



**Minutes from meeting of:  
ORDINARY COUNCIL**

**Held  
Tuesday 21 April 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 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Table of Content**

Present .....	4
Also Present .....	4
Opening Prayer.....	4
Apologies .....	4
Disclosure of Interest.....	4
Calendar of Events.....	4
Mayoral Minute.....	4
Confirmation of Minutes .....	5
Committee Reports for Adoption.....	6
Other Reports for Information .....	6
Consideration of Motions of Which Due Notice has been Given .....	7
Executive Services	
Item 1 Closed Session.....	7
Item 2 Department of Local Government Circulars.....	11
Item 3 Correspondence for Information / Attention (Enclosure).....	11
Item 4 Questions Without Notice & Task List Status Report.....	12
Item 5 Councillor Workshops (Enclosure).....	12
Item 6 Disclosure of Interest Returns - s449 Local Government Act 1993.....	13
Item 7 Outreach Meetings - 2009 .....	13
Item 8 Goulburn Mulwaree Council By-Election (Attachment) .....	14
Item 9 Department of Local Government – Promoting Better Practice Review (Attachment) .....	15
Item 10 Conduct Review Committee.....	15
Corporate Services	
Item 1 Statement of Investments and Bank Balances (Attachment) .....	16
Item 2 Monthly Financial Report (Enclosure) .....	16
Item 3 Debtors Outstanding Report .....	17
Item 4 Water Outstanding Report.....	17
Item 5 Rates Outstanding Report .....	18
Item 6 2009 Australian Blues Music Festival Outcomes (Attachment) .....	18
Item 7 Australian Blues Music Festival Deed.....	19
Item 8 Global Financial Crisis Inquiry (Attachment).....	19
Item 9 Marulan & District Historical Society Inc. (Attachment).....	20
Item 10 Boundary Adjustment and Transfer – Marys Mount Road, Goulburn .....	20
Item 11 In-House Legal Service .....	21
Planning & Community Services	
Item 1 Significant Development Applications & Recent Decisions (Enclosure & Attachment) .....	21
Item 2 Development Statistics.....	22
Item 3 Regulatory Report.....	23
Item 4 290/0809/DA – Concrete Batching Plant, 8 Copford Road, Bradfordville (Attachment).....	23
Item 5 Archaeological Management Plan (Enclosure) .....	24
Item 6 Drainage Reserve Classification – Gibson Street, Goulburn (Attachment).....	25
Item 7 161/0809/DA – Commercial Development, 317 Auburn Street, Goulburn (Enclosure) .....	26

## **Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009 commencing at 6pm in the Council Chambers**

---

Item 8	283/0809/DA – Vehicle Sales Premises, 104 Clinton Street, Goulburn (Attachment) .....	27
Item 9	100/0809/DA – Residential Subdivision, 121 Gibson Street, Goulburn (Enclosure) .....	28
Item 10	217/0809/DA – Dwelling Additions & New Shed, 10-12 Mount Street, Goulburn (Enclosure) .....	29
Item 11	271/0809/DA, & 273/0809/DA – Dwellings, 105 Gibson Street & 1 Wright Place, Goulburn (Enclosure).....	30
Item 12	272/0809/DA – Dwelling, 22 Wright Place, Goulburn (Enclosure) .....	31
Item 13	199/0809/DA – Dwelling & Retaining Walls, 11 Melliodora Drive, Goulburn (Enclosure).....	32
Item 14	224/0809/DA – Place of Public Worship, 6 Kent Street, Goulburn (Enclosure) .....	33
<b>Engineering Services</b>		
Item 1	Roads to Recovery .....	34
Item 2	Progress Report - Replacement of Lumley Road Bridge, Tarago.....	34
Item 3	Engineering Services Update .....	35
Item 4	Roadside Weed Control March 2009.....	35
<b>Water Services</b>		
Item 1	Water Supply Status Report - March 2009 .....	36
Item 2	Water Services Update .....	36
Item 3	Goulburn Mulwaree Water Management Strategy (Attachment) .....	37
Item 4	Highlands Source Project (Attachment) .....	37
Item 5	Water Security and Restrictions (Attachment).....	38
Petitions - Kingsdale .....		39
Urgent Business / Late Items .....		39
Questions Without Notice .....		40
Closed Council.....		40
<b>Executive Services</b>		
Item 1	Proposed Gunlake Quarry, Brayton Road, Marulan.....	40
Item 2	Water Leakage Request (Attachment).....	41
Item 3	Recreation Area Booking Fee (Attachment) .....	41
<b>Mayoral Report</b>		
Item 1	Expressions of Interest – Recruitment Agencies for General Manager Vacancy .....	41
Task List	.....	42

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Present**

---

Mayor James, Deputy Mayor Kirk, Cr Banfield, Cr Dillon, Cr Hadlow, Cr O'Neill & Cr Sturgiss.

---

**Also Present**

---

Acting General Manager (Mr C Berry), Acting Director Planning and Community Services (Mr C Stewart), Director Corporate Services (Mr B Hollands), Acting Director Engineering Services (Mr T Cooper), Acting Director Water Services (Mr G Finlayson), Public Relations Officer (Mr P Oliver) & Executive Assistant Corporate Services (Miss A Croke).

---

**Opening Prayer**

---

Read by Cr Sturgiss.

---

**Apologies**

---

That an apology from Cr Penning be received and leave of absence granted.

**Resolved 09/169**

**Cr O'Neill/Cr Banfield**

*That an apology from Cr Penning be received and leave of absence granted.*

---

**Disclosure of Interest**

---

Cr Banfield declared an interest in Item 4 of Planning & Community Services Report as the proponent is a family member. Cr Banfield left the meeting while discussion on this item took place.

---

**Calendar of Events**

---

**Resolved 09/170**

**Cr O'Neill/Cr Hadlow**

*That the Calendar of events be noted and that future calendars include dates of workshops.*

---

**Mayoral Minute**

---

**Recommendation**

That the Mayoral Minute on Mayoral Activities be noted.

**Resolved 09/171**

**Cr Sturgiss/Cr Dillon**

*That the Mayoral Minute on Mayoral Activities be noted.*

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Confirmation of Minutes**

---

**Recommendation**

That the Minutes of the Extraordinary Meeting of Council held Tuesday 3 March 2009 and reconvened on 17 March 2009 and contained in Minute Pages Nos 1 to 6 inclusive and in Minute Nos 09/104 to 09/105 inclusive be confirmed.

