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MINUTES

Ordinary Council Meeting

5 April 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, 5 APRIL 2022 AT 6PM**

PRESENT: Mayor Peter Walker, Cr Andrew Banfield, Cr Carol James, Cr Bob Kirk, Cr Michael Prevedello, Cr Steven Ruddell & Cr Andy Wood

PRESENT VIA ZOOM:

Cr Daniel Strickland & Cr Jason Shepherd

IN ATTENDANCE: Brendan Hollands (Acting General Manager), Marina Hollands (Director Utilities), Kate Wooll (Acting Director Planning & Environment, Matt O'Rourke (Director Operations) left the meeting at 6.15pm, Ken Wheeldon (Acting Director Corporate and Community Services) arrived at the meeting at 6.05pm and left the meeting at 7.05pm & 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 declaration was read by Cr Carol James.

4 APOLOGIES

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

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

James Fitch addressed Council in relation to Item 15.1 Expedited LEP Map Amendment - Part 20-24 Lockyer Street, Goulburn.

10 CONFIRMATION OF MINUTES**10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15 MARCH 2022****RESOLUTION 2022/84**

Moved: Cr Steven Ruddell
Seconded: Cr Andy Wood

That the Council minutes from Tuesday 15 March 2022 and contained in Minutes Pages No 1 to 25 inclusive and in Minute Nos 2022/42 to 2022/83 inclusive be confirmed.

CARRIED**11 MATTERS ARISING****11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 15 MARCH 2022**

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS**RESOLUTION 2022/85**

Moved: Cr Bob Kirk
Seconded: Cr Andy Wood

That Council notes the Task List and authorises the deletion of completed tasks with the exception of the Waste to Energy item that will remain on the task list.

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 MOVING ITEM 15.6 TO AHEAD OF ITEM 15.1

RESOLUTION 2022/86

Moved: Cr Bob Kirk

Seconded: Cr Carol James

That Item 15.6 Multiquip Haulage Route Repairs March Status report be dealt with prior to Item 15.1.

CARRIED

15.6 MULTIQUIP HAULAGE ROUTE REPAIRS - MARCH STATUS UPDATE

RESOLUTION 2022/87

Moved: Cr Andrew Banfield

Seconded: Cr Steven Ruddell

That:

- 1. The report from the Director of Operations on the Multiquip Haulage Route Repairs March Status be received.**
- 2. Council engage Roadworx Surfacing Pty Ltd directly from the pavement stabilisation panel (VP271768) for haulage route repair works.**
- 3. Council initiate steps with Multiquip to formalise repayment of the outstanding debt and haulage route pavement repair costs. A further report will be provided to Council in Closed Session on repayment options.**

CARRIED

15.1 EXPEDITED LEP MAP AMENDMENT - PART 20-24 LOCKYER STREET, GOULBURN

RESOLUTION 2022/88

Moved: Cr Bob Kirk

Seconded: Cr Andrew Banfield

That:

1. The report from the Senior Strategic Planner on a zoning and minimum lot size anomaly affecting part of 20-24 Lockyer Street, Goulburn be received.
2. Council request that the Department of Planning and Environment remove the minimum lot size on part of Lot 2, DP 1238214 (west of Lockyer Street) and to rezone that portion from part IN1 General Industrial and part RU2 Rural Landscape to IN1 General Industrial under the *Goulburn Mulwaree (GM) Local Environmental Plan (LEP) 2009* in accordance with s3.22 of the *Environmental Planning and Assessment Act 1979* for expedited amendments of a minor nature.

