



**Minutes from meeting of:
ORDINARY COUNCIL**

**Held
Tuesday 18 March 2008
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
18 March 2008 commencing at 6pm in the Council Chambers**

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Present

His Worship the Mayor – Cr P Stephenson, Cr O'Neill, Cr R Craig, Cr M Eddy, Cr D Sturgiss, Cr Harris Cr K Sullivan, Cr M Hadlow & Cr T 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), Public Relations Officer (Mr P Oliver), Manager Economic Development & Administration (Mr K Wheeldon), Corporate Governance Co-Coordinator (Simone Blay), Human Resources Manager (Will Singleton) & Executive Assistant to Corporate Services (Miss A Croke).

Opening Prayer

Read by Cr Sturgiss.

Apologies

Nil

Disclosure of Interest

Cr Lamarra declared an interest in the following items:

- Item 1 of the Planning & Community Services Report.
- Item 9 of the Planning & Community Services Report.
- Item 2 of the Engineering Services Report.
- Item 3 of the Engineering Services Report.
- Item 4 of the Engineering Services Report.
- Item 1 of the Closed Session Executive Services Report.

Crs O'Neill & Harris declared an interest Item 11 of the Planning & Community Services Report.

Open Forum

- Don Fischer, in conjunction with Mr Peter Raft of Wayo Street Goulburn, addressed the Council and discussed concerns related to the Highland Source Project loan and personal and derogatory criticism toward the Director of Corporate Services for his role and advice to Council regarding the raising of the loan to ameliorate the impact of increasing interest rates.
- Jim Marshall-Brown of Mitchell Street Goulburn addressed the Council and discussed concerns related to Highland Source Project
- Damian Leer of Prince Street Goulburn addressed the Council in support of the Highland Source Project and suggested was of increasing public support with no cost to Council.

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Calendar of Events

Resolved 08/112

Cr Sullivan/Cr Eddy

That the Calendar of events be received and noted.

**Mayoral Minute – Mayoral Activities 20 February 2008 –
18 March 2008**

Recommendation

That the Mayoral Minute be received and noted.

Resolved 08/113

Cr Craig/Cr Lamarra

That the Mayoral Minute be received and noted.

Confirmation of Minutes

Recommendation

That the Minutes of the Ordinary Meeting of Council held Tuesday 19 February 2008 and contained in Minute Pages Nos 1 to 42 inclusive and in Minute Nos 08/41 to 08/109 inclusive be confirmed.

Resolved 08/114

Cr Sullivan/Cr Sturgiss

That the Minutes of the Ordinary Meeting of Council held Tuesday 19 February 2008 and contained in Minute Pages Nos 1 to 42 inclusive and in Minute Nos 08/41 to 08/109 inclusive be confirmed.

Committee Reports for Adoption

1. Community Services Advisory Committee

Resolved 08/115 **Cr Craig/Cr Sullivan**

That the report of the Community Services Advisory Committee held 13 February 2008 be received and the recommendations therein be adopted.

2. Environment Advisory Committee

Resolved 08/116 **Cr Sullivan/Cr Eddy**

That the report of the Environment Advisory Committee held 20 February 2008 be received and the recommendations therein be adopted.

3. Facilities Committee

Resolved 08/117 **Cr Harris/Cr Sturgiss**

That the report of the Facilities Committee held 27 February 2008 be received and the recommendations therein be adopted and that Cr O'Neill's apology be noted.

4. Economic Development & Tourism Advisory Committee

Resolved 08/118 **Cr Harris/Cr Lamarra**

That the report of the Economic Development & Tourism Advisory Committee held 26 February 2008 be received and the recommendations therein be adopted.

5. Special General Purposes Committee

Resolved 08/119 **Cr Sullivan/Cr Sturgiss**

That the report of the Special General Purposes Committee held 25 February 2008 be received and the recommendations therein be adopted.

6. General Purposes Committee

Resolved 08/120 **Cr Sturgiss/Cr Craig**

That the report of the General Purposes Committee held 4 March 2008 be received and the recommendations therein be adopted.

7. Special Meeting of Sports Council Committee

Resolved 08/121 **Cr Harris/Cr Craig**

That the report of the Special Meeting of Sports Council Committee held 10 March 2008 be received and the recommendations therein be adopted.

Other Reports for Information

1. Jennifer Lamb Veolia Creative Arts Scholarship Panel

Resolved 08/122

Cr Harris/Cr Sullivan

That the report of the Jennifer Lamb Veolia Creative Arts Scholarship Panel held 20 February 2008 be received and the recommendations therein be adopted.

2. Southern Tablelands Regional Library

Resolved 08/123

Cr Sullivan/Cr Eddy

That the report of the Southern Tablelands Regional Library held 21 February 2008 be received and the recommendations therein be adopted.

3. Safety Committee

Resolved 08/124

Cr Sullivan/Cr Eddy

That the report of the Safety Committee held 5 March 2008 be received and the recommendations therein be adopted.

Executive Services Report

Item 1 2008 Mayoral Election (Attachment)

Reporting Officer

Luke Johnson – General Manager

Purpose of Report

To advise of the change of date for the 2008 Local Government Elections and to reconsider the date for the Mayoral election.

Recommendation

1. That the change of date for the 2008 Local Government Elections be noted.
2. That the Mayoral Election be rescheduled to either 16 September or 23 September and that the Deputy Mayoral election also be held at this meeting.
3. That the Special Council Meeting scheduled for 7 October consider Committee appointments.
4. That having regard to the revised date for the election, Council reconsider its decision not to hold an Ordinary Meeting in September and determine a position in relation to the August meeting.