**Resolved 09/172**

**Cr Banfield/Cr O'Neill**

*That the Minutes of the Extraordinary Meeting of Council held Tuesday 3 March 2009 and reconvened on 17 March 2009 and contained in Minute Pages Nos 1 to 6 inclusive and in Minute Nos 09/104 to 09/105 inclusive be deferred to the May 2009 Council meeting for confirmation and that the draft meeting minutes are provided to Councillors immediately after each meeting concludes.*

**Recommendation**

That the Minutes of the Extraordinary Meeting of Council held Tuesday 17 March 2009 and contained in Minute Pages Nos 1 to 4 be confirmed.

**Resolved 09/173**

**Cr O'Neill/Cr Dillon**

*That the Minutes of the Extraordinary Meeting of Council held Tuesday 17 March 2009 and contained in Minute Pages Nos 1 to 4 be confirmed.*

**Recommendation**

That the Minutes of the Ordinary Meeting of Council held Tuesday 17 March 2009 and contained in Minute Pages Nos 1 to 42 inclusive and in Minute Nos 09/106 to 09/165 inclusive be confirmed.

**Resolved 09/174**

**Cr Dillon/Cr Sturgiss**

*That the Minutes of the Ordinary Meeting of Council held Tuesday 17 March 2009 and contained in Minute Pages Nos 1 to 42 inclusive and in Minute Nos 09/106 to 09/165 inclusive be confirmed with a correction that Cr O'Neill did not move motion 09/142 relating to 443/0607/DA – Rural Residential Subdivision, Hume Highway, South Goulburn due to her disclosure of interest and as she had excused herself from the meeting. The mover of the motion was Cr Kirk.*

**Recommendation**

That the Minutes of the Extraordinary Meeting of Council held Tuesday 30 March 2009 and contained in Minute Pages Nos 1 to 5 inclusive and in Minute Nos 09/166 to 09/168 inclusive be confirmed.

**Resolved 09/175**

**Cr Dillon/Cr Kirk**

*That the Minutes of the Extraordinary Meeting of Council held Tuesday 30 March 2009 and contained in Minute Pages Nos 1 to 5 inclusive and in Minute Nos 09/166 to 09/168 inclusive be confirmed.*

## Committee Reports for Adoption

---

### 1. Community Services Advisory Committee

**Resolved 09/176**

**Cr Sturgiss/Cr Banfield**

*That the report of the Community Services Advisory Committee held 11 March 2009 be received and the recommendations therein be adopted.*

### 2. Facilities Advisory Committee

**Resolved 09/177**

**Cr O'Neill/Cr Sturgiss**

*That the report of the Facilities Committee held 25 March 2009 be received and the recommendations therein be adopted.*

### 3. Sports Council Committee

**Resolved 09/178**

**Cr O'Neill/Cr Hadlow**

*That the report of the Sports Council Committee held 30 March 2009 be received and the recommendations therein be adopted.*

### 4. Recreation Area Committee of Management

**Resolved 09/179**

**Cr Dillon/Cr O'Neill**

*That the report of the Recreation Area Committee of Management held 1 April 2009 be received and the recommendations therein be adopted.*

### 5. Traffic Committee

**Resolved 09/180**

**Cr Banfield/Cr Sturgiss**

*That the report of the Traffic Committee held 2 April 2009 be received and the recommendations therein be adopted.*

### 6. Economic Development & Tourism Advisory Committee

**Resolved 09/181**

**Cr Kirk/Cr Dillon**

*That the report of the Economic Development & Tourism Advisory Committee held 2 April 2009 be received and the recommendations therein be adopted.*

### 7. General Purposes Committee

**Resolved 09/182**

**Cr Sturgiss/Cr Kirk**

*That the report of the General Purposes Committee held 7 April 2009 be received and the recommendations therein be adopted.*

### 8. Community Services Advisory Committee

**Resolved 09/183**

**Cr Banfield/Cr Kirk**

*That the report of the Community Services Advisory Committee held 8 April 2009 be received and the recommendations therein be adopted.*

---

## Other Reports for Information

---

**Resolved 09/184**

**Cr O'Neill/Cr Dillon**

*That the report of the following Committees be noted:*

- 1. SCA Local Government Reference Panel held 2 February 2009*
- 2. Jennifer Lamb veolia Creative Arts Scholarship held 11 March 2009*
- 3. Country Mayors Association of NSW held 20 March 2009*

## Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009 commencing at 6pm in the Council Chambers

---

4. *Community Transport Committee held 27 March 2009*
  5. *Community Transport Committee Planning Day held 27 March 2009*
  6. *Safety Committee held 1 April 2009*
- 

## Consideration of Motions of Which Due Notice has been Given

---

*Nil*

## Executive Services Report

---

### Item 1 Closed Session

---

### Reporting Officer

Executive Assistant – Karen Gardiner

### Purpose of Report

To consider moving into Closed Session.

The following confidential reports have been distributed separately:

	<b>Report</b>
<i>Officer Reports</i>	<i>Item 1 – Proposed Gunlake Quarry, Brayton Road, Marulan</i>
	<i>Item 2 – Water Leakage Request</i>
	<i>Item 3 – Recreation Area Booking Fee</i>
<i>Mayoral Report</i>	<i>Item 1 – Expressions of Interest – Recruitment Agencies for General Manager Vacancy</i>

## Statutory Requirements

Section 10A *Local Government Act 1993*, empowers Council and Committees of which all the members are Councillors to close a part of a meeting in certain circumstances in accordance with the requirements of the Act, and relevant Regulations and Guidelines.

