



**Minutes from meeting of:
ORDINARY COUNCIL**

**Held
Tuesday 21 August 2007
6.00pm
Council Chambers, Civic Centre
184 - 194 Bourke Street, Goulburn**

VISION

*A sustainable vibrant community protecting, enhancing and
enjoying Goulburn Mulwaree's rich social, environmental
and economic heritage.*

Mission

To serve the Community

Minutes of the Ordinary Meeting of Council held Tuesday 21 August 2007 commencing at 6pm in the Council Chambers

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Minutes of the Ordinary Meeting of Council held Tuesday 21 August 2007 commencing at 6pm in the Council Chambers

Present

His Worship the Mayor – Cr P Stephenson, Cr R Craig, Cr M Eddy, Cr D Sturgiss, Cr O’Neill, Cr Sullivan, Cr Harris, Cr Hadlow & Cr Lamarra.

Also Present

General Manager (Mr L Johnson), Director Planning and Community Services (Mr C Berry), Director Engineering Services (Mr P Hansen), Director Corporate Services (Mr D Holwerda), Manager Parks and Recreation (Mr T Geyer), Manager Economic Development & Administration (Mr K Wheeldon), Public Relations Officer (Mrs Teena Riley), Corporate Governance Coordinator (Ms Simone Blay left at 7.40pm) & Executive Assistant Corporate Services (Miss A Croke).

Opening Prayer

Read by Cr Sullivan.

Apologies

Nil.

Disclosure of Interest

Cr O’Neill declared an interest in Item 7 of the Planning & Community Services Report to Council.

Cr O’Neill declared an interest in Item 9 of the Planning & Community Services Report to Council.

Cr Lamarra declared an interest in Item 11 of the Corporate Services Report to Council.

Cr Lamarra declared an interest in Item 3 of the Planning & Community Services Report to Council.

Calendar of Events

Resolved 07/412

Cr Sullivan/Cr Sturgiss

That the Calendar of events be received and noted.

Mayoral Minute 1 –

Mayoral Activities 17 July 2007 – 21 August 2007

Recommendation

That the Mayoral Minute be received and noted.

Minutes of the Ordinary Meeting of Council held Tuesday 21 August 2007 commencing at 6pm in the Council Chambers

Resolved 07/413

Cr Lamarra/Cr O'Neill

That the Mayoral Minute outlining Mayoral activity be received and noted.

Mayoral Minute 2 –

Local Government and Shires Association Position on Local Government Inquiry Recommendations

Recommendation

That Council acknowledge and endorse the Association's positions on the 49 recommendations of the Independent Inquiry into Financial Sustainability of NSW Local Government and call on the Minister for Local Government to coordinate a whole-of-government response and establish a reform implementation fund.

Resolved 07/414

Cr Sullivan/Cr Sturgiss

That Council acknowledge and endorse the Association's positions on the 49 recommendations of the Independent Inquiry into Financial Sustainability of NSW Local Government and call on the Minister for Local Government to coordinate a whole-of-government response and establish a reform implementation fund.

Mayoral Minute 3 –

Local Government and Shires Association RH Dougherty Award for Excellence in Communication

Recommendation

That information in the Local Government and Shires Association RH Dougherty Award for Excellence in Communication for the Rural Living Handbook be noted.

Resolved 07/415

Cr Eddy/Cr Sullivan

That information in the Local Government and Shires Association RH Dougherty Award for Excellence in Communication for the Rural Living Handbook be noted and that a letter of congratulations and thanks be sent to Mr Jack Miller for his work in compiling the Handbook.

Confirmation of Minutes

Recommendation

That the Minutes of the Ordinary Meeting of Council held Tuesday 17 July 2007 and contained in Minute Pages Nos 1 to 36 inclusive and in Minute Nos 07/357 to 07/411 inclusive be confirmed.

Moved

Cr O'Neill/Cr Hadlow

That the Minutes of the Ordinary Meeting of Council held on the 17th July 2007 and contained in Minute Pages 1 to 36 inclusive and in Minute Numbers 07/357 to 07/411 inclusive be confirmed with a change to Minute No. 07/405 being made to record that motion as having been put and carried.

Note: The Mayor advised the meeting that he did not put motion 07/405 and it was therefore not carried.

Minutes of the Ordinary Meeting of Council held Tuesday 21 August 2007 commencing at 6pm in the Council Chambers

Resolved 07/416

Cr Craig/Cr Sturgiss

That the rescission motion 07/405 be put at a later Council meeting to remove any doubt.

Cr O'Neill requested that her vote be recorded as being against the motion.

Committee Reports for Adoption

1. Environment Advisory Committee held 18 July 2007

Resolved 07/417

Cr Sullivan/Cr Sturgiss

That the report of the Environment Advisory Committee held 18 July 2007 be received and the recommendations therein be adopted

2. Facilities Advisory Committee held 25 July 2007

Resolved 07/418

Cr Lamarra/Cr Eddy

That the report of the Facilities Advisory Committee held 25 July 2007 be received and the recommendations therein be adopted

3. CBD Master Plan Steering Committee held 1 August 2007

These minutes were not confirmed due to an irregularity in the recording of a staff member as moving or seconding motions.

4. Recreation Area Committee held 1 August 2007

These minutes were not confirmed due to an irregularity in the recording of the attendees.

