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MINUTES

Ordinary Council Meeting

16 November 2021

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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, 16 NOVEMBER 2021 AT 6PM**

PRESENT: Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), Cr Andrew Banfield, Cr Sam Rowland, Cr Leah Ferrara, Cr Alfie Walker, Cr Carol James, Cr Denzil Sturgiss

IN ATTENDANCE: Warwick Bennett (General Manager), 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) & Kathryn Croker (IT Support).

1 OPENING MEETING

Mayor Bob Kirk opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Bob Kirk 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 Leah Ferrara.

4 APOLOGIES

RESOLUTION 2021/539

Moved: Cr Alfie Walker
Seconded: Cr Sam Rowland

That the apology received from Cr Margaret O'Neill be accepted.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2021/540

Moved: Cr Alfie Walker
Seconded: Cr Sam Rowland

That a leave of absence for Cr Margaret O'Neill be granted due to ill health.

CARRIED

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

Darce Corsie from Gunlake addressed Council on Item 15.2 Gunlake Continuation Project - Submission to EIS.

RESOLUTION 2021/541

Moved: Cr Sam Rowland

Seconded: Cr Peter Walker

That Darce Corsie be given an extension of time.

CARRIED

Geoff Kettle & Ed O'Neil from Gunlake addressed Council on Item 15.2 Gunlake Continuation Project - Submission to EIS.

10 CONFIRMATION OF MINUTES**10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 2 NOVEMBER 2021****RESOLUTION 2021/542**

Moved: Cr Carol James

Seconded: Cr Sam Rowland

That the Council minutes from Tuesday 2 November 2021 and contained in Minutes Pages No 1 to 18 inclusive and in Minute Nos 2021/517 to 2021/538 inclusive be confirmed.

CARRIED

11 MATTERS ARISING**11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 2 NOVEMBER 2021**

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2021/543

Moved: Cr Alfie Walker

Seconded: Cr Peter Walker

That Council notes the Task List and authorises the deletion of completed tasks.

CARRIED

12 MAYORAL MINUTE(S)

12.1 MAYORAL MINUTE - THANKS FOR COUNCILLOR SERVICE

RESOLUTION 2021/544

Moved: Cr Bob Kirk

That

- 1. That the Mayoral Minute on Thanks for Councillor Service be received.**
- 2. Council formally acknowledge the significant community contribution made by Cr Denzil Sturgiss (22 years), Cr Alfie Walker (9 years) and Cr Sam Rowland (9 years).**

CARRIED

13 NOTICE OF MOTION(S)

13.1 NOTICE OF MOTION - ENTERTAINMENT AND NIGHT TIME ECONOMY WORKING PARTY

RESOLUTION 2021/545

Moved: Cr Peter Walker

Seconded: Cr Andrew Banfield

That:

- 1. Council form an Entertainment and Night Time Economy Working Party.**
- 2. Working Party address the changes with regards to:**
 - **Liquor Act 2020**
 - **State Government Special Precinct requirements.**
 - **Public safety and noise issues**
 - **Funding for projects**
- 3. Entertainment and Night Time Economy Working Party to include:**
 - **Councillor (1) (allocate after election)**
 - **Hume Conservatorium Representative**
 - **Lieder Theatre Representative**
 - **NSW Police Representative**
 - **Community Representatives (4)**
- 4. Council calls for Expressions of Interest for the community representatives to be part of the Entertainment and Night Time Economy Working Party.**
- 5. A brief for the Entertainment and Night Time Economy Working Party be developed and returned to Council for ratification.**

CARRIED

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION**15.1 DA/0169/1920 - 30 DORSETT ROAD, MARULAN - PLANNING AGREEMENT****RESOLUTION 2021/546****Moved: Cr Leah Ferrara****Seconded: Cr Denzil Sturgiss****That:**

1. The staff report for draft Planning Agreement associated with DA/0169/1920 for eight (8) residential Lots and one (1) drainage Lot be received.
2. The draft Planning Agreement associated with DA/0169/1920 for eight (8) residential Lots and one (1) drainage Lot 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 General Manager be given delegation to execute the Planning Agreement.
4. Council notes that the Carpark at the Meridian Reserve Marulan has been completed and thus when this monetary contribution is paid the funds be used for other community infrastructure in Marulan.