Subject to the provisions of s10 of the Act, so much of a meeting may be closed as comprises certain information as outlined in s10A(2) which states:

**(1) a council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:**

- (a) the discussion of any of the matters listed in subclause (2), or*
- (b) the receipt or discussion of any of the information so listed.*

**(2) the matters and information are the following:**

- (a) personnel matters concerning particular individuals (other than councillors),*
- (b) the personal hardship of any resident or ratepayer,*
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*
- (d) commercial information of a confidential nature that would, if disclosed:*
  - (i) prejudice the commercial position of the person who supplied it, or*
  - (ii) confer a commercial advantage on a competitor of the council, or*
  - (iii) reveal a trade secret,*
- (e) information that would, if disclosed, prejudice the maintenance of law,*
- (f) matters affecting the security of the council, councillors, council staff or council property,*

## **Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009 commencing at 6pm in the Council Chambers**

---

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

**(3) a council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.**

**(4) a council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.**

*However, the Act also contains the following provisions qualifying the use of Section 10A(2).*

### *Section 10B*

- (1) *[Time spent closed to be minimised] A meeting is not to remain closed during the discussion of anything referred to in section 10A(2):*
  - (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and*
  - (b) if the matter is concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussions of the matter in an open meeting would, on balance, be contrary to the public interest.*
- (2) *[Qualification of 10A(2)(g)] A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) unless the advice concerns legal matters that:*
  - (a) are substantial issues relating to a matter in which the council or committee is involved, and*
  - (b) are clearly identified in the advice, and*
  - (c) are fully discussed in that advice.*
- (3) *[Qualification of 10A(3)] If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3)), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2)).*
- (4) *[Irrelevant matters] For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:*
  - (a) a person may misinterpret or misunderstand the discussion, or*
  - (b) the discussion of the matter may:*
    - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or*
    - (ii) cause a lot of confidence in the council or committee.*

## **Recommendation**

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

### **Item 1 Proposed Gunlake Quarry, Brayton Road, Marulan**

*Section 10A (2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*

#### **Purpose of Report**

To provide an update in relation to the appeal hearing and further negotiations with the proponents of the proposed Gunlake Quarry, Marulan.

This matter is referred for discussion in Closed Council as it concerns current legal proceedings.

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Item 2 Water Leakage Request**

*Section 10A (2) (b) the personal hardship of any resident or ratepayer*

**Purpose of Report**

To seek determination of a request for an account adjustment under Council's Water Leakage Policy.

This matter is referred for discussion in Closed Council as it concerns litigation.

**Item 3 Recreation Area Booking Fee**

*Section 10A (2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*

**Purpose of Report**

To inform of request received in relation to booking fees associated with an event at the Recreation Area.

This matter is referred for discussion in Closed Council as it concerns litigation.

**Mayoral Report**

**Item 1 Expressions of Interest – Recruitment Agencies for General Manager Vacancy**

*s10A(2)(d) Local Government Act 1993 – commercial information of a confidential nature that if disclosed would prejudice the commercial position or confer a commercial advantage on a competitor.*

**Purpose of Report**

To source a Recruitment Agency for the General Manager vacancy.

This matter is referred for discussion in Closed Council due to quotes obtained from Expressions of Interest.

**Resolved 09/185**

**Cr O'Neill/Cr Kirk**

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

***Item 1 Proposed Gunlake Quarry, Brayton Road, Marulan***

*Section 10A (2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*

***Purpose of Report***

***To provide an update in relation to the appeal hearing and further negotiations with the proponents of the proposed Gunlake Quarry, Marulan.***

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

*This matter is referred for discussion in Closed Council as it concerns current legal proceedings.*

**Item 2 Water Leakage Request**

*Section 10A (2) (b) the personal hardship of any resident or ratepayer*

***Purpose of Report***

*To seek determination of a request for an account adjustment under Council's Water Leakage Policy.*

*This matter is referred for discussion in Closed Council as it concerns litigation.*

**Item 3 Recreation Area Booking Fee**

*Section 10A (2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*

***Purpose of Report***

*To inform of request received in relation to booking fees associated with an event at the Recreation Area.*

*This matter is referred for discussion in Closed Council as it concerns litigation.*

**Mayoral Report**

**Item 1 Expressions of Interest – Recruitment Agencies for General Manager Vacancy**

*s10A(2)(d) Local Government Act 1993 – commercial information of a confidential nature that if disclosed would prejudice the commercial position or confer a commercial advantage on a competitor.*

***Purpose of Report***

*To source a Recruitment Agency for the General Manager vacancy.*

*This matter is referred for discussion in Closed Council due to quotes obtained from Expressions of Interest.*

**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 09/186**

**Cr O'Neill/Cr Banfield**

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

---

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

---

**Reporting Officer**

Executive Assistant – Karen Gardiner

**Purpose of Report**

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

**Recommendation**

That the information on correspondence be noted.

**Resolved 09/187**

**Cr O'Neill/Cr Sturgiss**

*That the information on correspondence be 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 March 2009 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 09/188**

**Cr O'Neill/Cr Hadlow**

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

---

**Item 5 Councillor Workshops (Enclosure)**

---

**Reporting Officer**

Executive Assistant – Karen Gardiner

**Purpose of Report**

To advise of a Councillor Workshop held since last being report to Council Meeting on 17 March 2009.

**Recommendation**

That the information on the Councillor Workshop be noted.

**Resolved 09/189**

**Cr Sturgiss/Cr Dillon**

*That the information on the Councillor Workshop be noted.*

**Item 6 Disclosure of Interest Returns - s449 Local  
Government Act 1993**

---

**Reporting Officer**

Corporate Governance Coordinator – Simone Blay

**Purpose of Report**

To table the Disclosure of Interest Returns.

**Recommendation**

That the Disclosure of Interests Return from former Councillor Keith Woodman be noted.

**Resolved 09/190**

**Cr Sturgiss/Cr O'Neill**

*That the Disclosure of Interests Return from former Councillor Keith Woodman be noted.*

---

**Item 7 Outreach Meetings - 2009**

---

**Reporting Officer**

Director of Corporate Services – Brendan Hollands

**Purpose of Report**

To propose a new meeting timetable for 2009 for the Community Outreach Meetings.

**Recommendation**

That Community Outreach Meetings be held as follows:

- |                     |   |                        |
|---------------------|---|------------------------|
| 14 July 2009        | - | Windellama             |
| 4 August 2009 (GP)  | - | Marulan / Tallong      |
| 8 September 2009    | - | Parkesbourne           |
| 6 October 2009 (GP) | - | Tarago / Lake Bathurst |
| 10 November 2009    | - | Towrang                |
| 8 December 2009     | - | Bungonia               |

**Resolved 09/191**

**Cr Kirk/Cr Sturgiss**

*That Community Outreach Meetings be held at 6.30pm as follows:*

- 14 July 2009 - Windellama*
- 4 August 2009 (GP) - Marulan / Tallong*
- 8 September 2009 - Parkesbourne*
- 6 October 2009 (GP) - Tarago / Lake Bathurst*
- 10 November 2009 - Towrang*
- 8 December 2009 - Bungonia*

---

**Item 8 Goulburn Mulwaree Council By-Election  
(Attachment)**

---

**Reporting Officer**

Manager Economic Development and Administration – Ken Wheeldon

**Purpose of Report**

To provide information relating to the Goulburn Mulwaree Council By-Election.