5. Traffic Committee held 2 August 2007

Resolved 07/419

Cr Lamarra/Cr Craig

That the report of the Traffic Committee held 2 August 2007 be received and the recommendations therein be adopted

6. Sports Committee held 6 August 2007

Resolved 07/420

Cr Hadlow/Cr Harris

That the report of the Sports Committee held 6 August 2007 be received and the recommendations therein be adopted

7. Ray Harvey Foundation Committee held 7 August 2007

Resolved 07/421

Cr O'Neill/Cr Hadlow

That the report of the Ray Harvey Foundation Committee held 7 August 2007 be received and the recommendations therein be adopted

8. General Purposes Committee held 7 August 2007

Resolved 07/422

Cr Sullivan/Cr Sturgiss

That the report of the General Purposes Committee held 7 August 2007 be received and the recommendations therein be adopted

9. Community Service Advisory Committee held 7 August 2007

Resolved 07/423

Cr Lamarra/Cr Craig

That the report of the Community Service Advisory Committee held 7 August 2007 be received and the recommendations therein be adopted

Other Reports for Information

Resolved 07/424

Cr Harris/Cr Sullivan

That the following reports be noted:

- 1. Internal Audit Committee held 10 July 2007*
- 2. Internal Audit Committee held 26 July 2007*
- 3. Safety Committee held 1 August 2007*

#####

Executive Services Report

Item 1 Constitutional Referendums (Attachment)

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To consider the need for a constitutional referendum under the *Local Government Act 1993*.

Recommendation

That the current electoral and constitutional structures remain in place.

Resolved 07/425

Cr Sullivan/Cr Eddy

That the current electoral and constitutional structures remain in place.

#####

Item 2 Conduct Committee Findings and Recommendations (Enclosure)

Minutes of the Ordinary Meeting of Council held Tuesday 21 August 2007 commencing at 6pm in the Council Chambers

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To report on the findings and recommendations of two matters recently referred to the Conduct Committee.

Recommendation

That Council consider the recommendations of the Conduct Committee.

1. Cr Harris

Resolved 07/426

Cr Lamarra/Cr Craig

That the item be received and noted.

2. Cr O'Neill

Resolved 07/427

Cr Lamarra/Cr Harris

That the item be received and noted.

#####

**Item 3 Annual Local Government Conference
(Attachment)**

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To advise Council of key dates and details for the 2007 Local Government Conference.

Recommendation

That Council nominate its voting delegates and authorise Councillors wishing to attend the Conference as observers.

Motion

Cr Harris/Cr Lamarra

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That Council nominate its voting delegates to be the Mayor together with Councillors Hadlow and O'Neill.

Amendment

Cr Craig/Cr Eddy

That;

A. Council nominate its voting delegates to be the Mayor together with Councillors Sullivan and O'Neill.

B. Council nominate Cr Hadlow to be an observer at the Conference.

Amendment was put and carried.

Resolved 07/428

The Amendment became the motion was put and carried.

A division was called:

For the amendment: The Mayor, Crs Craig, Sullivan, Sturgiss and Eddy.

Against the motion: Crs Hadlow, Harris, Lamarra and O'Neill

#####

Item 4 Request for Access to Information

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To advise Council of a request for access to a Council Report considered in Closed Session.

Recommendation

That Council agree to the request to release the report “Request for Payment of Legal Costs” (Item 1 Closed Session 17 July 2007) to the person referred to in the report.

Resolved 07/429

Cr Harris/Cr Craig

That Council agree to the request to release the report “Request for Payment of Legal Costs” (Item 1 Closed Session 17 July 2007) to the person referred to in the report.

#####

Item 5 Designated Positions

Reporting Officer

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Corporate Governance Coordinator – Simone Blay

Purpose of Report

To review the Goulburn Mulwaree Council list of Designated Persons in accordance with Section 441 of the Local Government Act 1993.

Recommendation

That:

1. The position of Executive Manager, Engineering be a Designated Persons under Section 441 of the Local Government Act 1993.
2. The former position of ‘Civil Engineer’ be removed from the listing of Designated Persons.

Resolved 07/430

Cr Sullivan/Cr Craig

That:

1. *The position of Executive Manager, Engineering be a Designated Persons under Section 441 of the Local Government Act 1993.*
2. *The former position of ‘Civil Engineer’ be removed from the listing of Designated Persons.*

Note: Cr O’Neill tabled a notice of motion relating to staffing levels.

#####

Item 6 Industrial Relations (Attachment)

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To inform of a letter received from the Minister for Industrial Relations and Minister for Local Government regarding Work Choices Legislation.

Recommendation

That information on Industrial Relations regarding Work Choices be noted.

Resolved 07/431

Cr Sullivan/Cr Sturgiss

That information on Industrial Relations regarding Work Choices be noted.

#####

**Item 7 Correspondence for Information / Attention
(Enclosure)**

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To advise of particular correspondence received since the last Council Meeting.

Recommendation

That the information on correspondence be noted.

Resolved 07/432

Cr Lamarra/Cr Eddy

That the information on correspondence be noted.

#####

Item 8 Department of Local Government Circulars

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To advise of Department of Local Government Circulars since the last Council Meeting (copies have been sent to all Councillors).

Recommendation

That the information of Department of Local Government Circulars be noted.

Resolved 07/433

Cr Sturgiss/Cr Eddy

That the information of Department of Local Government Circulars be noted.

#####

**Item 9 Questions Without Notice & General Matters
Status Report**

Reporting Officer

General Manager – Luke Johnson

Minutes of the Ordinary Meeting of Council held Tuesday 21 August 2007 commencing at 6pm in the Council Chambers

Purpose of Report

To advise of replies to Questions Without Notice from Councillors at the July 2007 Council Meeting and status on general matters requiring an update from previous Council Meetings.

Recommendation

That the information on Questions Without Notice be noted.

Resolved 07/434

Cr O'Neill/Cr Lamarra

That the information on Questions Without Notice be noted.

#####

Item 10 Closed Council

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To consider moving into Closed Council.

The following confidential reports have been distributed separately:

Division	Report
<i>Corporate Services</i>	<i>Item 1 – Update on Acquisition of Crown Land in Lanigan Lane</i>

Recommendation

That Council move into Closed Council in accordance with the requirements of s10 *Local Government Act 1993* to consider the following matter:

Corporate Services

Item 1 Update on Acquisition of Crown Land in Lanigan Lane

s10(A)(2)(c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

Purpose of Report

To provide an update on the Department of Commerce's progress in relation to the acquisition of Lot 2 DP 40807 (land behind 56 Clinton Street) on Council's behalf.

