



**Minutes from meeting of:
ORDINARY COUNCIL**

**Held
Tuesday 20 January 2009
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 20 January
2009 commencing at 6pm in the Council Chambers**

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Minutes of the Ordinary Meeting of Council held Tuesday 20 January 2009 commencing at 6pm in the Council Chambers

Present

Mayor James, Deputy Mayor Kirk, Cr Banfield, Cr Penning, Cr Dillon & Cr Sturgiss.

Also Present

General Manager (Luke Johnson), Acting Director Planning and Community Services (Mr C Stewart), Acting Director Corporate Services (Mr B Hollands), Acting Director Engineering Services (Mr T Cooper), Acting Water Services Director (Mr G Finlayson), Human Resources Manager (Mr W Singleton, left the meeting at 6.30pm), Public Relations Officer (Mr P Oliver), Corporate Governance Co-ordinator (Ms S Blay, left the meeting at 7.10pm) & Executive Assistant Corporate Services (Miss A Croke).

Opening Prayer

Read by Cr Penning.

Apologies

That apologies from Crs Woodman, O'Neill & Hadlow be received and leave of absence granted.

Resolved 09/01

Cr Banfield/Cr Penning

That apologies from Crs Woodman, O'Neill & Hadlow be received and leave of absence granted.

Disclosure of Interest

Nil

Calendar of Events

Resolved 09/02

Cr Sturgiss/Cr Penning

That the Calendar of events be received and noted.

Mayoral Minute

Recommendation

That the Mayoral Minute be received and noted.

Resolved 09/03

Cr Dillon/Cr Kirk

That the Mayoral Minute be received and noted.

Confirmation of Minutes

Recommendation

That the Minutes of the Ordinary Meeting of Council held Tuesday 16 December 2008 and contained in Minute Pages Nos 1 to 53 inclusive and in Minute Nos 08/792 to 08/868 inclusive be confirmed.

Resolved 09/04

Cr Banfield/Cr Sturgiss

That the Minutes of the Ordinary Meeting of Council held Tuesday 16 December 2008 and contained in Minute Pages Nos 1 to 53 inclusive and in Minute Nos 08/792 to 08/868 inclusive be confirmed with the following correction, in relation to 08/807, the following words to be deleted from below the resolution “ the rescission motion was put and carried”.

Committee Reports for Adoption

Nil

Other Reports for Information

Resolved 09/05

Cr Sturgiss/Cr Kirk

That the report of the following committees be received and the recommendations therein be adopted:

- 1. Upper Shoalhaven Reference Group Meeting held 11 November 2008*
 - 2. Community Transport Committee held 12 December 2008.*
-

Submission of Rescission Motion

Nil

Consideration of Motions of Which Due Notice has been Given

Nil

Executive Services Report

Item 1 Closed Session

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To consider moving into Closed Session.

The following confidential report has been distributed separately:

Division	Report
Executive Services	Item 1 – Outstanding Tipping Fees

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 Outstanding Tipping Fees

Section 10A(2)(a) –personal matters concerning particular individuals

Purpose of Report

To advise Council on an outstanding debt for tipping fees.

This matter is referred for discussion in Closed Council due to privacy considerations.

Resolved 09/06

Cr Sturgiss/Cr Penning

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 Outstanding Tipping Fees

Section 10A(2)(a) –personal matters concerning particular individuals

Purpose of Report

To advise Council on an outstanding debt for tipping fees.

This matter is referred for discussion in Closed Council due to privacy considerations.

Item 2 Department of Local Government Circulars

Reporting Officer

Executive Assistant – Karen Gardiner

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 09/07

Cr Kirk/Cr Banfield

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

**Item 3 Correspondence for Information / Attention
(Attachment)**

Reporting Officer

Executive Assistant – Karen Gardiner

Recommendation

That the information on correspondence be received and noted.

Resolved 09/08

Cr Sturgiss/Cr Banfield

That the information on correspondence be received and noted.

Item 4 Questions Without Notice & Task List Status Report

Reporting Officer

Executive Assistant – Karen Gardiner

Purpose of Report

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

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Recommendation

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

Resolved 09/09

Cr Penning/Cr Banfield

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

Item 5 Councillor Workshops (Enclosure)

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To advise of a Councillor Workshop held since last being report to Council Meeting on 16 December 2008.

