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# **MINUTES**

## **Ordinary Council Meeting**

**1 March 2022**



**Order Of Business**

|           |                                                                                                                     |          |
|-----------|---------------------------------------------------------------------------------------------------------------------|----------|
| <b>1</b>  | <b>Opening Meeting</b> .....                                                                                        | <b>5</b> |
| <b>2</b>  | <b>Acknowledgement of Country</b> .....                                                                             | <b>5</b> |
| <b>3</b>  | <b>Councillors Declaration and/or Prayer</b> .....                                                                  | <b>5</b> |
| <b>4</b>  | <b>Apologies</b> .....                                                                                              | <b>5</b> |
| <b>5</b>  | <b>Applications for a Leave of Absence by Councillors</b> .....                                                     | <b>5</b> |
|           | Nil                                                                                                                 |          |
| <b>6</b>  | <b>Late Items / Urgent Business</b> .....                                                                           | <b>5</b> |
| <b>7</b>  | <b>Disclosure of Interests</b> .....                                                                                | <b>6</b> |
| <b>8</b>  | <b>Presentations</b> .....                                                                                          | <b>6</b> |
|           | Nil                                                                                                                 |          |
| <b>9</b>  | <b>Public Forum</b> .....                                                                                           | <b>6</b> |
| <b>10</b> | <b>Confirmation of Minutes</b> .....                                                                                | <b>6</b> |
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| <b>12</b> | <b>Mayoral Minute</b> .....                                                                                         | <b>7</b> |
| <b>13</b> | <b>Notice of Motion(s)</b> .....                                                                                    | <b>8</b> |
|           | Nil                                                                                                                 |          |
| <b>14</b> | <b>Notice of Rescission(s)</b> .....                                                                                | <b>8</b> |
|           | Nil                                                                                                                 |          |
| <b>15</b> | <b>Reports to Council for Determination</b> .....                                                                   | <b>8</b> |
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There were no closed session reports for determination.

**17 Conclusion of the Meeting ..... 14**

**MINUTES OF GOULBURN MULWAREE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,  
GOULBURN  
ON TUESDAY, 1 MARCH 2022 AT 6PM**

**PRESENT:** Cr Andrew Banfield, Cr Carol James, Cr Bob Kirk, Cr Michael Prevedello, Cr Steven Ruddell, Cr Daniel Strickland, Cr Jason Shepherd, Cr Peter Walker, Cr Andy Wood

**IN ATTENDANCE:** Warwick Bennett (General Manager), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations) & Amy Croker (Office Manager)

**1 OPENING MEETING**

Mayor Peter Walker opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

**2 ACKNOWLEDGEMENT OF COUNTRY**

Mayor Peter Walker 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 Michael Prevedello.

**4 APOLOGIES**

Nil

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

Nil

**6 LATE ITEMS / URGENT BUSINESS**

**RESOLUTION 2022/19**

**Moved: Cr Bob Kirk  
Seconded: Cr Andy Wood**

**That Council accepts as a late item the legal opinion from Maddocks Lawyers in regard to continuing the section 34 conciliation with Wakefield Park which is being considered as a Mayoral Minute – Item 12.**

**CARRIED**

## **7 DISCLOSURE OF INTERESTS**

CR ANDREW BANFIELD DECLARED A PECUNIARY CONFLICT OF INTEREST IN ITEM 15.3 "VP271768 PAVEMENT STABILISATION PANEL" AS ONE OF THE TENDERERS IS DENRITH PTY LIMITED IN WHICH HIS BROTHER-IN-LAW IS A DIRECTOR AND HE IS AN EMPLOYEE. CR ANDREW BANFIELD WILL LEAVE THE MEETING WHILE DISCUSSION ON THIS ITEM TAKES PLACE.

## **8 PRESENTATIONS**

Nil

## **9 PUBLIC FORUM**

Janette Woodman addressed Council on Item 15.7 Road Closure Application - Part Road Reserve Between Cathcart Street and Abbey Road, Goulburn

Troy Cook addressed Council on Item 15.7 Road Closure Application - Part Road Reserve Between Cathcart Street and Abbey Road, Goulburn

Barry McEntee addressed Council on Item 15.7 Road Closure Application - Part Road Reserve Between Cathcart Street and Abbey Road, Goulburn

Kate Cartwright from Plan & Co addressed Council on Item 15.7 Road Closure Application - Part Road Reserve Between Cathcart Street and Abbey Road, Goulburn.

