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MINUTES

Ordinary Council Meeting

17 October 2023

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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 OCTOBER 2023 AT 6PM**

PRESENT: Mayor Peter Walker, Deputy Mayor Cr Steven Ruddell, Cr Andrew Banfield, Cr Carol James OAM, Cr Bob Kirk, Cr Michael Prevedello, Cr Daniel Strickland, Cr Jason Shepherd & Cr Andy Wood (Via Zoom)

IN ATTENDANCE: Aaron Johansson (Chief Executive Officer), Brendan Hollands (Director Corporate and Community Services), Scott Martin (Director Planning and Environment), Marina Hollands (Director Utilities), George Angelis (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

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 ATTENDANCE BY AUDIO VISUAL LINK

RESOLUTION 2023/234

**Moved: Cr Andrew Banfield
Seconded: Cr Carol James OAM**

That Cr Andy Wood attend the Council meeting virtually due to work commitments outside of the region.

CARRIED

7 LATE ITEMS / URGENT BUSINESS

RESOLUTION 2023/235

MOVED: CR DANIEL STRICKLAND

SECONDED: CR BOB KIRK

THAT ITEM 16.22 TRAFFIC COMMITTEE MEETING MINUTES 5TH OCTOBER 2023 BE PRIORITISED TO THE FIRST AGENDA ITEM.

CARRIED

8 DISCLOSURE OF INTERESTS

Cr Steven Ruddell declared a significant conflict of interest in Item 16.9 “Request for Financial Assistance - Rotary Club of Goulburn” as he is the current President of the Rotary Club of Goulburn. Cr Steven Ruddell will leave the meeting while discussion on this item takes place.

Cr Andrew Banfield declared a pecuniary conflict of interest Item 16.8 “VP379771 Goulburn Mulwaree RUG Construction AC and Seal Work” as he is an employee of the Denrith Group of companies. Cr Banfield’s brother-in-law is also a Director of the Denrith Group of Companies. Cr Andrew Banfield will leave the meeting while discussions on this item takes place.

Cr Carol James OAM declared a significant/non-pecuniary conflict of interest in Item 16.9 “Request for Financial Assistance - Rotary Club of Goulburn” as she is a member of the Rotary Club of Goulburn. Cr Carol James OAM will leave the meeting while discussion on this item takes place.

Cr Peter Walker declared a significant/non-pecuniary conflict of interest in item 16.4 “Endeavour Industries - Recycling Service Contract” as he is a board member of Endeavour Industries. Cr Peter Walker will leave the meeting while discussion on this item takes place.

Cr Peter Walker declared a non-pecuniary/non-significant conflict of interest in Item 16.9 Request for Financial Assistance - Rotary Club of Goulburn” as he is a member of the Rotary Club of Goulburn. As the disclosure was not of a significant nature Cr Peter Walker remained in the meeting while discussion took place.

Director Planning & Environment Scott Martin declared a pecuniary conflict of interest in Item 16.2 “REV/0010/2122 - Planning Agreement for 35 Bonnett Drive, Goulburn” as his is an adjoining land owner. Scott Martin will leave the meeting while discussion on this item takes place.

CR JASON SHEPHERD DECLARED A NON-PECUNIARY/NON-SIGNIFICANT CONFLICT OF INTEREST IN ITEM 16.32 “COUNCILS OPERATIONAL UPDATE - JULY 2023” AS THE REPORT MENTIONS MARULAN QUARRY WHO HAVE ENGAGED HIS EMPLOYER GHD TO UNDERTAKE CONSULTANCY WORK FOR THEM. HOWEVER CR SHEPHERD IS NOT INVOLVED IN THE PROJECT AND THE MARULAN QUARRY IS NOT THE FOCUS OF THE REPORT. AS THE DISCLOSURE WAS NOT OF A SIGNIFICANT NATURE CR JASON SHEPHERD REMAINED IN THE MEETING WHILE DISCUSSION TOOK PLACE.

9 PRESENTATIONS

Nil

10 PUBLIC FORUM

Graeme Northey addressed Council on Item 16.22 Minutes of the Traffic Committee Meeting held on 5 October 2023.

11 CONFIRMATION OF MINUTES

11.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19 SEPTEMBER 2023

RESOLUTION 2023/236

Moved: Cr Michael Prevedello

Seconded: Cr Carol James OAM

That the Council minutes from Tuesday 19 September 2023 and contained in Minutes Pages No 1 to 44 inclusive and in Minute Nos 2023/200 to 2023/233 inclusive be confirmed.