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This matter is referred for discussion in Closed Council due to the commercial nature of the information.

Resolved 07/435

Cr Lamarra/Cr Sturgiss

That Council move into Closed Council in accordance with the requirements of s10 Local Government Act 1993 to consider the following matter:

Corporate Services

Item 1 Update on Acquisition of Crown Land in Lanigan Lane

s10(A)(2)(c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

Purpose of Report

To provide an update on the Department of Commerce's progress in relation to the acquisition of Lot 2 DP 40807 (land behind 56 Clinton Street) on Council's behalf.

This matter is referred for discussion in Closed Council due to the commercial nature of the information.

#####

Corporate Services Report

Item 1 Investment Performance Indicators (Attachment)

Reporting Officer

Manager of Finance – Brendan Hollands

Purpose of Report

To report monthly the Investment Performance Indicators.

Recommendation

That the monthly Investment Performances Indicators as at 31 July 2007 be noted.

Resolved 07/436

Cr Sturgiss/Cr Eddy

That the monthly Investment Performances Indicators as at 31 July 2007 be noted.
#####

Item 2 Monthly Financial Report 2006/07 (Enclosure)

Reporting Officer

Manager Finance – Brendan Hollands

Purpose of Report

To provide details on income and expenditure to date in relation to the original estimates. This report is made in compliance with the requirements of Part 2 Clause 6 *Local Government (Financial Management) Regulation 1999*, relating to Council's budgetary control.

Recommendation

That the Monthly Financial Report be noted.

Resolved 07/437

Cr Sturgiss/Cr Sullivan

That the Monthly Financial Report be noted.
#####

Item 3 Statement of Investments and Bank Balances (Attachment)

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Reporting Officer

Manager of Finance – Brendan Hollands

Purpose of Report

To submit the Statements of Investments and Bank Balances as at 7 August 2007.

Recommendation

That the Statements of Investments and the Bank Balances as at 7 August 2007 be noted.

Resolved 07/438

Cr Eddy/Cr Harris

That the Statements of Investments and the Bank Balances as at 7 August 2007 be noted.

#####

Item 4 2007/08 Loan Program Update

Reporting Officer

Manager of Finance – Brendan Hollands

Purpose of Report

To advise Council of the progress of the 2007/08 Loan Program and advise of changes to the Borrowings approval process.

Recommendation

That information provided in the report be noted

Resolved 07/439

Cr Harris/Cr Craig

That information provided in the report be noted

#####

Item 5 Management Plan Quarterly Reports (Enclosure)

Reporting Officer

Director of Corporate Services – Dirk Holwerda

Purpose of Report

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To provide Council with the final quarterly report on the implementation of the Management Plan for 2006/2007.

Recommendation

That the Management Plan Quarterly Reports be received and noted.

Resolved 07/440

Cr Sturgiss/Cr Harris

That the Management Plan Quarterly Reports be received and noted.

#####

Item 6 Receiving Department of Local Government Circulars via Email

Reporting Officer

Director of Corporate Services – Dirk Holwerda

Purpose of Report

To notify Council of the opportunity to receive Department of Local Government circulars via email.

Recommendation

That information provided in the report be noted.

Resolved 07/442

Cr Harris/Cr Sullivan

That information provided in the report be noted.

#####

Item 7 Confirmation of Boundaries between Upper Lachlan Shire Council (Enclosure)

Reporting Officer

Director of Corporate Services – Dirk Holwerda

Purpose of Report

To notify Council of the Department of Local Governments publication of Proclamation between the areas of Goulburn Mulwaree and Upper Lachlan Shire Councils.

Recommendation

That information provided in the report be noted.

Resolved 07/441

Cr Sturgiss/Cr Eddy

That information provided in the report be noted.

#####

Item 8 Palerang/Goulburn Mulwaree Boundary Adjustment (Attachment)

Reporting Officer

Manager Economic Development and Administration – Ken Wheeldon

Purpose of Report

To provide a status report on the adjustment of the boundaries between Palerang and Goulburn Mulwaree local government areas.

Recommendation

That the progress report on the proposed boundary adjustments between Palerang and Goulburn Mulwaree local government areas be noted.

Resolved 07/442

Cr Sturgiss/Cr Sullivan

That the progress report on the proposed boundary adjustments between Palerang and Goulburn Mulwaree local government areas be noted.

#####

Item 9 Rental Assessment – 56 Clinton Street

Cr O'Neill declared an interest in the item and left the meeting at 6.55pm.

Reporting Officer

Manager Economic Development and Administration – Ken Wheeldon

Purpose of Report

To provide feedback on the outcome of a market assessment of the rental of 56 Clinton Street, Goulburn to the Department of Corrective Services.

Recommendation

That the report on the market rental assessment of 56 Clinton Street be noted.

Resolved 07/443

Cr Harris/Cr Lamarra

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That the report on the market rental assessment of 56 Clinton Street be noted.

Cr O'Neill returned to the meeting at 6.56pm.

#####

Item 10 Tully Park Golf Club House (Attachment)

Reporting Officer

Manager Economic Development and Administration – Ken Wheeldon

Purpose of Report

To inform of a request received for Council to relinquish its Corporate Trusteeship of the clubhouse at the Tully Park Golf Course.

Recommendation

That:

1. Council advise the Minister it wishes to relinquish its Corporate Trusteeship over Crown Reserve R83674 (i.e. land upon which the Club House of the Tully Park Early Birds Golf Club Association inc is situated).
2. Council forward confirmation of its resolution to the Department of Lands, The Tully Park Golf Club Trust and the Tully Park Early Birds Golf Club Association inc.
3. That the seal be affixed to any necessary documentation.