## **MOTION**

### **RESOLUTION 2022/20**

**Moved: Cr Andrew Banfield**

**Seconded: Cr Jason Shepherd**

**That Item 15.7 be dealt with before Item 15.1.**

**CARRIED**

## **10 CONFIRMATION OF MINUTES**

### **10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15 FEBRUARY 2022**

#### **RESOLUTION 2022/21**

**Moved: Cr Carol James**

**Seconded: Cr Daniel Strickland**

**That the Council minutes from Tuesday 15 February 2022 and contained in Minutes Pages No 1 to 17 inclusive and in Minute Nos 2022/47 to 2022/84 inclusive be confirmed.**

**CARRIED**

## **11 MATTERS ARISING**

### **11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 15 FEBRUARY 2022**

Nil

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

**RESOLUTION 2022/22**

**Moved: Cr Carol James**  
**Seconded: Cr Andrew Banfield**

**That Council notes the Task List and authorises the deletion of completed tasks.**

**CARRIED**

**12 MAYORAL MINUTE**

**RESOLUTION 2022/23**

**Moved: Cr Andrew Banfield**  
**Seconded: Cr Carol James**

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

Council moved into Committee of the whole at 6:53pm.

**CARRIED**

**RESOLUTION 2022/24**

**Moved: Cr Andrew Banfield**  
**Seconded: Cr Daniel Strickland**

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

Council moved back into Open Council at 7:07pm.

**CARRIED**

**RESOLUTION 2022/25**

**Moved: Cr Peter Walker**

**That:**

- 1. The General Manager contact all submitters in regard to DA/0117/2021, Alterations and additions to Recreation Facility (major), Lot 1 DP 832905, 4770 Braidwood Road Tirrannaville to ascertain if they would be prepared to meet prior to the Court hearing commencing on Tuesday 8 March 2022 to discuss conciliation options.**
- 2. If any submitter is not prepared to meet with Council on conciliation matters then Council continues with the Court hearing commencing on Tuesday 8 March 2022.**

**CARRIED**

At 7:16 pm, Cr Michael Prevedello left the meeting and did not return.

**13 NOTICE OF MOTION(S)**

Nil

**14 NOTICE OF RESCISSION(S)**

Nil

**15 REPORTS TO COUNCIL FOR DETERMINATION**

**15.7 ROAD CLOSURE APPLICATION - PART ROAD RESERVE BETWEEN CATHCART STREET AND ABBEY ROAD, GOULBURN**

**RESOLUTION 2022/26**

**Moved: Cr Steven Ruddell  
Seconded:Cr Jason Shepherd**

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

**Council moved into Committee of the whole at 7:17 pm.**

**CARRIED**

**RESOLUTION 2022/27**

**Moved: Cr Andrew Banfield  
Seconded:Cr Jason Shepherd**

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

**Council moved back into Open Council at 7:55 pm.**

**CARRIED**

**RESOLUTION 2022/28**

**Moved: Cr Bob Kirk  
Seconded:Cr Andrew Banfield**

**That;**

- 1. The report from the Business Manager Property & Community Services on a proposed Road Closure Application for an unformed road reserve between Cathcart Street and Abbey Road (from the north western corner of Lot 1 DP 1018281 to the north eastern corner of Lot 1 DP 868301 and from the south western corner of Lot 16 DP 124119 to the south eastern corner of Lot 1 DP 1071105), Goulburn be received.**
- 2. Council defer the closure of unformed road reserve between Cathcart Street and Abbey Road until such time as Council has received the review of the South Goulburn Threatened Species Master Plan. The review to address potential impact of vehicle access and the proposed pedestrian pathway to those areas without trees or vegetation.**

**CARRIED**

Council took a recess at 7.55pm

Council resumed at 8.26pm



**15.1 REV/0003/2021 - ATTACHED DUAL OCCUPANCY REVIEW OF DETERMINATION, 19-21 QUADRANT PLACE, GOULBURN**

**RESOLUTION 2022/29**

**Moved: Cr Carol James**

**Seconded: Cr Andrew Banfield**

**That:**

- 1. The staff assessment report for development application REV/0003/2021 for the review of determined Development Application DA/0327/2021 for proposed attached single storey dwellings be received.**
- 2. The determination of DA/0327/2021 for attached single storey dwellings located at 19-21 Quadrant Place be upheld.**