CARRIED

12 MATTERS ARISING

Nil

13 MAYORAL MINUTE(S)

Nil

14 NOTICE OF MOTION(S)

Nil

15 NOTICE OF RESCISSION(S)

Nil

16 REPORTS TO COUNCIL FOR DETERMINATION

16.22 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 5 OCTOBER 2023

RESOLUTION 2023/237

Moved: Cr Bob Kirk

Seconded: Cr Andy Wood

That:

- 1. The report from the Director Operations regarding the Traffic Committee minutes from Thursday 5 October 2023 be received.**
- 2. The Traffic Committee minutes from Thursday 5 October 2023 be confirmed.**
- 3. The report from the Road Safety and Traffic Officer on the Ongoing Task List be received and the information noted. Items marked as completed will be removed from the task list.**
- 4. The report on the programs and activities of the Road Safety and Traffic Officer for August to September 2023 be received and noted.**
- 5. The proposed removal of the permit parking scheme at Goulburn Base Hospital Precinct be deferred for further consideration by Councillors after community consultation.**
- 6. The raised pedestrian crossing (wombat) designs at Park Road, McDermott Drive, Goulburn and George Street, Marulan be noted.**

CARRIED

16.1 DA/0073/1920 - PLANNING AGREEMENT FOR 30B SLOANE STREET, GOULBURN**RESOLUTION 2023/238****Moved: Cr Michael Prevedello****Seconded: Cr Andrew Banfield****That:**

- 1. The report for the draft Planning Agreement associated with DA/0073/1920 for a 14 Torrens title lot subdivision at 30B Sloane Street, Goulburn be received.**
- 2. The draft Planning Agreement associated with DA/0073/1920 for a 14 lot Torrens title subdivision be placed on public exhibition for a minimum period of 28 days, in accordance with section 7.5(1) of the *Environmental Planning and Assessment Act 1979*.**
- 3. Subject to no submissions being received the Chief Executive Officer be given delegation to execute the Planning Agreement.**
- 4. Upon receipt of any submissions during the exhibition period the matter be reported back to the Council.**

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

Against: Nil

16.2 REV/0010/2122 - PLANNING AGREEMENT FOR 35 BONNETT DRIVE, GOULBURN

Director Planning and Environment, Scott Martin declared an interest in this item and did not remain in the room while discussions took place. Director Planning and Environment, Scott Martin left the meeting at 6.33pm

Resolution 2023/239

Moved: Cr Andrew Banfield

Seconded: Cr Michael Prevedello

That:

- 1. The report for the draft Planning Agreement associated with REV/0010/2122 for an 8 lot Torrens title subdivision at 35 Bonnett Drive, Goulburn be received.**
- 2. The draft Planning Agreement associated with REV/0010/2122 for an 8 lot Torrens title subdivision be placed on public exhibition for a minimum period of 28 days, in accordance with section 7.5(1) of the Environmental Planning and Assessment Act 1979.**
- 3. Subject to no submissions being received the Chief Executive Officer be given delegation to execute the Planning Agreement.**
- 4. Upon receipt of any submissions during the exhibition period the matter be reported back to the Council.**

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

Against: Nil

Scott Martin returned to the meeting at 6.38pm.

16.3 HUME LINK PROJECT - ACQUISITION OF EASEMENTS OVER COUNCIL LAND**RESOLUTION 2023/240****Moved: Cr Carol James OAM****Seconded: Cr Andrew Banfield****That;**

- 1. The report from the Business Manager Property & Community Services on the Hume Link Project – Acquisition of Easement over Council land be received.**
- 2. Council accepts the amount of compensation offered and the general terms of the proposed acquisition of easement by Transgrid over Council land located at Pejar Dam, Crookwell Road, Wayo comprised in the following folio identifiers;**
 - Lot 1 DP252214
 - Lot 10 DP252214
 - Lot 11 DP252214
 - Lot 24 DP252214, and;
 - Lot 26 DP252214
- 3. The Chief Executive Officer be authorised to sign all documentation associated with Transgrid's proposed acquisition of easement over the parcels of land referred to in point 2 above as Council's authorised delegate under s377 of the *Local Government Act 1993*.**

CARRIED

Cr Andy Wood requested his vote be recorded against the motion.

16.4 ENDEAVOUR INDUSTRIES - RECYCLING SERVICE CONTRACT

Cr Peter Walker declared an interest in this item and took no part in the discussion or voting on the matter. At 6:53 pm, Cr Peter Walker left the meeting.

At 6.53pm, Cr Steven Ruddell took the chair.