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 Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Carol James and Denzil Sturgiss

Against: Nil

15.2 GUNLAKE CONTINUATION PROJECT - SUBMISSION TO EIS

RESOLUTION 2021/547

Moved: Cr Peter Walker

Seconded: Cr Leah Ferrara

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:06 pm.

CARRIED

RESOLUTION 2021/548

Moved: Cr Alfie Walker

Seconded: Cr Andrew Banfield

That Council move back into Open Council.

Council moved back into Open Council at 7:25 pm.

CARRIED

RESOLUTION 2021/549

Moved: Cr Andrew Banfield

Seconded: Cr Alfie Walker

That:

- 1. The report of the Director Planning and Environment be received.**
- 2. Council does not object to the Gunlake Quarry Continuous Project**
- 3. To ensure that community impact is minimised, Council makes the following submission to DPIE in relation to the Gunlake Continuation Project EIS:-**

a) Matters relating to the Transport Route

Noting for all the below submissions - that where Council requires a consultant to be engaged that any consultant be independent from Gunlake, funded by Gunlake and all scope of works undertaken by the independent consultant to be approved by the Councils General Manager before the engagements commences.

- i. A structural assessment by an Independent appropriately qualified engineering consultant of all bridges and culverts be undertaken for proposed vehicles exceeding the current allowable load limit along the Primary Transport Route.**
- ii. Widening of bridges and culverts is required on the primary transport route to allow a consistent wide centre line treatment to be implemented.**
- iii. Gunlake fund and install a school bus stop on the road reserve in a safe location outside Johnniefields Quarry in accordance with Transport for NSW guidelines.**
- iv. An independent traffic consultant be engaged to investigate any lighting and/or delineation upgrade at all intersections along the primary transport route and if upgrades are warranted by the independent traffic consultant then those upgrades to be funded and installed by Gunlake**
- v. The intersection of the Brayton Road and Ambrose Road intersection should be assessed to ensure it meets the relevant Austroads Guidelines,**
- vi. The sight distance be reviewed at the intersection of Red Hills Road and Ambrose Road for vehicles existing Red Hills Road. If improvements are**

identified by the review they be implemented in accordance with Austroads Guidelines.

- vii. The speed limit for the Primary haulage route should be reduced to 80kmh for all vehicles. It is noted that the applicant, Council, the Gunlake Community Consultative Committee and the Local Member of Parliament have all previously endorsed and advocated for this outcome.
- viii. Minimum 3m trafficable clear zones should be installed for the full length of the Primary Haulage route – with the exception of bridges, culverts and other area agreed by the General Manager where it is impracticable to do so - and be constructed in line with Austroads guidelines for heavy vehicle use.
- ix. The actions identified in the Road Safety Assessment Report for the Primary Transport Route be implemented
- x. A pavement assessment report by independent geotechnical consultant be commissioned to investigate the integrity of the existing pavement and to determine if the pavement will achieve a ten (10) year pavement life with the projected heavy traffic volumes.
- xi. Prior to the transportation of more than 220,000 tonnes per calendar month of quarry product from the site, the applicant must complete all transport route upgrade to Council's satisfaction.
- xii. Detailed road work plans which outline the extent of works to be undertaken, including any supportive calculations, modelling, and geotechnical investigations, shall be submitted to Council for approval in accordance with Section 138 of the Roads Act 1993.

b) Matters relating to the Operation of the Quarry

- i. Council request that DPIE engage an independent acoustic consultant to review the contents of the Noise Impact Assessment that forms part of the EIS so as to ensure its adequacy, and to ensure that suitable conditions of consent are imposed.
- ii. Council request DPIE to consider the inclusion of a condition of consent that restricts the use of engine brakes on the entire secondary transport route, and also in the vicinity of the Brayton Road/Ambrose Road intersection.
- iii. Council request that DPIE engage an independent professional to review the contents of the Air Quality Impact Assessment so as to ensure its adequacy, and to ensure that suitable conditions of consent are imposed.

c) Matters relating to Developer Contributions

- i. Council requires a condition of consent that s7.11 contributions be applied in accordance with the Goulburn Mulwaree Local Infrastructure Contributions Plan 2021. The current rate as adopted in Council's fees and charges for 2021/22 for developments involving heavy vehicle movements on local and regional roads is \$0.05090 per tonne per km; and
4. In the event the DPIE fail to implement a condition to introduce a condition on contributions in accordance with Paragraph 2 c) i then Council enter into a Planning Agreement with Gunlake Quarries Ltd in accordance with the provisions of Section 7.4 of the Environmental Planning & Assessment Act 1979.

