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# **MINUTES**

## **Ordinary Council Meeting**

**3 May 2022**



**Order Of Business**

|           |  |           |
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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, 3 MAY 2022 AT 6PM**

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

**IN ATTENDANCE:** Brendan Hollands (Acting General Manager), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations), Ken Wheeldon (Acting Director Corporate and Community Services) & 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 Andy Wood.

**4 APOLOGIES**

**RESOLUTION 2022/134**

**Moved: Cr Michael Prevedello**

**Seconded: Cr Carol James**

**That the apology received from Cr Andrew Banfield be accepted.**

**CARRIED**

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

**RESOLUTION 2022/135**

**Moved: Cr Andy Wood**

**Seconded: Cr Steven Ruddell**

**That an application for leave of absence from Cr Andrew Banfield be granted due to planned leave.**

**CARRIED**

**6 LATE ITEMS / URGENT BUSINESS**

Nil

**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 19 APRIL 2022**

**RESOLUTION 2022/136**

**Moved: Cr Jason Shepherd**

**Seconded: Cr Daniel Strickland**

**That the Council minutes from Tuesday 19 April 2022 and contained in Minutes Pages No 1 to 31 inclusive and in Minute Nos 2022/96 to 2022/133 inclusive be confirmed.**

**CARRIED**

**11 MATTERS ARISING**

**11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 19 APRIL 2022**

Nil

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

**RESOLUTION 2022/137**

**Moved: Cr Bob Kirk**

**Seconded: Cr Carol James**

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

**CARRIED**

**12 MAYORAL MINUTE(S)**

**12.1 MAYORAL MINUTE - VOTE OF THANKS TO JACQUI SMITH, HUME CONSERVATORIUM OF MUSIC**

**RESOLUTION 2022/138**

**Moved: Cr Peter Walker**

**That a vote of thanks be given to Jacqui Smith for her contribution to the Goulburn Mulwaree Community during her time as Chief Executive Officer of the Hume Conservatorium of Music.**

**CARRIED**

**13 NOTICE OF MOTION(S)**

Nil

**14 NOTICE OF RESCISSION(S)**

Nil

**15 REPORTS TO COUNCIL FOR DETERMINATION**

**15.1 POST EXHIBITION REPORT - MARULAN DRINKING WATER TREATMENT PLANT - 189 BRAYTON ROAD**

**RESOLUTION 2022/139**

**Moved: Cr Bob Kirk**

**Seconded: Cr Andy Wood**

**That:**

- 1. The post exhibition report from the Business Manager Strategic Planning concerning the rezoning of 189 Brayton Road, Marulan be received.**
- 2. Council endorse the draft planning proposal to rezone No 189 Brayton Road (Lot 10 DP 1067488) from R5 Large Lot Residential with a minimum lot size of 2000m<sup>2</sup> to SP2 Infrastructure (Public Utility Undertaking) with no minimum lot size.**
- 3. A Draft Instrument be prepared that is consistent with the above amendment.**
- 4. The Acting General Manager be issued with the delegation to sign the draft amending Instrument on behalf of the Council as the local plan making authority.**
- 5. Council request that the NSW Department of Planning and Environment notify the draft amendment once signed.**

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

**Against: Nil**

## 15.2 PROPOSED AMENDMENTS TO DCP 2009 AND LOCAL APPROVALS POLICY IN RELATION TO WATER AND SEWER CONNECTION

### RESOLUTION 2022/140

Moved: Cr Bob Kirk  
Seconded: Cr Michael Prevedello

That:

1. The report from the Business Manager Strategic Planning on proposed amendments to the *Goulburn Mulwaree Development Control Plan 2009* in relation to connection requirements for reticulated water and sewer services and a proposed Local Approvals Policy for water and sewer (reticulated and on-site), drainage and trade waste be received.
2. Council prepares an amendment to *Goulburn Mulwaree Development Control Plan 2009* in relation to connection requirements for reticulated water and sewer to provide greater clarity on where and when connection to these services is required.
3. Council prepares a Local Approvals Policy under the *NSW Local Government Act, 1993* in relation to reticulated water and sewer connection requirements and other approval requirements associated with water, sewer/wastewater management, trade waste and drainage associated with Section 68 applications made under that Act.
4. Council publicly exhibit the amendment to the *Goulburn Mulwaree Development Control Plan 2009 and the Draft Local Approvals Policy – Water Supply, Sewerage (On-site and Reticulated), Stormwater and Trade Waste* for a minimum of thirty (30) days concurrently.