Resolved 08/125

Cr Lamarra/Cr Sturgiss

- 1. That the change of date for the 2008 Local Government Elections be noted.*
- 2. That the Mayoral Election be rescheduled to 23 September and that the Deputy Mayoral election also be held at this meeting.*
- 3. That the Special Council Meeting scheduled for 7 October consider Committee appointments.*
- 4. Having regard to the revised date for the election, Council determine that the Ordinary Meeting in September be cancelled and that the August meeting be held as scheduled.*

**Item 2 Correspondence for Information / Attention
(Attachment & 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 received and noted.

Resolved 08/126

Cr Sullivan /Cr Harris

That the information on correspondence be received and noted.

Item 3 Earth Hour 2008

Reporting Officer

Public Communications Officer – Teena Riley

Purpose of Report

To advise of a request to participate in Earth Hour from 8pm to 9pm on 29 March 2008.

Recommendation

That Council participate in Earth Hour as outlined in the report.

Resolved 08/127

Cr Lamarra/Cr Craig

That Council participate in Earth Hour as outlined in the report.

Item 4 Changes to the Organisational Structure

Reporting Officer

Human Resources Manager - Will Singleton

Purpose of Report

To advise Council of the consultation process undertaken with staff, the Consultative Committee and the United Services Union in relation to proposed changes to the Organisational Structure.

Recommendation

That Council approve the following changes to the Organisational Structure and that the Organisation Chart be amended accordingly:

- The Customer Services Business Unit be reassigned to the Corporate Services Division
- The Sustainability Focus Goal be reassigned to the Planning and Community Services Division

Resolved 08/128

Cr Sturgiss/Cr Sullivan

That Council approve the following changes to the Organisational Structure and that the Organisation Chart be amended accordingly:

- *The Customer Services Business Unit be reassigned to the Corporate Services Division*
- *The Sustainability Focus Goal be reassigned to the Planning and Community Services Division.*

Item 5 ICAC Training

Reporting Officer

Corporate Governance Officer – Simone Blay

Purpose of Report

To provide Council with an update on ICAC Training planned for Goulburn Mulwaree Council.

Recommendation

That the information be received and noted.

Resolved 08/129

Cr Lamarra/Cr Craig

That the information be received and noted.

Item 6 Draft Statement of Business Ethics (Attachment)

Reporting Officer

Corporate Governance Officer – Simone Blay

Purpose of Report

To provide Council with a draft Statement of Business Ethics.

Recommendation

That the Draft Statement of Business Ethics be adopted.

Resolved 08/130

Cr Harris/Cr Eddy

That the Draft Statement of Business Ethics be adopted.

Item 7 Questions Without Notice & Task List Status Report

Reporting Officer

General Manager, Luke Johnson

Purpose of Report

To advise of replies to Questions Without Notice from Councillors at the February 2008 Council Meeting and status on Task List requiring an update from previous Council Meetings.

Recommendation

That the information on Questions Without Notice & Task List status be noted.

Resolved 08/131

Cr Sullivan/Cr Craig

That the information on Questions Without Notice & Task List status be noted.

Item 8 Closed Session

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To consider moving into Closed Session.

The following confidential reports have been distributed separately:

Division	Report
<i>Executive Services</i>	<i>Item 1 – Expressions of Interest for Sale of Goulburn Airport</i>
<i>Engineering Services</i>	<i>Item 1 – Outstanding Debt Liquid Trade Waste</i>

Recommendation

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

Corporate Services

Item 1 Expressions of Interest for Sale of Goulburn Airport

Section 10A(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 give further consideration to the Expression of Interest received from International Art Services Pty Ltd (IAS) in relation to the proposed sale of Goulburn Airport.

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

Engineering Services

Item 1 Outstanding Debt Liquid Trade Waste

Section 10A(2)(d) – commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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Purpose of Report

To inform Council of the details of an outstanding debt by the Goulburn Saleyards for Liquid Trade Waste.

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

Resolved 08/132

Cr O'Neill/Cr Craig

That Council consider Corporate Services Item 1 Expressions of Interest for Sale of Goulburn Airport in open session at the request of International Art Services Pty Limited.

Resolved 08/133

Cr Hadlow/Cr Harris

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

Engineering Services

Item 1 Outstanding Debt Liquid Trade Waste

Section 10A(2)(d) – commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Purpose of Report

To inform Council of the details of an outstanding debt by the Goulburn Saleyards for Liquid Trade Waste.

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

Council now considered Corporate Services Item 1 Expressions of Interest for Sale of Goulburn Airport and limited access reports.

**Item 1 Expression of Interest for Sale of Goulburn
Airport**

Cr Lamarra declared in interest in the item and left the meeting at 6.35pm.

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To give further consideration to the Expression of Interest received from International Art Services Pty Ltd (IAS) in relation to the proposed sale of Goulburn Airport.

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Report

Procedural Note

Clause 9.3 of Council's Code of Conduct states –

Councillors who have a personal (as distinct from civic) interest in a document of council have the same rights of access as any member of the public.

In accordance with this requirement and having regard to Cr Lamarra's Declarations of Interest concerning the Airport, the substantive report on this matter is included as an enclosure with limited access.

Budget Implications

The sale of the Airport was not included in the 2007/2008 Management Plan.

Policy Considerations

Nil

Recommendation

That the limited access closed session report on the Expression of Interest for Sale of Goulburn Airport from International Art Services Pty Ltd be considered in conjunction with this report.

Item 1 Expressions of Interest for Sale of Goulburn Airport (Attachment) – Limited Access

Reporting Officer

Manager of Economic Development and Administration – Ken Wheeldon

Purpose of Report

To give further consideration and determine on the Expression of Interest received from International Art Services Pty Ltd (IAS) in relation to the proposed sale of Goulburn Airport.

