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MINUTES

Ordinary Council Meeting

6 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, 6 SEPTEMBER 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, Mayor 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), Amy Croker (Office Manager to Mayor and Chief Executive Officer – left the meeting at 6.52pm) & 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 Daniel Strickland.

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 declared a pecuniary conflict of interest in Item 15.4 "2122T0014 Haulage of Bulk Materials Tender Panel" and Item 15.5 'VP271768 Stabilisation Package RFQ' as his brother-in-law is a director of Denrith Pty Ltd (Divalls) which is one of the companies who have submitted a tender/quote. Cr Andrew Banfield is also an employee of the Denrith group of companies. Cr Andrew Banfield will leave the meeting while discussions and voting on this item takes place.

Cr Daniel Strickland declared a non-pecuniary/non-significant conflict of interest in Item 15.9 "Requests for Financial Assistance - Goulburn Lilac City Festival Inc." as he was on the Goulburn Lilac City Festival Inc committee as the Vice President for 2-3years and resigned from said position early 2022. Cr Strickland will be the MC for the official opening and other events through the festival (in a voluntary capacity). Cr Strickland also assists in the administration of the social media Facebook page for the festival. As the disclosure was not of a significant nature Cr Daniel Strickland remained in the meeting while discussion and voting took place.

Cr Carol James declared a non-pecuniary/significant conflict of interest in Item 15.9 "Requests for Financial Assistance - Goulburn Lilac City Festival Inc" as she is the President of the Goulburn Lilac City Festival Inc. Cr Carol James will leave the meeting while discussion and voting on this item takes place.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

ANDREW POCOCK SPEAKING ON BEHALF OF EBRENTIA & CHRISTO BRITS ADDRESSED COUNCIL REGARDING ITEM 15.2 SUPPLEMENTARY REPORT - REVIEW OF DA/0632/2021 (REV/0005/2122) - CONSTRUCTION OF A LARGE SHED, CROOKWELL ROAD, KINGSDALE

NEIL PENNING ADDRESSED COUNCIL ON BEHALF OF THE 'FRIENDS OF THE GOULBURN CROOKWELL RAIL TRAIL' REGARDING ITEM 15.3 GOULBURN RAIL TRAIL STEERING COMMITTEE.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 16 AUGUST 2022

RESOLUTION 2022/300

Moved: Cr Carol James

Seconded: Cr Andrew Banfield

That the Council minutes from Tuesday 16 August 2022 and contained in Minutes Pages No 1 to 21 inclusive and in Minute Nos 2022/266 to 2022/299 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 16 AUGUST 2022

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2022/301

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 ELECTION OF DEPUTY MAYOR****RESOLUTION 2022/302****Moved: Cr Andy Wood****Seconded: Cr Jason Shepherd****That**

- 1. The report of the Chief Executive Officer on the election of the Deputy Mayor be received.**
- 2. Council elects a Deputy Mayor from 6 September 2022 until September 2023**
- 3. Following the close of nominations for the position of Deputy Mayor the method of electing the Deputy Mayor be determined by Ordinary Ballot in accordance with Schedule 7 Local Government (General) Regulation 2005 if there is more than one nomination.**

CARRIED

The Chief Executive Officer as Returning Officer called for nominations for the position of Deputy Mayor for the Goulburn Mulwaree Council for the period 6 September 2022 to 5 September 2023.

There were two (2) nominations for Deputy Mayor.

- Cr Steven Ruddell
- Cr Daniel Strickland

The Chief Executive Officer closed nominations.

Both Cr Steven Ruddell & Cr Daniel Strickland addressed the Council.

The Chief Executive Officer then conducted the election by Ordinary Ballot.

Council took a recess at 6.46pm for returning officer to count the votes.

Council resumed into open Council at 6.48pm

Following the voting the Chief Executive Officer, as Returning Officer declared Cr Steven Ruddell as Deputy Mayor for the period 6 September 2022 to 5 September 2023.

