

**GOULBURN
MULWAREE
COUNCIL**

**MINUTES OF THE
ORDINARY MEETING
OF
GOULBURN
MULWAREE COUNCIL
HELD TUESDAY
16 NOVEMBER 2004**

GOULBURN MULWAREE COUNCIL

ORDINARY MEETING OF COUNCIL – TUESDAY 16 NOVEMBER 2004

AGENDA

1. **APOLOGIES**

2. **[ADDRESS Associate Professor, Mr Stuart Schneider, Administrator Southern Area Health Service](#)**

3. **[DISCLOSURE OF INTERESTS](#)**

4. **CALENDAR OF EVENTS**

- CONFIRMATION OF MINUTES**
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6. **COMMITTEE REPORTS FOR ADOPTION**

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7. **OTHER REPORTS FOR INFORMATION**

Goulburn District Tourism Annual General Meeting held 13.10.04	1-10
Safety Committee Meeting held 03.11.04	11-13

8. **DIVISION REPORTS**

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9. **CONFIDENTIAL MATTERS FOR COMMITTEE OF THE WHOLE**

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
COMMENCING AT 6.00PM IN THE COUNCIL CHAMBERS**

PRESENT:

His Worship the Mayor – Cr P Stephenson, Cr R Craig, Cr M Eddy, Cr M Hadlow, Cr S Harris, Cr T Lamarra, Cr M O’Neill, Cr D Sturgiss, Cr K Sullivan.

ALSO PRESENT:

Acting General Manager (Mr D Cooper), Assistant General Manager (Mr R Mowle), Director of Finance and Information Technology (Mr P MacDonald), Director of Environment and Planning (Mr C Berry), Director Engineering Services (Mr P Hansen), Manager Community Development (Mr J Styles), Manager Goulburn Water Services (Mr M O’Rourke), (Manager Development Control) Tina Dodson, (Corporate Management Officer) Ken Wheeldon, Works Manager (Michael Goode), Executive Support Officer (F Thistleton).

OPENING PRAYER:

Read by Cr Sullivan

APOLOGIES:

Nil

PRESENTATION:

Robyn Hair from the Goulburn Harness Racing Club presented a cheque to the Mayor for \$50,000. Bruce Knight, President of the Goulburn Harness Racing Club thanked the Council for its support in the development of the new track.

ADDRESS

Associate Professor, Mr Stuart Schneider, Administrator Southern Area Health Service addressed the Council. Southern Area Health Service has taken over the day to day running of St John of God Hospital. There will be the redevelopment of Kenmore Hospital. The Goulburn Base Hospital and St John of God Hospital will be ran as one. The combining of the administration will start immediately, services later on. The hospital is unable to retain the name St John of God Hospital and the sisters will take all religious items.

Professor Schneider advised that they will be looking at service planning and are committed to a public process.

Cr Hadlow pointed out that the Base Hospital is no longer a Base Hospital.

Cr O’Neill stated St John of God Hospital needs its own name and that the Council doesn’t want to see any jobs go. She stated that we want a guarantee that Goulburn will not need to send elderly people outside the city to hospitals or that either hospital will be downgraded.

Cr Harris asked are there any plans to send services to Wagga Wagga or increase services. Professor Schneider advised there are no plans to send any services to Wagga Wagga. With regard to enhancing services there are no exact plans at this stage.

Cr Lamarra asked what are the plans for the future since Goulburn and district will have a larger population in future years. Professor Schneider advised that he has had contact with the Environment and Planning Department and that it is important to find what service plans are needed, physical needs and future planning to be carried out.

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Mr Neville Onley, Director of Finance of the Department of Southern Area Health Service advised negotiations are underway for the purchase of land and buildings at a nominal value.

Cr Sullivan asked where does the purchase price come from.

Mr Onley could not comment.

Mr Andrus Tonismae, Support Services Manager with the Department of Southern Area Health Service advised that settlement of the sale of Kenmore should be finalised by the end of the year. Approval has been provided for the contract management of the new \$3m facility Dec 05 to complete. Museum contents have been gifted to Museum Management and Strathallen / Docs are selling portion of the land. There will be a Public meeting 29 November 2004.

The Mayor thanked Associate Professor Stuart Schneider, Mr Onley and Mr Tonismae for their attendance.

DISCLOSURE OF INTEREST

Cr Craig declared an interest in Environment and Planning Report Item 8 Development Application 378/2003 DA – 52 Mundy Street as he is a relative of the proponent.

Cr Lamarra declared an interest in the Goulburn Airport (Airport Committee Meeting 28 October 2004) as he owns land at the airport.

MAYORAL MINUTE

04/492 RESOLVED THAT the Mayoral Minute be received.

Cr Lamarra / Cr Sturgiss

CONFIRMATION OF MINUTES:

ORDINARY MEETING OF COUNCIL - TUESDAY 19 OCTOBER 2004

04/493 RESOLVED THAT the Minutes of the Ordinary Meeting of the Council held on Tuesday 19 October 2004 and contained in Minute Page Nos.1 to 106 inclusive and in Minute Nos. 04/420 to 04/491 inclusive be and are hereby confirmed.

Cr Harris / Cr Hadlow

COMMITTEE REPORTS AND RECOMMENDATIONS:

REPORT OF THE ROAD SAFETY COMMITTEE MEETING HELD 24.09.04

04/494 RESOLVED THAT the recommendations as set out in the report be adopted.

Cr Hadlow / Cr Harris

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REPORT OF THE AIRPORT ADVISORY COMMITTEE MEETING HELD 28.10.04

Cr Lamarra left the meeting the time being 7.42pm.

04/495 RESOLVED THAT the recommendations as set out in the report be adopted.
Cr Hadlow / Cr Eddy

Cr Lamarra returned to the meeting the time being 7.45 pm.

**REPORT OF THE LAND USE STEERING COMMITTEE MEETING HELD
28.10.04**

04/496 RESOLVED THAT the recommendations as set out in the report be adopted.

Cr Harris / Cr Eddy

REPORT OF THE FUNCTIONAL COMMITTEE MEETING HELD 3.11.04

04/497 RESOLVED THAT the recommendations as set out in the report be adopted.

Cr Harris / Cr Eddy

REPORT OF THE SPORTS COUNCIL COMMITTEE MEETING HELD 3.11.04

04/498 RESOLVED THAT the recommendations as set out in the report be adopted.

Cr Harris / Cr O'Neill

OTHER REPORTS FOR INFORMATION

**REPORT OF THE GOULBURN DISTRICT TOURISM ANNUAL GENERAL
MEETING HELD 13.10.04**

04/499 RESOLVED THAT the information be received and noted.

Cr Harris/ Cr Hadlow

REPORT OF THE SAFETY COMMITTEE MEETING HELD 3.11.04

04/500 RESOLVED THAT the information be received and noted.

Cr Lamarra / Cr O'Neill

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**ACTING GENERAL MANAGERS' REPORT TO ORDINARY MEETING OF
COUNCIL**

ITEM 1

SUBJECT	MOU - PROPOSED AGRI CENTRE
REPORTING OFFICER	ACTING GENERAL MANAGER

GROUND FOR DISCUSSION IN CLOSED COMMITTEE

This report is dealt with in Closed Committee on the grounds that it contains commercial information of a confidential nature that would if disclosed, prejudice the commercial position of the person who supplied it. Section 10 A (2) (d) (i) of the Local Government Act 1993

PURPOSE OF REPORT

Council to consider Memorandum of Understanding for proposed Agri Centre

RECOMMENDATION:

THAT this report be considered in Committee of the Whole

This item was dealt with in Committee of the Whole

Cr O'Neill / Cr Eddy

ITEM 2

SUBJECT	PROCLAMATION OF GOULBURN MULWAREE COUNCIL
REPORTING OFFICER	ACTING GENERAL MANAGER

PURPOSE OF REPORT

To formally advise Council that the Greater Argyle Council has been renamed Goulburn Mulwaree Council.

REPORT

A Proclamation signed and sealed on the 6th October'04 was published in the Government Gazette on Friday 22nd October'04 declaring the renaming of the Council to Goulburn Mulwaree Council.

Arrangements will now be put in place to commence a program of signage amendments throughout the Council area.

BUDGET IMPLICATIONS

Amendments to signage will require substantial funding. A merger implementation vote of \$150,000 was established in the budget and depending on existing commitments, funds may be available from this vote.

POLICY CONSIDERATIONS

A new Council Seal will be ordered and all Policy Documents will be changed to reflect the new name.

RECOMMENDATION:

THAT the information be noted

04/501 RESOLVED THAT the information be received and noted.

Cr Harris / Cr Sturgiss

ITEM 3

SUBJECT	LILAC CITY FESTIVAL REPORT
REPORTING OFFICER	ACTING GENERAL MANAGER

PURPOSE OF REPORT

Council to consider report and recommendations by Clrs Lamarra & Eddy regarding the Lilac City Festival Committee.

REPORT

Attached is copy of report submitted by Clrs Lamarra & Eddy containing a number of recommendations regarding the future of the Festival.

In summary they are as follows:

1. Council establish a Lilac Avenue
2. Plant lilacs in medium strips throughout the City
3. Provide closure of Streets as necessary
4. Council to promote through the Garden Club all established lilac trees
5. All activities within Council's area in the Lilac Festival Week to be under the control of Lilac Time Festival Committee.

There is no doubt that in recent years many visitors have commented about Goulburn having an annual Lilac Festival when there is very few examples of lilac trees or lilac plantations. With changing weather patterns there also seems to be more late bloomings of lilacs which does not assist the situation.

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If Goulburn is to continue to enhance itself as a visitor destination, then events such as the Lilac Festival needs to be reviewed in order that the City can deliver what is being promoted.

The Lilac City Festival Committee is independant from Council and comprises a hard working group of volunteers that have organized the festival for over 50 years and no doubt the lack of lilac trees makes their task harder each year.

Maybe its time for the new Council and Festival Committee to sit down together and review the future of the Festival, even it's only a review of the name. A new title such as the "Goulburn Spring Festival" for example, could be linked to other garden festivals happening around the region at the same time, therefore providing greater scope for the Festival.

BUDGET IMPLICATIONS

There is no funding within Council's budget to undertake requested works.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the Lilac Time Festival Committee be invited to have a meeting with Council regarding the ongoing future and format of the Festival.

04/502 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Lamarra / Cr Craig

ITEM 4

SUBJECT	LOCAL GOVERNMENT ANNUAL CONFERENCE
REPORTING OFFICER	ACTING GENERAL MANAGER

PURPOSE OF REPORT

To advise Council on the outcomes of 2004 LGA Annual Conference at Armidale

REPORT

The Mayor, Clrs, Eddy, Hadlow & O'Neill and the Acting General represented Council at the Local Government Conference held in Armidale from 24th to 27th October'04.

Council had submitted a number of motions as follows:

- Country Towns Water Supply & Sewerage Programs – Opposing reduced subsidy for schemes with over \$10M in revenue. (Adopted)
- Closure of Business Enterprise Centres (Adopted)
- Building & Construction Security of Payments Act. (Joined with Wagga Wagga City Council as composite motion – Adopted)

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- SEPP 58 – Opposing Amendment to require Development Application requirement for roads works improvements under Council program (Adopted)
- Overloaded Health System (LGA Policy – referred to Executive)

Also at the main Conference function, Clr Margaret O'Neill was presented with an Outstanding Service Award for 20 years service with Goulburn City Council by LGA President Clr Dr Sara Murray.

The new President of the LGA is Clr Genia McCaffrey, Mayor of North Sydney. Details of the newly elected Executive can be found in the Local Government Circular 43/2004

Should any Councillors require a full record of the motions passed at the Conference, please let me know and I will arrange a copy.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the report be noted

04/503 RESOLVED THAT the information be received and noted.

Cr Harris /Cr Lamarra

ITEM 5

SUBJECT	MANAGEMENT PLAN QUARTERLY REPORT
REPORTING OFFICER	ACTING GENERAL MANAGER

PURPOSE OF REPORT

To provide Council with the quarterly report for the former Goulburn Mulwaree Council 2004/2005 Management Plan as at 30.09.2004.

REPORT

In accordance with the requirement of the Local Government Act, the report on the Management Plan for the quarter-ended 30.09.2004 is submitted for Council's consideration.

The report provides a status report on the key outcomes planned for 2004/05 and an exception report in regard to the actions and outcomes for each of the Service areas, together with a status report for the Capital Works program for the year.

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The financial report for the quarter has been reported by the Director of Finance & IT within his Divisional Reports

BUDGET IMPLICATIONS

Variances reported on monthly basis.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the Management Plan report for the quarter ended 30.09.2004 be noted and amendments endorsed.

04/504 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr Hadlow

ITEM 6

SUBJECT	2003/2004 STATUTORY ANNUAL REPORT - GOULBURN CITY COUNCIL
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

PURPOSE OF REPORT

To table the 2003/2004 Statutory Annual Report.

REPORT

Under the Local Government Act 1993 Council is required to submit an Annual Report (addressing Statutory matters and General Regulations) to the Minister for Local Government and the Local Government & Shires Association by the 30th of November each year.

The 2003/2004 Statutory Annual Report has been completed and a copy is included as a separate enclosure. Annexures “A” and “B” referred to on the content page are bulky and therefore not included with this enclosure. Copies of these annexures can be obtained from the Corporate Management Officer on request.

Annexure “A” relates specifically to s428(2)(a) - The full Financial Statements for the 2003/04 financial year, including Notes to the Special Purpose Financial Reports in accordance with General Regulation clause 7A(e) - National Competition Policy Business Activities.

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Annexure "B" relates to specifically to s428(2)(b) – Performance in Terms of Activities. Note, the June 2004 Quarterly Management Plan Report has been used in this annexure to address Department requirements.

BUDGET IMPLICATIONS

Nil. Produced in-house.

POLICY CONSIDERATIONS

Nil.

RECOMMENDATION:

THAT the 2003/04 Statutory Annual Report be noted.

04/505 RESOLVED THAT information be received and noted.

Cr Lamarra / Cr Eddy

ITEM 7

SUBJECT	DISPLAY OF ADVERTISING SIGNS ON ROADSIDE BILLBOARDS
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

PURPOSE OF REPORT

To advise of variations to an existing contract agreement between Signageone Pty Ltd and Council for the display of advertising signs on two roadside billboards owned by Council.

REPORT

The former Goulburn City Council advertised Expressions of Interest in early 2003 for the leasing of advertising space on two roadside billboards used for Australian Blues Music Festival (ABMF) promotion. These billboards exist as two structures standing adjacent to the north and south bound carriageways within the road reserve of that section of the Hume Highway known as Goulburn Bypass.

The Expressions of Interest called for local operators interested in managing the highway billboards that at that time were specifically promoting the ABMF. The only response came from Signs-R-Us Pty Ltd (now registered as Signageone Pty Ltd).

A contract agreement was then signed by both parties, the essence of which comprise:

- The billboards on the bypass only being utilized for promotions
- Signageone Pty Ltd will source clients to Council's satisfaction to advertise permanently on the boards (their first client being Wakefield Park). Note, Wakefield Park is keen to maintain exclusive use of these signs.

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- Council receives a good return per annum in fees. The amount of revenue received can be discussed in Closed Committee.
- The agreement was for an initial period of 12 months with a further 24 month Option to Renew.
- The ABMF is to be permanently promoted on the lower sections of the boards (including the respective dates) at no cost to Council.

Signageone Pty Ltd has now exercised the Option to Renew this agreement, however they have requested a 5 year agreement at a moderate fee increase per annum. Whilst this may provide Signageone Pty Ltd with some long-term security, it would lock Council into a long-term agreement without the ability to conduct a full review.

The following terms are therefore recommended to be included in the new agreement:

- A 3 year agreement at a reasonable increased fee per annum. Again, this fee can be discussed in Closed Committee.
- A 2 year Option to Renew, subject to mutual agreement (including re-negotiation of the annual fee)

BUDGET IMPLICATIONS

The revenue generated from these billboards will be used for Tourism expenditure.

POLICY CONSIDERATIONS

In accordance with the Expressions of Interest advertised in the first half of 2003.

RECOMMENDATION:

THAT the variations to an existing contract agreement between Signageone Pty Ltd and Council as set out in this report be approved with the new agreement to be executed by the General Manager.

04/506 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Lamarra / Cr Harris

ITEM 8

SUBJECT	SOOLEY DAM LAND ACQUISITION UPDATE
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

PURPOSE OF REPORT

To provide a further update on the various land acquisitions for additional foreshores to Sooley Dam.

REPORT

Further to the report considered at the Committee of the Whole Meeting held 17 August 2004, a brief update on each of the land acquisitions is as follows:

(a) Sooley Plains, Bundoon Pty Ltd

Council's solicitor is waiting for a response from the vendor's solicitor advising of their client's position. Various letters have been forwarded to the vendor's solicitor in recent weeks, the most recent being 9 November 2004.

(b) H & E Spark

This matter has settled.

(c) P & A Poidevin and Brydem Pty Ltd

Council's solicitor is still waiting for a response from the vendor's solicitor advising of their client's position. Various letters have been forwarded to the vendor's solicitor in recent weeks, the most recent also being 9 November 2004. Note, the vendor's solicitor is the same solicitor acting on behalf of Bundoon Pty Ltd.

(d) Brindalee – N & J Gurney

This matter has settled.

(e) Kingsdale Park – D & Y Flannery

This matter has settled.

(f) M & S Geale

This matter has settled.

(e) Boolaroo – R & C Flanagan

This matter has settled.

(f) Illawong – R & L Moffatt

This matter is ready to settle as soon as the vendor's Mortgagee has consented to the Plan of Subdivision and transfer of part of the land to Council. It is expected this matter will be finalised by the end of November 2004.

BUDGET IMPLICATIONS

No major change to original revised budget for land acquisition costs associated with the 5 year plan of catchment acquisitions.

POLICY CONSIDERATIONS

Nil.

RECOMMENDATION:

THAT the information be received and noted.

04/507 RESOLVED THAT the information be received and noted.

Cr Hadlow / Cr Harris

ITEM 9

SUBJECT	GRANT FUNDED PROJECTS
REPORTING OFFICER	MANAGER COMMUNITY DEVELOPMENT - JIM STYLES

PURPOSE OF REPORT

To advise Council that the Department of Ageing, Disability and Home Care have updated the Funding Agreements for four projects currently auspiced by Council.

REPORT

The Department has only made minor variations to the funding agreements. This relates mainly to the Department and its policy guidelines. The Department now requires new funding agreements to be completed. The four programs Council auspices are Peer Support, Respite Care, Neighbour Aid and Social Support. All these are Home and Community Care (HACC) funded. Funding for the current year is \$200,434.

BUDGET IMPLICATIONS

Nil if funding agreements completed.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the new funding agreement be completed under the seal of Council

04/508 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr Hadlow

ITEM 10

SUBJECT	NGUNAWAL NATIVE TITLE CLAIM – NG6001/00
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

PURPOSE OF REPORT

To inform that the native title determination in reference to the Ngunawal Native Title Claim NG 6001/00 application has been dismissed. (refer attached letter)

REPORT

Council is in receipt of advice from its Native Title legal representatives (Williams Love & Nicol Lawyers) that the Ngunawal Native Title claim went before the Federal Court for further direction on 6 October 2004. At this hearing, it was ordered that the Native Title determination application be dismissed.