Resolved 07/444

Cr Lamarra/Cr O'Neill

That:

1. *Council advise the Minister it wishes to relinquish its Corporate Trusteeship over Crown Reserve R83674 (i.e. land upon which the Club House of the Tully Park Early Birds Golf Club Association inc is situated).*
2. *Council forward confirmation of its resolution to the Department of Lands, The Tully Park Golf Club Trust and the Tully Park Early Birds Golf Club Association inc.*
3. *That the seal be affixed to any necessary documentation.*

#####

Item 11 Goulburn City Council Land Classification 1994

Cr Lamarra declared an interest in the item and left the meeting at 6.57pm.

Reporting Officer

Manager Economic Development and Administration – Ken Wheeldon

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Purpose of Report

To remove any doubts in relation to the former Goulburn City Council's resolution with regards to the classification of public lands as "Operational" land.

Recommendation

That:

1. The following parcels of land be advertised and placed on public exhibition for a period of 28 days seeking the views of the community on the proposal of Council to classify the parcels as "Operational" land under section 53 *Local Government Act 1993*. The details of the land proposed to be classified are as follows:
 - Goulburn Airport (Lots 1, 4 and 5 DP 220681 and Lot 21 DP 1039087)
 - 57 Queen Street - Land surrounding Bradfordville Supermarket (Lots 1, 2 and 5 DP 216355 and Lot 10 DP 537040)
 - 31 Sydney Road (Lot 202 DP 632453)
 - 17 Pursehouse Place (Lot 12 DP 803151)
 - 2 Dossie Street - nursery (Lot 1 DP 157664)
 - 149 Hume Street - Goulburn South Caravan Park (Lots 3 & 5 DP 1082075)
 - 49 - 57 Hovell Street - vacant residential land (Lot 9 DP 832816)
 - 2 Bourke Street - Works Depot (Lot 2 DP 560747)
 - 11 & 24 Ellesmere Street (Lots A & B DP150648, Lot 1 DP 821734, Lots 1, 2 and 3 DP 1103184 and Lot 1 DP 87105)

and

2. A public meeting be held in the Council Chambers on Wednesday 12 September 2007, commencing at 7.00pm.
3. A further review of the Register of Public Land (including the Land and Property Plan) be conducted to identify any other possible "Operational" land in which the doubt needs to be resolved.

Resolved 07/445

Cr Sullivan/Cr Sturgiss

That:

1. *The following parcels of land be advertised and placed on public exhibition for a period of 28 days seeking the views of the community on the proposal of Council to classify the parcels as "Operational" land under section 53 Local Government Act 1993. The details of the land proposed to be classified are as follows:*
 - a. *Goulburn Airport (Lots 1, 4 and 5 DP 220681 and Lot 21 DP 1039087)*

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- b. 57 Queen Street - Land surrounding Bradfordville Supermarket (Lots 1, 2 and 5 DP 216355 and Lot 10 DP 537040)*
- c. 31 Sydney Road (Lot 202 DP 632453)*
- d. 17 Pursehouse Place (Lot 12 DP 803151)*
- e. 2 Dossie Street - nursery (Lot 1 DP 157664)*
- f. 149 Hume Street - Goulburn South Caravan Park (Lots 3 & 5 DP 1082075)*
- g. 49 - 57 Hovell Street - vacant residential land (Lot 9 DP 832816)*
- h. 2 Bourke Street - Works Depot (Lot 2 DP 560747)*
- i. 11 & 24 Ellesmere Street (Lots A & B DP150648, Lot 1 DP 821734, Lots 1, 2 and 3 DP 1103184 and Lot 1 DP 87105)*

and

- 2. A public meeting be held in the Council Chambers on Wednesday 12 September 2007, commencing at 7.00pm.*
- 3. A further review of the Register of Public Land (including the Land and Property Plan) be conducted to identify any other possible “Operational” land in which the doubt needs to be resolved.*
- 4. A background paper be issued making the community aware of the economic rationale of retaining or disposing of the Goulburn Airport, including the long term and short term projected revenues and expenditures.*

Cr Lamarra returned to the meeting at 6.58pm

#####

Item 12 Assistance with Legal Costs (Attachment)

Reporting Officer

Manager Economic Development and Administration – Ken Wheeldon

Purpose of Report

To advise of a request from the Local Government and Shires Associations (LGSA) for assistance with Bankstown City Council’s legal costs on a flooding issue.

Recommendation

That a proportional contribution toward the legal costs of Bankstown City Council of \$8,270 be made in accordance with the LGSA request.

Resolved 07/446

Cr O’Neill/Cr Hadlow

That a proportional contribution toward the legal costs of Bankstown City Council of \$8,270 be made in accordance with the LGSA request.

#####

Planning and Community Services Report

Item 1 Guidelines for Biodiversity Certification

Reporting Officer

Manager Strategic Planning – John Massey

Purpose of Report

To canvas the option of biodiversity certification of draft Goulburn Mulwaree Local Environmental Plan 2007.

Recommendation

That a whole or partial biodiversity certification in consultation with Department of Planning, Department of Environment and Climate Change and Department of Primary Industries be considered as part of a future LEP review (e.g. 2008/09).

Resolved 07/447

Cr Sullivan/Cr Eddy

That a whole or partial biodiversity certification in consultation with Department of Planning, Department of Environment and Climate Change and Department of Primary Industries be considered as part of a future LEP review (e.g. 2008/09).

#####

Item 2 Planning Administrators & Panels (Enclosure)

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To advise of recent legislative Order giving the Minister of Planning powers to appoint a planning administrator or panel.

Recommendation

That the report on Planning Administrators and Panels be noted.

Resolved 07/448

Cr Sturgiss/Cr Lamarra

That the report on Planning Administrators and Panels be noted.

#####

**Item 3 Southern Distribution Business Park,
Windellama Road, Goulburn (Enclosure)**

Cr Lamarra declared an interest in the item and left the meeting at 7.03pm.