RESOLUTION 2022/303**Moved: Cr Andrew Banfield****Seconded: Cr Andy Wood****That the Deputy Mayor Election Ballot Papers be destroyed.****CARRIED**

Council took a 5 minute recess at 6.49pm for a media opportunity following the Deputy Mayor election.

Council resumed into open Council at 6.52pm

15.2 SUPPLEMENTARY REPORT - REVIEW OF DA/0632/2021 (REV/0005/2122) - CONSTRUCTION OF A LARGE SHED, CROOKWELL ROAD, KINGSDALE**RESOLUTION 2022/304****Moved: Cr Andrew Banfield****Seconded: Cr Carol James****That:**

- 1. The staff assessment report for development application REV/0005/2122 for the proposed construction of a large shed be received.**
- 2. The decision to refuse Development Application DA/0632/2021 on 16 September 2021 for the use of an unauthorised farm building located at Lot 2 DP 862628, Crookwell Road Kingsdale be upheld for the following reasons:**
 - a. Council cannot grant retrospective consent for the construction of a building.**
 - b. The proposal does not satisfy Part 1 Section 1.3(g) of the Environment Planning and Assessment Act 1979 as it does not protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.**
 - c. The proposal does not satisfy Part 1 Section 1.2(e) of the Goulburn Mulwaree Local Environmental Plan 2009 "GM LEP 2009" as it does not protect and conserve the environmental and cultural heritage of Goulburn Mulwaree.**
 - d. The proposal does not meet the objectives of the zone under GM LEP 2009 as the development does not protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.**
 - e. The proposal does not satisfy the Water Management Act 2000 as a Controlled Activity has been undertaken without approval.**
 - f. The land is mapped as high bio-diversity values on the Biodiversity Values Map and a Biodiversity Development Assessment Report (BDAR) has not accompanied the Development Application.**
- 3. Council invite the applicant to participate in a pre-lodgement meeting in order to identify opportunities available for regularising the structure.**

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 GOULBURN RAIL TRAIL STEERING COMMITTEE**RESOLUTION 2022/305****Moved: Cr Andy Wood****Seconded: Cr Jason Shepherd****That:**

- 1. The report from the Chief Executive Officer on the Goulburn Rail Trail Steering Committee be received and endorsed.**
- 2. The draft Goulburn Rail Trail Steering Committee - Terms of Reference be endorsed.**
- 3. The following expression of interest to be on the Goulburn Rail Trail Steering Committee be accepted:**
 - i. Adrian Beresford-Wylie**
 - ii. Alan Collins**
 - iii. Andrew Collins**
 - iv. Bradley Nichol**
 - v. Darren Plumb**
 - vi. Wendy Nichol**

CARRIED**15.4 2122T0014 HAULAGE OF BULK MATERIALS TENDER PANEL**

Cr Andrew Banfield declared an interest in this item and Item 15.5 and took no part in the discussion or voting on these item. At 7.09pm, Cr Andrew Banfield left the meeting.

RESOLUTION 2022/306**Moved: Cr Bob Kirk****Seconded: Cr Daniel Strickland****That:**

- 1. The report of the Business Manager Works on the provision of Haulage of Bulk Materials Tender Panel be received.**
- 2. Council accept Tender submissions from the following companies for the provision of haulage of bulk materials on an as required basis for the period of four (4) years**
 - Denrith Pty Ltd**
 - JCF Demolition & Earthmoving Pty Ltd**
 - JLN Contractors Pty Ltd**
 - Form and Pour Construction**
- 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

15.5 VP271768 STABILISATION PACKAGE RFQ**RESOLUTION 2022/307****Moved: Cr Carol James****Seconded: Cr Michael Prevedello****That**

- 1. The report from the Business Manager of Works on the Pavement Stabilisation of Gurrundah and Pomeroy Roads be received.**
- 2. Council approve Denrith Pty Ltd to deliver the works on Gurrundah Road and Pomeroy Road in accordance with VP271768 for a price of \$691,182.94 (excl. GST)**
- 3. The Chief Executive Officer is authorised to approve Variations up to five (5) percent of the contact amount being (\$34,559.14 excl. GST)**

CARRIED

At 7.10pm, Cr Andrew Banfield returned to the meeting.

