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MINUTES

Ordinary Council Meeting

17 May 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, 17 MAY 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 Andy Wood.

IN ATTENDANCE: Acting General Manager Matt O'Rourke, Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Adam Kiss (Acting Director Operations) & Amy Croker (Office Manager).

1 OPENING MEETING

Mayor Peter Walker opened the meeting at 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

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

RESOLUTION 2022/153

Moved: Cr Carol James
Seconded: Cr Andrew Banfield

That Item 15.4 Code of Meeting Practice be withdrawn from the Business Paper. The reason for this withdrawal is to correct a misinterpretation by staff in relation to Clause 14.13 and to further discuss with Councillors their ability to accept/delete/modify optional clauses.

CARRIED

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.

Cr Jason Shepherd declared a non-pecuniary/non-significant conflict of interest in Item 15.25 "Planning & Environment Directorate Report April 2022" as he is an employee of GHD who undertake work for Marulan Quarry who are mentioned in this report. Cr Jason Shepherd will remain in the meeting while discussions take place as the matter is for noting only.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Nil

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 3 MAY 2022

RESOLUTION 2022/154

Moved: Cr Andy Wood

Seconded: Cr Steven Ruddell

That the Council minutes from Tuesday 3 May 2022 and contained in Minutes Pages No 1 to 14 inclusive and in Minute Nos 2022/134 to 2022/152 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 3 MAY 2022

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2022/155

Moved: Cr Steven Ruddell

Seconded: Cr Jason Shepherd

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 TENDER NO. 2122T0007 - DESIGN, CONSTRUCTION AND UPGRADE OF AMENITIES AT SPORTING FACILITIES

RESOLUTION 2022/156

Moved: Cr Bob Kirk

Seconded: Cr Jason Shepherd

That

- 1. The report from the Projects Manager on 2122T0007 Design, Construction and Upgrade of Amenities at Sporting Facilities Tender Evaluation be received.**
- 2. Council accept the tender to ARW Multigroup Pty Ltd as a preferred tenderer for the tender price of \$3,028,359.35 (excl GST)**
- 3. The General Manager is authorised to approve variations of up to ten (10) percent for this project (\$302,836).**
- 4. Council decline the tender submissions from:**
 - (a) Cercul Construction Services Pty Ltd**
 - (b) CRL Projects Pty Ltd**
 - (c) Momentum Built Pty Ltd**
 - (d) Tallai Project Group Pty Ltd**
- 5. Unexpended funds from the 2021/22 budget allocation be carried forward to 2022/23**
- 6. Council approve the allocation of an additional \$832,828 (excl GST) from the General unrestricted cash reserve to deliver the project. Any savings identified throughout the delivery of the project will be returned to the General unrestricted cash reserve**

CARRIED

15.2 CAPITAL WORKS - WATER INFRASTRUCTURE CONTRACT EXTENSION

RESOLUTION 2022/157

Moved: Cr Carol James

Seconded: Cr Andy Wood

That

- 1. The report regarding the Capital Works – Water Infrastructure contract 1920T0001 from the Business Manager Infrastructure be received.**
- 2. The contract with Killard Infrastructure Pty Ltd be extended for an additional two years as per Contract 1920T0001 for Capital Works – Water Infrastructure in accordance with the schedule of rates submitted subject to annual CPI adjustment.**

CARRIED

15.3 RED HILLS ROAD LOAD LIMIT**RESOLUTION 2022/158****Moved: Cr Michael Prevedello****Seconded: Cr Andy Wood****That:**

- 1. The report from the Road Safety and Traffic Officer on Red Hills Road Load Limit be received.**
- 2. Council impose a 5 tonne load limit on Red Hills Road North.**
- 3. Residents of Red Hills Road North and school buses be exempt from the 5 tonne load limit.**
- 4. Council initiates periodic load monitoring on Red Hills Road North following imposition of the load limit to verify compliance with the load limit.**

CARRIED**15.4 CODE OF MEETING PRACTICE**

This item was withdrawn from the Business Paper.

15.5 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ADVOCACY - 'DON'T LEAVE LOCAL COMMUNITIES BEHIND'**RESOLUTION 2022/159****Moved: Cr Bob Kirk****Seconded: Cr Jason Shepherd****That:**

- 1. The report from the Acting General Manager on Australian Local Government Association Advocacy - 'Don't leave local communities behind' be received.**
- 2. Council supports the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs; and**
- 3. Council agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member(s) of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:**
 - a. express support for ALGA's funding priorities;**
 - b. identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and**
 - c. seek funding commitments from the members, candidates and their parties**

for these identified local projects and programs.