**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 Andrew Banfield, Carol James, Bob Kirk, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood**

**Against: Nil**

**CARRIED**

**15.2 GOULBURN FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN**

**RESOLUTION 2022/30**

**Moved: Cr Jason Shepherd  
 Seconded: Cr Daniel Strickland**

**That:**

- 1. The report by the Business Manager Strategic Planning on the Draft *Goulburn Floodplain Risk Management Study and Plan* and consequential planning amendments be received.**
- 2. Council publicly exhibits the Draft *Goulburn Floodplain Risk Management Study and Plan* which includes a Draft Flood Policy in relation to development.**
- 3. Council prepare and concurrently publicly exhibit an amendment to Section 3.8 Flood Affected Lands, of *Goulburn Mulwaree Development Control Plan 2009* consistent with the Draft Flood Policy whilst incorporating provisions for areas outside an adopted flood study.**
- 4. Council prepares an expedited [former erratum] amendment to *Goulburn Mulwaree Local Environmental Plan 2009* to remove the flood maps pursuant to Section 3.22 of the *NSW Environmental Planning and Assessment Act, 1979*.**

**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 Andrew Banfield, Carol James, Bob Kirk, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood**

**Against: Nil**

**CARRIED**

**15.3 VP271768 PAVEMENT STABILISATION PANEL**

Cr Andrew Banfield declared an interest in this item and took no part in the discussion or voting on the matter. At 8:29 pm, Cr Andrew Banfield left the meeting.

**RESOLUTION 2022/31**

**Moved: Cr Bob Kirk**

**Seconded: Cr Carol James**

**That**

- 1. The report from the Business Manager of Works on the establishment of the Pavement Stabilisation panel be received.**
- 2. Council approve to establish a panel of four (4) suitably qualified and experienced pavement stabilisation companies to assist with the delivery of maintenance and capital works programs on an as required basis and in accordance with VP271768. Companies listed below:**
  - **Denrith Pty Ltd,**
  - **Roadworx Surfacing Pty Ltd,**
  - **Downer EDI Works Pty Ltd,**
  - **Stabilised Pavements Australia Pty Ltd,**
- 3. Council delegate authority to the General Manager to extended these contracts by up to two (2) one (1) year extensions subject to satisfactory performance.**

**CARRIED**

At 8:30 pm, Cr Andrew Banfield returned to the meeting.

**15.4 2021T0023 - ROUNDABOUT CONSTRUCTION AND ROAD UPGRADE WORKS AT SYDNEY ROAD AND COMMON STREET****RESOLUTION 2022/32**

**Moved: Cr Steven Ruddell**

**Seconded: Cr Andy Wood**

**That:**

- 1. The report from the Director Operations on 2021T0023 Roundabout Construction and Road Upgrade Works at Sydney Road and Common Street Tender Evaluation be received.**
- 2. Council award the tender to Cleary Bros Pty Ltd as a preferred tenderer for the tender price of \$7,695,906.**
- 3. The General Manager is authorised to approve variations of up to five (5) percent for this project (\$384,795).**
- 4. Council decline the tender submissions from Menai Civil Contractors Pty Ltd.**

**CARRIED**

**15.5 PROCUREMENT FOR CONSTRUCTION OF THE NEW AMENITIES AT NORTH PARK AND THE GOULBURN REGIONAL HOCKEY FACILITY**

**RESOLUTION 2022/33**

**Moved: Cr Bob Kirk**

**Seconded: Cr Steven Ruddell**

**That:**

- 1. The report from the Director of Operations on the procurement for construction of new amenities at North Park and the Goulburn Regional Hockey Facility be received.**
- 2. Council endorse a consolidated design and construction procurement process for the new amenities buildings at North Park and the Goulburn Regional Hockey Facility.**

**CARRIED**

**15.6 TENDER 2122T0006 - RECREATION AREA IRRIGATION CONSTRUCTION**

**RESOLUTION 2022/34**

**Moved: Cr Andy Wood**

**Seconded: Cr Steven Ruddell**

**That**

- 1. The report from the Director Utilities be received on Tender 2122T0006 – Recreation Area Irrigation Construction.**
- 2. The Tender from Jaddfe Pty Ltd is accepted for the Recreation Area Irrigation Construction Contract in accordance with the specification and documents for Tender 2122T0006 for the lump sum price of \$965,511 (incl. GST).**
- 3. The General Manager be given a delegated authority for variations up to 10% of the contract lump sum. This being \$96,551 (incl. GST).**