Recommendation

That the information on the Councillor Workshop be received and noted.

Resolved 09/10

Cr Sturgiss/Cr Banfield

That the information on the Councillor Workshop be received and noted.

Item 6 Department of Local Government – Councillor Seminars

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To formally report on participation at the Department of Local Government's *Councillor Development Strategy Seminars*.

Recommendation

That the Department of Local Government be advised in the terms outlined above.

Resolved 09/11

Cr Banfield/Cr Kirk

That the Department of Local Government be advised in the terms outlined above.

**Item 7 Disclosure of Interest Returns under Section 449 of
the Local Government Act 1993**

Reporting Officer

Corporate Governance Coordinator – Simone Blay

Purpose of Report

To table the Disclosure of Interest Returns of Incoming Councillors

Recommendation

That the Disclosure of Interests Returns be received and noted.

Resolved 09/12

Cr Kirk/Cr Penning

That the Disclosure of Interests Returns be received and noted and that Cr Woodman's situation be advised to the Department of Local Government and that a suggestion be made that in these situations a provision be made to grant an extension.

Item 8 Conduct Review Committee (Attachment)

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To reconsider the reappointment of Council's interim Conduct Review Committee.

Recommendation

That –

1. In the intervening period whilst Council receives and determines nominations for its interim local Conduct Review Committee (MN 08/818), the previous Interim Conduct Review Committee comprising, Mr Gerry Holmes, Ms Kath Roach and Mr Don Elder be re-established, including the appointment of these members as Sole Conduct Reviewers.
2. Correspondence be forwarded to the Department of Local Government, thanking them for their recent advice and advising the Department of Council's decision.

Resolved 09/13

Cr Sturgiss/Cr Kirk

That –

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- 1. In the intervening period whilst Council receives and determines nominations for its interim local Conduct Review Committee (MN 08/818), the previous Interim Conduct Review Committee comprising, Mr Gerry Holmes, Ms Kath Roach and Mr Don Elder be re-established, including the appointment of these members as Sole Conduct Reviewers.*
- 2. Correspondence be forwarded to the Department of Local Government, thanking them for their recent advice and advising the Department of Council's decision.*

Item 9 Risk Management Incentive Bonus (Attachment)

Reporting Officer

Manager Human Resources - Will Singleton

Purpose of Report

To advise Council that the Statewide Mutual Liability scheme has paid an incentive bonus to the Council for the 2007- 2008 period and to resolve the expenditure of the bonus.

Recommendation

That Council consider allocation of the bonus as outlined by Statewide at the next quarterly budget review.

Resolved 09/14

Cr Sturgiss/Cr Dillon

That Council consider allocation of the bonus as outlined by Statewide at the next quarterly budget review.

Item 10 Workers Compensation Insurance Premium Refund

Reporting Officer

Manager Human Resources - Will Singleton

Purpose of Report

To advise Council that advice has been received from the Council's Workers Compensation insurer to the effect that the adjustment premium for the period 30/6/2007 to 30/6/2008 has been calculated resulting in a refund premium payable to Council for the amount of \$70,991.56.

To resolve the expenditure of the refund.

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Recommendation

That the possible allocation of the \$70,991 fund be considered in the next budget review.

Resolved 09/15

Cr Kirk/Cr Banfield

That the possible allocation of the \$70,991 fund be considered in the next budget review and staff involved in both Risk Management and Workers Compensation be congratulated.

Item 11 Business Briefings

Reporting Officer

General Manager – Luke Johnson

Purpose of Report

To establish a series of business briefings at General Purposes meetings.

Recommendation

That in line with Council's Economic Development Plan, the General Purpose Committee meeting format be adjusted to include regular business briefings coordinated through our Economic Development Unit, and that these briefings be open to the press and public.

Resolved 09/16

Cr Sturgiss/Cr Penning

That in line with Council's Economic Development Plan, the General Purpose Committee meeting format be adjusted to include regular business briefings coordinated through our Economic Development Unit, and that these briefings be open to the press and public or be held in private when necessary under Section 10 of the Local Government Act 1993.

Corporate Services Report

Item 1 Statement of Investments and Bank Balances (Attachment)

Reporting Officer

Acting Finance Manager (Operational) – Chris Lambert

Purpose of Report

To report on the Investment Performance and Bank Balances as at 4 January 2009.