**Recommendation**

That:

- A. The information relating to the Goulburn Mulwaree Council By-Election be noted.
- B. The remaining balance of the Unallocated Capital Reserve (\$84,875) be used to cover the unfunded By-Election expenses.

**Resolved 09/192**

**Cr Dillon/Cr Banfield**

*That:*

- A. The information relating to the Goulburn Mulwaree Council By-Election be noted.*
- B. The remaining balance of the Unallocated Capital Reserve (\$84,875) be used to cover the unfunded By-Election expenses.*
- C. Mr Keith Woodman be contacted with the view of organising a farewell function.*

**Item 9 Department of Local Government – Promoting  
Better Practice Review (Attachment)**

---

**Reporting Officer**

Corporate Governance Coordinator – Simone Blay

**Purpose of Report**

To advise of the Promoting Better Practice Review being undertaken by the Department of Local Government.

**Recommendation**

That the information on the Promoting Better Practice Review by the Department of Local Government be noted.

**Resolved 09/193**

**Cr O'Neill/Cr Sturgiss**

*That the information on the Promoting Better Practice Review by the Department of Local Government be noted.*

---

**Item 10 Conduct Review Committee**

---

**Reporting Officer**

Corporate Governance Coordinator – Simone Blay

**Purpose of Report**

To provide an update on progress with establishing a Regional Conduct Review Committee.

**Recommendation**

That:

- A. The progress report on the establishment of a Regional Conduct Review Committee be noted.
- B. To ensure legislative compliance the Interim Conduct Review Committee remain in place in it's current form to serve as Council's Conduct Review Committee and individually as sole conduct reviewers, those members being Mr Gerry Holmes, Ms Kath Roach and Mr Don Elder.

**Resolved 09/194**

**Cr Sturgiss/Cr Kirk**

*That:*

- A. The progress report on the establishment of a Regional Conduct Review Committee be noted.*
- B. To ensure legislative compliance the Interim Conduct Review Committee remain in place in it's current form to serve as Council's Conduct Review Committee and individually as sole conduct reviewers, those members being Mr Gerry Holmes, Ms Kath Roach and Mr Don Elder.*

## **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 31 March 2009.

#### **Recommendation**

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

**Resolved 09/195**

**Cr Sturgiss/Cr Banfield**

*That the Statement of Investments and Bank Balances report be 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 in the Monthly Financial Report be noted.

**Resolved 09/196**

**Cr Sturgiss/Cr Hadlow**

*That the information in the Monthly Financial Report be noted.*

---

## **Item 3 Debtors Outstanding Report**

---

### **Reporting Officer**

Revenue Officer – Cheree Langford

### **Purpose of Report**

To advise on the status of Debtor collections as at 31 March 2009.

### **Recommendation**

That the report on outstanding sundry debtors be noted.

**Resolved 09/197**

**Cr Banfield/Cr O'Neill**

*That the report on outstanding sundry debtors be noted.*

---

## **Item 4 Water Outstanding Report**

---

### **Reporting Officer**

Revenue Officer – Karen Gray

### **Purpose of Report**

To advise on the status of water collections as at 1 April 2009

### **Recommendation**

That the report on outstanding water accounts be noted.

**Resolved 09/198**

**Cr Hadlow/Cr Sturgiss**

*That the report on outstanding water accounts be noted.*

**Item 5 Rates Outstanding Report**

---

**Reporting Officer**

Revenue Coordinator – Julie Todkill

**Purpose of Report**

To advise on the status of rates collections as at 7 April 2009.

**Recommendation**

That the report on outstanding rates be noted.

**Resolved 09/199**

**Cr Kirk/Cr Banfield**

*That the report on outstanding rates be noted.*

---

**Item 6 2009 Australian Blues Music Festival Outcomes  
(Attachment)**

---

**Reporting Officer**

Acting Tourism Manager – Jenny Falconer  
Tourism Strategic Projects Officer – Sarah Dawson

**Purpose of Report**

To report on the outcomes of the 13th Australian Blues Music Festival held 12-15 February 2009.

**Recommendation**

That the report on the outcomes of the 13th Australian Blues Music Festival be noted.

**Resolved 09/200**

**Cr Sturgiss/Cr Kirk**

*That the report on the outcomes of the 13th Australian Blues Music Festival be noted.*

## **Item 7 Australian Blues Music Festival Deed**

---

### **Reporting Officer**

Manager Economic Development and Administration – Ken Wheeldon

### **Purpose of Report**

To inform of advice obtained in relation to the de-registration of Lipsim Pty Ltd and its implications for the Australian Blues Music Festival (ABMF) Deed.

### **Recommendation**

That the former Directors of Lipsim Pty Ltd be advised that Deed of Agreement entered into with Council on 26 September 2000 is no longer a legally binding instrument as there is no legal entity to pay.

**Resolved 09/201**

**Cr O'Neill/Cr Banfield**

*That the former Directors of Lipsim Pty Ltd be advised that Deed of Agreement entered into with Council on 26 September 2000 is no longer a legally binding instrument as there is no legal entity to pay.*

---

## **Item 8 Global Financial Crisis Inquiry (Attachment)**

---

### **Reporting Officer**

Manager Economic Development and Administration – Ken Wheeldon

### **Purpose of Report**

To advise of an inquiry into the impact of the current global financial crisis on Regional Australia.

### **Recommendation**

That the submission to the House of Representatives Standing Committee on Infrastructure, Regional Development and Local Government in relation to the impact of the global financial crisis on Regional Australia be endorsed.

**Resolved 09/202**

**Cr Sturgiss/Cr Kirk**

*That the submission to the House of Representatives Standing Committee on Infrastructure, Regional Development and Local Government in relation to the impact of the global financial crisis on Regional Australia be endorsed.*

**Item 9 Marulan & District Historical Society Inc.  
(Attachment)**

---

**Reporting Officer**

Manager Economic Development and Administration – Ken Wheeldon

**Purpose of Report**

To advise of a request to donate a small parcel of land at Marulan for use by the Marulan & District Historical Society Inc.