**CARRIED**

**15.8 DRAFT REGIONAL COMMUNITY STRATEGIC PLAN 2042**

**RESOLUTION 2022/35**

**Moved: Cr Carol James**

**Seconded: Cr Andy Wood**

**That**

- 1. The report of the Director Corporate & Community Services on the Draft Regional Community Strategic Plan 2042 be received**
- 2. Council, in accordance with Section 402, of the Local Government Act 1993, place on public exhibition the draft Regional Community Strategic Plan.**
- 3. The public exhibition period runs from 2 March 2022 to 31 March 2022 inclusive, with copies of each plan available for inspection at the Civic Centre and library, Tarago Service Station, Marulan Post Office and Tallong General Store with electronic versions available on Council's website and via a link on Council's Facebook page.**

**CARRIED**

**15.9 FLOODPLAIN RISK MANAGEMENT WORKING PARTY - APPOINTMENT OF MARULAN COMMUNITY REPRESENTATIVE**

**RESOLUTION 2022/36**

**Moved: Cr Jason Shepherd  
Seconded: Cr Carol James**

**That:**

- 1. The report from the Business Manager Strategic Planning on the appointment of a community representative on the Floodplain Risk Management Working Party for Marulan be received.**
- 2. Cheryl Bell be appointed as the community representative for Marulan on the Floodplain Risk Management Working Party.**
- 3. Council thanks Tod Anderson and David Matthews for their expression of interest.**

**CARRIED**

**15.10 MULTQUIP HAULAGE ROUTE REPAIRS - FEBRUARY 2022 STATUS UPDATE**

**RESOLUTION 2022/37**

**Moved: Cr Bob Kirk  
Seconded: Cr Jason Shepherd**

**That:**

- 1. The report from the Director of Operations of the status of repairs for the Multiquip haulage Route be received.**
- 2. Council enter into negotiations with the pavement repair contractor Roadworx to finalise the scope and cost of repair works for the Multiquip Haulage Route (Oallen Ford and Jerrara Roads) and directly engage Roadworx Surfacing Pty Ltd under the term and conditions of the pavement stabilisation panel to commence repair works without further delay.**
- 3. The General Manager be delegated authority to proceed with legal action against Multiquip to recover costs incurred by Council as a result of Council engaging the pavement repair contractor for the repair works as a result of Multiquip's lack of action and commitment to the repairs needed to fulfil their conditions of their consent.**

**CARRIED**

**15.11 GOULBURN MULWAREE YOUTH COUNCIL MEETING NOTES - 28 JANUARY 2022**

**RESOLUTION 2022/38**

**Moved: Cr Peter Walker  
Seconded: Cr Daniel Strickland**

**That the report from Cr Carol James in relation to the Goulburn Mulwaree Youth Council Meeting Notes held on the 28 January 2022.**

**CARRIED**

**15.12 GOULBURN MULWAREE AWARD WORKING PARTY MINUTES - 14 FEBRUARY 2022**

**RESOLUTION 2022/39**

**Moved: Cr Bob Kirk  
Seconded: Cr Andy Wood**

**That the report from the General Manager in relation to the Goulburn Mulwaree Award Working Party Meeting Minutes held on the 14 February 2022 be received.**

**CARRIED**

**15.13 SUSTAINABILITY WORKING PARTY MINUTES - 16 FEBRUARY 2022**

**RESOLUTION 2022/40**

**Moved: Cr Jason Shepherd  
Seconded: Cr Andy Wood**

**That the Sustainability Working Party Minutes dated 16 February 2022 report from the Director Utilities be noted.**

**CARRIED**

**15.14 EXTERNAL MEETING MINUTES**

**RESOLUTION 2022/41**

**Moved: Cr Steven Ruddell  
Seconded: Cr Carol James**

**That the report from the General Manager on the following external Committee meeting minutes be received - Goulburn Liquor Accord Committee Meeting Minutes 2 February 2022**

**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 8.51pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 March 2022.**

.....  
**Cr Peter Walker  
Mayor**

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