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 Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

## 15.3 CONSEQUENTIAL AMENDMENTS TO GOULBURN MULWAREE DEVELOPMENT CONTROL PLAN 2009

### RESOLUTION 2022/141

Moved: Cr Andy Wood  
Seconded: Cr Steven Ruddell

That:

1. The report by the Business Manager Strategic Planning on minor consequential amendments to the *Goulburn Mulwaree Development Control Plan 2009* be received.
2. Council amend the *Goulburn Mulwaree Development Control Plan 2009* to include updated references to legislation, State Environmental Planning Policies and to Planning for Bushfire Protection.
3. Council publicly exhibit the table of proposed common reference changes (as per below) for a minimum of twenty eight days. Noting that other changes to outdated referencing to NSW legislation and to delegated legislation (such as State Environmental Planning Policies/SEPPs) will be undertaken as they occur throughout



the document.

| Old Reference (Currently in DCP)   | New Reference  |
|--|--|
| NSW Threatened Species Conservation Act  | Biodiversity Conservation Act  |
| NSW Native Vegetation Act  | Biodiversity Conservation Act and/or Local Land Services Act (as applicable).  |
| SEPP (Sydney Drinking Water Catchment) 2011                                    | SEPP Biodiversity and Conservation 2021 (Chapter 8 – Sydney Drinking Water Catchments)   |
| SEPP (Vegetation in Non Rural Areas)2017                                       | SEPP Biodiversity and Conservation 2021 (Chapter 2 Vegetation in Non Rural Areas)  |
| SEPP 44 Koala Habitat  | SEPP Biodiversity and Conservation 2021 (Chapter 3 Koala Habitat Protection 2020 or Chapter 4 Koala Habitat Protection 2021 as applicable) |
| SEPP(Koala Habitat Protection) 2019  | SEPP Biodiversity and Conservation 2021 (Chapter 3 Koala Habitat Protection 2020 or Chapter 4 Koala Habitat Protection 2021 as applicable) |
| Planning for Bushfire Protection 2006  | Planning for Bushfire Protection 2019  |
| SEPP 64 – Advertising and Signage  | SEPP Industry and Employment 2021 (Chapter 3 Advertising and Signage) 2021   |
| References to E ‘Environmental’ zones under the Local Environmental Plan (LEP) | C ‘Conservation’ zones   |

- Should no submissions be received at the end of the exhibition period, that the updated document be adopted by Council with a notice to this effect (and advising of its commencement), placed on the Council’s web site, in the Goulburn Post and on the NSW Planning Portal.

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 Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

**15.4 ROAD CLOSURE APPLICATION - PART ROAD RESERVE CNR FINLAY RD/SLOANE ST, GOULBURN****RESOLUTION 2022/142****Moved: Cr Steven Ruddell****Seconded: Cr Carol James**

1. The report from the Business Manager Property & Community Services on a proposed road closure application for part road reserve at the corner of Finlay Road / Sloane Street, Goulburn be received.
2. Council prepares a Road Closure Application to close approximately 74.64m<sup>2</sup> of redundant road reserve on the corner of Finlay Road / Sloane Street, Goulburn.
3. The owner of 2 Sloane Street, Goulburn meet all costs associated with;
  - Road Closure Application fees
  - All surveying field work, including preparation, administration and NSW Land Registry fees associated with a Plan of Proposed Road Closure consistent with point 2 above.
4. Under s377 of the *Local Government Act 1993*, the Acting 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 consultant is non-negotiable.

**CARRIED****15.5 BULKY WASTE DISPOSAL****RESOLUTION 2022/143****Moved: Cr Daniel Strickland****Seconded: Cr Andy Wood****That:**

1. The report from the Director Utilities on Bulky Waste Disposal be received.
2. That Council continue with the current 2 free bulky waste weekends during the 2022/23 financial year while the waste management centre upgrade works continue.
3. Staff complete community consultation regarding bulky waste disposal options including questions to determine what the community are prepared to pay for.

**CARRIED**

**15.6 INTEGRATED PLANNING & REPORTING DOCUMENTS**

**RESOLUTION 2022/144**

**Moved: Cr Bob Kirk**

**Seconded: Cr Carol James**

**That**

- 1. The report of the Director of Business Services on the Integrated Planning & Reporting Documents be received.**
- 2. The Draft Delivery Program 2022-2026 and Draft Operational Plan 2022-2023 and budget be approved for public exhibition.**
- 3. Both documents be placed on public exhibition from Wednesday 4 May until Thursday 2 June 2022 for wider community comment.**
- 4. Invitations be extended to any submitters wishing to speak to their submission (for a maximum of 5 minutes) at the Public Forum of the Council meeting on 21 June 2022 as part of the submission consideration process.**

**CARRIED**

**15.7 UTILITIES POLICY REVIEW**

**RESOLUTION 2022/145**

**Moved: Cr Jason Shepherd**

**Seconded: Cr Michael Prevedello**

**That**

- 1. That the report from the Director Utilities on the Utilities Policy Review be received.**
- 2. Council places the following revised policies on public exhibition for 28 days and if no comments are received, they be adopted as Council's policies:**
  - (i) Cross Connection Control and Backflow Prevention Policy**
  - (ii) Drinking Water Quality Policy**
  - (iii) Liquid Trade Waste Policy**
  - (iv) Septic Tank, Chemical Toilet and Pan Waste Disposal Policy**
  - (v) Water Use Policy**
  - (vi) Water Allowance (Medical Reasons) Policy.**
- 3. Any submissions received will be considered and reported to Council for final adoption of the policy.**