This application which encompassed the southern-most part of Goulburn and outlying areas, overlapped several other Native Title determination applications, in particular the Gundungurra Native Title Claim (NG6060/98) which encompasses all of Goulburn.

The Ngunawal Application was registered with the Federal Court on 4 July 2000. As part of this process, The National Native Title Tribunal notified the public of the Application and invited the public to apply to the Federal Court to be involved in the Native Title proceeding. Subsequently, the notification period ran for three months. The Ngunawal Application was formally notified on 2 May 2001. There were a total of 180 respondents to the Application.

The Ngunawal people agreed to discontinue the prosecution of their application because they were unable to secure a grant of legal and financial assistance ie: satisfactory resources to prosecute their claim.

BUDGET IMPLICATIONS

Nil. Williams Love & Nicol appointed by the Attorney General's Department to represent a number of Council's in the Southern Highlands and Southern Tablelands.

POLICY CONSIDERATIONS

Nil.

RECOMMENDATION:

THAT the information be received and noted.

04/509 RESOLVED THAT the information be received and noted.

Cr Lamarra / Cr Sullivan

ITEM 11

SUBJECT	COUNCIL OWNED LAND SALES POLICY
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

PURPOSE OF REPORT

To provide Council with the opportunity to adopt a Council Owned Land Sales Policy.

REPORT

Council deals with property in several areas. This includes Industrial and Highway Service Centre zoned land, Commercial properties and residential sites. Over recent years Goulburn City Council has disposed of the majority of its surplus land stocks, particularly residential sites. At this time there are a few developed industrial blocks available for sale. These are currently on the market at \$75/m². This price will need to be reviewed in line with recent market sales.

Other land holdings include a residential site in Hovell Street near the sale yards which if subdivided can provide 14 to 16 building blocks, commercial land being the former Ellesmarket Barn and the adjoining car park (4,047m²) and land at the Airport to be developed for future hangar sites.

The former Mulwaree Shire Council has land at Marulan that is currently partly used for effluent disposal and provides excellent industrial development opportunities.

From recent meetings of the new Council, it is evident that there is a need for a review of the method of sale of Council owned land identified as being surplus to Council's requirements. It is for this reason and to provide staff and potential developers with clear direction, that the attached draft policy is submitted for Council's consideration. The adoption of this policy would allow for variations to the method of sale of surplus Council owned land to be made by Council if and when it sees fit.

Council's general consensus has been to sell surplus Council owned land by way of public auction, however given the specific nature of the parcel of land in question (ie: zoning, constraints, location) and the long term strategic and economic benefits that can be determined by Council (ie: low volume water user industries, large employment generation, use of local suppliers and various other performance measures), a public auction is not always the preferred method of sale as was resolved at the Extra Ordinary Meeting held on 5 October 2004 with regards to the sale of 5 Common Street.

With the success of the auction of land at the South Goulburn Caravan Park on 8 October, 2004 it is evident that there are advantages from a price perspective of holding a public auction. The two small lots exceeded the reserve price whilst the 1.32ha lot sold for the reserve price, but less than what was offered through the Expression of Interests advertised earlier this year.

The disadvantage of selling surplus land by way of Public Auction is that Council does not have any further control over the type of development where it meets the objectives of the DCP. A public auction will also incur significant fees and costs that would not be part of a private treaty through an Expression of Interest process.

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On the basis of price only there is a strong case for all Council owned land to be put up for sale by public auction in the first instance. Where such land does not sell it will then be offered for sale by private treaty at the Council reserve price. This action ensures that the Council actions are clear and transparent. The highest price will be determined by the market on the day and the public generally will be aware of Council land being available for purchase.

The same course (public auction) could be taken for developed sites or a different situation could be considered. It may not for example be the most appropriate way to sell land where a new industrial subdivision has been developed. In these circumstances the Council, as developer, knows what the development costs have been and what the current market is for similar land. The costs and timeframe for a public auction may not be justified.

There will also need to be consideration given as to whether the Council wants to continue with options to repurchase land if it is not developed within a certain time period. This type of option ensures land is bought and developed, rather than being “uses as land-banking” by speculators.

The Council will also need to consider if the economic benefit to the community is an issue it wants to consider. There have been situations where a Council sees more benefit to the wider community development in a particular enterprise than is the case with a competing proposal. Under a public auction this advantage will be foregone.

With the above issues in mind, there is a need to assess the selling method of surplus land on a case-by-case basis. Surplus land will be sold by way of public auction in most cases however the exception to this rule is addressed in the draft policy.

The way in which Council wants to pursue development will determine the best way to market and sell land. It would be very easy to have a policy that everything goes to auction in the first instance. It is also a little simplistic and does not give the Council any flexibility. It may be appropriate to have the public auction process as the standard method of sale for some types of land, and other options for different parcels.

By adopting this policy, Council will be providing a clearer set of guidelines to staff and developers as to the parameters in which land negotiations can take place. It should be noted, all final land negotiations will continue to be submitted to Council for consideration.

At the Extra Ordinary Meeting held on 5 October 2004, the three methods of sale were discussed. An extract from this report appears on the next page for Council's reference.

METHODS OF SALE

- Sale by Private Treaty
- Advertise Expressions of Interest
- Sale by Public Auction.

The advantages and disadvantages associated with each of these methods of sale are summarised as follows:

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METHOD OF SALE	ADVANTAGES	DISADVANTAGES
Private Treaty	<ul style="list-style-type: none"> • Vendor is in control of the selling process • Reduced advertising costs • Vendor is in control over the nature and type of industry, particularly in times of severe drought. • Have full knowledge and understanding of whom dealing with. • Performance measures can be included in contract of sale (inc Buy-Back Option) • Can ensure a desired level of employment generation • Can be used to maximise employment generation • Provides sufficient time for proposed purchaser to do their home-work • Most common method in the private sector • Reduces lengthy delays 	<ul style="list-style-type: none"> • There is no defined time limit on the sale. • Purchaser has a cooling-off period. • May not maximise sale price. • Can be viewed as not being an open and transparent method of sale.
Expressions of Interest	<ul style="list-style-type: none"> • Can selectively target certain industries deemed appropriate for the area/zoning. • Can be used to maximise employment generation • Vendor doesn't need to determine a price at the outset ie: set by the market. 	<ul style="list-style-type: none"> • Can limit the potential number of suitable purchasers. • May not maximise sale price. • Purchasers decide the market value.
Public Auction Public Auction con't	<ul style="list-style-type: none"> • Intensive marketing takes place • There is a defined timeframe • There is a competitive element • A firm sale is achieved • May maximise sale price • Can be seen as a more open, transparent method of sale 	<ul style="list-style-type: none"> • Vendor pays advertising • Purchasers can be wary of the competitive element • No control over employment generation or lack of. • Is appropriate for unique or high-demand properties only • No control over development taking place ie: cannot include performance measures in contract • Reduced control over type of industry to be established.

COMMENT

Private Treaty and Expressions of Interest offer greater control over the type of industry and can assist with maximising employment generation but this may result in a slightly lower sale price being achieved and can be perceived as less transparent. A Public Auction may maximise price (especially if there are multiple buyers) and is clearly a more transparent process but this is at the expense of securing industry type and employment potential.

BUDGET IMPLICATIONS

Nil at this stage.

POLICY CONSIDERATIONS

Council's practice has been to rationalize and dispose of land that has been identified as being surplus to its requirements. This draft policy is intended to provide Council with a range of options relating to the method of sale of surplus land.

RECOMMENDATION:

THAT the draft Council Owned Land Sales policy be adopted.

04/510 RESOLVED THAT the draft Council Owned Land Sales Policy be adopted with the addition of a 'buy back' option where appropriate.

Cr Lamarra / Cr Hadlow

ITEM 12

SUBJECT	PART LOT 15 SOWERBY STREET, GOULBURN
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

GROUND FOR DISCUSSION IN CLOSED COMMITTEE

This report is dealt with in Closed Committee on the grounds that it contains commercial information of a confidential nature that if disclosed may prejudice the commercial position of the person who supplied it – Section 10A(2)(d)(i) Local Government Act 1993.

PURPOSE OF REPORT

To inform of an offer received to purchase approximately 2,000m² of Lot 15, Sowerby Street, Goulburn from Council.

RECOMMENDATION:

THAT this item be discussed in Committee of the Whole.

This item was dealt with in Committee of the Whole

Cr Sturgiss / O'Neill

ITEM 13

SUBJECT	PUBLIC ART WORKING TEAM REPORT
REPORTING OFFICER	Gallery Director – Jennifer Lamb

PURPOSE OF REPORT

To report on the meeting of the Public Art Working Team at the Regional Art Gallery on 7 October, and to foreshadow a presentation to the Council meeting of public art proposals recommended by the Working Team.

REPORT

The Public Art Working Team met on 7 October 2004 to review the status of current public art works.

Since 1998 a total of 12 works have been commissioned and installed.

The Regional Art Gallery commissioned and installed two works in 1998 and 1999 for the southern wall of the Civic Centre and the wall of Kermac Engineering workshop

Council formed a Public Art Working Team in 2000 to develop and implement public artworks for Goulburn, which has resulted in 10 works i.e.

- 4 at the Goulburn Visitor Information Centre as part of the Blues Hall of Fame.
- 2 at the Goulburn Waste Recovery Centre.
- 1 at the intersection of Auburn and Goldsmith Streets (*Three Poles*)
- A mosaic footpath in Empire Lane.
- 1 on the Auburn/Bradley Streets roundabout (*Passing Parade*).
- 1 on Auburn Street between Verner and Clinton Streets (*Traces of Traffic*).

The Empire Lane mural project is nearing completion. A final workshop for young people who have been involved in the mural's design and making will be held on 11 November 2004. It is anticipated to have the mural, which is painted on boards, installed by the end of the year.

The public artwork, which was to have been installed earlier this year, for the Astor Hotel corner of Auburn and Clinton Streets has been delayed, as the artist has been involved in the Empire Lane project. The installation is now scheduled for early 2005.

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The Team also discussed the opportunities for further public arts projects in the near future, i.e. Ellesmere Street and a Miles Franklin commemorative work

Ellesmere Street, Goulburn, has two potential public art sites at its northern and southern ends. Earlier this year, the Public Art Working Team selected a proposal from Tallong artist, Sebastian Meijbaum, for a sculpture representing the wind as appropriate for the southern end of Ellesmere Street (see attachment). The Team endorsed this selection subject to development consent being issued.

The meeting agreed that proposals be invited from artists for a public artwork for the northern end of Ellesmere Street, with the brief stipulating that proposals relate to the wind sculpture proposal for the southern end of the street as well as the immediate surrounds.

The possibility of a public artwork commemorating Miles Franklin and her writing of *My Brilliant Career* while living in the Goulburn district was discussed. The Public Art Working Team members will be undertaking a tour to identify potential sites appropriate for such a work.

The Blues Hall of Fame in the surrounds of Visitor Information Centre has been developed since 2001 with the annual commissioning and installation of a public artwork that relates to Blues music. Proposals have been invited for a 2005 work. The Public Art Working Team will meet on 10 November 2004 to consider the submitted proposals and the recommendation will be tabled at the Council Meeting.

The Public Art Policy currently relates only to public artworks in Goulburn City. The Public Art Working Team is currently reviewing the Policy to extend it for the whole of the Goulburn Mulwaree Council area, in particular the small towns and villages.

BUDGET IMPLICATIONS

Nil. Public art works have been identified in the current Management Plan and funds are available in the Public Art budget.

POLICY CONSIDERATIONS

Nil

RECOMMENDATIONS:

THAT:

- A. The report on the Public Art Working Team be noted.**
- B. The proposed wind sculpture for the southern end of Ellesmere Street, Goulburn, be endorsed.**
- C. Artists be invited to submit proposed public artworks for the northern end of Ellesmere Street.**
- D. The recommendation for the 2005 Blues public artwork be endorsed.**
- E. The Public Art Policy be reviewed to extend to the whole of the Goulburn Mulwaree Council area, in particular the small towns and villages.**

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It was **MOVED** by Cr O'Neill and seconded by Cr Sturgiss that this item be deferred to the 7 December Functional Committee meeting.

The Motion on being put to the meeting was declared LOST.

04/511 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr Sullivan

Cr O'Neill asked that her vote against the resolution be recorded.

ITEM 14

SUBJECT	DEPARTMENT OF LOCAL GOVERNMENT
REPORTING OFFICER	A/GENERAL MANAGER

PURPOSE OF REPORT

To advise Councillors of Circulars received since the last Council Meeting and to provide Councillors with a copy of circulars requested.

REPORT

- 04 – 52** Separation Of Land and Water under the Water Management Act 2000: Land Valuations and Rating
- 04 – 53** Clarification of Requirements for Approvals to Install and Operate Systems of Sewerage Management
- 04 – 54** Walk To Work Day – Friday 5 November 2004
- 04 – 55** Council Data Collection System for Seizures of Cats and Dogs for 2004/2005

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the information be noted

04/512 RESOLVED THAT the information be received and noted.

Cr Eddy / Cr Hadlow

ITEM 15

SUBJECT	NSW RURAL FIRE SERVICES SOUTHERN TABLELANDS ZONE
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

PURPOSE OF REPORT

To affix the Council Seal to the NSW Fire Services Southern Tablelands Zone, Service Level Agreement.

REPORT

Goulburn Mulwaree Council in conjunction with Yass Valley and Upper Lachlan Council's have agreed to enter into a rural fire district service agreement pursuant to the provisions of section 12A of the *Rural Fires Act 1997* (NSW). In previous years, the Mulwaree, Crookwell, Gunning and Yass Councils and the Commissioner have agreed to operate the Districts as a Zone. As part of this arrangement these Councils agreed to provide certain administrative and maintenance services to the Commissioner and to the Service.

As a result of the amalgamation of Councils on 11 February 2004, a new service level agreement is required. In order to formalise this new agreement, Council's seal is required to be affixed.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the NSW Rural Fire Service, Southern Tablelands Zone, Service Level Agreement be affixed with the seal of Council.

04/513 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Lamarra / Cr Craig

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ITEM 16

STATUS REPORT ON COUNCIL MEETING ITEMS REQUIRING ACTION		
Executive Division		
Date	Item - Description	Action/Status
17.08.04	Item 21 – Greater Southern Area Health Service	<ul style="list-style-type: none"> Submission to State Minister for Health requesting representation from Goulburn on the Greater Southern Area Health Service Board. Status: Awaiting response
17.08.04	Item 14 – Ellesmarket Barn closure	<ul style="list-style-type: none"> Demolish building. Status Plant and Equipment auction held 13.10.04, EOI for demolition to arranged in coming weeks.
17.08.04	Item 11 – Bungonia Quilters	<ul style="list-style-type: none"> Request be considered to acquiring land and look at improving hall. Status Report to November Council Meeting
20.07.04	Item 13 – Service Recognition Service	<ul style="list-style-type: none"> Council to host appropriate service recognition function for Councillors of former Goulburn City and Mulwaree Shire. Apply to Local Government Association for relevant certificates. Status – Certificates ordered
20.07.04	Item 4 – Strategic Tasks	<ul style="list-style-type: none"> Advise Council of strategic tasks that will need to be undertaken in coming months. There is a need to review and consolidate the former Council policies to form a single policy register for the Greater Argyle Council. Status: Ongoing – Need to set a date for Workshop
15/06/04	Item 3 – Sale of Pathway in Paton Place, Goulburn	<ul style="list-style-type: none"> Sell pathway on terms set out in report and affix seal to complete matter. Status –applicant has accepted Council’s offer, contracts are being prepared.
18/11/03	Item 6 – Blues Festival Highway Billboards	<ul style="list-style-type: none"> Further Report to Council Status – Awaiting information from Upper Lachlan Council on sign legality
19/08/03	Item 4 – Sale of 31 Sydney Road	<ul style="list-style-type: none"> Legal Action regarding encroachment Status – removal of encroachment being costed with view of meeting 50% of these costs with McDonalds.
Environment and Planning Division		
21/09/04	Item 5 – Sterne Street Numbering	<ul style="list-style-type: none"> Place proposed name change on public exhibition Further report to Council after exhibition period Status Public exhibition completed – refer report this Business Paper

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20/04/04	Item 1 – South Goulburn Endangered/Threatened Species Draft Management plan	<ul style="list-style-type: none"> Plan to be placed on exhibition and if no significant objections are received that it be adopted Status – Plan revised – refer report this Business Paper
Utilities Division		
21/09/04	Item 1 – Rainwater Harvesting	<ul style="list-style-type: none"> Tanks delivered Status – To be installed after DA approval.
20/04/04	Item 2 – Acquisition of Sewer Easement	<ul style="list-style-type: none"> Proceed with the acquisition in accordance with policy 3.1.5. Status: Developer to advise in writing of status
21/10/03	Item 10 – Best Practice Management of Water Supply & Sewerage	<ul style="list-style-type: none"> Implementation of Best Practice Management Plan. Strategic Business Plans being updated April 2004 – June 2004. Status – Defer SBP update until new Council is able to workshop at a Functional Committee Meeting – suggest December 2004.
Finance and IT division		
Engineering Division		
21/09/04	Item 1 – Memorial for Constable Shelley Davis	<ul style="list-style-type: none"> Mayor to liaise with Sgt Regent on suitable memorial Status ongoing
15.06.04	Item 1 – Railway Crossing Marulan	<ul style="list-style-type: none"> Letter received from RailCorp. Status Report to November Meeting
20/01/04	Item 5 – Baileys Place Youth Centre	<ul style="list-style-type: none"> Negotiate draft lease with documentation to be finalised under seal; Status – Not proceeding other alternatives being investigated

04/514 RESOLVED THAT the information be received and noted.

Cr Hadlow / Cr Harris

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**DIRECTOR OF FINANCE AND INFORMATION TECHNOLOGY DIVISION
REPORT TO ORDINARY MEETING OF COUNCIL**

ITEM 1

SUBJECT	Statements of Investments and Bank Balances – Goulburn Mulwaree Council
REPORTING OFFICER	Director of Finance and IT – Peter MacDonald

PURPOSE OF REPORT

To submit the Statements of Investments and Bank Balances as at 31st October 2004.

REPORT

The “Statement of Cashbook Balances as at 31st October 2004” showing the balance of funds held in Council’s bank accounts and details of all money that Council has invested as at that date under section 625 of the Local Government Act 1993, the Order (of the Minister) dated 16 November and the Local Government (Financial Management regulation 1999- Clause 16 is attached.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

That the investments are in accordance with Council’s Investment Policy.

RECOMMENDATION:

THAT the Statements of investments and the bank balances as at 31st October 2004 be noted.

04/515 RESOLVED THAT the information be received and noted.

