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MINUTES

Ordinary Council Meeting

20 September 2022

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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 SEPTEMBER 2022 AT 6PM**

PRESENT: 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: Aaron Johansson (Chief Executive Officer), Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations), & Shae Aliffi (Executive Support Officer).

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 Jason Shepherd.

4 APOLOGIES

RESOLUTION 2022/320

**Moved: Cr Bob Kirk
Seconded: Cr Carol James**

That the apology received from Cr Andrew Banfield be received.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2022/321

**Moved: Cr Michael Prevedello
Seconded: Cr Carol James**

That the leave of absence from Cr Andrew Banfield due to work commitments be received and a leave of absence granted.

CARRIED

12 MAYORAL MINUTE(S)**12.1 MAYORAL MINUTE - CONDOLENCE FOR HER MAJESTY QUEEN ELIZABETH II****RESOLUTION 2022/322****Moved: Cr Peter Walker****That:**

- 1. Council observe a minutes silence as part of the Council Meeting to mark the death of Her Majesty Queen Elizabeth II.**
- 2. The Goulburn Mulwaree Council on behalf of its community write to express sincere condolences on the death of Her Majesty Queen Elizabeth II to the Royal Family via the Governor General - His Excellency General the Honourable David Hurley AC DSC (Retd).**

CARRIED

A minutes silence was undertaken as a mark of respect following the passing of Her Majesty Queen Elizabeth II.

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

Cr Jason Shepherd declared a non-significant/non-pecuniary conflict of interest in Item 15.23 "Councils Operational Update – Planning and Environment Directorate Report as he is an employee of GHD who undertake work for Marulan Quarry. Cr Jason Shepherd will remain in the meeting while discussion on this item takes place.

Cr Jason Shepherd declared a significant/non-pecuniary conflict of interest in Item 15.24 "External Meeting Minutes" as he is an employee of GHD who undertake work for Marulan Quarry who are mentioned in this report. Cr Jason Shepherd 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 6 SEPTEMBER 2022

MOTION

Moved: Cr Steven Ruddell

Seconded: Cr Andy Wood

That the Council minutes from Tuesday 6 September 2022 and contained in Minutes Pages No 1 to 17 inclusive and in Minute Nos 2022/300 to 2022/319 inclusive be confirmed.

11 MATTERS ARISING

11.1 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

No motion was voted on.

11.2 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 6 SEPTEMBER 2022

Nil

12 NOTICE OF MOTION(S)

Nil

13 NOTICE OF RESCISSION(S)

Nil

14 REPORTS TO COUNCIL FOR DETERMINATION**15.1 PLANNING PROPOSAL- ZONING AND MINIMUM LOT SIZE AMENDMENT TO 515 CROOKWELL ROAD KINGSDALE****RESOLUTION 2022/323****Moved: Cr Bob Kirk****Seconded: Cr Carol James****That:**

- 1. The report from the Senior Strategic Planner regarding the proposed zoning and minimum lot size amendment to *Goulburn Mulwaree Local Environmental Plan 2009* be received.**
- 2. Council prepare a Planning Proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to rezone Lot 103 & (part) 104 DP 1007433 from C3 Environmental Management to R5 large lot residential and part C2 Environmental Conservation, and to amend the minimum lot size from 100 hectares to 2 hectares, with the C2 Environmental Conservation Zone area having no minimum lot size.**
- 3. The development proponent is required to submit to Council, the following additional information, prior to the Planning Proposal being submitted to the Department of Planning and Environment for a gateway determination:**
 - a. A Detailed Site Investigation (DSI) to further investigate the likelihood of contamination.**
 - b. Submit a revised Biodiversity Development Assessment Report that includes additional site considerations not accounted for in the submitted report. These include consideration of existing rocky outcrops, and the undertaking of survey work by a qualified and experienced ecologist during September – December to investigate the presence of endangered, threatened and vulnerable invertebrates. Council must be satisfied that every effort is taken for future development to avoid impacts to significant flora and fauna.**
- 4. The Planning Proposal is forwarded to the NSW Department of Planning and Environment for a gateway determination, with further community and government consultation will be undertaken in accordance with the directions of the gateway determination.**
- 5. Council requests the NSW Department of Planning and Environment that it be the delegated plan making authority for this Planning Proposal.**
- 6. Council prepares a Precinct specific Chapter to the Goulburn Mulwaree Development Control Plan 2009 for the Sooley Precinct and place it on public exhibition with the Planning Proposal for a minimum of 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 Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd and Peter Walker