Referral to Closed Session

This matter is recommended for consideration in Closed Session as outlined in the General Manager's Report.

Report

The process for the consideration of the sale of the Goulburn Airport arose from:

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- A desire to see the airport become a more vibrant and viable asset to the community
- An inability to maintain a commercial service profitably (airport is an ongoing cost to Council budgets)
- A lowest ranking of the airport in the 2006 IRIS Community Survey
- Significant future capital works requirements
- Ongoing development issues at the airport

In evaluating the expressions of interest, six key criteria were set and applied, with appropriate weightings.

The following table sets out the criteria, weighting and the assessment of how the proponent meets these:

Criteria	Weighting	Officer Comments on Proposal
Business and Financial Plan	20%	Significant detail has been provided regarding the proposal, and the proponents have demonstrated that they have undertaken market analysis and completed their financial and business planning to demonstrate the viability of the proposal. The risk of non-performance is considered to be low.
Financial Offer	10%	<p>The financial offer falls short of the valuation obtained from the Department of Lands. During negotiations, IAS requested a copy of the valuation report, indicating a willingness to match their bid with Councils independent valuation. However, at this stage we have declined to provide them with a copy of the valuation.</p> <p>Given the quality of the IAS submission and the weighting applied to the financial criteria compared to the other five criteria, it is considered that the proponents be requested to raise their offer to no less than the figure provided in the Valuation Report.</p> <p>Whilst the Valuation Report provides a range of \$1.750m to \$1.925m, the Executive Summary considers the current market value to be \$1.750m.</p>

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		<p>It is important that any decision concerning the sale of the airport have clear regard to all of the assessment criteria; not just the price offered.</p> <p>Other options submitted by IAS (Appendix "F" of their original submission, copy attached) are not considered desirable due to the potential consequent retention of vicarious liability issues, and risk exposure.</p>
Regional Economic Development and Increased Commercial Patronage of Airport	20%	The proposal offers considerable economic and social benefit to the community. The risk of these being over-stated is moderate.
Proposed Works and Timetable	15%	The proponents have agreed to undertake the identified essential capital works within Council's expected timeframes and are committed to improving the overall attractiveness of the airport with a view to it being seen as a state of the art facility. The risk of works not being undertaken is low as this will be included in the Contract.
Proposed Contractual Arrangements with Council	10%	The proponents have worked cooperatively with Council and, in discussions have indicated their willingness to meet Council's contractual requirements. The risk of Contractual disagreements is considered to be low.
Demonstrated Experience in Aviation Industry or Operating/Managing a Registered CASA Airport	25%	<p>A profile of each proponent is attached for information.</p> <p>The NSW Department of State and Regional Development were asked to provide any comments on the proponents. This Department has verbally endorsed the proponent's credentials as genuine. At the time of finalising this report, comments had not been received from the Department of Infrastructure, Transport, Regional Development and Local Government. A copy of their comments will be made available at the meeting if received</p>

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		beforehand. There is a high level of confidence that the proponents have the capacity to operate the Airport and maintain its public status.
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At its meeting held on 19 February 2008, Council resolved the following:

“That further negotiations continue to take place with International Art Services Pty Ltd and a report on the outcome of these negotiations be considered by Council at the March meeting”.

The General Manager, Director of Corporate Services, Manager of Development Engineering and the Manager Economic Development and Administration (with advice from the Probitry Advisor), met with representatives from IAS on 27 February 2008. After lengthy discussions and a series of telephone conferences, IAS has provided a response (copy attached).

Under the REOI document, Council has the following rights:

Clause 14.14 Reservation of Rights

In addition to any reserved rights set out elsewhere in this REOI, Council reserves the right, without assigning any reasons, to:

- *negotiate with one or more Proponent at any time without prior notice*
- *terminate at any time further participation in this process by any party*
- *not proceed with the REOI*
- *proceed with the REOI on a basis or on terms different to those described in this REOI*
- *terminate the process at any time or modify any aspect of this process, including, without limitation, Council’s objectives, the evaluation process, the evaluation criteria, timetable or any proposed contractual arrangement*
- *cancel, vary, amend, supplement, replace or supersede this REOI or any of the matters set out in it at any time*
- *postpone, delay, suspend or cancel the process*
- *publish the names of Proponents and Preferred Proponents*
- *test community reaction to any EOI made by Proponents prior to making any decision on the future use of the Airport and its improvements.*

It is open for Council to exercise any of these rights at any time. However, any such discussion would need to be made having regard to a range of issues, including potential costs or future reviews.

Summary

While purchase price is clearly an important issue, this must be considered having regard to the other five assessment criteria and their weightings and the potential community benefit of having a revitalised airport. Provided the offer is increased to within the range of the independent valuation, the substantial economic and social benefits to the community overall are such that it is recommended that the sale proceed.

Officers involved in the assessment and negotiations have a high level of confidence that the proponents have the capacity and will to deliver on this project.

Budget Implications

No amounts have been budgeted for the sale of the airport.

The airport runs at an annual loss of some \$60,000 and also has significant and ongoing capital works requirements to continue to operate as a CASA registered airport.

Approximately \$400,000 to \$500,000 worth of essential capital works at the airport is required in the next two years.

Proceeds from the sale will be credited to the Land and Property Reserve and will be available for future capital works projects as determined by Council.

Policy Considerations

Council generally disposes of land at the valuation provided by the Department of Lands Valuers.