Cr Eddy / Cr Lamarra

ITEM 2

SUBJECT	Investment Performance Indicators
REPORTING OFFICER	Director of Finance & IT

PURPOSE OF REPORT

To report monthly the Investment Performance Indicators

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REPORT

Attached are the Investment Performance Indicators relating to Diversification and Credit Risk, Term Mix and Benchmark Interest Rates Performance. Also attached is Credit Risk Profile of Council Portfolio.

As at 31st October 2004 Council's Investment Portfolio has achieved an average interest rate return of 5.92% compared the Benchmark interest rate of 5.41% realizing a net gain .51% over the benchmark.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the monthly Investment Performances Indicators as at 31st October 2004 be noted.

04/516 RESOLVED THAT the information be received and noted.

Cr Harris / Cr Craig

ITEM 3

SUBJECT	General Purpose Financial Reports for the Former Goulburn City Council and the Former Mulwaree Shire Council for the year 30th June 2004
REPORTING OFFICER	Director Finance & IT

PURPOSE OF REPORT

This report addresses the formal aspects associated with the Former Goulburn City and the Former Mulwaree Shire Council General Purpose Financial Reports.

REPORT

Under Section 418 of the Local Government Act 1993 Council must fix a date for a meeting at which it proposes to present it's audited reports, together with the auditors reports, to the public, and it must give public notice of that date. The public notice must disclose that the business of the meeting includes presentation of the reports, a summary of reports and a statement that any person can make submissions within a timeframe.

Attached is a copy of the public notice in the approved form which was advertised in the Goulburn Post on 27th October 2004. At the time of writing this report no submissions had been received from the public.

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The General Purpose Financial Reports, Special Purpose Financial Reports and Auditors Reports have been tabled at this meeting.

As the formal aspects associated with the financial reports have now been complied with it is recommended that the General Purpose Financial Reports and Special Purpose Financial Reports for the 2003/2004 financial year be received and noted.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the General Purpose Financial Reports and Special Purpose Financial Reports for the 2003/2004 financial year be received and noted.

04/517 RESOLVED THAT the information be received and noted.

Cr Harris / Cr Sullivan

ITEM 4

SUBJECT	The Main Results of General Purpose Financial Reports for the financial year 20003/2004 of the Former Goulburn City Council and the Former Mulwaree Shire Council
REPORTING OFFICER	Director Finance & IT

PURPOSE OF REPORT

To report the main results relating to the 2003/2004 audit of the former Goulburn City Council and the former Mulwaree Shire Council.

REPORT

It has been reported earlier in the year, that the former Goulburn City Council and the former Mulwaree Shire Council will prepare their General Purpose Financial Reports for the financial Year 2003/2004 independently and separately.

Annexed to this report are the Financial Statements, Note 6 (Cash Assets and Investments Securities), Note 13 (Performance Indicators) relating for the former Goulburn City Council and the former Mulwaree Shire Council.

Also, attached are the respectively audit reports for the former Goulburn City Council (James Murphy & Co) and the former Mulwaree Shire Council (Spencer Steer Chartered Accountants).

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Listed below are the highlights that relate to the former Goulburn City Council and the Mulwaree Shire Council for the financial year 2003/2004:

Statement of Financial Performance

	Goulburn Actual 2004 \$'000	Mulwaree Actual 2004 \$'000	Goulburn Mulwaree Actual 2004 \$'000
Expenses From Ordinary Activities			
Employees Costs	8,991	3,530	12,521
Material & Contracts	5,676	2,622	8,298
Borrowing Costs	860	141	1,001
Depreciation	4,007	3,400	7,407
Other Expenses	2,418	954	3,372
Total Expenses from Ordinary Activities	21,952	10,647	32,599
Revenues From Ordinary Activities			
Rates & Annual Charges	15,422	3,676	19,098
User Charges & Fees	4,191	2,814	7,005
Investment Revenues	809	553	1,362
Grants & Contributions-Operating	3,495	3,784	7,279
Other Revenues	694	324	1,018
Profit from Disposal of Assets	923	13	936
Profit from interests in Joint Ventures	30		30
Revenues From Ordinary Activities Before Capital Amounts	25,564	11,164	36,728
Surplus Before Capital Amounts	3,612	517	4,129
Grants & Contributions-Capital	1,785	1,184	2,969
Surplus After Capital Amounts	5,397	1,701	7,098
Total Changes In Equity	5,397	1,701	7,098

The Statement of Financial Performance reveals that the former Goulburn City Council has an operating surplus of \$5.397 M and the former Mulwaree Shire Council has surplus of \$1.701 M. The new entity, being the Goulburn Mulwaree Council has a combined operating surplus of \$7.098M.

Statement of Financial Position

	Goulburn Actual 2004 \$'000	Mulwaree Actual 2004 \$'000	Goulburn Mulwaree Actual 2004 \$'000
Current Assets	13,108	9,052	22,160
Non-Current Assets	154,586	100,918	255,504
Total Assets	167,694	109,970	277,664
Current Liabilities	4,607	1,849	6,456
Non-Current Liabilities	12,534	2,875	15,409
Total Liabilities	17,141	4,724	21,865

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Net Assets	150,553	105,246	255,799
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The Statement of Financial Position for Goulburn City Council reveals that the net surplus of \$5.397M has increased Net Assets to \$150,533M. Similarly, Mulwaree's net surplus of \$1,701M has increased the Net Assets Position to \$105,246M.

The new entity will hold a Net Asset Position of \$255,799M

Cash Assets & Investment Securities

	Goulburn Actual 2004 \$'000	Mulwaree Actual 2004 \$'000	Goulburn Mulwaree Actual 2004 \$'000
Cash Assets			
Cash on Hand and at Bank	436	9	445
Deposits at Call	48	922	970
Short Term Deposits & Bills	0	6315	6,315
NCD's FRN's	0	1,500	1,500
Total Cash Assets	484	8,746	9,230
Investment Securities			
Term Deposits	7,681	0	7,681
NCD's,FRN's	3,000	0	3,000
Managed Funds	1,430	0	1,430
Other	408	0	408
Total Investment Securities	12,519	0	12,519
Total Cash Asset & Investment Securities	13,003	8,746	21,749

Goulburn City Council holds \$13.003M in Cash Assets and Investment Securities. Mulwaree Shire Council holds \$8.746M in Cash Assets and Investment Securities.

The new entity holds a total \$21.749M in Cash assets and Investment Securities.

While the new entity holds \$21.749M in Cash Assets and Investment Securities, these funds can be externally restricted based on externally imposed requirements such as developer contributions (S94 & S64), unexpended grants, water supplies and sewer supplies.

Internally restricted funds are set by resolution or policy council. Examples of Internal restrictions (reserves) are reserves for Employee Leave Entitlements, plant reserves and the like. These restrictions will now be examined below.

External Restrictions

	Goulburn Actual 2004 \$'000	Mulwaree Actual 2004 \$'000	Goulburn Mulwaree Actual 2004 \$'000
Developer Contributions	275	2,107	2,382
Developer Contributions-Water		152	152
Developer Contributions-Sewer		186	186
Unexpended Grants	146	257	403

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Unexpended Loans-Sewer		117	117
Water Supplies	4,492		4,492
Incomplete Works-Water	1,118		1,118
Sewer Funds	46		46
Domestic Waste Management	231		231
Employee Leave Ent	252		252
Employee Leave Ent	110		110
Other	66		66
Total External Restrictions	6,736	2,819	9,555

The new entity holds \$21.749M in cash assets and investment securities. However, there are externally restrictions of \$9.555M which include developer contributions (\$2.72M), water supplies (\$4.492M), incomplete works-water (\$1.118M) and unexpended grants (\$.403M).

These external restrictions leave a balance of cash assets and investment securities of \$12.194M for unrestricted cash and internal restrictions.

Internal Restrictions

	Goulburn Actual 2004 \$'000	Mulwarae Actual 2004 \$'000	Goulburn Mulwarae Actual 2004 \$'000
Employee Leave Entitlements	475	500	975
Replacement - Plant & Vehicles	185	920	1,105
Construction of Buildings	413		413
Bush Suppression		72	72
Security Deposits		431	431
Land Development		232	232
Local Roads		781	781
Bridges		227	227
Computer Replacement		150	150
Building & Small Assets Replacement		150	150
Contract Work Contingency		100	100
S94 Council Component Contingency		100	100
Strategic Planning		100	100
Infrastructure		460	460
Incomplete Works	790		790
Land & Property	473		473
Companion Animal Facility	290		290
Aged & Disabled	109		109
Workers Compensation	111		111
Records Management System	84		84
Other	46		46
Working Capital		1500	1,500
Total Internal Restrictions	2,976	5,723	8,699
Unrestricted Cash	3290	204	3,494
Total Internal Restrictions & Unrestricted Cash	6,266	5,927	12,193

The new entity has \$8,699M in internal restrictions which includes employee leave entitlements (\$.975M), replacement plant & vehicles (\$1.105M), construction of buildings (\$.413M), local roads (\$.781M), land & property (\$.781M), infrastructure (\$.460M), incomplete works, (\$.790M) and Working Capital (\$1.5M).

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Council has \$3.494M in unrestricted cash. When you add the \$1.5M which relates to the working capital reserve, Council basically has \$4.997M in unrestricted cash.

Statement of Performance Measurement

	Goulburn Actual 2004	Mulwaree Actual 2004	Goulburn Mulwaree Actual 2004
Current Ratio	2.85:1	4.9:1	3.43:1
Unrestricted Current Ratio	2.91:1	4.58:1	3.53:1
Debt Service Ratio	7.51%	4.83%	6.73%
Rate & Annual Charges Coverage	56.39%	29.77%	48.10%
Rates & Annual Charges Outstanding Percentage	4.46%	10.18%	5.63%
Employee Leave Entitlement over ELE Reserve	17.38%	40.65%	24.14%

The current ratio is a good indicator of the ability of a business to meet its debts and obligations. The new entity has a current ratio 3.43:1, which is good result, a current ratio above 2:1 or better is generally viewed by the industry as good.

The unrestricted current ratio, factors out net externally restricted assets. The unrestricted current ratio stands at 3.53:1 which again is a good result.

The debt service ratio assesses the degree to which revenues from ordinary activities are committed to the repayment of debt. Whilst there is no benchmark for debt service, comparative performances show that in 2001/2002, debt service ratio range from 0% to 26.8%, Council debt service ratio sits at 6.73%.

Rates & Annual Charges outstanding percentage assesses the effectiveness of a council's revenue collection. Council's rates and annual charges outstanding percentage stands at 5.63% which is a good percentage as the average percentage for rural council's is 10%.

Whilst this indicator is not disclosed in the General Purpose Financial Reports it is a useful measure of whether there are adequate cash reserves to fund possible retirements and redundancies. The percentage at 30/06/2004 stands at 24.24%.

BUDGET IMPLICATIONS

Internal Restrictions in the body of the report needs to be adopted.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

(a) THAT the information relating to the General Purpose Financial Reports for the former Goulburn City Council and the former Mulwaree Shire Council be noted

(b) That the table in the body of the report that relates to “Internal Restrictions” be approved and adopted.

04/518 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Sullivan / Cr Craig

ITEM 5

SUBJECT	September Quarterly Budget Review 2004
REPORTING OFFICER	Director Finance & IT – Peter MacDonald

PURPOSE OF REPORT

To review the budget as at 30th September 2004 and recommend any variations and any remedial action required to streamline operations.

REPORT

The Local Government Act 1993 and the Financial Management Regulation 1999 requires that the Responsible Accounting Officer of Council prepare and submit to Council a budget review statement no later than 2 months after the end of the quarter.

The regulation also prescribes that estimates need to be revised where necessary and a statement made by the responsible accounting officer on whether the financial position is satisfactory and if not, any remedial action required.

This budget review has been hampered by amalgamation issues, which now have to be addressed urgently, if not, the financial system that exists today could fail.

Since the amalgamation the senior finance staff have had to deal with two streams of thinking. On the one hand they have merged a separate individual budgets into one merged budget, created a new data base which now houses the Goulburn Mulwaree budget and managed the budget as best they could.

On the other hand from the 1st July, the finance staff then turned their minds to the financial statements, which were prepared individually and were only finalized in late October. Having completed the financial statements, the senior staff had time for the first time to review the organizations operations and budgets. This has raised a number of issues in regard to the operating systems which is referred to later in the report.

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The budget system that was implemented is a hybrid of the Goulburn City Council system. Most financial systems rely on a general ledger and most have a job costing/project system which reports which can be reviewed regularly.

In the hybrid system, another organization created a financial reporting system (FRS) which sits on top of the existing financial software system. The FRS takes a part of the general ledger and another part from job costing to create the financial reporting. What has happened since 1st July 2004 the FRS system has failed, because the general ledger/job costing is a hybrid system it means that FRS, general ledger and job costing system cannot be reported which puts Council in difficult position to assess its financial position and performance.

Given the situation that exists at the moment, I have created a one off reporting system so that the budget can be reviewed.

Attached is the budget review up to 30th September 2004. The review includes the original budget, supplementary votes, revotes and September review adjustments.

Because of the problems relating to the FRS, the actuals not could be reported as at 30th September 2004. However, the actuals as at 31st October 2004 have been extracted and are included in the September Review.

Listed below are the amendments which are included in the September Review:

Goulburn Mulwaree Council				
List of amendments at the September Review 2004				
Item	Service Centre	Amount	Funding	Reason
Marulan Skateramp	Parks, Gardens & Reserves	83,850	\$25K Grant	The balance of the Marulan Skateramp project
			\$58.85K Mulwaree Trust	
Taralga Skateramp	Parks, Gardens & Reserves	80,363	\$25K Grant	The balance of the Taralga Skateramp project
			\$55.363K Mulwaree Trust	
Demountable Office at Hethrington St Depot	Fleet & Depot Management	44,364	Building Assets Reserve	This vote was approved in June 2004 and it was expected that the office would have been delivered in that year. The deposit was paid in the 03/04 year, but delivery occurred in the current year.
Tarago Water & Sewer Study	Governance	27,500	Working Capital Reserve	In the Council Meeting of 17 August 2004 a resolution was recommended that Hunter Water undertake a feasibility study for Tarago water & sewerage at a cost of \$54,910. 50 % of the cost was to be revoted, however, funds were not sufficient to fund the 50 % funding. The 50% funding will now be provided by working capital.

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Purchase of a new Vehicle	Information Technology	26,000	Plant & Vehicle Reserve	The IT Service Centre provides support for 16 remote sites including Clinton St, Yass Library, Gunning Library, Crookwell Library and Braidwood library. With the amalgamation travel between sites has been several times a day. It has become apparent that the IT service centre requires a vehicle to manage the remote sites.
Transfer of funds to amend leasing costs to purchase PC's	Information Technology	60,170	Within the IT Function- No funding required	Reallocation of operating costs(leasing) to capital expenses for purchase of PC's

All of the amendments in the September review are funded, so to are the supplementary votes and revotes which have been reported earlier in the year, thus Council's revised position as at 30th September remains the same as the original estimate.

The Consolidated Revised Estimate as at 30th September is a Surplus of \$507,146.

The General Fund Revised Estimate as at 30th September is a Surplus of \$8,455.

Domestic Waste Management Revised Estimate as at 30th September is a Surplus of \$3,755.

Water Services has a Revised Estimate as at 30th September is a Surplus of \$30,185.

Sewer Services has a Revised Estimate as at 30th September is a Surplus of \$464,751.

Attached is the Capital Works Program as at 30th September 2004. All the Revotes, supplementary votes and September review adjustments have been included.

As at 30th September 2004 the Capital Works Program has been adjusted from \$28,693,758 to \$30,052,548 due to revotes, supplementary votes and September review adjustments. All the capital works projects are under budget at this stage.

Many of the capital projects have not yet commenced, as at 30th September only \$1,630,653 has been spent which equates to 5.15% of the program.

I have already outlined the problems which besets the financial reporting system at the moment. However, the fact that I have created a temporary reporting system which reflects Council's revised estimate, gives Councillors comfort that Council's financial position is satisfactory.

As the responsible accounting officer, however, I am concerned, that many of Council's systems need to be reviewed as soon as possible. This observation is not a criticism, rather it is the reality that occurs when a amalgamation happens. Many decisions had to be made quickly to merge the organizations, budgets and systems.

The main systems that need reviewing are as follows:

- The Financial Reporting System needs reviewing, however, this reporting system can be corrected and will be up and running by the December Review.

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- On many systems an attitude exists that says “Do it the Goulburn way or the Mulwaree way”. This attitude needs to be amended to say “Do it the Goulburn Mulwaree way and create a new system that works.
- In the 2004/05 estimates, particularly, capital road estimates, the salary component of these projects were shown as a total in each Service area. The effect on budget is that those projects cannot be accurately costed at this stage because there is only one salary job number for each Service area rather than for individual projects .THIS can be amended but it will take a lot of time and effort. The expenditure relating to salaries which has been costed will need to be apportioned back to those projects.
- While the current years budget needs stand as it is, there is an opportunity now to “build a new budget system’ which reflects the new organization.
- Whilst many systems need to be reviewed, I have only listed a handful of the systems that need to be reviewed. However, the system that may effect the organization materially is the capacity of the existing Financial Software System. At this point there have been numerous major occurrences where the system has fallen over. If this cannot be properly addressed council will need to consider alternative financial systems that can meet our needs. In the December business paper I will furnish a report which will detail how the existing Financial Software System is performing.

BUDGET IMPLICATIONS

That the list of Amendments in the September Review 2004 be adopted.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

- (a) That the contents of the September Review 2004 be received and noted.
- (b) That the List of Amendments at the September Review 2004 be adopted and approved.

04/519 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Sturgiss / Cr Harris

ITEM 6

SUBJECT	REFUND ON WATER USAGE ACCOUNT	
REPORTING OFFICER	Revenue Co-ordinator – Kristy Mason	FILE: 10 SALFORD STREET, GOULBURN

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PURPOSE OF REPORT:

(Grounds for discussion in Closed Committee – Section 10A (2) (b) – “the personal hardship of any resident or ratepayer.”)

RECOMMENDATION:

THAT the recommendation as set out in the report be adopted.

This item was dealt with in Committee of the Whole

ITEM 7

SUBJECT	REFUND ON WATER USAGE ACCOUNT	
REPORTING OFFICER	Revenue Co-ordinator – Kristy Mason	FILE: LOT 7 PATRICK PLACE, MARULAN

PURPOSE OF REPORT:

(Grounds for discussion in Closed Committee – Section 10A (2) (b) – “the personal hardship of any resident or ratepayer.”)

RECOMMENDATION:

THAT the recommendation as set out in the report be adopted.