Recommendation

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

Resolved 09/17

Cr Sturgiss/Cr Dillon

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

Item 2 Monthly Financial Report (Enclosure)

Reporting Officer

Acting Finance Manager (Operational) – Chris Lambert

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 09/18

Cr Banfield/Cr Penning

That the information on the Monthly Financial Report be noted.

Item 3 Policy Review (Enclosure)

Reporting Officer

Administration Officer – Vivienne Flanagan

Purpose of Report

To present a number of policies for review or adoption by Council.

Recommendation

That:

1. The amended Receipt of Payment by Credit Card Policy be adopted
2. The existing Supplementary Rates Policy be adopted
3. The existing Rating – Mixed Development Policy be adopted
4. The existing Water Leakage Policy be adopted

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5. The existing Water Allowance – Medical Reasons Policy be adopted
6. The amended Email and Internet Use Policy be adopted.
7. The existing Tourism Events Funding Policy be adopted.

Resolved 09/19

Cr Sturgiss/Cr Penning

A. That:

- *The amended Receipt of Payment by Credit Card Policy be adopted*
- *The existing Supplementary Rates Policy be adopted*
- *The existing Rating – Mixed Development Policy be adopted*
- *The existing Water Leakage Policy be adopted*
- *The existing Water Allowance – Medical Reasons Policy be adopted*
- *The amended Email and Internet Use Policy be adopted.*
- *The existing Tourism Events Funding Policy be adopted.*

B. That:

- *A policy in relation to the installation of domestic and commercial water tanks be brought to a Councillor workshop*
- *A policy in relation to the recreational use of Pejar Dam be brought to a Councillor workshop*

Item 4 Debtors Outstanding Report

Reporting Officer

Revenue Officer – Cheree Langford

Purpose of Report

To advise Council on the status of Debtor collections as at 31st December 2008.

Recommendation

That the Debtors Outstanding report be received and noted.

Resolved 09/20

Cr Banfield/Cr Penning

That the Debtors Outstanding report be received and noted.

Item 5 Rates Outstanding Report

Reporting Officer

Revenue Coordinator – Kristy Mason

Purpose of Report

To advise on the status of rates collections as at 6 January 2009.

Recommendation

That the Rates Outstanding report on outstanding rates be noted.

Resolved 09/21

Cr Banfield/Cr Penning

That the Rates Outstanding report on outstanding rates be noted.

Item 6 Water Outstanding Report

Reporting Officer

Revenue Officer – Karen Gray

Purpose of Report

To advise Council on the status of water collections as at 22 December 2008.

Recommendation

That the above report be received and noted.

Resolved 09/22

Cr Penning/Cr Banfield

That the above report be received and noted.

Planning and Community Services Report

Item 1 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 09/23

Cr Sturgiss/Cr Penning

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

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

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Item 2 Development Statistics

Reporting Officer

Executive Assistant Planning & Community Services - Debbie McCarthy

Purpose of Report

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

Recommendation

That the information on development activity be noted.

Resolved 09/24

Cr Kirk/Cr Penning

That the information on development activity be noted.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 3 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 December 2008.

Recommendation

That the information on regulatory activity be noted.

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Resolved 09/25

Cr Dillon/Cr Banfield

That the information on regulatory activity be noted.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 4 Changes to Planning Legislation

Reporting Officer

Senior Development Assessment Officer – Stephanie Mowle

Purpose of Report

To report on recent changes to planning legislation including:

- Gazettal of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008;
- Gazettal of State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008; and
- Changes to Development Contributions.

Recommendation

That the report on recent changes to Planning Legislation be noted.

Resolved 09/26

Cr Banfield/Cr Kirk

That the report on recent changes to Planning Legislation be noted.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 5 Community Safety Plan

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To present the Goulburn Mulwaree Community Safety Plan to Council for adoption.

Recommendation

That the Goulburn Mulwaree Community Safety Plan be adopted.

Resolved 09/27

Cr Penning/Cr Banfield

That the Goulburn Mulwaree Community Safety Plan be adopted.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 6 Flood Study Review (Attachment)

Reporting Officer

Director Planning & Community Services – Chris Berry

Purpose of Report

To inform of a request for a review of the Wollondilly River and Mulwaree Chain of Ponds Flood Management Study and Plan.