RESOLUTION 2023/241**Moved: Cr Carol James OAM****Seconded: Cr Jason Shepherd****That**

- 1. The report from the Director Utilities on the Endeavour Industries Recyclable Waste Acceptance and Processes Services Contract be received.**
- 2. Council approve the extension of the contract for five years with the requested 8% increase in price.**
- 3. The Chief Executive Officer have the delegation to approve future price adjustments in line with the provisions in the contract.**

CARRIED

At 6:58 pm, Cr Peter Walker returned to the meeting.

At 6.58pm, Cr Steven Ruddell left the Chair. Cr Peter Walker then returned to the Chair.

16.5 VP 374635 DECCAN STREET & CLINTON STREET - AC WORKS**RESOLUTION 2023/242****Moved: Cr Bob Kirk****Seconded: Cr Daniel Strickland****That**

- 1. The report from the Project Engineer – Operations on the Deccan and Clinton Streets – AC Works contract be received.**
- 2. The Request for Quotation from Downer EDI Works Pty Ltd be accepted for VP374635 for the Deccan and Clinton Streets, AC Works, at a tender price of \$3,251,252.44 (GST inclusive) as outlined in the specification and documents in VP374635.**

CARRIED**16.6 VP342994 - SPRAYED BITUMINOUS SURFACING****RESOLUTION 2023/243****Moved: Cr Steven Ruddell****Seconded: Cr Jason Shepherd****That**

- 1. The report from the Business Manager of Works on the Sprayed Bituminous Surfacing contract be received.**
- 2. Council approves to establish Roadworx Surfacing Pty Ltd as the bitumen surfacing service provider to Council for a period of 24 months with the option to extend for an additional two one year extensions.**
- 3. Council delegate authority to the Chief Executive Officer to extend this contract by up to two one year extensions subject to satisfactory performance.**

CARRIED**16.7 VP358594 PLANT 0080 PATCH TRUCK****RESOLUTION 2023/244****Moved: Cr Bob Kirk****Seconded: Cr Steven Ruddell****That**

- 1. The report of the Operations Centre Manager for the replacement of Plant 0080 Patch Truck be received**
- 2. Council approves the purchase from Ausroad Manufacturing Pty Ltd for an Isuzu FXY 240-350 Truck with an Ausroad Jetmaster Body at a cost of \$648,185.00 (excl. GST).**
- 3. Unexpended funds be carried forward to 2024-2025 financial year budget and additional funds are allocated from the Plant Replacement Reserve to fund the budget shortfall.**
- 4. Funds be allocated from Plant Reserve within the 2024/25 Budget to fund additional \$88,185.00 excl. GST from original 2023/24 Heavy Fleet Replacement Program Budget.**

CARRIED

16.8 VP379771 GOULBURN MULWAREE COUNCIL RUG CONSTRUCTION AC AND SEAL WORK

Cr Andrew Banfield declared an interest in this item and took no part in the discussion or voting on the matter. At 7:07 pm, Cr Andrew Banfield left the meeting.

RESOLUTION 2023/245

Moved: Cr Daniel Strickland
Seconded: Cr Carol James OAM

That

- 1. The report from the Director Utilities on the Goulburn Mulwaree Council RUG Construction AC Seal Works be received.**
- 2. The RFQ from Downer EDI Pty Ltd be accepted in accordance with the specifications and tender documents for VP379771 for the lump sum price of \$363,549.81 (incl GST).**

CARRIED

At 7:09 pm, Cr Andrew Banfield returned to the meeting.

16.9 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF GOULBURN

Cr Steven Ruddell and Cr Carol James OAM declared an interest in this item and took no part in the discussion or voting on the matter. At 7:09 pm, Cr Steven Ruddell & Cr Carol James OAM left the meeting.

RESOLUTION 2023/246

Moved: Cr Jason Shepherd
Seconded: Cr Daniel Strickland

That

- 1. The report from the Director Corporate & Community Services on the Request for Financial Assistance – Rotary Club of Goulburn be received.**
- 2. Council provides in-kind support of \$1,191.00 (inc. GST), representing 50% of the quoted fees for the use of the Recreation Area and Peden Pavilion and the full amount of waste bin hire/empty and amenity cleaning to be funded via transfer from the Financial Assistance and Reduction or Waiver of Council Fees & Charges Policy budget.**

CARRIED

At 7:10 pm, Cr Steven Ruddell & Cr Carol James OAM returned to the meeting.