CARRIED

15.3 STRUCTURAL REVIEW OF HEAVY HAULAGE ROUTES IN THE GOULBURN MULWAREE AREA**RESOLUTION 2021/550****Moved: Cr Peter Walker****Seconded: Cr Alfie Walker****That:**

- 1. The report on the Review of Heavy Haulage Routes in the Goulburn Mulwaree Area from the Business Manager of Design & Asset Management be received.**
- 2. Council makes an application to Transport for NSW for a special grant for the maintenance for the Taralga Road bridge to be included in the 2022/23 budget allocations**
- 3. Currawang Road, Taralga Road and Cullerin Road be progressed for inclusion as B-Double Routes with the National Heavy Vehicle Regulator.**

CARRIED**15.4 REGIONAL ROAD TRANSFER AND ROAD CLASSIFICATION REVIEW****RESOLUTION 2021/551****Moved: Cr Andrew Banfield****Seconded: Cr Carol James****That**

- 1. The report from the Director of Operations on the update of the Road Classification Review be received.**
- 2. The Council adds the Bungendore Road – From Braidwood Road at Tarago to the boundary area with Queanbeyan Palerang Council to be classified as a State Road from a Regional Road**

CARRIED**15.5 RELOCATE BUS STOP FROM 167 AUBURN STREET TO 159 AUBURN STREET****RESOLUTION 2021/552****Moved: Cr Peter Walker****Seconded: Cr Andrew Banfield****That:**

- 1. The report from the Director of Operations on the relocation of the existing bus stop at 167 Auburn Street to 159 Auburn Street be received.**
- 2. Council endorse the relocation of the existing bus stop at 167 Auburn Street to 159 Auburn Street**

CARRIED

Council took a dinner break at 7.39pm.

The council reconvened at 8.10pm.

15.6 CIVIC AND CEREMONIAL MAYORAL DUTIES

Cr Alfie Walker returned to the meeting at 8.12pm.

COMMITTEE OF THE WHOLE

Moved: Cr Peter Walker

That Council Move into Committee of the Whole.

The motion lost due to a lack of a seconder.

COMMITTEE OF THE WHOLE

Moved: Cr Bob Kirk

Seconded: Cr Peter Walker

That Council Move into Committee of the Whole.

The motion was put and lost.

MOTION

Moved: Cr Sam Rowland

Seconded: Cr Leah Ferrara

That

1. The report of the General Manager on Civic and Ceremonial Duties be received.
2. Council delegate to Mr Robert (Bob) Kirk the authority to represent the Council at civic functions from 5th December 2021 to 11 January 2022 whilst there is no Councillor holding Civic Office.

RESOLUTION 2021/553

Moved: Cr Peter Walker

Seconded: Cr Andrew Banfield

That:

1. The report of the General Manager on Civic and Ceremonial Duties be received.
2. Council delegate to Mr Robert (Bob) Kirk and if Mr Kirk is unavailable any other individual as nominated by Mr Kirk who is a current Councillor the authority to represent the Council at civic functions from 5th December 2021 to 11 January 2022 whilst there is no Councillor holding Civic Office.

The amendment then became the motion and was put and carried.

CARRIED

15.7 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND - COUNCIL PROJECTS**RESOLUTION 2021/554****Moved: Cr Andrew Banfield****Seconded: Cr Leah Ferrara****That**

- 1. The report of the General Manager on Local Roads and Community Infrastructure Fund – Council Projects be received**
- 2. Council approves the allocation of \$2,149,768 from the Local Roads and Community Infrastructure Fund as follows**
 - Deccan Street Rehabilitation - \$522,366**
 - Goulburn Mulwaree Animal Shelter - \$40,000**
 - North Park Pavilion- \$600,000**
 - New footpaths in the Villages - \$300,000**
 - Resealing Rural Roads - \$687,402**

CARRIED

At 8:33 pm, Cr Sam Rowland left the meeting.