This item was dealt with in Committee of the Whole

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I N D E X

ITEM NO.	DESCRIPTION	PAGE
1.	NSW Planning ReformsC1 <i>See Attachment Document C1 – C18</i>	– C5
2.	South Goulburn Endangered/Threatened SpeciesC6 Draft Management Plan <i>See Attachment Document C19 – C88</i>	– C7
3.	Voluntary Purchase/House Raising AuditC8- <i>See Attachment Document C89 – C91</i>	C9
4.	Sterne Street Renaming	C9 – C10
5.	Plumbing, Drainage & Hydraulics PolicyC10 <i>See Attachment Document C92 – C99</i>	– C11
6.	Development Statistics	C11 – C14
7.	Significant DAs & Recent ApprovalsC14 <i>See Attachment Document C100 – C101</i>	– C16
8.	Development Application No. 378/2003/DA - 52 Mundy Street Goulburn <i>See Attachment Document C102 – C124</i>	C16 – C18
9.	Development Application No. 2003/0501/DA -C18 16200 Hume Highway Marulan <i>See Attachment Document C125 – C132</i>	– C19
10.	Development Application No. 124/2004 - 1 View Street Goulburn <i>See Attachment Document C133 – C144</i>	C19 – C21
11.	Development Application No. 24/0405 - 43 Airport Road Goulburn <i>See Attachment Document C145 – C152</i>	C21 – C23
12.	Development Application No. 98/0405 - 3 Sydney Road Goulburn <i>See Attachment Document C153 – C167</i>	C23 – C25
13.	Delegations under the Food Act 2003	C25 – C26
14.	Regulatory Activity	C27 – C28
15.	Environment & Planning Update	C29 – C30

**DIRECTOR OF ENVIRONMENT AND PLANNING SERVICES' REPORT TO
ORDINARY MEETING OF COUNCIL**

ITEM 1

SUBJECT	NSW PLANNING REFORMS
REPORTING OFFICER	Manager Strategic Planning – John Massey

PURPOSE OF REPORT

To inform of the State Government's proposed planning reform agenda.

REPORT

The Minister for Infrastructure, Planning and Natural Resources, Craig Knowles has announced a major overhaul of the planning system.

A document titled "Improving the NSW Planning System" is enclosed for your information.

In summary the major changes are –

1. Strategic Assessment and Planning

The Government is seeking to develop a more up-front Strategy. For Goulburn Mulwaree this is the Sydney to Canberra Corridor Strategy. This Strategy will direct how development will occur over the next 30 years.

Generally it will identify –

- Settlement patterns;
- Major land release areas;
- Infrastructure and transport priorities;
- Infrastructure costs, budget and financing arrangements;
- Appropriate sites for development;
- Locations for economic development and jobs; and
- High conservation areas.

Goulburn Mulwaree Council (GMC) Environmental Plan (LEP) 2005 will be required to translate crucial parts of the Sydney to Canberra Strategic Plan into enforceable development requirements.

Councils also have to create their own overarching Strategic Plan which in our case is the proposed Goulburn Mulwaree Strategy Plan (GMSP) 2020.

As required by the reforms GMSP 2020 will provide the basis for LEP / Development Control Plans (DCPs) / Contributions Plans (CPs), management Plans and other operational plans.

Simplifying Planning Instruments

(i) *State Environmental Planning Policies (SEPP) and Regional Environmental Plan (REP)*

Current SEPPs (59) will be reduced to around 25, these will focus on major environmental planning issues, key industry and economic activities.

Reliance on REPs will also be reduced to about 5, though the REP – Sustaining the Catchments will be retained.

Regional planning will, primarily be accomplished through regional strategies with components that need to be legally enforceable being mandatory requirements in LEPs.

(ii) *Local Environmental Plan (LEP)*

LEPs will be the primary document to deliver development controls with cross-reference to any applicable SEPPs.

Format, definitions, zone categories and core uses in LEPs will be standardised. The meaning of a zone will be essentially the same across the State though Councils will be able to add to the land uses within the standard zones and decide where the zones apply in their local areas.

Definitions will be standardised to about 250 and commonly used in State, Regional and Local Planning Instruments. The Minister will be given the power to directly amend a LEP instead of have to use a SEPP.

GMC must develop a new LEP within three years. Our current timetable in that regard is two years. In future Councils will be expected to review their instruments every five years.

(iii) *Development Control Plans (DCP)*

It will be made clear that DCPs can not contain mandatory controls and can only deal with matters not covered by the higher environmental planning instruments. For any one property, only one DCP will be permitted. This means that there will be either a single comprehensive DCP for a locality (e.g. Marys Mount DCP) or the whole Local Government Area (LGA).

2. Improved Development Assessment

The Government's objective is to reduce the time taken to approve applications while retaining environmental outcomes.

(i) *Major Projects*

New State significant development criteria will define fewer projects and sites as State significant.

The aim is to reduce the requirement for Ministerial Consent by around 80%. Also the State Significant Assessment process will be streamlined.

(ii) Integrated Development

No permit requirements (Rivers and Foreshores Improvement Act 1948) for low-risk types of development in urban areas. Other permit and approval requirements will be phased out where applications comply with new environmental criteria and development control rules developed by State agencies.

(iii) Threatened Species

The assessment of threatened species impacts will be moved to the strategic planning stage where Councils will be able to seek “biodiversity certification” of their LEPs from the Minister for the Environment. Certification will “switch-off” requirements to undertake the “eight-part test” and DEC Concurrence.

(iv) Concurrences

Current LEP provisions for concurrence of State Agencies that are out of date or duplicate other approval requirements will be nullified and in the longer term concurrences will be progressively removed from planning instruments.

(v) Master Planning

Several improvements to application processing are proposed including:

- Government is looking at options to fast-track housing development, eg agreement from neighbours, meeting housing standards will lead to a “faster, clearer assessment process”.
- Councils will be “encouraged” to help applicants to improve the quality of Development Applications (DAs).
- “Exempt” development will be expanded to include more internal alterations and additions.
- Councils will be required to report on how they have improved their Development Application processing times and assessment processes.
- DA fees will be reviewed to achieve a more accurate cost recovery. Fast-track DA category may be allowed which will attract additional fees if justified by employment of additional resources or outsourcing.

(vi) Industrial and Commercial Development

The “exempt” and “complying” development categories will be expanded to include low-impact internal alterations to commercial and industrial sites.

(vii) More Robust Assessment Processes

- Clear, outcome-focused environmental rules and standards for local development (BASIX, sustainable housing rules will apply here from 1 July 2005).
- Enhancements to the private certificate system.

3. More Flexible Section 94 Local Developer Contributions

Reforms will –

- Allow cross boundary levying
- Allow flat-rate levies
- Allow borrowing between accounts within a contribution plan
- To arrange systematically, voluntary developer agreements
- Provide consistency in format of Plan
- Require regular reviews, better accounting and publications of collection and expenditure date.

What Planning Reform means for Local Government

Enclosed is a fact sheet from DIPNR which puts the Government's perspective.

GMC has commenced its own strategic planning in step with our regional strategy. One concern is that the local planning process will be held up because of delays associated with the regional process.

The linking of regional strategies to the State Government budget process is supported. The previous Sydney to Canberra Corridor Strategy failed in this regard.

In streamlining the number of SEPPs and REPs and the standardisation of LEPs is also supported.

The concept of the LEP becoming the main planning reference document for all mandatory development controls will also help to eliminate the current layers of red tape.

One DCP per locality or LGA may reduce the number of plans but not the size or complexity of such a single document.

Any improvements to Development Assessment process is also supported, eg the reduction in referrals associated with "integrated development", "threatened species" and "concurrences".

For Agencies to develop new environmental criteria and development control rules with respect to "integrated development" will require a change of attitude, better resources and definite timelines for completion. Again as per neutral or beneficial effect it will be up to Councils to assess DA compliance.

How difficult and costly it will be to obtain a "Biodiversity Certification" from DEC remains an open question.

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The fast tracking of housing development, endeavours to improve the standards of DAs, exempt and complying development, special fees to fast track DAs, requiring Councils to report to State Government, private certifications and housing design criteria have all be tried in the past with varying degrees of success. Further improvements and simplification to the operation of the planning system are welcome especially those that lift administrative burdens off local government.

Once the details of the planning reforms have been drafted a better understanding of the impacts on local government will be known.

Notwithstanding, simplification of the planning is welcomed and comments will be reserved until Council has seen the exhibited draft proposals.

BUDGET IMPLICATIONS

Council has received funding from the Planning Reform Forum to undertake GMC's Strategy.

The extent of the required Council funding to complete the Strategy will remain open until Council reviews the submitted tender documentation.

Whether additional resources will also be required to implement the development assessment reforms also remains an open question.

POLICY CONSIDERATIONS

The GMC Strategy Plan 2020 will form the basis for future business plans, budgets and management plans. The new formatted LEP/DCP will be major development policy documents.

<u>RECOMMENDATION:</u>

THAT the report on State Government Planning Reforms be noted.

04/520 **RESOLVED THAT** the information be received and noted.

Cr Lamarra / Cr Sullivan

ITEM 2

SUBJECT	SOUTH GOULBURN ENDANGERED/ THREATENED SPECIES DRAFT MANAGEMENT PLAN
REPORTING OFFICER	Director Environment & Planning – Chris Berry

PURPOSE OF REPORT

To inform of the outcomes from the public exhibition of the Draft Plan.

REPORT

The presence of Yellow Box / White Box / Blakley's Red Gum Woodlands in South Goulburn and its proclamation as an endangered community has created a dilemma and challenge for development permissible under the current zonings.

The issue of balancing vegetation retention with development expectations provide by the zoning of land has been a contentious issue in this area particularly for existing landowners. To assist in finding a balance Council commenced the preparation of the Draft Management Plan for the whole of the South Goulburn area. A local environmental consultant, Rodney Falconer was engaged to provide base information for the plan.

The Draft Plan aims to create a canopy tree link between the pockets of remnant undisturbed Woodland between South Hill in Lockyer Street, the Caravan Park, former Drive-In site and Knox Street.

The Draft Plan has been placed on public exhibition and the only submission received has been from the landowner of the former Drive In site (refer attachments). The issues raised directly relate to industrial subdivision proposal (DA 250/2004) considered at the 19 October 2004 Council Meeting.

The approval of the industrial subdivision effectively addresses many of the concerns raised, however the following specific comments are made in response to the issues.

The existing Consent (i.e. 42/97) for the former Drive-In site allowed the creation of industrial lots along Lansdowne Street and permitted some vegetation clearing for these lots. While the endorsed plans suggested future stages of industrial subdivision the approval did not permit development on the balance of the site and identified some areas for vegetation conservation particularly at the northern portion of the site behind the lots fronting Lansdowne Street. A condition of this Consent advised that further stages of development at the site required the submission of a vegetation assessment before being considered. This approval does not permit development of the larger residual lot nor does it remove the need to seek approval under threatened species controls.

The Flora and Fauna Study submitted by the applicant with DA 250/2004 has been removed from the Plan of Management document as requested.

The reference to a voluntary agreement for the conservation of the southern portion of the site has been adjusted. The wording now reflects the intent of the landowner established in DA 250/2004. It is noted that the landowner intends to prepare a Management Plan for the maintenance of this area and that if circumstances change in relation to the significance of the vegetation the landowner may pursue a separate approvals process.

Prospective purchasers have been provided information in relation to the approvals, development applications and planning policies for the site on request. This is consistent with usual practices for dealing with development inquiries.

The development scenario contained in the submission is no longer relevant as the landowner withdrew permission for the realignment of Finlay Road through the site and with the submission of the revised industrial subdivision DA 250/2004.

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It is acknowledged that the bushland area may become degraded through normal urban activity on nearby land. However, the preparation of a Management Plan for its maintenance offered by the landowner will assist in minimizing these effects. If in the future this is unsuccessful then alternate landuses can be considered on their merits at the time.

A revised Plan of Management based on the above comments has been prepared and included in the attachments. Adoption of the Plan is recommended.

BUDGET IMPLICATIONS

Nil – the document has been prepared using “inhouse” resources allocated in the current Management Plan.

POLICY CONSIDERATIONS

The Plan will in effect become Council Policy when adopted.

RECOMMENDATION:

THAT the revised South Goulburn Endangered / Threatened Species Management Plan (November 2004) be adopted.

04/521 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr Eddy

ITEM 3

SUBJECT	VOLUNTARY PURCHASE / HOUSE RAISING AUDIT
REPORTING OFFICER	Director Environment & Planning – Chris Berry

PURPOSE OF REPORT

To inform of a successful grant to undertake a Voluntary Purchase / House Raising Audit for the Wollondilly River – Mulwaree Ponds Floodplain Plan.

REPORT

In December 2003 Council adopted the Wollondilly River and Mulwaree Floodplain Management Study and Plan. Under the Study and Plan programs for voluntary purchase, house raising and flood proofing affected properties were identified as medium term priorities and subject to appropriate funding sources being identified. On 15 June 2004 Council was advised of the availability of Federal Regional Flood Mitigation and Natural Disaster Mitigation funding (refer attachment).

While no funds have been identified in the 2004/05 Management Plan the Federal funding offered an opportunity to commence implementing the Floodplain Plan.

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Applications were made under Federal and State Programs for:

- (i) A Voluntary Purchase / House Raising Audit – to determine the priority for action.
- (ii) The commencement of the voluntary purchase scheme – 5 properties per year for 10 years.

The Department of Infrastructure, Planning and Natural Resources advises that Council's application for the Audit has been successful with \$13,000 being made available under the terms of the program the State/Council funding ratio is 2:1. Council would need to make \$6,500 available to accept the grant.

The completion of the Audit will assist with pursuing a more active voluntary purchase and house-raising program on behalf of the community. The project can be commenced in the New Year through the Utilities Division.

BUDGET IMPLICATIONS

The 2004/05 Management Plan does not make provision for matching funding. The \$6,500 contribution can be made from salary savings in the Development Control function due to current vacancies.

POLICY CONSIDERATIONS

The completion of the audit will provide a basis for the implementation of the program.

RECOMMENDATION:

THAT –

- A. The \$13,000 grant for the Goulburn Voluntary Purchase / House Raising Audit be accepted.**
- B. \$6,500 from Development Control salary savings be revoted to the project.**

04/522 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Sullivan / Cr Sturgiss

ITEM 4

SUBJECT	STERNE STREET RE-NAMING
REPORTING OFFICER	Claire Finch - Town Planner

PURPOSE OF REPORT

To report on the outcomes of the recent exhibition of the proposal to rename Sterne Street, Goulburn.

REPORT

At its meeting on 21 September 2004 Council determined to place a proposal to rename Sterne Street on public exhibition. The purpose of the proposal was to rectify a street numbering discrepancy as the street numbering does not follow a logical order and there are two properties with number "7", and two properties with number "9". This problem is compounded by the fact that the railway line splits the street. The proposal involved the road to the north of the rail line being referred to as "Upper Sterne Street" and the road south of the rail line being "Lower Sterne Street"

Public exhibition commenced on 29 September 2004. Affected residents were notified in writing, with the residents directly affected by duplicate numbering having their notification letters delivered by hand. The Geographic Names Board (Department of Lands) and Australia Post were also notified of the proposed name change.

Public exhibition of the proposal closed on 27 October 2004 and only one submission was received. The Department of Lands raise no objections to the proposal.

BUDGET IMPLICATIONS

Preparation of the Plan has been undertaken utilising staff resources.

POLICY CONSIDERATIONS

Geographical Names Board - Road Naming in NSW and Guidelines for the Naming of Roads.

RECOMMENDATION:

THAT:

- A. Sterne Street be re-named as "Upper Sterne Street" to refer to the road north of the railway line and "Lower Sterne Street" to refer to the road south of the railway line.**
- B. The existing street signs to be replaced with new signs and additional advisory signs to be erected on either side of the railway crossing to indicate the name of the street on the opposite side of the rail line.**

04/523 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr Craig

ITEM 5

SUBJECT	PLUMBING, DRAINAGE AND HYDRAULICS POLICY
REPORTING OFFICER	Manager Development Control – Tina Dodson

PURPOSE OF REPORT

To seek adoption of a new Plumbing, Drainage and Hydraulics Policy.

REPORT

The former Goulburn City Council had previously adopted a Plumbing and Drainage Policy and the former Mulwaree Shire Council had previously adopted a Guideline for the Installation, Operation, Maintenance and Surveillance of On-Site Sewage Management Facilities for Single Households.

To ensure the new Council consistency applies the appropriate restrictions, a revised policy is attached. The policy is a result of combining the two existing policies.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

- Goulburn City Council – Plumbing and Drainage Policy
- Mulwaree Shire Council – Guidelines for the Installation, Operation, Maintenance and Surveillance of On-Site Sewage Management Facilities for Single Households

RECOMMENDATION:

THAT the Plumbing, Drainage and Hydraulics Policy as detailed in the attachments be adopted.

04/524 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr O'Neill

ITEM 6

SUBJECT	DEVELOPMENT STATISTICS
REPORTING OFFICER	Customer Service Coordinator – Debbie McCarthy

PURPOSE OF REPORT

To inform of the Development Statistics for the month of October 2004.

REPORT

This report provides information in relation to:

- The type and value of new development.
- The level and value of the development activity.
- The level of property conveyancing.

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Caution needs to be exercised with the comparisons to the 2003/04 financial year as these figures relate only to the former Goulburn City area - there is difficulty merging the monthly information of the former Mulwaree Shire due to the splitting of the local government area.

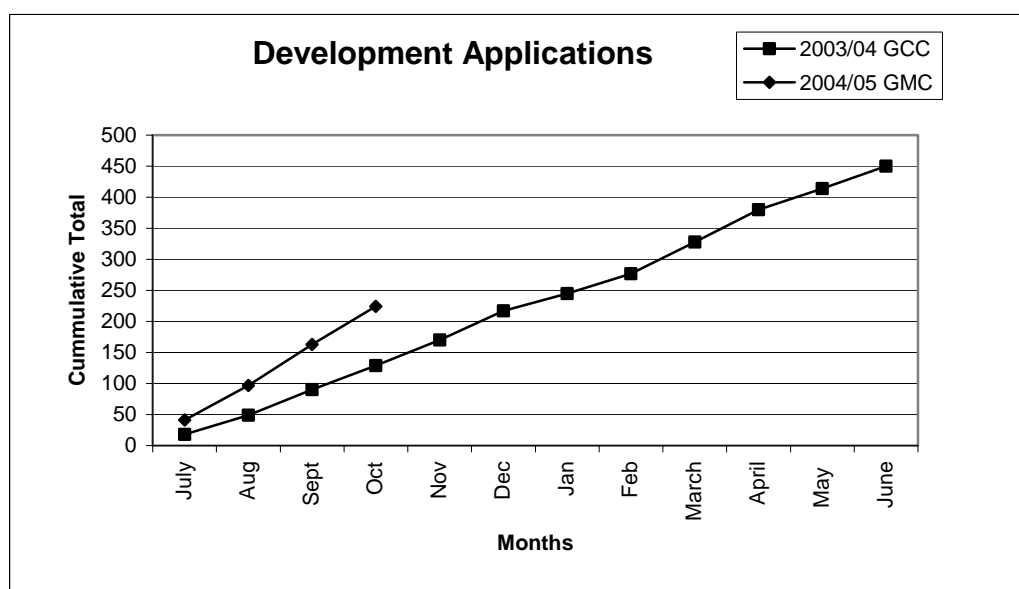
Type of Development

The following tables outline the development activity by type.