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Recommendation

That the proposal to review the 2003 Wollondilly River and Mulwaree Chain of Ponds Flood Plain Risk Management Study and Plan be considered in the 2009/10 Budget Estimates.

Resolved 09/28

Cr Penning/Cr Kirk

That the proposal to review the 2003 Wollondilly River and Mulwaree Chain of Ponds Flood Plain Risk Management Study and Plan be considered in the 2009/10 Budget Estimates.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 7 Proposed Gunlake Quarry, Brayton Road, Marulan

Reporting Officer

Acting Director Planning & Community Services – Chris Stewart

Purpose of Report

To provide Council with a status report in relation to the proposed Gunlake Quarry.

Recommendation

That:

1. The status report on Gunlake Quarry be noted.
2. The Mayor and General Manager is delegated authority to enter into agreement with the proponent to offset Section 94 contributions if an acceptable outcome can be reached with the proponent.

Resolved 09/29

Cr Kirk/Cr Penning

That:

1. *The status report on Gunlake Quarry be noted.*

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2. *The Mayor and General Manager is delegated authority to enter into agreement with the proponent to offset Section 94 contributions if an acceptable outcome can be reached with the proponent.*

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Woodman (Absent)		

Item 8 24/0809/MOD, Disposal of grease trap waste at 99-241 Mazamet Road, Goulburn (Enclosure)

Reporting Officer

Acting Director Planning & Community Services – Chris Stewart

Purpose of Report

To present an assessment report to Council in relation to Modification Application No. 24/0809/MOD, for the treatment of grease trap waste at 99 – 241 Mazamet Road, Goulburn.

Recommendation

That conditional consent is granted under delegation for Modified Development Application No. 24/0809/MOD for the treatment of grease trap waste at 99-241 Mazamet Road, Goulburn.

Resolved 09/30

Cr Kirk/Cr Banfield

That conditional consent is granted under delegation for Modified Development Application No. 24/0809/MOD for the treatment of grease trap waste at 99-241 Mazamet Road, Goulburn.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		

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Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 9 51/0809/DA – Proposed Retail Shop, 6 Sowerby Street, South Goulburn (Enclosure)

Reporting Officer

Senior Town Planner - Dianne James

Purpose of Report

To present the Assessment Report for the above Development Application at 6 Sowerby Street, South Goulburn.

Recommendation

That Development Application 51/0809/DA to establish a Change of Use – Retail Shop at 6 Sowerby Street, South Goulburn is refused on the following grounds:

1. The proposal does not comply with the zone objectives under the Goulburn Local Environmental Plan 1990 or Draft Goulburn Mulwaree Local Environmental Plan 2008;
2. The development is inconsistent with the current and future desired character for the area; and
3. The proposal may prejudice the proper and orderly planning of the area.

Resolved 09/31

Cr Banfield/Cr Penning

That Development Application 51/0809/DA to establish a Change of Use – Retail Shop at 6 Sowerby Street, South Goulburn is refused on the following grounds:

1. *The proposal does not comply with the zone objectives under the Goulburn Local Environmental Plan 1990 or Draft Goulburn Mulwaree Local Environmental Plan 2008;*
2. *The development is inconsistent with the current and future desired character for the area; and*
3. *The proposal may prejudice the proper and orderly planning of the area.*

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 10 Proposed Quarry, "Ardmore Park" Oallen Ford Road, Bungonia

Reporting Officer

Acting Director Planning & Community Services – Chris Stewart

Purpose of Report

To provide Council with a status report in relation to the proposed Quarry at Ardmore Park, Bungonia.