CARRIED

15.6 LOCAL GOVERNMENT NSW (LGNSW) 2022 ANNUAL CONFERENCE

RESOLUTION 2022/160

Moved: Cr Bob Kirk

Seconded: Cr Steven Ruddell

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 6:23 pm.

CARRIED

RESOLUTION 2022/161

Moved: Cr Steven Ruddell

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 6:37 pm.

CARRIED

RESOLUTION 2022/162

Moved: Cr Andrew Banfield

Seconded: Cr Daniel Strickland

That

- 1. The report of the Acting General Manager on the Local Government NSW (LGNSW) Annual Conference be received**
- 2. Council nominates the following three voting delegates and the Chief Executive Officer to attend the 2022 Annual Conference of LGNSW in the Hunter Valley:**
 - The Mayor**
 - Cr Steve Ruddell**
 - Cr Bob Kirk**
- 3. Councillors discuss potential motions for the Local Government NSW Conference at a future Councillor Briefing.**

CARRIED

15.7 REQUEST FOR FINANCIAL ASSISTANCE - ST VINCENT DE PAUL GOULBURN**RESOLUTION 2022/163****Moved: Cr Andrew Banfield****Seconded: Cr Steven Ruddell****That**

- 1. The report from the Acting Director of Corporate & Community Services on a Request for Financial Assistance from St Vincent de Paul Goulburn be received.**
- 2. Council provide support to St Vincent de Paul Goulburn in the form of a cash donation for \$3,500 to be funded from the Financial Assistance budget.**

CARRIED**15.8 COUNCILLOR REMUNERATION 2022/2023 AND SUPERANNUATION PAYMENTS****RESOLUTION 2022/164****Moved: Cr Andrew Banfield****Seconded: Cr Daniel Strickland****That**

- 1. The report from the Acting General Manager on Councillor Remuneration 2022/2023 and Superannuation Payments be received.**
- 2. The annual Councillor and Mayoral fee be increased to \$21,100 and \$46,040 (respectively) effective from 1 July 2022 in accordance with the Local Government Remuneration Tribunal Annual Report and Determination of 20 April 2022.**
- 3. Council elects to make superannuation contribution payments for the Councillors in accordance with s254B of the *Local Government Act* 1993.**

CARRIED

15.9 ADDITIONAL SPECIAL VARIATION**RESOLUTION 2022/165****Moved: Cr Andy Wood****Seconded: Cr Michael Prevedello****That**

- 1. The report of the Director Corporate & Community Services 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%,**
- 3. The application be for a permanent special variation under section 508(2) of the Act**
- 4. Council note that the additional income it will receive if the special variation application is approved will be approximately \$320,000 (based on current 2021/22 actual results)**
- 5. The special variation is required for the following reasons:**
 - To maintain its rating revenue based on Councils current Long Term Financial Plan and the four-year budget as contained within its adopted 2021-22 Operational Plan**
 - To ensure income keeps pace with increases in costs including construction costs, technology supplier costs (including cyber-security) and insurances**
- 6. Council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved, and considers that it is reasonable.**

CARRIED**15.10 STATEMENT OF INVESTMENTS & BANK BALANCES****RESOLUTION 2022/166****Moved: Cr Bob Kirk****Seconded: Cr Steven Ruddell****That the report by the Director Corporate & Community Services on the Statement of Investments and Bank Balances be received.****CARRIED****15.11 MONTHLY FINANCIAL REPORT****RESOLUTION 2022/167****Moved: Cr Steven Ruddell****Seconded: Cr Michael Prevedello****That the report by the Director Corporate & Community Services on the Monthly Financial Report be received and noted for information.****CARRIED**

15.12 QUARTERLY BUDGET REVIEW

RESOLUTION 2022/168

**Moved: Cr Carol James
Seconded: Cr Daniel Strickland**

That:

- 1. The report of the Director Corporate & Community Services on the March 2022 Quarterly Budget Review be noted.**
- 2. The budget variations contained within the December 2022 Quarterly Review be approved.**

CARRIED

15.13 TOWRANG ROAD BRIDGE REPLACEMENT APRIL 2022 STATUS REPORT

RESOLUTION 2022/169

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

That the report from the Project Engineer – Operations on the Towrang Road Bridge Replacement April 2022 Status be received.

CARRIED

15.14 RUG - REUSE GOULBURN - APRIL 2022 STATUS REPORT

RESOLUTION 2022/170

**Moved: Cr Andrew Banfield
Seconded: Cr Steven Ruddell**

That the report from the Business Manager Infrastructure on the RUG Goulburn status update be received.

CARRIED

15.15 REUSE SCHEME GOULBURN - APRIL 2022 STATUS REPORT

RESOLUTION 2022/171

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

That the report from the Business Manager Infrastructure on the Goulburn Reuse Scheme status update be received.