**Recommendation**

That:

- A. Expressions of Interest be sought from community groups into leasing part of Council owned land at 47 George Street, Marulan.
- B. If no other submissions are received than approximately 700m<sup>2</sup> of land situated at 47 George Street, Marulan, be leased to the Marulan & District Historical Society on the terms set out in this report.
- C. Council's seal be affixed to all documentation necessary to complete this matter.

**Resolved 09/203**

**Cr Sturgiss/Cr Dillon**

*That:*

- A. *Expressions of Interest be sought from community groups into leasing part of Council owned land at 47 George Street, Marulan.*
- B. *If no other submissions are received than approximately 700m<sup>2</sup> of land situated at 47 George Street, Marulan, be leased to the Marulan & District Historical Society on the terms set out in this report.*
- C. *Council's seal be affixed to all documentation necessary to complete this matter.*

---

**Item 10 Boundary Adjustment and Transfer – Marys Mount Road, Goulburn**

---

**Reporting Officer**

Manager Economic Development and Administration – Ken Wheeldon

**Purpose of Report**

To seek consent to affix the seal to a transfer document associated with the first stage of the new Warrigal Care Retirement Village in Marys Mount Rd, Goulburn.

## **Recommendation**

That all legal documentation relating to the boundary adjustment and Transfer for the Warrigal Care Retirement Village in accordance with Development Consent No 36/0506/MA be executed by the Mayor and Acting General Manager under seal.

**Resolved 09/204**

**Cr O'Neill/Cr Dillon**

*That all legal documentation relating to the boundary adjustment and Transfer for the Warrigal Care Retirement Village in accordance with Development Consent No 36/0506/MA be executed by the Mayor and Acting General Manager under seal.*

---

## **Item 11 In-House Legal Service**

---

### **Reporting Officer**

Manager Economic Development and Administration – Ken Wheeldon

### **Purpose of Report**

To provide information about possible cost / benefits of an in-house legal service.

### **Recommendation**

That the information on an in-house legal service be noted.

**Resolved 09/205**

**Cr O'Neill/Cr Kirk**

*That the information on an in-house legal service be noted.*

## **Planning and Community Services Report**

---

### **Item 1 Significant Development Applications & Recent Decisions (Enclosure & 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).

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Recommendation**

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

**Resolved 09/206**

**Cr Banfield/Cr Dillon**

*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.

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

---

**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 March 2009.

**Recommendation**

That the information on development activity be noted.

**Resolved 09/207**

**Cr O'Neill/Cr Sturgiss**

*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.

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

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**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 March 2009.

**Resolved 09/208**

**Cr Hadlow/Cr O'Neill**

*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.

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

---

**Item 4 290/0809/DA – Concrete Batching Plant, 8 Copford Road, Bradfordville (Attachment)**

---

Cr Banfield declared an interest in the item and left the meeting at 6.46pm.

**Reporting Officer**

Senior Town Planner - Dianne James

**Purpose of Report**

To inform of a development application recently submitted and currently on public exhibition.

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Resolved 09/209**

**Cr Sturgiss/Cr Hadlow**

*That the progress report on the assessment of Development Application No. 290/0809/DA to establish a Concrete Batching Plant 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.

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

Cr Banfield returned to the meeting at 6.46pm.

---

**Item 5 Archaeological Management Plan (Enclosure)**

---

**Reporting Officer**

Strategic Planner – Jack Miller

**Purpose of Report**

To select a consultant to undertake an Archaeological Management Plan.

**Recommendation**

That the quotation of Edward Higginbotham & Associates Pty Ltd to undertake an Archaeological Management Plan for Goulburn Mulwaree be accepted.

**Resolved 09/210**

**Cr O'Neill/Cr Kirk**

*That the quotation of Edward Higginbotham & Associates Pty Ltd to undertake an Archaeological Management Plan for Goulburn Mulwaree be accepted.*

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.

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

---

**Item 6 Drainage Reserve Classification – Gibson Street, Goulburn (Attachment)**

---

**Reporting Officer**

Senior Town Planner – Dianne James

**Purpose of Report**

To present a report recommending the classification of a drainage reserve in a recent subdivision in Gibson Street, Goulburn as “operational” land under the *Local Government Act 1993*.

**Recommendation**

That:

- A. The proposed drainage reserve (i.e. Lot 325 DP 1137540) be classified as “operational” land in accordance with Chapter 6, Part 2 of the *Local Government Act 1993*.
- B. Public notice of the proposed classification be give in accordance with the *Local Government Act 1993* and if no submissions are received that further notice be given confirming its classification.

**Resolved 09/211**

**Cr Sturgiss/Cr Hadlow**

*That:*

- A. *The proposed drainage reserve (i.e. Lot 325 DP 1137540) be classified as “operational” land in accordance with Chapter 6, Part 2 of the Local Government Act 1993.*
- B. *Public notice of the proposed classification be give in accordance with the Local Government Act 1993 and if no submissions are received that further notice be given confirming its classification.*

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.

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

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

**Item 7 161/0809/DA – Commercial Development, 317  
Auburn Street, Goulburn (Enclosure)**

**Reporting Officer**

Acting Director Planning & Community Services – Chris Stewart

**Purpose of Report**

To present the Assessment Report for the construction of a new commercial building to establish a liquor store at 317 Auburn Street, Goulburn.

**Recommendation**

That Conditional Development Consent be granted under delegation for Development Application No. 161/0809/DA for the construction of a new building to establish a retail liquor store at 317 Auburn Street, Goulburn subject to standard conditions and concurrence being received from the Sydney Catchment Authority.

**Resolved 09/212**

**Cr Hadlow/Cr Sturgiss**

*That Conditional Development Consent be granted under delegation for Development Application No. 161/0809/DA for the construction of a new building to establish a retail liquor store at 317 Auburn Street, Goulburn subject to standard conditions and concurrence being received from the Sydney Catchment Authority.*

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.

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

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Item 8 283/0809/DA – Vehicle Sales Premises, 104 Clinton Street, Goulburn (Attachment)**

---

**Reporting Officer**

Acting General Manager – Chris Berry

**Purpose of Report**

To present the Assessment Report for a vehicle sales premises at 104 Clinton Street, Goulburn.

**Recommendation**

That Conditional Development Consent be granted under delegation for Development Application No. 283/0809/DA for a vehicle services premises at 104 Clinton Street, Goulburn subject to appropriate conditions including a restriction on large vehicle deliveries to the site, consolidation of lots and the adjustment of the parking layout for the landscaping.