Recommendation

That Council finalise its consideration of the rescission motion having regard to the following subsequent recommendation:

1. The proponent for the quarry at "Ardmore Park", Oallen Ford Road, Bungonia be advised the road construction requirements and development contributions for the haulage route are as follows:
 - Haulage route pavement to be upgraded as follows:
 - 7m wide carriageways (3.5m wide lanes)
 - 1m wide shoulders with 0.5m seal
 - 8m wide culvert and bridges
 - Development contributions towards extraordinary road damage for ongoing road maintenance over the life of the project and are not for bringing the existing road up to the required standard for the haulage. The formula for calculating this contribution is as follows:

$$\text{Contribution per tonne (cents)} = 4 (L_1 \times P_1 + L_2 \times P_2 + \dots + L_n \times P_n)$$

Where:

- L₁ Length of road route 1 used by the extractive industry
- P₁ Estimated percentage of extractive material trucked along route 1
- 4 4 cents per tonne as the contribution towards pavement rehabilitation, restoration, repair and/or maintenance
- L₂ Length of road route 2
- P₂ Estimated percentage of extractive material trucked along route 2

- The road improvements to bring the haulage route up to the required standard must be in place prior to the commencement of quarry truck operations and that

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these road works are the responsibility of the applicant and at no cost to Council for the life of the project.

2. The Mayor and General Manager are delegated authority to submit a further submission to the Department of Planning outlining Councils position in relation to offsetting of Section 94 contribution in line with the negotiations / any agreement reached in the Gunlake Quarry matter.

Motion

Cr Dillon/

That Council finalise its consideration of the rescission motion having regard to the following subsequent recommendation:

1. The proponent for the quarry at “Ardmore Park”, Oallen Ford Road, Bungonia be advised the road construction requirements and development contributions for the haulage route are as follows:
 - Haulage route pavement to be upgraded as follows:
 - 7m wide carriageways (3.5m wide lanes)
 - 1m wide shoulders with 0.5m seal
 - 8m wide culvert and bridges
 - Development contributions towards extraordinary road damage are for ongoing road maintenance over the life of the project and are not for bringing the existing road up to the required standard for the haulage. The formula for calculating this contribution is as follows:

Contribution per tonne (cents) = $4 (L_1 \times P_1 + L_2 \times P_2 + \dots + L_n \times P_n)$

Where:
 L_1 Length of road route 1 used by the extractive industry
 P_1 Estimated percentage of extractive material trucked along route 1
4 4 cents per tonne as the contribution towards pavement rehabilitation, restoration, repair and/or maintenance
 L_2 Length of road route 2
 P_2 Estimated percentage of extractive material trucked along route 2
 - The road improvements to bring the haulage route up to the required standard must be in place prior to the commencement of quarry truck operations and that these road works are the responsibility of the applicant and at no cost to Council for the life of the project.
2. The Mayor and General Manager are delegated authority to submit a further submission to the Department of Planning outlining Councils position in relation to whether and, if so, to what extent the value of road works carried out by the applicant should be offset against the Section 94 contributions that would otherwise be payable.

The motion lapsed through the lack of a seconder.

Resolved 09/32

Cr Penning/Cr Kirk

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That the item be deferred pending a second meeting with three resident representatives and three proponents on Tuesday 27 January 2009 at 4pm for a 30 minute duration and at this meeting Council convene as an open meeting of the whole and have delegated authority to determine the matter.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Item 11 77/0708/MOD, Proposed subdivision at 2121 Caoura Road, Tallong (Enclosure)

Reporting Officer

Acting Director Planning & Community Services – Chris Stewart

Purpose of Report

To advise Council of the outcome of a recent hearing before the NSW Land & Environment Court.

Recommendation

That:

1. The report on the NSW Land & Environment Court Hearing be noted.
2. The variation to Councils rural road standard is implemented immediately in line with the Court ruling.

Resolved 09/33

Cr Sturgiss/Cr Banfield

That:

1. *The report on the NSW Land & Environment Court Hearing be noted.*
2. *The variation to Councils rural road standard is implemented immediately in line with the Court ruling.*

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
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Cr Banfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dillon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Hadlow (Absent)		
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill (Absent)		
Cr Penning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Woodman (Absent)		

Engineering Services Report

Item 1 Timber Bridges within the Goulburn Mulwaree Council Local Government Area

Reporting Officer

Andrew Palmer – Works Engineer

Purpose of Report

To report details of all timber bridges within the Goulburn Mulwaree Local Government Area.

Recommendation

That the information on timber bridges be noted.

Resolved 09/34

Cr Banfield/Cr Sturgiss

That the information on timber bridges be noted.

Item 2 Progress Report on the Replacement of Lumley Road Bridge, Tarago

Reporting Officer

Works Engineer – Andrew Palmer

Purpose of Report

To provide Council with a regular project update on the replacement of the Lumley Road Bridge Tarago.