Against: Cr Andy Wood

15.2 AMENDMENT TO APPROACH TO MINIMUM LOT SIZES ON C2 ENVIRONMENTAL CONSERVATION ZONED LAND IN THE BRISBANE GROVE AND MOUNTAIN ASH PRECINCTS

RESOLUTION 2022/324

Moved: Cr Michael Prevedello

Seconded: Cr Bob Kirk

That:

- 1. The report from the Senior Strategic Planner regarding the amendment to the minimum lot size for C2 Environmental Conservation Zoned land in the Brisbane Grove and Mountain Ash Precincts be received.**
- 2. Council resolve to amend the approach to minimum lot sizes on C2 Environmental Conservation zoned land to remove the minimum lot size in the Brisbane Grove and Mountain Ash Precincts for current and future planning proposals**

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 POST EXHIBITION REPORT - AMENDMENT TO LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2021

RESOLUTION 2022/325

Moved: Cr Michael Prevedello

Seconded: Cr Carol James

That:

1. The post exhibition report from the Business Manager Strategic Planning on a proposed amendment to the Local Infrastructure Contributions Plan 2021 in relation to the adjustment of contribution rates be received.
2. Council adopt the amended *Local Infrastructure Contributions Plan (LICP) 2021* to provide for quarterly Consumer Price Index (CPI) and Producer Price Index (PPI) updates.
3. Council amend the Council Fees and Charges to refer to the adopted Local Infrastructure Contributions Plan 2021 for contributions.
4. Council place a notice on its web site advising of the commencement of the amended Local Infrastructure Contributions Plan 2021.

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 MULTQUIP HAULAGE ROUTE REPAIRS - AUGUST STATUS UPDATE

RESOLUTION 2022/326

Moved: Cr Daniel Strickland

Seconded: Cr Carol James

That

1. The report from the Director of Operations on the Multiquip Haulage Route Repairs August 2022 status be received.
2. Council inform Multiquip of Council's its intention to investigate legal avenues to recover all outstanding monies as reported at the 17 May 2022 Council Meeting.
3. Council inform the Department of Planning and Environment that the current activities of the Ardmore Park Quarry have caused damage to the quarry haulage route and Modification 3 cannot be finalised until repair works are complete.

CARRIED

15.5 COUNCIL SUSTAINABILITY ACTIONS AND PROPOSED SUSTAINABILITY ADVISORY COMMITTEE**RESOLUTION 2022/327****Moved: Cr Jason Shepherd****Seconded: Cr Steven Ruddell****That**

- 1. The report from the Director Utilities on the Council Sustainability Actions and Proposed Sustainability Advisory Committee be received**
- 2. Council endorse the Terms of Reference for the Sustainability Advisory Committee.**
- 3. That Councillor Jason Shepherd be nominated as the Councillor representative on the Sustainability Advisory Committee and Councillor Carol James be nominated as the alternative representative.**
- 4. A report be prepared for the 18 October 2022 Council meeting to select the community representatives following the expression of interest process.**

CARRIED

15.6 2022/2023 LOCAL HERITAGE GRANT PROGRAM

RESOLUTION 2022/328

Moved: Cr Andy Wood

Seconded: Cr Steven Ruddell

That:

1. The report from the Landscape & Heritage Planner on the 2022/2023 Local Heritage Grant Program be received.
2. The following grant applicants be offered heritage funding in the amounts shown with conditions where relevant:

Application	Location	Grant to be offered	Condition
1/2022-2023	5 Kadwell Street	\$4,000	Galvanised roofing materials are to be used
2/2022-2023	101 Lagoon Street	\$5,000	The colour scheme is to be agreed with Council prior to commencement
3/2022-2023	92 Bradley Street (application has 94)	\$2,500	Agree colour scheme with Council The colour scheme is to be agreed with Council prior to commencement
4/2022-2023	Mortis St Cemetery	\$2,500	Grave conservation method to be agreed with Council prior to commencement
5/2022-2023	13 Grafton Street	\$1,650	Nil
6/2022-2023	32 Wayo Street	\$1,000	Nil
7/2022-2023	77 Bradley Street	\$2,500	The colour scheme is to be agreed with Council prior to commencement
8/2022-2023	147 Addison Street Trinity	\$5,000	Agree colour scheme with Council The colour scheme is to be agreed with Council prior to commencement
9/2022-2023	83 Kinghorne Street	\$3,730	Galvanised roofing materials are to be used
10/2022-2023	252 Cowper Street	\$2,500	The colour scheme is to be agreed with Council prior to commencement
11/2022-2023	14 Day Street	\$2,500	Nil

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

15.7 2022/2023 GOULBURN CENTRAL BUSINESS DISTRICT GRANTS

RESOLUTION 2022/329

Moved: Cr Carol James
Seconded: Cr Daniel Strickland

That:

1. The report from the Landscape & Heritage Planner on the 2022/2023 CBD Grants be received.
2. The following grant applications be offered funding in the amounts and conditions as shown:

Application	Location	Grant to be offered	Condition
1/2022-2023	78 Bradley Street	\$2,500	Details of fence to be agreed with Council prior to construction
2/2022-2023	35 Montague Street	\$10,000	Nil
3/2022-2023	11 Montague Street	\$5,000	Nil
4/2022-2023	115 Auburn Street	\$5,000	Nil
5/2022-2023	2 Montague Street	\$2,500	The profile of new gutter, down pipes etc. is to match existing

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

15.8 TENDER NO.2223T0003 - SUPPLY AND INSTALLATION OF TOILET AMENITIES IN GOULBURN**RESOLUTION 2022/330****Moved: Cr Michael Prevedello****Seconded:Cr Andy Wood**

- 1. That the report from Director Operations on 2223T0003 Supply and Installation of Toilet Amenities in Goulburn Tender Evaluation be received.**
- 2. Council accept the tender of Greenwich Build Pty Ltd as a preferred tenderer for the tender price of \$516,068.00 (Excl GST).**
- 3. The Chief Executive Officer is authorised to approve variations of up to five (5) percent for this Project \$25,803.40 (Excl GST).**
- 4. Council decline the tender submissions from:**
 - (a) ARW Multigroup Pty Ltd**
 - (b) Enviro Dome Pty Ltd**
 - (c) Landmark Products Pty Ltd**
 - (d) ASCO Group Pty Ltd**

CARRIED**15.9 2122T0013 LINE MARKING SERVICES PANEL****RESOLUTION 2022/331****Moved: Cr Bob Kirk****Seconded:Cr Jason Shepherd****That:**

- 1. The report of the Business Manager Works on the provision of Line Marking Services Tender Panel be received.**
- 2. Council accepts tender submissions from the following companies for the provision of line marking services on an as required basis for the period of three (3) years**
 - ACT Line Marking Pty Ltd**
 - Capital Lines and Signs Pty Ltd**
 - Complete Linemarking Services Pty Ltd**
- 3. Council delegate authority to the Chief Executive Officer to extend this contract by up to two (2) one (1) year extensions subject to satisfactory performance.**

CARRIED

15.10 ACCELERATED INFRASTRUCTURE FUND ROUND 3

RESOLUTION 2022/332

Moved: Cr Andy Wood

Seconded: Cr Steven Ruddell

That

- 1. The report from the Director Utilities on the Accelerated Infrastructure Fund Round 3 be received.**
- 2. Council endorse the application for stage 2 of the Goulburn Wastewater Treatment Plant for the Accelerated Infrastructure Fund Round 3 for approximately \$14,600,000 with 25% funding from sewer reserves.**

CARRIED

15.11 DRAFT PLAN OF MANAGEMENT - CARR CONFOY SPORTSGROUND & PARK**RESOLUTION 2022/333****Moved: Cr Bob Kirk****Seconded: Cr Jason Shepherd****That:**