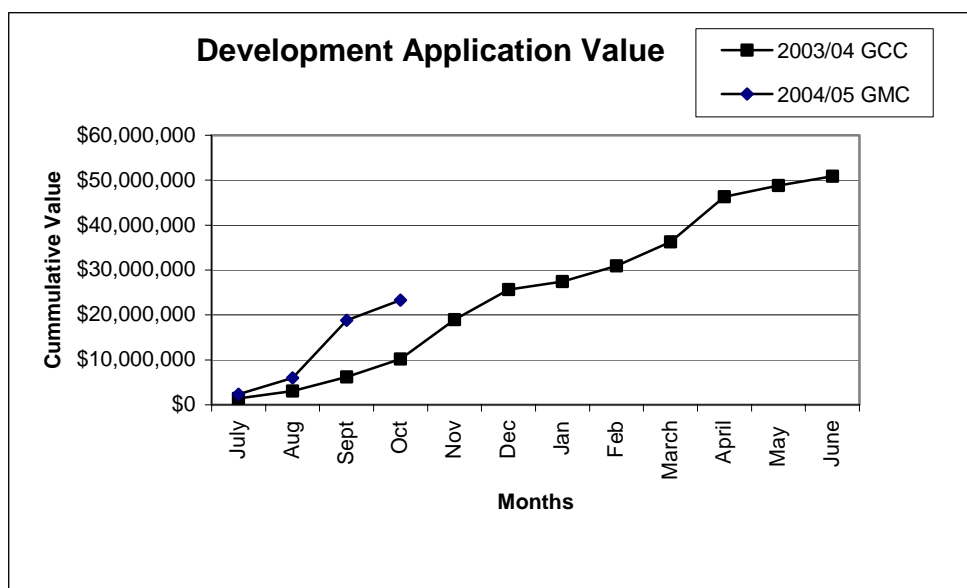
Statistics by Development Type								
DA Type	Current Year - GMC				Last Year - GCC			
	October 2004		Year to date 1/07/04 – 31/10/04		October 2003		Year to date 1/07/03 – 31/10/03	
	Count	\$Value	Count	\$Value	Count	\$Value	Count	\$Value
Commercial	4	\$121,400	12	\$1,631,400	3	\$195,000	12	\$564,000
Residential	52	\$3,948,064	196	\$21,160,803	30	\$1,218,906	100	\$4,730,393
Industrial	1	\$18,000	3	\$279,400	3	\$2,209,900	4	\$2,289,900
Retail	0	0	0	0	0	0	0	0
Special use	0	0	0	0	0	0	0	0
Other	4	\$416,100	21	\$648,378	3	\$385,633	23	\$2,805,133
Totals	61	\$4,503,564	232	\$23,719,981	39	\$4,009,439	139	\$10,389,426
Subdivision	Count	Lots	Count	Lots	Count	Lots	Count	Lots
Residential	3	46	24	367	0	0	1	2
Commercial	0	0	0	0	2	5	6	22
Industrial	0	0	0	0	0	0	0	0
Boundary adjust	0	0	3	0	0	0	0	0
Strata subdivision	0	0	3	0	1	0	0	0
Total	3	46	30	367	3	5	7	24

Development Applications

The level of development applications and the value is detailed in the following graphs.



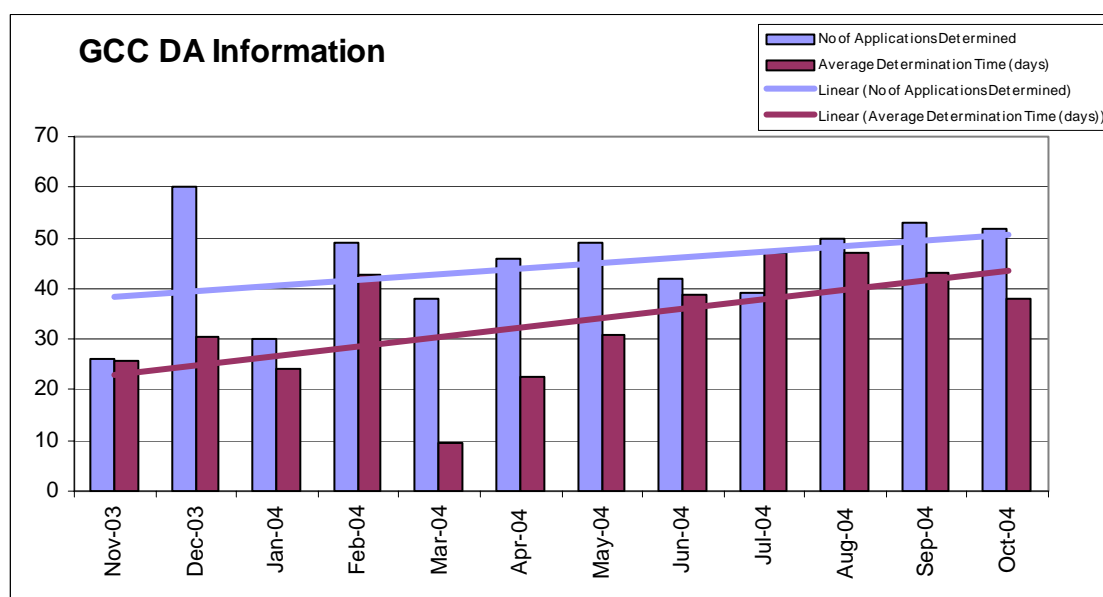
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- **Development Applications received –**
2004/05 – 232
2003/04 – 139
- **Development Application value –**
2004/05 – \$23,719,981
2003/04 – \$10,378,426

The number of applications is 93 greater than the same period last financial year. The value of work is \$13.3 million above the same period last year. Caution needs to be exercised in relation to the level of future residential development with forecasted interest rate rises and falling capital city residential prices and activities.

The impacts on service levels are shown in the following table –



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The statutory turn around times for Development Applications is 40 days – for October the average turnaround time was 38 days.

Planning Certificates

The number of Planning Certificates issued this financial year to date is detailed below.

Year	Certificates Issued
1 July 2003 to 30 June 2004*	1,367
1 July 2004 to 31 October 2004	406

* Combined Mulwaree Shire and Goulburn City figures.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the information on development activity be noted.

04/525 RESOLVED THAT the information be received and noted.

Cr Sturgiss / Cr Harris

ITEM 7

SUBJECT	SIGNIFICANT DEVELOPMENT APPLICATIONS AND RECENT DECISIONS
REPORTING OFFICER	Customer Service Coordinator - Debbie McCarthy

PURPOSE OF THE 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).

REPORT

The Table below details current Development Applications involving, or potentially involving, matters of policy or of major concerns current at the time of preparing this Report. These applications are to be reported to Council for determination.

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DA No	Applicant	Location	Proposal	Main Issues
473/2003	Ganter Constructions	Crookwell Road / Mary's Mt Road, Goulburn	217 lot residential subdivision	<ul style="list-style-type: none"> ◆ Land to be rezoned ◆ Compliance with DCP
159/2004	Longreach Capital Pty Ltd	"Kenmore", Taralga Road, Goulburn	Mixed use redevelopment	<ul style="list-style-type: none"> ◆ Heritage ◆ Traffic ◆ Infrastructure ◆ Flooding
223/2004	MA & DG McDonald	13A Cowper Street, Goulburn	Multi-unit development	<ul style="list-style-type: none"> ◆ Infill development ◆ Urban design ◆ Traffic
270/2004	Goulburn Building Products P/L & Printrose P/L	1-3 Sowerby St (Hume Street), Goulburn	Fast Food outlet ('Red Rooster')	<ul style="list-style-type: none"> ◆ Traffic
53/0405	S Jones	238 Sloane Street, Goulburn	Commercial building for 3 tenancies	<ul style="list-style-type: none"> ◆ Heritage ◆ Previous contamination (Service Station site)
98/0405	John Sutton	3 Sydney Road, Goulburn	Industrial building & subdivision	<ul style="list-style-type: none"> ◆ Refer report this Business Paper
378/2003	Madew Development	52 Mundy Street, Goulburn	Multi-unit development	<ul style="list-style-type: none"> ◆ Refer report this Business Paper
223/2004	MA & DG McDonald	13A Cowper Street, Goulburn	Multi-unit development	<ul style="list-style-type: none"> ◆ Infill development ◆ Urban design ◆ Traffic
24/0405	S Bernard Quigley	43 Airport Road, Goulburn	Convert offices to residential dwelling	<ul style="list-style-type: none"> ◆ Refer report this Business Paper
2003/0501	Flood & Poidevin	16200 Hume Highway, Marulan	16 Lot subdivision	<ul style="list-style-type: none"> ◆ Refer report this Business Paper
2004/0568	RJ Kell & Co	382 Bullamalita Road, Quialigo	24 lot subdivision	<ul style="list-style-type: none"> ◆ Compliance with LEP ◆ Development Contributions ◆ Salinity ◆ Threatened Species ◆ Submissions
2004/0638	RJ Kell & Co	Bullamalita Road, Quialigo	6 lot subdivision	<ul style="list-style-type: none"> ◆ Compliance with LEP ◆ Submissions
162/0405	Salvation Army Eastern Australian Territory	2 Combermere Street, Goulburn	103 bed aged care facility	<ul style="list-style-type: none"> ◆ Infill development ◆ Urban design
179/0405	CPC Land Development Consultants	85 Komungla Siding Road, Currawang	32 Lot subdivision	<ul style="list-style-type: none"> ◆ Compliance with the LEP ◆ Referral agency requirements ◆ Infrastructure contributions
189/0405	R J Kell & Co	1412 Carrick Road, Brayton	36 Lot subdivision	<ul style="list-style-type: none"> ◆ Compliance with the LEP ◆ Referral agency requirements ◆ Infrastructure contributions
192/0405	Richard Clarke	Lots 28 & 29 & Lot 16, George Street, Marulan	99 Storage units & 4 light industrial units	<ul style="list-style-type: none"> ◆ Design ◆ Traffic ◆ Neighbour comments

The decisions in relation to Development Applications and Construction Certificates for the month of October are included in the attached table. A total of 53 Development Applications were approved, 14 Construction Certificates were issued, 5 Complying Development Certificates were issued and no applications were refused.

RECOMMENDATION:

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

04/526 RESOLVED THAT the information be received and noted.

Cr Sullivan / Cr Craig

ITEM 8

SUBJECT	DEVELOPMENT APPLICATION NO. 378/2003/DA, 52 MUNDY STREET, GOULBURN
REPORTING OFFICER	Senior Town Planner – Dianne James

PURPOSE OF REPORT

To present the Assessment Report for the above Development Application.

REPORT

At its Meeting on 19 October 2004 Council deferred consideration of the proposal to redevelop the former St John's Orphanage into a Retirement Village to enable further discussions with the applicant.

The main concerns with the proposal related to the heritage impacts i.e. –

- Introduction of residential units in front of the building line of the former Orphanage.
- Impact on the streetscape as a result of the fill, fencing and retaining walls.

Following recent discussions, revised concept plans have been submitted –

- Deleting the residential units in front of the building line of the former Orphanage.
- Providing additional street tree planting along Bourke Street to “soften” the effects of the fill, fencing and retaining wall.

These plans (refer attached) are now considered to better respond to the heritage value of the site and main Orphanage building.

The revised plans have been recirculated to submitters and at the time of completing the report two submissions have been received continuing to raise concerns with heritage and traffic impacts (see attachments). The issues are discussed below.

An assessment of the proposal has been completed in accordance with the planning legislation. The proposal generally complies with the relevant planning controls, policies and requirements. The key issue is the heritage impacts.

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The site was identified in the community based Goulburn Heritage Inventory as being of local interest. The applicant's consultant recommended the main Orphanage building, Caretakers Cottage and former Gym/Hall as buildings for retention. The revised proposal only proposes to retain the main Orphanage building.

A compromise is often required when reusing a site with historic buildings. Council's Heritage Advisor and the NSW Heritage Office both agreed that the more important building is the main Orphanage building. It is noted that the retention of the former Gym and Caretakers cottage would be difficult because of their poor adaptability. It is contended that the outcome (deleting all buildings in front of the main Orphanage building and retaining the existing openness of the front of the site and by increasing landscaping to the Bourke Streetscape) is an acceptable solution at protecting the significant heritage of the site whilst being flexible enough to allowing new development on the site.

Existing traffic problems on the wider road network are not the responsibility of the developer to resolve. Council must address these separately. The developer is only responsible for impacts that directly relate to the development.

Multiple access points for the development will assist in dispersing traffic across the road network rather than concentrating at a single point. Historically, the main frontage of the site is Mundy Street and it is logical that the main access also be from this street. A second access point to Bourke Street will involve extensive cutting into the site due to the level differences. This in turn will require deleting several units and significantly altering the design of the proposal. A simpler solution would be to provide a secondary vehicle/pedestrian access point to Combermere Street however this will involve the loss of two onsite visitor parking spaces. This will assist with dispersing the impacts of traffic, on site vehicle movements (particularly larger service vehicles such as garbage trucks) as well as assisting with social integration with the Waminda Hostel nearby. It is acknowledged that increasing the access points might have a negative impact for residents in the development with a possible reduction in security however it is considered that the traffic/pedestrian benefits will outweigh this aspect.

From the assessment of the revised proposal and consideration of submission conditional approval is recommended. Draft conditions are included in the attachments.

BUDGET IMPLICATIONS

Contributions are to be received in accordance with the City Wide Infrastructure Contributions Plan.

POLICY CONSIDERATIONS

State Environmental Planning Policy No. 5 *Housing for Older People or People with a Disability*

Goulburn Local Environmental Plan 1990 (as amended)

Goulburn Development Control Plan No. 1 – Residential Development

Goulburn Development Control Plan No. 3 – Off Street Parking

Goulburn Development Control Plan No. 6 – Heritage Conservation Area

Goulburn Development Control Plan No. 9 - Notifications

City Wide Infrastructure Contributions Plan

RECOMMENDATION:

THAT:

- A. A Conditional Development Consent be granted under delegation for Development Application No. 378/2003/DA for a retirement village involving construction of 75 units at Nos. 52 Mundy Street, Goulburn.**
- B. Advice be provided in Planning Certificates on the relevant matters relating the SEPP No. 5 that apply to the land.**
- C. The Traffic Committee investigate existing traffic problems associated with the road network in this locality.**

Cr Craig left the meeting the time being left 7.38 pm.

04/527 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr O'Neill

Cr Craig returned to the meeting the time being 7.40 pm.

ITEM 9

SUBJECT	DEVELOPMENT APPLICATION NO. 2003/0501/DA, 16200 HUME HIGHWAY, MARULAN
REPORTING OFFICER	Manager Development Control – Tina Dodson

PURPOSE OF REPORT

To present the Assessment Report for the above Development Application.

REPORT

A Development Application has been lodged for a 16-lot subdivision at 16200 Hume Highway, Marulan. The site is located in a rural area and is zoned "General Rural". The proposal is permissible within the zone.

A Locality Plan of the development site is included in the attachments. The site does not adjoin Narrambulla Lake.

The Development Application involves the creation of 16 building lots along with a new internal road and right of carriageways. Plans of the proposal are included within the attachments. The application has also been supported by:

- Flora and fauna assessment
- Bush fire hazard assessment
- Water cycle management plan
- Salinity assessment report

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An assessment of the proposal has been completed in accordance with the planning legislation. The proposal complies with the relevant planning controls, policies and requirements.

The proposal was referred to the Sydney Catchment Authority, Department Infrastructure Planning and Natural Resources, Department Environment and Conservation, Rural Fire Service, Local Traffic Committee and Roads and Traffic Authority. The relevant comments have been incorporated into draft Consent conditions.

From the assessment of the proposal and consideration of submissions conditional approval is recommended. Draft conditions are included in the attachments.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Mulwaree Local Environmental Plan 1995 (as amended)
Mulwaree Settlement Strategy
Mulwaree Development Control Plan 6 – Rural Subdivision for Dwelling Houses
Draft Amendment 28 of the Mulwaree Local Environmental Plan 1995 (as amended)

RECOMMENDATION:

THAT Conditional Development Consent be granted under delegation for Development Application No. 2003/0501/DA for a 16 lot subdivision at No 16200 Hume Highway, Marulan.

04/528 RESOLVED THAT the recommendation as set out in the report be adopted with an advisory note seeking the naming of the proposed road after Dugald Munro, former landowner and Federal Member of Parliament for Eden-Monaro.

Cr Eddy / Cr Harris

ITEM 10

SUBJECT	DEVELOPMENT APPLICATION NO. 124/2004 – 1 VIEW STREET, GOULBURN
REPORTING OFFICER	Ben McLean – Town Planner

PURPOSE OF REPORT

To present the Assessment Report for the above Development Application.

REPORT

A Development Application has been lodged for a dual occupancy at 1 View Street, Goulburn. The development site is located in a residential area opposite the TAFE grounds.

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The site is zoned "Living Area" and the proposal is permissible in this zone. A Locality Plan of the development site is included in the attachments.

The Development Application involves the construction of two small dwellings at the site. Plans of the proposal are included within the attachments.

An assessment of the proposal has been completed in accordance with the planning legislation. The proposal generally complies with the relevant planning controls, policies and requirements other than vehicles are unable to enter and exit the site in a forward direction in accordance with DCP 3 – Off Street Parking.

The variation is considered acceptable as View Street consists of low flow level of traffic that is mainly utilised by local traffic. The maneuverability from single residences within the City generally adopts the same principle by reversing from their driveway onto the street. A development of this size would generate similar levels of traffic as a single residence and therefore is an acceptable variation.

Public exhibition of the proposal resulted in a total of two submissions being received from nearby landowners and residents. Copies of the submissions are included in the attachments.

The key issues raised and the planning repose are as follows:

- Side setback too close and would impact on privacy.

The side setbacks are consistent with existing detached dwellings in the locality and meet the Building code of Australia requirements for fire safety. The area between the dwellings and the fence line are not being used for private open space areas. Accordingly an increased setback to make the area usable is not warranted.

The main living areas are orientated to the rear of the site and overlooking their own private open space areas. This layout will assist in minimising privacy impacts.

Bedroom windows are located along the side of the proposed dwelling to the objector's property. These are not a high use habitable room i.e. usually occupied at night only. The use of these areas will also assist in minimising privacy impacts.

- Retention of trees.

The site has been cleared of the majority of the trees on the site with the exception of the row of pine trees at the rear of the site. A variety of trees were removed without consent. These trees were not threatened or endangered species and were part of an established planted garden. The trees removed were mostly pine trees that would have overshadowed the development and deprived the site and any dwelling of northern winter sun. Removal of the trees for any form of residential development at the site would have been supported.

- The proposal is an over development of the site.

The development meets the density provisions of the LEP for two small dwellings. The proposed site coverage by the development is similar to a single large house.

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From the assessment of the proposal and consideration of submissions conditional approval is recommended. Draft conditions are included in the attachments.

BUDGET IMPLICATIONS

Contributions will be received for infrastructure provision and upgrades in accordance with the City Wide Infrastructure Contributions Plan.