Recommendation

That the information on the progress of the Lumley Bridge replacement be noted.

Resolved 09/35

Cr Sturgiss/Cr Banfield

That the information on the progress of the Lumley Bridge replacement be noted.

Item 3 Engineering Services Update

Reporting Officer

Acting Director Engineering Services – Terry Cooper.

Purpose of Report

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

Manager Engineering Development

1. Caoura Road, Tallong, footpath design continuing.
2. Gunlake Quarry – meeting held with council's solicitors.
3. Caoura Rd DA– on-site court hearing held on 11 December. Negotiated settlement agreed.
4. CC drawings reviewed for Mulwaree Street, Crematorium.
5. Goulburn Liquor Accord meeting attended.
6. Designated Driver Rewards Program continuing for major events in Goulburn Mulwaree.
7. Data collection and condition assessment of rural stormwater ongoing.
8. Review of Draft Asset Management Plan.
9. Water and Sewer Asset Management Plan consultants continuing to work with Council staff.
10. Link between Tech 1 data and Exponare progressing.
11. Condition assessment review undertaken for Goulburn water and sewer pipe assets.
12. Review of Mapinfo road asset layers.
13. Update of Marulan Sewer Data commenced.

Manager Facilities

1. Indoor pool closed for maintenance to laminated beams, amenities and boiler
2. Annual review of the Recycling Contract completed
3. Draft Waste Management Plan for Marulan Waste Management Centre completed and sent to DECC and SCA for comment
4. General maintenance of air conditioners etc at the Civic Centre over the closedown period

Manager Parks and Recreation

1. Ongoing grass establishment at General and Kenmore Cemeteries.
2. Grass maintenance activities undertaken at various locations
3. Weed management activities at various locations

Manager Works

1. Oallen Ford Road construction is continuing with the section to be sealed prior to Christmas.
2. Tiyces Lane constructed section will be sealed prior to Christmas.
3. Rosemont Road rehabilitation is completed with the section to be sealed prior to Christmas.
4. Lumley Road constructed section will be sealed prior to Christmas.
5. Lumley Road Bridge, Tarago inspections are continuing.
6. Komungla Bridge, Currawang Road has been repaired and reopened with a load limit.
7. Rhoda Street kerb and gutter replacement is completed.
8. Oallen Ford Road and Jerrara Road guardrail replacement programme is commencing in December.
9. Insitu stabilisation and reconstruction of Maud Street is scheduled to commence in January 2009.
10. Goulburn asphalt programme is scheduled to commence in January 2009.
11. Urban and rural resealing programme is scheduled to commence in January 2009.
12. Shoulder Maintenance – various rural roads.
13. Drainage Maintenance – various rural roads.
14. GPT Maintenance – ongoing.
15. Sealed Road Maintenance – Rural and Urban – ongoing.
16. Kerb and Gutter and Footpath Maintenance – ongoing.
17. Footpath Grinding Program – ongoing.
18. Rural addressing – ongoing.
19. Asset Maintenance Inspections – ongoing.
20. Timber Bridge Inspections – quarterly.

Recommendation

That the information be noted.

Resolved 09/36

Cr Sturgiss/Cr Kirk

That the information be noted.

**Item 4 Review of Galvanised Corrugated Steel Pipes used
as Culverts under Roads in the Goulburn Mulwaree
Local Government Area (Attachment)**

Reporting Officer

Works Engineer – Andrew Palmer

Purpose of Report

To update Council on the review undertaken on galvanised corrugated steel pipes used as culverts under roads in Goulburn Mulwaree Local Government Area (LGA).

Recommendation

1. That the information be noted
2. That \$85,000 of budget be transferred from the Stormwater Maintenance budget to the Stormwater Renewal Budget
3. That \$70,000 of budget be transferred from the unallocated capital reserve to the Stormwater Renewal budget

Resolved 09/37

Cr Penning/Cr Sturgiss

1. *That the information be noted.*
2. *That \$85,000 of budget be transferred from the Stormwater Maintenance budget to the Stormwater Renewal Budget.*
3. *That \$70,000 of budget be transferred from the unallocated capital reserve to the Stormwater Renewal budget.*

**Item 5 Draft Prevention Notice from Sydney Catchment
Authority**

Reporting Officer

A/Director Engineering Services – Terry Cooper

Purpose of Report

To advise Council of the receipt of a draft prevention notice from the Sydney Catchment Authority (SCA) in relation to the Goulburn saleyards.