**Motion**

**Cr O'Neill/Cr Hadlow**

That the matter be deferred for consideration at the next General Purposes Committee and that the Committee be granted delegated authority to make a determination.

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.

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

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Resolved 09/213**

**Cr Banfield/Cr Kirk**

*That Conditional Development Consent be granted under delegation for Development Application No. 283/0809/DA for a vehicle services premises at 104 Clinton Street, Goulburn subject to appropriate conditions including a restriction on large vehicle deliveries to the site, consolidation of lots, the adjustment of the parking layout for the landscaping and that trade waste be directed to sewer in accordance with an appropriate approval.*

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.

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

---

**Item 9 100/0809/DA – Residential Subdivision, 121 Gibson Street, Goulburn (Enclosure)**

---

**Reporting Officer**

Development Assessment Officer – Lauren Evans

**Purpose of Report**

To present the Assessment Report for a 19 lot urban subdivision at 121 Gibson Street, Goulburn.

**Recommendation**

That Conditional Development Consent be granted under delegation for Development Application No. 100/0809/DA for a residential subdivision at 121 Gibson Street, Goulburn, subject to standard conditions and concurrence being received from the Sydney Catchment Authority.

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Resolved 09/214**

**Cr Kirk/Cr Sturgiss**

*That Conditional Development Consent be granted under delegation for Development Application No. 100/0809/DA for a residential subdivision at 121 Gibson Street, Goulburn, subject to standard conditions and concurrence being received from the Sydney Catchment Authority.*

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.

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

---

**Item 10 217/0809/DA – Dwelling Additions & New Shed, 10-12 Mount Street, Goulburn (Enclosure)**

---

**Reporting Officer**

Development Assessment Officer – Brian Smithers

**Purpose of Report**

To present the Assessment Report for dwelling additions and new shed at 10-12 Mount Street, Goulburn.

**Recommendation**

That Conditional Development Consent is granted under delegation for Development Application No. 217/0809/DA for alterations and additions to an existing dwelling and new shed at 10-12 Mount Street, Goulburn.

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Resolved 09/215**

**Cr Banfield/Cr Kirk**

*That Conditional Development Consent is granted under delegation for Development Application No. 217/0809/DA for alterations and additions to an existing dwelling and new shed at 10-12 Mount Street, 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.

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

---

**Item 11 271/0809/DA, & 273/0809/DA – Dwellings, 105  
Gibson Street & 1 Wright Place, Goulburn  
(Enclosure)**

---

### **Reporting Officer**

Assistant Building Surveyor – Alana Harmer

### **Purpose of Report**

To present the Assessment Reports for new dwellings at 105 Gibson Street and 1 Wright Place, Goulburn.

### **Recommendation**

That Conditional Development Consents be granted under delegation for Development Application Nos. 271/0809/DA and 273/0809/DA for the erection of dwellings with attached garages at 105 Gibson Street and 1 Wright Place, Goulburn.

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Resolved 09/216**

**Cr O'Neill/Cr Dillon**

*That Conditional Development Consents be granted under delegation for Development Application Nos. 271/0809/DA and 273/0809/DA for the erection of dwellings with attached garages at 105 Gibson Street and 1 Wright Place, 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.

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

---

**Item 12 272/0809/DA – Dwelling, 22 Wright Place,  
Goulburn (Enclosure)**

---

**Reporting Officer**

Assistant Building Surveyor – Alana Harmer

**Purpose of Report**

To present the Assessment Reports for the above Development Applications.

**Recommendation**

That:

- A. The applicant be invited to re-design the proposed dwelling at 22 Wright Place, Goulburn to achieve compliance with Goulburn Mulwaree DCP 2009.
- B. If the applicant declines to re-design the dwelling, Development Application No 272/0809/DA be refused on the following grounds:
  - i. The proposal does not comply with Goulburn Mulwaree DCP 2009
  - ii. The proposal will have an adverse impact on streetscape.
  - iii. The proposal would create an undesirable precedent for future development in the locality.

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

**Resolved 09/217**

**Cr Banfield/Cr O'Neill**

*That Conditional Development Consent be granted under delegation for Development Application No 272/0809/DA for a dwelling at 22 Wright Place, Goulburn subject to appropriate standard conditions and increasing the front set back to a minimum of 3 metres.*

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.

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

**Item 13 199/0809/DA – Dwelling & Retaining Walls, 11 Melliodora Drive, Goulburn (Enclosure)**

**Reporting Officer**

Development Assessment Officer – Brian Smithers

**Purpose of Report**

To present the Assessment Report for a proposed dwelling and retaining walls at 11 Melliodora Drive, Goulburn.

**Recommendation**

That Conditional Development Consent is granted for Development Application No. 199/0809/DA for a dwelling and retaining walls at 11 Melliodora Drive, Goulburn.

**Resolved 09/218**

**Cr Kirk/Cr Banfield**

*That Conditional Development Consent is granted for Development Application No. 199/0809/DA for a dwelling and retaining walls at 11 Melliodora Drive, 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.

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

---

**Item 14 224/0809/DA – Place of Public Worship, 6 Kent Street, Goulburn (Enclosure)**

---

**Reporting Officer**

Development Assessment Officer – Lauren Evans

**Purpose of Report**

To present the Assessment Report for a place of public worship at 6 Kent Street, Goulburn.

**Recommendation**

That Conditional Development Consent be granted under delegation for Development Application No. 224/0809/DA for a Place of Public Worship at 6 Kent Street, Goulburn subject to concurrence being received from Sydney Catchment Authority.

**Resolved 09/219**

**Cr Banfield/Cr O'Neill**

*That:*

- 1. Conditional Development Consent be granted under delegation for Development Application No. 224/0809/DA for a Place of Public Worship at 6 Kent Street, Goulburn subject to concurrence being received from Sydney Catchment Authority and that a condition be imposed that all traffic movements to and from the property be from Deccan Street with hours of operation limited to 8am to 6pm.*
- 2. The option of the connection between Coromandel Street and Kent Street becoming a one way street be referred to the Traffic Committee in consultation with the residents of Kent Street.*

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.

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

## **Engineering Services Report**

---

### **Item 1 Roads to Recovery**

---

#### **Reporting Officer**

Acting Director Engineering Services – Terry Cooper.

