

RESOLUTION 2021/404

Moved: Cr Peter Walker
Seconded: Cr Denzil Sturgiss

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:44pm.

CARRIED

RESOLUTION 2021/405

Moved: Cr Peter Walker
Seconded: Cr Sam Rowland

That:

1. **The staff assessment report for development application DA/0419/2021 for the proposed six (6) attached multi dwelling housing units (town houses) with seven (7) Lot Community Title Subdivision be received.**
2. **The determination for development application DA/0419/2021 be deferred pending staff having discussions with the applicant on the following matters:**
 - a) **DCP setback requirements in relation to the front and rear of the block**
 - b) **Traffic movements in Ben Bullen Place**
 - c) **Visitor parking associated with the development**
 - d) **Streetscape and articulation/presentation to the street front**
 - e) **Ability to soften the architectural impact upon the neighbourhood**

CARRIED

In Favour: Crs Bob Kirk, Peter Walker, Sam Rowland, Carol James and Denzil Sturgiss

Against: Crs Andrew Banfield and Leah Ferrara

At 8:02 pm, Cr Alfie Walker & Cr Margaret O'Neill returned to the meeting.

15.7 DA/0171/1819 - DRAFT PLANNING AGREEMENT, LOT 50 BRAYTON ROAD, MARULAN

RESOLUTION 2021/406

Moved: Cr Andrew Banfield

Seconded: Cr Carol James

That:

- 1. The staff report for the draft Planning Agreement associated with DA/0171/1819 for a 16 residential lot subdivision and one (1) drainage lot be received.**
- 2. The draft Landscape Handover and Maintenance Protocol is included in the draft Planning Agreement by reference to the approved Notice of Determination.**
- 3. The draft Planning Agreement associated with DA/00171/1819 for a 16 residential lot subdivision and one (1) drainage lot be placed on public exhibition for a period of 28 days, in accordance with section 7.5(1) of the *Environmental Planning and Assessment Act 1979*.**
- 4. Following the exhibition period the matter be reported back to Council to consider any submissions received.**

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, Carol James and Denzil Sturgiss

Against: Nil

15.8 COMPLIANCE UPDATE

RESOLUTION 2021/407

Moved: Cr Sam Rowland

Seconded: Cr Peter Walker

That the compliance update report by the Business Manager Environment & Health be received and noted for information.

CARRIED

15.9 DRAFT VEGETATION REMOVAL OFFSET POLICY AND ASSOCIATED FEES - POST EXHIBITION REPORT

RESOLUTION 2021/408

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That:

- 1. The report from the Landscape and Heritage Planner on the outcome of the public exhibition of the Vegetation Removal Offset Policy and associated fees be received.**
- 2. Council adopt the Vegetation Removal Offset Policy and associated fees.**
- 3. Council write to thank the Goulburn Field Naturalists Society Inc. for their submission in support of the Vegetation Removal Offset Policy.**

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, Carol James and Denzil Sturgiss

Against: Nil

15.10 ROAD CLOSURE APPLICATION ADJOINING 667 READERS ROAD, QUALIGO**RESOLUTION 2021/409****Moved: Cr Andrew Banfield****Seconded: Cr Peter Walker****That**

- 1. The report from the Business Manager Property & Community Services on a proposed road closure parallel to Lot 3 DP 1014745, 667 Readers Road, Qualigo be received.**
- 2. Council prepares a Road Closure Application in accordance with the requirements referred to in this report to close approximately 28,770m² of redundant road reserve parallel to Lot 3 DP 1014745, 667 Readers Road, Qualigo.**
- 3. *Subject to there being no objections to this road closure application from adjoining property owners, government agencies and utility providers, this road reserve be sold to the owner of 667 Readers Road, Qualigo at the market price as determined, and that the purchaser meet all costs associated with;***
 - Council's Road Closure Application fees**
 - Surveying including registration of Plan of Subdivision consistent with point 2 above.**
 - Consultant valuation fees to determine market value of compensation payable and;**
 - Re-establishing any boundary fencing affected by this road closure application.**
- 4. The General Manager be delegated to sign all documentation necessary to complete the sale of this unused road reserve when a new title is created, ensuring that the market value determined by the valuation is non-negotiable.**
- 5. The proceeds of sale be transferred to a Rural Roads Maintenance budget for any future road works in the Readers Road locality.**

CARRIED

15.11 TENDER NO 2021T0021 – TRAINEE AND APPRENTICE EMPLOYMENT SERVICES

RESOLUTION 2021/410

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 8:12pm.

CARRIED

RESOLUTION 2021/411

Moved: Cr Alfie Walker

Seconded: Cr Andrew Banfield

That Council move back into Open Council.

Council moved back into Open Council at 8:33pm.

CARRIED

RESOLUTION 2021/412

Moved: Cr Alfie Walker

Seconded: Cr Andrew Banfield

That:

- 1. The report regarding Tender No 2021T0021 – Trainee and Apprentice Employment Services from the Business Manager Human Resources be received.**
- 2. The Tender from Recruitment Solutions Group Pty Ltd is accepted for the provision of Trainee and Employment Services in accordance with the specification and documents for Tender 2021T0021. The successful tenderer will be entered into a three-year contract, with the option of two one-year extensions.**

CARRIED

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

Against: Cr Margaret O'Neill

15.12 REQUEST FOR FINANCIAL ASSISTANCE - GOULBURN CAR & MOTORCYCLE SHOW

Cr Carol James declared an interest in this item and took no part in the discussion or voting on the matter. At 8:35 pm, Cr Carol James left the meeting and went into the Zoom waiting room.

RESOLUTION 2021/413

Moved: Cr Andrew Banfield

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 Goulburn Car & Motorcycle Show to the value of \$2,976.68 to be funded from the Financial Assistance budget:

(a) 50% Hire Fees for Recreation Area	\$292.18
(b) Amenity Cleaning, bin hire, waste removal	\$184.50
(c) Road Closure	\$2,500.00
3. The applicants to be responsible for any Road Closure/Traffic Control expenses incurred by Council in excess of the \$2,500.

CARRIED

At 8:36 pm, Cr Carol James returned to the meeting.

15.13 EXTERNAL MEETING MINUTES**RESOLUTION 2021/414**

Moved: Cr Peter Walker

Seconded: Cr Denzil Sturgiss

That the report from the General Manager on the following external Committee meeting minutes be received:

1. Veolia Community Consultative Committee 17 June 2021
2. Goulburn Liquor Accord 21 July 2021
3. Heron Woodlawn Community Consultative Committee 28 July 2021
4. Ardmore Park Quarry Community Consultative Committee 11 August 2021

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 8.38pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 September 2021.

.....
Cr Bob Kirk
Mayor

.....
Warwick Bennett
General Manager