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To advise of a request seeking Council consent as a landowner to the lodgement of a Major Project application with the Department of Planning.

Recommendation

That Council consent be given to the lodgement of a Major Project application for the Southern Distribution Business Park, Windellama Road, Goulburn subject to:

- A. Receipt of a response from the Department of Planning on the assessment process for “out of town” business parks.
- B. Acceptance from the proponent that consent to lodgement of the application is not an agreement to:
 - Sell or transfer any road closure area or land.
 - The proposed infrastructure arrangements as submitted.
 - The details submitted with the application to date.
- C. A review of any proposed conditions of approval before being issued.

Resolved 07/449

Cr O’Neill/Cr Hadlow

That Council consent be given to the lodgement of a Major Project application for the Southern Distribution Business Park, Windellama Road, Goulburn subject to:

- A. *Acceptance from the proponent that consent to lodgement of the application is not an agreement to:*
 - *Sell or transfer any road closure area or land.*
 - *The proposed infrastructure arrangements as submitted.*
 - *The details submitted with the application to date.*
- B. *A review of any proposed conditions of approval before being issued.*

Cr Lamarra returned to be meeting at 7.17pm.

#####

Item 4 Proposed "Ardmore Park" Quarry, Oallen Ford Road, Bungonia (Enclosure)

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To present a request seeking support for an acquisition process for a proposed bypass of Bungonia village and consent to a Major Project application being lodged with the Department of Planning.

Recommendation

That the proponent be advised that:

- A. Council's consent to the lodgement of a Major Project application be considered following receipt of a satisfactory environmental/amenity assessment of the village bypass and haul route.
- B. The compulsory acquisition of Crown Land by Council for a public road will not be undertaken for a private benefit.

Resolved 07/450

Cr O'Neill/Cr Hadlow

That the proponent be advised that:

- A. *Council's consent to the lodgement of a Major Project application be considered following receipt of a satisfactory environmental/amenity assessment of the village bypass and haul route.*
- B. *The compulsory acquisition of Crown Land by Council for a public road will not be undertaken for a private benefit.*
- C. *The applicant be invited to the next General Purposes Committee meeting to address Council on this matter.*

#####

Item 5 Performance Monitoring

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

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To advise of changes to Department of Planning requirements on performance monitoring for Development Application processing.

Recommendation

That:

- A. Consideration be given to additional resources for a retrospective review of the 2006/07 Development Application files as part of the first quarter budget review.
- B. The Minister and Director General of Planning be advised in terms of this report.

Resolved 07/451

Cr Sturgiss/Cr Craig

That:

- A. *Consideration be given to additional resources for a retrospective review of the 2006/07 Development Application files as part of the first quarter budget review.*
- B. *The Minister and Director General of Planning be advised in terms of this report.*

#####

Item 6 Development Statistics

Reporting Officer

Executive Assistant Planning & Community Services - Debbie McCarthy

Purpose of Report

To inform of the Development Statistics for the month of July 2007.

Recommendation

That the information on development activity be noted.

Resolved 07/452

Cr Lamarra/Cr Eddy

That the information on development activity be noted.

#####

Item 7 Significant Development Applications & Recent Decisions (Attachment)

Cr O'Neill declared an interest in the item and left the meeting at 7.21pm.

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Reporting Officer

Executive Assistant Planning & Community Services - Debbie McCarthy

Purpose of Report

To provide summary details of Significant Development Applications received along with details of recent decisions under the Goulburn and Mulwaree Local Environmental Plans (LEP).

Recommendation

That the report on significant Development Applications and recent decisions under the Goulburn and Mulwaree LEPs be noted.

Resolved 07/453

Cr Lamarra/Cr Eddy

That the report on significant Development Applications and recent decisions under the Goulburn and Mulwaree LEPs be noted.

Cr O'Neill returned to the meeting at 7.23pm.

#####

Item 8 Rural Fire Service Development Application Fees

Reporting Officer

Manager Development Control - Chris Stewart

Purpose of Report

To present a request to waiver the assessment fee for a Rural Fire Service (RFS) project.

Recommendation

That a donation of \$450 be made toward the application fee for the Rural Fire Service project at Marulan under the Community Grants and Donations Policy.

Resolved 07/454

Cr Sturgiss/Cr Sullivan

That a donation of \$450 be made toward the application fee for the Rural Fire Service project at Marulan under the Community Grants and Donations Policy.

#####

Item 9 Development Consent No. 317/0607, Multi-purpose Commercial Building, Corner Finlay

**Road and Robinson Street, Goulburn
(Attachment)**

Cr O'Neill declared an interest in the item and left the room at 7.25pm.

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To present a request for a review of development contributions associated with a new commercial building at the corner of Finlay Road and Robinson Street, Goulburn.

Recommendation

That:

- A. The transfer of infrastructure credits between the existing tavern site and the proposed site at the corner of Finlay Road and Robinson Street, Goulburn be declined at this stage pending the establishment of a clear policy basis.
- B. Any new Contributions Plan provide an clear mechanism for credits.

Resolved 07/455

Cr Lamarra/Cr Eddy

That:

- A. *The transfer of credits between the existing tavern site and the proposed site at the corner of Finlay Road and Robinson Street, Goulburn be permitted having regard to the circumstances of the request.*
- B. *To avoid establishing an undesirable precedent future, requests to be limited by the following arrangements:*
 - *There must be a clear nexus between the existing use and its relocation within the same locality*
 - *The site must be within the same subdivision and deposited plan*
 - *Agreement of landowners must be obtained*
 - *Only surplus credits not utilised in any redevelopment of the existing site may be transferred*
 - *The existing site loses any credits following transfer, and any redevelopment is subject to the usual development contributions*
 - *Arrangements must be specified and agreed prior to Development Consent being issued.*

Cr O'Neill returned to the meeting at 7.35pm.