Recommendation

That:

1. Council, in recognition of the significant community benefits, agree to offer to sell the Goulburn Airport to International Art Services Pty Ltd for the consideration of the amount set by the Valuation Report provided by the Department of Lands.
2. A copy of the Valuation Report be made available (in commercial confidence) to International Art Services Pty Ltd.
3. All of the negotiated and agreed covenants, milestones and contractual arrangements be inserted in a Contract of Sale to be drawn up by Maddocks solicitors and that there be no confidentiality clauses inserted in the Contract, thereby making this a public document.
4. If the offer is accepted, the Mayor and General Manager be delegated to finalise the Contract and affix the Seal to all documentation necessary to complete this sale.

Resolved 08/134

Cr O'Neill/Cr Sturgiss

That the proposal not be accepted and that Council give further consideration to the future of the airport.

Cr Lamarra returned to the meeting at 6.47pm.

Corporate Services Report

**Item 1 Investment Performance Indicators
(Attachment)**

Reporting Officer

Operational Accountant– Chris Lambert

Purpose of Report

To report monthly the Investment Performance Indicators.

Recommendation

That the monthly Investment Performance Indicators as at 6 March 2008 be noted.

Resolved 08/135

Cr Sturgiss/Cr Eddy

That the monthly Investment Performance Indicators as at 6 March 2008 be noted.

Item 2 Monthly Financial Report (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 information on the Monthly Financial Report be noted.

Resolved 08/136

Cr O'Neill/Cr Craig

That the information on the Monthly Financial Report be noted.

**Item 3 Statement of Investments and Bank Balances
(Attachment)**

Reporting Officer

Operational Accountant – Chris Lambert

Purpose of Report

To submit the Statements of Investments and Bank Balances as at 6 March 2008.

Recommendation

That the Statements of Investments and the Bank Balances as at 6 March 2008 be noted.

Resolved 08/137

Cr Sturgiss/Cr Eddy

That the Statements of Investments and the Bank Balances as at 6 March 2008 be noted.

**Item 4 Goulburn Mulwaree Economic Development
Plan**

Reporting Officer

Manager Economic Development & Administration – Mr Ken Wheeldon

Purpose of Report

To provide an update on the progress of the Draft Economic Development Plan.

Recommendation

That the update on the Draft Economic Development Plan be noted.

Resolved 08/138

Cr Sullivan/Cr Harris

That the update on the Draft Economic Development Plan be noted.

**Item 5 NSW Local Government Councils Comparative
Information 2005/2006 (Enclosure)**

Reporting Officer

Director of Corporate Services – Dirk Holwerda

Purpose of Report

To advise of the outcomes of the annual comparative data published by the Department of Local Government.

Recommendation

That the Summary of Comparative Information on NSW Local Government Councils 2005/2006 be noted.

Resolved 08/139

Cr Lamarra/Cr Eddy

That the Summary of Comparative Information on NSW Local Government Councils 2005/2006 be noted.

Item 6 “Trigger” Relocation

Reporting Officer

Tourism Manager – Sarah Dawson

Purpose of Report

To report on the need to relocate “Trigger” from the Visitor Information Centre.

Recommendation

That “Trigger” be relocated from the Visitor Information Centre to the Civic Centre.

Resolved 08/140

Cr Harris/Cr O’Neill

That “Trigger” be relocated from the Visitor Information Centre to the Civic Centre on a permanent basis.

Item 7 Class Action – Grange Securities (Attachment)

Reporting Officer

Director of Corporate Services – Dirk Holwerda

Purpose of Report

To seek a Council decision on Grange Securities investments.

Recommendation

That Council not participate in a class action, as our exposure is limited and the costs are likely to be substantial.

Resolved 08/141

Cr Harris/Cr Eddy

That Council not participate in a class action, as our exposure is limited and the costs are likely to be substantial.

Item 8 Extinguishment of Easement – 100 Finlay Rd, Goulburn (Attachment)

Reporting Officer

Manager of Economic Development and Administration – Ken Wheeldon

Purpose of Report

To obtain Council's approval to execute an amended 88B Instrument relating to a Plan of Subdivision at 100 Finlay Rd, Goulburn (Lot 10 DP 717598) and extinguish an easement relating to an existing Right of Carriageway.

Recommendation

That Council's seal be affixed to the amended 88B Instrument relating to the Plan of Subdivision at 100 Finlay Rd, Goulburn (Lot 10 DP 717598) and the documentation necessary to extinguish the easement referred to in this report.

Resolved 08/142

Cr Lamarra/Cr Eddy

That Council's seal be affixed to the amended 88B Instrument relating to the Plan of Subdivision at 100 Finlay Rd, Goulburn (Lot 10 DP 717598) and the documentation necessary to extinguish the easement referred to in this report.

Item 9 Temporary Licence Agreement at Recreation Area, Braidwood Rd, Goulburn (Attachment)

Reporting Officer

Manager of Economic Development and Administration – Ken Wheeldon

Purpose of Report

To inform of an opportunity to earn additional revenue at the Recreation Area, Braidwood Rd, Goulburn by way of entering into a temporary licence agreement for use of a parcel of land (refer attached site plan).

Recommendation

That:

- 1* Expressions of Interest be advertised for a temporary licence agreement for appropriate use of approximately 8,000m² of land in the far south west corner of the Recreation Area, Braidwood Rd, Goulburn.
- 2* The General Manager and Mayor be authorised to select the preferred proponent based on a best revenue return basis.
- 3* The seal be affixed to this temporary licence agreement.