**CARRIED**

**15.8 POLICY REVIEW - PLANNING & ENVIRONMENT**

**RESOLUTION 2022/146**

**Moved: Cr Andy Wood  
Seconded: Cr Steven Ruddell**

**That**

- 1. The report from the Director Planning & Environmental Services on the Policy Review – Planning & Environment be received.**
- 2. Council rescinds the following policies:**
  - **Integrated Weeds Management Policy; and**
  - **Noxious Weeds Policy.**
- 3. Council places the Vegetation Offset Removal Policy in an unchanged format on public exhibition for 28 days and if no submissions are received, it be adopted as Council’s policy,**
- 4. Any submissions received will be considered and reported to Council for final adoption of the Vegetation Offset Removal Policy.**

**CARRIED**

**15.9 POLICY REVIEW - EXECUTIVE AND CORPORATE & COMMUNITY SERVICES**

**RESOLUTION 2022/147**

**Moved: Cr Daniel Strickland  
Seconded: Cr Michael Prevedello**

**That:**

- 1. The report from the Acting General Manager on the Policy Review - Executive and Corporate & Community Services be received**
- 2. Council places the following revised policies on public exhibition for 28 days and if no comments are received, they be adopted as Council’s policies:**
  - (i) Council Investment Policy**
  - (ii) Councillor Expenses and Facilities Policy**
  - (iii) Privacy Management Policy**
- 3. Any submissions received be considered and reported to Council for final adoption of the policy.**

**CARRIED**

**15.10 2021/22 THIRD QUARTER WORKERS COMPENSATION REPORT**

**RESOLUTION 2022/148**

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

**That the report from the Recover at Work and Wellbeing Officer on the 2021/22 third quarter workers compensation trends be noted.**

**CARRIED**

**16 CLOSED SESSION**

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

**RESOLUTION 2022/149**

**Moved: Cr Bob Kirk**

**Seconded: Cr Andy Wood**

**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 Waste Disposal - 12 Common Street Goulburn**

**This matter is considered to be confidential under Section 10A(2) - g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.**

**16.2 Mayoral Minute - Acting General Manager**

**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 6.42pm.

Council resolved into Open Council at 7.19pm.

**RESOLUTION 2022/150**

**Moved: Cr Bob Kirk**

**Seconded: Cr Jason Shepherd**

- 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 WASTE DISPOSAL - 12 COMMON STREET GOULBURN**

**RESOLUTION 2022/151**

**Moved: Cr Daniel Strickland**

**Seconded: Cr Jason Shepherd**

**That**

- 1. The report from the Director Utilities on Waste Disposal - 12 Common Street Goulburn be received.**
- 2. That Council reduce the price of waste disposal for the waste from 12 Common Street Goulburn to \$202.70 per tonne and any items that have a specific charge in Council's fees and charges (for example mattresses, tyres, fridges etc) be accepted at cost. This charge to be available until the end of the 2022/23 financial year only.**

**CARRIED**

At 6.58pm Brendan Hollands, Marina Hollands, Scott Martin, Ken Wheeldon & Matt O'Rourke left the meeting.

**16.2 MAYORAL MINUTE - ACTING GENERAL MANAGER**

**RESOLUTION 2022/152**

**Moved: Cr Peter Walker**

**That:**

- 1. That the Mayoral Minute on the Acting General Manager be received.**
- 2. Council acknowledge Mr Hollands for his excellence and professionalism whilst undertaking his tenure as Acting General Manager.**
- 3. In the interest of staff development and in accordance with Section 377 and 378 of the Local Government Act 1993, Council appoints Mr Matthew O'Rourke to fill the role of Acting General Manager from 6 May until the new Chief Executive Officer is appointed and delegates to Mr O'Rourke the powers, authorities, duties and functions of the General Manager.**
- 4. In accordance with Section 377 and 378 of the Local Government Act 1993, Council appoints Mr Brendan Hollands to fill the role of Acting General Manager as a standing appointment for any period the Acting General Manager is on leave and that Council delegates to Mr Hollands the powers, authorities, duties and functions of the General Manager during those leave periods.**

**CARRIED**

At 7.19pm Brendan Hollands, Marina Hollands, Scott Martin, Ken Wheeldon & Matt O'Rourke returned to the meeting.

**17 CONCLUSION OF THE MEETING**

**The Meeting closed at 7.23pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 May 2022.**

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

.....  
**Brendan Hollands**  
**Acting General Manager**