#####

**Item 10 Modification Request No. 4/0708/MOD –
Subdivision (Stage 3) Monastery Gardens, 38
Marys Mount Road, Goulburn (Enclosure)**

Reporting Officer

Tina Dodson – Development Assessment Officer

Purpose of Report

To present a modification request for an approved subdivision at 38 Marys Mount Road, Goulburn.

Recommendation

That Modification Application No. 4/0708/MOD granted under delegation to allow staging of the residential subdivision known as Stage 3B Monastery Gardens, 38 Marys Mount Road, Goulburn.

Resolved 07/456

Cr Hadlow/Cr Sullivan

That Modification Application No. 4/0708/MOD be granted under delegation to allow staging of the residential subdivision known as Stage 3B Monastery Gardens, 38 Marys Mount Road, Goulburn.

#####

**Item 11 405/0607/DA – Proposed Shipping Container,
258-268 Addison Street, Goulburn (Enclosure)**

Reporting Officer

Senior Environmental Health & Building Surveyor – Stephanie Mowle

Purpose of Report

To present the Assessment Report for the keeping of a shipping container at 258-268 Addison Street, Goulburn.

Recommendation

That Conditional Development Consent be granted under delegation for Development Application No. 405/0607/DA and amended plan for the keeping of a shipping container at No. 258-268 Addison Street, Goulburn.

Resolved 07/457

Cr Lamarra/Cr Hadlow

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That Conditional Development Consent be granted under delegation for Development Application No. 405/0607/DA and amended plan for the keeping of a shipping container at No. 258-268 Addison Street, Goulburn.

#####

Item 12 169/0607/DA – Residential Subdivision, 153 Taralga Road, Bradfordville (Enclosure)

Reporting Officer

Senior Town Planner - Dianne James

Purpose of Report

To present the Assessment Report for residential subdivision at 153 Taralga Road, Bradfordville.

Recommendation

That Conditional Development Consent be granted under delegation for Development Application No. 169/0607/DA for a residential subdivision at Lot 2 DP1102202 (formerly Lots 1 and 2 DP 456815) 153 Taralga Road, Bradfordville subject to receipt of comments from the Sydney Catchment Authority and Roads and Traffic Authority.

Resolved 07/458

Cr Sturgiss/Cr Eddy

That Conditional Development Consent be granted under delegation for Development Application No. 169/0607/DA for a residential subdivision at Lot 2 DP1102202 (formerly Lots 1 and 2 DP 456815) 153 Taralga Road, Bradfordville subject to receipt of comments from the Sydney Catchment Authority and Roads and Traffic Authority.

#####

Item 13 512/0607/DA – Multi Unit Development, 27 Healey Street, Bradfordville (Enclosure)

Reporting Officer

Development Assessment Officer – Tina Dodson

Purpose of Report

To present the Assessment Report for a Multi Unit Development at 27 Healey Street, Bradfordville.

Recommendation

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That Conditional Development Consent be granted under delegation for Development Application No. 512/0607/DA for a Multi unit Development at 27 Healey Street, Bradfordville.

Resolved 07/459

Cr O'Neill/Cr Hadlow

That the item be deferred to the next General Purposes Committee meeting to enable an inspection of the site and that the General Purposes Committee be delegated to determine the DA.

#####

Item 14 334/0607/DA – Use Prefabricated Units for Storage Purposes, 27 Marulan South Road, Marulan (Enclosures)

Reporting Officer

Development Assessment Officer – Tina Dodson

Purpose of Report

To present the Assessment Report for the use of three existing prefabricated structures and the addition of another prefabricated structure for storage purposes at 27 Marulan South Road, Marulan.

Recommendation

That conditional Development Consent be granted under delegations for Development Application No. 334/0607/DA for the use of three existing prefabricated structures and the addition of another prefabricated structure for storage purposes at 27 Marulan South Road, Marulan subject to:

- Appropriate landscaping and screening of the structures.
- All facilities being removed from the structures that would enable them to be used for habitable purposes.

Moved

Cr Lamarra/Cr Sturgiss

That conditional Development Consent be granted under delegations for Development Application No. 334/0607/DA for the use of three existing prefabricated structures and the addition of another prefabricated structure for storage purposes at 27 Marulan South Road, Marulan subject to:

- *Appropriate landscaping and screening of the structures.*

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- *All facilities being removed from the structures that would enable them to be used for habitable purposes.*

This motion was not put.

Resolved 07/460

Cr O'Neill/Cr Hadlow

That:

- A. *Consideration of this item be deferred until the next General Purposes Meeting.*
- B. *Delegation be given to the General Purposes Committee to determine this matter. #####*

Item 15 484/0607/DA – Importing Soil for Landscaping, 170 Red Hills Road, Marulan (Enclosure)

Reporting Officer

Development Assessment Officer – Tina Dodson

Purpose of Report

To present the Assessment Report for the importation of 20,000 tonnes of soil for landscaping at 170 Red Hills Road, Marulan.

Recommendation

That Development Application No. 484/0607/DA for the importation of 20,000 tonnes of soil for landscaping at 170 Red Hills Road, Marulan be refused on the following grounds that:

- The development application and supporting information fails to comply with the requirements of Clause 71 to 76 *Environmental Planning and Assessment Regulations 2000* and Schedule 1 Clause 2 (1)(e) *Environmental Planning and Assessment Regulations 2000*.

Resolved 07/461

Cr Harris/Cr Craig

That Development Application No. 484/0607/DA for the importation of 20,000 tonnes of soil for landscaping at 170 Red Hills Road, Marulan be refused on the following grounds that:

- *The development application and supporting information fails to comply with the requirements of Clause 71 to 76 Environmental Planning and Assessment Regulations 2000 and Schedule 1 Clause 2 (1)(e) Environmental Planning and Assessment Regulations 2000.*

#####

Item 16 Regulatory Report

Reporting Officer

Manager Environmental Services – Sonia Spotswood

Purpose of Report

To present information in relation to public health water sampling, Woodlawn supervisory licence, noxious weeds, companion animal and livestock impounding and parking infringements for the month of July 2007

Recommendation

That the information on regulatory activity be noted.