Resolved 08/143

Cr O'Neill/Cr Lamarra

That:

- 1. Expressions of Interest be advertised for a 12 month temporary licence agreement for appropriate use of approximately 8,000m² of land in the far south west corner of the Recreation Area, Braidwood Rd, Goulburn.*
- 2. The General Manager and Mayor be authorised to select the preferred proponent based on a best revenue return basis.*
- 2. The seal be affixed to this temporary licence agreement.*
- 3. That the Recreation Area Committee be provided with progress reports on this matter.*

Planning and Community Services Report

Item 1 Development Contribution Plans

Cr Lamarra declared an interest in the item and left the meeting at 6.55pm.

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To provide further information on the proposed approach to development contributions under the new Local Environmental Plan (LEP).

Recommendation

That the report of Development Contribution Plans be noted.

Resolved 08/144

Cr Sullivan/Cr Eddy

That the report on Development Contribution Plans be noted.

Cr Lamarra returned to the meeting at 6.56pm.

Item 2 Building Demolition & Tree Removal Requirements

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To present a proposed policy approach for building demolition and tree removal proposals.

Recommendation

That:

- A. Proposals for demolition in heritage conservation areas or tree removal only be considered as part of a development application for re-development / development unless there is a public safety risk or no adverse impact on a heritage building or streetscape
- B. This approach be incorporated into the new Development Control Plan.

Resolved 08/145

Cr Harris/Cr Eddy

That:

- A. *Proposals for demolition in heritage conservation areas or tree removal only be considered as part of a development application for re-development / development unless there is a public safety risk or no adverse impact on a heritage building or streetscape*
- B. *This approach be incorporated into the new Development Control Plan.*

Item 3 Development Statistics

Reporting Officer

Executive Assistant Planning & Community Services - Debbie McCarthy

Purpose of Report

To inform of the Development Statistics for the month of February 2008.

Recommendation

That the information on development activity be noted.

Resolved 08/146

Cr Lamarra/Cr Eddy

That the information on development activity be noted.

**Item 4 Significant Development Applications & Recent
 Decisions (Attachment)**

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 08/147

Cr Sturgiss/Cr Eddy

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

**Item 5 440/0607/DA – Rural Subdivision, 322 Mogo
 Road, Oallen (Enclosure)**

Reporting Officer

Development Assessment Officer – Tina Dodson

Purpose of Report

To present the Assessment Report for a rural subdivision at 322 Mogo Road, Oallen.

Recommendation

That Development Application No. 440/0607/DA for a 10 Lot Rural Subdivision at 322 Mogo Road, Oallen be refused on the following grounds:

- The proposal has not received concurrence from the Director General of the Department of Planning under SEPP No 1 for a variation to a development standard.
- The proposal is contrary to the objectives identified in Sections 5(a)(i) and (ii) of the *Environmental Planning and Assessment Act*.
- The proposal is contrary to objectives (a)(iii), (a)(v), (b)(i) and b(ii) identified for the 1(a) General Rural zone in Clause 9 of the Mulwaree Local Environmental Plan 1995.
- The proponent has not provided evidence from the electricity supplier that power can be provided to the site.

Resolved 08/148

Cr Lamarra/Cr Sturgiss

That item 5 and 6 of Planning & Community Services Report be deferred and that an extension be granted until June 2008 for the applicant to provide the further information.

Item 6 1/0708/DA – Rural Subdivision, 322 Mogo Road, Oallen (Enclosure)

Reporting Officer

Development Assessment Officer – Tina Dodson

Purpose of Report

To present the Assessment Report for a rural subdivision at 322 Mogo Road, Oallen.

Recommendation

That Development Application No. 1/0708/DA for a 20 Lot Rural Subdivision at 322 Mogo Road, Oallen be refused on the following grounds:

- The proposal has not received concurrence from the Director General of the Department of Planning under SEPP No 1 for a variation to a development standard.

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- The proposal is contrary to the objectives identified in Sections 5(a)(i) and (ii) of the *Environmental Planning and Assessment Act*.
- The proposal is contrary to objectives (a)(iii), (a)(v), (b)(i) and b(ii) identified for the 1(a) General Rural zone in Clause 9 of the Mulwaree Local Environmental Plan 1995.
- The proponent has not provided evidence from the electricity supplier that power can be provided to the site.

This item was dealt with in conjunction with Item 5 Planning & Community Services Report.

**Item 7 2004/644/DA – Rural Subdivision, 430
 Murrays Flat Road, Towrang (Enclosure)**

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To re-present the Assessment Report for a rural subdivision at 430 Murrays Flat Road, Towrang.

Recommendation

That conditional consent be granted under delegation for Development Application No. 2004/664/DA for a two lot subdivision at 430 Murrays Flat Road, Towrang.

Resolved 08/149

Cr Sullivan/Cr Craig

That conditional consent be granted under delegation for Development Application No. 2004/664/DA for a two lot subdivision at 430 Murrays Flat Road, Towrang.

**Item 8 345/0708/DA – Music Festival, 1357 Spa Road,
 Windellama (Enclosure)**

Reporting Officer

Development Assessment Officer – Tina Dodson

Purpose of Report

To present the Assessment Report for a music festival to support a tree planting event at 1357 Spa Road, Windellama.

Recommendation

That Conditional Development Consent be granted under delegation for Development Application No 345/0708/DA for a music festival to support a tree planting event at 1357 Spa Road, Windellama.

The Director of Planning & Community Services presented the following supplementary report to the meeting:

Item 8 345/0708/DA – Music Festival, 1357 Spa Road, Windellama (Attachment)

Reporting Officer

Development Assessment Officer – Tina Dodson

Purpose of Report

To present a supplementary Assessment Report for a music festival to support a tree planting event at 1357 Spa Road, Windellama.