Recommendation

1. That the information be noted
2. That \$10,000 of the budget be allocated from the unallocated capital reserve to prepare the Operational Environmental Management Plan.

Resolved 09/38

Cr Dillon/Cr Banfield

1. *That the information be noted*
2. *That \$10,000 of the budget be allocated from the unallocated capital reserve to prepare the Operational Environmental Management Plan.*

Item 6 Goulburn Airport – Drug and Alcohol Management Plan (Enclosure)

Reporting Officer

Ian Aldridge – Manager Engineering Development

Purpose of Report

To report on a requirement by the Civil Aviation Safety Authority (CASA) for Council to have a Drug and Alcohol Management Plan (DAMP) due to its operation of Goulburn Airport.

Recommendation

That the attached draft Drug and Alcohol Management Plan (DAMP) be adopted.

Resolved 09/39

Cr Kirk/Cr Dillon

That the attached draft Drug and Alcohol Management Plan (DAMP) be adopted.

Water Services Report

Item 1 Water Services Status Report for December 2008

Reporting Officer

Acting Director of Water Services – Greg Finlayson

Purpose of Report

To inform Council of the performance of the Goulburn and Marulan water services during December 2008.

Recommendation

That the information on the water services status report for December 2008 be noted.

Resolved 09/40

Cr Sturgiss/Cr Kirk

That the information on the water services status report for December 2008 be noted.

Item 2 Water Loss Management Program

Reporting Officer

Acting Director Water Services – Greg Finlayson

Purpose of Report

To advise Council of the Water Loss Management Program agreement.

Recommendation

That this report be noted.

Resolved 09/41

Cr Banfield/Cr Sturgiss

That this report be noted.

Item 3 Water Services Update

Reporting Officer

Acting Director Water Services – Greg Finlayson

Purpose of Report

Major activities being undertaken in the Water Services division are outlined below.

Water Services

1. The Kenmore Sewer Pump Station new rising main is now complete. The new PVC main replaces the old Cast Iron main that had broken several times last year. The new main has also been realigned to lessen its length and be a more direct route into the sewer gravity system.
2. The first 500m of the Marulan River Pump Station Rising Main has been replaced. This is part of an ongoing replacement program. The existing AC main is aging and fails periodically.
3. The water main works at Finlay Rd and Abbey Circuit is now complete. This work removes the Abattoirs water main out from private land and enables feeding south Goulburn by both Addison St and Ridge St Reservoirs.
4. The SCADA (Supervisory Control and Data Acquisition) network has been upgraded linking Goulburn and Marulan WTP and WWTP's and enabling viewing of the network from the Civic Centre.
5. Discussions continue with the Department of Conservation and Climate Change (DECC) regarding the Goulburn Wastewater licence to incorporate the changes that have resulted from the GASS upgrade.
6. Work by consultants is continuing on analysis of the wastewater capacities of Goulburn STP and land disposal system.
7. Various dam safety works are continuing with consultants. A draft document on the flood routing study has been received. The report on the erosion protection on the secondary spillway has been received and states that the secondary spillway is in good condition and due to the size, minimal impact would be likely during a large flood event. Work is still progressing on the 5 yearly surveillance report.
8. Draft design and contract documentation has been received from Hunter Water Australia for the filter and sludge handling facilities upgrades at the Goulburn Water Treatment Plant.

Recommendation

That the information be noted.

Resolved 09/42

Cr Penning/Cr Banfield

That the information be noted.

Item 4 Adjustments to Capital Works Funds

Reporting Officer

Acting Director Water Services – Greg Finlayson

Purpose of Report

To seek Council approval for the transfer of funds within the sewer fund.

Recommendation

It is recommended that \$500,000 is transferred from Sewer Pump Station Upgrades and OHS Works to Sewer Relining and \$450,000 be transferred from the Sewer Pump Station Upgrades and OHS Works to reserves for inclusion in the 2009/10 budget.

Resolved 09/43

Cr Sturgiss/Cr Dillon

That \$500,000 be transferred from Sewer Pump Station Upgrades and OHS Works to Sewer Relining and \$450,000 be transferred from the Sewer Pump Station Upgrades and OHS Works to reserves for inclusion in the 2009/10 budget.