Resolved 07/462

Cr Sullivan/Cr Sturgiss

That the information on regulatory activity be noted.

#####

Engineering Services Report

Item 1 Street Rod Nationals 2009 and ACT/NSW State Run 2010 & 2012 (Attachment)

Reporting Officer

Manager Parks and Recreation – Tim Geyer

Purpose of Report

To advise Council of the formal confirmation of the three Street Rod events and actions required by Council prior to Easter 2009.

Recommendation

That the construction of the cruise circuit, camping areas, beautification and emergency repairs to electricals and canteen, estimated at \$340,000, commence immediately with funds required being advanced from the Land and Property Reserve, and that these funds be reimbursed from profits of the sale of the Braidwood Road stabling estate.

Resolved 07/463

Cr Lamarra/Cr Sturgiss

That the construction of the cruise circuit, camping areas, beautification and emergency repairs to electricals and canteen, estimated at \$340,000, commence immediately with funds required being advanced from the Land and Property Reserve, and that these funds be reimbursed from profits of the sale of the Braidwood Road stabling estate.

It was agreed that an inspection will be held prior to the next General Purposes Committee meeting and that the Director of Engineering provide a report to the meeting detailing proposed works.

#####

Item 2 Belmore Park Water Supply

Reporting Officer

Manager Parks and Recreation - Tim Geyer

Purpose of Report

To update Council on the sinking of a test bore in Belmore Park and water quality and quantity results.

Recommendation

That the information be received.

Resolved 07/464

Cr Sturgiss/Cr Craig

That the information be received.

Note: Council wishes to acknowledge and congratulate the staff involved in the project.

#####

Item 3 Environment Committee Report (Attachment)

Reporting Officer

Manager Parks and Recreation – Tim Geyer

Purpose of Report

To report to Council on the Environment Committee's achievements over the past year and seek endorsement of the Committee's Strategic Plan.

Recommendation

That the information be noted and that the Environment Committee Strategic Plan be endorsed.

Resolved 07/465

Cr Sullivan/Cr Eddy

That the information be noted and that the Environment Committee Strategic Plan be endorsed.

#####

Item 4 Aquatic Centre operations

Reporting Officer

Manager of Facilities- David Rayner

Purpose of Report

To seek Council consent to pool operating periods over summer.

Recommendation

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That the outdoor pool be opened 5th of November 2007 to 30th March 2008, with the indoor pool to remain open over summer except for maintenance during January 2008.

Resolved 07/466

Cr O'Neill/Cr Hadlow

That:

- 1. The Mayor and General Manager be delegated to determine the outdoor pool opening and closing timeframes.*
- 2. Subject to point 1, the outdoor pool be opened October 2007 to 30th March 2008, with the indoor pool to remain open over summer except for maintenance during January 2008.*

Council requested a report from the Director of Engineering regarding any proposed works and the timing thereof relating to the indoor pool. #####

Item 5 Middle Arm Road – Culvert Failure and Road Collapse

Reporting Officer

Andrew Palmer – Works Engineer

Purpose of Report

To advise Council of the steel “Hel-Cor” pipe culvert failure and subsequent road collapse on the Wooroondooroonbidgee Creek crossing and pending rectification solutions.

Recommendation

1. That the existing corrugated steel pipe culverts are excavated, removed and replaced with reinforced concrete box culverts with the provision of a sidetrack under traffic signals on the old Middle Arm Road Alignment during works at an estimated cost of \$435,000.
2. That the project be funded from accumulated reserves and that this amount be appropriated in the next quarterly budget review.

Resolved 07/467

Cr O'Neill/Cr Harris

That;

- 1. The existing corrugated steel pipe culverts are excavated, removed and replaced with reinforced concrete box culverts with the provision of a sidetrack under traffic signals on the old Middle Arm Road Alignment during works at an estimated cost of no more than \$435,000 as per option 2 of the report.*

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2. *The project be funded from accumulated reserves and that this amount be appropriated in the next quarterly budget review.*
3. *An inspection of the site take place before the next General Purposes Committee meeting.*

#####

Item 6 Wingecarribee Pipeline Part 3A Assessment Advice

Reporting Officer

Director Engineering Services – Phil Hansen.

Purpose of Report

To forward advice received from the Director General of the NSW Department of Planning that declares the Wingecarribee Pipeline to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

Recommendation

That the advice from the Director General of the NSW Department of Planning declaring that Part 3A of the *Environmental Planning and Assessment Act 1979* applies to the Wingecarribee Pipeline project be received and noted.

Resolved 07/468

Cr Lamarra/Cr Hadlow

That the advice from the Director General of the NSW Department of Planning declaring that Part 3A of the Environmental Planning and Assessment Act 1979 applies to the Wingecarribee Pipeline project be received and noted.

#####

Item 7 Rainwater Tank Rebates

Reporting Officer

Manager of Water Services – Greg Finlayson

Purpose of Report

To rescind the Rainwater Tank Policy.

Recommendation

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That the Rainwater Tank Policy be rescinded and that suitable advice be given to the public and retailers.

Resolved 07/469

Cr O'Neill/Cr Hadlow

That;

- 1. The Rainwater Tank Policy be rescinded and that suitable advice be given to the public and retailers*
- 2. If the State Government subsidy scheme is discontinued, Council consider reinstating this policy*

#####

Item 8 Water Supply Status Report for July 2007

Reporting Officer

Manager Water Services – Greg Finlayson

Purpose of Report

To inform Council of the performance of the Goulburn and Marulan water supplies during July 2007.

Recommendation

That the information on the water supply status report for August 2007 be noted.