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, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.2 OPTIONAL AGRITOURISM CLAUSE FOR GOULBURN MULWAREE LEP 2009

RESOLUTION 2022/89

Moved: Cr Jason Shepherd

Seconded: Cr Andy Wood

That:

1. The report by the Business Manager Strategic Planning in relation to an optional clause for *Goulburn Mulwaree Local Environmental Plan 2009* addressing agritourism considerations be received.
2. Council request that the NSW Department of Planning and Environment include the optional clause 5.23 and 5.24 within *Goulburn Mulwaree Local Environmental Plan 2009* without an additional objective for either clause. The following numeric standards are proposed for each clause:

Clause 5.23 Development standard	NSW DPE Standard Instrument Numeric range	Recommendation
Clause 5.23(2) (b) The gross floor area of a building used to accommodate guests will	Number no less than 60m ²	75m ²

not be more than...		
Clause 5.23(2) (c) The maximum number of guests will not be more than...	Insert number no more than 20	14
Clause 5.23(2) (d) The maximum number of moveable dwellings used for the accommodation of guests will not be more than...at any one time.	Insert number no more than 6	4

Clause 5.24 Development standard	NSW DPE Standard Instrument Numeric Range	Recommendation
Clause 5.24 (2)(a) The gross floor area of a building used for farm gate premises not be more than...	Number no less than 200m2	200
Clause 5.24 (2)(b) The maximum number of persons that will be permitted on the landholding at any one time for the purposes of the farm gate premises will not be more than...	Insert number no more than 50	50

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, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.3 NSW DPE EMPLOYMENT ZONES REFORM - DRAFT ZONE TRANSLATION FOR ENDORSEMENT

RESOLUTION 2022/90

Moved: Cr Andy Wood
Seconded: Cr Andrew Banfield

That:

1. The Business Manager Strategic Planning's report on the NSW Department of Planning, Industry and Environment's "Employment Zones Reforms" be received.
2. The proposed changes to *Goulburn Mulwaree Local Environmental Plan 2009* resulting from the NSW Department of Planning and Environment's "Employment Zones Reforms" are endorsed subject to the following:
 - a) Deletion of the additional local objective from the MU1 Mixed Use Zone: "*To ensure residential development maintains the scale, character and the heritage values of the Goulburn CBD*".
 - b) Inclusion of *Pond based aquaculture* as a prohibited use in the E1 Local Centre Zone and MU1 Mixed Use Zone.
 - c) Retention of "residential accommodation" as a prohibited use in the E4 General Industrial Zone but removal of the child definitions from the prohibited list (i.e removal of *Dwelling houses* and *Shop-top housing*).

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, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.4 ADDITIONAL SPECIAL VARIATION

RESOLUTION 2022/91

Moved: Cr Peter Walker
Seconded: Cr Carol James

That

1. The report from the Acting General Manager on the Additional Special Variation be received.
2. Council makes an immediate application under the Additional Special Variation (ASV) one-off process for the 2022-23 financial year to ensure the percentage increase in rating revenue is 2.5%, applied permanently to the rate base as specified in the modelling and adopted in the 2021/22 Operational Plan.

CARRIED

15.5 LOAN AGREEMENT - 2021-2022 LOAN PROGRAM

RESOLUTION 2022/92

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

That

- 1. The report from the Director Corporate & Community Services on the Loan Agreement – 2021-2022 Loan Program be received**
- 2. Council approve the execution of the Loan Agreement with TCorp to borrow \$8,280,000 over a 15 year term**
- 3. All necessary documentation in relation to the agreement by signed by the Mayor and Acting General Manager under the Seal of Council**

CARRIED

15.7 SUSTAINABILITY WORKING PARTY MINUTES - 16 MARCH 2022

RESOLUTION 2022/93

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

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

CARRIED

15.8 GOULBURN MULWAREE AWARD WORKING PARTY MINUTES - 28 MARCH 2022

RESOLUTION 2022/94

**Moved: Cr Bob Kirk
Seconded: Cr Steven Ruddell**

That the report from the General Manager in relation to the Goulburn Mulwaree Award Working Party Meeting Minutes held on the 28 March 2022 be received.

CARRIED

15.9 EXTERNAL MEETING MINUTES

RESOLUTION 2022/95

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

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

- 1. Country Mayors Association Meeting & Annual General Meeting held on 11 March 2022**
- 2. Ardmore Park Community Consultative Committee held on the 18 March 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 7.05pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 April 2022.

.....
Cr Peter Walker
Mayor

.....
Brendan Hollands
Acting General Manager