Recommendation

That Development Consent be refused for Development Application No. 345/0708/DA for a Music Festival at 1357 Spa Road, Windellama on the following grounds:

- Inadequate details have been provided on the arrangements to protect the safety of participants.
- The proposal is not in the public interest
- Access to the site is unsuitable for the intended activity.
- The site is not suitable for the proposal

Resolved 08/150

Cr O'Neill/Cr Harris

That Development Consent be refused for Development Application No. 345/0708/DA for a Music Festival at 1357 Spa Road, Windellama on the following grounds:

- *Inadequate details have been provided on the arrangements to protect the safety of participants.*
- *The proposal is not in the public interest.*
- *Access to the site is unsuitable for the intended activity.*
- *The site is not suitable for the proposal.*

**Item 9 284/0708/DA – Demolition, 13-17 Verner
Street, Goulburn (Enclosure)**

Cr Lamarra declared an interest in the item and left the meeting at 7.26pm.

Reporting Officer

Trainee Town Planner – Lauren Evans

Purpose of Report

To present the Assessment Report for the demolition of all existing structures at 13-17 Verner Street, Goulburn.

Recommendation

That Conditional Development Consent be granted under delegation for Development Application No. 284/0708/DA for the demolition of all existing structures at 13-17 Verner Street, Goulburn.

Resolved 08/151

Cr Sullivan/Cr Harris

That Conditional Development Consent be deferred until a concept plan for redevelopment is lodged.

Cr Lamarra returned to the meeting at 7.33pm.

**Item 10 12/0607/MA - Waste Disposal Depot, 2-12
Common Street, North Goulburn (Attachment)**

Reporting Officer

Senior Town Planner – Dianne James

Purpose of Report

To present the Assessment Report for modification request to an approved waste disposal depot at 2-12 Common Street, North Goulburn.

Recommendation

That Conditional Development Consent be refused under delegation for Development Application No. 12/0607/MA (2000/0165/DA) for a Recycling yard at 2-12 Common Street, Goulburn based on that the required additional information has not been submitted.

Resolved 08/152

Cr O'Neill/Cr Eddy

That Conditional Development Consent be refused under delegation for Development Application No. 12/0607/MA (2000/0165/DA) for a Recycling yard at 2-12 Common Street, Goulburn on the basis that the required additional information has not been submitted.

Item 11 Tree Removal, 149 Hume Street, South Goulburn (Enclosure)

Reporting Officer

Manager Development Control – Chris Stewart

Purpose of Report

To present a request to remove trees from the property at 149 Hume Street, South Goulburn.

Recommendation

That the request for further removal of trees at 149 Hume Street, South Goulburn be declined.

Resolved 08/153

Cr Lamarra/Cr Sullivan

That the request for further removal of trees at 149 Hume Street, South Goulburn be deferred and an inspection of the site take place.

Item 12 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 February 2008

Recommendation

That the information on regulatory activity be noted.

Resolved 08/154

Cr Lamarra/Cr Sullivan

That the information on regulatory activity be noted.

Item 13 Food Premise Inspection Fees and Charges

Reporting Officer

Manager Environmental Services – Sonia Spotswood

Purpose of Report

To consider legislative change to the *Food Act 2003* that enables fees and charges to be set.

Recommendation

That the following fees and charges be applied to Food Premises in the 2008/2009 Management Plan:

- Annual Administration Charger per premises:
 - \$125 (5 or less FTE food handlers)
 - \$250 (6-50 FTE food handlers)
 - \$1,000 (51 or more FTE food handlers)
 - No Charge – Registered Charities and premises not requiring an annual inspection
- Improvement Notice Fee: \$330
- Inspection Fee: \$115 (Registered Charities – no charge)

Resolved 08/155

Cr Harris/Cr O'Neill

That the following fees and charges be applied to Food Premises in the 2008/2009 Management Plan:

- *Annual Administration Charger per premises:*
 - *\$125 (5 or less FTE food handlers)*
 - *\$250 (6-50 FTE food handlers)*
 - *\$1,000 (51 or more FTE food handlers)*
 - *No Charge – Registered Charities and premises not requiring an annual inspection*
- *Improvement Notice Fee: \$330*
- *Inspection Fee: \$115 (Registered Charities – no charge)*

Item 14 Pigeon Control

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To provide details on the pigeon control program.

Recommendation

That consideration be given in the 2008/09 Management Plan to increasing the service level of the pigeon trapping program for the Goulburn CBD area.

Resolved 08/156

Cr Harris/Cr Hadlow

That consideration be given in the 2008/09 Management Plan to increasing the service level of the pigeon trapping program for the Goulburn CBD area.

Item 15 Multi Function Centre Working Party (Attachment)

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To establish a Working Party to oversee the feasibility of a multi function centre.

Recommendation

That:

- A. A Working Party of the Facilities Advisory Committee be established to oversee the multi purpose centre project.
- B. The Working Party prepare a project brief and recommend options to progress the project brief.
- C. Expressions of Interest be sought for involvement in the Working Party.

Resolved 08/157

Cr O'Neill/Cr Lamarra

That:

- A. A Working Party of the Facilities Advisory Committee be established to oversee the multi purpose centre project.*
- B. The Working Party prepare a project brief and recommend options to progress the project brief.*

- C. *The Mayor, General Manager, Cr O'Neill, Cr Harris & Cr Sturgiss form the working party.*

Engineering Services Report

Item 1 Proposed Greyhound Stalls, Recreation Area, Braidwood Road, Goulburn (Attachment)

Reporting Officer

Director Engineering – Phil Hansen & Director Planning & Community Services – Chris Berry

Purpose of Report

To present a solution in relation to the proposed greyhound stalls and the poultry pavilion at the Recreation Area, Braidwood Road, Goulburn.