15.6 TRANSPORTATION ASSET MANAGEMENT OVERVIEW**RESOLUTION 2022/308****Moved: Cr Bob Kirk****Seconded: Cr Jason Shepherd****That:**

- 1. The report from the Director of Operations on Transportation Asset Management Overview be received.**
- 2. Staff carry out an updated condition assessment of the road network to determine current condition scores with findings presented to Council in a future report.**
- 3. The annual budget preparation process for the transportation and stormwater asset group allocates funding to align with annual depreciation of the asset group.**
- 4. Council consider the Funding Principles outlined in this report during development of transportation asset renewal and upgrade programs for Operational and Delivery Plans over the next two years.**

CARRIED

15.7 STRONGER COUNTRY COMMUNITIES FUND ROUND 5**RESOLUTION 2022/309****Moved: Cr Daniel Strickland****Seconded:Cr Andy Wood****That**

- 1. The report of the Senior Grants Officer and Director Corporate & Community Services on the Stronger Country Communities Fund – Round 5 be received**
- 2. Council endorse the application for new lighting of the Netball Courts at Carr Confoy for the Stronger Country Communities Fund – Round 5, for approximately \$350,000.**
- 3. Council endorse the application for new lighting/drainage of the Soccer Fields at Marulan for the Stronger Country Communities Fund – Round 5, for approximately \$350,000.**
- 4. Council endorse the application for new amenities and greenspace infrastructure for Riverside Park for the Stronger Country Communities Fund – Round 5, for approximately \$200,000.**
- 5. Council endorse the application for new play equipment and park infrastructure for Bladwell Park/other parks as determined by the Business Manager Community Facilities for the Stronger Country Communities Fund – Round 5, for approximately \$300,000.**

CARRIED**15.8 REQUEST FOR FINANCIAL ASSISTANCE - RSL SUB-BRANCH GOULBURN****RESOLUTION 2022/310****Moved: Cr Steven Ruddell****Seconded:Cr Bob Kirk****That**

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance –RSL Sub-Branch Goulburn be received.**
- 2. Council provide a \$4,950 cash contribution to the RSL Sub-Branch Goulburn to cover the cost of hiring a public address system for its ANZAC Day Service to be funded from the Financial Assistance budget.**

CARRIED

15.9 REQUESTS FOR FINANCIAL ASSISTANCE - GOULBURN LILAC CITY FESTIVAL INC.

Cr Carol James declared an interest in this item and took no part in the discussion or voting on the matter. At 7.21 pm, Cr Carol James left the meeting.

RESOLUTION 2022/311

Moved: Cr Jason Shepherd

Seconded: Cr Andrew Banfield

That

1. The report of the Director of Corporate & Community Services on the Request for Financial Assistance be received.
2. Council provide the following support to the value of \$1,216.78 for the Goulburn Lilac City Festival Inc. to be funded from the Financial Assistance budget:
 - Provision of electricity \$ 540.00
 - MFC Stage Hire \$ 333.00
 - Other expenses - shortfall from CEF Funding \$ 343.78
3. Goulburn Lilac City Festival Incorporated be invited to provide full details and financial statements if further assistance is to be considered by Council.

CARRIED

At 7.28pm, Cr Carol James returned to the meeting.

15.10 PLANNING & ENVIRONMENT POLICY REVIEW**RESOLUTION 2022/312**

Moved: Cr Carol James

Seconded: Cr Andrew Banfield

That

1. The report from the Director Planning & Environment on the Policy Review – Planning & Environment be received.
2. Council places the revised Policies listed below on public exhibition for 28 days and if no comments are received, they be adopted as one of Council's policies.
 - (a) Enforcement Policy
 - (b) Request for DA Information Matrix Policy
 - (c) Use of Crown Roads for Development Policy
 - (d) Swimming Pool Barriers Policy
3. Council places the Swimming Pool Barrier Inspection Program on public exhibition for 28 days and if no comments are received, the Program be adopted.
4. Any submissions received will be considered and reported to Council for final adoption of the policy.