#### **Purpose of Report**

To advise of the funding allocation under the Roads to Recovery Program from 1 July 2009 – 30 June 2014.

#### **Recommendation**

That the information on the Roads to Recovery Program be noted.

**Resolved 09/220**

**Cr Sturgiss/Cr Kirk**

*That the information on the Roads to Recovery Program be noted.*

---

### **Item 2 Progress Report - Replacement of Lumley Road Bridge, Tarago**

---

#### **Reporting Officer**

Works Engineer – Andrew Palmer

#### **Purpose of Report**

To present 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 09/221**

**Cr Sturgiss/Cr Dillon**

*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**

To inform of the major activities being undertaken in the Engineering Services Division are outlined below.

#### **Recommendation**

That the Engineering Services Update report be noted.

**Resolved 09/222**

**Cr Hadlow/Cr O'Neill**

*That the Engineering Services Update report be noted.*

---

### **Item 4    Roadside Weed Control March 2009**

---

#### **Reporting Officer**

Cemetery & Facilities Co-ordinator - Brian Ohlback

#### **Purpose of Report**

To advise on road side weed control for the month of March 2009.

#### **Recommendation**

That the information on roadside weed control be noted.

**Resolved 09/223**

**Cr Sturgiss/Cr Hadlow**

*That the information on roadside weed control be noted.*

## Water Services Report

---

### Item 1 Water Supply Status Report - March 2009

---

#### Reporting Officer

Acting Director Water Services – Greg Finlayson

#### Purpose of Report

To inform of the performance of the Goulburn and Marulan water supplies during March 2009.

#### Recommendation

That the information on the water supply status report for March 2009 be noted.

**Resolved 09/224**

**Cr Sturgiss/Cr Hadlow**

*That the information on the water supply status report for March 2009 be noted.*

---

### Item 2 Water Services Update

---

#### Reporting Officer

Acting Director Water Services – Greg Finlayson

#### Purpose of Report

To inform of the major activities being undertaken in the Water Services Division.

#### Recommendation

That the Water Services Update be noted.

**Resolved 09/225**

**Cr Kirk/Cr Dillon**

*That the Water Services Update be noted.*

**Item 3 Goulburn Mulwaree Water Management Strategy  
(Attachment)**

---

**Reporting Officer**

Acting Director Water Services – Greg Finlayson

**Purpose of Report**

To advise on the continuation of the Strategy.

**Recommendation**

That:

- A. The report be on the Goulburn Mulwaree Management Strategy be noted.
- B. The governance of IWCM conforms to Department of Water and Energy guidelines and advice utilising the existing Project Reference Group.
- C. Regular reporting to Council and workshops be continued throughout the IWCM Project.

**Resolved 09/226**

**Cr Sturgiss/Cr Dillon**

*That:*

- A. The report be on the Goulburn Mulwaree Management Strategy be noted.*
- B. The governance of IWCM conforms to Department of Water and Energy guidelines and advice utilising the existing Project Reference Group.*
- C. Regular reporting to Council and workshops be continued throughout the IWCM Project.*

---

**Item 4 Highlands Source Project (Attachment)**

---

**Reporting Officer**

Acting Director Water Services – Greg Finlayson

**Purpose of Report**

To provide a progress report in relation to the Highlands Source Project (HSP).

## **Recommendation**

That:

- A. The report on the resumption of the Highlands Source project be noted.
- B. The governance model be adopted for execution of the project.
- C. Project management consultants be engaged for both stages of the project with appropriate contractual clauses to omit the construction stage without undue penalties if Council or its funding partners determine not to proceed to construction.
- D. \$1.8m be carried over from the 2008/09 Management Plan to the 2009/10 Management Plan in accordance with the revised program.

**Resolved 09/227**

**Cr Sturgiss/Cr Banfield**

*That:*

- A. The report on the resumption of the Highlands Source project be noted.*
- B. The governance model be adopted for execution of the project.*
- C. Project management consultants be engaged for both stages of the project with appropriate contractual clauses to omit the construction stage without undue penalties if Council or its funding partners determine not to proceed to construction.*
- D. \$1.8m be carried over from the 2008/09 Management Plan to the 2009/10 Management Plan in accordance with the revised program.*

---

## **Item 5 Water Security and Restrictions (Attachment)**

---

### **Reporting Officer**

Acting Director Water Services – Greg Finlayson

### **Purpose of Report**

To review water supply security, the Restrictions Policy and to recommend appropriate restrictions for Goulburn.

## **Recommendation**

That:

- A. Goulburn remain on Level 3 restrictions until altered by a further resolution of Council.
- B. The progress of the drought and the Highlands Source Project be regularly monitored with regard to Goulburn's water security with timely reports to Council.
- C. The Interim Water Restriction Policy adopted on 20 December 2005 be amended with the words "From April 2009 Level 3 restrictions will be retained in Goulburn subject to the progress of the drought, the Highlands Source Project and any further resolution of Council".

**Resolved 09/228**

**Cr O'Neill/Cr Kirk**

*That:*

- A. *Goulburn remain on Level 3 restrictions until altered by a further resolution of Council.*
- B. *The progress of the drought and the Highlands Source Project be regularly monitored with regard to Goulburn's water security with timely reports to Council.*
- C. *The Interim Water Restriction Policy adopted on 20 December 2005 be amended with the words "From April 2009 Level 3 restrictions will be retained in Goulburn subject to the progress of the drought, the Highlands Source Project and any further resolution of Council".*

---

## **Petitions - Kingsdale**

---

**Resolved 09/229**

**Cr Banfield/Cr Kirk**

*That:*

- A. *The petition relating to the request locality known as Kingsdale be given recognition as a geographic name under the Geographical Names Act 1966 be noted.*
- B. *A report regarding this request and other localities in the district be brought back to a future Council meeting.*

---

## **Urgent Business / Late Items**

---

*Nil*

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

**Questions Without Notice**

---

Cr O'Neill	What times does the Management Plan workshop start next Tuesday?
Cr Dillon	Goulburn Base Hospital are requesting 2 disabled car parks on Goldsmith Street and 1 on Albert Street.
	RunOWater Road lines need to be looked at. There has been a request for a bend to be marked with double lines.

---

**Closed Council**

---

**Resolved 09/230**

**Cr O'Neill/Cr Dillon**

*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 7.44pm.**

The items listed in Executive Report Item 1 where discussed.