Resolved 07/470

Cr Sturgiss/Cr Eddy

That the information on the water supply status report for August 2007 be noted.

#####

Item 9 Vandalism Report

Reporting Officer

Executive Assistant – Wendy Nichol

Purpose of Report

To provide Council with information on acts of vandalism that has occurred during the month of July 2007.

Recommendation

That the report on vandalism for the month of July 2007 be noted.

Resolved 07/471

Cr Sullivan/Cr Lamarra

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That the report on vandalism for the month of July 2007 be noted.

Cr Craig left the meeting at 8.13pm.

#####

Item 10 Engineering Services Update

Reporting Officer

Director Engineering Services – Phil Hansen.

Purpose of Report

Major activities being undertaken in the Engineering Services division are outlined.

Recommendation

That the information be noted.

Resolved 07/472

Cr O'Neill/Cr Sturgiss

That the information be noted.

Cr Craig returned to the meeting at 8.15pm.

Cr Eddy left the meeting at 8.20pm.

#####

Late Report

**Item 11 Additional domestic waste service policy
(Attachment)**

Reporting Officer

Manager of Facilities- Mr D Rayner

Purpose of Report

To present a draft policy regarding supply and servicing of an additional domestic waste bin in certain circumstances, for Council's consideration.

Recommendation

That the draft Additional Domestic Waste Service Policy (attached) be adopted.

Resolved 07/473

Cr Sturgiss/Cr Sullivan

That;

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2007 commencing at 6pm in the Council Chambers**

1. *The draft Additional Domestic Waste Service Policy (attached) be adopted.*
2. *The following actions exercised by the Mayor under previous delegation be noted:*
 - a) *240 litre recycling bins purchased*
 - b) *Modification of collection vehicles*
 - c) *Estimated cost \$540,000*
 - d) *Funds to be transferred from domestic waste reserve fund*

That an extension of time be granted to Cr Lamarra. Cr Sullivan/Cr Harris

Cr Eddy returned to the meeting at 8.25pm.

Cr Sullivan left the meeting at 8.34pm

Cr Sullivan returned to the meeting at 8.35pm

#####

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Questions Without Notice

Cr Eddy	<ul style="list-style-type: none"> ▪ Can the dead limbs be removed from the tree in Tony Onions Park/ (after the wood ducks finish nesting) ▪ Road to Recovery sign on Brayton Road has been sawn off. Can it be replaced? ▪ Are Faithful Street rehabilitation works in the 2007/2008 budget?
Cr O'Neill	<ul style="list-style-type: none"> ▪ Can a progress report be provided on the Mandine industry DA being held up by tree.
Cr Sturgiss	<ul style="list-style-type: none"> ▪ Will State Government water tank rebate apply to rural residents? ▪ Thank engineering staff for grading Harrington's Lane Tirrannaville.
Cr Lamarra	<ul style="list-style-type: none"> ▪ Can there be a feature on the positives that are happening within the town?
Cr Craig	<ul style="list-style-type: none"> ▪ What publicity will be given to public regarding level 3 water restriction changes?
Cr Hadlow	<ul style="list-style-type: none"> ▪ Can another disabled car parking space be provided adjacent to the oncology department at St John of God Hospital? (Bradley Street)
Cr Harris	<ul style="list-style-type: none"> ▪ Requested detail on the State Government water tank rebate
Cr Sullivan	<ul style="list-style-type: none"> ▪ Can a congratulatory letter be sent to Jennifer Lamb on her retirement ▪ Can further information be provided on public art projects proposed for Elsmere Street

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Closed Council

Resolved 07/474

Cr Hadlow/Cr Lamarra

That Council resolve into closed session and close the meeting to the press and public to discuss confidential matters referred to in the Business Paper.

The items listed in Executive Report Item 10 were discussed.

That Council Resume in Open Session

Resolved 07/475

Cr Harris/Cr Craig

That the resolutions of the closed session meeting including the following reports which were submitted to Closed Session in accordance with Section 10A of the Local Government Act 1993 (refer General Managers Report Item 10) be adopted.

These motions were:

Corporate Services

Item 1 Update on Acquisition of Crown Land in Lanigan Lane (Attachment)

Recommendation

That –

- A. The parcel of land described as Lot 2 in Deposited Plan 40807 associated with an addition to the former Mulwaree Shire Council Chambers at 56 Clinton Street, Goulburn be acquired by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by the authority contained in the Local Government Act 1993 for the purposes of addition to the former Mulwaree Shire Council Chambers at 56 Clinton Street, Goulburn.
- B. Minerals are to be excluded from this acquisition.
- C. This acquisition is not for the purpose of resale.
- D. The necessary applications be made to the Minister for Local Government and the Governor.
- E. Lot 2 in Deposited Plan 40807 when acquired be classified as “Operational Land” under the Local Government Act 1993.
- F. the common seal of Council be affixed to all necessary documents associated with the acquisition.

Resolved 07/476

Cr Sturgiss/Cr Hadlow

That –

- A. The parcel of land described as Lot 2 in Deposited Plan 40807 associated with an addition to the former Mulwaree Shire Council Chambers at 56 Clinton Street, Goulburn be acquired by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by the authority contained in the Local Government Act 1993 for the purposes of addition to the former Mulwaree Shire Council Chambers at 56 Clinton Street, Goulburn.*
- B. Minerals are to be excluded from this acquisition.*
- C. This acquisition is not for the purpose of resale.*
- D. The necessary applications be made to the Minister for Local Government and the Governor.*
- E. Lot 2 in Deposited Plan 40807 when acquired be classified as “Operational Land” under the Local Government Act 1993.*
- F. The common seal of Council be affixed to all necessary documents associated with the acquisition.*

Meeting closed at 8.46pm.

The minutes were confirmed at the Council meeting on 18 September 2007 at which this signature was endorsed.

.....
Cr Paul Stephenson
Mayor

.....
Mr Luke Johnson
General Manager