Recommendation

That:

- A. The proposal by the Greyhound Club for a new building adjacent to the eastern side of the Poultry Pavilion be endorsed subject to any financial commitment required from Council being considered, in conjunction with other priorities in future estimates meetings.
- B. A new “break out” area / future extension area be established for the Poultry Club on the southern side of the Poultry Pavilion.

Resolved 08/158

Cr O'Neill/Cr Sturgiss

That:

- A. *The proposal by the Greyhound Club for a new building adjacent to the eastern side of the Poultry Pavilion be endorsed subject to any financial commitment required from Council being considered, in conjunction with other priorities in future estimates meetings.*
- B. *A new “break out” area / future extension area be established for the Poultry Club on the southern side of the Poultry Pavilion.*

Item 2 Incident at Airport

Cr Lamarra declared an interest in items 2, 3 and 4 of Engineering Services Report and left the meeting at 7.42pm.

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Reporting Officer

Ian Aldridge – Manager Engineering Development.

Purpose of Report

To provide a report on an aircraft incident at Goulburn Airport on 14 February 2008.

Recommendation

That the report on the incident at the airport be noted.

Resolved 08/159

Cr Sullivan/Cr Craig

That the report on the incident at the airport be noted.

Item 3 Airport Audit by CASA

Cr Lamarra was not present for this item.

Reporting Officer

Ian Aldridge – Manager Engineering Development.

Purpose of Report

To provide a report on the results of an audit carried out on the airport by CASA.

Recommendation

That a broadcast facility on the BOM's weather station be installed at a quoted cost of \$11,210.

Resolved 08/160

Cr O'Neill/Cr Stephenson

That a broadcast facility on the BOM's weather station be deferred for further consideration at the next General Purpose Committee Meeting and the power to determine the matter be delegated to the General Purposes Committee.

Item 4 Angel Flight Australia – Request for Waiver of Landing Fees (Attachment)

Cr Lamarra was not present for this item.

Reporting Officer

Ian Aldridge – Manager Engineering Development

Purpose of Report

To report on a request by a charity organisation to waive landing fees at Goulburn Airport.

Recommendation

That the report on the request for waiver of landing fees be considered by Council.

Resolved 08/161

Cr Sullivan/Cr Sturgiss

That waiver of landing fees be approved by Council.

Cr Lamarra returned to the meeting at 7.44pm.

Item 5 Highlands Source Project

Reporting Officer

Manager Water Services – Greg Finlayson.

Purpose of Report

To inform Council of progress during the month.

Recommendation

That the report on the Highlands Source Project be received and noted.

Resolved 08/162

Cr Sturgiss/Cr Craig

That the report on the Highlands Source Project be received and noted

That Council write to the Federal Minister seeking re-confirmation of the \$20M grant for the Highland Source Project.

Item 6 Water Supply Status Report for February 2008

Reporting Officer

Manager Water Services – Greg Finlayson

Purpose of Report

To inform Council of the performance of the Goulburn and Marulan water supplies during February 2008.

Recommendation

That the information on the water supply status report for February 2008 be noted.

Resolved 08/163

Cr Sturgiss/Cr Craig

That the information on the water supply status report for February 2008 be noted.

Item 7 Roadside and Council Land Weed Control

Reporting Officer

Cemetery and Facilities Supervisor – Brian Ohlback

Purpose of Report

To advise of weed control work carried out on Council lands and roads for February / March 2008.

Recommendation

That the report on roadside and Council land weed control be noted.

Resolved 08/164

Cr Lamarra/Cr Harris

That the report on roadside and Council land weed control be noted.

Item 8 Petition regarding Ducks Lane (Attachment)

Reporting Officer

Director Engineering Services – Phil Hansen.

Purpose of Report

To advise Council of a petition received regarding Ducks Lane.

Recommendation

That the signatories to the petition be advised accordingly.

Resolved 08/165

Cr Eddy/Cr Sullivan

That the signatories to the petition be advised accordingly.

Item 9 Commonwealth Flood Mitigation Program (Attachment)

Reporting Officer

Director Engineering Services – Phil Hansen.

Purpose of Report

Forwarding a request for assistance in ensuring the continuation of a Commonwealth Flood Mitigation Program.

Recommendation

That Council make representations in support of the retention of:

1. a joint funded Commonwealth Flood Mitigation Program (CFMP)
2. a CFMP funded to a level that will meaningfully address the problems of Flood Management and Mitigation
3. a CFMP funded to a level that is maintained in real terms

Resolved 08/166

Cr Eddy/Cr Craig

That Council make representations in support of the retention of:

1. *a joint funded Commonwealth Flood Mitigation Program (CFMP)*
2. *a CFMP funded to a level that will meaningfully address the problems of Flood Management and Mitigation*
3. *a CFMP funded to a level that is maintained in real terms.*

Item 10 Vandalism Report

Reporting Officer

Executive Assistant, Engineering Services – Wendy Nichol.

Purpose of Report

To provide Council with information on acts of vandalism that has occurred during the month of February 2008.

Recommendation

That the report on vandalism for the month of February 2008 be noted.

Resolved 08/167

Cr Sturgiss/Cr Eddy

That the report on vandalism for the month of February 2008 be noted.

Item 11 Gross Pollutant Trap Cleaning

Reporting Officer

Works Engineer – Andrew Palmer

Purpose of Report

To provide Council with information on gross pollutant trap cleaning for February 2008.

Recommendation

That the report on gross pollutant trap cleaning for February 2008 be noted.

Resolved 08/168

Cr Harris/Cr Sullivan

That the report on gross pollutant trap cleaning for February 2008 be noted.

Item 12 Engineering Services Update

Reporting Officer

Director Engineering Services – Phil Hansen.