**That Council Resume in Open Session**

**Resolved 09/231**

**Cr O'Neill/Cr Hadlow**

*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 Proposed Gunlake Quarry, Brayton Road, Marulan**

---

**Resolved 09/232**

**Cr Banfield/Cr O'Neill**

*That:*

- A. An offer of compromise be made to the proponent of the proposed Gunlake Quarry, Brayton Road, Marulan in relation to s94 contributions in the terms outlined in the report.*
- B. In the event of agreement being reached the Council seal be affixed to all necessary legal documents.*
- C. An amendment be prepared to the relevant contribution plans to reflect the outcomes of the proposed Gunlake Quarry negotiations and placed on public exhibition in accordance with the Environmental Planning & Assessment Act 1979.*

**Item 2 Water Leakage Request (Attachment)**

---

**Resolved 09/233**

**Cr Banfield/Cr O'Neill**

*That the request for the adjustment of the water account be denied.*

---

**Item 3 Recreation Area Booking Fee (Attachment)**

---

**Resolved 09/234**

**Cr Dillon/Cr Kirk**

*That –*

- 1. Attempts to recover the outstanding amount for the booking of the Recreation Area in addition to any interest incurred continue.*
- 2. No further hire requests for the Recreation area be taken from the company or associated companies until the outstanding amount is paid in full.*
- 3. The outstanding grant funds for the event be applied to the outstanding debt.*
- 4. An agreement be entered into to have the debt repaid over a 12 month period.*

**Mayoral Report**

---

**Item 1 Expressions of Interest – Recruitment Agencies for  
General Manager Vacancy**

---

**Resolved 09/235**

**Cr O'Neill/Cr Hadlow**

*That:*

- 1. Employment Solutions be the company appointed to recruit the General Manager.*
- 2. All or any available Councillors be part of the selection panel, including an independent person of high level (John Dunthorpe, Corrective Services)*

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

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

**Task List**

<b>Responsible Directorate</b>	<b>Responsible Officer</b>	<b>Item No</b>	<b>Task</b>
<b>Executive Services</b>	<b>Acting General Manager</b>	<i>Calendar of Events &amp; Item 7</i>	Include workshop dates on Council calendar and Community Outreach Meeting dates
		<i>Minutes</i>	Include unconfirmed meeting minutes from 3&17 March Council Meeting to the May 2009 Council Meeting
		8	Contact Keith Woodman with the view of arranging a farewell function
		<i>Petition</i>	Arrange a report to future Council meeting on the naming of the Kingsdale are and other areas within the district
		<i>Closed 1</i>	Arrange letter to solicitors
<b>Corporate Services</b>	<b>Director Corporate Services</b>	<i>Minutes</i>	Provide draft Council meeting minutes to all Councillors directly after each meeting
		<i>Exec 7</i>	Schedule Community Outreach Meetings
		<i>Exec 8</i>	Use the remaining balance of the Unallocated Capital Reserve (\$84,875) to cover the unfunded By-Election expense
		7	Advise former Directors of Lipsim Pty Ltd that Deed of Agreement entered into with Council on 26 September 2000 is no longer a legally binding instrument as there is no legal entity to pay
		9	Advertise for Expressions of Interest from community groups to leasing part of Council owned land at 47 George Street, Marulan
		10	Arrange for all legal documentation relating to the boundary adjustment and Transfer for the Warrigal Care Retirement Village in accordance with Development Consent No 36/0506/MA be executed by the Mayor and Acting General Manager under seal
		<i>Water 4</i>	Arrange for \$1.8M for Highland Source Project to be carried over from 2008/09 to 2009/10 Management Plan
		<i>Closed 2</i>	Notify account holder of reduction in water rates being denied
		<i>Closed 3</i>	Arrange for Grant funding credit to be transferred to customers debt and make formal arrangement for remainder of debt to be repaid by April 2010

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

<b>Planning &amp; Community Services</b>	<b>Acting Director Planning &amp; Community Services</b>	5	Accept quotation from Edward Higginbotham & Associates Pty Ltd to undertake an Archaeological Management Plan for Goulburn Mulwaree
		6	Arrange public notice for proposed public notice
		7	Issue consent for Application No. 161/0809/DA for the construction of a new building to establish a retail liquor store at 317 Auburn Street, Goulburn and notify submitters
		8	Issue consent for Application No. 283/0809/DA for a vehicle services premises at 104 Clinton Street, Goulburn subject to appropriate conditions and send letter to objectors
		9	Issue Consent for Application No. 100/0809/DA for a residential subdivision at 121 Gibson Street, Goulburn
		10	Issue Consent for Application No. 217/0809/DA for alterations and additions to an existing dwelling and new shed at 10-12 Mount Street, Goulburn and notify objectors
		11	Issue consents for Application Nos. 271/0809/DA and 273/0809/DA for the erection of dwellings with attached garages at 105 Gibson Street and 1 Wright Place, Goulburn
		12	Issue consent for Application No 272/0809/DA for a dwelling at 22 Wright Place, Goulburn subject to appropriate standard conditions and increasing the set back up to a minimum of 3 metres.
		13	Issue consent for Application No. 199/0809/DA for a dwelling and retaining walls at 11 Melliodora Drive, Goulburn
		14	Issue consent for Application No. 224/0809/DA for a Place of Public Worship at 6 Kent Street, Goulburn and advise objectors
<b>Engineering Services</b>	<b>Acting Director of Engineering Services</b>	<i>Planning 14</i>	Arrange a report to Traffic Committee on the option of Kent Street Goulburn becoming a one way street.
<b>Water Services</b>	<b>Acting Water Services Director</b>	3	Convene meeting of IWCM Project Reference Group, conduct workshops and provide monthly reports to Council on the progress of the IWCM Project.
		4	Engage Project Management Consultant for both stages of the Highland Source Project with appropriate contractual clauses to omit the construction stage without undue penalties if Council or its funding partners determine not to proceed to construction
		5	Amend Interim Water Restriction Policy

**Minutes of the Ordinary Meeting of Council held Tuesday 21 April 2009  
commencing at 6pm in the Council Chambers**

---

*Meeting closed at 8.40pm.*

The minutes were confirmed at the Council meeting on 19 May 2009 at which this signature was endorsed.

.....  
Mayor Carol James  
**Mayor**

.....  
Mr Chris Berry  
**Acting General Manager**