- 1. The amended draft Plan of Management - Carr Confoy Sportsground & Park be received.**
- 2. Council endorses the re-categorisation of land at 22 Farm Road being Lot 1 DP737835 and Lots 2 & 3 DP979849 from Operational Land to Community Land and include that land in the draft Plan of Management - Carr Confoy Sportsground & Park.**
- 3. Council endorses the amended draft Plan of Management - Carr Confoy Sportsground & Park in accordance with Section 36 of the *Local Government Act 1993*.**
- 4. Council endorses this Community Land in the categories of Sportsground, Park, Natural Area – Water Course and Area of Cultural Significance in accordance with s36 (4) of the *Local Government Act 1993*.**
- 5. Council endorses the Native Title Managers Advice prepared by CGM Planning & Development Pty Ltd for the Crown Land component of the amended draft Plan of Management - Carr Confoy Sportsground & Park.**
- 6. Council submits the amended draft Plan of Management - Carr Confoy Sportsground & Park to DPE - Crown Lands for the Minister's consent in accordance with Division 3 of the *Crown Land Management Act 2016*, for endorsement to exhibit.**
- 7. Upon receipt of the Minister Administering the Crown Land Management Act's concurrence, this draft PoM be offered for community consultation by way of public notice, public exhibition, and circulation to the following organisations:**
 - Heritage NSW**
 - History Goulburn (Goulburn and District Historical and Genealogical Society, Inc)**
 - NSW Aboriginal Land Council**
 - Pejar Local Aboriginal Land Council and;**
 - Mulwaree Aboriginal Community Inc.**
- 8. A further report be submitted to Council following the compilation of written submissions and receipt of the Public Hearing Report.**

CARRIED

15.12 REQUEST FOR FINANCIAL ASSISTANCE - LIEDER THEATRE COMPANY**RESOLUTION 2022/334****Moved: Cr Andy Wood****Seconded: Cr Carol James****That:**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance – Lieder Theatre Company be received.**
- 2. Council approve a cash contribution of \$5,500 to the Lieder Theatre funded from the Financial Assistance budget.**

CARRIED**15.13 MONTHLY FINANCIAL REPORT****RESOLUTION 2022/335****Moved: Cr Steven Ruddell****Seconded: Cr Daniel Strickland****That the report by the Director Corporate & Community Services on the Monthly Financial Report be received.****CARRIED****15.14 STATEMENT OF INVESTMENTS & BANK BALANCES****RESOLUTION 2022/336****Moved: Cr Bob Kirk****Seconded: Cr Carol James****That the report by the Director Corporate & Community Services on the Statement of Investments and Bank Balances be received.****CARRIED****15.15 AUDIT RISK & IMPROVEMENT COMMITTEE NON-VOTING COUNCILLOR MEMBER****RESOLUTION 2022/337****Moved: Cr Carol James****Seconded: Cr Daniel Strickland****That**

- 1. The report of the Director Corporate & Community Services on the Audit Risk & Improvement Committee Non-Voting Councillor Member be received**
- 2. Cr Steven Ruddell be nominated as Councils non-voting Councillor member on the Joint Audit Risk & Improvement Committee**

CARRIED

15.16 COMMUNITY CENTRE WORKING PARTY TERMS OF REFERENCE

RESOLUTION 2022/338

Moved: Cr Daniel Strickland

Seconded: Cr Jason Shepherd

That

- 1. The report of the Director Corporate & Community Services be received**
- 2. Council endorse the Terms of Reference for the Community Centre Working Party**
- 3. Cr Peter Walker be nominated as the Councillor representative on the Community Centre Working Party, with Cr Carol James being the alternate representative.**
- 4. A report be presented to the Council meeting on 18 October to select the community representatives on the working party following the expression of interest process**

CARRIED

15.17 NATURAL DISASTER - ESSENTIAL PUBLIC ASSET RESTORATION PROJECT - AUGUST 2022 STATUS UPDATE

RESOLUTION 2022/339

Moved: Cr Bob Kirk

Seconded: Cr Carol James

That the report on the status of the Natural Disaster Essential Public Asset Restoration Project from the Natural Disaster Coordinator be received.