Recommendation

That the information be noted.

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Resolved 08/169

Cr Sturgiss/Cr Craig

That the information be noted.

Questions Without Notice

Cr Sullivan	Heritage and Roses Festival – Congratulations to staff and request to provide recognition to Mr Hughes and his team for their efforts
Cr Eddy	Have media releases been made for garbage collection services over Easter period?
	Can Council contact Country Energy about street lights being out in Marulan?
Cr Harris	Is there a reason for staff cleaning entrance to city on weekends?
Cr O'Neill	Street lights at Corner of Clinton St & Hume Street are out.
	Where is the light for Rocky Hill up to?
	Can I have a copy of the capital works program that was provided to the Facilities Advisory Committee?
	Is Council currently investigating recycling services for schools?
	When is the Management Plan - capital works meeting which is scheduled for March 2008 in the timetable?
	Can meetings requiring Councillor attendance be arranged to start no earlier than 4pm?
	Can a report be prepared on the dead/dying trees in Goulburn and include the actions and timeframes proposed to address them?
	Can feral shopping trolleys in the city be picked up asap?
	Can reflector lights at southern end roundabout of Auburn Street be installed?
Cr Hadlow	Garfield Ave taxi rank – noise problems. Can we look at the rank being placed at Blue Hills shop?
	Can a report on activities Council is involved in at the airport be presented?
	Will be an apology for next General Purpose Committee Meeting
Cr Lamarra	Can Council arrange a letter of thanks to Teena Riley and Peter Oliver for their work in relation to the Goulburn Birthday celebrations?

Closed Council

Resolved 08/170

Cr Hadlow/Cr Craig

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.

Council resolved into closed session at 8.24pm.

The items listed in Executive Report Item 8 were discussed.

That Council Resume in Open Session

Resolved 08/171

Cr Hadlow/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 8) be adopted.

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These motions were:

Engineering Services Report

**Item 1 Outstanding Debt Liquid Trade Waste
(Attachment)**

Resolved 08/172

Cr O'Neill/Cr Lamarra

That the report on the outstanding debt for liquid trade waste be received and that normal recovery processes proceed in due course following legal advice.

Cr Lamarra left the meeting at 8.32pm

Task List

Responsible Directorate	Responsible Officer	Item No	Task
Executive Services	General Manager	<i>Exec 1</i>	Arrange a Special Council Meeting for 7 October 2008 to consider Committee appointments
		<i>Exec 1</i>	Schedule Mayoral and Deputy Mayoral election for 23 September 2008
		<i>Exec 4</i>	Update organisational structure
		<i>Eng 5</i>	Write to the Federal Minister seeking re-confirmation of the \$20M grant for Highland Source Project
		<i>QWN</i>	Arrange a letter of thanks to Teena Riley and Peter Oliver for their work in relation to the Goulburn Birthday celebrations
		<i>QWN</i>	Provide Cr O'Neill with a copy of the capital works program that was provided to the Facilities Advisory Committee
Corporate Services	Director Corporate Services	<i>Exec 8</i>	Advise International Art Services Pty Limited of Council resolution
		<i>Corp 7</i>	Notify Grove Securities of resolution
		<i>Corp 8</i>	Place Council seal on documentation relating to 100 Finlay Road
		<i>Corp 9</i>	Advertise EOI for 12 month licence agreement of land at Recreation Area
		<i>Corp 9</i>	Provide the Recreation Area Committee with a progress report on the EOI for 12 month licence agreement of land at Recreation Area
Planning & Community Services	Director Planning & Community Services	<i>Plan 2</i>	Prepare guideline, public notice and incorporate into new DCP
		<i>Plan 5</i>	Advise applicant and follow up in June 2008
		<i>Plan 6</i>	Advise applicant and follow up in June 2008
		<i>Plan 7</i>	Issue approval
		<i>Plan 8</i>	Issue refusal and advise objectors
		<i>Plan 9</i>	Advise applicant and objector
		<i>Plan 10</i>	Issue refusal

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Responsible Directorate	Responsible Officer	Item No	Task
		<i>Plan 11</i>	Arrange letter to applicant
		<i>Plan 13</i>	Issue media release and incorporate into Management Plan considerations
		<i>Plan 14</i>	Refer pigeon control measure estimates to Management Plan for consideration
		<i>QWN</i>	Arrange a blitz on feral shopping trolleys
Engineering Services	Director of Engineering Services	<i>Exec 8</i>	Prepare report on future of the Goulburn Airport
		<i>Corp 6</i>	Arrange for "Trigger" to be relocated to Civic Centre
		<i>Eng 1</i>	Contact Greyhound and Poultry clubs and notify of resolution
		<i>Eng 3</i>	Provide further report to next General Purposes Review Committee for determination
		<i>Eng 4</i>	Contact Angel Flight and notify of outcome
		<i>Eng 9</i>	Contact Commonwealth Flood Migration Program to notify of Council support
		<i>QWN</i>	Contact Country Energy about street lights being out in Marulan
		<i>QWN</i>	Look into street lights that are out on corner of Clinton and Hume Street
		<i>QWN</i>	Provide a report to next Council meeting on the dead/dying trees in Goulburn and include the actions and timeframes proposed to address them
		<i>QWN</i>	Investigate reflectors, being placed on the roundabout at the southern end of Auburn Street
		<i>QWN</i>	Provide a report on the activities Council is involved in at the airport

Meeting closed at 8.33pm.

The minutes were confirmed at the Council meeting on 15 April 2008 at which this signature was endorsed.

.....
Cr Paul Stephenson
Mayor

.....
Mr Luke Johnson
General Manager