POLICY CONSIDERATIONS

Goulburn Local Environmental Plan 1990 (as amended)
Goulburn Development Control Plan No. 1 – Residential Development
Goulburn Development Control Plan No. 3 – Off Street Parking
Draft Goulburn Development Control Plan No. 8 – Energy Smart Homes
Goulburn Development Control Plan No. 9 – Notification
City Wide Infrastructure Contributions Plan

RECOMMENDATION:

THAT Conditional Development Consent be granted under delegation for Development Application No. 124/2004 for a Dual Occupancy at No. 1 View Street, Goulburn.

04/529 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Sturgiss / Cr Hadlow

ITEM 11

SUBJECT	DEVELOPMENT APPLICATION NO. 24/0405 – 43 AIRPORT ROAD, GOULBURN
REPORTING OFFICER	Ben McLean – Town Planner

PURPOSE OF REPORT

To present the Assessment Report for the above Development Application.

REPORT

A Development Application has been lodged to establish a residence in association with an aircraft hanger at the Goulburn Airport. The development site is located in the airport grounds and was originally used as an aircraft school. The site is zoned “Rural (Investigation)” and the proposal is not a prohibited use in this zone. A caretaker’s residence can be considered as ancillary to the purpose of aircraft hangers. A Locality Plan of the development site is included in the attachments.

The site has had approval for office, workshop, hanger and facilities associated with the business. The majority of the workshop area and office has since been converted to a residence without Council approval. The Development Application involves the change of use to legitimise the residential use. The submitted plans along with the Council approved plans are included in the attachments.

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An assessment of the proposal has been completed in accordance with the planning legislation. The proposal generally complies with the relevant planning controls, policies and requirements.

Public exhibition of the proposal resulted in no submissions being received from nearby landowners and residents.

The key planning issues relate to:

- Permanent residential use in the vicinity of an airport.
- Wastewater management.
- Potential contamination.

The permanent residential development may potentially have adverse impacts upon the operation of the airport related to noise complaints, fire safety and other related issues. Planning policies at other airports have been reviewed to seek guidance in relation to residential development in the vicinity of airports. At Melbourne Airport there is a prohibition on all forms of permanent residential development within the immediate airport environs along with a mandatory requirement for noise attenuation measures for buildings on the flight path approaches in accordance with the Australian Standards. Temora Airport, which is similar to the operations at the Goulburn Airport, permits residential buildings at the site subject to full compliance with the Australian Standard (AS2021) for dwellings on or near aerodromes.

To support the proposal for a caretaker's residence or any residential use at the Goulburn Airport the proposal must be conditioned to be:

- Fully compliant with the Building Code of Australia provisions for adequate separation from the hangar internally, and
- Have soundproofing of the residence in accordance with the Australian Standard (AS2021) for dwellings to be erected on or near aerodromes, including:
 - The walls of the dwelling shall consist of brick or brick veneer, glass, fibrolite, or wholly or substantially from fibrolite and provided that the roof and ceiling of the dwelling house are insulated and the windows of bedrooms are double glazed and all walls are sound insulated.

The application did not provide information relating to wastewater management and achieving a neutral or beneficial effect to the Catchment. Similarly, adequate information relating to potential contamination by the workshop use has not been received. Based on past experiences it is considered that information can be provided to address these issues. Accordingly it is recommended that a conditional deferred commencement consent be issued (refer attachments) with the following:

- Report prepared by a suitably accredited person that demonstrates that the existing wastewater treatment system achieves a neutral or beneficial effect in accordance with SEPP 58.
- Report prepared by a suitably accredited person for contamination validation for the residential use (as the residence was formally a workshop).

BUDGET IMPLICATIONS

Contributions will be received for infrastructure provision and upgrades in accordance with the Mulwree Section 94 Development Contributions Plan.

POLICY CONSIDERATIONS

Mulwree Shire Council Local Environmental Plan 1995 (as amended)
Mulwree Section 94 Development Contributions Plan

RECOMMENDATION:

THAT a conditional Deferred Commencement Development Consent be granted under delegation for Development Application No. 24/0405 for a caretakers residence at No. 43 Airport Road, Goulburn.

04/530 RESOLVED THAT the recommendation as set out in the report be adopted.,

Cr Hadlow / Cr Harris

ITEM 12

SUBJECT	DEVELOPMENT APPLICATION NO. 98/0405 – 3 SYDNEY ROAD, GOULBURN
REPORTING OFFICER	Town Planner – Ben McLean

PURPOSE OF REPORT

To present the Assessment Report for the above Development Application.

REPORT

A Development Application has been lodged for a light industrial building and boundary adjustment at 3 Sydney Road, Goulburn. The development site is located in an industrial area, which is characterised by a mix of commercial and residential type uses. The Sydney-Goulburn rail line is located nearby. The site is zoned “Industrial” and the proposal is permissible in this zone. A Locality Plan of the development site is included in the attachments.

The Development Application involves the construction of an industrial building. Plans of the proposal are included within the attachments.

An assessment of the proposal has been completed in accordance with the planning legislation. The proposal generally complies with the relevant planning controls, policies and requirements.

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The subject lot does not have legal access and/or easements and the appropriate arrangements need to be made prior to the Consent becoming operational. A Deferred Commencement requirement can address this issue.

Public exhibition of the proposal resulted in a total of one submission being received from a nearby landowner and resident. A copy of the submissions is included in the attachments.

The key issues raised and the planning responses are as follows:

- Side setback and concern would set a precedent for fire safety compliance.

A side setback of less than 4m is permitted under the Building Code of Australia (BCA) subject to the method of construction meeting fire safety requirements. A condition of consent will be imposed to ensure that all building work complies with the BCA and that plans and details are to demonstrate compliance prior to the issue of the Construction Certificate.

- No landscaping to be provided

A landscape plan is provided and considered acceptable. A condition can be included to require landscaping to be undertaken in accordance with the submitted plan and usual landscaping specifications.

From the assessment of the proposal and consideration of submissions a conditional deferred commencement approval is recommended. Draft conditions are included in the attachments.

BUDGET IMPLICATIONS

Contributions will be received for infrastructure provision and upgrades in accordance with the Draft Common Street Business Park Outline Plan and City-wide Infrastructure Contributions Plan.

POLICY CONSIDERATIONS

Goulburn Local Environmental Plan 1990 (as amended)
Goulburn Development Control Plan No. 2 – Industrial Development
Draft Goulburn Development Control Plan No. 2 – Industrial Development
Goulburn Development Control Plan No. 3 – Off Street Parking
Goulburn Development Control Plan No. 9 – Notification
City-wide Infrastructure Contributions Plan.
Draft Common Street Business Park Outline Plan

RECOMMENDATION:

THAT conditional Deferred Commencement Development Consent be granted under delegation for Development Application No. 98/0405 for an industrial building and boundary adjustment at No. 3 Sydney Road, Goulburn.

04/531 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris/ Cr Eddy

ITEM 13

SUBJECT	DELEGATIONS UNDER THE FOOD ACT 2003
REPORTING OFFICER	Manager Environmental Services – Sonia Spotswood

PURPOSE OF REPORT

To confer delegations to the General Manager under the *Food Act 2003*.

REPORT

A letter has been received from the NSW Food Authority advising of the need to formally update delegations under the new *Food Act 2003*.

The *Food Act 2003* commenced in February 2004 and contains a number of new powers and functions including the serving of improvement notices and prohibition orders. The *Food Regulation 2004*, which commenced at the same time, prescribes all local councils as enforcement agencies. Under the Act, enforcement agencies have a number of powers and functions, including the service of prohibition orders (s60) and the appointment of authorised officers (s114).

There has been some debate on the legality of such functions being exercised by the General Manager of a local council. The Food Authority has consulted with the Department of Local Government and arrived at the following position:

- Functions conferred on local councils by the *Food Act 2003* are conferred on the body corporate. Therefore, these functions may be appropriately delegated within the Council without being invalidated.
- s377(1) *Local Government Act 1993* allows Council to resolve to delegate such functions to the General Manager.
- s378(2) *Local Government Act 1993* allows the General Manager to sub-delegate such functions to another Council employee.
- However, delegation of such functions to a person external to the Council is not permitted.

Consultation by the Food Authority with the Australian Institute of Environmental Health, Environmental Development Allied Professionals and local councils has indicated that there is general consensus that delegation of these functions to the General Manager is appropriate. In particular, prohibition orders, which protect public health and safety and need to be served expeditiously to mitigate a serious danger to public health. A resolution of the Council is required to make the delegation valid. This approach is no different to other regulatory delegation arrangements currently in place.

In addition, the *Food Regulation* prescribes the Director-General as the “appropriate enforcement agency” for the purposes of the Food Standards Code. The Code refers to the “appropriate enforcement agency” in Standard 3.2.2 and 3.2.3 that relate to alternate hand washing and floor construction requirements of food premises. The Director-General has now conferred these functions to the General Manager.

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However, this delegation is subject to two statutory conditions as follows:

- s109E(4) *Food Act 2003* requires the written consent of the Council for the functions to be delegated, and
- s381(3) *Local Government Act 1993* requires such delegations to the General Manager to be approved.

These delegations can be sub-delegated by the General Manager to an appropriately qualified staff member if authorised in writing by the NSW Food Authority.

In summary the acceptance of the delegations allows the General Manager to:

- Appoint suitably qualified staff as authorised officers for the purposes of the *Food Act 2003*
- Sign prohibition orders on food premises to mitigate a serious danger to public health
- Vary the Food Standards Code to enable alternative methods for hand washing and floor construction.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT

- A. The General Manager be authorised as being the “enforcement agency” for the purposes of Section 60 (Prohibition Orders) and Section 114 (Appointment of Authorised Officers) of the Food Act 2003.**
- B. The Director General of the NSW Food Authority delegating powers under the Food Safety Standards to the General Manger be approved.**

04/532 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Lamarra / Cr Harris

ITEM 14

SUBJECT	REGULATORY ACTIVITY
REPORTING OFFICER	Manager Environmental Services – Sonia Spotswood

PURPOSE OF REPORT

To present information in relation to public health water sampling, companion animal and livestock impounding and parking infringements for the month of October 2004.

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REPORT

Public Health Water Samples

Water sampling is undertaken to monitor water quality is several village and City locations. Samples are sent for independent analysis. The following table details the testing outcomes and is presented for information.

Bacteriological

Locality	Date	Total Coliforms	E Coli
Goulburn			
GA01020	12 October 2004	<1	<1
GA01028	12 October 2004	<1	<1
GA01033	12 October 2004	<1	<1
GA01022	19 October 2004	<1	<1
GA01025	19 October 2004	<1	<1
GA01027	26 October 2004	<1	<1
GA01031	26 October 2004	<1	<1
GA01032	26 October 2004	<1	<1
Marulan			
GA02019	12 October 2004	2	<1
GA02020	19 October 2004	2	<1
GA02021	26 October 2004	8	<1
Run-O-Waters			
GA03045	12 October 2004	<1	<1

As the level of *E Coli* is less than 1 then water quality is compliant with acceptable Australian Drinking Water Guidelines.

Chemical

Locality	Date	Compliance	Comments
Goulburn	12 October 2004	No	<p><i>Non compliance for:</i></p> <ul style="list-style-type: none"> ▪ Total Hardness 240.9 (Limit 200mg/L) <p><i>Action:</i> Results referred to Goulburn Water Services</p> <p><i>Response:</i> Hardness is due to catchment conditions/geology and is consistent with previous results.</p>

Impounding & Companion Animal Control

The following livestock impounding report is presented for information:

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Date	Location	No.	Type	Action
15 October 2004	Mt Baw Baw Rd	3	Horse	Owner contacted and picked up horses.
28 October 2004	Bungonia	1	Horse	Horse impounded

There were 40 dogs impounded for the month of October. Of those impounded 10 were surrendered by their owners, 15 were returned to their owners and 7 were sold.

There were 2 cats impounded for the month of October. Of those impounded 1 was sold.

Parking Infringements

There were 50 parking infringements issued for the month October 2004.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the information on regulatory activity be noted.

04/533 RESOLVED THAT the information be received and noted.

Cr Sullivan / Cr Sturgiss

ITEM 15

SUBJECT	ENVIRONMENT & PLANNING UPDATE
REPORTING OFFICER	Director Environment & Planning – Chris Berry

PURPOSE OF REPORT

To advise of the progress with Management Plan activities within the Environment & Planning Service Functions October 2004.

REPORT

The major activities, progress and emerging key issues for the Environment and Planning Service Functions are summarised below:

Service Provider: Environment and Planning Management Support	
Major Activity	<ul style="list-style-type: none"> ▪ Assistance to Development Control and Strategic Planning
Emerging Issues/ Priorities	<ul style="list-style-type: none"> ▪ Development of Service Standards and Indicators across Directorate ▪ Performance Measurement Systems

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Service Provider: Strategic and Environmental Planning	
Major Activity	<ul style="list-style-type: none"> ▪ Animal Shelter contract ▪ Project Brief for new land use strategy
Emerging Issues/ Priorities	<ul style="list-style-type: none"> ▪ New land use strategy and LEP

Service Provider: Development Control and Assessment	
Major Activity	<ul style="list-style-type: none"> ▪ Systems integration ▪ Recruitment priorities ▪ DA/CC assessment ▪ Assessment/Decision Making Policy
Emerging Issues/ Priorities	<ul style="list-style-type: none"> ▪ Developing service standards

Service Provider: Public Health and Environment	
Major Activity	<ul style="list-style-type: none"> ▪ Rural water sampling
Emerging Issues/ Priorities	<ul style="list-style-type: none"> ▪ Recruitment

Service Provider: Regulatory Services	
Major Activity	<ul style="list-style-type: none"> ▪ Parking patrols ▪ Livestock and companion animal patrols ▪ Response to complaints ▪ Development of a Complaints Record/Management System ▪ Animal Shelter operation ▪ Review of Noxious Weeds functions and resourcing
Emerging Issues/ Priorities	<ul style="list-style-type: none"> ▪ Reorganising Regulatory Programs to match available resources

Service Provider: Environment and Planning Customer Service	
Major Activity	<ul style="list-style-type: none"> ▪ Systems integration ▪ Backlog of conveyance certificates eliminated ▪ Meeting with solicitors on improving drainage diagrams ▪ Reorganising staff resources for better support to technical staff
Emerging Issues/ Priorities	<ul style="list-style-type: none"> ▪ Developing service standards

BUDGET IMPLICATIONS

As per Management Plan.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the progress of Management Plan activities within the Environment & Planning Service Functions be noted.

04/534 RESOLVED THAT the information be received and noted.

Cr Lamarra / Cr Hadlow

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
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I N D E X

ITEM NO.	DESCRIPTION	PAGE
<u>1.</u>	<u>Airport Advisory Committee minutes</u> – skydiving operations <i>See attachment Document D1-D4</i>	<u>D1</u>
<u>2.</u>	<u>Policies for Sewer Pumping</u> <i>See attachment Document D5-D7</i>	<u>D2</u>
<u>3.</u>	<u>Water Quality Report</u>	<u>D3-D4</u>
<u>4.</u>	<u>Water Supply Status</u>	<u>D5-D9</u>
<u>5.</u>	<u>Water and Sewerage Access Charge</u>	<u>D9-D10</u>
<u>6.</u>	<u>L934/2004-2006 Water Meter Reading</u>	<u>D11</u>

DIRECTOR OF UTILITIES DIVISION REPORT TO ORDINARY MEETING OF COUNCIL:

ITEM 1

SUBJECT	AIRPORT ADVISORY COMMITTEE MINUTES – SKYDIVING OPERATIONS
REPORTING OFFICER	Manager of Technical Services (MTS), Ian Aldridge

PURPOSE OF REPORT

To seek Council resolution on the adoption or otherwise of the Airport Advisory Committee's determination on Skydiving at Goulburn Airport.

REPORT

At the Council meeting of 19 October 2004, the Airport Advisory Committee (AAC) minutes of 26 August were adopted with the exception of Item 4.1 "Skydiving Operations", which was deferred. Council requested that the proponent make a presentation on the proposal. Such presentation by Simply Skydive's Mr Donovan Casey and Mr Andrew Pitkin was made to the Functional Committee meeting of 3 November 2004.

Attached are the AAC's item 4.1 and Simply Skydives letter of 21 May 2004 on their proposal.

The AAC's determination is reproduced below:

That the six months skydiving proposal be approved with the airport as the drop zone provided that only holders of parachuting certificates of grades D, E and F can drop on the airport. Fees would be the normal Avdata Fees.

BUDGET IMPLICATIONS

Skydiving would provide income to the airport, initially by way of land charges and possibly by annual agreement after the trial period.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT Council consider the Airport Advisory Committee's determination on the Skydiving proposal.

Cr Lamarra declared an interest in this item and left the meeting the time being 7.56 pm.

04/535 RESOLVED THAT the AAC's determination as set out in the report be adopted and that a fee of \$2000 be charged for a six month trial plus landing charges.

Cr Lamarra returned to the meeting the time being 8.10 pm.

ITEM 2

SUBJECT	POLICIES FOR SEWER PUMPING
REPORTING OFFICER	Manager of Technical Services (MTS), Ian Aldridge

PURPOSE OF REPORT

To recommend the adoption of two policies in relation to the pumping of sewage to cover:

1. Private pumping of sewage
2. Sewage pumping stations required by developers.

REPORT

Recently there have been a number of development enquiries for land on which it is impossible to provide a sewage service without pumping. Included amongst these enquiries are:

- Former Supertex land
- Sowerby Street
- Racecourse Drive
- Rossiville Road

It can be expected that such enquiries will become more frequent. In particular, any development that occurs below natural surface levels, such as underground car parks or lower level shopping, will require some pumping arrangements if amenities are to be provided. There are already some instances of pumping within the city that have developed on an ad hoc basis over a number of decades.

It is considered desirable to have a policy basis to deal with such enquiries in a sound and consistent manner. Accordingly, two policies have been drafted and are attached.

Summaries of the two policies are:

1. Private Pumping of Sewage

Permissible if a significant industrial or commercial development (not residential) and contained within the lot. The owner operates and maintains the system.

2. Sewage Pumping Stations Required by Developments

This is where a Council owned / operated system is required. The developer must bear all capital and maintenance costs (capitalised).

<u>RECOMMENDATION:</u>

THAT the two draft policies are adopted.

04/536 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Eddy / Cr Hadlow

ITEM 3

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SUBJECT	WATER QUALITY REPORT
REPORTING OFFICER	Jill Bartlett - Environmental Officer

PURPOSE OF REPORT

To inform Council as to the quality of drinking water being supplied to Goulburn.

REPORT

Routine water quality monitoring has been carried out to ensure Goulburn's water supply complies with Australian Drinking Water Quality Guidelines (1996) and observe changes to Raw water supplies.

Monthly water quality testing of town drinking water, sampled on the 12th October, has indicated all parameters tested were within Australian Drinking Water Guidelines (1996), with the exception of water hardness. Hard water is a result of catchment influences, with geology impacting on water chemistry. The impact of hard water is variable, depending on the levels. The levels currently being experienced are still within the range of good quality water with no health impacts being experienced from elevated water hardness. Other parameters tested along with Guideline values are displayed in the table below.