CARRIED

15.11 OUTDOOR DINING POLICY REVIEW

RESOLUTION 2022/313

Moved: Cr Andy Wood

Seconded: Cr Carol James

That:

- 1. The report on the Outdoor Dining Policy review is received.**
- 2. The amended Outdoor Dining Policy be placed on public exhibition for 28 days, and if no comments are received, it be adopted as one of Council's policies.**
- 3. Any submissions received will be considered and reported to Council for final adoption of the policy**
- 4. Council provide an exemption pathway under section 125 of the Roads Act, subject to conditions stipulated on an exemption notification form submitted to Council.**

CARRIED

15.12 OPERATIONS POLICY REVIEW

RESOLUTION 2022/314

Moved: Cr Andrew Banfield

Seconded: Cr Daniel Strickland

That

- 1. The report from the Director Operations on the Operations Policy Review be received.**
- 2. Council places the revised Asset Management policy on public exhibition for 28 days and if no comments are received, it be adopted as Council's policy.**
- 3. Any submissions received will be considered and reported to Council for final adoption of the policy.**

CARRIED

15.13 CORPORATE & COMMUNITY SERVICES POLICY REVIEW**RESOLUTION 2022/315****Moved: Cr Bob Kirk****Seconded: Cr Carol James****That**

- 1. The report from the Director Corporate & Community Services on the Corporate & Community Services Policy Review be received.**
- 2. Council rescinds the following policies due to them being incorporated into the Rating Policy:**
 - (i) Rating Mixed Development Policy**
 - (ii) Supplementary Rated Policy**
- 3. 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) Rating Policy**
 - (ii) Disposal of Surplus Goods Policy**
 - (iii) Land and Easement Acquisition and Disposal Policy**
 - (iv) Leasing / Licencing of Council Property Policy**
 - (v) Leasing of Council Roads Policy**
 - (vii) Youth Services Policy**
- 4. Any submissions received are to be considered and reported to Council prior to final adoption of the policy(s).**

CARRIED**15.14 EXECUTIVE SERVICES POLICY REVIEW****RESOLUTION 2022/316****Moved: Cr Daniel Strickland****Seconded: Cr Andy Wood****That**

- 1. The report from the Chief Executive Officer on the Executive Services Policy Review be received.**
- 2. That Council places the following revised policies on public exhibition for 28 days and if no submissions are received, they are adopted as Council's policies:**
 - i. Media Policy**
 - ii. Social Media Policy**
- 3. Any submissions received are to be considered and reported to Council prior to final adoption of the policy(s).**

CARRIED

15.15 UTILITIES POLICY REVIEWS**RESOLUTION 2022/317****Moved: Cr Andrew Banfield****Seconded: Cr Steven Ruddell****That**

- 1. 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) Recreational Use of Council's Dams Policy**
 - (ii) Waste Management and Disposal Policy**

Any submissions received will be considered and reported to Council for final adoption of the policy.

CARRIED**15.16 GOULBURN MULWAREE YOUTH COUNCIL MEETING NOTES - 24 JUNE 2022****RESOLUTION 2022/318****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 24 June 2022 be noted. There are no recommendations from this meeting that require a resolution from Council.

CARRIED**15.17 EXTERNAL MEETING MINUTES****RESOLUTION 2022/319****Moved: Cr Andy Wood****Seconded: Cr Michael Prevedello**

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

- 1. Develop (Heron) Woodlawn Project Community Consultative Committee Meeting 6 July 2022**
- 2. Country Mayors Meeting 5 August 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 7.40pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 September 2022.

.....
Cr Peter Walker
Mayor

.....
Aaron Johansson
Chief Executive Officer