15.8 STREETS AS SHARED SPACES GRANTS**RESOLUTION 2021/555****Moved: Cr Carol James****Seconded: Cr Leah Ferrara****That**

- 1. The report of the General Manager on Streets as Shared Spaces Grant be received, noting that the Expression of Interest has been lodged.**
- 2. If Council is invited to submit a firm application then the final project be presented to the 1st February 2022 Council meeting for endorsement before being submitted to the funding providers on the 11th February 2022.**

CARRIED

15.9 NSW GOVERNMENT HABITAT ACTION GRANTS**RESOLUTION 2021/556****Moved: Cr Andrew Banfield****Seconded:Cr Leah Ferrara****That:**

- 1. The report of the General Manager on NSW Government Habitat Action Grants be received.**
- 2. Council makes an application to the NSW Government Habitat Action Grants Program for further clearance work to the river between the Tully Park Golf Course to behind the Goulburn Correctional Facility.**

CARRIED

At 8:36 pm, Cr Sam Rowland returned to the meeting.

15.10 END OF TERM REPORT**RESOLUTION 2021/557****Moved: Cr Carol James****Seconded:Cr Denzil Sturgiss****That**

- 1. The report from the Director Corporate & Community Services on the End of Term Report be received.**
- 2. The Council endorse the End of Term Report.**

CARRIED**15.11 QUARTERLY BUDGET REVIEW****RESOLUTION 2021/558****Moved: Cr Alfie Walker****Seconded:Cr Carol James****That:**

- 1. The report of the Director Corporate & Community Services on the September 2021 Quarterly Budget Review be noted.**
- 2. The budged variations contained within the September 2021 Quarterly Review be approved.**

CARRIED

15.12 2020/21 AUDITED FINANCIAL STATEMENTS

RESOLUTION 2021/559

Moved: Cr Alfie Walker

Seconded: Cr Carol James

That

- 1. The report from the Director Corporate & Community Services on the 2020/21 Audited Financial Reports be received.**
- 2. The Audited Financial Statements for the year ending 30 June 2021 be received and the Financial Position of Council be noted.**

15.13 2020/21 STATUTORY ANNUAL REPORT

RESOLUTION 2021/560

Moved: Cr Alfie Walker

Seconded: Cr Carol James

That

- 1. The report by the Director Corporate & Community Services on the 2020/21 Statutory Annual Report be received.**
- 2. Council endorse the 2020/21 Statutory Annual Report as required by the Local Government Act 1993.**

15.14 MONTHLY FINANCIAL REPORT

RESOLUTION 2021/561

Moved: Cr Alfie Walker

Seconded: Cr Carol James

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Monthly Financial Report be received and noted for information.

15.15 STATEMENT OF INVESTMENTS & BANK BALANCES

RESOLUTION 2021/562

Moved: Cr Peter Walker

Seconded: Cr Alfie Walker

That the report by the Director Corporate & Community Services and the Accountant on the Statement of Investments and Bank Balances be received.

CARRIED

15.16 GRANTS UPDATE

RESOLUTION 2021/563

**Moved: Cr Peter Walker
Seconded:Cr Sam Rowland**

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

CARRIED

15.17 GOULBURN MULWAREE AWARD WORKING PARTY MINUTES - 25 OCTOBER 2021

RESOLUTION 2021/564

**Moved: Cr Bob Kirk
Seconded:Cr Denzil Sturgiss**

That the report from the General Manager in relation to the Goulburn Mulwaree Award Working Party Meeting Minutes held on the 25 October 2021be received.

CARRIED

15.18 SUSTAINABILITY WORKING PARTY MINUTES - 11 OCTOBER 2021

RESOLUTION 2021/565

**Moved: Cr Sam Rowland
Seconded:Cr Denzil Sturgiss**

That the Sustainability Working Party Minutes dated 1 November 2021 report from the Director Utilities be noted.

CARRIED

15.19 UTILITIES DIRECTORATE REPORT OCTOBER 2021

RESOLUTION 2021/566

**Moved: Cr Denzil Sturgiss
Seconded:Cr Carol James**

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

CARRIED

15.20 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT OCTOBER 2021

RESOLUTION 2021/567

**Moved: Cr Carol James
Seconded:Cr Leah Ferrara**

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

CARRIED

15.21 OPERATIONS DIRECTORATE REPORT - OCTOBER 2021

RESOLUTION 2021/568

Moved: Cr Peter Walker
Seconded: Cr Denzil Sturgiss

That the activities report for September 2021 by the Director Operations be received and noted for information.

CARRIED

15.22 PLANNING & ENVIRONMENT DIRECTORATE REPORT OCTOBER 2021

RESOLUTION 2021/569

Moved: Cr Leah Ferrara
Seconded: Cr Carol James

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

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 9.30pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 1 February 2022.

.....
Cr Bob Kirk
Mayor

.....
Warwick Bennett
General Manager