Item 5 Goulburn Water Supply Strategy Review

Reporting Officer

Acting Director Water Services – Greg Finlayson

Purpose of Report

To recommend a programme following the Goulburn water supply strategy review workshop to gain an expedient resolution of the matter.

Recommendation

That a special meeting of council be convened on 27th January to deliberate on and adopt a Goulburn water supply strategy.

Resolved 09/44

Cr Penning/Cr Banfield

That a Councillor workshop be held on the 27th January 2009 at 5pm to further discuss the Goulburn Water Strategy.

Petitions

Nil

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Urgent Business / Late Items

Nil

Questions Without Notice

Cr Penning	Have we received any quotes for infrastructure work at the Eastgrove television transmitter?
	Can a trees maintenance program be looked at in Victoria Street and surrounding streets?
Cr Sturgiss	What projects have the Federal Government funds been allocated to?
Cr Kirk	Have considerations been made in regards to redevelopment of structural facilities at the Goulburn Aquatic Centre?
Cr Dillon	Are any Councillors going to attend the LGSA training courses being held in Goulburn?
	Can construction rubbish at general cemetery be removed?
Cr Banfield	What is the position on giving out staff mobile phone numbers?
	A resident in Cowper Street Goulburn has questioned whether Council owns the laneway behind their property.

Closed Council

Resolved 09/45

Cr Dillon/Cr Banfield

That Council resolved 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 7.45pm.

The items listed in Executive Report Item 1 where discussed.

That Council Resume in Open Session

Resolved 09/46

Cr Dillon/Cr Banfield

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 1 be adopted.

These motions were:

Executive Services Report

Item 1 Outstanding Tipping Fees

Resolved 09/47

Cr Kirk/Cr Banfield

That a claim for the debt of \$14,603 be lodged with the company's liquidator.

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Task List

Responsible Directorate	Responsible Officer	Item No	Task
Executive Services	General Manager	8	Reinstate Conduct Review Committee and arrange correspondence to DLG notifying of reinstatement
		10	That the possible allocation of the \$70,991 fund be considered in the next budget review and staff involved in both Risk Management and Workers Compensation be congratulated
Corporate Services	Acting Director Corporate Services	<i>Exec 10</i>	Provide an Economic Development business brief to all General Purposes Committee meetings
		3	Arrange for all adopted policies to be added to policy register and that policies in relation to the installation of domestic and commercial water tanks and the recreational use of Pejar Dam be brought to a Councillor workshop
Planning & Community Services	Acting Director Planning & Community Services	5	Arrange a media release advising Councils adoption of Community Safety Plan
		7	Continue negotiations with Gunlake Quarry
		8	Issue consent for Disposal of Grease trap at 99-94 Mazamet Road Goulburn and notify submitters
		9	Issue refusal for proposed retail shop at Sowerby Street
		10	Arrange Ardmore Park second meeting with three resident representatives and three proponents on Tuesday 27 January 2009 at 4pm
Engineering Services	Acting Director of Engineering Services	4	Arrange for \$85,000 of budget to be transferred from the Stormwater Maintenance budget to the Stormwater Renewal Budget and for \$70,000 of budget be transferred from the unallocated capital reserve to the Stormwater Renewal budget
		5	Arrange for \$10,000 of the budget to be allocated from the unallocated capital reserve to prepare the Operational Environmental Management Plan
Water Services	Acting Water Services Director	4	Arrange for \$500,000 be transferred from Sewer Pump Station Upgrades and OHS Works to Sewer Realigning and \$450,000 be transferred from the Sewer Pump Station upgrades and OHS Works to reserves for inclusion in the 2009/10 budget
		5	Arrange for a Councillor workshop to be held on the 27 th January 2009 at 5pm to further discuss the Goulburn Water Strategy.
		<i>Task raised during meeting</i>	Review targets for level 3 water restrictions and how targets are communicated.

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2009 commencing at 6pm in the Council Chambers**

Meeting closed at 7.53pm.

The minutes were confirmed at the Council meeting on 17 February 2009 at which this signature was endorsed.

.....
Mayor Carol James
Mayor

.....
Mr Luke Johnson
General Manager