CARRIED

15.18 DESIGN, CONSTRUCTION AND UPGRADE OF AMENITIES AT SPORTING FACILITIES AUGUST 2022 STATUS REPORT

RESOLUTION 2022/340

Moved: Cr Daniel Strickland

Seconded: Cr Steven Ruddell

That the report from the Senior Project Manager – Operations, on the status of the Design, Construction and Upgrade of Amenities at Sporting Facilities August 2022 be received.

CARRIED

15.19 SCHOOL ZONE SAFETY INFRASTRUCTURE AUGUST 2022 STATUS REPORT

RESOLUTION 2022/341

Moved: Cr Andy Wood

Seconded: Cr Michael Prevedello

That the status report from the Project Engineer - Operations on the School Zone Safety Infrastructure Project for August 2022 be received.

CARRIED

15.20 GROWING LOCAL ECONOMIES COMMON STREET AUGUST 2022 STATUS REPORT

RESOLUTION 2022/342

**Moved: Cr Jason Shepherd
Seconded: Cr Michael Prevedello**

That the report from the Project Engineer – Operations on the Growing Local Economies Common Street Project August 2022 status be received.

CARRIED

15.21 WINDELLAMA ROAD FIXING LOCAL ROADS PROJECT AUGUST 2022 STATUS REPORT

RESOLUTION 2022/343

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

That the report from the Business Manager of Works on the Windellama Road Fixing Local Roads Project status update be received

CARRIED

15.22 MOUNTAIN ASH ROAD FIXING LOCAL ROADS PROJECT AUGUST 2022 STATUS REPORT

RESOLUTION 2022/344

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

That the report from the Business Manager of Works on the Mountain Ash Road Fixing Local Roads Project status updated be received.

CARRIED

15.23 COUNCIL'S OPERATIONAL UPDATE - AUGUST 2022

RESOLUTION 2022/345

**Moved: Cr Bob Kirk
Seconded: Cr Michael Prevedello**

That the report from the Chief Executive Officer on the Council's Operational Update for August 2022 be received and noted.

CARRIED

15.24 EXTERNAL MEETING MINTUES

Cr Jason Shepherd declared an interest in this item and took no part in the discussions and voting on the matter. At 7:27 pm, Cr Jason Shepherd left the meeting.

RESOLUTION 2022/346

Moved: Cr Andy Wood

Seconded:Cr Bob Kirk

That the report from the Chief Executive Officer on the following External Meeting minutes be received:

- 1. Marulan Quarry Community Consultative Committee Meeting 19 May 2022**
- 2. Goulburn Liquor Accord Meeting Minutes 3 August 2022**

CARRIED

At 7:29 pm, Cr Jason Shepherd returned to the meeting.

15.25 ESTABLISHMENT OF A CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PANEL**RESOLUTION 2022/347**

Moved: Cr Andy Wood
Seconded: Cr Steven Ruddell

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:30pm.

CARRIED

RESOLUTION 2022/348

Moved: Cr Andy Wood
Seconded: Cr Steven Ruddell

That Council move back into Open Council.

Council moved back into Open Council at 7.35pm.

CARRIED

RESOLUTION 2022/349

Moved: Cr Jason Shepherd
Seconded: Cr Steven Ruddell

That

1. The report from the Chief Executive Officer on the Establishment of a Chief Executive Officer Performance Review Panel be received.
2. Pursuant to Section 223(i) of the *Local Government Act 1993* the Council establishes a Committee to be known as the Chief Executive Officer's Performance Review Panel.
3. Full responsibility for performance management be delegated to the Chief Executive Officer's Performance Review Panel.
4. The Performance Review Panel should comprise of
 - (a) The Mayor
 - (b) The Deputy Mayor
 - (c) Another Councillor nominated by Council being Cr Jason Shepherd
 - (d) A Councillor nominated by the Chief Executive Officer being Cr Daniel Strickland
5. Council does not appoint an independent observer on the Chief Executive Officer's Performance Review Panel at this time.

CARRIED

15 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.

Before the meeting concluded Council acknowledged and thanked Director of Operations Matt O'Rourke for his 8 years of service at Goulburn Mulwaree Council following his notice of resignation.

16 CONCLUSION OF THE MEETING

The Meeting closed at 7.45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 4 October 2022.

.....
Cr Peter Walker
Mayor

.....
Aaron Johansson
Chief Executive Officer