CARRIED

15.16 NATURAL DISASTER ESSENTIAL PUBLIS ASSET RESTORATION PROJECT APRIL 2022 STATUS UPDATE

RESOLUTION 2022/172

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

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

CARRIED

15.17 MOUNTAIN ASH ROAD FIXING LOCAL ROADS PROJECT APRIL 2022 STATUS REPORT

RESOLUTION 2022/173

**Moved: Cr Daniel Strickland
Seconded:Cr Andy Wood**

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

CARRIED

15.18 WINDELLAMA ROAD FIXING LOCAL ROADS PROJECT APRIL 2022 STATUS REPORT

RESOLUTION 2022/174

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

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

CARRIED

15.19 SCHOOL ZONE SAFETY INFRASTRUCTURE APRIL 2022 STATUS UPDATE

RESOLUTION 2022/175

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

That the April 2022 status report on the School Zone Safety Infrastructure Project from the Project Manager Grants be received.

CARRIED

15.20 GROWING LOCAL ECONOMIES COMMON STREET APRIL 2022 STATUS REPORT

RESOLUTION 2022/176

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

That the report from the Project Manager - Grants on the status of the Growing Local Economies Common Street project be received.

CARRIED

15.21 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION APRIL 2022 STATUS REPORT

RESOLUTION 2022/177

**Moved: Cr Carol James
Seconded: Cr Daniel Strickland**

That the report from the Director of Operations on the status of the Goulburn Aquatic Centre Redevelopment Stage 1 construction works be received

CARRIED

15.22 OPERATIONS DIRECTORATE REPORT APRIL 2022

RESOLUTION 2022/178

**Moved: Cr Michael Prevedello
Seconded: Cr Andy Wood**

That the activities report from April 2022 by the Director of Operations be received and noted for information.

CARRIED

15.23 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT APRIL 2022

RESOLUTION 2022/179

**Moved: Cr Daniel Strickland
Seconded: Cr Bob Kirk**

That the activities report by the Director Corporate & Community Services be received and noted for information.

CARRIED

15.24 UTILITIES DIRECTORATE REPORT - APRIL 2022

RESOLUTION 2022/180

Moved: Cr Steven Ruddell

Seconded: Cr Carol James

That the report from the Director Utilities be received and noted for information.

CARRIED

15.25 PLANNING & ENVIRONMENT DIRECTORATE REPORT - APRIL 2022

RESOLUTION 2022/181

Moved: Cr Daniel Strickland

Seconded: Cr Andy Wood

That the report from the Director Planning & Environment be received and noted for information.

CARRIED

15.26 FLOODPLAIN RISK MANAGEMENT WORKING PARTY DISCUSSION ITEMS & ACTION LIST - 27 APRIL 2022

RESOLUTION 2022/182

Moved: Cr Jason Shepherd

Seconded: Cr Bob Kirk

That the report from Business Manager Strategic Planning in relation to the Floodplain Risk Management Working Party Discussion Items and Action List from 27 April 2022 be received.

CARRIED

15.27 EXTERNAL MEETING MINUTES

RESOLUTION 2022/183

Moved: Cr Carol James

Seconded: Cr Steven Ruddell

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

- 1. Regional Cities NSW Meeting Minutes - 24 March 2022**
- 2. Holcim Lynwood Quarry Community Consultative Committee – 8 April 2022**

CARRIED

15.28 GOULBURN MULWAREE YOUTH COUNCIL MEETING NOTES - 29 APRIL 2022**RESOLUTION 2022/184****Moved: Cr Carol James****Seconded: Cr Daniel Strickland**

That the report from Cr Carol James in relation to the Goulburn Mulwaree Youth Council Meeting Notes held on the 29th April 2022

CARRIED**16 CLOSED SESSION**

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

RESOLUTION 2022/185**Moved: Cr Bob Kirk****Seconded: Cr Carol James**

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 Multiquip Haulage Route Repairs - April Status Update

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.

CARRIED

Council resolved into Closed Session at 7.33pm.

Council resolved into Open Council at 7.48pm.

RESOLUTION 2022/186**Moved: Cr Carol James****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 MULTIQUIP HAULAGE ROUTE REPAIRS - APRIL STATUS UPDATE

RESOLUTION 2022/187

Moved: Cr Bob Kirk

Seconded:Cr Carol James

That the report from the Director of Operations on the Multiquip Haulage Route Repairs April 2022 status be received.

CARRIED

17 CONCLUSION OF THE MEETING

The Meeting closed at 7.50pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 7 June 2022.

.....
Cr Peter Walker
Mayor

.....
Matt O'Rourke
Acting General Manager