Parameter	Unit	Guideline Value Health	Guideline Value Aesthetic	Goulburn's Drinking Water Quality
Aluminium	mg/L		0.2	0.19
Antimony	mg/L	0.003		0.002
Arsenic	mg/L	0.007		<0.001
Barium	mg/L	0.7		0.058
Boron	mg/L	0.3		<0.01
Cadmium	mg/L	0.002		<0.0005
Chloride	mg/L		250	143.7
Colour (true)	Pt-Co	15		<1
Copper	mg/L	2	1	0.038
Fluoride	mg/L	1.5		1.17
Iodide	mg/L	0.1		0.023
Iron	mg/L		0.3	0.01
Lead	mg/L	0.01		0.002
Manganese	mg/L	0.5	0.1	0.014
Mercury	mg/L	0.001		<0.0001
Molybdenum	mg/L	0.05		0.006
Nickel	mg/L	0.02		<0.01
Nitrate	mg/L	50		<1
Nitrite	mg/L	3		<0.1
pH		6.5-8.5		7.9
Selenium	mg/L	0.01		<0.002
Silver	mg/L	0.1		<0.002
Sodium	mg/L		180	81.6
Sulphate	mg/L	500	250	81.2
Total Dissolved	mg/L	500		420

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Solids				
Total Hardness as CaCO₃	mg/L	200		240.9
Turbidity	NTU	5		0.6
Zinc	mg/L		3	0.03

Note: Bolded parameters are those exceeding Guideline values.

Previous concerns of high Aluminium in Goulburn's drinking water are no longer of concern. With natural changes to the raw water supply, along with PAC dosing at the water filtration plant any excess Aluminium is being effectively removed. Testing during October has found Aluminium levels to be between 0.04 and 0.19mg/L, within Australian Drinking Water Guidelines (1996).

Water quality testing for Bacteriological cells from the 6th October to the 20th October have produced no failures, returning no positive tests for E.coli or coliforms, as required by the Drinking Water Guidelines.

Chlorine levels within the reticulation system have been relatively good. Chlorine dosages have been boosted in some locations, as a result of warmer weather and longer retention times within the reticulation system. Higher levels of Chlorine ensure that, with longer retention times of treated water, no bacteriological failures are experienced.

Raw water testing at Rossi Weir has indicated that water hardness is above drinking water guideline levels. The guideline level is 200mg/L while results indicate water in Rossi Weir has a total hardness of around 220mg/L. As this water is yet to be treated, it is not considered a concern.

Blue green algae testing has not yet commenced for this season, however storage operators have begun looking for signs of blue-green algae within the raw water storages for Goulburn.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the information be noted.

04/537 RESOLVED THAT the information be received and noted.

Cr Lamarra / Cr Eddy

ITEM 4

SUBJECT	WATER SUPPLY STATUS
REPORTING OFFICER	Manager of Water Services – Matthew O'Rourke

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PURPOSE OF REPORT:

To inform Council on the current status of Goulburn's water supply and provide an update on the drought contingency works.

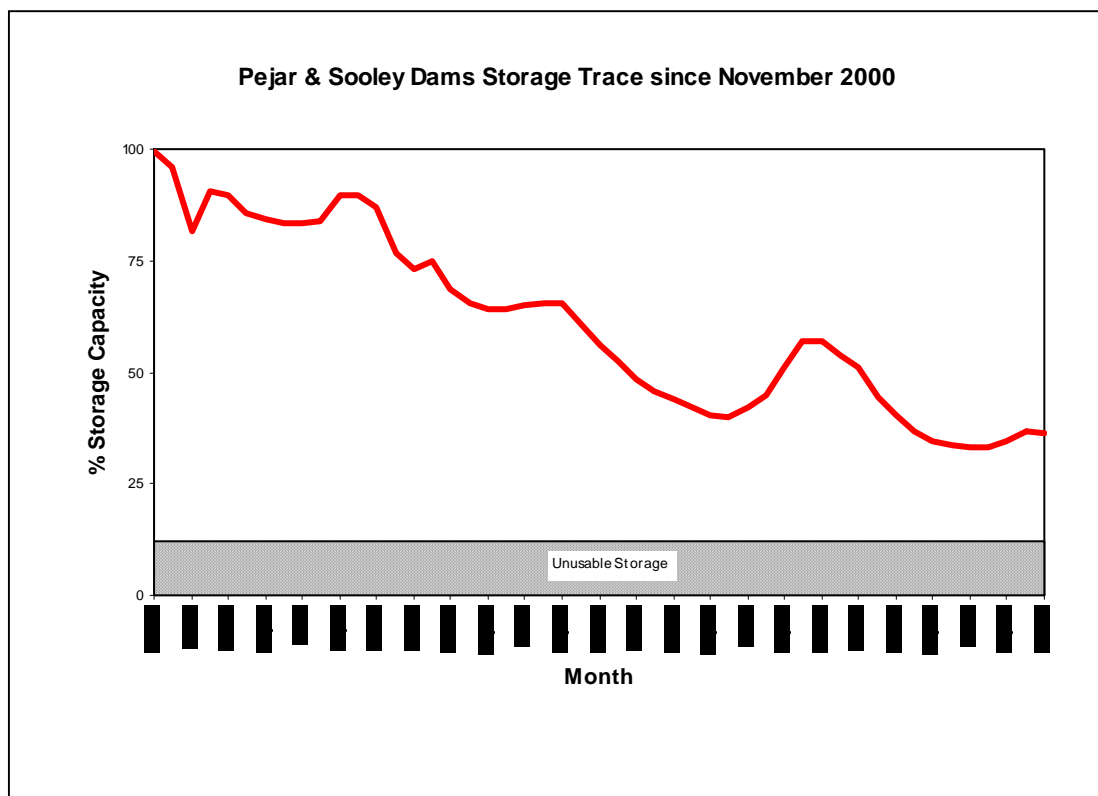
REPORT:

Following table shows the status of the water storages at 8 November 2004.

Storage	Capacity - MI	Current - MI	% of total
Pejar	9000	1745	19.4 %
Sooley	4140	2827	68.3 %
Rossi	330	325	98.4 %
Total	13470	4897	36.4 %

Available water capacity 24.8 %

The following graph illustrates the fall in total water storage capacity since November 2000 when the total capacity was at 99.4%.



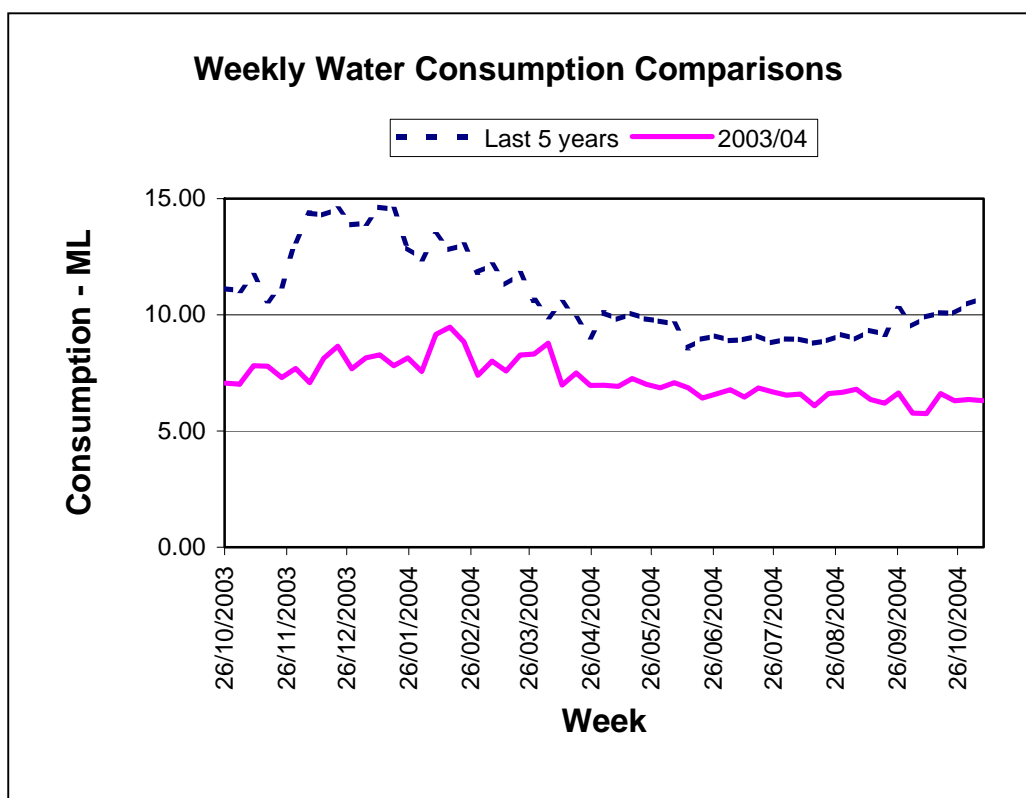
The following table provides a monthly comparison of water consumption under water restrictions compared to the last 5 years.

Month	Consumption 5 yr average	Consumption 2003/04
Nov 03	11.62 MI/day	7.60 MI/day
Dec 03	14.16 MI/day	7.95 MI/day

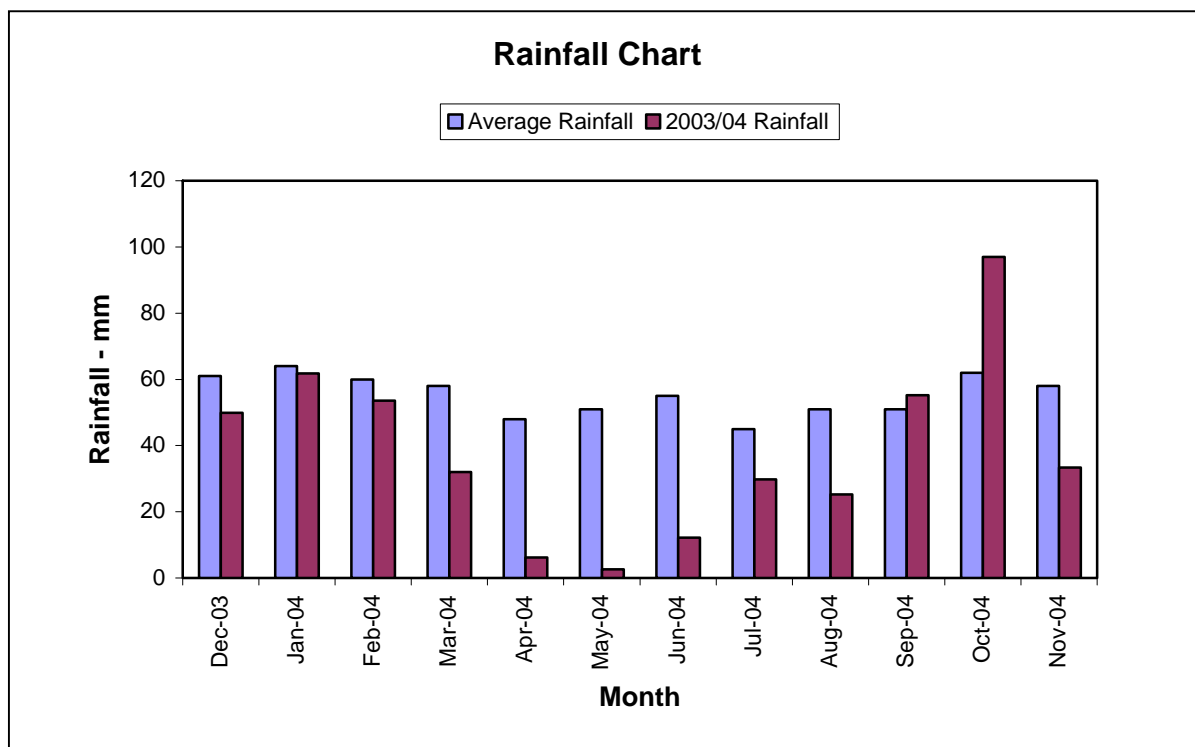
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Jan 04	13.79 Ml/day	8.00 Ml/day
Feb 04	12.76 Ml/day	8.70 Ml/day
Mar 04	11.31 Ml/day	8.13 Ml/day
Apr 04	9.80 Ml/day	7.36 Ml/day
May 04	9.94 Ml/day	6.99 Ml/day
Jun 04	9.01 Ml/day	6.72 Ml/day
July 04	8.95 Ml/day	6.72 Ml/day
Aug 04	8.95 Ml/day	6.41 Ml/day
Sept 04	9.51 Ml/day	6.52 Ml/day
Oct 04	10.03 Ml/day	6.21 Ml/day
Nov 04	10.98 Ml/day	6.31 Ml/day

The following graph illustrates the above water consumption trend over the last 12 in comparison with the previous 5-year average (updated 8 November 2004).



The following graph compares rainfall received during the past 12 months to average rainfall (664 mm).



During October 97mm of rain was received, this is the highest monthly total since February 2002 (114mm). The total rainfall received for the year to date is 409mm, approximately 200mm below average rainfall for the January to November period. 2004 will be the third consecutive year of below average rainfall. The capacity within Pejar Dam has not improved from the recent rain, therefore despite some inflow into Rossi Weir and Sooley Dam the overall storage capacity has not recovered substantially to date.

The most recent seasonal outlook for the November to January period from the Bureau of Meteorology suggests there is around a 40% chance of exceeding median rainfall over the next three months. Therefore significant rainfall required for water storages to recover is not likely for this period.

Drought Contingency Works

Status of the drought contingency works for the groundwater and surface water options is as follows:

Groundwater

The groundwater drilling and testing program has concluded, with positive results from the Kingsdale Area. 72-hour pump tests have been carried out to determine an estimated yield from the groundwater source. Data loggers were installed in nearby domestic bores throughout the 72-hour tests to determine the influence of continued pumping on the domestic bores.

The following table provides an indication of expected yield from a bore field in the Kingsdale area:

Description	TB#1	TB#2	TB#3	TB#8
Airlift flow rates	10 l/s	16 l/s	13 l/s	3.3 l/s

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72 hour pump test flow rate	4.5 l/s	4.8 l/s	4.8 l/s	4.5 l/s
Drawdown (72 hr test)	0.98m	0.48m	0.63m	1.71m
Volume extracted (72 hr test)	1.17 ML	1.24 ML	1.24 ML	1.17 ML
TDS* (salinity)	661 mg/L	680 mg/L	596 mg/L	577 mg/L
* Australian Drinking Water Guideline Value 500 mg/L				

The 72 hour pump test indicate a permeable aquifer in the Kingsdale Area with considerable groundwater storage. It is estimated a flow rate between 6 to 8 litres per second will be available from three of the bores TB#1, TB#2 and TB#3. The following conclusions have been drawn from the drilling and testing program:

- A groundwater supply from the Kingsdale aquifer is suitable as an emergency drought measure, however the extraction rates recommended would not be sustainable for long periods. Although the aquifer is a suitable drought supply the following cases are estimated for supply purposes.

Extraction rate	Best case	Moderate case	Worst case
2 ML/day	3.21 years	1.31 years	0.99 years
3 ML/day	2.14 years	0.87 years	0.66 years
4 ML/day	1.60 years	0.65 years	0.49 years
5 ML/day	1.28 years	0.52 years	0.39 years

- Extraction of 2 to 3 ML per day is anticipated from the bore field. When Sooley and Pejar Dams have recovered, it is anticipated the bore field in the Kingsdale Aquifer will not be operated, allowing recharge of groundwater to occur. The high porosity in the central (fairway) section of the aquifer will allow periods of heavy pumping, followed by relatively rapid recharge from rainfall and infiltration from Bumana Creek.

Mr Murray Brooker, a Hydrogeologist from Parsons Brinckerhoff will present findings from the recent drilling and testing program to the meeting. Mr Brooker was on site for the duration of the program and was responsible for contract supervision and program delivery.

The next stage of the works is to convert the test bores into production bores by equipping the suitable bores with power, a submersible pump, pipeline and fittings to an appropriate outlet position in close proximity to Sooley Dam. Production bores are to be licenced with the Department of Infrastructure, Planning and Natural Resources.

Surfacewater

Preconstruction activities are nearing completion on the surface water option. Lightning damage to GPS survey equipment has delayed completion of these works by a fortnight. It is now expected that design and documentation will be available towards the end of November 2004. Hydraulic design of the pipeline is complete with the pumpstation, and treatment facility design underway at present.

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A draft Review of Environmental Factors is complete. An additional aboriginal archaeological survey and a site inspection by a botanist during November have been requested from findings to date. It is anticipated the additional requests can be resolved through a single day inspection by appropriately qualified personnel.

BUDGET IMPLICATIONS:

Additional expenditure will be required to commission conversion of test bores into production bores. This expenditure is unbudgeted and will be subject to a financial assistance request.

POLICY CONSIDERATIONS:

Nil

OFFICER'S RECOMMENDATION:

THAT a brief be prepared for design and documentation works to convert the Kingsdale bore field to production bores.

04/538 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Hadlow / O'Neill

ITEM 5

SUBJECT	WATER AND SEWERAGE ACCESS CHARGE
REPORTING OFFICER	Manager of Water Services – Matthew O'Rourke

PURPOSE OF REPORT

To seek Council endorsement for an amendment to the water and sewerage access charge structure for meter sizes determined by fire fighting provisions.

REPORT

Since the introduction of the new sewerage pricing structure from 1 July 2004, a number of requests have been received to amend the pricing structure. The new sewer pricing structure is calculated on user pay principles, whereas previously the ad velorum method was applied. Essentially the sewer pricing structure consists of an access charge based on water meter size plus water consumption recorded at the water meter. The introduction of this pricing structure is one of a number of pre-requisites for access to financial assistance under the Country Towns Water Supply and Sewerage Program.

For business, commercial and industrial applications, the water meter size is determined by the volumetric requirement for individual activities. The volumetric requirement is comprised of firefighting and general use. In some circumstances, the water meter for firefighting is larger than general use. Therefore a larger water meter is installed than would

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otherwise be required. Some circumstances exist where separate unmetered fire services are installed for dedicated fire fighting purposes, with an additional service installed for general use. Dedicated fire service installations do not attract an access charge.

In recognition of cases where different meter sizes are required for fire fighting and general use, and a single meter is installed, it is proposed to apply an access charge to the meter size that is reflective of general use requirements. In cases where the meter size is determined by firefighting requirements, hydraulic analysis should be carried out to differentiate the meter size for fire fighting and general use. Therefore, the access charge applied should be amended to represent general use requirements. All volumetric charges would still apply.

BUDGET IMPLICATIONS

Some access charges will be reduced in recognition of smaller meter sizes for internal water use rather than fire fighting purposes.

POLICY CONSIDERATIONS

Water and Sewerage Pricing policy consists of access plus water consumption charges.

RECOMMENDATION:

THAT in circumstances where a single water meter is installed, an access charge be applied which represents the meter size required for general use rather than firefighting purposes, with the general use requirement determined by hydraulic analysis prepared by suitably qualified persons.

04/539 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Hadlow / Cr Sturgiss

ITEM 6

SUBJECT	L934/2004-2006 Water Meter Reading
REPORTING OFFICER	Manager of Water Services – Matthew O'Rourke

GROUND FOR DISCUSSION IN CLOSED COMMITTEE

This report is dealt with in Closed Committee on the grounds that it contains commercial information of a confidential nature that would if disclosed, prejudice the commercial position of the person who supplied it. Section 10 A (2) (d) (i) of the Local Government Act 1993.