16.10 REQUEST FOR FINANCIAL ASSISTANCE - CONVOY FOR KIDS GOULBURN

RESOLUTION 2023/247

**Moved: Cr Steven Ruddell
 Seconded:Cr Michael Prevedello**

That

- 1. The report of the Director of Corporate & Community Services on Requests for Financial Assistance –Convoy for Kids Goulburn be received.**
- 2. Council provide the following in-kind support to the Convoy for Kids Goulburn to the value of \$2,887.00 to be funded from the Financial Assistance budget:**
 - 50% Hire Fees for Recreation Area \$377.00**
 - Amenity Cleaning, bin hire, waste removal \$2,510.00**

CARRIED

16.11 GENERAL PURPOSE FINANCIAL STATEMENTS AND SPECIAL PURPOSE STATEMENTS 2022/23

RESOLUTION 2023/248

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

That

- 1. The report from the Director Corporate & Community Services on the General Purpose Financial Statements and Special Purpose Statements 2022/23 be received.**
- 2. The Statements under s413(2) Local Government Act 1993 be endorsed and signed off by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to enable the Independent Auditors reports to be issued**
- 3. Council approve the Financial Statements for lodgement with the Office of Local Government**
- 4. Council approve the Financial Statements to be placed on public exhibition with the Audited Financial Statements to be presented to Council at the first available meeting following receipt of the Auditors Report.**

CARRIED

16.12 DEBTORS OUTSTANDING

RESOLUTION 2023/249

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

That the report from the Revenue Officer on Debtor Collections be received.

CARRIED

16.13 RATES OUTSTANDING REPORT

RESOLUTION 2023/250

Moved: Cr Steven Ruddell

Seconded:Cr Bob Kirk

That the report from the Revenue Coordinator on Rates Outstanding be received.

CARRIED

16.14 MONTHLY FINANCIAL REPORT

RESOLUTION 2023/251

Moved: Cr Steven Ruddell

Seconded:Cr Michael Prevedello

That the report by the Director Corporate & Community Services on the Monthly Financial Report be received.

CARRIED

16.15 STATEMENT OF INVESTMENTS & BANK BALANCES

RESOLUTION 2023/252

Moved: Cr Andy Wood

Seconded:Cr Bob Kirk

That the report on the Statement of Investments and Bank Balances be noted.

CARRIED

16.16 REVIEW OF UNREASONABLE COMPLAINANT CONDUCT POLICY

RESOLUTION 2023/253

Moved: Cr Jason Shepherd

Seconded:Cr Steven Ruddell

That

- 1. The report Review of Unreasonable Complainant Conduct Policy by Business Manager Governance be received.**
- 2. The Unreasonable Conduct by Customers Policy be placed on public exhibition for 28 days and if no submissions are received, be adopted.**

CARRIED

16.17 REVIEW OF RISK MANAGEMENT POLICY

RESOLUTION 2023/254

**Moved: Cr Andrew Banfield
Seconded: Cr Carol James OAM**

That

- 1. The report Review of Risk Management Policy by Business Manager Governance be received.**
- 2. The Risk Management Policy resolved by Council on 15 August 2023 be adopted without any amendments.**

CARRIED

16.18 REVIEW OF CHILD SAFE POLICY

RESOLUTION 2023/255

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

That

- 1. The report Review of Child Safe Policy by the Business Manager Governance be received.**
- 2. The reviewed Child Safe Policy be adopted without public exhibition.**

CARRIED

16.19 REVIEW OF AGENCY INFORMATION GUIDE

RESOLUTION 2023/256

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

That

- 1. The report Review of Agency Information Guide by the Business Manager Governance be received.**
- 2. The reviewed Agency Information Guide be adopted by Council.**

CARRIED

16.20 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN 2022-2023**RESOLUTION 2023/257**

Moved: Cr Carol James OAM
Seconded: Cr Steven Ruddell

That

- 1. The report from the Business Manager Governance on Disclosures by Councillors and Designated Persons Return 2022-2023 be received.**
- 2. The Register of Disclosures by Councillors and Designated Persons Return 2022-2023, as tabled, be noted.**

CARRIED

16.21 GRANTS UPDATE**RESOLUTION 2023/258**

Moved: Cr Daniel Strickland
Seconded: Cr Andy Wood

That the report on the grants update from the Senior Grants Officer and the Director of Corporate and Community Services be received and noted.

CARRIED

16.23 COUNCIL'S OPERATIONAL UPDATE - SEPTEMBER 2023**RESOLUTION 2023/259**

Moved: Cr Andrew Banfield
Seconded: Cr Steven Ruddell

That the report from the Chief Executive Officer on the Council's Operational Update for September 2023 be received and noted.

CARRIED

17 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.

18 CONCLUSION OF THE MEETING

The Meeting closed at 7.49pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 November 2023.

.....
Cr Peter Walker
Mayor

.....
Aaron Johansson
Chief Executive Officer