PURPOSE OF REPORT

To seek Council endorsement for acceptance of a tender for water meter reading in Goulburn, Run 'O' Waters and Marulan.

RECOMMENDATION:

THAT this report be considered in Committee of the Whole.

This item was dealt with in Committee of the Whole

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<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
	<u>Level Crossing - Portland Avenue, Marulan</u>	<u>E2</u>
	<i>See Attachment Document</i>	E1-E2
<u>2.</u>	<u>Memorial Wall for Cemeteries at Tallong and Tarago</u>	<u>E3</u>
	<i>See Attachment Document</i>	E3
<u>3.</u>	<u>Crown Road Closure</u>	<u>E4</u>
	<i>See Attachment Document</i>	E4
<u>4.</u>	<u>Recreation Area Harness Racing Track</u>	<u>E5</u>
<u>5.</u>	<u>Service Function Update</u>	<u>E6</u>
<u>6.</u>	<u>Questions without Notice</u>	

**DIRECTOR OF ENGINEERING SERVICES REPORT TO ORDINARY MEETING
OF COUNCIL**

ITEM 1

SUBJECT	LEVEL CROSSING. PORTLAND AVE. MARULAN.
REPORTING OFFICER	Phil Hansen – Director Engineering Services

PURPOSE OF REPORT

To report to Council on the response from RailCorp on proposed improvements to the above crossing.

REPORT

The letter details a number of considerations regarding the installation of an underpass that culminates in an estimate of more than \$1 million dollars to construct the underpass.

The letter states that Council will be required to fund the construction of the underpass as the underpass is considered to be related to road infrastructure rather than rail infrastructure. The Level Crossing Strategy Council (LCSC) may consider a funding contribution to the underpass however this is not anticipated to be significant.

The favored option of the LCSC is to close the crossing due particularly to the proximity of the existing rail bridge in George Street and a proposed alteration to the use of the ballast stockpile.

It would appear that if Council were to insist on any option to keep the crossing open, the responsibility of funding the majority of the work would fall on Council.

The three main options available are:

1. Close the crossing.
2. Install boom gates with lights and bells.
3. Construct an underpass.

The construction of an underpass will require a significant financial commitment from Council and, given the amount of traffic utilizing the crossing (about 180 vehicles each day in 2002), is difficult to justify the expenditure of in excess of \$1 million dollars.

The installation of boom gates with lights and bells also pose a number of problems with regard to noise effects on adjoining residents and the continued conflict between trains and vehicles at the crossing. Discussions with RailCorp indicate that the classification of the crossing makes the provision of bells mandatory.

The closure of the crossing will eliminate the conflict between trains and vehicles and will not produce additional noise however there is concerns over the impact that closing the crossing may have on emergency vehicle access throughout the town. Consideration should also be given to the access requirements of Readymix to the ballast stockpile adjacent to the

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railway lines. If closing the crossing was proposed, it would need to coincide with the closure of the ballast stockpile.

BUDGET IMPLICATIONS

Funding for any work at the crossing has not been included in the 2004/2005 budget.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

SUBMITTED for Councils consideration.

It was **MOVED** by Cr Sullivan and seconded by Cr Craig that the information be received and noted.

An **AMENDMENT** was moved by Cr Eddy and seconded by Cr Lamarra that a traffic count be taken, consideration be given to future developments in Marulan and increased traffic conditions because of developments and allocation of funds.

The Amendment on being put to the meeting was declared **WON** and became the Motion.

04/540 The Motion on being put to the meeting was declared duly **CARRIED**.

ITEM 2

SUBJECT	MEMORIAL WALL FOR CEMETERIES AT TALLONG AND TARAGO.
REPORTING OFFICER	Phil Hansen – Director Engineering Services

PURPOSE OF REPORT

To advise Council on a request received from The Lions Club of Marulan and District Inc. to install a memorial wall in the Tallong Cemetery.

REPORT

At present, facilities do not exist at the Tallong cemetery to intern ashes in a memorial wall. The cemetery has a low usage rate and to date, no other request has been received to provide the abovementioned service. Council also operates a cemetery at Tarago where again, this service is not provided.

There now appears to be a demand for the provision of a memorial wall, which may increase if the service became available.

A number of prefabricated systems are available however they appear to be inappropriate for the locations proposed. Memorial walls may be fabricated from brickwork and designed to

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suit individual locations. Whichever method is chosen, provision for expansion should be included.

An estimate to construct a brick wall with twenty (20) receptacles at Tallong is \$3,000 and in anticipation of a similar demand at Tarago, it is proposed to construct a similar wall at the Tarago cemetery.

BUDGET IMPLICATIONS

The cost to construct both walls is estimated to be \$6,000. Funds have not been provided in the 2004/2005 budget for the above project.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT a Memorial Wall be constructed at the Tallong and Tarago cemeteries and FURTHER THAT funding be provided from working capital.

04/541 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Harris / Cr Hadlow

ITEM 3

SUBJECT	CROWN ROAD CLOSURE.
REPORTING OFFICER	Phil Hansen – Director Engineering Services

PURPOSE OF REPORT

Seeking any objection to the closure of a Crown Road.

REPORT

The Department of Lands requests advice from Council on any objection to the proposed closure of part of a Crown Public Road through Lot 4 DP 1027870 in the Parish of Breadalbane.

Closure of the subject road does not appear to effect access to any other lot and is not required by Council for the provision of access.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT Council not object to the closure of the subject Crown Road.

04/542 RESOLVED THAT the recommendation as set out in the report be adopted.

Cr Eddy / Cr Harris

ITEM 4

SUBJECT	RECREATION AREA HARNES RACING TRACK
REPORTING OFFICER	Manager Parks and Recreation – Tim Geyer

PURPOSE OF REPORT

To update the Council on the Harness Racing Track project at Goulburn Recreation Area and Showgrounds

REPORT

Councils Engineering Division has recently completed the construction of the ‘Goulburn 1000 Track’ at the Goulburn Recreation Area and Showgrounds. The track is the culmination of 11 years hard work lobbying and resource procurement by Councilors, Staff and the Harness Racing Club.

More recently the successful grant applications and cash contributions from Council and the club have brought the track to fruition. Engineering staff have now completed the base and racing surface, installed new safety rails and improved drainage. The track has been inspected by the stewards and with some minor alteration to the railing, the Club will hold a Gymkhana and Barrier Trial on 14th November 2004. The Stewards will monitor this event for final certification of the track.

The final phase of the project is the development of a marketing plan to be completed in conjunction with the stable estate along Braidwood Road, south of the Recreation Area. An official opening of the ‘Goulburn 1000 Track’ will be held, after final certification, and the various stake holders will be invited to attend.

BUDGET IMPLICATIONS

The funding for this project consists of general revenue (\$50,000), Goulburn Harness Racing Club contribution (\$55,000) NSW Regional Development grant (\$45,000) and Commonwealth Regional Partnership grant (\$67,000).

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the information be received

04/543 RESOLVED THAT the information be received and noted.

Cr Harris / Cr Sturgiss

ITEM 5

SUBJECT	SERVICE FUNCTION UPDATE
REPORTING OFFICER	Director of Engineering Services.

PURPOSE OF REPORT

To advise Council on the progress of works as detailed in the 2004/2005 Management Plan for Engineering Services.

REPORT

Service Provider: 2.3.1 Roads and Street Infrastructure – Director Engineering Services.	
Major Activities in Progress	<ul style="list-style-type: none"> • Shoulder maintenance in the Windellama area • Acceptance of the Bitumen Sealing Tender. • Glebe Street Reconstruction • Maintenance Grading unsealed roads in the Towrang areas. • Construction of Oallen Ford Road for sealing • Construction of Longpoint Road for sealing • Construction of Mayfield Road for sealing • Construction of Bullamalita Road for sealing • Construction of Wesley Road for sealing • Pothole maintenance various locations • Street Sweeping of Marulan Streets
Emerging Issues/Priorities	<ul style="list-style-type: none"> • Provision of water for road works in suitable quantities. • Wet weather has increased pavement defects – potholes, etc • Stormwater projects to wait until weather improves

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Service Provider: 3.7 Parks, Gardens & Reserves – Manager Parks & Recreation	
Major Activity	<ul style="list-style-type: none"> • Harness Racing Track
Works in Progress	<ul style="list-style-type: none"> • Belmore Park lawn maintenance • Mowing program • Rain water tanks at Recreation Area
Emerging Issues/ Priorities	<ul style="list-style-type: none"> • Careful management of Belmore Park during drought.
Service Provider: 3.8 Sporting Fields & Facilities – Manager Parks & Recreation	
Major Activity	<ul style="list-style-type: none"> • Aeration of play surface
Works in Progress	<ul style="list-style-type: none"> • Limited Sports fields mowing program • Fertilising of fields • Weed control • Test Bore at Carr Confoy
Emerging Issues/ Priorities	<ul style="list-style-type: none"> • Recent rain has allowed renovation works to commence. Grass cover is improving however will require follow-up rain to be sustained.
Service Provider: 3.9 Playgrounds – Manager Parks & Recreation	
Major Activity	<ul style="list-style-type: none"> • New equipment quotations
Works in Progress	<ul style="list-style-type: none"> • Risk Management inspections
Emerging Issues/ Priorities	<ul style="list-style-type: none"> • Softfall repairs need constant attention. Replacement of loose material with synthetic softfall needs to extend into the former shire.
Service Provider: 3.10 Street Trees – Manager Parks & Recreation	
Major Activity	<ul style="list-style-type: none"> • Drought effected tree removal
Works in Progress	<ul style="list-style-type: none"> • Selected hazard reduction • Selected root pruning
Emerging Issues/ Priorities	<ul style="list-style-type: none"> • Continued tree losses due to drought.
Service Provider: 3.11 Nursery – Manager Parks & Recreation	
Major Activity	<ul style="list-style-type: none"> • Sealing of access road, preparation
Works in Progress	<ul style="list-style-type: none"> • Construction of recycled water system • Limited plant production.
Emerging Issues/ Priorities	<ul style="list-style-type: none"> • Water recycling and conservation
Service Provider: 3.13 Museums – Manager Parks & Recreation	
Major Activity	<ul style="list-style-type: none"> • Car Park and access road at waterworks

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
COMMENCING AT 6.00PM IN THE COUNCIL CHAMBERS**

Works in Progress	<ul style="list-style-type: none"> • Willow control at Waterworks • Board Walk at Waterworks • Memorial Garden design War Memorial • Garden refurbishment at St Clair • Establish Friends of St Clair
Emerging Issues/ Priorities	<ul style="list-style-type: none"> • St Clair Cottage requires further involvement from Council to ensure continued success.
Service Provider: 3.17a Public Conveniences – Manager Parks & Recreation	
Major Activity	<ul style="list-style-type: none"> • Tap Replacement
Works in Progress	<ul style="list-style-type: none"> • Routine cleaning • Cistern replacements.
Emerging Issues/ Priorities	<ul style="list-style-type: none"> • The cistern replacement is being conducted for both water saving and OH&S reasons.

BUDGET IMPLICATIONS

Included in the 2004/2005 budget.

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the information is noted.

04/544 RESOLVED THAT the information be received and noted.

Cr Sullivan / Cr Craig

ITEM 6

SUBJECT	QUESTIONS WITHOUT NOTICE
REPORTING OFFICER	Phil Hansen – Director Engineering Services

PURPOSE OF REPORT

To respond to questions without notice from previous meetings.

REPORT

QUESTIONS WITHOUT NOTICE:

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
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Cr Craig Asked if an inspection of the Progress Street Reserve could be organized for Council.

Note by the Director of Engineering Services

Inspection complete.

Cr Harris Asked what value in monetary terms do we place on Belmore Park. There have been members of the public who object to Council watering the trees and gardens in the Park.

Manager of Parks and Recreation stated that Council is watering Belmore Park for one hour per day from 6.30 am to 7.30 am.

Cr Harris suggested a campaign could be set up advertising the benefits of looking after the trees in the Park.

Note by the Director of Engineering Services

Additional watering of the park has not been required due to the current weather conditions. Further consideration to advertising the benefits of looking after trees in the park will be given when required.

Cr O'Neill Asked that the grass at the cemetery be mowed as soon as possible. Director of Engineering Services advised mowing would be carried out.

Note by the Director of Engineering Services

Mowing of grass in the cemetery has been commenced and will be completed as soon as possible.

Cr Sturgiss Asked Director Engineering to check on the Oallen Ford Road. Director Engineering advised the matter would be looked into.

Note by the Director of Engineering Services

Oallen Ford Road has been scheduled for maintenance grading and should be completed by mid November.

BUDGET IMPLICATIONS

Nil

POLICY CONSIDERATIONS

Nil

RECOMMENDATION:

THAT the information be noted.

04/545 RESOLVED THAT the information be received and noted.

Cr Sullivan / Cr Craig

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
COMMENCING AT 6.00PM IN THE COUNCIL CHAMBERS**

QUESTIONS WITHOUT NOTICE:

Cr Eddy There is a large hole in the street near KFC at Marulan.
Director Engineering Services advised Council is trying to repair the hole.

Concerned with overgrown blackberries and long grass in Jennings Lane.
Director Engineering Services will follow up.

Cr O'Neill Concerned that Belmore Park could be damaged if Carols By Candlelight is held there.
Director Engineering Services will look into the matter.

Concerned what Christmas decorations are going to be used this year.
A/General Manager advised the current decorations will be used again this year and will look into the budget to update next year.

Cr Sturgiss Asking if linemarking will continue along the Goulburn/Windellama Road.
Director Engineering Services advised that funding is an issue as it would cost between \$20,000 - \$30,000.

Roadwork is prepared for sealing from Windellama Hall to Bungonia and stated that work is expected to stop 50m from a dangerous corner.
Director Engineering Services will check finishing point.

Cr Sullivan Letter to Cessnock Council regarding road cleanups.
Director Engineering Services to follow up.

Asked does the Council have a register of buildings containing asbestos.
Director Environment and Planning Services advised he is not aware of a register. Safety audits are carried out as required.

Cr Sullivan Asked is it the Council's responsibility to remove asbestos from houses.
Director Environment and Planning advised that Council is not responsible for the removal of asbestos from houses, as this is the responsibility of the property owner. Removal is regulated by Workcover requirements and all demolition activity must be in accordance with these requirements.

CLOSED MEETING:

04/546 RESOLVED THAT Council resolve itself into a Committee of the Whole and thereafter close the meeting to the press and public to discuss confidential matters referred to in the Business Paper.

Cr Hadlow / Cr Sullivan

THE MEETING ADJOURNED AT 9.10 PM TO CONSIDER THE REPORT OF THE COMMITTEE AS A WHOLE.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
COMMENCING AT 6.00PM IN THE COUNCIL CHAMBERS**

THE MEETING RECONVENED AT 10.00 PM TO REPORT ON THE COMMITTEE OF THE WHOLE.

REPORT OF THE MEETING OF THE COMMITTEE OF THE WHOLE HELD ON TUESDAY 16 NOVEMBER 2004:

On behalf of the Chairperson the General Manager reported that the Committee of the Whole resolved itself into Closed Committee as it was considered that the publicity of the proceedings of the Committee in relation to the items set out in the Agenda would be prejudicial to the public interest by reason of their confidential nature and for the reasons set out in the Report, the Press and public were excluded from the meeting.

It was advised that the following recommendations in regard to the following matters were adopted by the Committee.

ACTING GENERAL MANAGER'S REPORT TO THE COMMITTEE OF THE WHOLE

ITEM 1

SUBJECT	MOU – PROPOSED AGRI CENTRE
REPORTING OFFICER	ACTING GENERAL MANAGER

PURPOSE OF REPORT

Council to consider Memorandum of Understanding for a proposed Agri Centre

RECOMMENDATION:

THAT Council enter into a Memorandum of Understanding with ECO Solutions International Limited, with the Mayor being authorised to approve any minor amendments and the Council seal be affixed to document .

ITEM 2

SUBJECT	PART LOT 15 SOWERBY STREET, GOULBURN
REPORTING OFFICER	Corporate Management Officer – Ken Wheeldon

GROUND FOR DISCUSSION IN CLOSED COMMITTEE

This report is dealt with in Closed Committee on the grounds that it contains commercial information of a confidential nature that if disclosed may prejudice the commercial position of the person who supplied it – Section 10A(2)(d)(i) Local Government Act 1993.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
COMMENCING AT 6.00PM IN THE COUNCIL CHAMBERS**

PURPOSE OF REPORT

To inform of an offer received to purchase approximately 2,000m² of Lot 15, Sowerby Street, Goulburn. (refer attached letters and sketched plan)

RECOMMENDATION:

THAT approximately 2,000m² of Part Lot 15 Sowerby Street, Goulburn be leased to Mr Keith Woodman on the terms set out in this report and the Seal be affixed to all documentation necessary to complete this matter.

DIRECTOR OF FINANCE AND IT DIVISION REPORT TO COMMITTEE OF THE WHOLE

ITEM 1

SUBJECT	REFUND ON WATER USAGE ACCOUNT	
REPORTING OFFICER	Revenue Co-ordinator – Kristy Mason	FILE: 10 SALFORD STREET, GOULBURN

PURPOSE OF REPORT:

(Grounds for discussion in Closed Committee – Section 10A (2) (b) – “the personal hardship of any resident or ratepayer.”)

RECOMMENDATION:

THAT the amount of \$423.70 for the water leak be written off the water usage account for the property at 10 Salford Street, Goulburn owned by Mr & Mrs Poidevin.

ITEM 2

SUBJECT	REFUND ON WATER USAGE ACCOUNT	
REPORTING OFFICER	Revenue Co-ordinator – Kristy Mason	FILE: LOT 7 PATRICK PLACE, MARULAN

PURPOSE OF REPORT:

(Grounds for discussion in Closed Committee – Section 10A (2) (b) – “the personal hardship of any resident or ratepayer.”)

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 16 NOVEMBER 2004
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RECOMMENDATION:

THAT a fifty per cent rebate be given for the water usage account at Lot 7 Patrick Place, Marulan.

DIRECTOR OF UTILITIES REPORT TO THE COMMITTEE OF THE WHOLE

ITEM 1

SUBJECT	L934/2004-2006 WATER METER READING
REPORTING OFFICER	Manager of Water Services – Matthew O'Rourke

PURPOSE OF REPORT

To seek Council endorsement for acceptance of a tender for water meter reading in Goulburn, Run'O'Waters and Marulan.

RECOMMENDATION:

THAT the tender from Johnsons Plumbing be accepted for water meter reading.

04/547 RESOLVED THAT the recommendations of the Committee of the Whole as reported be adopted.

Cr Craig / Cr Lamarra

THE MEETING CLOSED AT 10.01 PM

The Minutes were confirmed at the Council Meeting held on 21 December 2004 and at which this signature was endorsed.

.....
CR PAUL STEPHENSON
(MAYOR)

.....
MR DON COOPER
(ACTING GENERAL MANAGER)